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## Legislation

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## I

*(Acts whose publication is obligatory)*

**COUNCIL REGULATION (EC) No 1507/97**

of 24 July 1997

**adopting autonomous and transitional measures for the free trade agreements with Lithuania, Latvia and Estonia in certain processed agricultural products**

THE COUNCIL OF THE EUROPEAN UNION,

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

Having regard to the proposal from the Commission,

Having regard to the 1994 Act of Accession,

Whereas, pending adaptation of Protocol 2 of the Free Trade Agreements concluded with Estonia, Latvia, Lithuania<sup>(1)</sup>, Council Regulation (EC) No 340/97 of 17 February 1997 adopting autonomous and transitional measures for the free trade agreements with Lithuania, Latvia and Estonia in certain processed agricultural products<sup>(2)</sup> was adopted, which, until 30 June 1997 maintains the degree of preference granted, thus offsetting possible negative effects the implementation of the results of the Uruguay Round may have on exports of these countries to the Community;

Whereas, pending adoption of improved concessions granted to Estonia, Latvia and Lithuania by the respective Joint Committees, Regulation (EC) No 340/97 laid down new concessions on a provisional and autonomous basis;

Whereas the negotiations with the countries concerned for the conclusion of Protocols amending the Free Trade Agreements have been or soon will be concluded and new Protocols 2 have been or soon will be initialised; whereas procedures for the formal adoption of 'interim' Protocols

covering solely the trade-related aspects of the amending protocols are underway; whereas the time schedule required for formal adoption may not allow for the entry into force of the 'interim' Protocols on 1 July 1997; whereas it is therefore advisable to extend the concessions on an autonomous basis until 31 December 1997,

HAS ADOPTED THIS REGULATION:

*Article 1*

1. From 1 July to 31 December 1997 the goods originating from Lithuania listed in Annex I shall be subject to the annual tariff quotas and preferential duties mentioned in that Annex. The basic amounts to be taken into consideration in calculating the reduced agricultural components and additional duties applicable to the importation into the Community are given in Annex II.
2. From 1 July to 31 December 1997 the goods originating from Latvia listed in Annex III shall be subject to the annual tariff quotas and preferential duties mentioned in that Annex. The basic amounts to be taken into consideration in calculating the reduced agricultural components and additional duties applicable to the importation into the Community are given in Annex II.
3. From 1 July to 31 December 1997 the goods originating from Estonia listed in Annex IV shall be subject to the annual tariff quotas and preferential duties mentioned in that Annex. The basic amounts to be taken into consideration in calculating the reduced agricultural components and additional duties applicable to the importation into the Community are given in Annex II.

<sup>(1)</sup> OJ No L 373, 31. 12. 1994, p. 1 (Estonia).

OJ No L 374, 31. 12. 1994, p. 1 (Latvia).

OJ No L 375, 31. 12. 1994, p. 1 (Lithuania).

<sup>(2)</sup> OJ No L 58, 27. 2. 1997, p. 25.

*Article 2*

1. The quotas referred to in Annexes I, III and IV to this Regulation shall be administered by the Commission in accordance with Commission Regulation (EC) No 1460/96 of 25 July 1996 establishing the detailed rules for implementing the preferential trade arrangements applicable to certain goods resulting from the processing of agricultural products, as provided for in Article 7 of Council Regulation (EC) No 3448/93<sup>(1)</sup>.

2. The volumes of the tariff quotas indicated in Annexes I, III and IV to this Regulation shall be reduced to take account of the volume of goods imported from

1 January to 30 June 1997 under the equivalent quotas set out in Annexes I, III and IV to Regulation (EC) No 340/97.

*Article 3*

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

It shall apply with effect from 1 July 1997.

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

Done at Brussels, 24 July 1997.

*For the Council*

*The President*

M. FISCHBACH

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<sup>(1)</sup> OJ No L 187, 26. 7. 1996, p. 18.

## ANNEX I

## LITHUANIA

Order No	CN code	Description	1997 quota (tonnes)	Preference
09.6533	1518 00 10 1518 00 31 1518 00 39 1518 00 91 1518 00 95 1518 00 99	Animal and vegetable fats	300	5,5 % 0 % 3,5 % 5,5 % 0 % 5,5 %
09.6501	1704 90 71 1704 90 75	Boiled sweets Caramels	400	EAR
09.6503	1806 90	Chocolate	500	EAR
09.6528	2203 00	Beer	400	4,4 %
09.6525	2208 60 11	Vodka	330	0,73 ECU/% vol/hl + 2,87 ECU/hl
09.6534	2402 20 90	Cigarettes	40	36,9 %

## ANNEX II

BASIC AMOUNTS TO BE TAKEN INTO CONSIDERATION IN CALCULATING  
AGRICULTURAL COMPONENTS AND ADDITIONAL DUTIES

	ecus / ECU / Ecu / ecu / écus / ecua / 100 kg
Trigo blando / Blød hvede / Weichweizen / Μαλακό σιτάρι / Common wheat / Blé tendre / Grano tenero / Zachte tarwe / Trigo mole / Tavallinen vehnä / Vete	8,524
Trigo duro / Hård hvede / Hartweizen / Σκληρό σιτάρι / Durum wheat / Blé dur / Grano duro / Durumtarwe / Trigo duro / Durumvehnä / Durumvete	13,231
Centeno / Rug / Roggen / Σικάλη / Rye / Seigle / Segala / Rogge / Centeio / Ruis / Råg	8,306
Cebada / Byg / Gerste / Κριθάρι / Barley / Orge / Orzo / Gerst / Cevada / Ohra / Korn	8,306
Maíz / Majs / Mais / Καλαμπόκι / Maize / Maïs / Granturco / Maïs / Milho / Maissi / Majs	7,408
Arroz descascarillado de grano largo / Ris, afskallet, langkornet / Reis, langkörnig, geschält / Αποφλοιωμένο ρύζι μακρόσπερμο / Long-grain husked rice / Riz décortiqué à grains longs / Riso semigreggio a grani lunghi / Langkorrelige gedopte rijst / Arroz em películas de grãos longos / Pitkäjyväinen esikuorittu riisi / Ris, skalat långkornigt	23,706
Leche desnatada en polvo / Skummetmælkpulver / Magermilchpulver / Αποδουτυρωμένο γάλα σε σκόνη / Skimmed-milk powder / Lait écrémé en poudre / Latte scremato in polvere / Magere-melkpoeder / Leite desnatado em pó / Rasvaton maitojauhe / Skummjölkpulver	26,730
Leche entera en polvo / Sødmælkpulver / Vollmilchpulver / Πλήρες γάλα σε σκόνη / Whole-milk powder / Lait entier en poudre / Latte intero in polvere / Volle-melkpoeder / Leite inteiro em pó / Rasvainen maitojauhe / Mjölkpulver	33,423
Mantequilla / Smør / Butter / Βούτυρο / Butter / Beurre / Burro / Boter / Manteiga / Voi / Smör	48,575
Azúcar blanco / Hvidt sukker / Weißzucker / Λευκή ζάχαρη / White sugar / Sucre blanc / Zuccherio bianco / Witte suiker / Açúcar branco / Valkoinen sokeri / Vitt socker	32,565

## ANNEX III

## LATVIA

Order No	CN code	Description	1997 quota (tonnes)	Preference
09.6535	1704 90 65 1704 90 71 1704 90 75	Sugar confectionery	250	EAR
09.6536	1806 31 00 1806 32 10 1806 32 90 1806 90 11 1806 90 19	Chocolate	500	EAR
09.6537	1901 90 11 1901 90 19 1901 90 91 1901 90 99	Food preparations	200	EAR EAR 8,2 % EAR
09.6538	1905 30	Biscuits	200	EAR
09.6527	2104 10	Soups and broths	36	5,7 %
09.6513	2105	Ice-cream	30	EAR
09.6528	2203 00	Beer	500	4,4 %
09.6525	2208 60 11	Vodka	330	0,73 ECU/% vol/hl + 2,87 ECU/hl
09.6529	2208 70 10	Liqueurs	12	0,89 ECU/% vol/hl + 5,74 ECU/hl

## ANNEX IV

## ESTONIA

Order No	CN code	Description	1997 quota (tonnes)	Preference
09.6515	1704 10 11 1704 10 19 1704 90 71 1704 90 75	Sugar confectionery	150	EAR
09.6530	1805 00 00	Cocoa powder	31	0 %
09.6517	ex 1806 1806 10 15	Chocolate confectionery, excluding CN code 1806 10 15	500	EAR 0 %
09.6519	1905	Bakery goods	120	EAR
09.6521	2102 10 39	Yeasts	2 000	EAR
09.6539	2103 90 90	Sauces and preparations	600	5,7 %
09.6523	2105	Ice-cream	12	EAR
09.6531	2203	Beer	500	4,4 %
09.6525	2208 60 11	Vodka	100	0,73 ECU/% vol/hl + 2,87 ECU/hl
09.6529	2208 70 10	Liqueurs	18	0,89 ECU/% vol/hl + 5,74 ECU/hl
09.6532	2208 90 69	Other spirits	18	0,89 ECU/% vol/hl + 5,74 ECU/hl
09.6534	2402 20 90	Cigarettes	50	36,9 %



**COUNCIL REGULATION (EC) No 1508/97**  
**of 28 July 1997**

**amending Regulation (EC) No 423/97 imposing definitive anti-dumping duties on imports of gas-fuelled, non-refillable pocket flint lighters originating in Thailand, the Philippines and Mexico**

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EC) No 384/96 of 22 December 1995 on protection against dumped imports from countries not members of the European Community<sup>(1)</sup>, and in particular Article 9 (4) thereof,

Having regard to the proposal submitted by the Commission, after consulting the Advisory Committee,

Whereas Regulation (EC) No 423/97<sup>(2)</sup> imposes a definitive anti-dumping duty on imports of gas-fuelled, non-refillable pocket flint lighters falling within CN code ex 9613 10 00 originating, inter alia, in the Philippines;

Whereas it has been found that an error appeared in the proposal adopted by the Council resulting in the attribution to a Filipino producer/exporter, Swedish Match Philippines, Inc., of an average underselling margin, and thus a definitive anti-dumping duty rate, of 17 % instead of 13 %, 13 % being the underselling margin established by the investigation and the basis of the consultation of the Member States within the Advisory Committee,

HAS ADOPTED THIS REGULATION:

*Article 1*

Article 2 (2) (b) of Regulation (EC) No 423/97 is hereby replaced by the following:

- (b) 43,0 % for imports originating in the Philippines (Taric additional code 8900) with the exception of imports which are produced and sold for export to the Community by Swedish Match Philippines, Inc., Manila where the rate shall be 13,0 % (Taric additional code 8938);

*Article 2*

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

It shall apply with effect from 7 March 1997.

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

Done at Brussels, 28 July 1997.

*For the Council*

*The President*

J. POOS

<sup>(1)</sup> OJ No L 56, 6. 3. 1996, p. 1. Regulation as amended by Regulation (EC) No 2331/96 (OJ No L 317, 6. 12. 1996, p. 1).

<sup>(2)</sup> OJ No L 65, 6. 3. 1997, p. 1.

**COMMISSION REGULATION (EC) No 1509/97**  
**of 30 July 1997**  
**concerning the classification of certain goods in the combined nomenclature**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EEC) No 2658/87 of 23 July 1987 on the tariff and statistical nomenclature and on the Common Customs Tariff<sup>(1)</sup>, as last amended by Commission Regulation (EC) No 1195/97<sup>(2)</sup>, and in particular Article 9 thereof,

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

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

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

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

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

Whereas the measures provided for in this Regulation are in accordance with the opinion of the tariff and statistical nomenclature section of the Customs Code Committee as regards products Nos 1 to 4 in the annexed table,

HAS ADOPTED THIS REGULATION:

*Article 1*

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

*Article 2*

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

*Article 3*

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

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

Done at Brussels, 30 July 1997.

*For the Commission*

Mario MONTI

*Member of the Commission*

<sup>(1)</sup> OJ No L 256, 7. 9. 1987, p. 1.

<sup>(2)</sup> OJ No L 170, 28. 6. 1997, p. 11.

<sup>(3)</sup> OJ No L 302, 19. 10. 1992, p. 1.

## ANNEX

Description	Classification CN code	Reason
(1)	(2)	(3)
1. Door-facings, of fibreboard of a density exceeding 0,8 g/cm <sup>3</sup> , primed, moulded to the shape and style of a traditional internal panel-door. These door-facings are integrated in internal doors.	4411 19 00	Classification is determined by the provisions of General Rules 1 and 6 for the interpretation of the combined nomenclature and by the wording of CN codes 4411, 4411 19 and 4411 19 00
2. Rectangular wood blocks, 48 or 85 mm wide x 72 mm high, used in the construction of window frames, consisting of layers of wood glued together with the grain running parallel and with slightly rounded edges.	4418 90 10	Classification is determined by the provisions of General Rules 1 and 6 for the interpretation of the combined nomenclature and by the wording of CN codes 4418, 4418 90 and 4418 90 10.  Laminated wood is an item of builder's carpentry
3. 'Musical snowstorm globe', consisting of a glass globe gathered mechanically and fixed to a plastic base containing a musical box.  The glass globe is filled with a liquid surrounding figurines and with artificial snow flakes.  When the globe is shaken, the flakes simulate a snow-storm.	7013 99 90	Classification is determined by the provisions of General Rules 1, 3 (b) and 6 for the interpretation of the combined nomenclature and by the wording of CN codes 7013, 7013 99 and 7013 99 90
4. Stall flooring for livestock, made from plastic-coated expanded steel sheet with worked edges and with supports underneath.  The flooring is designed to facilitate cleaning.	7308 90 59	Classification is determined by the provisions of General Rules 1 and 6 for the interpretation of the combined nomenclature and by the wording of CN codes 7308, 7308 90 and 7308 90 59

**COMMISSION REGULATION (EC) No 1510/97**  
**of 30 July 1997**  
**concerning the stopping of fishing for common sole by vessels flying the flag of Belgium**

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

Having regard to Council Regulation (EEC) No 2847/93 of 12 October 1993 establishing a control system applicable to the common fisheries policy<sup>(1)</sup>, as last amended by Regulation (EC) No 686/97<sup>(2)</sup>, and in particular Article 21 (3) thereof,

Whereas Council Regulation (EC) No 390/97 of 20 December 1996 fixing, for certain fish stocks and groups of fish stocks, the total allowable catches for 1997 and certain conditions under which they may be fished<sup>(3)</sup>, as last amended by Regulation (EC) No 711/97<sup>(4)</sup>, provides for common sole quotas for 1997;

Whereas, in order to ensure compliance with the provisions relating to the quantitative limitations on catches of stocks subject to quotas, it is necessary for the Commission to fix the date by which catches made by vessels flying the flag of a Member State are deemed to have exhausted the quota allocated;

Whereas, according to the information communicated to the Commission, catches of common sole in the waters of ICES division VIII a, b by vessels flying the flag of Belgium or registered in Belgium have reached the quota

allocated for 1997; whereas Belgium has prohibited fishing for this stock as from 6 July 1997; whereas it is therefore necessary to abide by that date,

HAS ADOPTED THIS REGULATION:

*Article 1*

Catches of common sole in the waters of ICES division VIII a and b by vessels flying the flag of Belgium or registered in Belgium are deemed to have exhausted the quota allocated to Belgium for 1997.

Fishing for common sole in the waters of ICES division VIII a and b by vessels flying the flag of Belgium or registered in Belgium is prohibited, as well as the retention on board, the transshipment and the landing of such stock captured by the above mentioned vessels after the date of application of this Regulation.

*Article 2*

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

It shall apply with effect from 6 July 1997.

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

Done at Brussels, 30 July 1997.

*For the Commission*

Emma BONINO

*Member of the Commission*

<sup>(1)</sup> OJ No L 261, 20. 10. 1993, p. 1.

<sup>(2)</sup> OJ No L 102, 19. 4. 1997, p. 1.

<sup>(3)</sup> OJ No L 66, 6. 3. 1997, p. 1.

<sup>(4)</sup> OJ No L 106, 24. 4. 1997, p. 1.

COMMISSION REGULATION (EC) No 1511/97  
of 30 July 1997

fixing the maximum export refund for white sugar for the 49th partial invitation to tender issued within the framework of the standing invitation to tender provided for in Regulation (EC) No 1464/96

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

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

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

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

Whereas, following an examination of the tenders submitted in response to the 49th 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 49th 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 39,057 per 100 kilograms.

*Article 2*

This Regulation shall enter into force on 31 July 1997.

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

Done at Brussels, 30 July 1997.

*For the Commission*

Franz FISCHLER

*Member of the Commission*

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

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

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

**COMMISSION REGULATION (EC) No 1512/97**  
**of 30 July 1997**  
**altering the export refunds on white sugar and raw sugar exported in the natural 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 30 June 1981 on the common organization of the markets in the sugar sector <sup>(1)</sup>, as last amended by Regulation (EC) No 1599/96 <sup>(2)</sup>, and in particular the second subparagraph of Article 19 (4) thereof,

Whereas the refunds on white sugar and raw sugar exported in the natural state were fixed by Commission Regulation (EC) No 1424/97 <sup>(3)</sup>;

Whereas it follows from applying the detailed rules contained in Regulation (EC) No 1424/97 to the informa-

tion known to the Commission that the export refunds at present in force should be altered to the amounts set out in the Annex hereto,

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, as fixed in the Annex to Regulation (EC) No 1424/97 are hereby altered to the amounts shown in the Annex hereto.

*Article 2*

This Regulation shall enter into force on 31 July 1997.

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

Done at Brussels, 30 July 1997.

*For the Commission*

Franz FISCHLER

*Member of the Commission*

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

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

<sup>(3)</sup> OJ No L 196, 24. 7. 1997, p. 21.

## ANNEX

## to the Commission Regulation of 30 July 1997 altering 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	33,55	( <sup>1</sup> )
1701 11 90 9910	32,87	( <sup>1</sup> )
1701 11 90 9950		( <sup>2</sup> )
1701 12 90 9100	33,55	( <sup>1</sup> )
1701 12 90 9910	32,87	( <sup>1</sup> )
1701 12 90 9950		( <sup>2</sup> )
	— ECU/1 % of sucrose × 100 kg —	
1701 91 00 9000	0,3647	
	— ECU/100 kg —	
1701 99 10 9100	36,47	
1701 99 10 9910	36,05	
1701 99 10 9950	36,05	
	— ECU/1 % of sucrose × 100 kg —	
1701 99 90 9100	0,3647	

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

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

**COMMISSION REGULATION (EC) No 1513/97  
of 30 July 1997**

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

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

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

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

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

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

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

Whereas the information must be disregarded if the goods concerned are not of sound and fair marketable quality or if the price quoted in the offer relates only to a small

quantity that is not representative of the market; whereas offer prices which can be regarded as not representative of actual market trends must also be disregarded;

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

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

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

Whereas application of these provisions will have the effect of fixing the representative prices and the additional import duties for the products in question as set out in the Annex to this Regulation;

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

HAS ADOPTED THIS REGULATION:

*Article 1*

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

*Article 2*

This Regulation shall enter into force on 31 July 1997.

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

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

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

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



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

Done at Brussels, 30 July 1997.

*For the Commission*  
 Franz FISCHLER  
 Member of the Commission

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ANNEX

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

CN code	Amount of the representative price in ECU per 100 kg net of the product in question	Amount of the additional duty in ECU per 100 kg net of the product in question	Amount of the duty to be applied to imports in ECU per 100 kg net of the product in question because of suspension as referred to in Article 5 of Regulation (EC) No 1422/95 <sup>(2)</sup>
1703 10 00 <sup>(1)</sup>	8,55	—	0,00
1703 90 00 <sup>(1)</sup>	12,75	—	0,00

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

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

## COMMISSION REGULATION (EC) No 1514/97

of 30 July 1997

amending Regulations (EEC) No 903/90, (EEC) No 2699/93, (EC) No 1431/94, (EC) No 1559/94, (EC) No 1474/95, (EC) No 1866/95, (EC) No 1251/96, (EC) No 2497/96 and (EC) No 509/97 in the egg, ovalbumin and poultrymeat sectors

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

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

Having regard to Council Regulation (EC) No 2490/96 of 20 December 1996 extending Regulation (EC) No 3066/95 establishing certain concessions in the form of Community tariff quotas for certain agricultural products and providing for the adjustment, as an autonomous and transitional measure, of certain agricultural concessions provided for in the Europe Agreements to take account of the Agreement on Agriculture concluded during the Uruguay Round of multilateral trade negotiations <sup>(3)</sup>,

Having regard to Council Regulation (EC) No 774/94 of 29 March 1994 opening and providing for the administration of certain Community tariff quotas for high-quality beef, and for pigmeat, poultrymeat, wheat and meslin, and brans, sharps and other residues <sup>(4)</sup>, as amended by Regulation (EC) No 2198/95 <sup>(5)</sup>, and in particular Article 7 thereof,

Having regard to Council Regulation (EC) No 1926/96 of 7 October 1996 establishing certain concessions in the form of Community tariff quotas for certain agricultural products and providing for the adjustment, as an autonomous and transitional measure, of certain agricultural concessions provided for in the agreements on free trade and trade-related matters with Estonia, Latvia and Lithuania, to take account of the Agreement on Agriculture concluded during the Uruguay Round Multilateral Trade Negotiations <sup>(6)</sup>, and in particular Article 5 thereof,

Having regard to Council Regulation (EC) No 1095/96 of 18 June 1996 on the implementation of the concessions set out in Schedule CXL drawn up in the wake of the conclusion of the GATT XXIV.6 negotiations <sup>(7)</sup>,

Having regard to Council Regulation (EC) No 2398/96 of 12 December 1996 opening a tariff quota for turkey meat originating in and coming from Israel as provided for in the Association Agreement and the Interim Agreement between the European Community and the State of Israel <sup>(8)</sup>, and in particular Article 2 thereof,

Having regard to Council Regulation (EEC) No 2771/75 of 29 October 1975 on the common organization of the market in eggs <sup>(9)</sup>, as last amended by Commission Regulation (EC) No 1516/96 <sup>(10)</sup>, and in particular Article 22 thereof,

Having regard to Council Regulation (EEC) No 2777/75 of 29 October 1975 on the common organization of the market in poultrymeat <sup>(11)</sup>, as last amended by Commission Regulation (EC) No 2916/95 <sup>(12)</sup>, and in particular Article 22 thereof,

Having regard to Council Regulation (EEC) No 2783/75 of 29 October 1975 on the common system of trade for ovalbumin and lactalbumin <sup>(13)</sup>, as last amended by Regulation (EC) No 2916/95, and in particular Articles 2 (1), 4 (1) and 10 thereof,

Whereas Commission Regulation (EEC) No 903/90 <sup>(14)</sup>, as last amended by Regulation (EC) No 1206/97 <sup>(15)</sup>, lays down detailed rules for the application of the arrangements applicable to imports of certain poultrymeat products originating in the African, Caribbean and Pacific States (ACP) or in the overseas countries and territories (OCT) with a view to the implementation of the Agreement on Agriculture concluded during the Uruguay Round of multilateral trade negotiations;

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

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

<sup>(3)</sup> OJ No L 338, 28. 12. 1996, p. 13.

<sup>(4)</sup> OJ No L 91, 8. 4. 1994, p. 1.

<sup>(5)</sup> OJ No L 221, 19. 9. 1995, p. 3.

<sup>(6)</sup> OJ No L 254, 8. 10. 1996, p. 1.

<sup>(7)</sup> OJ No L 146, 20. 6. 1996, p. 1.

<sup>(8)</sup> OJ No L 327, 18. 12. 1996, p. 7.

<sup>(9)</sup> OJ No L 282, 1. 11. 1975, p. 49.

<sup>(10)</sup> OJ No L 189, 30. 7. 1996, p. 99.

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

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

<sup>(13)</sup> OJ No L 282, 1. 11. 1975, p. 104.

<sup>(14)</sup> OJ No L 93, 10. 4. 1990, p. 20.

<sup>(15)</sup> OJ No L 170, 28. 6. 1997, p. 32.

Whereas Commission Regulation (EEC) No 2699/93<sup>(1)</sup>, as last amended by Regulation (EC) No 2513/96<sup>(2)</sup>, lays down detailed rules for the application in the poultrymeat and egg sectors of the arrangements provided for in the Interim Agreements between the Community and Poland, Hungary and the former Czech and Slovak Federal Republic;

Whereas Commission Regulation (EC) No 1431/94<sup>(3)</sup>, as last amended by Regulation (EC) No 997/97<sup>(4)</sup>, lays down detailed rules for the application in the poultrymeat sector of the import arrangements provided for in Regulation (EC) No 774/94;

Whereas Commission Regulation (EC) No 1559/94<sup>(5)</sup>, as last amended by Regulation (EC) No 2513/96, lays down detailed rules for the application in the poultrymeat and egg sectors of the arrangements provided for in the Interim Agreements between the Community, of the one part, and Bulgaria and Romania, of the other part;

Whereas Commission Regulation (EC) No 1474/95<sup>(6)</sup>, as last amended by Regulation (EC) No 1242/97<sup>(7)</sup>, opens tariff quotas in the egg sector and for egg albumin;

Whereas Commission Regulation (EC) No 1866/95 of 26 July 1995 laying down procedures for applying in the poultrymeat sector the arrangements provided for in the Agreements on free trade and trade related matters between the Community, of the one part, and Estonia, Lithuania and Latvia, of the other part<sup>(8)</sup>, as last amended by Regulation (EC) No 2166/96<sup>(9)</sup>, lays down the detailed rules for applying the arrangements provided for in the said Agreements in the poultrymeat sector; whereas that Regulation should be amended to take account of the measures concerning poultrymeat and egg products laid down by Regulation (EC) No 1926/96;

Whereas Commission Regulation (EC) No 1251/96<sup>(10)</sup>, as last amended by Regulation (EC) No 1211/97<sup>(11)</sup>, opens tariff quotas in the poultrymeat sector;

Whereas Commission Regulation (EC) No 2497/96<sup>(12)</sup> lays down procedures for applying in the poultrymeat sector the arrangements provided for in the Association Agreement and the Interim Agreement between the European Community and the State of Israel;

Whereas Commission Regulation (EC) No 509/97<sup>(13)</sup> lays down procedures for applying in the poultrymeat sector the Interim Agreement on trade and accompanying measures between the European Community, the European Coal and Steel Community and the European Atomic Energy Community, of the one part, and the Republic of Slovenia, of the other part;

Whereas, in order to minimize the risk of fraud, checks on applicants' compliance with the eligibility criteria should be carried out in the Member State in which the importer is established or has set up his registered office;

Whereas it is not obligatory to import from the country indicated in the case of import certificates delivered in accordance with Regulation (EC) No 1431/94 for groups 3 and 5; whereas it should however be indicated on licences for the countries of groups 3 and 5 that imports from countries belonging to other groups are not admitted under these licences;

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*

Article 4 (2) of Regulations (EEC) No 903/90, (EEC) No 2699/93, (EC) No 1559/94, (EC) No 1866/95, (EC) No 2497/96 and (EC) No 509/97 is hereby replaced by the following:

'2. Licence applications must be submitted to the competent authority of the Member State in which the applicant is established or has set up his registered office. Applications shall be admissible only where the applicant declares in writing that he has not submitted and undertakes not to submit any other applications, in respect of the same period, concerning products in the same group.

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

#### *Article 2*

Regulation (EC) No 1431/94 is hereby amended as follows:

<sup>(1)</sup> OJ No L 245, 1. 10. 1993, p. 88.  
<sup>(2)</sup> OJ No L 345, 31. 12. 1996, p. 30.  
<sup>(3)</sup> OJ No L 156, 23. 6. 1994, p. 9.  
<sup>(4)</sup> OJ No L 144, 4. 6. 1997, p. 11.  
<sup>(5)</sup> OJ No L 166, 1. 7. 1994, p. 62.  
<sup>(6)</sup> OJ No L 145, 29. 6. 1995, p. 19.  
<sup>(7)</sup> OJ No L 173, 1. 7. 1997, p. 77.  
<sup>(8)</sup> OJ No L 179, 29. 7. 1995, p. 26.  
<sup>(9)</sup> OJ No L 290, 13. 11. 1996, p. 6.  
<sup>(10)</sup> OJ No L 161, 29. 6. 1996, p. 136.  
<sup>(11)</sup> OJ No L 170, 27. 6. 1997, p. 40.  
<sup>(12)</sup> OJ No L 338, 28. 12. 1996, p. 48.

<sup>(13)</sup> OJ No L 80, 21. 3. 1997, p. 3.

1. in Article 3, the following points (f) and (g) are added:

(f) Section 24 of licences for group 3 shall show one of the following:

Not to be used for products originating in Brazil and Thailand

Reglamento (CE) n° 1514/97

Forordning (EF) nr. 1514/97

Verordnung (EG) Nr. 1514/97

Κανονισμός (ΕΚ) αριθ. 1514/97

Regulation (EC) No 1514/97

Règlement (CE) n° 1514/97

Regolamento (CE) n. 1514/97

Verordening (EG) nr. 1514/97

Regulamento (CE) n° 1514/97

Asetus (EY) N:o 1514/97

Förordning (EG) nr 1514/97.

(g) Section 24 of licences for group 5 shall show one of the following:

Not to be used for products originating in Brazil

Reglamento (CE) n° 1514/97

Forordning (EF) nr. 1514/97

Verordnung (EG) Nr. 1514/97

Κανονισμός (ΕΚ) αριθ. 1514/97

Regulation (EC) No 1514/97

Règlement (CE) n° 1514/97

Regolamento (CE) n. 1514/97

Verordening (EG) nr. 1514/97

Regulamento (CE) n° 1514/97

Asetus (EY) N:o 1514/97

Förordning (EG) nr 1514/97.'

2. the first subparagraph of Article 4 (2) is replaced by the following:

'Licence applications must be submitted to the competent authority of the Member State in which the applicant is established or has set up his registered office. Applications shall be admissible only where the applicant declares in writing that he has not submitted and undertakes not to submit any other applications, in respect of the same period, concerning products in the same group.

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

#### Article 3

The first subparagraph of Article 5 (2) of Regulations (EC) No 1474/95 and (EC) No 1251/96 are hereby replaced by the following:

'Licence applications must be submitted to the competent authority of the Member State in which the applicant is established or has set up his registered office. Applications shall be admissible only where the applicant declares in writing that he has not submitted and undertakes not to submit any other applications, in respect of the same period, concerning products in the same group.

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

#### Article 4

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

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

Done at Brussels, 30 July 1997.

*For the Commission*

Franz FISCHLER

*Member of the Commission*

**COMMISSION REGULATION (EC) No 1515/97**

of 30 July 1997

**fixing the maximum export refunds for olive oil for the 17th 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<sup>(1)</sup>, as last amended by Regulation (EC) No 1581/96<sup>(2)</sup>, and in particular Article 3 thereof,

Whereas Commission Regulation (EC) No 2081/96<sup>(3)</sup> 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 17th 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 23 July 1997.

*Article 2*

This Regulation shall enter into force on 31 July 1997.

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

Done at Brussels, 30 July 1997.

*For the Commission*

Franz FISCHLER

*Member of the Commission*

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

<sup>(2)</sup> OJ No L 206, 16. 8. 1996, p. 11.

<sup>(3)</sup> OJ No L 279, 31. 10. 1996, p. 17.

## ANNEX

to the Commission Regulation of 30 July 1997 fixing the maximum export refunds for olive oil for the 17th 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	27,50
1509 10 90 9900	—
1509 90 00 9100	29,50
1509 90 00 9900	—
1510 00 90 9100	—
1510 00 90 9900	—

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

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## COMMISSION REGULATION (EC) No 1516/97

of 30 July 1997

fixing the export refunds on olive oil

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<sup>(1)</sup>, as last amended by Regulation (EC) No 1581/96<sup>(2)</sup>, and in particular Article 3 (3) thereof,

Whereas Article 3 of Regulation No 136/66/EEC provides that, where prices within the Community are higher than world market prices, the difference between these prices may be covered by a refund when olive oil is exported to third countries;

Whereas the detailed rules for fixing and granting export refunds on olive oil are contained in Commission Regulation (EEC) No 616/72<sup>(3)</sup>, as last amended by Regulation (EEC) No 2962/77<sup>(4)</sup>;

Whereas Article 3 (3) of Regulation No 136/66/EEC provides that the refund must be the same for the whole Community;

Whereas, in accordance with Article 3 (4) of Regulation No 136/66/EEC, the refund for olive oil must be fixed in the light of the existing situation and outlook in relation to olive oil prices and availability on the Community market and olive oil prices on the world market; whereas, however, where the world market situation is such that the most favourable olive oil prices cannot be determined, account may be taken of the price of the main competing vegetable oils on the world market and the difference recorded between that price and the price of olive oil during a representative period; whereas the amount of the refund may not exceed the difference between the price of olive oil in the Community and that on the world market, adjusted, where appropriate, to take account of export costs for the products on the world market;

Whereas, in accordance with Article 3 (3) third indent, point (b) of Regulation No 136/66/EEC, it may be decided that the refund shall be fixed by tender; whereas the tendering procedure should cover the amount of the

refund and may be limited to certain countries of destination, quantities, qualities and presentations;

Whereas the second indent of Article 3 (3) of Regulation No 136/66/EEC provides that the refund on olive oil may be varied according to destination where the world market situation or the specific requirements of certain markets make this necessary;

Whereas the refund must be fixed at least once every month; whereas it may, if necessary, be altered in the intervening period;

Whereas it follows from applying these detailed rules to the present situation on the market in olive oil and in particular to olive oil prices within the Community and on the markets of third countries that the refund should be as set out in the Annex hereto;

Whereas the representative market rates defined in Article 1 of Council Regulation (EEC) No 3813/92<sup>(5)</sup>, as last amended by Regulation (EC) No 150/95<sup>(6)</sup>, are used to convert amounts expressed in third country currencies and are used as the basis for determining the agricultural conversion rates of the Member States' currencies; whereas detailed rules on the application and determination of these conversions were set by Commission Regulation (EEC) No 1068/93<sup>(7)</sup>, as last amended by Regulation (EC) No 1482/96<sup>(8)</sup>;

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 export refunds on the products listed in Article 1 (2) (c) of Regulation No 136/66/EEC shall be as set out in the Annex hereto.

*Article 2*

This Regulation shall enter into force on 31 July 1997.

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

<sup>(2)</sup> OJ No L 206, 16. 8. 1996, p. 11.

<sup>(3)</sup> OJ No L 78, 31. 3. 1972, p. 1.

<sup>(4)</sup> OJ No L 348, 30. 12. 1977, p. 53.

<sup>(5)</sup> OJ No L 387, 31. 12. 1992, p. 1.

<sup>(6)</sup> OJ No L 22, 31. 1. 1995, p. 1.

<sup>(7)</sup> OJ No L 108, 1. 5. 1993, p. 106.

<sup>(8)</sup> OJ No L 188, 27. 7. 1996, p. 22.

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

Done at Brussels, 30 July 1997.

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

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ANNEX

to the Commission Regulation of 30 July 1997 fixing the export refunds on olive oil

*(ECU/100 kg)*

Product code	Amount of refund (1)
1509 10 90 9100	23,50
1509 10 90 9900	0,00
1509 90 00 9100	25,50
1509 90 00 9900	0,00
1510 00 90 9100	0,00
1510 00 90 9900	0,00

(1) For destinations mentioned in Article 34 of amended Commission Regulation (EEC) No 3665/87 (OJ No L 351, 14. 12. 1987, p 1), as well as for exports to third countries.

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

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**COMMISSION REGULATION (EC) No 1517/97  
of 30 July 1997**

**correcting Regulation (EC) No 1504/97 fixing export refunds for beef and veal**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EEC) No 805/68 of 27 June 1968 on the common organization of the market in beef and veal<sup>(1)</sup>, as last amended by Regulation (EC) No 2222/96<sup>(2)</sup>, and in particular Article 13 thereof,

Whereas Commission Regulation (EC) No 1504/97<sup>(3)</sup> sets export refunds in the beef and veal sector; whereas a check has shown that its Annex is not consistent with the opinion voted by the management committee; whereas, therefore, the Regulation should be corrected,

HAS ADOPTED THIS REGULATION:

*Article 1*

In Annex I to Regulation (EC) No 1504/97, the amounts of refund for product codes 0102 90 51 9000 and 0102 90 59 9000 are replaced by the following:

*(ECU/100 kg)*

Product code	Destination	Amount of refund (°)
0102 90 51 9000	02	38,50
	03	27,00
	04	13,50
0102 90 59 9000	02	38,50
	03	27,00
	04	13,50
	10	57,50 (°)

*Article 2*

This Regulation shall enter into force on 31 July 1997.

It shall apply from 30 July 1997.

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

Done at Brussels, 30 July 1997.

*For the Commission*

Franz FISCHLER

*Member of the Commission*

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

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

<sup>(3)</sup> OJ No L 202, 30. 7. 1997, p. 50.

**COMMISSION REGULATION (EC) No 1518/97**  
**of 30 July 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<sup>(1)</sup>, as last amended by Commission Regulation (EC) No 923/96<sup>(2)</sup>,

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<sup>(3)</sup>, as amended by Regulation (EC) No 641/97<sup>(4)</sup>, and in particular Article 2 (1) thereof,

Whereas the import duties in the cereals sector are fixed by Commission Regulation (EC) No 1360/97<sup>(5)</sup>, as amended by Regulation (EC) No 1372/97<sup>(6)</sup>;

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 1360/97,

HAS ADOPTED THIS REGULATION:

*Article 1*

Annexes I and II to amended Regulation (EC) No 1360/97 are hereby replaced by Annexes I and II to this Regulation.

*Article 2*

This Regulation shall enter into force on 31 July 1997.

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

Done at Brussels, 30 July 1997.

*For the Commission*

Franz FISCHLER

*Member of the Commission*

<sup>(1)</sup> OJ No L 181, 1. 7. 1992, p. 21.

<sup>(2)</sup> OJ No L 126, 24. 5. 1996, p. 37.

<sup>(3)</sup> OJ No L 161, 29. 6. 1996, p. 125.

<sup>(4)</sup> OJ No L 98, 15. 4. 1997, p. 2.

<sup>(5)</sup> OJ No L 186, 16. 7. 1997, p. 20.

<sup>(6)</sup> OJ No L 188, 17. 7. 1997, p. 21.

## 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 <sup>(2)</sup> (ECU/tonne)
1001 10 00	Durum wheat <sup>(1)</sup>	0,00	0,00
1001 90 91	Common wheat seed	23,83	13,83
1001 90 99	Common high quality wheat other than for sowing <sup>(1)</sup>	23,83	13,83
	medium quality	47,63	37,63
	low quality	65,28	55,28
1002 00 00	Rye	74,41	64,41
1003 00 10	Barley, seed	74,41	64,41
1003 00 90	Barley, other <sup>(3)</sup>	74,41	64,41
1005 10 90	Maize seed other than hybrid	91,66	81,66
1005 90 00	Maize other than seed <sup>(3)</sup>	91,66	81,66
1007 00 90	Grain sorghum other than hybrids for sowing	86,35	76,35

<sup>(1)</sup> 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.

<sup>(2)</sup> 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.

<sup>(3)</sup> 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

(period from 16 July 1997 to 29 July 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)	128,81	120,75	112,55	91,27	180,09 (1)	97,96 (1)
Gulf premium (ECU/tonne)	—	12,71	3,33	10,16	—	—
Great Lakes premium (ECU/tonne)	18,68	—	—	—	—	—

(1) Fob Duluth.

2. Freight/cost: Gulf of Mexico — Rotterdam: ECU 13,66 per tonne; Great Lakes — Rotterdam: ECU 23,42 per tonne.

3. Subsidy within the meaning of the third paragraph of Article 4 (2) of Regulation (EC) No 1249/96: ECU 0,00 per tonne (HRW2)  
: ECU 0,00 per tonne (SRW2).

**COMMISSION REGULATION (EC) No 1519/97**  
**of 30 July 1997**  
**establishing the standard import values for determining the entry price of**  
**certain fruit and vegetables**

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

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

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

Whereas Regulation (EC) No 3223/94 lays down, pursuant to the outcome of the Uruguay Round multilateral trade negotiations, the criteria whereby the 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 31 July 1997.

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

Done at Brussels, 30 July 1997.

*For the Commission*

Franz FISCHLER

*Member of the Commission*

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

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

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

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

## ANNEX

to the Commission Regulation of 30 July 1997 establishing the standard import values for determining the entry price of certain fruit and vegetables

(ECU/100 kg)

CN code	Third country code <sup>(1)</sup>	Standard import value
ex 0707 00 25	052	73,0
	999	73,0
0709 90 77	052	49,4
	999	49,4
0805 30 30	388	66,8
	524	62,7
	528	55,4
	999	61,6
0806 10 40	052	123,5
	412	124,1
	512	122,8
	600	161,2
	624	169,3
	999	140,2
0808 10 71, 0808 10 73, 0808 10 79	388	81,4
	400	65,8
	508	70,5
	512	47,6
	524	72,0
	528	64,2
	800	142,7
	804	90,0
	999	79,3
0808 20 51	052	94,8
	388	53,4
	512	59,7
	528	33,6
	999	60,4
0809 10 40	052	223,9
	064	100,4
	999	162,1
0809 20 59	052	231,8
	064	184,0
	400	203,2
	999	206,3
0809 40 30	064	117,1
	066	112,6
	624	185,5
	999	138,4

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

**COMMISSION REGULATION (EC) No 1520/97**  
**of 30 July 1997**

**determining the extent to which applications lodged in July 1997 for import licences for certain poultrymeat products under the regime provided for in Council Regulation (EC) No 774/94 opening and providing for the administration of certain Community tariff quotas for poultrymeat and certain other agricultural products can be accepted**

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

Having regard to Commission Regulation (EC) No 1431/94 of 22 June 1994, laying down detailed rules for the application in the poultrymeat sector of the import arrangements provided for in Council Regulation (EC) No 774/94 opening and providing for the administration of certain Community tariff quotas for poultrymeat and certain other agricultural products<sup>(1)</sup>, as last amended by Regulation (EC) No 997/97<sup>(2)</sup>, and in particular Article 4 (5) thereof,

Whereas the applications for import licences lodged for the period 1 July to 30 September 1997 are greater than

the quantities available and must therefore be reduced by a fixed percentage to ensure a fair distribution,

HAS ADOPTED THIS REGULATION:

*Article 1*

Applications for import licences for the period 1 July to 30 September 1997 submitted under Regulation (EC) No 1431/94 shall be met as referred to in the Annex.

*Article 2*

This Regulation shall enter into force on 31 July 1997.

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

Done at Brussels, 30 July 1997.

*For the Commission*

Franz FISCHLER

*Member of the Commission*

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<sup>(1)</sup> OJ No L 156, 23. 6. 1994, p. 9.

<sup>(2)</sup> OJ No L 144, 4. 6. 1997, p. 11.

## ANNEX

Group No	Percentage of acceptance of import licences submitted for the period 1 July to 30 September 1997
1	3,13
2	3,14
3	3,13
4	100,00
5	3,73



**COMMISSION REGULATION (EC) No 1521/97****of 30 July 1997****determining the extent to which applications lodged in July 1997 for import licences for certain poultrymeat sector products pursuant to Regulation (EC) No 509/97 can be accepted**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

HAS ADOPTED THIS REGULATION:

Having regard to the Treaty establishing the European Community,

*Article 1*Having regard to Commission Regulation (EC) No 509/97 of 20 March 1997 laying down procedures for applying in the poultrymeat sector the Interim Agreement on trade and accompanying measures between the European Community, the European Coal and Steel Community and the European Atomic Energy Community, of the one part, and the Republic of Slovenia, of the other part<sup>(1)</sup>, and in particular Article 4 (5) thereof,

1. Applications for import licences for the period 1 July to 30 September 1997 submitted pursuant to Regulation (EC) No 509/97 shall be met as referred to in Annex I.

2. During the first 10 days of the period 1 October to 31 December 1997 applications may be lodged pursuant to Regulation (EC) No 509/97 for import licences for the total quantities as referred to in Annex II.

Whereas the applications for import licences lodged for the third quarter of 1997 are for quantities less than the quantities available and can therefore be met in full;

*Article 2*

Whereas the surplus to be added to the quantity available for the following period should be determined,

This Regulation shall enter into force on 31 July 1997.

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

Done at Brussels, 30 July 1997.

*For the Commission*

Franz FISCHLER

*Member of the Commission*

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<sup>(1)</sup> OJ No L 80, 21. 3. 1997, p. 3.

## ANNEX I

Group No	Percentage of acceptance of import licences submitted for the period 1 July to 30 September 1997
80	—
90	100,00
100	—

## ANNEX II

*(tonnes)*

Group number	Available quantities
80	1 200,00
90	572,50
100	785,00

COMMISSION REGULATION (EC) No 1522/97  
of 30 July 1997

**determining the extent to which applications lodged in July 1997 for licences for certain eggs and poultrymeat products under the regime provided for by the Interim Agreements concluded by the Community with the Republic of Poland, the Republic of Hungary, the Czech Republic, the Slovak Republic, Romania and Bulgaria can be accepted**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Commission Regulation (EEC) No 2699/93<sup>(1)</sup> laying down detailed rules for the application in the eggs and poultrymeat sector of the regime provided for by the Agreements concluded by the Community with the Republic of Poland, the Republic of Hungary and the former Czech and Slovak Federal Republic, as last amended by Regulation (EC) No 2513/96<sup>(2)</sup>, and in particular Article 4 (5) thereof,

Having regard to Commission Regulation (EC) No 1559/94<sup>(3)</sup> laying down detailed rules for the application in the eggs and poultrymeat sector of the regime provided for by the Agreements concluded by the Community, of the one part, and Bulgaria and Romania, of the other part, as last amended by Regulation (EC) No 2513/96, and in particular Article 4 (5) thereof,

Whereas the applications for import licences lodged for the third quarter of 1997 are, in the case of some products, for quantities less than or equal to the quantities

available and can therefore be met in full, but in the case of other products the said applications are for quantities greater than the quantities available and must therefore be reduced by a fixed percentage to ensure a fair distribution,

HAS ADOPTED THIS REGULATION:

*Article 1*

1. Applications for import licences for the period 1 July to 30 September 1997 submitted under Regulations (EEC) No 2699/93 and (EC) No 1559/94 shall be met as referred to in Annex I.
2. During the first 10 days of the period 1 October to 31 December 1997 applications may be lodged pursuant to Regulations (EEC) No 2699/93 and (EC) No 1559/94 for import licences for a total quantity as referred to in Annex II.

*Article 2*

This Regulation shall enter into force on 31 July 1997.

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

Done at Brussels, 30 July 1997.

*For the Commission*

Franz FISCHLER

*Member of the Commission*

<sup>(1)</sup> OJ No L 245, 1. 10. 1993, p. 88.

<sup>(2)</sup> OJ No L 345, 31. 12. 1996, p. 30.

<sup>(3)</sup> OJ No L 166, 1. 7. 1994, p. 62.

## ANNEX I

Group No	Percentage of acceptance of import licences submitted for the period 1 July to 30 September 1997
1	3,04
2	4,25
4	100,00
7	2,47
8	8,14
9	2,70
10	100,00
11	—
12	100,00
14	—
15	3,03
16	100,00
17	100,00
18	—
19	40,00
21	100,00
22	100,00
23	100,00
24	100,00
25	—
26	—
27	—
28	—
30	—
31	—
32	100,00
33	—
34	—
35	—
36	—
37	24,42
38	100,00
39	—
40	—
43	100,00

## ANNEX II

*(tonnes)*

Group No	Total quantity available for the period 1 October to 31 December 1997
1	3 262,00
2	302,50
4	7 733,06
7	2 100,00
8	512,50
9	512,50
10	493,92
11	282,75
12	788,60
14	3 500,00
15	1 225,00
16	712,60
17	1 443,75
18	220,00
19	145,25
21	797,13
22	896,30
23	1 729,25
24	62,50
25	4 870,00
26	300,00
27	1 970,00
28	260,00
30	1 250,00
31	550,00
32	650,00
33	450,00
34	2 430,00
35	140,00
36	980,00
37	43,75
38	585,64
39	1 773,60
40	330,80
43	687,80

**COMMISSION REGULATION (EC) No 1523/97**  
**of 30 July 1997**  
**amending representative prices and additional duties for the import of certain**  
**products in the sugar sector**

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

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

Having regard to Commission Regulation (EC) No 1423/95 of 23 June 1995 laying down detailed implementing rules for the import of products in the sugar sector other than molasses <sup>(3)</sup>, as last amended by Regulation (EC) No 1143/97 <sup>(4)</sup>, and in particular the second subparagraph of Article 1 (2), and Article 3 (1) thereof,

Whereas the amounts of the representative prices and additional duties applicable to the import of white sugar, raw sugar and certain syrups are fixed by Commission Regulation (EC) No 1222/97 <sup>(5)</sup>, as last amended by Regulation (EC) No 1453/97 <sup>(6)</sup>;

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

HAS ADOPTED THIS REGULATION:

*Article 1*

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

*Article 2*

This Regulation shall enter into force on 31 July 1997.

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

Done at Brussels, 30 July 1997.

*For the Commission*

Franz FISCHLER

*Member of the Commission*

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

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

<sup>(3)</sup> OJ No L 141, 24. 6. 1995, p. 16.

<sup>(4)</sup> OJ No L 165, 24. 6. 1997, p. 11.

<sup>(5)</sup> OJ No L 173, 1. 7. 1997, p. 3.

<sup>(6)</sup> OJ No L 198, 25. 7. 1997, p. 19.

## ANNEX

to the Commission Regulation of 30 July 1997 amending representative prices and the amounts of additional duties applicable to imports of white sugar, raw sugar and products covered by CN code 1702 90 99

(ECU)

CN code	Amount of representative prices per 100 kg net of product concerned	Amount of additional duty per 100 kg net of product concerned
1701 11 10 <sup>(1)</sup>	26,32	3,39
1701 11 90 <sup>(1)</sup>	26,32	8,37
1701 12 10 <sup>(1)</sup>	26,32	3,26
1701 12 90 <sup>(1)</sup>	26,32	7,94
1701 91 00 <sup>(2)</sup>	29,51	10,48
1701 99 10 <sup>(2)</sup>	29,51	5,96
1701 99 90 <sup>(2)</sup>	29,51	5,96
1702 90 99 <sup>(3)</sup>	0,30	0,35

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

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

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

## COMMISSION REGULATION (EC) No 1524/97

of 30 July 1997

## fixing the rates of the refunds applicable to certain milk products 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 804/68 of 27 June 1968 on the common organization of the market in milk and milk products<sup>(1)</sup>, as last amended by Regulation (EC) No 1587/96<sup>(2)</sup>, and in particular Article 17 (3) thereof,

Whereas Article 17 (1) of Regulation (EEC) No 804/68 provides that the difference between prices in international trade for the products listed in Article 1 (a), (b), (c), (d), (e), and (g) of that Regulation and prices within the Community may be covered by an export refund; whereas Commission Regulation (EC) No 1222/94 of 30 May 1994 laying down common implementing rules for granting export refunds on certain agricultural products exported in the form of goods not covered by Annex II to the Treaty, and criteria for fixing the amount of such refunds<sup>(3)</sup>, as last amended by Regulation (EC) No 1341/97<sup>(4)</sup>, 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 804/68;

Whereas, in accordance with the first subparagraph of 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 each month;

Whereas Article 4 (3) of Regulation (EC) No 1222/94 provides that, when the rate of the refund is being fixed, account should be taken, where necessary, of production refunds, aids or other measures having equivalent effect applicable in all Member States in accordance with the Regulation on the common organization of the market in the product in question to the basic products listed in Annex A to that Regulation or to assimilated products;

Whereas Article 11 (1) of Regulation (EEC) No 804/68 provides for the payment of aid for Community-produced

skimmed milk processed into casein if such milk and the casein manufactured from it fulfil certain conditions set out in Article 1 of Council Regulation (EEC) No 987/68 of 15 July 1968 laying down general rules for granting aid for skimmed milk processed into casein or caseinates<sup>(5)</sup>, as last amended by Regulation (EEC) No 1435/90<sup>(6)</sup>;

Whereas Commission Regulation (EEC) No 570/88 of 16 February 1988 on the sale of butter at reduced prices and the granting of aid for butter and concentrated butter for use in the manufacture of pastry products, ice-cream and other foodstuffs<sup>(7)</sup>, as last amended by Regulation (EC) No 531/96<sup>(8)</sup>, lay down that butter and cream at reduced prices should be made available to industries which manufacture certain goods;

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

HAS ADOPTED THIS REGULATION:

*Article 1*

1. The rates of the refunds applicable to the basic products appearing in Annex A to Regulation (EC) No 1222/94 and listed in Article 1 of Regulation (EEC) No 804/68, exported in the form of goods listed in the Annex to Regulation (EEC) No 804/68, are hereby fixed as shown in the Annex to this Regulation.

2. No rates of refund are fixed for any of the products referred to in the preceding paragraph which are not listed in the Annex to this Regulation.

*Article 2*

This Regulation shall enter into force on 1 August 1997.

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

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

<sup>(3)</sup> OJ No L 136, 31. 5. 1994, p. 5.

<sup>(4)</sup> OJ No L 184, 12. 7. 1997, p. 12.

<sup>(5)</sup> OJ No L 169, 18. 7. 1968, p. 6.

<sup>(6)</sup> OJ No L 138, 31. 5. 1990, p. 8.

<sup>(7)</sup> OJ No L 55, 1. 3. 1988, p. 31.

<sup>(8)</sup> OJ No L 78, 28. 3. 1996, p. 13.



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

Done at Brussels, 30 July 1997.

*For the Commission*  
Martin BANGEMANN  
*Member of the Commission*

ANNEX

to the Commission Regulation of 30 July 1997 fixing the rates of the refunds applicable to certain milk products exported in the form of goods not covered by Annex II to the Treaty

<i>(ECU/100 kg)</i>		
CN code	Description	Rate of refund
ex 0402 10 19	Powdered milk, in granules or other solid forms, not containing added sugar or other sweetening matter, with a fat content not exceeding 1,5 % by weight (PG 2):	
	(a) On exportation of goods of CN code 3501	—
	(b) On exportation of other goods	63,00
ex 0402 21 19	Powdered milk, in granules or other solid forms, not containing added sugar or other sweetening matter, with a fat content of 26 % by weight (PG 3):	
	(a) Where goods incorporating, in the form of products assimilated to PG 3, reduced-price butter or cream obtained pursuant to Regulation (EEC) No 570/88 are exported	67,23
	(b) On exportation of other goods	108,00
ex 0405 10	Butter, with a fat content by weight of 82 % (PG 6):	
	(a) Where goods containing reduced-price butter or cream which have been manufactured in accordance with the conditions provided for in Regulation (EEC) No 570/88 are exported	65,00
	(b) On exportation of goods of CN code 2106 90 98 containing 40 % or more by weight of milk fat	197,25
	(c) On exportation of other goods	190,00

## COMMISSION REGULATION (EC) No 1525/97

of 30 July 1997

fixing the rates of refunds applicable to certain products from the sugar sector  
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 1785/81 of 30 June 1981 on the common organization of the market in sugar <sup>(1)</sup>, as last amended by Regulation (EC) No 1599/96 <sup>(2)</sup> and in particular Article 17 (5) (a) and (15),

Whereas Article 17 (1) and (2) of Regulation (EEC) No 1785/81 provides that the differences between the prices in international trade for the products listed in Article 1 (1) (a), (c), (d), (f), (g) and (h) of that Regulation and prices within the Community may be covered by an export refund where these products 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 implementing rules for 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 <sup>(3)</sup> as last amended by Regulation (EC) No 1341/97 <sup>(4)</sup> 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 Annex I to Regulation (EEC) No 1785/81;

Whereas, in accordance with 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 each month;

Whereas Article 17 (3) of Regulation (EEC) No 1785/81 and Article 11 of the Agreement on Agriculture concluded under the Uruguay Round lay 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 refunds fixed under this Regulation may be fixed in advance; whereas the market situation over the next few months cannot be established at the moment;

Whereas the commitments entered into with regard to refunds which may be granted for the export of agricultural products contained in goods not covered by Annex II to the Treaty may be jeopardized by the fixing in advance of high refund rates; whereas it is therefore necessary to take precautionary measures in such situations without, however, preventing the conclusion of long-term contracts; whereas the fixing of a specific refund rate for the advance fixing of refunds is a measure which enables these various objectives to be met;

Whereas Article 4 (5) (b) of Regulation (EC) No 1222/94 provides that in the absence of the proof referred to in Article 4 (5) (a) of that Regulation, a reduced rate of export refund has to be fixed, taking account of the amount of the production refund applicable, pursuant to Council Regulation (EEC) No 1010/86 <sup>(5)</sup>, as last amended by Commission Regulation (EC) No 1126/96 <sup>(6)</sup>, for the basic product in question, used during the assumed period of manufacture of the goods;

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 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) and (2) of Regulation (EEC) No 1785/81, exported in the form of goods listed in Annex I to Regulation (EEC) No 1785/81, are fixed as shown in the Annex hereto.

*Article 2*

This Regulation shall enter into force on 1 August 1997.

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

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

<sup>(3)</sup> OJ No L 136, 31. 5. 1994, p. 5.

<sup>(4)</sup> OJ No L 184, 12. 7. 1997, p. 12.

<sup>(5)</sup> OJ No L 94, 9. 4. 1986, p. 9.

<sup>(6)</sup> OJ No L 150, 25. 6. 1996, p. 3.

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

Done at Brussels, 30 July 1997.

*For the Commission*

Martin BANGEMANN

*Member of the Commission*

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## ANNEX

to the Commission Regulation of 30 July 1997 altering the rates of the refunds applicable to certain products in the sugar sector exported in the form of goods not covered by Annex II to the Treaty

Product	Rate of refund in ECU/100 kg	
	In case of advance fixing of refunds	Other
White sugar:		
— pursuant to Article 4 (5) (b) of Regulation (EC) No 1222/94	1,98	1,98
— in all other cases	36,05	36,05
Raw sugar:		
— pursuant to Article 4 (5) (b) of Regulation (EC) No 1222/94	1,82	1,82
— in all other cases	33,17	33,17
Syrups of beet sugar or cane sugar, other than the syrups obtained by dissolving white or raw sugar in the solid state, containing, in the dry state, 85 % or more by weight of sucrose (including invert sugar expressed as sucrose):		
— pursuant to Article 4 (5) (b) of Regulation (EC) No 1222/94	$\frac{1,98^{(*)} \times S^{(1)}}{100}$	$\frac{1,98^{(*)} \times S^{(1)}}{100}$
— in all other cases	$\frac{36,05^{(*)} \times S^{(1)}}{100}$	$\frac{36,05^{(*)} \times S^{(1)}}{100}$
For syrups obtained by dissolving white or raw sugar in the solid state, whether or not the dissolving is followed by inversion	the rate fixed above for 100 kg of white or raw sugar used for the dissolution	
Molasses	—	—
Isoglucose <sup>(2)</sup> :		
— pursuant to Article 4 (5) (b) of Regulation (EC) No 1222/94	1,98 <sup>(3)</sup>	1,98 <sup>(3)</sup>
— in all other cases	36,05 <sup>(3)</sup>	36,05 <sup>(3)</sup>

(1) 'S' represents in 100 kilograms of syrup

— the sucrose content (including invert sugar expressed as sucrose) of the syrup in question, where the latter is not less than 98 % pure,

— the extractable sugar content of the syrup in question, where the latter is not less than 85 %, but less than 98 % pure.

(2) Products obtained by isomerization of glucose, which have a content by weight in the dry state of at least 41 % fructose and of which the total content by weight in the dry state of polysaccharides and oligosaccharides, including the di- or trisaccharides content, does not exceed 8,5 %.

(3) Amount of refund per 100 kilograms of dry matter.

(4) The basic amount is not applicable to the product defined under point 2 of the Annex to Commission Regulation (EEC) No 3513/92 (OJ No L 355, 5. 12. 1992, p. 12).

## COMMISSION DIRECTIVE 97/46/EC

of 25 July 1997

**amending Directive 95/44/EC establishing the conditions under which certain harmful organisms, plants, plant products and other objects listed in Annexes I to V to Council Directive 77/93/EEC may be introduced into or moved within the Community or certain protected zones thereof, for trial or scientific purposes and for work on varietal selections**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Directive 77/93/EEC of 21 December 1976 on protective measures against the introduction into the Community of organisms harmful to plants or plant products and against their spread within the Community<sup>(1)</sup>, as last amended by Commission Directive 97/14/EC<sup>(2)</sup>, and in particular Articles 3 (7) (e), 4 (5), 5 (5) and 12 (3c) thereof,

Whereas pursuant to the provisions of Directive 77/93/EEC, harmful organisms listed in its Annexes I and II, whether singly or associated with the relevant plants or plant products listed in Annex II to the said Directive, may not be introduced into and spread by movement within the Community or certain protected zones thereof;

Whereas pursuant to Directive 77/93/EC, plants, plant products and other objects listed in its Annex III, may not be introduced into the Community or into certain protected zones thereof;

Whereas, also, plants, plant products and other objects listed in Annex IV to the said Directive, may not be introduced into or moved within the Community or certain protected zones thereof unless the relevant special requirements indicated in the said Annex are met;

Whereas plants, plant products and other objects listed in Annex V Part B to the Directive 77/93/EC coming from third countries may not be introduced into the Community unless they comply with the standards and requirements laid down in the said Directive and are accompanied by an official phytosanitary certificate, ensuring such compliance, and are moreover inspected on an official basis for compliance with these provisions;

Whereas, however, Articles 3 (7) (e), 4 (5), 5 (5) and 12 (3c) of the said Directive provide for those rules not to apply

to the introduction and movement of such harmful organisms, plants, plant products and other objects, for trial or scientific purposes and for work on varietal selections, subject to certain conditions which shall be determined at Community level;

Whereas Commission Directive 95/44/EC<sup>(3)</sup> laid down the conditions which must be satisfied in cases of such introductions or movements, in order to ensure that there is no risk of harmful organisms spreading;

Whereas in the Member States there is a need to import plants of stolon- or tuber-forming species of *Solanum* L. or their hybrids, intended for planting, for work on varietal selection, or for gene conservation or scientific research purposes;

Whereas Commission Decision 80/862/EEC<sup>(4)</sup>, as last amended by Decision 96/713/EC<sup>(5)</sup>, laid down the conditions which must be satisfied in the case of introductions or movements of the said plants, in order to ensure that there is no risk of harmful organism spreading;

Whereas Decision 80/862/EEC, as amended, expires on 31 December 1997 and it is therefore appropriate to incorporate the conditions laid down in that Decision into this Directive;

Whereas it is necessary to determine the conditions which must be satisfied in the case of introductions or movements of the said plants, in order to ensure that there is no risk of harmful organism spreading;

Whereas these conditions have to take into account new developments in the testing methods for diseases of potato and new information on organisms harmful to potato, for which a test is necessary in order to detect their presence;

<sup>(1)</sup> OJ No L 26, 31. 1. 1977, p. 20.

<sup>(2)</sup> OJ No L 87, 2. 4. 1997, p. 17.

<sup>(3)</sup> OJ No L 184, 3. 8. 1995, p. 34.

<sup>(4)</sup> OJ No L 248, 19. 9. 1980, p. 25.

<sup>(5)</sup> OJ No L 326, 17. 12. 1996, p. 70.

Whereas the measures provided for in this Directive are in accordance with the opinion of the Standing Committee on Plant Health,

HAS ADOPTED THIS DIRECTIVE:

*Article 1*

Directive 95/44/EC is hereby amended as follows:

(1) Article 1 (1) is replaced by the following:

'1. Member States shall ensure that for any activity for trial or scientific purposes and for work on varietal selections, hereinafter referred to as "the activities", which would involve the use of harmful organisms, plants, plant products and other objects pursuant to Article 3 (7) (e), 4 (5), 5 (5) or 12 (3c) of Directive 77/93/EEC, hereinafter referred to as "the material", an application shall be submitted to the responsible official bodies prior to the introduction into, or movement within, any Member State or relevant protected zones thereof, of any such material.'

(2) in Annex III, Part A the following text shall be added:

'Section IV: *Plants of stolon- or tuber-forming species of Solanum L. or their hybrids, intended for planting*

1. The plant material, as appropriate, shall be subjected to the therapy procedures as laid down in FAO/IPGRI Technical Guidelines.
2. Each unit of the plant material, following the therapy procedures carried out in point 1, shall be subjected to indexing procedures. All plant material, including indexing plants, shall be held at the approved facilities under the quarantine containment conditions laid down in Annex I. Plant material intended for approval for official release shall be held under conditions conducive to a normal cycle of vegetative growth and be subjected to visual inspection for signs and symptoms of harmful organisms including all relevant harmful organisms listed in Directive 77/93/EEC and potato yellow vein disease, on arrival and subsequently, at regular intervals until senescence, during the period of the indexing procedures.
3. The indexing procedures referred to in point 2 shall follow the technical provisions set out in point 5, in order to detect at least the following harmful organisms:

— Bacteria

- (a) *Clavibacter michiganensis* (Smith) Davis *et al* ssp. *sepedonicus* (Spieckermann *et* Kotthoff) Davis *et al*;

(b) *Pseudomonas solanacearum* (Smith) Smith.

— Viruses and virus-like organisms

- (a) Andean potato latent virus,
- (b) Potato black ringspot virus,
- (c) Potato spindle tuber viroid,
- (d) Potato yellowing alfamovirus,
- (e) Potato virus T,
- (f) Andean potato mottle virus,
- (g) Common potato viruses A, M, S, V, X and Y (including Y<sup>c</sup>, Y<sup>n</sup> and Y<sup>c</sup>) and potato leaf roll virus

However, in the case of true seed of potato, the indexing procedures shall be carried out in order to detect at least the viruses and virus-like organisms listed above at (a) to (e).

4. The plant material subjected to the visual inspections referred to in point 2 and on which signs and symptoms of harmful organisms have been observed, shall be subjected to an investigation including testing where necessary, to determine as far as possible, the identity of the harmful organisms causing the signs and symptoms.
5. The technical provisions referred to in point 3 shall be as follows:

— Bacteria

1. For tubers, test the heel end of each tuber. The standard sample size shall be 200 tubers. However, the procedure can be applied conveniently for samples with less than 200 tubers.
2. For young plants and cuttings, including micro-plants, test the lower sections of the stem and, where appropriate, the roots, for each unit of the plant material.
3. The testing of progeny tubers, or of stem bases for non-tuber forming species, one normal cycle of vegetative growth after the testing referred to in point 1 and 2, is recommended.
4. For the material referred to in point 1, the testing method for *Clavibacter michiganensis* (Smith) Davis *et al* ssp. *sepedonicus* (Spieckermann *et* Kotthoff) Davis *et al* shall be the Community method set out in Annex I to Council Directive 93/85/EEC<sup>(1)</sup>. For the material referred to in point 2, this testing method could be applied.

<sup>(1)</sup> OJ No L 259, 18. 10. 1993, p. 1.

5. For the material referred to in point 1, the testing method for *Pseudomonas solanacearum* (Smith) Smith shall be the interim test scheme set out in the Annex to the Commission decision to be taken in order to replace the quarantine procedure No 26 for *Pseudomonas solanacearum* (Smith) Smith as established by the European and Mediterranean Plant Protection Organization (EPPO). For the material referred to in point 2, this testing method could be applied.

— Viruses and virus-like organisms, other than potato spindle tuber viroid

1. The minimum testing for vegetative material (tubers, young plants and cuttings, including micro-plants) shall include a serological test done at or near flowering for each of the specified list of harmful organisms other than potato spindle tuber viroid, and followed by a biological test of material testing negative in the serological test. For potato leaf roll virus, two serological tests shall be done.
2. The minimum testing for true seed shall be a serological test or a biological test if no serological test is available. Retesting of a proportion of negative samples and testing of borderline results by another method is highly recommended.
3. The serological and biological testings referred to in points 1 and 2 shall be done on glasshouse grown plants, sampled from at least two positions on every stem, including a young fully expanded leaflet at the top of each stem and an older leaflet from a midway position; each stem shall be sampled because of possible non-systemic infection. In the case of the serological testing, no bulking of leaflets from separate plants shall be done, unless the bulking rate has been validated for the method of use; leaflets from each stem may however be bulked to make up the sample from each plant. In the case of the biological testing, the maximum bulking is up to five plants with inoculation of a minimum of duplicate indicator plants.
4. The appropriate indicator plants to be used for the biological testing referred to in

points 1 and 2 shall be those listed by the European and Mediterranean Plant Protection Organization (EPPO), or other officially approved indicator plants, which have been shown to detect the viruses.

5. Only material which has been directly tested shall be released from quarantine. Where eye indexing has been done, only the progeny of the tested eye may be released. The tuber should not be released because of possible problems with non-systemic infection.

— Potato spindle tuber viroid

1. For all material, glasshouse grown plants shall be tested, as soon as they are well established but prior to flowering and pollen production. Testing on tuber sprouts/*in vitro* plants/small seedlings shall only be regarded as a preliminary test.
2. Samples shall be taken from a fully expanded leaflet at the top of each stem of the plant.
3. All material for testing shall be grown at temperatures not less than 18 °C (preferably at temperatures higher than 20 °C) and with at least a 16-hour photo-period.
4. Testing shall be by radioactive or non-radioactive labeled cDNA or RNA-probes, return-PAGE (with silver staining) or RT-PCR.
5. The maximum bulking rate for probes and return-PAGE is 5. Use of this or higher bulking rates must be validated.

## Article 2

1. Member States shall bring into force the laws, regulations or administrative provisions necessary to comply with this Directive on 1 January 1998. They shall immediately inform the Commission thereof.

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

2. Member States shall immediately communicate to the Commission all provisions of national law which they adopt in the field covered by this Directive. The Commission shall inform the other Member States thereof.

*Article 3*

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

*Article 4*

This Directive is addressed to the Member States.

Done at Brussels, 25 July 1997.

*For the Commission*

Franz FISCHLER

*Member of the Commission*

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