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## Legislation

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<sup>(1)</sup> Text with EEA relevance

## I

(Acts whose publication is obligatory)

**COUNCIL REGULATION (EC) No 293/97**

of 17 February 1997

**amending Regulation (EEC) No 738/92 imposing a definitive anti-dumping duty in imports of cotton yarn originating in Brazil and Turkey, with regard to two Turkish companies**

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EC) No 384/96 of 22 December 1995 on protection against dumped imports from countries not members of the European Community<sup>(1)</sup>,

Having regard to Regulation (EEC) No 738/92<sup>(2)</sup> and in particular Article 1 (6) thereof,

Having regard to the proposal from the Commission, after consulting the Advisory Committee,

Whereas:

**A. Previous procedure**

- (1) The Council, by Regulation (EEC) No 738/92, imposed definitive anti-dumping duties on imports of cotton yarn falling within CN codes 5205 11 00 to 5205 45 90 and 5206 11 00 to 5206 45 90 originating, *inter alia*, in Turkey. Sampling was applied to Turkish exporters, and individual duties ranging from 4,9 % to 12,1 % were imposed on the companies in the sample, while other cooperating companies not included in the sample received a weighted average duty of 9 %. A duty of 12,1 % was imposed on companies which either did not make themselves known or did not cooperate in the investigation.

**B. New exporters' review request**

- (2) The Commission received applications for a new exporters' review of the duties currently applicable to two Turkish companies Abalioglu AS and Kipas

AS, which claimed that they were not related to any of the exporters or producers subject to the anti-dumping measures, and that they had not exported the product concerned during the period of investigation on which the measures were based. Furthermore, the companies claimed that they had actually exported the product to the Community after the abovementioned investigation period.

- (3) Abalioglu AS and Kipas AS provided, on request, evidence which was considered sufficient to prove that the requirements established in Article 11 (4) of Regulation (EC) No 384/96 (hereinafter referred to as the 'Basic Regulation') to qualify for a new exporters' review had been fulfilled. Since sampling was used in the investigation which was concluded by Regulation (EEC) No 738/92, the request for a review pursuant to Article 11 (4) of the Basic Regulation could not be accepted. However, the evidence provided by these companies is sufficient to allow Regulation (EEC) No 738/92 to be amended pursuant to Article 1 (6) of that Regulation, in order to make these exporters subject to the duty imposed by Article 1 (2) of that Regulation,

HAS ADOPTED THIS REGULATION:

*Article 1*

Article 1 of Regulation (EEC) No 738/92 is hereby amended as follows:

— under paragraph 2 (b) the following shall be added at the end of the text:

'Abalioglu AS 9,0 % (Taric additional code 8569)  
'Kipas AS 9,0 % (Taric additional code 8569).'

*Article 2*

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

<sup>(1)</sup> OJ No L 56, 6. 3. 1996, p. 1.

<sup>(2)</sup> OJ No L 82, 27. 3. 1992, p. 1. Regulation as last amended by Regulation (EC) No 285/97 (OJ No L 48, 19. 2. 1997, p. 1.).

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

Done at Brussels, 17 February 1997.

*For the Council*

*The President*

G. ZALM

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## COMMISSION REGULATION (EC) No 294/97

of 19 February 1997

## fixing the representative prices and the additional import duties for molasses in the sugar sector

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EEC) No 1785/81 of 30 June 1981 on the common organization of the market in sugar<sup>(1)</sup>, as last amended by Regulation (EC) No 1599/96<sup>(2)</sup>,

Having regard to Commission Regulation (EC) No 1422/95 of 23 June 1995 laying down detailed rules of application for imports of molasses in the sugar sector and amending Regulation (EEC) No 785/68<sup>(3)</sup>, and in particular Articles 1 (2) and 3 (1) thereof,

Whereas Regulation (EC) No 1422/95 stipulates that the cif import price for molasses, hereinafter referred to as the 'representative price', should be set in accordance with Commission Regulation (EEC) No 785/68<sup>(4)</sup>; whereas that price should be fixed for the standard quality defined in Article 1 of the above Regulation;

Whereas the representative price for molasses is calculated at the frontier crossing point into the Community, in this case Amsterdam; whereas that price must be based on the most favourable purchasing opportunities on the world market established on the basis of the quotations or prices on that market adjusted for any deviations from the standard quality; whereas the standard quality for molasses is defined in Regulation (EEC) No 785/68;

Whereas, when the most favourable purchasing opportunities on the world market are being established, account must be taken of all available information on offers on the world market, on the prices recorded on important third-country markets and on sales concluded in international trade of which the Commission is aware, either directly or through the Member States; whereas, under Article 7 of Regulation (EEC) No 785/68, the Commission may for this purpose take an average of several prices as a basis, provided that this average is representative of actual market trends;

Whereas the information must be disregarded if the goods concerned are not of sound and fair marketable quality or

if the price quoted in the offer relates only to a small quantity that is not representative of the market; whereas offer prices which can be regarded as not representative of actual market trends must also be disregarded;

Whereas, if information on molasses of the standard quality is to be comparable, prices must, depending on the quality of the molasses offered, be increased or reduced in the light of the results achieved by applying Article 6 of Regulation (EEC) No 785/68;

Whereas a representative price may be left unchanged by way of exception for a limited period if the offer price which served as a basis for the previous calculation of the representative price is not available to the Commission and if the offer prices which are available and which appear not to be sufficiently representative of actual market trends would entail sudden and considerable changes in the representative price;

Whereas where there is a difference between the trigger price for the product in question and the representative price, additional import duties should be fixed under the conditions set out in Article 3 of Regulation (EC) No 1422/95; whereas should the import duties be suspended pursuant to Article 5 of Regulation (EC) No 1422/95, specific amounts for these duties should be fixed;

Whereas application of these provisions will have the effect of fixing the representative prices and the additional import duties for the products in question 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 Sugar,

HAS ADOPTED THIS REGULATION:

*Article 1*

The representative prices and the additional duties applying to imports of the products referred to in Article 1 of Regulation (EC) No 1422/95 are fixed in the Annex hereto.

*Article 2*

This Regulation shall enter into force on 20 February 1997.

<sup>(1)</sup> OJ No L 177, 1. 7. 1981, p. 4.

<sup>(2)</sup> OJ No L 206, 16. 8. 1996, p. 43.

<sup>(3)</sup> OJ No L 141, 24. 6. 1995, p. 12.

<sup>(4)</sup> OJ No L 145, 27. 6. 1968, p. 12.

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

Done at Brussels, 19 February 1997.

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

ANNEX

**fixing the representative prices and additional import duties applying to imports of molasses in the sugar sector**

CN code	Amount of the representative price in ECU per 100 kg net of the product in question	Amount of the additional duty in ECU per 100 kg net of the product in question	Amount of the duty to be applied to imports in ECU per 100 kg net of the product in question because of suspension as referred to in Article 5 of Regulation (EC) No 1422/95 <sup>(2)</sup>
1703 10 00 <sup>(1)</sup>	8,36	—	0,00
1703 90 00 <sup>(1)</sup>	12,20	—	0,00

<sup>(1)</sup> For the standard quality as defined in Article 1 of amended Regulation (EEC) No 785/68.

<sup>(2)</sup> This amount replaces, in accordance with Article 5 of Regulation (EC) No 1422/95, the rate of the Common Customs Tariff duty fixed for these products.

## COMMISSION REGULATION (EC) No 295/97

of 19 February 1997

## fixing the export refunds on white sugar and raw sugar exported in its unaltered state

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EEC) No 1785/81 of 1 June 1981 on the common organization of the markets in the sugar sector<sup>(1)</sup>, as last amended by Regulation (EC) No 1599/96<sup>(2)</sup>, and in particular point (a) of the first subparagraph of Article 19 (4) thereof,

Whereas Article 19 of Regulation (EEC) No 1785/81 provides that the difference between quotations or prices on the world market for the products listed in Article 1 (1) (a) of that Regulation and prices for those products within the Community may be covered by an export refund;

Whereas Regulation (EEC) No 1785/81 provides that when refunds on white and raw sugar, undenatured and exported in its unaltered state, are being fixed account must be taken of the situation on the Community and world markets in sugar and in particular of the price and cost factors set out in Article 17a of that Regulation; whereas the same Article provides that the economic aspect of the proposed exports should also be taken into account;

Whereas the refund on raw sugar must be fixed in respect of the standard quality; whereas the latter is defined in Article 1 of Council Regulation (EEC) No 431/68 of 9 April 1968 determining the standard quality for raw sugar and fixing the Community frontier crossing point for calculating cif prices for sugar<sup>(3)</sup>, as amended by Regulation (EC) No 3290/94<sup>(4)</sup>; whereas, furthermore, this refund should be fixed in accordance with Article 17a (4) of Regulation (EEC) No 1785/81; whereas candy sugar is defined in Commission Regulation (EC) No 2135/95 of 7 September 1995 laying down detailed rules of application for the grant of export refunds in the sugar sector<sup>(5)</sup>; whereas the refund thus calculated for sugar containing added flavouring or colouring matter must apply to their sucrose content and, accordingly, be fixed per 1 % of the said content;

Whereas the world market situation or the specific requirements of certain markets may make it necessary to vary the refund for sugar according to destination;

Whereas, in special cases, the amount of the refund may be fixed by other legal instruments;

Whereas the representative market rates defined in Article 1 of Council Regulation (EEC) No 3813/92<sup>(6)</sup>, as last amended by Regulation (EC) No 150/95<sup>(7)</sup>, are used to convert amounts expressed in third country currencies and are used as the basis for determining the agricultural conversion rates of the Member States' currencies; whereas detailed rules on the application and determination of these conversions were set by Commission Regulation (EEC) No 1068/93<sup>(8)</sup>, as last amended by Regulation (EC) No 1482/96<sup>(9)</sup>;

Whereas the refund must be fixed every two weeks; whereas it may be altered in the intervening period;

Whereas it follows from applying the rules set out above to the present situation on the market in sugar and in particular to quotations or prices for sugar within the Community and on the world market that the refund should be as set out in the Annex hereto;

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

HAS ADOPTED THIS REGULATION:

*Article 1*

The export refunds on the products listed in Article 1 (1) (a) of Regulation (EEC) No 1785/81, undenatured and exported in the natural state, are hereby fixed to the amounts shown in the Annex hereto.

*Article 2*

This Regulation shall enter into force on 20 February 1997.

<sup>(1)</sup> OJ No L 177, 1. 7. 1981, p. 4.

<sup>(2)</sup> OJ No L 206, 16. 8. 1996, p. 43.

<sup>(3)</sup> OJ No L 89, 10. 4. 1968, p. 3.

<sup>(4)</sup> OJ No L 349, 31. 12. 1994, p. 105.

<sup>(5)</sup> OJ No L 214, 8. 9. 1995, p. 16.

<sup>(6)</sup> OJ No L 387, 31. 12. 1992, p. 1.

<sup>(7)</sup> OJ No L 22, 31. 1. 1995, p. 1.

<sup>(8)</sup> OJ No L 108, 1. 5. 1993, p. 106.

<sup>(9)</sup> OJ No L 188, 27. 7. 1996, p. 22.

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

Done at Brussels, 19 February 1997.

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

ANNEX

**to the Commission Regulation of 19 February 1997 fixing the export refunds on white sugar and raw sugar exported in its unaltered state**

Product code	Amount of refund
	— ECU/100 kg —
1701 11 90 9100	39,02 <sup>(1)</sup>
1701 11 90 9910	36,17 <sup>(1)</sup>
1701 11 90 9950	(2)
1701 12 90 9100	39,02 <sup>(1)</sup>
1701 12 90 9910	36,17 <sup>(1)</sup>
1701 12 90 9950	(2)
	— ECU/1 % of sucrose × 100 kg —
1701 91 00 9000	0,4242
	— ECU/100 kg —
1701 99 10 9100	42,42
1701 99 10 9910	41,00
1701 99 10 9950	41,00
	— ECU/1 % of sucrose × 100 kg —
1701 99 90 9100	0,4242

<sup>(1)</sup> Applicable to raw sugar with a yield of 92 %; if the yield is other than 92 %, the refund applicable is calculated in accordance with the provisions of Article 17a (4) of Regulation (EEC) No 1785/81.

<sup>(2)</sup> Fixing suspended by Commission Regulation (EEC) No 2689/85 (OJ No L 255, 26. 9. 1985, p. 12), as amended by Regulation (EEC) No 3251/85 (OJ No L 309, 21. 11. 1985, p. 14).



**COMMISSION REGULATION (EC) No 296/97**  
**of 19 February 1997**

**fixing the maximum export refund for white sugar for the 27th partial invitation to tender issued within the framework of the standing invitation to tender provided for in Regulation (EC) No 1464/96**

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

Having regard to Council Regulation (EEC) No 1785/81 of 30 June 1981 on the common organization of the markets in the sugar sector<sup>(1)</sup>, as last amended by Regulation (EC) No 1599/96<sup>(2)</sup>, and in particular the second subparagraph of Article 17 (5) (b) thereof,

Whereas Commission Regulation (EC) No 1464/96 of 25 July 1996 on a standing invitation to tender to determine levies and/or refunds on exports of white sugar<sup>(3)</sup>, requires partial invitations to tender to be issued for the export of this sugar;

Whereas, pursuant to Article 9 (1) of Regulation (EC) No 1464/96 a maximum export refund shall be fixed, as the case may be, account being taken in particular of the state and foreseeable development of the Community and world markets in sugar, for the partial invitation to tender in question;

Whereas, following an examination of the tenders submitted in response to the 27th partial invitation to

tender, the provisions set out in Article 1 should be adopted;

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

HAS ADOPTED THIS REGULATION:

*Article 1*

For the 27th partial invitation to tender for white sugar issued pursuant to Regulation (EC) No 1464/96 the maximum amount of the export refund is fixed at ECU 44,008 per 100 kilograms.

*Article 2*

This Regulation shall enter into force on 20 February 1997.

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

Done at Brussels, 19 February 1997.

*For the Commission*

Franz FISCHLER

*Member of the Commission*

<sup>(1)</sup> OJ No L 177, 1. 7. 1981, p. 4.

<sup>(2)</sup> OJ No L 206, 16. 8. 1996, p. 43.

<sup>(3)</sup> OJ No L 187, 26. 7. 1996, p. 42.

**COMMISSION REGULATION (EC) No 297/97**  
**of 19 February 1997**  
**establishing unit values for the determination of the customs value of certain**  
**perishable goods**

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<sup>(1)</sup>, as last amended by Regulation (EC) No 82/97<sup>(2)</sup>,

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<sup>(3)</sup>, as last amended by Regulation (EC) No 89/97<sup>(4)</sup>, and in particular Article 173 (1) thereof,

Whereas Articles 173 to 177 of Regulation (EEC) No 2454/93 provide that the Commission shall periodically establish unit values for the products referred to in the classification in Annex 26 to that Regulation;

Whereas the result of applying the rules and criteria laid down in the abovementioned Articles to the elements

communicated to the Commission in accordance with Article 173 (2) of Regulation (EEC) No 2454/93 is that unit values set out in the Annex to this Regulation should be established in regard to the products in question,

HAS ADOPTED THIS REGULATION:

*Article 1*

The unit values provided for in Article 173 (1) of Regulation (EEC) No 2454/93 are hereby established as set out in the table in the Annex hereto.

*Article 2*

This Regulation shall enter into force on 21 February 1997.

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

Done at Brussels, 19 February 1997.

*For the Commission*

Martin BANGEMANN

*Member of the Commission*

<sup>(1)</sup> OJ No L 302, 19. 10. 1992, p. 1.

<sup>(2)</sup> OJ No L 17, 21. 1. 1997, p. 1.

<sup>(3)</sup> OJ No L 253, 11. 10. 1993, p. 1.

<sup>(4)</sup> OJ No L 17, 21. 1. 1997, p. 28.

## ANNEX

Code	Description Species, varieties, CN code	Amount of unit values per 100 kg						
		a) b) c)	ECU FIM SEK	ATS FRF BEF/LUF	DEM IEP GBP	DKK ITL	GRD NLG	ESP PTE
1.10	New potatoes 0701 90 51 0701 90 59	a)	29,80	409,76	58,23	221,95	9 106,64	4 931,63
		b)	172,35	196,55	21,83	57 377,22	65,36	5 855,85
		c)	255,06	1 201,47	21,31			
1.30	Onions (other than seed) 0703 10 19	a)	6,34	87,18	12,39	47,22	1 937,45	1 049,21
		b)	36,67	41,82	4,64	12 207,10	13,91	1 245,84
		c)	54,27	255,61	4,53			
1.40	Garlic 0703 20 00	a)	149,16	2 051,01	291,45	1 110,93	45 582,10	24 684,64
		b)	862,68	983,82	109,26	287 194,16	327,16	29 310,69
		c)	1 276,69	6 013,79	106,67			
1.50	Leeks ex 0703 90 00	a)	37,49	515,50	73,25	279,22	11 456,64	6 204,26
		b)	216,83	247,28	27,46	72 183,62	82,23	7 366,97
		c)	320,88	1 511,51	26,81			
1.60	Cauliflowers 0704 10 10 0704 10 05 0704 10 80	a)	75,84	1 042,83	148,19	564,85	23 176,10	12 550,84
		b)	438,63	500,22	55,55	146 023,09	166,34	14 902,94
		c)	649,13	3 057,69	54,24			
1.70	Brussels sprouts 0704 20 00	a)	53,71	738,53	104,95	400,03	16 413,35	8 888,52
		b)	310,64	354,26	39,34	103 413,77	117,80	10 554,28
		c)	459,71	2 165,46	38,41			
1.80	White cabbages and red cabbages 0704 90 10	a)	42,94	590,44	83,90	319,81	13 122,12	7 106,18
		b)	248,35	283,22	31,45	82 677,11	94,18	8 437,92
		c)	367,53	1 731,24	30,71			
1.90	Sprouting broccoli or calabrese ( <i>Brassica oleracea</i> L. <i>conv.</i> <i>botrytis</i> (L.) <i>Alef</i> var. <i>italica</i> <i>Plenck</i> ) ex 0704 90 90	a)	105,95	1 456,85	207,02	789,11	32 377,47	17 533,77
		b)	612,77	698,82	77,61	203 997,19	232,38	20 819,70
		c)	906,85	4 271,66	75,77			
1.100	Chinese cabbage ex 0704 90 90	a)	81,56	1 121,48	159,36	607,45	24 924,08	13 497,45
		b)	471,71	537,95	59,74	157 036,44	178,89	16 026,95
		c)	698,09	3 288,31	58,33			
1.110	Cabbage lettuce (head lettuce) 0705 11 10 0705 11 05 0705 11 80	a)	90,53	1 244,82	176,89	674,26	27 665,24	14 981,90
		b)	523,59	597,11	66,31	174 307,37	198,56	17 789,60
		c)	774,86	3 649,96	64,74			
1.120	Endives ex 0705 29 00	a)	21,82	300,03	42,63	162,51	6 668,02	3 611,01
		b)	126,20	143,92	15,98	42 012,45	47,86	4 287,74
		c)	186,76	879,73	15,60			
1.130	Carrots ex 0706 10 00	a)	46,50	639,39	90,86	346,33	14 210,03	7 695,33
		b)	268,94	306,70	34,06	89 531,57	101,99	9 137,48
		c)	398,00	1 874,77	33,25			
1.140	Radishes ex 0706 90 90	a)	132,13	1 816,84	258,17	984,09	40 377,87	21 866,33
		b)	764,19	871,50	96,78	254 404,42	289,80	25 964,21
		c)	1 130,93	5 327,18	94,49			
1.160	Peas ( <i>Pisum sativum</i> ) 0708 10 90 0708 10 20 0708 10 95	a)	255,05	3 507,04	498,35	1 899,59	77 941,24	42 208,48
		b)	1 475,11	1 682,25	186,82	491 075,82	559,41	50 118,60
		c)	2 183,02	10 283,03	182,40			

Code	Description Species, varieties, CN code	Amount of unit values per 100 kg						
		a) b) c)	ECU FIM SEK	ATS FRF BEF/LUF	DEM IEP GBP	DKK ITL	GRD NLG	ESP PTE
1.170	Beans:							
1.170.1	Beans ( <i>Vigna</i> spp., <i>Phaseolus</i> spp.) ex 0708 20 90 ex 0708 20 20 ex 0708 20 95	a) b) c)	148,30 857,71 1 269,33	2 039,18 978,15 5 979,11	289,77 108,63 106,06	1 104,53 285 538,30	45 319,29 325,27	24 542,32 29 141,69
1.170.2	Beans ( <i>Phaseolus</i> spp., <i>vulgaris</i> var. <i>Compressus Savi</i> ) ex 0708 20 90 ex 0708 20 20 ex 0708 20 95	a) b) c)	239,61 1 385,81 2 050,87	3 294,73 1 580,41 9 660,52	468,18 175,51 171,36	1 784,59 461 347,49	73 222,90 525,54	39 653,30 47 084,56
1.180	Broad beans ex 0708 90 00	a) b) c)	92,83 536,89 794,55	1 276,45 612,28 3 742,69	181,38 68,00 66,39	691,39 178 735,81	28 368,11 203,61	15 362,53 18 241,56
1.190	Globe artichokes 0709 10 30	a) b) c)	— — —	— — —	— — —	— — —	— — —	— — —
1.200	Asparagus:							
1.200.1	— green ex 0709 20 00	a) b) c)	422,19 2 441,78 3 613,60	5 805,28 2 784,66 17 021,73	824,93 309,25 301,93	3 144,43 812 888,85	129 017,89 926,00	69 868,65 82 962,45
1.200.2	— other ex 0709 20 00	a) b) c)	287,28 1 661,52 2 458,88	3 950,21 1 894,83 11 582,47	561,32 210,43 205,45	2 139,64 553 131,78	87 790,47 630,10	47 542,25 56 451,96
1.210	Aubergines (eggplants) 0709 30 00	a) b) c)	184,04 1 064,42 1 575,23	2 530,62 1 213,88 7 420,07	359,60 134,81 131,61	1 370,71 354 352,46	56 241,15 403,66	30 456,96 36 164,78
1.220	Ribbed celery ( <i>Apium graveolens</i> L., var. <i>dulce</i> (Mill.) Pers.) ex 0709 40 00	a) b) c)	68,95 398,78 590,16	948,09 454,78 2 779,91	134,72 50,51 49,31	513,53 132 757,02	21 070,57 151,23	11 410,60 13 549,02
1.230	Chantarelles 0709 51 30	a) b) c)	1 162,07 6 720,96 9 946,38	15 978,93 7 664,73 46 851,99	2 270,59 851,21 831,05	8 654,99 2 237 461,20	355 119,30 2 548,80	192 312,13 228 352,57
1.240	Sweet peppers 0709 60 10	a) b) c)	157,31 909,82 1 346,45	2 163,08 1 037,58 6 342,38	307,37 115,23 112,50	1 171,63 302 886,25	48 072,68 345,03	26 033,39 30 912,20
1.250	Fennel 0709 90 50	a) b) c)	73,55 425,38 629,53	1 011,34 485,12 2 965,37	143,71 53,87 52,60	547,79 141 613,91	22 476,29 161,32	12 171,86 14 452,94
1.270	Sweet potatoes, whole, fresh (intended for human consumption) 0714 20 10	a) b) c)	47,24 273,22 404,34	649,57 311,58 1 904,61	92,30 34,60 33,78	351,84 90 956,37	14 436,17 103,61	7 817,79 9 282,90
2.10	Chestnuts ( <i>Castanea</i> spp.), fresh ex 0802 40 00	a) b) c)	159,46 922,25 1 364,85	2 192,64 1 051,76 6 429,06	311,57 116,80 114,04	1 187,64 307 025,88	48 729,70 349,75	26 389,19 31 334,69
2.30	Pineapples, fresh ex 0804 30 00	a) b) c)	59,75 345,57 511,41	821,59 394,10 2 408,98	116,75 43,77 42,73	445,01 115 043,25	18 259,12 131,05	9 888,09 11 741,17

Code	Description Species, varieties, CN code	Amount of unit values per 100 kg						
		a) b) c)	ECU FIM SEK	ATS FRF BEF/LUF	DEM IEP GBP	DKK ITL	GRD NLG	ESP PTE
2.40	Avocados, fresh ex 0804 40 90 ex 0804 40 20 ex 0804 40 95	a) b) c)	99,64 576,28 852,84	1 370,09 657,20 4 017,26	194,69 72,99 71,26	742,11 191 847,85	30 449,19 218,54	16 489,52 19 579,76
2.50	Guavas and mangoes, fresh ex 0804 50 00	a) b) c)	105,37 609,42 901,88	1 448,88 695,00 4 248,28	205,88 77,18 75,35	784,79 202 880,45	32 200,23 231,11	17 437,79 20 705,73
2.60	Sweet oranges, fresh:							
2.60.1	— Sanguines and semi-sanguines 0805 10 42 0805 10 51 0805 10 37	a) b) c)	— — —	— — —	— — —	— — —	— — —	— — —
2.60.2	— Navels, navelines, navelates, salustianas, vernas, Valencia lates, Maltese, shamou- tis, ovalis, trovita and hamlins 0805 10 44 0805 10 55 0805 10 38	a) b) c)	— — —	— — —	— — —	— — —	— — —	— — —
2.60.3	— Others 0805 10 39 0805 10 46 0805 10 59	a) b) c)	— — —	— — —	— — —	— — —	— — —	— — —
2.70	Mandarins (including tangerines and satsu- mas), fresh; clementines, wilkings and simi- lar citrus hybrids, fresh:							
2.70.1	— Clementines 0805 20 21	a) b) c)	66,22 382,99 566,79	910,55 436,77 2 669,84	129,39 48,51 47,36	493,20 127 500,65	20 236,30 145,24	10 958,81 13 012,56
2.70.2	— Monreales and satsumas 0805 20 23	a) b) c)	93,29 539,55 798,49	1 282,77 615,32 3 761,24	182,28 68,33 66,72	694,82 179 621,50	28 508,68 204,62	15 438,66 18 331,95
2.70.3	— Mandarines and wilkings 0805 20 25	a) b) c)	59,16 342,16 506,36	813,47 390,21 2 385,20	115,59 43,33 42,31	440,62 113 907,26	18 078,82 129,76	9 790,45 11 625,24
2.70.4	— Tangerines and others ex 0805 20 27 ex 0805 20 29	a) b) c)	51,96 300,52 444,74	714,47 342,72 2 094,91	101,53 38,06 37,16	386,99 100 044,30	15 878,56 113,97	8 598,91 10 210,40
2.85	Limes ( <i>Citrus aurantifolia</i> ), fresh ex 0805 30 90	a) b) c)	164,01 948,57 1 403,79	2 255,20 1 081,77 6 612,51	320,46 120,14 117,29	1 221,53 315 786,49	50 120,14 359,73	27 142,18 32 228,79

Code	Description Species, varieties, CN code	Amount of unit values per 100 kg						
		a) b) c)	ECU FIM SEK	ATS FRF BEF/LUF	DEM IEP GBP	DKK ITL	GRD NLG	ESP PTE
2.90	Grapefruit, fresh:							
2.90.1	— white ex 0805 40 90 ex 0805 40 20 ex 0805 40 95	a) b) c)	36,72 212,37 314,29	504,91 242,20 1 480,47	71,75 26,90 26,26	273,49 70 701,06	11 221,34 80,54	6 076,83 7 215,66
2.90.2	— pink ex 0805 40 90 ex 0805 40 20 ex 0805 40 95	a) b) c)	43,34 250,66 370,96	595,94 285,86 1 747,37	84,68 31,75 30,99	322,79 83 447,27	13 244,36 95,06	7 172,38 8 516,53
2.100	Table grapes 0806 10 21 0806 10 29 0806 10 61 0806 10 30 0806 10 69	a) b) c)	149,23 863,09 1 277,29	2 051,97 984,29 6 016,61	291,58 109,31 106,72	1 111,45 287 328,93	45 603,49 327,31	24 696,22 29 324,44
2.110	Water melons 0807 11 00	a) b) c)	45,66 264,08 390,81	627,84 301,16 1 840,91	89,22 33,45 32,65	304,07 87 914,22	13 953,33 100,15	7 556,32 8 972,42
2.120	Melons (other than water melons):							
2.120.1	— Amarillo, cuper, honey dew (including cantalene), ontente, piel de sapo (including verde liso), rochet, tendral, futuro ex 0807 19 00	a) b) c)	55,86 323,07 478,12	768,10 368,44 2 252,15	109,15 40,92 39,95	416,04 107 553,40	17 070,37 122,52	9 244,33 10 976,77
2.120.2	— other ex 0807 19 00	a) b) c)	160,51 928,33 1 373,84	2 207,08 1 058,69 6 471,39	313,62 117,57 114,79	1 195,46 309 047,56	49 050,57 352,05	26 562,96 31 541,02
2.140	Pears							
2.140.1	Pears — nashi ( <i>Pyrus pyrifolia</i> ) ex 0808 20 41	a) b) c)	— — —	— — —	— — —	— — —	— — —	— — —
2.140.2	Other ex 0808 20 41	a) b) c)	— — —	— — —	— — —	— — —	— — —	— — —
2.150	Apricots 0809 10 10 0809 10 50	a) b) c)	121,68 703,75 1 041,48	1 673,15 802,57 4 905,86	237,75 89,13 87,02	906,26 234 283,89	37 184,43 266,88	20 136,94 23 910,73
2.160	Cherries 0809 20 11 0809 20 19 0809 20 21 0809 20 29 0809 20 71 0809 20 79	a) b) c)	146,66 848,22 1 255,29	2 016,63 967,33 5 912,99	286,56 107,43 104,88	1 092,31 282 380,63	44 818,12 321,67	24 270,91 28 819,42
2.170	Peaches 0809 30 19 0809 30 59	a) b) c)	107,31 620,64 918,49	1 475,56 707,79 4 326,49	209,68 78,60 76,74	799,24 206 615,75	32 793,08 235,37	17 758,84 21 086,95
2.180	Nectarines ex 0809 30 11 ex 0809 30 51	a) b) c)	107,55 622,03 920,54	1 478,86 709,37 4 336,17	210,14 78,78 76,91	801,02 207 077,85	32 866,42 235,89	17 798,56 21 134,11

Code	Description Species, varieties, CN code	Amount of unit values per 100 kg						
		a) b) c)	ECU FIM SEK	ATS FRF BEF/LUF	DEM IEP GBP	DKK ITL	GRD NLG	ESP PTE
2.190	Plums 0809 40 10 0809 40 40	a)	123,36	1 696,25	241,04	918,77	37 697,83	20 414,97
		b)	713,47	813,65	90,36	237 518,58	270,57	24 240,86
		c)	1 055,86	4 973,59	88,22			
2.200	Strawberries 0810 10 10 0810 10 05 0810 10 80	a)	281,31	3 868,13	549,66	2 095,17	85 966,09	46 554,27
		b)	1 626,99	1 855,45	206,06	541 637,09	617,01	55 278,82
		c)	2 407,79	11 341,77	201,18			
2.205	Raspberries 0810 20 10	a)	1 451,08	19 952,93	2 835,29	10 807,51	443 438,44	240 140,68
		b)	8 392,48	9 570,98	1 062,90	2 793 923,94	3 182,70	285 144,48
		c)	12 420,07	58 504,21	1 037,73			
2.210	Fruit of the species <i>Vaccinium myrtillus</i> 0810 40 30	a)	1 040,03	14 300,83	2 032,14	7 746,05	317 824,85	172 115,60
		b)	6 015,13	6 859,79	761,81	2 002 484,16	2 281,13	204 371,10
		c)	8 901,81	41 931,62	743,77			
2.220	Kiwi fruit ( <i>Actinidia chinensis Planch.</i> ) 0810 50 10 0810 50 20 0810 50 30	a)	35,00	481,26	68,39	260,68	10 695,72	5 792,19
		b)	202,43	230,85	25,64	67 389,35	76,77	6 877,68
		c)	299,57	1 411,12	25,03			
2.230	Pomegranates ex 0810 90 85	a)	124,96	1 718,25	244,16	930,69	38 186,78	20 679,76
		b)	722,72	824,21	91,53	240 599,23	274,08	24 555,26
		c)	1 069,56	5 038,10	89,36			
2.240	Khakis (including sharon fruit) ex 0810 90 85	a)	73,08	1 004,88	142,79	544,29	22 332,66	12 094,08
		b)	422,67	482,02	53,53	140 708,96	160,29	14 360,59
		c)	625,51	2 946,42	52,26			
2.250	Lychees ex 0810 90 30	a)	146,01	2 007,70	285,29	1 087,47	44 619,49	24 163,34
		b)	844,46	963,05	106,95	281 129,11	320,25	28 691,70
		c)	1 249,73	5 886,79	104,42			

## COMMISSION REGULATION (EC) No 298/97

of 19 February 1997

fixing representative prices and additional import duties in the poultrymeat and egg sectors and for egg albumin, and amending Regulation (EC) No 1484/95

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

Having regard to Council Regulation (EEC) No 2771/75 of 29 October 1975 on the common organization of the market in eggs <sup>(1)</sup>, as last amended by Regulation (EC) No 1516/96 <sup>(2)</sup>, and in particular Article 5 (4) thereof,

Having regard to Council Regulation (EEC) No 2777/75 of 29 October 1975 on the common organization of the market in poultrymeat <sup>(3)</sup>, as last amended by Regulation (EC) No 2916/95 <sup>(4)</sup>, and in particular Article 5 (4) thereof,

Having regard to Council Regulation (EEC) No 2783/75 of 29 October 1975 on the common system of trade for ovalbumin and lactalbumin <sup>(5)</sup>, as last amended by Regulation (EC) No 2916/95, and in particular Article 3 (4) thereof,

Whereas Commission Regulation (EC) No 1484/95 <sup>(6)</sup>, as last amended by Regulation (EC) No 107/97 <sup>(7)</sup>, fixes detailed rules for implementing the system of additional import duties and fixes additional import duties in the poultrymeat and egg sectors and for egg albumin;

Whereas it results from regular monitoring of the information providing the basis for the verification of the

import prices in the poultrymeat and egg sectors and for egg albumin that the representative prices and additional duties for imports of certain products should be amended taking into account variations of prices according to origin; whereas, therefore, representative prices and corresponding additional duties should be published;

Whereas it is necessary to apply this amendment as soon as possible, given the situation on the market;

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*

Annex I to amended Regulation (EC) No 1484/95 is hereby replaced by the Annex hereto.

*Article 2*

This Regulation shall enter into force on 20 February 1997.

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

Done at Brussels, 19 February 1997.

*For the Commission*

Franz FISCHLER

*Member of the Commission*

<sup>(1)</sup> OJ No L 282, 1. 11. 1975, p. 49.

<sup>(2)</sup> OJ No L 189, 30. 7. 1996, p. 99.

<sup>(3)</sup> OJ No L 282, 1. 11. 1975, p. 77.

<sup>(4)</sup> OJ No L 305, 19. 12. 1995, p. 49.

<sup>(5)</sup> OJ No L 282, 1. 11. 1975, p. 104.

<sup>(6)</sup> OJ No L 145, 29. 6. 1995, p. 47.

<sup>(7)</sup> OJ No L 20, 23. 1. 1997, p. 9.



## ANNEX

## ANNEX I

CN code	Description	Representative price ECU/100 kg	Additional duty ECU/100 kg	Origin ( <sup>1</sup> )
0207 14 10	Boneless cuts of fowls of the species <i>gallus domesticus</i> , frozen	216,6	25	01
		286,7	4	02
		290,0	3	03
		287,6	4	04
		291,8	3	05
1602 32 11 1602 39 21	Preparations uncooked, other than turkeys	221,6	20	01

(<sup>1</sup>) Origin of imports:

- 01 China
- 02 Brazil
- 03 Thailand
- 04 Argentina
- 05 Chile.

**COMMISSION REGULATION (EC) No 299/97**  
**of 19 February 1997**  
**adopting exceptional support measures for the beef and veal market in Germany**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EEC) No 805/68 of 27 June 1968 on the common organization of the market in beef and veal<sup>(1)</sup>, as last amended by Commission Regulation (EC) No 2222/96<sup>(2)</sup>, and in particular Article 23 thereof,

Whereas Commission Decision 96/239/EC of 27 March 1996 on emergency measures to protect against bovine spongiform encephalopathy (BSE)<sup>(3)</sup>, as amended by Decision 96/362/EC<sup>(4)</sup>, prohibits the exportation of live bovine animals, or any part of them, from the United Kingdom to other Member States and their export to third countries as a result of the incidence of BSE in the United Kingdom; whereas animals born in the United Kingdom had been exported to other Member States prior to the introduction of that export ban; whereas the possibility that those animals, animals imported from Switzerland, or their descendants may enter the human food or animal feed chains has led to a lack of consumer confidence in beef and a disturbance of the market in Germany; whereas it is therefore necessary to take exceptional measures to support that market; whereas it is appropriate to establish a Community part-financed scheme authorizing Germany to purchase the animals concerned with a view to killing and subsequently destroying them;

Whereas, in view of the extent of the disease and consequently of the magnitude of the efforts needed to support the market, it would be appropriate for such efforts to be shared by the Community and the Member State concerned; whereas, in similar cases the Community has contributed to the overall expenditure incurred at a rate of 70 %; whereas it is appropriate to provide a Community contribution of 70 % of the purchase price paid by Germany per animal destroyed under this Regulation;

Whereas the price paid to producers is to compensate them for not selling the animal in question; whereas those animals must therefore be prohibited from being marketed; whereas it is therefore necessary to specify the conditions for the controls to be carried out by the authorities of the Member State concerned;

Whereas provision should be made for Commission experts to check compliance with the conditions as specified;

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

HAS ADOPTED THIS REGULATION:

*Article 1*

1. Germany is hereby authorized to pay compensation in respect of the bovine animals referred to in paragraph 2 present on a holding located in the territory of Germany and slaughtered by order of the competent authority as part of measures concerning BSE.
2. This Regulation covers bovine animals born in the United Kingdom or Switzerland or direct descendants of such animals, up to a maximum of 19 200 animals.

*Article 2*

The animals referred to in Article 1 shall be killed either on the farm or in a rendering plant. After being slaughtered on the farm, the animals shall be transported immediately to a rendering plant.

*Article 3*

The German competent authority shall:

- carry out the necessary administrative checks and on-the-spot supervision of the operations referred to in Article 2, and
- control those operations on the basis of frequent and unannounced inspections, in particular to verify that the material obtained has been effectively destroyed.

The results of these checks, controls and examinations shall be made available to the Commission on request.

*Article 4*

1. The amount of compensation per animal to be paid to producers or their agents by the German competent authority under Article 1 (1) shall be equal to the objective market value in Germany of each animal concerned established on the basis of a system of objective evaluation agreed on by the German competent authority, but may not exceed ECU 1 050.

<sup>(1)</sup> OJ No L 148, 28. 6. 1968, p. 24.

<sup>(2)</sup> OJ No L 296, 21. 11. 1996, p. 50.

<sup>(3)</sup> OJ No L 78, 28. 3. 1996, p. 47.

<sup>(4)</sup> OJ No L 139, 12. 6. 1996, p. 17.

2. The Community shall part-finance at a rate of 70 % the expenditure relating to the amount of compensation referred to in paragraph 1 of animals slaughtered in accordance with Article 1.

3. Notwithstanding paragraph 1, the German competent authority is authorized to pay supplementary amounts in respect of bovine animals slaughtered under this scheme. The Community shall not part-finance such expenditure.

#### *Article 5*

Germany shall adopt all measures necessary to ensure proper application of this scheme. It shall inform the Commission as soon as possible of the measures which it has taken and of any amendments thereto.

#### *Article 6*

The German competent authority:

— shall inform the Commission each Wednesday of the number of animals slaughtered under this scheme during the preceding week,

— shall draw up a detailed report on the controls which it has taken under the measures referred to in Article 5 and communicate this to the Commission each month.

#### *Article 7*

Without prejudice to Article 9 of Council Regulation (EEC) No 729/70<sup>(1)</sup>, Commission experts, accompanied where appropriate by experts from the Member States, shall carry out, in collaboration with the German competent authority, on-the-spot checks to verify compliance with all the provisions of this Regulation.

#### *Article 8*

The measures taken under this Regulation shall be considered to be intervention measures within the meaning of Article 3 of Regulation (EEC) No 729/70.

#### *Article 9*

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

It shall apply from 29 January 1997.

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

Done at Brussels, 19 February 1997.

*For the Commission*

Franz FISCHLER

*Member of the Commission*

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<sup>(1)</sup> OJ No L 94, 28. 4. 1970, p. 13.

**COMMISSION REGULATION (EC) No 300/97****of 19 February 1997****amending Regulation (EEC) No 3665/87 laying down common detailed rules for the application of the system of export refunds on 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 <sup>(1)</sup>, as last amended by Regulation (EC) No 1587/96 <sup>(2)</sup>, and in particular Articles 13 (3) and 17 (14) thereof,Whereas, in the milk and milk products sector, processed cheese may be manufactured under the inward processing arrangements; whereas, in that case, the dairy ingredients of Community origin used in that manufacture are not eligible for export refunds; whereas, in the light of the market situation, the treatment of different manufacturing systems should be made more equitable by extending the arrangements for compound products provided for in Article 8 (2) and (3) of Commission Regulation (EEC) No 3665/87 <sup>(3)</sup>, as last amended by Regulation (EC) No 1384/95 <sup>(4)</sup> to processed cheese manufactured under the inward processing arrangements;

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

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

Done at Brussels, 19 February 1997.

HAS ADOPTED THIS REGULATION:

*Article 1*

The third indent of Article 8 (3) of Regulation (EC) No 3665/87 shall be replaced by the following:

- refunds applicable to products of the milk and milk products and sugar sectors exported in the form of products falling within subheadings 0402 10 91 to 99, 0402 29, 0402 99, 0403 10 31 to 39, 0403 90 31 to 39, 0403 90 61 to 69, 0404 10 26 to 38 and 0404 10 72 to 84, 0404 90 81 to 89 of the combined nomenclature, as well as in the form of products falling within the subheading 0406 30 of the combined nomenclature which are not in any of the situations referred to in Article 9 (2) of the Treaty<sup>5</sup>.

*Article 2*This Regulation shall enter into force on the third day following its publication in the *Official Journal of the European Communities*.*For the Commission*

Franz FISCHLER

*Member of the Commission*<sup>(1)</sup> OJ No L 148, 28. 6. 1968, p. 13.<sup>(2)</sup> OJ No L 206, 16. 8. 1996, p. 21.<sup>(3)</sup> OJ No L 351, 14. 12. 1987, p. 1.<sup>(4)</sup> OJ No L 134, 20. 6. 1995, p. 14.

**COMMISSION REGULATION (EC) No 301/97**  
**of 19 February 1997**  
**establishing the standard import values for determining the entry price of**  
**certain fruit and vegetables**

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

Having regard to Commission Regulation (EC) No 3223/94 of 21 December 1994 on detailed rules for the application of the import arrangements for fruit and vegetables<sup>(1)</sup>, as last amended by Regulation (EC) No 2375/96<sup>(2)</sup>, and in particular Article 4 (1) thereof,

Having regard to Council Regulation (EEC) No 3813/92 of 28 December 1992 on the unit of account and the conversion rates to be applied for the purposes of the common agricultural policy<sup>(3)</sup>, as last amended by Regulation (EC) No 150/95<sup>(4)</sup>, and in particular Article 3 (3) thereof,

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

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

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

HAS ADOPTED THIS REGULATION:

*Article 1*

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

*Article 2*

This Regulation shall enter into force on 20 February 1997.

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

Done at Brussels, 19 February 1997.

*For the Commission*

Franz FISCHLER

*Member of the Commission*

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

<sup>(2)</sup> OJ No L 325, 14. 12. 1996, p. 5.

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

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

## ANNEX

to the Commission Regulation of 19 February 1997 establishing the standard import values for determining the entry price of certain fruit and vegetables

(ECU/100 kg)

CN code	Third country code <sup>(1)</sup>	Standard import value	
0702 00 15	052	54,1	
	204	54,2	
	212	113,6	
	624	237,9	
	999	114,9	
0707 00 10	052	94,2	
	053	180,2	
	068	74,2	
	624	203,7	
0709 10 10	999	138,1	
	220	140,5	
	999	140,5	
0709 90 73	052	121,8	
	204	123,3	
	628	141,9	
	999	129,0	
0805 10 01, 0805 10 05, 0805 10 09	052	43,0	
	204	40,1	
	212	58,3	
	220	30,6	
	448	26,1	
	464	50,5	
	600	57,3	
	624	55,0	
	999	45,1	
0805 20 11	204	67,0	
	999	67,0	
0805 20 13, 0805 20 15, 0805 20 17, 0805 20 19	052	53,9	
	204	69,9	
	220	55,1	
	400	79,3	
	464	78,5	
	600	98,4	
	624	80,2	
	999	73,6	
0805 30 20	052	69,2	
	400	72,0	
	600	73,5	
	999	71,6	
0808 10 51, 0808 10 53, 0808 10 59	039	97,7	
	052	59,3	
	060	59,1	
	064	56,3	
	400	85,7	
	404	83,8	
	512	139,0	
	999	83,0	
	0808 20 31	064	77,0
		388	86,8
400		107,2	
512		74,4	
528		86,5	
624		77,1	
999	84,8		

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

**COMMISSION REGULATION (EC) No 302/97**  
**of 19 February 1997**

**amending representative prices and additional duties for the import of certain products in the sugar sector**

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

Having regard to Council Regulation (EEC) No 1785/81 of 30 June 1981 on the common organization of the markets in the sugar sector<sup>(1)</sup>, as last amended by Regulation (EC) No 1599/96<sup>(2)</sup>,

Having regard to Commission Regulation (EC) No 1423/95 of 23 June 1995 laying down detailed implementing rules for the import of products in the sugar sector other than molasses<sup>(3)</sup>, as last amended by Regulation (EC) No 1127/96<sup>(4)</sup>, and in particular the second subparagraph of Article 1 (2), and Article 3 (1) thereof,

Whereas the amounts of the representative prices and additional duties applicable to the import of white sugar, raw sugar and certain syrups are fixed by Commission Regulation (EC) No 1195/96<sup>(5)</sup>, as last amended by Regulation (EC) No 263/97<sup>(6)</sup>;

Whereas it follows from applying the general and detailed fixing rules contained in Regulation (EC) No 1423/95 to the information known to the Commission that the representative prices and additional duties at present in force should be altered to the amounts set out in the Annex hereto,

HAS ADOPTED THIS REGULATION:

*Article 1*

The representative prices and additional duties on imports of the products referred to in Article 1 of Regulation (EC) No 1423/95 shall be as set out in the Annex hereto.

*Article 2*

This Regulation shall enter into force on 20 February 1997.

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

Done at Brussels, 19 February 1997.

*For the Commission*

Franz FISCHLER

*Member of the Commission*

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<sup>(1)</sup> OJ No L 177, 1. 7. 1981, p. 4.  
<sup>(2)</sup> OJ No L 206, 16. 8. 1996, p. 43.  
<sup>(3)</sup> OJ No L 141, 24. 6. 1995, p. 16.  
<sup>(4)</sup> OJ No L 150, 25. 6. 1996, p. 12.  
<sup>(5)</sup> OJ No L 161, 29. 6. 1996, p. 3.  
<sup>(6)</sup> OJ No L 43, 14. 2. 1997, p. 15.

## ANNEX

to the Commission Regulation of 19 February 1997 amending representative prices and the amounts of additional duties applicable to imports of white sugar, raw sugar and products covered by CN code 1702 90 99

(ECU)

CN code	Amount of representative prices per 100 kg net of product concerned	Amount of additional duty per 100 kg net of product concerned
1701 11 10 <sup>(1)</sup>	23,29	4,66
1701 11 90 <sup>(1)</sup>	23,29	9,89
1701 12 10 <sup>(1)</sup>	23,29	4,46
1701 12 90 <sup>(1)</sup>	23,29	9,46
1701 91 00 <sup>(2)</sup>	25,66	12,44
1701 99 10 <sup>(2)</sup>	25,66	7,88
1701 99 90 <sup>(2)</sup>	25,66	7,88
1702 90 99 <sup>(3)</sup>	0,26	0,39

<sup>(1)</sup> For the standard quality as defined in Article 1 of amended Council Regulation (EEC) No 431/68 (OJ No L 89, 10. 4. 1968, p. 3).

<sup>(2)</sup> For the standard quality as defined in Article 1 of Council Regulation (EEC) No 793/72 (OJ No L 94, 21. 4. 1972, p. 1).

<sup>(3)</sup> By 1 % sucrose content.



**COMMISSION REGULATION (EC) No 303/97**  
**of 19 February 1997**  
**fixing the import duties in the rice sector**

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

Having regard to Council Regulation (EC) No 3072/95 of 22 December 1995 on the common organization of the market in rice <sup>(1)</sup>,

Having regard to Commission Regulation (EC) No 1503/96 of 29 July 1996 laying down detailed rules for the application of Council Regulation (EC) No 3072/95 as regards import duties in the rice sector <sup>(2)</sup>, as amended by Regulation (EC) No 2131/96 <sup>(3)</sup>, and in particular Article 4 (1) thereof,

Whereas Article 11 of Regulation (EC) No 3072/95 provides that the rates of duty in the Common Customs Tariff are to be charged on import of the products referred to in Article 1 of that Regulation; whereas, however, in the case of the products referred to in paragraph 2 of that Article, the import duty is to be equal to the intervention price valid for such products on importation and increased by a certain percentage according to whether it is husked or milled rice, minus the cif import price provided that duty does not exceed the rate of the Common Customs Tariff duties;

Whereas, pursuant to Article 12 (3) of Regulation (EC) No 3072/95, the cif import prices are calculated on the basis of the representative prices for the product in question on the world market or on the Community import market for the product;

Whereas Regulation (EC) No 1503/96 lays down detailed rules for the application of Regulation (EC) No 3072/95 as regards import duties in the rice sector;

Whereas the import duties are applicable until new duties are fixed and enter into force; whereas they also remain in force in cases where no quotation is available from the source referred to in Article 5 of Regulation (EC) No 1503/96 during the two weeks preceding the next periodical fixing;

Whereas, in order to allow the import duty system to function normally, the market rates recorded during a reference period should be used for calculating the duties;

Whereas application of Regulation (EC) No 1503/96 results in import duties being fixed as set out in the Annexes to this Regulation,

HAS ADOPTED THIS REGULATION:

*Article 1*

The import duties in the rice sector referred to in Article 11 (1) and (2) of Regulation (EC) No 3072/95 shall be those fixed in Annex I to this Regulation on the basis of the information given in Annex II.

*Article 2*

This Regulation shall enter into force on 20 February 1997.

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

Done at Brussels, 19 February 1997.

*For the Commission*

Franz FISCHLER

*Member of the Commission*

<sup>(1)</sup> OJ No L 329, 30. 12. 1995, p. 18.

<sup>(2)</sup> OJ No L 189, 30. 7. 1996, p. 71.

<sup>(3)</sup> OJ No L 285, 7. 11. 1996, p. 6.

## ANNEX I

## to the Commission Regulation of 19 February 1997 fixing the import duties on rice and broken rice

(ECU/tonne)

CN code	Duties (%)			
	Third countries (except ACP and Bangladesh) <sup>(1)</sup> <sup>(7)</sup>	ACP Bangladesh <sup>(1)</sup> <sup>(2)</sup> <sup>(3)</sup> <sup>(4)</sup>	Basmati India and Pakistan <sup>(6)</sup>	Egypt <sup>(5)</sup>
1006 10 21	(7)	140,81		217,73
1006 10 23	(7)	140,81		217,73
1006 10 25	(7)	140,81		217,73
1006 10 27	(7)	140,81		217,73
1006 10 92	(7)	140,81		217,73
1006 10 94	(7)	140,81		217,73
1006 10 96	(7)	140,81		217,73
1006 10 98	(7)	140,81		217,73
1006 20 11	328,79	160,06		246,59
1006 20 13	328,79	160,06		246,59
1006 20 15	328,79	160,06		246,59
1006 20 17	244,75	118,04	0	183,56
1006 20 92	328,79	160,06		246,59
1006 20 94	328,79	160,06		246,59
1006 20 96	328,79	160,06		246,59
1006 20 98	244,75	118,04	0	183,56
1006 30 21	562,51	271,09		421,88
1006 30 23	562,51	271,09		421,88
1006 30 25	562,51	271,09		421,88
1006 30 27	563,22	271,09		422,42
1006 30 42	562,51	271,09		421,88
1006 30 44	562,51	271,09		421,88
1006 30 46	562,51	271,09		421,88
1006 30 48	563,22	271,09		422,42
1006 30 61	562,51	271,09		421,88
1006 30 63	562,51	271,09		421,88
1006 30 65	562,51	271,09		421,88
1006 30 67	563,22	271,09		422,42
1006 30 92	562,51	271,09		421,88
1006 30 94	562,51	271,09		421,88
1006 30 96	562,51	271,09		421,88
1006 30 98	563,22	271,09		422,42
1006 40 00	(7)	84,38		132,00

(<sup>1</sup>) Subject to the application of the provisions of Articles 12 and 13 of amended Council Regulation (EEC) No 715/90 (OJ No L 84, 30. 3. 1990, p. 85).

(<sup>2</sup>) In accordance with Regulation (EEC) No 715/90, the duties are not applied to products originating in the African, Caribbean and Pacific States and imported directly into the overseas department of Réunion.

(<sup>3</sup>) The import levy on rice entering the overseas department of Réunion is specified in Article 11 (3) of Regulation (EC) No 3072/95.

(<sup>4</sup>) The duty on imports of rice not including broken rice (CN code 1006 40 00), originating in Bangladesh is applicable under the arrangements laid down in Council Regulation (EEC) No 3491/90 (OJ No L 337, 4. 12. 1990, p. 1) and amended Commission Regulation (EEC) No 862/91 (OJ No L 88, 9. 4. 1991, p. 7).

(<sup>5</sup>) No import duty applies to products originating in the OCT pursuant to Article 101 (1) of amended Council Decision 91/482/EEC (OJ No L 263, 19. 9. 1991, p. 1).

(<sup>6</sup>) For husked rice of the Basmati variety originating in India and Pakistan, a reduction of ECU 250 per tonne applies (Article 4b of amended Regulation (EC) No 1503/96).

(<sup>7</sup>) Duties fixed in the Common Customs Tariff.

(<sup>8</sup>) The duty on imports of rice originating in and coming from Egypt is applicable under the arrangements laid down in Council Regulation (EC) No 2184/96 (OJ No L 292, 15. 11. 1996, p. 1) and Commission Regulation (EC) No 196/97 (OJ No L 31, 1. 2. 1997, p. 53).

## ANNEX II

## Calculation of import duties for rice

	Paddy	Indica rice		Japonica rice		Broken rice
		Husked	Milled	Husked	Milled	
1. Import duty (ECU/tonne)	( <sup>1</sup> )	244,75	563,22	328,79	562,51	( <sup>1</sup> )
2. Elements of calculation:						
(a) Arag cif price (\$/tonne)	—	444,23	413,08	380,00	430,00	—
(b) fob price (\$/tonne)	—	—	—	350,00	400,00	—
(c) Sea freight (\$/tonne)	—	—	—	30,00	30,00	—
(d) Source	—	USDA	USDA	Operators	Operators	—

(<sup>1</sup>) Duties fixed in the Common Customs Tariff.

## II

*(Acts whose publication is not obligatory)*

## COMMISSION

## COMMISSION DECISION

of 27 January 1997

**authorizing Finland to grant certain aids in the horticultural, flowers and plants sectors**

**(Only the Finnish text is authentic)**

(97/128/EC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to the Act of Accession of Austria, Finland and Sweden, and in particular Article 140 thereof,

Whereas the Commission may under the above Article authorize Austria and Finland to grant the specific aids listed in Annex XIV to the Act of Accession for which it has established the initial level and rate of decrease; whereas the Annex includes aids supplementary to those provided for in Article 12 (2) of Regulation (EEC) No 2328/91 of 15 July 1991 on improving the efficiency of agricultural structures<sup>(1)</sup>, as last amended by Regulation (EC) No 2387/95<sup>(2)</sup>; whereas the aids in question must not give rise to an increase in overall production capacities and must be granted within the individual production limits established in accordance with the procedure laid down in Article 29 of Regulation (EEC) No 2328/91;

Whereas, on 12 July 1996 Finland notified the Commission of the aid scheme it intends implementing in the horticultural, flowers and plants sectors under the above provisions;

Whereas the aids in question, the budget for which is estimated at Fmk 22,5 million per year and which are granted in the form of an interest rate subsidy (5 % for a maximum of 30 years for 70 % of the total investment, with a ceiling equal to 30 % of the total investment) or in the form of a capital grant (a maximum of 30 % of the total investment) to cover the costs involved in expanding installations or the cost of materials needed to increase production capacity, comply with the conditions laid down in Annex XIV to the Act of Accession;

Whereas these aids will be granted within the individual limits set by Commission Decision C(96) 2876 of 4 December 1996 on improving the efficiency of agricultural structures in Finland under Regulation (EEC) No 2328/91; whereas, since these aids are accompanied by adequate arrangements to monitor the trend in production capacities they should not therefore result in an increase in overall production capacity as recorded in 1994 and thus comply with the relevant provisions in the Act of Accession; whereas, however, the Commission should also be informed of the trend in production capacities in the sectors in question;

Whereas, while accepting the initial aid levels proposed by Finland, their rates of decrease should be set for 1997, 1998, 1999 and the aids should be abolished completely by 31 December 1999 at the latest so that the Act of Accession is complied with while ensuring at the same time that the necessary adjustments to Finnish production structures are made,

<sup>(1)</sup> OJ No L 218, 6. 8. 1991, p. 1.

<sup>(2)</sup> OJ No L 244, 12. 10. 1995, p. 50.

HAS ADOPTED THIS DECISION:

*Article 1*

The aid measures notified by Finland on 12 July 1996 in the horticultural, flowers and plants sectors are hereby authorized.

The maximum rate of aid, whether granted in the form of an interest subsidy or capital grant, shall be:

- 30 % of the total investment in the case of aids granted under decisions taken by 31 March 1997 at the latest,
- 27 % of the total investment in the case of aids granted under decisions taken between 1 April and 31 December 1997 inclusive,
- 24 % of the total investment in the case of aids granted under decisions taken between 1 January and 31 December 1998 inclusive,

- 20 % of the total investment in the case of aids granted under decisions taken between 1 January and 31 December 1999 inclusive.

The aids shall be abolished on 31 December 1999, at the latest.

*Article 2*

While the aids provided for in Article 1 apply, Finland shall notify the Commission each year of its production capacity in the horticultural and flowers and plants sectors.

*Article 3*

This Decision is addressed to the Republic of Finland.

Done at Brussels, 27 January 1997.

*For the Commission*

Franz FISCHLER

*Member of the Commission*

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## COMMISSION DECISION

of 28 January 1997

establishing the identification system for packaging materials pursuant to European Parliament and Council Directive 94/62/EC on packaging and packaging waste

(Text with EEA relevance)

(97/129/EC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to European Parliament and Council Directive 94/62/EC of 20 December 1994 on packaging and packaging waste<sup>(1)</sup>, and in particular Article 8 (2) thereof,

Whereas the identification system is to be voluntary at least in a first stage but subject to revision to establish whether to introduce it on a binding basis at a further stage;

Whereas the identification system will be periodically reviewed and, if necessary, revised in accordance with the procedure laid down in Article 21 of Directive 94/62/EC;

Whereas the measures provided for in this Decision are in accordance with the opinion of the Committee, established pursuant to Article 21 of Directive 94/62/EC,

HAS ADOPTED THIS DECISION:

*Article 1*

This Decision, which covers all packaging covered by Directive 94/62/EC aims to establish the numbering and abbreviations on which the identification system is based, indicating the nature of the packaging material(s) used and specifying which materials shall be subject to the identification system.

*Article 2*

For the purposes of this Decision:

- the same definitions set out in Article 3 of Directive 94/62/EC shall apply where relevant,
- composite: means packaging made up of different materials, and which cannot be separated by hand,

none exceeding a given percent by weight which shall be established in accordance with the procedure laid down in Article 21 of Directive 94/62/EC. Potential exemptions for some materials may be established by the same procedure.

*Article 3*

The numbering and abbreviations of the identification system are as laid down in the Annexes.

Their use shall be voluntary for the plastic materials mentioned in Annex I, the paper and fibreboard materials mentioned in Annex II, the metals mentioned in Annex III, the wood materials mentioned in Annex IV, the textile materials mentioned in Annex V, the glass materials mentioned in Annex VI, and the composites mentioned in Annex VII.

A decision whether to introduce on a binding basis the identification system for any material or materials may be adopted in accordance with the procedure laid down in Article 21 of Directive 94/62/EC.

*Article 4*

This Decision is addressed to the Member States.

Done at Brussels, 28 January 1997.

*For the Commission*

Ritt BJERREGAARD

*Member of the Commission*

<sup>(1)</sup> OJ No L 365, 31. 12. 1994, p. 10.

## ANNEX I

Numbering and abbreviation system <sup>(1)</sup> for plastics

Material	Abbreviations	Numbering
Polyethylene terephthalate	PET	1
High density polyethylene	HDPE	2
Polyvinyl chloride	PVC	3
Low density polyethylene	LDPE	4
Polypropylene	PP	5
Polystyrene	PS	6
		7
		8
		9
		10
		11
		12
		13
		14
		15
		16
		17
		18
		19

<sup>(1)</sup> Only capital letters shall be used.

## ANNEX II

Numbering and abbreviation system <sup>(1)</sup> for paper and fibreboard

Material	Abbreviation	Numbering
Corrugated fibreboard	PAP	20
Non-corrugated fibreboard	PAP	21
Paper	PAP	22
		23
		24
		25
		26
		27
		28
		29
		30
		31
		32
		33
		34
		35
		36
		37
		38
		39

<sup>(1)</sup> Only capital letters shall be used.

*ANNEX III***Numbering and abbreviation system for metals**

Material	Abbreviation	Numbering
Steel	FE	40
Aluminium	ALU	41
		42
		43
		44
		45
		46
		47
		48
		49

*ANNEX IV***Numbering and abbreviation system <sup>(1)</sup> for wood materials**

Material	Abbreviation	Numbering
Wood	FOR	50
Cork	FOR	51
		52
		53
		54
		55
		56
		57
		58
		59

<sup>(1)</sup> Only capital letters shall be used.

*ANNEX V***Number and abbreviation system <sup>(1)</sup> for textile materials**

Material	Abbreviation	Numbering
Cotton	TEX	60
Jute	TEX	61
		62
		63
		64
		65
		66
		67
		68
		69

<sup>(1)</sup> Only capital letters shall be used.



## ANNEX VI

## Numbering and abbreviation system (1) for glass

Material	Abbreviation	Numbering
Colourless glass	GL	70
Green glass	GL	71
Brown glass	GL	72
		73
		74
		75
		76
		77
		78
		79

(1) Only capital letters shall be used.

## ANNEX VII

## Numbering and abbreviation system (1) for composites

Material	Abbreviation (1)	Numbering
Paper and fibreboard/miscellaneous metals		80
Paper and fibreboard/plastic		81
Paper and fibreboard/aluminium		82
Paper and fibreboard/tinplate		83
Paper and fibreboard/plastic/aluminium		84
Paper and fibreboard/plastic/aluminium/tinplate		85
		86
		87
		88
		89
Plastic/aluminium		90
Plastic/tinplate		91
Plastic/miscellaneous metals		92
		93
		94
Glass/plastic		95
Glass/aluminium		96
Glass/tinplate		97
Glass/miscellaneous metals		98
		99

(1) Composites: C plus abbreviation corresponding to the predominant material (C/ ).

(1) Only capital letters shall be used.

## COMMISSION DECISION

of 6 February 1997

amending Decision 97/88/EC on import licences in respect of beef and veal products originating in Botswana, Kenya, Madagascar, Swaziland, Zimbabwe and Namibia

(97/130/EC)

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

Having regard to Council Regulation (EEC) No 715/90 of 5 March 1990 on the arrangements applicable to agricultural products and certain goods resulting from the processing of agricultural products originating in the African, Caribbean and Pacific States (ACP) or in the overseas countries and territories (OCT)<sup>(1)</sup>, as last amended by Regulation (EC) No 619/96<sup>(2)</sup>, and in particular Article 27 thereof,

Having regard to Commission Regulation (EC) No 589/96 of 2 April 1996 laying down detailed rules for the application in the beef and veal sector of Council Regulation (EEC) No 715/90 on the arrangements applicable to agricultural products and certain goods resulting from the processing of agricultural products originating in the African, Caribbean and Pacific States or in the overseas countries and territories<sup>(3)</sup>, and in particular Article 4 thereof,

Whereas Article 1 of Regulation (EC) No 589/96 provides for the possibility of issuing import licences for beef and veal products; whereas, however, imports must take place within the limits of the quantities specified for each of these exporting non-member countries;

Whereas the Commission has adopted Decision 97/88/EC<sup>(4)</sup> relating to licence applications submitted from 1 to 10 January 1997, expressed as boned meat, in accordance with Regulation (EC) No 589/96; whereas, as a result of an administrative error, certain quantities applied

for under these arrangements were not correctly communicated to the Commission; whereas, therefore, Commission Decision 97/88/EC should be amended to take account of those quantities,

HAS ADOPTED THIS DECISION:

*Article 1*

Decision 97/88/EC is hereby amended as follows:

1. in Article 1, as regards Germany, the text relating to the quantities and countries of origin is replaced by the following:

*'Germany:*

- 13,500 tonnes originating in Madagascar,
- 160,000 tonnes originating in Botswana';

2. in Article 2, the figures for Botswana, Madagascar and Swaziland are replaced by '18 006,000 tonnes', '7 550,500 tonnes' and '3 313,000 tonnes' respectively.

*Article 2*

This Decision is addressed to the Member States.

Done at Brussels, 6 February 1997.

*For the Commission*

Franz FISCHLER

*Member of the Commission*

<sup>(1)</sup> OJ No L 84, 30. 3. 1990, p. 85.

<sup>(2)</sup> OJ No L 89, 10. 4. 1996, p. 1.

<sup>(3)</sup> OJ No L 84, 3. 4. 1996, p. 22.

<sup>(4)</sup> OJ No L 27, 30. 1. 1997, p. 43.