

English edition

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

## I

*(Acts whose publication is obligatory)*

**COMMISSION REGULATION (EC) No 1578/97**  
**of 5 August 1997**  
**fixing the export refunds on milk and milk products**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EEC) No 804/68 of 27 June 1968 on the common organization of the market in milk and milk products <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 of Regulation (EEC) No 804/68 provides that the difference between prices in international trade for the products listed in Article 1 of that Regulation and prices for those products within the Community may be covered by an export refund within the limits resulting from agreements concluded in accordance with Article 228 of the Treaty;

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

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

— the economic aspect of the proposed exports;

Whereas Article 17 (5) of Regulation (EEC) No 804/68 provides that when prices within the Community are being determined account should be taken of the ruling prices which are most favourable for exportation, and that when prices in international trade are being determined particular account should be taken of:

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

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

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

Whereas, in accordance with Article 12 of Commission Regulation (EC) No 1466/95 of 27 June 1995 on specific detailed rules for the application of export refunds on milk and milk products <sup>(3)</sup>, as last amended by Regulation (EC) No 417/97 <sup>(4)</sup>, the refund granted for milk products containing added sugar is equal to the sum of the two components, one of which is intended to take account of the quantity of milk products and the other is intended to take account of the quantity of added sucrose; whereas, however, the latter component is applied only if the added sucrose was produced from sugar beet or cane harvested in the Community; whereas, for products falling within CN codes ex 0402 99 11, ex 0402 99 19, ex 0404 90 51, ex 0404 90 53, ex 0404 90 91 and ex 0404 90 93, with a fat content by weight not exceeding

<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 144, 28. 6. 1995, p. 22.

<sup>(4)</sup> OJ No L 64, 5. 3. 1997, p. 1.

9,5 % and a non-fatty milk content in the dry matter equal to or greater than 15 % by weight, the former abovementioned component is fixed for 100 kilograms of the whole product; whereas, for the other products containing added sugar falling within CN codes 0402 and 0404, that component is calculated by multiplying the basic amount by the milk products content of the product concerned; whereas that basic amount is equal to the refund to be fixed for one kilogram of milk products contained in the whole product;

Whereas the second component is calculated by multiplying the sucrose content of the product by the basic amount of the refund valid on the day of exportation for the products listed in Article 1 (1) (d) of Council Regulation (EEC) No 1785/81 of 30 June 1981 on the common organization of the markets in the sugar sector<sup>(5)</sup>, as last amended by Regulation (EC) No 1599/96<sup>(6)</sup>;

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

Whereas Commission Regulation (EEC) No 896/84<sup>(7)</sup>, as last amended by Regulation (EEC) No 222/88<sup>(8)</sup>, laid down additional provisions concerning the granting of refunds on the change from one milk year to another; whereas those provisions provide for the possibility of varying refunds according to the date of manufacture of the products;

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

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

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

HAS ADOPTED THIS REGULATION:

*Article 1*

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

*Article 2*

This Regulation shall enter into force on 6 August 1997.

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

Done at Brussels, 5 August 1997.

*For the Commission*

Monika WULF-MATHIES

*Member of the Commission*

<sup>(5)</sup> OJ No L 177, 1. 7. 1981, p. 4.

<sup>(6)</sup> OJ No L 206, 16. 8. 1996, p. 43.

<sup>(7)</sup> OJ No L 91, 1. 4. 1984, p. 71.

<sup>(8)</sup> OJ No L 28, 1. 2. 1988, p. 1.

## ANNEX

## to the Commission Regulation of 5 August 1997 fixing the export refunds on milk and milk products

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

Product code	Destination (*)	Amount of refund	Product code	Destination (*)	Amount of refund
0401 10 10 9000	970	2,327	0402 21 99 9600	+	124,73
	...	—	0402 21 99 9700	+	130,38
0401 10 90 9000	970	2,327	0402 21 99 9900	+	136,76
	...	—	0402 29 15 9200	+	0,5985
0401 20 11 9100	+	—	0402 29 15 9300	+	0,9054
0401 20 11 9500	970	3,597	0402 29 15 9500	+	0,9538
	...	—	0402 29 15 9900	+	1,0262
0401 20 19 9100	+	—	0402 29 19 9200	+	0,5985
0401 20 19 9500	970	3,597	0402 29 19 9300	+	0,9054
	...	—	0402 29 19 9500	+	0,9538
0401 20 91 9100	+	4,551	0402 29 19 9900	+	1,0262
0401 20 91 9500	+	5,302	0402 29 91 9100	+	1,0334
0401 20 99 9100	+	4,551	0402 29 91 9500	+	1,1258
0401 20 99 9500	+	5,302	0402 29 99 9100	+	1,0334
0401 30 11 9100	+	6,803	0402 29 99 9500	+	1,1258
0401 30 11 9400	+	10,50	0402 91 11 9110	+	—
0401 30 11 9700	+	15,77	0402 91 11 9120	+	4,551
0401 30 19 9100	+	6,803	0402 91 11 9310	+	13,30
0401 30 19 9400	+	10,50	0402 91 11 9350	+	16,29
0401 30 19 9700	+	15,77	0402 91 11 9370	+	19,81
0401 30 31 9100	+	38,32	0402 91 19 9110	+	—
0401 30 31 9400	+	59,85	0402 91 19 9120	+	4,551
0401 30 31 9700	+	66,00	0402 91 19 9310	+	13,30
0401 30 39 9100	+	38,32	0402 91 19 9350	+	16,29
0401 30 39 9400	+	59,85	0402 91 19 9370	+	19,81
0401 30 39 9700	+	66,00	0402 91 31 9100	+	8,991
0401 30 91 9100	+	75,22	0402 91 31 9300	+	23,42
0401 30 91 9400	+	110,55	0402 91 39 9100	+	8,991
0401 30 91 9700	+	129,01	0402 91 39 9300	+	23,42
0401 30 99 9100	+	75,22	0402 91 51 9000	+	10,50
0401 30 99 9400	+	110,55	0402 91 59 9000	+	10,50
0401 30 99 9700	+	129,01	0402 91 91 9000	+	75,22
0402 10 11 9000	+	59,85	0402 91 99 9000	+	75,22
0402 10 19 9000	+	59,85	0402 99 11 9110	+	—
0402 10 91 9000	+	0,5985	0402 99 11 9130	+	0,0456
0402 10 99 9000	+	0,5985	0402 99 11 9150	+	0,1269
0402 21 11 9200	+	59,85	0402 99 11 9310	+	15,33
0402 21 11 9300	+	90,54	0402 99 11 9330	+	18,40
0402 21 11 9500	+	95,38	0402 99 11 9350	+	24,46
0402 21 11 9900	+	102,60	0402 99 19 9110	+	—
0402 21 17 9000	+	59,85	0402 99 19 9130	+	0,0456
0402 21 19 9300	+	90,54	0402 99 19 9150	+	0,1269
0402 21 19 9500	+	95,38	0402 99 19 9310	+	15,33
0402 21 19 9900	+	102,60	0402 99 19 9330	+	18,40
0402 21 91 9100	+	103,34	0402 99 19 9350	+	24,46
0402 21 91 9200	+	104,05	0402 99 31 9110	+	0,0975
0402 21 91 9300	+	105,34	0402 99 31 9150	+	25,47
0402 21 91 9400	+	112,58	0402 99 31 9300	+	0,3832
0402 21 91 9500	+	115,09	0402 99 31 9500	+	0,6600
0402 21 91 9600	+	124,73	0402 99 39 9110	+	0,0975
0402 21 91 9700	+	130,38	0402 99 39 9150	+	25,47
0402 21 91 9900	+	136,76	0402 99 39 9300	+	0,3832
0402 21 99 9100	+	103,34			
0402 21 99 9200	+	104,05			
0402 21 99 9300	+	105,34			
0402 21 99 9400	+	112,58			
0402 21 99 9500	+	115,09			

Product code	Destination (*)	Amount of refund	Product code	Destination (*)	Amount of refund
0402 99 39 9500	+	0,6600	0404 90 29 9160	+	129,22
0402 99 91 9000	+	0,7522	0404 90 29 9180	+	135,53
0402 99 99 9000	+	0,7522	0404 90 81 9100	+	0,5884
0403 10 11 9400	+	—	0404 90 81 9910	+	—
0403 10 11 9800	+	—	0404 90 81 9950	+	15,20
0403 10 13 9800	+	4,551	0404 90 83 9110	+	0,5884
0403 10 19 9800	+	6,803	0404 90 83 9130	+	0,8973
0403 10 31 9400	+	—	0404 90 83 9150	+	0,9453
0403 10 31 9800	+	—	0404 90 83 9170	+	1,0168
0403 10 33 9800	+	0,0456	0404 90 83 9170	+	1,0168
0403 10 39 9800	+	0,0680	0404 90 83 9911	+	—
0403 90 11 9000	+	58,84	0404 90 83 9913	+	0,0456
0403 90 13 9200	+	58,84	0404 90 83 9915	+	0,0680
0403 90 13 9300	+	89,73	0404 90 83 9917	+	0,1050
0403 90 13 9500	+	94,53	0404 90 83 9917	+	0,1050
0403 90 13 9900	+	101,68	0404 90 83 9919	+	0,1577
0403 90 19 9000	+	102,44	0404 90 83 9931	+	15,20
0403 90 31 9000	+	0,5884	0404 90 83 9933	+	18,24
0403 90 33 9200	+	0,5884	0404 90 83 9935	+	24,24
0403 90 33 9300	+	0,8973	0404 90 83 9937	+	25,22
0403 90 33 9500	+	0,9453	0404 90 89 9130	+	1,0244
0403 90 33 9900	+	1,0168	0404 90 89 9150	+	1,1159
0403 90 39 9000	+	1,0244	0404 90 89 9930	+	0,4601
0403 90 51 9100	970	2,327	0404 90 89 9950	+	0,6600
	...	—	0404 90 89 9950	+	0,6600
0403 90 51 9300	+	—	0404 90 89 9990	+	0,7522
0403 90 53 9000	+	4,551	0405 10 11 9500	+	176,10
0403 90 59 9110	+	6,803	0405 10 11 9700	+	180,50
0403 90 59 9140	+	10,50	0405 10 19 9500	+	176,10
0403 90 59 9170	+	15,77	0405 10 19 9700	+	180,50
0403 90 59 9310	+	38,32	0405 10 30 9100	+	176,10
0403 90 59 9340	+	59,85	0405 10 30 9300	+	180,50
0403 90 59 9370	+	66,00	0405 10 30 9500	+	176,10
0403 90 59 9510	+	75,22	0405 10 30 9700	+	180,50
0403 90 59 9540	+	110,55	0405 10 50 9100	+	176,10
0403 90 59 9570	+	129,01	0405 10 50 9300	+	180,50
0403 90 61 9100	+	—	0405 10 50 9500	+	176,10
0403 90 61 9300	+	—	0405 10 50 9700	+	180,50
0403 90 63 9000	+	0,0456	0405 10 90 9000	+	187,10
0403 90 69 9000	+	0,0680	0405 20 90 9500	+	165,09
0404 90 21 9100	+	58,84	0405 20 90 9700	+	171,69
0404 90 21 9910	+	—	0405 90 10 9000	+	228,00
0404 90 21 9950	+	13,18	0405 90 90 9000	+	180,50
0404 90 23 9120	+	58,84	0406 10 20 9100	+	—
0404 90 23 9130	+	89,73	0406 10 20 9230	037	—
0404 90 23 9140	+	94,53		039	—
0404 90 23 9150	+	101,68		099	22,83
0404 90 23 9911	+	—		400	23,48
0404 90 23 9913	+	4,551		...	34,25
0404 90 23 9915	+	6,803	0406 10 20 9290	037	—
0404 90 23 9917	+	10,50		039	—
0404 90 23 9919	+	15,77		099	21,24
0404 90 23 9931	+	13,18		400	15,29
0404 90 23 9933	+	16,15		...	31,86
0404 90 23 9935	+	19,63	0406 10 20 9300	037	—
0404 90 23 9937	+	23,21		039	—
0404 90 23 9939	+	24,26		099	9,329
0404 90 29 9110	+	102,44		400	7,834
0404 90 29 9115	+	103,11		...	13,99
0404 90 29 9120	+	104,40			
0404 90 29 9130	+	111,59			
0404 90 29 9135	+	114,05			
0404 90 29 9150	+	123,60			

Product code	Destination (*)	Amount of refund	Product code	Destination (*)	Amount of refund
0406 10 20 9610	037	—	0406 20 90 9990	+	—
	039	—	0406 30 31 9710	037	—
	099	30,98		039	—
	400	33,28		099	11,92
	...	46,46		400	8,346
0406 10 20 9620	037	—		...	17,88
	039	—	0406 30 31 9730	037	—
	099	31,42		039	—
	400	36,49		099	17,49
	...	47,12		400	12,25
0406 10 20 9630	037	—		...	26,24
	039	—	0406 30 31 9910	037	—
	099	35,06		039	—
	400	41,20		099	11,92
	...	52,60		400	8,346
0406 10 20 9640	037	—		...	17,88
	039	—	0406 30 31 9930	037	—
	099	51,54		039	—
	400	48,35		099	17,49
	...	77,30		400	12,25
0406 10 20 9650	037	—		...	26,24
	039	—	0406 30 31 9950	037	—
	099	42,95		039	—
	400	25,44		099	25,45
	...	64,42		400	17,81
0406 10 20 9660	+	—		...	38,17
0406 10 20 9830	037	—	0406 30 39 9500	037	—
	039	—		039	—
	099	15,93		099	17,49
	400	13,38		400	12,25
	...	23,89		...	26,24
0406 10 20 9850	037	—	0406 30 39 9700	037	—
	039	—		039	—
	099	19,31		099	25,45
	400	16,22		400	17,81
	...	28,97		...	38,17
0406 10 20 9870	+	—	0406 30 39 9930	037	—
0406 10 20 9900	+	—		039	—
0406 20 90 9100	+	—		099	25,45
0406 20 90 9913	037	—		400	17,81
	039	—		...	38,17
	099	35,62	0406 30 39 9950	037	—
	400	31,59		039	—
	...	53,43		099	28,78
0406 20 90 9915	037	—		400	21,14
	039	—		...	43,16
	099	47,01	0406 30 90 9000	037	—
	400	42,12		039	—
	...	70,51		099	30,19
0406 20 90 9917	037	—		400	21,14
	039	—		...	45,28
	099	49,94	0406 40 50 9000	037	—
	400	44,75		039	—
	...	74,92		099	54,55
0406 20 90 9919	037	—		400	32,98
	039	—		...	81,82
	099	55,82			
	400	50,02			
	...	83,73			



Product code	Destination (*)	Amount of refund	Product code	Destination (*)	Amount of refund
0406 40 90 9000	037	—	0406 90 33 9951	037	—
	039	—		039	—
	099	56,01		099	36,20
	400	32,98		400	20,01
	...	84,02		...	54,29
0406 90 13 9000	037	—	0406 90 35 9190	037	28,95
	039	—		039	28,95
	099	60,16		099	61,40
	400	64,98		400	75,29
	...	90,24		...	92,09
0406 90 15 9100	037	—	0406 90 35 9990	037	—
	039	—		039	—
	099	62,17		099	54,68
	400	68,40		400	40,19
	...	93,25		...	82,02
0406 90 17 9100	037	—	0406 90 37 9000	037	—
	039	—		039	—
	099	62,17		099	60,16
	400	64,98		400	68,40
	...	93,25		...	90,24
0406 90 21 9900	037	—	0406 90 61 9000	037	40,61
	039	—		039	40,61
	099	61,63		099	65,82
	400	44,53		400	57,27
	...	92,44		...	98,72
0406 90 23 9900	037	—	0406 90 63 9100	037	37,12
	039	—		039	37,12
	099	45,64		099	63,89
	400	18,57		400	67,09
	...	68,46		...	95,84
0406 90 25 9900	037	—	0406 90 63 9900	037	29,52
	039	—		039	29,52
	099	46,22		099	48,93
	400	21,16		400	51,39
	...	69,32		...	73,41
0406 90 27 9900	037	—	0406 90 69 9100	+	—
	039	—	0406 90 69 9910	037	—
	099	41,85		039	—
	400	18,57		099	48,93
	...	62,78		400	51,39
		...		73,41	
0406 90 31 9119	037	—	0406 90 73 9900	037	—
	039	—		039	—
	099	38,17		099	52,63
	400	25,56		400	56,09
	...	57,26		...	78,94
0406 90 33 9119	037	—	0406 90 75 9900	037	—
	039	—		039	—
	099	38,17		099	51,97
	400	25,56		400	22,27
	...	57,26		...	77,95
0406 90 33 9919	037	—	0406 90 76 9300	037	—
	039	—		039	—
	099	34,36		099	43,60
	400	20,33		400	20,12
	...	51,54		...	65,40

Product code	Destination (*)	Amount of refund	Product code	Destination (*)	Amount of refund
0406 90 76 9400	037	—	0406 90 85 9999	+	—
	039	—	0406 90 86 9100	+	—
	099	50,09	0406 90 86 9200	037	—
	400	23,22		039	—
	...	75,14		099	37,17
0406 90 76 9500	037	—		400	27,65
	039	—		...	55,76
	099	48,25	0406 90 86 9300	037	—
	400	23,22		039	—
	...	72,38		099	38,48
0406 90 78 9100	037	—		400	30,30
	039	—		...	57,71
	099	40,91	0406 90 86 9400	037	—
	400	18,14		039	—
	...	61,36		099	43,23
0406 90 78 9300	037	—		400	34,28
	039	—		...	64,84
	099	50,09	0406 90 86 9900	037	—
	400	20,12		039	—
	...	75,14		099	54,75
0406 90 78 9500	037	—		400	40,24
	039	—		...	82,13
	099	50,09	0406 90 87 9100	+	—
	400	23,22	0406 90 87 9200	037	—
	...	75,14		039	—
0406 90 79 9900	037	—		099	30,98
	039	—		400	25,56
	099	37,89		...	46,46
	400	19,23	0406 90 87 9300	037	—
	...	56,83		039	—
0406 90 81 9900	037	—		099	35,34
	039	—		400	28,02
	099	53,71		...	53,01
	400	47,61	0406 90 87 9400	037	—
	...	80,57		039	—
0406 90 85 9910	037	28,95		099	38,33
	039	28,95		400	31,71
	099	59,27		...	57,50
	400	75,29	0406 90 87 9951	037	—
	...	88,90		039	—
0406 90 85 9991	037	—		099	52,74
	039	—		400	66,33
	099	54,68		...	79,13
	400	40,19	0406 90 87 9971	037	—
	...	82,02		039	—
0406 90 85 9995	037	—		099	52,59
	039	—		400	34,41
	099	51,97		...	78,89
	400	21,16	0406 90 87 9972	099	20,04
	...	77,95		400	13,67
			...	30,06	

Product code	Destination (*)	Amount of refund	Product code	Destination (*)	Amount of refund
0406 90 87 9973	037	—	2309 10 19 9100	+	—
	039	—	2309 10 19 9200	+	—
	099	47,08	2309 10 19 9300	+	—
	400	24,08	2309 10 19 9400	+	—
	...	70,62	2309 10 19 9500	+	—
0406 90 87 9974	037	—	2309 10 19 9600	+	—
	039	—	2309 10 19 9700	+	—
	099	52,59	2309 10 19 9800	+	—
	400	24,08	2309 10 70 9010	+	—
	...	78,89	2309 10 70 9100	+	13,85
0406 90 87 9979	037	—	2309 10 70 9200	+	18,47
	039	—	2309 10 70 9300	+	23,09
	099	45,64	2309 10 70 9500	+	27,70
	400	24,08	2309 10 70 9600	+	32,32
	...	68,46	2309 10 70 9700	+	36,94
0406 90 88 9100	+	—	2309 10 70 9800	+	40,63
0406 90 88 9105	037	—	2309 90 35 9010	+	—
	039	—	2309 90 35 9100	+	—
	099	52,46	2309 90 35 9200	+	—
	400	30,30	2309 90 35 9300	+	—
	...	78,69	2309 90 35 9400	+	—
0406 90 88 9300	037	—	2309 90 35 9500	+	—
	039	—	2309 90 35 9700	+	—
	099	31,84	2309 90 39 9010	+	—
	400	30,30	2309 90 39 9100	+	—
	...	47,77	2309 90 39 9200	+	—
2309 10 15 9010	+	—	2309 90 39 9300	+	—
2309 10 15 9100	+	—	2309 90 39 9400	+	—
2309 10 15 9200	+	—	2309 90 39 9500	+	—
2309 10 15 9300	+	—	2309 90 39 9600	+	—
2309 10 15 9400	+	—	2309 90 39 9700	+	—
2309 10 15 9500	+	—	2309 90 39 9800	+	—
2309 10 15 9700	+	—	2309 90 70 9010	+	—
2309 10 19 9010	+	—	2309 90 70 9100	+	13,85
			2309 90 70 9200	+	18,47
			2309 90 70 9300	+	23,09
			2309 90 70 9500	+	27,70
			2309 90 70 9600	+	32,32
			2309 90 70 9700	+	36,94
			2309 90 70 9800	+	40,63

(\*) The code numbers for the destinations are those set out in the Annex to Commission Regulation (EC) No 895/97 (OJ No L 128, 21. 5. 1997, p. 1).

However:

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

— '970' covers the exports referred to in Article 34 (1) (c) of Commission Regulation (EEC) No 3665/87 (OJ No L 351, 14. 12. 1987, p. 1).

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

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

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

**COMMISSION REGULATION (EC) No 1579/97**  
**of 5 August 1997**

**amending Regulation (EEC) No 2219/92 laying down detailed rules for the application of the specific supply arrangements for Madeira relating to milk products regarding the amounts of aid**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EEC) No 1600/92 of 15 June 1992 concerning specific measures for the Azores and Madeira relating to certain agricultural products<sup>(1)</sup>, as last amended by Regulation (EC) No 2348/96<sup>(2)</sup>, and in particular Article 10 thereof,

Whereas Commission Regulation (EEC) No 1696/92<sup>(3)</sup>, as last amended by Regulation (EEC) No 2596/93<sup>(4)</sup>, lays down in particular the detailed rules for the application of the specific arrangements for the supply of certain agricultural products to the Azores and Madeira;

Whereas Annex II to Regulation (EEC) No 2219/92 of 30 July 1992 laying down detailed rules for the application of the specific supply arrangements for Madeira relating to milk products and establishing the forecast supply balance<sup>(5)</sup>, as last amended by Regulation (EC) No 1271/97<sup>(6)</sup>, fixes the aid for milk products;

Whereas Commission Regulation (EC) No 1490/97 of 29 July 1997 amending Regulation (EEC) No 3846/87 es-

tablishing an agricultural product nomenclature for export refunds<sup>(7)</sup>, adjusts the nomenclature for export refunds on certain milk products; whereas Commission Regulation (EC) No 1578/97 of 5 August 1997 fixing the export refunds on milk and milk products<sup>(8)</sup>, fixes the refunds on those products; whereas Annex II to Regulation (EEC) No 2219/92 should be adapted to take account of those adjustments;

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*

Annex II to amended Regulation (EEC) No 2219/92 is hereby replaced by the Annex hereto.

*Article 2*

This Regulation shall enter into force on 6 August 1997.

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

Done at Brussels, 5 August 1997.

*For the Commission*

Monika WULF-MATHIES

*Member of the Commission*

<sup>(1)</sup> OJ No L 173, 27. 6. 1992, p. 1.

<sup>(2)</sup> OJ No L 320, 11. 12. 1996, p. 1.

<sup>(3)</sup> OJ No L 179, 1. 7. 1992, p. 6.

<sup>(4)</sup> OJ No L 238, 23. 9. 1993, p. 24.

<sup>(5)</sup> OJ No L 218, 1. 8. 1992, p. 75.

<sup>(6)</sup> OJ No L 174, 2. 7. 1997, p. 39.

<sup>(7)</sup> OJ No L 202, 30. 7. 1997, p. 24.

<sup>(8)</sup> See page 1 of this Official Journal.

## ANNEX

## ANNEX II

*(in ECU/100 kg weight, if no other indication)*

CN code	Description of goods	Product code	Notes	Amount of aid
0401	Milk and cream, not concentrated nor containing added sugar or other sweetening matter (1):			
0401 10	– Of a fat content, by weight, not exceeding 1 %:			
0401 10 10	– – In immediate packings of a net content not exceeding 2 litres	0401 10 10 9000	(1)	2,327
0401 10 90	– – Other	0401 10 90 9000	(1)	2,327
0401 20	– Of a fat content, by weight, exceeding 1 % but not exceeding 6 %:			
	– – Not exceeding 3 %:			
0401 20 11	– – – In immediate packings of a net content not exceeding 2 litres:			
	– Of a fat content, by weight, not exceeding 1,5 %	0401 20 11 9100	(1)	2,327
	– Of a fat content, by weight, exceeding 1,5 %	0401 20 11 9500	(1)	3,597
0401 20 19	– – – Other:			
	– Of a fat content, by weight, not exceeding 1,5 %	0401 20 19 9100	(1)	2,327
	– Of a fat content, by weight, exceeding 1,5 %	0401 20 19 9500	(1)	3,597
	– – Exceeding 3 %:			
0401 20 91	– – – In immediate packings of a net content not exceeding 2 litres:			
	– Of a fat content, by weight, not exceeding 4 %	0401 20 91 9100	(1)	4,551
	– Of a fat content, by weight, exceeding 4 %	0401 20 91 9500	(1)	5,302
0401 20 99	– – – Other:			
	– Of a fat content, by weight, not exceeding 4 %	0401 20 99 9100	(1)	4,551
	– Of a fat content, by weight, exceeding 4 %	0401 20 99 9500	(1)	5,302
0401 30	– Of a fat content, by weight, exceeding 6 %:			
	– – Not exceeding 21 %:			
0401 30 11	– – – In immediate packings of a net content not exceeding 2 litres:			
	– Of a fat content, by weight:			
	– Not exceeding 10 %	0401 30 11 9100	(1)	6,803
	– Exceeding 10 % but not exceeding 17 %	0401 30 11 9400	(1)	10,50
	– Exceeding 17 %	0401 30 11 9700	(1)	15,77
0401 30 19	– – – Other:			
	– Of a fat content, by weight:			
	– Not exceeding 10 %	0401 30 19 9100	(1)	6,803
	– Exceeding 10 % but not exceeding 17 %	0401 30 19 9400	(1)	10,50
	– Exceeding 17 %	0401 30 19 9700	(1)	15,77
	– – Exceeding 21 % but not exceeding 45 %:			

(in ECU/100 kg weight, if no other indication)

CN code	Description of goods	Product code	Notes	Amount of aid
0401 30 31	— — — In immediate packings of a net content not exceeding 2 litres:			
	— Of a fat content, by weight:			
	— Not exceeding 35 %	0401 30 31 9100	(1)	38,32
	— Exceeding 35 % but not exceeding 39 %	0401 30 31 9400	(1)	59,85
	— Exceeding 39 %	0401 30 31 9700	(1)	66,00
0401 30 39	— — — Other:			
	— Of a fat content, by weight:			
	— Not exceeding 35 %	0401 30 39 9100	(1)	38,32
	— Exceeding 35 % but not exceeding 39 %	0401 30 39 9400	(1)	59,85
	— Exceeding 39 %	0401 30 39 9700	(1)	66,00
	— — Exceeding 45 %:			
0401 30 91	— — — In immediate packings of a net content not exceeding 2 litres:			
	— Of a fat content, by weight:			
	— Not exceeding 68 %	0401 30 91 9100	(1)	75,22
	— Exceeding 68 % but not exceeding 80 %	0401 30 91 9400	(1)	110,55
	— Exceeding 80 %	0401 30 91 9700	(1)	129,01
0401 30 99	— — — Other:			
	— Of a fat content, by weight:			
	— Not exceeding 68 %	0401 30 99 9100	(1)	75,22
	— Exceeding 68 % but not exceeding 80 %	0401 30 99 9400	(1)	110,55
	— Exceeding 80 %	0401 30 99 9700	(1)	129,01
ex 0402	Skimmed-milk powder of a fat content, by weight, not exceeding 1,5 %	0402 10 11 9000 0402 10 19 9000	(2)	59,85
ex 0402	Whole milk powder of a fat content, by weight, not exceeding 27 %	0402 21 11 9900 0402 21 19 9900	(2)	102,60
0402 21 11	— — — — In immediate packings of a net content not exceeding 2,5 kg:			
	— Of a fat content, by weight:			
	— Not exceeding 11 %	0402 21 11 9200	(2)	59,85
	— Exceeding 11 % but not exceeding 17 %	0402 21 11 9300	(2)	90,54
	— Exceeding 17 % but not exceeding 25 %	0402 21 11 9500	(2)	95,38
	— Exceeding 25 %	0402 21 11 9900	(2)	102,60
	— — — — Other:			
0402 21 19	— — — — — Of a fat content, by weight, exceeding 11 % but not exceeding 27 %:			
	— Not exceeding 17 %	0402 21 19 9300	(2)	90,54
	— Exceeding 17 % but not exceeding 25 %	0402 21 19 9500	(2)	95,38
	— Exceeding 25 %	0402 21 19 9900	(2)	102,60
	— — — Of a fat content, by weight, exceeding 27 %:			

(in ECU/100 kg weight, if no other indication)

CN code	Description of goods	Product code	Notes	Amount of aid
ex 0405	Butter and other fats and oils derived from milk; dairy spreads:			
0405 10	– Butter:			
	– – Of a fat content, by weight, not exceeding 85 %:			
	– – – Natural butter:			
0405 10 11	– – – – In immediate packings of a net content not exceeding 1 kg:			
	– – – – – Of a fat content by weight:			
	– – – – – – Of 80 % or more but less than 82 %	0405 10 11 9500		176,10
	– – – – – – Of 82 % or more	0405 10 11 9700		180,50
0405 10 19	– – – – Other:			
	– – – – – Of a fat content by weight:			
	– – – – – – Of 80 % or more but less than 82 %	0405 10 19 9500		176,10
	– – – – – – Of 82 % or more	0405 10 19 9700		180,50
0405 10 30	– – – Recombined butter:			
	– – – – In immediate packings of a net content not exceeding 1 kg:			
	– – – – – Of a fat content by weight:			
	– – – – – – Of 80 % or more but less than 82 %	0405 10 30 9100		176,10
	– – – – – – Of 82 % or more	0405 10 30 9300		180,50
	– – – – Other:			
	– – – – – Of a fat content by weight:			
	– – – – – – Of 80 % or more but less than 82 %	0405 10 30 9500		176,10
	– – – – – – Of 82 % or more	0405 10 30 9700		180,50
0405 10 50	– – – Whey butter:			
	– – – – In immediate packings of a net content not exceeding 1 kg:			
	– – – – – Of a fat content by weight:			
	– – – – – – Of 80 % or more but less than 82 %	0405 10 50 9100		176,10
	– – – – – – Of 82 % or more	0405 10 50 9300		180,50
	– – – – Other:			
	– – – – – Of a fat content by weight:			
	– – – – – – Of 80 % or more but less than 82 %	0405 10 50 9500		176,10
	– – – – – – Of 82 % or more	0405 10 50 9700		180,50
0405 10 90	– – Other	0405 10 90 9000		187,10
ex 0405 20	– Dairy spreads:			
0405 20 90	– – Of a fat content by weight of more than 75 % but less than 80 %:			
	– – – Of a fat content by weight:			
	– – – – Of more than 75 % but less than 78 %	0405 20 90 9500		165,09
	– – – – Of 78 % or more	0405 20 90 9700		171,69
0405 90	– Other:			
0405 90 10	– – Of a fat content by weight of 99,3 % or more and of a water content by weight not exceeding 0,5 %:	0405 90 10 9000		228,00
0405 90 90	– – Other	0405 90 90 9000		180,50

(in ECU/100 kg weight, if no other indication)

CN code	Description of goods	Additional requirements for using the product code		Product code	Notes	Amount of aid
		Maximum water content in product weight (%)	Minimum fat content in the dry matter (%)			
ex 0406	Cheese and curd <sup>(1)</sup> :					
ex 0406 90 23	— — — Edam	47	40	0406 90 23 9900	( <sup>1</sup> )	68,46
ex 0406 90 25	— — — Tilsit	47	45	0406 90 25 9900	( <sup>1</sup> )	69,32
ex 0406 90 76	— — — — — Danbo, Fontal, Fontina, Fynbo, Havarti, Maribo, Samsøe:					
	— — — — — — Of a fat content, by weight, in the dry matter of 45 % or more but less than 55 %:					
	— — — — — — — Of a dry matter content, by weight, of 50 % or more but less than 56 %	50	45	0406 90 76 9300	( <sup>1</sup> )	65,40
	— — — — — — — Of a dry matter content, by weight, of 56 % or more	44	45	0406 90 76 9400	( <sup>1</sup> )	75,14
	— — — — — — — Of a fat content, by weight, in the dry matter of 55 % or more	46	55	0406 90 76 9500	( <sup>1</sup> )	72,38
ex 0406 90 78	— — — — — Gouda:					
	— — — — — — Of a fat content, by weight, in the dry matter of less than 48 %	50	20	0406 90 78 9100	( <sup>1</sup> )	61,36
	— — — — — — — Of a fat content by weight, in the dry matter of 48 % or more but less than 55 %	45	48	0406 90 78 9300	( <sup>1</sup> )	75,14
	— — — — — — — Other	45	55	0406 90 78 9500	( <sup>1</sup> )	75,14
ex 0406 90 79	— — — — — Esrom, Italico, Kernhem, Saint-Nectaire, Saint-Paulin, Taleggio	56	40	0406 90 79 9900	( <sup>1</sup> )	56,83
ex 0406 90 81	— — — — — Cantal, Cheshire, Wensleydale, Lancashire, Double Gloucester, Blarney, Colby, Monterey	44	45	0406 90 81 9900	( <sup>1</sup> )	80,57
ex 0406 90 86	— — — — — — Exceeding 47 % but not exceeding 52 %:					
	— — — — — — — cheeses produced from whey			0406 90 86 9100		—
	— — — — — — — Other, of a fat content, by weight, in the dry matter:					
	— — — — — — — — Of less than 5 %	52		0406 90 86 9200	( <sup>1</sup> )	55,76
	— — — — — — — — Of 5 % or more but less than 19 %	51	5	0406 90 86 9300	( <sup>1</sup> )	57,71
	— — — — — — — — Of 19 % or more but less than 39 %	47	19	0406 90 86 9400	( <sup>1</sup> )	64,84
	— — — — — — — — Of 39 % or more	40	39	0406 90 86 9900	( <sup>1</sup> )	82,13
ex 0406 90 87	— — — — — — Exceeding 52 % but not exceeding 62 %:					
	— — — — — — — cheeses produced from whey, except for Manouri			0406 90 87 9100		—
	— — — — — — — Other, of a fat content, by weight, in the dry matter:					
	— — — — — — — — Of less than 5 %	60		0406 90 87 9200	( <sup>1</sup> )	46,46
	— — — — — — — — Of 5 % or more but less than 19 %	55	5	0406 90 87 9300	( <sup>1</sup> )	53,01
	— — — — — — — — Of 19 % or more but less than 40 %	53	19	0406 90 87 9400	( <sup>1</sup> )	57,50



(in ECU/100 kg weight, if no other indication)

CN code	Description of goods	Additional requirements for using the product code		Product code	Notes	Amount of aid
		Maximum water content in product weight (%)	Minimum fat content in the dry matter (%)			
ex 0406 90 87 (cont'd.)	----- Of 40 % or more:					
	----- Idiazabal, Manchego and Roncal manufactured exclusively from sheep's milk	45	45	0406 90 87 9951	( <sup>1</sup> )	79,13
	----- Maasdam	45	45	0406 90 87 9971	( <sup>1</sup> )	78,89
	----- Manouri	43	53	0406 90 87 9972	( <sup>1</sup> )	30,06
	----- Hushallsost	46	45	0406 90 87 9973	( <sup>1</sup> )	70,62
	----- Murukoloinen	41	50	0406 90 87 9974	( <sup>1</sup> )	78,89
	----- Other:	47	40	0406 90 87 9979	( <sup>1</sup> )	68,46
ex 0406 90 88	----- Exceeding 62 % but not exceeding 72 %:					
	----- cheeses produced from whey			0406 90 88 9100		—
	----- Other:					
	----- Other:					
	----- Of a fat content, by weight, in the dry matter:					
	----- Of 10 % or more but less than 19 %	60	10	0406 90 88 9300	( <sup>1</sup> )	47,77

(<sup>1</sup>) When the product falling within this subheading is a mixture containing added whey and/or added lactose and/or casein and/or caseinates, no aid shall be granted.

When completing customs formalities, the applicant shall state on the declaration provided for this purpose, whether or not whey and/or lactose and/or casein and/or caseinates have been added to the product.

(<sup>2</sup>) The weight of the added non-lactic matter and/or added whey and/or added lactose and/or added casein and/or added caseinates shall not be taken into account for the purpose of calculation of the fat content by weight. When the product falling within this subheading is a mixture containing added whey and/or added lactose and/or added casein and/or added caseinates, the whey and/or added casein and/or caseinates shall not be taken into account in the added calculation of the amount of aid.

When completing customs formalities, the applicant shall state, on the declaration provided for this purpose, whether or not whey and/or lactose and/or casein and/or caseinates have been added, and where this is the case:

- the actual content by weight of whey and/or lactose and/or casein and/or caseinates added per 100 kilograms of finished product, and in particular,
- the lactose content of the added whey.

(<sup>3</sup>) In the case of cheeses presented in containers which also contain conserving liquid, in particular brine, the aid is granted on the net weight, the weight of the liquid being deducted.

(<sup>4</sup>) The weight of added non-lactic matter and/or added whey and/or added lactose and/or added casein and/or added caseinates shall not be taken into account for the purpose of calculation of the fat content, by weight.

The aid per 100 kilograms of product falling within this subheading shall be equal to the sum of the following components:

- (a) the amount per kilogram shown, multiplied by the weight of the lactic part contained in 100 kilograms of product; however, where whey and/or lactose and/or casein and/or caseinates have been added to the product, the amount per kilogram shown shall be multiplied by the weight of lactic part excluding the weight of added whey and/or added lactose and/or added caseinates, contained in 100 kilograms of product;
- (b) a component calculated in accordance with the provisions of Article 12 (3) of amended Regulation (EC) No 1466/95 (OJ No L 144, 28. 6. 1995, p. 22).

When completing customs formalities, the applicant shall state, on the declaration provided for this purpose, whether or not whey and/or lactose and/or casein and/or caseinates have been added, and where this is the case:

- the actual content by weight of whey and/or lactose and/or casein and/or caseinates added per 100 kilograms of finished products, and in particular,
- the lactose content of the added whey.

**COMMISSION REGULATION (EC) No 1580/97**  
of 5 August 1997

**amending Regulation (EC) No 2993/94 fixing the aid for the supply of milk products to the Canary Islands under the arrangements provided for in Articles 2 to 4 of Council Regulation (EEC) No 1601/92**

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

Having regard to Council Regulation (EEC) No 1601/92 of 15 June 1992 concerning specific measures for the Canary Islands with regard to certain agricultural products<sup>(1)</sup>, as last amended by Regulation (EC) No 2348/96<sup>(2)</sup>, and in particular Article 3 (4) thereof,

Whereas Commission Regulation (EC) No 2790/94<sup>(3)</sup>, as amended by Regulation (EC) No 2883/94<sup>(4)</sup>, lays down in particular the detailed rules for the application of the specific arrangements for the supply of certain agricultural products to the Canary Islands;

Whereas Commission Regulation (EC) No 2993/94<sup>(5)</sup>, as last amended by Regulation (EC) No 1173/97<sup>(6)</sup>, fixed the amount of aid for milk products;

Whereas Commission Regulation (EC) No 1490/97 of 29 July 1997, amending Regulation (EEC) No 3846/87 establishing an agricultural product nomenclature for export refunds<sup>(7)</sup>, adjusts the nomenclature for export refunds on

certain milk products; whereas Commission Regulation (EC) No 1578/97 of 5 August 1997 fixing the export refunds on milk and milk products<sup>(8)</sup>, fixes the refunds on those products; whereas the Annex to Regulation (EC) No 2993/94 should be adapted to take account of those adjustments;

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

HAS ADOPTED THIS REGULATION:

*Article 1*

The Annex to amended Regulation (EC) No 2993/94 is hereby replaced by the Annex hereto.

*Article 2*

This Regulation shall enter into force on 6 August 1997.

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

Done at Brussels, 5 August 1997.

*For the Commission*

Monika WULF-MATHIES

*Member of the Commission*

<sup>(1)</sup> OJ No L 173, 27. 6. 1992, p. 13.

<sup>(2)</sup> OJ No L 320, 11. 12. 1996, p. 1.

<sup>(3)</sup> OJ No L 296, 17. 11. 1994, p. 23.

<sup>(4)</sup> OJ No L 304, 29. 11. 1994, p. 18.

<sup>(5)</sup> OJ No L 316, 9. 12. 1994, p. 11.

<sup>(6)</sup> OJ No L 169, 27. 6. 1997, p. 42.

<sup>(7)</sup> OJ No L 202, 30. 7. 1997, p. 24.

<sup>(8)</sup> See page 1 of this Official Journal.

## ANNEX

(in ECU/100 kg weight, if no other indication)

CN code	Description of goods	Product code	Notes	Amount of aid
0401	Milk and cream, not concentrated nor containing added sugar or other sweetening matter <sup>(1)</sup> :			
0401 10	– Of a fat content, by weight, not exceeding 1 %:			
0401 10 10	– – In immediate packings of a net content not exceeding 2 litres	0401 10 10 9000	( <sup>1</sup> )	2,327
0401 10 90	– – Other	0401 10 90 9000	( <sup>1</sup> )	2,327
0401 20	– Of a fat content, by weight, exceeding 1 % but not exceeding 6 %:			
	– – Not exceeding 3 %:			
0401 20 11	– – – In immediate packings of a net content not exceeding 2 litres:			
	– Of a fat content, by weight, not exceeding 1,5 %	0401 20 11 9100	( <sup>1</sup> )	2,327
	– Of a fat content, by weight, exceeding 1,5 %	0401 20 11 9500	( <sup>1</sup> )	3,597
0401 20 19	– – – Other:			
	– Of a fat content, by weight, not exceeding 1,5 %	0401 20 19 9100	( <sup>1</sup> )	2,327
	– Of a fat content, by weight, exceeding 1,5 %	0401 20 19 9500	( <sup>1</sup> )	3,597
	– – Exceeding 3 %:			
0401 20 91	– – – In immediate packings of a net content not exceeding 2 litres:			
	– Of a fat content, by weight, not exceeding 4 %	0401 20 91 9100	( <sup>1</sup> )	4,551
	– Of a fat content, by weight, exceeding 4 %	0401 20 91 9500	( <sup>1</sup> )	5,302
0401 20 99	– – – Other:			
	– Of a fat content, by weight, not exceeding 4 %	0401 20 99 9100	( <sup>1</sup> )	4,551
	– Of a fat content, by weight, exceeding 4 %	0401 20 99 9500	( <sup>1</sup> )	5,302
0401 30	– Of a fat content, by weight, exceeding 6 %:			
	– – Not exceeding 21 %:			
0401 30 11	– – – In immediate packings of a net content not exceeding 2 litres:			
	– Of a fat content, by weight:			
	– Not exceeding 10 %	0401 30 11 9100	( <sup>1</sup> )	6,803
	– Exceeding 10 % but not exceeding 17 %	0401 30 11 9400	( <sup>1</sup> )	10,50
	– Exceeding 17 %	0401 30 11 9700	( <sup>1</sup> )	15,77
0401 30 19	– – – Other:			
	– Of a fat content, by weight:			
	– Not exceeding 10 %	0401 30 19 9100	( <sup>1</sup> )	6,803
	– Exceeding 10 % but not exceeding 17 %	0401 30 19 9400	( <sup>1</sup> )	10,50
	– Exceeding 17 %	0401 30 19 9700	( <sup>1</sup> )	15,77
	– – Exceeding 21 % but not exceeding 45 %:			
0401 30 31	– – – In immediate packings of a net content not exceeding 2 litres:			
	– Of a fat content, by weight:			
	– Not exceeding 35 %	0401 30 31 9100	( <sup>1</sup> )	38,32
	– Exceeding 35 % but not exceeding 39 %	0401 30 31 9400	( <sup>1</sup> )	59,85
	– Exceeding 39 %	0401 30 31 9700	( <sup>1</sup> )	66,00

(in ECU/100 kg weight, if no other indication)

CN code	Description of goods	Product code	Notes	Amount of aid
0401 30 39	— — — Other:			
	— Of a fat content, by weight:			
	— Not exceeding 35 %	0401 30 39 9100	( <sup>1</sup> )	38,32
	— Exceeding 35 % but not exceeding 39 %	0401 30 39 9400	( <sup>1</sup> )	59,85
	— Exceeding 39 %	0401 30 39 9700	( <sup>1</sup> )	66,00
	— — Exceeding 45 %:			
0401 30 91	— — — In immediate packings of a net content not exceeding 2 litres:			
	— Of a fat content, by weight:			
	— Not exceeding 68 %	0401 30 91 9100	( <sup>1</sup> )	75,22
	— Exceeding 68 % but not exceeding 80 %	0401 30 91 9400	( <sup>1</sup> )	110,55
	— Exceeding 80 %	0401 30 91 9700	( <sup>1</sup> )	129,01
0401 30 99	— — — Other:			
	— Of a fat content, by weight:			
	— Not exceeding 68 %	0401 30 99 9100	( <sup>1</sup> )	75,22
	— Exceeding 68 % but not exceeding 80 %	0401 30 99 9400	( <sup>1</sup> )	110,55
	— Exceeding 80 %	0401 30 99 9700	( <sup>1</sup> )	129,01
0402	Milk and cream, concentrated or containing added sugar or other sweetening matter:			
0402 10	— In powder, granules or other solid forms, of a fat content, by weight, not exceeding 1,5 % (?):			
	— — Not containing added sugar or other sweetening matter (?):			
0402 10 11	— — — In immediate packings of a net content not exceeding 2,5 kg	0402 10 11 9000	( <sup>2</sup> )	59,85
0402 10 19	— — — Other	0402 10 19 9000	( <sup>2</sup> )	59,85
	— — Other (?):			
0402 10 91	— — — In immediate packings of a net content not exceeding 2,5 kg	0402 10 91 9000	( <sup>3</sup> )	0,5985
0402 10 99	— — — Other	0402 10 99 9000	( <sup>3</sup> )	0,5985
	— In powder, granules or other solid forms, of a fat content, by weight, exceeding 1,5 % (?):			
0402 21	— — Not containing added sugar or other sweetening matter (?):			
	— — — Of a fat content, by weight, not exceeding 27 %:			
0402 21 11	— — — — In immediate packings of a net content not exceeding 2,5 kg:			
	— Of a fat content, by weight:			
	— Not exceeding 11 %	0402 21 11 9200	( <sup>2</sup> )	59,85
	— Exceeding 11 % but not exceeding 17 %	0402 21 11 9300	( <sup>2</sup> )	90,54
	— Exceeding 17 % but not exceeding 25 %	0402 21 11 9500	( <sup>2</sup> )	95,38
	— Exceeding 25 %	0402 21 11 9900	( <sup>2</sup> )	102,60
	— — — — Other:			
0402 21 17	— — — — — Of a fat content, by weight, not exceeding 11 %	0402 21 17 9000	( <sup>2</sup> )	59,85
0402 21 19	— — — — — Of a fat content, by weight, exceeding 11 % but not exceeding 27 %:			
	— Not exceeding 17 %	0402 21 19 9300	( <sup>3</sup> )	90,54
	— Exceeding 17 % but not exceeding 25 %	0402 21 19 9500	( <sup>2</sup> )	95,38
	— Exceeding 25 %	0402 21 19 9900	( <sup>2</sup> )	102,60
	— — — — — Of a fat content, by weight, exceeding 27 %:			

(in ECU/100 kg weight, if no other indication)

CN code	Description of goods	Product code	Notes	Amount of aid
0402 21 91	-- -- -- In immediate packings of a net content not exceeding 2,5 kg:			
	-- Of a fat content, by weight:			
	-- Not 28 %	0402 21 91 9100	(2)	103,34
	-- Exceeding 28 % but not exceeding 29 %	0402 21 91 9200	(2)	104,05
	-- Exceeding 29 % but not exceeding 41 %	0402 21 91 9300	(2)	105,34
	-- Exceeding 41 % but not exceeding 45 %	0402 21 91 9400	(2)	112,58
	-- Exceeding 45 % but not exceeding 59 %	0402 21 91 9500	(2)	115,09
	-- Exceeding 59 % but not exceeding 69 %	0402 21 91 9600	(2)	124,73
	-- Exceeding 69 % but not exceeding 79 %	0402 21 91 9700	(2)	130,38
	-- Exceeding 7 %	0402 21 91 9900	(2)	136,76
0402 21 99	-- -- -- Other:			
	-- Of a fat content, by weight:			
	-- Not exceeding 28 %	0402 21 99 9100	(2)	103,34
	-- Exceeding 28 % but not exceeding 29 %	0402 21 99 9200	(2)	104,05
	-- Exceeding 29 % but not exceeding 41 %	0402 21 99 9300	(2)	105,34
	-- Exceeding 41 % but not exceeding 45 %	0402 21 99 9400	(2)	112,58
	-- Exceeding 45 % but not exceeding 59 %	0402 21 99 9500	(2)	115,09
	-- Exceeding 59 % but not exceeding 69 %	0402 21 99 9600	(2)	124,73
	-- Exceeding 69 % but not exceeding 79 %	0402 21 99 9700	(2)	130,38
	-- Exceeding 79 %	0402 21 99 9900	(2)	136,76
ex 0402 29	-- -- Other <sup>(1)</sup> :			
	-- -- -- Of a fat content, by weight, not exceeding 27 %:			
	-- -- -- Other:			
0402 29 15	-- -- -- -- In immediate packings of a net content not exceeding 2,5 kg:			
	-- Of a fat content, by weight:			
	-- Not exceeding 11 %	0402 29 15 9200	(3)	0,5985
	-- Exceeding 11 % but not exceeding 17 %	0402 29 15 9300	(3)	0,9054
	-- Exceeding 17 % but not exceeding 25 %	0402 29 15 9500	(3)	0,9538
	-- Exceeding 25 %	0402 29 15 9900	(3)	1,0262
0402 29 19	-- -- -- -- Other:			
	-- Of a fat content, by weight:			
	-- Not exceeding 11 %	0402 29 19 9200	(3)	0,5985
	-- Exceeding 11 % but not exceeding 17 %	0402 29 19 9300	(3)	0,9054
	-- Exceeding 17 % but not exceeding 25 %	0402 29 19 9500	(3)	0,9538
	-- Exceeding 25 %	0402 29 19 9900	(3)	1,0262
	-- -- -- Of a fat content, by weight, exceeding 27 %:			
0402 29 91	-- -- -- -- In immediate packings of a net content not exceeding 2,5 kg:			
	-- Of a fat content, by weight:			
	-- Not exceeding 41 %	0402 29 91 9100	(3)	1,0334
	-- Exceeding 41 %	0402 29 91 9500	(3)	1,1258
0402 29 99	-- -- -- -- Other:			
	-- Of a fat content, by weight:			
	-- Not exceeding 41 %	0402 29 99 9100	(3)	1,0334
	-- Exceeding 41 %	0402 29 99 9500	(3)	1,1258

(in ECU/100 kg weight, if no other indication)

CN code	Description of goods	Product code	Notes	Amount of aid
	– Other:			
0402 91	– – Not containing added sugar or other sweetening matter <sup>(2)</sup> :			
	– – – Of a fat content, by weight, not exceeding 8 %:			
0402 91 11	– – – – In immediate packings of a net content not exceeding 2,5 kg:			
	– Of a non-fat lactic dry matter content:			
	– Of less than 15 % and of a fat content, by weight:			
	– Not exceeding 3 %	0402 91 11 9110	<sup>(2)</sup>	2,327
	– Exceeding 3 %	0402 91 11 9120	<sup>(2)</sup>	4,551
	– Of 15 % or more and of a fat content, by weight:			
	– Not exceeding 3 %	0402 91 11 9310	<sup>(2)</sup>	13,30
	– Exceeding 3 % but not exceeding 7,4 %	0402 91 11 9350	<sup>(2)</sup>	16,29
	– Exceeding 7,4 %	0402 91 11 9370	<sup>(2)</sup>	19,81
0402 91 19	– – – – Other:			
	– Of a non-fat lactic dry matter content:			
	– Of less than 15 % and of a fat content, by weight:			
	– Not exceeding 3 %	0402 91 19 9110	<sup>(2)</sup>	2,327
	– Exceeding 3 %	0402 91 19 9120	<sup>(2)</sup>	4,551
	– Of 15 % or more and of a fat content, by weight:			
	– Not exceeding 3 %	0402 91 19 9310	<sup>(2)</sup>	13,30
	– Exceeding 3 % but not exceeding 7,4 %	0402 91 19 9350	<sup>(2)</sup>	16,29
	– Exceeding 7,4 %	0402 91 19 9370	<sup>(2)</sup>	19,81
	– – – Of a fat content, by weight, exceeding 8 % but not exceeding 10 %:			
0402 91 31	– – – – In immediate packings of a net content not exceeding 2,5 kg:			
	– Of a non-fat lactic dry matter content:			
	– Of less than 15 %	0402 91 31 9100	<sup>(2)</sup>	8,991
	– Of 15 % or more	0402 91 31 9300	<sup>(2)</sup>	23,42
0402 91 39	– – – – Other:			
	– Of a non-fat lactic dry matter content:			
	– Of less than 15 %	0402 91 39 9100	<sup>(2)</sup>	8,991
	– Of 15 % or more	0402 91 39 9300	<sup>(2)</sup>	23,42
	– – – Of a fat content, by weight, exceeding 10 % but not exceeding 45 %:			
0402 91 51	– – – – In immediate packings of a net content not exceeding 2,5 kg	0402 91 51 9000	<sup>(2)</sup>	10,50
0402 91 59	– – – – Other	0402 91 59 9000	<sup>(2)</sup>	10,50
	– – – Of a fat content, by weight, exceeding 45 %:			
0402 91 91	– – – – In immediate packings of a net content not exceeding 2,5 kg	0402 91 91 9000	<sup>(2)</sup>	75,22
0402 91 99	– – – – Other	0402 91 99 9000	<sup>(2)</sup>	75,22

(in ECU/100 kg weight, if no other indication)

CN code	Description of goods	Product code	Notes	Amount of aid
0402 99	– – Other:			
	– – – Of a fat content, by weight, not exceeding 9,5 %:			
0402 99 11	– – – – In immediate packings of a net content not exceeding 2,5 kg:			
	– Of a non-fat lactic dry matter content of less than 15 % and of a fat content, by weight <sup>(3)</sup> :			
	– Not exceeding 3 %	0402 99 11 9110	(3)	0,0233
	– Exceeding 3 % but not exceeding 6,9 %	0402 99 11 9130	(3)	0,0456
	– Exceeding 6,9 %	0402 99 11 9150	(3)	0,1269
	– Of a non-fat lactic dry matter content of 15 % or more and of a fat content, by weight <sup>(4)</sup> :			
	– Not exceeding 3 %	0402 99 11 9310	(4)	15,33
	– Exceeding 3 % but not exceeding 6,9 %	0402 99 11 9330	(4)	18,40
	– Exceeding 6,9 %	0402 99 11 9350	(4)	24,46
0402 99 19	– – – – Other:			
	– Of a non-fat lactic dry matter content of less than 15 % and of a fat content, by weight <sup>(3)</sup> :			
	– Not exceeding 3 %	0402 99 19 9110	(3)	0,0233
	– Exceeding 3 % but not exceeding 6,9 %	0402 99 19 9130	(3)	0,0456
	– Exceeding 6,9 %	0402 99 19 9150	(3)	0,1269
	– Of a non-fat lactic dry matter content of 15 % or more and of a fat content, by weight <sup>(4)</sup> :			
	– Not exceeding 3 %	0402 99 19 9310	(4)	15,33
	– Exceeding 3 % but not exceeding 6,9 %	0402 99 19 9330	(4)	18,40
	– Exceeding 6,9 %	0402 99 19 9350	(4)	24,46
	– – – Of a fat content, by weight, exceeding 9,5 % but not exceeding 45 %:			
0402 99 31	– – – – In immediate packings not exceeding 2,5 kg:			
	– Of a fat content, by weight, not exceeding 21 %:			
	– Of a non-fat lactic dry matter content, by weight, of less than 15 % <sup>(3)</sup>	0402 99 31 9110	(3)	0,0975
	– Of a non-fat lactic dry matter content, by weight, of 15 % or more <sup>(4)</sup>	0402 99 31 9150	(4)	25,47
	– Of a fat content, by weight, exceeding 21 % but not exceeding 39 % <sup>(3)</sup>	0402 99 31 9300	(3)	0,3832
	– Of a fat content, by weight, exceeding 39 % <sup>(3)</sup>	0402 99 31 9500	(3)	0,6600
0402 99 39	– – – – Other:			
	– Of a fat content, by weight, not exceeding 21 %:			
	– Of a non-fat lactic dry matter content, by weight, of less than 15 % <sup>(3)</sup>	0402 99 39 9110	(3)	0,0975
	– Of a non-fat lactic dry matter content, by weight, of 15 % or more <sup>(4)</sup>	0402 99 39 9150	(4)	25,97
	– Of a fat content, by weight, exceeding 21 % but not exceeding 39 % <sup>(3)</sup>	0402 99 39 9300	(3)	0,3832
	– Of a fat content, by weight, exceeding 39 % <sup>(3)</sup>	0402 99 39 9500	(3)	0,6600

(in ECU/100 kg weight, if no other indication)

CN code	Description of goods	Product code	Notes	Amount of aid
	— — — Of a fat content, by weight, exceeding 45 %:			
0402 99 91	— — — — In immediate packings not exceeding 2,5 kg <sup>(2)</sup>	0402 99 91 9000	(2)	0,7522
0402 99 99	— — — — Other <sup>(2)</sup>	0402 99 99 9000	(2)	0,7522
ex 0405	Butter and other fats and oils derived from milk; dairy spreads:			
0405 10	— Butter:			
	— — Of a fat content, by weight, not exceeding 85 %:			
	— — — Natural butter:			
0405 10 11	— — — — In immediate packings of a net content not exceeding 1 kg:			
	— — — — — Of a fat content by weight:			
	— — — — — — Of 80 % or more but less than 82 %	0405 10 11 9500		176,10
	— — — — — — Of 82 % or more	0405 10 11 9700		180,50
0405 10 19	— — — — — Other:			
	— — — — — — Of a fat content by weight:			
	— — — — — — — Of 80 % or more but less than 82 %	0405 10 19 9500		176,10
	— — — — — — — Of 82 % or more	0405 10 19 9700		180,50
0405 10 30	— — — — — Recombined butter:			
	— — — — — — In immediate packings of a net content not exceeding 1 kg:			
	— — — — — — — Of a fat content by weight:			
	— — — — — — — — Of 80 % or more but less than 82 %	0405 10 30 9100		176,10
	— — — — — — — — Of 82 % or more	0405 10 30 9300		180,50
	— — — — — — — Other:			
	— — — — — — — — Of a fat content by weight:			
	— — — — — — — — — Of 80 % or more but less than 82 %	0405 10 30 9500		176,10
	— — — — — — — — — Of 82 % or more	0405 10 30 9700		180,50
0405 10 50	— — — — — Whey butter:			
	— — — — — — In immediate packings of a net content not exceeding 1 kg:			
	— — — — — — — Of a fat content by weight:			
	— — — — — — — — Of 80 % or more but less than 82 %	0405 10 50 9100		176,10
	— — — — — — — — Of 82 % or more	0405 10 50 9300		180,50
	— — — — — — — Other:			
	— — — — — — — — Of a fat content by weight:			
	— — — — — — — — — Of 80 % or more but less than 82 %	0405 10 50 9500		176,10
	— — — — — — — — — Of 82 % or more	0405 10 50 9700		180,50
0405 10 90	— — — Other	0405 10 90 9000		187,10
ex 0405 20	— Dairy spreads:			
0405 20 90	— — Of a fat content by weight of more than 75 % but less than 80 %:			
	— — — Of a fat content by weight:			
	— — — — Of more than 75 % but less than 78 %	0405 20 90 9500		165,09
	— — — — Of 78 % or more	0405 20 90 9700		171,69
0405 90	— Other:			
0405 90 10	— — Of a fat content by weight of 99,3 % or more and of a water content by weight not exceeding 0,5 %:	0405 90 10 9000		228,00
0405 90 90	— — Other	0405 90 90 9000		180,50



(in ECU/100 kg weight, if no other indication)

CN code	Description of goods	Additional requirements for using the product code		Product code	Notes	Amount of aid
		Maximum water content in product weight (%)	Minimum fat content in the dry matter (%)			
ex 0406	Cheese and curd <sup>(1)</sup> :					
ex 0406 30	– Processed cheese, not grated or powdered <sup>(*)</sup> :					
	– – Other:					
	– – – Of a fat content, by weight, not exceeding 36 % and of a fat content, by weight, in the dry matter:					
ex 0406 30 31	– – – – Not exceeding 48 %:					
	– – – – – Of a dry matter content, by weight:					
	– – – – – – Of 40 % or more but less than 43 %, and of a fat content, by weight, in the dry matter:					
	– – – – – – – Of less than 20 %	60		0406 30 31 9710	( <sup>1</sup> )	17,88
	– – – – – – – Of 20 % or more	60	20	0406 30 31 9730	( <sup>1</sup> )	26,24
	– – – – – – – Of 43 % or more and with a fat content, by weight, in the dry matter:					
	– – – – – – – – Of less than 20 %	57		0406 30 31 9910	( <sup>1</sup> )	17,88
	– – – – – – – – Of 20 % or more but less than 40 %	57	20	0406 30 31 9930	( <sup>1</sup> )	26,24
	– – – – – – – – Of 40 % or more	57	40	0406 30 31 9950	( <sup>1</sup> )	38,17
ex 0406 30 39	– – – – Exceeding 48 %:					
	– – – – – Of a dry matter, content, by weight:					
	– – – – – – Of 40 % or more but less than 43 %	60	48	0406 30 39 9500	( <sup>1</sup> )	26,24
	– – – – – – – Of 43 % or more but less than 46 %	57	48	0406 30 39 9700	( <sup>1</sup> )	38,17
	– – – – – – – – Of 46 % or more and with a fat content, by weight, in the dry matter:					
	– – – – – – – – – Of less than 55 %	54	48	0406 30 39 9930	( <sup>1</sup> )	38,17
	– – – – – – – – – Of 55 % or more	54	55	0406 30 39 9950	( <sup>1</sup> )	43,16
ex 0406 30 90	– – – – Of a list content exceeding 36 %	54	79	0406 30 90 9000	( <sup>1</sup> )	45,28
ex 0406 90 23	– – – Edam	47	40	0406 90 23 9900	( <sup>1</sup> )	68,46
ex 0406 90 25	– – – Tilsit	47	45	0406 90 25 9900	( <sup>1</sup> )	69,32
ex 0406 90 27	– – – Butterkäse	52	45	0406 90 27 9900	( <sup>1</sup> )	62,78
ex 0406 90 76	– – – – – Danbo, Fontal, Fontina, Fynbo, Havarti, Maribo, Samsøe:					
	– – – – – – – Of a fat content, by weight, in the dry matter of 45 % or more but less than 55 %:					
	– – – – – – – – Of a dry matter content, by weight, of 50 % or more but less than 56 %	50	45	0406 90 76 9300	( <sup>1</sup> )	65,40
	– – – – – – – – – Of a dry matter content, by weight, of 56 % or more	46	55	0406 90 76 9400	( <sup>1</sup> )	75,14
	– – – – – – – – – – Of a fat content, by weight, in the dry matter of 55 % or more	46	55	0406 90 76 9500	( <sup>1</sup> )	72,38

(in ECU/100 kg weight, if no other indication)

CN code	Description of goods	Additional requirements for using the product code		Product code	Notes	Amount of aid
		Maximum water content in product weight (%)	Minimum fat content in the dry matter (%)			
ex 0406 90 78	----- Gouda:					
	----- Of a fat content, by weight, in the dry matter of less than 48 %	50	20	0406 90 78 9100	( <sup>1</sup> )	61,36
	----- Of a fat content by weight, in the dry matter of 48 % or more but less 55 %	45	48	0406 90 78 9300	( <sup>1</sup> )	75,14
	----- Other	45	55	0406 90 78 9500	( <sup>1</sup> )	75,14
ex 0406 90 79	----- Esrom, Italice, Kernhem, Saint-Nectaire, Saint-Paulin, Taleggio	56	40	0406 90 79 9900	( <sup>1</sup> )	56,83
ex 0406 90 81	----- Cantal, Cheshire, Wensleydale, Lancashire, Double Gloucester, Blarney, Colby, Monterey	44	45	0406 90 81 9900	( <sup>1</sup> )	80,57
ex 0406 90 86	----- Exceeding 47 % but not exceeding 52 %:					
	----- cheeses produced from whey			0406 90 86 9100		—
	----- Other, of a fat content, by weight, in the dry matter:					
	----- Of less than 5 %	52		0406 90 86 9200	( <sup>1</sup> )	55,76
	----- Of 5 % or more but less than 19 %	51	5	0406 90 86 9300	( <sup>1</sup> )	57,71
	----- Of 19 % or more but less than 39 %	47	19	0406 90 86 9400	( <sup>1</sup> )	64,84
	----- Of 39 % or more	40	39	0406 90 86 9900	( <sup>1</sup> )	82,13
ex 0406 90 87	----- Exceeding 52 % but not exceeding 62 %:					
	----- cheeses produced from whey, except for Manouri			0406 90 87 9100		—
	----- Other, of a fat content, by weight, in the dry matter:					
	----- Of less than 5 %	60		0406 90 87 9200	( <sup>1</sup> )	46,46
	----- Of 5 % or more but less than 19 %	55	5	0406 90 87 9300	( <sup>1</sup> )	53,01
	----- Of 19 % or more but less than 40 %	53	19	0406 90 87 9400	( <sup>1</sup> )	57,50
	----- Of 40 % or more:					
	----- Idiazabal, Manchego and Roncal manufactured exclusively from sheep's milk	45	45	0406 90 87 9951	( <sup>1</sup> )	79,13
	----- Maasdam	45	45	0406 90 87 9971	( <sup>1</sup> )	78,89
	----- Manouri	43	53	0406 90 87 9972	( <sup>1</sup> )	30,06
	----- Hushallsost	46	45	0406 90 87 9973	( <sup>1</sup> )	70,62
	----- Murukoloinen	41	50	0406 90 87 9974	( <sup>1</sup> )	78,89
	----- Other	47	40	0406 90 87 9979	( <sup>1</sup> )	68,46

(in ECU/100 kg weight, if no other indication)

CN code	Description of goods	Additional requirements for using the product code		Product code	Notes	Amount of aid
		Maximum water content in product weight (%)	Minimum fat content in the dry matter (%)			
ex 0406 90 88	<p>----- Exceeding 62 % but not exceeding 72 %:</p> <p>----- cheeses produced from whey</p> <p>----- Other:</p> <p>----- Other:</p> <p>----- Of a fat content, by weight, in the dry matter:</p> <p>----- Of 10 % or more but less than 19 %</p>	60	10	0406 90 88 9100		—
				0406 90 88 9300	( <sup>1</sup> )	47,77

- (<sup>1</sup>) When the product falling within this subheading is a mixture containing added whey and/or added lactose and/or casein and/or caseinates, no aid shall be granted. When completing customs formalities, the applicant shall state on the declaration provided for this purpose, whether or not whey and/or lactose and/or casein and/or caseinates have been added to the product.
- (<sup>2</sup>) The weight of the added non-lactic matter and/or added whey and/or added lactose and/or added casein and/or added caseinates shall not be taken into account for the purpose of calculation of the fat content by weight. When the product falling within this subheading is a mixture containing added whey and/or added lactose and/or added casein and/or added caseinates, the whey and/or added casein and/or caseinates shall not be taken into account in the added calculation of the amount of aid. When completing customs formalities, the applicant shall state, on the declaration provided for this purpose, whether or not whey and/or lactose and/or casein and/or caseinates have been added, and where this is the case:
- the actual content by weight of whey and/or lactose and/or casein and/or caseinates added per 100 kilograms of finished product, and in particular,
  - the lactose content of the added whey.
- (<sup>3</sup>) The weight of added non-lactic matter and/or added whey and/or added lactose and/or added casein and/or added caseinates shall not be taken into account for the purpose of calculation of the fat content, by weight. The aid per 100 kilograms of product falling within this subheading shall be equal to the sum of the following components:
- (a) the amount per kilogram shown, multiplied by the weight of the lactic part contained in 100 kilograms of product; however, where whey and/or lactose and/or casein and/or caseinates have been added to the product, the amount per kilogram shown shall be multiplied by the weight of lactic part excluding the weight of added whey and/or added lactose and/or added caseinates, contained in 100 kilograms of product;
- (b) a component calculated in accordance with the provisions of Article 12 (3) of amended Regulation (EC) No 1466/95 (OJ No L 144, 28. 6. 1995, p. 22). When completing customs formalities, the applicant shall state, on the declaration provided for this purpose, whether or not whey and/or lactose and/or casein and/or caseinates have been added, and where this is the case:
- the actual content by weight of whey and/or lactose and/or casein and/or caseinates added per 100 kilograms of finished products, and in particular,
  - the lactose content of the added whey.
- (<sup>4</sup>) The aid on 100 kilograms of product falling within this subheading is equal to the sum of the following elements:
- (a) the amount per 100 kilograms shown; however, where whey and/or lactose and/or casein and/or caseinates have been added to the products, the amount per 100 kilograms shown shall be:
- multiplied by the weight of the lactic part other than the added whey and/or added lactose and/or added casein and/or added caseinates contained in 100 kilograms of product, and then
  - divided by the weight of the lactic part contained in 100 kilograms of product;
- (b) a component calculated in accordance with the provisions of Article 12 (3) of Regulation (EC) No 1466/95. When completing customs formalities, the applicant shall state, on the declaration provided for this purpose, whether or not whey and/or lactose and/or casein and/or caseinates have been added, and where this is the case:
- the actual content by weight of whey and/or lactose and/or casein and/or caseinates added per 100 kilograms of finished product, and, in particular,
  - the lactose content of the added whey.
- (<sup>5</sup>) In the case of cheeses presented in containers which also contain conserving liquid, in particular brine, the aid is granted on the net weight, the weight of the liquid being deducted.
- (<sup>6</sup>) Where the product contains non-lactic matter and/or casein and/or caseinates and/or whey and/or products derived from whey and/or lactose and/or permeate and/or products falling within CN code 3504, the part corresponding to the added non-lactic matter and/or casein and/or caseinates and/or whey and/or products derived from whey and/or lactose and/or permeate and/or products falling within CN code 3504 will not be taken into account for the purpose of calculating the aid. When completing customs formalities, the party concerned is to state, on the declaration provided for the purpose, whether or not non-lactic matter and/or casein and/or caseinates and/or whey and/or products derived from whey and/or lactose and/or permeate and/or products falling within CN code 3504 have been added and, if so, the actual content by weight of added non-lactic matter and/or casein and/or caseinates and/or whey and/or products derived from whey and/or lactose and/or permeate and/or products falling within CN code 3504 per 100 kilograms of finished product.
- (<sup>7</sup>) The aid on frozen condensed milk is the same as that on products falling within CN codes 0402 91 or 0402 99.

**COMMISSION REGULATION (EC) No 1581/97****of 5 August 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 6 August 1997.

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

Done at Brussels, 5 August 1997.

*For the Commission*

Monika WULF-MATHIES

*Member of the Commission*

<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 5 August 1997 establishing the standard import values for determining the entry price of certain fruit and vegetables

(ECU/100 kg)

CN code	Third country code (1)	Standard import value
ex 0707 00 25	052	73,0
	999	73,0
0709 90 79	052	79,1
	999	79,1
0805 30 30	388	74,5
	524	77,0
	528	54,4
	999	68,6
0806 10 40	052	115,7
	400	228,6
	512	118,6
	600	144,3
	624	181,5
	999	157,7
	0808 10 92, 0808 10 94, 0808 10 98	388
	400	65,3
	508	68,1
	512	51,0
	528	61,6
	800	142,7
	804	76,8
	999	77,6
0808 20 57	052	94,7
	388	49,4
	512	59,7
	528	33,6
0809 20 69	999	59,3
	052	248,8
	400	204,5
	616	263,9
0809 30 41, 0809 30 49	999	239,1
	052	74,1
	999	74,1
0809 40 30	064	80,6
	066	82,4
	999	81,5

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

## COMMISSION REGULATION (EC) No 1582/97

of 30 July 1997

amending Regulations (EEC) No 1983/83 and No 1984/83 on the application of Article 85 (3) of the Treaty to categories of exclusive distribution agreements and exclusive purchasing agreements respectively

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation No 19/65/EEC of 2 March 1965 on the application of Article 85 (3) of the Treaty to certain categories of agreements and concerted practices<sup>(1)</sup>, as last amended by the Act of Accession of Austria, Finland and Sweden, and in particular Article 1 thereof,

Having published the draft of the Regulation<sup>(2)</sup>,

Having consulted the Advisory Committee on Restrictive Practices and Dominant Positions,

Whereas the period of validity of Commission Regulations (EEC) No 1983/83<sup>(3)</sup> and No 1984/83<sup>(4)</sup> on the application of Article 85 (3) of the Treaty to categories of exclusive distribution agreements and exclusive purchasing agreements respectively, as last amended by the Act of Accession of Austria, Finland and Sweden, expires on 31 December 1997;

Whereas the Commission has published a Green Paper on Vertical Restraints in EC Competition Policy in order to initiate a wide public debate on the application of Article 85 (1) and (3) of the Treaty to agreements between undertakings operating on different economic levels, including exclusive distribution agreements, exclusive purchasing agreements and franchising agreements;

Whereas it is appropriate to allow sufficient time to conclude this debate, to examine its results and to draw the conclusions for future competition policy in this field;

Whereas this work could not be completed in time for the adoption and publication of a new Regulation before 31 December 1997;

Whereas to maintain legal certainty for undertakings, it is appropriate to amend Regulations (EEC) No 1983/83 and No 1984/83 by extending their period of validity until 31 December 1999, when Commission Regulation (EEC) No 4087/88 of 30 November 1988 on the application of Article 85 (3) of the Treaty to categories of franchise agreements<sup>(5)</sup> will expire,

HAS ADOPTED THIS REGULATION:

*Article 1*

In Article 10 of Regulation (EEC) No 1983/83, the date '31 December 1997' shall be replaced by that of '31 December 1999'.

*Article 2*

In Article 19 of Regulation (EEC) No 1984/83, the date '31 December 1997' shall be replaced by that of '31 December 1999'.

*Article 3*

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

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

Done at Brussels, 30 July 1997.

*For the Commission*

Karel VAN MIERT

*Member of the Commission*

<sup>(1)</sup> OJ No 36, 6. 3. 1965, p. 533/65.

<sup>(2)</sup> OJ No C 121, 19. 4. 1997, p. 7.

<sup>(3)</sup> OJ No L 173, 30. 6. 1983, p. 1.

<sup>(4)</sup> OJ No L 173, 30. 6. 1983, p. 5.

<sup>(5)</sup> OJ No L 359, 28. 12. 1988, p. 46.

**COMMISSION REGULATION (EC) No 1583/97****of 5 August 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 1523/97 <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 6 August 1997.

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

Done at Brussels, 5 August 1997.

*For the Commission*

Monika WULF-MATHIES

*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 204, 31. 7. 1997, p. 36.

## ANNEX

to the Commission Regulation of 5 August 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>	30,03	10,22
1701 99 10 <sup>(2)</sup>	30,03	5,70
1701 99 90 <sup>(2)</sup>	30,03	5,70
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 1584/97****of 5 August 1997****temporarily suspending the issuing of export licences for certain milk products and determining what proportion of the amounts covered by pending applications for export licences may be allocated**

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

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

Having regard to Commission Regulation (EC) No 1466/95 of 27 June 1995 laying down special detailed rules of application for export refunds on milk and milk products <sup>(3)</sup>, as last amended by Regulation (EC) No 417/97 <sup>(4)</sup>, and in particular Article 8 (3) thereof,

Whereas the market in certain milk products is currently subject to uncertainty; whereas licence applications of a speculative nature should be avoided which may lead to distortions of competition between operators and potentially disrupt the continuity of exports of these products for the remainder of the period in question; whereas the issue of export licences for the products involved should

be temporarily suspended and licences for some of these products should not be issued in respect of applications pending,

HAS ADOPTED THIS REGULATION:

*Article 1*

1. The issue of export licences for milk products falling within CN code 0406 30 is hereby suspended on 6 August 1997.
2. No licences shall be issued for products falling within CN code 0406 30 for which applications submitted from 1 August 1997 are still pending and against which licences would have been issued from 8 August 1997.

*Article 2*

This Regulation shall enter into force on 6 August 1997.

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

Done at Brussels, 5 August 1997.

*For the Commission*

Monika WULF-MATHIES

*Member of the Commission*

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

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

<sup>(3)</sup> OJ No L 144, 28. 6. 1995, p. 22.

<sup>(4)</sup> OJ No L 64, 5. 3. 1997, p. 1.

## II

*(Acts whose publication is not obligatory)*

CONFERENCE OF THE REPRESENTATIVES OF THE  
GOVERNMENTS OF THE MEMBER STATES

DECISION OF THE REPRESENTATIVES OF THE GOVERNMENTS OF THE  
MEMBER STATES, MEETING WITHIN THE COUNCIL

of 31 July 1997

on certain measures applicable with regard to the Russian Federation con-  
cerning trade in certain steel products covered by the ECSC Treaty

(97/509/ECSC)

THE REPRESENTATIVES OF THE GOVERNMENTS OF  
THE MEMBER STATES OF THE EUROPEAN COAL AND  
STEEL COMMUNITY, MEETING WITHIN THE COUNCIL,

In agreement with the Commission,

HAVE DECIDED AS FOLLOWS:

*Article 1*

1. Pending the entry into force of the new ECSC steel agreement with the Russian Federation, and in order to avoid disrupting the trade in the products which it covers, following the expiry on 30 June 1997 of the extended 1995-96 Agreement, imports into all the Member States of steel products covered by the ECSC Treaty referred to in Annex I originating in the Russian Federation shall be subjected to import authorization until 30 September 1997.

2. Authorizations shall be issued only within the limits defined in Article 2. Steel products originating in the Russian Federation covered by an import authorization issued before the date of entry into force of this Decision, and which were already sent to the Community before that date, shall be admitted without the applicable authorization for the products covered by autonomous quota.

*Article 2*

Quantities of authorized imports shall be determined, for each product group and for the whole of the Community, according to the quotas indicated in Annex II.

*Article 3*

1. For the purpose of applying Article 2, the competent authorities of the Member States listed in Annex III, before issuing import authorizations, shall notify the Commission of the amounts of the requests for import authorizations, supported by original export licences, which they have received. By return, the Commission shall notify its confirmation that the requested amount(s) of quantities are available for importation in the chronological order in which the notifications of the Member States have been received ('first come, first served' basis).

2. The requests included in the notifications to the Commission shall be valid if they establish clearly in each case the exporting country, the product group concerned, the amounts to be imported, the number of the export licence, the quota year and the Member State in which the products are intended to be put into free circulation.

3. The notifications referred to in paragraphs 1 and 2 shall be communicated electronically within the integrated network set up for this purpose, unless for imperative technical reasons it is necessary to use other means of communication temporarily.

4. Member States issuing export licences shall inform the Commission immediately. The Commission shall keep the Member States regularly informed of the extent to which the quantities have been used up.

5. The Member States and the Commission shall confer in order to ensure that these quantities are not exceeded.

*Article 4*

Should an agreement between the European Coal and Steel Community and the Russian Federation on trade in certain steel products be concluded and enter into force during the period of application of this Decision, the provisions of that agreement together with any measures taken to give effect to it, shall, as from the date on which

the agreement enters into force, replace the provisions of this Decision.

*Article 5*

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

In order to maintain continuity in the management of the quotas for 1997, this Decision shall apply from 1 August 1997.

Done at Brussels, 31 July 1997.

*The President*

J. POOS

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## ANNEX I

<b>SA. Flat-rolled products</b>	7209 15 00	7219 32 90	7214 20 00
	7209 16 10	7219 33 10	7214 30 00
<b>SA1. Coils</b>	7209 16 90	7219 33 90	7214 91 10
	7209 17 10	7219 34 10	7214 91 90
7208 10 00	7209 17 90	7219 34 90	7214 99 10
7208 25 00	7209 18 10	7219 35 10	7214 99 31
7208 26 00	7209 18 91	7219 35 90	7214 99 39
7208 27 00	7209 18 99		7214 99 50
7208 36 00	7209 25 00	7225 40 80	7214 99 61
7208 37 90	7209 26 10		7214 99 69
7208 38 90	7209 26 90		7214 99 80
7208 39 90	7209 27 10	<b>SB. Long products</b>	7214 99 90
	7209 27 90		
	7209 28 10	<b>SB1. Beams</b>	7215 90 10
7211 14 10	7209 28 90		
7211 19 20	7209 90 10	7207 19 31	7216 10 00
		7207 20 71	7216 21 00
7219 11 00			7216 22 00
7219 12 10	7210 11 10		7216 40 10
7219 12 90	7210 12 11	7216 31 11	7216 40 90
7219 13 10	7210 12 19	7216 31 19	7216 50 10
7219 13 90	7210 20 10	7216 31 91	7216 50 91
7219 14 10	7210 30 10	7216 31 99	7216 50 99
7219 14 90	7210 41 10	7216 32 11	7216 99 10
	7210 49 10	7216 32 19	
7225 19 10	7210 50 10	7216 32 91	
7225 20 20	7210 61 10	7216 32 99	7218 99 20
7225 30 00	7210 69 10	7216 33 10	
	7210 70 31	7216 33 90	
	7210 70 39		7222 11 11
	7210 90 31		7222 11 19
<b>SA1.a. Hot-rolled coils for re-rolling</b>	7210 90 33	<b>SB2. Wire rod</b>	7222 11 21
	7210 90 38		7222 11 29
			7222 11 91
7208 37 10		7213 10 00	7222 11 99
7208 38 10		7213 20 00	7222 19 10
7208 39 10	7211 14 90	7213 91 10	7222 19 90
	7211 19 90	7213 91 20	7222 30 10
	7211 23 10	7213 91 41	7222 40 10
<b>SA2. Heavy Plate</b>	7211 23 51	7213 91 49	7222 40 30
	7211 29 20	7213 91 70	
	7211 90 11	7213 91 90	
7208 40 10		7213 99 10	7224 90 31
7208 51 10		7213 99 90	7224 90 39
7208 51 30			
7208 51 50	7212 10 10	7221 00 10	7228 10 10
7208 51 91	7212 10 91	7221 00 90	7228 10 30
7208 51 99	7212 20 11		7228 20 11
7208 52 10	7212 30 11		7228 20 19
7208 52 91	7212 40 10	7227 10 00	7228 20 30
7208 52 99	7212 40 91	7227 20 00	7228 30 20
7208 53 10	7212 50 31	7227 90 10	7228 30 41
	7212 50 51	7227 90 50	7228 30 49
	7212 60 11	7227 90 95	7228 30 61
7211 13 00	7212 60 91		7228 30 69
		<b>SB3. Other long products</b>	7228 30 70
<b>SA3. Other flat-rolled products</b>	7219 21 10		7228 30 89
	7219 21 90		7228 60 10
	7219 22 10	7207 19 11	7228 70 10
7208 40 90	7219 22 90	7207 19 14	7228 70 31
7208 53 90	7219 23 00	7207 19 16	7228 80 10
7208 54 10	7219 24 00	7207 20 51	7228 80 90
7208 54 90	7219 31 00	7207 20 55	
7208 90 10	7219 32 10	7207 20 57	7301 10 00

## ANNEX II

## QUANTITATIVE LIMITS

		<i>(tonnes)</i>
Products		1 January to 30 September 1997
SA.	<b>Flat products</b>	
SA1.	Coils	1 55 823
SA1.a.	Hot-rolled coils for re-rolling	358 333
SA2.	Heavy plate	24 936
SA3.	Other flat products	21 413
SB.	<b>Long products</b>	
SB1.	Beams	9 985
SB2.	Wire rod	21 585
SB3.	Other long products	77 792

## ANNEX III

LISTE OVER KOMPETENTE NATIONALE MYNDIGHEDER  
 LISTE DER ZUSTÄNDIGEN BEHÖRDEN DER MITGLIEDSTAATEN  
 ΚΑΤΑΛΟΓΟΣ ΤΩΝ ΑΡΜΟΔΙΩΝ ΕΘΝΙΚΩΝ ΑΡΧΩΝ  
 LISTA DE LAS AUTORIDADES NACIONALES COMPETENTES  
 LISTE DES AUTORITÉS NATIONALES COMPÉTENTES  
 ELENCO DELLE COMPETENTI AUTORITÀ NAZIONALI  
 LIJST VAN BEVOEGDE NATIONALE INSTANTIES  
 LISTA DAS AUTORIDADES NACIONAIS COMPETENTES  
 LUETTELO TOIMIVALTAISISTA KANSALLISISTA VIRANOMAISISTA  
 LISTA ÖVER BEHÖRIGA NATIONELLA MYNDIGHETER  
 LIST OF THE COMPETENT NATIONAL AUTHORITIES

## BELGIQUE/BELGIË

Administration des relations économiques  
 Quatrième division: Mise en œuvre des politiques commerciales  
 internationales  
 — Service 'Licences'  
 Rue Général Leman 60  
 B-1040 Bruxelles  
 Télécopieur: (32 2) 230 83 22

Bestuur van de Economische Betrekkingen  
 Vierde Afdeling: Toepassing van het Internationale Handelsbe-  
 leid — Dienst Vergunningen  
 Generaal Lemanstraat 60  
 B-1040 Brussel  
 Fax: (32-2) 230 83 22

## DANMARK

Erhvervsfremme Styrelsen  
 Søndergade 25  
 DK-8600 Silkeborg  
 Fax: (45) 87 20 40 77

## DEUTSCHLAND

Bundesamt für Wirtschaft, Dienst 01  
 Postfach 51 71  
 D-65762 Eschborn 1  
 Fax: (49) 6196 40 42 12

## ΕΛΛΑΔΑ

Υπουργείο Εθνικής Οικονομίας  
 Γενική Γραμματεία ΔΟΣ  
 Διεύθυνση Διαδικασιών Εξωτερικού  
 Εμπορίου  
 Κορνάρου 1  
 GR-105 63 Αθήνα  
 Φαξ: (301) 328 6029/328 6059/328 6039

## ESPAÑA

Ministerio de Economía y Hacienda  
 Dirección General de Comercio Exterior  
 Paseo de la Castellana 162  
 E-28046 Madrid  
 Fax: (34 1) 563 18 23/349 38 31

## FRANCE

Setice  
 8 Rue de la Tour des Dames  
 F-75436 Paris Cedex 09  
 Télécopieur: (33 1) 44 63 26 59

## IRELAND

Licensing Unit  
 Department of Tourism and Trade  
 Kildare Street  
 IRL-Dublin 2  
 Fax: (353 1) 676 61 54

## ITALIA

Ministero del Commercio con l'Estero  
 Direzione generale per la politica commerciale e per la gestione  
 del regime degli scambi  
 Viale America 341, I-00144 Roma  
 Telefax: (39 6) 59 93 22 35-59 93 26 36

## LUXEMBOURG

Ministère des affaires étrangères  
 Office des licences  
 Boîte postale 113  
 L-2011 Luxembourg  
 Télécopieur: (352) 46 61 38

## NEDERLAND

Centrale Dienst voor In- en Uitvoer  
 Postbus 30003  
 Engelse Kamp 2  
 9700 RD Groningen  
 Nederland  
 Fax: (31-50) 526 06 98

## ÖSTERREICH

Bundesministerium für wirtschaftliche Angelegenheiten  
 Außenwirtschaftsadministration  
 Landstrasser Hauptstraße 55-57  
 A-1030 Wien  
 Fax: (43-1) 715 83 47

## PORTUGAL

Direcção-Geral do Comércio Externo  
Avenida da República, 79  
P-1000 Lisboa  
Telefax: (351-1) 793 22 10

## SUOMI

Tullihallitus  
PL 512  
FIN-00101 Helsinki  
Telekopio: (358 9) 614 2852

## SVERIGE

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# COUNCIL

## COUNCIL DECISION

of 24 July 1997

**authorizing Ireland to apply a measure derogating from Article 21 of the Sixth Directive (77/388/EEC) on the harmonization of the laws of the Member States relating to turnover taxes**

(97/510/EC)

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty establishing the European Community,

Having regard to the Sixth Council Directive (77/388/EEC) of 17 May 1977 on the harmonization of the laws of the Member States relating to turnover taxes — Common system of value added tax: uniform basis of assessment<sup>(1)</sup>, and in particular Article 27 thereof,

Having regard to the proposal from the Commission,

Whereas, under the terms of Article 27 (1) of Directive 77/388/EEC, the Council, acting unanimously on a proposal from the Commission, may authorize any Member State to introduce special measures for derogation from the provisions of that Directive in order to simplify the procedure for charging the tax or to prevent certain types of tax evasion or avoidance;

Whereas, by registered letter to the Commission dated 5 February 1997, Ireland requested authorization to introduce a measure derogating from Article 21 (1) of Directive 77/388/EEC;

Whereas, in accordance with Article 27 (3) of Directive 77/388/EEC, the other Member States were informed on 4 March 1997 of the request made by Ireland;

Whereas Ireland operates a specific system of applying VAT to property based, on the one hand, on the option under Article 5 (3) of Directive 77/388/EEC to treat the supply of certain interests (i.e. a lease of 10 years or more) in immovable property as a supply of goods and, on the other hand, on a derogation authorized under Article 27 (5) to treat the granting of such an interest by a lessor as a disposal of the lessor's entire interest in the property;

Whereas Community law gives Member States a great deal of discretion in determining the VAT treatment to be applied to immovable goods, and its transposition has led to considerable variations in the national laws applied in this field;

Whereas avoidance schemes have been set up, based on the use of surrender, including by way of abandonment of a leasehold interest or assignment of a leasehold interest, which result in the avoidance of the VAT where the ultimate acquirer of the property is not entitled to a full deduction of VAT;

Whereas it is also necessary to extend the derogation to the surrender or assignment of a leasehold interest to a taxable person having full right of deduction, as the surrender or the assignment of a leasehold interest will often arise due to financial difficulties of the lessee;

Whereas the measure envisaged is a derogation from Article 21 (1) (a) of Directive 77/388/EEC, whereby the person liable for the tax is the taxable person who carries out the taxable transaction;

<sup>(1)</sup> OJ No L 145, 13. 6. 1977, p. 1. Directive as last amended by Directive 96/95/EC, OJ No L 338, 28. 12. 1996, p. 89.



Whereas the derogation provides that, where a surrender or assignment of a lease-hold interest is a taxable supply of goods, the person acquiring the interest is liable for the payment of the tax if that person is a taxable person or a non-taxable legal person;

Whereas this derogation should ensure a better functioning of the current VAT regime applied by Ireland on immovable goods;

Whereas, given the limited scope of the derogation, the special measure is proportionate to the aim pursued;

Whereas there exists a serious risk that use of the said VAT avoidance scheme will increase in the period between the request for a derogation and the authorization thereof; whereas at the latest since the publication on 26 March 1997 of the draft legislation which is the subject of the present request for a derogation, suppliers, lessors and lessees of property have no longer had a legitimate expectation of the continuation of the Irish legislation in force before that date; whereas it is therefore appropriate to authorize the derogation to take effect from 26 March 1997;

Whereas the Commission adopted on 10 July 1996 a work programme based on a step-by-step approach for progressing towards a new common system of VAT;

Whereas the tax treatment of immovable goods is an important issue to be reviewed in this programme;

Whereas the last package of proposals is to be put forward by mid-1999 and, in order to permit an evaluation of the

coherence of the derogation with the global approach of the new common VAT system, the authorization is granted until 31 December 1999;

Whereas the derogation does not have a negative impact on the own resources of the European Communities accruing from VAT,

HAS ADOPTED THIS DECISION:

*Article 1*

By way of derogation from Article 21 (1) (a) of Directive 77/388/EEC, Ireland is hereby authorized, from 26 March 1997 until 31 December 1999, to designate the person to whom the supply is made as the person liable to pay the tax where the two following conditions are met:

- a surrender or assignment of a leasehold interest is treated as a supply of goods made by a lessee,
- the person acquiring the leasehold interest is a taxable person or a non-taxable legal person.

*Article 2*

This Decision is addressed to Ireland.

Done at Brussels, 24 July 1997.

*For the Council*

*The President*

M. FISCHBACH

## COUNCIL DECISION

of 24 July 1997

authorizing the Federal Republic of Germany to conclude with the Czech Republic an Agreement containing measures derogating from Articles 2 and 3 of the Sixth Directive (77/388/EEC) on the harmonization of the laws of the Member States relating to turnover taxes

(97/511/EC)

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty establishing the European Community,

Having regard to the Sixth Council Directive (77/388/EEC) of 17 May 1977 on the harmonization of the laws of the Member States relating to turnover taxes — Common system of value added tax: uniform basis of assessment<sup>(1)</sup>, and in particular Article 30 thereof,

Having regard to the proposal from the Commission,

Whereas, under Article 30 of the Sixth Directive, the Council, acting unanimously on a proposal from the Commission, may authorize any Member State to conclude with a non-member country or an international organization an agreement which may contain derogations from the said Directive;

Whereas, by letter registered by the Secretariat-General of the Commission on 5 February 1997, the German Government requested authorization to conclude an agreement with the Czech Republic relating to the construction of a frontier bridge between the contracting States in question;

Whereas, the agreement contains provisions in the field of value added taxation which derogate from the Articles 2 and 3 of the Sixth Directive as regards, on the one hand, the supplies of goods and services in connection with the construction, repair and renewal of the frontier bridge and, on the other hand, importation of goods used for the construction work or the maintenance of this bridge;

Whereas the other Member States were informed on 3 March 1997 of the German request;

Whereas, in the absence of derogations, the construction, repair and renewal work carried out on German territory would be subject to value added tax in Germany while that carried out on Czech territory would lie outside the scope of the Sixth Directive and whereas, in addition, each importation from the Czech Republic into Germany of goods used for the construction and the maintenance

of the frontier bridge would be subject to value added tax in Germany;

Whereas the purpose of these derogations is to simplify the rules of taxation for the contractors carrying out the work in question;

Whereas the derogations will have only a negligible effect on the own resources of the European Communities accruing from value added tax,

HAS ADOPTED THIS DECISION:

*Article 1*

The Federal Republic of Germany is hereby authorized to conclude an agreement with the Czech Republic concerning the construction of a frontier bridge in the Spitzberg area, which partly is on the territory of the Federal Republic of Germany and partly on the territory of the Czech Republic, linking the German A17 motorway heading east with the Czech D8 motorway heading west, containing measures derogating from Directive 77/388/EEC.

The derogations provided for by this agreement are spelt out in Articles 2 and 3 of this Decision.

*Article 2*

By way of derogation from Article 3 of the Sixth Directive, insofar as they extend onto the sovereign territory of the Federal Republic of Germany, the area of the construction site for the frontier bridge referred to in Article 1 of this Decision and, after its completion, the frontier bridge itself shall be treated as forming part of the sovereign territory of the Czech Republic as regards supplies of goods or services intended for the construction of the frontier bridge or for its repair and renewal.

*Article 3*

By way of derogation from Article 2 (2) of the Sixth Directive, the importation of goods into Germany from the Czech Republic shall not be subject to value added tax insofar as those goods are used for the construction and the maintenance of the bridge referred to in Article 1 of this Decision. However, this derogation shall not apply to goods imported for the same purpose by a public authority.

<sup>(1)</sup> OJ No L 145, 13. 6. 1977, p. 1. Directive as last amended by Directive 96/95/EC (OJ No L 338, 28. 12. 1996, p. 89).

*Article 4*

This Decision is addressed to the Federal Republic of Germany.

Done at Brussels, 24 July 1997.

*For the Council*

*The President*

M. FISCHBACH

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# COMMISSION

## COMMISSION DECISION

of 7 July 1997

on supplies of certain beef and pigmeat products to the Canary Islands in the second half of 1996

(Only the Spanish text is authentic)

(97/512/EC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

fixed for the products concerned for the first half of 1997 by Commission Regulations (EC) No 75/97 (7) and (EC) No 93/97;

Having regard to the Treaty establishing the European Community,

Whereas, as a precaution pending a decision by the Council and in order to ensure that operators who have failed to show some discipline as regards passing prices on to the end-user do not enjoy unwarranted profits, payment of the aid on products coming from the rest of the Community or, as the case may be, reimbursement of customs duties should be made subject, for the second half of 1996, to production of proof of compliance with Regulations (EEC) No 1601/92 and (EC) No 2790/94;

Having regard to Council Regulation (EC) No 1601/92 of 15 June 1992 concerning specific measures for the Canary Islands with regard to certain agricultural products (1), as last amended by Commission Regulation (EC) No 93/97 (2), and in particular Article 3 (4) and Article 7 thereof,

Whereas the aid for supplies from the rest of the Community should be fixed by applying the criteria laid down in Article 3 (2) of Regulation (EEC) No 1601/92 and on the basis of the corresponding data for the second half of 1996;

Having regard to Council Regulation (EEC) No 2913/92 of 12 October 1992 establishing the Community Customs Code (3), as last amended by Regulation (EC) No 82/97 (4), and in particular Article 236 (1) thereof,

Whereas it should be stipulated that applications for reimbursement of customs duties must be made in accordance with the relevant provisions of Commission Regulation (EEC) No 2454/93 of 2 July 1993 laying down provisions for the implementation of Council Regulation (EEC) No 2913/92 establishing the Community Customs Code (5), as last amended by Regulation (EC) No 12/97 (6);

Whereas Commission Regulation (EC) No 2790/94 (7) lays down common detailed rules for the implementation of Regulation (EEC) No 1601/92 in particular as regards the specific supply measures;

Whereas, for the sake of sound financial management, provision should be made for aid payments and customs duty reimbursements to relate to the maximum quantity of products covered by administrative documents issued by the Spanish authorities under precautionary management measures covering the arrangements for the period in question;

Whereas, by Regulation (EC) No 2348/96 (8), the Council temporarily extended until 30 June 1997 the specific measures for supplying the Canary Islands with bovine animals for fattening and for consumption locally and certain processed beef and pigmeat products, which had been suspended since 1 July 1996; whereas, following that decision, the supply balances were established and the aid

(1) OJ No L 173, 27. 6. 1992, p. 1.

(2) OJ No L 19, 22. 1. 1997, p. 5.

(3) OJ No L 302, 19. 10. 1992, p. 1.

(4) OJ No L 17, 21. 1. 1997, p. 1.

(5) OJ No L 296, 17. 11. 1994, p. 23.

(6) OJ No L 320, 11. 12. 1996, p. 1.

(7) OJ No L 16, 18. 1. 1997, p. 72.

(8) OJ No L 253, 11. 10. 1993, p. 1.

(9) OJ No L 9, 13. 1. 1997, p. 1.

Whereas the measures provided for in this Decision are in accordance with the opinions of the Management Committees concerned,

HAS ADOPTED THIS DECISION:

*Article 1*

1. Pursuant to Article 3 of Regulation (EEC) No 1601/92 and on the basis of applications submitted with suitable supporting documents by the operators concerned, the Spanish authorities shall, as the case may be:

- (a) grant the aid fixed in Annex I to this Decision for bovine animals for fattening and consumption locally and for processed beef and pigmeat products on the quantities of such products supplied to the Canary Islands from the rest of the Community during the second half of 1996;
- (b) reimburse the customs duties collected on the release for free circulation in the Canary Islands of the products mentioned in (a) and imported from third countries during the second half of 1996.

2. Payment of the aid fixed in this Decision and reimbursement of customs duties shall be subject to compliance with Title I of Regulation (EEC) No 1601/92 concerning specific supply measures for the Canary Islands, Regulation (EC) No 3290/94, and in particular Title III thereof, and this Decision.

3. Applications for reimbursement of customs import duties on products exempt therefrom shall be submitted by the person who pays such duties or is required to pay

them in accordance with Articles 878 to 881 of Regulation (EEC) No 2454/93.

*Article 2*

1. The competent Spanish authorities shall lay down such additional administrative rules as are required for the application of this Decision, in particular as regards the submission of applications.
2. Those authorities shall conduct the checks necessary to ensure that the operations covered by applications submitted comply with the provisions applicable, in particular as regards the obligation to pass on to the end-user the economic benefit deriving from Article 3 of Regulation (EEC) No 1601/92.
3. Those authorities shall inform the Commission periodically of the application of this Decision.

*Article 3*

Pursuant to this Decision, the aid shall be paid and customs duties shall be reimbursed for up to the quantities of products mentioned in Annex II.

*Article 4*

This Decision is addressed to Spain.

Done at Brussels, 7 July 1997.

*For the Commission*

Franz FISCHLER

*Member of the Commission*

## ANNEX I

## 1. BEEF/VEAL

## Aid granted on products referred to in Article 1 (a) from the Community market

*(ECU/head)*

Product code	Aid
ex 0102 90 05	49,0
ex 0102 90 29	97,5
ex 0102 90 49	130,0
0102 90 79	195,0

*(ECU/100 kg net weight)*

Product code	Aid
1602 50 10 190	48,5
1602 50 31 195	36,0
1602 50 31 395	36,0
1602 50 39 195	36,0
1602 50 39 395	36,0
1602 50 39 495	36,0
1602 50 39 505	36,0
1602 50 39 595	36,0
1602 50 39 615	36,0
1602 50 39 625	16,0
1602 50 39 705	19,0
1602 50 80 195	36,0
1602 50 80 395	36,0
1602 50 80 495	36,0
1602 50 80 505	36,0
1602 50 80 515	16,0
1602 50 80 595	36,0
1602 50 80 615	36,0
1602 50 80 625	16,0
1602 50 80 705	19,0
1602 50 10 120	102,5 (*)
1602 50 10 140	91,0 (*)
1602 50 10 160	73,0 (*)
1602 50 10 170	48,5 (*)
1602 50 31 125	115,5 (*)
1602 50 31 135	73,0 (*)
1602 50 31 325	103,5 (*)
1602 50 31 335	65,5 (*)
1602 50 39 125	115,5 (*)
1602 50 39 135	73,0 (*)
1602 50 39 325	103,5 (*)
1602 50 39 335	65,5 (*)

NB: The product codes and the footnotes are defined in Commission Regulation (EEC) No 3846/87 (OJ No L 366, 24. 12. 1987, p. 1), as last amended by Regulation (EC) No 310/96 (OJ No L 46, 23. 2. 1996, p. 1), and apply for the period 1 July to 31 December 1996.

## 2. PIGMEAT

## Aid granted on products from the Community market

*(ECU/100 kg net weight)*

Product code	Aid
1601 00 91 100	14,1
1601 00 99 100	9,4
1602 20 90 100	4,7
1602 41 10 210	16
1602 42 10 210	11,3
1602 49 11 190	—
1602 49 13 190	—
1602 49 19 190	9,4

*NB:* The product codes and the footnotes are defined in Commission Regulation (EEC) No 3846/87 and apply for the period 1 July to 31 December 1996.

## ANNEX II

## 1. BEEF/VEAL

## Maximum quantities referred to in Article 3

CN code	Description	Number or quantity (tonnes)
ex 0102 90	Bovine animals for fattening	503 (1)
1602 50	Other preparations and preserves containing meat or offal of domestic bovine animals	776

(1) Head.

## 2. PIGMEAT

## Maximum quantities referred to in Article 3

CN code	Description	Number or quantity (tonnes)
1601 00	Sausages and similar products, of meat, meat offal or blood; food preparations based on these products	5 315
1602 20 90	Prepared or preserved livers of all animals other than geese or ducks	262
	Other preparations or preserves containing meat or meat offal of domestic swine	
1602 41 10	Hams and cuts thereof	2 241
1602 42 10	Shoulders and cuts thereof	779
1602 49	Other, including mixtures	1 675



## COMMISSION DECISION

of 30 July 1997

concerning certain protective measures with regard to certain fishery products  
originating in Bangladesh

(Text with EEA relevance)

(97/513/EC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Directive 90/675/EEC of 10 December 1990 laying down the principles governing the organisation of veterinary checks on products entering the Community from third countries<sup>(1)</sup>, as last amended by Directive 96/43/EC<sup>(2)</sup>, and in particular Article 19 thereof,

Whereas Community inspections in Bangladesh have shown that there are serious deficiencies with regard to infrastructure and hygiene in fishery establishments and that there are not enough guarantees of the efficiency of the controls carried out by the competent authorities; whereas there is a potentially high risk for public health with regard to the production and processing of fishery products in this country;

Whereas imports of fishery products from Bangladesh must therefore not be further allowed;

Whereas this Decision will be reviewed before 30 November 1997;

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

HAS ADOPTED THIS DECISION:

*Article 1*

This Decision shall apply to fishery products originating in Bangladesh.

*Article 2*

Member States shall prohibit imports of fishery products originating in Bangladesh.

However, consignments which left Bangladesh prior to the entry into force of this Decision, and which are presented at the Community inspection post for importation before 15 August 1997, shall be submitted to a sampling programme representative of the consignment. These samples must be examined for the presence of harmful micro-organisms.

*Article 3*

This Decision will be reviewed before 30 November 1997.

*Article 4*

The Member States shall modify the measures they apply in trade in order to bring them into line with this Decision. They shall immediately inform the Commission thereof.

*Article 5*

This Decision is addressed to the Member States.

Done at Brussels, 30 July 1997.

*For the Commission*

Franz FISCHLER

*Member of the Commission*

<sup>(1)</sup> OJ No L 373, 31. 12. 1990, p. 1.

<sup>(2)</sup> OJ No L 162, 1. 7. 1996, p. 1.

## COMMISSION DECISION

of 31 July 1997

on marking and use of pigmeat in application of Article 9 of Council Directive 80/217/EEC concerning Belgium

(Text with EEA relevance)

(97/514/EC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

HAS ADOPTED THIS DECISION:

Having regard to the Treaty establishing the European Community,

*Article 1*

Having regard to Council Directive 80/217/EEC of 22 January 1980 introducing Community measures for the control of classical swine fever<sup>(1)</sup>, as last amended by Council Directive 93/384/EEC<sup>(2)</sup>, and in particular Article 9 (6) (g) thereof;

Whereas in June and July 1997 outbreaks of classical swine fever in Belgium were declared by the Belgian veterinary authorities in Voeren;

Whereas in accordance with Article 9 (1) of Directive 80/217/EEC a surveillance zone was immediately established around outbreak sites;

Whereas all pig holdings in the surveillance zones have been subject to a weekly inspection by a veterinarian. During this inspection samples for laboratory examination are collected if deemed necessary. No evidence of classical swine fever in the zone has been detected;

Whereas the provisions for the use of a health mark on fresh meat are given in Council Directive 64/433/EEC on health conditions for the production and marketing of fresh meat<sup>(3)</sup> as last amended by Directive 95/23/EEC<sup>(4)</sup>;

Whereas Belgium has submitted a request for the adoption of a specific solution concerning marking and use of pigmeat coming from pigs kept on holdings situated in established surveillance zones and slaughtered subject to a specific authorization issued by the competent authority;

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

1. Without prejudice for the provisions of Council Directive 80/217/EEC, in particular, Article 9 paragraph 6, Belgium is authorized to apply the mark described in Article 3 (1) (A) (e) of Council Directive 64/433/EEC to pigmeat obtained from pigs originating from holdings situated in a surveillance zone in Belgium established in accordance with the provisions of Article 9 (1) of Council Directive 80/217/EEC on the condition that the pigs in question:

- (a) originate from a holding to which, following the epidemiological inquiry, no contact has been established with an infected holding,
- (b) originate from a holding which for a period of at least 3 weeks has been subject to a weekly inspection by a veterinarian. The inspection has included all pigs kept on the holding,
- (c) have been subject to protection measures established in accordance with the provisions of Article 9 (6) (f) and (g) of Council Directive 80/217/EEC,
- (d) have been included in a programme for monitoring body temperature and clinical examination. The programme shall be carried out as given in Annex I,
- (e) have been slaughtered within 12 hours of arrival at the slaughterhouse.

2. Belgium shall ensure that a certificate as given in Annex II is issued in respect of meat referred to in paragraph 1.

*Article 2*

Pigmeat which complies with the conditions of Article 1 (1) and enters into intra-Community trade must be accompanied by the certificate referred to in Article 1 (2).

*Article 3*

Belgium shall ensure that abattoirs designated to receive the pigs referred to in Article 1 (1) do not on the same day accept pigs for slaughter other than the pigs in question.

<sup>(1)</sup> OJ No L 47, 21. 1. 1980, p. 11.

<sup>(2)</sup> OJ No L 166, 8. 7. 1993, p. 34.

<sup>(3)</sup> OJ No 121, 29. 7. 1964, p. 2012/64.

<sup>(4)</sup> OJ No L 243, 11. 10. 1995, p. 7.

*Article 4*

Belgium shall provide Member States and the Commission with:

- (a) the name and location of slaughterhouses designated to receive pigs for slaughter referred to in Article 1 (1);
- (b) a monthly report which contains information on:
  - the area to which the provisions of Article 1 apply,
  - number of pigs slaughtered at the designated slaughterhouses,
  - identification system and movement controls applied to slaughter pigs, as required in accordance with Article 9 (6) (f) (i) of Council Directive 80/217/EEC,
  - instructions issued concerning the application of the programme for monitoring body temperature referred to in Annex I.

*Article 5*

This Decision is applicable until 1 September 1997.

*Article 6*

This Decision is addressed to the Member States.

Done at Brussels, 31 July 1997.

*For the Commission*

Franz FISCHLER

*Member of the Commission*

## ANNEX I

## MONITORING OF BODY TEMPERATURE

The programme for monitoring body temperature and clinical examination referred to in Article 1 (1) (d) shall include the following:

1. Within the 24-hour period before loading a consignment of pigs intended for slaughter, the official veterinary authority shall ensure that the body temperature of a number of pigs of the said consignment is monitored by inserting a thermometer into the rectum. The number of pigs to be monitored for temperature shall be as given below:

Number of pigs in consignment	Number of pigs to be monitored
0 - 25	all
26 - 30	26
31 - 40	31
41 - 50	35
51 - 100	45
101 - 200	51
200 +	60

At the time of examination, the following information shall be recorded for each pig on a table issued by the competent veterinary authorities: number of eartags, time of examination and temperature.

In cases where the examination shows a temperature of 40 °C or above, the official veterinarian shall immediately be informed. He shall initiate a disease investigation and take into account the provisions of Article 4 of Council Directive 80/217/EEC introducing Community measures for the control of classical swine fever.

2. Shortly (0 to 3 hours) before loading of the consignment examined as described in 1 above, a clinical examination shall be carried out by an official veterinarian designated by the competent veterinary authorities.
3. At the time of loading of the consignment of pigs examined as described in points 1 and 2, the official veterinarian shall issue a health document, which shall accompany the consignment to the designated slaughterhouse.
4. At the slaughterhouse of designation the results of the temperature monitoring shall be made available to the official veterinarian who performs the *ante mortem* examination.

ANNEX II

CERTIFICATE

for fresh meat referred to in Article 1 (1) of Commission Decision 97/514/EC

No (1): .....

Place of loading: .....

Ministry: .....

Department: .....

I. Identification of meat

Meat of pigs

Nature of cuts: .....

Number of cuts or packages: .....

Net weight: .....

II. Origin of meat

Address and veterinary approval number of the approved slaughterhouse:

.....  
.....

III. Destination of meat

The meat will be sent

from .....  
(place of loading)

to .....  
(place of destination)

by the following means of transport (2): .....

Name and address of consignee: .....  
.....  
.....

(1) Serial number issued by the official veterinarian.

(2) In the case of rail trucks and lorries, state the registration number and in the case of boats name and, where necessary, the number of the container.

**IV. Health attestation**

I, the undersigned official veterinarian, certify that the meat described above was obtained under the conditions governing production and control laid down in Directive 64/433/EEC and is in conformity with the provisions of Commission Decision 97/514/EC on marking and use of pigmeat in application of Article 9 of Directive 80/217/EEC.

Done at ....., on .....

.....  
(name and signature of the official veterinarian)

\_\_\_\_\_

## COMMISSION DECISION

of 1 August 1997

concerning certain protective measures with regard to certain fishery products  
originating in India

(Text with EEA relevance)

(97/515/EC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Directive 90/675/EEC of 10 December 1990 laying down the principles governing the organisation of veterinary checks on products entering the Community from third countries<sup>(1)</sup>, as last amended by Directive 96/43/EC<sup>(2)</sup>, and in particular Article 19 thereof,

Whereas Community inspections in India have shown that there are serious deficiencies with regard to infrastructure and hygiene in fishery establishments and that there are not enough guarantees of the efficiency of the controls carried out by the competent authorities; whereas there is a potentially high risk for public health with regard to the production and processing of fishery products in this country;

Whereas the results of checks at the Community border inspection posts on fishery products imported from India have indicated that these products may be contaminated by micro-organisms which may constitute a hazard to human health;

Whereas the Commission has already adopted Decision 97/334/EC on 28 May 1997 concerning certain protective measures with regard to certain fishery products originating in India<sup>(3)</sup>;

Whereas imports of fishery products from India must therefore not be further allowed;

Whereas this Decision will be reviewed before 30 November 1997;

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

HAS ADOPTED THIS DECISION:

*Article 1*

This Decision shall apply to fishery products originating in India.

*Article 2*

Member States shall prohibit imports of fishery products originating in India.

However, consignments which left India prior to the entry into force of this Decision, and which are presented at the Community inspection post for importation before 15 August 1997, shall be submitted to a sampling programme representative of the consignment. These samples must be examined for the presence of harmful micro-organisms, and in particular *Salmonellae* and *Vibrio cholerae* and *parahaemoliticus*.

*Article 3*

This Decision will be reviewed before 30 November 1997.

*Article 4*

Commission Decision 97/334/EC is repealed.

*Article 5*

The Member States shall modify the measures they apply in trade in order to bring them into line with this Decision. They shall immediately inform the Commission thereof.

*Article 6*

This Decision is addressed to the Member States.

Done at Brussels, 1 August 1997.

*For the Commission*

Franz FISCHLER

*Member of the Commission*

<sup>(1)</sup> OJ No L 373, 31. 12. 1990, p. 1.

<sup>(2)</sup> OJ No L 162, 1. 7. 1996, p. 1.

<sup>(3)</sup> OJ No L 139, 30. 5. 1997, p. 44.

**COMMISSION DECISION**

of 1 August 1997

**concerning certain protective measures with regard to certain fishery products  
originating in Madagascar**

(Text with EEA relevance)

(97/516/EC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Directive 90/675/EEC of 10 December 1990 laying down the principles governing the organisation of veterinary checks on products entering the Community from third countries<sup>(1)</sup>, as last amended by Directive 96/43/EC<sup>(2)</sup>, and in particular Article 19 thereof,

Whereas Community inspections in Madagascar have shown that there are serious deficiencies with regard to infrastructure and hygiene in fishery establishments and that there are not enough guarantees about the efficiency of the controls carried out by the competent authorities; whereas there is a potential risk for public health with regard to the production and processing of fishery products in this country;

Whereas imports of fishery products from Madagascar must therefore not be further allowed;

Whereas this Decision will be reviewed before 30 November 1997;

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

HAS ADOPTED THIS DECISION:

*Article 1*

This Decision shall apply to fishery products originating in Madagascar.

*Article 2*

Member States shall prohibit imports of fishery products originating in Madagascar.

However, consignments which left Madagascar prior to the entry into force of this Decision, and which are presented at the Community inspection post for importation before 15 August 1997, shall be submitted to a sampling programme representative of the consignment. These samples must be examined for the presence of harmful micro-organisms.

*Article 3*

This Decision will be reviewed before 30 November 1997.

*Article 4*

The Member States shall modify the measures they apply in trade in order to bring them into line with this Decision. They shall immediately inform the Commission thereof.

*Article 5*

This Decision is addressed to the Member States.

Done at Brussels, 1 August 1997.

*For the Commission*

Franz FISCHLER

*Member of the Commission*<sup>(1)</sup> OJ No L 373, 31. 12. 1990, p. 1.<sup>(2)</sup> OJ No L 162, 1. 7. 1996, p. 1.



## COMMISSION DECISION

of 1 August 1997

**concerning certain protective measures with regard to certain products of animal origin, excluding fishery products, originating in Madagascar**

(Text with EEA relevance)

(97/517/EC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Directive 90/675/EEC of 10 December 1990 laying down the principles governing the organisation of veterinary checks on products entering the Community from third countries<sup>(1)</sup>, as last amended by Directive 96/43/EC<sup>(2)</sup>, and in particular Article 19 thereof,

Whereas Community inspections in Madagascar have shown that there are serious deficiencies with regard to infrastructure and hygiene in meat establishments and that there are not enough guarantees of the efficiency of the controls carried out by the competent authorities; whereas animal health management in Madagascar shows severe deficiencies and non-application of Community rules; whereas there is a potential risk for public health with regard to the production and processing of animal products, excluding fishery products, in this country;

Whereas imports of products of animal origin, excluding fishery products, from Madagascar must not be allowed until it can be guaranteed that no more risk exists;

Whereas this Decision will be reviewed before 30 November 1997;

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

HAS ADOPTED THIS DECISION:

*Article 1*

This Decision shall apply to products of animal origin, excluding fishery products, originating in Madagascar.

*Article 2*

Without prejudice to Commission Decision 97/516/EC<sup>(3)</sup>, Member States shall prohibit imports of products of animal origin.

However, consignments which left Madagascar prior to the entry into force of this Decision, and which are presented at the Community inspection post for importation before 15 August 1997, shall be submitted to a re-inforced physical examination and if appropriate, a microbiological examination for the detection, in particular, of *Bacillus anthracis* and *Clostridium chauvoei*.

*Article 3*

This Decision will be reviewed before 30 November 1997.

*Article 4*

The Member States shall modify the measures they apply in trade in order to bring them into line with this Decision. They shall immediately inform the Commission thereof.

*Article 5*

This Decision is addressed to the Member States.

Done at Brussels, 1 August 1997.

*For the Commission*

Franz FISCHLER

*Member of the Commission*

<sup>(1)</sup> OJ No L 373, 31. 12. 1990, p. 1.

<sup>(2)</sup> OJ No L 162, 1. 7. 1996, p. 1.

<sup>(3)</sup> See page 53 of this Official Journal.

## COMMISSION DECISION

of 1 August 1997

concerning certain protective measures with regard to certain fishery products  
originating in Malaysia

(Text with EEA relevance)

(97/518/EC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

HAS ADOPTED THIS DECISION:

Having regard to the Treaty establishing the European Community,

Having regard to Council Directive 90/675/EEC of 10 December 1990 laying down the principles governing the organisation of veterinary checks on products entering the Community from third countries<sup>(1)</sup>, as last amended by Directive 96/43/EC<sup>(2)</sup>, and in particular Article 19 thereof,

Whereas, upon importation of frozen cephalopods originating in a processing establishment in Malaysia, the presence of *Salmonella paratyphi B* has been detected;

Whereas the presence of *Salmonella paratyphi* on food is a result of bad hygienic practices before and/or after processing of food;

Whereas the presence of *Salmonella paratyphi* on food presents a potential risk for human health;

Whereas imports of products from the establishment concerned in Malaysia must therefore not be further allowed;

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

*Article 1*

This Decision shall apply to fishery products, fresh, frozen or processed, originating in Malaysia.

*Article 2*

Member States shall ban the imports of fresh fishery products, in all forms, originating in the following establishment in Malaysia: Sea Master Trading — Penang code No 12.

*Article 3*

The Member States shall modify the measures they apply in trade in order to bring them into line with this Decision. They shall immediately inform the Commission thereof.

*Article 4*

This Decision is addressed to the Member States.

Done at Brussels, 1 August 1997.

*For the Commission*

Franz FISCHLER

*Member of the Commission*

<sup>(1)</sup> OJ No L 373, 31. 12. 1990, p. 1.

<sup>(2)</sup> OJ No L 162, 1. 7. 1996, p. 1.

## CORRIGENDA

**Corrigendum to Commission Regulation (EC) No 1734/96 of 9 September 1996 amending Annex I to Council Regulation (EEC) No 2658/87 on the tariff and statistical nomenclature and on the Common Customs Tariff**

*(Official Journal of the European Communities No L 238 of 19 September 1996)*

Page 117, CN code 1102 20 90, column 4b:

*for:* '125',  
*read:* '125,5'.

Page 145, CN code 1601 00 99, column 4b:

*for:* '122,8',  
*read:* '128,8'.

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**Corrigendum to Commission Regulation (EC) No 1433/97 of 23 July 1997 fixing the quantities of banana imports for supply to the Community for the fourth quarter of 1997**

*(Official Journal of the European Communities No L 196 of 24 July 1997)*

Page 54, Annex I, Table 2, second column (Quantities):

For the Dominican Republic:

*for:* '11 415,836',  
*read:* '11 345,820'.

For Belize:

*for:* '4 279,984',  
*read:* '4 350,000'.

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Corrigendum to *Official Journal of the European Communities* No L 211 of 5 August 1997

In *Official Journal of the European Communities* No L 211 of 5 August 1997, in the table of contents, on pages 2 and 3 of the cover, and in the titles on the corresponding pages, the numbers of the Decisions should read as follows:

- '97/490/EC:
- \* Commission Decision of 3 July 1997 concerning a request for exemption submitted by Luxembourg pursuant to Article 8 (2) (c) of Council Directive 70/156/EEC on the approximation of the laws of the Member States relating to the type-approval of motor vehicles and their trailers ..... 48
- 97/491/EC:
- \* Commission Decision of 3 July 1997 concerning a request for exemption submitted by Luxembourg pursuant to Article 8 (2) (c) of Council Directive 70/156/EEC on the approximation of the laws of the Member States relating to the type-approval of motor vehicles and their trailers ..... 50
- 97/492/EC:
- \* Commission Decision of 3 July 1997 concerning a request for exemption submitted by the Netherlands pursuant to Article 8 (2) (c) of Council Directive 70/156/EEC on the approximation of the laws of the Member States relating to the type-approval of motor vehicles and their trailers ..... 51
- 97/493/EC:
- \* Commission Decision of 3 July 1997 concerning a request for exemption submitted by the Netherlands pursuant to Article 8 (2) (c) of Council Directive 70/156/EEC on the approximation of the laws of the Member States relating to the type-approval of motor vehicles and their trailers ..... 52
- 97/494/EC:
- \* Commission Decision of 3 July 1997 concerning a request for exemption submitted by Belgium pursuant to Article 8 (2) (c) of Council Directive 70/156/EEC on the approximation of the laws of the Member States relating to the type-approval of motor vehicles and their trailers ..... 53
- 97/495/EC:
- \* Commission Decision of 3 July 1997 concerning a request for exemption submitted by Belgium pursuant to Article 8 (2) (c) of Council Directive 70/156/EEC on the approximation of the laws of the Member States relating to the type-approval of motor vehicles and their trailers ..... 54
- 97/496/EC:
- \* Commission Decision of 3 July 1997 concerning a request for exemption submitted by Belgium pursuant to Article 8 (2) (c) of Council Directive 70/156/EEC on the approximation of the laws of the Member States relating to the type-approval of motor vehicles and their trailers ..... 55
- 97/497/EC:
- \* Commission Decision of 3 July 1997 concerning a request for exemption submitted by Belgium pursuant to Article 8 (2) (c) of Council Directive 70/156/EEC on the approximation of the laws of the Member States relating to the type-approval of motor vehicles and their trailers ..... 56

97/498/EC:

- \* Commission Decision of 3 July 1997 concerning a request for exemption submitted by Belgium pursuant to Article 8 (2) (c) of Council Directive 70/156/EEC on the approximation of the laws of the Member States relating to the type-approval of motor vehicles and their trailers ..... 57

97/499/EC:

- \* Commission Decision of 3 July 1997 concerning a request for exemption submitted by Belgium pursuant to Article 8 (2) (c) of Council Directive 70/156/EEC on the approximation of the laws of the Member States relating to the type-approval of motor vehicles and their trailers ..... 58

97/500/EC:

- \* Commission Decision of 3 July 1997 concerning a request for exemption submitted by Belgium pursuant to Article 8 (2) (c) of Council Directive 70/156/EEC on the approximation of the laws of the Member States relating to the type-approval of motor vehicles and their trailers ..... 59

97/501/EC:

- \* Commission Decision of 3 July 1997 concerning a request for exemption submitted by Italy pursuant to Article 8 (2) (c) of Council Directive 70/156/EEC on the approximation of the laws of the Member States relating to the type-approval of motor vehicles and their trailers ..... 60

97/502/EC:

- \* Commission Decision of 3 July 1997 concerning a request for exemption submitted by the United Kingdom pursuant to Article 8 (2) (c) of Council Directive 70/156/EEC on the approximation of the laws of the Member States relating to the type-approval of motor vehicles and their trailers ..... 61

97/503/EC:

- \* Commission Decision of 3 July 1997 concerning a request for exemption submitted by the United Kingdom pursuant to Article 8 (2) (c) of Council Directive 70/156/EEC on the approximation of the laws of the Member States relating to the type-approval of motor vehicles and their trailers ..... 62

97/504/EC:

- \* Commission Decision of 3 July 1997 concerning a request for exemption submitted by the United Kingdom pursuant to Article 8 (2) (c) of Council Directive 70/156/EEC on the approximation of the laws of the Member States relating to the type-approval of motor vehicles and their trailers ..... 63

97/505/EC:

- \* Commission Decision of 3 July 1997 concerning a request for exemption submitted by the United Kingdom pursuant to Article 8 (2) (c) of Council Directive 70/156/EEC on the approximation of the laws of the Member States relating to the type-approval of motor vehicles and their trailers ..... 64

97/506/EC:

- \* Commission Decision of 3 July 1997 concerning a request for exemption submitted by the United Kingdom pursuant to Article 8 (2) (c) of Council Directive 70/156/EEC on the approximation of the laws of the Member States relating to the type-approval of motor vehicles and their trailers ..... 65

97/507/EC:

- \* **Commission Decision of 3 July 1997 concerning a request for exemption submitted by Spain pursuant to Article 8 (2) (c) of Council Directive 70/156/EEC on the approximation of the laws of the Member States relating to the type-approval of motor vehicles and their trailers ..... 66**

97/508/EC:

- \* **Commission Decision of 3 July 1997 concerning a request for exemption submitted by Belgium pursuant to Article 8 (2) (c) of Council Directive 70/156/EEC on the approximation of the laws of the Member States relating to the type-approval of motor vehicles and their trailers ..... 67'**
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