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## Legislation

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## I

*(Acts whose publication is obligatory)*

**COMMISSION REGULATION (EC) No 1029/96****of 7 June 1996****amending Regulation (EC) No 1162/95 laying down special detailed rules for the application of the system of import and export licences for cereals and rice**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EEC) No 1766/92 of 30 June 1992 on the common organization of the market in cereals<sup>(1)</sup>, as last amended by Regulation (EC) No 923/96<sup>(2)</sup>, and in particular Articles 9 (2), 13 (11) and 16 (1) thereof,

Having regard to Council Regulation (EEC) No 1418/76 of 21 June 1976 on the common organization of the market in rice<sup>(3)</sup>, as last amended by Regulation (EC) No 3072/95<sup>(4)</sup>, and in particular Articles 10 (2), 14 (16) and 17 (11) thereof,

Whereas Commission Regulation (EC) No 1162/95<sup>(5)</sup>, as last amended by Regulation (EC) No 285/96<sup>(6)</sup>, lays down detailed rules for the application of the system of imports and export licences for cereals and rice; whereas Article 7 (2a) limits the validity of licences to 30 days where no refund is fixed; whereas it should be specified that that provision only applies where there is neither a refund nor an export tax;

Whereas the reflection period provided for in Article 7 (4) of Regulation (EC) No 1162/95 should also apply when an export tax is fixed; whereas this should be specified;

Whereas the security of ECU 5 per tonne referred to in Article 10 (a) of Regulation (EC) No 1162/95 should only apply to export licences without a refund and without an export tax; whereas this should be specified;

Whereas, therefore, Regulation (EC) No 1162/95 should be amended;

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*

Regulation (EC) No 1162/95 is hereby amended as follows:

1. in Article 7:

(a) paragraph 2a is replaced by the following:

‘2a. In cases where no refund or export tax have been fixed, export licences for the products referred to in Article 1 of Regulation (EEC) No 1766/92 and Article 1 of Regulation (EEC) No 1418/76 shall be valid 30 days from the day of issue within the meaning of Article 21 (1) of Regulation (EEC) No 3719/88.’;

(b) paragraph 4 is replaced by the following:

‘4. Where this paragraph is specifically referred to when an export refund or an export tax on products listed in Article 1 (1) (a), (b) and (c) of Regulation (EEC) No 1766/92 and Article 1 (1) (a) of Regulation (EEC) No 1418/76 is fixed, export licence applications must be accompanied by a copy of a contract. The contract must come from an official body in the country of destination or an undertaking with its place of business in that country and must indicate a quantity covered by, and a delivery period not extending beyond, the term of validity of the licence. No export licences may have been issued previously for the contract

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

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

<sup>(3)</sup> OJ No L 166, 25. 6. 1976, p. 1.

<sup>(4)</sup> OJ No L 329, 30. 12. 1995, p. 18.

<sup>(5)</sup> OJ No L 117, 24. 5. 1995, p. 2.

<sup>(6)</sup> OJ No L 37, 15. 2. 1996, p. 18.

under this Article. The Member State concerned shall verify that licence applications comply with the conditions laid down in this paragraph and shall notify the Commission on the day they are lodged of the quantity covered by licences which are admissible. The corresponding licences shall actually be issued only on the third working day following the day on which the applications are submitted, provided that no special measures are taken by the Commission before then.

If applications for export licences as referred to in the first paragraph cover quantities in excess of those which may be committed for export and which are indicated in the regulation fixing the refund or tax in question, the Commission may fix a uniform percentage reduction in the quantities within two working days of submission of the applications. Licence applications may be withdrawn within two working days of the date of publication of the percentage reduction.

Notwithstanding Article 9 of Regulation (EEC) No 3719/88, rights deriving from licences shall not be transferable.

In the case of non-performance of the contract by the importing purchaser, the operator may export to a different country of destination but only against the export refund or export tax in force on the day on which applications for export licences to 'other third countries' were originally lodged. Where no export refund or export tax exists for 'other third countries' on the date of the original

licence application, an *ad hoc* solution may be adopted, in accordance with the procedure laid down in Article 23 of Regulation (EEC) No 1766/92.';

2. Article 10 (a) is replaced by the following:

'(a) ECU 1 per tonne in the case of import licences to which the fourth indent of Article 10 (4) of Regulation (EEC) No 1766/92 does not apply and of products covered by Regulation (EEC) No 1418/76 and ECU 5 per tonne in the case of export licences for which, on the day the application is submitted, no refund or export tax has been fixed or for which the export tax is not fixed in advance.'

3. in Article 13:

(a) the final indent of paragraph 1 (a) (ii) is replaced by the following:

'the quantity by code broken down by destination where the refund or export tax varies by destination.';

(b) paragraph 1 (b) (ii) is replaced by the following:

'(ii) of the quantities covered by licences issued but not used, and of the refund or the export tax by code'.

#### Article 2

This Regulation shall enter into force on 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, 7 June 1996.

*For the Commission*

Franz FISCHLER

*Member of the Commission*

**COMMISSION REGULATION (EC) No 1030/96**  
**of 7 June 1996**  
**repealing Regulation (EC) No 3146/94 adopting exceptional support measures for**  
**the market in pigmeat in Germany**

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

Having regard to Council Regulation (EEC) No 2759/75 of 29 October 1975 on the common organization of the market in pigmeat<sup>(1)</sup>, as last amended by Regulation (EEC) No 1249/89<sup>(2)</sup>, and in particular Article 20 thereof,

Whereas, because of the outbreak of classical swine fever in certain production regions in Germany animal health measures were adopted by the German authorities pursuant to Article 9 of Council Directive 80/217/EEC of 22 January 1980 introducing Community measures for the control of classical swine fever<sup>(3)</sup>, as last amended by Decision 93/384/EEC<sup>(4)</sup>; whereas exceptional support measures for the market in pigmeat were adopted for this Member State by Commission Regulation (EC) No 3146/94<sup>(5)</sup>, as last amended by Regulation (EC) No 353/96<sup>(6)</sup>;

Whereas, in view of the progress achieved on the animal health side, the exceptional market support measures can

now be closed down; whereas, therefore, Regulation (EC) No 3146/94 needs to be repealed;

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

HAS ADOPTED THIS REGULATION:

*Article 1*

Regulation (EC) No 3146/94 is hereby repealed.

*Article 2*

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

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

Done at Brussels, 7 June 1996.

*For the Commission*

Franz FISCHLER

*Member of the Commission*

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

<sup>(2)</sup> OJ No L 129, 11. 5. 1989, p. 12.

<sup>(3)</sup> OJ No L 47, 21. 2. 1980, p. 11.

<sup>(4)</sup> OJ No L 166, 8. 7. 1993, p. 34.

<sup>(5)</sup> OJ No L 332, 22. 12. 1994, p. 23.

<sup>(6)</sup> OJ No L 50, 29. 2. 1996, p. 6.

**COMMISSION REGULATION (EC) No 1031/96**  
**of 7 June 1996**

**amending Regulation (EC) No 3015/95 opening and providing for the  
administration of certain import quotas for sweet potatoes and manioc starch  
intended for certain uses for 1996**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EEC) No 1766/92 of 30 June 1992 on the common organization of the market in cereals<sup>(1)</sup>, as last amended by Commission Regulation (EC) No 923/96<sup>(2)</sup>, and in particular Articles 9 (2) and 12 (4) thereof,

Having regard to Council Decision 96/317/EC of 13 May 1996 concerning the conclusion of the results of consultations with Thailand under GATT Article XXIII<sup>(3)</sup>, and in particular Article 2 thereof,

Whereas Decision 96/317/EC approves an Agreement in the form of an Exchange of Letters between the Kingdom of Thailand and the European Community which by its nature amends the import arrangements for manioc starch falling within CN code 1108 14 00 provided for in Commission Regulation (EC) No 3015/95 of 19 December 1995 opening and providing for the administration of certain import quotas for sweet potatoes and manioc starch intended for certain uses for 1996<sup>(4)</sup>; whereas that Regulation must be amended accordingly;

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*

Regulation (EC) No 3015/95 is hereby amended as follows:

1. the following subparagraph is added to Article 1:

‘As regards manioc starch falling within CN code 1108 14 00, from 1 April until 31 December 1996:

— the quota laid down in 3 above shall no longer be subject to the conditions on use laid down in this

Article under (a), (b) and (c) and the import duty applicable thereon shall be equal to the import duty in force, reduced by ECU 100/tonne,

— an additional quota subject to the same level of import duty is hereby opened; it shall amount to 7 875 tonnes, of which 7 500 tonnes are reserved for the Kingdom of Thailand.’;

2. the heading of Title II is replaced by the following:

**‘TITLE II**

**Manioc starch’;**

3. Article 10 is replaced by the following:

*‘Article 10*

1. Section 24 of licence applications and licences shall show the following:

“Import duty reduced by ECU 100 per tonne (Regulation (EC) No 1031/96).”

2. Where the licence applications relate to a product originating in Thailand and exported from that country as part of the 7 500 tonnes reserved for it as referred to in the second indent of the last subparagraph of Article 1, it must be accompanied by an export certificate conforming to the model in Annex II.

The export certificate shall be drawn up in English and issued by the competent authority in that country, i.e. the “Ministry of Commerce, Department of Foreign Trade”.

In such cases, the words “origin Thailand” shall appear in section 8 of the licence applications and licences.’;

4. Article 12 is replaced by the following:

*‘Article 12*

By 1 p.m. (Brussels time) at the latest on the day following the submission of the application as provided for in Article 9, the Member States shall send the Commission details of the licence applications as regards:

— the applicant’s name,

— the quantities applied for,

— the country of origin; imports of products originating in Thailand are to be covered by a Thai export certificate.’;

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

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

<sup>(3)</sup> OJ No L 122, 22. 5. 1996, p. 15.

<sup>(4)</sup> OJ No L 314, 28. 12. 1995, p. 29.

5. the following subparagraph is added to Article 13 (2):

'Where the import licence issued relates to quantities of products originating in Thailand and exported from that country under the export certificate as referred in Article 10 (2), the body issuing the import licence shall provide the importer with a copy of the said export certificate so that he can present it to the customs authorities with a view to completing the formalities for releasing the products in question into free circulation.';

6. the Annex to this Regulation is added after Annex I as Annex II.

*Article 2*

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

It shall apply with effect from 1 April 1996.

However, the reduced rate of duty shall apply to the rate in force on the day the import licence application is submitted and in accordance with the relevant conditions in force on that date.

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

Done at Brussels, 7 June 1996.

*For the Commission*

Franz FISCHLER

*Member of the Commission*

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SERIAL No

**ORIGINAL****DEPARTMENT OF FOREIGN TRADE**
**MINISTRY OF COMMERCE  
GOVERNMENT OF THAILAND**
**EXPORT CERTIFICATE SUBJECT TO REGULATION (EC) No 1031/96**

SPECIAL FORM FOR MANIOC STARCH UNDER CN CODE 1108 14 00

EXPORT CERTIFICATE No	
EXPORT PERMIT No	

<b>1. EXPORTER (NAME, ADDRESS AND COUNTRY)</b>		<b>2. FIRST CONSIGNEE (NAME, ADDRESS AND COUNTRY)</b>	
NAME		NAME	
ADDRESS		ADDRESS	
COUNTRY		COUNTRY	
<b>3. SHIPPED PER</b>		<b>4. COUNTRY/COUNTRIES OF DESTINATION IN EC</b>	
<b>5. TYPE OF PRODUCT</b>	<b>6. WEIGHT (TONNES)</b>	<b>7. PACKING</b>	
MANIOC STARCH UNDER CN CODE 1108 14 00	SHIPPED WEIGHT	<input type="checkbox"/> IN BULK  <input type="checkbox"/> ..... BAGS  <input type="checkbox"/> OTHERS	
	ESTIMATED NET WEIGHT		

WE HEREBY CERTIFY THAT THE ABOVEMENTIONED PRODUCT HAS BEEN PRODUCED IN AND EXPORTED FROM THAILAND.

DEPARTMENT OF FOREIGN TRADE

DATE

.....  
NAME AND SIGNATURE OF AUTHORIZED OFFICIAL AND STAMP

THIS CERTIFICATE IS VALID FOR 120 DAYS FROM THE DATE OF ISSUE

FOR USE OF EC AUTHORITIES:



## COMMISSION REGULATION (EC) No 1032/96

of 7 June 1996

deferring the final date for sowing certain arable crops in certain areas in the 1996/97 marketing year

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EEC) No 1765/92 of 30 June 1992 establishing a support system for producers of certain arable crops<sup>(1)</sup>, as last amended by Regulation (EC) No 2989/95<sup>(2)</sup>, and in particular Article 12 thereof,

Whereas Article 10 (2) of Regulation (EEC) No 1765/92 stipulates that, to qualify for the compensatory payments for cereals, protein crops and linseed under the support system for certain arable crops, producers must have sown the seed at the latest by 15 May preceding the relevant harvest;

Whereas Article 2 (1) (c) and (d) of Commission Regulation (EEC) No 2295/92 of 31 July 1992 on detailed rules for the application of the support system for producers of the protein crops referred to in Council Regulation (EEC) No 1765/92<sup>(3)</sup>, as last amended by Regulation (EC) No 3347/93<sup>(4)</sup>, fixes 15 May as the final date for sowing protein crops;

Whereas Commission Regulation (EC) No 918/95 of 26 April 1995 deferring the final date for sowing certain arable crops in certain areas<sup>(5)</sup>, which derogates from Regulations (EEC) No 1765/92 and (EEC) No 2295/92, defers the final date applicable for sowing arable crops other than oilseeds;

Whereas Article 11 of Regulation (EEC) No 1765/92 lays down that to qualify for an advance payment, the producer must have sown the oilseeds at the latest by a date fixed by the Commission; whereas Article 2 (1) (c) and (d) of Commission Regulation (EEC) No 2294/92 of 31 July 1992 on detailed rules for the application of the

support system for producers of the oilseeds referred to in Council Regulation (EEC) No 1765/92<sup>(6)</sup>, as last amended by Regulation (EC) No 428/96<sup>(7)</sup>, sets 15 May as the final date for sowing oilseeds; whereas Commission Regulation (EC) No 1055/94 of 5 May 1994 deferring the final date for sowing oilseeds in certain areas<sup>(8)</sup>, as amended by Regulation (EC) No 919/95<sup>(9)</sup>, defers the final date for sowing oilseeds in certain regions;

Whereas because of the particularly wet conditions this year, the final dates for sowing in Germany, Austria, Spain, France, Greece, Italy and Portugal cannot be met in all cases; whereas the final date for sowing certain crops in certain regions in those Member States should therefore be deferred until 15 June 1996; whereas, to that end, the relevant provisions of Regulations (EEC) No 1765/92, (EEC) No 2294/92, (EEC) No 2295/92, (EC) No 918/95 and (EC) No 1055/94 should therefore be waived as provided for in the seventh indent of Article 12 of Regulation (EEC) No 1765/92;

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

HAS ADOPTED THIS REGULATION:

*Article 1*

The final dates for sowing in Germany, Austria, Spain, France, Greece, Italy and Portugal in the 1996/97 marketing year shall be as set out in the Annex.

*Article 2*

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

It shall apply from 31 May 1996.

<sup>(1)</sup> OJ No L 181, 1. 7. 1992, p. 12.

<sup>(2)</sup> OJ No L 312, 23. 12. 1995, p. 5.

<sup>(3)</sup> OJ No L 221, 6. 8. 1992, p. 28.

<sup>(4)</sup> OJ No L 300, 7. 12. 1993, p. 5.

<sup>(5)</sup> OJ No L 95, 27. 4. 1995, p. 12.

<sup>(6)</sup> OJ No L 221, 6. 8. 1992, p. 22.

<sup>(7)</sup> OJ No L 60, 9. 3. 1996, p. 6.

<sup>(8)</sup> OJ No L 115, 6. 5. 1994, p. 9.

<sup>(9)</sup> OJ No L 95, 27. 4. 1995, p. 16.

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

Done at Brussels, 7 June 1996.

*For the Commission*

Franz FISCHLER

*Member of the Commission*

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## ANNEX

## Final date for sowing for the 1996/97 marketing year

Crop	Member State	Region	Final date
Maize	Germany	Bayern, Baden-Württemberg, Brandenburg, Mecklenburg-Vorpommern, Nordrhein-Westfalen, Rheinland-Pfalz, Sachsen, Sachsen-Anhalt, Thüringen	15 June 1996
Maize and soya	Austria	The entire country	15 June 1996
Maize and sunflower	Spain	Cadiz, Huelva, Sevilla	15 June 1996
Maize	France	Bourgogne, Franche-Compté, Île-de-France	15 June 1996
Maize	Greece	Macedonia, Thrace	15 June 1996
Sunflower	Greece	Epirus, Macedonia, Thrace	15 June 1996
Maize	Italy	Centre, North-East and North-West (statistical regions)	15 June 1996
Sorghum	Italy	Centre (statistical region), Emilia-Romagna	15 June 1996
Soya	Italy	Alessandria, Asti, Belluno, Bergamo, Bologna, Brescia, Cremona, Cuneo, Ferrara, Gorizia, Mantova, Milano, Modena, Novara, Padova, Parma, Pavia, Piacenza, Pordenone, Ravenna, Reggio Emilia, Rovigo, Torino, Treviso, Trieste, Venezia, Vercelli, Verona, Vicenza, Udine	15 June 1996
Maize, sorghum and sunflower	Portugal	Entre Douro e Minho, Beira Litoral, Beira Interior, Alentejo, Ribatejo e Oeste	15 June 1996

## COMMISSION REGULATION (EC) No 1033/96

of 7 June 1996

**amending Regulation (EEC) No 1627/89 on the buying-in of beef by invitation to tender**

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

Having regard to Council Regulation (EEC) No 805/68 of 27 June 1968 on the common organization of the market in beef and veal <sup>(1)</sup>, as last amended by Regulation (EC) No 894/96 <sup>(2)</sup>, and in particular Article 6 (7) thereof,

Whereas Commission Regulation (EEC) No 1627/89 of 9 June 1989 on the buying-in of beef by invitation to tender <sup>(3)</sup>, as last amended by Regulation (EC) No 932/96 <sup>(4)</sup>, buying-in by invitation to tender in certain Member States or regions of a Member State for certain quality groups;

Whereas the application of Article 6 (2), (3) and (4) of Regulation (EEC) No 805/68 and the need to limit intervention to the buying-in of the quantities necessary to

ensure reasonable support for the market result, on the basis of the prices of which the Commission is aware, in an amendment, in accordance with the Annex hereto, to the list of Member States or regions of a Member State where buying-in is open by invitation to tender, and the list of the quality groups which may be bought in,

HAS ADOPTED THIS REGULATION:

*Article 1*

The Annex to Regulation (EEC) No 1627/89 is hereby replaced by the Annex hereto.

*Article 2*

This Regulation shall enter into force on 11 June 1996.

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

Done at Brussels, 7 June 1996.

*For the Commission*

Franz FISCHLER

*Member of the Commission*

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

<sup>(2)</sup> OJ No L 125, 23. 5. 1996, p. 1.

<sup>(3)</sup> OJ No L 159, 10. 6. 1989, p. 36.

<sup>(4)</sup> OJ No L 127, 25. 5. 1996, p. 5.

*ANEXO — BILAG — ANHANG — ΠΑΡΑΡΤΗΜΑ — ANNEX — ANNEXE — ALLEGATO —  
BIJLAGE — ANEXO — LIITE — BILAGA*

Estados miembros o regiones de Estados miembros y grupos de calidades previstos en el apartado 1 del artículo 1 del Reglamento (CEE) n° 1627/89

Medlemsstater eller regioner og kvalitetsgrupper, jf. artikel 1, stk. 1 i forordning (EØF) nr. 1627/89

Mitgliedstaaten oder Gebiete eines Mitgliedstaats sowie die in Artikel 1 Absatz 1 der Verordnung (EWG) Nr. 1627/89 genannten Qualitätsgruppen

Κράτη μέλη ή περιοχές κρατών μελών και ομάδες ποιότητας που αναφέρονται στο άρθρο 1 παράγραφος 1 του κανονισμού (ΕΟΚ) αριθ. 1627/89

Member States or regions of a Member State and quality groups referred to in Article 1 (1) of Regulation (EEC) No 1627/89

États membres ou régions d'États membres et groupes de qualités visés à l'article 1<sup>er</sup> paragraphe 1 du règlement (CEE) n° 1627/89

Stati membri o regioni di Stati membri e gruppi di qualità di cui all'articolo 1, paragrafo 1 del regolamento (CEE) n. 1627/89

In artikel 1, lid 1, van Verordening (EEG) nr. 1627/89 bedoelde Lid-Staten of gebieden van een Lid-Staat en kwaliteitsgroepen

Estados-membros ou regiões de Estados-membros e grupos de qualidades referidos no n° 1 do artigo 1º do Regulamento (CEE) n° 1627/89

Jäsenvaltiot tai alueet ja asetuksen (ETY) N:o 1627/89 1 artiklan 1 kohdan tarkoittamat laaturyhmitt

Medlemsstater eller regioner och kvalitetsgrupper som avses i artikel 1.1 i förordning (EEG) nr 1627/89

Estados miembros o regiones de Estados miembros Medlemsstat eller region Mitgliedstaaten oder Gebiete eines Mitgliedstaats Κράτος μέλος ή περιοχή κράτους μέλους Member States or regions of a Member State États membres ou régions d'États membres Stati membri o regioni di Stati membri Lid-Staat of gebied van een Lid-Staat Estados-membros ou regiões de Estados-membros Jäsenvaltiot tai alueet Medlemsstater eller regioner	Categoría A Kategori A Kategorie A Κατηγορία Α Category A Catégorie A Categoria A Luokka A Kategori A			Categoría C Kategori C Kategorie C Κατηγορία Γ Category C Catégorie C Categoria C Luokka C Kategori C		
	U	R	O	U	R	O
België/Belgique		x	x			
Danmark		x	x			
Deutschland	x	x	x		x	x
España	x	x	x			
France	x	x	x			x
Ireland				x	x	x
Italia			x			
Luxembourg						x
Nederland		x	x			
Österreich	x	x	x			
Portugal		x				
Suomi		x	x			
Great Britain	x	x	x	x	x	x
Northern Ireland	x	x	x	x	x	x

## COMMISSION REGULATION (EC) No 1034/96

of 7 June 1996

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 2933/95<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 8 June 1996.

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

Done at Brussels, 7 June 1996.

*For the Commission*

Franz FISCHLER

*Member of the Commission*

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

<sup>(2)</sup> OJ No L 307, 20. 12. 1995, p. 21.

<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 7 June 1996 establishing the standard import values for determining the entry price of certain fruit and vegetables

(ECU/100 kg)			(ECU/100 kg)		
CN code	Third country code <sup>(1)</sup>	Standard import value	CN code	Third country code <sup>(1)</sup>	Standard import value
0702 00 35	052	84,7	0808 10 61, 0808 10 63, 0808 10 69	528	77,3
	060	80,2		600	84,0
	064	59,6		624	48,9
	066	41,7		999	77,1
	068	62,3		039	112,9
	204	46,7		052	64,0
	208	44,0		064	78,6
	212	97,5		284	72,1
	624	95,8		388	76,9
	999	68,1		400	81,9
ex 0707 00 25	052	82,7	0809 10 20	404	63,6
	053	156,2		416	72,7
	060	61,0		508	71,4
	066	53,8		512	67,4
	068	69,1		524	64,0
	204	144,3		528	69,0
	624	87,1		624	86,5
	999	93,5		728	107,3
	220	317,0		800	78,0
	999	317,0		804	83,8
0709 10 20	052	44,7	0809 20 49	999	78,1
	204	77,5		052	64,6
	412	54,2		061	51,3
	624	151,9		064	105,3
	999	82,1		999	73,7
0709 90 77	052	133,3		052	238,2
	204	88,8		061	182,0
	220	74,0		064	254,1
	388	52,0		068	262,6
	400	68,2		400	220,3
	512	54,8		600	94,9
	520	66,5		624	363,9
	524	100,8		676	166,2
0805 30 30				999	222,8

<sup>(1)</sup> Country nomenclature as fixed by Commission Regulation (EC) No 68/96 (OJ No L 14, 19. 1. 1996, p. 16). Code '999' stands for 'of other origin'.

## II

*(Acts whose publication is not obligatory)*

## COUNCIL

## COUNCIL DECISION

of 20 May 1996

concerning the conclusion of the Cooperation Agreement between the European Community and the Kingdom of Nepal

(96/354/EC)

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty establishing the European Community, and in particular Articles 113 and 130y, in conjunction with the first sentence of Article 228 (2) and the first subparagraph of Article 228 (3) thereof,

Having regard to the proposal from the Commission,

Having regard to the opinion of the European Parliament<sup>(1)</sup>,

Whereas, under Article 130u of the Treaty, Community policy in the sphere of development cooperation shall foster the sustainable economic and social development of the developing countries, their smooth and gradual integration into the world economy and the campaign against poverty in those countries;

Whereas the Community should approve, for the attainment of its aims in the sphere of external relations, the Cooperation Agreement between the European Community and the Kingdom of Nepal,

HAS DECIDED AS FOLLOWS:

*Article 1*

The Cooperation Agreement between the European Community and the Kingdom of Nepal is hereby approved on behalf of the Community.

The text of the Agreement is attached to this Decision.

*Article 2*

The President of the Council shall, on behalf of the Community, give the notification provided for in Article 22 of the Agreement.

*Article 3*

The Commission, assisted by representatives of the Member States, shall represent the Community in the Joint Commission provided for in Article 15 of the Agreement.

*Article 4*

This Decision shall be published in the *Official Journal of the European Communities*.

Done at Brussels, 20 May 1996.

*For the Council*

*The President*

P. BERSANI

<sup>(1)</sup> OJ No C 141, 13. 5. 1996.



**COOPERATION AGREEMENT****between the European Community and the Kingdom of Nepal**

THE COUNCIL OF THE EUROPEAN UNION

on the one part,

HIS MAJESTY'S GOVERNMENT OF NEPAL

on the other part,

CONSIDERING the excellent relations and traditional links of friendship between the European Community and its Member States, hereinafter referred to as 'the Community', and the Kingdom of Nepal, hereinafter referred to as 'Nepal';

RECOGNIZING the importance of strengthening the links and enhancing the relations between the Community and Nepal;

RE-AFFIRMING the importance they attach to the principles of the United Nations Charter and the respect of democratic principles and human rights;

INSPIRED by their common will to consolidate, deepen and diversify their relations in areas of mutual interest on the basis of equality, non-discrimination and mutual benefit and reciprocity;

DESIROUS of creating favourable conditions for a substantial development and diversification of trade between the Community and Nepal;

HAVING REGARD to the need to create favourable conditions for direct investment;

RECOGNIZING the need to support Nepalese efforts for economic and social development especially improving the living standards of the poor and disadvantaged sections of the population;

CONSIDERING the importance attached by the Community and Nepal to the protection of the environment on a global and on a local level and to the sustainable use of natural resources recognizing the linkage between the environment and development;

NOTING their common interest in fostering and strengthening regional cooperation and the North-South dialogue;

TAKING INTO ACCOUNT the need to uphold and reinforce the rules which promote free and unhindered trade in a stable, transparent and non-discriminatory manner,

HAVE DECIDED, as Contracting Parties, hereinafter referred to as 'the Parties', to conclude this Agreement and to this end have designated as their plenipotentiaries:

THE COUNCIL OF THE EUROPEAN UNION,

Javier SOLANA MADARIAGA  
Minister of Foreign Affairs of the Kingdom of Spain,  
President-in-Office of the Council of the European Union

Manuel MARÍN  
Vice-President of the Commission of the European Communities

HIS MAJESTY'S GOVERNMENT OF NEPAL,

Prakash Chandra LOHANI  
Minister of Foreign Affairs

WHO, having exchanged their full powers, found in good and due form,

HAVE AGREED AS FOLLOWS:

*Article 1***Basis**

Respect for human rights and democratic principles is the basis for the cooperation between the Parties and for the provisions of this Agreement, and it constitutes an essential element of the Agreement.

*Article 2***Objectives**

The principal objectives of this Agreement are to enhance and develop the various aspects of cooperation between the Parties, in particular:

- (a) to secure the conditions and to promote the increase and development of two-way trade and investment between the two Parties;
- (b) to support the sustainable economic development of Nepal, taking into account its current least developed status;
- (c) to promote economic, technical and cultural links in their mutual interest;
- (d) to support environmental protection and the sustainable management of natural resources;
- (e) to assist Nepal in developing its trading capacity, taking into account its land-locked nature.

*Article 3***Trade and commercial cooperation**

1. The Community in conformity with the provisions of Article 1 of the General Agreement on Trade and Tariffs (GATT 1994) and Nepal shall grant each other most-favoured-nation treatment with respect to tariffs.

These provisions shall not apply to preferences accorded by either Party under any arrangement establishing a customs union, a free trade area or a preferential treatment area.

2. The Parties undertake to develop and diversify their commercial exchanges and to improve market access, to the highest possible degree in a manner compatible with their economic situations.

3. The Parties are committed to improving the terms of access for their products to each other's markets. In this context, they shall grant each other the most favourable conditions for imports and exports and they agree to examine ways and means of eliminating barriers to trade between them, notably non-tariff barriers, taking account of the work already done in this connection by international fora.

4. The Parties agree to promote the exchange of information concerning mutually beneficial market opportunities.

5. The Parties agree to improve cooperation in customs matters between the respective authorities, especially with regard to the possibility of professional training, the simplification and harmonization of customs procedures, and the prevention, investigation and repression of customs offences.

6. The Parties also undertake to give consideration, each in accordance with its laws, to exempting from duty, tax and other charges, goods admitted temporarily to their territories for subsequent re-export unaltered or for goods which re-enter their territories after processing in the other Party which is not sufficient for the goods to be treated as originating from the territory of that Party.

7. Insofar as their competencies, regulations and policies permit, the Parties agree to inform and consult each other in connection with trade or trade-related matters, including property rights and public procurement, on any dispute which may arise. They will also hold consultations in a constructive spirit on the issues of tariff, non-tariff, services, health, safety or environmental measures and technical requirements.

*Article 4***Intellectual property**

1. Insofar as their competencies, regulations and policies permit, the Parties will:

- (a) aim to improve the conditions for adequate and effective protection and reinforcement of intellectual, industrial and commercial property rights in conformity with the highest international standards;
- (b) cooperate to secure these objectives.

2. The Parties agree that they shall avoid discriminatory treatment in relation to intellectual property rights and to engage, if necessary, in consultations if intellectual property problems affecting trading relations arise.

*Article 5***Development cooperation**

1. The Community recognizes Nepal's need for development assistance, taking into account its current least developed status and its land-locked situation. The Community is prepared to enhance its cooperation in order to contribute to Nepal's own efforts in achieving sustainable economic development and social progress of its people through specific projects and programmes. Support will be in accordance with Community policies, regulations and the limits of the financial means available for cooperation.

2. Projects and programmes will particularly aim to improve the quality and standard of living of the poorest sections of the population. Cooperation will give priority to balanced agricultural development, including the creation of non-agricultural and off-farm employment in rural areas.

Cooperation will also support policies on primary health care, population and the role of women. It will, as far as possible, be established with the participation of the targeted groups and, where appropriate, will involve qualified mutually acceptable non-governmental organizations.

3. Community development cooperation activities and priorities will be mutually agreed on the basis of Nepal's development objectives and will pursue efficiency and sustainability.

#### Article 6

##### Economic cooperation

1. The Parties undertake, in accordance with their respective policies and objectives and within their available resources, to foster economic cooperation for mutual benefit.

2. The Parties agree that economic cooperation will involve the following broad fields of action:

- (a) improving the economic environment and the business climate in Nepal by facilitating access to Community know-how and technology, including, *inter alia*, telecommunications, transport and energy;
- (b) facilitating contracts and promoting viable and efficient business links between economic operators and other measures designed to promote commercial exchanges and investments, including tourism;
- (c) facilitating exchange of information on enterprise and small and medium-sized enterprises (SME) policies, particularly in respect of improving the business environment and encouraging closer contacts between SMEs, with a view to promoting trade and industrial cooperation opportunities;
- (d) reinforcing mutual understanding of their respective economic, social and cultural environment as a basis for effective cooperation.

3. In particular, the Parties will:

- (a) establish cooperation in information and communication;
- (b) promote, in the framework of their respective strategies, science, technology and energy, as defined in Articles 7 and 8;
- (c) promote practical areas, such as standards and quality control.

4. The Parties, within the limits of their resources and in accordance with their respective procedures, will determine together and to their mutual advantage, the areas

and priorities for economic cooperation programmes and activities.

#### Article 7

##### Science and technology

The Parties will promote scientific and technological cooperation and undertake to encourage interinstitutional relationships in fields of mutual interest.

#### Article 8

##### Energy

The Parties recognize the importance of the energy sector to economic and social development and undertake to encourage cooperation relating to generation, saving and efficient use of energy.

#### Article 9

##### Agriculture

The Parties agree to promote cooperation in agriculture, including livestock, horticulture and food processing. To this end in a spirit of cooperation and goodwill and taking into account the laws of both Parties on such issues, they undertake to examine in particular:

- (a) the opportunities for increasing trade in agricultural products;
- (b) health, plant and animal health and environmental measures to prevent them hindering trade;
- (c) the linkage between agriculture and the rural environment;
- (d) agricultural research.

#### Article 10

##### Investments

The Parties will undertake to encourage an increase in mutually beneficial investment by establishing a more favourable climate for private investment through better conditions for the transfer of capital and by supporting agreements on the promotion and protection of investments between the Member States of the European Union and Nepal on the basis of the principles of non-discrimination and reciprocity.

#### Article 11

##### Human resource development

The Parties recognize the importance of human resource development, both primary education and skills development as well as improving the living conditions of the disadvantaged sections of the population. They agree human resource development should constitute an integral part of both economic and development cooperation.

Specific projects may be funded by the Community with the objective of improving human resources development, including training to ameliorate workers' conditions.

#### *Article 12*

##### **Environmental cooperation**

1. The Parties recognize the need to take full account of environmental protection as an integral part of economic and development cooperation. Moreover, they underline the importance of environmental issues and sustainable development and assert their will to establish cooperation in protecting and improving the environment with particular emphasis on water, soil and air pollution, erosion, deforestation and sustainable management of natural resources, taking into account the work done in international fora.

2. Particular attention will be paid to:

- (a) the protection and conservation of natural forests and their sustainable management development and measures against soil erosion;
- (b) the importance of the energy/environment linkage;
- (c) the finding of practical and efficient solutions to rural energy problems;
- (d) the protection of the urban environment;
- (e) the prevention and mitigation of industrial pollution;
- (f) the impact of tourism on the environment.

#### *Article 13*

##### **Drugs and AIDS**

The Parties affirm their resolve to cooperate in the field of prevention and reduction of drug abuse and AIDS, in particular through the strengthening of health services capabilities and support to key health education activities.

#### *Article 14*

##### **Regional cooperation**

The cooperation between the Parties may extend to actions undertaken within the context of cooperation or integration agreements with other countries in the same region, provided that such action is compatible with those agreements.

Without excluding any area, the following may be given particular consideration:

- (a) technical assistance (services of outside experts, training of technical staff in certain practical aspects of integration);

- (b) promotion of intra-regional trade;

- (c) support for regional institutions and for joint projects and initiatives established under regional organizations such as the South Asian Agreement on Regional Cooperation (SAARC);

- (d) studies concerning regional links and communications.

#### *Article 15*

##### **Joint Commission**

1. The Parties agree to set up a Joint Commission whose tasks shall be to:

- (a) ensure the proper functioning and implementation of the Agreement;
- (b) establish priorities in relation to the possible actions including projects and programmes necessary to achieve the aims of the Agreement;
- (c) make suitable recommendations for promoting the objectives of the Agreement.

2. The Joint Commission shall be composed of representatives of both sides, at the senior official level. The Joint Commission shall normally meet every other year, alternatively in Brussels and in Kathmandu, on a date fixed by mutual agreement. Extraordinary meetings may also be convened by agreement between the Parties.

3. The Joint Commission may set up specialized subgroups to assist in the performance of its tasks and to coordinate the formulation and implementation of projects and programmes within the framework of the Agreement.

4. The agenda for meetings of the Joint Commission shall be determined by agreement between the Parties.

5. The Parties agree that it shall also be the task of the Joint Commission to ensure the proper functioning of any sectoral agreements which may be concluded between the Community and Nepal.

#### *Article 16*

##### **Future developments**

1. The Parties may, by mutual consent, enlarge the scope of this Agreement in order to enhance the level of cooperation and add to it by means of agreements on specific sectors or activities.

2. Within the framework of this Agreement, either of the Parties may put forward suggestions for expanding the scope of the cooperation, taking into account the experience gained in its application.

*Article 17***Other agreements**

1. Without prejudice to the relevant provisions of the Treaties establishing the European Communities, neither this Agreement nor action taken thereunder shall in any way affect the powers of the Member States of the European Union to undertake bilateral activities with Nepal in the framework of economic cooperation or to conclude, where appropriate, new economic cooperation agreements with Nepal.

2. Subject to the provisions of paragraph 1, the provisions of this Agreement shall replace provisions of Agreements concluded between Member States of the European Union and Nepal where such provisions are either incompatible with or identical to the provisions of this Agreement.

*Article 18***Non-execution of the Agreement**

If either Party considers that the other Party has failed to fulfil any of its obligations under the Agreement, it may take appropriate measures.

Before doing so, except in cases of special urgency, it shall supply the other Party with all relevant information required for a thorough examination of the situation with a view to seeking a solution acceptable to the Parties.

In the selection of measures, priority must be given to those which least disturb the functioning of this Agreement. The measures shall be notified immediately to the other Party and consultations shall be held on them if the other Party requests.

*Article 19***Facilities**

To facilitate cooperation within the framework of this Agreement, the Nepalese authorities will grant to EC officials and experts involved in implementing cooperation

the guarantees and facilities necessary for the performance of their functions. The detailed provisions will be set out by way of a separate Exchange of Letters.

*Article 20***Territorial application**

This Agreement shall apply, on the one hand, to the territories in which the Treaty establishing the European Community is applied and under the conditions laid down in that Treaty and, on the other, to the territory of the Kingdom of Nepal.

*Article 21***Annex**

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

*Article 22***Entry into force and renewal**

1. This Agreement shall enter into force on the first day of the month following the date on which the Parties have notified each other of the completion of the procedures necessary for this purpose.

2. This Agreement is concluded for a period of five years. It shall be automatically renewed on a yearly basis unless one of the Parties denounces it six months before its expiry date.

*Article 23***Authentic texts**

This Agreement is drawn up in duplicate in the Danish, Dutch, English, Finnish, French, German, Greek, Italian, Portuguese, Spanish, Swedish and Nepali languages, each text being equally authentic.

En fe de lo cual, los plenipotenciarios abajo firmantes suscriben el presente Acuerdo.

Til bekræftelse heraf har undertegnede befuldmægtigede underskrevet denne aftale.

Zu Urkund dessen haben die unterzeichneten Bevollmächtigten ihre Unterschriften unter dieses Abkommen gesetzt.

Σε πίστωση των ανωτέρω, οι υπογράφωντες πληρεξούσιοι έθεσαν την υπογραφή τους κάτω από την παρούσα συμφωνία.

In witness whereof the undersigned Plenipotentiaries have signed this Agreement.

En foi de quoi, les plénipotentiaires soussignés ont apposé leur signature au bas du présent accord.

In fede di che, i plenipotenziari sottoscritti hanno apposto le loro firme in calce al presente accordo.

Ten blijke waarvan de ondergetekenden gevolmachtigden hun handtekening onder deze Overeenkomst hebben gezet.

Em fé do que, os plenipotenciários abaixo-assinados apuseram as suas assinaturas no presente Acordo.

Tämän vakuudeksi alla mainitut täysivaltaiset edustajat ovat tehneet tämän sopimuksen.

Till bevis härpå har undertecknade befullmäktigade ombud undertecknat detta avtalet.

**यसको प्रमाणको रूपमा, तल हस्ताक्षर गर्ने सर्वाधिकारसम्पन्न प्रतिनिधिहरूले यस सम्झौतामा हस्ताक्षर गरेका छन्**

Hecho en Bruselas, el veinte de noviembre de mil novecientos noventa y cinco.

Udfærdiget i Bruxelles, den tyvende november nitten hundrede og femoghalvfems.

Geschehen zu Brüssel am zwanzigsten November neunzehnhundertfünfundneunzig.

Έγινε στις Βρυξέλλες, στις είκοσι Νοεμβρίου χίλια εννιακόσια ενενήντα πέντε.

Done at Brussels on the twentieth day of November in the year one thousand nine hundred and ninety-five.

Fait à Bruxelles, le vingt novembre mil neuf cent quatre-vingt-quinze.

Fatto a Bruxelles, addì venti novembre millenovecentonovantacinque.

Gedaan te Brussel, de twintigste november negentienhonderd vijffennegentig.

Feito em Bruxelas, em vinte de Novembro de mil novecentos e noventa e cinco.

Tehty Brysselissä kahdentenakymmenentenä päivänä marraskuuta vuonna tuhatyhdeksänsataayhdeksänkymmentäviisi.

Som skedde i Bryssel den tjugonde november nittonhundranittiofem.

**झुरोलसमा, सम्बत्त २०५२ साल मंसिर ४ गते सदानुसार नौभेभ्यर २०,१९९४ का दिन सम्पन्न भयो**

Por la Comunidad Europea

For Det Europæiske Fællesskab

Für die Europäische Gemeinschaft

Για την Ευρωπαϊκή Κοινότητα

For the European Community

Pour la Communauté européenne

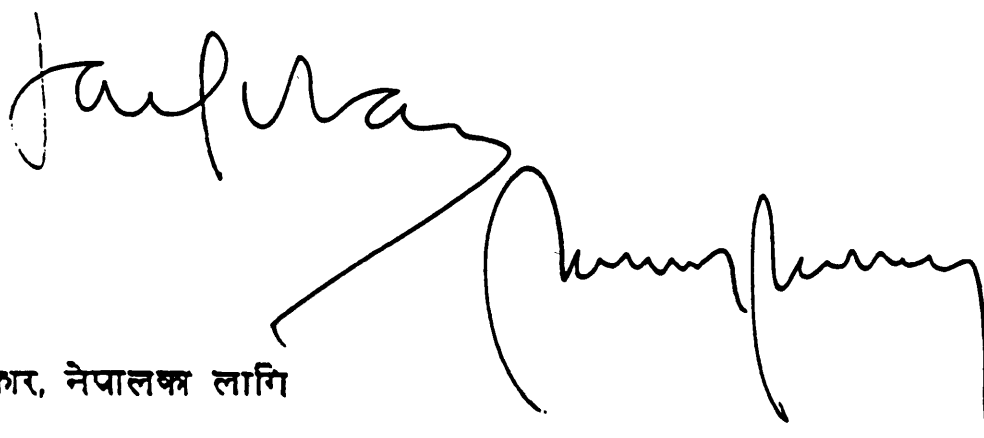
Per la Comunità europea

Voor de Europese Gemeenschap

Pela Comunidade Europeia

Euroopan yhteisön puolesta

På Europeiska gemenskapens vägnar



श्री ५ को सरकार, नेपालका लागि

Ponkesh C - daham

—

*ANNEX***Joint Declarations of the European Community and His Majesty's Government of Nepal**

1. The Parties agree that for the purpose of this Agreement 'intellectual, industrial and commercial property' includes inter alia copyright (including computer software) and related rights; trade and service marks; geographical indications, including indications of origin; industrial designs; layout designs of integrated circuits; undisclosed information and protection against unfair competition.
2. (a) For the purposes of the interpretation and practical application of this Agreement, the Parties agree that cases of special urgency referred to in Article 18 of the Agreement mean cases of material breach of the Agreement by one of the two Parties. A material breach of the Agreement consists in:
  - repudiation of the Agreement not sanctioned by the general rules of international law,
  - violation of the essential elements of the Agreement set out in Article 1.
- (b) The Parties agree that 'appropriate measures' referred to in Article 18 are measures taken in accordance with international law. If a Party takes a measure in a case of special urgency pursuant to Article 18, the other Party may request consultations on that measure.

**Declaration by the European Community on Generalized Preferences**

The European Community is prepared to assist Nepal to enable them to make the best use of the advantages afforded by the Generalized Scheme of Preferences (GSP), put into force on 1 January 1995.

The Community is willing to organize workshops in Nepal for public and private users of the system with a view to ensuring maximum use of it.

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**Notice concerning the entry into force of the Cooperation Agreement between the European Community and the Kingdom of Nepal <sup>(1)</sup>**

The exchange of instruments notifying the completion of the procedures necessary for the entry into force of this Agreement, signed on 20 November 1995, took place in Brussels on 23 May 1996. The Agreement will accordingly enter into force, pursuant to Article 22 thereof, on 1 June 1996.

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<sup>(1)</sup> See page 14 of this Official Journal.

# COMMISSION

## COMMISSION DECISION

of 30 May 1996

laying down special conditions governing the import of fishery and aquaculture products originating in Senegal

(Text with EEA relevance)

(96/355/EC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Directive 91/493/EEC of 22 July 1991 laying down the health conditions for the production and the placing on the market of fishery products<sup>(1)</sup>, as last amended by Directive 95/71/EC<sup>(2)</sup>, and in particular Article 11 thereof,

Whereas a group of Commission experts has conducted an inspection visit to Senegal to verify the conditions under which fishery products are produced, stored and dispatched to the Community;

Whereas the provisions of Senegal legislation on health inspection and monitoring of fishery products may be considered equivalent to those laid down in Directive 91/493/EEC;

Whereas the Ministère de la pêche et des transports maritimes — Direction de l'océanographie et des pêches maritimes — Bureau du contrôle des produits halieutiques (MPTM-DOPM-BCPH), the competent authority in Senegal, is capable of effectively verifying the application of the laws in force;

Whereas the procedure for obtaining the health certificate referred to in Article 11 (4) (a) of Directive 91/493/EEC must also cover the definition of a model certificate, the minimum requirements regarding the language(s) in which it must be drafted and the grade of the person empowered to sign it;

Whereas, pursuant to Article 11 (4) (b) of Directive 91/493/EEC, a mark should be affixed to packages of fishery products, giving the name of the third country and the approval number of the establishment and freezer vessel of origin;

Whereas, pursuant to Article 11 (4) (c) of Directive 91/493/EEC, a list of approved establishments and freezer vessels must be drawn up; whereas that list must be drawn up on the basis of a communication from the MPTM-DOPM-BCPH to the Commission; whereas it is therefore for the MPTM-DOPM-BCPH to ensure compliance with the provisions laid down to that end in Article 11 (4) of Directive 91/493/EEC;

Whereas the MPTM-DOPM-BCPH has provided official assurances regarding compliance with the rules set out in Chapter V of the Annex to Directive 91/493/EEC and regarding fulfilment of requirements equivalent to those laid down by that Directive for the approval of establishments and the freezer vessels;

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

HAS ADOPTED THIS DECISION:

### Article 1

The Ministère de la pêche et des transports maritimes — Direction de l'océanographie et des pêches maritimes — Bureau du contrôle des produits halieutiques (MPTM-DOPM-BCPH) is recognized as the competent authority in Senegal for verifying and certifying compliance of fishery products with the requirements of Directive 91/493/EEC.

### Article 2

Fishery and aquaculture products originating in Senegal must meet the following conditions:

1. Each consignment must be accompanied by a numbered original health certificate, duly completed, signed, dated and comprising a single sheet in accordance with the model set out in Annex A hereto;

<sup>(1)</sup> OJ No L 268, 24. 9. 1991, p. 15.

<sup>(2)</sup> OJ No L 332, 30. 12. 1995, p. 40.

2. The products must come from approved establishments or freezer vessels listed in Annex B hereto;
3. Except in the case of frozen fishery products in bulk and intended for the manufacture of preserved foods, all packages must bear the word 'Senegal' and the approval number of the establishment or freezer vessel of origin in indelible letters.

#### *Article 3*

1. The certificate referred to in point 1 of Article 2 must be drawn up in at least one official language of the Member State where the checks are carried out.
2. The certificate must bear the name, capacity and signature of the representative of the Ministère de la

pêche et des transports maritimes — Direction de l'océanographie et des pêches maritimes — Bureau du contrôle des produits halieutiques (MPTM-DOPM-BCPH), and the latter's official stamp in a colour different from that of the other indications on the certificate.

#### *Article 4*

This Decision is addressed to the Member States.

Done at Brussels, 30 May 1996.

*For the Commission*

Franz FISCHLER

*Member of the Commission*

## ANNEX A

## HEALTH CERTIFICATE

for fishery or aquaculture products originating in Senegal and intended for export to the European Community with the exception of bivalve molluscs, echinoderms, tunicates and marine gastropods in any form

Reference No: .....

Country of dispatch: SENEGAL

Competent authority: MINISTÈRE DE LA PÊCHE ET DES TRANSPORTS MARITIMES —  
DIRECTION DE L'OcéANOGRAPHIE ET DES PÊCHES MARI-  
TIMES — BUREAU DU CONTRÔLE DES PRODUITS HALIEU-  
TIQUES (MPTM-DOPM-BCPH),

**I. Details identifying the products**

Description of fishery or aquaculture product<sup>(1)</sup>:

— species (scientific name): .....

— presentation of product<sup>(2)</sup> and type of treatment: .....

Code number (where available): .....

Type of packaging: .....

Number of packages: .....

Net weight: .....

Requisite storage and transport temperature: .....

**II. Origin of products**

Name(s) and official approval number(s) of establishment(s) or freezer vessel(s) approved by the MPTM-DOPM-BCPH for exports to the European Community:

.....  
.....  
.....  
.....

**III. Destination of products**

The fishery or aquaculture products are dispatched

from: .....  
(place of dispatch)

to: .....  
(country and place of destination)

by the following means of transport: .....

Name and address of dispatcher: .....

.....  
.....

Name of consignee and address at place of destination: .....

.....  
.....

<sup>(1)</sup> Delete where inapplicable.

<sup>(2)</sup> Live, refrigerated, frozen, salted, smoked, preserved, etc.

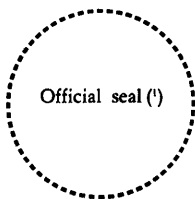
**IV. Health attestation**

The official inspector hereby certifies that the fishery and aquaculture products specified above:

1. were caught and handled on board vessels in accordance with the health rules laid down by Directive 92/48/EEC;
2. were landed, handled and where appropriate packaged, prepared, processed, frozen, thawed and stored hygienically in compliance with the requirements laid down in Chapters II, III and IV of the Annex to Directive 91/493/EEC;
3. have undergone health controls in accordance with Chapter V of the Annex to Directive 91/493/EEC;
4. are packaged, marked, stored and transported in accordance with Chapters VI, VII and VIII of the Annex to Directive 91/493/EEC;
5. do not come from toxic species or species containing biotoxins;
6. have satisfactorily undergone the organoleptic, parasitological, chemical and microbiological checks laid down for certain categories of fishery products by Directive 91/493/EEC and in the implementing decisions thereto.

The undersigned official inspector hereby declares that he is aware of the provisions of Directives 91/493/EEC and 92/48/EEC.

Done at ..... date .....  
(place) (date)



Official seal (1)

.....  
Signature of official inspector  
(name in capital letters, capacity and qualifications of person signing)(1)

(1) The colour of the stamp and signature must be different from that of the other particulars in the certificate.

## ANNEX B

## 1. LIST OF APPROVED ESTABLISHMENTS

Approval number	Establishments	Locality
02/88/C	3.S Établissement Faye	Dakar
01/89/C	Éts Amate Gueye	Dakar
15/89/C	Éts Mandiang & Frères	Dakar
19/89/C	Éts Adba Pêche Export	Dakar
20/89/C	Pêche Export	Dakar
21/89/C	Ikagel	Mbour
22/89/C	Sacep	Dakar
09/90/C	Société sénégal-grecque	Dakar
13/90/C	Soumex	Dakar
01/91/C	Interport Sàrl	Dakar
03/91/C	Amerger Casamance	Dakar
06/91/C	Les grands Viviers de Dakar	Dakar
07/91/C	Éts Mamadou Ndiongue	Dakar
11/91/C	Marée Export	Dakar
16/91/C	Africamer	Dakar
17/91/C	Négoce des Produits de la Mer	Dakar
20/91/C	Socechal/Crustagel	Ziguinchor
25/91/C	Quick Fish	Dakar
27/91/C	Sodipri	Dakar
01/92/C	Sté de conservation, de traitement et de distribution des produits de la pêche	Dakar
04/92/C	Allied Continental Shipping (Afrimer)	Dakar
05/92/C	Atlantic Marée	Dakar
01/93/C	Atis Marée Export (Intraf)	Dakar
02/93/C	Inter Trade Fish	Dakar
04/93/C	La Sénégalaise du Poisson	Dakar
05/93/C	Société nouvelle de Conserverie du Sénégal (SNCDs)	Dakar
07/93/C	Pêche & Froid	Dakar
08/93/C	Cimex	Dakar
13/93/C	Sénégamer	Dakar
14/93/C	Sopimex	Dakar
01/94/C	Négoce international Dia et Frères (Nidiaf)	Dakar
02/94/C	Afripêche	Dakar
03/94/C	Cofrinord	Saint-Louis
07/94/C	Dakar Marée (Sàrl)	Dakar
09/94/C	Dragon de Mer	Dakar
10/94/C	Sénécrust	Dakar
11/94/C	GPL — Dakar frais	Dakar
12/94/C	GIE Dakar Marée	Dakar
15/94/C	Conserverie de Dakar (Condak)	Dakar
20/94/C	Promel SA	Dakar
21/94/C	Neptunus Fishing Co.	Dakar
22/94/C	Sénémer	Dakar
01/95/C	GIE Delta Plus	Saint-Louis
02/95/C	Tropic-Fish	Dakar
03/95/C	Sénégal Pêche	Dakar
04/95/C	Mano Pêche	Dakar
08/95/C	Dialaw Marée	Dakar
10/95/C	Éco-pêche	Dakar
17/95/C	Promar	Dakar
02/96/C	Atlantic Fish Cisse & Frères	Dakar

## 2. LIST OF APPROVED FREEZER VESSELS

Approval number	Name	Name of shipowner
01/AA/95	Adrimex II	Groupe Adrien Michel (Sopasen)
02/AA/95	Bel-Air	Groupe Adrien Michel (Sopasen)
03/AA/95	Betty	Groupe Adrien Michel (Sopasen)
04/AA/95	Cap Rouge	Groupe Adrien Michel (Sopasen)
05/AA/95	Catherine-Anne	Groupe Adrien Michel (Sopasen)
06/AA/95	Connie	Groupe Adrien Michel (Sopasen)
07/AA/95	Fayako	Groupe Adrien Michel (Sopasen)
08/AA/95	Guereo	Groupe Adrien Michel (Sopasen)
09/AA/95	Hélène	Groupe Adrien Michel (Sopasen)
10/AA/95	Îles aux Oiseaux	Groupe Adrien Michel (Sopasen)
11/AA/95	Îles aux Mimosas	Groupe Adrien Michel (Sopasen)
12/AA/95	Île de Santiago	Groupe Adrien Michel (Sopasen)
13/AA/95	Laurence-Marie	Groupe Adrien Michel (Sopasen)
14/AA/95	Marie-Josèphe	Groupe Adrien Michel (Sopasen)
15/AA/95	Niam Niokho	Groupe Adrien Michel (Sopasen)
16/AA/95	Pdt Oumar Diallo	Groupe Adrien Michel (Sopasen)
17/AA/95	Tadorne	Groupe Adrien Michel (Sopasen)
18/AY/95	Batterie	Yannick Carton
19/AY/95	Marika	Yannick Carton
20/AY/95	Île aux Fées	Yannick Carton
21/AY/95	Ornon	Yannick Carton
22/AY/95	Yann	Yannick Carton
23/AY/95	Élodie	Yannick Carton
24/AY/95	Iza	Yannick Carton
25/AN/95	Dahlia	Neau
26/AN/95	Hortensia	Neau
27/AN/95	Dielmon	Neau
28/AN/95	Lobélia	Neau
29/AR/95	Les Nourres II	Ribeiro
30/AR/95	Magali Hester	Ribeiro
31/AR/95	Reine Sithoe	Ribeiro
32/AH/95	Kantar	Hisepec
87/AH/96	Almirante	Hisepec
88/AH/96	Chiquita	Hisepec
89/AH/96	Touba	Hisepec
33/AS/95	Mariama	Senevisa
34/AS/95	Aminata	Senevisa
90/AS/96	Vieirasa Siete	Senevisa
35/AK/95	Pape Ndongo	Krustasud
36/AK/95	Mame Bousso	Krustasud
37/AK/95	King Fish	Krustasud
38/AT/95	Maria	Touba Pêche
39/AD/95	Lawtan	Sispa
40/AD/95	Andando	Sispa
41/AD/95	Nettali	Sispa
42/AD/95	Fayda	Sispa
43/AE/95	Ultramar I	Sénémer
44/AP/95	Donaks	Pêcherie du Cap-Vert
45/AW/95	Sopeco I	Sopeco
46/AQ/95	Mame Fapenda Diop	Soracope
47/AV/95	Tivaouane I	Daka Armement
48/AL/95	Nuovo Socrate	Asali-Pêche
49/AL/95	Echilio	Asali-Pêche

Approval number	Name	Name of shipowner
50/AL/95	Platonne	Asali-Pêche
51/AL/95	Protagora	Asali-Pêche
52/AU/95	Chalucap I	Nouvelle Chalucap
53/AU/95	Chalucap II	Nouvelle Chalucap
54/AU/95	Chalucap III	Nouvelle Chalucap
55/AU/95	Chalucap IV	Nouvelle Chalucap
56/AU/95	Madeleine	Nouvelle Chalucap
57/AU/95	Quercy	Nouvelle Chalucap
58/AU/95	Sylvie	Nouvelle Chalucap
59/AG/95	Soachip 5	Soachip SA
60/AG/95	Soachip 6	Soachip SA
61/AG/95	Soachip 7	Soachip SA
62/AG/95	Soachip 8	Soachip SA
63/AG/95	Soachip 9	Soachip SA
64/AG/95	Soachip 10	Soachip SA
65/AG/95	Soachip 11	Soachip SA
66/AG/95	Soachip 12	Soachip SA
67/AF/95	Gorgui Mame Tamedou	Sénégal Pêche
68/AF/95	Mamadou Diop	Sénégal Pêche
69/AF/95	Dialaw	Sénégal Pêche
70/AF/95	Yarakh Tefess	Sénégal Pêche
71/AM/95	Le Paladin	Africamer
72/AM/95	Palomete	Africamer
73/AM/95	Africamer 7	Africamer
74/AB/95	Nikolaos K	Sofresh
75/AZ/95	Kriti	Sénécrête
76/AX/95	Saturnia	Océan 5 Sàrl
77/AX/95	Vexilia	Océan 5 Sàrl
78/AJ/95	Itti 1	Itti Atlantic
79/AJ/95	Itti 2	Itti Atlantic
80/AI/95	Ágia Gana	Thalassa Fisheries
81/AO/95	Nathalie	Berthome
82/AO/95	Île d'Olonne	Berthome
83/AO/95	Perle de l'Océan	Berthome
84/AO/95	L'Africain	Berthome
85/AO/95	Ange des Mers	Berthome
86/BB/95	Domenica Madre	Société sénégalais-italienne de Pêche industrielle (SIPI)
87/BC/95	Fresh Fish I	Fresh Fish Sàrl
91/BD/96	Briz III	Atlantic Pêche Sàrl
92/BE/96	Dieo 1	Armement Albatros SA
93/BF/96	Larus	Pêcherie universelle



## COMMISSION DECISION

of 30 May 1996

## laying down special conditions governing the import of fishery and aquaculture products originating in Gambia

(Text with EEA relevance)

(96/356/EC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

fishery products, giving the name of the third country and the approval number of the establishment of origin;

Having regard to the Treaty establishing the European Community,

Whereas, pursuant to Article 11 (4) (c) of Directive 91/493/EEC, a list of approved establishments must be drawn up; whereas that list must be drawn up on the basis of a communication from the MANR-FD to the Commission; whereas it is therefore for the MANR-FD to ensure compliance with the provisions laid down to that end in Article 11 (4) of Directive 91/493/EEC;

Having regard to Council Directive 91/493/EEC of 22 July 1991 laying down the health conditions for the production and the placing on the market of fishery products<sup>(1)</sup>, as last amended by Directive 95/71/EC<sup>(2)</sup>, and in particular Article 11 thereof,

Whereas the MANR-FD has provided official assurances regarding compliance with the rules set out in Chapter V of the Annex to Directive 91/493/EEC and regarding fulfilment of requirements equivalent to those laid down by that Directive for the approval of establishments;

Whereas a group of Commission experts has conducted an inspection visit to Gambia to verify the conditions under which fishery products are produced, stored and dispatched to the Community;

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

Whereas the provisions of Gambia legislation on health inspection and monitoring of fishery products may be considered equivalent to those laid down in Directive 91/493/EEC;

HAS ADOPTED THIS DECISION:

Whereas the Ministry of Agriculture and Natural Resources — Fisheries Department (MANR-FD) in Gambia, is capable of effectively verifying the application of the laws in force;

*Article 1*

The Ministry of Agriculture and Natural Resources — Fisheries Department (MANR-FD) is recognized as the competent authority in Gambia for verifying and certifying compliance of fishery products with the requirements of Directive 91/493/EEC.

Whereas the procedure for obtaining the health certificate referred to in Article 11 (4) (a) of Directive 91/493/EEC must also cover the definition of a model certificate, the minimum requirements regarding the language(s) in which it must be drafted and the grade of the person empowered to sign it;

*Article 2*

Fishery and aquaculture products originating in Gambia must meet the following conditions:

Whereas, pursuant to Article 11 (4) (b) of Directive 91/493/EEC, a mark should be affixed to packages of

1. Each consignment must be accompanied by a numbered original health certificate, duly completed, signed, dated and comprising a single sheet in accordance with the model set out in Annex A hereto;

<sup>(1)</sup> OJ No L 268, 24. 9. 1991, p. 15.

<sup>(2)</sup> OJ No L 332, 30. 12. 1995, p. 40.

2. The products must come from approved establishments listed in Annex B hereto;
3. Except in the case of frozen fishery products in bulk and intended for the manufacture of preserved foods, all packages must bear the word 'Gambia' and the approval number of the establishment of origin in indelible letters.

*Article 3*

1. The certificate referred to in point 1 of Article 2 must be drawn up in at least one official language of the Member State where the checks are carried out.
2. The certificate must bear the name, capacity and signature of the representative of the Ministry of Agriculture and Natural Resources — Fisheries Department

(MANR-FD), and the latter's official stamp in a colour different from that of the other indications on the certificate.

*Article 4*

This Decision is addressed to the Member States.

Done at Brussels, 30 May 1996.

*For the Commission*

Franz FISCHLER

*Member of the Commission*

## ANNEX A

## HEALTH CERTIFICATE

for fishery or aquaculture products originating in Gambia and intended for export to the European Community with the exception of bivalve molluscs, echinoderms, tunicates and marine gastropods in any form

Reference No: .....

Country of dispatch: GAMBIA

Competent authority: MINISTRY OF AGRICULTURE AND NATURAL RESOURCES —  
FISHERIES DEPARTMENT (MANR-FD)

## I. Details identifying the products

Description of fishery or aquaculture product<sup>(1)</sup>:

— species (scientific name): .....

— presentation of product<sup>(2)</sup> and type of treatment: .....

Code number (where available): .....

Type of packaging: .....

Number of packages: .....

Net weight: .....

Requisite storage and transport temperature: .....

## II. Origin of products

Name(s) and official approval number(s) of establishment(s) or freezer vessel(s) approved by the MANR-FD for exports to the European Community:

.....  
.....  
.....  
.....

## III. Destination of products

The fishery or aquaculture products are dispatched

from: .....  
(place of dispatch)

to: .....  
(country and place of destination)

by the following means of transport: .....

Name and address of dispatcher: .....

.....  
.....

Name of consignee and address at place of destination: .....

.....  
.....

<sup>(1)</sup> Delete where inapplicable.

<sup>(2)</sup> Live, refrigerated, frozen, salted, smoked, preserved, etc.

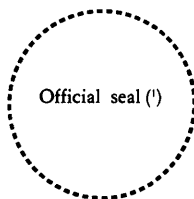
**IV. Health attestation**

The official inspector hereby certifies that the fishery and aquaculture products specified above:

1. were caught and handled on board vessels in accordance with the health rules laid down by Directive 92/48/EEC;
2. were landed, handled and where appropriate packaged, prepared, processed, frozen, thawed and stored hygienically in compliance with the requirements laid down in Chapters II, III and IV of the Annex to Directive 91/493/EEC;
3. have undergone health controls in accordance with Chapter V of the Annex to Directive 91/493/EEC;
4. are packaged, marked, stored and transported in accordance with Chapters VI, VII and VIII of the Annex to Directive 91/493/EEC;
5. do not come from toxic species or species containing biotoxins;
6. have satisfactorily undergone the organoleptic, parasitological, chemical and microbiological checks laid down for certain categories of fishery products by Directive 91/493/EEC and in the implementing decisions thereto.

The undersigned official inspector hereby declares that he is aware of the provisions of Directives 91/493/EEC and 92/48/EEC.

Done at ..... date .....  
(place) (date)



.....  
Signature of official inspector  
(name in capital letters, capacity and qualifications of person signing)(1)

\_\_\_\_\_

(1) The colour of the stamp and signature must be different from that of the other particulars in the certificate.

*ANNEX B***LIST OF AGREED ESTABLISHMENTS**

Approval number	Establishment
GAM/FPE/01/94	National Partnership Enterprises Ltd
GAM/FPE/02/94	BB & Sons Seafoods
GAM/FPE/03/95	Rosamond Trade
GAM/FPE/04/95	Lyefish Co. Ltd