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Contents

I Acts whose publication is obligatory

- ★ Commission Regulation (EC) No 1107/96 of 12 June 1996 on the registration of geographical indications and designations of origin under the procedure laid down in Article 17 of Council Regulation (EEC) No 2081/92 1
- ★ Commission Regulation (EC) No 1108/96 of 20 June 1996 amending Regulation (EEC) No 1445/76 specifying the different varieties of *Lolium perenne* L. 11
- ★ Commission Regulation (EC) No 1109/96 of 20 June 1996 amending Article 3 of Council Regulation (EEC) No 3950/92 establishing an additional levy in the milk and milk products sector in respect of the total quantity for Denmark and the footnote concerning Germany 13
- ★ Commission Regulation (EC) No 1110/96 of 20 June 1996 introducing management measures for imports of certain bovine animals for the second half of 1996 15
- ★ Commission Regulation (EC) No 1111/96 of 20 June 1996 on the issuing of import licences for bananas under the tariff quota for the third quarter of 1996 and on the submission of new applications ⁽¹⁾ 22
- ★ Commission Regulation (EC) No 1112/96 of 20 June 1996 amending Regulation (EC) No 1466/95 laying down special detailed rules of application for export refunds on milk and milk products 24
- ★ Commission Regulation (EC) No 1113/96 of 20 June 1996 opening and providing for the administration of tariff quotas for the import of bulls, cows and heifers, other than those intended for slaughter, of certain Alpine and mountain breeds, for the period 1 July 1996 to 30 June 1997 26

⁽¹⁾ Text with EEA relevance

* Commission Regulation (EC) No 1114/96 of 20 June 1996 amending Regulation (EC) No 1600/95 laying down detailed rules for the application of the import arrangements and opening tariff quotas for milk and milk products	32
Commission Regulation (EC) No 1115/96 of 20 June 1996 amending the import duties in the cereals sector.....	36
Commission Regulation (EC) No 1116/96 of 20 June 1996 establishing the standard import values for determining the entry price of certain fruit and vegetables	39

II *Acts whose publication is not obligatory*

European Parliament

96/377/ECSC, EC, Euratom:

* European Parliament Decision of 17 April 1996 giving discharge to the Commission in respect of the implementation of the general budget of the European Union for the 1994 financial year as regards Sections I — Parliament, II — Council, III — Commission, IV — Court of Justice, V — Court of Auditors and VI — Economic and Social Committee/Committee of the Regions	41
Resolution containing the comments which form part of the decision giving discharge to the Commission in respect of the implementation of the general budget of the European Union for the 1994 financial year	44

96/378/ECSC:

* European Parliament Decision of 17 April 1996 giving discharge to the Commission in respect of the management of the ECSC for the financial year 1994	50
--	-----------

96/379/EC:

* European Parliament Decision of 17 April 1996 giving discharge to the Administrative Board of the European Foundation for the Improvement of Living and Working Conditions in respect of the implementation of its budget for the 1994 financial year	54
--	-----------

96/380/EC:

* European Parliament Resolution of 17 April 1996 refusing discharge to the Commission in respect of the implementation of the European Development Funds for the 1994 financial year	56
--	-----------

Corrigenda

* Corrigendum to Commission Regulation (EC) No 1102/96 of 19 June 1996 amending Regulation (EC) No 1474/95 and fixing the quantities available for the applications submitted from 15 May 1996 (OJ No L 146 of 20.6.1996)	58
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I

(Acts whose publication is obligatory)

COMMISSION REGULATION (EC) No 1107/96

of 12 June 1996

on the registration of geographical indications and designations of origin under the procedure laid down in Article 17 of Council Regulation (EEC) No 2081/92

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EEC) No 2081/92 of 14 July 1992 on the protection of geographical indications and designations of origin for agricultural products and foodstuffs⁽¹⁾, and in particular Article 17 thereof,

Whereas, pursuant to Article 17 of Regulation (EEC) No 2081/92, in the six months following the entry into force of that Regulation the Member States forwarded to the Commission the legally protected names or names established by usage they wished to register;

Whereas, following examination of those names in accordance with Regulation (EEC) No 2081/92, some of them were found to be in accordance with the provisions of that Regulation and eligible to be registered and protected at Community level as geographical indications or designations of origin;

Whereas generic names are not registered;

Whereas Article 7 of Regulation (EEC) No 2081/92 does not apply to the procedure provided for in Article 17;

Whereas, pursuant to Article 14 (3) of Regulation (EEC) No 2081/92, a designation of origin or geographical indication may not be registered where, in the light of a trade mark's reputation and renown and the length of time it has been used, registration is liable to mislead the consumer as to the true identity of the product;

Whereas, where a designation of origin or geographical indication whose name has already been registered as a trade mark is granted protection at the initiative of a single producer in accordance with the criteria set out in Article 1 of Commission Regulation (EEC) No 2037/93⁽²⁾, that producer may not prevent other producers in the area defined who produce in accordance with the registered specification from using the protected designation of origin or the protected geographical indication;

Whereas, where a trade mark and a registered designation of origin or geographical indication could coincide, use of the trade mark corresponding to one of the situations referred to in Article 13 of Regulation (EEC) No 2081/92 may be continued only if that trade mark fulfils the conditions laid down in Article 14 (2) of that Regulation;

Whereas certain Member States have made it known that protection was not requested for some parts of designations and this should be taken into account;

Whereas the registration of protected designations of origin or geographical indications does not imply exemption from the obligation to comply with the rules in force concerning agricultural products and foodstuffs;

Whereas the vote in the Committee provided for in Article 15 of Regulation (EEC) No 2081/92 resulted in no opinion; whereas, in the absence of an opinion and in accordance with that Article, the Commission forwarded a proposal to the Council for it to act on a qualified majority within three months; whereas, given that the Council did not act within that period, the proposed measures should be adopted by the Commission,

⁽¹⁾ OJ No L 208, 24. 7. 1992, p. 1.

⁽²⁾ OJ No L 185, 28. 7. 1993, p. 5.

HAS ADOPTED THIS REGULATION:

Article 1

The names listed in the Annex shall be registered as protected geographical indications (PGI) or protected designations of origin (PDO) pursuant to Article 17 of Regulation (EEC) No 2081/92.

Names not included in the Annex which have been forwarded pursuant to Article 17 shall continue to be protected at national level until a decision has been reached on them.

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, 12 June 1996.

For the Commission

Franz FISCHLER

Member of the Commission

ANNEX

A. PRODUCTS LISTED IN ANNEX II TO THE EC TREATY, INTENDED FOR HUMAN CONSUMPTION

Fresh meat (and offal)

SPAIN

- Carne de Ávila (PGI)
- Carne de Morucha de Salamanca (PGI)
- Pollo y Capón del Prat (PGI)
- Ternasco de Aragón (PGI)

FRANCE

- Agneau du Quercy (PGI)
- Bœuf de Chalosse (PGI)
- Veau de l'Aveyron et du Ségala (PGI)
- Dinde de Bresse (PDO)
- Volailles de Bresse (PDO)
- Volailles de Houdan (PGI)
- Agneau de l'Aveyron (PGI)
- Agneau du Bourbonnais (PGI)
- Bœuf charolais du Bourbonnais (PGI)
- Bœuf du Maine (PGI)
- Veau du Limousin (PGI)
- Volailles de l'Ain (PGI)
- Volailles du Gers (PGI)
- Volailles du Maine (PGI)
- Volailles de Loué (PGI)
- Volailles de l'Orléanais (PGI)
- Volailles de Bourgogne (PGI)
- Volailles du plateau de Langres (PGI)
- Volailles du Charolais (PGI)
- Volailles de Normandie (PGI)
- Volailles de Bretagne (PGI)
- Volailles de Challans (PGI)
- Volailles de Vendée (PGI)
- Volailles d'Alsace (PGI)
- Volailles du Forez (PGI)
- Volailles du Béarn (PGI)
- Volailles de Cholet (PGI)
- Volailles des Landes (PGI)
- Volailles de Licques (PGI)
- Volailles d'Auvergne (PGI)
- Volailles du Velay (PGI)
- Volailles du Val de Sèvres (PGI)
- Volailles d'Ancenis (PGI)
- Volailles de Janzé (PGI)
- Volailles du Gatinais (PGI)
- Volailles du Berry (PGI)
- Volailles de la Champagne (PGI)
- Volailles du Languedoc (PGI)
- Volailles du Lauragais (PGI)
- Volailles de Gascogne (PGI)
- Volailles de la Drôme (PGI)

LUXEMBOURG

- Viande de porc, marque nationale grand-duché de Luxembourg (PGI)

PORTUGAL

- Borrego de Montemor-o-Novo (PGI)
- Borrego da Serra da Estrela (PDO)
- Cabrito das Terras Altas do Minho (PGI)
- Cabrito da Gralheira (PGI)

- Cabrito da Beira (PGI)
- Vitela de Lafões (PGI)
- Borrego da Beira (PGI)
- Cabrito do Barroso (PGI)
- Borrego Terrincho (PDO)
- Carne Alentejana (PDO)
- Carne Arouquesa (PDO)
- Carne Marinhova (PDO)
- Carne Mertolenga (PDO)
- Cordeiro Bragançano (PDO)

UNITED KINGDOM

- Orkney beef (PDO)
- Orkney lamb (PDO)
- Scottish beef (PGI)
- Scottish lamb (PGI)
- Shetland lamb (PDO)

Meat-based products

BELGIUM

- Jambon d'Ardenne (PGI)

SPAIN

- Cecina de León (PGI)
- Dehesa de Extremadura (PDO)
- Guijuelo (PDO)
- Jamón de Teruel (PDO)
- Sobrasada de Mallorca (PGI)

ITALY

- Prosciutto di Parma (PDO)
- Prosciutto di S. Daniele (PDO)
- Prosciutto di Modena (PDO)
- Prosciutto Veneto Berico-Euganeo (PDO)
- Salame di Varzi (PDO)
- Salame Brianza (PDO)
- Speck dell'Alto Adige (PGI)

LUXEMBOURG

- Salaisons fumées, marque nationale Grand-Duché de Luxembourg (PGI)

PORTUGAL

- Presunto do Barroso (PGI)

Cheeses

DENMARK

- Danablu (PGI)
- Esrom (PGI)

GREECE

- Ανεδατό (Anevato) (PDO)
- Γαλοτύρι (Galotyri) (PDO)
- Γραβιέρα Αγράφων (Graviera Agrafon) (PDO) ⁽¹⁾
- Γραβιέρα Κρήτης (Graviera Kritis) (PDO) ⁽¹⁾
- Γραβιέρα Νάξου (Graviera Naxou) (PDO) ⁽¹⁾
- Καλαθάκι Λήμνου (Kalathaki Limnou) (PDO)
- Κασέρι (Kasseri) (PDO)
- Κατίκι Δομοκού (Katiki Domokou) (PDO)
- Κεφαλογραβιέρα (Kefalograviera) (PDO)
- Κοπανιστή (Kopanisti) (PDO)
- Λαδοτύρι Μυτιλήνης (Ladotyri Mytilinis) (PDO)

⁽¹⁾ Protection of the name 'Γραβιέρα' (Graviera) is not sought.

- Μανούρι (Manouri) (PDO)
- Μετσοβόνη (Metsovone) (PDO)
- Μπάτζος (Batzos) (PDO)
- Ξυνομυζήθρα (Xynomyzithra Kritis) (PDO)
- Πηχτόγαλο (Pichtogalo Chanion) (PDO)
- Σαν Μιχάλη (San Michali) (PDO)
- Σφέλα (Sfela) (PDO)
- Φέτα (Feta) (PDO)
- Φορμαέλλα Αράχωβας Παρνασσού (Formaella Arachovas Parnassou) (PDO)

SPAIN

- Cabrales (PDO)
- Idiazábal (PDO)
- Mahón (PDO)
- Picón Bejes-Tresviso (PDO)
- Queso de Cantabria (PDO)
- Queso de La Serena (PDO)
- Queso Manchego (PDO)
- Queso Tetilla (PDO)
- Queso Zamorano (PDO)
- Quesucos de Liébana (PDO)
- Roncal (PDO)

FRANCE

- Beaufort (PDO)
- Bleu des Causses (PDO)
- Bleu du Haut-Jura, de Gex, de Septmoncel (PDO)
- Brocciu Corse ou brocciu (PDO)
- Chabichou du Poitou (PDO)⁽¹⁾
- Crottin de Chavignol ou chavignol (PDO)⁽²⁾
- Époisses de Bourgogne (PDO)
- Laguiole (PDO)
- Ossau-Iraty-Brebis Pyrénées (PDO)⁽³⁾
- Pouligny Saint Pierre (PDO)
- Picodon de l'Ardèche ou picodon de la Drôme (PDO)⁽⁴⁾
- Salers (PDO)
- Selles-sur-Cher (PDO)
- Sainte Maure de Touraine (PDO)⁽⁵⁾
- Tomme de Savoie (PGI)⁽⁶⁾
- Langres (PDO)
- Neufchâtel (PDO)
- Abondance (PDO)
- Camembert de Normandie (PDO)⁽⁷⁾
- Cantal ou fourme de Cantal ou cantale (PDO)
- Chaource (PDO)
- Comté (PDO)
- Emmental de Savoie (PGI)⁽⁸⁾
- Emmental français est-central (PGI)⁽⁸⁾
- Livarot (PDO)
- Maroilles ou marolles (PDO)
- Munster ou munster-géromé (PDO)
- Pont-l'Évêque (PDO)
- Reblochon ou reblochon de Savoie (PDO)
- Roquefort (PDO)
- Saint-Nectaire (PDO)
- Tomme des Pyrénées (PGI)⁽⁸⁾

⁽¹⁾ Protection of the name 'Chabichou' is not sought.

⁽²⁾ Protection of the name 'Crottin' is not sought.

⁽³⁾ Protection of the name 'Brebis Pyrénées' is not sought.

⁽⁴⁾ Protection of the name 'Picodon' is not sought.

⁽⁵⁾ Protection of the name 'Sainte Maure' is not sought.

⁽⁶⁾ Protection of the name 'Tomme' is not sought.

⁽⁷⁾ Protection of the name 'Camembert' is not sought.

⁽⁸⁾ Protection of the name 'Emmental' is not sought.

- Bleu d'Auvergne (PDO)
- Brie de Meaux (PDO)⁽¹⁾
- Brie de Melun (PDO)⁽¹⁾
- Mont d'or ou vacherin du Haut-Doubs (PDO)

ITALY

- Canestrato Pugliese (PDO)⁽²⁾
- Fontina (PDO)
- Gorgonzola (PDO)
- Grana Padano (PDO)
- Parmigiano Reggiano (PDO)
- Pecorino Siciliano (PDO)⁽³⁾
- Provolone Valpadana (PDO)⁽⁴⁾
- Caciotta d'Urbino (PDO)⁽⁵⁾
- Pecorino Romano (PDO)⁽⁵⁾
- Quartirolo Lombardo (PDO)
- Taleggio (PDO)
- Asiago (PDO)
- Formai de Mut Dell'alta Valle Brembana (PDO)⁽⁶⁾
- Montasio (PDO)
- Mozzarella di Bufala Campana (PDO)⁽⁷⁾
- Murazzano (PDO)

NETHERLANDS

- Noord-Hollandse Edammer (PDO)⁽⁸⁾⁽⁹⁾
- Noord-Hollandse Gouda (PDO)⁽⁸⁾⁽¹⁰⁾

PORTUGAL

- Queijo de Nisa (PDO)
- Queijo de Azeitão (PDO)
- Queijo de Évora (PDO)
- Queijo de São Jorge (PDO)
- Queijo Rabaçal (PDO)
- Queijo Serpa (PDO)
- Queijo Serra da Estrela (PDO)
- Queijos da Beira Baixa (Queijo de Castelo Branco, Queijo Amarelo da Beira Baixa, Queijo Picante da Beira Baixa) (PDO)
- Queijo Terrincho (PDO)

UNITED KINGDOM

- White Stilton cheese (PDO)/Blue Stilton cheese (PDO)
- West Country farmhouse Cheddar cheese (PDO)⁽¹¹⁾⁽¹²⁾
- Beacon Fell traditional Lancashire cheese (PDO)⁽¹³⁾
- Swaledale cheese (PDO)/Swaledale ewes' cheese (PDO)
- Bonchester cheese (PDO)
- Buxton blue (PDO)
- Dovedale cheese (PDO)
- Single Gloucester (PDO)

⁽¹⁾ Protection of the name 'Brie' is not sought.

⁽²⁾ Protection of the name 'Canestrato' is not sought.

⁽³⁾ Protection of the name 'Pecorino' is not sought.

⁽⁴⁾ Protection of the name 'Provolone' is not sought.

⁽⁵⁾ Protection of the name 'Caciotta' is not sought.

⁽⁶⁾ Protection of the name 'Formai de Mut' is not sought.

⁽⁷⁾ Protection of the name 'Mozzarella' is not sought.

⁽⁸⁾ Protection of the name 'Noord-hollandse' is not sought.

⁽⁹⁾ Protection of the name 'Edammer' is not sought.

⁽¹⁰⁾ Protection of the name 'Gouda' is not sought.

⁽¹¹⁾ Protection of the name 'Cheddar' is not sought.

⁽¹²⁾ Protection of the name 'West country' is not sought.

⁽¹³⁾ Protection of the name 'Lancashire' is not sought.

Other products of animal origin (eggs, honey, milk products excluding butter, etc.)**SPAIN**

— Miel de La Alcarria (PDO)

FRANCE

— Crème d'Isigny (PDO)

— Crème fraîche fluide d'Alsace (PGI)

LUXEMBOURG

— Miel luxembourgeois de marque nationale (PDO)

PORTUGAL

— Mel da Serra da Lousã (PDO)

— Mel das Terras Altas do Minho (PDO)

— Mel da Terra Quente (PDO)

— Mel da Serra de Monchique (PDO)

— Mel do Parque de Montezinho (PDO)

— Mel do Alentejo (PDO)

— Mel dos Açores (PDO)

— Mel do Barroso (PDO)

— Mel do Ribatejo Norte (Serra d'Aire, Albufeira do Castelo do Bode, Bairro, Alto Nabão) (PDO)

Oils and fats**BELGIUM**

— Beurre d'Ardenne (PDO)

Olive oils**GREECE**

— Βιάννος Ηρακλείου Κρήτης (Viannos Iraklion Crete) (PDO)⁽¹⁾⁽²⁾

— Λυγουριό Ασκληπιείου (Lygourio Asklepion) (PDO)

— Βόρειος Μυλοπόταμος Ρεθύμνης Κρήτης (Vorios Mylopotamos Rethymno Crète) (PDO)⁽²⁾⁽³⁾

— Κροκεές Λακωνίας (Krokees Lakonia) (PDO)⁽⁴⁾

— Πέτρινα Λακωνίας (Petrina Lakonia) (PDO)⁽⁴⁾

— Κρανίδι Αργολίδας (Kranidi Argolidas) (PDO)⁽⁵⁾

— Πεζά Ηρακλείου Κρήτης (Peza Iraklion Crete) (PDO)⁽¹⁾⁽²⁾

— Αρχάνες Ηρακλείου Κρήτης (Archanes Iraklion Crete) (PDO)⁽¹⁾⁽²⁾

— Λακωνία (Lakonia) (PGI)

— Χανιά Κρήτης (Hania Crète) (PGI)⁽²⁾

— Κεφαλονία (Kefallonia) (PGI)

— Ολυμπία (Olympia) (PGI)

— Λέσβος (Lesbos) (PGI)

— Πρέβεζα (Preveza) (PGI)

— Ρόδος (Rhodes) (PGI)

— Θάσος (Thassos) (PGI)

SPAIN

— Baena (PDO)

— Les Garrigues (PDO)

— Sierra de Segura (PDO)

— Siurana (PDO)

FRANCE

— Huile d'olive de Nyons (PDO)

— Beurre d'Isigny (PDO)

— Beurre Charentes-Poitou — Beurre des Charentes — Beurre des Deux-Sèvres (PDO)

⁽¹⁾ Protection of the name 'Ηρακλείου' (Iraklion) is not sought.

⁽²⁾ Protection of the name 'Κρήτης' (Crete) is not sought.

⁽³⁾ Protection of the name 'Ρεθύμνης' (Rethymno) is not sought.

⁽⁴⁾ Protection of the name 'Λακωνίας' (Lakonia) is not sought.

⁽⁵⁾ Protection of the name 'Αργολίδας' (Argolidas) is not sought.

LUXEMBOURG

- Beurre rose de marque nationale grand-duché de Luxembourg (PDO)

PORTUGAL

- Azeite de Moura (PDO)
- Azeite de Trás-os-Montes (PDO)
- Azeite do Ribatejo (PDO)
- Azeites do Norte Alentejano (PDO)
- Azeite da Beira Interior (Azeite da Beira Alta, Azeite da Beira Baixa) (PDO)

Fruit, vegetables and cereals**GREECE**

- Ακτινίδιο Σπερχειού (kiwi Sperchiou) (PDO)
- Ελιά Καλαμάτας (olive de Kalamata) (PDO)
- Κελυφωτό φυστίκι Φθιώτιδας (pistache de Phthiotida) (PDO)
- Κουμ Κουάτ Κερκύρας (kumquat de Corfou) (PGI)
- Ξερά σύκα Κύμης (figues sèches de Kimi) (PDO)
- Μήλα Ζαγοράς Πηλίου (pommes Zagoras Piliou) (PDO)⁽¹⁾
- Τσακωνική Μελιτζάνα Λεωνιδίου (aubergine tsakonique de Léonidio) (PDO)

SPAIN

- Arroz del Delta del Ebro (PGI)
- Calasparra (PDO)
- Cerezas de la Montaña de Alicante (PGI)
- Espárrago de Navarra (PGI)
- Faba Asturiana (PGI)
- Judías de El Barco de Ávila (PGI)
- Lenteja de La Armuña (PGI)
- Nisperos Callosa d'En Sarriá (PDO)
- Pimientos del Piquillo de Lodosa (PDO)
- Uva de mesa embolsada 'Vinalopó' (PDO)

FRANCE

- Ail rose de Lautrec (PGI)
- Noix de Grenoble (PDO)
- Pommes et poires de Savoie (PGI)
- Poireaux de Créances (PGI)
- Chasselas de Moissac (PDO)
- Mirabelles de Lorraine (PGI)
- Olives noires de Nyons (PDO)
- Pommes de terre de Merville (PGI)

ITALY

- Arancia Rossa di Sicilia (PGI)
- Capperi di Pantelleria (PGI)
- Castagna di Montella (PGI)
- Fungo di Borgotaro (PGI)
- Nocciola del Piemonte (PGI)

NETHERLANDS

- Opperdoezer Ronde (PDO)

AUSTRIA

- Wachauer Marille (PDO)

PORTUGAL

- Amêndoa do Douro (PDO)
- Ameixa d'Elvas (PDO)
- Ananás dos Açores/São Miguel (PDO)
- Azeitona de conserva Negrinha de Freixo (PDO)
- Castanha dos Soutos da Lapa (PDO)

⁽¹⁾ Protection of the name 'Πηλίου' (Pilios) is not sought.

- Castanha Marvão-Portalegre (PDO)
- Castanha de Pradela (PDO)
- Castanha da Terra Fria (PDO)
- Citrinos do Algarve (PGI)
- Cereja de São Julião-Portalegre (PDO)
- Cereja da Cova da Beira (PGI)
- Maçã de Portalegre (PGI)
- Maçã da Beira Alta (PGI)
- Maçã Bravo de Esmolfe (PDO)
- Maçã da Cova da Beira (PGI)
- Maçã de Alcobaça (PGI)
- Maracujá de São Miguel/Açores (PDO)
- Pêssego da Cova da Beira (PGI)

UNITED KINGDOM

- Jersey Royal potatoes (PDO)

Other Annex II products

Ciders

UNITED KINGDOM

- Herefordshire cider/perry (PGI)
- Worcestershire cider/perry (PGI)
- Gloucestershire cider/perry (PGI)

B. FOODSTUFFS LISTED IN ANNEX I TO REGULATION (EEC) No 2081/92

Beer

UNITED KINGDOM

- Newcastle brown ale (PGI)
- Kentish ale and Kentish strong ale (PGI)
- Rutland bitter (PGI)

Natural mineral waters and spring waters

GERMANY

- Bad Hersfelder Naturquelle (PDO)
- Bad Pyrmonter (PDO)
- Birresborner (PDO)
- Bissinger Auerquelle (PDO)
- Caldener Mineralbrunnen (PDO)
- Ensinger Mineralwasser (PDO)
- Felsenquelle Beiseförth (PDO)
- Gemminger Mineralquelle (PDO)
- Graf Meinhard Quelle Giessen (PDO)
- Haaner Felsenquelle (PDO)
- Haltern Quelle (PDO)
- Katlenburger Burgbergquelle (PDO)
- Kißlegger Mineralquelle (PDO)
- Leisslinger Mineralbrunnen (PDO)
- Löwensteiner Mineralquelle (PDO)
- Rhenser Mineralbrunnen (PDO)
- Rilchinger Amandus Quelle (PDO)
- Rilchinger Gräfin Mariannen-Quelle (PDO)
- Siegsdorfer Petrusquelle (PDO)
- Teinacher Mineralquellen (PDO)
- Überkinger Mineralquelle (PDO)
- Vesalia Quelle (PDO)
- Bad Niedernauer Quelle (PDO)
- Göppinger Quelle (PDO)
- Höllen Sprudel (PDO)
- Lieler Quelle (PDO)

- Schwollener Sprudel (PDO)
- Steinsieker Mineralwasser (PDO)
- Blankenburger Wiesenquelle (PDO)
- Wernigeröder Mineralbrunnen (PDO)
- Wildenrath Quelle (PDO)

Bread, pastry, cakes, confectionery, biscuits and other baker's wares

GREECE

- Κρητικό παξιμάδι (Cretan biscotte) (PGI)

SPAIN

- Turrón de Jijona (PGI)
- Turrón de Alicante (PGI)

FRANCE

- Bergamote(s) de Nancy (PGI)

**C. AGRICULTURAL PRODUCTS LISTED IN ANNEX II TO REGULATION (EEC)
No 2081/92**

Essential oils

FRANCE

- Huile essentielle de lavande de Haute-Provence (PDO)
-

COMMISSION REGULATION (EC) No 1108/96
of 20 June 1996
amending Regulation (EEC) No 1445/76 specifying the different varieties of
***Lolium perenne* L.**

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

Having regard to Council Regulation (EEC) No 2358/71 of 26 October 1971 on common organization of the market in seeds⁽¹⁾, as last amended by the Act of Accession of Austria, Finland and Sweden, and Regulation (EC) No 3290/94⁽²⁾, and in particular Article 3 (5) thereof,

Whereas Commission Regulation (EEC) No 1445/76⁽³⁾, as last amended by Regulation (EC) No 1558/95⁽⁴⁾, listed the varieties of *Lolium perenne* L. of high persistence, late or medium late, and of *Lolium perenne* L. of low persistence, medium late, medium early or early, within the meaning of the provisions adopted pursuant to Article 3 of Regulation (EEC) No 2358/71;

Whereas, since the last amendment of Regulation (EEC) No 1445/76, certified seed of certain varieties of *Lolium perenne* L. is no longer marketed, while certified seed of other varieties has appeared on the market and will be

marketed for the first time during the 1996/97 marketing year; whereas, furthermore, the application of the classification criteria to certain varieties of *Lolium perenne* L. results in their inclusion in one of the abovementioned lists; whereas the Annexes to Regulation (EEC) No 1445/76 should therefore be amended accordingly;

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

HAS ADOPTED THIS REGULATION:

Article 1

Annex I to Regulation (EEC) No 1445/76 is hereby replaced by the Annex to this Regulation.

Article 2

This Regulation shall enter into force on 1 July 1996.

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

Done at Brussels, 20 June 1996.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ No L 246, 5. 11. 1971, p. 1.

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

⁽³⁾ OJ No L 161, 23. 6. 1976, p. 10.

⁽⁴⁾ OJ No L 150, 1. 7. 1995, p. 86.

ANNEX

ANNEX I

Varieties of high persistence, late or medium late

Ace	Compas	Lipondo	Paavo
Aladin	Condesa (T)	Liquick	Pedro
Albi	Contender	Lisabelle	Pelleas
Allegro	Cordoba	Lissabon	Perfect
Alondra	Cornwall	Lisuna	Perma
Amadeus	Corso	Livonne	Phoenix (T)
Ambon	Cud	Livorno	Piamonte (T)
Andes	Cupido	Livree	Pippin
Anduril	Cutless	Look	Player
Animo	Dacapo	Loretta	Portsteward
Antara	Dali	Lorina	Preference
Apollo	Danilo	Madera (T)	President
Aragon	Domingo	Magella	Prestor
Arno	Donata	Magister	Profit
Atlas	Dorset	Magyar	Progres
Avenue	Dromore	Majestic	Rally (T)
Baccara	Duramo	Mammout (T)	Rathlin
Barball	Eden	Manhattan	Recolta
Barclay	Edgar	Marabella	Record
Barcredo	Electra	Marathon	Renoir
Bardessa	Elegana	Marino (T)	Riikka
Barema	Elgon (T)	Markanta	Ritz
Barenza	Elka	Martina	Rival
Barezane	Elrond	Marilyn	Ronja
Barglen	Entrar	Master	Sakini
Barink	Envy	Meba	Salem
Barlatan	Esperon (T)	Melani	Santiago (T)
Barlenna	Exito	Meltra RVP (T)	Score (Fair Way)
Barlet	Fanal (T)	Melvina	Sensation
Barlinda	Feeder	Meradonna (T)	Sevilla
Barlow	Fetione (T)	Merci	Sirius
Barlux	Figaro	Mercure	Sisu
Barmaco	Fingal	Merganda	Sommora
Barplus	Flair	Merigold	Splendor
Barpolo	Gerona	Merlette	Sprinter
Barry	Gilford	Meteor	Stratos
Bartony	Gladio	Mexico	Summit
Belcampo (T)	Glen	Mickey	Superstar
Belfort (T)	Globe	Missouri (T)	Sussex
Bellatrix	Henrietta	Modenta	Talbot
Bellevue	Heraut	Module	Talgo
Bologna	Herbie	Modus (T)	Taya
Bonny	Herbus (T)	Mombassa	Texas
Borvi	Hercules	Mondial	Tivoli
Boston	Hermes	Montagne (T)	Toledo
Boulevard	Honneur	Montando (T)	Trani
Brighstar	Hunter	Morimba	Tresor
Burton	Jetta	Moronda	Trimmer
Caddy	Jumbo	Norlea	Troubadour
Calibra	Juventus (T)	Ohio	Twydawn
Campania	Karin	Opinion	Twystar
Capper	Kelvin	Orleans	Tyrone
Caprice	Kent Indigenous	Othello	Variant
Carrick	Kerdion	Outsider	Ventoux (T)
Castle (T)	Langa	Pablo	Veritas
Chagall	Lasso	Pacage	Vigor
Chantal	Leon	Paddock	Vincent
Cheops (T)	Lihersa	Pagode	Wadi
Choice	Limage	Pancho	Wendy
Citadel (T)	Limes	Pandora (T)	York
Clermont (T)	Linocita	Parcour	Zambesi
Colorado	Liparis	Patora	

COMMISSION REGULATION (EC) No 1109/96
of 20 June 1996

amending Article 3 of Council Regulation (EEC) No 3950/92 establishing an additional levy in the milk and milk products sector in respect of the total quantity for Denmark and the footnote concerning Germany

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EEC) No 3950/92 of 28 December 1992 establishing an additional levy in the milk and milk products sector ⁽¹⁾, as last amended by Commission Regulation (EC) No 635/96 ⁽²⁾, and in particular Article 4 (2) thereof,

Whereas Regulation (EC) No 635/96, in accordance with Article 4 (2) of Regulation (EEC) No 3950/92, adjusts the

total quantities fixed in Article 3 of Regulation (EEC) No 3950/92 on the basis of notification from the Member States of quantities definitively converted from direct sales into deliveries and *vice versa*; whereas the quantities for Denmark and the text of the footnote concerning Germany contain errors; whereas these should be corrected by increasing the quantity of deliveries by 10 tonnes and reducing the quantity of direct sales by 10 tonnes for Denmark and replacing the text of the footnote concerning Germany with the text as amended by Council Regulation (EC) No 1552/95 ⁽³⁾;

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

HAS ADOPTED THIS REGULATION:

Article 1

The table given in the first subparagraph of Article 3 (2) of Regulation (EEC) No 3950/92 is hereby replaced by the following:

(in tonnes)

Member State	Deliveries	Direct sales
Belgium	3 097 584	212 847
Denmark	4 454 580	768
Germany ⁽¹⁾	27 764 778	100 038
Greece	626 061	4 452
Spain	5 425 960	140 990
France	23 720 938	514 860
Ireland	5 234 987	10 777
Italy	9 632 540	297 520
Luxembourg	268 098	951
Netherlands	10 985 848	88 844
Austria	2 369 808	367 000
Portugal	1 835 461	37 000
Finland	2 355 721	10 000
Sweden	3 300 000	3 000
United Kingdom	14 308 657	281 390

⁽¹⁾ Of which 6 244 566 tonnes cover deliveries from producers on the territory of the new *Länder* and 8 801 tonnes cover direct sales in the new *Länder*.

⁽¹⁾ OJ No L 405, 31. 12. 1992, p. 1.

⁽²⁾ OJ No L 90, 11. 4. 1996, p. 17.

⁽³⁾ OJ No L 148, 30. 6. 1995, p. 43.

Article 2

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

It shall apply from 1 April 1995.

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

Done at Brussels, 20 June 1996.

For the Commission

Franz FISCHLER

Member of the Commission

COMMISSION REGULATION (EC) No 1110/96

of 20 June 1996

introducing management measures for imports of certain bovine animals for the second half of 1996

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EC) No 3290/94 of 22 December 1994 on the adjustments and transitional arrangements required in the agriculture sector in order to implement the agreements concluded during the Uruguay Round of multilateral trade negotiations⁽¹⁾, and in particular Article 4 (3) thereof,

Having regard to Council Regulation (EC) No 3491/93 of 13 December 1993 on certain procedures for applying the Europe Agreements establishing an association between the European Communities and their Member States, of the one part, and the Republic of Hungary, of the other part⁽²⁾, and in particular Article 1 thereof,

Having regard to Council Regulation (EC) No 3492/93 of 13 December 1993 on certain procedures for applying the Europe Agreement establishing an association between the European Communities and their Member States, of the one part, and the Republic of Poland, of the other part⁽³⁾, and in particular Article 1 thereof,

Having regard to Council Regulation (EC) No 3296/94 of 19 December 1994 on certain procedures for applying the Europe Agreement establishing an association between the European Communities and their Member States, of the one part, and the Czech Republic, of the other part⁽⁴⁾, and in particular Article 1 thereof,

Having regard to Council Regulation (EC) No 3297/94 of 19 December 1994 on certain procedures for applying the Europe Agreement establishing an association between the European Communities and their Member States, of the one part, and the Slovak Republic, of the other part⁽⁵⁾, and in particular Article 1 thereof,

Having regard to Council Regulation (EC) No 3382/94 of 19 December 1994 on certain procedures for applying the Europe Agreement establishing an association between the European Communities and their Member States, of the one part, and Romania, of the other part⁽⁶⁾, and in particular Article 1 thereof,

Having regard to Council Regulation (EC) No 3383/94 of 19 December 1994 on certain procedures for applying the Europe Agreement establishing an association between the European Communities and their Member States, of

the one part, and the Bulgarian Republic, of the other part⁽⁷⁾, and in particular Article 1 thereof,

Having regard to Council Regulation (EC) No 1275/95 of 29 May 1995 on certain procedures for applying the Agreement on free trade and trade-related matters between the European Community, the European Atomic Energy Community and the European Coal and Steel Community, of the one part, and the Republic of Estonia, of the other part⁽⁸⁾, and in particular Article 1 thereof,

Having regard to Council Regulation (EC) No 1276/95 of 29 May 1995 on certain procedures for applying the Agreement on free trade and trade-related matters between the European Community, the European Atomic Energy Community and the European Coal and Steel Community, of the one part, and the Republic of Latvia, of the other part⁽⁹⁾, and in particular Article 1 thereof,

Having regard to Council Regulation (EC) No 1277/95 of 29 May 1995 on certain procedures for applying the Agreement on free trade and trade-related matters between the European Community, the European Atomic Energy Community and the European Coal and Steel Community, of the one part, and the Republic of Lithuania, of the other part⁽¹⁰⁾, and in particular Article 1 thereof,

Whereas experience gained and forecasts for 1996 show that, in the absence of Community measures, massive imports into the Community of live bovine animals of up to 300 kg are likely to occur, due, in particular, to the economically favourable stock farming conditions existing in certain third countries; whereas such imports are likely to greatly exceed the traditional annual level of imports and the absorption capacity of the Community market; whereas, therefore, the beef and veal market would be threatened with serious disturbance endangering, in particular, market prices and producers' incomes;

Whereas, however, it is necessary to take into account the application of the Agreement concluded during the WTO multilateral trade negotiations; whereas the management measures provided for should therefore be restricted to products from the third countries to which the Community grants preferential treatment and which have accepted that the Community take measures to manage the importation of the animals in question;

Whereas the total absorption capacity of the Community market in 1996 is estimated at 425 000 head other than pure bred breeding animals; whereas, in view of imports planned under certain preferential arrangements for 1996,

⁽¹⁾ OJ No L 349, 31. 12. 1994, p. 105.

⁽²⁾ OJ No L 319, 21. 12. 1993, p. 1.

⁽³⁾ OJ No L 319, 21. 12. 1993, p. 4.

⁽⁴⁾ OJ No L 341, 30. 12. 1994, p. 14.

⁽⁵⁾ OJ No L 341, 30. 12. 1994, p. 17.

⁽⁶⁾ OJ No L 368, 31. 12. 1994, p. 1.

⁽⁷⁾ OJ No L 368, 31. 12. 1994, p. 5.

⁽⁸⁾ OJ No L 124, 7. 6. 1995, p. 1.

⁽⁹⁾ OJ No L 124, 7. 6. 1995, p. 2.

⁽¹⁰⁾ OJ No L 124, 7. 6. 1995, p. 3.

i.e. 300 500 head under the quota established in the context of the Uruguay Round concerning young male bovine animals weighing 300 kg or less and intended for fattening and under the Europe Agreements concluded with the Republic of Poland, the Republic of Hungary, the Czech Republic, the Slovak Republic, Romania and the Republic of Bulgaria and the agreements on free trade and trade-related measures with the Baltic Republics, 124 500 head should be admitted for import in 1996 at the full or reduced rate of import duty, as the case may be.

Whereas, in respect of the first half of 1996, Commission Regulation (EC) No 3018/95⁽¹⁾, as amended by Regulation (EC) No 425/96⁽²⁾, and (EC) No 403/96⁽³⁾ have already provided for imports of 89 000 head; whereas management measures should be taken for imports of the remaining 35 500 head in the second half of 1996 with, as countries of origin, the aforementioned countries;

Whereas the Commission will closely monitor developments on the beef and veal market so as to be able to react immediately to any changes in the relevant economic criteria;

Whereas, in order to take account to the greatest extent of the traditional structure of the Community veal market, imports should be restricted to animals weighing 80 kg or less;

Whereas experience shows that limiting imports can give rise to speculative import applications; whereas, in order to guarantee that the planned measures function correctly, most of the quantities available should be reserved for so-called traditional importers of live bovine animals; whereas, so as not to introduce rigidity into trade relations in the sector, a second allocation should be made available for operators able to show that they are carrying out a genuine activity involving trade in a significant number of animals; whereas in consideration of this and in order to ensure efficient management, a minimum of 100 animals should be required to have been exported or imported during 1995 by the operators concerned; whereas a batch of 100 animals in principle constitutes a normal load and whereas experience has shown that the sale or purchase of a single batch is a minimum requirement for a transaction to be considered real and viable; whereas verification of those criteria requires that all applications from the same operator be submitted in the same Member State;

Whereas steps must be taken to ensure that importers in the new Member States falling within the first category

can participate fairly in the allocation of the quantities available; whereas for those importers, therefore, imports carried out between 1 January 1993 and 31 December 1995 from countries considered third countries depending on the year of importation should be taken into account as reference quantities giving access to the quantities reserved for traditional importers;

Whereas, so as to avoid speculation, access to the quota should be denied to operators no longer carrying out an activity in the beef and veal sector on 1 January 1996;

Whereas the quota in question should be managed using import licences; whereas to this end rules should be set on submission of applications and the information to be given on applications and licences, by way of derogation, if necessary, from certain provisions of Commission Regulation (EEC) No 3719/88 of 16 November 1988 laying down common detailed rules for application of the system of import and export licences and advance-fixing certificates for agricultural products⁽⁴⁾, as last amended by Regulation (EC) No 2137/95⁽⁵⁾, and of Commission Regulation (EC) No 1445/95 of 26 June 1995 on rules of application for import and export licences in the beef and veal sector and repealing Regulation (EEC) No 2377/80⁽⁶⁾, as last amended by Regulation (EC) No 2856/95⁽⁷⁾; whereas it should moreover be stipulated that licences are to be issued following a reflection period and where necessary with a flat-rate percentage reduction applied;

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

Imports into the Community during the second half of 1996 at the full duty rate provided for in the Common Customs Tariff of live bovine animals falling within CN codes 0102 90 05, 0102 90 21, 0102 90 29, 0102 90 41 and 0102 90 49, as referred to in Article 1 (1) (a) of Council Regulation (EEC) No 805/68⁽⁸⁾, originating in the third countries listed in Annex I, shall be subject to the management measures laid down in this Regulation.

⁽¹⁾ OJ No L 314, 28. 12. 1995, p. 58.

⁽²⁾ OJ No L 60, 9. 3. 1996, p. 1.

⁽³⁾ OJ No L 55, 6. 3. 1996, p. 9.

⁽⁴⁾ OJ No L 331, 2. 12. 1988, p. 1.

⁽⁵⁾ OJ No L 214, 8. 9. 1995, p. 21.

⁽⁶⁾ OJ No L 143, 27. 6. 1995, p. 35.

⁽⁷⁾ OJ No L 299, 12. 12. 1995, p. 10.

⁽⁸⁾ OJ No L 148, 28. 6. 1968, p. 24.

Article 2

1. Import licences under this Regulation may be issued only for 35 500 animals falling within CN code 0102 90 05.

2. The quantity referred to in paragraph 1 shall be divided into two parts, as follows:

(a) the first part, equal to 70 %, i.e. 24 850 head, shall be allocated among:

— importers from the Community as constituted on 31 December 1994 who can furnish proof of having imported animals falling within CN code 0102 90 05 during 1993, 1994 or 1995 in the context of the Regulations referred to in Annex II, and

— importers from the new Member States who can furnish proof of having imported, into the Member State where they are established, animals falling within CN code 0102 90 05 during 1993 and 1994 from countries which were for them third countries on 31 December 1994; and such animals during 1995 in the context of the Regulations referred to at (b) of Annex II;

(b) the second part, equal to 30 %, i.e. 10 650 head, shall be allocated among importers who can furnish proof of having imported and/or exported during 1995 at least 100 live bovine animals falling within CN code 0102 90 apart from those under (a). Importers must be registered for VAT purposes in a Member State.

3. The 24 850 head shall be allocated among the eligible importers in proportion to their imports of animals within the meaning of paragraph 2 (a) during 1993, 1994 and 1995 proven in accordance with paragraph 5.

4. The 10 650 head shall be allocated in proportion to the quantities applied for by the eligible importers.

5. Proof of import and export shall be provided exclusively by means of the customs document of release for free circulation or the export document duly stamped by the customs authorities.

Member States may accept copies of the abovementioned documents duly certified by the competent authority.

Article 3

1. Importers who on 1 January 1996 were no longer engaged in any activity in the beef and veal sector shall not qualify for the allocation pursuant to Article 2 (2) (a).

2. Any company formed by the merger of companies each having rights under Article 2 (3) shall benefit from

the same rights as the companies from which it was formed.

Article 4

1. Applications for the right to import may be presented only in the Member State in which the applicant is registered within the meaning of Article 2 (2).

2. For the purposes of Article 2 (2) (a), importers shall present the applications for the right to import to the competent authorities together with the proof referred to in Article 2 (5) by 28 June 1996 at the latest.

After verification of the documents presented, Member States shall forward to the Commission, by 12 July 1996 at the latest, the list of importers who meet the acceptance conditions, showing in particular their names and addresses and the number of eligible animals imported during each of the reference years.

3. For the purposes of Article 2 (2) (b), applications for the right to import must be lodged by importers by 28 June 1996 at the latest, together with the proof referred to in Article 2 (5).

Only one application may be lodged by each applicant. Where the same applicant lodges more than one application, all applications from that person shall be inadmissible. Applications may not relate to a quantity larger than that available.

After verification of the documents presented, Member States shall forward to the Commission, by 12 July 1996 at the latest, the list of applicants and the quantities requested.

4. All notifications, including notifications of nil applications, shall be made by telex or fax, drawn up on the basis of the models in Annexes III and IV in the case where applications have been lodged.

Article 5

1. The Commission shall decide to what extent applications may be accepted.

2. As regards the applications referred to in Article 4 (3), if the quantities in respect of which applications are made exceed the quantities available, the Commission shall reduce the quantities applied for by a fixed percentage.

If the reduction referred to in the preceding subparagraph results in a quantity of less than 100 head per application, the allocation shall be by drawing lots, by batches of 100 head, by the Member States concerned. If the remaining quantity is less than 100 head, a single licence shall be issued for that quantity.

Article 6

1. Imports of the quantities allocated in accordance with Article 5 shall be subject to the presentation of an import licence.
2. Licence applications may be presented only in the Member State in which the application for the right to import was lodged.
3. Licences shall be issued, at the request of importers, as from the date on which the decision referred to in Article 5 (1) takes effect.

The number of animals for which a licence is issued shall be expressed in units. Where necessary, numbers shall be rounded up or down as the case may be.

4. Licence applications and licences shall contain the following entries:

- (a) in section 8, the indication of the countries referred to in Annex I; licences shall carry with them an obligation to import from one or more of the countries indicated;
- (b) in section 16, subheading CN 0102 90 05;
- (c) in section 20, one of the following:
 - Reglamento (CE) n° 1110/96
 - Förordning (EF) nr. 1110/96
 - Verordnung (EG) Nr. 1110/96
 - Κανονισμός (ΕΚ) αριθ. 1110/96
 - Regulation (EC) No 1110/96
 - Règlement (CE) n° 1110/96
 - Regolamento (CE) n. 1110/96
 - Verordening (EG) nr. 1110/96
 - Regulamento (CE) n° 1110/96
 - Asetus (EY) N:o 1110/96

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

Done at Brussels, 20 June 1996.

— Förordning (EG) nr 1110/96.

5. Import licences shall expire on 31 December 1996.
6. Licences issued shall be valid throughout the Community.
7. Article 8 (4) of Regulation (EEC) No 3719/88 shall not apply.

Article 7

No later than three weeks after the importation of the animals specified in this Regulation, the importer shall inform the competent authority which issued the import licence of the number and origin of the animals. That authority shall communicate the information in question to the Commission at the beginning of each month.

Article 8

The security provided for in Article 4 of Regulation (EC) No 1445/95 shall be lodged when the licence is issued.

Article 9

The provisions of Regulations (EEC) No 3719/88 and (EC) No 1445/95 shall apply subject to the provisions of this Regulation.

Article 10

The animals shall be put into free circulation on presentation of a movement certificate EUR.1 issued by the exporting country in accordance with Protocol 4 annexed to the Europe Agreements.

Article 11

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 1 July 1996.

For the Commission

Franz FISCHLER

Member of the Commission

*ANNEX I***List of third countries**

- Hungary
 - Poland
 - Czech Republic
 - Slovakia
 - Romania
 - Bulgaria
 - Lithuania
 - Latvia
 - Estonia.
-

*ANNEX II***Regulations referred to in Article 2 (2)****Commission Regulations:**

- (a) (EEC) No 3619/92 (OJ No L 367, 16. 12. 1992, p. 17),
(EC) No 3409/93 (OJ No L 310, 14. 12. 1993, p. 22).
 - (b) (EC) No 3076/94 (OJ No L 325, 17. 12. 1994, p. 8),
(EC) No 1566/95 (OJ No L 150, 1. 7. 1995, p. 24),
(EC) No 2491/95 (OJ No L 256, 26. 10. 1995, p. 36).
-

ANNEX III

EC Fax: (32 2) 296 60 27/(32 2) 295 36 13

Application of Article 2 (2) (a) of Regulation (EC) No 1110/96

COMMISSION OF THE EUROPEAN COMMUNITIES DG VI D.2 — BEEF AND VEAL SECTOR

APPLICATIONS FOR IMPORT RIGHTS

Date: period:

Member State:

Serial No	Applicant (name and address)	Quantity imported (head)			Total for the three years
		1993	1994	1995	
Total					

Member State: Fax:

Tel:

ANNEX IV

EC Fax: (32 2) 296 60 27 / (32 2) 295 36 13

Application of Article 2 (2) (b) of Regulation (EC) No 1110/96

COMMISSION OF THE EUROPEAN COMMUNITIES DG VI D.2 — BEEF AND VEAL SECTOR

APPLICATIONS FOR IMPORT RIGHTS

Date: period:

Member State:

[illegible]

Member State: Fax:

Tel:

COMMISSION REGULATION (EC) No 1111/96

of 20 June 1996

on the issuing of import licences for bananas under the tariff quota for the third quarter of 1996 and on the submission of new applications

(Text with EEA relevance)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Commission 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 Commission Regulation (EEC) No 1442/93⁽³⁾, as last amended by Regulation (EC) No 875/96⁽⁴⁾, lays down detailed rules for the application of the arrangements for importing bananas into the Community; whereas Commission Regulation (EC) No 478/95⁽⁵⁾, as amended by Regulation (EC) No 702/95⁽⁶⁾, lays down additional rules for the application of the tariff quota arrangements laid down in Articles 18 and 19 of Regulation (EEC) No 404/93;

Whereas Article 9 (3) of Regulation (EEC) No 1442/93 lays down that, where, in the case of a given quarter and a given origin, for a country or group of countries referred to in Annex I to Regulation (EC) No 478/95, the quantities covered by import licence applications from one or more of the categories of operators appreciably exceed the indicative quantity fixed, a reduction percentage to be applied to applications shall be set; whereas, however, that provision does not apply to category C licence applications nor to category A and B applications relating to a quantity of 150 tonnes or less, provided that the total quantity covered by the category A and B applications does not exceed, for a given origin, 15 % of the total of the quantities applied for;

Whereas, pursuant to Article 9 (1) of Regulation (EEC) No 1442/93, the indicative quantities for import under the tariff quota are laid down for the third quarter of 1996 in Commission Regulation (EC) No 939/96⁽⁷⁾;

Whereas in the case of the quantities covered by licence applications that are either less than or not significantly more than the indicative quantities fixed for the quarter in question, licences are issued for the quantities applied for; whereas, however, for certain origins, the quantities applied for considerably exceed the indicative quantities or the percentages set out in the Annex to Regulation (EC) No 478/95; whereas, therefore, a reduction percentage should be set to be applied under the aforementioned conditions to licence applications for the origin or origins involved and category of licence in question;

Whereas, given the fact that licence applications submitted in Greece have not been forwarded as a result of a long-lasting strike by the public services, the measures provided for in this Regulation have been determined on the basis of the quantities applied for in that Member State in the same quarter of previous years;

Whereas, the maximum quantity for which licence applications may still be submitted should be set taking account of the indicative quantities fixed by Regulation (EC) No 939/96 and the applications accepted at the end of the application period running from 1 to 7 June 1996;

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

Whereas the Management Committee for Bananas has not issued an opinion within the time limit laid down by its chairman,

HAS ADOPTED THIS REGULATION:

Article 1

Import licences shall be issued under the tariff quota for the import of bananas, provided for in Articles 18 and 19 of Regulation (EEC) No 404/93, for the third quarter of 1996:

1. for the quantity indicated in the licence application:

- (a) multiplied, in the case of the origin 'Costa Rica', by the reduction coefficient of 0,5472 for category B licence applications, excluding applications relating to a quantity of 150 tonnes or less;

⁽¹⁾ OJ No L 47, 25. 2. 1993, p. 1.

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

⁽³⁾ OJ No L 142, 12. 6. 1993, p. 6.

⁽⁴⁾ OJ No L 118, 15. 5. 1996, p. 14.

⁽⁵⁾ OJ No L 49, 4. 3. 1995, p. 13.

⁽⁶⁾ OJ No L 71, 31. 3. 1995, p. 84.

⁽⁷⁾ OJ No L 128, 29. 5. 1996, p. 1.

- (b) multiplied, in the case of the origin 'Dominican Republic', by the reduction coefficient of 0,8658 for category A and B licence applications, including applications relating to a quantity for 150 tonnes or less;
- (c) multiplied, in the case of the origin 'Others', by the reduction coefficient of 0,5821 for category A and B licence applications, excluding applications relating to a quantity of 150 tonnes or less;
2. for the quantity indicated in the licence application, in the case of an origin other than those referred to in point 1 above;

3. for the quantity indicated in the application, in the case of category C licences.

Article 2

The quantities for which licence applications may still be lodged in respect of the third quarter of 1996 are laid down in the Annex hereto.

Article 3

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, 20 June 1996.

For the Commission

Franz FISCHLER

Member of the Commission

ANNEX

	(in tonnes)
	Quantities available for new requests
COLOMBIA	
— Categories A and C	89 733,260
— Category B	24 031,402
COSTA RICA	
— Categories A and C	79 629,433
VENEZUELA	6 316,000
BELIZE	4 050,000
CAMEROON	2 025,000
CÔTE D'IVOIRE	1 718,000
Other ACP	1 233,622

COMMISSION REGULATION (EC) No 1112/96

of 20 June 1996

amending Regulation (EC) No 1466/95 laying down special detailed rules of application for export refunds on milk and milk products

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

Having regard to Council Regulation (EEC) No 804/68 of 27 June 1968 on the common organization of the market in milk and milk products⁽¹⁾, as last amended by Commission Regulation (EC) No 2931/95⁽²⁾, and in particular Articles 13(3) and 17(4) thereof,

Whereas Commission Regulation (EC) No 1466/95⁽³⁾, as last amended by Regulation (EC) No 995/96⁽⁴⁾, lays down special detailed rules of application for export refunds on milk and milk products;

Whereas Article 1b of Regulation (EC) No 1466/95 introduces special arrangements for exports of certain cheeses to Switzerland; whereas it should be stipulated that those arrangements apply only to exports benefiting from an exemption from or a reduction in customs duties on import into Switzerland; whereas the cheeses referred to in Commission Regulation (EEC) No 1953/82⁽⁵⁾, repealed by Regulation (EC) No 823/96⁽⁶⁾, should be added to the list of cheeses covered by those arrangements so as to include all the cheeses benefiting from preferential duties on import into Switzerland;

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

HAS ADOPTED THIS REGULATION:

Article 1

Regulation (EC) No 1466/95 is hereby amended as follows:

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

'1. This Article lays down special detailed rules governing exports to Switzerland of the cheeses listed in the Annex, which benefit from an exemption from or a reduction in customs duties on import.'

2. The Annex is replaced by the Annex hereto.

Article 2

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

It shall apply from 5 May 1996.

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

Done at Brussels, 20 June 1996.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ No L 148, 28. 6. 1968, p. 13.

⁽²⁾ OJ No L 307, 20. 12. 1995, p. 10.

⁽³⁾ OJ No L 144, 28. 6. 1995, p. 22.

⁽⁴⁾ OJ No L 133, 4. 6. 1996, p. 13.

⁽⁵⁾ OJ No L 212, 21. 7. 1982, p. 5.

⁽⁶⁾ OJ No L 111, 4. 5. 1996, p. 9.

ANNEX

ANNEX

CN code	Description (Export refund nomenclature)
0406	Cheese and curd
ex 0406 10 20	- - - - Ricotta, salted
0406 20	- Grated or powdered cheese, of all kinds
0406 30	- Processed cheese, not grated or powdered
0406 40	- Blue-veined cheese
ex 0406 90	- Other cheese:
0406 90 23	- - - Edam
0406 90 25	- - - Tilsit
0406 90 27	- - - Butterkäse
0406 90 61	- - - - - Grana Padano, Parmigiano Reggiano
0406 90 63	- - - - - Fiore Sardo, Pecorino
0406 90 69	- - - - - Other
0406 90 73	- - - - - Provolone
ex 0406 90 75	- - - - - Asiago, Caciocavallo, Montasio
0406 90 76	- - - - - Danbo, Fontal, Fontina, Fynbo, Havarti, Maribo, Samsø
0406 90 78	- - - - - Gouda
ex 0406 90 79	- - - - - Esrom, Italico, Saint-Nectaire, Saint-Paulin
ex 0406 90 87	- - - - - Idiazabal, Manchego, Roncal, manufactured exclusively from sheep's milk
ex 0406 90	- Elbo, Galantine, Molbo, Mimolette, Tybo
ex 0406 90	- Other cheese, of a fat content of 30% or more by weight in the dry matter and of a water content by weight in the non-fatty matter exceeding 52% but not exceeding 67%

COMMISSION REGULATION (EC) No 1113/96

of 20 June 1996

**opening and providing for the administration of tariff quotas for the import of
bulls, cows and heifers, other than those intended for slaughter, of certain Alpine
and mountain breeds, for the period 1 July 1996 to 30 June 1997**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EC) No 1095/96 of 18 June 1996 on the implementation of the concessions set out in Schedule CXL drawn up in the wake of the conclusion of the GATT XXIV.6 negotiations⁽¹⁾, and in particular Article 1 (1) thereof,

Whereas for bulls, cows and heifers, other than those intended for slaughter, of the mottled Simmental breed and the Schwyz and Fribourg breeds and for cows and heifers, other than those intended for slaughter, of the grey, brown, yellow and mottled Simmental breed and the Pinzgau breed, the Community has undertaken, in the framework of the World Trade Organization (WTO), to open two annual tariff quotas each of 5 000 head at rates of duty of 6 % and 4 % respectively; whereas those quotas should therefore be opened for the period 1 July 1996 to 30 June 1997 and detailed rules adopted for their application;

Whereas there should be a guarantee in particular of equal and continuing access to the said quotas for all interested traders within the Community and of uninterrupted application of the customs duties laid down for those quotas to all imports of the animals in question until the quotas are exhausted;

Whereas these arrangements are based on the allocation by the Commission of the quantities available to traditional traders (first part) and traders involved in the cattle trade (second part); whereas the first part should be allocated to traditional importers in proportion to the

number of animals imported under similar quotas between 1 July 1993 and 30 June 1996 and to traditional importers in the new Member States; whereas, in order to prevent speculation and given the end-use, only quantities of a certain size representative of trade with third countries should be taken into account as reference quantities for the allocation of the second part; whereas, for all traders from the new Member States, imported animals must be from countries which are third countries for them at the time of import;

Whereas, subject to the provisions of this Regulation, Commission Regulation (EEC) No 3719/88 of 16 November 1988 laying down common detailed rules for the application of the system of import and export licences and advance fixing certificates for agricultural products⁽²⁾, as last amended by Regulation (EC) No 2137/95⁽³⁾, and Commission Regulation (EC) No 1445/95 of 26 June 1995 on rules of application for import and export licences in the beef and veal sector and repealing Regulation (EEC) No 2377/80⁽⁴⁾, as last amended by Regulation (EC) No 2856/95⁽⁵⁾, are applicable;

Whereas Article 82 of Council Regulation (EEC) No 2913/92 of 12 October 1992 establishing the Community Customs Code⁽⁶⁾, as amended by the Act of Accession of Austria, Finland and Sweden, provides for customs supervision of goods put into free circulation at a reduced rate of duty on account of their end-use; whereas imported animals should be monitored for a certain period to ensure they are not slaughtered; whereas, in order to ensure that the animals concerned are not slaughtered, a security should be required;

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

1. The following tariff quotas are hereby opened for the period 1 July 1996 to 30 June 1997:

⁽¹⁾ OJ No L 146, 20. 6. 1996, p. 1.

⁽²⁾ OJ No L 331, 2. 12. 1988, p. 1.

⁽³⁾ OJ No L 214, 8. 9. 1995, p. 21.

⁽⁴⁾ OJ No L 143, 27. 6. 1995, p. 35.

⁽⁵⁾ OJ No L 299, 12. 12. 1995, p. 10.

⁽⁶⁾ OJ No L 302, 19. 10. 1992, p. 1.

Serial No	CN code (¹)	Description	Quota volume	Customs duty
09.0001	ex 0102 90 05 ex 0102 90 29 ex 0102 90 49 ex 0102 90 59 ex 0102 90 69	Cows and heifers, other than those intended for slaughter, of the following mountain breeds: grey, brown, yellow and mottled Simmental breed and Pinzgau breed	5 000	6 %
09.0003	ex 0102 90 05 ex 0102 90 29 ex 0102 90 49 ex 0102 90 59 ex 0102 90 69 ex 0102 90 79	Bulls, cows and heifers, other than those intended for slaughter, of the following breeds: mottled Simmental breed and Schwyz and Fribourg breeds	5 000	4 %

(¹) Taric codes: see Annex I.

2. For the purposes of this Regulation, the animals referred to in paragraph 1 shall be considered not to be intended for slaughter if they are not slaughtered within four months of the date of acceptance of the declaration of release for free circulation.

Derogations may, however, be granted in the event of duly proven cases of *force majeure*.

3. To benefit from the tariff quota covered by serial No 09.0003, the following must be presented:

- for bulls: a pedigree certificate,
- for female animals: a pedigree certificate or a certificate of registration in a herdbook certifying the purity of the breed.

Article 2

1. The two quota volumes referred to in Article 1 (1) shall each be divided into two parts of 80 %, i.e. 4 000 head, and 20 %, i.e. 1 000 head:

(a) The first part, equal to 80 % of the quota volume, shall be allocated to:

- importers from the Community as constituted on 31 December 1994 who are able to furnish proof of having imported animals covered by the quotas between 1 July 1993 and 30 June 1996, and
- importers from the new Member States who are able to furnish proof of having imported,
 - between 1 July 1993 and 30 June 1995, into the Member State in which they are establi-

shed, animals covered by the CN codes listed in Annex I from countries which were for them, in the year of import, third countries,

- between 1 July 1995 and 30 June 1996, animals covered by import quotas governed by this Regulation.

(b) The second part, equal to 20 % of the quota volume, shall be reserved for applicants who can furnish proof of having imported, between 1 July 1995 and 30 June 1996, at least 15 live bovine animals covered by CN code 0102.

Importers must be entered in a national VAT register.

2. Upon application for the right to import, the first part shall be allocated among importers as referred to in (1) (a) in proportion to their imports of animals as referred to in the said point between 1 July 1993 and 30 June 1996.

3. Upon application for the right to import, the second part shall be allocated in proportion to the quantities applied for by importers as referred to in (1) (b). Applications for the right to import must cover 15 head or more.

Applications for the right to import more than 50 head shall automatically be reduced to that number.

4. Any quantities of one of the two parts of the same tariff quota referred to in paragraph 1 not applied for shall automatically be transferred to the other part of the quota in question.

5. Proof of import shall be provided exclusively by means of the customs document of release for free circulation duly endorsed by the customs authorities.

Article 3

1. An application for the right to import may only be submitted in the Member State in which the applicant is entered in a national VAT register.

2. An applicant may submit only one application per quota and that application shall refer to only one part of the quota.

Where an applicant submits more than one application for a quota, all applications from that person shall be considered invalid.

3. For the purposes of Article 2 (2) and (3), all applications, accompanied by the proof referred to in Article 2 (5), must reach the competent authorities not later than 16 July 1996.

After verifying the documents submitted, the Member States shall communicate to the Commission, not later than 2 August 1996:

- as regards the importers referred to in Article 2 (1) (a), their names and addresses and the number of animals imported during the period referred to in Article 2 (2),
- as regards the importers referred to in Article 2 (1) (b), their names and addresses and the quantities applied for.

4. All notifications, including nil notifications, shall be made to the address given in Annex II.

Article 4

1. The Commission shall decide to what extent applications may be accepted.

2. As regards the application referred to in the second indent of the second subparagraph of Article 3 (3), if the quantities in respect of which applications are made exceed the quantities available, the Commission shall reduce the quantities applied for by a fixed percentage.

If the reduction referred to in the preceding subparagraph results in a quantity of less than 15 head per application, the allocation shall be by drawing lots, by batches of 15 head. If the remaining quantity is less than 15 head, a single licence shall be issued for that quantity.

Article 5

1. Imports of quantities allocated shall be subject to presentation of an import licence.

2. Import licence applications may only be submitted to the competent authority of the Member State in which the applicant is entered in a national VAT register.

3. After the notification of allocations from the Commission, import licences shall be issued as soon as possible on application by and in the names of the opera-

tors who have obtained rights to import. The issue of licences shall be subject to the lodging by the applicant of a security of ECU 25 per head of cattle.

The security shall be released immediately licences are returned to the issuing authority bearing an endorsement by the customs authorities certifying import of the animals.

4. Import licences shall be valid for 90 days from the date of issue within the meaning of Article 21 (1) of Regulation (EEC) No 3719/88. They shall expire, however, on 30 June 1997 at the latest.

5. Without prejudice to the provisions of this Regulation, Regulation (EEC) No 3719/88 and Regulation (EC) No 1445/95 shall apply.

However, by way of derogation from Article 9 (1) of Regulation (EEC) No 3719/88, import licences issued pursuant to this Regulation shall not be transferable and shall confer the right to use the tariff quota only if made out in the name entered on the declaration of release for free circulation accompanying them.

Article 8 (4) and the second subparagraph of Article 14 (3) of Regulation (EEC) No 3719/88 shall not apply.

Article 6

1. Checks to ensure that imported animals are not slaughtered within four months of release into free circulation shall be carried out in accordance with Article 82 of Regulation (EEC) No 2913/92.

2. Without prejudice to the provisions of Regulation (EEC) No 2913/92, importers shall lodge a security of ECU 1 280 per tonne with the competent customs authorities to ensure compliance with the obligation not to slaughter the animals.

The security shall be released immediately proof is supplied to the customs authorities concerned that the animals:

- (a) have not been slaughtered within four months of the date of release for free circulation; or
- (b) have been slaughtered within that period for reasons constituting a case of *force majeure* or for health reasons or have died as a result of sickness or an accident.

Article 7

On the licence application and the licence itself shall be entered:

- (a) in section 8, the country of origin;
- (b) in section 16, the CN codes given in Annex I;

(c) in section 20, one of the following:

- Razas alpinas y de montaña [Reglamento (CE) n° 1113/96]
- Alpine racer og bjergracer (forordning (EF) nr. 1113/96)
- Höhenrassen (Verordnung (EG) Nr. 1113/96)
- Αλπικές και ορεισίδιες φυλές [κανονισμός (ΕΚ) αριθ. 1113/96]
- Alpine and mountain breeds (Regulation (EC) No 1113/96)
- Races alpines et de montagne [règlement (CE) n° 1113/96]
- Razze alpine e di montagna [regolamento (CE) n. 1113/96]
- Bergrassen (Verordening (EG) nr. 1113/96)
- Raças alpinas e de montanha [Regulamento (CE) n° 1113/96]
- Alppi- ja vuoristorotuja [asetus (EY) N:o 1113/96]
- Alp- och bergraser (förordning (EG) nr 1113/96).

Article 8

At the beginning of each month, the competent authorities shall forward details of the quantities and the origin of the animals imported during the previous month on the basis of the returned licences referred to in Article 5 (3).

The information shall be sent by fax to the address given in Annex III.

Article 9

1. Quantities for which import licence applications have not been received by 31 March 1997 shall be allocated to importers who have applied for import licences for the total quantity to which they are entitled, irrespective of the provisions of Article 2 (1).

2. To that end, not later than 10 April 1997, Member States shall forward to the address given in Annex II details of the quantities for which no application has been received and the information referred to in the second subparagraph of Article 3 (3). The Commission shall make the allocation by drawing lots by batches of 15 head. If the remaining quantity is less than 15 head, a single licence shall be issued for that quantity. It shall notify the Member States of the result not later than 17 April 1997.

3. For the purposes of this Article, Articles 5, 6 and 7 shall apply.

Article 10

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 1 July 1996.

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

Done at Brussels, 20 June 1996.

For the Commission

Franz FISCHLER

Member of the Commission

ANNEX I

Taric codes

Order No	CN code	Taric code
09.0001	ex 0102 90 05	0102 90 05*20
		*40
	ex 0102 90 29	0102 90 29*20
		*40
	ex 0102 90 49	0102 90 49*20
		*40
	ex 0102 90 59	0102 90 59*11
		*19
		*31
		*39
09.0003	ex 0102 90 69	0102 90 69*10
		*30
	ex 0102 90 05	0102 90 05*30
		*40
		*50
	ex 0102 90 29	0102 90 29*30
		*40
		*50
	ex 0102 90 49	0102 90 49*30
		*40
		*50
	ex 0102 90 59	0102 90 59*21
		*29
		*31
		*39
	ex 0102 90 69	0102 90 69*20
		*30
	ex 0102 90 79	0102 90 79*21
		*29

ANNEX II

COMMISSION OF THE EUROPEAN COMMUNITIES,
DG XXI-B.6 — Economic Tariff Questions;

fax: (32-2) 296 33 06.

ANNEX III

COMMISSION OF THE EUROPEAN COMMUNITIES,
DG VI-D.2 — Beef/veal and sheepmeat;

fax: (32-2) 295 36 13.

COMMISSION REGULATION (EC) No 1114/96

of 20 June 1996

amending Regulation (EC) No 1600/95 laying down detailed rules for the application of the import arrangements and opening tariff quotas for milk and milk products

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

second quarter of 1996 should therefore be indicated in Annex II to Regulation 1600/95;

Having regard to the Treaty establishing the European Community,

Whereas the validity of licences issued for imports against tariff quotas not specified by country of origin is restricted to 30 June following their date of issue; whereas given the delay in determining the quantities available for the second quarter of 1996 and the deferral of opening of the period for submission of import licence applications that date should be put back to 21 September 1996;

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 Commission Regulation (EC) No 2931/95⁽²⁾, and in particular Articles 13 (3) and 16 (1) and (4) thereof,

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

Having regard to Council Regulation (EC) No 1095/96 of 18 June 1996 on implementation of the concessions set out in list CXL drawn up following conclusion of the negotiations under GATT Article XXIV.6⁽³⁾, and in particular Article 1 (1) thereof,

HAS ADOPTED THIS REGULATION:

Article 1

Whereas Commission Regulation (EC) No 1600/95 of 30 June 1995 laying down detailed rules for the application of the import arrangements and opening tariff quotas for milk and milk products⁽⁴⁾, as last amended by Regulation (EC) No 937/96⁽⁵⁾, needs to be adjusted to take account of the negotiations under GATT Article XXIV.6 the conclusions of which took effect on 1 January 1996 as regards tariff quotas specified by country of origin; whereas the quantities listed in Annex II to Regulation (EC) No 1600/95 should therefore be changed;

Regulation (EC) No 1600/95 is amended as follows:

1. The following paragraph is added after the first paragraph of Article 15:

'However, the period of validity of licences issued for importation of quantities available for the second quarter of 1996 shall be to 21 September 1996.'

2. Annex II is replaced by the Annex to this Regulation.

Article 2

Whereas, since licences for imports against tariff quotas not specified by country of origin are issued quarterly, adjustment of the quotas in question for the period 1 January to 30 June 1996 must be on the basis of the quantity available for issue of licences for the second quarter of 1996 including quantities available from previous quarters; whereas the quantities available for the

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

⁽¹⁾ OJ No L 148, 28. 6. 1968, p. 13.

⁽²⁾ OJ No L 307, 20. 12. 1995, p. 10.

⁽³⁾ OJ No L 146, 20. 6. 1996, p. 1.

⁽⁴⁾ OJ No L 151, 1. 7. 1995, p. 12.

⁽⁵⁾ OJ No L 127, 25. 5. 1996, p. 26.

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

Done at Brussels, 20 June 1996.

For the Commission

Franz FISCHLER

Member of the Commission

ANNEX

ANNEX II

TARIFF QUOTAS PURSUANT TO GATT/WTO AGREEMENTS, NOT SPECIFIED BY COUNTRY OF ORIGIN

(GATT/WTO year)

Order number in Annex 7 to the combined nomenclature	CN code	Description	Country of origin	Annual quota	Quantity available for second quarter 1996	Import duty in ecus per 100 kg net weight
				(tonnes)		
27	0402 10 19	Skimmed milk powder	all third countries	40 401	9 950,50	47,50
29	0406 10 20 0406 10 80	Pizza cheese, frozen, cut into pieces each weighing not more than 1 g, in containers of a net content of 5 kg or more, at a water content by weight of 52 % or more and a fat content by weight in the dry matter of 38 % or more	all third countries	1 111	366,75	13,00
30	ex 0406 30 10 0406 90 07 0406 90 12	Processed Emmentaler Emmentaler	all third countries	2 934	467,00	71,90 85,80
31	ex 0406 30 10 0406 90 08 0406 90 14	Processed Gruyère Gruyère, Sbrinz	all third countries	734	117,00	71,90 85,80
32	0406 90 01	Cheese for processing (1)	all third countries	4 000	1 000,00	83,50
34	0406 90 21	Cheddar	all third countries	3 000	750,00	21,00
37	ex 0406 10 20 ex 0406 10 80 0406 20 90 0406 30 31 0406 30 39 0406 30 90 0406 40 10 0406 40 50 0406 40 90 0406 90 09 0406 90 16 0406 90 18 0406 90 23 0406 90 25 0406 90 27 0406 90 29 0406 90 31 0406 90 33 0406 90 35 0406 90 37 0406 90 39 0406 90 50	Fresh (unripened or uncured) cheese including whey cheese, and curd, other than pizza cheese of order No 29 Other grated or powdered cheese Other processed cheese Blue-veined cheese Bergkäse and Appenzell Fromage fribourgeois, Vacherin Mont d'Or and Tête de Moine Edam Tilsit Butterkäse Kashkaval Feta, of sheep's milk or buffalo milk Feta, other Kefalo-Tyri Finlandia Jarlsberg Cheese of sheep's milk or buffalo milk	all third countries	3 494	449,75	92,60 106,40 94,10 69,00 71,90 102,90 70,40 85,80 75,50

Order number in Annex 7 to the combined nomenclature	CN code	Description	Country of origin	Annual quota	Quantity available for second quarter 1996	Import duty in ecus per 100 kg net weight
				(tonnes)		
	0406 90 61 0406 90 63 0406 90 69	Grana Padano, Parmigiano Reggiano Fiore sardo, Pecorino Other				94,10
	0406 90 73 0406 90 75 0406 90 76 0406 90 78 0406 90 79 0406 90 81 0406 90 82 0406 90 84 0406 90 85 0406 90 86 0406 90 87 0406 90 88	Provolone Asiago, Caciovallo, Montasio, Ragusano Danbo, Fontal, Fontina, Fynbo, Havarti, Maribo, Samsø Gouda Esrom, Italico, Kernhem, Saint-Nectaire, Saint- Paulin, Taleggio Cantal, Cheshire, Wensleydale, Lancashire, Double Gloucester, Blarney, Colby, Monterey Camembert Brie Kefalograviera, Kasseri Exceeding 47 % but not exceeding 52 % Exceeding 52 % but not exceeding 62 % Exceeding 62 % but not exceeding 72 %				75,50
	0406 90 93	Exceeding 72 %				92,60
	0406 90 99	Other				106,40

(¹) Monitoring utilization for this particular purpose will be done by applying the Community provisions laid down on the subject.'

COMMISSION REGULATION (EC) No 1115/96
of 20 June 1996
amending the import duties in the cereals sector

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

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

Having regard to Commission Regulation (EC) No 1502/95 of 29 June 1995 laying down detailed rules for the application of Council Regulation (EEC) No 1766/92 for the 1995/96 marketing year as regards import duties in the cereals sector⁽³⁾, as last amended by Regulation (EC) No 346/96⁽⁴⁾, and in particular Article 2 (1) thereof,

Whereas the import duties in the cereals sector are fixed by Commission Regulation (EC) No 1105/96⁽⁵⁾;

Whereas Article 2 (1) of Regulation (EC) No 1105/96 provides that if during the period of application, the

average import duty calculated differs by ECU 5 per tonne from the duty fixed, a corresponding adjustment is to be made; whereas such a difference has arisen; whereas it is therefore necessary to adjust the import duties fixed in Regulation (EC) No 1105/96,

HAS ADOPTED THIS REGULATION:

Article 1

Annexes I and II to Regulation (EC) No 1105/96 are hereby replaced by Annexes I and II to this Regulation.

Article 2

This Regulation shall enter into force on 21 June 1996.

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

Done at Brussels, 20 June 1996.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ No L 181, 1. 7. 1992, p. 21.

⁽²⁾ OJ No L 126, 24. 5. 1996, p. 37.

⁽³⁾ OJ No L 147, 30. 6. 1995, p. 13.

⁽⁴⁾ OJ No L 49, 28. 2. 1996, p. 5.

⁽⁵⁾ OJ No L 146, 20. 6. 1996, p. 36.

ANNEX I

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

CN code	Description	Import duty by land inland waterway or sea from Mediterranean, the Black Sea or Baltic Sea ports (ECU/tonne)	Import duty by sea from other ports ⁽²⁾ (ECU/tonne)
1001 10 00	Durum wheat ⁽¹⁾	0,00	0,00
1001 90 91	Common wheat seed	0,00	0,00
1001 90 99	Common high quality wheat other than for sowing ⁽³⁾	0,00	0,00
	medium quality	10,14	0,14
	low quality	37,67	27,67
1002 00 00	Rye	50,17	40,17
1003 00 10	Barley, seed	50,17	40,17
1003 00 90	Barley, other ⁽³⁾	50,17	40,17
1005 10 90	Maize seed other than hybrid	39,38	29,38
1005 90 00	Maize other than seed ⁽³⁾	39,38	29,38
1007 00 90	Grain sorghum other than hybrids for sowing	50,17	40,17

⁽¹⁾ In the case of durum wheat not meeting the minimum quality requirements referred to in Annex I to Regulation (EC) No 1502/95, the duty applicable is that fixed for low-quality common wheat.

⁽²⁾ For goods arriving in the Community via the Atlantic Ocean (Article 2 (4) of Regulation (EC) No 1502/95), the importer may benefit from a reduction in the duty of:

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

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

⁽³⁾ The importer may benefit from a flat-rate reduction of ECU 14 or 8 per tonne, where the conditions laid down in Article 2 (5) of Regulation (EC) No 1502/95 are met.

ANNEX II

Factors for calculating duties (period from 14. 6. 1996 to 19. 6. 1996):

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

Exchange quotations	Minneapolis	Kansas City	Chicago	Chicago	Mid-America	Mid-America
Product (% proteins at 12 % humidity)	HRS2. 14 %	HRW2. 11 %	SRW2	YC3	HAD2	US barley 2
Quotation (ECU/tonne)	167,85	170,40	144,75	145,71	191,56 ⁽¹⁾	138,43 ⁽¹⁾
Gulf premium (ECU/tonne)	—	17,40	15,90	12,86	—	—
Great lake premium (ECU/tonne)	24,07	—	—	—	—	—

⁽¹⁾ Fob Duluth.

2. Freight/cost: Gulf of Mexico — Rotterdam: ECU 10,52 per tonne; Great Lakes — Rotterdam: ECU 19,66 per tonne.

3. Subsidy (third paragraph of Article 4 (2) of Regulation (EC) No 1502/95: ECU 0,00 per tonne).

COMMISSION REGULATION (EC) No 1116/96**of 20 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⁽¹⁾, as last amended by Regulation (EC) No 2933/95⁽²⁾, and in particular Article 4 (1) thereof,

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

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

sion fixes the standard values for imports from third countries, in respect of the products and periods stipulated in the Annex thereto;

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

HAS ADOPTED THIS REGULATION:

Article 1

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

Article 2

This Regulation shall enter into force on 21 June 1996.

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

Done at Brussels, 20 June 1996.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ No L 337, 24. 12. 1994, p. 66.

⁽²⁾ OJ No L 307, 20. 12. 1995, p. 21.

⁽³⁾ OJ No L 387, 31. 12. 1992, p. 1.

⁽⁴⁾ OJ No L 22, 31. 1. 1995, p. 1.

ANNEX

to the Commission Regulation of 20 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 ⁽¹⁾	Standard import value	CN code	Third country code ⁽¹⁾	Standard import value
0702 00 35	052	75,8		284	72,1
	060	80,2		388	80,9
	064	100,2		400	77,1
	066	41,7		404	63,6
	068	62,3		416	72,7
	204	86,8		508	87,4
	208	44,0		512	72,3
	212	97,5		524	63,9
	624	95,8		528	72,7
	999	76,0		624	86,5
ex 0707 00 25	052	55,3		728	107,3
	053	156,2		800	78,0
	060	61,0		804	86,1
	066	53,8		999	79,7
	068	69,1	0809 10 30	052	144,4
	204	144,3		061	51,3
	624	87,1		064	105,3
	999	89,5	0809 20 49	400	338,0
0709 10 20	220	317,0		999	159,7
	999	317,0		052	162,8
0709 90 77	052	44,8		061	182,0
	204	77,5		064	144,0
	412	54,2		068	262,6
	624	151,9		400	272,2
	999	82,1		600	94,9
0805 30 30	052	134,0	0809 30 31, 0809 30 39	624	288,1
	204	88,8		676	166,2
	220	74,0		999	196,6
	388	72,3		052	63,1
	400	68,2		220	121,8
	512	54,8	0809 40 20	624	106,8
	520	66,5		999	97,2
	524	100,8		052	73,2
	528	63,1		064	64,4
	600	84,0		066	84,9
	624	48,9		068	61,2
	999	77,8		400	175,7
0808 10 61, 0808 10 63, 0808 10 69	039	112,1		624	157,9
	052	64,0		676	68,6
	064	78,6		999	98,0

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

II

(Acts whose publication is not obligatory)

EUROPEAN PARLIAMENT

EUROPEAN PARLIAMENT DECISION

of 17 April 1996

giving discharge to the Commission in respect of the implementation of the general budget of the European Union for the 1994 financial year as regards Sections I — Parliament, II — Council, III — Commission, IV — Court of Justice, V — Court of Auditors and VI — Economic and Social Committee/Committee of the Regions

(96/377/ECSC, EC, Euratom)

THE EUROPEAN PARLIAMENT,

- Having regard to the ECSC Treaty, and in particular Article 78g thereof,
- Having regard to the EC Treaty, and in particular Article 206 thereof,
- Having regard to the EAEC Treaty, and in particular Article 180b thereof,
- Having regard to the budget for the 1994 financial year,
- Having regard to the revenue and expenditure accounts and the financial statement of the European Communities for the 1994 financial year (SEC(95) 252-255),
- Having regard to the report of the Court of Auditors for the 1994 financial year and the replies of the institutions⁽¹⁾,
- Having regard to the Statement of Assurance concerning activities financed from the general budget for the financial year 1994 and the relevant special report⁽²⁾,
- Having regard to the Council recommendation of 11 March 1996 (C4-0200/96),
- Having regard to the report of the Committee on Budgetary Control and the opinions of the Committees on Research, Technological Development and Energy, on External Economic Relations, on Social Affairs and Employment, on Regional Policy, on Culture, Youth, Education, and the Media, on Development and Cooperation, on Women's Rights, on the Environment, Public Health and Consumer Protection, on Transport and Tourism and on Fisheries (A4-0098/96),

⁽¹⁾ OJ No C 303, 14. 11. 1995.

⁽²⁾ OJ No C 352, 30. 12. 1995, pp. 5 and 11.

1. Notes that the authorized revenue and expenditure for the 1994 financial year amounted to:

	ECU	ECU
— Revenue: estimates entered in general budget		68 610 339 266,53
— including EFTA-EEA	196 145 639,00	
— Appropriations for commitments:		
— appropriations authorized in the general budget	71 985 522 043,78	
— appropriations carried over from 1993	637 016 557,26	
— appropriations made available as a result of cancellations in 1994 of commitments from before 1994	167 514 123,00	
— appropriations made available as a result of repayment of deposits	27 201 813,00	
— appropriations corresponding to revenue from services rendered to third parties	57 534 010,62	
		72 874 788 547,66
— Appropriations for payments		70 714 035 029,78

2. Gives the Commission discharge in respect of the implementation of the following amounts:

	ECU	ECU
(a) Revenue: general budget		66 002 143 762,76
— including EFTA-EEA	90 665 277,00	
(b) Expenditure		
— payments made for the financial year	58 553 476 133,92	
— including EFTA-EEA	88 555 615,08	
— appropriations carried over to 1995	1 354 148 390,57	
— carry over ESC	1 500 000,00	
		59 909 124 624,49
(c) Balance for the financial year 1994		6 540 476 460,89
Calculated as follows:		
— revenue for the financial year		66 002 143 762,76
— payments from the appropriations for the financial year	58 553 476 133,92	
— including EFTA-EEA	88 555 615,08	
— appropriations carried over to 1995	1 354 148 390,57	
— carry over ESC	1 500 000,00	
		— 59 909 124 524,49
Difference:		6 093 019 238,27
— appropriations carried over from 1993 which have lapsed		+ 443 046 131,52
— exchange difference in the financial year 1994		+ 4 435 276,08
— overrun on non-differentiated appropriations carried over:		
— Commission		— 16 026,48
— Other institutions		— 8 158,50
Balance for the financial year 1994		6 540 476 460,89
This balance reflects the accounting situation only and does not include expenditure actually incurred during this financial year		
(d) Utilization of appropriations for commitment		67 586 575 144,30
(e) Balance sheet as at 31 December 1994		
	ASSETS (ECU)	LIABILITIES (ECU)
Fixed assets	13 615 379 169,72	
Inventories	99 037 185,03	
Current assets	1 887 768 218,55	
Cash accounts	11 406 167 753,34	
Prepaid expenses	716 309 360,59	
TOTAL	27 724 661 687,23	
Fixed capital		20 479 644 586,24
Current liabilities		5 434 968 014,07
Cash accounts		1 296 251 709,24
Accrued expenses		513 797 377,68
TOTAL		27 724 661 687,23

3. Accepts that final checks still have to be made of EAGGF expenditure reported by the Member States and that corrections to the figures may yet have to be made;
4. Reserves, therefore, the right to re-examine the amounts above in so far as they relate to expenditure in the EAGGF Guarantee Section in the light of the clearance of accounts decision for the 1994 financial year, which shall be forwarded to the European Parliament for a decision complementary to this discharge decision;
5. Records its comments in the resolution which forms an integral part of this decision;
6. Instructs its President to forward this decision and the resolution containing its comments to the Commission, the Council, the Court of Justice, the Court of Auditors, the Economic and Social Committee, the Committee of the Regions and the European Investment Bank and to have them published in the *Official Journal of the European Communities* (L series).

The Secretary-General

Enrico VINCI

The President

Klaus HÄNSCH

RESOLUTION

containing the comments which form part of the decision giving discharge to the Commission in respect of the implementation of the general budget of the European Union for the 1994 financial year

THE EUROPEAN PARLIAMENT,

- Having regard to Article 206 of the Treaty establishing the European Community,
- Having regard to Article 89 of the Financial Regulation of 18 September 1995⁽¹⁾ under which each Community institution is required to take all appropriate steps to take action on the comments appearing in the decisions giving discharge,
- Whereas, under the same Article, the institutions are also required to report, at Parliament's request, on the measures taken in the light of these comments and, in particular, on the instructions given to those of their departments which are responsible for the implementation of the budget,
- Having regard to the Council recommendation of 11 March 1996 (C4-0200/96),
- Having regard to the report of the Committee on Budgetary Control and the other documents mentioned in the discharge decision (A4-0098/96),

General issues

1. Welcomes the spirit of constructive cooperation between the Commission and the Court of Auditors displayed in the 1994 Annual Report⁽²⁾, within the framework of their respective roles and responsibilities, as defined by the Treaties, which can only be beneficial to the way the Union budget is implemented;
2. Notes the Commission's efforts to install a system of sound and efficient financial management (SEM 2000), aiming at making more efficient the way the European taxpayers' monies are disbursed; states that the success of that initiative will only be judged by its practical results in the forthcoming financial years;
3. Notes again, however, that in practice 80 % of the Union budget is managed by Member States and that consequently no meaningful and durable improvement of the budget implementation is conceivable without strenuous efforts undertaken in parallel at national, regional and local level; deplores the fact that the Council's recommendation on the 1994

discharge does not take this fact into account and that no constructive measures to improve budgetary management are put forward in the recommendation;

4. Welcomes the occasional remarks by the Council with regard to non or inadequate compliance by the Member States with Community provisions, such as for example on environment and public works contracts within the framework of the Structural Funds, because it is the Member States who bear full responsibility for violating existing rules, but is disappointed at the lack of an effective strategy by the Council to address this problem;
5. Calls on the Commission to fulfil the duties entrusted to it by the Treaties by seeing to it that Union expenditure is managed in a way ensuring full compliance with Union law; regrets in this respect the lukewarm attitude taken by the Commission towards Member States which ignore their legal obligations; insists that the Commission make full use of the means at its disposal to guarantee that appropriations spent represent good value for money and that the Union's financial interests are fully protected;

The Statement of Assurance (DAS)

6. Takes the view that the Statement of Assurance (DAS), issued under the Maastricht Treaty, will enhance sound financial management and improve implementation of the budget by the Commission;
7. Notes that while management of commitment appropriations caused no major problems in 1994, handling of payment appropriations gave rise to a great number of formal and substantial errors which the discharge authority cannot ignore;
8. Asks the Commission henceforth to include in the accounts of the European Union an account under the heading 'specified amounts subject to recovery proceedings', specifying individual cases and sub-totals, on the basis of the substantial errors reported by the Court of Auditors; asks furthermore the Commission to inform the budgetary authority of action taken on each of those cases;
9. Calls on the Court of Auditors to give serious consideration, taking into account the resources available, to the possibility of drawing up statements of assurance based on specific sectors of policy or on expenditure in individual Member States;

⁽¹⁾ OJ No L 240, 7. 10. 1995, p. 1.

⁽²⁾ OJ No C 303, 14. 11. 1995.

Own resources

10. Believes that the Commission and the Member States must step up their checks on the acceptance and customs status of goods at the Union's external frontiers and calls upon the Commission to draw up a report on these matters;
11. Calls on the Commission to submit an annual report on the forcible recovery by Member States of all amounts owed to the Community budget;
12. Reserves its position on the transit system pending the conclusions of its Committee of Inquiry into the Transit System;

Agricultural spending

13. Notes that, in spite of measures introduced in the context of the reform of the common agricultural policy, farm spending's share of the 1994 budget increased by 1,3 % compared to the previous year;
14. Deplores yet again the large gap between budget estimates and actual spending in the agricultural sector; takes the view that these differences cannot be explained solely by unexpected factors (weather conditions, diseases, etc.); urges therefore the Commission to tighten management measures, in particular in the chapters showing a repeated over-spend, and to work closely with Member States for the improvement of forecasts used as a basis for the budget;
15. Calls on the Commission, pending the final decision on the amount of the penalty to be imposed for malpractices which occurred in the Irish beef processing industry, to ensure that the Irish authorities fully implement Regulation (EEC) No 2456/93, aimed at guaranteeing the proper functioning of the beef market;
16. Calls on the Commission to ensure that the French authorities fully implement in Haute-Corse the regulations on the special aid for hill and mountain areas and on the suckler cow premium and calls on the Commission to find a satisfactory solution regarding the restitution of unduly paid premiums; states that Parliament will pay full attention to this in the clearance of accounts procedure;
17. Deplores the fall in the rate of utilization of the appropriations for cofinancing the monitoring of EAGGF Guarantee expenditure and calls on the Council to adopt as soon as possible the regulation proposed by the Commission on the implementation of Member States' action programmes on control of

EAGGF expenditure so that it can still take effect in 1996;

Common organization of the market in fruit and vegetables

18. Deplores the particularly high rates of withdrawal of certain fruits and vegetables from the market (up to almost 60 % at a total cost of almost ECU 400 million in 1994); notes that the level of these rates reflects not only a waste of economic resources but also problems of an ecological nature, serving to tarnish the image of the European Union, even though the common organization of the market (COM) in fruit and vegetables scarcely absorbs 4,5 % of total EAGGF Guarantee expenditure;
19. Deplores the large number of errors noted by the Court of Auditors and committed systematically in any Member States in the implementation of Community rules in the COM in fruit and vegetables, resulting in overpayment of aid;
20. Calls on the Commission to check on the cases raised by the Court of Auditors as part of the clearance of accounts and to take the appropriate financial action, if necessary against the Member States concerned;
21. Calls on the Member States to apply in full the provisions of the future COM and calls on the Commission to reduce the monthly advances paid under the EAGGF Guarantee to Member States which do not comply with the COM rules;
22. Calls on the Commission to increase the material resources allocated to monitoring the implementation of the COM, to draw up a systematic monitoring programme and to consider a broader framework for cooperation between Community inspectors and those of the Member States;
23. Calls on the Court of Auditors to monitor the implementation of the future COM and to submit a special report on the conditions for implementation and the effects of the reforms carried out, within three years from their entry into force;

Fisheries policy

24. Asks the Commission to analyse existing legal provisions to bring Community rules into line with real market situations and the specific features of the Community tuna sector;
25. Calls upon the Commission, in cooperation with the authorities in the Member States, to carry out the checks referred to in the Court of Auditors' report in the 1996 financial year and to report to Parliament on the results;

26. Invites the Commission to carry out an analysis of the current customs policy on tuna, in order to bring it into line with the sector's real needs, by taking equal account of producers' and processors' interests;

Structural Funds

27. Notes that, in addition to familiar problems, the 1994 financial year was also marked by a worrying development which could lead to serious administrative, budgetary and political problems in structural policy in the years ahead;

28. Considers that the Commission must adopt, with the necessary changes to the Regulation, an integrated approach containing the following elements:

- enhancing the role of the monitoring committees so that they genuinely monitor compliance with Community provisions and monitor the progress and management of the projects; recalls, in this respect, its views on this matter expressed already in its resolution on the 1989 discharge,

- drawing up selection criteria and other procedures so that compliance with Community provisions — particularly in the field of the environment and public works contracts — and the progress and management of projects can be monitored more effectively,

- using Article 24 (possibly in an amended form) of Regulation (EEC) No 2082/93 in such a way that failure to comply with the rules will genuinely and directly result in a reduction in or suspension or cancellation of the assistance;

29. Believes that internal procedures operated by the Commission which either formally or in practice may weaken Community provisions or management should be reviewed;

30. Takes the view that existing lacunae in the rules, such as those with regard to interest revenue and the powers and obligations of intermediary bodies, must be remedied;

31. Considers that global subsidies should not be used to provide loans;

32. Takes the view that the various funds should be assigned more clearly defined and distinct priorities and that more attention should be devoted to the project-approval stage, for example by studying existing or possible alternatives or arranging for them to be studied and taking greater account of the recommendations of the Directorate-General directly concerned;

33. Asks the Commission to honour its undertaking to forward to Parliament regular reports on the utilization of the Structural Funds by fund, objective and Community support framework, showing in all cases the relative performance of each Member State;

34. Calls on the Commission, and on the Member States in particular, to improve the rate at which projects and programmes are submitted so as to avoid a build-up of commitments in the last few months of each financial year, which leads to serious risk that decisions will be taken in undue haste and hence that errors will arise;

35. Urges the Commission to implement the Interreg initiative much more strictly and points out that the aim of this initiative is to promote cross-border cooperation and not merely the economic development of the areas in question, which could be achieved by other operations under the Community support frameworks;

European Social Fund

36. Calls for greater efforts to improve transparency of communication and decision-making processes in order to deny individual Member States the opportunity of hiding behind 'Europe' as a means of distracting attention from their own failures in implementing Community support frameworks;

37. Reaffirms that it will continue to monitor the implementation of the ESF so as to avoid any negative impact of current problems on the adequate preparations of post-1999 Structural Fund reform;

38. Calls on the Commission to take action to prevent the frequent delays before ESF funds are disbursed to final recipients, these delays being due to the fact that intermediate bodies wish to accumulate disproportionately high interest income;

39. Calls once again on the Commission to continue to monitor the application of the additionality principle and, to this end, to exert its influence on the Member States to ensure that all information necessary to ensure transparency is made available;

Internal policies

40. Points out that the implementation of the commitment appropriations for the budget policies included in heading 3 of the financial perspective has not posed major problems, with the exception of the budget line on combating fraud in the sector of research (B6-480), which Uclaf is formally requested to utilize in forthcoming financial years;

41. Reiterates its request that the Court of Auditors incorporate in its annual report of chapter covering the Union's internal policies as a whole and also dealing with issues that are common to the various activities financed by heading 3 of the financial perspective;
42. Points out that an initial appraisal of the incidents that have had legal repercussions in the tourism sector, and the selection and management mechanisms analysed by the Court of Auditors in the sections on the Life programme and the third framework programme for research, casts serious doubts on the transparency of procedures in the area of direct financing and subsidies,
43. Notes in particular that the responsibility exercised by the Commission in the selection of projects to be financed or the choice of those who are to benefit from subsidies is not governed by detailed provisions guaranteeing:
- the publication of financing initiatives,
 - the definition of selection criteria and parameters (quantified where possible),
 - the establishment of rankings of applicants,
 - the harmonization of contracts;
44. Expresses the fear that such regulatory shortcomings will lead to confusion and abuses in selection activities, restrict the scope of internal controls and prevent those applying for funding from bringing procedures before the Court of Justice in order to uphold their legitimate interests;
45. Decides therefore to take an initiative aimed at radically reforming direct funding and subsidies at all levels (sectoral and financial legislation and administrative organization) to ensure transparency of procedures and the protection of the legitimate interests of applicants, while respecting the Community nature of the policies financed;
46. Calls accordingly on the Court of Auditors to report to it on the soundness of the selection and management procedures in the area of direct financing and subsidies; insists, in this respect, that the views of Uclaf and the Commission's DG XX (Financial Control) are fully reflected in the Commission's reply to the Court;
47. Reserves the right, in the light of the aforementioned reports and any other relevant information obtained, to consider the possibility of setting up a committee of inquiry in this area;
48. Affirms that it will closely scrutinize any regulations in this area in the context of current and future legislative procedures in order to ensure that the rules are as detailed as possible;
49. Calls on the Commission to act on the remarks made by the Court of Auditors relating to the sectors of environment and research and in particular the remarks contained in paragraphs 6.12 to 6.17 and 9.10 to 9.15 of the annual report;
50. Calls on the Commission to submit a legal basis for subsidies to consumer organizations and to conduct its own examination as to whether the subsidies to be granted provide value for money;
51. Calls on the Commission's Public Health Directorate in DG V and the Directorate-General for Consumer Policy to produce annual overviews similar to those produced by the Directorate-General for the Environment, Nuclear Safety and Civil Protection;
52. Calls on the Commission to ensure a fuller rate of utilization of payment appropriations in policy areas such as transport safety (Article B2-702) and combined transport (Article B2-706), to which Parliament has always attached high priority;
- Lending and borrowing*
53. Calls on its Committee on Budgetary Control and the European Investment Bank jointly to establish an informal liaison committee, comprising a small number of representatives of each, to provide a forum for the exchange of views and information within the context of the Parliament's competences in the field of budgetary control;
54. Reiterates its demand that the Court of Auditors have full audit access to the operations of the European Investment Fund in order that it can report to the budget authority on matters relating to the Community budget; calls however on the Commission, the EIB and the Court of Auditors to negotiate an agreement with the European Parliament on the treatment of the information thus obtained to ensure that the interests of EIF investors and borrowers are protected;
55. Notes that the Guarantee Fund is insufficiently resourced to meet the potential level of demand made upon it and that the mechanism by which it is funded in practice places an excessively low limit on the amount of external lending the Community is able to undertake; supports therefore the following measures:
- an increase in the budgetary resources available to finance the Guarantee Fund and the revision of the financial perspective necessary to achieve this,
 - the establishment of the target level for the Guarantee Fund on the basis of an ongoing risk analysis of loans outstanding at any given time, together with an appropriately flexible funding system,

- the reduction of the amount of the guarantee granted to the EIB for loans in the countries of central and eastern Europe and the Mediterranean basin from 100 to 75 %;

56. Regrets the fact that the Court of Auditors continues to comment adversely on the management of the finance provided for earthquake reconstruction work in Italy since 1980; asks the Commission to review its decision to re-allocate unused funds intended for earthquake reconstruction to another project completed 10 years previously, and arrange with the Italian authorities for the reallocation of the sum to an eligible ongoing project;

Fight against fraud

57. Regrets the low utilization of appropriations of some key headings in the fight against fraud such as B1-360 and B2-5190 (in the agricultural sector) B6-480 (research), etc.; asks the Commission to ensure full utilization of all anti-fraud headings, and to consider, where appropriate in cooperation with Member States, necessary measures to increase the utilization capacity of the latter;

58. Instructs Parliament's external offices to inform, on a regular basis, its Committee on Budgetary Control of fraud cases involving Community appropriations mentioned in the media of each Member State and to transmit the relevant material (press-cuttings, video tapes, etc.) as appropriate;

Cooperation with the Mediterranean countries, the developing countries and other third countries

59. Urges the Commission to remove the unnecessary constraints and conditions on the use of the funds granted to support structural adjustment in the countries of the southern and eastern Mediterranean, *inter alia* by considering the possibility of abandoning import programmes, provided the foreign trade of the beneficiary countries is sufficiently liberalized and the currencies are freely convertible and transferable, and replacing such programmes with straightforward balance-of-payments support;

60. Calls on the Commission to ensure that its supervision and control procedures are improved and better targeted, and to increase the staff resources allocated to the structural adjustment support programmes by means of internal redeployment, making additional staff available who have the necessary skills and experience to perform the budgetary and financial analyses required for each beneficiary country and

ensure that the budgetary strategies of those countries are compatible with the economic reform programmes;

Common foreign and security policy (CFSP)

61. Notes that, by virtue of financial decisions on joint actions under the common foreign and security policy (CFSP), the Council has restricted the Commission's right to implement the budget under its own responsibility and has thus also restricted Parliament's right to hold the Commission fully accountable for the implementation of the budget; points out that this has produced a loophole in the discharge procedure, for which the Council is solely responsible;

62. Points out, in particular, that the procedure adopted by the Council for the allocation of resources in tranches in the joint action on Mostar led to unnecessary delays and complicated administrative processes out of keeping with the usual procedure, with a consequent lack of clarity and difficulties of control;

63. Calls on the Council, when taking decisions in connection with the CFSP in future, to respect fully the financial provisions in the Treaty and the Community budget; deplores the fact that the Council recommendation on the 1994 discharge does not even comment on the financing of the CFSP during that year;

64. Calls on the Commission to submit a report by 1 September 1996 on all the financial and associated institutional aspects of the CFSP, including, in the interests of complete transparency, the role and significance of the contributions made by the Member States towards its funding;

65. Reiterates the request made to the Court of Auditors in its resolution of 15 November 1994⁽¹⁾ for an opinion on the conditions governing the implementation of expenditure under the CFSP; expects this aspect of the CFSP to be fully covered in the report that the Court is currently preparing on the CFSP; stresses the need for this report to be submitted in time for it to be taken into account in the deliberations of the Intergovernmental Conference;

Phare programme

66. Asks the Commission to provide:

- explicit job definitions and responsibilities for all elements in the Phare management structure (especially delegations),

⁽¹⁾ OJ No C 341, 5. 12. 1994, p. 37.

- full and technically qualified staffing for delegations, to be achieved through the creation of a 'diplomatic service', ensuring genuine staff mobility, in the Commission,
 - clear regulations on the conditions and competences for local staff in delegations,
 - financial autonomy (local budgets and spending limits) and project approval by delegates, with due regard to the location of the delegation, the seniority and experience of the delegate, etc.,
 - clear and explicit delineation of administrative responsibilities of statutory staff, temporary staff and outside consultants,
 - rationalization of PMUs on the basis of an analysis of genuine management need;
67. Calls on the Commission to produce, by 30 September 1996, a strategy paper defining the role of the Phare programme in the preparation of the countries of central and eastern Europe for accession to the EU;
68. Calls for a more pro-active approach to project definition and approval by the Commission, including the stipulation of conditions designed to ensure concrete results, dissemination of technical know-how and medium term sustainability of effect for Phare projects in all sectors;

Tacis programme

69. Asks the Commission to specify unambiguously which tasks involved in the management of Tacis:
- should be the exclusive responsibility of public authorities and only carried out by public officials,
 - can be carried out by non-officials employed by the Commission and overseen by officials,
 - can be contracted out under supervision;
- asks the Commission furthermore to state what staff resources are required for each category of work;
70. Calls on the Commission to open permanent delegations with clear-cut competences in all countries benefiting from Tacis assistance, and to ensure that they are fully staffed with appropriately qualified officials; to this end believes that the relevant directorate-general of the Commission should recruit officials

on the basis of compulsory mobility; asks the Commission to report to Parliament on the action it intends to take to meet these requirements by 31 July 1996;

71. Asks the Commission to pay more attention to the medium-term sustainability of projects when approving them, in particular by making greater demands on beneficiaries in terms of performance, follow-up and the dissemination of results and by linking projects to other forms of support and assistance such as EIB/EBRD loans, finance from local credit institutions, equity participations, etc.;
72. Asks the Commission to produce a global strategic evaluation of the achievements of Tacis so far in political, social and economic (sectoral and macro-economic) terms and to propose strategic targets for the next five years of Tacis; asks that this evaluation be available to the European Parliament before it adopts its opinion on the new Tacis regulation;
73. Expresses its concern as to the threat posed by fraud, especially that committed by organized crime, to the Tacis programme; stresses the importance of checking the credentials of applicants for Tacis contracts and of monitoring the use to which money is put in the course of the contract; asks moreover that the Commission take a firm line in dealing with allegations of fraud involving its own officials;

Administrative expenditure

74. Asks the Commission to report to Parliament in time for the first reading of the 1997 budget on the whole series of measures taken to ensure proper financial and administrative management of the Commission's (a) external delegations and (b) assets (excluding research);
75. Asks the Court of Auditors to draw up a report on language courses organized in Luxembourg for European Union officials, with particular reference to the 1994 call for tender and to provide an assessment of the effects of the present system;
76. Requests the Interinstitutional Committee on Data-processing to carry out a comparative study on Union institutions' information available on EU data bases with a view to eliminating areas where there is overlap and/or duplication of effort.

EUROPEAN PARLIAMENT DECISION**of 17 April 1996****giving discharge to the Commission in respect of the management of the ECSC for the financial year 1994**

(96/378/ECSC)

THE EUROPEAN PARLIAMENT,

- Having regard to the following amounts contained in the accounts of the ECSC as at 31 December 1994 and the report of the Court of Auditors of 29 June 1995 ⁽¹⁾, confirming that the accounts present a true picture of the financial situation of the European Coal and Steel Community at 31 December 1994, and the results of ECSC operations for the financial year ending on the same date,
1. Grants the Commission discharge in respect of the management of the ECSC for the 1994 financial year on the basis of the following figures relating to the implementation of the operating budget for the 1994 financial year;
 2. Instructs its President to forward this decision and the resolution containing its comments to the Commission, the Council, the Court of Auditors and the ECSC Consultative Committee and to have them published in the *Official Journal of the European Communities* (L series).

⁽¹⁾ OJ No C 244, 21. 9. 1995, pp. 10 and 36.

ECSC balance sheet at 31 December 1994

(All figures in ecus)

ASSETS

	31 December 1994
Balance with central banks	1 568 013
Loans/advances to credit institutions	3 824 637 480
Loans/advances to customers	3 719 792 996
Bonds/other fixed income securities	1 623 567 580
Tangible and intangible assets	11 491 861
Other assets	13 518 424
Prepayments	<u>290 270 762</u>
TOTAL ASSETS	9 484 847 117
Off balance sheet commitments	4 082 907 357

LIABILITIES

	31 December 1994
Amounts owed to credit institutions	2 580 249 457
Debts evidenced by certificates	3 990 856 078
Other liabilities	469 666 079
Accruals and deferred income	236 035 314
Provisions for liabilities and charges	42 266 409
Commitments for ECSC operating budget	<u>1 360 466 550</u>
Total liabilities vis-à-vis third parties	8 679 539 887
Provisions for financing operating budget	143 425 758
Reserves	655 302 519
Value adjustment reserve	4 911 688
Surplus brought forward	100 023
Surplus for the financial year	<u>1 567 242</u>
Net total	805 307 230
TOTAL LIABILITIES	9 484 847 117
Off balance sheet commitments	6 323 533 611

Profit and loss accounts for year ending 31 December 1994

(All figures in ecus)

CHARGES

	31 December 1994
Interest payable and similar charges	841 807 108
Commissions payable	1 744 846
Net losses on financial operations	77 326 076
Administrative expenditure	5 000 000
Value adjustments (tangible assets)	1 394 234
Other operating charges	409 499
Value adjustments (loans/advances/provisions)	37 030 378
Total operating charges	964 712 141
Losses on loans	1 284 910
Extraordinary charges	41 420 097
Conversion difference	5 772 717
Legal commitments for the financial year	386 435 194
Allocation to provision for operating budget	42 913 745
Total charges	1 442 538 804
Surplus for the financial year	1 567 242
TOTAL	1 444 106 046

INCOME

	31 December 1994
Interest received and similar income	991 726 279
Net profit on financial operations	23 271 322
Value adjustment (loans/advances/provisions)	30 581 596
Other operating losses	3 702 522
Total operating income	1 049 281 719
Transfer from reserve for exchange differences	5 772 717
Income relating to operating budget	208 901 704
Transfer from provision for operating budget	178 149 906
Transfer from Guarantee Funds/Special reserve	2 000 000
TOTAL INCOME	1 444 106 046

Implementation of the ECSC operating budget

(All figures in ecus)

OUTTURN

	31 December 1994
<i>Expenditure</i>	
Administrative expenditure	5 000 000
Legal commitments	386 435 194
Miscellaneous	32 598 462
Total	424 033 656
<i>Revenue</i>	
Levy	107 666 996
Fines	1 350
Interest subsidies	4 676 172
Miscellaneous	200 500
Cancellations of legal commitments	63 252 475
Surplus from previous budget	60 195 571
Extraordinary revenue for operating budget	22 000 000
Withdrawal from the 1993 contingency reserve	91 954 337
Net balance for the year	115 000 000
Total	464 947 401
BUDGET OUTTURN	40 913 745

RESULT FOR FINANCIAL YEAR

	31 December 1994
Result from non-budgetary operations after deducting the net balance allocated to the operating budget	- 1 360 948
Outturn of the budget	40 913 745
Withdrawal from special reserve	2 000 000
Total	41 552 797
Allocation to provision for liabilities/charges	- 1 071 810
Allocation to provision for operating budget	- 40 913 745
Withdrawal from provision for operating budget	4 000 000
Allocation extraordinary revenue 1994/95 budget	- 2 000 000
RESULT BEFORE ALLOCATION	1 567 242

The Secretary-General
 Enrico VINCI

The President
 Klaus HÄNSCH

EUROPEAN PARLIAMENT DECISION

of 17 April 1996

giving discharge to the Administrative Board of the European Foundation for the Improvement of Living and Working Conditions in respect of the implementation of its budget for the 1994 financial year

(96/379/EC)

THE EUROPEAN PARLIAMENT,

- Having regard to the EC Treaty, and in particular Article 206 thereof,
 - Having regard to the statement of accounts of the European Foundation for the Improvement of Living and Working conditions and the report of the Court of Auditors on this subject (C4-0565/95)⁽¹⁾,
 - Having regard to the Council recommendation of 11 March 1996 (C4-0197/96),
 - Having regard to the report of the Committee on Budgetary Control (A4-0082/96),
1. Notes the following figures for the accounts of the European Foundation for the Improvement of Living and Working Conditions:

1994 Financial year

(ECU)

	1994	1993
<i>Revenue</i>	11 459 602,98	11 564 999,71
1. Subsidy from the Commission	11 240 000,00	11 240 000,00
2. Bank Interest	134 337,39	238 986,94
3. Other	85 265,59	86 012,77
<i>Expenditure</i>		
1. Final budget appropriations	11 610 000,00	11 500 000,00
2. Commitments	10 362 419,42	11 200 943,17
3. Unused appropriations	1 247 580,58	299 056,83
4. Payments	8 301 557,70	8 345 502,16
5. Carry-overs from 1993	2 855 441,01	1 900 858,40
6. Payments against appropriations carried over	2 550 137,42	1 697 642,18
7. Appropriations carried over and cancelled (5 – 6)	305 303,59	203 216,22
8. Carry-overs to 1995	2 060 861,72	2 855 441,01
9. Cancellations (1 – 4 – 8)	1 247 580,58	299 056,83

2. Recommends again the appointment of a part-time financial controller for the Centre, working under the Commission's financial controller, as a means of reducing the excessive recourse to imprest accounts; suggests that this reform be introduced across the board as part of a general review of the financial regulations applying to all the external agencies of the European Union;
3. Calls on the Management Board of the Foundation to respect the terms of the its financial regulation in respect of transfers of appropriations;
4. Asks the Foundation to review its policy on holding large cash balances, and in future to draw down its subsidy from the Commission in a manner more closely related to its actual need to carry out expenditure;

⁽¹⁾ OJ No C 354, 30. 12. 1995, p. 8.

5. Continues to consider it essential to avoid overlap between the activities of the Foundation and those of the Commission and other Community bodies with closely related mandates; notes the Commission's willingness to report to the European Parliament on the integration and organization of Union activities in the fields concerned, and to present proposals, as appropriate, aimed at ensuring greater complementarity and cost-effectiveness; again asks it therefore to do so;
6. Looks forward to the definitive resolution of the long-standing difficulties relating to the ownership of the land occupied by the Foundation; asks the Foundation to inform the European Parliament as soon as the legal formalities for the acquisition of the leasehold of the land have been completed;
7. Gives discharge to the Administrative Board of the European Foundation for the Improvement of Living and Working Conditions in respect of the implementation of its budget for the 1994 financial year, on the basis of the report of the Court of Auditors;
8. Instructs its President to forward this decision to the Administrative Board of the European Foundation for the Improvement of Living and Working Conditions, the Council, the Commission and the Court of Auditors and to have it published in the *Official Journal of the European Communities* (L series).

The Secretary-General

Enrico VINCI

The President

Klaus HÄNSCH

EUROPEAN PARLIAMENT RESOLUTION

of 17 April 1996

refusing discharge to the Commission in respect of the implementation of the European Development Funds for the 1994 financial year

(96/380/EC)

THE EUROPEAN PARLIAMENT,

- Having regard to the EC Treaty,
- Having regard to the fourth ACP-EEC Convention ⁽¹⁾,

- Having regard to the balance sheets and revenue and expenditure accounts of the sixth and seventh European Development Funds for the 1994 financial year (COM(95)0180),

- Having regard to the annual report of the Court of Auditors concerning the financial year 1994 and the replies of the institutions ⁽²⁾,

- Having regard to the Statement of Assurance relating to the sixth and seventh European Development Funds for the financial year 1994, together with the relative special report and the replies of the Commission ⁽³⁾,

- Having regard to the recommendations of the Council of 11 March 1996 (C4-0198/96 and C4-0199/96) ⁽⁴⁾,

- Having regard to the report of the Committee on Budgetary Control and the opinion of the Committee on Development and Cooperation (A4-0096/96),

A. whereas the Court of Auditors was unable to provide a positive statement of assurance on the activities of the sixth and seventh EDFs for the financial year 1994,

1. Shares the Court of Auditors' opinion that the continuing difficulties besetting the Commission's financial management of the European Development Funds can in large part be attributed to the legal framework under which they are managed, in particular the fact that they are not legally Community expenditure and are not managed in accordance with regular budgetary provisions;

2. Reiterates its view that the situation whereby the European Parliament is called upon to reach an

annual discharge decision for the EDFs without at the same time possessing either the corresponding budgetary or legislative powers is an anomalous one; believes that, especially in view of the facts coming to light in the current discharge procedure, this situation can no longer be tolerated;

3. Considers that democratic accountability for the expenditure carried out under the European Development Funds is seriously compromised by the legal and financial framework governing them; refuses from now on to be implicated in providing any illusion of accountability through the granting of discharge, or thereby to assume any responsibility for a system for which it cannot legislate;

4. Calls again for the integration of EDF funds into the development cooperation section of the general budget of the European Communities;

5. Reminds the Member States of their prime responsibility in creating the unsatisfactory situation outlined in this resolution;

6. Recognizes the Commission's attempts to improve EDF financial management within the context of the existing legal framework, and encourages it to pursue those improvements; believes however that such improvements can only be of a superficial nature until the legal framework is changed;

7. Deplores the manner in which the Commission subsidized the operations of the Cultural Foundation without proper checks as to the use made of funding, without requiring proper justification of many of the amounts requested and without informing the EDF discharge authority as to serious financial problems as and when they arose; believes that considerable loss to the European taxpayer has occurred as a result;

8. Deplores the Commission's use of public funds totalling ECU 738 606 to wind up the Foundation, pay off its creditors and meet its related staff costs; notes furthermore that the Commission was under no legal obligation to reach this decision, which was therefore of an exclusively political nature; affirms its total disagreement with that decision;

⁽¹⁾ OJ No L 229, 17. 8. 1991.

⁽²⁾ OJ No C 303, 14. 11. 1995.

⁽³⁾ OJ No C 352, 30. 12. 1995, pp. 93 and 97.

⁽⁴⁾ OJ No L 68, 19. 3. 1996, pp. 30 and 31.

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9. Believes that one of the important reasons the Commission was able to behave as it did in the case of the Cultural Foundation was that EDF procedures do not at present ensure transparency or accountability in respect of the discharge authority;
10. Refuses discharge to the Commission in respect of the implementation of the sixth and seventh European Development Funds for the 1994 financial year;
11. Instructs its President to forward this resolution to the Commission, the Council and the Court of Auditors and to have it published in the *Official Journal of the European Communities* (L series).
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| <p><i>The Secretary-General</i>
Enrico VINCI</p> | <p><i>The President</i>
Klaus HÄNSCH</p> |
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CORRIGENDA

Corrigendum to Commission Regulation (EC) No 1102/96 of 19 June 1996 amending Regulation (EC) No 1474/95 and fixing the quantities available for the applications submitted from 15 May 1996

(Official Journal of the European Communities No L 146 of 20 June 1996)

On page 30 in the title and in the table of contents:

for: '... 15 May 1996',

read: '... 21 June 1996';

the third recital:

for: '... 15 May 1996 ...',

read: '... 21 June 1996 ...';

in Article 2:

for: '... 15 to 24 May 1996 ...',

read: '... 21 to 30 June 1996 ...';

in Article 3:

for: '... 31 August 1996 ...',

read: '... 30 September 1996 ...';

and in Article 4:

for: "This Regulation shall enter into force on 15 May 1996.",

read: "This Regulation shall enter into force on 21 June 1996."
