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⁽¹⁾ Text with EEA relevance

I

(Acts whose publication is obligatory)

**COUNCIL REGULATION (EC) No 2308/97
of 17 November 1997**

**reintroducing a 12 % rate of duty to be applied to certain products falling within
CN code 5607**

THE COUNCIL OF THE EUROPEAN UNION,

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

Having regard to the proposal from the Commission,

Whereas the import duty on processed products of sisal or other textile fibres of the genus *Agave* falling within CN codes 5607 21 00, 5607 29 10 and 5607 29 90 was reduced and bound at 12 % by the Community in the context of the Tokyo Round of Multilateral Trade Negotiations;

Whereas the bound rate of 12 % on these products was subsequently withdrawn in accordance with the provisions of GATT Article XXVIII and was replaced by an autonomous rate of 25 % in Council Regulation (EEC) No 283/91⁽¹⁾;

Whereas, in the context of the Uruguay Round of Multilateral Trade Negotiations, the Community undertook to reintroduce the 12 % duty rate once Brazil had definitively eliminated the tax applied on exports of sisal fibres by the States of Paraiba and Bahia; whereas Brazil has, in the mean time, exempted the said exports of sisal fibres taxes; whereas, as a consequence it is appropriate to reintroduce the 12 % duty rate and to repeal Regulation (EEC) No 283/91; whereas Council Regulation (EEC) No 2658/87 of 23 July 1987 on the tariff and statistical nomenclature and on the Common Customs Tariff⁽²⁾, should as a result be amended,

HAS ADOPTED THIS REGULATION:

Article 1

Annex I to Regulation (EEC) No 2658/87 is hereby amended as follows:

CN code	Description	Rate of duty		Supplementary unit
		Autonomous (%)	Conventional (%)	
1	2	3	4	5
5607	Twine, cordage, ropes and cables, whether or not plaited or braided and whether or not impregnated, coated, covered or sheathed with rubber or plastics:			
5607 10 00	– Unchanged	Unchanged	Unchanged	—
	– Of sisal or other textile fibres of the genus <i>Agave</i>			
5607 21 00	– – Binder or baler twine	16	12	—
5607 29	– – Other:			
5607 29 10	– – – Measuring more than 100 000 decitex (10 g/m)	16	12	—
5607 29 90	– – – Measuring less than or equal to 100 000 decitex (10 g/m)	16	12	—

⁽¹⁾ OJ L 35, 7. 2. 1991, p. 1.

⁽²⁾ OJ L 256, 7. 9. 1987, p. 1, Regulation as last amended by Commission Regulation (EC) No 1624/97 (OJ L 224, 14. 8. 1997, p. 16).

Article 2

Regulation (EEC) No 283/91 is hereby repealed.

Article 3

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

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

Done at Brussels, 17 November 1997.

For the Council

The President

F. BODEN

COUNCIL REGULATION (EC) No 2309/97
of 17 November 1997
amending Regulation (EEC) No 1765/92 establishing a support system for
producers of certain arable crops

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty establishing the European Community, and in particular Articles 42 and 43 thereof,

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

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

Whereas Regulation (EEC) No 1765/92 ⁽³⁾ provides for the grant to producers of durum wheat in traditional production zones of a supplement to the compensatory payment referred to in Title I of that Regulation, in order to offset the extra loss of income to the producers in question, by comparison with producers of other cereals arising from the fixing of a single price for all cereals; whereas the special supplement is restricted to areas down to durum wheat in the traditional zones;

Whereas the process of determining the number of hectares eligible for the supplement to the compensatory payment granted to individual durum wheat producers in traditional production zones has made it necessary to establish a national register of such producers; whereas the introduction of such a register makes it difficult to adjust the structure of durum wheat production to the market situation; whereas the special scheme for durum wheat production aid should therefore be modified;

Whereas a means should be found to ensure that the adjustment produces a durum wheat production level which is sufficient to supply user industries while keeping budgetary expenditure in check; whereas that objective can be achieved by introducing, for each Member State concerned, a maximum area of durum wheat eligible for the supplement covering all the zones eligible for the supplement to the compensatory payment, as referred to in Annexes II and III to Regulation (EEC) No 1765/92; whereas that maximum area should be fixed on the basis of the largest area which received the supplement to the compensatory payment since its introduction, in order to correspond best to production in the Member States concerned; whereas, in the case of Spain, a maximum guaranteed area has already been fixed at 570 000 hectares by Regulation (EC) No 3116/94 ⁽⁴⁾, i.e. at a level that

corresponds best to production in that Member State, whereas, in the case of Portugal, a maximum guaranteed area has already been fixed at 35 000 hectares by Regulation (EC) No 3116/94 in order to reflect best the production potential in that Member State, in view of the existence of a special degressive aid granted to producers of common wheat by Council Regulation (EEC) No 3653/90 of 11 December 1990, introducing transitional measures governing the common organization of the market in cereals and rice in Portugal ⁽⁵⁾; whereas, in the case of Italy, in view of the size of the area concerned, account should be taken of the land traditionally down to durum wheat that was taken out of cultivation during the reference period under five-year set-aside arrangements in accordance with Council Regulation (EC) No 950/97 of 20 May 1997 on improving the efficiency of agricultural structures ⁽⁶⁾; whereas the levels of those areas should also be increased to reflect the need to ensure the regular supply of the Community meal industry, in view, in particular, of the unpredictable climatic conditions affecting the traditional production zones; whereas, in order to remain within budgetary limits, the increase in maximum guaranteed areas must be coupled with a reduction in the amount of the supplement;

Whereas any overshoot of those areas must lead to an adjustment in the applications submitted with a view to the grant of the supplement to the compensatory payment;

Whereas, moreover, in some Member States the production of durum wheat is well established in regions outside traditional zones; whereas it is desirable to safeguard a certain level of production in those regions by the grant of special aid;

Whereas Annexes II and III to Regulation (EEC) No 1765/92 should be combined in a single Annex for the sake of clarity;

Whereas it is necessary to ensure that the areas in receipt of special aid for durum wheat produce wheat which satisfies the demands of user industries; whereas this may be achieved by requiring that certified seed be used;

Whereas Regulation (EEC) No 1765/92 should be amended accordingly,

⁽¹⁾ OJ C 301, 11. 10. 1996, p. 9.

⁽²⁾ OJ C 200, 30. 6. 1997, p. 130.

⁽³⁾ OJ L 181, 1. 7. 1992, p. 12, Regulation as last amended by Regulation (EC) No 922/97 (OJ L 133, 24. 5. 1997, p. 1).

⁽⁴⁾ OJ L 330, 21. 12. 1994, p. 1.

⁽⁵⁾ OJ L 362, 27. 12. 1990, p. 28, Regulation as last amended by Regulation (EC) No 1664/95 (OJ L 158, 8. 7. 1995, p. 13).

⁽⁶⁾ OJ L 142, 2. 6. 1997, p. 1.

HAS ADOPTED THIS REGULATION:

Article 1

Regulation (EEC) No 1765/92 is hereby amended as follows:

1. In Article 4, paragraphs 3, 4 and 5 shall be replaced by the following:

'3. A supplement to the compensatory payment of ECU 344,5 per hectare shall be paid for the area down to durum wheat in the traditional production zones listed in Annex II, subject to the limits fixed in Annex III.

Should the total of the areas for which a supplement to the compensatory payment is claimed be greater than the limit referred to above during the course of a marketing year, the area per producer for which the supplement may be paid shall be reduced proportionately.

However, subject to the limits per Member State laid down in Annex III, Member States may distribute the areas indicated in that Annex among the production zones as defined in Annex II, or, if necessary, the production regions referred to in Article 3, according to the extent of the production of durum wheat during the period 1993 to 1997. Where this is done, should the total of the areas within a region for which a supplement to the compensatory payment is requested be greater than the corresponding regional limit during the course of a marketing year, the area per producer in that production region for which the supplement may be paid shall be reduced proportionately. The reduction shall be made when, within a

Member State, the areas in regions which have not reached their regional limits have been distributed to regions in which those limits have been exceeded.

4. In regions where the production of durum wheat is well established, other than those referred to in Annex II, special aid amounting to ECU 138,9 per hectare shall be granted up to a limit of the number of hectares laid down in Annex IIIa.'

2. In Article 12, the fifth indent shall be replaced by the following:

'— those determining, for durum wheat, the eligibility requirements for the supplement to the compensatory payment referred to in Article 4 (3) and the eligibility requirements for the special aid referred to in Article 4 (4), and in particular determination of the regions to be taken into consideration and the measures to be taken in the event that the limit fixed for the payment of the aid is exceeded; those rules shall stipulate that the grant of the supplement provided for in Article 4 (3) and (4) be subject to the obligation to use certified seed.'

3. Annexes II and III shall be replaced by the corresponding texts in the Annex to this Regulation.

4. Annex IIIa, appearing in the Annex to this Regulation, shall be inserted.

Article 2

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

It shall apply from the 1999/2000 crop year.

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

Done at Brussels, 17 November 1997.

For the Council

The President

F. BODEN

ANNEX

ANNEX II

Traditional production zones for durum wheat

GREECE

Nomoi (prefectures) of the following regions:

Central Greece
Peloponnese
Ionian Islands
Thessaly
Macedonia
Aegean Islands
Thrace

Campania

Latium
Marches
Molise
Umbria
Apulia
Sardinia
Sicily
Tuscany

SPAIN

Provinces

Almería
Badajoz
Burgos
Cádiz
Córdoba
Granada
Huelva
Jaén
Málaga
Navarra
Salamanca
Seville
Toledo
Zamora
Saragoza

AUSTRIA

Pannonia

FRANCE

Regions

Midi-Pyrénées
Provence-Alpes-Côte d'Azur
Languedoc-Roussillon

Departments ()*

Ardèche
Drôme

PORTUGAL

Districts

Santarém
Lisbon
Setúbal
Portalegre
Évora
Beja
Faro

ITALY

Regions

Abruzzo
Basilicata
Calabria

(*) Each of these departments may be linked to one of the abovementioned regions.

*ANNEX III***Maximum guaranteed areas in receipt of the supplement to the compensatory payment for durum wheat referred to in Article 4 (3)**

	<i>(hectares)</i>
Greece:	617 000
Spain:	594 000
France:	208 000
Italy:	1 646 000
Austria:	7 000
Portugal:	59 000

*ANNEX IIIa***Maximum guaranteed areas in receipt of the special aid for durum wheat referred to in Article 4 (4)**

	<i>(hectares)</i>
Germany:	10 000
Spain:	4 000
France:	50 000
Italy:	4 000
United Kingdom:	5 000'

COMMISSION REGULATION (EC) No 2310/97**of 21 November 1997****establishing the standard import values for determining the entry price of certain fruit and vegetables**

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

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

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

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

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

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

HAS ADOPTED THIS REGULATION:

Article 1

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

Article 2

This Regulation shall enter into force on 22 November 1997.

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

Done at Brussels, 21 November 1997.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ L 337, 24. 12. 1994, p. 66.

⁽²⁾ OJ L 325, 14. 12. 1996, p. 5.

⁽³⁾ OJ L 387, 31. 12. 1992, p. 1.

⁽⁴⁾ OJ L 22, 31. 1. 1995, p. 1.

ANNEX

to the Commission Regulation of 21 November 1997 establishing the standard import values for determining the entry price of certain fruit and vegetables

(ECU/100 kg)

CN code	Third country code ⁽¹⁾	Standard import value
0702 00 45	204	48,4
	999	48,4
0707 00 40	052	62,1
	999	62,1
0709 90 79	052	108,4
	999	108,4
0805 20 31	204	62,2
	999	62,2
0805 20 33, 0805 20 35, 0805 20 37, 0805 20 39	052	64,9
	400	50,5
	464	123,7
	999	79,7
0805 30 40	052	88,2
	528	49,9
	999	69,0
0808 10 92, 0808 10 94, 0808 10 98	052	48,3
	060	44,0
	064	42,8
	400	84,3
	404	80,0
	999	59,9
0808 20 67	052	99,8
	064	80,6
	400	100,6
	999	93,7

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

COMMISSION REGULATION (EC) No 2311/97
of 21 November 1997

fixing the maximum export refund on wholly milled medium grain and long grain A rice in connection with the invitation to tender issued in Regulation (EC) No 2096/97

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

Having regard to Council Regulation (EC) No 3072/95 of 22 December 1995 on the common organization of the market in rice ⁽¹⁾, and in particular Article 13 (3) thereof,

Whereas an invitation to tender for the export refund on rice was issued pursuant to Commission Regulation (EC) No 2096/97 ⁽²⁾;

Whereas Article 5 of Commission Regulation (EEC) No 584/75 ⁽³⁾, as last amended by Regulation (EC) No 299/95 ⁽⁴⁾, allows the Commission to fix, in accordance with the procedure laid down in Article 22 of Regulation (EC) No 3072/95 and on the basis of the tenders submitted, a maximum export refund; whereas in fixing this maximum, the criteria provided for in Article 13 of Regulation (EC) No 3072/95 must be taken into account; whereas a contract is awarded to any tenderer whose tender is equal to or less than the maximum export refund;

Whereas the application of the abovementioned criteria to the current market situation for the rice in question

results in the maximum export refund being fixed at the amount specified in Article 1;

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

HAS ADOPTED THIS REGULATION:

Article 1

The maximum export refund on wholly milled medium grain and long grain A rice to be exported to certain third countries pursuant to the invitation to tender issued in Regulation (EC) No 2096/97 is hereby fixed on the basis of the tenders submitted from 17 November to 20 November 1997 at ECU 198 per tonne.

Article 2

This Regulation shall enter into force on 22 November 1997.

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

Done at Brussels, 21 November 1997.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ L 329, 30. 12. 1995, p. 18.

⁽²⁾ OJ L 292, 25. 10. 1997, p. 19.

⁽³⁾ OJ L 61, 7. 3. 1975, p. 25.

⁽⁴⁾ OJ L 35, 15. 2. 1995, p. 8.

COMMISSION REGULATION (EC) No 2312/97
of 21 November 1997

fixing the maximum export refund on wholly milled medium grain and long grain A rice in connection with the invitation to tender issued in Regulation (EC) No 2095/97

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

Having regard to Council Regulation (EC) No 3072/95 of 22 December 1995 on the common organization of the market in rice ⁽¹⁾, and in particular Article 13 (3) thereof,

Whereas an invitation to tender for the export refund on rice was issued pursuant to Commission Regulation (EC) No 2095/97 ⁽²⁾;

Whereas Article 5 of Commission Regulation (EEC) No 584/75 ⁽³⁾, as last amended by Regulation (EC) No 299/95 ⁽⁴⁾, allows the Commission to fix, in accordance with the procedure laid down in Article 22 of Regulation (EC) No 3072/95 and on the basis of the tenders submitted, a maximum export refund; whereas in fixing this maximum, the criteria provided for in Article 13 of Regulation (EC) No 3072/95 must be taken into account; whereas a contract is awarded to any tenderer whose tender is equal to or less than the maximum export refund;

Whereas the application of the abovementioned criteria to the current market situation for the rice in question

results in the maximum export refund being fixed at the amount specified in Article 1;

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

HAS ADOPTED THIS REGULATION:

Article 1

The maximum export refund on wholly milled medium grain and long grain A rice to be exported to certain third countries pursuant to the invitation to tender issued in Regulation (EC) No 2095/97 is hereby fixed on the basis of the tenders submitted from 17 to 20 November 1997 at ECU 210 per tonne.

Article 2

This Regulation shall enter into force on 22 November 1997.

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

Done at Brussels, 21 November 1997.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ L 329, 30. 12. 1995, p. 18.

⁽²⁾ OJ L 292, 25. 10. 1997, p. 16.

⁽³⁾ OJ L 61, 7. 3. 1975, p. 25.

⁽⁴⁾ OJ L 35, 15. 2. 1995, p. 8.

**COMMISSION REGULATION (EC) No 2313/97
of 21 November 1997**

**fixing the maximum subsidy on exports of husked long grain rice to Réunion
pursuant to the invitation to tender referred to in Regulation (EC) No 2094/97**

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

Having regard to Council Regulation (EC) No 3072/95 of 22 December 1995 on the common organization of the market in rice ⁽¹⁾, and in particular Article 10 (1) thereof,

Having regard to Commission Regulation (EEC) No 2692/89 of 6 September 1989 laying down detailed rules for exports of rice to Réunion ⁽²⁾, and in particular Article 9 (1) thereof,

Whereas Commission Regulation (EC) No 2094/97 ⁽³⁾ opens an invitation to tender for the subsidy on rice exported to Réunion;

Whereas Article 9 of Regulation (EEC) No 2692/89 allows the Commission to fix, in accordance with the procedure laid down in Article 22 of Regulation (EC) No 3072/95 and on the basis of the tenders submitted, a maximum subsidy;

Whereas the criteria laid down in Articles 2 and 3 of Regulation (EEC) No 2692/89 should be taken into

account when fixing this maximum subsidy; whereas successful tenderers shall be those whose bids are at or below the level of the maximum subsidy;

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

HAS ADOPTED THIS REGULATION:

Article 1

A maximum subsidy on exports to Réunion of husked long grain rice falling within CN code 1006 20 98 is hereby set on the basis of the tenders lodged from 17 to 20 November 1997 at ECU 324 per tonne pursuant to the invitation to tender referred to in Regulation (EC) No 2094/97.

Article 2

This Regulation shall enter into force on 22 November 1997.

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

Done at Brussels, 21 November 1997.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ L 329, 30. 12. 1995, p. 18.

⁽²⁾ OJ L 261, 7. 9. 1989, p. 8.

⁽³⁾ OJ L 292, 25. 10. 1997, p. 14.

COMMISSION REGULATION (EC) No 2314/97
of 21 November 1997

fixing the maximum export refund on wholly milled long grain rice in
connection with the invitation to tender issued in Regulation (EC) No 2097/97

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

Having regard to Council Regulation (EC) No 3072/95 of
22 December 1995 on the common organization of the
market in rice ⁽¹⁾, and in particular Article 13 (3) thereof,

Whereas an invitation to tender for the export refund on
rice was issued pursuant to Commission Regulation (EC)
No 2097/97 ⁽²⁾;

Whereas, Article 5 of Commission Regulation (EEC) No
584/75 ⁽³⁾, as last amended by Regulation (EC) No
299/95 ⁽⁴⁾, allows the Commission to fix, in accordance
with the procedure laid down in Article 22 of Regulation
(EC) No 3072/95 and on the basis of the tenders
submitted, a maximum export refund; whereas in fixing
this maximum, the criteria provided for in Article 13 of
Regulation (EC) No 3072/95 must be taken into account;
whereas a contract is awarded to any tenderer whose
tender is equal to or less than the maximum export
refund;

Whereas the application of the abovementioned criteria to
the current market situation for the rice in question

results in the maximum export refund being fixed at the
amount specified in Article 1;

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

HAS ADOPTED THIS REGULATION:

Article 1

The maximum export refund on wholly milled long grain
rice falling within CN code 1006 30 67 to be exported to
certain third countries pursuant to the invitation to tender
issued in Regulation (EC) No 2097/97 is hereby fixed on
the basis of the tenders submitted from 17 to 20
November 1997 at ECU 365 per tonne.

Article 2

This Regulation shall enter into force on 22 November
1997.

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

Done at Brussels, 21 November 1997.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ L 329, 30. 12. 1995, p. 18.

⁽²⁾ OJ L 292, 25. 10. 1997, p. 22.

⁽³⁾ OJ L 61, 7. 3. 1975, p. 25.

⁽⁴⁾ OJ L 35, 15. 2. 1995, p. 8.

COMMISSION REGULATION (EC) No 2315/97
of 21 November 1997

**fixing the maximum export refund on wholly milled round grain rice in
connection with the invitation to tender issued in Regulation (EC) No 2098/97**

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

Having regard to Council Regulation (EC) No 3072/95 of
22 December 1995 on the common organization of the
market in rice ⁽¹⁾, and in particular Article 13 (3) thereof,

Whereas an invitation to tender for the export refund on
rice was issued pursuant to Commission Regulation (EC)
No 2098/97 ⁽²⁾;

Whereas Article 5 of Commission Regulation (EEC) No
584/75 ⁽³⁾, as last amended by Regulation (EC) No
299/95 ⁽⁴⁾, allows the Commission to fix, in accordance
with the procedure laid down in Article 22 of Regulation
(EC) No 3072/95 and on the basis of the tenders
submitted, a maximum export refund; whereas in fixing
this maximum, the criteria provided for in Article 13 of
Regulation (EC) No 3072/95 must be taken into account;
whereas a contract is awarded to any tenderer whose
tender is equal to or less than the maximum export
refund;

Whereas the application of the abovementioned criteria to
the current market situation for the rice in question

results in the maximum export refund being fixed at the
amount specified in Article 1;

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

HAS ADOPTED THIS REGULATION:

Article 1

The maximum export refund on wholly milled round
grain rice to be exported to certain third countries
pursuant to the invitation to tender issued in Regulation
(EC) No 2098/97 is hereby fixed on the basis of the
tenders submitted from 17 to 20 November 1997 at ECU
194 per tonne.

Article 2

This Regulation shall enter into force on 22 November
1997.

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

Done at Brussels, 21 November 1997.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ L 329, 30. 12. 1995, p. 18.

⁽²⁾ OJ L 292, 25. 10. 1997, p. 25.

⁽³⁾ OJ L 61, 7. 3. 1975, p. 25.

⁽⁴⁾ OJ L 35, 15. 2. 1995, p. 8.

COMMISSION REGULATION (EC) No 2316/97

of 21 November 1997

amending Regulation (EEC) No 3886/92 as regards the information which Member States are required to communicate to the Commission for the premium schemes in the beef and veal sector

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EEC) No 805/68 of 27 June 1968 on the common organization of the market in beef and veal⁽¹⁾, as last amended by Regulation (EC) No 2222/96⁽²⁾, and in particular Articles 4b (8), 4d (8), 4e (1) and (5), 4f (4) and 25 thereof,

Whereas Articles 5 (2), 30 (2), and 56 of Commission Regulation (EEC) No 3886/92 of 23 December 1992 laying down detailed rules for the application of the premium schemes provided for in Regulation (EEC) No 805/68 on the common organization of the market in beef and veal and repealing Regulations (EEC) No 1244/82 and (EEC) No 714/89⁽³⁾, as last amended by Regulation (EC) No 1677/97⁽⁴⁾, lay down certain information which Member States are required to communicate to the Commission; whereas for the sake of consistency in respect of the information provided by Member States, a uniform system of notification is required; whereas such harmonization would result in better monitoring of the beef premium schemes;

Whereas certain deadlines create complications in the administration of the premium schemes and in particular the deadline of 30 June, which is the date by which Member States must provide data on the number of premiums granted and also the final date by which all premiums must be paid, in accordance with Articles 4b (6) and 4d (7) of Regulation (EEC) No 805/68; whereas that deadline should be extended to 31 July to allow Member States more time to provide accurate data on the number of premiums actually granted; whereas there are four separate dates each year when data must be provided by Member States; whereas a reduction in the number of times notifications are required would lead to fewer administrative complications; whereas the deadline for information on the functioning of the national reserves should be moved from 30 April to 1 March for initial data and to 31 July for confirmation of those data, in order to simplify the notification process; whereas some simplification should also be extended to information in respect of animals exempted from the density factor;

Whereas the current system of notification does not require Member States to adhere to a consistent format in providing data on the premium schemes; whereas such inconsistency causes difficulties in the analysis and comparison of data; whereas a standard model should be introduced as an Annex to Regulation (EEC) No 3886/92; whereas Member States should be required to use that model when submitting data;

Whereas in order to ascertain the true situation with regard to the number of premium rights held in the national reserves of Member States, the number of unused rights transferred back to the reserves should be included in the calculation; whereas there is currently no requirement for Member States to communicate such data; whereas a provision calling for that information should be included;

Whereas since 1997 the second payment for bulls, with the temporary exception for those reared in certain areas, has been withdrawn, leaving a single premium; whereas there is currently a requirement for Member States to communicate data on the type of animal, whether castrated or not, in respect of the second age bracket only; whereas that does not reflect the introduction of the single premium for bulls; whereas the number of male animals for which premium has been applied for and for which premium has been granted should be notified to the Commission according to the type of animal, whether castrated or not, in respect of both age brackets;

Whereas information notified to the Commission in respect of the processing premium should make reference to the different breeds of calf eligible under the scheme and their differential payment rates; whereas the animal numbers provided by Member States should be broken down according to the type of animal, whether or not dairy;

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

HAS ADOPTED THIS REGULATION:

Article 1

Regulation (EEC) No 3886/92 is hereby amended as follows:

1. Article 5 (2) (b) shall be amended as follows:

⁽¹⁾ OJ L 148, 28. 6. 1968, p. 24.

⁽²⁾ OJ L 296, 21. 11. 1996, p. 50.

⁽³⁾ OJ L 391, 31. 12. 1992, p. 20.

⁽⁴⁾ OJ L 238, 29. 8. 1997, p. 1.

- (a) in the first line, the date '30 June' shall be replaced by '31 July';
- (b) the following sentence shall be added:
'These details shall be communicated using the table set out in Annex V.';
2. Article 30 (2) shall be replaced by the following:
'2. Using the table set out in Annex V, Member States shall notify the Commission at the latest by 1 March, provisionally, and by 31 July, definitively, for each calendar year of:
- the number of premium rights paid to the national reserve following transfers of rights without transfers of holdings during the preceding calendar year,
 - the number of unused premium rights referred to in Article 33 (2) transferred to the national reserve during the preceding calendar year,
 - the number of premium rights granted pursuant to Article 4f (2) of Regulation (EEC) No 805/68 during the preceding calendar year,
 - the total number of premium rights granted to producers in less favoured areas from the additional reserve during the preceding calendar year.;
3. Article 56 shall be amended as follows:
- (a) paragraph 1 shall be amended as follows:
- (i) in point (a), the second indent shall be replaced by the following:
'— type of animal, whether or not castrated';
 - (ii) point (c) shall be deleted;
- (b) the following paragraph 1a shall be inserted:
'1a. Member States shall notify the Commission annually by 1 March at the latest of the number of animals in respect of which the premium exempt from the density factor has been applied for in the preceding calendar year.';
- (c) paragraph 2 shall be amended as follows:
- (i) in the introductory part, the date '30 June' shall be replaced by '31 July';
 - (ii) in point (a), the second indent shall be replaced by the following:
'— type of animal, whether or not castrated';
 - (iii) point (e) shall be replaced by the following:
'(e) where applicable, the number of animals for which the processing premium was actually granted broken down by the type of animal whether or not dairy.';
- (d) the following paragraph 3 shall be added:
'3. Member States shall communicate the details set out in paragraphs 1, 1a and 2 using the table set out in Annex V.';
4. the text in the Annex to this Regulation shall be added as Annex V.

Article 2

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

It shall apply from 1 January 1998.

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

Done at Brussels, 21 November 1997.

For the Commission

Franz FISCHLER

Member of the Commission

ANNEX

ANNEX V

Table referred to in Articles 5 (2) (b), 30 (2) and 56 (3)

1. SPECIAL BEEF PREMIUM

Number of animals

Regulation (EEC) No	Deadline for submission	Reference	Information required	General scheme and slaughter scheme						Slaughter scheme only (*)			
				First age bracket		Second age bracket		Both age brackets together		Uncastrated	Castrated		
				Uncastrated	Castrated	Uncastrated	Castrated	Uncastrated	Castrated				
3886/92 Article 56 (1) (a)	15 September (*)	1.1	Number of animals applied for January to June										
	1 March (*)	1.2	Number of animals applied for July to December										
3886/92 Article 56 (2) (a)	31 July (*)	1.3	Number of animals accepted (*) Full year										
				First age bracket	Second age bracket							Both age brackets together	
3886/92 Article 5 (2) (b)	31 July (*)	1.4	Number of animals not accepted on account of the application of the regional ceiling										

Number of producers

Regulation (EEC) No	Deadline for submission	Reference	Information required	General scheme and slaughter scheme			Slaughter scheme only
				First age bracket	Second age bracket	Both age brackets together only	
3886/92 Article 56 (2) (a)	31 July (*)	1.5	Number of producers granted premium				

2. DESEASONALIZATION PREMIUM

Regulation (EEC) No	Deadline for submission	Reference	Information required (*)	First age bracket	Second age bracket	Both age brackets together
3886/92 Article 56 (1) (d)	15 September (2)	2.1	Number of animals			
		2.2	Number of producers			
	1 March (2)	2.3	Number of animals			
		2.4	Number of producers			

3. SUCKLER COW PREMIUM

Regulation (EEC) No	Deadline for submission	Reference	Information required	Pure suckler	Mixed herds	Amount per head	Conditions for granting premium
3886/92 Article 56 (1) (b)	15 September (2)	3.1	Number of animals applied for January to June				Please attach copy of specific national regulations governing payment of national premium
	1 March (2)	3.2	Number of animals applied for July to December				
3886/92 Article 56 (2) (b)	31 July (2)	3.3	Number of animals accepted (2)				
		3.4	Number of producers granted premium Full year				
3886/92 Article 56 (2) (c)	31 July (2)	3.5	National premium				

4. ADDITIONAL AMOUNT FOR EXTENSIFICATION

Regulation (EEC) No	Deadline for submission	Reference	Information required	Special premium		Suckler cow premium		Both premiums	
				Density $\geq 1 < 1,4$	Density $< 1,0$	Density $\geq 1 < 1,4$	Density $< 1,0$	Density $\geq 1 < 1,4$	Density $< 1,0$
3886/92 Article 56 (2) (a) and (b)	31 July (2)	4.1	Number of animals accepted (2)						
		4.2	Number of producers granted premium (2)						

5. PREMIUM EXEMPT FROM THE DENSITY FACTOR

Regulation (EEC) No	Deadline for submission	Reference	Information required	Animals	Producers
3886/92 Article 56 (1) (a)	1 March ⁽¹⁾	5.1	Number of animals in respect of which the premium exempt from application of the density factor has been applied for January to December		
3886/92 Article 56 (1) (a)	31 July ⁽²⁾	5.2	Number of animals and producers in respect of which the premium exempt from the application of the density factor was granted		

6. PROCESSING PREMIUM

Regulation (EEC) No	Deadline for submission	Reference	Information required	Animals	
				Dairy breed	Non dairy breed
3886/92 Article 56 (2) (e) Article 49 (4)	31 July ⁽³⁾	6.1	Number of animals for which the processing premium was granted in the preceding calendar year		

7. SUCKLER COW QUOTA

Regulation (EEC) No	Deadline for submission	Reference	Balance of rights at start of year	Rights ceded to National Reserve arising from		Rights attributed free of charge		Balance of rights at end of year
				(a) Transfers without holding	(b) Insufficient usage	From National Reserve	Of which: from LFA reserve	
3886/92 Article 30 (2)	1 March ⁽¹⁾ (provisional)	7.1	Of which: LFA reserve				Of which: LFA reserve	
3886/92 Article 30 (2)	31 July ⁽²⁾ (confirmation)	7.2						

⁽¹⁾ It will be assumed that both premiums have been claimed (1.1 and 1.2)/granted (1.3) in respect of the animal numbers entered in this column.

⁽²⁾ Data requested relates to the current calendar year.

⁽³⁾ Data requested relates to the preceding calendar year.

⁽⁴⁾ "Animals accepted" means the number of animals for which premium was actually granted. (Animals accepted for both age brackets special beef premiums in the same year are counted twice).

⁽⁵⁾ Data relates to animals/producers granted premium. However, Member States may add information on claims if payments are still provisional. (For animals, each column relates to the number of animals accepted for such premium).

COMMISSION REGULATION (EC) No 2317/97
of 21 November 1997
on the country nomenclature for the external trade statistics of the Community
and statistics of trade between Member States
(Text with EEA relevance)

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

Having regard to Council Regulation (EC) No 1172/95 of 22 May 1995 relating to the trading of goods by the Community and its Member States with non-member countries⁽¹⁾, as amended by Regulation (EC) No 476/97⁽²⁾, and in particular Article 21 (1) thereof,

Whereas in accordance with Article 9 of Regulation (EC) No 1172/95 the introduction of the country nomenclature is the responsibility of the Commission;

Whereas the version thereof valid on 1 January 1997 was annexed to Commission Regulation (EC) No 895/97 of 20 May 1997 on the country nomenclature for the external trade statistics of the Community and statistics of trade between Member States⁽³⁾; whereas from 1 January 1998 account should be taken of the change of name of the Republic of Zaire;

Whereas the measures provided for in this Regulation are in accordance with the opinion of the Committee on

Statistics relating to the Trading of Goods with Non-Member Countries,

HAS ADOPTED THIS REGULATION:

Article 1

The nomenclature of countries for the external trade statistics of the Community and statistics of trade between Member States is set out in the Annex hereto.

Article 2

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

It shall apply from 1 January 1998.

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

Done at Brussels, 21 November 1997.

For the Commission
Yves-Thibault DE SILGUY
Member of the Commission

⁽¹⁾ OJ L 118, 25. 5. 1995, p. 10.

⁽²⁾ OJ L 75, 15. 3. 1997, p. 1.

⁽³⁾ OJ L 128, 21. 5. 1997, p. 1.

ANNEX

COUNTRY NOMENCLATURE FOR THE EXTERNAL TRADE STATISTICS OF THE
COMMUNITY AND STATISTICS OF TRADE BETWEEN MEMBER STATES

(version valid with effect from 1 January 1998)

001	France	Including Monaco and the French overseas departments (Réunion, Guadeloupe, Martinique and French Guiana)
002	Belgium and Luxembourg	
003	Netherlands	
004	Germany	Including the island of Heligoland; excluding the territory of Büsingen
005	Italy	Including Livigno
006	United Kingdom	Great Britain, Northern Ireland, British Channel Islands and Isle of Man
007	Ireland	
008	Denmark	
009	Greece	
010	Portugal	Including Azores and Madeira
011	Spain	Including Balearic Islands and Canary Islands; excluding Ceuta and Melilla
022	Ceuta and Melilla	Including Peñón de Vélez de la Gomera, Peñón de Alhucemas and Chafarinas Islands
024	Iceland	
028	Norway	Including Svalbard Archipelago and Jan Mayen Island
030	Sweden	
032	Finland	Including Åland Islands
037	Liechtenstein	
038	Austria	
039	Switzerland	Including the German territory of Büsingen and the Italian municipality of Campione d'Italia
041	Faeroe Islands	
043	Andorra	
044	Gibraltar	
045	Vatican City State	
046	Malta	Including Gozo and Comino
047	San Marino	
052	Turkey	
053	Estonia	
054	Latvia	
055	Lithuania	
060	Poland	
061	Czech Republic	
063	Slovakia	
064	Hungary	
066	Romania	
068	Bulgaria	
070	Albania	
072	Ukraine	

073	Belarus	
074	Moldova	
075	Russia	
076	Georgia	
077	Armenia	
078	Azerbaijan	
079	Kazakhstan	
080	Turkmenistan	
081	Uzbekistan	
082	Tajikistan	
083	Kyrgyzstan	
091	Slovenia	
092	Croatia	
093	Bosnia and Herzegovina	
094	Federal Republic of Yugoslavia	Serbia and Montenegro
096	Former Yugoslav Republic of Macedonia	
204	Morocco	
208	Algeria	
212	Tunisia	
216	Libya	
220	Egypt	
224	Sudan	
228	Mauritania	
232	Mali	
236	Burkina Faso	
240	Niger	
244	Chad	
247	Cape Verde	
248	Senegal	
252	Gambia	
257	Guinea Bissau	
260	Guinea	
264	Sierra Leone	
268	Liberia	
272	Côte d'Ivoire	
276	Ghana	
280	Togo	
284	Benin	
288	Nigeria	
302	Cameroon	
306	Central African Republic	
310	Equatorial Guinea	
311	São Tomé and Príncipe	
314	Gabon	
318	Congo (Republic)	
322	Congo (Democratic Republic)	Formerly Zaire
324	Rwanda	
328	Burundi	
329	St Helena and dependencies	Dependencies of St Helena: Ascension and Tristan da Cunha Islands

330	Angola	Including Cabinda
334	Ethiopia	
336	Eritrea	
338	Djibouti	
342	Somalia	
346	Kenya	
350	Uganda	
352	Tanzania	Tanganyika, Zanzibar and Pemba
355	Seychelles and dependencies	Mahé, Silhouette, Praslin (including La Digue), Frégate, Mamelles and Récifs, Bird and Denis, Plate and Coëtivy, Amirantes, Alphonse, Pro- vidence and Aldabra Islands
357	British Indian Ocean Territory	Chagos Archipelago
366	Mozambique	
370	Madagascar	
373	Mauritius	Mauritius, Rodrigues, Agalega Islands and Cargados Carajos Shoals (St Brandon Islands)
375	Comoros	Grande Comore, Anjouan and Mohéli
377	Mayotte	Grande-Terre and Pamanzi
378	Zambia	
382	Zimbabwe	
386	Malawi	
388	South Africa	
389	Namibia	
391	Botswana	
393	Swaziland	
395	Lesotho	
400	United States of America	Including Puerto Rico
404	Canada	
406	Greenland	
408	St Pierre and Miquelon	
412	Mexico	
413	Bermuda	
416	Guatemala	
421	Belize	
424	Honduras	Including Swan Islands
428	El Salvador	
432	Nicaragua	Including Corn Islands
436	Costa Rica	
442	Panama	Including former Canal Zone
446	Anguilla	
448	Cuba	
449	St Kitts and Nevis	
452	Haiti	
453	Bahamas	
454	Turks and Caicos Islands	
456	Dominican Republic	
457	US Virgin Islands	

459	Antigua and Barbuda	
460	Dominica	
463	Cayman Islands	
464	Jamaica	
465	St Lucia	
467	St Vincent	Including northern Grenadines
468	British Virgin Islands	
469	Barbados	
470	Montserrat	
472	Trinidad and Tobago	
473	Grenada	Including southern Grenadines
474	Aruba	
478	Netherlands Antilles	Curaçao, Bonaire, St Eustatius, Saba and southern part of St Martin
480	Colombia	
484	Venezuela	
488	Guyana	
492	Suriname	
500	Ecuador	Including Galapagos Islands
504	Peru	
508	Brazil	
512	Chile	
516	Bolivia	
520	Paraguay	
524	Uruguay	
528	Argentina	
529	Falkland Islands	
600	Cyprus	
604	Lebanon	
608	Syria	
612	Iraq	
616	Iran	
624	Israel	
625	West Bank and Gaza Strip	West Bank includes East Jerusalem
628	Jordan	
632	Saudi Arabia	
636	Kuwait	
640	Bahrain	
644	Qatar	
647	United Arab Emirates	Abu Dhabi, Dubai, Sharjah, Ajman, Umm al Qaiwain, Ras al Khaimah and Fujairah
649	Oman	
653	Yemen	Formerly North Yemen and South Yemen
660	Afghanistan	
662	Pakistan	

664	India	Including Sikkim
666	Bangladesh	
667	Maldives	
669	Sri Lanka	
672	Nepal	
675	Bhutan	
676	Myanmar	Formerly Burma
680	Thailand	
684	Laos	
690	Vietnam	
696	Cambodia	
700	Indonesia	
701	Malaysia	Peninsular Malaysia and Eastern Malaysia (Sarawak, Sabah and Labuan)
703	Brunei	
706	Singapore	
708	Philippines	
716	Mongolia	
720	China	
724	North Korea	
728	South Korea	
732	Japan	
736	Taiwan	
740	Hong Kong	
743	Macao	
800	Australia	
801	Papua New Guinea	Including New Britain, New Ireland, Lavongai, Admiralty Islands, Bougainville, Buka, Green Islands, d'Entrecasteaux Islands, Trobriand Islands, Woodlark Islands and Louisiade Archi- pelago with their dependencies
802	Australian Oceania	Cocos (Keeling) Islands, Christmas Island, Heard and McDonald Islands, Norfolk Island
803	Nauru	
804	New Zealand	Excluding Ross Dependency (Antarctica)
806	Salomon Islands	
807	Tuvalu	
809	New Caledonia and dependencies	Dependencies of New Caledonia: Isle of Pines, Loyalty, Huon, Belep, Chesterfield Islands and Walpole Island
810	American Oceania	American Samoa; Guam; minor US outlying islands (Baker, Howland, Jarvis, Johnston, Kingman Reef, Midway, Palmyra and Wake)
811	Wallis and Futuna	Including Alofi
812	Kiribati	
813	Pitcairn	Including Henderson, Ducie and Oeno Islands
814	New Zealand Oceania	Tokelau and Niue Islands, Cook Islands
815	Fiji	
816	Vanuatu	
817	Tonga	

819	Western Samoa	
820	Northern Mariana Islands	
822	French Polynesia	Marquesas Islands, Society Islands, Gambier Islands, Tubuai and Tuamotu Archipelago; also Clipperton Island
823	Federated States of Micronesia (Yap, Kosrae, Truk, Pohnpei)	
824	Marshall Islands	
825	Palau	
890	Polar Regions	Arctic regions not elsewhere specified or classified; Antarctica; also Nouvelle Amsterdam Island, St Paul Island, Crozet Islands, Kerguelen Islands and Bouvet Island; South Georgia and South Sandwich Islands
950	Stores and provisions	Optional
or		
951	Stores and provisions in the context of intra-Community trade	Optional
952	Stores and provisions in the context of trade with third countries	Optional
958	Countries and territories not determined	Optional
or		
959	Countries and territories not determined in the context of intra-Community trade	Optional
960	Countries and territories not determined in the context of trade with third countries	Optional
977	Countries and territories not disclosed for commercial or military reasons	Optional
or		
978	Countries and territories not disclosed for commercial or military reasons in the context of intra-Community trade	Optional
979	Countries and territories not disclosed for commercial or military reasons in the context of trade with third countries	Optional

COMMISSION REGULATION (EC) No 2318/97

of 21 November 1997

fixing certain indicative quantities for imports of bananas into the Community for the first quarter of 1998

(Text with EEA relevance)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EEC) No 404/93 of 13 February 1993 on the common organization of the market in bananas ⁽¹⁾, as last amended by Regulation (EC) No 3290/94 ⁽²⁾, and in particular Article 20 thereof,

Whereas Article 9 (1) of Commission Regulation (EEC) No 1442/93 of 10 June 1993 laying down detailed rules for the application of the arrangements for importing bananas into the Community ⁽³⁾, as last amended by Regulation (EC) No 1409/96 ⁽⁴⁾, provides for the fixing of indicative quantities expressed as a percentage of the quantities allocated to the various countries or groups of countries mentioned in Annex I to Commission Regulation (EC) No 478/95 ⁽⁵⁾, as amended by Regulation (EC) No 702/95 ⁽⁶⁾, for the purpose of issuing import licences for each quarter using data and forecasts relating to the Community market;

Whereas, on the basis of an analysis of the data relating on the one hand to the quantities of bananas marketed in the Community in 1997 and in particular to actual imports in particular during the first quarter, and on the other hand to the outlook for supply of the market and consumption within the Community during the first quarter of 1998, an indicative quantity should be fixed for each country of origin at 34 % of the quantity allocated to it in the tariff quota to ensure adequate supplies to the Community as a whole;

Whereas, on the basis of the same data, the authorized quantity referred to in Article 9 (2) of Regulation (EEC) No 1442/93 which operators in categories A and B can apply for in respect of the first quarter of 1998 should be fixed;

Whereas the indicative quantities provided for in Article 14 (1) of Regulation (EEC) No 1442/93 for the purposes

of issuing import licences for traditional imports from ACP States should also be fixed;

Whereas this Regulation must enter into force prior to the period for the submission of licence applications in respect of the first quarter of 1998;

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

HAS ADOPTED THIS REGULATION:

Article 1

For the Community as a whole for the first quarter of 1998, the indicative quantities provided for in Article 9 (1) of Regulation (EEC) No 1442/93 for imports of bananas under the tariff quota provided for in Articles 18 and 19 of Regulation (EEC) No 404/93 shall be 34 % of the quantities laid down for each country or group of countries mentioned in Annex I to Regulation (EC) No 478/95.

The indicative quantities shall apply to import licence applications in respect of imports of bananas originating in Costa Rica, Colombia and Nicaragua from operators in Categories A and C as well as Category B.

Article 2

The authorized quantities for Category A and B operators for the first quarter of 1998 as provided for in Article 9 (2) of Regulation (EEC) No 1442/93 shall amount to 36 % of the quantity allocated to each operator pursuant to the second paragraph of Article 6 of that Regulation.

Article 3

The indicative quantities provided for in Article 14 (1) of Regulation (EEC) No 1442/93 for traditional ACP imports of bananas for the first quarter of 1998 shall be 32 % of the traditional quantities laid down in respect of each country in the Annex to Regulation (EEC) No 404/93.

Article 4

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

⁽¹⁾ OJ L 47, 25. 2. 1993, p. 1.

⁽²⁾ OJ L 349, 31. 12. 1994, p. 105.

⁽³⁾ OJ L 142, 12. 6. 1993, p. 6.

⁽⁴⁾ OJ L 181, 20. 7. 1996, p. 13.

⁽⁵⁾ OJ L 49, 4. 3. 1995, p. 13.

⁽⁶⁾ OJ L 71, 31. 3. 1995, p. 84.

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

Done at Brussels, 21 November 1997.

For the Commission

Franz FISCHLER

Member of the Commission

COMMISSION REGULATION (EC) No 2319/97
of 21 November 1997
on issuing A2 export licences for 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 2190/96 of 14 November 1996 on detailed rules for implementing Council Regulation (EEC) No 1035/72 as regards export refunds on fruit and vegetables⁽¹⁾, as last amended by Regulation (EC) No 610/97⁽²⁾, and in particular Article 3 (4) thereof,

Whereas Commission Regulation (EC) No 2186/97⁽³⁾ sets the indicative refund rates and the indicative quantities for A2 export licences, other than those applied for in the context of food aid;

Whereas, for oranges, tomatoes, lemons, table grapes and apples, in view of the economic situation in the various destination groups indicated in the Annex to Regulation (EC) No 2186/97 and taking account of information received by operators via their applications for A2 licences, the definitive refund rates should be set at a different rate from the indicative rates; whereas the percentages for the issuing of licences for the quantities applied for should also be set; whereas the definitive rates may not be more than double the indicative rates;

Whereas, pursuant to Article 3 (5) of Regulation (EC) No 2190/96, applications for rates in excess of the corre-

sponding definitive rates shall be considered null and void,

HAS ADOPTED THIS REGULATION:

Article 1

1. For A2 export licences for which applications have been submitted pursuant to Article 1 of Regulation (EC) No 2186/97, the actual date of application referred to in the second subparagraph of Article 3 (1) of Regulation (EC) No 2190/96 is hereby set at 24 November 1997.
2. The licences referred to in the first paragraph shall be issued at the definitive refund rates and at the percentages for the quantities applied for as indicated in the Annex to this Regulation.
3. Pursuant to Article 3 (5) of Regulation (EC) No 2190/96, applications referred to in the first paragraph for rates in excess of the corresponding definitive rates set out in the Annex shall be considered null and void.

Article 2

This Regulation shall enter into force on 22 November 1997.

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

Done at Brussels, 21 November 1997.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ L 292, 15. 11. 1996, p. 12.

⁽²⁾ OJ L 93, 8. 4. 1997, p. 16.

⁽³⁾ OJ L 299, 4. 11. 1997, p. 10.

ANNEX

Product	Destination or group of destinations (1)	Definitive refund rates (ECU/tonne net)	Percentages for the issuing of licences
Tomatoes	F	13	96 %
Oranges	XYC	30	88 %
Lemons	F	10	95 %
Table grapes	F	15	100 %
Apples	X	25	67 %
	Y	8	89 %

(1) The destination codes are defined as follows:

- X: Norway, Iceland, Greenland, Faeroes, Poland, Hungary, Romania, Bulgaria, Albania, Estonia, Latvia, Lithuania, Bosnia-Herzegovina, Croatia, Slovenia, Former Yugoslav Republic of Macedonia, Federal Republic of Yugoslavia (Serbia and Montenegro), Malta.
- Y: Armenia, Azerbaijan, Belarus, Georgia, Kazakhstan, Kyrgyzstan, Moldova, Russia, Tajikistan, Turkmenistan, Uzbekistan, Ukraine, destinations mentioned in Article 34 of Commission Regulation (EEC) No 3665/87, as amended.
- Z: African countries and territories except South Africa, countries of the Arabian Peninsula (Saudi Arabia, Bahrain, Qatar, Oman, United Arab Emirates (Abu Dhabi, Dubai, Sharjah, Ajman, Umm al Qaiwain, Ras al Khaimah, Fujairah), Kuwait, Yemen), Syria, Iran, Jordan, Bolivia, Brazil, Venezuela, Peru, Panama, Ecuador, Colombia.
- C: Switzerland, Czech Republic, Slovakia.
- D: Hong Kong SAR, Singapore, Malaysia, Indonesia, Thailand, Taiwan, Papua New Guinea, Laos, Cambodia, Vietnam, Uruguay, Paraguay, Argentina, Mexico, Costa Rica.
- E: All destinations except Switzerland.
- F: All destinations.

II

(Acts whose publication is not obligatory)

COUNCIL

COUNCIL DECISION

of 22 April 1997

concerning the conclusion of an Agreement on telecommunications procurement and an Agreement in the form of a memorandum concerning the procurement of private telecommunications operators between the European Community and the Republic of Korea

(97/784/EC)

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty establishing the European Community, and in particular Article 113, in conjunction with Article 228 (2), first sentence thereof,

Having regard to the proposal from the Commission,

Whereas the Agreement on telecommunications procurement and the Agreement in the form of a memorandum concerning the procurement of private telecommunications operators between the European Community and the Republic of Korea should be approved;

Whereas the conclusion of the Agreement on telecommunications procurement and the Agreement in the form of a memorandum should be based on Article 113 of the Treaty because the Agreements apply only to products and services which are incidental to the procurement of these products;

Whereas it is appropriate that the Council should authorize the Commission, in consultation with a special committee to be appointed by the Council, to approve modifications on behalf of the Community of Annex I to the Agreement on telecommunications procurement; whereas, however, such authorization will be limited to the modifications resulting from the application of the procedure of Article 8 of Council Directive 93/38/EEC of 14 June 1993 coordinating the procurement procedures

of entities operating in the water, energy, transport and telecommunications sectors⁽¹⁾,

HAS DECIDED AS FOLLOWS:

Article 1

The Agreement on telecommunications procurement and the Agreement in the form of a memorandum concerning the procurement of private telecommunications operators between the European Community and the Republic of Korea are hereby approved on behalf of the Community.

The texts of the Agreement and of the memorandum are attached to this Decision.

Article 2

The President of the Council is hereby authorized to designate the person empowered to sign the Agreement and the memorandum in order to bind the Community.

Article 3

The Commission is hereby authorized to approve, on behalf of the Community, modifications to Annex I to the Agreement on telecommunications procurement.

The Commission shall be assisted in this task by a special committee appointed by the Council.

⁽¹⁾ OJ L 199, 9. 8. 1993, p. 84. Directive as amended by the 1994 Act of Accession.

The authorization referred to in the first subparagraph shall be limited to the modifications that will be necessary were the procedures laid down in Article 8 of Directive 93/38/EEC to be applied.

Done at Luxembourg, 22 April 1997.

For the Council

The President

J. VAN AARTSEN

AGREEMENT

on telecommunications procurement between the European Community and the Republic of Korea

THE EUROPEAN COMMUNITY,

(hereinafter 'the EC'),

of the one part, and

THE GOVERNMENT OF THE REPUBLIC OF KOREA,

(hereinafter 'Korea'),

of the other part,

(hereinafter referred to as the 'Parties' and singularly as a 'Party'),

CONSIDERING the Parties' efforts and commitments to liberalize their respective public procurement markets notably through the Government Procurement Agreement (1994 GPA);

DESIROUS to pursue liberalization efforts among themselves by granting reciprocal access to procurement by their respective telecommunications operators, subject to the conditions provided for in this Agreement;

MINDFUL of the need to ensure a successful outcome to negotiations under the auspices of the World Trade Organization (WTO) on the liberalization of telecommunications services,

HAVE AGREED AS FOLLOWS:

contracts for the procurement of products or incidental services by the Parties' TOs.

Article 1

Objective, definitions and scope of coverage

1. The purpose of this Agreement is to secure reciprocal, transparent and non-discriminatory access for the Parties' suppliers and service providers to the procurement of products and incidental services by designated telecommunications operators listed in Annex I ('TOs').

4. In the case of contracts, or series of contracts, awarded by Korean TOs for the procurement of products and incidental services, this Agreement shall apply only to those with an estimated value of which, excluding VAT or comparable turnover tax, is not less than SDR 450 000, unless otherwise agreed between the Parties.

2. For the purpose of this Agreement:

(a) TOs shall be those listed in Annex I. The Parties shall update that list by mutual consent where appropriate;

In the case of contracts, or series of contracts, awarded by EC TOs for the procurement of products and incidental services, this Agreement shall apply only to those with an estimated value of which, excluding VAT or comparable turnover tax, is not less than ECU 600 000, unless otherwise agreed between the Parties.

(b) 'products' include any equipment, supplies and materials that are used to install, operate, maintain, repair or manage transmission networks as well as research and development equipment, test and measuring equipment, training equipment and terminal equipment;

The value of SDR in Korean Won shall be fixed in accordance with the procedures set out in the 1994 WTO Agreement on Government Procurement (GPA).

(c) 'incidental services' are the services that TOs procure, incidental to the procurement of a product.

5. This Agreement does not apply to the following contracts:

(a) procurement of products and services with a view to commercial resale or use in the production of goods for commercial sale;

3. This Agreement applies to any law, regulation or practice affecting the procurement of products and incidental services by the Parties' TOs and to the award of all

(b) for the EC:

— procurement contracts entered into by TOs that are subject to complete and effective competition in the market place, pursuant to the requirements under Article 8 of the EC's utilities Directive,

— the award of contracts for the procurement of products and incidental services entered into before 1 January 1998 by TOs established in Portugal and Greece;

(c) for Korea:

— single tendering procurement involving set-asides for small and medium-sized businesses stipulated under Korea's Government Invested Enterprise Management Law and the Accounting Regulations on Government-Invested Enterprises, and

— procurement of satellites pursuant to Korea's Aviation and Space Industry Development Promotion Law for a five-year period commencing on the date on which Korea's accession to the GPA becomes effective.

Article 2

National treatment and non-discrimination

1. Each Party shall ensure that in all procurement procedures and practices and in the award of procurement contracts, the TOs established in its territory provide (i) products and incidental services, and (ii) suppliers⁽¹⁾ of the other Party with treatment no less favourable than that accorded to:

- (a) (i) domestic products and incidental services, and/or (ii) suppliers; and
- (b) (i) products and incidental services, and/or (ii) suppliers of any third country.

2. The Parties shall ensure that the TOs established in their respective territories shall not, with respect to the procurement contracts covered by this Agreement:

- (a) treat a locally-established supplier less favourably than another locally-established supplier on the basis of the degree of affiliation to, ownership of or control by natural or legal persons from the other Party;
- (b) discriminate against a locally-established supplier on the basis of the fact that the product or service being supplied originates from the other Party.

3. The Parties shall ensure that the TOs do not, in the application and selection of suppliers, products or incidental services, or in the evaluation of tenders and award of contracts, impose or seek offsets⁽²⁾.

4. With regard to challenge procedures and disclosure of information concerning these procedures, a Party and

its TOs shall not treat the other Party and its suppliers less favourably than its domestic suppliers or those of other third countries.

5. To the extent applicable, the WTO Agreement on technical barriers to trade shall apply to the laws, regulations and policies of the Parties as they relate to the procurement of products and incidental services by their respective TOs.

6. The Parties shall also ensure that, where appropriate, their TOs define the technical specifications set out in the tender documentation in terms of performance rather than design or descriptive characteristics. Such specifications shall be based on international standards, where such exist, otherwise on national technical regulations or recognized national standards. Any technical specifications adopted or applied with a view to, or with the effect of creating unnecessary obstacles to procurement by a Party's TO of products or services from the other Party and to related trade between the Parties, shall be prohibited.

Article 3

Procurement procedures

The Parties shall ensure that the procurement procedures and practices followed by their TOs comply with the principles of non-discrimination, transparency and fairness. Such procedures shall at least contain the following elements:

- (a) the call for competition shall be made by means of a tender notice inviting submission of tenders, an indicative notice or a notice on the existence of a qualification system. These notices, or a summary of the important elements thereof, shall be published at least in one of the 1996 GPA official languages on a national level or, as regards the EC, on a Community level. They shall contain all necessary information about the intended procurement, including where applicable the type of award procedure being followed;
- (b) time limits shall be adequate to allow suppliers or service providers to prepare and submit tenders;
- (c) tender documentation shall contain all information necessary, notably technical specifications and selection and award criteria, to enable tenderers to submit eligible tenders. Tender documentation shall be forwarded to suppliers or service providers upon request;

⁽¹⁾ 'Suppliers' shall be construed as meaning suppliers of products and incidental services.

⁽²⁾ Offsets in government procurement are measures used to encourage local development or improve the balance-of-payments accounts by means of domestic content, licensing of technology, investment requirements, counter-trade or similar requirements.

- (d) selection criteria shall be objective. Where a TO runs a qualification system, such a system shall operate on the basis of pre-defined and objective criteria and the procedure and conditions for participation shall be made available upon request;
- (e) award criteria may be either the most economically advantageous, involving specific evaluation criteria such as delivery or completion date, cost-effectiveness, quality, technical merit, after-sales service, commitments with regard to spare parts, price, etc., or the lowest price only.

Article 4

Challenge procedures

1. With respect to procurements by its TOs, the Parties shall provide non-discriminatory, timely, transparent and effective procedures enabling suppliers and service providers to challenge alleged breaches of this Agreement arising in the context of procurements in which they have, or have had, an interest. Challenge procedures compatible with those set out in Article XX of the GPA shall apply.
2. The Parties shall ensure that its TOs retain relevant documentation relating to all aspects of the process concerning procurements covered by this Agreement for at least three years.
3. The Parties shall also ensure that decisions taken by bodies responsible for challenge procedures are enforced effectively.

Article 5

Information exchange

To the extent necessary to ensure effective implementation of this Agreement, the Parties shall, upon the request of either Party, exchange information on legislation, other measures or imminent changes affecting or likely to affect TOs' procurement policies or practices.

Article 6

Consultation and dispute settlement

1. The Parties shall consult regularly and, in any case, at least once a year to ensure adequate operation of the Agreement.
2. When a Party requests consultations on any matter affecting the operation of the Agreement, such consultations shall be held not later than 30 days following the date on which the request is received, unless otherwise mutually agreed to by the Parties.
3. If either Party considers that any benefit accruing to it, directly or indirectly, under this Agreement is being nullified or impaired by the failure of the other Party to

carry out its obligations under this Agreement, it may request consultations under paragraph 2.

4. In the event of such a dispute, the Parties shall endeavour to resolve the dispute by means of consultations within three months of the date of the initial request for consultations. The consultation period can be extended subject to mutual agreement by the Parties.

5. If a dispute is not resolved through consultations between the Parties, either Party may refer the dispute to binding arbitration and notify the other Party of its decision to resort to arbitration. The essential elements of the arbitration procedure are set forth in Annex II.

Article 7

Access to procurement information

1. The Parties shall make their best efforts to cooperate with a view to ensuring that the type of procurement information, notably in tender notices and documentation, held on their respective databases, is comparable in terms of quality and accessibility. Likewise, they shall make their best efforts to cooperate with a view to ensuring that the type of information exchanged through the respective electronic means between interested parties for the purpose of public procurement is comparable in terms of quality and accessibility.

2. Paying due attention to issues of interoperability and interconnectivity, and after having agreed that the type of procurement information referred to in paragraph 1 is comparable, the Parties shall make their best efforts to secure reciprocal access for suppliers and service providers of the other Party to relevant procurement information, such as tender notices, held on their respective databases. They shall also make their best efforts to ensure reciprocal access for suppliers and service providers of the other Party to their respective electronic procurement systems, such as electronic tendering. The Parties shall also take due account of Article XXIV (8) of the 1996 GPA.

Article 8

Final provisions

1. This Agreement is drawn up in duplicate in the Danish, Dutch, English, Finnish, French, German, Greek, Italian, Portuguese, Spanish, Swedish and Korean languages, each of these texts being equally authentic.

2. This Agreement shall enter into force on the first day of the month following the date on which the Parties have notified each other that their ratification or conclusion or adoption process, according to the rules applicable to each Party, has been completed.

3. This Agreement shall not affect the rights and obligations of the Parties under the WTO and other multilateral instruments negotiated under the auspices of the WTO.

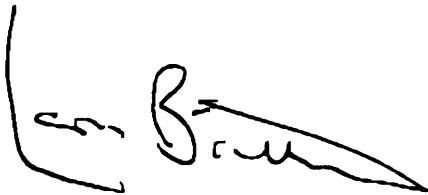
4. The Parties shall review the functioning of the provisions of this Agreement within three years of the

entry into force of this Agreement with a view to improving its operation when necessary.

5. If a Party wishes to withdraw from the Agreement, it shall notify the other Party in writing of such intention and the withdrawal will take effect six months after the date on which the notification was received.

6. The Annexes attached to the Agreement shall form an integral part of this Agreement.

For the European Community



For the Republic of Korea



ANNEX I

European Community

- Belgacom (Belgium)
- Tele Danmark A/S and subsidiaries (Denmark)
- Deutsche Telekom (Germany)
- OTE/Hellenic Telecom Organization (Greece)
- Telefónica de España SA (Spain)
- France Telecom (France)
- Telecom Eireann (Ireland)
- Telecom Italia (Italy)
- Administration des postes et télécommunications (Luxembourg)
- Koninklijke PTT Nederland NV and subsidiaries ⁽¹⁾ (Netherlands)
- Portugal Telecom and Companhia Portuguesa Rádio Marconi (Portugal)
- British Telecommunications (BT) (United Kingdom)
- City of Kingston upon Hull (United Kingdom)
- Österreichische Post und Telekommunikation (PTT) (Austria)
- Telecom Finland (Finland)
- Telia (Sweden)

Korea ⁽²⁾

- Korea Telecom

⁽¹⁾ Except PTT Post BV.

⁽²⁾ This list will include in the future government-invested corporations, as defined by the relevant Korean laws and regulations, with respect to their purchase of telecommunications equipment, where (1) such corporations are licensed to provide basic telecommunications services pursuant to the substance and content of Article 5 of the Telecommunications Business Act; (2) one of the main purposes of the corporations is to provide telecommunications services; and (3) the procurement by the corporations is subject to the laws and regulations of the Republic of Korea.

ANNEX II

1. An arbitration panel shall consist of three members. The Party initiating an arbitration proceeding shall appoint an arbitrator and notify the other Party of such appointment. Within 15 days of such notice, the other Party shall appoint a second arbitrator.
 2. The two arbitrators appointed by the Parties shall appoint a third arbitrator, selected from a list of potential arbitrators compiled by Korea and the EC, or random selection from that list if necessary, within 15 days after the appointment of the second arbitrator. The third arbitrator shall not be a national of either Party and shall serve as chairman of the arbitration panel.
 3. No arbitrator shall have a financial interest in the dispute or take instructions from either Party.
 4. The rules of the arbitration procedure shall be established jointly by the arbitrators. In addition the procedure shall assure a right to at least one hearing as well as the opportunity for the Parties to submit written arguments and rebuttals. Unless otherwise agreed, such meetings shall take place either in Brussels or in Seoul.
 5. Each Party shall bear the cost of its own arbitrator and its presentation, including legal fees, in the proceeding. The remaining costs of the proceedings shall be borne equally by the Parties.
 6. The panel shall make its decisions by majority vote. The Parties always retain the right to terminate the arbitration proceeding at any stage if they so agree by notifying such an agreement to the chairman.
 7. Within three months after the chairman is appointed, the panel shall publish a report which will rule on the question whether benefits under this Agreement have been nullified or impaired. The report will also indicate appropriate remedies. In extraordinary circumstances that prevent the panel from meeting the required deadline, the parties may agree to extend the deadline, but only to the extent necessary and, in any event, not to exceed 180 days.
 8. The Parties shall implement the panel report. If either Party cannot comply with the remedies indicated by the panel, it will notify the other Party within a month of the rendering of the panel report. The non-complying Party may propose compensation or other remedial action to the other Party. If the other Party cannot agree to such proposed compensation or other remedial action within two months after the rendering of the panel report, it may propose to the panel the suspension or withdrawal of equivalent benefits under this Agreement. Such suspension or withdrawal shall take effect 30 days after it is proposed to the panel, unless the panel disapproves such action.
-

Side letter on qualification procedures

Sir,

I refer to the recent discussions in Brussels between the Republic of Korea ('RoK') and the European Community (the 'EC') on the subject of telecommunications procurement.

With regard to vendor qualification process, I am pleased to inform you that Korea Telecom ('KT') will accept preliminary proposals for qualification submitted by telecommunications equipment suppliers established in the EC or their Korean subsidiaries ('EC suppliers') from the date on which the EC and Korea initial a bilateral agreement regarding telecommunications procurement (the 'Agreement'). I have been assured by KT that it will use its best endeavours to limit the time period necessary to carry out the qualification procedure.

After reviewing a preliminary proposal for qualification submitted by an EC supplier, if KT determines the proposal acceptable in technical and economic terms, KT will hold discussions with the proposing supplier and request him to present a formal application for qualification. If KT finds the preliminary proposal unacceptable, KT will explain to the supplier in writing the reasons for refusal.

Additionally, KT is allowed under its qualification procedures to limit the number of suppliers for a procurement contract if an excessive number of suppliers may result in incompatibility, technical difficulties or disproportionate costs in KT's operation and maintenance of its network. Such a limitation of suppliers, however, is not allowed with a view to avoiding maximum possible competition or in a manner which would constitute a means of discrimination against EC suppliers or protection to domestic producers or suppliers.

Agreed minutes of the signing of the Agreement on telecommunications procurement between the European Community and the Republic of Korea

The plenipotentiaries of both Parties this day signed the Agreement on telecommunications procurement between the European Community and the Republic of Korea and agreed on the following:

1. On procurement, qualification and challenge procedures

As regards the Agreement on procurement by telecommunications operators, the two Parties agree that Articles 2, 3 and 4 of the Agreement require the application of procurement, qualification and challenge procedures compatible with the 1996 GPA. As regards the EC, the procurement and qualification procedures set out in Council Directive 93/38/EEC of 14 June 1993 coordinating the procurement procedures of entities operating in the water, energy, transport and telecommunications sectors (OJ L 199, 9. 8. 1993, p. 84) fulfil this requirement. The EC confirms that the procurement procedures of EC TOs are subject to this Directive⁽¹⁾.

As regards qualification procedures, both Parties agree that TOs may limit the number of suppliers who qualify where that may result in incompatibility, technical difficulty or disproportionate costs in the operation and maintenance of their networks. However, such a limitation of suppliers may not be applied to avoid maximum possible competition or to constitute a means of discriminating against suppliers of the other Party or protecting domestic suppliers.

Also, as regards the EC, the challenge procedures set out in Council Directive 92/13/EEC of 25 February 1992 coordinating the laws, regulations and administrative provisions relating to the application of Community rules on the procurement procedures of entities operating in the water, energy, transport and telecommunications sectors (OJ L 76, 23. 3. 1992, p. 14) are compatible with Article 4 of the Agreement.

Both Parties further agree that the provisions of Article 2 (6) on technical specifications are compatible with Article VI of the GPA.

2. On national treatment

Both Parties confirm that telecommunications operators of the EC and the Republic of Korea, as annexed to the Agreement, do not treat telecommunications equipment suppliers of the Party less favourable than domestic telecommunications equipment suppliers for contracts, or series of contracts, above a threshold of SDR 130 000.

This threshold can be reviewed upon the request of either Party.

3. On the status of Korean suppliers under Article 36 of the Utilities Procurement Directive

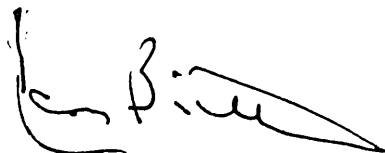
The European Community (EC) informs that, as a result of the recent conclusion of the Korea-EC bilateral agreement on procurement by telecommunications operators, Korean suppliers will not be subject to the provisions of Article 36 of the Utilities Procurement Directive with regard to the procurement by the European telecommunications operators covered by the Directive as soon as the Korea-EC bilateral agreement enters into force.

⁽¹⁾ The transitional arrangements for Portugal and Greece apply, as referred to in Article 1 (5) of the Agreement.

The Republic of Korea

Handwritten signature in Korean characters, consisting of three distinct parts: a vertical stroke on the left, a middle character, and a final character with a long horizontal tail.


The European Community

Handwritten signature in cursive script, starting with a large initial letter and followed by several connected letters.

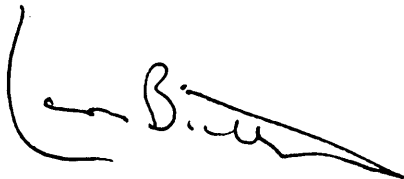
MEMORANDUM

1. In light of the relevant provisions of the GATT 1994, the Government of the Republic of Korea and the European Community ('EC') confirm that procurement by private telecommunications operators shall be made independently and should be made in accordance with each operator's commercial considerations, regardless of the origin of the goods and suppliers.
2. If a problem arises in this regard, the Republic of Korea and the EC agree to hold consultations at either Party's request on a timely basis. Should such a problem not be resolved through consultations, the Republic of Korea and the EC agree to resort to the dispute settlement provided under the WTO.
3. Should the Republic of Korea or the European Community grant additional benefits regarding the procurement by private operators to another third party, those benefits will be extended to the European Community or the Republic of Korea, provided that the European Community or the Republic of Korea grants the same treatment on a reciprocal basis.

The Republic of Korea

Handwritten signature in black ink, consisting of three distinct, stylized characters.

The European Community

Handwritten signature in black ink, appearing to be 'L. B.' followed by a long, sweeping horizontal stroke.

Information on the entry into force of the Agreement on telecommunications procurement and the Agreement in the form of a memorandum concerning the procurement of private telecommunications operators between the European Community and the Republic of Korea

The Agreement with the Republic of Korea on telecommunications procurement and the memorandum concerning the procurement of private telecommunications operators, both of which were signed on 29 October 1997, will enter into force on 1 November 1997, as the notifications of completion of the procedures provided for in Article 8 of the Agreement were made by both parties on 29 October 1997.

COMMISSION

COMMISSION DECISION

of 18 November 1997

suspending the buying-in of butter in all Member States

(97/785/EC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EEC) No 804/68 of 27 June 1968 on the common organization of the market in milk and milk products⁽¹⁾, as last amended by Regulation (EC) No 1587/96⁽²⁾, and in particular the first subparagraph of Article 7a (1) and Article 7a (3) thereof,

Whereas Council Regulation (EEC) No 777/87⁽³⁾, as last amended by the Act of Accession of Austria, Finland and Sweden, sets out the circumstances under which the buying-in of butter and skimmed-milk powder may be suspended and subsequently resumed and, where suspension takes place, the alternative measures that may be taken;

Whereas Commission Regulation (EEC) No 1547/87⁽⁴⁾, as last amended by Regulation (EC) No 1802/95⁽⁵⁾, lays down the criteria for opening and suspending the buying-in of butter by invitation to tender in the Member States or, in the case of the United Kingdom and Germany, in a region thereof;

Whereas Commission Decision 97/760/EC⁽⁶⁾ suspends the buying-in of butter in certain Member States; whereas information on market prices shows that the condition laid down in Article 1 (3) of Regulation (EEC) No 1547/87 is currently met in Belgium, Denmark, Germany, Greece, Spain, France, Ireland, Italy, Luxembourg, the Netherlands, Austria, Portugal, Finland, Sweden, Great Britain and Northern Ireland; whereas the list of Member

States in which that suspension applies must be adjusted accordingly;

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

HAS ADOPTED THIS DECISION:

Article 1

The buying-in of butter by invitation to tender as provided for in Article 1 (3) of Regulation (EEC) No 777/87 is hereby suspended in Belgium, Denmark, Germany, Greece, Spain, France, Ireland, Italy, Luxembourg, the Netherlands, Austria, Portugal, Finland, Sweden, Great Britain and Northern Ireland.

Article 2

Decision 97/760/EC is hereby repealed.

Article 3

This Decision is addressed to the Member States.

Done at Brussels, 18 November 1997.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ L 148, 28. 6. 1968, p. 13.

⁽²⁾ OJ L 206, 16. 8. 1996, p. 21.

⁽³⁾ OJ L 78, 20. 3. 1987, p. 10.

⁽⁴⁾ OJ L 144, 4. 6. 1987, p. 12.

⁽⁵⁾ OJ L 174, 26. 7. 1995, p. 27.

⁽⁶⁾ OJ L 310, 13. 11. 1997, p. 26.