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Legislation

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I

(Acts whose publication is obligatory)

COMMISSION REGULATION (EC) No 653/97
of 16 April 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⁽¹⁾, as last amended by Regulation (EC) No 1599/96⁽²⁾,

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⁽³⁾, 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⁽⁴⁾; 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,

⁽¹⁾ OJ No L 177, 1. 7. 1981, p. 4.

⁽²⁾ OJ No L 206, 16. 8. 1996, p. 43.

⁽³⁾ OJ No L 141, 24. 6. 1995, p. 12.

⁽⁴⁾ OJ No L 145, 27. 6. 1968, p. 12.

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 17 April 1997.

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

Done at Brussels, 16 April 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 ⁽²⁾
1703 10 00 ⁽¹⁾	8,54	—	0,00
1703 90 00 ⁽¹⁾	12,35	—	0,00

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

⁽²⁾ 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 654/97

of 16 April 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⁽¹⁾, as last amended by Regulation (EC) No 1599/96⁽²⁾, 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⁽³⁾, as amended by Regulation (EC) No 3290/94⁽⁴⁾; 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⁽⁵⁾; 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⁽⁶⁾, as last amended by Regulation (EC) No 150/95⁽⁷⁾, 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⁽⁸⁾, as last amended by Regulation (EC) No 1482/96⁽⁹⁾;

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 17 April 1997.

⁽¹⁾ OJ No L 177, 1. 7. 1981, p. 4.

⁽²⁾ OJ No L 206, 16. 8. 1996, p. 43.

⁽³⁾ OJ No L 89, 10. 4. 1968, p. 3.

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

⁽⁵⁾ OJ No L 214, 8. 9. 1995, p. 16.

⁽⁶⁾ OJ No L 387, 31. 12. 1992, p. 1.

⁽⁷⁾ OJ No L 22, 31. 1. 1995, p. 1.

⁽⁸⁾ OJ No L 108, 1. 5. 1993, p. 106.

⁽⁹⁾ 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, 16 April 1997.

For the Commission
Franz FISCHLER
Member of the Commission

ANNEX

to the Commission Regulation of 16 April 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	37,86 ⁽¹⁾
1701 11 90 9910	35,50 ⁽¹⁾
1701 11 90 9950	⁽²⁾
1701 12 90 9100	37,86 ⁽¹⁾
1701 12 90 9910	35,50 ⁽¹⁾
1701 12 90 9950	⁽²⁾
	— ECU/1 % of sucrose × 100 kg —
1701 91 00 9000	0,4116
	— ECU/100 kg —
1701 99 10 9100	41,16
1701 99 10 9910	40,47
1701 99 10 9950	40,47
	— ECU/1 % of sucrose × 100 kg —
1701 99 90 9100	0,4116

⁽¹⁾ 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.

⁽²⁾ 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 655/97

of 16 April 1997

fixing the maximum export refund for white sugar for the 34th 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 ⁽¹⁾, as last amended by Regulation (EC) No 1599/96 ⁽²⁾, 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 ⁽³⁾, 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 34th 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 34th 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 43,470 per 100 kilograms.

Article 2

This Regulation shall enter into force on 17 April 1997.

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

Done at Brussels, 16 April 1997.

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 187, 26. 7. 1996, p. 42.

COMMISSION REGULATION (EC) No 656/97
of 16 April 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 ⁽¹⁾, as last amended by Regulation (EC) No 82/97 ⁽²⁾,

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 ⁽³⁾, as last amended by Regulation (EC) No 89/97 ⁽⁴⁾, 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 18 April 1997.

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

Done at Brussels, 16 April 1997.

For the Commission
Martin BANGEMANN
Member of the Commission

⁽¹⁾ OJ No L 302, 19. 10. 1992, p. 1.

⁽²⁾ OJ No L 17, 21. 1. 1997, p. 1.

⁽³⁾ OJ No L 253, 11. 10. 1993, p. 1.

⁽⁴⁾ 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)	37,43	516,74	73,42	279,68	11 547,16	6 186,09
		b)	219,20	246,99	27,52	72 391,12	82,55	7 338,53
		c)	326,95	1 514,81	26,20			
1.30	Onions (other than seed) 0703 10 19	a)	32,70	451,44	64,14	244,33	10 087,95	5 404,36
		b)	191,50	215,78	24,04	63 243,11	72,12	6 411,16
		c)	285,63	1 323,39	22,89			
1.40	Garlic 0703 20 00	a)	168,16	2 321,52	329,87	1 256,48	51 877,36	27 791,97
		b)	984,80	1 109,63	123,62	325 228,17	370,85	32 969,45
		c)	1 468,88	6 805,52	117,71			
1.50	Leeks ex 0703 90 00	a)	48,53	669,98	95,20	362,61	14 971,51	8 020,60
		b)	284,21	320,23	35,68	93 858,96	107,03	9 514,79
		c)	423,91	1 964,03	33,97			
1.60	Cauliflowers 0704 10 10 0704 10 05 0704 10 80	a)	75,84	1 047,00	148,77	566,67	23 396,64	12 534,15
		b)	444,14	500,44	55,75	146 677,59	167,25	14 869,19
		c)	662,46	3 069,28	53,09			
1.70	Brussels sprouts 0704 20 00	a)	53,71	741,49	105,36	401,32	16 569,53	8 876,71
		b)	314,54	354,42	39,48	103 877,29	118,45	10 530,38
		c)	469,16	2 173,67	37,60			
1.80	White cabbages and red cabbages 0704 90 10	a)	43,43	599,57	85,19	324,51	13 398,16	7 177,72
		b)	254,34	286,58	31,93	83 995,36	95,78	8 514,89
		c)	379,36	1 757,63	30,40			
1.90	Sprouting broccoli or calabrese (<i>Brassica oleracea L. convar. botrytis (L.) Alef var. italica Plenck</i>) ex 0704 90 90	a)	105,95	1 462,68	207,83	791,65	32 685,58	17 510,46
		b)	620,48	699,13	77,89	204 911,54	233,66	20 772,56
		c)	925,47	4 287,85	74,16			
1.100	Chinese cabbage ex 0704 90 90	a)	49,93	689,30	97,94	373,07	15 403,41	8 251,98
		b)	292,41	329,47	36,70	96 566,62	110,11	9 789,28
		c)	436,14	2 020,69	34,95			
1.110	Cabbage lettuce (head lettuce) 0705 11 10 0705 11 05 0705 11 80	a)	90,53	1 249,80	177,59	676,44	27 928,51	14 901,98
		b)	530,17	597,38	66,55	175 088,64	199,65	17 749,31
		c)	790,78	3 663,79	63,37			
1.120	Endives ex 0705 29 00	a)	21,82	301,23	42,80	163,04	6 731,47	3 606,21
		b)	127,78	143,98	16,04	42 200,75	48,12	4 278,03
		c)	190,60	883,07	15,27			
1.130	Carrots ex 0706 10 00	a)	45,74	631,46	89,72	341,77	14 110,79	7 559,50
		b)	267,87	301,82	33,62	88 462,99	100,87	8 967,78
		c)	399,54	1 851,12	32,02			
1.140	Radishes ex 0706 90 90	a)	149,40	2 062,53	293,07	1 116,31	46 089,90	24 691,49
		b)	874,93	985,84	109,83	288 945,58	329,48	29 291,36
		c)	1 305,01	6 046,29	104,57			
1.160	Peas (<i>Pisum sativum</i>) 0708 10 90 0708 10 20 0708 10 95	a)	387,38	5 347,94	759,89	2 894,48	119 506,73	64 022,68
		b)	2 268,62	2 556,20	284,77	749 208,42	854,31	75 949,72
		c)	3 383,76	15 677,46	271,15			

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)	152,73 894,44 1 334,10	2 108,50 1 007,82 6 181,06	299,60 112,27 106,91	1 141,19 295 385,93	47 117,20 336,82	25 241,84 29 944,24
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)	92,92 544,17 811,66	1 282,80 613,15 3 760,52	182,27 68,31 65,04	694,29 179 711,00	28 665,82 204,92	15 356,98 18 217,90
1.180	Broad beans ex 0708 90 00	a) b) c)	92,83 543,64 810,87	1 281,56 612,56 3 756,88	182,10 68,24 64,98	693,62 179 536,93	28 638,06 204,72	15 342,11 18 200,25
1.190	Globe artichokes 0709 10 30	a) b) c)	— — —	— — —	— — —	— — —	— — —	— — —
1.200	Asparagus:							
1.200.1	— green ex 0709 20 00	a) b) c)	259,36 1 518,90 2 265,51	3 580,57 1 711,43 10 496,43	508,77 190,66 181,54	1 937,92 501 612,61	80 012,56 571,98	42 864,69 50 850,12
1.200.2	— other ex 0709 20 00	a) b) c)	506,78 2 967,87 4 426,72	6 996,30 3 344,08 20 509,64	994,11 372,54 354,73	3 786,63 980 132,79	156 341,63 1 117,63	83 756,04 99 359,29
1.210	Aubergines (eggplants) 0709 30 00	a) b) c)	129,66 759,33 1 132,58	1 790,01 855,58 5 247,41	254,34 95,32 90,76	968,81 250 767,63	40 000,11 285,95	21 429,04 25 421,14
1.220	Ribbed celery (<i>Apium graveolens</i> L., var. <i>dulce</i> (Mill.) Pers.) ex 0709 40 00	a) b) c)	71,66 419,66 625,95	989,29 472,86 2 900,12	140,57 52,68 50,16	535,44 138 593,31	22 107,11 158,04	11 843,32 14 049,66
1.230	Chantarelles 0709 51 30	a) b) c)	1 317,71 7 716,93 11 510,20	18 191,51 8 695,15 53 328,38	2 584,85 968,67 922,35	9 845,86 2 548 503,85	406 513,54 2 906,02	217 779,25 258 350,22
1.240	Sweet peppers 0709 60 10	a) b) c)	276,34 1 618,34 2 413,83	3 814,98 1 823,48 11 183,62	542,07 203,14 193,43	2 064,80 534 452,61	85 250,89 609,43	45 670,99 54 179,22
1.250	Fennel 0709 90 50	a) b) c)	73,55 430,73 642,46	1 015,39 485,33 2 976,61	144,28 54,07 51,48	549,56 142 248,64	22 690,17 162,20	12 155,68 14 420,21
1.270	Sweet potatoes, whole, fresh (intended for human consumption) 0714 20 10	a) b) c)	40,96 239,87 357,79	565,47 270,28 1 657,67	80,35 30,11 28,67	306,05 79 218,28	12 636,16 90,33	6 769,50 8 030,62
2.10	Chestnuts (<i>Castanea</i> spp.), fresh ex 0802 40 00	a) b) c)	159,46 933,85 1 392,88	2 201,41 1 052,23 6 453,43	312,80 117,22 111,62	1 191,48 308 402,02	49 193,41 351,67	26 354,11 31 263,73
2.30	Pineapples, fresh ex 0804 30 00	a) b) c)	70,63 413,63 616,95	975,08 466,06 2 858,43	138,55 51,92 49,44	527,74 136 601,25	21 789,35 155,76	11 673,09 13 847,72

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)	114,40 669,96 999,28	1 579,34 754,89 4 629,83	224,41 84,10 80,08	854,79 221 254,18	35 292,40 252,29	18 907,00 22 429,26
2.50	Guavas and mangoes, fresh ex 0804 50 00	a) b) c)	117,58 688,59 1 027,06	1 623,24 775,87 4 758,52	230,65 86,43 82,30	878,55 227 404,42	36 273,43 259,31	19 432,56 23 052,73
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 satsumas), fresh; clementines, wilkings and similar citrus hybrids, fresh:							
2.70.1	— Clementines 0805 20 21	a) b) c)	76,61 448,65 669,19	1 057,63 505,52 3 100,45	150,28 56,32 53,62	572,43 148 166,80	23 634,19 168,95	12 661,41 15 020,16
2.70.2	— Monreales and satsumas 0805 20 23	a) b) c)	49,67 290,88 433,87	685,71 327,76 2 010,17	97,43 36,51 34,77	371,13 96 063,77	15 323,19 109,54	8 209,01 9 738,30
2.70.3	— Mandarines and wilkings 0805 20 25	a) b) c)	46,79 274,02 408,71	645,95 308,75 1 893,61	91,78 34,40 32,75	349,61 90 493,73	14 434,72 103,19	7 733,03 9 173,65
2.70.4	— Tangerines and others ex 0805 20 27 ex 0805 20 29	a) b) c)	46,75 273,78 408,36	645,40 308,49 1 892,00	91,71 34,37 32,72	349,31 90 416,37	14 422,38 103,10	7 726,42 9 165,81
2.85	Limes (<i>Citrus aurantifolia</i>), fresh ex 0805 30 90	a) b) c)	146,39 857,31 1 278,72	2 020,97 965,98 5 924,48	287,16 107,61 102,47	1 093,82 283 124,12	45 161,31 322,84	24 194,02 28 701,22

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)	32,26 188,92 281,79	445,36 212,87 1 305,58	63,28 23,71 22,58	241,05 62 392,13	9 952,21 71,14	5 331,64 6 324,90
2.90.2	— pink ex 0805 40 90 ex 0805 40 20 ex 0805 40 95	a) b) c)	46,83 274,25 409,06	646,51 309,02 1 895,23	91,86 34,43 32,78	349,91 90 571,09	14 447,06 103,28	7 739,64 9 181,49
2.100	Table grapes 0806 10 21 0806 10 29 0806 10 61 0806 10 30 0806 10 69	a) b) c)	137,24 803,72 1 198,79	1 894,65 905,60 5 554,17	269,21 100,89 96,06	1 025,45 265 427,65	42 338,54 302,66	22 681,79 26 907,27
2.110	Water melons 0807 11 00	a) b) c)	58,21 340,90 508,46	803,61 384,11 2 355,79	114,19 42,79 40,74	434,94 112 580,47	17 957,78 128,37	9 620,42 11 412,65
2.120	Melons (other than water melons):							
2.120.1	— Amarillo, cuper, honey dew (including cantalene), onteniente, piel de sapo (including verde liso), rochet, tendral, futuro ex 0807 19 00	a) b) c)	74,66 437,23 652,16	1 030,71 492,66 3 021,53	146,45 54,88 52,26	557,86 144 395,43	23 032,61 164,65	12 339,13 14 637,84
2.120.2	— other ex 0807 19 00	a) b) c)	165,79 970,92 1 448,18	2 288,80 1 094,00 6 709,60	325,22 121,87 116,05	1 238,77 320 644,49	51 146,21 365,63	27 400,28 32 504,79
2.140	Pears							
2.140.1	Pears — nashi (<i>Pyrus pyrifolia</i>) ex 0808 20 41	a) b) c)	78,92 462,18 689,37	1 089,52 520,77 3 193,93	154,81 58,02 55,24	589,69 152 634,44	24 346,82 174,05	13 043,19 15 473,06
2.140.2	Other ex 0808 20 41	a) b) c)	78,15 457,67 682,64	1 078,89 515,69 3 162,77	153,30 57,45 54,70	583,93 151 145,23	24 109,28 172,35	12 915,93 15 322,09
2.150	Apricots 0809 10 10 0809 10 50	a) b) c)	156,60 917,10 1 367,90	2 161,93 1 033,35 6 337,68	307,19 115,12 109,61	1 170,11 302 870,66	48 311,10 345,36	25 881,44 30 703,00
2.160	Cherries 0809 20 11 0809 20 19 0809 20 21 0809 20 29 0809 20 71 0809 20 79	a) b) c)	146,66 858,89 1 281,08	2 024,70 967,76 5 935,40	287,69 107,81 102,66	1 095,84 283 646,31	45 244,61 323,44	24 238,64 28 754,16
2.170	Peaches 0809 30 19 0809 30 59	a) b) c)	251,21 1 471,17 2 194,32	3 468,05 1 657,65 10 166,59	492,78 184,67 175,84	1 877,03 485 850,19	77 498,29 554,01	41 517,73 49 252,23
2.180	Nectarines ex 0809 30 11 ex 0809 30 51	a) b) c)	91,30 534,68 797,51	1 260,43 602,46 3 694,96	179,10 67,12 63,91	682,19 176 577,85	28 166,05 201,35	15 089,24 17 900,28

Code	Description	Amount of unit values per 100 kg						
	Species, varieties, CN code	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)	111,14	1 534,33	218,01	830,43	34 286,69	18 368,22
		b)	650,87	733,38	81,70	214 949,21	245,10	21 790,11
		c)	970,81	4 497,89	77,79			
2.200	Strawberries 0810 10 10 0810 10 05 0810 10 80	a)	183,50	2 533,29	359,96	1 371,10	56 609,75	30 327,23
		b)	1 074,63	1 210,86	134,89	354 896,34	404,68	35 977,01
		c)	1 602,87	7 426,34	128,44			
2.205	Raspberries 0810 20 10	a)	1 741,59	24 043,35	3 416,34	13 013,07	537 280,52	287 834,32
		b)	10 199,31	11 492,20	1 280,27	3 368 304,72	3 840,83	341 456,14
		c)	15 212,79	70 483,02	1 219,05			
2.210	Fruit of the species <i>Vaccinium myrtillus</i> 0810 40 30	a)	2 140,29	29 547,56	4 198,44	15 992,14	660 279,46	353 727,87
		b)	12 534,22	14 123,09	1 573,36	4 139 406,47	4 720,11	419 625,26
		c)	18 695,43	86 618,61	1 498,12			
2.220	Kiwi fruit (<i>Actinidia chinensis Planch.</i>) 0810 50 10 0810 50 20 0810 50 30	a)	35,00	483,19	68,66	261,52	10 797,50	5 784,48
		b)	204,97	230,95	25,73	67 691,40	77,19	6 862,10
		c)	305,72	1 416,47	24,50			
2.230	Pomegranates ex 0810 90 85	a)	124,96	1 725,12	245,12	933,69	38 550,16	20 652,26
		b)	731,81	824,57	91,86	241 677,64	275,58	24 499,66
		c)	1 091,53	5 057,19	87,47			
2.240	Khakis (including sharon fruit) ex 0810 90 85	a)	244,06	3 369,35	478,75	1 823,60	75 292,51	40 336,04
		b)	1 429,29	1 610,47	179,41	472 021,80	538,24	47 850,40
		c)	2 131,86	9 877,23	170,83			
2.250	Lychees ex 0810 90 30	a)	152,35	2 103,25	298,85	1 138,35	46 999,97	25 179,04
		b)	892,21	1 005,31	111,99	294 650,99	335,99	29 869,74
		c)	1 330,78	6 165,68	106,64			

COMMISSION REGULATION (EC) No 657/97

of 16 April 1997

fixing the rates of the refunds applicable to eggs and egg yolks exported in the form of goods not covered by Annex II to the Treaty

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⁽¹⁾, as last amended by Commission Regulation (EC) No 1516/96⁽²⁾, and in particular Article 8 (3) thereof,

Whereas Article 8 (1) of Regulation (EEC) No 2771/75 provides that the difference between prices in international trade for the products listed in Article 1 (1) of that Regulation and prices within the Community may be covered by an export refund where these goods are exported in the form of goods listed in the Annex to that Regulation; whereas Commission Regulation (EC) No 1222/94 of 30 May 1994 laying down common detailed rules for the application of the system of granting export refunds on certain agricultural products exported in the form of goods not covered by Annex II to the Treaty, and the criteria for fixing the amount of such refunds⁽³⁾, as last amended by Regulation (EC) No 229/96⁽⁴⁾, specifies the products for which a rate of refund should be fixed, to be applied where these products are exported in the form of goods listed in the Annex to Regulation (EEC) No 2771/75;

Whereas, in accordance Article 4 (1) of Regulation (EC) No 1222/94, the rate of the refund per 100 kilograms for

each of the basic products in question must be fixed for a period of the same duration as that for which refunds are fixed for the same products exported unprocessed;

Whereas Article 11 of the Agreement on Agriculture concluded under the Uruguay Round lays down that the export refund for a product contained in a good may not exceed the refund applicable to that product when exported without further processing;

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

The rates of the refunds applicable to the basic products appearing in Annex A to Regulation (EC) No 1222/94 and listed in Article 1 (1) of Regulation (EEC) No 2771/75, exported in the form of goods listed in the Annex I to Regulation (EEC) No 2771/75, are hereby fixed as shown in the Annex hereto.

Article 2

This Regulation shall enter into force on 17 April 1997.

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

Done at Brussels, 16 April 1997.

For the Commission

Martin BANGEMANN

Member of the Commission

⁽¹⁾ OJ No L 282, 1. 11. 1975, p. 49.

⁽²⁾ OJ No L 189, 30. 7. 1996, p. 99.

⁽³⁾ OJ No L 136, 31. 5. 1994, p. 5.

⁽⁴⁾ OJ No L 30, 8. 2. 1996, p. 24.

ANNEX

to the Commission Regulation of 16 April 1997 fixing the rates of the refunds applicable to eggs and egg yolks exported in the form of goods not covered by Annex II to the Treaty

(ECU/100 kg)

CN code	Description	Destination (¹)	Rate of refund
0407 00	Birds' eggs, in shell, fresh, preserved or cooked:		
	– Of poultry:		
0407 00 30	– – Other:		
	a) On exportation of ovalbumin of CN codes 3502 11 90 and 3502 19 90	02	7,00
		03	18,00
		04	5,00
	b) On exportation of other goods	01	5,00
0408	Birds' eggs, not in shell and egg yolks, fresh, dried, cooked by steaming or by boiling in water, moulded, frozen or otherwise preserved, whether or not containing added sugar or other sweetening matter:		
	– Egg yolks:		
0408 11	– – Dried:		
ex 0408 11 80	– – – Suitable for human consumption: not sweetened	01	53,00
0408 19	– – Other:		
	– – – Suitable for human consumption:		
ex 0408 19 81	– – – – Liquid: not sweetened	01	24,00
ex 0408 19 89	– – – – Frozen: not sweetened	01	24,00
	– Other:		
0408 91	– – Dried:		
ex 0408 91 80	– – – Suitable for human consumption: not sweetened	01	41,00
0408 99	– – Other:		
ex 0408 99 80	– – – Suitable for human consumption: not sweetened	01	10,50

(¹) The destinations are as follows:

01 Third countries,

02 Kuwait, Bahrain, Oman, Qatar, United Arab Emirates, Yemen, Hong Kong and Russia,

03 South Korea, Japan, Malaysia, Thailand, Taiwan, the Philippines and Egypt,

04 All destinations except Switzerland and those of 02 and 03.

COMMISSION REGULATION (EC) No 658/97

of 16 April 1997

amending Regulation (EC) No 1854/96 establishing a list of reference methods to be applied for the analysis and quality evaluation of milk and milk products under the common market organization

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

Having regard to Council Regulation 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 6 (6), Article 7 (5), Article 8 (4), Article 9 (3), Article 10 (3), Article 11 (3), Article 12 (3), Article 13 (3), Article 16 (1) and (4) and Article 17 (14) thereof,

Whereas Article 2 (1) of Commission Regulation (EC) No 2721/95 of 24 November 1995 on the establishment of rules for the application of reference and routine methods for the analysis and quality evaluation of milk and milk products under the common market organization ⁽³⁾, specifies, that before 1 April each year a list of reference methods applicable for the analyses mentioned in Article 1 of that Regulation has to be established; whereas a first list was adopted by Commission Regulation (EC) No 1854/96 ⁽⁴⁾; whereas that list should be updated with effect

from 1 April 1997; whereas therefore the Annex to that Regulation should be replaced;

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

The Annex to Regulation (EC) No 1854/96 is replaced by the Annex to the present Regulation.

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 be applicable from 1 April 1997.

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

Done at Brussels, 16 April 1997.

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 283, 25. 11. 1995, p. 7.

⁽⁴⁾ OJ No L 246, 27. 9. 1996, p. 5.

ANNEX

LIST OF REFERENCE METHODS PURSUANT TO REGULATION (EC) No 2721/95

Applicable from 1 April 1997

Index:

Min. = minimum, Max. = maximum, Annex = Annex to quoted Regulation, SnF = solids not fat, r = repeatability, FFA = free fatty acids, PV = peroxide value, A = appearance, C = consistency, TBC = total bacterial count, Therm = thermophilic bacterial count, MS = Member State, IDF = International Dairy Federation, ISO = International Standards Organization, IUPAC = International Union of Pure and Applied Chemistry, ADPI = American Dairy Products Institute, SCM = sweetened condensed milk, EMC = evaporated milk or cream, MSNF = milk solids non fat, WC = whey cheese.

Part A:

Commission Regulation	Product	Parameter	Limit	Reference method	Remark
Regulation (EC) No 454/95 Annex I	Butter	Milk fat Water SnF Fat acidity (Max.) PV (Max.) Coliform	82 % Min. 16 % Max. 2 % Max. 1,2 mmol/100 g fat 0,3 mequiv. oxygen/1 000 g fat Not detectable in 1 g	IDF Standard 80:1977 IDF Standard 80:1977 IDF Standard 80:1977 IDF Standard 6B:1989 ISO 3976:1977 Commission Regulation (EC) No 1080/96 (OJ No L 142, 15.6.1996, p. 13) Annex III	Note 1 Note 3
		Non milk fat	Not detectable by triglyceride analysis		
		Sterol tracers	Not detectable	Commission Regulation (EC) No 86/94 (OJ No L 17, 20.1.1994, p. 7)	
		Other tracers	Not detectable	Methods approved by competent authority	Note 2
		Sensory characteristics	At least 4 out of 5 points for A, G, C	Annex IV	
		Water dispersion	At least 4 points	IDF 112A:1989	
Regulation (EEC) No 570/88	Non-salted butter	Milk fat Water Tracers Sterols Vanillin Carotenic acid ethyl ester Triglycerides of enanthic acid	82 % Min. 16 % Max.	IDF Standard 80:1977 IDF Standard 80:1977 Regulation (EC) No 86/94 Methods approved by competent authority Commission Regulation (EC) No 1082/96 (OJ No L 142, 15.6.1996, p. 26) IUPAC 2.301 sub 5	Note 2

Commission Regulation	Product	Parameter	Limit	Reference method	Remark
Regulation (EEC) No 570/88	Salted butter	Milk fat	80 % Min.	IDF Standard 80:1977	
		Water	16 % Max.	IDF Standard 80:1977	
		Tracers		Commission Regulation (EC) No 86/94	
		Sterols		Methods approved by competent authority	Note 2
		Vanillin		Regulation (EC) No 1082/96	
		Carotenic acid ethyl ester		IUPAC 2.301 sub 5	
		Triglycerides of enanthic acid		IDF Standard 24:1964	
		Milk fat		IDF 23A:1988 (moisture)	
		Moisture & MSNF		IDF 24:1964 (MSNF)	
		Fat acidity		IDF Standard 6B:1989	Note 1
Regulation (EEC) No 570/88	Concentrated butter	PV (Max.)	0,35 % (oleic) Max.	ISO 3979:1977	
		Flavour	0,5 mequiv. oxygen/1 000 g fat		
		Smell	Fresh		
		Other	Absence of extraneous odours		
		Tracers	Absence of neutralizing agents, antioxidants and preservatives		
		Sterols		Commission Regulation (EEC) No 3942/92	
		Vanillin		Methods approved by competent authority	Note 2
		Carotenic acid ethyl ester		Regulation (EC) No 1082/96	
		Triglycerides of enanthic acid		IUPAC 2.301 sub 5	
		Regulation (EEC) No 570/88	Cream	Fat	35 % — 49 %
Tracers				Methods approved by competent authority	Note 2
Sterols				Methods approved by competent authority	Note 2
Vanillin				Method approved by competent authority	Note 2
Carotenic acid ethyl ester				IUPAC 2.301 sub 5	
Triglycerides of enanthic acid					

Commission Regulation	Product	Parameter	Limit	Reference method	Remark
Regulation (EEC) No 429/90	Concentrated butter	Milk fat SnF Tracers Stigmasterol (95 %) Stigmasterol (85 %) Triglycerides of enanthic acid Ethyl ester of butyric acid and stigmasterol Lecithin (E322) NaCl Fat acidity PV (Max.) Flavour Smell Other	96 % 2 % 15 g/100 kg butter concentrate 17 g/100 kg butter concentrate 1,1 kg/100 kg butter concentrate See Annex point 1 (c) 0,5 % Max. 0,75 % Max. 0,35 % (oleic) Max. 0,5 mequiv. oxygen/1 000 g fat Fresh Absence of extraneous odours Absence of neutralizing agents, antioxidants and preservatives	IDF Standard 24:1964 IDF 80:1977 Commission Regulation (EEC) No 3942/92 (OJ No L 399, 31. 12. 1992, p. 29) Regulation (EEC) No 3942/92 (OJ No L 399, 31. 12. 1992, p. 29) IUPAC 2.301 sub 5 Regulation (EEC) No 3942/92 (stigmasterol) and method approved by competent authority (butyric acid) Methods approved by competent authority IDF Standard 12B:1988 IDF Standard 6B:1989 ISO 3976:1977	Note 2 Note 2 Note 1
Regulation (EEC) No 2191/81	Non-salted butter	Milk fat Water	82 % Min. 16 % Min.	IDF Standard 80:1977 IDF Standard 80:1977	
Regulation (EEC) No 2191/81	Salted butter	Milk fat Water Salt	80 % Min. 16 % Min. 2 % Max.	IDF Standard 80:1977 IDF Standard 80:1977 IDF Standard 80:1977	
Regulation (EEC) No 2990/82	Non-salted butter	Milk fat Water	82 % Min. 16 % Min.	IDF Standard 80:1977 IDF Standard 80:1977	
Regulation (EEC) No 2990/82	Salted butter	Milk fat Water Salt	80 % Min. 16 % Min. 2 % Max.	IDF Standard 80:1977 IDF Standard 80:1977 IDF Standard 80:1977	
Regulation (EC) No 1081/96	Cheese made from ewes' and/or goats' milk	Cows' milk	< 1 %	Regulation (EC) No 1081/96 (OJ No L 142, 15. 6. 1996 p. 15)	
Regulation (EEC) No 2921/90	Annex I — Acid casein	Water Fat Free acidity	12,00 % Max. 1,75 % Max. 0,3 % (lactic) Max.	IDF Standard 78C:1990 IDF 127A:1988 IDF Standard 91:1979	
Regulation (EEC) No 2921/90	Annex I — Rennet casein	Water Fat Ash	12,00 % Max. 1,00 % Max. 7,50 % Min.	IDF Standard 78C:1990 IDF 127A:1988 IDF Standard 90:1979	

Commission Regulation	Product	Parameter	Limit	Reference method	Remark
Regulation (EEC) No 2921/90	Annex I — Caseinate	Water Milk protein Fat and ash	6,00 % Max. 88,0 % Min. 6,00 % Max.	IDF Standard 78C:1990 IDF Standard 92:1979 IDF 127A:1988 IDF Standard 89:1979 or IDF Standard 90:1979	
Regulation (EEC) No 2921/90	Annex II — Acid casein	Water Fat Free acidity TBC (Max.) Coliforms (Max.) Therm. (Max.)	10 % Max. 1,5 % Max. 0,2 % (lactic) Max. 30 000/1 g Absence/0,1 g 5 000/1 g	IDF Standard 78C:1990 IDF 127A:1988 IDF Standard 91:1979 IDF Standard 100B:1991 Regulation (EC) No 1080/96 IDF Standard 100B:1991	Note 3 Note 3 Note 3, 4
Regulation (EEC) No 2921/90	Annex II — Rennet casein	Water Fat Ash (Min.) TBC (Max.) Coliforms (Max.) Therm. (Max.)	8 % Max. 1,0 % Max. 7,5 % 30 000/1 g Absence/0,1 g 5 000/1 g	IDF Standard 78C:1990 IDF 127A:1988 IDF Standard 90:1979 IDF Standard 100B:1991 Regulation (EC) No 1080/96 IDF Standard 100B:1991	Note 3 Note 3 Note 3, 4
Regulation (EEC) No 2921/90	Annex II — Caseinate	Water Milk protein Fat and ash TBC (Max.) Coliforms (Max.) Therm. (Max.)	6,00 % Max. 88,0 % Min. 6,00 % Max. 30 000/1 g Absence/0,1 g 5 000/1 g	IDF Standard 78C:1990 IDF Standard 92:1979 IDF 127A:1988 IDF 89:1979 or IDF 90:1979 IDF Standard 100B:1991 Commission Regulation (EC) No 1080/96 IDF Standard 100B:1991	Note 3 Note 3 Note 3, 4
Regulation (EEC) No 2921/90	Annex III — Caseinate	Water Milk protein Fat Lactose Ash TBC (Max.) Coliforms (Max.) Therm. (Max.)	6,00 % Max. 85,00 % Min. 1,5 % Max. 1,00 % Max. 6,5 % Max. 30 000/1 g Absence/0,1 g 5 000/1 g	IDF Standard 78C:1990 IDF Standard 92:1979 IDF 127A:1988 IDF Standard 106:1982 IDF 89:1979 or IDF 90:1979 IDF Standard 100B:1991 Regulation (EC) No 1080/96 IDF Standard 100B:1991	Note 3 Note 3 Note 3, 4
Regulation (EEC) No 1725/79	Compound feedingsuffs & SMP (animal grade)	Water (acid buttermilk powder) Water (SMP) Fat (SMP) SMP content final product Fatty matter final product Copper final product Starch Final Product Rennet whey final product	5 % Max. 5 % Max. 11 % Max. 50 % Min. 2,5 % or 5 % Min. 25 ppm ≥ 2 % Absence	Annex VI IDF Standard 26A:1993 IDF Standard 9C:1987 Annex III Commission Directive 84/4/EEC (OJ No L 15, 18. 1. 1984, p. 28) Directive 78/633/EEC (OJ No L 206, 29. 7. 1978, p. 43) Annex V Annex IV	

Commission Regulation	Product	Parameter	Limit	Reference method	Remark
Regulation (EC) No 322/96	SMP spray	Fat Protein Water Acidity (N/10 NaOH) Lactates Phosphatase Solubility Scorched particles TBC Coliform Buttermilk Whey — rennet Whey — acid Antimicrobial agents	1,0 % Max. 31,4 % (Min. of the non-fat dry matter) 3,5 % Max. 19,5 mls Max. 150 mg/100 g Max. Negative 0,5 ml Max. at 24 °C Disk B Min. (15,0 mg) 40 000/1 g Negative/0,1 g Negative Negative Negative	IDF Standard 9C:1987 IDF Standard 20B:1993 IDF Standard 26A:1993 IDF Standard 86:1981 IDF Standard 69B:1987 ISO Standard 3356:1975 IDF 129A:1988 ADPI:1990 IDF Standard 100B:1991 Regulation (EC) No 1080/96 Annex VI Annex V Method approved by competent authority Annex VII	Note 3
Regulation (EEC) No 1105/68	Skimmed milk	Fat Solids non fat Total solids Freezing Point	1,0 % Max. 8,75 % Min.	IDF Standard 122B:1987 IDF Standard 121B:1987 IDF Standard 108B:1991	Note 5
Regulation (EEC) No 1105/68	Buttermilk	Fat Solids non fat Total solids Freezing Point	1,0 % Max. 8,00 % Min.	IDF Standard 122B:1987 IDF Standard 121B:1987 IDF Standard 108B:1991	Note 5

Part B

The reference methods listed under Part B are applicable to analyses of products covered by any of the regulations indicated in the first column

Commission Regulation	Product	CN code	Parameter	Limit	Reference method	Remark
Regulation (EC) No 1466/95 Regulation (EC) No 1600/95 Regulation (EEC) No 584/92 Regulation (EC) No 1588/94 Regulation (EC) No 1713/95 Regulation (EEC) No 1150/90	Milk and cream, not concentrated nor sweetened	CN code 0401	Fat ($\leq 6\%$) Fat ($> 6\%$)	The limits are those specified in the description to the CN code for the particular product or where applicable those specified in Part 9 of the export refund nomenclature in Regulation (EEC) No 3846/87	IDF Standard 1C:1987 IDF Standard 16C:1987	
	Milk and cream, concentrated or containing added sugar	CN code 0402	Fat (liquid form) Fat (solid form) Sucrose Total solids (SCM) Total solids (EMC)		IDF Standard 13C:1987 IDF Standard 9C:1993 IDF Standard 35A:1992 IDF Standard 15B:1991 IDF Standard 21B:1987	
	Buttermilk, fermented or acidified milk and cream, concentrated or unconcentrated containing added sugar	CN code 0403	Fat Sucrose		IDF 1C:1987, IDF 9C:1987 IDF 16C:1987, IDF 22B:1987 IDF Standard 35A:1992	
	Whey, whether or not concentrated or sweetened; products consisting of natural milk constituents	CN code 0404	Fat Protein Sucrose		IDF 9C:1987, IDF 16C:1987 IDF 22B:1987 IDF Standard 20B:1993 IDF Standard 35A:1992	
	Butter and other fats derived from milk; dairy spreads	CN code 0405 Butter	Fat (if fat $\leq 85\%$) Water Solids not fat NaCl		IDF Standard 80:1977 IDF Standard 80:1977 IDF Standard 80:1977 IDF Standard 12B:1988	
	Butteroil	Butteroil	Fat (fat $> 99\%$) Water (if fat $> 99\%$)		IDF Standard 24:1964 IDF Standard 23A:1988	
	Cheese and curd	CN code 0406	Fat Dry matter Dry matter (Ricotta) NaCl Lactose	IDF Standard 5B:1986 IDF Standard 4A:1982 IDF Standard 58:1970 IDF Standard 88A:1988 IDF Standard 79B:1991		

Notes to list of European Union reference methods

Note 1: Milk fat isolation as described in IDF Standard 6B:1989 (protection from light).

Note 2: No reference method has been established.

Note 3: Sample preparation to be carried out according to IDF Standard 122C:1996 or according to IDF Standard 73A:1985.

Note 4: Incubation for 48 hours at a temperature of 55 °C.

Note 5: % solids non fat = % total solids — % fat.

COMMISSION REGULATION (EC) No 659/97
of 16 April 1997

laying down detailed rules for the application of Council Regulation (EC) No 2200/96 as regards intervention arrangements in the fruit and vegetables sector

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EC) No 2200/96 of 28 October 1996 on the common organization of the market in fruit and vegetables⁽¹⁾, and in particular Articles 30 (6), 48 and 57 thereof,

Whereas Title IV of Regulation (EC) No 2200/96 establishes the intervention arrangements for the products referred to in Article 1 (2) thereof; whereas the detailed rules of application must therefore be laid down;

Whereas, in relation to products, the terms 'not put up for sale' and 'withdrawn from the market' should be treated as equivalent and should be included in a single definition; whereas it should also be clarified that the provisions on packaging requirements do not apply to the products withdrawn from the market;

Whereas the marketing years for the products listed in Annex II to Regulation (EC) No 2200/96 must be established;

Whereas, to apply the limits laid down in Article 23 and 24 of Regulation (EC) No 2200/96, the 'marketed quantity' of a given product marketed by a producer organization must be defined, taking account of the production actually disposed of by the producer organization in question, the production from other producer organizations and the production of producers not affiliated to any producer organization;

Whereas Article 28 of Regulation (EC) No 2200/96 requires Member States to notify the Commission of the prices recorded on representative producer markets for certain products and for certain periods; whereas a list of those markets and of the products in question should therefore be drawn up;

Whereas Article 26 of Regulation (EC) No 2200/96 establishes the Community withdrawal compensation for the products listed in Annex II to that Regulation; whereas a system should be introduced for paying this compensation in such a way as to ensure that the limits laid down in Article 23 of Regulation (EC) No 2200/96 are complied with at all times;

Whereas, to prevent irregularities in applying the scheme and to ensure its transparency, the producer organizations must notify the responsible monitoring authorities in advance of each withdrawal; whereas, in the absence of this notification, the product can be disposed of only after authorization from the Member State; whereas, furthermore, a communications system for the producer organizations and the Member States should be set up;

Whereas, for the implementation of Article 25 of Regulation (EC) No 2200/96, the time limits should be laid down for presenting the measures taken by the Member States to ensure environmentally sound practice in the withdrawal operations;

Whereas the first, second and third indents of point (a) of Article 30 (1) of Regulation (EC) No 2200/96 provide that the fruit and vegetables withdrawn from the market in accordance with Article 23 (1) and which remain unsold may be distributed free, both within and outside the Community, as humanitarian aid to certain needy categories of the population through charitable organizations; whereas the charitable organizations should be approved beforehand;

Whereas, in the case of free distribution of fruit and vegetables withdrawn from the market, the transport costs are to be borne by the Community pursuant to Article 30 (6) of Regulation (EC) No 2200/96; whereas it must be stipulated that those costs must be paid to the consignor who has borne the cost of transport; whereas flat rates should be laid down for the defrayal of such costs;

Whereas, in the case of free distribution of apples and citrus fruits withdrawn from the market, the actual costs of sorting and packaging may be defrayed by the Community pursuant to Article 30 (6) of Regulation (EC) No 2200/96, up to a specific limit; whereas, to qualify for this measure, the charitable organizations and the producer organizations must conclude contractual agreements; whereas provisions governing such agreements should be laid down;

Whereas the procedures for the physical and documentary monitoring of the intervention and free distribution operations must be laid down; whereas, in cases of infringement, deterrent penalties that are in line with the seriousness of the offence should be stipulated; whereas the monitoring operations must cover the producer organizations and charitable organizations involved;

⁽¹⁾ OJ No L 297, 21. 11. 1996, p. 1.

Whereas, for the 1997 marketing year and as a transitional measure, producer organizations which have submitted an operational programme in accordance with Commission Regulation (EC) No 411/97⁽¹⁾ should be allowed to supplement the Community withdrawal compensation;

Whereas it is necessary to repeal Commission Regulation (EEC) No 3587/86⁽²⁾, as last amended by Regulation (EC) No 1363/95⁽³⁾, Commission Regulation (EEC) No 827/90⁽⁴⁾, as last amended by Regulation (EC) No 771/95⁽⁵⁾, Commission Regulation (EEC) No 2103/90⁽⁶⁾, as amended by Regulation (EC) No 1363/95, Regulation (EEC) No 2276/92⁽⁷⁾, as last amended by Regulation (EC) No 1363/95, and Commission Regulation (EC) No 113/97⁽⁸⁾, whose provisions have become obsolete or are to be replaced by this Regulation;

Whereas the measures provided for in this Regulation are in accordance with the opinion of the Management Committee for Fresh Fruit and Vegetables and the Committee of the European Agricultural Guidance and Guarantee Fund,

HAS ADOPTED THIS REGULATION:

CHAPTER I

Intervention arrangements

Article 1

This Regulation lays down the detailed rules for the application of the intervention arrangements provided for in Title IV of Regulation (EC) No 2200/96 and applies to the products referred to in Article 1 (2) thereof.

Article 2

1. For the purposes of this Regulation, products 'withdrawn from the market' and 'not put up for sale' mean products which are not sold via a producer organization, in accordance with the intervention arrangements referred to in Regulation (EC) No 2200/96.

2. Products withdrawn from the market must comply with the standards in force if such standards have been

adopted pursuant to Article 2 of Regulation (EC) No 2200/96. However, in that event, the standards on packaging and wrapping shall not apply.

Article 3

1. For each product the 'marketed quantity' of a producer organization, as referred to in Article 23 (3) of Regulation (EC) No 2200/96, shall be the sum of:

- (a) the production of members actually sold through the producer organization or processed by it;
- (b) the production of members of a producer organization sold directly by its members as provided for in the first and fourth indents of Article 11 (1) (c) (3) of Regulation (EC) No 2200/96;
- (c) the production of members of other producer organizations marketed through the producer organization concerned in accordance with the second and third indents of Article 11 (1) (c) (3) thereof.

The marketed quantity referred to in the first subparagraph shall not include the marketed production of members of a producer organization who are authorized to sell in accordance with the second and third indents of Article 11 (1) (c) (3).

2. The marketed production referred to in Article 23 (4) of Regulation (EC) No 2200/96 shall be equivalent to the marketed quantity as defined in paragraph 1.

Article 4

The marketing years for products qualifying for Community withdrawal compensation in accordance with Article 23 (3) of Regulation (EC) No 2200/96 shall be as listed in Annex I to this Regulation.

The marketing years for products listed in Article 1 (2) of Regulation (EC) No 2200/96 other than those referred to in the first paragraph shall run from 1 January to 31 December.

Article 5

1. For the products listed in Annex II to Regulation (EC) No 2200/96, payment of the Community withdrawal compensation referred to in Article 26 of that Regulation shall be subject to presentation, to the competent authority of the Member State, of an application by the producer organizations referred to in Articles 11 and 13 thereof or by associations of such organizations.

Where Article 13 (3) of Regulation (EC) No 2200/96 is applied, the producer organization concerned shall no longer benefit from the provisions laid down in the said Regulation.

⁽¹⁾ OJ No L 62, 4. 3. 1997, p. 9.

⁽²⁾ OJ No L 334, 27. 11. 1986, p. 1.

⁽³⁾ OJ No L 132, 16. 6. 1995, p. 8.

⁽⁴⁾ OJ No L 86, 31. 3. 1990, p. 13.

⁽⁵⁾ OJ No L 77, 6. 4. 1995, p. 9.

⁽⁶⁾ OJ No L 191, 24. 7. 1990, p. 19.

⁽⁷⁾ OJ No L 220, 5. 8. 1992, p. 22.

⁽⁸⁾ OJ No L 20, 23. 1. 1997, p. 26.

2. The application referred to in paragraph 1 shall cover a period of at least one month. It shall be accompanied by supporting documents confirming the quantity of each product marketed and the quantity of each product not put up for sale by the producer organization, and specifying:

- (a) the production of members actually sold through the producer organization or processed by it;
- (b) the production of members of other producer organizations marketed through the producer organization concerned in accordance with the second and third indents of Article 11 (1) (c) (3) of Regulation (EC) No 2200/96;
- (c) the production delivered by each grower who is not a member of any producer organization in accordance with Article 24 of that Regulation.

3. When considering each application, the Member States shall ensure that the quantity not put up for sale since the beginning of the marketing year in question complies with the limits laid down in Articles 23 and 24 of Regulation (EC) No 2200/96. If these limits have been exceeded, the Community withdrawal compensation shall be paid only with due regard to these limits and to the compensation already paid. Surplus quantities shall be included when the next application is considered.

Article 6

Without prejudice to Article 22 of this Regulation, for payment of the withdrawal compensation for products not listed in Annex II to Regulation (EC) No 2200/96 and the grant of a supplement to the Community withdrawal compensation as provided for in points (a) and (b) of Article 15 (3) of Regulation (EC) No 2200/96, Regulation (EC) No 411/97 shall apply.

Article 7

1. The representative markets referred to in Article 28 (1) of Regulation (EC) No 2200/96 shall be those listed in Annex II to this Regulation.
2. Member States shall inform the Commission weekly by electronic mail for each marketing day of the production prices recorded on the representative markets for the products and during the periods listed in Annex III. The Commission shall forward this information to the Member States.

Article 8

1. The producer organizations or associations thereof shall notify each withdrawal operation at least 24 hours in

advance to the competent national authorities, listing the products intended for intervention together with the estimated quantity of each product concerned.

However, if it has not been possible to give prior notice of a withdrawal operation the products withdrawn may not be disposed of until the Member State has given its authorization.

The producer organizations shall attest, in writing, that the products withdrawn comply with the standards in force if such standards have been adopted pursuant to Article 2 of Regulation (EC) No 2200/96.

They shall notify the competent national authorities of the measures taken to ensure that withdrawal operations are environmentally sound.

2. The producer organizations or associations thereof shall supply the following information to the Member States, which shall communicate it to the Commission:

- (a) the stocks of apples and pears available on the first day of each month;
- (b) at the start of the marketing year, the declaration of areas cultivated per product and, where applicable, per variety.

Article 9

1. Before the 10th day of each month, the Member States shall forward to the Commission by electronic mail an estimate of the products not put up for sale in the previous month, broken down by product.

2. At the end of each marketing year, the Member States shall forward to the Commission for each product concerned the details set out in Annex IV. These details shall be sent:

- (a) not later than 30 June following each marketing year in the case of tomatoes, aubergines, cauliflowers, apricots, peaches, nectarines, grapes, melons, watermelons and products not listed in Annex II to Regulation (EC) No 2200/96;
- (b) not later than 30 November following each marketing year in the case of lemons, pears, apples, satsumas, clementines and sweet oranges.

3. If the Member States do not forward the details referred to in paragraph 2, or if those forwarded details appear erroneous in the light of the objective facts in the Commission's possession, the Commission may suspend payment of the advance payments on the defrayal of expenses referred to in Article 5 (2) (a) of Council Regulation (EEC) No 729/70⁽¹⁾ pending the forwarding of the requisite details.

⁽¹⁾ OJ No L 94, 28. 4. 1970, p. 13.

Article 10

Member States shall notify to the Commission by 15 September 1997 at the latest the national framework provided for in the third paragraph of Article 25 of Regulation (EC) No 2200/96.

Member States shall inform the Commission of any amendments to the abovementioned framework.

CHAPTER II

Free distribution*Article 11*

1. In accordance with the first and third indents of Article 30 (1) (a) of Regulation (EC) No 2200/96, products withdrawn from the market during a given marketing year may be made available to charitable organizations approved by the Member States for free distribution, at their request.

2. In order to qualify for approval, the charitable organizations shall undertake to:

- (a) comply with this Regulation;
- (b) keep separate accounts for the operations in question;
- (c) accept the checks provided for by Community provisions.

3. Member States shall approve charitable organizations in at least one of the following categories:

- (a) charitable organizations authorized to distribute on the Member State's territory products which have been withdrawn there;
- (b) charitable organizations authorized to distribute on Community territory;
- (c) charitable organizations authorized to distribute Community products in third countries.

Member States shall notify lists of approved charitable organizations as referred to in points (b) and (c) of the first subparagraph to the Commission, which shall publish them in the 'C' series of the *Official Journal of the European Communities*.

Article 12

The institutions as referred to in the second indent of Article 30 (1) (a) of Regulation (EC) No 2200/96 which are designated by the Member States must comply with the conditions pursuant to Article 11 (2) of this Regulation.

Article 13

Member States shall take measures to facilitate contacts and operations between the producer organizations

concerned and the charitable organizations approved in accordance with Article 11 (2).

At the end of each marketing year, Member States shall forward to the Commission the information specified in Annex VI concerning the free distribution operations.

Article 14

1. Free distribution outside the Community as part of humanitarian aid shall be carried out by the charitable organizations referred to in Article 11 (3) (c) in accordance with paragraphs 2 and 3 of this Article.

2. The products dispatched shall not be eligible for export refunds. The customs export document, the transit document and any T5 document issued shall be endorsed 'without refund'.

3. Member States shall submit to the Commission the plans for each free distribution operation and shall send the Commission a copy of the notification to the FAO Consultative Subcommittee on Surplus Disposal, on authorization of the operation by the Commission.

The Commission shall decide on a case-by-case basis whether to authorize such operations in the light of the guarantees of successful conclusion and the market situation.

At the end of each operation, Member States shall forward to the Commission the information specified in Annex VI.

Article 15

1. The costs of transport linked to the free distribution of all products withdrawn from the market shall be met by the Guarantee Section of the European Agricultural Guidance and Guarantee Fund (EAGGF) on the basis of the flat-rate amounts determined in accordance with the distance between the point of withdrawal and the place of delivery set out in Annex V.

In the case of free distribution outside the Community, the flat-rate amounts set out in Annex V shall cover the distance between the point of withdrawal and the point of exit from the Community.

2. The transport costs shall be paid to the consignor who has actually borne the financial cost of the transport operation in question.

Payment of the said amounts shall be subject to presentation of supporting documents, certifying, in particular:

- the names of the beneficiary bodies,
- the quantity of the products concerned,
- acceptance by the charitable organization,
- the means of transport used.

Article 16

1. In the case of apples and citrus fruits withdrawn from the market, the costs of sorting and packaging linked to free distribution shall be borne by the Guarantee Section of the EAGGF, up to the amount set out in paragraph 2 of Annex V, where free distribution is performed under a contractual agreement between the producer organizations and the charitable organizations concerned.

2. For the purposes of paragraph 1 the producer organizations shall, at the start of the marketing year, enter into contractual agreements with charitable organizations approved in accordance with Article 11 (2) and (3) and notify them to the competent national authorities as soon as they are concluded. The authorities in question may set a final date for the conclusion of such agreements.

3. Agreements shall be concluded subject to there being products withdrawn from the market. The quantities stipulated in the agreements may be increased during the marketing year, depending on the market situation.

4. Agreements shall be concluded for a single marketing year within the meaning of Regulation (EC) No 2200/96 and shall specify:

- the likely quantity of each product,
- the means of transport envisaged,
- the planned rate of delivery,
- the agreed place where the product will be made available,
- the obligation on the producer organization to make available ready sorted products packed in packages of less than 25 kg,
- an estimate of beneficiaries by administrative unit.

5. Member States shall forward to the Commission, not later than one month after the conclusion of the agreements, the information specified in paragraph 4.

6. Payment of the costs of sorting and packaging shall be made to the producer organizations which performed the sorting and packaging and shall be subject to the presentation of supporting documents, certifying, in particular:

- the names of the beneficiary bodies,
- the quantity of the products concerned,
- the actual costs of sorting and packaging,
- acceptance by the charitable organization.

CHAPTER III

Checks and penalties*Article 17*

1. Member States shall take all the necessary measures to ensure that the provisions of Title IV of Regulation

(EC) No 2200/96 are complied with, and in particular those set out in paragraphs 2, 3 and 4 of this Article.

2. Member States shall perform physical and documentary checks on the withdrawals made by all producer organizations at least once during the marketing year. For each product, these checks shall involve at least 20 % of the total quantity withdrawn.

They shall, in addition, ensure that the products not put up for sale comply with the standards in force if such standards have been adopted pursuant to Article 2(2) of Regulation (EC) No 2200/96.

In cases where Article 30(2) of Regulation (EC) No 2200/96 applies, Member States shall check all the quantities withdrawn.

3. Member States shall carry out documentary checks on intervention operations to ensure that the accounts are correct and that there is effective verification of compliance with the conditions for payment of the Community withdrawal compensation or of financing from the operational fund referred to in Article 15(1) of Regulation (EC) No 2200/96.

Checks shall be undertaken on each producer organization at least once each marketing year and, for each product, must involve at least 10 % of the applications for payment.

4. Where checks reveal significant irregularities, the competent authorities shall carry out additional checks during the marketing year in progress and shall increase the frequency of checks in the following marketing year.

Article 18

1. Member States shall take the necessary measures to ensure that free distribution operations both inside and outside the Community comply with the provisions in force.

They shall, in particular:

- (a) ensure that the operations in question are properly carried out;
- (b) verify the final use made of the products by the charitable organization, in particular by demanding from them a certificate of acceptance certifying the use of the products;
- (c) check the final destination of the products.

2. Checks shall be both documentary and physical and shall concern both the producer organizations and the charitable bodies concerned. They may be random in nature and each year shall cover at least 10 % of the quantities distributed.

3. With regard to distribution within the Community and without prejudice to Article 39 of Regulation (EC) No 2200/96, the competent authorities of the Member State on whose territory the free distribution takes place shall undertake checks on the use of the products and their final destination.

4. At the request of the Member State, the Commission shall assist it in monitoring free distribution operations outside the Community.

Article 19

1. The beneficiary of Community withdrawal compensation or of financing from the operational fund shall be under the obligation to pay back double the amounts unduly paid, plus interest calculated by reference to the time that has elapsed between payment and reimbursement by the beneficiary where checks carried out in accordance with Article 17 show that:

- (a) the products not put up for sale do not comply with the provisions on standards laid down in Article 2 of Regulation (EC) No 2200/96;
- (b) the products not put up for sale have not been disposed of as provided for in Article 30 of that Regulation;
- (c) the disposal of the products not put up for sale causes substantial environmental damage.

However, the penalty referred to in the first subparagraph shall not be applied where the beneficiary proves to the satisfaction of the competent national authority that the irregularities were not intentional on his part or were not the result of gross negligence. In such cases, the beneficiary shall repay only the amount unduly paid, plus interest.

The rate of interest shall be that applied by the European Monetary Institute to transactions in ecus published in the 'C' series of the *Official Journal of the European Communities* and in force on the date on which undue payment is made, plus three percentage points.

2. Sums recovered, with the interest accrued, shall be paid to the responsible paying agency and deducted from expenditure financed by the EAGGF.

3. In the event of a false declaration made deliberately or by serious negligence, the producers' organization concerned shall be debarred from receiving Community withdrawal compensation for the marketing year following that in respect of which the false declaration was discovered.

Article 20

1. Where irregularities attributable to producer organizations or to approved charitable bodies or institutions as referred to in Articles 11 and 12 are detected in the course of free distribution pursuant to checks carried out in accordance with Article 18, paragraphs 2 to 7 of this Article shall apply.

2. Approval as referred to in Article 11 (2) shall be withdrawn from charitable organizations. This shall take effect immediately and continue for at least one marketing year, and may be extended depending on the seriousness of the irregularity.

3. Institutions as referred to in Article 12 shall not be eligible to be the beneficiaries of free distribution operations in the following marketing year.

4. The charitable organization or institution which received the product withdrawn from the market shall be obliged to repay the value of the products it received plus interest calculated by reference to the time which has elapsed between receipt of the product and repayment by the beneficiary.

5. Article 19 (3) shall apply to the producer organization concerned.

Furthermore, the producer organization shall be obliged to reimburse double the amounts received in respect of sorting and packaging costs, plus interest calculated by reference to the time which has elapsed between payment and reimbursement by the beneficiary.

The consignor who received the transport costs as referred to in Article 15 shall be obliged to reimburse double the amounts received for transport plus interest calculated by reference to the time which has elapsed between payment and reimbursement by the beneficiary.

6. The rate of interest shall be that applied by the European Monetary Institute to its operations in ecus published in the 'C' series of the *Official Journal of the European Communities* in force on the date of undue payment, increased by three percentage points.

7. The amounts recovered, plus the interest thereon, shall be paid to the competent paying agency and deducted from expenditure financed by the EAGGF.

Article 21

Articles 19 and 20 of this Regulation shall apply without prejudice to other penalties to be adopted in accordance with Article 48 of Regulation (EC) No 2200/96.

CHAPTER IV

Transitional and final provisions

Article 22

For 1997, producer organizations which have submitted a draft operational programme for approval in accordance with Articles 3 or 15 of Regulation (EC) No 411/97 are

hereby authorized to grant, at their own risk, supplements to the Community withdrawal compensation, in accordance with Article 15 (3) (b) of Regulation (EC) No 2200/96.

Article 23

Regulations (EEC) No 3587/86, (EEC) No 827/90, (EEC) No 2103/90, (EEC) No 2276/92 and (EC) No 113/97 are hereby repealed.

Article 24

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

However, for each product listed in Annex I to Regulation (EC) No 2200/96, it shall apply from the start of the 1997/98 marketing year.

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

Done at Brussels, 16 April 1997.

For the Commission

Franz FISCHLER

Member of the Commission

ANNEX I

**MARKETING YEARS FOR THE PRODUCTS LISTED IN ANNEX II TO REGULATION
(EC) No 2200/96**

Product	Date
Tomatoes	From 1 January to 31 December
Aubergines	From 1 January to 31 December
Melons	From 1 April to 31 March
Watermelons	From 1 April to 31 March
Cauliflowers	From 1 May to 30 April
Apricots	From 1 May to 30 April
Nectarines	From 1 May to 30 April
Peaches	From 1 May to 30 April
Table grapes	From 1 May to 30 April
Lemons	From 1 June to 31 May
Pears	From 1 June to 31 May
Apples	From 1 July to 30 June
Satsumas	From 1 October to 30 September
Mandarins	From 1 October to 30 September
Clementines	From 1 October to 30 September
Sweet oranges	From 1 October to 30 September

ANNEX II

LIST OF REPRESENTATIVE MARKETS

Apricots

Greece	France	Italy	Spain	Portugal
Argos Korinthos Moudania	Châteaurenard Perpignan Valence	Salerno Forli	Murcia Valencia Zaragoza	Alenquer Algarve

Aubergines

Greece	France	Italy	Netherlands	Spain	Portugal
Skala (Lakonias) Thessaloniki	Châteaurenard	Latina Catanzaro	Coöperatie V, T, N, Den Bosch Coöperatieve Veiling ZON, Grubbenvorst	Almería Valencia	Algarve

Cauliflowers

Belgium/Luxembourg	Netherlands	Germany	Greece	France	Ireland
Sint-Katelijne Waver	Coöperatie V, T, N, Den Bosch Coöperatieve Veiling ZON, Grubbenvorst	Hamburg Kitzingen Maxdorf Reichenau Straelen Erfurt	Athina Chalkida Thessaloniki	Châteaurenard Saint-Malo Saint-Omer Saint-Pol-de-Léon	Dublin
Italy	Austria	United Kingdom	Spain	Portugal	Denmark
Ascoli Piceno Pesaro Taranto	Vienna	Birmingham Liverpool London Bristol	Barcelona La Rioja Granada Murcia Navarre Seville Valencia	Oeste	Odense

Finland	Sweden
Helsinki	Helsingborg

Lemons

Greece	Italy	Spain	Portugal
Egio Xylokaastro	Catania Palermo Siracusa Messina	Alicante Málaga Murcia	Algarve Oeste

Greece	France	Italy	Spain	Portugal
Argos	Corsica	Cosenza Taranto	Castellón Valencia	Alcácer do Sal Algarve

Clementines

Strawberries

Italy	Portugal	Spain
Salerno Bologna	Algarve Oeste	Barcelona Huelva Valencia

Greece	Italy	Spain	Portugal
Argos Chios	Catania Siracusa Taranto	Alicante Castellón Valencia	Algarve

Mandarins

Melons

Italy	Spain	Greece	Portugal
Salerno Ferrara Bologna	Almería Badajoz Ciudad Real Murcia	Kyparissia Amaliada Patra Larissa Trikala	Ribatejo

Sweet oranges

Greece	Italy	Spain	Portugal
Argos Arta Sparti	Catania Siracusa Catanzaro	Alicante Castellón Sevilla Valencia	Algarve Santiago do Cacém

Watermelons

Italy	Spain	Greece	Portugal
Latina Bologna Ferrara	Almería Murcia Valencia	Kyparissia Amaliada Patra Larissa Trikala	Ribatejo

Peaches and nectarines

Greece	France	Spain	Italy (Peaches)	Italy (Nectarines)	Portugal
Skydra Veria	Montauban Nîmes Perpignan Valence	Huesca La Rioja Lérida Murcia Sevilla Valencia Zaragoza	Bologna Ferrara Ravenna Forlì Salerne	Salerno Ravenna Forlì Verona Ferrara	Cova da Beira Montargil Ribatejo Oeste

Apples

Belgium/Luxembourg	Denmark	Germany	Greece	France	Ireland
Sint-Truiden	Odense	Bonn-Roidorf Hamburg Bodenseemarkt Stade	Naoussa Skydra Tripolis Volos	Angers Montauban Nîmes	Dublin
Italy	Netherlands	United Kingdom	Spain	Portugal	
Bolzano Ferrara Ravenna Verona	Coöperatie V, T, N, Den Bosch Geldermalsen & Omstreken Geldermalsen	Birmingham London	Gerona Huesca La Rioja Lérida Zaragoza	Oeste Cova da Beira Guarda Viseu	
Finland	Sweden	Austria			
Helsinki	Helsingborg	Wollsdorf			
Pears					
Belgium and Luxembourg	Denmark	Germany	Greece	Ireland	Italy
Sint-Truiden	Odense	Bonn-Roidorf Ingelheim Stade	Veria Volos	Dublin	Ravenna Bolzano Verona Ferrara Rovigo
France	Netherlands	United Kingdom	Spain	Portugal	
Angers Avignon Valence	Coöperatie V, T, N, Den Bosch Geldermalsen & Omstreken Geldermalsen	Birmingham London	Badajoz Huesca La Rioja Lérida Zaragoza	Oeste Cova da Beira	

ANNEX III

As provided for in Article 6 (2) of this Regulation, Member States shall notify daily producer prices recorded for the following products and periods:

I.A

Products	Presentation and type	Period
Tomatoes	Of the 'round' and 'ribbed' type, quality classes I and II, size 57/77 mm packed	1 January to 31 December
Aubergines	— Of the elongated type, quality class I, size over 40 mm — Of the globus type, quality class I, size over 70 mm	1 January to 31 December
Melons	— Of the Glob Galia, Piel de Sapo, Jaune et lise, Supermarket, Charentais, Honeydew, Tamaris, Cantaloup and Tendral varieties, quality classes I and II	1 April to 31 March
Watermelons	— varieties with seeds — seedless varieties quality class I	1 April to 31 March
Cauliflowers	'Trimmed', quality class I, packed	1 May to 30 April
Apricots	Quality class I, size over 40 mm	1 May to 30 April
Nectarines	Of the Armking, Crimsongold, Early sun grand, Fairlane, Fantasia, Independence, May Fire Brite, May Fire, Flavor Geant, Early Grand, Flavor Nectared, Snow Queen, Queen Rubi, Caldesi, Venus, Sweet Red, Nettareos, Sweet Lady, Autumn Free, Caldesi, Tasty Free, Albared and Stark red gold varieties, quality class I, size 56/73 mm	1 May to 30 April
Peaches	Of the Amsden, Cardinal, Dixired, Merryl Germfree, Catherina Maria Serena, Federica, Vesubio, Baby Gold, Red Globe, Carson, Andros, San Lorenzo, Sudanel, Miraflores, Campiel, Calanda, Rojo rito, Rojo Gallur, Jeronimo, Flavorcrest, Iris rosso, Maria Bianca, Rosa del West, Maria Delizia, K2, Duchessa d'Este, Merrill Gemfree, Michelimi, Red Haven, Springcrest and Springtime varieties, quality class I, size 56/73 mm	1 May to 30 April
Table grapes	Of the Regina dei Vignetti, Sultanine, Regina (Mennavacca bianca, Rosaki, Dattier de Beyrouth), Italia, Aledo, Ohanes (Almeria), D. Maria, Napoleon, Dominga, Alfonso Lavallée, Cardinal, Italia, Moscatel Romano, Apirena and Aledo varieties, quality class I	1 May to 30 April
Lemons	Quality class I, size 53/65 mm	1 June to 31 May

Products	Presentation and type	Period
Pears	<ul style="list-style-type: none"> — Of the Beurré Hardy, Coscia (Ercolini), Crystallis (Beurré Napoléon, Ercolini, Blanquilla, Tsakonika), Dr Jules Guyot (Limonera) and Rocha varieties, quality class I, size 55 mm or more — Of the Limonera, Conférence, Bon Chrétien, Williams, Buena Luisa, Max Red Bartlett varieties, quality class I, size 60 mm or more — Of the Empereur Alexandre (Kaiser Alexandre Bosc), Abate Fetel, Decana del Cimmizio, Passacrassana varieties, quality class I, size 70 mm or more 	1 June to 31 May
Apples	<ul style="list-style-type: none"> — Of the Reine des Reinettes and Verde Doncella varieties, quality class I, size 65 mm or more — Of the Delicious Pilafa, Golden Delicious, Jonagold, Jonagored, Elstar, Gloster, Boskoop, Cox Orange, Iraded, Golden Supreme, James Grieve, Red Chief, Top Redy, Red Delicious, Reinette grise du Canada, Starking Delicious, Granny Smith, Belleza de Roma, Summered, Royal Gala and Orzak Gold varieties, quality class I, size 70 mm or more 	1 July to 30 June
Satsumas	Quality class I, size 54/69 mm	1 October to 30 September
Mandarins	Quality class I, size 54/69 mm	1 October to 30 September
Clementines	Quality class I, size 43/60 mm	1 October to 30 September
Sweet oranges	Of the Moro, Navel, Navellina, Navellate, Tarocco Salustiana, Sanguinello and Valencia late varieties, quality class I, size 67/80 mm	1 October to 30 September

I.B

Other products:

Products	Presentation and type	Period
Strawberries	Quality class I, packed	1 October to 30 September

ANNEX IV

STATUS REPORT ON INTERVENTIONS

Member State: Year:						
PO Number Name						
Product	Marketed production (tonnes)			Quantity not put up for sale (tonnes)		
	Of the members	From another PO	Non-affiliated	Of the members	From another PO	Non-affiliated
Variety (¹)						
Category (¹)						
Size (¹)						
Packaging						
Destination						
Breakdown by month (total quantity)						

(¹) Depending on the product and the standards in force (Article 2 of Regulation (EC) No 2200/96).

ANNEX V

1. Transport costs under free distribution arrangements (first, second and third indents of Article 30 (1) (a) of Regulation (EC) No 2200/96)

	<i>(ECU per 100 kg)</i>
Distance of less than 25 km	1,20
Distance of 25 km or more but less than 200 km	2,50
Distance of 200 km or more but less than 350 km	3,50
Distance of 350 km or more but less than 500 km	5,00
Distance of 500 km or more	6,50
Additional transport costs per wagon or other refrigerated vehicle	0,60

2. The costs of sorting and packaging for apples and citrus fruits shall be borne by the Community up to a maximum of ECU 11 per 100 kg net.

ANNEX VI

Details concerning free distribution operations:

(a) as regards free distribution within the Community:

- product distributed (variety, commercial category),
- quantity distributed,
- name and headquarters of the producer organization making the withdrawals,
- name and headquarters of the approved charitable organization or institution appointed by the Member State in receipt of the product,
- end use of the product,
- type of packaging used, specifying whether recycled or not,
- means of transport used and the name of the transporter,
- date of delivery and date of receipt,
- estimated number of beneficiaries, by administrative unit,
- date the agreement between the producer organization and the approved charitable body was concluded;

(b) as regards free distribution outside the Community:

- product distributed (variety, commercial category),
 - quantity distributed,
 - name and headquarters of the producer organization making the withdrawals,
 - name and headquarters of the approved charitable organization carrying out distribution,
 - name and address of the approved charitable organization in receipt of the product,
 - country and place of final destination,
 - description of the end use of the product (the population group for which it is intended),
 - means of transport used and the name of the transporter,
 - date of delivery and date of receipt,
 - estimated number of beneficiaries, by administrative unit,
 - date the agreement between the producer organization and the approved charitable body was concluded.
-

**COMMISSION REGULATION (EC) No 660/97
of 16 April 1997**

**introducing transitional measures for the free distribution as humanitarian aid
outside the Community of fruit and vegetables withdrawn from the market
during the 1996/97 marketing year**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EC) No 2200/96 of 28 October 1996 on the common organization of the market in fruit and vegetables⁽¹⁾, and in particular Article 57 thereof,

Whereas the third indent of Article 30 (1) (a) of the Regulation (EC) No 2200/96 provides that fruit and vegetables withdrawn from the market pursuant to Article 23 (1) of that Regulation which remain unsold may be distributed free of charge as humanitarian aid to certain categories of the population in need, via charitable organizations approved to that effect by the Member States; whereas, however, that Article does not apply until the 1997/98 marketing year;

Whereas Regulation (EC) No 659/97 of 16 April 1997 laying down detailed rules for the application of Council Regulation (EC) No 2200/96 as regards intervention arrangements for fruit and vegetables⁽²⁾, lays down the rules applicable to the free distribution outside the Community of fruit and vegetables withdrawn from the market; whereas, however, this Regulation only applies to products withdrawn from the market from the 1997/98 marketing year;

Whereas, for the 1996/97 marketing year, withdrawals from the market pursuant to Council Regulation (EEC) No 1035/72⁽³⁾, as last amended by Commission Regulation (EC) No 1363/95⁽⁴⁾, may be expected, in particular as regards oranges and mandarins; whereas, therefore, in order to allow the free distribution outside the Community of these products withdrawn from the market and to facilitate the transition from the old arrangements to those established by Regulation (EC) No 2200/96, a transitional measure should be adopted making Regulation (EC) No 659/97 applicable to oranges and mandarins withdrawn from the market pursuant to Regulation (EEC) No 1035/72 during the 1996/97 marketing year;

Whereas certain provisions of Regulation (EC) No 659/97 should not be applied to the free distribution of products withdrawn from the market during the 1996/97 marketing year, in particular as regards the conclusion of contractual agreements between producer organizations and charitable organizations so that costs of sorting and packaging those products can be taken over by the Commission;

Whereas, because of the short deadlines and to prevent the products deteriorating, charitable organizations which have submitted proposals for such operations before the entry into force of this Regulation should be allowed to proceed at once and the Commission should be allowed to authorize them retrospectively if they comply with the conditions set out in this Regulation;

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

HAS ADOPTED THIS REGULATION:

Article 1

1. Pursuant to the conditions laid down in Regulation (EC) No 659/97, oranges and mandarins withdrawn from the market during the 1996/97 marketing year in accordance with Regulation (EEC) No 1035/72 may, during that marketing year, be made available to charitable organizations approved by the Member States for free distribution as humanitarian aid to certain categories of the population in need in third countries.

2. However, Articles 11 (3) and 16 of Regulation (EC) No 659/97 on the conclusion of contractual agreements between producer organizations and charitable organizations shall not apply to the operations referred to in paragraph 1.

Article 2

1. Free distribution operations for which proposals were submitted to the Commission by Member States before the entry into force of this Regulation may be carried out.

2. The Commission may decide to authorize retrospectively the implementation of the operations referred to in paragraph 1 in accordance with the second indent of the third paragraph of Article 14 of Regulation (EC) No 659/97 if those operations comply with the conditions set out in this Regulation.

Article 3

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

⁽¹⁾ OJ No L 297, 21. 11. 1996, p. 1.

⁽²⁾ See page 22 of this Official Journal.

⁽³⁾ OJ No L 118, 20. 5. 1972, p. 1.

⁽⁴⁾ OJ No L 132, 16. 6. 1995, p. 8.

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

Done at Brussels, 16 April 1997.

For the Commission

Franz FISCHLER

Member of the Commission

COMMISSION REGULATION (EC) No 661/97
of 16 April 1997

laying down detailed rules for the application of Council Regulation (EC) No 2201/96 as regards the system of quotas for processed tomato products

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EC) No 2201/96 of 28 October 1996 on the common organization of the markets in processed fruit and vegetable products⁽¹⁾, and in particular Article 6 (5) thereof,

Whereas Article 6 (4) of Regulation (EC) No 2201/96 lays down rules for sharing out quantities of fresh tomatoes for the production of processed products granting entitlement to production aid between the various undertakings that commenced processing three marketing years before that for which the allocation is made; whereas rules should also be laid down as to how quantities are to be shared out among undertakings that commenced processing less than three years before the marketing year for which allocation is made; whereas the conditions to be met by undertakings in order to qualify for such quantities must accordingly be determined;

Whereas the detailed rules for the application of the system of production aid for products processed from fruit and vegetables were laid down in Commission Regulation (EC) No 504/97⁽²⁾;

Whereas, with a view to some development of the tomato-processing industry's production structures, a percentage of the quantities of each group of finished products allocated to the Member States should be reserved for new undertakings; whereas, since the quantities available are limited, only undertakings providing guarantees of efficiency and durability should be allocated quantities;

Whereas, pursuant to Article 6 (4) of Regulation (EC) No 2201/96, quantities actually produced during the 1996/97 marketing year are not taken into account when the rules for allocating quantities to processing undertakings are applied; whereas the consequences should be drawn for undertakings regarded as new during the 1996/97 marketing year and for all the other undertakings concerned until 1999/2000;

Whereas the competent authorities allocate to each processing undertaking the quantities of fresh tomatoes which may be used to produce finished products conferring entitlement to the aid; whereas such allocation must

be based on information forwarded by the undertakings; whereas, if there are doubts as to the accuracy of the information received, the competent authorities must be authorized to defer allocation until such doubts have been dispelled;

Whereas, in order for the quota system to be as efficient as possible within each Member State, quantities not allocated and quantities allocated but not used should be redistributed fairly among their undertakings that sign contracts covering such additional quantities;

Whereas the allocation of a specific quota to each undertaking means that the production aid is paid in respect of a fixed quantity only; whereas the objective of the arrangements is met if quotas allocated to undertakings can be transferred to others where they change hands; whereas such changes of ownership, which may be total or partial, must entail a proportional transfer of quota rights; whereas, in the event of mergers between undertakings operating in the same Member State, the transfer of rights to the undertaking resulting from the merger should also be permitted;

Whereas, with a view to a better enforcement of processing contracts, processors should process quantities covered by such contracts before starting to process others;

Whereas the measures set out in this Regulation should replace those in Commission Regulation (EEC) No 1794/93 of 30 June 1993 laying down detailed rules for the application of production aid for processed tomato products⁽³⁾; whereas that Regulation should therefore be repealed;

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

HAS ADOPTED THIS REGULATION:

Article 1

1. The allocation provided for in Article 6 (4) of Regulation (EC) No 2201/96 shall be made by the Member States by 31 May preceding each marketing year.

⁽¹⁾ OJ No L 297, 21. 11. 1996, p. 29.

⁽²⁾ OJ No L 78, 20. 3. 1997, p. 14.

⁽³⁾ OJ No L 163, 6. 7. 1993, p. 23.

2. Undertakings which meet the conditions pursuant to Article 3 of Regulation (EC) No 504/97 and which

- have submitted production aid applications in respect of at least one of the three marketing years preceding that for which allocation is made, or
- commence their activity during the marketing year for which allocation is made,

may be allocated quantities pursuant to paragraph 1.

Article 2

Without prejudice to Article 3, quantities shall be allocated pursuant to Article 1 (1) to all undertakings concerned in proportion to the average quantities they produced and sold at least at the minimum price during the three marketing years preceding that for which allocation is made.

However, undertakings which commenced production during:

- (a) the penultimate marketing year preceding that for which allocation is made, shall qualify for a quota based on the average quantities they produced and sold at least at the minimum price during the two marketing years preceding the marketing year in question;
- (b) the marketing year preceding that for which allocation is made, shall qualify for a quota corresponding to the average quantities they produced and sold at least at the minimum price during that marketing year.

Article 3

1. New processing undertakings which commence production of any finished tomato product during the marketing year for which the allocation is made shall qualify for a production quota under the conditions set out in the second subparagraph, on condition that they provide sufficient guarantees to the satisfaction of the competent authorities regarding their efficiency and durability.

Producer Member States shall reserve 2 % of the total quantities of fresh tomatoes fixed for each group of finished products for the purposes of allocating quotas to undertakings as referred to in the first subparagraph. The quota allocated to each undertaking may not exceed 70 % of its processing capacity.

2. For the purposes of this Regulation, 'new undertaking' means an undertaking with plant and equipment

suitable for the production of a group of finished tomato products and which did not qualify under the quota arrangements for the group in question for any of the three marketing years preceding that for which allocation is made.

Article 4

For the 1997/98 marketing year, undertakings which qualified in the 1996/97 marketing year for quotas reserved for new undertakings shall qualify for a quota equal to the quantities that they have actually produced in that marketing year, provided that the overall quota allocated in 1996/97 is not exceeded.

Member States shall, where applicable, take account of the quantities referred to in the first subparagraph when applying Article 2 for the 1997/98 marketing year.

Article 5

Where the quantities referred to in Articles 2, 3 and 4 have not been allocated in full, the remainder shall be divided fairly between applicant processing undertakings as referred to in the first subparagraph of Article 2, account being taken in particular of those undertakings using new production technology.

Article 6

1. By 15 January preceding the marketing year in which allocation is made, processing undertakings as referred to in Article 3 shall inform the competent authorities of their processing capacity and of the quantities of raw material that they intend to process. The quantities of raw material shall be broken down into:

- (a) tomato concentrate, expressed as concentrate with a dry weight content of 28 % or more but less than 30 %;
- (b) preserved whole peeled tomatoes;
- (c) other tomato products.

2. By way of an exception in duly justified cases, Member States may accept information forwarded after the time limit laid down in paragraph 1, provided the quantities referred to in the second subparagraph of Article 3 (1) are not exceeded.

Article 7

1. Whereas the competent authorities of Member States have checked that the aid applications comply with Article 12 of Regulation (EC) No 504/97, and when they

are in possession of all the particulars needed for allocation pursuant to Articles 2 to 5 of this Regulation, they shall allocate a given quantity of fresh tomatoes to each processing undertaking. That quantity shall be broken down into quantities for the production of:

- tomato concentrate,
- preserved whole peeled tomatoes,
- other tomato products.

2. Where Member States note that the overall quantity allocated to their processing undertakings is not covered by preliminary contracts and processing contracts as provided for respectively in Article 6 and in Article 7 of Regulation (EC) No 504/97 for a given marketing year, they may decide to allocate the unused quantity among processing undertakings which declare that they are prepared to conclude processing contracts covering the additional quantities. Such additional quantities of fresh tomatoes shall only be allocated for the marketing year in question.

Member States may allocate the additional quantities until 15 October each year. The obligation to conclude preliminary contracts as referred to above covering the reallocated quantities for the purposes of the aid shall be waived in respect of undertakings notified that they have been allocated additional quantities by the competent authorities. Processing contracts covering such quantities shall be concluded by 25 October.

3. In the event of proven or suspected irregularities and where administrative or judicial inquiries have been initiated to ascertain entitlement to the aid, the competent authorities may decide not to allocate the quantity at issue until the dispute is settled.

Article 8

1. Where undertakings change hands, the provisions set out in the following points (a) and (b) shall apply:

(a) where processors qualifying for processing quotas dispose of their undertakings in any manner, they must transfer all their rights arising from the allocation as referred to in Articles 2 to 5 to the natural or legal person who takes over the business;

(b) where processors qualifying for processing quotas and having two or more plants for the production of finished tomato products dispose of one or more of those plants in any manner, they must transfer a proportion of the rights as referred to in point (a) corresponding to the production of the plant(s) thus

sold or transferred to the natural or legal person who takes over the business.

Processors may in no circumstances transfer their quota rights without transferring their plant(s).

Where undertakings change hands in accordance with the first subparagraph, the processors concerned shall notify the competent authorities of the Member State in question.

2. In the case of mergers of undertakings, Member States in whose territory the relevant undertakings operate shall authorize the transfer of quota rights between the former processing undertakings and those resulting from the merger.

3. In the cases referred to in paragraphs 1 and 2, Member States shall take the measures necessary to ensure that transfers of quotas do not have adverse effects on the quota arrangements.

Article 9

Undertakings must have completed the processing of all fresh tomatoes delivered under contracts as referred to in Article 7 of Regulation (EC) No 504/97 before processing other tomatoes.

Member States shall take the measures necessary to verify compliance with the first paragraph.

Article 10

Member States shall take all steps necessary to ensure that:

- the overall quantity allocated per Member State and per group of products pursuant to Article 6 (3) of Regulation (EC) No 2201/96 is not exceeded,
- the quantities referred to in Articles 5 and 7 (2) are allocated fairly among the undertakings.

Article 11

Regulation (EEC) No 1749/93 is hereby repealed.

Article 12

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, 16 April 1997.

For the Commission

Franz FISCHLER

Member of the Commission

COMMISSION REGULATION (EC) No 662/97

of 16 April 1997

laying down to what extent applications for issue of export licences submitted during April 1997 for beef and veal products which may benefit from special import treatment in a third country may be accepted

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to 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 ⁽¹⁾, as last amended by Regulation (EC) No 266/97 ⁽²⁾, and in particular Article 12 (8) thereof,

Whereas Regulation (EC) No 1445/95 lays down, in Article 12, detailed rules for export licence applications for the products referred to in Article 1 of Commission Regulation (EEC) No 2973/79 ⁽³⁾, as last amended by Regulation (EEC) No 3434/87 ⁽⁴⁾;

Whereas Regulation (EEC) No 2973/79 fixed the quantities of meat which might be exported on special terms for the second quarter of 1997; whereas export licences for beef and veal were not required,

HAS ADOPTED THIS REGULATION:

Article 1

No applications for export licences for beef and veal referred to in Regulation (EEC) No 2973/79 have been lodged for the second quarter of 1997.

Article 2

Applications for licences in respect of the meat referred to in Article 1 may be entered in accordance with Article 12 of Regulation (EC) No 1445/95 during the first 10 days of the third quarter of 1997 the total quantity available being 3 713 tonnes.

Article 3

This Regulation shall enter into force on 17 April 1997.

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

Done at Brussels, 16 April 1997.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ No L 143, 27. 6. 1995, p. 35.

⁽²⁾ OJ No L 45, 15. 2. 1997, p. 1.

⁽³⁾ OJ No L 336, 29. 12. 1979, p. 44.

⁽⁴⁾ OJ No L 327, 18. 11. 1987, p. 7.

COMMISSION REGULATION (EC) No 663/97
of 16 April 1997
fixing the export refunds on eggs

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 ⁽¹⁾, as last amended by Commission Regulation (EC) No 1516/96 ⁽²⁾, and in particular Article 8 (3) thereof,

Whereas Article 8 of Regulation (EEC) No 2771/75 provides that the difference between prices on the world market for the products listed in Article 1 (1) of that Regulation and prices for those products within the Community may be covered by an export refund;

Whereas the present market situation in certain third countries and that regarding competition on particular third country markets make it necessary to fix a refund differentiated by destination for certain products in the egg sector;

Whereas it follows from applying these rules and criteria to the present situation on the market in eggs that the

refund should be fixed at an amount which would permit Community participation in world trade and would also take account of the nature of these exports and their importance at the present time;

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

The list of codes of products for which, when they are exported, the export refund referred to in Article 8 of Regulation (EEC) No 2771/75 is granted, and the amount of that refund shall be as shown in the Annex hereto.

Article 2

This Regulation shall enter into force on 17 April 1997.

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

Done at Brussels, 16 April 1997.

For the Commission
Franz FISCHLER
Member of the Commission

⁽¹⁾ OJ No L 282, 1. 11. 1975, p. 49.

⁽²⁾ OJ No L 189, 30. 7. 1996, p. 99.

ANNEX

to the Commission Regulation of 16 April 1997 fixing the export refunds on eggs

Product code	Destination (1)	Amount of refund
		ECU/100 units
0407 00 11 9000	02	3,50
0407 00 19 9000	02	1,60
		ECU/100 kg
0407 00 30 9000	03	7,00
	04	5,00
	05	18,00
0408 11 80 9100	01	53,00
0408 19 81 9100	01	24,00
0408 19 89 9100	01	24,00
0408 91 80 9100	01	41,00
0408 99 80 9100	01	10,50

(1) The destinations are as follows:

- 01 All destinations except Switzerland,
- 02 All destinations except the United States of America,
- 03 Kuwait, Bahrain, Oman, Qatar, the United Arab Emirates, Yemen, Hong Kong and Russia,
- 04 All destinations except Switzerland and those of 03 and 05,
- 05 South Korea, Japan, Malaysia, Thailand, Taiwan, the Philippines and Egypt.

NB: The product codes and the footnotes are defined in amended Commission Regulation (EEC) No 3846/87.

COMMISSION REGULATION (EC) No 664/97
of 16 April 1997

fixing the maximum export refunds for olive oil for the 10th partial invitation to tender under the standing invitation to tender issued by Regulation (EC) No 2081/96

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

Having regard to Council Regulation No 136/66/EEC of 22 September 1966 on the establishment of a common organization of the market in oils and fats⁽¹⁾, as last amended by Regulation (EC) No 1581/96⁽²⁾, and in particular Article 3 thereof,

Whereas Commission Regulation (EC) No 2081/96⁽³⁾ issued a standing invitation to tender with a view to determining the export refunds on olive oil;

Whereas Article 6 of Regulation (EC) No 2081/96 provides that maximum amounts are to be fixed for the export refunds in the light in particular of the current situation and foreseeable developments on the Community and world olive-oil markets and on the basis of the tenders received; whereas contracts are awarded to any tenderer who submits a tender at the level of the maximum refund or at a lower level;

Whereas, for the purposes of applying the abovementioned provisions, the maximum export refunds should be set at the levels specified in the Annex;

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

HAS ADOPTED THIS REGULATION:

Article 1

The maximum export refunds for olive oil for the 10th partial invitation to tender under the standing invitation to tender issued by Regulation (EC) No 2081/96 are hereby fixed in the Annex, on the basis of the tenders submitted by 9 April 1997.

Article 2

This Regulation shall enter into force on 17 April 1997.

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

Done at Brussels, 16 April 1997.

For the Commission
Franz FISCHLER
Member of the Commission

⁽¹⁾ OJ No 172, 30. 9. 1966, p. 3025/66.

⁽²⁾ OJ No L 206, 16. 8. 1996, p. 11.

⁽³⁾ OJ No L 279, 31. 10. 1996, p. 17.

ANNEX

to the Commission Regulation of 16 April 1997 fixing the maximum export refunds for olive oil for the 10th partial invitation to tender under the standing invitation to tender issued by Regulation (EC) No 2081/96

(ECU/100 kg)

Product code	Amount of refund
1509 10 90 9100	28,00
1509 10 90 9900	—
1509 90 00 9100	31,80
1509 90 00 9900	—
1510 00 90 9100	2,20
1510 00 90 9900	—

NB: The product codes and the footnotes are defined in amended Commission Regulation (EEC) No 3846/87.

COMMISSION REGULATION (EC) No 665/97

of 16 April 1997

on the issuing of import licences for bananas under the tariff quota for the second quarter of 1997 (second period)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EEC) No 404/93 of 13 February 1993 on the common organization of the market in bananas ⁽¹⁾, as last amended by Regulation (EC) No 3290/94 ⁽²⁾,

Having regard to Commission Regulation (EEC) No 1442/93 of 10 June 1993 laying down detailed rules for the application of the arrangements for importing bananas into the Community ⁽³⁾, as last amended by Regulation (EC) No 1409/96 ⁽⁴⁾, and in particular Article 9 (3) thereof,

Having regard to Commission Regulation (EC) No 478/95 of 1 March 1995 on additional rules for the application of Council Regulation (EEC) No 404/93 as regards the tariff quota arrangements for imports of bananas into the Community and amending Regulation (EEC) No 1442/93 ⁽⁵⁾, as amended by Regulation (EC) No 702/95 ⁽⁶⁾, and in particular Article 4 (3) thereof,

Whereas Article 2 of Commission Regulation (EC) No 540/97 of 24 March 1997 on the issuing of import licences for bananas under the tariff quota for the second quarter of 1997 and on the submission of new applications ⁽⁷⁾, fixes the quantities available for new licence applications under the tariff quota during the second quarter of 1997; whereas Article 4 (3) of Regulation (EC) No 478/95 lays down that the quantities for which licences may be issued for the origin(s) concerned must be determined without delay;

Whereas Article 9 (3) of Regulation (EEC) No 1442/93 lays down that where, in the case of a given quarter and origin, for a country or group of countries referred to in

Annex I to Regulation (EC) No 478/95, the quantities covered by import licence applications from one or more of the categories of operators exceed the quantity available, a reduction percentage is to be applied to application for that origin; whereas, however, that provision does not apply to category C licence applications nor to category A and B applications relating to a quantity of 150 tonnes or less, provided that the total quantity covered by the category A and B applications does not exceed, for a given origin, 15 % of the total of the quantities applied for;

Whereas the quantity applied for, for 'Dominican Republic category B', exceeds the quantity available and a reduction coefficient should therefore be applied; whereas import licences may be issued for the quantity referred to in all other new applications;

Whereas this Regulation should apply immediately to permit licences to be issued as quickly as possible,

HAS ADOPTED THIS REGULATION:

Article 1

Import licences shall be issued under the tariff quota for the import of bananas during the second quarter of 1997 against new applications as referred to in Article 4 (1) of Regulation (EC) No 478/95:

1. for the quantity indicated in the licence applications multiplied, in the case of the origin 'Dominican Republic' by the reduction coefficient of 0,6870 for category B licence applications, excluding applications relating to a quantity of 150 tonnes or less;
2. for the quantity indicated in licence application, in the case of an origin other than those referred to in point 1 above.

Article 2

This Regulation shall enter into force on 17 April 1997.

⁽¹⁾ OJ No L 47, 25. 2. 1993, p. 1.

⁽²⁾ OJ No L 349, 31. 12. 1994, p. 105.

⁽³⁾ OJ No L 142, 12. 6. 1993, p. 6.

⁽⁴⁾ OJ No L 181, 20. 7. 1996, p. 13.

⁽⁵⁾ OJ No L 49, 4. 3. 1995, p. 13.

⁽⁶⁾ OJ No L 71, 31. 3. 1995, p. 84.

⁽⁷⁾ OJ No L 83, 25. 3. 1997, p. 18.

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

Done at Brussels, 16 April 1997.

For the Commission

Franz FISCHLER

Member of the Commission

COMMISSION REGULATION (EC) No 666/97

of 16 April 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⁽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 Commis-

sion 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 17 April 1997.

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

Done at Brussels, 16 April 1997.

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 16 April 1997 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 20	052	124,1
	204	97,2
	212	116,4
	624	125,2
	999	115,7
0707 00 15	068	124,7
	999	124,7
0709 90 75	052	95,9
	999	95,9
0805 10 11, 0805 10 15, 0805 10 19	052	64,5
	204	44,0
	212	63,4
	220	35,2
	400	36,8
	448	25,1
	600	49,7
	624	42,6
	625	36,1
	999	44,2
0805 30 20	400	86,9
	528	66,1
	600	67,4
	999	73,5
0808 10 61, 0808 10 63, 0808 10 69	060	47,2
	388	85,6
	400	98,5
	404	104,3
	508	64,7
	512	66,6
	524	68,3
	528	71,0
	720	103,4
	804	104,4
0808 20 37	999	81,4
	388	70,8
	512	60,5
	528	68,7
	999	66,7

⁽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 REGULATION (EC) No 667/97
of 16 April 1997
amending the import duties in the cereals sector

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

Having regard to Council Regulation (EEC) No 1766/92 of 30 June 1992 on the common organization of the market in cereals⁽¹⁾, as last amended by Commission Regulation (EC) No 923/96⁽²⁾,

Having regard to Commission Regulation (EC) No 1249/96 of 28 June 1996 laying down detailed rules for the application of Council Regulation (EEC) No 1766/92 as regards import duties in the cereals sector⁽³⁾, and in particular Article 2 (1) thereof,

Whereas the import duties in the cereals sector are fixed by Commission Regulation (EC) No 651/97⁽⁴⁾;

Whereas Article 2 (1) of Regulation (EC) No 1249/96 provides that if during the period of application, the

average import duty calculated differs by ECU 5 per tonne from the duty fixed, a corresponding adjustment is to be made; whereas such a difference has arisen; whereas it is therefore necessary to adjust the import duties fixed in Regulation (EC) No 651/97,

HAS ADOPTED THIS REGULATION:

Article 1

Annexes I and II to Regulation (EC) No 651/97 are hereby replaced by Annexes I and II to this Regulation.

Article 2

This Regulation shall enter into force on 17 April 1997.

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

Done at Brussels, 16 April 1997.

For the Commission
Franz FISCHLER
Member of the Commission

⁽¹⁾ OJ No L 181, 1. 7. 1992, p. 21.

⁽²⁾ OJ No L 126, 24. 5. 1996, p. 37.

⁽³⁾ OJ No L 161, 29. 6. 1996, p. 125.

⁽⁴⁾ OJ No L 99, 16. 4. 1997, p. 11.

ANNEX I

Import duties for the products listed in Article 10 (2) of Regulation (EEC) No 1766/92

CN code	Description	Import duty by land inland waterway or sea from Mediterranean, the Black Sea or Baltic Sea ports (ECU/tonne)	Import duty by air or by sea from other ports ⁽²⁾ (ECU/tonne)
1001 10 00	Durum wheat ⁽¹⁾	2,27	0,00
1001 90 91	Common wheat seed	21,08	11,08
1001 90 99	Common high quality wheat other than for sowing ⁽²⁾	21,08	11,08
	medium quality	21,72	11,72
	low quality	48,55	38,55
1002 00 00	Rye	76,38	66,38
1003 00 10	Barley, seed	76,38	66,38
1003 00 90	Barley, other ⁽³⁾	76,38	66,38
1005 10 90	Maize seed other than hybrid	80,06	70,06
1005 90 00	Maize other than seed ⁽³⁾	80,06	70,06
1007 00 90	Grain sorghum other than hybrids for sowing	76,38	66,38

⁽¹⁾ In the case of durum wheat not meeting the minimum quality requirements referred to in Annex I to Regulation (EC) No 1249/96, the duty applicable is that fixed for low-quality common wheat.

⁽²⁾ For goods arriving in the Community via the Atlantic Ocean or via the Suez Canal (Article 2 (4) of Regulation (EC) No 1249/96), the importer may benefit from a reduction in the duty of:

— ECU 3 per tonne, where the port of unloading is on the Mediterranean Sea, or

— ECU 2 per tonne, where the port of unloading is in Ireland, the United Kingdom, Denmark, Sweden, Finland or the Atlantic Coasts of the Iberian Peninsula.

⁽³⁾ The importer may benefit from a flat-rate reduction of ECU 14 or 8 per tonne, where the conditions laid down in Article 2 (5) of Regulation (EC) No 1249/96 are met.

ANNEX II

Factors for calculating duties

(for 15 April 1997)

1. Averages over the two-week period preceding the day of fixing:

Exchange quotations	Minneapolis	Kansas City	Chicago	Chicago	Minneapolis	Minneapolis
Product (% proteins at 12 % humidity)	HRS2. 14 %	HRW2. 11,5 %	SRW2	YC3	HAD2	US barley 2
Quotation (ECU/tonne)	144,26	152,52	134,77	103,26	177,34 (!)	103,23 (!)
Gulf premium (ECU/tonne)	—	18,15	9,08	8,93	—	—
Great lake premium (ECU/tonne)	14,26	—	—	—	—	—

(!) Fob Duluth.

2. Freight/cost: Gulf of Mexico — Rotterdam: ECU 12,57 per tonne; Great Lakes — Rotterdam: ECU 25,37 per tonne.

3. Subsidy (third paragraph of Article 4 (2) of Regulation (EC) No 1249/96: ECU 0,00 per tonne).

COMMISSION REGULATION (EC) No 668/97
of 16 April 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⁽¹⁾,

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⁽²⁾, as amended by Regulation (EC) No 2131/96⁽³⁾, 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 17 April 1997.

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

Done at Brussels, 16 April 1997.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ No L 329, 30. 12. 1995, p. 18.

⁽²⁾ OJ No L 189, 30. 7. 1996, p. 71.

⁽³⁾ OJ No L 285, 7. 11. 1996, p. 6.

ANNEX I

to the Commission Regulation of 16 April 1997 fixing the import duties on rice and broken rice

(ECU/tonne)

CN code	Duties ⁽¹⁾			
	Third countries (except ACP and Bangladesh) ⁽²⁾ ⁽⁷⁾	ACP Bangladesh ⁽¹⁾ ⁽²⁾ ⁽⁷⁾ ⁽⁸⁾	Basmati India and Pakistan ⁽⁹⁾	Egypt ⁽¹⁰⁾
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	(7)	177,31		272,48
1006 20 13	(7)	177,31		272,48
1006 20 15	(7)	177,31		272,48
1006 20 17	246,42	118,87	0,00	184,82
1006 20 92	(7)	177,31		272,48
1006 20 94	(7)	177,31		272,48
1006 20 96	(7)	177,31		272,48
1006 20 98	246,42	118,87	0,00	184,82
1006 30 21	(7)	271,09		429,00
1006 30 23	(7)	271,09		429,00
1006 30 25	(7)	271,09		429,00
1006 30 27	(7)	271,09		429,00
1006 30 42	(7)	271,09		429,00
1006 30 44	(7)	271,09		429,00
1006 30 46	(7)	271,09		429,00
1006 30 48	(7)	271,09		429,00
1006 30 61	(7)	271,09		429,00
1006 30 63	(7)	271,09		429,00
1006 30 65	(7)	271,09		429,00
1006 30 67	(7)	271,09		429,00
1006 30 92	(7)	271,09		429,00
1006 30 94	(7)	271,09		429,00
1006 30 96	(7)	271,09		429,00
1006 30 98	(7)	271,09		429,00
1006 40 00	(7)	84,38		132,00

⁽¹⁾ 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).

⁽²⁾ 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.

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

⁽⁴⁾ 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).

⁽⁵⁾ 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).

⁽⁶⁾ 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).

⁽⁷⁾ Duties fixed in the Common Customs Tariff.

⁽⁸⁾ 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)	(¹)	246,42	572,00	363,30	572,00	(¹)
2. Elements of calculation:						
(a) Arag cif price (ECU/tonne)	—	389,48	331,11	295,56	339,67	—
(b) fob price (ECU/tonne)	—	—	—	265,56	309,67	—
(c) Sea freight (ECU/tonne)	—	—	—	30,00	30,00	—
(d) Source	—	USDA	USDA	Operators	Operators	—

(¹) Duties fixed in the Common Customs Tariff.

II

(Acts whose publication is not obligatory)

EUROPEAN ECONOMIC AREA

THE EEA JOINT COMMITTEE

DECISION OF THE EEA JOINT COMMITTEE

No 72/96

of 13 December 1996

**amending Annex II (Technical regulations, standards, testing and certification)
to the EEA Agreement**

THE EEA JOINT COMMITTEE,

Having regard to the Agreement on the European Area, as adjusted by the Protocol adjusting the Agreement on the European Economic Area, hereinafter referred to as 'the Agreement', and in particular Article 98 thereof,

Whereas Annex II to the Agreement was amended by Decision of the EEA Joint Committee No 62/95⁽¹⁾;

Whereas Commission Directive 95/54/EC of 31 October 1995 adapting to technical progress Council Directive 72/245/EEC on the approximation of the laws of the Member States relating to the suppression of radio interference produced by spark-ignition engines fitted to motor vehicles and amending Directive 70/156/EEC on the approximation of the laws of the Member States relating to the type-approval of motor vehicles and their trailers⁽²⁾ is to be incorporated into the Agreement,

HAS DECIDED AS FOLLOWS:

Article 1

1. The following indent shall be added in point 1 (Council Directive 70/156/EEC) in Chapter I of Annex II to the Agreement:

‘— **395 L 0054**: Commission Directive 95/54/EC of 31 October 1995 (OJ No L 266, 8. 11. 1995, p. 1).’

2. The following indent shall be added in point 11 (Council Directive 72/245/EEC) in Chapter I of Annex II to the Agreement:

‘— **395 L 0054**: Commission Directive 95/54/EC of 31 October 1995 (OJ No L 266, 8. 11. 1995, p. 1).’

Article 2

The texts of Commission Directive 95/54/EC in the Icelandic and Norwegian languages, which are annexed to the respective language versions of this Decision, are authentic.

⁽¹⁾ OJ No L 301, 14. 12. 1995, p. 36.

⁽²⁾ OJ No L 266, 8. 11. 1995, p. 1.

Article 3

This Decision shall enter into force on 1 January 1997, provided that all the notifications under Article 103 (1) of the Agreement have been made to the EEA Joint Committee.

Article 4

This Decision shall be published in the EEA section of, and in the EEA Supplement to, the *Official Journal of the European Communities*.

Done at Brussels, 13 December 1996.

For the EEA Joint Committee

The President

H. HAFSTEIN

DECISION OF THE EEA JOINT COMMITTEE

No 73/96

of 13 December 1996

**amending Annex II (Technical regulations, standards, testing and certification)
to the EEA Agreement**

THE EEA JOINT COMMITTEE,

Having regard to the Agreement on the European Economic Area, as adjusted by the Protocol adjusting the Agreement on the European Economic Area, hereinafter referred to as 'the Agreement', and in particular Article 98 thereof,

Whereas Annex II to the Agreement was amended by Decision of the EEA Joint Committee No 62/95⁽¹⁾;

Whereas Commission Directive 96/20/EC of 27 March 1996 adapting to technical progress Council Directive 70/157/EEC relating to the permissible sound level and the exhaust system of motor vehicles⁽²⁾ is to be incorporated into the Agreement,

HAS DECIDED AS FOLLOWS:

Article 1

1. The following indent shall be added in point 2 (Council Directive 70/157/EEC) in Chapter I of Annex II to the Agreement:

— **396 L 0020:** Commission Directive 96/20/EC of 27 March 1996 (OJ No L 92, 13. 4. 1996, p. 23).'

2. Adaptation (b) to point 2 (Council Directive 70/157/EEC) in Chapter I of Annex II to the Agreement shall be deleted.

Article 2

The texts of Commission Directive 96/20/EC in the Icelandic and Norwegian languages, which are annexed to the respective language versions of this Decision, are authentic.

Article 3

This Decision shall enter into force on 1 January 1997, provided that all the notifications under Article 103 (1) of the Agreement have been made to the EEA Joint Committee.

Article 4

This Decision shall be published in the EEA section of, and in the EEA Supplement to, the *Official Journal of the European Communities*.

Done at Brussels, 13 December 1996.

For the EEA Joint Committee

The President

H. HAFSTEIN

⁽¹⁾ OJ No L 301, 14. 12. 1995, p. 36.

⁽²⁾ OJ No L 92, 13. 4. 1996, p. 23.

DECISION OF THE EEA JOINT COMMITTEE**No 74/96****of 13 December 1996****amending Annex II (Technical regulations, standards, testing and certification)
to the EEA Agreement**

THE EEA JOINT COMMITTEE,

Having regard to the Agreement on the European Economic Area, as adjusted by the Protocol adjusting the Agreement on the European Economic Area, hereinafter referred to as 'the Agreement', and in particular Article 98 thereof,

Whereas Annex II to the Agreement was amended by Decision of the EEA Joint Committee No 62/95⁽¹⁾;

Whereas Commission Directive 95/56/EC of 8 November 1995 adapting to technical progress Council Directive 74/61/EEC relating to devices to prevent the unauthorized use of motor vehicles⁽²⁾ is to be incorporated into the Agreement,

HAS DECIDED AS FOLLOWS:

Article 1

The following indent shall be added in point 14 (Council Directive 74/61/EEC) in Chapter I of Annex II to the Agreement:

— **395 L 0056**: Commission Directive 95/56/EC of 8 November 1995 (OJ No L 286, 29. 11. 1995, p. 1).'

Article 2

The texts of Commission Directive 95/56/EC in the Icelandic and Norwegian languages, which are annexed to the respective language versions of this Decision, are authentic.

Article 3

This Decision shall enter into force on 1 January 1997, provided that all the notifications under Article 103 (1) of the Agreement have been made to the EEA Joint Committee.

Article 4

This Decision shall be published in the EEA section of, and in the EEA Supplement to, the *Official Journal of the European Communities*.

Done at Brussels, 13 December 1996.

For the EEA Joint Committee

The President

H. HAFSTEIN

⁽¹⁾ OJ No L 301, 14. 12. 1995, p. 36.

⁽²⁾ OJ No L 286, 29. 11. 1995, p. 1.

DECISION OF THE EEA JOINT COMMITTEE

No 75/96

of 13 December 1996

amending Annex II (Technical regulations, standards, testing and certification)
to the EEA Agreement

THE EEA JOINT COMMITTEE,

Having regard to the Agreement on the European Economic Area, as adjusted by the Protocol adjusting the Agreement on the European Economic Area, hereinafter referred to as 'the Agreement', and in particular Article 98 thereof,

Whereas Annex II to the Agreement was amended by Decision of the EEA Joint Committee No 62/95⁽¹⁾;

Whereas Directive 96/1/EC of the European Parliament and of the Council of 22 January 1996 amending Directive 88/77/EEC on the approximation of the laws of the Member States relating to the measures to be taken against the emission of gaseous and particulate pollutants from diesel engines for use in vehicles⁽²⁾ is to be incorporated into the Agreement,

HAS DECIDED AS FOLLOWS:

Article 1

The following indent shall be added in point 44 (Council Directive 88/77/EEC) in Chapter I of Annex II to the Agreement:

— 396 L 0001: Directive 96/1/EC of the European Parliament and of the Council of 22 January 1996 (OJ No L 40, 17. 2. 1996, p. 1).'

Article 2

The texts of Directive 96/1/EC of the European Parliament and of the Council in the Icelandic and Norwegian languages, which are annexed to the respective language versions of this Decision, are authentic.

Article 3

This Decision shall enter into force on 1 January 1997, provided that all the notifications under Article 103 (1) of the Agreement have been made to the EEA Joint Committee.

Article 4

This Decision shall be published in the EEA section of, and in the EEA Supplement to, the *Official Journal of the European Communities*.

Done at Brussels, 13 December 1996.

For the EEA Joint Committee

The President

H. HAFSTEIN

⁽¹⁾ OJ No L 301, 14. 12. 1995, p. 36.

⁽²⁾ OJ No L 40, 17. 2. 1996, p. 1.

DECISION OF THE EEA JOINT COMMITTEE

No 76/96

of 13 December 1996

amending Annex II (Technical regulations, standards, testing and certification)
to the EEA Agreement

THE EEA JOINT COMMITTEE,

Having regard to the Agreement on the European Economic Area, as adjusted by the Protocol adjusting the Agreement on the European Economic Area, hereinafter referred to as 'the Agreement', and in particular Article 98 thereof,

Whereas Annex II to the Agreement was amended by Decision of the EEA Joint Committee No 62/95⁽¹⁾;

Whereas Commission Directive 95/48/EC of 20 September 1995 adapting to technical progress Council Directive 92/21/EEC relating to the masses and dimensions of motor vehicles of category M₁⁽²⁾ is to be incorporated into the Agreement,

HAS DECIDED AS FOLLOWS:

Article 1

The following indent shall be added in point 45 b (Council Directive 92/21/EEC) in Chapter I of Annex II to the Agreement:

— **395 L 0048:** Commission Directive 95/48/EC of 20 September 1995 (OJ No L 233, 30. 9. 1995, p. 73).'

Article 2

The texts of Commission Directive 95/48/EC in the Icelandic and Norwegian languages, which are annexed to the respective language versions of this Decision, are authentic.

Article 3

This Decision shall enter into force on 1 January 1997, provided that all the notifications under Article 103 (1) of the Agreement have been made to the EEA Joint Committee.

Article 4

This Decision shall be published in the EEA section of, and in the EEA Supplement to, the *Official Journal of the European Communities*.

Done at Brussels, 13 December 1996.

*For the EEA Joint Committee**The President*

H. HAFSTEIN

⁽¹⁾ OJ No L 301, 14. 12. 1995, p. 36.

⁽²⁾ OJ No L 233, 30. 9. 1995, p. 73.

DECISION OF THE EEA JOINT COMMITTEE
No 77/96
of 13 December 1996
amending Annex VI (Social security) to the EEA Agreement

THE EEA JOINT COMMITTEE,

Having regard to the Agreement on the European Economic Area, as adjusted by the Protocol adjusting the Agreement on the European Economic Area, hereinafter referred to as 'the Agreement', and in particular Article 98 thereof,

Whereas Annex VI to the Agreement was amended by Decision of the EEA Joint Committee No 64/96⁽¹⁾;

Whereas Decision No 162 of 31 May 1996 concerning the interpretation of Articles 14 (1) and 14b (1) of Council Regulation (EEC) No 1408/71 on the legislation applicable to posted workers, adopted by the Administrative Commission of the European Communities on social security for migrant workers⁽²⁾, is to be incorporated into the Agreement,

HAS DECIDED AS FOLLOWS:

Article 1

The text of point 27 (Decision No 128) in Annex VI to the Agreement shall be deleted.

Article 2

The following point shall be inserted after point 42g (Decision No 161) in Annex VI to the Agreement:

'42h. **396 D 0554:** Decision No 162 of 31 May 1996 concerning the interpretation of Articles 14 (1) and 14b (1) of Council Regulation (EEC) No 1408/71 on the legislation applicable to posted workers (OJ No L 241, 21. 9. 1996, p. 28).'

Article 3

The texts of Decision No 162 in the Icelandic and Norwegian languages, which are annexed to the respective language versions of this Decision, are authentic.

Article 4

This Decision shall enter into force on 1 January 1997, provided that all notifications required under Article 103 (1) of the Agreement have been made to the EEA Joint Committee.

Article 5

This Decision shall be published in the EEA section of, and in the EEA Supplement to, the *Official Journal of the European Communities*.

Done at Brussels, 13 December 1996.

For the EEA Joint Committee

The President

H. HAFSTEIN

⁽¹⁾ OJ No L 71, 13. 3. 1997, p. 34.

⁽²⁾ OJ No L 241, 21. 9. 1996, p. 28.

DECISION OF THE EEA JOINT COMMITTEE
No 78/96
of 13 December 1996
amending Annex VI (Social security) to the EEA Agreement

THE EEA JOINT COMMITTEE,

Having regard to the Agreement on the European Economic Area, as adjusted by the Protocol adjusting the Agreement on the European Economic Area, hereinafter referred to as 'the Agreement', and in particular Article 98 thereof,

Whereas Annex VI to the Agreement was amended by Decision of the EEA Joint Committee No 64/96⁽¹⁾;

Whereas Decision No 163 of 31 May 1996 concerning the interpretation of Article 22 (1) (A) of Council Regulation (EEC) No 1408/71 in respect of persons undergoing dialysis or oxygen therapy, adopted by the Administrative Commission of the European Communities on social security for migrant workers⁽²⁾, is to be incorporated into the Agreement,

HAS DECIDED AS FOLLOWS:

Article 1

The text of point 24 (Decision No 123) in Annex VI to the Agreement shall be deleted.

Article 2

The following point shall be inserted after point 42h (Decision No 162) in Annex VI to the Agreement:

'42i. **396 D 0555:** Decision No 163 of 31 May 1996 concerning the interpretation of Article 22 (1) (A) of Council Regulation (EEC) No 1408/71 in respect of persons undergoing dialysis or oxygen therapy (OJ No L 241, 21. 9. 1996, p. 31).'

Article 3

The texts of Decision No 163 in the Icelandic and Norwegian languages, which are annexed to the respective language versions of this Decision, are authentic.

Article 4

This Decision shall enter into force on 1 January 1997, provided that all notifications required under Article 103 (1) of the Agreement have been made to the EEA Joint Committee.

Article 5

This Decision shall be published in the EEA section of, and in the EEA Supplement to, the *Official Journal of the European Communities*.

Done at Brussels, 13 December 1996.

For the EEA Joint Committee

The President

H. HAFSTEIN

⁽¹⁾ OJ No L 71, 13. 3. 1997, p. 34.

⁽²⁾ OJ No L 241, 21. 9. 1996, p. 31.

DECISION OF THE EEA JOINT COMMITTEE

No 79/96

of 13 December 1996

**amending Annex II (Technical regulations, standards, testing and certification)
and Annex X (Audiovisual services) to the EEA Agreement**

THE EEA JOINT COMMITTEE,

Having regard to the Agreement on the European Economic Area, as adjusted by the Protocol adjusting the Agreement on the European Economic Area, hereinafter referred to as 'the Agreement', and in particular Article 98 thereof,

Whereas Annex II to the Agreement was amended by Decision of the EEA Joint Committee No 47/95⁽¹⁾;

Whereas Annex X to the Agreement was amended by Decision of the EEA Joint Committee No 26/94⁽²⁾;

Whereas Directive 95/47/EC of the European Parliament and of the Council of 24 October 1995 on the use of standards for the transmission of television signals⁽³⁾ is to be incorporated into the Agreement,

HAS DECIDED AS FOLLOWS:

Article 1

The following point shall be inserted after point 4h (Commission Decision 94/821/EC) in Chapter XVIII of Annex II to the Agreement:

- '4i. 395 L 0047: Directive 95/47/EC of the European Parliament and of the Council of 24 October 1995 on the use of standards for the transmission of television signals (OJ No L 281, 23. 11. 1995, p. 51).'

Article 2

The following point shall be inserted after point 1 (Council Directive 89/522/EEC) in Annex X to the Agreement:

- '1a. 395 L 0047: Directive 95/47/EC of the European Parliament and of the Council of 24 October 1995 on the use of standards for the transmission of television signals (OJ No L 281, 23. 11. 1995, p. 51).'

Article 3

The texts of Directive 95/47/EC in the Icelandic and Norwegian languages, which are annexed to the respective language versions of this Decision, are authentic.

Article 4

This Decision shall enter into force on 1 January 1997, provided that all the notifications under Article 103 (1) of the Agreement have been made to the EEA Joint Committee.

Article 5

This Decision shall be published in the EEA section of, and in the EEA Supplement to, the *Official Journal of the European Communities*.

Done at Brussels, 13 December 1996.

For the EEA Joint Committee

The President

H. HAFSTEIN

⁽¹⁾ OJ No L 140, 13. 6. 1996, p. 43.

⁽²⁾ OJ No L 339, 29. 12. 1994, p. 85.

⁽³⁾ OJ No L 281, 23. 11. 1995, p. 51.

DECISION OF THE EEA JOINT COMMITTEE
No 80/96
of 13 December 1996
amending Annex XIII (Transport) to the EEA Agreement

THE EEA JOINT COMMITTEE,

Having regard to the Agreement on the European Economic Area, as adjusted by the Protocol adjusting the Agreement on the European Economic Area, hereinafter referred to as 'the Agreement', and in particular Article 98 thereof,

Whereas Annex XIII to the Agreement was amended by Decision of the EEA Joint Committee No 71/95⁽¹⁾;

Whereas Council Directive 96/49/EC of 23 July 1996 on the approximation of the laws of the Member States with regard to the transport of dangerous goods by rail⁽²⁾ is to be incorporated into the Agreement,

HAS DECIDED AS FOLLOWS:

Article 1

The following new heading and point shall be inserted after point 42a (Council Directive 95/18/EC) in Annex XIII to the Agreement:

'(iv) *Technical harmonization and safety*

42b **396 L 0049**: Council Directive 96/49/EC of 23 July 1996 on the approximation of the laws of the Member States with regard to the transport of dangerous goods by rail (OJ No L 235, 17. 9. 1996, p. 25).'

Article 2

The texts of Council Directive 96/49/EC in the Icelandic and Norwegian languages, which are annexed to the respective language versions of this Decision, are authentic.

Article 3

This Decision shall enter into force on 1 January 1997, provided that all the notifications under Article 103 (1) of the Agreement have been made to the EEA Joint Committee.

Article 4

This Decision shall be published in the EEA section of, and in the EEA Supplement to, the *Official Journal of the European Communities*.

Done at Brussels, 13 December 1996.

For the EEA Joint Committee

The President

H. HAFSTEIN

⁽¹⁾ OJ No L 57, 7. 3. 1996, p. 37.

⁽²⁾ OJ No L 235, 17. 9. 1996, p. 25.

DECISION OF THE EEA JOINT COMMITTEE
No 81/96
of 13 December 1996
amending Annex XX (Environment) to the EEA Agreement

THE EEA JOINT COMMITTEE,

Having regard to the Agreement on the European Economic Area, as adjusted by the Protocol adjusting the Agreement on the European Economic Area, hereinafter referred to as 'the Agreement', and in particular Article 98 thereof,

Whereas Annex XX to the Agreement was amended by Decision of the EEA Joint Committee No 68/96⁽¹⁾;

Whereas Commission Decision 96/461/EC of 11 July 1996 establishing ecological criteria for the award of the Community eco-label to washing machines⁽²⁾ is to be incorporated into the Agreement,

HAS DECIDED AS FOLLOWS:

Article 1

Point 2c (Commission Decision 93/430/EEC) in Annex XX to the Agreement shall be replaced by the following:

'2c. **396 D 0461**: Commission Decision 96/461/EC of 11 July 1996 establishing ecological criteria for the award of the Community eco-label to washing machines (OJ No L 191, 1. 8. 1996, p. 56).'

Article 2

The texts of Commission Decision 96/461/EC in the Icelandic and Norwegian languages, which are annexed to the respective language versions of this Decision, are authentic.

Article 3

This Decision shall enter into force on 1 January 1997, provided that all the notifications under Article 103 (1) of the Agreement have been made to the EEA Joint Committee.

Article 4

This Decision shall be published in the EEA section of, and in the EEA Supplement to, the *Official Journal of the European Communities*.

Done at Brussels, 13 December 1996.

For the EEA Joint Committee

The President

H. HAFSTEIN

⁽¹⁾ OJ No L 71, 13. 3. 1997, p. 42.

⁽²⁾ OJ No L 191, 1. 8. 1996, p. 56.

DECISION OF THE EEA JOINT COMMITTEE
No 82/96
of 13 December 1996
amending Annex XX (Environment) to the EEA Agreement

THE EEA JOINT COMMITTEE,

Having regard to the Agreement on the European Economic Area, as adjusted by the Protocol adjusting the Agreement on the European Economic Area, hereinafter referred to as 'the Agreement', and in particular Article 98 thereof,

Whereas Annex XX to the Agreement was amended by Decision of the EEA Joint Committee No 68/96⁽¹⁾;

Whereas Commission Decision 96/467/EC of 16 July 1996 establishing ecological criteria for the award of the Community eco-label to copying paper⁽²⁾ is to be incorporated into the Agreement,

HAS DECIDED AS FOLLOWS:

Article 1

The following point shall be inserted after point 2ej (Commission Decision 96/337/EC in Annex XX to the Agreement:

'2ek. **396 D 467**: Commission Decision 96/467/EC of 16 July 1996 establishing the ecological criteria for the award of the Community eco-label to copying paper (OJ No L 192, 2. 8. 1996, p. 26).'

Article 2

The texts of Commission Decision 96/467/EC in the Icelandic and Norwegian languages, which are annexed to the respective language versions of this Decision, are authentic.

Article 3

This Decision shall enter into force on 1 January 1997, provided that all the notifications under Article 103 (1) of the Agreement have been made to the EEA Joint Committee.

Article 4

This Decision shall be published in the EEA section of, and in the EEA Supplement to, the *Official Journal of the European Communities*.

Done at Brussels, 13 December 1996.

For the EEA Joint Committee

The President

H. HAFSTEIN

⁽¹⁾ OJ No L 71, 13. 3. 1997, p. 42.

⁽²⁾ OJ No L 192, 2. 8. 1996, p. 26.

CORRIGENDA

Corrigendum to Council Directive 96/51/EC of 23 July 1996 amending Directive 70/524/EEC concerning additives in feedingstuffs

(Official Journal of the European Communities No L 235 of 17 September 1996)

Page 55, Article 2 (1) (b), first and second line:

for: '... by 1 October 1999.'

read: '... on 1 October 1999.'
