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⁽¹⁾ Text with EEA relevance

I

(Acts whose publication is obligatory)

COUNCIL REGULATION (EURATOM, ECSC, EC) No 2485/96

of 20 December 1996

adjusting, with effect from 1 July 1996, the remuneration and pensions of officials and other servants of the European Communities and the weightings applied thereto

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty establishing a Single Council and a Single Commission of the European Communities,

Having regard to the Protocol on the Privileges and Immunities of the European Communities, and in particular Article 13 thereof,

Having regard to the Staff Regulations of Officials and the Conditions of Employment of Other Servants of the European Communities laid down by Regulation (EEC, Euratom, ECSC) No 259/68 ⁽¹⁾, as last amended by Regulation (Euratom, ECSC, EC) No 1354/96 ⁽²⁾, and in particular Articles 63, 64, 65, 65a and 82 of the Staff Regulations, Annex XI to the Staff Regulations, and the first paragraph of Article 20 and Article 64 of the Conditions of Employment,

Having regard to the proposal from the Commission,

Whereas a review of the remuneration of officials and other servants carried out on the basis of a report by the Commission has shown that the remuneration and pensions of officials and other servants of the Communities should be adjusted under the 1996 annual review;

Whereas, in accordance with Annex XI to the Staff Regulations, the annual adjustment in respect of 1997 will entail the establishment, not later than 31 December 1997, of new weightings with retroactive effect from 1 July 1997;

Whereas these new weightings could lead to retroactive adjustments to remuneration and pensions (positive or negative) in respect of the 1997 period for which payment has already been made on the basis of this Regulation;

Whereas provision should therefore be made for the payment of arrears in the event of an upward adjustment as a result of these weightings or for the recovery of sums paid in excess in the event of a downward adjustment for the period between the effective date and the date of entry into force of the Council's decision on the annual adjustment in respect of 1997;

Whereas provision should be made for the effects of any such recovery to be spread over a period of not more than 12 months following the date of entry into force of the Council's decision on the annual adjustment in respect of 1997,

⁽¹⁾ OJ No L 56, 4. 3. 1968, p. 1.

⁽²⁾ OJ No L 175, 13. 7. 1996, p. 1.

HAS ADOPTED THIS REGULATION:

Article 1

With effect from 1 July 1996:

(a) the table of basic monthly salaries in Article 66 of the Staff Regulations shall be replaced by the following:

Grade	Step							
	1	2	3	4	5	6	7	8
A 1	424 536	447 088	469 640	492 192	514 744	537 296		
A 2	376 741	398 261	419 781	441 301	462 821	484 341		
A 3/LA 3	312 011	330 834	349 657	368 480	387 303	406 126	424 949	443 772
A 4/LA 4	262 119	276 812	291 505	306 198	320 891	335 584	350 277	364 970
A 5/LA 5	216 110	228 912	241 714	254 516	267 318	280 120	292 922	305 724
A 6/LA 6	186 755	196 945	207 135	217 325	227 515	237 705	247 895	258 085
A 7/LA 7	160 759	168 758	176 757	184 756	192 755	200 754		
A 8/LA 8	142 178	147 912						
B 1	186 755	196 945	207 135	217 325	227 515	237 705	247 895	258 085
B 2	161 810	169 396	176 982	184 568	192 154	199 740	207 326	214 912
B 3	135 724	142 032	148 340	154 648	160 956	167 264	173 572	179 880
B 4	117 388	122 859	128 330	133 801	139 272	144 743	150 214	155 685
B 5	104 931	109 358	113 785	118 212				
C 1	119 734	124 562	129 390	134 218	139 046	143 874	148 702	153 530
C 2	104 142	108 567	112 992	117 417	121 842	126 267	130 692	135 117
C 3	97 145	100 936	104 727	108 518	112 309	116 100	119 891	123 682
C 4	87 778	91 334	94 890	98 446	102 002	105 558	109 114	112 670
C 5	80 936	84 253	87 570	90 887				
D 1	91 471	95 470	99 469	103 468	107 467	111 466	115 465	119 464
D 2	83 403	86 955	90 507	94 059	97 611	101 163	104 715	108 267
D 3	77 625	80 948	84 271	87 594	90 917	94 240	97 563	100 886
D 4	73 192	76 194	79 196	82 198				

(b) — Bfrs 6 336 shall be replaced by Bfrs 6 425 in Article 1 (1) of Annex VII to the Staff Regulations,

— Bfrs 8 160 shall be replaced by Bfrs 8 274 in Article 2 (1) of Annex VII to the Staff Regulations,

— Bfrs 14 578 shall be replaced by Bfrs 14 782 in the second sentence of Article 69 of the Staff Regulations and in the second subparagraph of Article 4 (1) of Annex VII thereto,

— Bfrs 7 292 shall be replaced by Bfrs 7 394 in the first paragraph of Article 3 of Annex VII to the Staff Regulations.

Article 2

With effect from 1 July 1996, the table of basic monthly salaries in Article 63 of the Conditions of Employment of Other Servants is replaced by the following:

Category	Group	Step			
		1	2	3	4
A	I	199 320	224 010	248 700	273 390
	II	144 663	158 759	172 855	186 951
	III	121 567	126 983	132 399	137 815
B	IV	116 782	128 214	139 646	151 078
	V	91 729	97 776	103 823	109 870
C	VI	87 242	92 378	97 514	102 650
	VII	78 084	80 741	83 398	86 055
D	VIII	70 576	74 733	78 890	83 047
	IX	67 967	68 914	69 861	70 808

Article 3

With effect from 1 July 1996, the fixed allowance referred to in Article 4a of Annex VII to the Staff Regulations shall be:

- Bfrs 3 856 per month for officials in Grade C4 or C5,
- Bfrs 5 912 per month for officials in Grade C1, C2 or C3.

Article 4

Pensions for which entitlement has accrued by 1 July 1996 shall be calculated from that date by reference to the table of basic monthly salaries laid down in Article 66 of the Staff Regulations, as amended by Article 1 (a) of this Regulation.

Article 5

With effect from 1 July 1996, the date '1 July 1995' in the second paragraph of Article 63 of the Staff Regulations shall be replaced by '1 July 1996'.

Article 6

1. With effect from 16 May 1996, the weightings applicable to the remuneration of officials and other servants employed in the undermentioned country shall be as follows:

United Kingdom (except Culham) 109,5.

2. With effect from 16 July 1996, the weightings applicable to the remuneration of officials and other servants employed in the countries and places listed below shall be as follows:

Belgium	100,0
Denmark	125,4
Germany	111,5
except: Bonn	100,8
Karlsruhe	99,0
Munich	110,4
Greece	86,5
Spain	91,3
France	116,4
Ireland	92,1
Italy	97,0
except: Varese	92,7
Luxembourg	100,0
Netherlands	104,9
Austria	114,7
Portugal	84,0
Finland	117,0
Sweden	117,6
United Kingdom	115,3
except: Culham	91,5

3. The weightings applicable to pensions shall be determined in accordance with Article 82 (1) of the Staff Regulations. Articles 3 to 10 of Regulation (ECSC, EEC, Euratom) No 2175/88 (1) shall remain in force.

4. In accordance with Annex XI to the Staff Regulations these weightings could be adjusted before 31 December 1997 by a Council regulation establishing new weightings with effect from 1 July 1997. In this event, the institutions shall make the corresponding positive or negative adjustment to the remuneration and pensions of the officials, former officials and other persons concerned with retroactive effect for the period between the effective date and the date of entry into force of the decision on the 1997 adjustment.

(1) OJ No L 191, 22. 7. 1988, p. 1.

If this retroactive adjustment necessitates the recovery of sums paid aid in excess, such recovery may be spread over a period of not more than 12 months from the date of entry into force of the decision on the 1997 annual adjustment.

Article 7

With effect from 1 July 1996, the table in Article 10 (1) of Annex VII to the Staff Regulations shall be replaced by the following:

	Entitled to household allowance		Not entitled to household allowance	
	1st to 15th day	from 16th day	1st to 15th day	from 16th day
	Bfrs per calendar day			
A 1 to A 3 and LA 3	2 506	1 181	1 721	989
A 4 to A 8 and LA 4 to LA 8 and category B	2 432	1 102	1 651	861
Other grades	2 206	1 027	1 420	710

Article 8

With effect from 1 July 1996, the allowances for shiftwork laid down in Article 1 of Regulation (ECSC, EEC, Euratom) No 300/76⁽¹⁾ shall be Bfrs 11 177, Bfrs 16 870, Bfrs 18 446 and Bfrs 25 148.

Article 9

With effect from 1 July 1995, the amounts in Article 4 of Regulation (EEC, Euratom, ECSC) No 260/68⁽²⁾ shall be subject to a weighting of 3,999750.

Article 10

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

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

Done at Brussels, 20 December 1996.

For the Council

The President

S. BARRETT

⁽¹⁾ OJ No L 38, 13. 2. 1976, p. 1. Regulation as supplemented by Regulation (Euratom, ECSC, EEC) No 1307/87 (OJ No L 124, 13. 5. 1987, p. 6) and last amended by Regulation (EC, Euratom, ECSC) No 2963/95 (OJ No L 310, 22. 12. 1995, p. 1).

⁽²⁾ OJ No L 56, 4. 3. 1968, p. 8. Regulation as last amended by Regulation (EC, Euratom, ECSC) No 2963/95 (OJ No L 310, 22. 12. 1995, p. 1).

COUNCIL REGULATION (EC) No 2486/96

of 20 December 1996

concerning the export of certain ECSC steel products from Bulgaria to the Community for the period 1 January to 31 December 1997 (extension of the double-checking system)

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 a Europe Agreement establishing an association between the European Communities and their Member States, of the one part, and the Republic of Bulgaria, of the other part⁽¹⁾, entered into force on 1 February 1995;

Whereas the Parties decided, in Decision No .../96 of the Association Council, association between the European Communities and their Member States, of the one part, and the Republic of Bulgaria, of the other part⁽²⁾, to extend the double-checking system introduced by Decision No 3/95⁽³⁾ for the period between 1 January and 31 December 1997 subject to certain amendments;

Whereas it is consequently appropriate to amend Council Regulation (EC) No 3054/95 of 22 December 1995 concerning the export of certain ECSC and EC steel products from certain third countries to the European Communities⁽⁴⁾,

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

Done at Brussels, 20 December 1996.

For the Council

The President

S. BARRETT

Article 1

Regulation (EC) No 3054/95 shall continue to apply for the period between 1 January and 31 December 1997, in accordance with Decision No .../96 of the Association Council, subject to the amendments shown in Article 2 of this Regulation. In the preamble and Article 1 (1) and (3) of Regulation (EC) No 3054/95, references to the period 1 January to 31 December 1996 shall be replaced by references to 1 January to 31 December 1997.

Article 2

1. Annex I to Regulation (EC) No 3054/95 shall be replaced by the text contained in the Annex to this Regulation.
2. In Annex IV to Regulation (EC) No 3054/95, 'Export Licence' shall be replaced by 'Export Document'.

Article 3

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 January 1997.

⁽¹⁾ OJ No L 358, 31. 12. 1994, p. 3.

⁽²⁾ Decision at present being published.

⁽³⁾ OJ No L 325, 30. 12. 1995, p. 37.

⁽⁴⁾ OJ No L 325, 30. 12. 1995, p. 1.

ANNEX

ANNEX I

BULGARIA

List of products subject to double-checking (1997)

7206 10 00	7209 28 90	7213 91 49	7225 20 20
7206 90 00	7209 90 10	7213 91 70	7225 30 00
		7213 91 90	7225 40 20
7208 10 00	7210 11 10	7213 99 10	7225 40 50
7208 25 00	7210 12 11	7213 99 90	7225 40 80
7208 26 00	7210 12 19		7225 50 00
7208 27 00	7210 20 10	7214 20 00	7225 91 10
7208 36 00	7210 30 10	7214 30 00	7225 92 10
7208 37 10	7210 41 10	7214 91 10	7225 99 10
7208 37 90	7210 49 10	7214 91 90	
7208 38 10	7210 50 10	7214 99 10	7226 11 10
7208 38 90	7210 61 10	7214 99 31	7226 19 10
7208 39 10	7210 69 10	7214 99 39	7226 19 30
7208 39 90	7210 70 31	7214 99 50	7226 20 20
7208 40 10	7210 70 39	7214 99 61	7226 91 10
7208 40 90	7210 90 31	7214 99 69	7226 91 90
7208 51 10	7210 90 33	7214 99 80	7226 92 10
7208 51 30	7210 90 38	7214 99 90	7226 93 20
7208 51 50			7226 94 20
7208 51 91	7211 13 00	7215 90 10	7226 99 20
7208 51 99	7211 14 10		
7208 52 10	7211 14 90	7216 10 00	7227 10 00
7208 52 91	7211 19 20	7216 21 00	7227 20 00
7208 52 99	7211 19 90	7216 22 00	7227 90 10
7208 53 10	7211 23 10	7216 31 11	7227 90 50
7208 53 90	7211 23 51	7216 31 19	7227 90 95
7208 54 10	7211 29 20	7216 31 91	
7208 54 90	7211 90 11	7216 31 99	7228 10 10
7208 90 10		7216 32 11	7228 10 30
	7212 10 10	7216 32 19	7228 20 11
	7212 10 91	7216 32 91	7228 20 19
7209 15 00	7212 20 11	7216 32 99	7228 20 30
7209 16 10	7212 30 11	7216 33 10	7228 30 20
7209 16 90	7212 40 10	7216 33 90	7228 30 41
7209 17 10	7212 40 91	7216 40 10	7228 30 49
7209 17 90	7212 50 31	7216 40 90	7228 30 61
7209 18 10	7212 50 51	7216 50 10	7228 30 69
7209 18 91	7212 60 11	7216 50 91	7228 30 70
7209 18 99	7212 60 91	7216 50 99	7228 30 89
7209 25 00		7216 99 10	7228 60 10
7209 26 10	7213 10 00		7228 70 10
7209 26 90	7213 20 00		7228 70 31
7209 27 10	7213 91 10	7225 11 00	7228 80 10
7209 27 90	7213 91 20	7225 19 10	7228 80 10
7209 28 10	7213 91 41	7225 19 90	7228 80 90

COUNCIL REGULATION (EC) No 2487/96
of 20 December 1996
concerning the export of certain ECSC steel products from Romania to the
Community for the period 1 January to 31 December 1997 (extension of the
double-checking system)

THE COUNCIL OF THE EUROPEAN UNION,

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

Having regard to the proposal from the Commission,

Whereas a Europe Agreement establishing an association between the European Communities and their Member States, of the one part, and Romania, of the other part⁽¹⁾, entered into force on 1 February 1995;

Whereas the Parties decided, in Decision No/96 of the Association Council, association between the European Communities and their Member States, of the one part, and Romania, of the other part⁽²⁾ to extend the double-checking system introduced by Decision No 3/95⁽³⁾ for the period between 1 January and 31 December 1997 subject to certain amendments;

Whereas it is consequently appropriate to amend Council Regulation (EC) No 3054/95 of 22 December 1995 concerning the export of certain ECSC and EC steel products from certain third countries to the European Communities⁽⁴⁾,

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

Done at Brussels, 20 December 1996.

HAS ADOPTED THIS REGULATION:

Article 1

Regulation (EC) No 3054/95 shall continue to apply for the period between 1 January and 31 December 1997, in accordance with Decision No/96 of the Association Council⁽²⁾, subject to the amendments shown in Article 2 of this Regulation. In the preamble and Article 1 (1) and (3) of Regulation (EC) No 3054/95, references to the period 1 January to 31 December 1996 shall be replaced by references to 1 January to 31 December 1997.

Article 2

Annex II to Regulation (EC) No 3054/95 shall be replaced by the text contained in the Annex to this Regulation.

Article 3

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 January 1997.

For the Council

The President

S. BARRETT

⁽¹⁾ OJ No L 357, 31. 12. 1994, p. 12.

⁽²⁾ Decision at present being published.

⁽³⁾ OJ No L 325, 30. 12. 1995, p. 51.

⁽⁴⁾ OJ No L 325, 30. 12. 1995, p. 1.

ANNEX

ANNEX II

ROMANIA

List of products subject to double-checking (1997)

7202 11 20	7210 41 10	7216 10 00	7222 11 91
7202 11 80	7210 49 10	7216 21 00	7222 11 99
7202 99 11	7210 50 10	7216 22 00	7222 19 10
	7210 61 10	7216 31 11	7222 19 90
7203 90 00	7210 69 10	7216 31 19	7222 30 10
	7210 70 31	7216 31 91	7222 40 10
7206 10 00	7210 70 39	7216 31 99	7222 40 30
7206 90 00	7210 90 31	7216 32 11	
	7210 90 33	7216 32 19	7225 11 00
7208 10 00	7210 90 38	7216 32 91	7225 19 10
7208 25 00		7216 32 99	7225 19 90
7208 26 00	7211 13 00	7216 33 10	7225 20 20
7208 27 00	7211 14 10	7216 33 90	7225 30 00
7208 36 00	7211 14 90	7216 40 10	7225 40 20
7208 37 10	7211 19 20	7216 40 90	7225 40 50
7208 37 90	7211 19 90	7216 50 10	7225 40 80
7208 38 10	7211 23 10	7216 50 91	7225 50 00
7208 38 90	7211 23 51	7216 50 99	7225 91 10
7208 39 10	7211 29 20	7216 99 10	7225 92 10
7208 39 90	7211 90 11		7225 99 10
7208 40 10		7219 11 00	
7208 40 90	7212 10 10	7219 12 10	7226 11 10
7208 51 10	7212 10 91	7219 12 90	7226 19 10
7208 51 30	7212 20 11	7219 13 10	7226 19 30
7208 51 50	7212 30 11	7219 13 90	7226 20 20
7208 51 91	7212 40 10	7219 14 10	7226 91 10
7208 51 99	7212 40 91	7219 14 90	7226 91 90
7208 52 10	7212 50 31	7219 21 10	7226 92 10
7208 52 91	7212 50 51	7219 21 90	7226 93 20
7208 52 99	7212 60 11	7219 22 10	7226 94 20
7208 53 10	7212 60 91	7219 22 90	7226 99 20
7208 53 90		7219 23 00	
7208 54 10	7213 10 00	7219 24 00	7227 10 00
7208 54 90	7213 20 00	7219 31 00	7227 20 00
7208 90 10	7213 91 10	7219 32 10	7227 90 10
	7213 91 20	7219 32 90	7227 90 50
7209 15 00	7213 91 41	7219 33 10	7227 90 95
7209 16 10	7213 91 49	7219 33 90	
7209 16 90	7213 91 70	7219 34 10	7228 10 10
7209 17 10	7213 91 90	7219 34 90	7228 10 30
7209 17 90	7213 99 10	7219 35 10	7228 20 11
7209 18 10	7213 99 90	7219 35 90	7228 20 19
7209 18 91		7219 90 10	7228 20 30
7209 18 99			7228 30 20
7209 25 00	7214 20 00		7228 30 41
7209 26 10	7214 30 00	7220 11 00	7228 30 49
7209 26 90	7214 91 10	7220 12 00	7228 30 61
7209 27 10	7214 91 90	7220 20 10	7228 30 69
7209 27 90	7214 99 10	7220 90 11	7228 30 70
7209 28 10	7214 99 31	7220 90 31	7228 30 89
7209 28 90	7214 99 39		7228 60 10
7209 90 10	7214 99 50	7221 00 10	7228 70 10
	7214 99 61	7221 00 90	7228 70 31
7210 11 10	7214 99 69		7228 80 10
7210 12 11	7214 99 80	7222 11 11	7228 80 90
7210 12 19	7214 99 90	7222 11 19	
7210 20 10		7222 11 21	
7210 30 10	7215 90 10	7222 11 29	7301 10 00'

COUNCIL REGULATION (EC) No 2488/96
of 20 December 1996
temporarily suspending entirely or in part the autonomous Common Customs
Tariff duties on certain fishery products (1997)

THE COUNCIL OF THE EUROPEAN UNION,

HAS ADOPTED THIS REGULATION:

Having regard to the Treaty establishing the European Community, and in particular Article 28 thereof,

Having regard to the proposal from the Commission,

Whereas the Community relies at present on imports from third countries for supplies of certain fishery products; whereas it is in the interest of the Community to suspend entirely or in part the customs duties for these products; whereas, in order to avoid endangering the prospects for developing the production of competitive products in the Community while ensuring that the industries concerned receive the necessary supplies, it is advisable to adopt these suspension measures only from 1 January to 31 December 1997;

Whereas it is for the Community to decide to suspend these autonomous duties,

Article 1

1. From 1 January to 31 December 1997 the autonomous Common Customs Tariff duties on the products listed in the Annex are hereby suspended at the level indicated for each product.

2. Imports of these products shall qualify for the suspension referred to in paragraph 1 only on condition that the free-at-frontier price laid down by the Member States, in accordance with Article 22 of Council Regulation (EEC) No 3759/92 of 17 December 1992 on the common organization of the market in fishery and aquaculture products⁽¹⁾, is not lower than the reference price fixed or to be fixed by the Community for the products or categories of products in question.

Article 2

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, 20 December 1996.

For the Council

The President

S. BARRETT

⁽¹⁾ OJ No L 388, 31. 12. 1992, p. 1. Regulation as last amended by Regulation (EEC) No 1891/93 (OJ No L 172, 15. 7. 1993, p. 1).

ANNEX

CN code and Taric	Description	Rate of autonomous duty (%)
0302 65 20 0303 75 20 ex 0304 10 98*60 ex 0304 90 97*31	Dogfish of the species <i>Squalus acanthias</i> , fresh, chilled or frozen	6
ex 0302 69 99*30 ex 0303 79 96*30	Sturgeons, fresh, chilled or frozen, for processing (a) (b)	0
ex 0302 69 99*40	Lump fish (<i>Cyclopterus lumpus</i>), with roe, fresh or chilled, for processing (a)	0
ex 0302 69 99*50 ex 0303 79 96*40	Red snapper (<i>Lutjanus purpureus</i>), fresh, chilled or frozen for processing (a) (c)	0
ex 0302 70 00*11 ex 0302 70 00*91 ex 0302 70 00*31 ex 0302 70 00*41 ex 0303 80 90*10 ex 0303 80 90*19	Hard fish roes, fresh or chilled	0
ex 0303 10 00*10	Pacific salmon (<i>Oncorhynchus</i> spp.), frozen and headless, for the processing industry for manufacture into pastes or spreads (a)	0
ex 0304 20 55*10 ex 0304 20 58*44 ex 0304 90 47*30	Filets and meat of hake of the genus <i>Merluccius</i> , excluding the species <i>Merluccius merluccius</i> , <i>Merluccius bilinearis</i> , and <i>Merluccius hubbsi</i> , in the form of industrial blocks, frozen, for processing (a) (b)	10
ex 0304 20 85*10 ex 0304 90 61*10	Filets and meat of Alaska pollack (<i>Theragra chalcogramma</i>), in the form of industrial blocks, frozen, for processing (a) (b)	8,5
ex 0305 20 00*11 ex 0305 20 00*19	Hard fish roes, salted or in brine	0
ex 0306 19 90*10 ex 0306 29 90*10	Krill for processing (a)	0
ex 1604 11 00*20 ex 1604 20 10*20	Pacific salmon (<i>Oncorhynchus</i> spp.), for the processing industry for manufacture into pastes or spreads (a)	0
ex 1604 30 90*10	Hard fish roes, washed, cleaned or adherent organs and simply salted or in brine, for processing (a)	0
ex 1605 10 00*11 ex 1605 10 00*19	Crabs of the species 'King' (<i>Paralithodes camchaticus</i>), 'Hanasaki' (<i>Paralithodes brevipes</i>), 'Kegani' (<i>Erimacrus isenbecki</i>), 'Queen' and 'Snow' (<i>Chionoecetes</i> spp.), 'Red' (<i>Geryon quinque-dens</i>), 'Rough stone' (<i>Neolithodes asperrimus</i>), <i>Lithodes antarctica</i> , 'Mud' (<i>Scylla serrata</i>), 'Blue' (<i>Portunus</i> spp.), simply boiled in water and shelled, whether or not frozen, in immediate packings of a net content of 2 kg or more	0

-
- (a) Control of the use for this special purpose shall be carried out pursuant to the relevant Community provisions.
- (b) The suspension shall apply to fish intended to undergo any operation unless they are intended to undergo exclusively one or more of the following operations:
- cleaning, gutting, tailing, heading,
 - cutting (excluding filleting or cutting of frozen blocks),
 - sampling, sorting,
 - labelling,
 - packing,
 - chilling,
 - freezing,
 - deep freezing,
 - thawing, separation.
- The suspension is not allowed for products intended, in addition, to undergo treatment (or operations) qualifying for suspension where such treatment (or operations) is (are) carried out at retail or catering level. The suspension of customs duties shall apply only to fish intended for human consumption.
- (c) However, the suspension is not allowed where processing is carried out by retail or catering undertakings.
-

COUNCIL REGULATION (EC) No 2489/96
of 20 December 1996

amending Regulation (EEC) No 2847/93 as regards the deadline for a Council decision on a continuous position monitoring system using satellite communications for Community fishing vessels

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty establishing the European Community, and in particular Article 43 thereof,

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

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

Whereas, pursuant to Article 3 (1) of Council Regulation (EEC) No 2847/93 of 12 October 1993 establishing a control system applicable to the common fisheries policy ⁽³⁾ the Council is to decide by 1 July 1996 if, and to what extent, and when a continuous position monitoring system using satellite communications is to be introduced for Community fishing vessels;

Whereas, at its meeting on 10 June 1996, the Council said it would like to continue studying in depth, up to 31 December 1996 at the latest, the proposal for a Council Regulation amending Regulation (EEC)

No 2847/93 with regard to the installation of such a system;

Whereas the date set in Article 3 (1) of Regulation (EEC) No 2847/93 should therefore be amended,

HAS ADOPTED THIS REGULATION:

Article 1

In Article 3 (1) of Regulation (EEC) No 2847/93, the date '1 July 1996' shall be replaced by '1 January 1997'.

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*.

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

Done at Brussels, 20 December 1996.

For the Council

The President

S. BARRETT

⁽¹⁾ OJ No C 278, 24. 9. 1996, p. 27.

⁽²⁾ Opinion delivered on 13 December 1996 (not yet published in the Official Journal).

⁽³⁾ OJ No L 261, 20. 10. 1993, p. 1. Regulation as amended by Regulation (EC) No 2870/95 (OJ No L 301, 14. 12. 1995, p. 1) and by Decision 95/524/EC (OJ No L 301, 14. 12. 1995, p. 35).

COUNCIL REGULATION (EC) No 2490/96
of 20 December 1996

extending Regulation (EC) No 3066/95 establishing certain concessions in the form of Community tariff quotas for certain agricultural products and providing for the adjustment, as an autonomous and transitional measure, of certain agricultural concessions provided for in the Europe Agreements to take account of the Agreement on Agriculture concluded during the Uruguay Round of multilateral trade negotiations

THE COUNCIL OF THE EUROPEAN UNION,

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

Having regard to the proposal from the Commission,

Whereas the measures provided for in Regulation (EC) No 3066/95⁽¹⁾ providing for the adjustment, as an autonomous and transitional measure, of certain agricultural concessions provided for in the Europe Agreements to take account of the Agreement on Agriculture concluded during the Uruguay Round of multilateral trade negotiations were extended to 31 December 1996 by Regulation (EC) No 1194/96⁽²⁾;

Whereas it was planned to replace those measures with interim Additional Protocols to the Europe Agreements; whereas those Protocols cannot enter into force on 31 December 1996; whereas the said Regulation should therefore be extended to 31 December 1997,

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

Done at Brussels, 20 December 1996.

HAS ADOPTED THIS REGULATION:

Article 1

In Article 11 of Regulation (EC) No 3066/95, the second sentence is hereby replaced by the following:

‘It shall apply from 1 January to 31 December 1997’.

Article 2

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

It shall apply from 1 January 1997.

For the Council
The President
S. BARRETT

⁽¹⁾ OJ No L 328, 30. 12. 1995, p. 31.

⁽²⁾ OJ No L 161, 26. 6. 1996, p. 2.

COMMISSION REGULATION (EC) No 2491/96
of 23 December 1996
amending Regulation (EEC) No 2658/87 on the tariff and statistical
nomenclature and on the Common Customs Tariff

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EEC) No 2658/87 of 23 July 1987 on the tariff and statistical nomenclature and on the Common Customs Tariff⁽¹⁾, as last amended by Commission Regulation (EC) No 1734/96⁽²⁾, and in particular Article 9 thereof,

Whereas Commission Regulation (EC) No 2564/95⁽³⁾ lays down measures concerning the classification in the combined nomenclature of products including a CD-ROM drive and a system for reproducing sound and image on computer ('multimedia');

Whereas Commission Regulation (EC) No 3009/95 of 22 December 1995 amending Annex I to Council Regulation (EEC) No 2658/87⁽⁴⁾, gave effect from 1 January 1996 to the changes made to the Harmonized System nomenclature in the light of the Customs Cooperation Council's recommendation of 6 July 1993; whereas the changes made to the Harmonized System nomenclature include the introduction, in Chapter 84, of a new Note 5(D) potentially affecting the classification of certain products that could serve as storage units for automatic data processing machines while performing one or more other functions at the same time;

Whereas, when applying Chapter Note 5 (E), it may prove difficult to distinguish between compact discs performing a specific function other than data processing and those designed to play CD-ROMs, audio CDs and photo CDs, which are nevertheless storage units by virtue of Note 5 (D);

Whereas, in the interests of the uniform application of the combined nomenclature, the scope of the term 'optical disk storage units' should be made clear; whereas

an additional note should therefore be inserted in Chapter 84 of the combined nomenclature; whereas Regulation (EEC) No 2658/87 should be amended accordingly;

Whereas this Regulation covers the products mentioned in items 2 and 3 of the table annexed to Regulation (EC) No 2564/95;

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

HAS ADOPTED THIS REGULATION:

Article 1

The following Additional Note is hereby inserted in Chapter 84 of the combined nomenclature annexed to Regulation (EEC) No 2658/87;

- '2. Subheading 8471 70 51 shall also apply to CD-ROM drives, being storage units for automatic data processing machines, which consists of drive units designed for retrieving the signals from CD-ROMs, audio CDs and photo CDs and equipped with a jack of earphones, a volume-control button or a start/stop button.'

Article 2

Points 2 and 3 of the table annexed to Regulation (EC) No 2564/95 are hereby repealed.

Article 3

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

It shall apply from 1 January 1997.

⁽¹⁾ OJ No L 256, 7. 9. 1987, p. 1.

⁽²⁾ OJ No L 238, 19. 9. 1996, p. 1.

⁽³⁾ OJ No L 262, 1. 11. 1995, p. 25.

⁽⁴⁾ OJ No L 319, 30. 12. 1995, p. 1.

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

Done at Brussels, 23 December 1996.

For the Commission

Mario MONTI

Member of the Commission

**COMMISSION REGULATION (EC) No 2492/96
of 23 December 1996**

amending Annex I of Council Regulation (EEC) No 2658/87 on the tariff and statistical nomenclature and on the Common Customs Tariff, as resulting from Regulations (EC) No 3009/95 and (EC) No 1035/96

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EEC) No 2658/87⁽¹⁾ of 23 July 1987 on the tariff and statistical nomenclature and on the Common Customs Tariff, as last amended by Commission Regulation (EC) No 2491/96⁽²⁾, and in particular Articles 9 and 12 thereof,

Whereas the negotiations conducted with Argentina under Article XXIV (6) of the GATT following the accession of Austria, Finland and Sweden have led to tariff reductions which are laid down in Council Decision 96/611/EC⁽³⁾; whereas these reductions should be incorporated in Annex I of Council Regulation (EEC) No 2658/87, as resulting from Regulations (EC) No 3009/95⁽⁴⁾ and No 1035/96⁽⁵⁾;

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

HAS ADOPTED THIS REGULATION:

Article 1

Annex I of Regulation (EEC) No 2658/87, as resulting from Regulation (EC) No 3099/95, is hereby amended as follows:

1. in Part Two, the conventional rate of duty (column 4) for CN code 1508 10 10 is changed to '4,2';

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

Done at Brussels, 23 December 1996.

2. in Part Three, Section I, Annex 2, CN codes 0805 30 20, 0805 30 30, 0808 10 51 to 0808 10 79, 0808 20 31, 0808 20 37 and 0808 20 47 are replaced as laid down in Annex I to this Regulation.

Article 2

Annex I of Regulation (EEC) No 2658/87, as resulting from Regulation (EC) No 1035/96, is hereby amended as follows:

1. in Part Two, the conventional rate of duty (column 4) for CN code 1508 10 10 is changed to '3,3';
2. in Part Three, Section I, Annex 2, CN codes 0805 30 20, 0805 30 30, 0808 10 51 to 0808 10 79, 0808 20 31, 0808 20 37 and 0808 20 47 are replaced as laid down in Annex I to this Regulation;
3. — in Part Three, Section I, Annex 2, for CN codes 2009 60 11, 2009 60 19, 2009 60 51 and 2009 60 90, in column 4, a reference to footnote (1) is inserted after the conventional rate of duty. The footnote reads:
'(1) From 1 September 1996, WTO tariff quota: see Annex 7.'
— in Part Three, Section III, Annex 7 the tariff quota No 77a contained in Annex II to this Regulation is inserted in the appropriate place.

Article 3

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

Article 1 is applicable from 1 January 1996.

Article 2 is applicable from 1 July 1996.

For the Commission

Mario MONTI

Member of the Commission

⁽¹⁾ OJ No L 256, 7. 9. 1987, p. 1.

⁽²⁾ See page 14 of this Official Journal.

⁽³⁾ OJ No L 271, 24. 10. 1996, p. 31.

⁽⁴⁾ OJ No L 319, 30. 12. 1995, p. 1.

⁽⁵⁾ OJ No L 152, 26. 6. 1996, p. 1.

ANNEX I

CN code	Description	Rate of duty		
		autonomous %	conventional %	
1	2	3	4	
0805 30 20	— — — From 1 January to 31 May:			
	— — — — From 1 January to 30 April:			
	— — — — — With an entry price per 100 kg net weight of:			
	— — — — — Not less than ECU 51,5	8 + 32 Ecu/ 100 kg/net	7,7 ⁽¹⁾	
	— — — — — Not less than ECU 50,5 but less than ECU 51,5	8 + 32 Ecu/ 100 kg/net	7,7 + 1 Ecu/ 100 kg/net ⁽¹⁾	
	— — — — — Not less than ECU 49,4 but less than ECU 50,5	8 + 32 Ecu/ 100 kg/net	7,7 + 2,1 Ecu/ 100 kg/net ⁽¹⁾	
	— — — — — Not less than ECU 48,4 but less than ECU 49,4	8 + 32 Ecu/ 100 kg/net	7,7 + 3,1 Ecu/ 100 kg/net ⁽¹⁾	
	— — — — — Not less than ECU 47,4 but less than ECU 48,4	8 + 32 Ecu/ 100 kg/net	7,7 + 4,1 Ecu/ 100 kg/net ⁽¹⁾	
	— — — — — Less than ECU 47,4	8 + 32 Ecu/ 100 kg/net	7,7 + 30,9 Ecu/ 100 kg/net ⁽¹⁾	
	— — — — From 1 May to 31 May:			
	— — — — — With an entry price per 100 kg net weight of:			
	— — — — — Not less than ECU 51,5	8 + 32 Ecu/ 100 kg/net	7,7 ⁽¹⁾	
	— — — — — Not less than ECU 50,5 but less than ECU 51,5	8 + 32 Ecu/ 100 kg/net	7,7 + 1 Ecu/ 100 kg/net ⁽¹⁾	
	— — — — — Not less than ECU 49,4 but less than ECU 50,5	8 + 32 Ecu/ 100 kg/net	7,7 + 2,1 Ecu/ 100 kg/net ⁽¹⁾	
	— — — — — Not less than ECU 48,4 but less than ECU 49,4	8 + 32 Ecu/ 100 kg/net	7,7 + 3,1 Ecu/ 100 kg/net ⁽¹⁾	
	— — — — — Not less than ECU 47,4 but less than ECU 48,4	8 + 32 Ecu/ 100 kg/net	7,7 + 4,1 Ecu/ 100 kg/net ⁽¹⁾	
	— — — — — Not less than ECU 46,4 but less than ECU 47,4	8 + 32 Ecu/ 100 kg/net	7,7 + 5,1 Ecu/ 100 kg/net ⁽¹⁾	
	— — — — — Not less than ECU 45,3 but less than ECU 46,4	8 + 32 Ecu/ 100 kg/net	7,7 + 6,2 Ecu/ 100 kg/net ⁽¹⁾	
	— — — — — Not less than ECU 44,3 but less than ECU 45,3	8 + 32 Ecu/ 100 kg/net	7,7 + 7,2 Ecu/ 100 kg/net ⁽¹⁾	
	— — — — — Not less than ECU 43,3 but less than ECU 44,3	8 + 32 Ecu/ 100 kg/net	7,7 + 8,2 Ecu/ 100 kg/net ⁽¹⁾	
	— — — — — Less than ECU 43,3	8 + 32 Ecu/ 100 kg/net	7,7 + 30,9 Ecu/ 100 kg/net ⁽¹⁾	
	0805 30 30	— — — From 1 June to 31 October:		
		— — — — From 1 June to 31 July:		
		— — — — — With an entry price per 100 kg net weight of:		
— — — — — Not less than ECU 60,1		8 + 32 Ecu/ 100 kg/net	7,5 ⁽¹⁾	
— — — — — Not less than ECU 58,9 but less than ECU 60,1	8 + 32 Ecu/ 100 kg/net	7,5 + 1,2 Ecu/ 100 kg/net ⁽¹⁾		
— — — — — Not less than ECU 57,7 but less than ECU 58,9	8 + 32 Ecu/ 100 kg/net	7,5 + 2,4 Ecu/ 100 kg/net ⁽¹⁾		

⁽¹⁾ WTO tariff quota: see Annex 7.

CN code	Description	Rate of duty		
		autonomous %	conventional %	
1	2	3	4	
0805 30 30 (cont'd)	--- -- Not less than ECU 56,5 but less than ECU 57,7	8 + 32 Ecu/ 100 kg/net	7,5 + 3,6 Ecu/ 100 kg/net ⁽¹⁾	
	--- -- Not less than ECU 55,3 but less than ECU 56,5	8 + 32 Ecu/ 100 kg/net	7,5 + 4,8 Ecu/ 100 kg/net ⁽¹⁾	
	--- -- Not less than ECU 54,1 but less than ECU 55,3	8 + 32 Ecu/ 100 kg/net	7,5 + 6 Ecu/ 100 kg/net ⁽¹⁾	
	--- -- Not less than ECU 52,9 but less than ECU 54,1	8 + 32 Ecu/ 100 kg/net	7,5 + 7,2 Ecu/ 100 kg/net ⁽¹⁾	
	--- -- Not less than ECU 51,7 but less than ECU 52,9	8 + 32 Ecu/ 100 kg/net	7,5 + 8,4 Ecu/ 100 kg/net ⁽¹⁾	
	--- -- Not less than ECU 50,5 but less than ECU 51,7	8 + 32 Ecu/ 100 kg/net	7,5 + 9,6 Ecu/ 100 kg/net ⁽¹⁾	
	--- -- Less than ECU 50,5	8 + 32 Ecu/ 100 kg/net	7,5 + 29,9 Ecu/ 100 kg/net ⁽¹⁾	
	--- -- From 1 August to 15 August:			
	--- -- With an entry price per 100 kg net weight of:			
	--- -- Not less than ECU 60,1	8 + 32 Ecu/ 100 kg/net		7,5
	--- -- Not less than ECU 58,9 but less than ECU 60,1	8 + 32 Ecu/ 100 kg/net		7,5 + 1,2 Ecu/ 100 kg/net
	--- -- Not less than ECU 57,7 but less than ECU 58,9	8 + 32 Ecu/ 100 kg/net		7,5 + 2,4 Ecu/ 100 kg/net
	--- -- Not less than ECU 56,5 but less than ECU 57,7	8 + 32 Ecu/ 100 kg/net		7,5 + 3,6 Ecu/ 100 kg/net
	--- -- Not less than ECU 55,3 but less than ECU 56,5	8 + 32 Ecu/ 100 kg/net		7,5 + 4,8 Ecu/ 100 kg/net
	--- -- Not less than ECU 54,1 but less than ECU 55,3	8 + 32 Ecu/ 100 kg/net		7,5 + 6 Ecu/ 100 kg/net
	--- -- Not less than ECU 52,9 but less than ECU 54,1	8 + 32 Ecu/ 100 kg/net		7,5 + 7,2 Ecu/ 100 kg/net
	--- -- Not less than ECU 51,7 but less than ECU 52,9	8 + 32 Ecu/ 100 kg/net		7,5 + 8,4 Ecu/ 100 kg/net
	--- -- Less than ECU 51,7	8 + 32 Ecu/ 100 kg/net		7,5 + 29,9 Ecu/ 100 kg/net
	--- -- From 16 August to 31 October:			
	--- -- With an entry price per 100 kg net weight of:			
	--- -- Not less than ECU 60,1	8 + 32 Ecu/ 100 kg/net		7,5
	--- -- Not less than ECU 58,9 but less than ECU 60,1	8 + 32 Ecu/ 100 kg/net		7,5 + 1,2 Ecu/ 100 kg/net
	--- -- Not less than ECU 57,7 but less than ECU 58,9	8 + 32 Ecu/ 100 kg/net		7,5 + 2,4 Ecu/ 100 kg/net
	--- -- Not less than ECU 56,5 but less than ECU 57,7	8 + 32 Ecu/ 100 kg/net		7,5 + 3,6 Ecu/ 100 kg/net
	--- -- Not less than ECU 55,3 but less than ECU 56,5	8 + 32 Ecu/ 100 kg/net		7,5 + 4,8 Ecu/ 100 kg/net
	--- -- Less than ECU 55,3	8 + 32 Ecu/ 100 kg/net		7,5 + 29,9 Ecu/ 100 kg/net

⁽¹⁾ WTO tariff quota: see Annex 7.

CN code	Description	Rate of duty	
		autonomous %	conventional %
1	2	3	4
0808 10 51	<p>----- Of the variety Golden Delicious:</p> <p>----- From 1 January to 14 February:</p> <p>----- With an entry price per 100 kg net weight of:</p> <p>----- Not less than ECU 61,7</p> <p>----- Not less than ECU 60,5 but less than ECU 61,7 ...</p> <p>----- Not less than ECU 59,2 but less than ECU 60,5 ...</p> <p>----- Not less than ECU 58 but less than ECU 59,2</p> <p>----- Not less than ECU 56,8 but less than ECU 58</p> <p>----- Less than ECU 56,8</p> <p>----- From 15 February to 31 March:</p> <p>----- With an entry price per 100 kg net weight of:</p> <p>----- Not less than ECU 61,7</p> <p>----- Not less than ECU 60,5 but less than ECU 61,7 ...</p> <p>----- Not less than ECU 59,2 but less than ECU 60,5 ...</p> <p>----- Not less than ECU 58 but less than ECU 59,2</p> <p>----- Not less than ECU 56,8 but less than ECU 58</p> <p>----- Not less than ECU 55,5 but less than ECU 56,8 ...</p> <p>----- Not less than ECU 54,3 but less than ECU 55,5 ...</p> <p>----- Less than ECU 54,3</p>	<p>8 + 29,7 Ecu/ 100 kg/net</p> <p>8 + 29,7 Ecu/ 100 kg/net</p> <p>8 + 29,7 Ecu/ 100 kg/net</p> <p>8 + 29,7 Ecu/ 100 kg/net</p> <p>8 + 29,7 Ecu/ 100 kg/net</p> <p>8 + 29,7 Ecu/ 100 kg/net</p> <p>8 + 29,7 Ecu/ 100 kg/net</p> <p>8 + 29,7 Ecu/ 100 kg/net</p> <p>8 + 29,7 Ecu/ 100 kg/net</p> <p>8 + 29,7 Ecu/ 100 kg/net</p> <p>8 + 29,7 Ecu/ 100 kg/net</p> <p>8 + 29,7 Ecu/ 100 kg/net</p> <p>8 + 29,7 Ecu/ 100 kg/net</p> <p>8 + 29,7 Ecu/ 100 kg/net</p> <p>8 + 29,7 Ecu/ 100 kg/net</p> <p>8 + 29,7 Ecu/ 100 kg/net</p> <p>8 + 29,7 Ecu/ 100 kg/net</p>	<p>7,3</p> <p>7,7 + 1,2 Ecu/ 100 kg/net</p> <p>7,7 + 2,5 Ecu/ 100 kg/net</p> <p>7,7 + 3,7 Ecu/ 100 kg/net</p> <p>7,7 + 4,9 Ecu/ 100 kg/net</p> <p>7,7 + 28,7 Ecu/ 100 kg/net</p> <p>7,3</p> <p>7,7 + 1,2 Ecu/ 100 kg/net</p> <p>7,7 + 2,5 Ecu/ 100 kg/net</p> <p>7,7 + 3,7 Ecu/ 100 kg/net</p> <p>7,7 + 4,9 Ecu/ 100 kg/net</p> <p>7,7 + 6,2 Ecu/ 100 kg/net</p> <p>7,7 + 7,4 Ecu/ 100 kg/net</p> <p>7,7 + 28,7 Ecu/ 100 kg/net</p>
0808 10 53	<p>----- Of the variety Granny Smith:</p> <p>----- From 1 January to 14 February:</p> <p>----- With an entry price per 100 kg net weight of:</p> <p>----- Not less than ECU 61,7</p> <p>----- Not less than ECU 60,5 but less than ECU 61,7 ...</p> <p>----- Not less than ECU 59,2 but less than ECU 60,5 ...</p> <p>----- Not less than ECU 58 but less than ECU 59,2</p> <p>----- Not less than ECU 56,8 but less than ECU 58</p> <p>----- Less than ECU 56,8</p> <p>----- From 15 February to 31 March:</p> <p>----- With an entry price per 100 kg net weight of:</p> <p>----- Not less than ECU 61,7</p> <p>----- Not less than ECU 60,5 but less than ECU 61,7 ...</p>	<p>8 + 29,7 Ecu/ 100 kg/net</p> <p>8 + 29,7 Ecu/ 100 kg/net</p> <p>8 + 29,7 Ecu/ 100 kg/net</p> <p>8 + 29,7 Ecu/ 100 kg/net</p> <p>8 + 29,7 Ecu/ 100 kg/net</p> <p>8 + 29,7 Ecu/ 100 kg/net</p> <p>8 + 29,7 Ecu/ 100 kg/net</p> <p>8 + 29,7 Ecu/ 100 kg/net</p> <p>8 + 29,7 Ecu/ 100 kg/net</p> <p>8 + 29,7 Ecu/ 100 kg/net</p> <p>8 + 29,7 Ecu/ 100 kg/net</p>	<p>7,3</p> <p>7,7 + 1,2 Ecu/ 100 kg/net</p> <p>7,7 + 2,5 Ecu/ 100 kg/net</p> <p>7,7 + 3,7 Ecu/ 100 kg/net</p> <p>7,7 + 4,9 Ecu/ 100 kg/net</p> <p>7,7 + 28,7 Ecu/ 100 kg/net</p> <p>7,3</p> <p>7,7 + 1,2 Ecu/ 100 kg/net</p>

CN code	Description	Rate of duty	
		autonomous %	conventional %
1	2	3	4
0808 10 53 (cont'd)	----- Not less than ECU 59,2 but less than ECU 60,5 ...	8 + 29,7 Ecu/ 100 kg/net	7,7 + 2,5 Ecu/ 100 kg/net
	----- Not less than ECU 58 but less than ECU 59,2	8 + 29,7 Ecu/ 100 kg/net	7,7 + 3,7 Ecu/ 100 kg/net
	----- Not less than ECU 56,8 but less than ECU 58	8 + 29,7 Ecu/ 100 kg/net	7,7 + 4,9 Ecu/ 100 kg/net
	----- Not less than ECU 55,5 but less than ECU 56,8 ...	8 + 29,7 Ecu/ 100 kg/net	7,7 + 6,2 Ecu/ 100 kg/net
	----- Not less than ECU 54,3 but less than ECU 55,5 ...	8 + 29,7 Ecu/ 100 kg/net	7,7 + 7,4 Ecu/ 100 kg/net
	----- Less than ECU 54,3	8 + 29,7 Ecu/ 100 kg/net	7,7 + 28,7 Ecu/ 100 kg/net
0808 10 59	----- other:		
	----- From 1 January to 14 February:		
	----- With an entry price per 100 kg net weight of:		
	----- Not less than ECU 61,7	8 + 29,7 Ecu/ 100 kg/net	7,3
	----- Not less than ECU 60,5 but less than ECU 61,7 ...	8 + 29,7 Ecu/ 100 kg/net	7,7 + 1,2 Ecu/ 100 kg/net
	----- Not less than ECU 59,2 but less than ECU 60,5 ...	8 + 29,7 Ecu/ 100 kg/net	7,7 + 2,5 Ecu/ 100 kg/net
	----- Not less than ECU 58 but less than ECU 59,2	8 + 29,7 Ecu/ 100 kg/net	7,7 + 3,7 Ecu/ 100 kg/net
	----- Not less than ECU 56,8 but less than ECU 58	8 + 29,7 Ecu/ 100 kg/net	7,7 + 4,9 Ecu/ 100 kg/net
	----- Less than ECU 56,8	8 + 29,7 Ecu/ 100 kg/net	7,7 + 28,7 Ecu/ 100 kg/net
	----- From 15 February to 31 March:		
	----- With an entry price per 100 kg net weight of:		
	----- Not less than ECU 61,7	8 + 29,7 Ecu/ 100 kg/net	7,3
	----- Not less than ECU 60,5 but less than ECU 61,7 ...	8 + 29,7 Ecu/ 100 kg/net	7,7 + 1,2 Ecu/ 100 kg/net
	----- Not less than ECU 59,2 but less than ECU 60,5 ...	8 + 29,7 Ecu/ 100 kg/net	7,7 + 2,5 Ecu/ 100 kg/net
	----- Not less than ECU 58 but less than ECU 59,2	8 + 29,7 Ecu/ 100 kg/net	7,7 + 3,7 Ecu/ 100 kg/net
	----- Not less than ECU 56,8 but less than ECU 58	8 + 29,7 Ecu/ 100 kg/net	7,7 + 4,9 Ecu/ 100 kg/net
	----- Not less than ECU 55,5 but less than ECU 56,8 ...	8 + 29,7 Ecu/ 100 kg/net	7,7 + 6,2 Ecu/ 100 kg/net
	----- Not less than ECU 54,3 but less than ECU 55,5 ...	8 + 29,7 Ecu/ 100 kg/net	7,7 + 7,4 Ecu/ 100 kg/net
	----- Less than ECU 54,3	8 + 29,7 Ecu/ 100 kg/net	7,7 + 28,7 Ecu/ 100 kg/net
	----- From 1 April to 30 June:		
0808 10 61	----- Of the variety Golden Delicious:		
	----- With an entry price per 100 kg net weight of:		
	----- Not less than ECU 61,7	6 + 29,7 Ecu/ 100 kg/net	5
	----- Not less than ECU 60,5 but less than ECU 61,7	5,5 + 1,2 Ecu/ 100 kg/net	5,8 + 1,2 Ecu/ 100 kg/net
	----- Not less than ECU 59,2 but less than ECU 60,5	5,5 + 2,5 Ecu/ 100 kg/net	5,8 + 2,5 Ecu/ 100 kg/net

CN code	Description	Rate of duty	
		autonomous %	conventional %
1	2	3	4
0808 10 61 (cont'd)	--- -- Not less than ECU 58 but less than ECU 59,2	5,5 + 3,7 Ecu/ 100 kg/net	5,8 + 3,7 Ecu/ 100 kg/net
	--- -- Not less than ECU 56,8 but less than ECU 58	5,5 + 4,9 Ecu/ 100 kg/net	5,8 + 4,9 Ecu/ 100 kg/net
	--- -- Not less than ECU 55,5 but less than ECU 56,8	5,5 + 6,2 Ecu/ 100 kg/net	5,8 + 6,2 Ecu/ 100 kg/net
	--- -- Not less than ECU 54,3 but less than ECU 55,5	5,5 + 7,4 Ecu/ 100 kg/net	5,8 + 7,4 Ecu/ 100 kg/net
	--- -- Not less than ECU 53,1 but less than ECU 54,3	5,5 + 8,6 Ecu/ 100 kg/net	5,8 + 8,6 Ecu/ 100 kg/net
	--- -- Less than ECU 53,1	5,5 + 28,7 Ecu/ 100 kg/net	5,8 + 28,7 Ecu/ 100 kg/net
0808 10 63	--- -- Of the variety Granny Smith:		
	--- -- With an entry price per 100 kg net weight of:		
	--- -- Not less than ECU 61,7	6 + 29,7 Ecu/ 100 kg/net	5
	--- -- Not less than ECU 60,5 but less than ECU 61,7	5,5 + 1,2 Ecu/ 100 kg/net	5,8 + 1,2 Ecu/ 100 kg/net
	--- -- Not less than ECU 59,2 but less than ECU 60,5	5,5 + 2,5 Ecu/ 100 kg/net	5,8 + 2,5 Ecu/ 100 kg/net
	--- -- Not less than ECU 58 but less than ECU 59,2	5,5 + 3,7 Ecu/ 100 kg/net	5,8 + 3,7 Ecu/ 100 kg/net
	--- -- Not less than ECU 56,8 but less than ECU 58	5,5 + 4,9 Ecu/ 100 kg/net	5,8 + 4,9 Ecu/ 100 kg/net
	--- -- Not less than ECU 55,5 but less than ECU 56,8	5,5 + 6,2 Ecu/ 100 kg/net	5,8 + 6,2 Ecu/ 100 kg/net
	--- -- Not less than ECU 54,3 but less than ECU 55,5	5,5 + 7,4 Ecu/ 100 kg/net	5,8 + 7,4 Ecu/ 100 kg/net
	--- -- Not less than ECU 53,1 but less than ECU 54,3	5,5 + 8,6 Ecu/ 100 kg/net	5,8 + 8,6 Ecu/ 100 kg/net
	--- -- Less than ECU 53,1	5,5 + 28,7 Ecu/ 100 kg/net	5,8 + 28,7 Ecu/ 100 kg/net
0808 10 69	--- -- other:		
	--- -- With an entry price per 100 kg net weight of:		
	--- -- Not less than ECU 61,7	6 + 29,7 Ecu/ 100 kg/net	5
	--- -- Not less than ECU 60,5 but less than ECU 61,7	5,5 + 1,2 Ecu/ 100 kg/net	5,8 + 1,2 Ecu/ 100 kg/net
	--- -- Not less than ECU 59,2 but less than ECU 60,5	5,5 + 2,5 Ecu/ 100 kg/net	5,8 + 2,5 Ecu/ 100 kg/net
	--- -- Not less than ECU 58 but less than ECU 59,2	5,5 + 3,7 Ecu/ 100 kg/net	5,8 + 3,7 Ecu/ 100 kg/net
	--- -- Not less than ECU 56,8 but less than ECU 58	5,5 + 4,9 Ecu/ 100 kg/net	5,8 + 4,9 Ecu/ 100 kg/net
	--- -- Not less than ECU 55,5 but less than ECU 56,8	5,5 + 6,2 Ecu/ 100 kg/net	5,8 + 6,2 Ecu/ 100 kg/net
	--- -- Not less than ECU 54,3 but less than ECU 55,5	5,5 + 7,4 Ecu/ 100 kg/net	5,8 + 7,4 Ecu/ 100 kg/net
	--- -- Not less than ECU 53,1 but less than ECU 54,3	5,5 + 8,6 Ecu/ 100 kg/net	5,8 + 8,6 Ecu/ 100 kg/net
	--- -- Less than ECU 53,1	5,5 + 28,7 Ecu/ 100 kg/net	5,8 + 28,7 Ecu/ 100 kg/net

CN code	Description	Rate of duty	
		autonomous %	conventional %
1	2	3	4
0808 10 71	— — — From 1 July to 31 July:		
	— — — — Of the variety Golden Delicious:		
	— — — — — From 1 July to 15 July:		
	— — — — — — With an entry price per 100 kg net weight of:		
	— — — — — — — Not less than ECU 49,6	6 + 29,7 Ecu/ 100 kg/net	4
	— — — — — — — Not less than ECU 48,6 but less than ECU 49,6 ...	6 + 29,7 Ecu/ 100 kg/net	5,6 + 1 Ecu/ 100 kg/net
	— — — — — — — Not less than ECU 47,6 but less than ECU 48,6 ...	6 + 29,7 Ecu/ 100 kg/net	5,6 + 2 Ecu/ 100 kg/net
	— — — — — — — Not less than ECU 46,6 but less than ECU 47,6 ...	6 + 29,7 Ecu/ 100 kg/net	5,6 + 3 Ecu/ 100 kg/net
	— — — — — — — Not less than ECU 45,6 but less than ECU 46,6 ...	6 + 29,7 Ecu/ 100 kg/net	5,6 + 4 Ecu/ 100 kg/net
	— — — — — — — Not less than ECU 44,6 but less than ECU 45,6 ...	6 + 29,7 Ecu/ 100 kg/net	5,6 + 5 Ecu/ 100 kg/net
	— — — — — — — Not less than ECU 43,6 but less than ECU 44,6 ...	6 + 29,7 Ecu/ 100 kg/net	5,6 + 6 Ecu/ 100 kg/net
	— — — — — — — Not less than ECU 42,7 but less than ECU 43,6 ...	6 + 29,7 Ecu/ 100 kg/net	5,6 + 6,9 Ecu/ 100 kg/net
	— — — — — — — Less than ECU 42,7	6 + 29,7 Ecu/ 100 kg/net	5,6 + 27,7 Ecu/ 100 kg/net
	— — — — — From 16 July to 31 July:		
	— — — — — — With an entry price per 100 kg net weight of:		
	— — — — — — — Not less than ECU 49,6	6 + 29,7 Ecu/ 100 kg/net	4
	— — — — — — — Not less than ECU 48,6 but less than ECU 49,6 ...	6 + 29,7 Ecu/ 100 kg/net	5,6 + 1 Ecu/ 100 kg/net
	— — — — — — — Not less than ECU 47,6 but less than ECU 48,6 ...	6 + 29,7 Ecu/ 100 kg/net	5,6 + 2 Ecu/ 100 kg/net
	— — — — — — — Not less than ECU 46,6 but less than ECU 47,6 ...	6 + 29,7 Ecu/ 100 kg/net	5,6 + 3 Ecu/ 100 kg/net
	— — — — — — — Not less than ECU 45,6 but less than ECU 46,6 ...	6 + 29,7 Ecu/ 100 kg/net	5,6 + 4 Ecu/ 100 kg/net
— — — — — — — Less than ECU 45,6	6 + 29,7 Ecu/ 100 kg/net	5,6 + 27,7 Ecu/ 100 kg/net	
0808 10 73	— — — — Of the variety Granny Smith:		
	— — — — — From 1 July to 15 July:		
	— — — — — — With an entry price per 100 kg net weight of:		
	— — — — — — — Not less than ECU 49,6	6 + 29,7 Ecu/ 100 kg/net	4
	— — — — — — — Not less than ECU 48,6 but less than ECU 49,6 ...	6 + 29,7 Ecu/ 100 kg/net	5,6 + 1 Ecu/ 100 kg/net
	— — — — — — — Not less than ECU 47,6 but less than ECU 48,6 ...	6 + 29,7 Ecu/ 100 kg/net	5,6 + 2 Ecu/ 100 kg/net
	— — — — — — — Not less than ECU 46,6 but less than ECU 47,6 ...	6 + 29,7 Ecu/ 100 kg/net	5,6 + 3 Ecu/ 100 kg/net
— — — — — — — Not less than ECU 45,6 but less than ECU 46,6 ...	6 + 29,7 Ecu/ 100 kg/net	5,6 + 4 Ecu/ 100 kg/net	
— — — — — — — Not less than ECU 44,6 but less than ECU 45,6 ...	6 + 29,7 Ecu/ 100 kg/net	5,6 + 5 Ecu/ 100 kg/net	

CN code	Description	Rate of duty		
		autonomous %	conventional %	
1	2	3	4	
0808 10 73 <i>(cont'd)</i>	----- Not less than ECU 43,6 but less than ECU 44,6 ...	6 + 29,7 Ecu/ 100 kg/net	5,6 + 6 Ecu/ 100 kg/net	
	----- Not less than ECU 42,7 but less than ECU 43,6 ...	6 + 29,7 Ecu/ 100 kg/net	5,6 + 6,9 Ecu/ 100 kg/net	
	----- Less than ECU 42,7	6 + 29,7 Ecu/ 100 kg/net	5,6 + 27,7 Ecu/ 100 kg/net	
	----- From 16 July to 31 July:			
	----- With an entry price per 100 kg net weight of:			
	----- Not less than ECU 49,6	6 + 29,7 Ecu/ 100 kg/net	4	
	----- Not less than ECU 48,6 but less than ECU 49,6 ...	6 + 29,7 Ecu/ 100 kg/net	5,6 + 1 Ecu/ 100 kg/net	
	----- Not less than ECU 47,6 but less than ECU 48,6 ...	6 + 29,7 Ecu/ 100 kg/net	5,6 + 2 Ecu/ 100 kg/net	
	----- Not less than ECU 46,6 but less than ECU 47,6 ...	6 + 29,7 Ecu/ 100 kg/net	5,6 + 3 Ecu/ 100 kg/net	
	----- Not less than ECU 45,6 but less than ECU 46,6 ...	6 + 29,7 Ecu/ 100 kg/net	5,6 + 4 Ecu/ 100 kg/net	
	----- Less than ECU 45,6	6 + 29,7 Ecu/ 100 kg/net	5,6 + 27,7 Ecu/ 100 kg/net	
	0808 10 79	----- other:		
		----- From 1 July to 15 July:		
		----- With an entry price per 100 kg net weight of:		
----- Not less than ECU 49,6		6 + 29,7 Ecu/ 100 kg/net	4	
----- Not less than ECU 48,6 but less than ECU 49,6 ...		6 + 29,7 Ecu/ 100 kg/net	5,6 + 1 Ecu/ 100 kg/net	
----- Not less than ECU 47,6 but less than ECU 48,6 ...		6 + 29,7 Ecu/ 100 kg/net	5,6 + 2 Ecu/ 100 kg/net	
----- Not less than ECU 46,6 but less than ECU 47,6 ...		6 + 29,7 Ecu/ 100 kg/net	5,6 + 3 Ecu/ 100 kg/net	
----- Not less than ECU 45,6 but less than ECU 46,6 ...		6 + 29,7 Ecu/ 100 kg/net	5,6 + 4 Ecu/ 100 kg/net	
----- Not less than ECU 44,6 but less than ECU 45,6 ...		6 + 29,7 Ecu/ 100 kg/net	5,6 + 5 Ecu/ 100 kg/net	
----- Not less than ECU 43,6 but less than ECU 44,6 ...		6 + 29,7 Ecu/ 100 kg/net	5,6 + 6 Ecu/ 100 kg/net	
----- Not less than ECU 42,7 but less than ECU 43,6 ...		6 + 29,7 Ecu/ 100 kg/net	5,6 + 6,9 Ecu/ 100 kg/net	
----- Less than ECU 42,7		6 + 29,7 Ecu/ 100 kg/net	5,6 + 27,7 Ecu/ 100 kg/net	
----- From 16 July to 31 July:				
----- With an entry price per 100 kg net weight of:				
----- Not less than ECU 49,6	6 + 29,7 Ecu/ 100 kg/net	4		
----- Not less than ECU 48,6 but less than ECU 49,6 ...	6 + 29,7 Ecu/ 100 kg/net	5,6 + 1 Ecu/ 100 kg/net		
----- Not less than ECU 47,6 but less than ECU 48,6 ...	6 + 29,7 Ecu/ 100 kg/net	5,6 + 2 Ecu/ 100 kg/net		
----- Not less than ECU 46,6 but less than ECU 47,6 ...	6 + 29,7 Ecu/ 100 kg/net	5,6 + 3 Ecu/ 100 kg/net		
----- Not less than ECU 45,6 but less than ECU 46,6 ...	6 + 29,7 Ecu/ 100 kg/net	5,6 + 4 Ecu/ 100 kg/net		
----- Less than ECU 45,6	6 + 29,7 Ecu/ 100 kg/net	5,6 + 27,7 Ecu/ 100 kg/net		

CN code	Description	Rate of duty	
		autonomous %	conventional %
1	2	3	4
0808 20 31	— — — — From 1 January to 31 March:		
	— — — — — From 1 January to 31 January:		
	— — — — — With an entry price per 100 kg net weight of:		
	— — — — — — Not less than ECU 55,9	10 + 29,7 Ecu/ 100 kg/net	9,7
	— — — — — — Not less than ECU 54,8 but less than ECU 55,9 ...	10 + 29,7 Ecu/ 100 kg/net	9,7 + 1,1 Ecu/ 100 kg/net
	— — — — — — Not less than ECU 53,7 but less than ECU 54,8 ...	10 + 29,7 Ecu/ 100 kg/net	9,7 + 2,2 Ecu/ 100 kg/net
	— — — — — — Not less than ECU 52,5 but less than ECU 53,7 ...	10 + 29,7 Ecu/ 100 kg/net	9,7 + 3,4 Ecu/ 100 kg/net
	— — — — — — Not less than ECU 51,4 but less than ECU 52,5 ...	10 + 29,7 Ecu/ 100 kg/net	9,7 + 4,5 Ecu/ 100 kg/net
	— — — — — — Less than ECU 51,4	10 + 29,7 Ecu/ 100 kg/net	9,7 + 28,7 Ecu/ 100 kg/net
	— — — — — From 1 February to 31 March:		
	— — — — — — With an entry price per 100 kg net weight of:		
	— — — — — — Not less than ECU 55,9	10 + 29,7 Ecu/ 100 kg/net	9,2
	— — — — — — Not less than ECU 54,8 but less than ECU 55,9 ...	10 + 29,7 Ecu/ 100 kg/net	9,7 + 1,1 Ecu/ 100 kg/net
	— — — — — — Not less than ECU 53,7 but less than ECU 54,8 ...	10 + 29,7 Ecu/ 100 kg/net	9,7 + 2,2 Ecu/ 100 kg/net
	— — — — — — Not less than ECU 52,5 but less than ECU 53,7 ...	10 + 29,7 Ecu/ 100 kg/net	9,7 + 3,4 Ecu/ 100 kg/net
	— — — — — — Not less than ECU 51,4 but less than ECU 52,5 ...	10 + 29,7 Ecu/ 100 kg/net	9,7 + 4,5 Ecu/ 100 kg/net
	— — — — — — Less than ECU 51,4	10 + 29,7 Ecu/ 100 kg/net	9,7 + 28,7 Ecu/ 100 kg/net
	0808 20 37	— — — — From 1 April to 30 April:	
— — — — — With an entry price per 100 kg net weight of:			
— — — — — — Not less than ECU 55,9		5 + 29,7 Ecu/ 100 kg/net	4,2
— — — — — — Not less than ECU 54,8 but less than ECU 55,9		4,6 + 1,1 Ecu/ 100 kg/net	4,8 + 1,1 Ecu/ 100 kg/net
— — — — — — Not less than ECU 53,7 but less than ECU 54,8		4,6 + 2,2 Ecu/ 100 kg/net	4,8 + 2,2 Ecu/ 100 kg/net
— — — — — — Not less than ECU 52,5 but less than ECU 53,7		4,6 + 3,4 Ecu/ 100 kg/net	4,8 + 3,4 Ecu/ 100 kg/net
— — — — — — Not less than ECU 51,4 but less than ECU 52,5		4,6 + 4,5 Ecu/ 100 kg/net	4,8 + 4,5 Ecu/ 100 kg/net
— — — — — — Not less than ECU 50,3 but less than ECU 51,4		4,6 + 5,6 Ecu/ 100 kg/net	4,8 + 5,6 Ecu/ 100 kg/net
— — — — — — Not less than ECU 49,2 but less than ECU 50,3		4,6 + 6,7 Ecu/ 100 kg/net	4,8 + 6,7 Ecu/ 100 kg/net
— — — — — — Not less than ECU 48,1 but less than ECU 49,2		4,6 + 7,8 Ecu/ 100 kg/net	4,8 + 7,8 Ecu/ 100 kg/net
— — — — — — Less than ECU 48,1	4,6 + 28,7 Ecu/ 100 kg/net	4,8 + 28,7 Ecu/ 100 kg/net	

CN code	Description	Rate of duty	
		autonomous %	conventional %
1	2	3	4
0808 20 47	From 1 July to 15 July:		
	— — — — — With an entry price per 100 kg net weight of:		
	— — — — — Not less than ECU 50,4	5 + 29,7 Ecu/ 100 kg/net	3,3
	— — — — — Not less than ECU 49,4 but less than ECU 50,4	5 + 29,7 Ecu/ 100 kg/net	4,7 + 1 Ecu/ 100 kg/net
	— — — — — Not less than ECU 48,4 but less than ECU 49,4	5 + 29,7 Ecu/ 100 kg/net	4,7 + 2 Ecu/ 100 kg/net
	— — — — — Not less than ECU 47,4 but less than ECU 48,4	5 + 29,7 Ecu/ 100 kg/net	4,7 + 3 Ecu/ 100 kg/net
	— — — — — Not less than ECU 46,4 but less than ECU 47,4	5 + 29,7 Ecu/ 100 kg/net	4,7 + 4 Ecu/ 100 kg/net
	— — — — — Not less than ECU 45,4 but less than ECU 46,4	5 + 29,7 Ecu/ 100 kg/net	4,7 + 5 Ecu/ 100 kg/net
	— — — — — Not less than ECU 44,4 but less than ECU 45,4	5 + 29,7 Ecu/ 100 kg/net	4,7 + 6 Ecu/ 100 kg/net
	— — — — — Not less than ECU 43,3 but less than ECU 44,4	5 + 29,7 Ecu/ 100 kg/net	4,7 + 7,1 Ecu/ 100 kg/net
	— — — — — Less than ECU 43,3	5 + 29,7 Ecu/ 100 kg/net	4,7 + 27,7 Ecu/ 100 kg/net

ANNEX II

Order No	CN Code	Description	Quota (quantity)	Rate of duty (%)	Other terms and conditions
1	2	3	4	5	6
77a	2006 60	– Grape juice (including grape must):	14 000 t	46,7 + 24 ecu/ 100 kg/net	The products imported will be used for the production of grape juice or non-wine sector products such as vinegar, non-alcoholic drinks, jams and sauces. Qualification for the quota is subject to conditions laid down in the relevant Community provisions.
		– – Of a density exceeding 1,33 g/cm ³ at 20 °C:			
	2009 60 11	– – – Of a value not exceeding ECU 22 per 100 kg net weight:			
	2009 60 19	– – – other			
		– – Of a density not exceeding 1,33 g/cm ³ at 20 °C:			
		– – – Of a value exceeding 18 ECU per 100 kg net weight:			
	2009 60 51	– – – Concentrated	26,1		
		– – – Of a value not exceeding ECU 18 per 100 kg net weight:			
	2009 60 90	– – – other	26,1		

COMMISSION REGULATION (EC) No 2493/96

of 23 December 1996

amending Annex I of Council Regulation (EEC) No 2658/87 on the tariff and statistical nomenclature and on the Common Customs Tariff, as resulting from Regulation (EC) No 1734/96

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

Having regard to Council Regulation (EEC) No 2658/87⁽¹⁾ of 23 July 1987 on the tariff and statistical nomenclature and on the Common Customs Tariff, as last amended by Commission Regulation (EC) No 2492/96⁽²⁾, and in particular, Articles 9 and 12 thereof;

Whereas the negotiations conducted with Argentina under Article XXIV (6) of the GATT following the accession of Austria, Finland and Sweden have led to tariff reductions which are laid down in Council Decision 96/611/EC⁽³⁾; whereas these reductions should be incorporated in Annex I of Regulation (EEC) No 2658/87, as resulting from Regulation (EC) No 1734/96⁽⁴⁾;

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

HAS ADOPTED THIS REGULATION:

Article 1

Annex I of Regulation (EEC) No 2658/87, as resulting from Regulation (EC) No 1734/96, is hereby amended as follows:

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

Done at Brussels, 23 December 1996.

1. In Part Two, the conventional rate of duty for CN code 1508 10 10 is changed to '3,3' in column 4a) and to '2,5' in column 4b);
2. In Part Three, Section I, Annex 2, CN codes 0805 30 20, 0805 30 30, 0808 10 51 to 0808 10 79, 0808 20 31, 0808 20 37 and 0808 20 47 are replaced as laid down in Annex I to this Regulation;
3. — In Part Three, Section I, Annex 2, for CN codes 2009 60 11, 2009 60 19, 2009 60 51 and 2009 60 90, in column 4, a reference to footnote⁽¹⁾ is inserted after the conventional rate of duty. The footnote⁽¹⁾ reads:

'⁽¹⁾ WTO tariff quota: see Annex 7.'

— In Part Three, Section III, Annex 7 tariff quota No 90a contained in Annex II to this Regulation shall be inserted.

Article 2

This Regulation enters into force on 1 January 1997.

For the Commission

Mario MONTI

Member of the Commission

⁽¹⁾ OJ No L 256, 7. 9. 1987, p. 1.

⁽²⁾ See page 16 of this Official Journal.

⁽³⁾ OJ No L 271, 24. 10. 1996, p. 31.

⁽⁴⁾ OJ No L 238, 19. 9. 1996, p. 1.

ANNEX I

CN Code	Description	Rate of duty	
		autonomous %	conventional %
1	2	3	4
0805 30 20	— — — From 1 January to 31 May:		
	— — — — From 1 January to 30 April:		
	— — — — — With an entry price per 100 kg net weight of:		
	— — — — — Not less than ECU 50,5	8 + 32 Ecu/ 100 kg/net	7,5 ⁽¹⁾
	— — — — — Not less than ECU 49,5 but less than ECU 50,5	8 + 32 Ecu/ 100 kg/net	7,5 + 1 Ecu/ 100 kg/net ⁽¹⁾
	— — — — — Not less than ECU 48,5 but less than ECU 49,5	8 + 32 Ecu/ 100 kg/net	7,5 + 2 Ecu/ 100 kg/net ⁽¹⁾
	— — — — — Not less than ECU 47,5 but less than ECU 48,5	8 + 32 Ecu/ 100 kg/net	7,5 + 3 Ecu/ 100 kg/net ⁽¹⁾
	— — — — — Not less than ECU 46,5 but less than ECU 47,5	8 + 32 Ecu/ 100 kg/net	7,5 + 4 Ecu/ 100 kg/net ⁽¹⁾
	— — — — — Less than ECU 46,5	8 + 32 Ecu/ 100 kg/net	7,5 + 29,9 Ecu/ 100 kg/net ⁽¹⁾
	— — — — From 1 May to 31 May:		
	— — — — — With an entry price per 100 kg net weight of:		
	— — — — — Not less than ECU 50,5	8 + 32 Ecu/ 100 kg/net	7,5 ⁽¹⁾
	— — — — — Not less than ECU 49,5 but less than ECU 50,5	8 + 32 Ecu/ 100 kg/net	7,5 + 1 Ecu/ 100 kg/net ⁽¹⁾
	— — — — — Not less than ECU 48,5 but less than ECU 49,5	8 + 32 Ecu/ 100 kg/net	7,5 + 2 Ecu/ 100 kg/net ⁽¹⁾
	— — — — — Not less than ECU 47,5 but less than ECU 48,5	8 + 32 Ecu/ 100 kg/net	7,5 + 3 Ecu/ 100 kg/net ⁽¹⁾
	— — — — — Not less than ECU 46,5 but less than ECU 47,5	8 + 32 Ecu/ 100 kg/net	7,5 + 4 Ecu/ 100 kg/net ⁽¹⁾
	— — — — — Not less than ECU 45,5 but less than ECU 46,5	8 + 32 Ecu/ 100 kg/net	7,5 + 5 Ecu/ 100 kg/net ⁽¹⁾
	— — — — — Not less than ECU 44,4 but less than ECU 45,5	8 + 32 Ecu/ 100 kg/net	7,5 + 6,1 Ecu/ 100 kg/net ⁽¹⁾
	— — — — — Not less than ECU 43,4 but less than ECU 44,4	8 + 32 Ecu/ 100 kg/net	7,5 + 7,1 Ecu/ 100 kg/net ⁽¹⁾
	— — — — — Not less than ECU 43,4 but less than ECU 43,4	8 + 32 Ecu/ 100 kg/net	7,5 + 8,1 Ecu/ 100 kg/net ⁽¹⁾
— — — — — Less than ECU 42,4	8 + 32 Ecu/ 100 kg/net	7,5 + 29,9 Ecu/ 100 kg/net ⁽¹⁾	
0805 30 30	— — — From 1 June to 31 October:		
	— — — — From 1 June to 31 July:		
	— — — — — With an entry price per 100 kg net weight of:		
	— — — — — Not less than ECU 59	8 + 32 Ecu/ 100 kg/net	7,2 ⁽¹⁾
— — — — — Not less than ECU 57,8 but less than ECU 59	8 + 32 Ecu/ 100 kg/net	7,2 + 1,2 Ecu/ 100 kg/net ⁽¹⁾	
— — — — — Not less than ECU 56,6 but less than ECU 57,8	8 + 32 Ecu/ 100 kg/net	7,2 + 2,4 Ecu/ 100 kg/net ⁽¹⁾	

⁽¹⁾ WTO tariff quota: see Annex 7.

CN Code	Description	Rate of duty	
		autonomous %	conventional %
1	2	3	4
0805 30 30 (cont'd)	--- -- Not less than ECU 55,5 but less than ECU 56,6	8 + 32 Ecu/ 100 kg/net	7,2 + 3,5 Ecu/ 100 kg/net ⁽¹⁾
	--- -- Not less than ECU 54,3 but less than ECU 55,5	8 + 32 Ecu/ 100 kg/net	7,2 + 4,7 Ecu/ 100 kg/net ⁽¹⁾
	--- -- Not less than ECU 53,1 but less than ECU 54,3	8 + 32 Ecu/ 100 kg/net	7,2 + 5,9 Ecu/ 100 kg/net ⁽¹⁾
	--- -- Not less than ECU 51,9 but less than ECU 53,1	8 + 32 Ecu/ 100 kg/net	7,2 + 7,1 Ecu/ 100 kg/net ⁽¹⁾
	--- -- Not less than ECU 50,7 but less than ECU 51,9	8 + 32 Ecu/ 100 kg/net	7,2 + 8,3 Ecu/ 100 kg/net ⁽¹⁾
	--- -- Not less than ECU 49,6 but less than ECU 50,7	8 + 32 Ecu/ 100 kg/net	7,2 + 9,4 Ecu/ 100 kg/net ⁽¹⁾
	--- -- Less than ECU 49,6	8 + 32 Ecu/ 100 kg/net	7,2 + 28,8 Ecu/ 100 kg/net ⁽¹⁾
	--- -- From 1 August to 15 August:		
	--- -- With an entry price per 100 kg net weight of:		
	--- -- Not less than ECU 59	8 + 32 Ecu/ 100 kg/net	7,2
	--- -- Not less than ECU 57,8 but less than ECU 59	8 + 32 Ecu/ 100 kg/net	7,2 + 1,2 Ecu/ 100 kg/net
	--- -- Not less than ECU 56,6 but less than ECU 57,8	8 + 32 Ecu/ 100 kg/net	7,2 + 2,4 Ecu/ 100 kg/net
	--- -- Not less than ECU 55,5 but less than ECU 56,6	8 + 32 Ecu/ 100 kg/net	7,2 + 3,5 Ecu/ 100 kg/net
	--- -- Not less than ECU 54,3 but less than ECU 55,5	8 + 32 Ecu/ 100 kg/net	7,2 + 4,7 Ecu/ 100 kg/net
	--- -- Not less than ECU 53,1 but less than ECU 54,3	8 + 32 Ecu/ 100 kg/net	7,2 + 5,9 Ecu/ 100 kg/net
	--- -- Not less than ECU 51,9 but less than ECU 53,1	8 + 32 Ecu/ 100 kg/net	7,2 + 7,1 Ecu/ 100 kg/net
	--- -- Not less than ECU 50,7 but less than ECU 51,9	8 + 32 Ecu/ 100 kg/net	7,2 + 8,3 Ecu/ 100 kg/net
	--- -- Less than ECU 50,7	8 + 32 Ecu/ 100 kg/net	7,2 + 28,8 Ecu/ 100 kg/net
	--- -- From 16 August to 31 October:		
	--- -- With an entry price per 100 kg net weight of:		
	--- -- Not less than ECU 59	8 + 32 Ecu/ 100 kg/net	7,2
	--- -- Not less than ECU 57,8 but less than ECU 59	8 + 32 Ecu/ 100 kg/net	7,2 + 1,2 Ecu/ 100 kg/net
	--- -- Not less than ECU 56,6 but less than ECU 57,8	8 + 32 Ecu/ 100 kg/net	7,2 + 2,4 Ecu/ 100 kg/net
	--- -- Not less than ECU 55,5 but less than ECU 56,6	8 + 32 Ecu/ 100 kg/net	7,2 + 3,5 Ecu/ 100 kg/net
	--- -- Not less than ECU 54,3 but less than ECU 55,5	8 + 32 Ecu/ 100 kg/net	7,2 + 4,7 Ecu/ 100 kg/net
	--- -- Less than ECU 54,3	8 + 32 Ecu/ 100 kg/net	7,2 + 28,8 Ecu/ 100 kg/net

⁽¹⁾ WTO tariff quota: see Annex 7.

CN Code	Description	Rate of duty		
		autonomous %	conventional %	
1	2	3	4	
0808 10 53 (cont'd)	--- Not less than ECU 58,3 but less than ECU 59,5 ...	8 + 29,7 Ecu/ 100 kg/net	7,5 + 2,4 Ecu/ 100 kg/net	
	--- Not less than ECU 57,1 but less than ECU 58,3 ...	8 + 29,7 Ecu/ 100 kg/net	7,5 + 3,6 Ecu/ 100 kg/net	
	--- Not less than ECU 55,8 but less than ECU 57,1 ...	8 + 29,7 Ecu/ 100 kg/net	7,5 + 4,9 Ecu/ 100 kg/net	
	--- Not less than ECU 54,6 but less than ECU 55,8 ...	8 + 29,7 Ecu/ 100 kg/net	7,5 + 6,1 Ecu/ 100 kg/net	
	--- Not less than ECU 53,3 but less than ECU 54,6 ...	8 + 29,7 Ecu/ 100 kg/net	7,5 + 7,3 Ecu/ 100 kg/net	
	--- Less than ECU 53,4	8 + 29,7 Ecu/ 100 kg/net	7,5 + 27,7 Ecu/ 100 kg/net	
0808 10 59	--- other:			
	--- From 1 January to 14 February:			
	--- With an entry price per 100 kg net weight of:			
	--- Not less than ECU 60,7	8 + 29,7 Ecu/ 100 kg/net	6,7	
	--- Not less than ECU 59,5 but less than ECU 60,7 ...	8 + 29,7 Ecu/ 100 kg/net	7,5 + 1,2 Ecu/ 100 kg/net	
	--- Not less than ECU 58,3 but less than ECU 59,5 ...	8 + 29,7 Ecu/ 100 kg/net	7,5 + 2,4 Ecu/ 100 kg/net	
	--- Not less than ECU 57,1 but less than ECU 58,3 ...	8 + 29,7 Ecu/ 100 kg/net	7,5 + 3,6 Ecu/ 100 kg/net	
	--- Not less than ECU 55,8 but less than ECU 57,1 ...	8 + 29,7 Ecu/ 100 kg/net	7,5 + 4,9 Ecu/ 100 kg/net	
	--- Less than ECU 55,8	8 + 29,7 Ecu/ 100 kg/net	7,5 + 27,7 Ecu/ 100 kg/net	
	--- From 15 February to 31 March:			
	--- With an entry price per 100 kg net weight of:			
	--- Not less than ECU 60,7	8 + 29,7 Ecu/ 100 kg/net	6,7	
	--- Not less than ECU 59,5 but less than ECU 60,7 ...	8 + 29,7 Ecu/ 100 kg/net	7,5 + 1,2 Ecu/ 100 kg/net	
	--- Not less than ECU 58,3 but less than ECU 59,5 ...	8 + 29,7 Ecu/ 100 kg/net	7,5 + 2,4 Ecu/ 100 kg/net	
	--- Not less than ECU 57,1 but less than ECU 58,3 ...	8 + 29,7 Ecu/ 100 kg/net	7,5 + 3,6 Ecu/ 100 kg/net	
	--- Not less than ECU 55,8 but less than ECU 57,1 ...	8 + 29,7 Ecu/ 100 kg/net	7,5 + 4,9 Ecu/ 100 kg/net	
	--- Not less than ECU 54,6 but less than ECU 55,8 é	8 + 29,7 Ecu/ 100 kg/net	7,5 + 6,1 Ecu/ 100 kg/net	
	--- Not less than ECU 53,4 but less than ECU 54,6 ...	8 + 29,7 Ecu/ 100 kg/net	7,5 + 7,3 Ecu/ 100 kg/net	
	--- Less than ECU 53,4	8 + 29,7 Ecu/ 100 kg/net	7,5 + 27,7 Ecu/ 100 kg/net	
	--- From 1 April to 30 June:			
	0808 10 61	--- Of the variety Golden Delicious:		
		--- With an entry price per 100 kg net weight of:		
		--- Not less than ECU 60,7	6 + 29,7 Ecu/ 100 kg/net	4 ⁽¹⁾
		--- Not less than ECU 59,5 but less than ECU 60,7	5 + 1,2 Ecu/ 100 kg/net	5 + 1,2 Ecu/ 100 kg/net ⁽¹⁾
--- Not less than ECU 58,3 but less than ECU 59,5	5 + 2,4 Ecu/ 100 kg/net	5,6 + 2,4 Ecu/ 100 kg/net ⁽¹⁾		

(1) WTO tariff quota: see Annex 7.

CN Code	Description	Rate of duty	
		autonomous %	conventional %
1	2	3	4
0808 10 61 (cont'd)	--- Not less than ECU 57,1 but less than ECU 58,3	5 + 3,6 Ecu/ 100 kg/net	5,6 + 3,6 Ecu/ 100 kg/net ⁽¹⁾
	--- Not less than ECU 55,8 but less than ECU 57,1	5 + 4,9 Ecu/ 100 kg/net	5,6 + 4,9 Ecu/ 100 kg/net ⁽¹⁾
	--- Not less than ECU 54,6 but less than ECU 55,8	5 + 6,1 Ecu/ 100 kg/net	5,6 + 6,1 Ecu/ 100 kg/net ⁽¹⁾
	--- Not less than ECU 53,4 but less than ECU 54,6	5 + 7,3 Ecu/ 100 kg/net	5,6 + 7,3 Ecu/ 100 kg/net ⁽¹⁾
	--- Not less than ECU 52,2 but less than ECU 53,4	5 + 8,5 Ecu/ 100 kg/net	5,6 + 8,5 Ecu/ 100 kg/net ⁽¹⁾
	--- Less than ECU 52,2	5 + 27,7 Ecu/ 100 kg/net	5,6 + 27,7 Ecu/ 100 kg/net ⁽¹⁾
0808 10 63	--- Of the variety Granny Smith:		
	--- With an entry price per 100 kg net weight of:		
	--- Not less than ECU 60,7	6 + 29,7 Ecu/ 100 kg/net	4 ⁽¹⁾
	--- Not less than ECU 59,5 but less than ECU 60,7	5 + 1,2 Ecu/ 100 kg/net	5,6 + 1,2 Ecu/ 100 kg/net ⁽¹⁾
	--- Not less than ECU 58,3 but less than ECU 59,5	5 + 2,5 Ecu/ 100 kg/net	5,6 + 2,4 Ecu/ 100 kg/net ⁽¹⁾
	--- Not less than ECU 57,1 but less than ECU 58,3	5 + 3,6 Ecu/ 100 kg/net	5,6 + 3,6 Ecu/ 100 kg/net ⁽¹⁾
	--- Not less than ECU 55,8 but less than ECU 57,1	5 + 4,9 Ecu/ 100 kg/net	5,6 + 4,9 Ecu/ 100 kg/net ⁽¹⁾
	--- Not less than ECU 54,6 but less than ECU 55,8	5 + 6,1 Ecu/ 100 kg/net	5,6 + 6,1 Ecu/ 100 kg/net ⁽¹⁾
	--- Not less than ECU 53,4 but less than ECU 54,6	5 + 7,3 Ecu/ 100 kg/net	5,6 + 7,3 Ecu/ 100 kg/net ⁽¹⁾
	--- Not less than ECU 52,2 but less than ECU 53,4	5 + 8,5 Ecu/ 100 kg/net	5,6 + 8,5 Ecu/ 100 kg/net ⁽¹⁾
--- Less than ECU 52,2	5 + 27,7 Ecu/ 100 kg/net	5,6 + 27,7 Ecu/ 100 kg/net ⁽¹⁾	
0808 10 69	--- other:		
	--- With an entry price per 100 kg net weight of:		
	--- Not less than ECU 60,7	6 + 29,7 Ecu/ 100 kg/net	4 ⁽¹⁾
	--- Not less than ECU 59,5 but less than ECU 60,7	5 + 1,2 Ecu/ 100 kg/net	5,6 + 1,2 Ecu/ 100 kg/net ⁽¹⁾
	--- Not less than ECU 58,3 but less than ECU 59,5	5 + 2,4 Ecu/ 100 kg/net	5,6 + 2,4 Ecu/ 100 kg/net ⁽¹⁾
	--- Not less than ECU 57,1 but less than ECU 58,3	5 + 3,6 Ecu/ 100 kg/net	5,6 + 3,6 Ecu/ 100 kg/net ⁽¹⁾
	--- Not less than ECU 55,8 but less than ECU 57,1	5 + 4,9 Ecu/ 100 kg/net	5,6 + 4,9 Ecu/ 100 kg/net ⁽¹⁾
	--- Not less than ECU 54,6 but less than ECU 55,8	5 + 6,1 Ecu/ 100 kg/net	5,6 + 6,1 Ecu/ 100 kg/net ⁽¹⁾
	--- Not less than ECU 53,4 but less than ECU 54,6	5 + 7,3 Ecu/ 100 kg/net	5,6 + 7,3 Ecu/ 100 kg/net ⁽¹⁾
	--- Not less than ECU 52,2 but less than ECU 53,4	5 + 8,5 Ecu/ 100 kg/net	5,6 + 8,5 Ecu/ 100 kg/net ⁽¹⁾
--- Less than ECU 52,2	5 + 27,7 Ecu/ 100 kg/net	5,6 + 27,7 Ecu/ 100 kg/net ⁽¹⁾	

⁽¹⁾ WTO tariff quota: see Annex 7.

CN code	Description	Rate of duty	
		autonomous %	conventional %
1	2	3	4
0808 10 71	— — — From 1 July to 31 July:		
	— — — — Of the variety Golden Delicious:		
	— — — — — From 1 July to 15 July:		
	— — — — — — With an entry price per 100 kg net weight of:		
	— — — — — — — Not less than ECU 48,7	6 + 29,7 Ecu/ 100 kg/net	3 ⁽¹⁾
	— — — — — — — Not less than ECU 47,7 but less than ECU 48,7 ...	6 + 29,7 Ecu/ 100 kg/net	5,4 + 1 Ecu/ 100 kg/net ⁽¹⁾
	— — — — — — — Not less than ECU 46,8 but less than ECU 47,7 ...	6 + 29,7 Ecu/ 100 kg/net	5,4 + 1,9 Ecu/ 100 kg/net ⁽¹⁾
	— — — — — — — Not less than ECU 45,8 but less than ECU 46,8 ...	6 + 29,7 Ecu/ 100 kg/net	5,4 + 2,9 Ecu/ 100 kg/net ⁽¹⁾
	— — — — — — — Not less than ECU 44,8 but less than ECU 45,8 ...	6 + 29,7 Ecu/ 100 kg/net	5,4 + 3,9 Ecu/ 100 kg/net ⁽¹⁾
	— — — — — — — Not less than ECU 43,8 but less than ECU 44,8 ...	6 + 29,7 Ecu/ 100 kg/net	5,4 + 4,9 Ecu/ 100 kg/net ⁽¹⁾
	— — — — — — — Not less than ECU 42,9 but less than ECU 43,8 ...	6 + 29,7 Ecu/ 100 kg/net	5,4 + 5,8 Ecu/ 100 kg/net ⁽¹⁾
	— — — — — — — Not less than ECU 41,9 but less than ECU 42,9 ...	6 + 29,7 Ecu/ 100 kg/net	5,4 + 6,8 Ecu/ 100 kg/net ⁽¹⁾
	— — — — — — — Less than ECU 41,9	6 + 29,7 Ecu/ 100 kg/net	5,4 + 26,8 Ecu/ 100 kg/net ⁽¹⁾
	— — — — — From 16 July to 31 July:		
	— — — — — — With an entry price per 100 kg net weight of:		
	— — — — — — — Not less than ECU 48,7	6 + 29,7 Ecu/ 100 kg/net	3 ⁽¹⁾
	— — — — — — — Not less than ECU 47,7 but less than ECU 48,7 ...	6 + 29,7 Ecu/ 100 kg/net	5,4 + 1 Ecu/ 100 kg/net ⁽¹⁾
	— — — — — — — Not less than ECU 46,8 but less than ECU 47,7 ...	6 + 29,7 Ecu/ 100 kg/net	5,4 + 1,9 Ecu/ 100 kg/net ⁽¹⁾
— — — — — — — Not less than ECU 45,8 but less than ECU 46,8 ...	6 + 29,7 Ecu/ 100 kg/net	5,4 + 2,9 Ecu/ 100 kg/net ⁽¹⁾	
— — — — — — — Not less than ECU 44,8 but less than ECU 45,8 ...	6 + 29,7 Ecu/ 100 kg/net	5,4 + 3,9 Ecu/ 100 kg/net ⁽¹⁾	
— — — — — — — Less than ECU 44,8	6 + 29,7 Ecu/ 100 kg/net	5,4 + 26,8 Ecu/ 100 kg/net ⁽¹⁾	
0808 10 73	— — — — Of the variety Granny Smith:		
	— — — — — From 1 July to 15 July:		
	— — — — — — With an entry price per 100 kg net weight of:		
	— — — — — — — Not less than ECU 48,7	6 + 29,7 Ecu/ 100 kg/net	3 ⁽¹⁾
	— — — — — — — Not less than ECU 47,7 but less than ECU 48,7 ...	6 + 29,7 Ecu/ 100 kg/net	5,4 + 1 Ecu/ 100 kg/net ⁽¹⁾
	— — — — — — — Not less than ECU 46,6 but less than ECU 47,7 ...	6 + 29,7 Ecu/ 100 kg/net	5,4 + 1,9 Ecu/ 100 kg/net ⁽¹⁾
	— — — — — — — Not less than ECU 45,8 but less than ECU 46,8 ...	6 + 29,7 Ecu/ 100 kg/net	5,4 + 2,9 Ecu/ 100 kg/net ⁽¹⁾
— — — — — — — Not less than ECU 44,8 but less than ECU 45,8 ...	6 + 29,7 Ecu/ 100 kg/net	5,4 + 3,9 Ecu/ 100 kg/net ⁽¹⁾	
— — — — — — — Not less than ECU 43,8 but less than ECU 44,8 ...	6 + 29,7 Ecu/ 100 kg/net	5,4 + 4,9 Ecu/ 100 kg/net ⁽¹⁾	

⁽¹⁾ WTO tariff quota: see Annex 7.

CN code	Description	Rate of duty		
		autonomous %	conventional %	
1	2	3	4	
0808 10 73 <i>(cont'd)</i>	----- Not less than ECU 42,9 but less than ECU 43,8 ...	6 + 29,7 Ecu/ 100 kg/net	5,4 + 5,8 Ecu/ 100 kg/net ⁽¹⁾	
	----- Not less than ECU 41,9 but less than ECU 42,9 ...	6 + 29,7 Ecu/ 100 kg/net	5,4 + 6,8 Ecu/ 100 kg/net ⁽¹⁾	
	----- Less than ECU 41,9	6 + 29,7 Ecu/ 100 kg/net	5,4 + 26,8 Ecu/ 100 kg/net ⁽¹⁾	
	----- From 16 July to 31 July:			
	----- With an entry price per 100 kg net weight of:			
	----- Not less than ECU 48,7	6 + 29,7 Ecu/ 100 kg/net	3 ⁽¹⁾	
	----- Not less than ECU 47,7 but less than ECU 48,7 ...	6 + 29,7 Ecu/ 100 kg/net	5,4 + 1 Ecu/ 100 kg/net ⁽¹⁾	
	----- Not less than ECU 46,8 but less than ECU 47,7 ...	6 + 29,7 Ecu/ 100 kg/net	5,4 + 1,9 Ecu/ 100 kg/net ⁽¹⁾	
	----- Not less than ECU 45,8 but less than ECU 46,8 ...	6 + 29,7 Ecu/ 100 kg/net	5,4 + 2,9 Ecu/ 100 kg/net ⁽¹⁾	
	----- Not less than ECU 44,8 but less than ECU 45,8 ...	6 + 29,7 Ecu/ 100 kg/net	5,4 + 3,9 Ecu/ 100 kg/net ⁽¹⁾	
	----- Less than ECU 44,8	6 + 29,7 Ecu/ 100 kg/net	5,4 + 26,8 Ecu/ 100 kg/net ⁽¹⁾	
	0808 10 79	----- other:		
		----- From 1 July to 15 July:		
		----- With an entry price per 100 kg net weight of:		
----- Not less than ECU 48,7		6 + 29,7 Ecu/ 100 kg/net	3 ⁽¹⁾	
----- Not less than ECU 47,7 but less than ECU 48,7 ...		6 + 29,7 Ecu/ 100 kg/net	5,4 + 1 Ecu/ 100 kg/net ⁽¹⁾	
----- Not less than ECU 46,8 but less than ECU 47,7 ...		6 + 29,7 Ecu/ 100 kg/net	5,4 + 1,9 Ecu/ 100 kg/net ⁽¹⁾	
----- Not less than ECU 45,8 but less than ECU 46,8 ...		6 + 29,7 Ecu/ 100 kg/net	5,4 + 2,9 Ecu/ 100 kg/net ⁽¹⁾	
----- Not less than ECU 44,8 but less than ECU 45,8 ...		6 + 29,7 Ecu/ 100 kg/net	5,4 + 3,9 Ecu/ 100 kg/net ⁽¹⁾	
----- Not less than ECU 43,8 but less than ECU 44,8 ...		6 + 29,7 Ecu/ 100 kg/net	5,4 + 4,9 Ecu/ 100 kg/net ⁽¹⁾	
----- Not less than ECU 42,9 but less than ECU 43,8 ...		6 + 29,7 Ecu/ 100 kg/net	5,4 + 5,8 Ecu/ 100 kg/net ⁽¹⁾	
----- Not less than ECU 41,9 but less than ECU 42,9 ...		6 + 29,7 Ecu/ 100 kg/net	5,4 + 6,8 Ecu/ 100 kg/net ⁽¹⁾	
----- Less than ECU 41,9		6 + 29,7 Ecu/ 100 kg/net	5,4 + 26,8 Ecu/ 100 kg/net	
----- From 16 July to 31 July:				
----- With an entry price per 100 kg net weight of:				
----- Not less than ECU 48,7	6 + 29,7 Ecu/ 100 kg/net	3 ⁽¹⁾		
----- Not less than ECU 47,7 but less than ECU 48,7 ...	6 + 29,7 Ecu/ 100 kg/net	5,4 + 1 Ecu/ 100 kg/net ⁽¹⁾		
----- Not less than ECU 46,8 but less than ECU 47,7 ...	6 + 29,7 Ecu/ 100 kg/net	5,4 + 1,9 Ecu/ 100 kg/net ⁽¹⁾		
----- Not less than ECU 45,8 but less than ECU 46,8 ...	6 + 29,7 Ecu/ 100 kg/net	5,4 + 2,9 Ecu/ 100 kg/net ⁽¹⁾		
----- Not less than ECU 44,8 but less than ECU 45,8 ...	6 + 29,7 Ecu/ 100 kg/net	5,4 + 3,9 Ecu/ 100 kg/net ⁽¹⁾		
----- Less than ECU 44,8	6 + 29,7 Ecu/ 100 kg/net	5,4 + 26,8 Ecu/ 100 kg/net ⁽¹⁾		

⁽¹⁾ WTO tariff quota: see Annex 7.

CN code	Description	Rate of duty	
		autonomous %	conventional %
1	2	3	4
0808 20 31	— — — — From 1 January to 31 March:		
	— — — — — From 1 January to 31 January:		
	— — — — — With an entry price per 100 kg net weight of:		
	— — — — — — Not less than ECU 54,9	10 + 29,7 Ecu/ 100 kg/net	9,3
	— — — — — — Not less than ECU 53,8 but less than ECU 54,9 ...	10 + 29,7 Ecu/ 100 kg/net	9,3 + 1,1 Ecu/ 100 kg/net
	— — — — — — Not less than ECU 52,7 but less than ECU 53,8 ...	10 + 29,7 Ecu/ 100 kg/net	9,3 + 2,2 Ecu/ 100 kg/net
	— — — — — — Not less than ECU 51,6 but less than ECU 52,7 ...	10 + 29,7 Ecu/ 100 kg/net	9,3 + 3,3 Ecu/ 100 kg/net
	— — — — — — Not less than ECU 50,5 but less than ECU 51,6 ...	10 + 29,7 Ecu/ 100 kg/net	9,3 + 4,4 Ecu/ 100 kg/net
	— — — — — — Less than ECU 50,5	10 + 29,7 Ecu/ 100 kg/net	9,3 + 27,7 Ecu/ 100 kg/net
	— — — — — From 1 February to 31 March:		
	— — — — — With an entry price per 100 kg net weight of:		
	— — — — — — Not less than ECU 54,9	10 + 29,7 Ecu/ 100 kg/net	8,3
	— — — — — — Not less than ECU 53,8 but less than ECU 54,9 ...	10 + 29,7 Ecu/ 100 kg/net	9,3 + 1,1 Ecu/ 100 kg/net
	— — — — — — Not less than ECU 52,7 but less than ECU 53,8 ...	10 + 29,7 Ecu/ 100 kg/net	9,3 + 2,2 Ecu/ 100 kg/net
	— — — — — — Not less than ECU 51,6 but less than ECU 52,7 ...	10 + 29,7 Ecu/ 100 kg/net	9,3 + 3,3 Ecu/ 100 kg/net
	— — — — — — Not less than ECU 50,5 but less than ECU 51,6 ...	10 + 29,7 Ecu/ 100 kg/net	9,3 + 4,4 Ecu/ 100 kg/net
	— — — — — — Less than ECU 50,5	10 + 29,7 Ecu/ 100 kg/net	9,3 + 27,7 Ecu/ 100 kg/net
0808 20 37	— — — — From 1 April to 30 April:		
	— — — — — With an entry price per 100 kg net weight of:		
	— — — — — — Not less than ECU 54,9	5 + 29,7 Ecu/ 100 kg/net	3,3
	— — — — — — Not less than ECU 53,8 but less than ECU 54,9	4,2 + 1,1 Ecu/ 100 kg/net	4,7 + 1,1 Ecu/ 100 kg/net
	— — — — — — Not less than ECU 52,7 but less than ECU 53,8	4,2 + 2,2 Ecu/ 100 kg/net	4,7 + 2,2 Ecu/ 100 kg/net
	— — — — — — Not less than ECU 51,6 but less than ECU 52,7	4,2 + 3,3 Ecu/ 100 kg/net	4,7 + 3,3 Ecu/ 100 kg/net
	— — — — — — Not less than ECU 50,5 but less than ECU 51,6	4,2 + 4,4 Ecu/ 100 kg/net	4,7 + 4,4 Ecu/ 100 kg/net
	— — — — — — Not less than ECU 49,4 but less than ECU 50,5	4,2 + 5,5 Ecu/ 100 kg/net	4,7 + 5,5 Ecu/ 100 kg/net
	— — — — — — Not less than ECU 48,3 but less than ECU 49,4	4,2 + 6,6 Ecu/ 100 kg/net	4,7 + 6,6 Ecu/ 100 kg/net
	— — — — — — Not less than ECU 47,2 but less than ECU 48,3	4,2 + 7,7 Ecu/ 100 kg/net	4,7 + 7,7 Ecu/ 100 kg/net
— — — — — — Less than ECU 47,2	4,2 + 27,7 Ecu/ 100 kg/net	4,7 + 27,7 Ecu/ 100 kg/net	

CN code	Description	Rate of duty	
		autonomous %	conventional %
1	2	3	4
0808 20 47	From 1 July to 15 July:		
	----- With an entry price per 100 kg net weight of:		
	----- Not less than ECU 49,5	5 + 29,7 Ecu/ 100 kg/net	2,5
	----- Not less than ECU 48,5 but less than ECU 49,5	5 + 29,7 Ecu/ 100 kg/net	4,5 + 1 Ecu/ 100 kg/net
	----- Not less than ECU 47,5 but less than ECU 48,5	5 + 29,7 Ecu/ 100 kg/net	4,5 + 2 Ecu/ 100 kg/net
	----- Not less than ECU 46,5 but less than ECU 47,5	5 + 29,7 Ecu/ 100 kg/net	4,5 + 3 Ecu/ 100 kg/net
	----- Not less than ECU 45,5 but less than ECU 46,5	5 + 29,7 Ecu/ 100 kg/net	4,5 + 4 Ecu/ 100 kg/net
	----- Not less than ECU 44,6 but less than ECU 45,5	5 + 29,7 Ecu/ 100 kg/net	4,5 + 4,9 Ecu/ 100 kg/net
	----- Not less than ECU 43,6 but less than ECU 44,6	5 + 29,7 Ecu/ 100 kg/net	4,5 + 5,9 Ecu/ 100 kg/net
	----- Not less than ECU 42,6 but less than ECU 43,6	5 + 29,7 Ecu/ 100 kg/net	4,5 + 6,9 Ecu/ 100 kg/net
	----- Less than ECU 42,6	5 + 29,7 Ecu/ 100 kg/net	4,5 + 26,8 Ecu/ 100 kg/net

ANNEX II

Order No	CN Code	Description	Quota (quantity)	Rate of duty (%)	Other terms and conditions
1	2	3	4	5	6
90a	2009 60	– Grape juice (including grape must):	14 000 tonnes		The products imported will be used for the production of grape juice or non-wine sector products such as vinegar, non-alcoholic drinks, jams and sauces. Qualification for the quota is subject to conditions laid down in the relevant Community provisions.
		– – Of a density exceeding 1,33 g/cm ³ at 20 °C:			
	2009 60 11	– – – Of a value not exceeding 22 ECU per 100 kg net weight		46,7 + 24 Ecu/ 100 kg/net From 1. 9. 1997 until 31. 8. 1998: 45 + 23,2 Ecu/ 100 kg/net	
	2009 60 19	– – – other		46,7 From 1. 9. 1997 until 31. 8. 1998: 45	
		– – Of a density not exceeding 1,33 g/cm ³ at 20 °C:			
		– – – Of a value exceeding 18 ECU/100 kg net weight:			
	2009 60 51	– – – – Concentrated		26,1 From 1. 9. 1997 until 31. 8. 1998: 25,2	
		– – – Of a value not exceeding 18 ECU/100 kg net weight:			
	2009 60 90	– – – – other		26,1 From 1. 9. 1997 until 31. 8. 1998: 25,2	

COMMISSION REGULATION (EC) No 2494/96
of 23 December 1996
concerning the classification of certain goods in the combined nomenclature

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EEC) No 2658/87 of 23 July 1987 on the tariff and statistical nomenclature and on the Common Customs Tariff,⁽¹⁾ as last amended by Regulation (EC) No 2493/96⁽²⁾, and in particular Article 9 thereof,

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

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

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

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

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

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

HAS ADOPTED THIS REGULATION:

Article 1

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

Article 2

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

Article 3

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

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

Done at Brussels, 23 December 1996.

For the Commission

Mario MONTI

Member of the Commission

⁽¹⁾ OJ No L 256, 7. 9. 1987, p. 1.

⁽²⁾ See page 27 of this Official Journal.

⁽³⁾ OJ No L 302, 19. 10. 1992, p. 1.

ANNEX

Description	CN code	Grounds
(1)	(2)	(3)
Sheet of polyethylene terephthalate, of a thickness not exceeding 10 micrometres, coated with a thermal ink and put up in rolls of a width of 62 cm.	3215 90 80	Classification is determined by the provisions of General Rules 1, 3 (b) and 6 for the interpretation of the combined nomenclature, and the wording of CN codes 3215, 3215 90 and 3215 90 80.

COMMISSION REGULATION (EC) No 2495/96
of 27 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 28 December 1996.

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

Done at Brussels, 27 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 27 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 50	204	67,4
	220	94,1
	624	146,4
	999	102,6
0709 10 40	220	197,3
	999	197,3
0709 90 79	052	89,6
	999	89,6
0805 10 61, 0805 10 65, 0805 10 69	052	55,7
	204	46,4
	388	20,0
	448	28,2
	624	48,9
	999	39,8
0805 20 31	052	67,2
	204	62,0
	999	64,6
0805 20 33, 0805 20 35, 0805 20 37, 0805 20 39	052	55,5
	600	87,1
	624	71,3
	999	71,3
0805 30 40	052	74,9
	600	77,0
	999	76,0
0808 10 92, 0808 10 94, 0808 10 98	060	45,1
	064	55,3
	400	67,7
	404	74,1
	999	60,5
0808 20 67	052	66,6
	064	79,3
	091	43,3
	400	112,8
	624	67,6
	999	73,9

(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'.

COMMISSION DECISION No 2496/96/ECSC
of 18 December 1996
establishing Community rules for State aid to the steel industry
(Text with EEA relevance)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Coal and Steel Community, and in particular the first and second paragraphs of Article 95 thereof,

With the unanimous assent of the Council and having consulted the Consultative Committee,

Whereas:

I

Any aid in any form whatsoever and whether specific or non-specific which Member States might grant to their steel industries is prohibited pursuant to Article 4 (c) of the Treaty.

The rules authorizing the grant of aid to the steel industry in certain cases, currently found in Commission Decision No 3855/91/ECSC⁽¹⁾, cover aid, whether specific or non-specific, financed by Member States in any form whatsoever.

Their aim was firstly not to deprive the steel industry of aid for research and development and for environmental protection. The rules also authorize social aid to encourage the partial closure of plants or finance the definitive cessation of all ECSC activities by the least-competitive enterprises. There is an exemption regarding regional investment aid in certain Member States which has now been limited to Greece. All other aid is prohibited.

The strict regime thus established has ensured fair competition in this industry in recent years. It is consistent with the objective pursued through the completion of the internal market. It should therefore continue to be applied, albeit with a number of technical modifications.

Decision No 3855/91/ECSC will expire on 31 December 1996.

The Community thus finds itself faced with a situation not specifically provided for in the Treaty and yet requiring action. In these circumstances, recourse must be had to the first paragraph of Article 95 of the Treaty so as

to enable the Community to pursue the objectives set out in Articles 2, 3 and 4 thereof.

II

In order to cover the period remaining until the expiry of the Treaty, this Decision should apply until 22 July 2002.

In order to ensure that the steel industry and other industries have equal access to aid for research and development and to aid for environmental protection, the compatibility of the aid with the common market should be assessed in the light of the existing Community framework for State aid for research and development⁽²⁾ and the Community guidelines on State aid for environmental protection⁽³⁾. The latter provides for a reduction of maximum aid intensities to adapt to new mandatory standards compared to the provisions of Decision No 3855/91/ECSC and allows for higher aid for investments that lead to a protection of the environment significantly exceeding the minimum standards. Furthermore, it opens some limited possibilities for operating aid, in particular for relief from environmental taxes in cases where it is necessary to prevent firms from being placed at a disadvantage compared with their competitors in countries that do not have such measures.

Where an undertaking ceases all ECSC activity, aid for closure may be paid without restriction as to the nature of its steel production. Since the rules concerning closure aid in Decision No 3855/91/ECSC were limited to cases in which the company closing its steel plants was not part of a group including other ECSC firms, the practical relevance of these provisions was rather limited. Therefore, in order to promote further capacity reductions in the steel sector, this Decision should also allow closure aid for companies that belong to a group with other steel firms, provided that it is effectively separated and that the group does not increase its remaining capacity throughout a period of five years.

To avoid discrimination due to the variety of forms which State aid may take, transfers of State resources to public or private steel firms, in the form of acquisitions of shareholdings or provisions of capital or similar financing, must be subject to the same procedures as aid so that the Commission can determine whether such operations

⁽¹⁾ OJ No L 362, 31. 12. 1991, p. 57.

⁽²⁾ OJ No C 45, 17. 2. 1996, p. 5.

⁽³⁾ OJ No C 72, 10. 3. 1994, p. 3.

involve an aid element. This will be the case where the financial transfer is not a genuine provision of risk capital according to usual investment practice in a market economy. The compatibility of any such aid element with the Treaty must be assessed by the Commission in the light of the criteria laid down in this Decision. For this purpose, all such financial transfers must be notified to the Commission and may not be implemented if, before the end of the standstill period laid down in Article 6 (6) the Commission determines that they contain aid elements and initiates the procedure provided for in Article 6 (5).

This Decision should be applied in accordance with international commitments of the Community concerning State aid to the steel industry.

In order to maintain transparency with regard to aid, the Commission should draw up an annual report on the implementation of this Decision,

HAS ADOPTED THIS DECISION:

Article 1

Principles

1. Aid to the steel industry, whether specific or non-specific, financed by Member States or their regional or local authorities or through State resources in any form whatsoever may be deemed Community aid and therefore compatible with the orderly functioning of the common market only if it satisfies the provisions of Articles 2 to 5.

2. The term 'aid' also covers the aid elements contained in transfers of State resources by Member States, regional or local authorities or other bodies to steel undertakings in the form of acquisitions of shareholdings or provisions of capital or similar financing (such as bonds convertible into shares, or loans on non-commercial conditions or the interest on or repayment of which is at least partly dependent on the undertaking's financial performance, including loan guarantees and real-estate transfers) which cannot be regarded as a genuine provision of risk capital according to usual investment practice in a market economy.

3. Aid falling within the terms of this Decision may be granted only after the procedures laid down in Article 6 have been followed and shall not be payable after 22 July 2002.

Article 2

Aid for research and development

Aid granted to defray expenditure by steel undertakings on research and development projects may be deemed

compatible with the common market if it is in compliance with the rules laid down in the Community framework for State aid for research and development, as set out in *Official Journal of the European Communities* No C 45 of 17 February 1996⁽¹⁾.

Article 3

Aid for environmental protection

Aid for environmental protection may be deemed compatible with the common market if it is in compliance with the rules laid down in the Community guidelines on State aid for environmental protection, as set out in *Official Journal of the European Communities* No C 72 of 10 March 1994, in conformity with the criteria for their application to the ECSC steel industry outlined in the Annex to this Decision.

Article 4

Aid for closures

1. Aid towards the costs of payments to workers of ECSC steel undertakings made redundant or accepting early retirement may be deemed compatible with the common market provided that:

- (a) the payments actually arise from the partial or total closure of steel plants that have been in regular production up to the time of notification of the aid and whose closure has not already been taken into account for the purposes of applying Commission Decisions No 257/80/ECSC⁽²⁾, No 2320/81/ECSC⁽³⁾, No 3484/85/ECSC⁽⁴⁾, No 218/89/ECSC⁽⁵⁾, No 322/89/ECSC⁽⁶⁾, No 3855/91/ECSC⁽⁷⁾, No 94/257/ECSC⁽⁸⁾, No 94/258/ECSC⁽⁹⁾, No 94/259/ECSC⁽¹⁰⁾, No 94/260/ECSC⁽¹¹⁾, 94/261/ECSC⁽¹²⁾, No 94/1075/ECSC⁽¹³⁾, 96/315/ECSC⁽¹⁴⁾, on aid to the steel industry or the Act of Accession of Spain and Portugal;

⁽¹⁾ The provisions of point 5.10.3 of the framework, applicable to a research project which is in accordance with the objectives of a specific project or programme undertaken as part of the current Community RTD framework programme, also apply to aid to a research project which is undertaken as part of an ECSC steel RTD project or programme.

⁽²⁾ OJ No L 29, 6. 2. 1980, p. 5.

⁽³⁾ OJ No L 228, 13. 8. 1981, p. 14.

⁽⁴⁾ OJ No L 340, 18. 12. 1985, p. 1.

⁽⁵⁾ OJ No L 86, 31. 3. 1989, p. 76.

⁽⁶⁾ OJ No L 38, 10. 2. 1989, p. 8.

⁽⁷⁾ OJ No L 362, 31. 12. 1991, p. 57.

⁽⁸⁾ OJ No L 112, 3. 5. 1994, p. 52.

⁽⁹⁾ OJ No L 112, 3. 5. 1994, p. 58.

⁽¹⁰⁾ OJ No L 112, 3. 5. 1994, p. 64.

⁽¹¹⁾ OJ No L 112, 3. 5. 1994, p. 71.

⁽¹²⁾ OJ No L 112, 3. 5. 1994, p. 77.

⁽¹³⁾ OJ No L 386, 31. 12. 1994, p. 18.

⁽¹⁴⁾ OJ No L 121, 21. 5. 1996, p. 16.

- (b) the payments do not exceed those customary, under the rules in force in the Member States on 1 January 1996; and
- (c) the aid does not exceed 50 % of that portion of such payments which is not defrayed directly pursuant to Article 56 (1) (c) or Article 56 (2) (b) of the Treaty by the Member State and/or by the Community according to the detailed rules laid down in the bilateral conventions but is payable by the undertaking concerned.

2. Aid to steel undertakings which permanently cease production of ECSC iron and steel products may be deemed compatible with the common market, provided that:

- (a) the undertakings became a legal entity before 1 January 1996;
- (b) they have been regularly producing ECSC iron and steel products up to the date of notification of the particular aid in accordance with Article 6;
- (c) they have not reorganized their production or plant structure since 1 January 1996;
- (d) they are not directly or indirectly controlled, within the meaning of Decision No 24/54 of the High Authority⁽¹⁾, and do not themselves directly or indirectly control an undertaking that is itself a steel undertaking or controls other steel undertakings;
- (e) they close and destroy the installations used for the production of ECSC iron and steel products within six months after the cessation of production or six months after the approval of the aid by the Commission, whichever is the later; and
- (f) the closure of their plants has not already been taken into account for the purposes of applying the Decisions referred to in paragraph 1 (a) or the Act of Accession of Spain and Portugal or granting a favourable opinion pursuant to Article 54 of the Treaty.

The amount of this aid may not exceed the higher of the following two values, as determined by an independent consultant's report:

- (a) the discounted value of the contribution to fixed costs obtainable from the plants over a three-year period, less any advantages the aided firm derives from their closure; or
- (b) the residual book value of the plants, ignoring that portion of any revaluations since 1 January 1996 which exceeds the national inflation rate.

3. Aid to steel undertakings which fulfil the conditions referred to in (a), (b), (c), (e) and (f) of the first subpara-

graph of paragraph 2 but which are directly or indirectly controlled by or themselves directly or indirectly control an undertaking that is itself a steel undertaking may be deemed compatible with the common market provided that:

- (a) the undertaking to be closed is effectively and legally separated from the corporate structure at least six months before the payment of the aid; and
- (b) the accounts of the undertaking to be closed have been independently certified to be a true and accurate account of the assets and liabilities attributable to that undertaking by an auditor accepted by the Commission;
- (c) there is a genuine and verifiable reduction in production capacity such as to produce an appreciable benefit over time for the industry as a whole in terms of a reduction in the production capacity of ECSC iron and steel products in which the closure took place throughout a period of five years following the date of the aided closure or the date of the last payment of aid approved under this Article, if later, leading to a significant overall improvement in the relationship of supply to demand in the market; and
- (d) the partial closure in question has not already been taken into account for the purposes of applying the Commission's decision of 19 October 1994⁽²⁾.

The amount of this aid may not exceed the average of the following two values, as determined by an independent consultant's report:

- (a) the discounted value of the contribution to fixed costs obtainable from the plants over a three-year period, less any advantages the aided firm derives from their closure; and
- (b) the residual book value of the plants, ignoring that portion of any revaluations since 1 January 1996 which exceeds the national inflation rate.

4. All aid approved pursuant to paragraphs 2 and 3 shall be subject to scrutiny by an independent auditor accepted by the Commission in order to ensure that the limits specified in the second subparagraph of paragraph 2 and the second subparagraph of paragraph 3 are not exceeded and that any excess aid is repaid.

Article 5

Special provisions

Aid granted to steel undertakings for investment under general regional aid schemes may until 31 December 2000 be deemed compatible with the common market,

⁽¹⁾ OJ of the ECSC No 9, 11. 5. 1954, p. 345/54.

⁽²⁾ OJ No C 390, 31. 12. 1994, p. 20.

provided that the aided undertaking is located in Greece, the total aid does not exceed ECU 50 million and the aided investment does not lead to an increase in production capacity.

Article 6

Procedure

1. The Commission shall be informed, in sufficient time to enable it to submit its comments, of any plans to grant or alter aid of the types referred to in Article 2 to 5. It shall likewise be informed of plans to grant aid to the steel industry under schemes on which it has already taken a decision under the EC Treaty.

The notification of plans to grant aid under Article 4 in which the Member State paying the aid is not identical to that in whose territory the closure would take place shall be submitted to the Commission jointly by both Member States.

The notification of aid plans must be lodged with the Commission at the latest by 31 December 2001.

2. The Commission shall be informed, in sufficient time for it to submit its comments, and by 31 December 2001 at the latest, of any plans for transfers of State resources by Member States, regional or local authorities or other bodies to steel undertakings in the form of acquisition of shareholdings, provisions of capital, loan guarantees, indemnities or similar financing.

The Commission shall determine whether the financial transfers involve aid elements within the meaning of Article 1 (2) and, if so, shall examine whether they are compatible with the common market under the provisions of Articles 2 to 5.

3. The Commission shall seek the views of the Member States on plans for closure aid and on other major aid proposals notified to it before adopting a position on them. It shall inform the Member States of the decisions it has adopted on aid proposals, specifying the form and volume of the aid.

4. The planned measures falling within paragraphs 1 or 2 may be put into effect only with the approval of and subject to any conditions laid down by the Commission.

The Commission may, after giving the Member State concerned the opportunity to submit its comments, adopt a decision under the first paragraph of Article 88 of the Treaty requiring the Member State to suspend the disbursement of any financial means until approval is given by the Commission. Article 88 of the Treaty shall

continue to apply in the event of a Member State's failing to comply with that decision.

The Commission may, after giving the Member State concerned the opportunity to submit its comments, adopt a decision under the first paragraph of Article 88 of the Treaty requiring the Member State to recover provisionally any financial means disbursed in breach of the first subparagraph of this paragraph and Article 4 (c) of the Treaty. Repayment shall be made in accordance with the procedures and provisions of domestic law of the Member State concerned, together with interest at the rate used as reference rate in the assessment of regional aid schemes running from the date of disbursement. Article 88 of the Treaty shall continue to apply in the event of a Member State failing to comply with that decision.

5. If the Commission considers that a certain financial measure may represent State aid within the meaning of Article 1 or doubts whether a certain aid is compatible with the provisions of this Decision, it shall inform the Member State concerned and give notice to the interested parties and other Member States to submit their comments. If, after having received the comments and after having given the Member State concerned the opportunity to respond, the Commission finds that the measure in question is an aid incompatible with the provisions of this Decision, it shall take a decision not later than three months after receiving the information needed to assess the proposed measure. Article 88 of the Treaty shall apply in the event of a Member State's failing to comply with that decision.

6. If the Commission fails to initiate the procedure provided for in paragraph 5 or otherwise to make its position known within two months of receiving full notification of a proposal, the planned measures may be put into effect provided that the Member State first informs the Commission of its intention to do so. Where the Commission seeks the views of Member States under paragraph 3, the abovementioned period shall be three months.

Article 7

Reports of Member States

Member States shall twice a year supply the Commission with reports on the aid disbursed over the previous six months, the uses to which the aid was put and the results obtained over the same period. The reports shall include particulars of all financial operations carried out by the Member States or local or regional authorities in relation to publicly-owned steel undertakings. They must be supplied within two months following the end of each six-month period.

*Article 8***Reports of the Commission**

The Commission shall draw up annual reports on the implementation of this Decision for the Council and, for information, for the European Parliament and the Consultative Committee.

*Article 9***Term of validity**

This Decision shall enter into force on 1 January 1997. It shall apply until 22 July 2002.

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

Done at Brussels, 18 December 1996.

For the Commission

Karel VAN MIERT

Member of the Commission

ANNEX

CRITERIA FOR THE APPLICATION OF COMMUNITY GUIDELINES ON STATE AID TO THE STEEL INDUSTRY FOR ENVIRONMENTAL PROTECTION

For all cases of State aid for environmental protection the Commission will, as appropriate, impose strict conditions and safeguards so as to avoid general investment aid for new plants or equipment being granted under cover of environmental protection. The Commission will make use of independent expertise in examining such cases and Member States will be consulted.

Aid to help firms adapt existing installations to new mandatory standards

- (a) In interpreting paragraph 3 (2) (A) of the Community guidelines on State aid for environmental protection, relating to aid for investment, the Commission will allow additional aid intensity only for small and medium-sized enterprises.
- (b) In relation to firms that, instead of adapting existing plant or equipment which is more than two years old, decide to replace such plant or equipment by new plant meeting the new standards, the following approach will be adopted:
 - (i) the cost of adapting existing plant or equipment (i.e. the basis of eligibility for aid) must be assessed not only by the investor but also, if appropriate, by independent experts;
 - (ii) the Commission will analyse the economic and environmental background of a decision to opt for the replacement of existing plant or equipment. In principle a decision to undertake new investment which would have been necessary in any event on economic grounds or due to the age of the existing plant or equipment will not be eligible for aid. The existing plant must have significant useful life left (at least 25 %) for the new investment to be eligible for aid.

Aid to encourage firms to contribute to significantly improved environmental protection

- (a) In the case of firms which decide to improve significantly on mandatory standards, in addition to complying with the criteria in point (b) (ii) above, the investor will have to demonstrate that a clear decision was taken to opt for higher standards which necessitated additional investment, that is, that a lower-cost solution existed which would meet the new environmental standards. In any event, the higher aid level will only apply to the additional environmental protection achieved. Any advantage in regard to lower production costs resulting from these significantly higher levels of environmental protection will be deducted;
- (b) in relation to firms which significantly improve on environmental protection, the criteria in point (b) (ii) above must be complied with and, in addition, any advantage in regard to lower costs of production from these significant improvements will be deducted;
- (c) in conjunction with the above criteria, investments undertaken solely for environmental protection will be examined on the basis of their compliance with the criteria set out in the Community guidelines on State aid for environmental protection⁽¹⁾.

⁽¹⁾ OJ No C 72, 10. 3. 1994, p. 3.

COMMISSION REGULATION (EC) No 2497/96

of 18 December 1996

laying down procedures for applying in the poultrymeat sector the arrangements provided for in the Association Agreement and the Interim Agreement between the European Community and the State of Israel

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EC) No 2398/96 of 12 December 1996 opening the tariff quota for turkey meat from Israel provided for in the Association Agreement and the Interim Agreement between the European Community and the State of Israel⁽¹⁾ and in particular Article 2 thereof,

Having regard to Council Regulation (EEC) No 2777/75 of 29 October 1975 on the common organization of the market poultrymeat⁽²⁾, as last amended by Commission Regulation (EC) No 2615/95⁽³⁾, and in particular Article 15 thereof,

Whereas, pending entry into force of the Association Agreement, the arrangements for trade were applied by virtue of Decision 96/206/ECSC, EC of the Council and the Commission of 22 December 1996 on the conclusion by the European Community of an 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⁽⁴⁾, signed on 18 December 1995 and in force from 1 January 1996;

Whereas provision should be made for the administration of the said arrangements to be by means of import licences; whereas, to that end, notwithstanding Article 8 of Commission Regulation (EEC) No 3719/88 of 16 November 1988 laying down common detailed rules for the application of the system of import and export licences and advance-fixing certificates for agricultural products⁽⁵⁾, as last amended by Regulation (EC) No 2350/96⁽⁶⁾, detailed rules for submission of the applications and the particulars which should appear in applications and licences should be laid down; whereas, in addition, provision should be made for licences to be issued after a period of consideration, applying, where necessary, a single acceptance rate;

Whereas, in order to ensure regular imports, the quantities laid down in Annex I to this Regulation should be staggered over the year;

Whereas, since the arrangements cannot be applied until 1 January 1997, the quota provided for 1996 should be carried forward into 1997;

Whereas, in order to ensure proper administration of the system, the security for import licences under the said system should be fixed at ECU 20 per 100 kilograms; whereas, in view of the likelihood of speculation inherent in the system in the poultrymeat sector, precise conditions governing access by traders to the said system should be laid down;

Whereas the attention of traders should be drawn to the fact that licences may be used only for products that comply with all the veterinary requirements in force in the Community;

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

HAS ADOPTED THIS REGULATION:

Article 1

All imports into the Community under the arrangements provided for in Protocol 1 to the Association Agreement and to the Interim Agreement between the European Community and the State of Israel of products in group I1 referred to in Annex I to this Regulation shall be subject to the presentation of an import licence.

The quantities of products to which those arrangements apply and the rates of customs duty shall be those listed in Annex I.

The rate or reduction in the customs duty shall be that provided for in Article 2 for the period for which a licence is requested.

Article 2

The quotas referred to in Article 1 shall be staggered as follows:

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

⁽¹⁾ OJ No L 327, 18. 12. 1996, p. 7.

⁽²⁾ OJ No L 282, 1. 11. 1975, p. 88.

⁽³⁾ OJ No L 305, 19. 12. 1995, p. 49.

⁽⁴⁾ OJ No L 71, 20. 3. 1996, p. 1.

⁽⁵⁾ OJ No L 331, 2. 12. 1988, p. 1.

⁽⁶⁾ OJ No L 320, 11. 12. 1996, p. 4.

Article 3

The import licences provided for in Article 1 shall be subject to the following rules:

- (a) applicants for import licences must be natural or legal persons who, at the time applications are submitted, can prove to the satisfaction of the competent authorities of the Member States that they have imported or exported not less than 50 tonnes of products falling under Regulation (EEC) No 2777/75 in each of the two calendar years preceding the year in which the licence application is lodged. However, retail establishments or restaurants selling their products to final consumers are excluded from the benefits of this system;
- (b) the licence application may involve several products covered by different CN codes. In such cases, all the CN codes shall be indicated in section 16 and their description in section 15.

A licence application must relate to at least one tonne and to a maximum of 10 % of the quantity available for the group concerned and the period as specified in Article 2;

- (c) section 8 of licence applications and licences shall indicate the country of origin; licences shall entail an obligation to import from the country indicated;
- (d) section 20 of licence applications and licences shall show one of the following:

Reglamento (CE) n° 2497/96
 Förordning (EF) nr. 2497/96
 Verordnung (EG) Nr. 2497/96
 Κανονισμός (ΕΚ) αριθ. 2497/96
 Regulation (EC) No 2497/96
 Règlement (CE) n° 2497/96
 Regolamento (CE) n. 2497/96
 Verordening (EG) nr. 2497/96
 Regulamento (CE) n° 2497/96
 Asetus (EY) N:o 2497/96
 Förordning (EG) nr 2497/96

- (e) section 24 of licences shall show one of the following:

CCT duties reduced as provided for in:

Reglamento (CE) n° 2497/96
 Förordning (EF) nr. 2497/96
 Verordnung (EG) Nr. 2497/96
 Κανονισμός (ΕΚ) αριθ. 2497/96
 Regulation (EC) No 2497/96
 Règlement (CE) n° 2497/96
 Regolamento (CE) n. 2497/96
 Verordening (EG) nr. 2497/96
 Regulamento (CE) n° 2497/96
 Asetus (EY) N:o 2497/96

*Förordning (EG) nr 2497/96.**Article 4*

1. Licence applications may be submitted only during the first 10 days of each period specified in Article 2. However, for the period 1 January to 31 March 1997, applications may be submitted only during the first 10 days following the date of entry into force of this Regulation.

2. Licence applications shall be admissible only where the applicant declares in writing that he has not submitted and undertakes not to submit any applications, in respect of the current period, concerning products in the same group in the Member State in which his application is lodged or in other Member States.

Where the same applicant submits more than one application relating to products in the same group, all applications from that person shall be inadmissible.

3. A security of ECU 20 per 100 kilograms shall be lodged for import licence applications for all products referred to in Article 1.

4. The Member States shall notify the Commission on the fifth working day following the end of the application submission period of applications submitted for each of the products in the group. Such notification shall include a list of applicants and a statement of the quantities applied for in the group.

All notifications, including nil returns, shall be made by telex or fax on the working day stipulated, using the model in Annex II to this Regulation in cases where no application has been submitted and the models in Annexes II and III in cases where applications have been submitted.

5. The Commission shall decide as quickly as possible to what extent quantities may be awarded in respect of the applications referred to in Article 3.

If quantities in respect of which licences have been applied for exceed the quantities available, the Commission shall fix a single acceptance rate as a percentage of quantities applied for.

6. Licences shall be issued as quickly as possible after the Commission has taken its decision.

7. Licences may be used only for products complying with all the veterinary requirements in force in the Community.

Article 5

For the purposes of Article 21 (2) of Regulation (EEC) No 3719/88, import licences shall be valid for 150 days from the date of actual issue.

Import licences issued pursuant to this Regulation shall not be transferable.

Article 6

Without prejudice to the provisions of this Regulation, Regulation (EEC) No 3719/88 shall apply.

However, notwithstanding Article 8(4) of Regulation (EEC) No 3719/88, the quantity imported under this Regulation may not exceed that shown in sections 17 and 18 of the import licence. The figure '0' shall accordingly be entered in section 19 of licences.

Article 7

The imported products shall be placed in free circulation on presentation of a movement certificate EUR 1 issued by the State of Israel in accordance with Protocol 3 annexed to the Association Agreement and the Interim Agreement.

Article 8

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

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

Done at Brussels, 18 December 1996.

For the Commission

Franz FISCHLER

Member of the Commission

ANNEX I

Group number	CN code	CCT duty applicable in ECU/tonne	Tariff quotas (tonnes)	
			1. 1. — 31. 12. 1997	Following years
I1	0207 25 10	170	2 800	1 400
	0207 25 90	186		
	0207 27 30	134		
	0207 27 40	93		
	0207 27 50	339		
	0207 27 60	127		
	0207 27 70	230		

ANNEX II

Application of Regulation (EC) No 2497/96

COMMISSION OF THE EUROPEAN COMMUNITIES DG VI/D.3
POULTRYMEAT SECTOR

Application for import licences at reduced rate of duty Israel	Date:	Period:
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Member State:

Sender:

Responsible contact person:

Tel.:

Fax:

Addressee: DG VI/D.3

Fax: (32 2) 296 62 79/296 12 27

Group number	Quantity applied for
	Product weight
I1	

ANNEX III

Application of Regulation (EC) No 2497/96

COMMISSION OF THE EUROPEAN COMMUNITIES DG VI/D.3
POULTRYMEAT SECTOR

Application for import licences at reduced rate of duty Israel	Date:	Period:
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Member State:

Group number	CN code	Applicant (Name and address)	Quantity (tonnes)
			Product weight
I1			
		Total in tonnes by group	

COMMISSION REGULATION (EC) No 2498/96
of 23 December 1996

opening Community tariff quotas for 1997 for sheep, goats, sheepmeat and goatmeat falling within CN codes 0104 10 30, 0104 10 80, 0104 20 90 and 0204 and derogating from Regulation (EC) No 1439/95 laying down detailed rules for the application of Council Regulation (EEC) No 3013/89 as regards the import and export of products in the sheepmeat and goatmeat sector

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EC) No 3066/95 of 22 December 1995 establishing certain concessions in the form of Community tariff quotas for certain agricultural products and providing for the adjustment, as an autonomous and transitional measure, of certain agricultural concessions provided for in the Europe Agreements to take account of the Agreement on Agriculture concluded during the Uruguay Round Multilateral Trade Negotiations⁽¹⁾, as amended by Regulation (EC) No 2490/96⁽²⁾, and in particular Article 8 thereof,

Having regard to Council Regulation (EEC) No 3013/89 of 25 September 1989 on the common organization of the market in sheepmeat and goatmeat⁽³⁾, as last amended by Regulation (EC) No 1589/96⁽⁴⁾, and in particular Article 12 (4) thereof,

Having regard to Council Regulation (EC) No 3491/93 of 13 December 1993 on certain procedures for applying the Europe Agreement establishing an association between the European Communities and their Member States, of the one part, and the Republic of Hungary, of the other part⁽⁵⁾, and in particular Article 1 thereof,

Having regard to Council Regulation (EC) No 3492/93 of 13 December 1993 on certain procedures for applying the Europe Agreement establishing an association between the European Communities and their Member States, of the one part, and the Republic of Poland, of the other part⁽⁶⁾, and in particular Article 1 thereof,

Having regard to Council Regulation (EC) No 3296/94 of 19 December 1994 on certain procedures for applying the Europe Agreement establishing an association between the European Communities and their Member States, of the one part, and the Czech Republic, of the other part⁽⁷⁾, and in particular Article 1 thereof,

Having regard to Council Regulation (EC) No 3297/94 of 19 December 1994 on certain procedures for applying the Europe Agreement establishing an association between the European Communities and their Member States, of the one part, and the Slovak Republic, of the other part⁽⁸⁾, and in particular Article 1 thereof,

Having regard to Council Regulation (EC) No 3382/94 of 19 December 1994 on certain procedures for applying the Europe Agreement establishing an association between the European Communities and their Member States, of the one part, and Romania, of the other part⁽⁹⁾, and in particular Article 1 thereof,

Having regard to Council Regulation (EC) No 3383/94 of 19 December 1994 on certain procedures for applying the Europe Agreement establishing an association between the European Communities and their Member States, of the one part, and the Republic of Bulgaria, of the other part⁽¹⁰⁾, and in particular Article 1 thereof,

Having regard to Council Regulation (EC) No 1926/96 of 7 October 1996 establishing certain concessions in the form of Community tariff quotas for certain agricultural products and providing for the adjustment, as an autonomous and transitional measure, of certain agricultural concessions provided for in the agreements on free trade and trade-related matters with Estonia, Latvia and Lithuania, to take account of the Agreement on Agriculture concluded during the Uruguay Round Multilateral Trade Negotiations⁽¹¹⁾, and in particular Article 5 thereof,

Whereas under the Agreement on Agriculture concluded in the framework of the Uruguay Round of multilateral trade negotiations⁽¹²⁾, the Community has undertaken to open a non-country-specific tariff quota; whereas the Europe Agreements concluded between the Community and the countries of central Europe allow additional preferential access to the Community market;

Whereas, moreover, the Community has established a tariff quota for imports of sheepmeat and goatmeat from Estonia, Latvia and Lithuania by virtue of Regulation (EC) No 1926/96;

⁽¹⁾ OJ No L 328, 30. 12. 1995, p. 31.

⁽²⁾ See page 13 of this Official Journal.

⁽³⁾ OJ No L 289, 7. 10. 1989, p. 1.

⁽⁴⁾ OJ No L 206, 16. 8. 1996, p. 25.

⁽⁵⁾ OJ No L 319, 21. 12. 1993, p. 1.

⁽⁶⁾ OJ No L 319, 21. 12. 1993, p. 4.

⁽⁷⁾ OJ No L 341, 30. 12. 1994, p. 14.

⁽⁸⁾ OJ No L 341, 30. 12. 1994, p. 17.

⁽⁹⁾ OJ No L 368, 31. 12. 1994, p. 1.

⁽¹⁰⁾ OJ No L 368, 31. 12. 1994, p. 5.

⁽¹¹⁾ OJ No L 254, 8. 10. 1996, p. 1.

⁽¹²⁾ OJ No L 336, 23. 12. 1994, p. 22.

Whereas the tariff quotas have to be opened for 1997 by the Commission and be managed according to the rules laid down in Commission Regulation (EC) No 1439/95⁽¹⁾, as last amended by Regulation (EC) No 2526/95⁽²⁾;

Whereas a carcase-weight equivalent needs to be fixed in order to ensure a proper functioning of the tariff quotas; whereas, furthermore, certain tariff quotas provide the option of importing either the live animals or their meat; whereas a conversion factor is therefore required;

Whereas Regulation (EC) No 3066/95 provided in particular for a reduction in duty and increases in certain import quotas from the Associated Countries of Eastern Europe; whereas it also provided for the importation of pure-bred breeding goats falling within CN code 0104 20 10 within the tariff quotas for Hungary, Poland, Slovakia, the Czech Republic and Bulgaria;

Whereas the measures provided for in Regulation (EC) No 3066/95 have been extended until 31 December 1997 by virtue of Regulation (EC) No 2490/96;

Whereas this extension should be incorporated into Regulation (EC) No 1439/95;

Whereas, since the extension of the measures provided for in Regulation (EC) No 3066/95 is valid only for one year, it is necessary to derogate for the period from certain detailed rules laid down in Regulation (EC) No 1439/95;

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

HAS ADOPTED THIS REGULATION:

Article 1

This Regulation opens Community tariff quotas for the sheepmeat and goatmeat sectors and provides for certain derogations from Regulation (EC) No 1439/95 for the period 1 January to 31 December 1997.

Article 2

The customs duties applicable to imports into the Community of sheepmeat and goatmeat falling within CN codes 0104 10 30, 0104 10 80, 0104 20 90 and 0204 originating in the countries indicated in the Annexes and

⁽¹⁾ OJ No L 143, 27. 6. 1995, p. 7.

⁽²⁾ OJ No L 258, 28. 10. 1995, p. 48.

of live pure-bred breeding goats falling within CN code 0104 20 10 for Hungary, Poland, Slovakia, the Czech Republic and Bulgaria shall be suspended or reduced during the periods, at the levels and within the limits of the tariff quotas laid down in this Regulation.

Article 3

1. The quantities of meat, expressed in carcase weight equivalent, falling within CN code 0204 for which the customs duty, applicable to imports originating in specific supplying countries, is suspended for the period between 1 January and 31 December 1997, shall be those laid down in Annex I.

2. The quantities of live animals and meat expressed as carcase weight equivalent, falling within CN codes 0104 10 30, 0104 10 80, 0104 20 90 and 0204 and, in addition, for Hungary, Poland, Slovakia, the Czech Republic and Bulgaria falling within CN code 0104 20 10, for which the customs duty, applicable to imports originating in specific supplying countries, is reduced to zero for the period between 1 January and 31 December 1997, shall be those laid down in Annex II.

3. The quantities of live animals, expressed in live weight, falling under CN codes 0104 10 30, 0104 10 80 and 0104 20 90 for which the customs duty, applicable to imports originating in specific supplying countries, is reduced to 10 % *ad valorem* for the period between 1 January and 31 December 1997, shall be those laid down in Annex III.

4. The quantities of live animals, expressed in live weight, falling within CN codes 0104 10 30, 0104 10 80 and 0104 20 90 for which the customs duty, applicable to imports, is reduced to 10 % *ad valorem* for the period between 1 January and 31 December 1997, shall be those laid down in Annex IV, Part A.

5. The quantities of meat, expressed in carcase weight equivalent, falling within CN code 0204 for which the customs duty, applicable to imports, is suspended for the period between 1 January and 31 December 1997, shall be those laid down in Annex IV, Part B.

Article 4

1. The tariff quotas provided for Article 3 (1), (2) and (3) shall be managed in accordance with the rules laid down in Title II A of Regulation (EC) No 1439/95.

2. The tariff quotas provided for Article 3 (4) and (5) shall be managed in accordance with the rules laid down in Title II B of Regulation (EC) No 1439/95.

Article 5

1. The term 'carcase weight equivalent' referred to in Article 2 shall be taken to mean the weight of bone-in meat presented as such, and also boned meat converted by a coefficient into bone-in weight. For this purpose 55 kilograms of boned mutton or goatmeat other than kid corresponds to 100 kilograms of bone-in mutton or goatmeat other than kid and 60 kilograms of boned lamb or kid corresponds to 100 kilograms of bone-in lamb or kid.

2. Where the option is available under the Association Agreements between the Community and certain supplier countries, of allowing imports in the form of live animals or as meat, 100 kilograms of live animals shall be considered to be equivalent to 47 kilograms of meat.

Article 6

The derogations from Regulation (EC) No 1439/95 are as follows:

1. Title II A shall apply *mutatis mutandis* in respect of the import of products falling within CN code 0104 20 10 for Hungary, Poland, Slovakia, the Czech Republic and Bulgaria;
2. in Article 14 (1) the following phrase is inserted after 0104 20 90, 'and for Hungary, Poland, Slovakia, the Czech Republic and Bulgaria CN code 0104 20 10';
3. Article 14 (4) is replaced by the following:

'4. Import licences issued in respect of the quantities referred to in Annex II to Regulation (EC) No 1440/95 and in subsequent annual tariff quota regulations shall bear in box 24 at least one of the following entries:

- Derecho limitado a 0 [aplicación del Anexo II del Reglamento (CE) n° 1440/95 y de posteriores Reglamentos por los que se establecen contingentes arancelarios anuales]

- Told nedsat til 0 (jf. bilag II til forordning (EF) nr. 1440/95 og efterfølgende forordninger om årlige toldkontingenter)
- Beschränkung des Zollsatzes auf Null (Anwendung von Anhang II der Verordnung (EG) Nr. 1440/95 und der späteren jährlichen Verordnungen über die Zollkontingente)
- Δασμός περιοριζόμενος στο μηδέν [εφαρμογή του παραρτήματος II του κανονισμού (ΕΚ) αριθ. 1440/95 και των μεταγενέστερων κανονισμών σχετικά με την ετήσια δασμολογική ποσόστωση]
- Duty limited to zero (application of Annex II of Regulation (EC) No 1440/95 and subsequent annual tariff quota regulations)
- Droit de douane nul [application de l'annexe II du règlement (CE) n° 1440/95 et des règlements ultérieurs sur les contingents tarifaires]
- Dazio limitato a zero [applicazione dell'allegato II del regolamento (CE) n. 1440/95 e dei successivi regolamenti relativi ai contingenti tariffari annuali]
- Invoerrecht beperkt tot 0 (toepassing van bijlage II bij Verordening (EG) nr. 1440/95 en van de latere verordeningen tot vaststelling van de jaarlijkse tariefcontingenten)
- Direito limitado a zero [aplicação do anexo II do Regulamento (CE) n° 1440/95 e regulamentos subsequentes relativos aos contingentes pautais anuais]
- Tulli rajoitettu 0 prosenttiin [asetuksen (EY) N:o 1440/95 liitteen II ja sen jälkeen annettujen vuotuisia tariffikiintiötä koskevien asetusten soveltaminen]
- Tull begränsad till noll procent (tillämpning av bilaga II i förordning (EG) nr 1440/95 i senare förordningar om årliga tullkvoter.)

Article 7

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

It shall apply from 1 January to 31 December 1997.

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

Done at Brussels, 23 December 1996.

For the Commission

Franz FISCHLER

Member of the Commission

ANNEX I

QUANTITIES FOR 1997 REFERRED TO IN ARTICLE 3 (1)

Sheepmeat and goatmeat (tonnes in CWE) at zero duty

	<i>(in tonnes)</i>
Argentina	23 000
Australia	18 650
Chile	3 000
New Zealand	226 700
Uruguay	5 800
Iceland	1 350
Bosnia-Herzegovina	850
Croatia	450
Slovenia	50
Former Yugoslav Republic of Macedonia	1 750

ANNEX II

QUANTITIES (TONNES CWE) FOR 1997 REFERRED TO IN ARTICLE 3 (2)

Duty rate zero

	Live animals	Meat
Poland (*)	9 200	—
Romania (*)	813	113
Hungary (*)	11 450	2 030
Bulgaria (*)	3 123	1 890
Czech Republic	830	830
Slovakia	1 670	1 670

(*) Possibility of converting limited quantities between live animals and meat.

*ANNEX III***QUANTITIES FOR 1997 REFERRED TO IN ARTICLE 3 (3)****Live sheep and goats (tonnes live weight) — Duty rate 10 %**

Former Yugoslav Republic of Macedonia	215 tonnes
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*ANNEX IV***A. QUANTITIES FOR 1997 REFERRED TO IN ARTICLE 3 (4)****Live sheep and goats (tonnes live weight) — Duty rate 10 %**

Others:	105 tonnes
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B. QUANTITIES FOR 1997 REFERRED TO IN ARTICLE 3 (5)**Sheepmeat and goatmeat (tonnes CWE) — Duty rate zero**

Others: (of which Greenland 100 tonnes, Faeroes 20 tonnes and Estonia, Latvia and Lithuania 107,5 tonnes)	407,5 tonnes
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COMMISSION REGULATION (EC) No 2499/96

of 23 December 1996

amending Regulation (EC) No 1588/94 laying down detailed rules for the application to milk and milk products of the arrangements provided for in the Europe Agreements between the Community of the one part and Bulgaria and Romania of the other part

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EC) No 3383/94 of 19 December 1994 on certain procedures for applying the Europe Agreement establishing an association between the European Communities and their Member States, of the one part, and the Republic of Bulgaria, of the other part⁽¹⁾, and in particular Article 1 thereof,

Having regard to Council Regulation (EC) No 3382/94 of 19 December 1994 on certain procedures for applying the Europe Agreement establishing an association between the European Communities and their Member States, of the one part, and Romania, of the other part⁽²⁾, and in particular Article 1 thereof,

Having regard to Council Regulation (EC) No 3066/95 of 22 December 1995 establishing certain concessions in the form of Community tariff quotas for certain agricultural products and providing for an autonomous and transitional adjustment to certain agricultural concessions provided for in the Europe Agreements so as to take account of the Agreement on Agriculture concluded as part of the Uruguay Round of multilateral trade negotiations⁽³⁾, as last amended by Regulation (EC) No 2490/96⁽⁴⁾, and in particular Article 8 thereof,

Whereas Regulation (EC) No 3066/95 provides for autonomous, transitional measures to adjust the agricultural concessions covered by the Europe Agreements concluded between the European Communities and their Member States, of the one part, and Romania and the Republic of Bulgaria respectively, of the other part, from 1 January 1996 until the entry into force of the Additional Protocols to the Europe Agreements currently being negotiated with the countries in question; whereas

application of that Regulation was extended until 31 December 1997 by Regulation (EC) No 2490/96;

Whereas Commission Regulation (EC) No 1588/94⁽⁵⁾, as last amended by Regulation (EC) No 1477/96⁽⁶⁾, adopts the detailed rules for the application to milk and milk products of the arrangements provided for in the above Agreements; whereas that Regulation must be amended to take account of the extension of the measures for milk products provided for by Regulation (EC) No 3066/95;

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

HAS ADOPTED THIS REGULATION:

Article 1

Regulation (EC) No 1588/94 is hereby amended as follows:

1. Article 2 is replaced by the following:

'Article 2

With effect from 1 January 1997 the quantities referred to in Annex I shall be spread over the year as follows:

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

2. Annex I is replaced by the Annex hereto.

Article 2

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

It shall apply from 1 January 1997.

⁽¹⁾ OJ No L 368, 31. 12. 1994, p. 5.

⁽²⁾ OJ No L 368, 31. 12. 1994, p. 1.

⁽³⁾ OJ No L 328, 30. 12. 1995, p. 31.

⁽⁴⁾ See page 13 of this Official Journal.

⁽⁵⁾ OJ No L 167, 1. 7. 1994, p. 8.

⁽⁶⁾ OJ No L 188, 27. 7. 1996, p. 7.

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

Done at Brussels, 23 December 1996.

For the Commission

Franz FISCHLER

Member of the Commission

ANNEX

ANNEX I

A. CHEESES FROM ROMANIA

The following quantities of cheeses covered by the CN codes quoted may be imported in the Community with an 80 % reduction in the rate of customs duty:

(tonnes)							
CN code	Description	1 July 1994 to 30 June 1995	1 July 1995 to 30 June 1996	1 July to 31 December 1996	1 January to 31 December 1997	1 January to 30 June 1998	1 July 1998 to 30 June 1999
ex 0406 90 29	{ Kashkaval Sacele (¹) Kashkaval Penteleu (¹) Kashkaval Dalia (¹) Kashkaval afumat Vidraru (¹) Kashkaval afumat Fetesti (¹) } { Brinza Moieciu (¹) Brinza Vaca (¹) Brinza de Burduf (¹) Brinza topita Carpati (¹) }	} 1 333,3	1 533,3	766,650 (²)	1 533,3 (²)	66,650 (²)	133,3 (²)
ex 0406 90 86							
ex 0406 90 87							
ex 0406 90 88							

(¹) Of cow's milk.

(²) These quantities do not take into account, and are irrespective of, the quantities eligible for a reduction in the rate of customs duty from 1996/97 onwards, to be agreed under the Europe Agreement.

B. CHEESES FROM BULGARIA

1. The following quantities of cheeses covered by the CN codes quoted may be imported in the Community with an (80 %) reduction in the rate of customs duty:

(tonnes)							
CN code	Description	1 July 1994 to 30 June 1995	1 July 1995 to 30 June 1996	1 July to 31 December 1996	1 January to 31 December 1997	1 January to 30 June 1998	1 July 1998 to 30 June 1999
0406 90 86 ex 0406 90 87 ex 0406 90 88	} White brined cheese of cow's milk	} 2 233,3	2 233,3	1 116,650 (¹)	2 233,3 (¹)	116,650 (¹)	233,3 (¹)
ex 0406 90 29							

(¹) These quantities do not take into account, and are irrespective of, the quantities eligible for a reduction in the rate of customs duty from 1996/97 onwards, to be agreed under the Europe Agreement.

2. The following quantities of cheeses covered by the CN codes quoted may be imported in the Community free of customs duties:

(tonnes)				
CN code	Product	1 January to 30 June 1996	1 July to 31 December 1996	1 January to 31 December 1997
ex 0406 90 31 ex 0406 90 50 ex 0406 90 86 ex 0406 90 87 ex 0406 90 88	} Cheese other than cheese of cow's milk		200	200

COMMISSION REGULATION (EC) No 2500/96

of 23 December 1996

amending Regulation (EEC) No 584/92 laying down detailed rules for the application to milk and milk products of the arrangements provided for in the Europe Agreements between the Community and the Republic of Poland, the Republic of Hungary, the Czech Republic and the Slovak Republic

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EC) No 3491/93 of 13 December 1993 on certain procedures for applying the Europe Agreement establishing an association between the European Communities and their Member States, of the one part, and the Republic of Hungary, of the other part⁽¹⁾, and in particular Article 1 thereof,

Having regard to Council Regulation (EC) No 3492/93 of 13 December 1993 on certain procedures for applying the Europe Agreement establishing an association between the European Communities and their Member States, of the one part, and the Republic of Poland, of the other part⁽²⁾, and in particular Article 1 thereof,

Having regard to Council Regulation (EC) No 3296/94 of 19 December 1994 on certain procedures for applying the Europe Agreement establishing an association between the European Communities and their Member States, of the one part, and the Czech Republic of the other part⁽³⁾, and in particular Article 1 thereof,

Having regard to Council Regulation (EC) No 3297/94 of 19 December 1994 on certain procedures for applying the Europe Agreement establishing an association between the European Communities and their Member States, of the one part, and the Slovak Republic, of the other part⁽⁴⁾, and in particular Article 1 thereof,

Having regard to Regulation (EC) No 3066/95 of 22 December 1995 establishing certain concessions in the form of Community tariff quotas for certain agricultural products and providing for an autonomous and transitional adjustment to certain agricultural concessions provided for in the Europe Agreements so as to take account of the Agreement on Agriculture concluded as part of the Uruguay Round of multilateral trade negotiations⁽⁵⁾, as last amended by Regulation (EC) No 2490/96⁽⁶⁾, and in particular Article 8 thereof,

Whereas Regulation (EC) No 3066/95 provides for autonomous, transitional measures to adjust the agricultural concessions covered by the Europe Agreements concluded between the European Communities and their

Member States, of the one part, and the Republic of Poland, the Republic of Hungary, the Czech Republic, and the Slovak Republic respectively, of the other part, from 1 January 1996 until the entry into force of the Additional Protocols to the Europe Agreements currently being negotiated with the countries in question; whereas that Regulation was extended until 31 December 1997 by Regulation (EC) No 2490/96;

Whereas Commission Regulation (EEC) No 584/92⁽⁷⁾, as amended by Regulation (EC) No 1478/96⁽⁸⁾, lays down detailed rules for the application to milk and milk products of the arrangements provided for in the above Agreements; whereas that Regulation should be amended to take account of the extension of the measures for milk products provided for by Regulation (EC) No 3066/95;

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

HAS ADOPTED THIS REGULATION:

Article 1

Regulation (EEC) No 584/92 is hereby amended as follows:

1. Article 2 is replaced by the following:

Article 2

With effect from 1 January 1997 the quantities referred to in Annex I shall be spread out as follows:

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

2. Annex I is replaced by the Annex hereto.

Article 2

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

It shall apply from 1 January 1997.

⁽¹⁾ OJ No L 319, 21. 12. 1993, p. 1.

⁽²⁾ OJ No L 319, 21. 12. 1993, p. 4.

⁽³⁾ OJ No L 341, 30. 12. 1994, p. 14.

⁽⁴⁾ OJ No L 341, 30. 12. 1994, p. 17.

⁽⁵⁾ OJ No L 328, 30. 12. 1995, p. 31.

⁽⁶⁾ See page 13 of this Official Journal.

⁽⁷⁾ OJ No L 62, 7. 3. 1992, p. 34.

⁽⁸⁾ OJ No L 188, 27. 7. 1996, p. 9.

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

Done at Brussels, 23 December 1996.

For the Commission

Franz FISCHLER

Member of the Commission

ANNEX

ANNEX I

A. PRODUCTS ORIGINATING IN POLAND

Customs duty reduced by 80 %

(in tonnes)

CN code	Product	1 July 1993 to 30 June 1994	1 July 1994 to 30 June 1995	1 July 1995 to 30 June 1996	1 July to 31 December 1996	1 January to 31 December 1997
0402 10 19	Skimmed-milk powder	} 3 550	3 800	4 100	2 050	4 100
0402 21 19	Whole-milk powder					
0402 21 99	Whole-milk powder					
0405 10 11	Butter	1 200	1 300	1 400	700	1 400
0405 10 19						
0406	Cheese and curd	2 400	2 600	2 800	1 400	2 800

B. 1. PRODUCTS ORIGINATING IN THE CZECH REPUBLIC

Customs duty reduced by 80 %

(in tonnes)

CN code	Milk products	1 July 1993 to 30 June 1994	1 July 1994 to 30 June 1995	1 July 1995 to 30 June 1996	1 July to 31 December 1996	1 January to 31 December 1997
0402 10 19	Skimmed-milk powder	} 1 980	2 110	2 240	1 120	2 240
0402 21 19	Whole-milk powder					
0402 21 91	Whole-milk powder					
0405 10 11	Butter	780	840	910	455	910
0405 10 19						
ex 0406 40 90	Niva	} 600	650	700	350	700
0406 90 29	Kashkaval					
ex 0406 90	Moravsky blok, Primator, Otava, Javor, Uzeny blok, Akawi, Istambul, Jadel Hermelin, Ostepek, Koliba, Inovec					

B. 2. PRODUCTS ORIGINATING IN THE SLOVAK REPUBLIC

Customs duty reduced by 80 %

(in tonnes)

CN code	Milk products	1 July 1993 to 30 June 1994	1 July 1994 to 30 June 1995	1 July 1995 to 30 June 1996	1 July to 31 December 1996	1 January to 31 December 1997
0402 10 19	Skimmed-milk powder	} 1 020	1 090	1 160	580	1 160
0402 21 19	Whole-milk powder					
0402 21 91	Whole-milk powder					
0405 10 11	Butter	420	460	490	245	490
0405 10 19						
ex 0406 40 90	Niva	} 600	650	700	350	700
0406 90 29	Kashkaval					
ex 0406 90	Moravsky blok, Primator, Otava, Javor, Uzeny blok, Akawi, Istambul, Jadel Hermelin, Ostepek, Koliba, Inovec					

C. PRODUCTS ORIGINATING IN HUNGARY

1. Customs duty reduced by 80 %

(in tonnes)

CN code	Product	1 July 1993 to 30 June 1994	1 July 1994 to 30 June 1995	1 July 1995 to 30 June 1996	1 July to 31 December 1996	1 January to 31 December 1997
ex 0406 90 86 ex 0406 90 87 ex 0406 90 88	Balaton, Cream-white, Hajdu, Marvany, Ovari, Pannonia, Trappista, Bakony, Bacskai, Ban, Delicaci cheese "Moson", Delicaci cheese "Pelso", Goya, Ham-shaped, Karavan, Lajta, Parenyica, Sed, Tihany	1 200	1 300	1 400	700	1 900

2. Customs duty reduced by 80 %

(in tonnes)

CN code	Product	1 January 1996 to 30 June 1996	1 July to 31 December 1996
ex 0406 90 86 ex 0406 90 87 ex 0406 90 88	Balaton, Cream-white, Hajdu, Marvany, Ovari, Pannonia, Trappista, Bakony, Bacskai, Ban, Delicaci cheese "Moson", Delicaci cheese "Pelso", Goya, Ham-shaped, Karavan, Lajta, Parenyica, Sed, Tihany	250	250'

COMMISSION REGULATION (EC) No 2501/96

of 23 December 1996

laying down, for 1997, detailed rules of application for a tariff quota for calves weighing not more than 80 kilograms originating in certain third countries

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EC) No 3066/95 of 22 December 1995 establishing certain concessions in the form of Community tariff quotas for certain agricultural products and providing for the adjustment, as an autonomous and transitional measure, of certain agricultural concessions provided for in the Europe Agreements to take account of the Agreement on Agriculture concluded during the Uruguay Round of multilateral trade negotiations⁽¹⁾, as last amended by Regulation (EC) No 2490/96⁽²⁾, and in particular Article 8 thereof,

Having regard to Council Regulation (EC) No 1926/96 of 7 October 1996 establishing certain concessions in the form of Community tariff quotas for certain agricultural products and providing for the adjustment, as an autonomous and transitional measure, of certain agricultural concessions provided for in the Agreements on free trade and trade-related matters with Estonia, Latvia and Lithuania, to take account of the Agreement on Agriculture concluded during the Uruguay Round of multilateral trade negotiations⁽³⁾, and in particular Article 5 thereof,

Whereas Regulations (EC) No 3066/95 and (EC) No 1926/96 provide for the opening, for 1997, of a tariff quota for 178 000 live bovine animals weighing 80 kilograms or less originating in Hungary, Poland, the Czech Republic, Slovakia, Romania, Bulgaria, Estonia, Latvia and Lithuania and benefiting from an 80 % reduction in the rate of customs duties; whereas management measures should be laid down relating to the importation of these animals;

Whereas experience shows that limiting imports can give rise to speculative import applications; whereas, in order to guarantee that the planned measures function correctly, most of the quantities available should be reserved for so-called traditional importers of live bovine animals; whereas, so as not to introduce rigidity into trade relations in the sector, a second allocation should be made avail-

able for operators able to show that they are carrying out a genuine activity involving trade in a significant number of animals; whereas, in consideration of this and in order to ensure efficient management, a minimum of 100 animals should be required to have been exported or imported during 1996 by the operators concerned; whereas a batch of 100 animals in principle constitutes a normal load; whereas experience has shown that the sale or purchase of a single batch is a minimum requirement for a transaction to be considered real and viable; whereas verification of those criteria requires that all applications from the same operator be submitted in the same Member State;

Whereas, so as to avoid speculation, access to the quota should be denied to operators no longer carrying out an activity in the beef and veal sector on 1 January 1997;

Whereas, to ensure orderly importation of the quantities laid down for 1997, the issue of the licences should be staggered over the year;

Whereas the arrangements should be managed using import licences; whereas, to this end, rules should be set on the submission of applications and the information to be given on applications and licences, where necessary by derogation from certain provisions of Commission Regulation (EEC) No 3719/88 of 16 November 1988 laying down common detailed rules for the application of the system of import and export licences and advance fixing certificates for agricultural products⁽⁴⁾, as last amended by Regulation (EC) No 2350/96⁽⁵⁾, and of Commission Regulation (EC) No 1445/95 of 26 June 1995 on rules of application for import and export licences in the beef and veal sector and repealing Regulation (EEC) No 2377/80⁽⁶⁾, as last amended by Regulation (EC) No 2051/96⁽⁷⁾; whereas, moreover, it should be stipulated that licences are to be issued following a reflection period and where necessary with a fixed percentage reduction applied;

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

⁽¹⁾ OJ No L 328, 30. 12. 1995, p. 31.

⁽²⁾ See page 13 of this Official Journal.

⁽³⁾ OJ No L 254, 8. 10. 1996, p. 1.

⁽⁴⁾ OJ No L 331, 2. 12. 1988, p. 1.

⁽⁵⁾ OJ No L 320, 11. 12. 1996, p. 4.

⁽⁶⁾ OJ No L 143, 27. 6. 1995, p. 35.

⁽⁷⁾ OJ No L 274, 26. 10. 1996, p. 18.

HAS ADOPTED THIS REGULATION:

Article 1

With the exception of imports under tariff quotas for the importation of 169 000 young male bovine animals for fattening and 153 000 live bovine animals weighing between 160 and 300 kilograms, imports into the Community of live bovine animals falling within CN codes 0102 90 05, 0102 90 21, 0102 90 29, 0102 90 41 and 0102 90 49 and referred to in Article 1 (1) (a) of Council Regulation (EEC) No 805/68⁽¹⁾, originating in the countries listed in Annex I, shall be subject to the management measures laid down in this Regulation.

Article 2

1. Import licences under this Regulation may be issued for 1997 only for 178 000 animals falling within CN code 0102 90 05 originating in the countries listed in Annex I.

2. For those animals, the *ad valorem* duty and the specific duties fixed in the Common Customs Tariff (CCT) shall be reduced by 80 %.

3. The quantity referred to in paragraph 1 shall be divided into two parts, as follows:

(a) the first part, equal to 70 %, i.e. 124 600 head, shall be allocated among:

— importers from the Community as constituted on 31 December 1994 who can furnish proof of having imported animals falling within CN code 0102 90 05 during 1994, 1995 and 1996 in the context of the Regulations referred to in Annex II, and

— importers from the new Member States who can furnish proof of having imported, into the Member State where they are established:

— animals falling within the abovementioned CN code during 1994 from countries which were for them third countries on 31 December 1994, and

— animals during 1995 or 1996 in the context of the Regulations referred to at (b) of Annex II;

(b) the second part, equal to 30 %, i.e. 53 400 head, shall be allocated among importers who can furnish proof of having imported and/or exported during 1996 at least 100 live bovine animals falling within CN code 0102 90 apart from those under (a).

Importers must be registered for VAT purposes in a Member State.

4. The 124 600 head shall be allocated among the eligible importers in proportion to their imports of animals within the meaning of paragraph 3 (a) during

1994, 1995 and 1996 proven in accordance with paragraph 6.

5. The 53 400 head shall be allocated in proportion to the quantities applied for by the eligible importers.

6. Proof of import and export shall be provided exclusively by means of the customs document of release for free circulation or the export document duly stamped by the customs authorities.

Member States may accept copies of the abovementioned documents duly certified by the issuing authority where the applicant can prove to the satisfaction of the competent authority that he was not able to obtain the original documents.

Article 3

1. Importers who on 1 January 1997 were no longer engaged in any activity in the beef and veal sector shall not qualify for the allocation pursuant to Article 2 (3) (a).

2. Any company formed by the merger of companies each having rights under Article 2 (4) shall enjoy the same rights as the companies from which it was formed.

Article 4

1. Applications for the right to import may be presented only in the Member State in which the applicant is registered within the meaning of Article 2 (3).

2. For the purposes of Article 2 (3) (a), importers shall present the applications for the right to import to the competent authorities together with the proof referred to in Article 2 (6) by 17 January 1997 at the latest.

After verification of the documents presented, Member States shall forward to the Commission, by 31 January 1997 at the latest, the list of importers who meet the acceptance conditions, showing in particular their names and addresses and the number of eligible animals imported during each of the reference years.

3. For the purposes of Article 2 (3) (b), applications for the right to import must be lodged by importers by 17 January 1997 at the latest, together with the proof referred to in Article 2 (6).

Only one application may be lodged by each applicant. Where the same applicant lodges more than one application all applications from that person shall be inadmissible. Applications may not relate to a quantity larger than that available.

After verification of the documents presented, Member States shall forward to the Commission by 31 January 1997 a list of applicants and quantities applied for.

⁽¹⁾ OJ No L 148, 28. 6. 1968, p. 24.

4. All notifications, including notifications of nil applications, shall be made by telex or fax, drawn up on the basis of the models in Annexes III and IV in the case where applications have been lodged.

Article 5

1. The Commission shall decide to what extent applications may be accepted.

2. As regards applications under Article 4 (3), where the quantities applied for exceed the quantities available, the Commission shall reduce the quantities applied for by a fixed percentage.

If the reduction referred to in the preceding subparagraph results in a quantity of less than 100 head per application, the allocation shall be made by drawing lots, by batches of 100 head, by the Member States concerned. If the remaining quantity is less than 100 head, it shall constitute a single batch shall be issued for that quantity.

Article 6

1. Imports of the quantities allocated in accordance with Article 5 shall be subject to the presentation of an import licence.

2. Licence applications may be presented only in the Member State in which the application for the right to import was lodged.

3. Licences shall be issued, at the request of importers, up to 30 June 1997 for a maximum of 50 % of the allocated import rights. Import licences for the remaining quantities shall be issued from 1 July 1997.

The number of animals for which a licence is issued shall be expressed in units. Where necessary, numbers shall be rounded up or down as the case may be.

4. Licence applications and licences shall contain the following entries:

- (a) in Section 8, the indication of the countries referred to in Annex I; licences shall carry with them an obligation to import from one or more of the countries indicated;
- (b) in Section 16, subheading CN 0102 90 05;
- (c) in Section 20, at least one of the following:

Reglamento (CE) n° 2501/96

Forordning (EF) nr. 2501/96

Verordnung (EG) Nr. 2501/96

Κανονισμός (ΕΚ) αριθ. 2501/96

Regulation (EC) No 2501/96

Règlement (CE) n° 2501/96

Regolamento (CE) n. 2501/96

Verordening (EG) nr. 2501/96

Regulamento (CE) n° 2501/96

Asetus (EY) N:o 2501/96

Förordning (EG) nr 2501/96.

5. Import licences issued pursuant to this Regulation shall be valid for 90 days from their date of issue. However, no licences shall be valid after 31 December 1997.

6. Licences issued shall be valid throughout the Community.

7. Article 8 (4) of Regulation (EEC) No 3719/88 shall not apply.

Article 7

The animals shall qualify for the duties referred to in Article 1 on presentation of an EUR 1 movement certificate issued by the exporting country in accordance with Protocol 4 annexed to the Europe Agreements and Protocol 3 annexed to the free-trade Agreements.

Article 8

Not later than three weeks after importation of the animals specified in this Regulation, the importer shall inform the competent authority which issued the import licence of the number and origin of the animals. That authority shall forward the information to the Commission at the beginning of each month.

Article 9

1. Upon submission of an import licence application, importers shall establish a security to cover the import licence of ECU 3 per head as provided for in Article 4 of Regulation (EC) No 1445/95 and a security to cover notification of the information referred to in Article 8 of this Regulation of ECU 1 per head.

2. The security relating to the notification shall be released if the information is forwarded to the competent authority within the period specified in Article 8 for animals covered by that notification. If no notification is made, the security shall be forfeited. A decision to release this security shall be taken simultaneously with the decision to release the security covering the import licence.

Article 10

The provisions of Regulations (EEC) No 3719/88 and (EC) No 1445/95 shall apply, subject to the provisions of this Regulation.

Article 11

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

It shall apply from 1 January 1997.

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

Done at Brussels, 23 December 1996.

For the Commission
Franz FISCHLER
Member of the Commission

ANNEX I

List of third countries

- Hungary
- Poland
- Czech Republic
- Slovakia
- Romania
- Bulgaria
- Lithuania
- Latvia
- Estonia.

ANNEX II

Regulations referred to in Article 2 (3)

Commission Regulations:

- (a) (EC) No 3409/93 (OJ No L 310, 14. 12. 1993, p. 22).
- (b) (EC) No 3076/94 (OJ No L 325, 17. 12. 1994, p. 8),
(EC) No 1566/95 (OJ No L 150, 1. 7. 1995, p. 24),
(EC) No 2491/95 (OJ No L 256, 26. 10. 1995, p. 36),
(EC) No 3018/95 (OJ No L 314, 28. 12. 1995, p. 58),
(EC) No 403/96 (OJ No L 55, 6. 3. 1996, p. 9),
(EC) No 1110/96 (OJ No L 148, 21. 6. 1996, p. 15),
(EC) No 1462/96 (OJ No L 187, 26. 7. 1996, p. 34).

ANNEX III

Fax: (32 2) 296 60 27/(32 2) 295 36 13

Application of Article 4 (2) of Regulation (EC) No 2501/96

EUROPEAN COMMISSION

DG VI D.2 — BEEF AND VEAL SECTOR

APPLICATIONS FOR IMPORT RIGHTS

Date: Period:

Member State:

Serial No	Applicant (name and address)	Quantity imported (head)			Total for the three years
		1994	1995	1996	
Total					

Member State: Fax:

Tel.:

ANNEX IV

EC Fax: (32 2) 296 60 27/(32 2) 295 36 13

Application of Article 4 (3) of Regulation (EC) No 2501/96

EUROPEAN COMMISSION

DG VI D.2 — BEEF AND VEAL SECTOR

APPLICATIONS FOR IMPORT RIGHTS

Date: Period:

Member State:

Serial No	Applicant (name and address)	Quantity (head)
Total		

Member State: Fax:

Tel.:

**COMMISSION REGULATION (EC) No 2502/96
of 23 December 1996**

amending Regulations (EEC) No 2698/93 and (EC) No 1590/94 and fixing the quantities available in the pigmeat sector under the Community tariff quotas provided for in the Europe Agreements pursuant to Council Regulation (EC) No 3066/95

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EC) No 3066/95 of 22 December 1995 establishing certain concessions in the form of Community tariff quotas for certain agricultural products and providing for the adjustment, as an autonomous and transitional measure, of certain agricultural concessions provided for in the Europe Agreements to take account of the Agreement on Agriculture concluded during the Uruguay Round multilateral trade negotiations⁽¹⁾, as last amended by Regulation (EC) No 2490/96⁽²⁾, and in particular Article 8 thereof,

Having regard to Council Regulation (EEC) No 2759/75 of 29 October 1975 on the common organization of the market in pigmeat⁽³⁾, as last amended by Regulation (EC) No 3290/94⁽⁴⁾, and in particular Article 22 thereof,

Whereas concessions for certain products in the pigmeat sector were granted under Commission Regulation (EEC) No 2698/93 of 30 September 1993 laying down detailed rules for the application in the pigmeat sector of the arrangements provided for in the Interim Agreements between the European Economic Community and the Republic of Poland, the Republic of Hungary and the former Czech and Slovak Federal Republic⁽⁵⁾, as last amended by Regulation (EC) No 1223/96⁽⁶⁾, and Commission Regulation (EC) No 1590/94 of 30 June 1994 laying down detailed rules for the application in the

pigmeat sector of the arrangements provided for in the Interim Agreement between the Community and Bulgaria and Romania⁽⁷⁾, as last amended by Regulation (EC) No 1223/96;

Whereas Regulation (EC) No 3066/95 opened annual quotas but only in force for the period 1 January to 31 December 1996; whereas, in order to ensure the continuity of the import regime, it is appropriate to extend the tariff quotas allowed by Regulations (EEC) No 2698/93 and (EC) No 1590/94;

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

HAS ADOPTED THIS REGULATION:

Article 1

Annex I to Regulation (EEC) No 2698/93 is replaced by Annex I to this Regulation

Article 2

Annex I to Regulation (EC) No 1590/94 is replaced by Annex II to this Regulation.

Article 3

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

It shall apply from 1 January 1997.

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

Done at Brussels, 23 December 1996.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ No L 328, 30. 12. 1995, p. 21.

⁽²⁾ See page 13 of this Official Journal.

⁽³⁾ OJ No L 282, 1. 11. 1975, p. 1.

⁽⁴⁾ OJ No L 349, 31. 12. 1994, p. 105.

⁽⁵⁾ OJ No L 245, 1. 10. 1993, p. 80.

⁽⁶⁾ OJ No L 161, 29. 6. 1996, p. 63.

⁽⁷⁾ OJ No L 167, 1. 7. 1994, p. 16.

ANNEX I

ANNEX I

A. Products originating in Hungary

<i>(tonnes)</i>			
Group No	CN code	1 January to 31 December	Rate of duty (¹)
1	1601 00 91	6 640	20 %
2	1602 49 15 1602 49 19 1602 41 10 1602 42 10 1602 49 11 1602 49 13 1602 49 30 1602 49 50	558	20 %
3	0210 11 11 0210 12 11 0210 19 40 0210 19 51	1 500	20 %
4	0203 11 10 0203 12 11 0203 12 19 0203 19 11 0203 19 13 0203 19 15 0203 19 55 (²) 0203 19 59 0203 21 10 0203 22 11 0203 22 19 0203 29 11 0203 29 13 0203 29 15 0203 29 55 (²) 0203 29 59	30 170	20 %
H 1	1501 00 19	2 400	ECU 164/tonne
H 2	1601 00 91	500	ECU 1 759/tonne

(¹) Percentage of conventional duty.

(²) Excluding tenderloins presented alone.

B. Products originating in Poland

<i>(tonnes)</i>			
Group No	CN code	1 January to 31 December	Rate of duty (¹)
5	0210 11 11 0210 11 19 0210 11 31 0210 11 39 0210 12 11 0210 12 19 0210 19 10 0210 19 20 0210 19 30 0210 19 40 0210 19 51 0210 19 59 0210 19 60 0210 19 70 0210 19 81 0210 19 89	3 000	20 %

(tonnes)

Group No	CN code	1 January to 31 December	Rate of duty (¹)
6	1601 00 91 1601 00 99	2 250	20 %
7	1602 41 10 1602 42 10 1602 49 11 1602 49 13 1602 49 15 1602 49 19 1602 49 30 1602 49 50	9 600	20 %
8	0103 92 19	1 400	20 %
9	0203 11 10 0203 12 11 0203 12 19 0203 19 11 0203 19 13 0203 19 15 0203 19 55 (²) 0203 19 59 0203 21 10 0203 22 11 0203 22 19 0203 29 11 0203 29 13 0203 29 15 0203 29 55 (²) 0203 29 59	9 800	20 %

(¹) Percentage of conventional duty.

(²) Excluding tenderloins presented alone.

C. Products originating in the Czech Republic

(tonnes)

Group No	CN code	1 January to 31 December	Rate of duty (¹)
10	0103 92 19 0203 11 10 0203 12 11 0203 12 19 0203 19 11 0203 19 13 0203 19 15 0203 19 55 (²) 0203 19 59 0203 21 10 0203 22 11 0203 22 19 0203 29 11 0203 29 13 0203 29 15 0203 29 55 (²) 0203 29 59	4 270	20 %
11	1602 41 10 1602 42 10 1602 49	710	20 %

(¹) Percentage of conventional duty.

(²) Excluding tenderloins presented alone.

D. Products originating in the Slovak Republic

(tonnes)

Group No	CN code	1 January to 31 December	Rate of duty (¹)
12	0103 92 19 0203 11 10 0203 12 11 0203 12 19 0203 19 11 0203 19 13 0203 19 15 0203 19 55 (²) 0203 19 59 0203 21 10 0203 22 11 0203 22 19 0203 29 11 0203 29 13 0203 29 15 0203 29 55 (²) 0203 29 59	2 130	20 %
13	1602 41 10 1602 42 10 1602 49	210	20 %

(¹) Percentage of conventional duty.

(²) Excluding tenderloins presented alone.

ANNEX II

ANNEX I

A. Products originating in Bulgaria

(tonnes)

Group No	CN code	1 January to 31 December	Rate of duty (¹)
14	0203 11 10 0203 29 55 (²)	230	20 %

(¹) Percentage of conventional duty.

(²) Excluding tenderloins presented alone.

B. Products originating in Romania

(tonnes)

Group No	CN code	1 January to 31 December	Rate of duty (¹)
15	1601 00 91 1601 00 99	1 020	20 %
16	1602 41 10 1602 42 10 1602 49 11 1602 49 13 1602 49 15 1602 49 19 1602 49 30 1602 49 50	2 043	20 %
17	0203 11 10 0203 12 11 0203 12 19 0203 19 11 0203 19 13 0203 19 15 0203 19 55 (²) 0203 19 59 0203 21 10 0203 22 11 0203 22 19 0203 29 11 0203 29 13 0203 29 15 0203 29 55 (²) 0203 29 59	14 470	20 %

(¹) Percentage of conventional duty.

(²) Excluding tenderloins presented alone.

COMMISSION REGULATION (EC) No 2503/96
of 27 December 1996

temporarily suspending the issuing of export licences for certain milk products
and determining what proportion of the amounts covered by pending
applications for export licences may be allocated

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

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

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

Whereas the market in certain milk products is currently subject to uncertainty; whereas licence applications of a speculative nature should be avoided which may lead to distortions of competition between operators and potentially disrupt the continuity of exports of these products for the remainder of the period in question; whereas the issue of export licenses for the products involved should be temporarily suspended and licences for some of these products should not be issued in respect of applications pending,

HAS ADOPTED THIS REGULATION:

Article 1

1. The issue of export licences for milk products falling within CN code 0406 30 is hereby suspended for the period 30 December 1996 to 2 January 1997.
2. Licences shall be issued for products falling within CN code 0406 30 submitted before 20 December 1996 for which applications are still pending.
3. No licences shall be issued for products falling within CN code 0406 30 for which applications submitted from 20 December 1996 are still pending and against which licences would have been issued from 30 December 1996.

Article 2

This Regulation shall enter into force on 30 December 1996.

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

Done at Brussels, 27 December 1996.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ No L 148, 28. 6. 1968, p. 13.

⁽²⁾ OJ No L 206, 16. 8. 1996, p. 21.

⁽³⁾ OJ No L 144, 28. 6. 1995, p. 22.

⁽⁴⁾ OJ No L 247, 28. 9. 1996, p. 36.

COMMISSION REGULATION (EC) No 2504/96
of 27 December 1996
fixing the export refunds on milk and milk products

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EEC) No 804/68 of 27 June 1968 on the common organization of the market in milk and milk products⁽¹⁾, as last amended by Regulation (EC) No 1587/96⁽²⁾, and in particular Article 17 (3) thereof,

Whereas Article 17 of Regulation (EEC) No 804/68 provides that the difference between prices in international trade for the products listed in Article 1 of that Regulation and prices for those products within the Community may be covered by an export refund within the limits resulting from agreements concluded in accordance with Article 228 of the Treaty;

Whereas Regulation (EEC) No 804/68 provides that when the refunds on the products listed in Article 1 of the abovementioned Regulation, exported in the natural state, are being fixed account must be taken of:

- the existing situation and the future trend with regard to prices and availabilities of milk and milk products on the Community market and prices for milk and milk products in international trade,
- marketing costs and the most favourable transport charges from Community markets to ports or other points of export in the Community, as well as costs incurred in placing the goods on the market of the country of destination,
- the aims of the common organization of the market in milk and milk products which are to ensure equilibrium and the natural development of prices and trade on this market,
- the limits resulting from agreements concluded in accordance with Article 228 of the Treaty, and
- the need to avoid disturbances on the Community market, and
- the economic aspect of the proposed exports;

Whereas Article 17 (5) of Regulation (EEC) No 804/68 provides that when prices within the Community are being determined account should be taken of the ruling

prices which are most favourable for exportation, and that when prices in international trade are being determined particular account should be taken of:

- (a) prices ruling on third country markets;
- (b) the most favourable prices in third countries of destination for third country imports;
- (c) producer prices recorded in exporting third countries, account being taken, where appropriate, of subsidies granted by those countries; and
- (d) free-at-Community-frontier offer prices;

Whereas Article 17 (3) of Regulation (EEC) No 804/68 provides that the world market situation or the specific requirements of certain markets may make it necessary to vary the refund on the products listed in Article 1 of the abovementioned Regulation according to destination;

Whereas Article 17 (3) of Regulation (EEC) No 804/68 provides that the list of products on which export refunds are granted and the amount of such refunds should be fixed at least once every four weeks; whereas the amount of the refund may, however, remain at the same level for more than four weeks;

Whereas, in accordance with Article 12 of Commission Regulation (EC) No 1466/95 of 27 June 1995 on specific detailed rules for the application of export refunds on milk and milk products⁽³⁾, as last amended by Regulation (EC) No 1875/96⁽⁴⁾, the refund granted for milk products containing added sugar is equal to the sum of the two components, one of which is intended to take account of the quantity of milk products and the other is intended to take account of the quantity of added sucrose; whereas, however, the latter component is applied only if the added sucrose was produced from sugar beet or cane harvested in the Community; whereas, for products falling within CN codes ex 0402 99 11, ex 0402 99 19, ex 0404 90 51, ex 0404 90 53, ex 0404 90 91 and ex 0404 90 93, with a fat content by weight not exceeding 9,5 % and a non-fatty milk content in the dry matter equal to or greater than 15 % by weight, the former abovementioned component is fixed for 100 kilograms of the whole product; whereas, for the other products containing added sugar falling within CN codes 0402 and 0404, that component is calculated by multiplying the basic amount by the milk products content of the product concerned; whereas that basic amount is equal to the refund to be fixed for one kilogram of milk products contained in the whole product;

⁽¹⁾ OJ No L 148, 28. 6. 1968, p. 13.

⁽²⁾ OJ No L 206, 16. 8. 1996, p. 21.

⁽³⁾ OJ No L 144, 28. 6. 1995, p. 22.

⁽⁴⁾ OJ No L 247, 28. 9. 1996, p. 36.

Whereas the second component is calculated by multiplying the sucrose content of the product by the basic amount of the refund valid on the day of exportation for the products listed in Article 1 (1) (d) of Council Regulation (EEC) No 1785/81 of 30 June 1981 on the common organization of the markets in the sugar sector ⁽¹⁾, as last amended by Regulation (EC) No 1599/96 ⁽²⁾;

Whereas the level of refund for cheeses is calculated for products intended for direct consumption; whereas the cheese rinds and cheese wastes are not products intended for this purpose; whereas, to avoid any confusion in interpretation, it should be specified that there will be no refund for cheeses of a free-at-frontier value less than ECU 230,00 per 100 kilograms;

Whereas Commission Regulation (EEC) No 896/84 ⁽³⁾, as last amended by Regulation (EEC) No 222/88 ⁽⁴⁾, laid down additional provisions concerning the granting of refunds on the change from one milk year to another; whereas those provisions provide for the possibility of varying refunds according to the date of manufacture of the products;

Whereas for the calculation of the refund for processed cheese provision must be made where casein or caseinates are added for that quantity not to be taken into account;

Whereas it follows from applying the rules set out above to the present situation on the market in milk and in

particular to quotations or prices for milk products within the Community and on the world market that the refund should be as set out in the Annex to this Regulation;

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

HAS ADOPTED THIS REGULATION:

Article 1

1. The export refunds referred to in Article 17 of Regulation (EEC) No 804/68 on products exported in the natural state shall be as set out in the Annex.
2. There shall be no refunds for exports to destination No 400 for products falling within CN codes 0401, 0402, 0403, 0404, 0405 and 2309.
3. There shall be no refunds for exports to destinations No 022, 024, 028, 043, 044, 045, 046, 052, 404, 600, 800 and 804 for products falling within CN code 0406.

Article 2

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, 27 December 1996.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ No L 177, 1. 7. 1981, p. 4.

⁽²⁾ OJ No L 206, 16. 8. 1996, p. 43.

⁽³⁾ OJ No L 91, 1. 4. 1984, p. 71.

⁽⁴⁾ OJ No L 28, 1. 2. 1988, p. 1.

ANNEX

to the Commission Regulation of 27 December 1996 fixing the export refunds on milk and milk products

(in ECU/100 kg net weight unless otherwise indicated)

Product code	Destination (*)	Amount of refund	Product code	Destination (*)	Amount of refund
0401 10 10 9000	+	4,748	0402 21 99 9600	+	131,29
0401 10 90 9000	+	4,748	0402 21 99 9700	+	137,24
0401 20 11 9100	+	4,748	0402 21 99 9900	+	143,96
0401 20 11 9500	+	7,340	0402 29 15 9200	+	0,6300
0401 20 19 9100	+	4,748	0402 29 15 9300	+	0,9530
0401 20 19 9500	+	7,340	0402 29 15 9500	+	1,0040
0401 20 91 9100	+	9,775	0402 29 15 9900	+	1,0802
0401 20 91 9500	+	11,39	0402 29 19 9200	+	0,6300
0401 20 99 9100	+	9,775	0402 29 19 9300	+	0,9530
0401 20 99 9500	+	11,39	0402 29 19 9500	+	1,0040
0401 30 11 9100	+	14,62	0402 29 19 9900	+	1,0802
0401 30 11 9400	+	22,55	0402 29 91 9100	+	1,0878
0401 30 11 9700	+	33,87	0402 29 91 9500	+	1,1851
0401 30 19 9100	+	14,62	0402 29 99 9100	+	1,0878
0401 30 19 9400	+	22,55	0402 29 99 9500	+	1,1851
0401 30 19 9700	+	33,87	0402 91 11 9110	+	4,748
0401 30 31 9100	+	40,34	0402 91 11 9120	+	9,775
0401 30 31 9400	+	63,00	0402 91 11 9310	+	14,00
0401 30 31 9700	+	69,47	0402 91 11 9350	+	17,15
0401 30 39 9100	+	40,34	0402 91 11 9370	+	20,85
0401 30 39 9400	+	63,00	0402 91 19 9110	+	4,748
0401 30 39 9700	+	69,47	0402 91 19 9120	+	9,775
0401 30 91 9100	+	79,18	0402 91 19 9310	+	14,00
0401 30 91 9400	+	116,37	0402 91 19 9350	+	17,15
0401 30 91 9700	+	135,80	0402 91 19 9370	+	20,85
0401 30 99 9100	+	79,18	0402 91 31 9100	+	19,31
0401 30 99 9400	+	116,37	0402 91 31 9300	+	24,65
0401 30 99 9700	+	135,80	0402 91 39 9100	+	19,31
0402 10 11 9000	+	63,00	0402 91 39 9300	+	24,65
0402 10 19 9000	+	63,00	0402 91 51 9000	+	22,55
0402 10 91 9000	+	0,6300	0402 91 59 9000	+	22,55
0402 10 99 9000	+	0,6300	0402 91 91 9000	+	79,18
0402 21 11 9200	+	63,00	0402 91 99 9000	+	79,18
0402 21 11 9300	+	95,30	0402 99 11 9110	+	0,0475
0402 21 11 9500	+	100,40	0402 99 11 9130	+	0,0978
0402 21 11 9900	+	108,00	0402 99 11 9150	+	0,1336
0402 21 17 9000	+	63,00	0402 99 11 9310	+	16,14
0402 21 19 9300	+	95,30	0402 99 11 9330	+	19,37
0402 21 19 9500	+	100,40	0402 99 11 9350	+	25,75
0402 21 19 9900	+	108,00	0402 99 19 9110	+	0,0475
0402 21 91 9100	+	108,78	0402 99 19 9130	+	0,0978
0402 21 91 9200	+	109,53	0402 99 19 9150	+	0,1336
0402 21 91 9300	+	110,88	0402 99 19 9310	+	16,14
0402 21 91 9400	+	118,51	0402 99 19 9330	+	19,37
0402 21 91 9500	+	121,15	0402 99 19 9350	+	25,75
0402 21 91 9600	+	131,29	0402 99 31 9110	+	0,2094
0402 21 91 9700	+	137,24	0402 99 31 9150	+	26,81
0402 21 91 9900	+	143,96	0402 99 31 9300	+	0,4034
0402 21 99 9100	+	108,78	0402 99 31 9500	+	0,6947
0402 21 99 9200	+	109,53	0402 99 39 9110	+	0,2094
0402 21 99 9300	+	110,88	0402 99 39 9150	+	26,81
0402 21 99 9400	+	118,51	0402 99 39 9300	+	0,4034
0402 21 99 9500	+	121,15			

Product code	Destination (*)	Amount of refund	Product code	Destination (*)	Amount of refund
0402 99 39 9500	+	0,6947	0404 90 29 9160	+	136,02
0402 99 91 9000	+	0,7918	0404 90 29 9180	+	142,66
0402 99 99 9000	+	0,7918	0404 90 81 9100	+	0,6194
0403 10 11 9400	+	4,748	0404 90 81 9910	+	0,0475
0403 10 11 9800	+	7,340	0404 90 81 9950	+	16,00
0403 10 13 9800	+	9,775	0404 90 83 9110	+	0,6194
0403 10 19 9800	+	14,62	0404 90 83 9130	+	0,9445
0403 10 31 9400	+	0,0475	0404 90 83 9150	+	0,9950
0403 10 31 9800	+	0,0734	0404 90 83 9170	+	1,0703
0403 10 33 9800	+	0,0978	0404 90 83 9911	+	0,0475
0403 10 39 9800	+	0,1462	0404 90 83 9913	+	0,0978
0403 90 11 9000	+	61,94	0404 90 83 9915	+	0,1462
0403 90 13 9200	+	61,94	0404 90 83 9917	+	0,2255
0403 90 13 9300	+	94,45	0404 90 83 9919	+	0,3387
0403 90 13 9500	+	99,50	0404 90 83 9931	+	16,00
0403 90 13 9900	+	107,03	0404 90 83 9933	+	19,20
0403 90 19 9000	+	107,83	0404 90 83 9935	+	25,52
0403 90 31 9000	+	0,6194	0404 90 83 9937	+	26,55
0403 90 33 9200	+	0,6194	0404 90 89 9130	+	1,0783
0403 90 33 9300	+	0,9445	0404 90 89 9150	+	1,1746
0403 90 33 9500	+	0,9950	0404 90 89 9930	+	0,4843
0403 90 33 9900	+	1,0703	0404 90 89 9950	+	0,6947
0403 90 39 9000	+	1,0783	0404 90 89 9990	+	0,7918
0403 90 51 9100	+	4,748	0405 10 11 9500	+	185,37
0403 90 51 9300	+	7,340	0405 10 11 9700	+	190,00
0403 90 53 9000	+	9,775	0405 10 19 9500	+	185,37
0403 90 59 9110	+	14,62	0405 10 19 9700	+	190,00
0403 90 59 9140	+	22,55	0405 10 30 9100	+	185,37
0403 90 59 9170	+	33,87	0405 10 30 9300	+	190,00
0403 90 59 9310	+	40,34	0405 10 30 9500	+	185,37
0403 90 59 9340	+	63,00	0405 10 30 9700	+	190,00
0403 90 59 9370	+	69,47	0405 10 50 9100	+	185,37
0403 90 59 9510	+	79,18	0405 10 50 9300	+	190,00
0403 90 59 9540	+	116,37	0405 10 50 9500	+	185,37
0403 90 59 9570	+	135,80	0405 10 50 9700	+	190,00
0403 90 61 9100	+	0,0475	0405 10 90 9000	+	196,95
0403 90 61 9300	+	0,0734	0405 20 90 9500	+	173,78
0403 90 63 9000	+	0,0978	0405 20 90 9700	+	180,73
0403 90 69 9000	+	0,1462	0405 90 10 9000	+	240,00
0404 90 21 9100	+	61,94	0405 90 90 9000	+	190,00
0404 90 21 9910	+	4,748	0406 10 20 9100	+	—
0404 90 21 9950	+	13,87	0406 10 20 9230	037	—
0404 90 23 9120	+	61,94		039	—
0404 90 23 9130	+	94,45		099	24,03
0404 90 23 9140	+	99,50		400	24,72
0404 90 23 9150	+	107,03		...	36,05
0404 90 23 9911	+	4,748	0406 10 20 9290	037	—
0404 90 23 9913	+	9,775		039	—
0404 90 23 9915	+	14,62		099	22,36
0404 90 23 9917	+	22,55		400	22,99
0404 90 23 9919	+	33,87		...	33,54
0404 90 23 9931	+	13,87			
0404 90 23 9933	+	17,00			
0404 90 23 9935	+	20,66			
0404 90 23 9937	+	24,43			
0404 90 23 9939	+	25,54			
0404 90 29 9110	+	107,83	0406 10 20 9300	037	—
0404 90 29 9115	+	108,54		039	—
0404 90 29 9120	+	109,89		099	9,820
0404 90 29 9130	+	117,46		400	11,78
0404 90 29 9135	+	120,05		...	14,73
0404 90 29 9150	+	130,11			

Product code	Destination (*)	Amount of refund	Product code	Destination (*)	Amount of refund
0406 10 20 9610	037	—	0406 20 90 9990	+	—
	039	—	0406 30 31 9710	037	—
	099	41,70		039	—
	400	50,04		099	12,55
	...	62,55		400	12,55
0406 10 20 9620	037	—		...	18,82
	039	—	0406 30 31 9730	037	—
	099	45,73		039	—
	400	54,87		099	18,41
	...	68,59		400	18,41
0406 10 20 9630	037	—		...	27,62
	039	—	0406 30 31 9910	037	—
	099	51,63		039	—
	400	61,95		099	12,55
	...	77,44		400	12,55
0406 10 20 9640	037	—		...	18,82
	039	—	0406 30 31 9930	037	—
	099	60,59		039	—
	400	72,70		099	18,41
	...	90,88		400	18,41
0406 10 20 9650	037	—		...	27,62
	039	—	0406 30 31 9950	037	—
	099	63,07		039	—
	400	38,26		099	26,79
	...	94,61		400	26,79
0406 10 20 9660	+	—		...	40,18
0406 10 20 9830	037	—	0406 30 39 9500	037	—
	039	—		039	—
	099	16,77		099	18,41
	400	20,12		400	18,41
	...	25,15		...	27,62
0406 10 20 9850	037	—	0406 30 39 9700	037	—
	039	—		039	—
	099	20,33		099	26,79
	400	24,39		400	26,79
	...	30,49		...	40,18
0406 10 20 9870	+	—	0406 30 39 930	037	—
0406 10 20 9900	+	—		039	—
0406 20 90 9100	+	—		099	26,79
0406 20 90 9913	037	—		400	26,79
	039	—		...	40,18
	099	39,59	0406 30 39 9950	037	—
	400	47,50		039	—
	...	59,38		099	31,78
0406 20 90 9915	037	—		400	31,78
	039	—		...	47,66
	099	52,78	0406 30 90 9000	037	—
	400	63,34		039	—
	...	79,17		099	31,78
0406 20 90 9917	037	—		400	31,78
	039	—		...	47,66
	099	56,07	0406 40 50 9000	037	—
	400	67,29		039	—
	...	84,11		099	58,96
0406 20 90 9919	037	—		400	49,60
	039	—		...	88,44
	099	62,67			
	400	75,21			
	...	94,01			

Product code	Destination (*)	Amount of refund	Product code	Destination (*)	Amount of refund
0406 40 90 9000	037	—	0406 90 33 9151	037	—
	039	—		039	—
	099	58,96		099	42,01
	400	49,60		400	32,34
	...	88,44		...	63,02
0406 90 13 9000	037	—	0406 90 33 9919	037	—
	039	—		039	—
	099	68,69		099	39,83
	400	97,72		400	30,57
	...	103,03		...	59,74
0406 90 15 9100	037	—	0406 90 33 9951	037	—
	039	—		039	—
	099	72,30		099	39,08
	400	102,86		400	30,08
	...	108,45		...	58,62
0406 90 17 9100	037	—	0406 90 35 9190	037	30,47
	039	—		039	30,47
	099	68,69		099	75,47
	400	97,72		400	79,25
	...	103,03		...	113,21
0406 90 21 9900	037	—	0406 90 35 9990	037	—
	039	—		039	—
	099	70,69		099	57,56
	400	66,96		400	60,44
	...	106,04		...	86,34
0406 90 23 9900	037	—	0406 90 37 9000	037	—
	039	—		039	—
	099	48,04		099	74,25
	400	27,93		400	102,86
	...	72,06		...	111,38
0406 90 25 9900	037	—	0406 90 61 9000	037	42,75
	039	—		039	42,75
	099	58,34		099	82,02
	400	31,81		400	86,12
	...	87,51		...	123,03
0406 90 27 9900	037	—	0406 90 63 9100	037	39,07
	039	—		039	39,07
	099	48,04		099	67,25
	400	27,93		400	100,88
	...	72,06		...	100,88
0406 90 31 9119	037	—	0406 90 63 9900	037	31,07
	039	—		039	31,07
	099	45,07		099	46,62
	400	34,60		400	69,93
	...	67,61		...	69,93
0406 90 31 9151	037	—	0406 90 69 9100	+	—
	039	—	0406 90 69 9910	037	—
	099	42,01	039	—	
	400	32,34	099	51,51	
	...	63,02	400	77,27	
0406 90 33 9119	037	—	...	77,27	
	039	—	0406 90 73 9900	037	—
	099	45,07		039	—
	400	34,60		099	70,37
	...	67,61		400	73,89
		...		105,56	

Product code	Destination (*)	Amount of refund	Product code	Destination (*)	Amount of refund			
0406 90 75 9900	037	—	0406 90 85 9995	037	—			
	039	—		039	—			
	099	58,71		099	59,92			
	400	33,48		400	31,81			
	...	88,06		...	89,88			
0406 90 76 9100	037	—	0406 90 85 9999	+	—			
	039	—		0406 90 86 9100	+	—		
	099	43,06			0406 90 86 9200	037	—	
	400	27,27				039	—	
	...	64,59				099	39,59	
0406 90 76 9300	037	—	0406 90 86 9300			400	41,57	
	039	—		...		59,38		
	099	52,73		0406 90 86 9400	037	—		
	400	30,26			039	—		
	...	79,09			099	43,39		
0406 90 76 9500	037	—	0406 90 86 9900		400	45,56		
	039	—			...	65,08		
	099	52,73		0406 90 87 9100	037	—		
	400	34,92			0406 90 87 9200	039	—	
	...	79,09				099	49,09	
0406 90 78 9100	037	—	0406 90 87 9300			400	51,54	
	039	—				...	73,63	
	099	43,06		0406 90 87 9400		037	—	
	400	27,27			0406 90 87 9951	039	—	
	...	64,59				099	57,63	
0406 90 78 9300	037	—	0406 90 87 9971			400	60,52	
	039	—				...	86,45	
	099	52,73		0406 90 88 9100		+	—	
	400	30,26			0406 90 88 9200	037	—	
	...	79,09				039	—	
0406 90 78 9500	037	—	0406 90 88 9300			099	36,61	
	039	—				0406 90 88 9400	400	38,44
	099	52,73		...			54,92	
	400	34,92		0406 90 88 9900	037		—	
	...	79,09			0406 90 88 9951		039	—
0406 90 78 9900	037	—	0406 90 88 9971				099	40,13
	039	—				0406 90 89 9100	400	42,13
	099	53,45					...	60,19
	400	28,91		0406 90 89 9200			037	—
	...	80,17			0406 90 89 9300		039	—
0406 90 81 9900	037	—	0406 90 89 9400				099	45,41
	039	—				0406 90 89 9951	400	47,68
	099	57,56					...	68,11
	400	60,44		0406 90 89 9971			037	—
	...	86,34			0406 90 89 9991		039	—
0406 90 85 9910	037	30,47	0406 90 89 9995				099	55,36
	039	30,47				0406 90 89 9999	400	51,74
	099	75,47					...	83,04
	400	79,25		0406 90 90 9100			+	—
	...	113,21			0406 90 90 9200		+	—
0406 90 85 9991	037	—	0406 90 90 9300				037	—
	039	—				0406 90 90 9400	039	—
	099	57,56					0406 90 90 9500	099
	400	60,44		0406 90 90 9600				400
	...	86,34			...			59,38

Product code	Destination (*)	Amount of refund	Product code	Destination (*)	Amount of refund
0406 90 87 9972	099	21,09	2309 10 19 9100	+	—
	400	20,55	2309 10 19 9200	+	—
	...	31,64	2309 10 19 9300	+	—
0406 90 87 9973	037	—	2309 10 19 9400	+	—
	039	—	2309 10 19 9500	+	—
	099	55,36	2309 10 19 9600	+	—
	400	36,22	2309 10 19 9700	+	—
	...	83,04	2309 10 19 9800	+	—
0406 90 87 9974	037	—	2309 10 70 9010	+	—
	039	—	2309 10 70 9100	+	14,58
	099	55,36	2309 10 70 9200	+	19,44
	400	36,22	2309 10 70 9300	+	24,30
	...	83,04	2309 10 70 9500	+	29,16
0406 90 87 9979	037	—	2309 10 70 9600	+	34,02
	039	—	2309 10 70 9700	+	38,88
	099	55,36	2309 10 70 9800	+	42,77
	400	36,22	2309 90 35 9010	+	—
	...	83,04	2309 90 35 9100	+	—
0406 90 88 9100	+	—	2309 90 35 9200	+	—
0406 90 88 9105	037	—	2309 90 35 9300	+	—
	039	—	2309 90 35 9400	+	—
	099	43,39	2309 90 35 9500	+	—
	400	45,56	2309 90 35 9700	+	—
	...	65,08	2309 90 39 9010	+	—
0406 90 88 9300	037	—	2309 90 39 9100	+	—
	039	—	2309 90 39 9200	+	—
	099	43,39	2309 90 39 9300	+	—
	400	45,56	2309 90 39 9400	+	—
	...	65,08	2309 90 39 9500	+	—
2309 10 15 9010	+	—	2309 90 39 9600	+	—
2309 10 15 9100	+	—	2309 90 39 9700	+	—
2309 10 15 9200	+	—	2309 90 39 9800	+	—
2309 10 15 9300	+	—	2309 90 70 9010	+	—
2309 10 15 9400	+	—	2309 90 70 9100	+	14,58
2309 10 15 9500	+	—	2309 90 70 9200	+	19,44
2309 10 15 9700	+	—	2309 90 70 9300	+	24,30
2309 10 19 9010	+	—	2309 90 70 9500	+	29,16
			2309 90 70 9600	+	34,02
			2309 90 70 9700	+	38,88
			2309 90 70 9800	+	42,77

(*) The code numbers for the destinations are those set out in the Annex to Commission Regulation (EC) No 68/96 (OJ No L 14, 19. 1. 1996, p. 6).

However, '099' covers all destination codes from 053 to 096 inclusive.

For destinations other than those indicated for each 'product code', the amount of the refund applying is indicated by ''.

Where no destination ('+') is indicated, the amount of the refund is applicable for exports to any destination other than those referred to in Article 1 (2) and (3).

NB: The product codes and the footnotes are defined in Commission Regulation (EEC) No 3846/87 (OJ No L 366, 24. 12. 1987, p. 1), as amended.

COMMISSION DIRECTIVE 96/89/EC
of 17 December 1996
amending Directive 95/12/EC implementing Council Directive 92/75/EEC with
regard to energy labelling of household washing machines
(Text with EEA relevance)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Directive 92/75/EEC of 22 September 1992 on the indication by labelling and standard product information of the consumption of energy and other resources of household appliances⁽¹⁾ and in particular Articles 9 and 12 thereof,

Having regard to Commission Directive 95/12/EC of 23 May 1995 implementing Council Directive 92/75/EEC with regard to energy labelling of household washing machines⁽²⁾,

Whereas current measurement methods and information do not allow for the appropriate labelling of washing machines without an integral method of heating hot water; whereas such appliances must therefore be excluded from the scope of Directive 95/12/EC;

Whereas the measures provided for in this Directive are in accordance with the opinion of the committee set up under Article 10 of Directive 92/75/EEC,

HAS ADOPTED THIS DIRECTIVE:

Article 1

In Article 1 (1) of Directive 95/12/EC, in the list of types of household washing machine excluded from the scope of that Directive, the following item is added:

‘— Until 30 June 1998 machines with no internal means to heat water.’

Article 2

1. Member States shall adopt and publish the laws, regulations and administrative provisions to comply with this Directive by 15 April 1997. They shall immediately notify the Commission of these measures. They shall apply those provisions from 15 May 1997.

When Member States adopt these provisions either they shall contain a reference to this Directive, or shall be accompanied by such a reference at the time of their official publication. The procedure for such reference shall be adopted by Member States.

2. Member States shall communicate to the Commission any measures which they take in the field covered by this Directive.

Article 3

This Directive shall enter into force on the 20th day following its publication in the *Official Journal of the European Communities*.

Article 4

This Directive is addressed to the Member States.

Done at Brussels, 17 December 1996.

For the Commission

Christos PAPOUTSIS

Member of the Commission

⁽¹⁾ OJ No L 297, 13. 10. 1992, p. 16.

⁽²⁾ OJ No L 136, 21. 6. 1995, p. 1.

COMMISSION DIRECTIVE 96/94/EC

of 18 December 1996

establishing a second list of indicative limit values in implementation of Council Directive 80/1107/EEC on the protection of workers from the risks related to exposure to chemical, physical and biological agents at work

(Text with EEA relevance)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Directive 80/1107/EEC of 27 November 1980 on the protection of workers from the risks related to exposure to chemical, physical and biological agents at work⁽¹⁾, as last amended by the Act of Accession of Austria, Finland and Sweden, and in particular the first subparagraph of Article 8 (4) thereof,

Having regard to the opinion of the Advisory Committee of Safety, Hygiene and Health Protection at Work,

Whereas indicative limit values should be regarded as an important part of the overall approach to the setting of limit values and ensuring the protection of the health of workers at the workplace;

Whereas a first list of indicative limit values was established by Commission Directive 91/322/EEC⁽²⁾;

Whereas a second list of indicative limit values can be drawn up at Community level following evaluation of the latest available scientific data on occupational health effects and on the availability of the measuring techniques;

Whereas, in preparing its Directive, the Commission was assisted by a scientific committee set up pursuant to Commission Directive 95/320/EC⁽³⁾; whereas this Committee was responsible for the evaluation of the available scientific data;

Whereas, in addition, it is necessary to establish short-term limit values for certain substances to take account of effects arising from short-term exposure;

Whereas, for some agents, it is necessary to have regard also to the possibility of penetration through the skin, in order to ensure the best possible level of protection;

Whereas indicative limit values need to be kept under review and will need to be revised if new scientific data indicate that they are no longer valid;

Whereas this Directive constitutes a practical step towards the achievement of the social dimension of the internal market;

Whereas Member States must apply this Directive when they adopt provisions for the protection of workers in accordance with Article 3 (1) of Directive 80/1107/EEC;

Whereas the measures provided for in this Directive are in accordance with the opinion of the Committee set up pursuant to Article 9 of Directive 80/1107/EEC,

HAS ADOPTED THIS DIRECTIVE:

Article 1

A second list of indicative limit values, of which Member States shall take account, *inter alia*, when establishing the limit values referred to in Article 4 (4) (b) of Directive 80/1107/EEC, is set out in the Annex to this Directive.

Article 2

1. Member States shall bring into force the provisions necessary to comply with this Directive:

— by 1 June 1998 where they have adopted provisions for the protection of workers in accordance with Article 3 (1) of Directive 80/1107/EEC, or

— at the time they adopt such provisions.

They shall immediately inform the Commission thereof.

When Member States adopt these provisions, these shall contain a reference to this Directive or shall be accompanied by such reference at the time of their official publication. The procedure for such reference shall be adopted by Member States.

2. Member States shall communicate to the Commission the provisions of national law which they adopt in the field covered by this Directive.

⁽¹⁾ OJ No L 327, 3. 12. 1980, p. 8.

⁽²⁾ OJ No L 177, 5. 7. 1991, p. 22.

⁽³⁾ OJ No L 188, 9. 8. 1995, p. 14.

Article 3

This Directive shall enter into force on the 20th day following its publication in the *Official Journal of the European Communities*.

Article 4

This Directive is addressed to the Member States.

Done at Brussels, 18 December 1996.

For the Commission

Pádraig FLYNN

Member of the Commission

ANNEX

INDICATIVE LIMIT VALUES FOR OCCUPATIONAL EXPOSURE

Einecs ⁽¹⁾	CAS ⁽²⁾	Name of agent	Limit values				Notation ⁽³⁾
			8 hours ⁽⁴⁾		Short term ⁽⁵⁾		
			mg/m ³ ⁽⁶⁾	ppm ⁽⁷⁾	mg/m ³ ⁽⁶⁾	ppm ⁽⁷⁾	
200-834-7	75-04-7	Ethylamine	9,4	5	—	—	—
200-871-9	75-45-6	Chlorodifluoromethane	3 600	1 000	—	—	—
201-176-3	79-09-4	Propionic acid	31	10	62	20	—
202-436-9	95-63-6	1,2,4-Trimethylbenzene	100	20	—	—	—
202-704-5	98-82-8	Cumene	100	20	250	50	skin
203-470-7	107-18-6	Allyl alcohol	4,8	2	12,1	5	skin
203-603-9	108-65-6	2-Methoxy-1-methylethylacetate	275	50	550	100	skin
203-604-4	108-67-8	Mesitylene	100	20	—	—	—
203-767-1	110-43-0	Heptan-2-one	238	50	475	100	skin
204-428-0	120-82-1	1,2,4-Trichlorobenzene	15,1	2	37,8	5	skin
204-662-3	123-92-2	Isopentylacetate	270	50	540	100	—
204-697-4	124-40-3	Dimethylamine	3,8	2	9,4	5	—
204-826-4	127-19-5	N,N-Dimethylacetamide	36	10	72	20	skin
208-394-8	526-73-8	1,2,3-Trimethylbenzene	100	20	—	—	—
210-946-8	626-38-0	1-Methylbutylacetate	270	50	540	100	—
211-047-3	628-63-7	Pentylacetate	270	50	540	100	—
	620-11-1	3-Pentylacetate	270	50	540	100	—
	625-16-1	Amylacetate, tert-	270	50	540	100	—
231-595-7	7647-01-0	Hydrogen chloride	8	5	15	10	—
231-633-2	7664-38-2	Orthophosphoric acid	1	—	2	—	—
231-978-9	7783-07-5	Dihydrogen selenide	0,07	0,02	0,17	0,05	—
233-113-0	10035-10-6	Hydrogen bromide	—	—	6,7	2	—
252-104-2	34590-94-8	(2-Methoxymethylethoxy)-propanol	308	50	—	—	skin

(¹) Einecs: European Inventory of Existing Chemical Substances.

(²) CAS: Chemical Abstract Service Registry Number.

(³) A skin notation assigned to the OEL identifies the possibility of significant uptake through the skin.

(⁴) Measured or calculated in relation to a reference period of eight hours time weighted average.

(⁵) A limit value above which exposure should not occur and is related to a 15-minute period, unless otherwise specified.

(⁶) mg/m³: milligrams per cubic metre of air at 20 °C and 101,3 KPa.

(⁷) ppm: parts per million by volume in air (ml/m³).

COUNCIL DIRECTIVE 96/95/EC

of 20 December 1996

**amending, with regard to the level of the standard rate of value added tax,
Directive 77/338/EEC on the common system of value added tax**

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty establishing the European Community, and in particular Article 99 thereof,

Having regard to the proposal from the Commission,

Having regard to the opinion of the European Parliament⁽¹⁾,

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

Whereas Article 122 (3) (a) of Directive 77/388/EEC⁽³⁾, lays down that, on the basis of the report on the operation of the transitional arrangements and proposals of the definitive arrangements to be submitted by the Commission pursuant to Article 28 thereof, the Council shall decide unanimously before 31 December 1995 on the level of the minimum rate of value added tax to be applied after 31 December 1996 with regard to the standard rate; whereas the standard rate shall be fixed by each Member State as a percentage of the taxable amount and shall be the same for the supply of goods and the supply of services; whereas from 1 January 1993 to 31 December 1996 this percentage may not be less than 15;

Whereas experience has shown that, under the current taxation system, the standard rates of value added tax at present in force in the various Member States, in combination with the safeguards built into that system, have ensured that the transitional system of value added tax has functioned satisfactorily; whereas it seems therefore appropriate with regard to the standard rate, to maintain the current level of the minimum rate for a further period of two years;

Whereas the transitional arrangements of the common system of value added tax should not jeopardize subsequent new arrangements; whereas the introduction of such new arrangements, which, according to Article 28 (1) of Directive 77/388/EEC, are to be based in principle on the taxation in the Member State of origin, might require a certain level of approximation of the standard rates of value added tax in the Community; whereas, conse-

quently, the level of the standard rate to be applied after the two-year period should be decided upon unanimously by the Council, on a proposal from the Commission and after consulting the European Parliament and the Economic and Social Committee,

HAS ADOPTED THIS DIRECTIVE:

Article 1

Directive 77/388/EEC is hereby amended as follows:

Article 12 (3) (a) shall be replaced by the following:

- (a) The standard rate of value added tax shall be fixed by each Member State as a percentage of the taxable amount and shall be the same for the supply of goods and for the supply of services. From 1 January 1997 to 31 December 1998, this percentage may not be less than 15.

On a proposal from the Commission and after consulting the European Parliament and the Economic and Social Committee, the Council shall decide unanimously on the level of the standard rate to be applied after 31 December 1998.

Member States may also apply either one or two reduced rates. These rates shall be fixed as a percentage of the taxable amount which may not be less than 5 % and shall apply only to supplies of the categories of goods and services specified in Annex H.

Article 2

1. Member States shall bring into force the laws, regulations and administrative provisions necessary to comply with this Directive by 1 January 1997 at the latest. They shall forthwith inform the Commission thereof.

When Member States adopt these measures, they shall contain a reference to this Directive or shall be accompanied by such reference at the time of their official publication. The methods of making such a reference shall be laid down by the Member States.

2. Member States shall communicate to the Commission the text of the provisions of domestic law which they adopt in the field covered by this Directive.

⁽¹⁾ OJ No C 277, 23. 9. 1996, p. 25.

⁽²⁾ OJ No C 204, 15. 7. 1996, p. 94.

⁽³⁾ OJ No L 145, 13. 6. 1977, p. 1. Directive as last amended by Directive 96/42/EC (OJ No L 170, 9. 7. 1996, p. 34).

Article 3

This Directive shall apply from 1 January 1997.

Article 4

This Directive is addressed to the Member States.,

Done at Brussels, 20 December 1996.

For the Council

The President

S. BARRETT

II

(Acts whose publication is not obligatory)

COMMISSION

COMMISSION DECISION

of 2 December 1996

drawing up a list of border inspection posts agreed for veterinary checks on products and animals from third countries, laying down detailed rules concerning the checks to be carried out by the veterinary experts of the Commission and repealing Decision 95/357/EC

(Text with EEA relevance)

(96/742/EC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

inspection posts agreed for veterinary checks on products and animals from third countries;

Having regard to the Treaty establishing the European Community,

Whereas Commission Decision 94/958/EC of 28 December 1994, laying down the transitional measures to be applied by Finland with regard to veterinary checks on products entering Finland from third countries⁽⁶⁾, as amended by Decision 95/82/EC⁽⁷⁾, expires on 31 December 1996, it is necessary to include the border inspection posts of Finland fulfilling the EC requirements for the veterinary checks on products from third countries in the list of approved border inspection posts, from 1 January 1997;

Having regard to Council Directive 90/675/EEC of 10 December 1990 laying down the principles governing the organization of veterinary checks on products entering the Community from third countries⁽¹⁾, as last amended by Directive 96/43/EC⁽²⁾, and in particular Articles 9 and 20 thereof,

Whereas Commission Decision 95/157/EC of 21 April 1995, laying down the transitional measures to be applied by Sweden with regards to veterinary checks on live animals and animal products entering Sweden from third countries⁽⁸⁾ has expired, it is necessary to include the border inspection posts of Sweden fulfilling the EC requirements for the veterinary checks on live animals and animal products from third countries in the list of approved border inspection posts;

Having regard to Council Directive 91/496/EEC of 15 July 1991, laying down the principles governing the organization of veterinary checks on animals entering the Community from third countries and amending Directives 89/662/EEC, 90/425/EEC and 90/675/EEC⁽³⁾, as last amended by Directive 96/43/EC and in particular Articles 6 and 19 thereof,

Whereas Commission Decision 95/357/EC⁽⁴⁾, as last amended by Decision 96/499/EC⁽⁵⁾, gives a list of border

Whereas the numerous amendments made to the list of approved border inspection posts since 1 July 1995 have made it necessary to adopt a new decision drawing up a consolidated list of agreed border inspection posts and Decision 95/357/EC should therefore be repealed;

⁽¹⁾ OJ No L 373, 31. 12. 1990, p. 1.

⁽²⁾ OJ No L 162, 1. 7. 1996, p. 1.

⁽³⁾ OJ No L 268, 24. 9. 1991, p. 56.

⁽⁴⁾ OJ No L 211, 6. 9. 1995, p. 43.

⁽⁵⁾ OJ No L 203, 13. 8. 1996, p. 11.

⁽⁶⁾ OJ No L 371, 31. 12. 1994, p. 21.

⁽⁷⁾ OJ No L 66, 24. 3. 1995, p. 26.

⁽⁸⁾ OJ No L 103, 6. 5. 1995, p. 40.

Whereas Commission Decision 96/295/EC of 18 April 1996, identifying and listing the units in the Animo computer network⁽¹⁾ and repealing Decision 92/175/EEC provides, *inter alia*, the Animo codes of the border inspection posts, it is necessary to include these codes into column 1 of the list of approved border inspection posts;

Whereas it is necessary to set up the periodicity of the inspections to be carried out by veterinary experts of the Commission, taking into account, in particular, the number of consignments checked annually by each border inspection post;

Whereas, for improving the collaboration between the Member States and the Commission, it is necessary to enable Commission experts to be accompanied by experts appointed by the Commission who are subject to certain obligations and have reimbursement of their travel and subsistence costs guaranteed;

Whereas it is necessary to ensure that Member States are regularly informed of the results of the controls;

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

HAS ADOPTED THIS DECISION:

Article 1

Veterinary checks on products and animals brought into the Community from third countries shall be carried out by the competent national authorities at the agreed border inspection posts listed in the Annex.

Member States may, observing the requirements of Article 9 of Directive 90/675/EEC and of Article 6 of Directive 91/496/EEC, propose that other border inspection posts be removed or added to the list annexed.

Article 2

1. Each year, every agreed border inspection post listed in the Annex shall be inspected by the Commission veterinary experts in cooperation with the competent national authorities. This inspection shall include in particular a check on infrastructures, equipment and working of the border inspection post. The inspection report shall be sent to the Member State concerned within two months of the visit.

2. By way of derogation to paragraph 1, the Commission, after consultation of the Member States concerned, and after an exchange of views in the Standing Veterinary

Committee, may reduce the frequency of visits for certain agreed border inspection posts. However, such border inspection posts shall be visited at least every three years.

3. Each year the Commission shall send to the Member States a copy of the inspection report for all the border inspection posts visited in the previous 12 months together with a report concerning the evolution of the general situation of the agreed border inspection posts.

Article 3

1. In addition to experts from the Member State inspected, the Commission's experts may be accompanied during the checks by one or more experts, listed in accordance with paragraph 2, from one or more other Member States.

When checks are organized, the participation of an expert from another Member State may be refused by the Member State where these checks shall be carried out. This opportunity may only be used once.

2. Each Member State shall propose to the Commission not less than two experts whose competence is beyond doubt, and shall communicate to it their names, their special fields, their exact official addresses, fax and telephone numbers.

The Commission shall draw up a list of experts, other than the experts of the Commission.

Where a Member State considers that one of the experts proposed by it should no longer be included in the list, it shall so inform the Commission. If the number of experts would thereby fall below the minimum required, the Member State shall propose one or more replacements to the Commission.

Article 4

1. During the checks, the Member State expert or experts appointed by the Commission shall comply with the Commission's administrative rules.

2. Information acquired or conclusions reached by the Member State expert or experts during the course of checks may on no account be used for personal purposes or divulged to persons who are not part of the competent services of the Commission or the Member States.

3. The travel and subsistence costs incurred by the Member State expert or experts appointed by the Commission shall be reimbursed in accordance with its rules governing travel and subsistence costs incurred by persons who are not officials of the Commission and who are called on to perform the tasks of an expert.

⁽¹⁾ OJ No L 113, 7. 5. 1996, p. 1.

Article 5

The part of the Annex relating to Finland shall apply from 1 January 1997.

Article 6

Decision 95/357/EC is hereby repealed.

Article 7

This Decision is addressed to the Member States.

Done at Brussels, 2 December 1996.

For the Commission
Franz FISCHLER
Member of the Commission

Animo code	Border inspection post		All products for human consumption		Other products		Live animals			Remarks	
	2	3	4	5	6	7	8	9	10		
	Name	Type (1)	Temperature (2)	Other (3)	Temperature (2)	Other (3)	Ungulates (4)	Registered equidae (5)	Other animals		
1										11	
DEUTSCHLAND (cont'd)											
0151599	Brake	Port				x					Animal proteins
0150699	Nordenham	Port	x	x	x						Icelandic ponies (from April to October only)
0150799	Bremen	Port	x	x	x						
0151699	Bremerhaven	Port									
0151699	Cuxhaven	Port	x	x	x						
0150399	Forst	Road	x	x	x						
0151099	Frankfurt/Main	Airport	x	x	x						
0150499	Frankfurt/Oder	Road	x	x	x						
		Rail	x	x	x						
0149399	Furth im Wald-	Road	x	x	x						
0153399	Schafberg	Rail	x	x	x						
0150999	Hamburg	Airport	x	x	x						
		Flughafen									
0150899	Hamburg	Port	x	x	x						
		Hafen									
0152699	Kiel	Port	x	x	x						
0152099	Köln	Airport	x	x	x						
0153199	Konstanz	Road	x	x	x						
		Straße									
0151799	Langenhagen	Airport									
0152399	Ludwigsdorf	Road	x	x	x						
		Autobahn									
0152799	Lübeck	Port	x	x	x						
0149699	München	Airport	x	x	x						
0151299	Pomellen	Road	x	x	x						
0151399	Rostock	Port	x	x	x						
0151199	Rügen	Port	x	x	x						
0149799	Schirnding	Road	x	x	x						
		Landstraße									
0152499	Schönberg	Road	x	x	x						
0150599	Schönefeld	Airport	x	x	x						
0149099	Stuttgart	Airport	x	x	x						
0150099	Waidhaus	Road	x	x	x						
0149199	Weil/Rhein	Road	x	x	x						
0153299	Mannheim	Rail	x	x	x						
0152599	Zinnwald	Road	x	x	x						

1	Border inspection post		All products for human consumption		Other products		Live animals			Remarks
	2	3	4	5	6	7	8	9	10	
Animo code	Name	Type (1)	Temperature (2)	Other (3)	Temperature (2)	Other (3)	Ungulates (4)	Registered equidae (5)	Other animals	
ESPAÑA (cont'd)										
1147399	Malaga	Airport	x	x	x	x			x	
1147999	Palma de Mallorca	Port	x	x	x	x	x	x	x	
1147799	Pasajes-Irún	Airport	x	x	x				x	
1148099	Santa Cruz de Tenerife	Port	x	x	x	x	x	x	x	
	Santander	Port	x	x	x	x	x	x	x	
	Sevilla	Port	x	x	x	x	x	x	x	
	Tarragona	Port	x	x	x	x	x	x	x	
1147299	Valencia	Port	x	x	x	x	x	x	x	
1147699	Vigo-Villagarcía — Marin	Port	x	x	x	x	x	x	x	
	Vitoria	Port	x	x	x	x	x	x	x	
FRANCE										
0216099	Beauvais	Airport	x (6)	x	x	x				
0213399	Bordeaux	Port	x (6)	x	x	x				
0216299	Boulogne-sur-mer	Port	x (6)	x	x	x				
0212999	Brest	Port	x	x	x	x				
0221499	Caen	Port	x (6)	x	x	x				
0222999	Concarneau — Douarnenez	Port	x (6)	x	x	x				
0211499	Deauville	Port	x (6)	x	x	x				
0210199	Divonne	Road	x (6)	x	x	x				
0215999	Dunkerque	Port	x (6)	x	x	x				
0220199	Ferney — Voltaire (Genève)	Port	x (6)	x	x	x				
0211799	La Rochelle — Rochefort	Port	x (6)	x	x	x				
0217699	Le Havre	Port	x (6)	x	x	x				
0215699	Lorient	Port	x (6)	x	x	x				
0216999	Lyon-Satolas	Airport	x (6)	x	x	x				

Animo code	Border inspection post		All products for human consumption		Other products		Live animals			Remarks
	2	3	4	5	6	7	8	9	10	
	Name	Type (1)	Temperature (2)	Other (3)	Temperature (2)	Other (3)	Ungulates (4)	Registered equidae (5)	Other animals	
ITALIA (cont'd)										
0303199	Campocologno	Rail	x	x	x	x	x			Other animals from Malta only
0300799	Catania	Airport Port							x	
0300599	Chiasso	Road Rail	x	x	x	x	x	x	x	
0300699	Domodossola — Iselle	Rail	x	x	x	x				
0303299	Gaeta	Port	x							Fishery products only
0301099	Genova	Airport Port	x	x	x	x			x	
0301199	Gorizia	Airport Route	x	x	x	x	x	x		
0302099	Grand San Bernardo — Pollein	Road	x	x	x	x	x	x	x	
0303399	La Spezia	Port	x	x	x	x				
0301399	Livorno - Pisa	Airport Port	x	x	x	x				
0301299	Milano - Linate	Airport	x	x	x	x			x	
0301599	Milano - Malpensa	Airport	x	x	x	x			x	
0301899	Napoli	Airport Port	x	x						
0302299	Olbia	Port	x							
0301999	Palermo	Airport Port	x	x						
0302399	Prosecco - Ferneti	Road Rail	x	x	x	x	x	x		
0303499	Ravenna	Port	x	x	x	x				
0301799	Reggio Calabria	Airport	x	x	x	x				
0300899	Roma - Fiumicino	Airport	x	x	x	x			x	
0303599	Salerno	Port	x	x						
0303699	Taranto	Port	x	x						

Animo code	Border inspection post		All products for human consumption		Other products		Live animals			Remarks
	2	3	4	5	6	7	8	9	10	
	Name	Type (1)	Temperature (2)	Other (3)	Temperature (2)	Other (3)	Ungulates (4)	Registered equidae (5)	Other animals	
1										
ITALIA (cont'd)										
0302599	Torino Caselle	Airport	x	x	x	x			x	
0303799	Trapani	Port	x	x	x	x				
0302699	Trieste	Port Road	x	x	x	x	x	x	x	
0302799	Venezia	Airport Port	x	x	x	x				
0302999	Verona - Villafranca	Airport	x	x	x	x	x	x	x	
LUXEMBOURG										
0600199	Luxembourg	Airport	x	x	x	x	x	x	x	
NEDERLAND										
0401399	Amsterdam	Airport	x	x	x	x	x	x	x	
0401799		Port	x	x	x	x				
0401899	Eemshaven	Port	x	x						
0402099	Harlingen	Port	x	x						
0401599	Maastricht	Airport	x	x	x	x	x	x		Semen only
0402699	Moerdijk	Port	x	x						
0401499	Rotterdam	Airport	x	x	x	x				
0401699		Port	x	x						
0402199	Vlissingen	Port	x	x						
PORTUGAL										
1204499	Aveiro	Port	x							Fishery products only
1203599	Faro	Airport	x	x					x	Packed products only
1204599	Figueira da Foz	Port	x							Frozen packed fishery products only
1203699	Funchal (Madeira)	Airport Port	x	x					x	
1204299	Horta (Açores)	Port	x							Fishery products only

Animo code	Name	Border inspection post		All products for human consumption		Other products		Live animals			Remarks
		Type (1)	3	4	5	6	7	8	9	10	
				Temperature (2)	Other (3)	Temperature (2)	Other (3)	Ungulates (4)	Registered equidae (5)	Other animals	
SVERIGE (cont'd)											
1610199	Karlskrona	Port		x	x	x	x				Fishery products only
	Lysekil	Port		x	x						
1612499	Malmö	Port		x	x						
	Norrköping	Port		x	x						
1601199	Stockholm	Port		x	x						
1601299	Stockholm-Arlanda	Airport		x	x			x	x	x	
1623199	Storfien - Järpen	Road		x	x			x	x	x	
1614399	Svinesund	Road		x	x			x	x	x	
	Vaarberg	Port		x	x			x			
1612199	Ystad	Port		x	x			x			Only packed products
UNITED KINGDOM											
0730499	Aberdeen	Airport		x (6)	x						
0730399		Port		x (6)	x						
0740099	Belfast	Airport		x (6)	x					x	
		Port		x (6)	x						
0711099	Bristol	Port		x	x			x			
0720499	Cardiff	Port									
0710599	Colchester	Port									
0711499	Dover	Port		x (6)	x						Animal proteins
0712199	East Midlands	Airport		x (6)	x						
0714299	Falmouth	Port		x (6)	x					x	Tropical fish only
0713099	Felixstowe	Port		x (6)	x						Fishery products only
0710199	Fosdyke	Port									
0710299	Garston	Port									Animal proteins
0713299	Gatwick	Airport		x (6)	x					x	Animal proteins
0731099	Glasgow George IV Dock	Port									
0730599	Glasgow	Airport		x (6)	x					x	
0710399	Glasson	Port									
0714099	Goole	Port									Animal proteins
0730899	Grangemouth	Port		x (6)	x						Fishery products only

1	2		3		4		5		6			7			8			9			10		11
	Border inspection post	Name	Type (1)	Temperature (2)	Other (3)	Temperature (2)	Other (3)	Temperature (2)	Other (3)	Temperature (2)	Other (3)	Temperature (2)	Other (3)	Temperature (2)	Other (3)	Temperature (2)	Other (3)	Temperature (2)	Other (3)	Registered equidae (4)	Other animals	Remarks	
0712599	Great Yarmouth	Port	x (6)	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x				
0712299	Grimsby — Immingham	Port	x (6)	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x				
0711599	Grove Wharf Wharfton	Port																					
0710699	Harwich	Port	x (6)	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x				
0710699	Heathrow	Airport	x (6)	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x				
0712499	Heysham	Port	x (6)	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x				
0714199	Hull	Port	x (6)	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x				
0730299	Invergordon	Port	x (6)	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x				
0713199	Ipswich	Port	x (6)	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x			Animal proteins and fishery products only	
0712699	King's Lynn	Port																				Animal proteins	
0730799	Leith	Port	x (6)	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x			Animal proteins and fishery products only	
0730099	Lerwick	Port	x (6)	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x			Animal proteins and fishery products only	
0712099	Liverpool	Port	x (6)	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x				
0710099	Luton	Airport																					
0713799	Manchester	Airport	x (6)	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x				
0720299	Milford Haven incorporating Pembroke	Port	x (6)	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x				
0713399	Newhaven	Port	x (6)	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x				
0730999	Perth Port	Port																					
0730699	Peterhead	Port	x (6)	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x			Animal proteins	
0711299	Portsmouth	Port	x (6)	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x			Fishery products only	
0731199	Prestwick	Airport	x (6)	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x				
0730199	Scrabster	Port	x (6)	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x			Fishery products, semen and embryos only	
0712799	Seaham	Port																				Fishery products only	
0712899	Selby Wharf	Port																				Animal proteins	
0711199	Sharpness Docks	Port																				Animal proteins	

UNITED KINGDOM (cont'd)

Animo code	Border inspection post		All products for human consumption		Other products		Live animals			Remarks
	2	3	4	5	6	7	8	9	10	
	Name	Type (1)	Temperature (2)	Other (3)	Temperature (2)	Other (3)	Ungulates (4)	Registered equidae (5)	Other animals	
1										11
UNITED KINGDOM (cont'd)										
0711799	Sheerness	Port	x (6)	x	x	x				Wool only
0713499	Shorcham	Port								
0711399	Southampton	Port	x (6)	x	x	x				
0710799	Stansted	Airport		x	x	x	x	x	x	Until 31. 12. 1996 Fish at ambient temperature only
0713599	Sutton Bridge	Port								Animal proteins
0713899	Teesport	Port	x (6)	x						Animal proteins
0713699	Teignmouth	Port								
0711899	Thamesport	Port	x (6)	x	x	x				
0710899	Tilbury	Port	x (6)	x	x	x	x	x	x	Other animals: zoological animals only
0712999	Tyne — Northshields	Port	x (6)	x	x	x				

(1) Select as appropriate

(2) Frozen/chilled products

(3) No low temperature requirements

(4) Ungulates: cattle, pigs, sheep, goats, wild and domestic solipeds etc

(5) As defined in Council Directive 90/426/EEC

(6) Checking in line with the requirements of Commission Decision 93/352/EEC taken in execution of Article 18(4) of Council Directive 90/675/EEC

(7) For 'live animals' see decision 94/957/EC of 28 December 1994

COMMISSION DECISION

of 9 December 1996

on the adoption of specific measures to temporarily prohibit the use of the comprehensive guarantee for certain external Community transit operations

(96/743/EC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EEC) No 2913/92 of 12 October 1992 establishing the Community Customs Code⁽¹⁾, as amended by the Act of Accession of Austria, Finland and Sweden, and in particular Article 249 thereof,

Having regard to Commission Regulation (EEC) No 2454/93 of 2 July 1993 laying down provisions for the implementation of Council Regulation (EEC) No 2913/92 establishing the Community Customs Code⁽²⁾, as last amended by Regulation (EC) No 2153/96⁽³⁾, and in particular Article 362 thereof,

Whereas the customs administration of the Kingdom of Spain, by its letter dated 4 April 1995, supplemented by its letter dated 27 July 1995, sought the agreement of the Commission to temporarily prohibit the use of the comprehensive guarantee for external Community transit operations concerning cigarettes of HS subheading 2402.20; whereas in this context, it obtained this agreement by Commission Decision 95/521/EC⁽⁴⁾; whereas the prohibition measure was taken by Spain and took effect on 1 February 1996 in all Members States;

Whereas the customs administration of the Federal Republic of Germany, by its letter dated 6 September 1995, sought the agreement of the Commission to temporarily prohibit the use of the comprehensive guarantee for external Community transit operations concerning certain goods; whereas, in this context, it obtained this agreement by Commission Decision 96/37/EC⁽⁵⁾; whereas the prohibition measure was taken by Germany and took effect on 1 April 1996 in all Members States;

Whereas Article 2 of Commission Regulation (EC) No 482/96⁽⁶⁾, extended until 31 December 1996 the measures of temporary prohibition of the use of the

comprehensive guarantee taken by Spain and by Germany, on the basis of former Article 360 of Regulation (EEC) No 2454/93;

Whereas despite the introduction at Community level of provisions which give authority to prescribe itineraries and prohibit the change of office of destination, as well as the strengthening of the system of use of the comprehensive guarantee envisaged by Regulation (EC) No 482/96, the external Community transit operations concerning the goods referred to above continue to present increased risks of fraud;

Whereas the same Regulation substituted for this Article 360 new Article 362 establishing a new adoption procedure by the Commission of the measures of temporary prohibition of the use of the comprehensive guarantee involving the intervention of the Customs Code Committee;

Whereas the protection of the financial interests at risk in those operations makes it necessary to maintain the same measures for Common transit as for Community transit in order to ensure maximum effectiveness;

Whereas, however, the transport of goods for quantities less than a certain sum do not present serious risk of fraud;

Whereas the measures provided for in this decision are in accordance with the opinion of the Customs Code Committee,

HAS DECIDED AS FOLLOWS:

Article 1

Pursuant to Article 362 (1) of Regulation (EEC) No 2454/93, the use of the comprehensive guarantee shall be temporarily forbidden for Community transit operations in respect of:

- cigarettes of HS sub-heading 2402.20, when the quantity transported exceeds 35 000 pieces, and
- goods included in the Annex to this Decision, when the quantity transported exceeds that shown in column 3 of the said Annex and the goods are non-Community goods.

⁽¹⁾ OJ No L 302, 19. 10. 1992, p. 1.

⁽²⁾ OJ No L 253, 11. 10. 1993, p. 1.

⁽³⁾ OJ No L 289, 12. 11. 1996, p. 1.

⁽⁴⁾ OJ No L 299, 12. 12. 1995, p. 24.

⁽⁵⁾ OJ No L 10, 13. 1. 1996, p. 44.

⁽⁶⁾ OJ No L 70, 20. 3. 1996, p. 4.

Article 2

Where several categories of goods referred to in the second indent of Article 1 are declared to the transit procedure on one document, and although the quantities in column 3 of the Annex are not exceeded in relation to each type of good, the use of the comprehensive guarantee shall be prohibited for that operation, if the duties and other charges to which the consignment might be liable exceed ECU 7 000.

Article 3

This Decision is addressed to the Member States.

Article 4

This Decision is published in the *Official Journal of the European Communities* in accordance with Article 362 (2) of Commission Regulation (EEC) No 2454/93 of 2 July 1993. It shall enter into force on 1 January 1997.

Done at Brussels, 9 December 1996.

For the Commission

Mario MONTI

Member of the Commission

ANNEX

Column 1	Column 2	Column 3
HS code	Description	Quantity
01.02	Live bovine animals	4 000 kg
02.02	Meat of bovine animals, frozen	3 000 kg
04.02	Milk and cream, concentrated or containing added sugar or other sweetener	2 500 kg
ex 04.05	Butter and other fats and oils derived from milk	3 000 kg
04.06	Cheese and curd	3 500 kg
08.03	Bananas, including plantains, fresh or dried	8 000 kg
10.01	Wheat and meslin	900 kg
10.02	Rye	1 000 kg
17.01	Cane or beet sugar and sucrose	7 000 kg
ex 22.07	Undenatured ethyl alcohol of an alcoholic strength by volume of 80 % or higher	3 hl
ex 22.08	Spirits, liqueurs and other spirituous beverages	5 hl