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Legislation

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I

(Acts whose publication is obligatory)

**COUNCIL REGULATION (EC) No 2397/96
of 6 December 1996**

on the conclusion of an Agreement in the form of an Exchange of Letters between the European Community and the State of Israel on the adjustment of the regime for imports into the European Community of oranges originating in Israel and amending Regulation (EC) No 1981/94

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty establishing the European Community, and in particular Article 113 in conjunction with the first sentence of Article 228 (2) thereof,

Having regard to the proposal from the Commission,

Whereas, in the context of the Uruguay Round of multi-lateral trade negotiations, the import regime for oranges has been changed;

Whereas the Exchange of Letters on the implementation of the Uruguay Round Agreements, which forms part of the Association Agreement between the European Communities and their Member States, of the one part, and the State of Israel, of the other part, signed on 20 November 1995 and of the Interim Agreement on trade and trade-related matters between the European Community and the European Coal and Steel Community, of the one part, and the State of Israel, of the other part⁽¹⁾, which was signed on 18 December 1995 and which entered into force on 1 January 1996, provides that the import regime for oranges originating in Israel will be agreed upon between the European Community and Israel at a later stage;

Whereas an agreement has been reached on certain adjustments of the import regime for oranges from Israel;

Whereas this Agreement in the form of an Exchange of Letters should now be approved;

Whereas Council Regulation (EC) No 1981/94 of 25 July 1994, opening and providing for the administration of Community tariff quotas for certain products originating in Algeria, Cyprus, Egypt, Israel, Jordan, Malta, Morocco, the Occupied Territories, Tunisia and Turkey, and providing detailed rules for extending and adapting these tariff quotas⁽²⁾, should be modified to implement the new regime for imports into the Community of oranges ori-

ginating in Israel, as provided for in this Agreement in the form of an Exchange of Letters with effect from 1 July 1996,

HAS ADOPTED THIS REGULATION:

Article 1

The Agreement in the form of an Exchange of Letters between the European Community and the State of Israel on the adjustment of the regime for imports into the Community of oranges originating in Israel is hereby approved on behalf of the Community.

The text of the Agreement is attached to this Regulation.

Article 2

The President of the Council is hereby authorized to designate the person empowered to sign the Agreement so as to bind the Community.

Article 3

Regulation (EC) No 1981/94 is hereby amended as follows:

- 1) In Annex II, in the table relating to order No 09.1323 (fresh oranges originating in Israel), the quota volume of 290 000 tonnes shall be replaced by 200 000 tonnes and the description under column 4 shall read 'Fresh oranges: 1 July to 30 June'.
- 2) At the end of Annex II, footnote 2 shall be replaced by the following:

⁽²⁾ Within this quota, the agreed entry price beyond which the specific additional duty provided in the Community's list of concessions to the WTO is reduced to zero, is:

⁽¹⁾ OJ No L 71, 20. 3. 1996, p. 2.

⁽²⁾ OJ No L 199, 2. 8. 1994, p. 1. Regulation as last amended by Commission Regulation (EC) No 1099/96 (OJ No L 146, 20. 6. 1996, p. 8).

- 273 ECU/tonne from 1 December 1996 to 31 May 1997
- 271 ECU/tonne from 1 December 1997 to 31 May 1998
- 268 ECU/tonne from 1 December 1998 to 31 May 1999
- 266 ECU/tonne from 1 December 1999 to 31 May 2000
- 264 ECU/tonne from 1 December 2000 to 31 May 2001 and from 1 December to 31 May of the following years.

If the entry price for a consignment is up to 2 %, 4 %, 6 % or 8 % lower than the agreed entry price, the specific customs duty shall be equal respectively to 2 %, 4 %, 6 % or 8 % of this agreed entry price. If the entry price for a consign-

ment is less than 92 % of the agreed entry price, the specific customs duty bound within the WTO shall apply.⁽¹⁾

Article 4

The Commission shall adopt detailed rules for the application of this Regulation, in accordance with the procedure laid down in Article 33 of Regulation (EEC) No 1035/72⁽¹⁾.

Article 5

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 July 1996.

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

Done at Brussels, 6 December 1996.

For the Council

The President

D. SPRING

⁽¹⁾ OJ No L 118, 20. 5. 1972, p. 1. Regulation as last amended by Regulation (EC) No 1363/95 (OJ No L 132, 16. 6. 1995, p. 8).

AGREEMENT

in the form of an exchange of letters between the European Community and the State of Israel on the adjustment of the regime for imports into the Community of oranges originating in Israel

A. Letter from the Community

Sir,

I have the honour to refer to the negotiations between the Israeli authorities and the European Commission on the regime applied on the import of oranges into the Community originating in Israel.

These negotiations were conducted on the basis of an exchange of letters on the implementation of the new WTO rules following the Uruguay Round, which forms part of the Association Agreement, signed on 20 November 1995, and of the Interim Agreement, signed on 18 December 1995, between the European Community and Israel.

By way of derogation from Protocol 1 of the said Agreements, it has been agreed that for fresh oranges falling within the code ex 0805 10:

1. From 1 July to 30 June of each season, 200 000 tonnes of oranges originating in Israel are exempted from *ad valorem* duties upon import into the Community. *Ad valorem* duties shall be reduced by 60 % in respect of quantities imported in excess of this quota.
2. Within this tariff quota, the specific duties will be reduced to zero during the period of 1 December to 31 May if the following entry price levels are respected:
1996/1997: 273 ECU/tonne
1997/1998: 271 ECU/tonne
1998/1999: 268 ECU/tonne
1999/2000: 266 ECU/tonne
2000/2001: and thereafter 264 ECU/tonne.
3. If the entry price of a particular lot is up to 2 %, 4 %, 6 % or 8 % lower than the entry price agreed upon under paragraph 2, the specific duty shall be 2 %, 4 %, 6 % or 8 % of the agreed entry price as appropriate.
4. If the entry price of a particular lot is less than 92 % of the agreed entry price the specific duty bound within the WTO shall apply.

This Agreement shall enter into force upon signature of both parties. It shall be applicable with effect from 1 July 1996.

I should be obliged if you would confirm that your Government is in agreement with the contents of this letter.

Please accept, Sir, the assurance of my highest consideration.

B. *Letter from Israel*

Sir,

I have the honour to acknowledge receipt of your letter of today's date which reads as follows:

'I have the honour to refer to the negotiations between the Israeli authorities and the European Commission on the regime applied on the import of oranges into the Community originating in Israel.

These negotiations were conducted on the basis of an exchange of letters on the implementation of the new WTO rules following the Uruguay Round, which forms part of the Association Agreement, signed on 20 November 1995, and of the Interim Agreement, signed on 18 December 1995, between the European Community and Israel.

By way of derogation from Protocol 1 of the said Agreements, it has been agreed that for fresh oranges falling within the code ex 0805 10:

1. From 1 July to 30 June of each season, 200 000 tonnes of oranges originating in Israel are exempted from *ad valorem* duties upon import into the Community. *Ad valorem* duties shall be reduced by 60 % in respect of quantities imported in excess of this quota.
2. Within this tariff quota, the specific duties will be reduced to zero during the period of 1 December to 31 May if the following entry price levels are respected:
1996/1997: 273 ECU/tonne
1997/1998: 271 ECU/tonne
1998/1999: 268 ECU/tonne
1999/2000: 266 ECU/tonne
2000/2001: and thereafter 264 ECU/tonne.
3. If the entry price of a particular lot is up to 2 %, 4 %, 6 % or 8 % lower than the entry price agreed upon under paragraph 2, the specific duty shall be 2 %, 4 %, 6 % or 8 % of the agreed entry price as appropriate.
4. If the entry price of a particular lot is less than 92 % of the agreed entry price the specific duty bound within the WTO shall apply.

This Agreement shall enter into force upon signature of both parties. It shall be applicable as from 1 July 1996.

I should be obliged if you would confirm that your Government is in agreement with the contents of this letter.'

I have the honour to confirm that my Government is in agreement with the contents of your letter.

Please accept, Sir, the assurance of my highest consideration.

Hecho en Bruselas, el diez de diciembre de mil novecientos noventa y seis.

Udfærdiget i Bruxelles, den tiende december nitten hundrede og seksoghalvfems.

Geschehen zu Brüssel am zehnten Dezember neunzehnhundertsechsdneunzig.

Έγινε στις Βρυξέλλες, στις δέκα Δεκεμβρίου χίλια εννιακόσια ενενήντα έξι.

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

Fait à Bruxelles, le dix décembre mil neuf cent quatre-vingt-seize.

Fatto a Bruxelles, addì dieci dicembre millenovecentonovantasei.

Gedaan te Brussel, de tiende december negentienhonderd zesennegentig.

Feito em Bruxelas, em dez de Dezembro de mil novecentos e noventa e seis.

Tehty Brysselissä kymmenentenä päivänä joulukuuta vuonna tuhatyhdeksänsataayhdeksänkymmentäkuusi.

Som skedde i Bryssel den tionde december nittonhundranittiosex.

Por la Comunidad Europea

For Det Europæiske Fællesskab

Für die Europäische Gemeinschaft

Για την Ευρωπαϊκή Κοινότητα

For the European Community

Pour la Communauté européenne

Per la Comunità europea

Voor de Europese Gemeenschap

Pela Comunidade Europeia

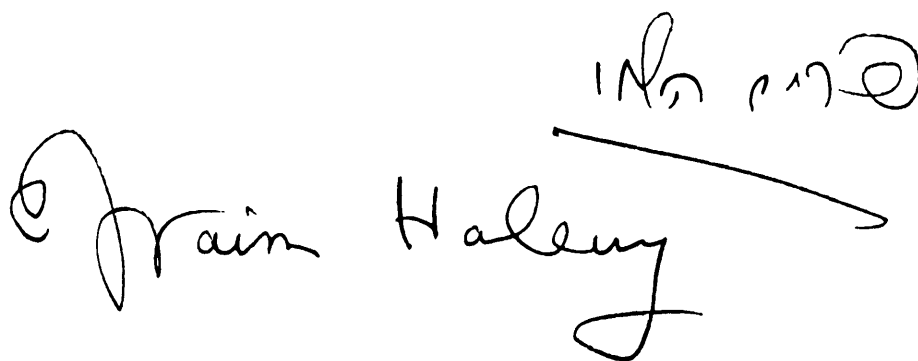
Euroopan yhteisön puolesta

På Europeiska gemenskapens vägnar



בשם ממשלת מדינת ישראל
For the Government of the State of Israel

שרת מלוא
Shavit Haluy



COUNCIL REGULATION (EC) No 2398/96**of 12 December 1996****opening a tariff quota for turkey meat originating in and coming from Israel as provided for in the Association Agreement and the Interim Agreement between the European Community and the State of Israel**

THE COUNCIL OF THE EUROPEAN UNION,

HAS ADOPTED THIS REGULATION:

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 Euro-Mediterranean Agreement establishing an association between the European Community and the Member States thereof, of the one part, and the State of Israel, of the other part, was signed in Brussels on 20 November 1995;

Whereas, pending the entry into force of the Agreement, the trade provisions thereof were implemented by the *Interim Agreement on trade and trade-related matters between the European Community and the European Coal and Steel Community, of the one part, and the State of Israel, of the other part, approved by Decision 96/206/ECSC, EC of the Council and Commission*⁽¹⁾; whereas the said *Interim Agreement* was signed on 18 December 1995 and entered into force on 1 January 1996;

Whereas Protocol 1 of these agreements provides for a reduction of the specific duty applicable to imports into the Community of turkey meat originating in and imported from Israel, in respect of a quantity of 1 400 tonnes;

Whereas this quota should be opened on an annual basis with effect from 1 January 1996 and the measures necessary for administering it should be adopted,

Article 1

A tariff quota for the import of turkey meat originating in Israel shall be opened within the limits of an annual volume of 1 400 tonnes.

The specific duty applicable to turkey meat imported under this quota and coming under the CN codes indicated below shall be:

0207 25 10: ECU 170/tonne

0207 25 90: ECU 186/tonne

0207 27 30: ECU 134/tonne

0207 27 40: ECU 93/tonne

0207 27 50: ECU 339/tonne

0207 27 60: ECU 127/tonne

0207 27 70: ECU 230/tonne

Article 2

The rules for applying this Regulation shall be adopted in accordance with the procedure laid down in Article 17 of Regulation (EEC) No 2777/75⁽²⁾.

Article 3

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 January 1996.

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

Done at Brussels, 12 December 1996.

For the Council

The President

A. DUKES

⁽¹⁾ OJ No L 71, 20. 3. 1996, p. 1.

⁽²⁾ OJ No L 282, 1. 11. 1975, p. 77. Regulation as last amended by Regulation (EC) No 2916/95 (OJ No L 305, 19. 12. 1995, p. 49).

COMMISSION REGULATION (EC) No 2399/96

of 17 December 1996

providing for the grant of compensation to producers' organizations in respect of tuna delivered to the processing industry during the period 1 January to 31 March 1996

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EEC) No 3759/92 of 17 December 1992 on the common organization of the market in fishery and aquaculture products⁽¹⁾, as last amended by Regulation (EC) No 3318/94⁽²⁾, and in particular Article 18 (6) thereof,

Whereas the compensation referred to in Article 18 of Regulation (EEC) No 3759/92 is granted, under certain conditions, to Community tuna producers' organizations in respect of quantities of tuna delivered to the processing industry during the calendar quarter for which prices were recorded, where both the average quarterly selling price recorded on the Community market and the free-at-frontier price plus any applicable countervailing charges are lower than 91 % of the Community producer price for the product in question;

Whereas examination of the situation of the Community market has shown that for yellowfin tuna over 10 kg, yellowfin tuna under 10 kg and skipjack, for the period 1 January to 31 March 1996, the average quarterly selling price and the free-at-frontier price referred to in Article 18 of Regulation (EEC) No 3759/92 were lower than 91 % of the Community producer price in force as laid down in Council Regulation (EC) No 2818/95 of 30 November 1995 fixing, for the 1996 fishing year, the Community producer price for tuna intended for the industrial manufacture of products falling within CN code 1604⁽³⁾;

Whereas the quantities eligible for compensation, within the meaning of Article 18 (1) of Regulation (EEC) No 3759/92, may not under any circumstances exceed, for the quarter concerned, the limits laid down in paragraph 3 of that Article;

Whereas during the quarter concerned the quantities sold and delivered to the processing industry established in Community customs territory were lower for the three species in question than the average of the quantities sold and delivered during the same quarter of the three previous fishing years; whereas, since the quantities for the quarter do not exceed the limit set by Article 18 (3) of

Regulation (EEC) No 3759/92, the total quantities of this product eligible for compensation are equal to the quantities sold and delivered in the quarter;

Whereas in view of the quantities declared per producers' organization the compensation granted to each producers' organization in accordance with Article 18 (4) is to be graded; whereas the qualities eligible per grade are to be allocated between the producers' organizations concerned in proportion to their respective outputs during the same quarter of the 1992 to 1994 fishing years;

Whereas the grant of compensation for the products in question should therefore be decided for the period 1 January to 31 March 1996;

Whereas the operative event giving entitlement to compensation and the date thereof should be specified for the calculation of payments;

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

HAS ADOPTED THIS REGULATION:

Article 1

The compensatory allowance referred to in Article 18 of Regulation (EEC) No 3759/92 shall be granted for the period 1 January to 31 March 1996 in respect of the following products:

<i>(ECU/t)</i>	
Product	Maximum allowance (application of first and second indents of Article 18 (2) of Regulation (EEC) No 3759/92)
Yellowfin tuna + 10 kg	129
Yellowfin tuna - 10 kg	100
Skipjack	77

Article 2

1. The total quantities on which the allowance may be granted for these species are:

⁽¹⁾ OJ No L 388, 31. 12. 1992, p. 1.

⁽²⁾ OJ No L 350, 31. 12. 1994, p. 15.

⁽³⁾ OJ No L 292, 7. 12. 1995, p. 6.

- Yellowfin tuna + 10 kg: 23 593,062 tonnes,
- Yellowfin tuna – 10 kg: 3 788,171 tonnes,
- Skipjack: 9 467,021 tonnes.

2. The allocation of these total quantities among the producers' organizations concerned is specified in the Annex hereto.

Article 3

The operations to be taken into account to determine entitlement to the compensatory allowance shall be sales for which the invoices are dated within the quarter

concerned and which have been used to calculate the average monthly selling price referred to in Article 7 (1) (b) of Commission Regulation (EEC) No 2210/93 (1).

Article 4

This Regulation shall enter into force on the third day following that 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, 17 December 1996.

For the Commission

Emma BONINO

Member of the Commission

(1) OJ No L 197, 6. 8. 1993, p. 8.

ANNEX

Allocation among producers' organizations of the quantities of tuna which may qualify for compensation for the period 1 January to 31 March 1996 in accordance with Article 18 (4) of Regulation (EEC) No 3759/92, with quantities per compensation percentage band

(in tonnes)

Yellowfin tuna + 10 kg	Quantities eligible for 100 % compensation (First indent of Article 18 (4))	Quantities eligible for 50 % compensation (Second indent of Article 18 (4))	Total eligible quantities (First and second indents of Article 18 (4))
OPAGAC	8 880,270	0,000	8 880,270
OPTUC	8 588,720	732,287	9 321,007
OP 42 (CAN.)	0,000	0,000	0,000
ORTHONGEL	5 391,785	0,000	5 391,785
APASA	0,000	0,000	0,000
MADEIRA	0,000	0,000	0,000
EU-Total	22 860,775	732,287	23 593,062

(in tonnes)

Yellowfin tuna - 10 kg	Quantities eligible for 100 % compensation (First indent of Article 18 (4))	Quantities eligible for 50 % compensation (Second indent of Article 18 (4))	Total eligible quantities (First and second indents of Article 18 (4))
OPAGAC	2 131,569	0,000	2 131,569
OPTUC	1 579,424	0,000	1 579,424
OP 42 (CAN.)	0,000	0,000	0,000
ORTHONGEL	53,312	23,866	77,178
APASA	0,000	0,000	0,000
MADEIRA	0,000	0,000	0,000
EU-Total	3 764,305	23,866	3 788,171

(in tonnes)

Skipjack	Quantities eligible for 100 % compensation (First indent of Article 18 (4))	Quantities eligible for 50 % compensation (Second indent of Article 18 (4))	Total eligible quantities (First and second indents of Article 18 (4))
OPAGAC	5 250,835	0,000	5 250,835
OPTUC	4 214,825	0,000	4 214,825
OP 42 (CAN.)	0,000	1,361	1,361
ORTHONGEL	0,000	0,000	0,000
APASA	0,000	0,000	0,000
MADEIRA	0,000	0,000	0,000
EU-Total	9 465,660	1,361	9 467,021

COMMISSION REGULATION (EC) No 2400/96

of 17 December 1996

on the entry of certain names in the 'Register of protected designation of origin and protected geographical indications' provided for in Council Regulation (EEC) No 2081/92 on the protection of geographical indications and designations of origin for agricultural products and foodstuffs

(Text with EEA relevance)

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

Having regard to Council Regulation (EEC) No 2081/92 of 14 July 1992 on the protection of geographical indications and designations of origin for agricultural products and foodstuffs⁽¹⁾, and in particular Article 6 (3) and (4) thereof,

Whereas, in accordance with Article 5 of Regulation (EEC) No 2081/92, Member States have forwarded to the Commission applications for the registration of certain names as geographical indications or designations of origin;

Whereas the applications have been found, in accordance with Article 6 (1) of that Regulation, to comply with the Regulation, most notably in that they include all the particulars provided for in Article 4 of the Regulation;

Whereas no declaration of objection within the meaning of Article 7 of the Regulation has been forwarded to the Commission as a result of the publication in the *Official Journal of the European Communities* of the names in question⁽²⁾;

Whereas, as a result, those names may be entered in the 'Register of protected designations of origin and protected geographical indications' and therefore be protected throughout the Community as geographical indications or designations of origin,

HAS ADOPTED THIS REGULATION:

Article 1

The names in the Annex hereto are hereby entered in the 'Register of protected designations of origin and protected geographical designations' as protected geographical indications (PGI) or protected designations of origin (PDO) as provided for in Article 6 (3) of Regulation (EEC) No 2081/92.

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, 17 December 1996.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ No L 208, 24. 7. 1992, p. 1.

⁽²⁾ OJ No C 130, 3. 5. 1996, pp. 7, 9 and 10.

*ANNEX***PRODUCTS LISTED IN ANNEX II TO THE EC TREATY, INTENDED FOR HUMAN CONSUMPTION****Fresh meat and offal:**

SPAIN:

- Ternera Gallega (PGI)

Meat-based products:

PORTUGAL:

- Presunto de Barrancos (PDO)

Fruit, vegetables and cereals:

SPAIN:

- Berenjena de Almagro (PGI)

DENMARK:

- Lammefjordsgulerod (PGI)
-

COMMISSION REGULATION (EC) No 2401/96
of 17 December 1996
amending Regulation (EC) No 2248/96 on the supply of vegetable oil as food aid

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

HAS ADOPTED THIS REGULATION:

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 Commission Regulation (EC) No 2248/96⁽²⁾ issued an invitation to tender for the supply, as food aid, of vegetable oil; whereas some of the conditions specified in the Annex to that Regulation should be altered,

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

Done at Brussels, 17 December 1996.

For the Commission

Franz FISCHLER

Member of the Commission

Article 1

For lot A points 6 and 7 of the Annex to Regulation (EC) No 2248/96 are replaced by the following:

'6. **Product to be mobilized:** refined sunflower oil

7. **Characteristics and quality of the goods**⁽³⁾ (?):
see OJ No C 114, 29. 4. 1991, p. 1 (under IIIA (1) (b))'

Article 2

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

⁽¹⁾ OJ No L 166, 5. 7. 1996, p. 1.

⁽²⁾ OJ No L 302, 26. 11. 1996, p. 7.

COMMISSION REGULATION (EC) No 2402/96

of 17 December 1996

opening and setting administrative rules for certain annual tariff quotas for sweet potatoes and manioc starch

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

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

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

Whereas Decision 96/317/EC of 13 May 1996 adjusted the import arrangements for manioc starch of CN code 1108 14 00 laid down in Commission Regulation (EC) No 3015/95 of 19 December 1995 opening and providing for the administration of certain import quotas for sweet potatoes and manioc starch intended for certain uses for 1996⁽³⁾; whereas that Regulation was accordingly amended by Commission Regulation (EC) No 1031/96⁽⁴⁾;

Whereas the Community undertook in the World Trade Organization multilateral trade negotiations to open two annual nil duty tariff quotas for products of CN code 0714 20 90 in favour of the People's Republic of China and other countries respectively, and two tariff quotas for manioc starch of CN code 1108 14 00 for certain uses;

Whereas action should be taken to open for 1997 and subsequent years the annual tariff quotas in question for sweet potatoes and manioc starch and to set appropriate administrative rules; whereas the relevant provisions of Regulation (EC) No 3015/95 as amended following Decision 96/317/EC should be taken over;

Whereas to ensure that the quotas are well managed and in particular that the quantities set for each year are not exceeded specific rules on the lodging of applications and issuing of licences must be adopted; whereas these either supplement or waive the provisions of Commission Regu-

lation (EEC) No 3719/88⁽⁵⁾, as last amended by Regulation (EC) No 2350/96⁽⁶⁾;

Whereas it is necessary to differentiate sweet potatoes for human consumption and those for other uses; whereas the presentation and packaging of sweet potatoes of CN code 0714 20 10 for human consumption should be specified and products not meeting that presentation and packaging specification should be held to fall within CN code 0714 20 90;

Whereas the management and surveillance rules contained in Regulation (EC) No 3015/95 for imports between 1 January and 31 December 1996 should be retained, notably the requirement that an export document issued by the Chinese authorities or under their responsibility be presented for goods originating in China;

Whereas for manioc starch account must be taken of the Community's new commitment by Decision 96/317/EC to open an additional autonomous annual quota of 10 500 tonnes of which 10 000 tonnes is reserved for the Kingdom of Thailand; whereas under the terms agreed with Thailand the end-use requirements previously imposed on manioc starch quotas are waived; whereas it should be required that manioc starch imported from Thailand against its reserved quantity be accompanied by an export certificate issued by the competent Thai authority;

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

HAS ADOPTED THIS REGULATION:

Article 1

The following are opened from 1 January 1997:

- (1) a nil duty annual tariff quota for importation into the Community of 5 000 tonnes of sweet potatoes not for human consumption of CN code 0714 20 90 originating in third countries other than the People's Republic of China;

⁽¹⁾ OJ No L 146, 20. 6. 1996, p. 1.

⁽²⁾ OJ No L 122, 22. 5. 1996, p. 15.

⁽³⁾ OJ No L 314, 28. 12. 1995, p. 29.

⁽⁴⁾ OJ No L 137, 8. 6. 1996, p. 4.

⁽⁵⁾ OJ No L 331, 2. 12. 1988, p. 1.

⁽⁶⁾ OJ No L 320, 11. 12. 1996, p. 4.

- (2) a nil duty annual tariff quota for importation into the Community of 600 000 tonnes of sweet potatoes not for human consumption of CN code 0714 20 90 originating in the People's Republic of China;
- (3) an annual tariff quota for importation into the Community of 10 000 tonnes of manioc starch of CN code 1108 14 00 at a duty rate equal to the MFN duty in force less ECU 100 per tonne;
- (4) an additional autonomous annual tariff quota for importation into the Community of 10 500 tonnes of manioc starch of CN code 1108 14 00 at a duty rate equal to the MFN duty in force less ECU 100 per tonne; 10 000 tonnes of this quantity is reserved for the Kingdom of Thailand.

TITLE I

Sweet potatoes for certain uses

Article 2

1. Import licences against the quotas indicated at Article 1 (1) and (2) shall be issued in line with the provisions of this Title.

2. For the purposes of CN code 0714 20 10 sweet potatoes for human consumption shall be fresh, whole sweet potatoes put up in immediate packings at the time of the customs formalities for release for free circulation.

The provisions of this Title shall not apply to release for free circulation of sweet potatoes for human consumption as defined above.

Article 3

Licence applications may be lodged with the competent authority of the Member State on Tuesdays, or if that is not a working day on the first such day following, by 1 p.m. (Brussels time).

Article 4

1. Licence applications and licences shall show the country of origin in box 8. The licence shall carry with it an obligation to import from that country.

Licence applications for products originating in the People's Republic of China shall be inadmissible if not accompanied by the original (blue in colour) of an export document issued by the Government of the People's Republic of China, or under its responsibility, drawn up following the model given in Annex I.

2. Licences shall carry one of the following entries in box 24:

- Exención del derecho de aduana [artículo 4 del Reglamento (CE) n° 2402/96]
- Fritagelse for toldsatser (artikel 4 i forordning (EF) nr. 2402/96)
- Zollfrei (Artikel 4 der Verordnung (EG) Nr. 2402/96)
- Απαλλαγή από τον τελωνειακό δασμό [άρθρο 4 του κανονισμού (ΕΚ) αριθ. 2402/96]
- Exemption from customs duty (Article 4 of Regulation (EC) No 2402/96)
- Exemption du droit de douane [article 4 du règlement (CE) n° 2402/96]
- Esenzione dal dazio doganale [articolo 4 del regolamento (CE) n. 2402/96]
- Vrijgesteld van douanerecht (artikel 4 van Verordening (EG) nr. 2402/96)
- Isenção de direito aduaneiro [artigo 4º do Regulamento (CE) n° 2402/96]
- Tullivapaa (asetuksen (EY) N:o 2402/96 4 artikla)
- Tullfri (artikel 4 förordning (EG) nr 2402/96).

Article 5

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

2. Article 8 (4) of Regulation (EEC) No 3719/88 notwithstanding, the quantity released for free circulation may not exceed that shown in boxes 10 and 11 of the licence. To this end the figure '0' shall be entered in box 22.

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

Article 6

The security in connection with import licences shall be ECU 20 per tonne.

Article 7

By 5 p.m. (Brussels time) on the working day following that set by Article 3 for lodging of applications Member States shall transmit the following application details to the Commission:

- applicant's name,
- quantities applied for,
- origin of products,
- for products originating in the People's Republic of China, export document number and vessel name.

Article 8

1. The Commission shall notify Member States by telex or fax to what extent applications can be met. If the quantities applied for exceed those available the Commission shall set and notify a uniform percentage reduction.

Licences shall be issued within the limit of the quotas indicated at Article 1 (1) and (2).

2. On receipt of the Commission's notification Member States may issue licences.

Licences shall be valid throughout the Community from the actual day of issue to the end of the fourth month following.

TITLE II

Manioc starch*Article 9*

Applications for import licences against the quotas indicated at Article 1 (3) and (4) may be lodged with the competent authority of the Member State on Tuesdays, or if that is not a working day on the first such day following, by 1 p.m. (Brussels time).

Applications may not be for more than 1 000 tonnes per applicant acting on his own behalf.

Article 10

1. Licence applications and licences shall carry the following entry in box 24:

'Import duty reduced by ECU 100 per tonne (Regulation (EC) No 2402/96)'.

2. If the application is for starch originating in Thailand exported against the reserved quantity of 10 000

tonnes indicated at Article 1 (4) it must be accompanied by an export certificate drawn up following the model given in Annex II made out in English and delivered by the competent Thai authority, i.e. the Ministry of Commerce, Department of Foreign Trade.

Applications and licences shall carry the entry 'Origin: Thailand' in box 8.

Article 11

Articles 5 and 6 above shall apply.

Article 12

Member States shall by 1 p.m. (Brussels time) on the day following that set by Article 9 for lodging of applications transmit to the Commission the following application details:

- applicant's name,
- quantities applied for,
- country of origin in the case of starch originating in Thailand covered by a Thai export certificate.

Article 13

1. The Commission shall notify Member States by telex or fax to what extent applications may be met. If the quantities applied for exceed those available the Commission shall set and notify a uniform percentage reduction.

2. Member States may issue licences on receipt of the Commission's notification.

Licences shall be valid throughout the Community from the actual day of issue to the end of the third month following.

Article 14

This Regulation shall enter into force on 1 January 1997.

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

Done at Brussels, 17 December 1996.

For the Commission

Franz FISCHLER

Member of the Commission

SERIAL No



ORIGINAL

DEPARTMENT OF FOREIGN TRADE

**MINISTRY OF COMMERCE
GOVERNMENT OF THAILAND**

EXPORT CERTIFICATE SUBJECT TO REGULATION (EC) No 2402/96

SPECIAL FORM FOR MANIOC STARCH FALLING WITHIN CN CODE 1108 14 00

EXPORT CERTIFICATE No	
EXPORT PERMIT No	

1. EXPORTER (NAME, ADDRESS AND COUNTRY)		2. FIRST CONSIGNEE (NAME, ADDRESS AND COUNTRY)	
NAME		NAME	
ADDRESS		ADDRESS	
COUNTRY		COUNTRY	
3. SHIPPED PER		4. COUNTRY/COUNTRIES OF DESTINATION IN EC	
5. TYPE OF PRODUCT	6. WEIGHT (TONNES)	7. PACKING	
MANIOC STARCH FALLING WITHIN CN CODE 1108 14 00	SHIPPED WEIGHT	<input type="checkbox"/> IN BULK <input type="checkbox"/> BAGS <input type="checkbox"/> OTHERS	
	ESTIMATED NET WEIGHT		

WE HEREBY CERTIFY THAT THE ABOVEMENTIONED PRODUCT HAS BEEN PRODUCED IN AND EXPORTED FROM THAILAND.

DEPARTMENT OF FOREIGN TRADE

DATE

.....
NAME AND SIGNATURE OF AUTHORIZED OFFICIAL AND STAMP

THIS CERTIFICATE IS VALID FOR 120 DAYS FROM THE DATE OF ISSUE

FOR USE BY EC AUTHORITIES:

COMMISSION REGULATION (EC) No 2403/96
of 17 December 1996

opening and providing for the administration of a Community tariff quota for 1997 for products falling within CN codes 0714 10 10, 0714 10 91 and 0714 10 99 originating in Thailand

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

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

Whereas during the World Trade Organization on multi-lateral trade negotiations, the Community undertook to open a tariff quota restricted to 21 million tonnes of products falling within CN codes 0714 10 10, 0714 10 91 and 0714 10 99 originating in Thailand per four-year period, with customs duty reduced to 6 %; whereas this quota must be opened and administered by the Commission;

Whereas it is necessary to keep an administration system which ensures that only products originating in Thailand may be imported under the quota; whereas, therefore, the issue of an import licence should continue to be subject to the presentation of an export certificate issued by the Thai authorities, a specimen of which has been notified to the Commission;

Whereas since imports to the Community market of the products concerned have traditionally been administered on the basis of a calendar year this system should be kept; whereas it is therefore necessary to open a quota for 1997;

Whereas the import of products covered by CN codes 0714 10 10, 0714 10 91 and 0714 10 99 is subject to the presentation of an import licence for which the common detailed rules of application are laid down in Commission Regulation (EEC) No 3719/88⁽²⁾, as last amended by Regulation (EC) No 2350/96⁽³⁾; whereas Commission Regulation (EEC) No 1162/95⁽⁴⁾, as last amended by Regulation (EC) No 1527/96⁽⁵⁾, lays down the special detailed rules for the application of the system of licenses for cereals and rice;

Whereas experience has shown that, taking into account that the Community concession provides for an overall quantity for four years with an annual maximum of

5 500 000 tonnes, it is advisable to maintain measures which, under certain conditions, either facilitate the release for free circulation of quantities of products exceeding those given in the import licences, or allow the difference between the figure given in the import licences and the smaller figure actually imported to be carried forward;

Whereas, in order to ensure the correct application of the agreement, it is necessary to establish a system of strict and systematic controls that take account of the information given on the Thai export certificates and the Thai authorities' procedures for issuing export certificates;

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

1. An import tariff quota for 5 500 000 tonnes of products falling within CN codes 0714 10 10, 0714 10 91 and 0714 10 99 originating in Thailand is hereby opened for the period 1 January to 31 December 1997. The customs duty applicable is hereby fixed at 6 % *ad valorem*.
2. The abovementioned products shall benefit from the arrangements provided for in this Regulation if imported under cover of import licences:
 - (a) which are issued subject to the submission of a certificate for export to the European Community issued by the Department of Foreign Trade, Ministry of Commerce, Government of Thailand, hereinafter referred to as an 'export certificate', which meets the requirements laid down in Title I;
 - (b) which meet the requirements laid down in Title II.

TITLE I

Export certificates

Article 2

1. There shall be one original and at least one copy of the export certificate, to be made out on a form of which a specimen is given in the Annex.

⁽¹⁾ OJ No L 146, 20. 6. 1996, p. 1.

⁽²⁾ OJ No L 331, 2. 12. 1988, p. 1.

⁽³⁾ OJ No L 320, 11. 12. 1996, p. 4.

⁽⁴⁾ OJ No L 117, 24. 5. 1995, p. 2.

⁽⁵⁾ OJ No L 190, 31. 7. 1996, p. 23.

The size of the form shall be approximately 210 × 297 millimetres. The original shall be made out on white paper having a printed yellow guilloche pattern background so as to reveal any falsification by mechanical or chemical means.

2. The forms shall be printed and completed in English.

3. The original and the copies shall be completed in typescript or in handwriting. In the latter case, they must be completed in ink and in block capitals.

4. Each export certificate shall bear a preprinted serial number; in the upper section it shall also bear a certificate number. The copies shall bear the same numbers as the original.

Article 3

1. Export certificates issued from 1 January to 31 December 1997 shall be valid for 120 days from the date of issue. The date of issue of the certificate shall be counted as part of the period of validity of the certificate.

For the certificate to be valid, the sections thereof must be duly completed and it must be authenticated, as stipulated in the instructions indicated thereon. The shipped weight must be written out in full and also given in figures.

2. The export certificate shall be duly authenticated when it indicates the date of issue and bears the stamp of the issuing body and the signature of the person or persons authorized to sign it.

TITLE II

Import licences

Article 4

1. Application for an import licence for products falling within CN codes 0714 10 10, 0714 10 91 and 0714 10 99 originating in Thailand shall be submitted to the competent authorities in the Member States accompanied by the original of the export certificate. The original of the said export certificate shall be retained by the body which issues the import licence. However, where the application for an import licence relates to only a part of the quantity indicated on the export certificate, the issuing body shall indicate on the original the quantity for which the original was used and, after affixing its stamp, shall return the original to the party concerned.

Only the quantity indicated under 'shipped weight' on the export certificate shall be taken into consideration for the issue of the import licence.

2. Where it is found that the quantities actually unloaded in a given consignment are greater than the total figuring on the import licence or licences issued for this

consignment the competent authorities who issued the import licence or licences concerned shall, at the request of the importer, communicate to the Commission by telex, case by case and as soon as possible, the number or numbers of the Thai export certificates, the number or numbers of the import licences, the excess quantity concerned and the name of the cargo vessel.

The Commission shall make contact with the Thai authorities so that new export certificates may be drawn up. Pending their being drawn up, the excess quantities may not be released for free circulation under the conditions laid down in this Regulation as long as new import licences for the quantities in question cannot be presented. New import licences shall be issued under the conditions laid down in Article 7.

3. However, by way of derogation from paragraph 2, where it is found that the quantities actually unloaded in the case of a given delivery do not exceed by more than 2 % the quantities covered by the import licence or licences presented, the competent authorities of the Member State of release for free circulation shall, at the importer's request, authorize the release for free circulation of the surplus quantities in return for payment of a customs duty with a ceiling of 6 % *ad valorem* and the lodging by the importer of a security of an amount equal to the difference between the duty laid down in the Common Customs Tariff and the duty paid.

When the Commission receives the information referred to in the first subparagraph of paragraph 2, it shall contact the Thai authorities so that new export certificates may be drawn up.

The security shall be released on presentation to the competent authorities of the Member State of release for free circulation of an additional import licence for the quantities concerned. Application for that licence does not entail obligation to lodge the security for a licence referred to in Article 14 (2) of Regulation (EEC) No 3719/88 or Article 5 of this Regulation. The licence shall be issued under the conditions laid down in Article 7 and upon presentation of one or more new export certificates issued by the Thai authorities. The additional import licence shall contain in box 20 one of the following entries:

- Certificado complementario, apartado 3 del artículo 4 del Reglamento (CE) n° 2403/96
- Supplerende licens, forordning (EF) nr. 2403/96, artikel 4, stk. 3
- Zusätzliche Lizenz — Artikel 4 Absatz 3 der Verordnung (EG) Nr. 2403/96
- Συμπληρωματικό πιστοποιητικό — Άρθρο 4 παράγραφος 3 του κανονισμού (ΕΚ) αριθ. 2403/96
- Licence for additional quantity, Article 4 (3) of Regulation (EC) No 2403/96
- Certificat complémentaire, règlement (CE) n° 2403/96 article 4 paragraphe 3

- Titolo complementare, regolamento (CE) n. 2403/96 articolo 4, paragrafo 3
- Aanvullend certificaat — artikel 4, lid 3, van Verordening (EG) nr. 2403/96
- Certificado complementar, n.º 3 do artigo 4.º do Regulamento (CE) n.º 2403/96
- Lisätodistus, asetus (EY) N:o 2403/96, 4 artiklan 3 kohta
- Kompletterande licens, artikel 4.3 i förordning (EG) nr 2403/96.

Except in cases of *force majeure*, the security shall be retained for quantities for which an additional import licence is not presented within a period of four months from the date of acceptance of the declaration of release for free circulation referred to in the first subparagraph. It shall be retained in particular for quantities for which the additional import licence has not been issued pursuant to Article 7 (1).

After the competent authority has entered the quantity on the additional import licence and authenticated the entry, and the security provided for in the first subparagraph is released, the licence shall be sent to the issuing body as quickly as possible.

4. Applications for licences may be submitted in all Member States and licences issued are valid throughout the Community.

The provisions of the fourth indent of Article 5(1) of Regulation (EEC) No 3719/88 shall not apply to imports carried out pursuant to this Regulation.

Article 5

By way of derogation from Article 10 of Regulation (EC) No 1162/95, the security relating to the import licences provided for in this Title shall be ECU 5 per tonne.

Article 6

1. Applications for an import licence and the licence itself shall be marked 'Thailand' in box 8.

2. The licence shall bear the following indications in one of the language versions given below:

(a) in box 24:

- Derechos de aduana limitados al 6 % *ad valorem* [Reglamento (CE) n.º 2403/96]
- Toldsatsen begrænses til 6 % af værdien (Forordning (EF) nr. 2403/96)
- Beschränkung des Zolls auf 6 % des Zollwerts (Verordnung (EG) Nr. 2403/96)
- Τελωνειακός δασμός κατ' ανώτατο όριο 6 % κατ' αξία [Κανονισμός (ΕΚ) αριθ. 2403/96]
- Customs duties limited to 6 % *ad valorem* (Regulation (EC) No 2403/96)
- Droits de douane limités à 6 % *ad valorem* [règlement (CE) n.º 2403/96]

- Dazi doganali limitati al 6 % ad valorem [regolamento (CE) n. 2403/96]
- Douanerechten beperkt tot 6 % ad valorem (Verordening (EG) nr. 2403/96)
- Direitos aduaneiros limitados a 6 % *ad valorem* (Regulamento (CE) n.º 2403/96)
- Arvotulli rajoitettu 6 prosenttiin (asetus (EY) N:o 2403/96)
- Tullsatsen begränsad till 6 % av värdet (Förordning (EG) nr 2403/96);

(b) in box 20:

- Nombre del barco (indicar el nombre del barco que figura en el certificado de exportación tailandés)
- Skibets navn (skibsnavn, der er anført i det thailandske eksportcertifikat)
- Name des Schiffes (Angabe des in der thailändischen Ausfuhrbescheinigung eingetragenen Schiffsnamens)
- Ονομασία του πλοίου (σημειώστε την ονομασία του πλοίου που αναγράφεται στο ταϊλανδικό πιστοποιητικό εξαγωγής)
- Name of the cargo vessel (state the name of the vessel given on the Thai export certificate)
- Nom du bateau (indiquer le nom du bateau figurant sur le certificat d'exportation thaïlandais)
- Nome della nave (indicare il nome della nave che figura sul titolo di esportazione thailandese)
- Naam van het schip (zoals aangegeven in het Thaise uitvoercertificaat)
- Nome do navio (indicar o nome do navio que consta do certificado de exportação tailandês)
- Laivan nimi (nimi, joka on thaimaalaisessa vientitodistuksessa)
- Fartygets navn (namnet på det fartyg som anges i den thailändska exportlicensen)
- Numero y fecha del certificado de exportación tailandés
- Det thailandske eksportcertifikats nummer og dato
- Nummer und Datum der thailändischen Ausfuhrbescheinigung
- Αριθμός και ημερομηνία του ταϊλανδικού πιστοποιητικού εξαγωγής
- Serial number and date of the Thai export certificate
- Numéro et date du certificat d'exportation thaïlandais
- Numero e data del titolo di esportazione thailandese
- Nummer en datum van het Thaise uitvoercertificaat
- Número e data do certificado de exportação tailandês
- Thaimaalaisen vientitodistuksen numero ja päivämäärä
- Den thailändska exportlicensens nummer och datum.

3. A licence shall be accepted in support of a declaration of release for free circulation only if, notably in the light of a copy of the bill of lading presented by the party concerned, it is shown that the products for which release for free circulation is requested have been transported to the Community by the vessel referred to in the import licence.

4. Subject to application of Article 4 (3) and notwithstanding Article 8 (4) of Regulation (EEC) No 3719/88, the quantity released for free circulation may not exceed that shown in boxes 17 and 18 of the import licence. The figure '0' shall be entered to that effect in box 19 of the said licence.

Article 7

1. The import licence shall be issued on the fifth working day following the day on which the application was lodged, after the Commission has informed the competent authorities of the Member State by telex or fax that the conditions laid down in this Regulation have been fulfilled.

In the event of non-observance of the conditions governing the issue of the licence, the Commission may, where necessary, and following consultation with the Thai authorities, adopt appropriate measures.

2. At the request of the party concerned, and following communication of the Commission's agreement by telex or fax, the import licence may be issued within a shorter period.

Article 8

By way of derogation from Article 6 of Regulation (EC) No 1162/95, the last day of the period of validity of the import licence shall correspond to the last day of the period of validity of the export certificate plus 30 days.

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

Done at Brussels, 17 December 1996.

Article 9

1. The Member States shall communicate to the Commission each day by telex or fax the following information concerning each application for a licence:

- the quantity for which each import licence is requested, with the indication, where appropriate, 'additional import licence',
- the name of the applicant for the import licence,
- the number of the export certificate submitted, as indicated in the upper section of the certificate,
- the date of issue of the export certificate,
- the total quantity for which the export certificate was issued,
- the name of the exporter indicated on the export certificate.

2. At the end of the first half of 1998, at the latest, the authorities responsible for issuing import licences shall communicate to the Commission by telex or fax a complete list of quantities not taken up, indicated on the back of the import licences, the name of the cargo vessel and the numbers of the export certificates in question.

TITLE III

Final provisions

Article 10

This Regulation shall enter into force on 1 January 1997.

For the Commission

Franz FISCHLER

Member of the Commission

SERIAL No



ORIGINAL

DEPARTMENT OF FOREIGN TRADE

**MINISTRY OF COMMERCE
GOVERNMENT OF THAILAND**

EXPORT CERTIFICATE SUBJECT TO REGULATION (EC) No 2403/96

SPECIAL FORM FOR PRODUCTS FALLING WITHIN CN CODES 0714 10 10, 0714 10 91, 0714 10 99

EXPORT CERTIFICATE No	
EXPORT PERMIT No	

1. EXPORTER (NAME, ADDRESS AND COUNTRY)		2. FIRST CONSIGNEE (NAME, ADDRESS AND COUNTRY)	
NAME		NAME	
ADDRESS		ADDRESS	
COUNTRY		COUNTRY	
3. SHIPPED PER		4. COUNTRY/COUNTRIES OF DESTINATION IN EC	
5. TYPE OF MANIOC PRODUCTS	6. WEIGHT (TONNES)	7. PACKING	
<input type="checkbox"/> CN CODE 0714 10 10 <input type="checkbox"/> CN CODE 0714 10 91 <input type="checkbox"/> CN CODE 0714 10 99	SHIPPED WEIGHT	<input type="checkbox"/> IN BULK <input type="checkbox"/> BAGS <input type="checkbox"/> OTHERS	
	ESTIMATED NET WEIGHT		

WE HEREBY CERTIFY THAT THE ABOVEMENTIONED PRODUCTS ARE PRODUCED IN AND ARE EXPORTED FROM THAILAND

DEPARTMENT OF FOREIGN TRADE

DATE

.....
NAME AND SIGNATURE OF AUTHORIZED OFFICIAL AND STAMP

THIS CERTIFICATE IS VALID FOR 120 DAYS FROM THE DATE OF ISSUE

FOR USE BY EC AUTHORITIES:

COMMISSION REGULATION (EC) No 2404/96

of 17 December 1996

amending Regulation (EEC) No 2282/90 laying down detailed rules for increasing the consumption and utilization of apples and the consumption of citrus fruit

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EEC) No 1195/90 of 7 May 1990 on measures to increase the consumption and utilization of apples⁽¹⁾, and in particular Article 5 thereof,

Having regard to Council Regulation (EEC) No 1201/90 of 7 May 1990 on measures to increase the consumption of citrus fruit⁽²⁾, and in particular Article 4 thereof,

Whereas Commission Regulation (EEC) No 2282/90⁽³⁾, as last amended by Regulation (EC) No 1907/94⁽⁴⁾, lays down detailed rules for increasing the consumption and utilization of apples and the consumption of citrus fruit;

Whereas, in view of the experience gained and to ensure that the measures are based on the most recent data, the period between the final date for the submission of aid applications and the start of the promotional campaign should be reduced; whereas Article 5 of Regulation (EEC) No 2282/90 should be amended to this end;

Whereas the conditions governing the signing of contracts and payments referred to in Article 7 and 8 respectively of Regulation (EEC) No 2282/90 should be adjusted so that they correspond to the conditions laid down in Commission Regulation (EC) No 3582/93⁽⁵⁾, as amended by Regulation (EC) No 2134/96⁽⁶⁾, as regards promoting the consumption of milk in the Community and in Regulation (EC) No 1318/93⁽⁷⁾, as last amended by Regulation (EC) No 715/96⁽⁸⁾, on the promotion of quality beef;

Whereas, for reasons of sound financial management, provision should be made for an independent assessment of the programmed operations in addition to the internal assessment already provided for in the third indent of

Article 8 (4) of Regulation (EEC) No 2282/90; whereas the detailed rules for its implementation and funding should also be laid down;

Whereas point 6 of Annex II to Regulation (EEC) No 2282/90 stipulates that the cost of the programme is to be expressed in national currency; whereas, with a view to bringing the Regulation into line with the other Regulations on promotion, it is also necessary to specify that the cost of the programme and its budget are to be expressed in ecus;

Whereas Regulation (EEC) No 2280/90 should be amended accordingly;

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

Regulation (EEC) No 2282/90 is hereby amended as follows:

1. In Article 5 the dates '31 August', '30 September' and '31 October' are replaced by '31 October', '30 November' and '31 December' respectively.
2. The words 'with all due speed' in the first paragraph of Article 6 are replaced by 'before 15 July of the year following their submission.'
3. Article 7 is replaced by the following:

Article 7

1. Each interested party shall be informed without delay by the contracting competent body of the outcome of its application.

2. The contracting competent bodies shall conclude contracts for the selected measures with the interested parties within two months following notification of the list.

The bodies shall use for this purpose the standard contracts provided to them by the Commission. The contracts shall contain the applicable general terms and conditions which the contracting party must acknowledge and accept.

⁽¹⁾ OJ No L 119, 11. 5. 1990, p. 53.

⁽²⁾ OJ No L 119, 11. 5. 1990, p. 65.

⁽³⁾ OJ No L 205, 3. 8. 1990, p. 8.

⁽⁴⁾ OJ No L 194, 29. 7. 1994, p. 29.

⁽⁵⁾ OJ No L 326, 28. 12. 1993, p. 23.

⁽⁶⁾ OJ No L 285, 7. 11. 1996, p. 15.

⁽⁷⁾ OJ No L 132, 29. 5. 1993, p. 83.

⁽⁸⁾ OJ No L 99, 20. 4. 1996, p. 13.

3. The contract shall not take effect until a security is lodged in favour of the competent body equal to 15 % of the amount of the Community financing, in order to ensure proper execution.

If proof of the lodging of the security has not been received by the competent body within two weeks of the date of conclusion of the contract, the latter shall be void and shall not have any legal effect.

The security shall be lodged in accordance with Title III of Commission Regulation (EEC) No 2220/85 (*).

The primary requirement within the meaning of Article 20 of that Regulation is the completion of the measures contained in the contract within the time limits laid down.

The security shall be released within the time limit and under the conditions laid down in Article 8 (4) and (6) of this Regulation.

(*) OJ No L 205, 3. 8. 1985, p. 5.'

4. Article 8 is replaced by the following:

'Article 8

Interested parties shall lodge applications for payment with the contracting competent body as follows:

1. from the date the contract takes effect, the interested party may submit an application for an advance payment. The advance payment may cover at most 30 % of the Community contribution.

Payment of the advance shall be conditional on the lodging with the competent body of a security equal to 110 % of the amount of the advance, in accordance with the conditions set out in Regulation (EEC) No 2220/85;

2. payments shall be made on the basis of quarterly applications for payment accompanied by supporting documents and an interim report on the progress of the contract.

However, these payments and the advance referred to in paragraph 1 may not together exceed 75 % of the entire Community contribution;

3. the balance shall be applied for at the latest by the end of the fourth month following the date on which the measures contained in the contract were completed. The application is to be accompanied by:

- appropriate supporting evidence,
- a summary of the measures completed,
- a report evaluating the visible results on the date of the report and the use that can be made of them.

Except in cases of *force majeure*, a late application for the balance, accompanied by the documenta-

tion, shall result in a 3 % reduction in the balance for each month's delay;

4. payment of the balance shall be subject to a check of the documents referred to in paragraph 3.

The balance shall be reduced in proportion to the extent to which the primary requirement stipulated in Article 7 (3) fails to be complied with;

5. the security referred to in point 1 above shall be released if full entitlement to the amount advanced has been established on payment of the balance;

6. the contracting competent body shall effect the payments provided for in this Article within three months from receipt of the application. However, it may postpone the payments referred to in paragraphs 2 and 4 in cases where additional verification is required;

7. the contracting competent body shall send the Commission as soon as possible the evaluation reports referred to in paragraph 3;

8. the applicable conversion rate shall be governed by Commission Regulation (EEC) No 1068/93 (*).

(*) OJ No L 108, 1. 5. 1993, p. 106.'

5. The following Article 9a is added:

'Article 9a

The interested party shall require an independent body to undertake an outside assessment of the measures approved in the programme. The party shall indicate in its application the name of the body chosen by competitive tender (with a minimum of three bids) as well as the reasons for the choice.

The external assessment must include the following:

- an *ex-ante* analysis of the suitability of the approved measures in terms of the programme's specific and general aims,
- monitoring of the programme measures, using a significant sample,
- an *ex-post* comparison of the results and the aims set,
- a measurement of the cost/effectiveness of each operation and of the programme as a whole using performance indicators (output and impact).

This assessment will be funded under the same conditions as all of the measures in the programme.'

6. Article 10 is replaced by the following:

'Article 10

1. In cases where payment is made wrongly, the beneficiary shall repay the sums paid, plus interest for the period from the date of payment to the date of repayment.

The rate of interest shall be that applied by the European Monetary Cooperation Fund to its ecu transactions, as published in the C series of the *Official Journal of the European Communities* and in force on the date of the undue payment, plus 3 %.

2. The amounts recovered and the interest shall be paid to the paying agencies or bodies and shall be deducted by them from the expenditure financed by the European Agricultural and Guarantee Fund in proportion to the Community contribution.'

7. The words 'national currency' in points I.6 and III.1 in Annex II are replaced by 'ecus'.

8. The Annex to this Regulation is added as Annex III.

Article 2

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

It shall apply only to applications submitted from the date of its entry into force.

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

Done at Brussels, 17 December 1996.

For the Commission

Franz FISCHLER

Member of the Commission

ANNEX

ANNEX III

LIST OF COMPETENT BODIES

Member country	Competent body	Telephone and fax Nos
A	Agrarmarkt Austria Dresdner Straße 70 Postfach 62 A-1201 Wien	Tel. (43/1) 331 51 405 Fax (43/1) 331 51 499
B	Bureau d'intervention et de restitution belge (BIRB) Rue de Trèves 82 B-1040 Bruxelles Belgisch Interventie- en Restitutiebureau (BIRB) Trierstraat 82 B-1040 Brussel	tel. (32-2) 287 24 11 telefax (32-2) 230 25 33
DA	Danish Intervention Agency EU-Direktoratet 2. Markedskontor Nyropsgade 26 DK-1780 København V	Tlf. (45) 33 92 70 00 Fax (45) 33 92 69 48
DE	Bundesanstalt für Landwirtschaft und Ernährung (BLE) Adickesallee 40 D-60322 Frankfurt am Main	Tel. (49/69) 15 64 335 Fax (49/69) 15 64 444
GR	Υπουργείο Γεωργίας Διεύθυνση Διαχείρισης Γεωργικών Προϊόντων (ΔΙΔΑΓΕΠ) Αχαρνών 241 GR-104 46 Αθήνα	Τηλ.: (30-1) 529 12 76 Τέλεφαξ: (30-1) 524 35 21
ES	Ministerio de Agricultura, Pesca y Alimentación Dirección General de Política Alimentaria e Industrias Agrarias y Alimentarias Paseo de Infanta Isabel, 1 E-28014 Madrid	tel.: (34-1) 347 53 91 fax: (34-1) 347 57 70/347 51 68
FR	Office national interprofessionnel des fruits, des légumes et de l'horticulture (Oniflhor) 164, rue de javel F-75015 Paris	Tél. (33) 144 25 36 36 Télécopieur (33) 145 54 31 69
IRL	Department of Agriculture, Food and Forestry Agriculture House (7W) Kildare Street IRL-Dublin 2	Tel. (353 1) 607 27 03 Fax (353 1) 661 45 15
IT	Azienda per gli interventi nel mercato agricolo (AIMA) Via Palestro 81 I-00185 Roma	Tel. (39-6) 46 65 40 14 Telefax (39-6) 44 53 940
LUX	Ministère de l'agriculture — services agricoles L-1019 Luxembourg	Tél. (352) 457 17 22 30 Fax (352) 457 17 23 40

Member country	Competent body	Telephone and fax Nos
NL	Produktschap voor Groenten en Fruit Bezuidenhoutseweg 153 NL-2594 AG 's-Gravenhage	tel. (31-70) 304 12 34 telefax (31-70) 347 71 76
PT	Instituto Nacional de Intervenção e Garantia Agrícola (INGA) Rua Camilo Castelo Branco 45-2º P-1000 Lisboa	Tel.: (351-1) 355 88 12 Telefax: (351-1) 352 23 59
UK	Ministry of Agriculture, Fisheries and Food (MAFF) Horticulture and Potatoes Division Ergon House c/o Nober House 17 Smith Square UK-London SW1P 3JR Intervention Board PO Box 09 UK-Reading RG1 7QW	Tel. (44 171) 238 60 00 Fax (44 171) 238 65 91 Tel. (44 191) 226 52 65 Fax (44 191) 226 52 12
FIN	Maa- ja metsätalousministeriö Mariankatu 23 PL 232 FIN-00171 Helsinki	tel. + 358 9 160 42 40 fax. + 358 9 160 42 80
SV	Jordbruksverket Interventionsavdelningen S-551 82 Jönköping	Tel.: + 46 36 15 50 00 Fax: + 46 36 71 95 11'

COMMISSION REGULATION (EC) No 2405/96
of 17 December 1996
establishing the standard import values for determining the entry price of
certain fruit and vegetables

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Commission Regulation (EC) No 3223/94 of 21 December 1994 on detailed rules for the application of the import arrangements for fruit and vegetables⁽¹⁾, as last amended by Regulation (EC) No 2375/96⁽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 Regulation (EC) No 150/95⁽⁴⁾, and in particular Article 3 (3) thereof,

Whereas Regulation (EC) No 3223/94 lays down, pursuant to the outcome of the Uruguay Round multilateral trade negotiations, the criteria whereby the 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 18 December 1996.

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

Done at Brussels, 17 December 1996.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ No L 337, 24. 12. 1994, p. 66.

⁽²⁾ OJ No L 325, 14. 12. 1996, p. 5.

⁽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 17 December 1996 establishing the standard import values for determining the entry price of certain fruit and vegetables

(ECU/100 kg)

CN code	Third country code ⁽¹⁾	Standard import value
0702 00 45	204	91,3
	624	153,4
	999	122,3
0707 00 40	624	113,5
	999	113,5
0709 10 40	220	162,0
	999	162,0
0709 90 79	052	81,9
	999	81,9
0805 10 61, 0805 10 65, 0805 10 69	052	32,9
	204	53,9
	388	25,2
	448	35,7
	624	47,1
	999	39,0
	0805 20 31	052
0805 20 33, 0805 20 35, 0805 20 37, 0805 20 39	204	74,4
	999	78,9
	052	65,0
0805 30 40	464	139,2
	624	77,8
	999	94,0
	052	73,4
	400	60,6
	528	44,9
	600	83,9
0808 10 92, 0808 10 94, 0808 10 98	999	65,7
	060	47,7
	064	46,2
	400	80,0
	404	62,7
	728	121,0
	999	71,5
0808 20 67	052	75,0
	064	77,3
	091	49,8
	400	104,2
	624	67,7
	999	74,8

⁽¹⁾ 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)

COUNCIL

COUNCIL DECISION

of 9 December 1996

on inter-administration telematic networks for statistics relating to the trading of goods between Member States (Edicom)

(96/715/EC)

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty establishing the European Community, and in particular the third paragraph of Article 129d thereof,

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

Having regard to the opinion of the Economic and Social Committee ⁽²⁾,

Having regard to the opinion of the Committee of the Regions ⁽³⁾,

Acting in accordance with the procedure laid down in Article 189c of the Treaty ⁽⁴⁾,

Whereas the smooth functioning of the internal market depends on the elimination of physical frontiers between Member States; whereas a satisfactory level of information on the trading of goods between Member States must therefore be ensured by means other than those involving checks, even indirect ones, at internal frontiers;

Whereas it will consequently be necessary to collect directly from consignors and consignees the data necessary to compile statistics relating to the trading of goods between Member States, using methods and techniques which will ensure that they are exhaustive, reliable and up-to-date, without giving rise for the parties concerned, in particular for small and medium-sized businesses, to a

burden out of proportion to the results which users of the said statistics can reasonably expect;

Whereas Council Regulation (EEC) No 3330/91 of 7 November 1991 on the statistics relating to the trading of goods between Member States ⁽⁵⁾ provides that the conditions should be created for increased use of automatic data processing and electronic data transmission for the purpose of facilitating the task of the parties responsible for providing information;

Whereas it is necessary to ease the burden which statistical returns place on businesses, while at the same time improving the circulation of statistical information with a view to the creation of the European information market;

Whereas the compilation of harmonized statistics, in particular with a link between statistics on trade and other economic statistics, should be ensured in order to contribute to market transparency and to the evaluation of the competitiveness of businesses;

Whereas the promotion of the use of harmonized standards and concepts at European level will ultimately lead to the elimination of duplication and to economies of scale, while facilitating the emergence of new services in the field of statistical telematics;

Whereas standardization carried out at international level in the sphere of electronic data interchange (EDI) contributes to facilitating international trade and to simplifying relations between undertakings and administrative authorities;

⁽¹⁾ OJ No C 343, 15. 11. 1996, p. 9.

⁽²⁾ OJ No C 295, 7. 10. 1996, p. 46.

⁽³⁾ Opinion delivered on 18 September 1996 (not yet published in the Official Journal).

⁽⁴⁾ Opinion of the European Parliament of 20 September 1996 (OJ No C 320, 28. 10. 1996), Council common position of 11 November 1996 (OJ No C 372, 9. 12. 1996, p. 6) and Decision of the European Parliament of 28 November 1996 (not yet published in the Official Journal).

⁽⁵⁾ OJ No L 316, 16. 11. 1991, p. 1. Regulation as amended by Regulation (EEC) No 3046/92 (OJ No L 307, 23. 10. 1992, p. 27).

Whereas the establishment of common statistical standards for the production of harmonized information is an activity which can be carried out effectively only at Community level, in collaboration with the Member States; whereas such standards will be implemented in each Member State under the authority of the bodies and institutions responsible for the compilation and dissemination of official statistics;

Whereas the measures aimed at ensuring the interoperability of telematic networks between administrations fall within the framework of priorities adopted in relation to the guidelines for trans-European telecommunications networks;

Whereas a financial reference amount, within the meaning of point 2 of the declaration by the European Parliament, the Council and the Commission of 6 March 1995, is included in this Decision for the entire duration of the programme, without thereby affecting the powers of the budget authority as they are defined by the Treaty;

Whereas by its judgment of 26 March 1996 the Court of Justice annulled Council Decision 94/445/EC of 11 July 1994 on inter-administration telematic networks for statistics relating to the trading of goods between Member States (Edicom)⁽¹⁾ on the grounds of an inappropriate legal basis; whereas a new decision should therefore be adopted on an appropriate legal basis to enable Edicom measures to continue,

HAS ADOPTED THIS DECISION:

Article 1

A set of measures, hereinafter referred to as 'Edicom' (electronic data interchange on commerce), shall be implemented to facilitate the conversion of regional, national and Community systems towards interoperable systems at European level, as a first stage, for the collection of returns on the trading of goods between Member States from businesses, the validation and pre-processing of such returns and the dissemination of the statistics derived therefrom.

These systems shall be based on distributed information systems at regional, national and Community levels, the interoperability of which shall be guaranteed by the development and use of harmonized standards and communication procedures.

These systems shall be based in particular on the use of electronic data interchange (EDI) for the transmission of statistical returns. Computerized procedures may be made available to the competent national and Community authorities and to the parties responsible for providing

statistical information by agreement with the competent national authorities.

These systems shall be developed in a way which takes account of the requirements associated with compiling statistics on internal trade.

Article 2

Edicom shall run for three years from 9 December 1996.

Article 3

Measures shall be undertaken only where a clear need for Community action has been established, in accordance with the principle of subsidiarity and the principle set out in Article 8(3). Edicom may, by agreement with the competent authorities of the Member States and bearing in mind the preferential use of existing technologies and products, comprise in particular:

- the design, development and promotion of software for the collection, validation and transmission of statistical information, and assistance to Member States in making that software available to businesses,
- the design, development and promotion of software for the acceptance, validation, processing and dissemination of data, providing assistance for, and making that software available to the regional, national and Community bodies responsible for collecting statistical information, and where necessary the upgrading of equipment,
- the design, development and promotion of formats for the exchange of information, on the basis of European and international standards, and making them available,
- the design, documentation and promotion of the methods, procedures and agreements to be used in the exchange of information,
- making software and services suppliers aware of the requirements of national and Community statistics.

Article 4

In implementing the measures, the following general aims shall be taken into account:

- to facilitate the introduction and use of these systems, by means of promotion and awareness campaigns aimed mainly at businesses and users, conducted by the competent Community bodies by agreement with national and regional bodies,
- to undertake special measures for the benefit of less-developed regional and national bodies to enable them to take part in these systems,
- to promote the use of the most appropriate telematic technologies and tools to meet the needs of the statistical system, and their incorporation into the various computer environments of the authorities concerned.

⁽¹⁾ OJ No L 183, 19. 7. 1994, p. 42.

Article 5

1. The Commission shall be responsible for the implementation of Edicom. It shall be assisted by:

- (a) the Committee on the Statistical Programme of the European Communities, established by Decision 89/382/EEC, Euratom⁽¹⁾, in drawing up, quantifying and approving the annual work programme, in accordance with the procedure laid down in Article 6;
- (b) the Committee on statistics relating to the trading of goods between Member States, set up by Regulation (EEC) No 3330/91:
 - for the approval of calls for tenders and the evaluation of projects and measures of a total value of more than ECU 200 000, in accordance with the procedure laid down in Article 6,
 - for measures to implement Edicom other than those referred to in point (a) and the first indent of this point, in accordance with the procedure laid down in Article 7.

2. The Commission shall keep the Committee provided for in Article 4 of Council Decision 95/468/EC of 6 November 1995 on a Community contribution for telematic interchange of data between administrations in the Community (IDA)⁽²⁾ regularly informed of the progress of the measures.

3. The Commission shall submit to the Committee referred to in paragraph 1 (a) an annual report assessing value for money achieved to date.

Article 6

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

The Commission shall adopt the measures envisaged if they are in accordance with the opinion of the Committee.

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

If, on the expiry of a period of three months from the date of referral to the Council, the Council has not acted,

the proposed measures shall be adopted by the Commission.

Article 7

The Commission representative shall submit to the Committee a draft of the measures to be taken. The Committee shall deliver its opinion on the draft within a time limit which the chairman may lay down according to the urgency of the matter, if necessary by taking a vote.

The opinion shall be recorded in the minutes; in addition, each Member State shall have the right to ask to have its position recorded in the minutes.

The Commission shall take the utmost account of the opinion delivered by the Committee. It shall inform the Committee of the manner in which its opinion has been taken into account.

Article 8

1. The financial reference for the implementation of Edicom shall be ECU 30 million for the period 1997, 1998 and 1999. An indicative breakdown of these funds is shown in the Annex.

2. Annual appropriations shall be authorized by the budget authority within the limit of the financial perspective.

3. Any expenditure shall guarantee value for money by ensuring that the benefits are in keeping with the resources deployed.

Article 9

The Commission shall submit to the European Parliament and the Council, on the conclusion of Edicom, a report on its implementation together, where appropriate, with proposals for further measures.

Article 10

This Decision shall enter into force on 9 December 1996.

Article 11

This Decision is addressed to the Member States.

Done at Brussels, 9 December 1996.

For the Council

The President

B. HOWLIN

⁽¹⁾ OJ No L 181, 28. 6. 1989, p. 47.

⁽²⁾ OJ No L 269, 11. 11. 1995, p. 23.

ANNEX

Indicative breakdown of EDICOM by components for 1997, 1998 and 1999

Breakdown	(million ECU)
	1997-1998-1999
I. Implementation of the telematic network	15,3
II. Opening up access to the telematic network to parties responsible for providing statistical information	5,6
III. Adapting the national and Community systems	2,8
IV. International standardization work	1,9
V. Promotion, training, back-up, supervision, coordination	4,4
TOTAL	30

COMMISSION

COMMISSION DECISION

of 29 November 1996

on financial aid from the Community for the operation of the Community Reference Laboratory for the analysis and testing of milk and milk products (Laboratoire central d'hygiène alimentaire, Paris, France)

(Only the French text is authentic)

(96/716/EC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Decision 90/424/EEC of 26 June 1990 on expenditure in the veterinary field⁽¹⁾, as last amended by Decision 94/370/EC⁽²⁾, and in particular Article 28 (2) thereof,

Whereas Chapter I of Annex D to Council Directive 92/46/EEC of 16 June 1992 laying down the health rules for the production and placing on the market of raw milk, heat-treated milk and milk-based products⁽³⁾, as last amended by the Act of Accession of Austria, Finland and Sweden, designates the Laboratoire central d'hygiène alimentaire, Paris, France as the Community Reference Laboratory for the analysis and testing of milk and milk products;

Whereas all the functions and duties which the laboratory has to perform are specified in Chapter II of Annex D to the abovementioned Directive; whereas Community assistance must be conditional on the accomplishment of those functions and duties by the laboratory;

Whereas Community financial aid should be granted to the Community Reference Laboratory to assist it in carrying out the said functions and duties;

Whereas, for budgetary reasons, Community assistance should be granted for a period of one year;

Whereas, for supervisory purposes, Articles 8 and 9 of Council Regulation (EEC) No 729/70 of 21 April 1970 on the financing of the common agricultural policy⁽⁴⁾, as last

amended by Regulation (EEC) No 2048/88⁽⁵⁾, should apply;

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

HAS ADOPTED THIS DECISION:

Article 1

The Community hereby grants financial assistance to France for the functions and duties to be carried out by the Community Reference Laboratory for the analysis and testing of milk and milk products referred to in Chapter II of Annex D to Directive 92/46/EEC.

Article 2

The Laboratoire central d'hygiène alimentaire, Paris, France shall perform the functions and duties referred to in Article 1.

Article 3

The Community's financial assistance shall amount to a maximum of ECU 100 000 for the period 1 January to 31 December 1997.

Article 4

The Community's financial assistance shall be paid as follows:

- 70 % by way of an advance at France's request,
- the balance following presentation of supporting documents by France. Those documents must be presented before 1 March 1998.

⁽¹⁾ OJ No L 224, 18. 8. 1990, p. 19.

⁽²⁾ OJ No L 168, 2. 7. 1994, p. 31.

⁽³⁾ OJ No L 268, 14. 9. 1992, p. 1.

⁽⁴⁾ OJ No L 94, 28. 4. 1970, p. 13.

⁽⁵⁾ OJ No L 185, 15. 7. 1988, p. 1.

Article 5

Articles 8 and 9 of Regulation (EEC) No 729/70 shall apply *mutatis mutandis*.

Article 6

This Decision is addressed to the French Republic.

Done at Brussels, 29 November 1996.

For the Commission

Franz FISCHLER

Member of the Commission

COMMISSION DECISION

of 29 November 1996

on financial aid from the Community for the operation of the Community Reference Laboratory for fish diseases (Statens Veterinære Serumlaboratorium, Århus, Denmark)

(Only the Danish text is authentic)

(96/717/EC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Decision 90/424/EEC of 26 June 1990 on expenditure in the veterinary field⁽¹⁾, as last amended by Decision 94/370/EC⁽²⁾, and in particular Article 28 (2) thereof,

Whereas Annex B to Council Directive 93/53/EEC of 24 June 1993 introducing minimum Community measures for the control of certain fish diseases⁽³⁾, as last amended by the Act of Accession of Austria, Finland and Sweden, designates the Statens Veterinære Serumlaboratorium, Århus, Denmark as the Community Reference Laboratory for fish diseases referred to in Annex A to Council Directive 91/67/EEC⁽⁴⁾;

Whereas all the functions and duties which the laboratory has to perform are specified in Annex C to Directive 93/53/EEC; whereas Community assistance must be conditional on the accomplishment of those functions and duties by the laboratory;

Whereas Community financial aid should be granted to the Community Reference Laboratory to assist it in carrying out the said functions and duties;

Whereas, for budgetary reasons, Community assistance should be granted for a period of one year;

Whereas, for supervisory purposes, Articles 8 and 9 of Council Regulation (EEC) No 729/70 of 21 April 1970 on the financing of the common agricultural policy⁽⁵⁾, as last amended by Regulation (EEC) No 2048/88⁽⁶⁾, should apply;

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

HAS ADOPTED THIS DECISION:

Article 1

The Community hereby grants financial assistance to Denmark for the functions and duties to be carried out by the Community Reference Laboratory for fish diseases referred to in Annex C to Directive 93/53/EEC.

Article 2

The Statens Veterinære Serumlaboratorium, Århus, Denmark shall perform the functions and duties referred to in Article 1.

Article 3

The Community's financial assistance shall amount to a maximum of ECU 100 000 for the period 1 January to 31 December 1997.

Article 4

The Community's financial assistance shall be paid as follows:

- 70 % by way of an advance at Denmark's request,
- the balance following presentation of supporting documents by Denmark. Those documents must be presented before 1 March 1998.

Article 5

Articles 8 and 9 of Regulation (EEC) No 729/70 shall apply *mutatis mutandis*.

Article 6

This Decision is addressed to the Kingdom of Denmark.

Done at Brussels, 29 November 1996.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ No L 224, 18. 8. 1990, p. 19.

⁽²⁾ OJ No L 168, 2. 7. 1994, p. 31.

⁽³⁾ OJ No L 175, 19. 7. 1993, p. 23.

⁽⁴⁾ OJ No L 46, 19. 2. 1991, p. 1.

⁽⁵⁾ OJ No L 94, 28. 4. 1970, p. 13.

⁽⁶⁾ OJ No L 185, 15. 7. 1988, p. 1.

COMMISSION DECISION

of 29 November 1996

on financial aid from the Community for the operation of the Community Reference Laboratory for Newcastle disease (Central Veterinary Laboratory, Addlestone, United Kingdom)

(Only the English text is authentic)

(96/718/EC)

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

Having regard to Council Decision 90/424/EEC of 26 June 1990 on expenditure in the veterinary field⁽¹⁾, as last amended by Decision 94/370/EC⁽²⁾, and in particular Article 28 (2) thereof,

Whereas Annex V to Council Directive 92/66/EEC of 14 June 1992 introducing Community measures for the control of Newcastle disease⁽³⁾, as last amended by the Act of Accession of Austria, Finland and Sweden, designates the Central Veterinary Laboratory, Addlestone, United Kingdom as the Community Reference Laboratory for Newcastle disease;

Whereas all the functions and duties which the laboratory has to perform are specified in Annex V to the above-mentioned Directive; whereas Community assistance must be conditional on the accomplishment of those functions and duties by the laboratory;

Whereas Community financial aid should be granted to the Community Reference Laboratory to assist it in carrying out the said functions and duties;

Whereas, for budgetary reasons, Community assistance should be granted for a period of one year;

Whereas, for supervisory purposes, Articles 8 and 9 of Council Regulation (EEC) No 729/70 of 21 April 1970 on the financing of the common agricultural policy⁽⁴⁾, as last amended by Regulation (EEC) No 2048/88⁽⁵⁾, should apply;

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

HAS ADOPTED THIS DECISION:

Article 1

The Community hereby grants financial assistance to the United Kingdom for the functions and duties to be

carried out by the Community Reference Laboratory for Newcastle disease referred to in Annex V to Directive 92/66/EEC.

Article 2

The Central Veterinary Laboratory, Addlestone, United Kingdom shall perform the functions and duties referred to in Article 1.

Article 3

The Community's financial assistance shall amount to a maximum of ECU 100 000 for the period 1 January to 31 December 1997.

Article 4

The Community's financial assistance shall be paid as follows:

- 70 % by way of an advance at the United Kingdom's request,
- the balance following presentation of supporting documents by the United Kingdom. Those documents must be presented before 1 March 1998.

Article 5

Articles 8 and 9 of Council Regulation (EEC) No 729/70 shall apply *mutatis mutandis*.

Article 6

This Decision is addressed to the United Kingdom of Great Britain and Northern Ireland.

Done at Brussels, 29 November 1996.

For the Commission

Franz FISCHLER

Member of the Commission⁽¹⁾ OJ No L 224, 18. 8. 1990, p. 19.⁽²⁾ OJ No L 168, 2. 7. 1994, p. 31.⁽³⁾ OJ No L 260, 5. 9. 1992, p. 1.⁽⁴⁾ OJ No L 94, 28. 4. 1970, p. 13.⁽⁵⁾ OJ No L 185, 15. 7. 1988, p. 1.

COMMISSION DECISION

of 29 November 1996

on financial aid from the Community for the operation of the Community Reference Laboratory for avian influenza (Central Veterinary Laboratory, Addlestone, United Kingdom)

(Only the English text is authentic)

(96/719/EC)

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

Having regard to Council Decision 90/424/EEC of 26 June 1990 on expenditure in the veterinary field⁽¹⁾, as last amended by Decision 94/370/EC⁽²⁾, and in particular Article 28 (2) thereof,

Whereas Annex V to Council Directive 92/40/EEC of 19 May 1992 introducing Community measures for the control of avian influenza⁽³⁾, as last amended by the Act of Accession of Austria, Finland and Sweden, designates the Central Veterinary Laboratory, Addlestone, United Kingdom as the Community Reference Laboratory for avian influenza;

Whereas all the functions and duties which the laboratory has to perform are specified in Annex V to the above-mentioned Directive; whereas Community assistance must be conditional on the accomplishment of those functions and duties by the laboratory;

Whereas Community financial aid should be granted to the Community Reference Laboratory to assist it in carrying out the said functions and duties;

Whereas, for budgetary reasons, Community assistance should be granted for a period of one year;

Whereas, for supervisory purposes, Articles 8 and 9 of Council Regulation (EEC) No 729/70 of 21 April 1970 on the financing of the common agricultural policy⁽⁴⁾, as last amended by Regulation (EEC) No 2048/88⁽⁵⁾, should apply;

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

HAS ADOPTED THIS DECISION:

Article 1

The Community hereby grants financial assistance to the United Kingdom for the functions and duties to be

carried out by the Community Reference Laboratory for avian influenza referred to in Annex V to Directive 92/40/EEC.

Article 2

The Central Veterinary Laboratory, Addlestone, United Kingdom shall perform the functions and duties referred to in Article 1.

Article 3

The Community's financial assistance shall amount to a maximum of ECU 80 000 for the period 1 January to 31 December 1997.

Article 4

The Community's financial assistance shall be paid as follows:

- 70 % by way of an advance at the United Kingdom's request,
- the balance following presentation of supporting documents by the United Kingdom. Those documents must be presented before 1 March 1998.

Article 5

Articles 8 and 9 of Regulation (EEC) No 729/70 shall apply *mutatis mutandis*.

Article 6

This Decision is addressed to the United Kingdom of Great Britain and Northern Ireland.

Done at Brussels, 29 November 1996.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ No L 224, 18. 8. 1990, p. 19.

⁽²⁾ OJ No L 168, 2. 7. 1994, p. 31.

⁽³⁾ OJ No L 167, 22. 6. 1992, p. 1.

⁽⁴⁾ OJ No L 94, 28. 4. 1970, p. 13.

⁽⁵⁾ OJ No L 185, 15. 7. 1988, p. 1.

COMMISSION DECISION

of 29 November 1996

on financial aid from the Community for the operation of the Community Reference Laboratory for salmonella (Rijksinstituut voor Volksgezondheid en Milieuhygiëne, Bilthoven, Netherlands)

(Only the Dutch text is authentic)

(96/720/EC)

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

Having regard to Council Decision 90/424/EEC of 26 June 1990 on expenditure in the veterinary field⁽¹⁾, as last amended by Decision 94/370/EC⁽²⁾, and in particular Article 28 (2) thereof,

Whereas Chapter I of Annex IV to Council Directive 92/117/EEC of 17 December 1992 concerning measures for protection against specified zoonoses and specified zoonotic agents in animals and products of animal origin in order to prevent outbreaks of food-borne infections and intoxications⁽³⁾, as last amended by the Act of Accession of Austria, Finland and Sweden, designates the Rijksinstituut voor Volksgezondheid en Milieuhygiëne, Bilthoven, The Netherlands as the Community Reference Laboratory for salmonella;

Whereas all the functions and duties which the laboratory has to perform are specified in Chapter II of Annex IV to the abovementioned Directive; whereas Community assistance must be conditional on the accomplishment of those functions and duties by the laboratory;

Whereas Community financial aid should be granted to the Community Reference Laboratory to assist it in carrying out the said functions and duties;

Whereas, for budgetary reasons, Community assistance should be granted for a period of one year;

Whereas, for supervisory purposes, Articles 8 and 9 of Council Regulation (EEC) No 729/70 of 21 April 1970 on the financing of the common agricultural policy⁽⁴⁾, as last amended by Regulation (EEC) No 2048/88⁽⁵⁾, should apply;

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

HAS ADOPTED THIS DECISION:

Article 1

The Community hereby grants financial assistance to the Netherlands for the functions and duties to be carried out

by the Community Reference Laboratory for salmonella referred to in Chapter II of Annex IV to Directive 92/117/EEC.

Article 2

The Rijksinstituut voor Volksgezondheid en Milieuhygiëne, Bilthoven, Netherlands, shall perform the functions and duties referred to in Article 1.

Article 3

The Community's financial assistance shall amount to a maximum of ECU 100 000 for the period 1 January to 31 December 1997.

Article 4

The Community's financial assistance shall be paid as follows:

- 70 % by way of an advance at the Netherlands' request,
- the balance following presentation of supporting documents by the Netherlands. Those documents must be presented before 1 March 1998.

Article 5

Articles 8 and 9 of Regulation (EEC) No 729/70 shall apply *mutatis mutandis*.

Article 6

This Decision is addressed to the Kingdom of the Netherlands.

Done at Brussels, 29 November 1996.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ No L 224, 18. 8. 1990, p. 19.

⁽²⁾ OJ No L 168, 2. 7. 1994, p. 31.

⁽³⁾ OJ No L 62, 15. 3. 1993, p. 38.

⁽⁴⁾ OJ No L 94, 28. 4. 1970, p. 13.

⁽⁵⁾ OJ No L 185, 15. 7. 1988, p. 1.

COMMISSION DECISION

of 29 November 1996

on financial aid from the Community for the operation of the Community Reference Laboratory for the monitoring of marine biotoxins (Laboratorio del Ministerio de Sanidad y Consumo, Vigo, Spain)

(Only the Spanish text is authentic)

(96/721/EC)

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

Having regard to Council Decision 90/424/EEC of 26 June 1990 on expenditure in the veterinary field⁽¹⁾, as last amended by Decision 94/370/EC⁽²⁾, and in particular Article 28 (2) thereof,

Whereas Article 3 of Council Decision 93/383/EEC of 14 June 1993 on reference laboratories for the monitoring of marine biotoxins⁽³⁾, as last amended by the Act of Accession of Austria, Finland and Sweden, designates the Laboratorio del Ministerio de Sanidad y Consumo, Vigo, Spain as the Community Reference Laboratory for the monitoring of marine biotoxins;

Whereas all the functions and duties which the laboratory has to perform are specified in Article 5 of the above-mentioned Decision; whereas Community assistance must be conditional on the accomplishment of those functions and duties by the laboratory;

Whereas Community financial aid should be granted to the Community Reference Laboratory to assist it in carrying out the said functions and duties;

Whereas, for budgetary reasons, Community assistance should be granted for a period of one year;

Whereas, for supervisory purposes, Articles 8 and 9 of Council Regulation (EEC) No 729/70 of 21 April 1970 on the financing of the common agricultural policy⁽⁴⁾, as last amended by Regulation (EEC) No 2048/88⁽⁵⁾, should apply;

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

HAS ADOPTED THIS DECISION:

Article 1

The Community hereby grants financial assistance to Spain for the functions and duties to be carried out by the

Community Reference Laboratory for the monitoring of marine biotoxins referred to in Article 5 of Decision 93/383/EEC.

Article 2

The Laboratorio del Ministerio de Sanidad y Consumo, Vigo, Spain shall perform the functions and duties referred to in Article 1.

Article 3

The Community's financial assistance shall amount to a maximum of ECU 100 000 for the period 1 January to 31 December 1997.

Article 4

The Community's financial assistance shall be paid as follows:

- 70 % by way of an advance at Spain's request,
- the balance following presentation of supporting documents by Spain. Those documents must be presented before 1 March 1998.

Article 5

Articles 8 and 9 of Regulation (EEC) No 729/70 shall apply *mutatis mutandis*.

Article 6

This Decision is addressed to the Kingdom of Spain.

Done at Brussels, 29 November 1996.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ No L 224, 18. 8. 1990, p. 19.

⁽²⁾ OJ No L 168, 2. 7. 1994, p. 31.

⁽³⁾ OJ No L 166, 8. 7. 1993, p. 31.

⁽⁴⁾ OJ No L 94, 28. 4. 1970, p. 13.

⁽⁵⁾ OJ No L 185, 15. 7. 1988, p. 1.

COMMISSION DECISION

of 29 November 1996

on financial aid from the Community for the operation of the Community Reference Laboratory for the epidemiology of zoonoses (Bundesinstitut für gesundheitlichen Verbraucherschutz und Veterinärmedizin — formerly the Institut für Veterinärmedizin — Berlin, Germany)

(Only the German text is authentic)

(96/722/EC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

HAS ADOPTED THIS DECISION:

Having regard to the Treaty establishing the European Community,

Having regard to Council Decision 90/424/EEC of 26 June 1990 on expenditure in the veterinary field⁽¹⁾, as last amended by Decision 94/370/EC⁽²⁾, and in particular Article 28 (2) thereof,

Whereas Chapter I of Annex IV to Council Directive 92/117/EEC of 17 December 1992 concerning measures for protection against specified zoonoses and zoonotic agents in animals and products of animal origin in order to prevent outbreaks of food-borne infections and intoxications⁽³⁾, as last amended by the Act of Accession of Austria, Finland and Sweden, designates the Bundesinstitut für gesundheitlichen Verbraucherschutz und Veterinärmedizin (formerly the Institut für Veterinärmedizin), Berlin, Germany as the Community Reference Laboratory for the epidemiology of zoonoses;

Whereas all the functions and duties which the laboratory has to perform are specified in Chapter II of Annex IV to the abovementioned Directive; whereas Community assistance must be conditional on the accomplishment of those functions and duties by the laboratory;

Whereas Community financial aid should be granted to the Community Reference Laboratory to assist it in carrying out the said functions and duties;

Whereas, for budgetary reasons, Community assistance should be granted for a period of one year;

Whereas, for supervisory purposes, Articles 8 and 9 of Council Regulation (EEC) No 729/70 of 21 April 1970 on the financing of the common agricultural policy⁽⁴⁾, as last amended by Regulation (EEC) No 2048/88⁽⁵⁾, should apply;

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

⁽¹⁾ OJ No L 224, 18. 8. 1990, p. 19.

⁽²⁾ OJ No L 168, 2. 7. 1994, p. 31.

⁽³⁾ OJ No L 62, 15. 3. 1993, p. 38.

⁽⁴⁾ OJ No L 94, 28. 4. 1970, p. 13.

⁽⁵⁾ OJ No L 185, 15. 7. 1988, p. 1.

Article 1

The Community hereby grants financial assistance to Germany for the functions and duties to be carried out by the Community Reference Laboratory for the epidemiology of zoonoses referred to in Chapter II of Annex IV to Directive 92/117/EEC.

Article 2

The Bundesinstitut für gesundheitlichen Verbraucherschutz und Veterinärmedizin (formerly the Institut für Veterinärmedizin), Berlin, Germany shall perform the functions and duties referred to in Article 1.

Article 3

The Community's financial assistance shall amount to a maximum of ECU 100 000 for the period 1 January to 31 December 1997.

Article 4

The Community's financial assistance shall be paid as follows:

- 70 % by way of an advance at Germany's request,
- the balance following presentation of supporting documents by Germany. Those documents must be presented before 1 March 1998.

Article 5

Articles 8 and 9 of Regulation (EEC) No 729/70 shall apply *mutatis mutandis*.

Article 6

This Decision is addressed to the Federal Republic of Germany.

Done at Brussels, 29 November 1996.

For the Commission

Franz FISCHLER

Member of the Commission

CORRIGENDA**Corrigendum to Commission Recommendation No 88/96/ECSC of 16 December 1996 amending Recommendation 91/141/ECSC concerning the questionnaires contained in the Annex**

(Official Journal of the European Communities No L 326 of 17 December 1996)

In the contents page and the title of page 31:

- for:* 'Commission Recommendation No 88/96/ECSC of 16 December 1966 amending Recommendation 91/141/ECSC concerning the questionnaires contained in the Annex',
- read:* 'Commission Recommendation No 2393/96/ECSC of 16 December 1966 amending Recommendation 91/141/ECSC concerning the questionnaires contained in the Annex'.
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