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## Legislation

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

## I

*(Acts whose publication is obligatory)*

**COUNCIL REGULATION (EC) No 2442/96**  
**of 17 December 1996**  
**amending Regulation (EEC) No 2990/82 on the sale of butter at reduced prices to**  
**persons receiving social assistance**

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EEC) No 804/68 of 27 June 1968 on the common organization of the market in milk and milk products<sup>(1)</sup>, and in particular Article 12 (2) thereof,

Having regard to the proposal from the Commission,

Whereas Council Regulation (EEC) No 2990/82<sup>(2)</sup> introduces arrangements, expiring on 31 December 1996, for the sale of butter at reduced prices to persons receiving social assistance; whereas, Article 3a (3) of that Regulation provides that the Council is to examine the possibility before that date and on the basis of a report from the Commission, of renewing the arrangements laid down; whereas, in view of the report presented by the Commission and the results achieved, the arrangements should be extended for two years,

HAS ADOPTED THIS REGULATION:

*Article 1*

Regulation (EEC) No 2990/82 is hereby amended as follows:

1. in Article 1, '31 December 1996' shall be replaced by '31 December 1998';
2. in Article 3a (3), '31 December 1996' shall be replaced by '31 December 1998'.

*Article 2*

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

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

Done at Brussels, 17 December 1996.

*For the Council*

*The President*

I. YATES

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<sup>(1)</sup> OJ No L 148, 28. 6. 1968, p. 13. Regulation as last amended by Regulation (EC) No 1587/96 (OJ No L 206, 16. 8. 1996, p. 21).

<sup>(2)</sup> OJ No L 314, 10. 11. 1982, p. 26. Regulation as last amended by Regulation (EC) No 1802/95 (OJ No L 174, 26. 7. 1995, p. 27).

## COUNCIL REGULATION (EC) No 2443/96

of 17 December 1996

providing for additional measures for direct support of producers' incomes or for the beef and veal sector

THE COUNCIL OF THE EUROPEAN UNION,

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

Having regard to the proposal from the Commission,

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

Whereas, in the light of the continuing serious difficulties in the beef and veal sector resulting from consumer concerns in relation to bovine spongiform encephalopathy (BSE) and further to those measures which were taken to support producers' incomes by Council Regulation (EC) No 1357/96<sup>(2)</sup>, additional measures for the direct support of producers' incomes or for the beef and veal sector are necessary;

Whereas the amount of aid available to each Member State for direct support of producers' incomes or for the beef and veal sector will be distributed according to a key which takes into account, in particular, the size of the beef herd in each Member State; whereas it is appropriate that Member States should distribute the total amount of finance available on the basis of objective criteria, while avoiding any market distortion;

Whereas, for budgetary reasons, the Community will finance the expenditure incurred by Member States in relation to the direct support of producers' incomes or for the beef and veal sector only where such payments are made by a certain deadline,

HAS ADOPTED THIS REGULATION:

*Article 1*

Member States shall use the amounts set out in the Annex to make additional payments, according to objective

criteria, to support producers' incomes or the beef and veal sector in their territory, provided that these payments do not cause distortion of competition.

*Article 2*

1. The measures introduced by Article 1 of this Regulation shall be deemed to be intervention intended to stabilize agricultural markets within the meaning of Article 3 (1) of Council Regulation (EEC) No 729/70 of 21 April 1970 on the financing of the common agricultural policy<sup>(3)</sup>.

2. The Community shall finance the expenditure incurred by Member States in relation to the payments referred to in Article 1 only where such payments are made by them by 15 October 1997 at the latest.

*Article 3*

The conversion rate to be applied shall be the agricultural rate valid on 1 December 1996.

*Article 4*

Any detailed rules necessary for the application of this Regulation shall be adopted in accordance with the procedure set out in Article 27 of Council Regulation (EEC) No 805/68 of 27 June 1968 on the common organization of the market in beef and veal<sup>(4)</sup>.

*Article 5*

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

It shall not be applicable before the day the general budget of the European Communities for the financial year 1997 has been declared as finally adopted.

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

Done at Brussels, 17 December 1996.

*For the Council*

*The President*

I. YATES

<sup>(1)</sup> Opinion delivered on 13 December 1996 (not yet published in the Official Journal).

<sup>(2)</sup> OJ No L 175, 13. 7. 1996, p. 9.

<sup>(3)</sup> OJ No L 94, 28. 4. 1970, p. 13. Regulation as last amended by Regulation (EC) No 1287/95 (OJ No L 125, 8. 6. 1995, p. 1).

<sup>(4)</sup> OJ No L 148, 28. 6. 1968, p. 24. Regulation as last amended by Regulation (EC) No 2222/96 (OJ No L 296, 21. 11. 1996, p. 50).

*ANNEX***Amounts referred to in Article 1**

	<i>ECU (millions)</i>
Belgium	22,12
Denmark	12,29
Germany	98,33
Greece	1,47
Spain	28,52
France	117,01
Ireland	36,87
Italy	44,25
Luxembourg	1,47
Netherlands	32,45
Austria	10,32
Portugal	5,90
Finland	5,90
Sweden	10,32
United Kingdom	64,41

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**COUNCIL REGULATION (EC) No 2444/96**  
**of 17 December 1996**  
**amending Regulation (EEC) No 2075/92 on the common organization of the**  
**market in raw tobacco**

THE COUNCIL OF THE EUROPEAN UNION,

HAS ADOPTED THIS REGULATION:

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

Having regard to the proposal from the Commission <sup>(1)</sup>,

Having regard to the opinion of the European Parliament <sup>(2)</sup>,

Whereas Article 3 (2) of Regulation (EEC) No 2075/92 <sup>(3)</sup> provides for the award of a supplementary amount for flue-cured, light air-cured and dark air-cured tobaccos grown in Belgium, Germany and France; whereas the growing conditions for these tobaccos in Austria are similar to those in Germany; whereas Austria should therefore be entitled to the same supplementary amount as Germany; whereas Regulation (EEC) No 2075/92 should be amended as a result,

*Article 1*

The following sentence shall be added to Article 3 (2) of Regulation (EEC) No 2075/92:

‘The supplementary amount granted for tobaccos grown in Germany shall also be granted for tobaccos grown in Austria from the 1996 harvest onwards.’

*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, 17 December 1996.

*For the Council*

*The President*

I. YATES

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<sup>(1)</sup> OJ No C 343, 15. 11. 1996, p. 9.

<sup>(2)</sup> Opinion delivered on 13 December 1996 (not yet published in the Official Journal).

<sup>(3)</sup> OJ No L 215, 30. 7. 1992, p. 70. Regulation as last amended by Regulation (EC) No 415/96 (OJ No L 59, 8. 3. 1996, p. 3).

## COUNCIL REGULATION (EC) No 2445/96

of 17 December 1996

amending Annex I to Regulation (EEC) No 2658/87 on the tariff and statistical nomenclature and on the Common Customs Tariff for certain processed agricultural products covered by Regulation (EC) No 3448/93

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty establishing the European Community, and in particular Article 28 thereof,

Having regard to the proposal from the Commission,

Whereas the goods referred to in table 1 of Annex B to Council Regulation (EC) No 3448/93 of 6 December 1993 laying down the trade arrangements applicable to certain goods resulting from the processing of agricultural products<sup>(1)</sup> were subject until 30 June 1995 to the application of a variable component; whereas a tariff has been established for these variable components and they are now replaced by specific amounts which were the subject of the Community's offer in the multilateral negotiations of the Uruguay Round; whereas these amounts are included in Annex I to Council Regulation (EEC) No 2658/87 of 23 July 1987 on the tariff and statistical nomenclature and on the Common Customs Tariff<sup>(2)</sup>;

Whereas, for certain goods, the previous arrangements, which were more favourable than those covered by the Community's offer, should be maintained;

Whereas, particularly as regards sweet corn as covered by CN codes 0710 40 00, 0711 90 30, 2001 90 30, 2001 90 40, 2004 90 10, 2005 80 00, 2008 99 85 and 2008 99 91, the variable components were calculated on the basis of the net drained weight; whereas the specific amount should likewise be applied to the net drained weight; whereas, as regards extracts, essences and concentrates of roast coffee substitutes falling within CN code 2101 30 99, the *ad valorem* duty of 14 % must be maintained so long as the rates agreed in the agreements concluded in the Uruguay Round lead to a higher rate of conventional duty; whereas this also applies to sorbitols containing more than 2 % D-mannitol, falling within CN codes 2905 44 19, 2905 44 99, 3824 60 19 and 3824 60 99, to which an *ad valorem* duty of 9 % applies autonomously; whereas yeast is a product essentially obtained from molasses; whereas the connection which existed before should continue to be taken into account, which would mean the amount of the agricultural component calcu-

lated on the earlier basis not being applied, since this amount is less than ECU 2/100 kg,

HAS ADOPTED THIS REGULATION:

*Article 1*

Annex I to Regulation (EEC) No 2658/87 shall be amended as follows:

1. a reference '(\*)' shall be added to subheadings 0710 40 00, 0711 90 30, 2001 90 30, 2001 90 40, 2004 90 10, 2005 80 00, 2008 99 85 and 2008 99 91, in column 4 (conventional rates of duty), together with the following footnote:

‘ \_\_\_\_\_  
(\*) The specific amount is charged, as an autonomous measure, on the net drained weight.’;

2. under subheading 2101 30 99, the reference to the footnote ‘Duty suspended to 14 % for an indefinite period’ which appears in column 3 (autonomous rates of duty) shall also appear in column 4 (conventional rates of duty).

This measure shall apply so long as the conventional rate is higher than 14 %;

3. under subheadings 2905 44 19, 2905 44 99, 3824 60 19 and 3824 60 99, the reference to the footnote ‘Duty rate reduced to 9 % (suspension) for an indefinite period’ which appears in column 3 (autonomous rates of duty) shall also appear in column 4 (conventional rates of duty);

4. under subheadings 2102 10 31 and 2102 10 39, the footnote, to which reference is made in column 3, (autonomous rates of duty) shall be replaced by the following:

‘ \_\_\_\_\_  
(\*) Duty suspended at the level of the *ad valorem* conventional duty for an indefinite period.’

*Article 2*

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

It shall apply from 1 January 1997.

<sup>(1)</sup> OJ No L 318, 20. 12. 1993, p. 18.

<sup>(2)</sup> OJ No L 256, 7. 9. 1987, p. 1. Regulation as last amended by Regulation (EC) No 1734/96 (OJ No L 238, 19. 9. 1996, p. 1).



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

Done at Brussels, 17 December 1996.

*For the Council*

*The President*

I. YATES

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## COMMISSION REGULATION (EC) No 2446/96

of 18 December 1996

## concerning imports of certain textile products originating in the Russian Federation

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EC) No 517/94 of 7 March 1994 on common rules for imports of textile products from certain third countries not covered by bilateral agreements, protocols or other arrangements, or by other specific Community import rules<sup>(1)</sup>, as last amended by Commission Regulation (EC) No 1937/96<sup>(2)</sup>, and in particular Article 12 (2), in conjunction with Article 25 (5), thereof,

Whereas an Agreement in the form of an exchange of letters between the European Community and the Russian Federation concerning the renewal of the Agreement between the European Economic Community and the Russian Federation on trade in textile products initialled on 12 June 1993 as amended by the Agreement initialled on 12 April 1995 has been applied on a provisional basis since 1 January 1996, pursuant to Council Decision 96/226/EC<sup>(3)</sup>;

Whereas this Agreement expires on 31 December 1996 and negotiations between the two Parties had been held with a view to renew it;

Whereas these negotiations cannot be completed before that date;

Whereas Article 1 (2), of the Agreement stipulates that 'quantitative import restrictions shall be reintroduced in case of denunciation or non replacement of this Agreement';

Whereas Article 12 (2) of Regulation (EC) No 517/94 lays down the conditions under which quantitative limits may be established on imports into the Community of textile and clothing products originating in certain exporting countries;

Whereas the economic interests of the European Community require that in case the bilateral Agreement is not renewed the import rules which will be applicable should be such as to prevent the unlimited importation of certain textile products originating in the Russian Federation subject to quantitative limits under the Agreement;

Whereas the sensitivity of the textile and clothing sector of the European Community and the actual and potential

capacity of production of certain textile products in the Russian Federation and their exportation to the European Community require that quantitative restrictions continue to be applicable for the importation of certain textile products originating in the Russian Federation;

Whereas it is therefore necessary to introduce for a period which should not be longer than three months quantitative limits for the importation into the Community of certain textile products originating in the Russian Federation as well as for the reimportation after outward processing in the Russian Federation of certain textile products originating in the Community;

Whereas the Commission will continue to employ all efforts to complete the negotiations with the Russian Federation within these three months in order to reach a new bilateral Agreement to replace the existing Agreement before the expiry of the present Regulation; whereas therefore the quantitative restrictions introduced by this Regulation represent a temporary measure pending the resumption and conclusion of these negotiations;

Whereas given the economic situation of the Community textile and clothing industry and the development of trade on textiles and clothing products between the Community and the Russian Federation it does not appear to be necessary to reintroduce some of the existing quantitative limits;

Whereas, as far as the quantitative limits introduced for three months by this Regulation are concerned the amounts foreseen are equivalent to 25 % of those agreed for 1996 increased for an important number of categories by a significant uplift;

Whereas the importation of products shipped from the Russian Federation before the entry into force of the present Regulation is governed by the provisions of the Agreement in force in 1996 of Council Regulation (EEC) No 3030/93<sup>(4)</sup>, as last amended by Regulation (EC) No 2315/96<sup>(5)</sup>;

Whereas the reduced number of quantitative restrictions in comparison with those existing in the Agreement as well as the increased levels provided for in this Regulation are introduced on the basis that the Russian Federation will not adopt, during the validity of this Regulation,

<sup>(1)</sup> OJ No L 67, 10. 3. 1994, p. 1.

<sup>(2)</sup> OJ No L 255, 9. 10. 1996, p. 4.

<sup>(3)</sup> OJ No L 81, 30. 3. 1996, p. 406.

<sup>(4)</sup> OJ No L 275, 8. 11. 1993, p. 1.

<sup>(5)</sup> OJ No L 314, 4. 12. 1996, p. 1.

measures in the textiles and clothing sector concerning quantitative restrictions, or increased tariffs or non-tariff barriers such as certification or other import requirements applicable to import of products originating in the Community, other than those measures in force in the Russian Federation at the date of 1 January 1996; whereas the introduction of any such measure will therefore entail a review of the provisions of this Regulation;

Whereas these measures are in conformity with the opinion expressed by the committee established by Regulation (EC) No 517/94,

HAS ADOPTED THIS REGULATION:

*Article 1*

1. As from the date of entry into force of this Regulation imports into the Community of textile products listed in the Annex to this Regulation originating in the Russian Federation shall be subject to the quantitative limits established in that Annex.

2. As from the date of entry into force of this Regulation reimports into the Community, after outward economic processing in the Russian Federation, of textile products listed in the Annex to this Regulation originating in the Community shall be subject to the quantitative limits established in that Annex.

3. The provisions of Parts II and III of Council Regulation (EC) No 517/94 are applicable to imports referred to in this Regulation.

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

Done at Brussels, 18 December 1996.

*Article 2*

All quantities of products listed in the Annex to this Regulation shipped to the Community from the Russian Federation on or after 1 January 1997 and until 31 March 1997 and released for free circulation into the Community shall be deducted from the respective limits laid down in that Annex.

*Article 3*

The provisions of this Regulation shall be subject to review in the event that, during the period of its validity, the Russian Federation introduces measures in respect of quantitative restrictions or increased tariffs or non-tariff barriers such as certification or other import requirements applicable to imports of textile and clothing products originating in the Community, other than those measures in force in the Russian Federation at the date of 1 January 1996.

*Article 4*

This Regulation shall enter into force on 1 January 1997.

It is applicable until 31 March 1997.

Textiles products listed in the Annex and shipped to a Community destination before the date of entry into force of this Regulation shall be governed by the provisions in force at the time of their shipment and shall not be deducted from the respective limits laid down in the Annex.

*For the Commission*

Leon BRITTAN

*Vice-President*

## ANNEX

## Community quantitative limits referred to in Article 1 (1), applicable from 1 January to 31 March 1997

Category (1)	Unit	Quantity
1	tonnes	1 307
2	tonnes	3 619
2a	tonnes	278
3	tonnes	508
4	1 000 pieces	720
5	1 000 pieces	457
6	1 000 pieces	802
7	1 000 pieces	226
8	1 000 pieces	688
9	tonnes	473
20	tonnes	686
22	tonnes	368
39	tonnes	225
12	1 000 pairs	1 128
13	1 000 pieces	1 485
15	1 000 pieces	286
16	1 000 pieces	208
21	1 000 pieces	340
24	1 000 pieces	350
29	1 000 pieces	159
83	tonnes	118
33	tonnes	133
37	tonnes	455
50	tonnes	141
74	1 000 pieces	153
90	tonnes	243
115	tonnes	122
117	tonnes	409
118	tonnes	241

(1) The full description of products falling within these categories is set out in Annex I of Regulation (EC) No 517/94.

## OUTWARD PROCESSING TRAFFIC

## Community quantitative limits referred to in Article 1 (2), applicable from 1 January to 31 March 1997

Category (1)	Unit	Quantity
4	1 000 pieces	244
5	1 000 pieces	559
6	1 000 pieces	1 547
7	1 000 pieces	988
8	1 000 pieces	895
12	1 000 pairs	1 193
13	1 000 pieces	357
15	1 000 pieces	949
16	1 000 pieces	347
21	1 000 pieces	1 357
24	1 000 pieces	690
29	1 000 pieces	1 090
83	tonnes	125
74	1 000 pieces	250

(1) The full description of products falling within these categories is set out in Annex I of Regulation (EC) No 517/94.

**COMMISSION REGULATION (EC) No 2447/96  
of 18 December 1996**

**adapting the Annexes to Council Regulation (EC) No 3281/94 applying a  
four-year scheme of generalized tariff preferences (1995 to 1998) in respect of  
certain industrial products originating in developing countries**

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

Having regard to Council Regulation (EC) No 3281/94 of  
19 December 1994 applying a four-year scheme of  
generalized tariff preferences (1995 to 1998) in respect of  
certain industrial products originating in developing  
countries <sup>(1)</sup> as amended by Commission Regulation (EC)  
No 2948/95 <sup>(2)</sup>, and in particular Articles 15 (3) and 19  
thereof,

Whereas Article 15 (3) of Regulation (EC) No 3281/94  
lays down the procedure for enacting changes to Annex I  
or Annex II thereof made necessary by amendments to  
the Combined Nomenclature, whereas the Combined  
Nomenclature for 1997 annexed to Commission Regula-  
tion (EC) No 1734/96 <sup>(3)</sup> embodies new elements which  
affect the lists appearing in Annex I of Regulation (EC)

No 3281/94, and it is therefore appropriate to adapt those  
Annexes accordingly;

Whereas the provisions of this Regulation are in ac-  
cordance with the opinion of the Committee for Gen-  
eralized Preferences,

HAS ADOPTED THIS REGULATION:

*Article 1*

Annex I of Council Regulation (EC) No 3281/94 shall be  
adapted as indicated in the Annex hereto.

*Article 2*

This Regulation shall enter into force on 1 January 1997.

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

Done at Brussels, 18 December 1996.

*For the Commission*

Manuel MARÍN

*Vice-President*

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<sup>(1)</sup> OJ No L 348, 31. 12. 1994, p. 1.

<sup>(2)</sup> OJ No L 308, 21. 12. 1995, p. 32.

<sup>(3)</sup> OJ No L 238, 19. 9. 1996, p. 1.

*ANNEX*

Regulation (EC) No 3281/94 is hereby amended as follows:

In Annex I, Part 2:

- *for*: '2818 10 00'
- *read*: '2818 10'
- *for*: '2907 15 00'
- *read*: '2907 15 90'
- *for*: '2935 00 00'
- *read*: '2935 00 90'
- *for*: '4602 90'
- *read*: '4602 90 00'.

In Annex I, Part 3:

- *for*: '2930 90 95'
- *read*: '2930 90 70'
- *for*: '8902 00 11, 8902 00 19'
- *read*: '8902 00 12, 8902 00 18'.

In Annex I, Part 4:

- *for*: 'and 8548 10 90'
  - *read*: ', 8548 10 91 and 8548 10 99'.
-

**COMMISSION REGULATION (EC) No 2448/96  
of 18 December 1996**

**adapting the Annexes to Council Regulation (EC) No 1256/96 applying a  
multiannual scheme of generalized tariff preferences from 1 July 1996 to 30 June  
1999 in respect of certain agricultural products originating in developing  
countries**

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

Having regard to Council Regulation (EC) No 1256/96 of  
20 June 1996 applying a multiannual scheme of general-  
ized tariff preferences from 1 July 1996 to 30 June 1999  
in respect of certain agricultural products originating in  
developing countries<sup>(1)</sup>, and in particular Articles 15 (3)  
and 18 thereof,

Whereas Article 15 (3) of Regulation (EC) No 1256/96  
lays down the procedure for enacting changes to Annexes  
I, II and VI thereof made necessary by amendments to  
the combined nomenclature, whereas the combined  
nomenclature for 1997 annexed to Commission Regula-  
tion (EC) No 1734/96<sup>(2)</sup> embodies new elements which  
affect the lists appearing in Annexes I and VI of Regula-

tion (EC) No 1256/96, and it is therefore appropriate to  
adapt those Annexes accordingly;

Whereas the provisions of this Regulation are in ac-  
cordance with the opinion of the Committee of Gen-  
eralized Preferences,

HAS ADOPTED THIS REGULATION:

*Article 1*

Annexes I and VI of Regulation (EC) No 1256/96 shall be  
adapted as indicated in the Annex hereto.

*Article 2*

This Regulation shall enter into force on 1 January 1997.

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

Done at Brussels, 18 December 1996.

*For the Commission*

Manuel MARÍN

*Vice-President*

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<sup>(1)</sup> OJ No L 160, 29. 6. 1996, p. 1.

<sup>(2)</sup> OJ No L 238, 19. 9. 1996, p. 1.

## ANNEX

Regulation (EC) No 1256/96 is hereby amended as follows:

In Annex I, Part 1, column 1:

— <i>for:</i>	'0304 20 57'
— <i>read:</i>	'0304 20 55 0304 20 56 0304 20 58'
— <i>for:</i>	'0810 50 00'
— <i>read:</i>	'0810 50'.

In Annex I, Part 2, column 1:

— <i>for:</i>	'0713 50'
— <i>read:</i>	'0713 50 00'.

In Annex I, Part 3, column 1:

— <i>for:</i>	'0303 80 00'
— <i>read:</i>	'0303 80 90'
— <i>for:</i>	'0306 13 90'
— <i>read:</i>	'0306 13 40 0306 13 50 0306 13 80'
— <i>for:</i>	'1605 30 00'
— <i>read:</i>	'1605 30 90'
— <i>for:</i>	'2309 90 98'
— <i>read:</i>	'2309 90 95 2309 90 97'.

In Annex I, Part 4, column 1:

— <i>for:</i>	'0713 20'
— <i>read:</i>	'0713 20 00'
— <i>for:</i>	'0713 31'
— <i>read:</i>	'0713 31 00'
— <i>for:</i>	'0713 32'
— <i>read:</i>	'0713 32 00'
— <i>for:</i>	'0713 39'
— <i>read:</i>	'0713 39 00'
— <i>for:</i>	'0713 40'
— <i>read:</i>	'0713 40 00'.

In Annex VI, column 1:

— <i>for:</i>	'0810 50 00'
— <i>read:</i>	'0810 50'
— <i>for:</i>	'2309 90 98'
— <i>read:</i>	'2309 90 95 2309 90 97'.

In Annex VI, footnote (\*):

— <i>for:</i>	'1604 14 14'
— <i>read:</i>	'1604 14 11'.

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**COMMISSION REGULATION (EC) No 2449/96  
of 18 December 1996**

**opening and providing for the administration of certain annual tariff quotas for  
products covered by CN codes 0714 10 91, 0714 10 99, 0714 90 11 and 0714 90 19  
originating in certain third countries other than Thailand**

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<sup>(1)</sup>, and in particular Article 1 (1) thereof,

Whereas the Community has undertaken, within the framework of the World Trade Organization (WTO), to open certain annual tariff quotas for products covered by CN codes 0714 10 91, 0714 10 99, 0714 90 11 and 0714 90 19 originating in Indonesia, in other contracting parties to the WTO other than Thailand, in the People's Republic of China and in certain other countries not members of the WTO other than China; whereas under those quotas the customs duty is limited to 6 % *ad valorem*; whereas those quotas are to be opened on a multiannual basis and administered by the Commission;

Whereas it is necessary to maintain a system of administration which ensures that only products originating in the Republic of Indonesia and the People's Republic of China can be imported under the quotas allocated to those countries; whereas, as a result, the issue of import licences should continue to be subject to the presentation of export licences issued by the authorities of those two countries, specimens of which have been sent to the Commission; whereas, as regards products originating in Vietnam, in accordance with the practice followed for several years, import licence applications are subject, in addition to other provisions, to presentation of a certificate issued on the initiative of the exporting country;

Whereas, since imports of the products concerned into the Community have traditionally been administered on a calendar-year basis, that system should be maintained;

Whereas imports of products covered by CN codes 0714 10 91, 0714 10 99, 0714 90 11 and 0714 90 19 are subject to presentation of an import licence for which common detailed rules of application are laid down in

Commission Regulation (EEC) No 3719/88<sup>(2)</sup>, as last amended by Regulation (EC) No 2350/96<sup>(3)</sup>; whereas Commission Regulation (EC) No 1162/95<sup>(4)</sup>, as last amended by Regulation (EC) No 1527/96<sup>(5)</sup>, lays down special detailed rules for the application of the system of licences for cereals and rice;

Whereas the usual additional rules for the management of such quotas, relating in particular to the submission of applications, issue of licences, and monitoring of imports should be applied;

Whereas, in particular, the origin of the products should be ascertained by providing that the issue of import licences be subject to the presentation of certificates of origin issued by the countries concerned; whereas, however, certificates of origin should not be required for products originating in the People's Republic of China;

Whereas, for the sake of sound management of the import arrangements in question, applications for licences may not cover a quantity in excess of that entered on the document certifying loading and shipment to the Community; whereas a maximum quantity per application should also be laid down in certain cases, and it should be stipulated that in no case may applications cover a quantity greater than that for which the aforementioned proof is provided;

Whereas, in cases where the quantities actually unloaded are slightly in excess of the quantities given in the import licences, measures to ensure the release for free circulation of the surplus quantities should be adopted if the country of origin of the products is able to guarantee that the formalities needed for this purpose can be executed; whereas Indonesia and China appear able to meet this condition;

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

<sup>(2)</sup> OJ No L 331, 2. 12. 1988, p. 1.

<sup>(3)</sup> OJ No L 320, 11. 12. 1996, p. 4.

<sup>(4)</sup> OJ No L 117, 24. 5. 1995, p. 2.

<sup>(5)</sup> OJ No L 190, 31. 7. 1996, p. 23.

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

HAS ADOPTED THIS REGULATION:

## TITLE I

### Quotas

#### Article 1

From 1 January 1997 the following annual tariff quotas are hereby opened for imports of products covered by CN codes 0714 10 91, 0714 10 99, 0714 90 11 and 0714 90 19 at a customs duty rate of 6 % *ad valorem*:

1. a quota of 825 000 tonnes for the products in question originating in the Republic of Indonesia;
2. a quota of 145 590 tonnes for the products in question originating in other member countries of the World Trade Organization (WTO) other than Thailand;
3. a quota of 350 000 tonnes for the products in question originating in the People's Republic of China;
4. a quota of 32 000 tonnes for the products in question originating in other countries not members of the WTO other than China, of which 2 000 tonnes shall be reserved for the importation of products of a kind used for human consumption, in immediate packings of a net content not exceeding 28 kilograms, either fresh and whole or without skin and frozen, whether or not sliced.

#### Article 2

With a view to the release for free circulation of the products referred to in Article 1, import licence applications shall be lodged in any Member State and licences issued shall be valid throughout the Community.

#### Article 3

1. Import licence applications shall be admissible if:
  - (a) they are accompanied by the original of a certificate drawn up by the competent authorities of the country concerned certifying the origin of the goods in accordance with the specimen in Annex I; however, such a certificate shall not be necessary for imports of products originating in the People's Republic of China and referred to in Article 1 (3);
  - (b) they are accompanied by proof, in the form of a copy of the bill of lading, that the goods have been loaded in the third country of origin and are transported to the Community by the vessel mentioned in the application, and, where the third country does not have direct access to the sea, an international transport document certifying transport of the goods from the country of origin to the port of shipment is also provided;

(c) in the case of products originating in Indonesia and China, they are accompanied by the relevant export licences as referred to in Title II issued by the authorities, duly completed in accordance with the specimen in Annexes II and III. The originals of such licences shall be kept by the authority issuing them. However, where the import licence applications cover only part of the quantity indicated on the export licence, the issuing authority shall indicate on the original the quantity in respect of which the original was used and, after stamping it, shall return the original to the party concerned. Only the quantity indicated in Section 7 of export licences in the case of Indonesian exports and in Section 9 of export licences in the case of Chinese exports shall be taken into consideration for the purposes of issuing the import licences;

(d) they relate to a quantity which does not exceed the quantity indicated in the documents referred to in points (a), (b) and (c).

2. Applications for import licences submitted for the purposes of the release for free circulation of products of a kind used for human consumption covered by CN codes 0714 10 91 and 0714 90 11 may not relate to a quantity in excess of 150 tonnes per interested party acting on his own account.

## TITLE II

### Export licences

#### Article 4

1. Export licences issued by the authorities of the Republic of Indonesia and the People's Republic of China shall be printed in English.
2. The original and copies thereof shall be completed in typescript or by hand. In the latter case, they must be completed using ink and block capitals.
3. Each export licence shall bear a preprinted serial number; in its uppermost section it shall also bear a licence number. The copies shall bear the same numbers as the original.

#### Article 5

1. Export licences shall be valid for 120 days from the date of issue. The day of issue of a licence shall count as part of its terms of validity.

Licences shall not be valid unless their sections are duly completed and they are authenticated as indicated on them. Quantities must be given in figures and in words.

2. Export licences shall be duly authenticated where they indicate the date of issue and bear the stamp of the issuing authority and the signature of the persons authorized to sign them.

## TITLE III

## Import licences

## Article 6

Licence applications and licences shall indicate:

- (a) in Section 8, the third country in which the product concerned originates.

Importation from that country shall be obligatory;

- (b) in Section 24, one of the following entries:

- Derechos de aduana limitados al 6 % ad valorem [Reglamento (CE) n° 2449/96]
- Toldsatsen begrænses til 6 % af værdien (Forordning (EF) nr. 2449/96)
- Beschränkung des Zolls auf 6 % des Zollwerts (Verordnung (EG) Nr. 2449/96)
- Τελωνειακός δασμός κατ' ανώτατο όριο 6 % κατ' αξία [Κανονισμός (ΕΚ) αριθ. 2449/96]
- Customs duties limited to 6 % ad valorem (Regulation (EC) No 2449/96)
- Droits de douane limités à 6 % ad valorem [Règlement (CE) n° 2449/96]
- Dazi doganali limitati al 6 % ad valorem [Regolamento (CE) n. 2449/96]
- Douanerechten beperkt tot 6 % ad valorem (Verordening (EG) nr. 2449/96)
- Direitos aduaneiros limitados a 6 % ad valorem [Regulamento (CE) n° 2449/96]
- Arvotulli rajoitettu 6 prosenttiin (asetus (EY) N:o 2449/96)
- Tullsatsen begränsad till 6 % av värdet (Förordning (EG) nr 2449/96).

- (c) in Section 20, the name of the vessel in which the goods are being or have been shipped to the Community, the number of the certificate of origin submitted and, in the case of products originating in Indonesia or China, the number and date of the Indonesian or Chinese export licence respectively.

## Article 7

1. Notwithstanding Article 10 of Regulation (EC) No 1162/95, the security against import licences shall be ECU 20 per tonne.

However, in the case of products originating in the People's Republic of China, the security shall be ECU 5 per tonne.

2. If, pursuant to Article 8 (4), the quantity in respect of which the licence is issued is less than the quantity in respect of which it was applied for, the security corresponding to the difference shall be released.

3. The fourth indent of Article 5 (1) of Regulation (EEC) No 3719/88 shall not apply.

## Article 8

1. Licence applications shall be lodged with the competent authorities of the Member States between Monday and Wednesday each week, up to 13.00.

However, the first day each year for lodging applications shall be the first working day in January.

2. For products originating in Indonesia or China, licence applications may relate to imports to be carried out the following year if they are submitted during December on the basis of an export licence issued by the Indonesian or Chinese authorities for the year in question.

3. Member States shall notify to the Commission by telex or fax on the day following the day on which applications are lodged, and not later than 13.00 on the Thursday following the deadline for lodging applications laid down in the first subparagraph of paragraph 1, the following particulars in respect of each application:

- the country of origin of the product,
- the quantity in respect of which the import licence is applied for,
- the name of the applicant,
- the number of the certificate of origin submitted and the total quantity entered in the original document or an extract thereof,
- the name of the vessel entered in Section 20,
- for products originating in Indonesia or China, the number of the Indonesian or Chinese export licence indicated in the uppermost section of the licence.

4. The Commission shall determine and notify to the Member States by telex or fax not later than the fourth working day following the day on which applications are lodged the extent to which licence applications are to be accepted.

5. Member States may issue the import licences as soon as they receive notification from the Commission.

However, import licences for products originating in Indonesia or China in respect of which applications are lodged in December for the following year shall not be issued before the first working day in January of the year in question.

### Article 9

Subject to Article 10 (2) and notwithstanding Article 8 (4) of Regulation (EEC) No 3719/88, the quantity released for free circulation may not exceed the quantity indicated in Sections 17 and 18 of import licences; to that end the figure 0 shall be entered in Section 19 of licences.

### Article 10

1. In the case of products originating in Indonesia, once it has been verified that the quantities actually unloaded for a given consignment are in excess of those covered by the import licence(s) issued for that consignment, the competent authorities which issued the licence(s) concerned shall, at the request of the importer, notify the Commission by telex or fax as quickly as possible, on a case-by-case basis, of the Indonesian export licence number(s), the import licence number(s), the excess quantity and the name of the vessel.

The Commission shall contact the Indonesian authorities with a view to the issue of new export licences. Pending their preparation, the surplus quantities may not be released for free circulation as long as the new import licences for the quantities in question cannot be presented. The new import licences shall be issued under the terms laid down in Article 8.

2. However, notwithstanding paragraph 1, where the quantities unloaded are not more than 2 % in excess of the quantities covered by the import licences issued corresponding to the export licences granted for the vessel concerned, the competent authorities in the Member State where release for free circulation is to take place shall, at the request of the importer, authorize the release for free circulation of the excess quantities provided that the importer pays a customs duty limited to 6 % *ad valorem* and lodges a security for an amount equal to the difference between the full duty and that paid.

The Commission, on receipt of the information referred to in the first subparagraph of paragraph 1, shall contact the Indonesian authorities with a view to the issue of new export licences.

Securities shall be released on presentation to the competent authorities of the Member State in which release for free circulation is to take place of a supplementary import licence for the excess quantity in question. Application for such licences shall not be subject to the lodging

of a security against the licence as provided for in Article 14 (2) of Regulation (EEC) No 3719/88 and Article 7 of this Regulation. Such licences shall be issued under the terms of Article 8 on presentation of one or more new export licences issued by the Indonesian authorities for the excess quantity in question. The additional import licence shall contain in box 20 one of the following entries:

- Certificado complementario, apartado 2 del artículo 10 del Reglamento (CE) nº 2449/96
- Supplerende licens, forordning (EF) nr. 2449/96, artikel 10, stk. 2
- Zusätzliche Lizenz — Artikel 10 Absatz 2 der Verordnung (EG) Nr. 2449/96
- Συμπληρωματικό πιστοποιητικό — Άρθρο 10 παράγραφος 2 του κανονισμού (ΕΚ) αριθ. 2449/96
- Licence for additional quantity, Article 10 (2) of Regulation (EC) No 2449/96
- Certificat complémentaire, règlement (CE) nº 2449/96, article 10 paragraphe 2
- Titolo complementare, regolamento (CE) n. 2449/96, articolo 10, paragrafo 2
- Aanvullend certificaat — artikel 10, lid 2, van Verordening (EG) nr. 2449/96
- Certificado complementar, nº 2 do artigo 10º do Regulamento (CE) nº 2449/96
- Lisätodistus, asetus (EY) N:o 2449/96, 10 artiklan 2 kohta
- Kompletterande licens, artikel 10.2 i förordning (EG) nr 2449/96.

The security shall be forfeit in respect of quantities for which a supplementary import licence is not presented within 4 months, except in cases of *force majeure*, from the date on which the declaration for release for free circulation referred to in the first subparagraph is accepted.

Once the supplementary import licence has been processed and stamped by the competent authority when the security is released, the licence shall be returned to the issuing authority as soon as possible.

3. Application of paragraphs 1 and 2 may not result in importation of quantities of goods exceeding the overall quota authorized for the year. If, when a supplementary import licence is issued, it is found that the overall quota has been exceeded, the quantity covered by the supplementary licence shall be deducted from the overall quota authorized for the following year.

*Article 11*

The quantities of products to which each import licence issued relates shall be deducted from the overall quota for the year of issue of those licences.

Licences issued pursuant to this Regulation shall be valid throughout the Community for 60 days from the date of actual issue.

However, licences issued for products originating in Indonesia or China shall be valid up to the last day of validity of the export licence plus 30 days.

*Article 12*

This Regulation shall enter into force on 1 January 1997.

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

Done at Brussels, 18 December 1996.

*For the Commission*

Franz FISCHLER

*Member of the Commission*

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*ANNEX I*

1. Consignor	<p align="center"><b>CERTIFICATE OF ORIGIN</b>  <b>for imports of agricultural products into the</b>  <b>European Community</b></p> <p>No <span style="float: right;">ORIGINAL</span></p>	
2. Consignee (optional)	3. ISSUING AUTHORITY	
	4. Country of origin	
<p>NOTES</p> <p>A. The certificate must be completed in typescript or by means of a mechanical data-processing system, or similar procedure.</p> <p>B. The original of the certificate must be lodged together with the declaration of release for free circulation with the relevant customs office in the Community.</p>	5. Remarks	
6. Item number — Markings and numbers — Number and kind of packages — Description of goods	7. Gross and net mass (kg)	
<p>8. THIS IS TO CERTIFY THAT THE ABOVE PRODUCTS ORIGINATE IN THE COUNTRY INDICATED IN BOX 4 AND THAT THE INDICATIONS IN BOX 5 ARE CORRECT.</p> <p>Place and date of issue <span style="margin-left: 150px;">Signature</span> <span style="float: right;">Issuing authority's stamp</span></p>		
9. RESERVED FOR THE CUSTOMS AUTHORITIES IN THE COMMUNITY		



ORIGINAL

SERIAL EC-A No

DEPARTMENT OF TRADE  
OF THE REPUBLIC OF INDONESIA

EXPORT CERTIFICATE

EXPORT CERTIFICATE No	
EXPORT PERMIT No	

1. EXPORTER (NAME, ADDRESS AND COUNTRY)		2. FIRST CONSIGNEE (NAME, ADDRESS AND COUNTRY)	
NAME		NAME	
ADDRESS		ADDRESS	
COUNTRY		COUNTRY	
3. SHIPPED PER		5. COUNTRY/COUNTRIES OF DESTINATION IN EC	
4. EXPECTED TIME OF ARRIVAL			
6. TYPE OF MANIOC PRODUCTS	7. WEIGHT (TONNES)		8. PACKING
CN-0714 10 91 <input type="checkbox"/> CN-0714 10 99 <input type="checkbox"/> CN-0714 90 11 <input type="checkbox"/> CN-0714 90 19 <input type="checkbox"/>	SHIPPED WEIGHT		<input type="checkbox"/> IN BULK <input type="checkbox"/> ..... BAGS <input type="checkbox"/> OTHERS

DEPARTMENT OF TRADE  
OF THE REPUBLIC OF INDONESIA

DATE

NAME AND SIGNATURE OF AUTHORIZED OFFICIAL AND STAMP

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

FOR USE OF EC AUTHORITIES:





This certificate is valid for 120 days from the date of issue



**COMMISSION REGULATION (EC) No 2450/96**  
**of 20 December 1996**  
**on the supply of white sugar as food aid**

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

Having regard to Council Regulation (EC) No 1292/96 of 27 June 1996 on food-aid policy and food-aid management and special operations in support of food security<sup>(1)</sup>, and in particular Article 24 (1) (b) thereof,

Whereas the abovementioned Regulation lays down the list of countries and organizations eligible for food-aid operations and specifies the general criteria on the transport of food aid beyond the fob stage;

Whereas, following the taking of a number of decisions on the allocation of food aid, the Commission has allocated sugar to certain beneficiaries;

Whereas it is necessary to make these supplies in accordance with the rules laid down by Commission Regulation (EEC) No 2200/87 of 8 July 1987 laying down general rules for the mobilization in the Community of products to be supplied as Community food aid<sup>(2)</sup>, as amended by Regulation (EEC) No 790/91<sup>(3)</sup>; whereas it is necessary to specify the time limits and conditions of

supply and the procedure to be followed to determine the resultant costs,

HAS ADOPTED THIS REGULATION:

*Article 1*

White sugar shall be mobilized in the Community, as Community food aid for supply to the recipient listed in the Annex, in accordance with Regulation (EEC) No 2200/87 and under the conditions set out in the Annex. Supplies shall be awarded by the tendering procedure.

The successful tenderer is deemed to have noted and accepted all the general and specific conditions applicable. Any other condition or reservation included in his tender is deemed unwritten.

*Article 2*

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

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

Done at Brussels, 20 December 1996.

*For the Commission*

Franz FISCHLER

*Member of the Commission*

<sup>(1)</sup> OJ No L 166, 5. 7. 1996, p. 1.

<sup>(2)</sup> OJ No L 204, 25. 7. 1987, p. 1.

<sup>(3)</sup> OJ No L 81, 28. 3. 1991, p. 108.

## ANNEX

## LOTS A, B, C, D, E

1. **Operation No** <sup>(1)</sup>: 61/96 (A); 62/96 (B); 63/96 (C); 64/96 (D); 65/96 (E)
2. **Programme**: 1996
3. **Recipient** <sup>(2)</sup>: UNRWA, Supply division, Amman Office, PO Box 140157, Amman — Jordan (telex: 21170 UNRWA JC; fax: (962-6) 86 41 27)
4. **Representative of the recipient**: UNRWA Field Supply and Transport Officer
  - A + E: Ashdod: Israel, PO Box 19149, Jerusalem [tel.: (972-2) 589 05 55; telex: 26194 UNRWA IL; fax: 581 65 64]
  - B: Beirut: Lebanon, PO Box 947, Beirut [tel.: (961-1) 212 478 4291; telex: 00581 150 2564 ULFO; telefax: 212 478 1055]
  - C: Lattakia: Syria, PO BOX 4313, Damascus, [tel.: (963-11) 613 30 35; telex: 412006 UNRWA SY; telefax: 613 30 47]
  - D: Amman: Jordan, PO Box 484, Amman [tel.: (962-6) 74 19 14/77 22 26; telex: 23402 UNRWAJFO JO; telefax: 74 63 61]
5. **Place or country of destination** <sup>(3)</sup>: A + E: Israel; B: Lebanon; C: Syria; D: Jordan
6. **Product to be mobilized**: white sugar
7. **Characteristics and quality of the goods** <sup>(3)</sup> <sup>(7)</sup> <sup>(8)</sup>: See OJ No C 114, 29. 4. 1991, p. 1 (V.A.(1))
8. **Total quantity (tonnes)**: 2916
9. **Number of lots**: 5 (lot A: 1080 tonnes; lot B: 440 tonnes; lot C: 310 tonnes; lot D: 570 tonnes; lot E: 516 tonnes)
10. **Packaging and marking** <sup>(5)</sup> <sup>(6)</sup> <sup>(9)</sup>:
  - see OJ No C 267, 13. 9. 1996, p. 1 (11. 2 A.1.b and B.4);
  - see OJ No C 114, 29. 4. 1991, p. 1 (V. A. (3))
  - Language to be used for the marking: English
  - Supplementary markings: 'NOT FOR SALE'
11. **Method of mobilization**: sugar produced in the Community in accordance with the sixth subparagraph of Article 24 (1a) of Council Regulation (EEC) No 1785/81 as follows:
  - A or B sugar (points (a) and (b))
12. **Stage of supply**: A, C, E: free at port of landing — landed  
B, D: free at destination
13. **Port of shipment**: —
14. **Port of landing specified by the recipient**: —
15. **Port of landing**: A, E: Ashdod; C: Lattakia
16. **Address of the warehouse and, if appropriate, port of landing**: B: UNRWA warehouse in Beirut, Lebanon; D: UNRWA warehouse in Amman, Jordan
17. **Period for making the goods available at the port of shipment where the supply is awarded at the port of shipment stage**: 3 to 16. 2. 1997
18. **Deadline for the supply**: A, C, E: 9. 3. 1997; B, D: 16. 3. 1997
19. **Procedure for determining the costs of supply**: invitation to tender
20. **Date of expiry of the period allowed for submission of tenders**: (12 noon (Brussels time)) on 6. 1. 1997
21. **In the case of a second invitation to tender**:
  - a) deadline for the submission of tenders: 20. 1. 1997 (12 noon (Brussels time))
  - b) period for making the goods available at the port of shipment where the supply is awarded at the port of shipment stage: 17. 2 to 2. 3. 1997
  - c) deadline for the supply: A, C, E: 23. 3. 1997; B, D: 30. 3. 1997

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22. **Amount of tendering security:** ECU 15 per tonne
  23. **Amount of delivery security:** 10 % of the amount of the tender in ecus
  24. **Address for submission of tenders and tendering securities** <sup>(1)</sup>: Bureau de l'aide alimentaire, Attn. Mr T. Vestergaard, Bâtiment Loi/Wetstraat 130, bureau 7/46, Rue de la Loi/Wetstraat 200, B-1049 Bruxelles/Brussel (tlx: 25670 AGREC B; fax: (32 2) 296 70 03 / 296 70 04)
  25. **Refund payable on application by the successful tenderer** <sup>(\*)</sup>: periodic refund applicable to white sugar on 9. 12. 1996, fixed by Commission Regulation (EC) No 2321/96 (OJ No L 316, 5. 12. 1996, p. 5)

## LOT F

1. **Operation No** (1): 1206/95
2. **Programme**: 1995
3. **Recipient** (2): WFP (World Food Programme), via Cristoforo Colombo 426, I-00145 Roma [tel.: (39-6) 57 971; telex: 626675 WFP I]
4. **Representative of the recipient**: to be designated by the recipient
5. **Place or country of destination**: Algeria
6. **Product to be mobilized**: white sugar
7. **Characteristics and quality of the goods** (3) (7) (8): see OJ No C 114, 29. 4. 1991, p. 1 (V. A. (1))
8. **Total quantity (tonnes)**: 285
9. **Number of lots**: 1
10. **Packaging and marking** (9) (6): see OJ No C 267, 13. 9. 1996, p. 1 (11. 2 A. 1. b and B.4) see OJ No C 114, 29. 4. 1991, p. 1 (V. A. (3))  
Language to be used for the marking: French
11. **Method of mobilization**: sugar produced in the Community in accordance with the sixth subparagraph of Article 24 (1a) of Council Regulation (EEC) No 1785/81 as follows:  
A or B sugar (points (a) and (b))
12. **Stage of supply**: free at port of shipment
13. **Port of shipment**: —
14. **Port of landing specified by the recipient**: —
15. **Port of landing**: —
16. **Address of the warehouse and, if appropriate, port of landing**: —
17. **Period for making the goods available at the port of shipment**: 27. 1 to 16. 2. 1997
18. **Deadline for the supply**: —
19. **Procedure for determining the costs of supply**: invitation to tender
20. **Date of expiry of the period allowed for submission of tenders**: 12 noon (Brussels time) on 6. 1. 1997
21. **In the case of a second invitation to tender**:
  - a) deadline for the submission of tenders: 20. 1. 1997 (12 noon (Brussels time))
  - b) period for making the goods available at the port of shipment: 10. 2. to 2. 3. 1997
  - c) deadline for the supply: —
22. **Amount of tendering security**: ECU 15 per tonne
23. **Amount of delivery security**: 10 % of the amount of the tender in ecus
24. **Address for submission of tenders and tendering securities** (1):  
Bureau de l'aide alimentaire, Attn. Mr T. Vestergaard, Bâtiment Loi 130, bureau 7/46, Rue de la Loi/Wetstraat 200, B-1049 Bruxelles/Brussel (tlx: 25670 AGREC B; fax: (32-2) 296 70 03 / 296 70 04)
25. **Refund payable on application by the successful tenderer** (4): periodic refund applicable to white sugar on 9. 12. 1996, fixed by Commission Regulation (EC) No 2321/96 (OJ No L 316, 5. 12. 1996, p. 5)

*Notes:*

- (1) The operation number should be mentioned in all correspondence.
- (2) The successful tenderer shall contact the recipient as soon as possible to establish which consignment documents are required.
- (3) The successful tenderer shall deliver to the beneficiary a certificate from an official entity certifying that for the product to be delivered the standards applicable, relative to nuclear radiation, in the Member State concerned, have not been exceeded. The radioactivity certificate must indicate the caesium-134 and -137 and iodine-131 levels.
- (4) Commission Regulation (EEC) No 2330/87 (OJ No L 210, 1. 8. 1987, p. 56), as last amended by Regulation (EEC) No 2226/89 (OJ No L 214, 25. 7. 1989, p. 10), is applicable as regards the export refund. The date referred to in Article 2 of the abovementioned Regulation is that referred to in point 25 of this Annex.

The amount of the refund shall be converted into national currency by applying the agricultural conversion rate applicable on the day of completion of the customs export formalities. The provisions of Articles 13 to 17 of Commission Regulation (EEC) No 1068/93 (OJ No L 108, 1. 5. 1993, p. 106), as last amended by Regulation (EC) No 1482/96 (OJ No L 188, 27. 7. 1996, p. 22), shall not apply to this amount.

- (5) Notwithstanding OJ No C 114, point V.A (3) (c) is replaced by the following: 'the words "European Community"'.
  - (6) Since the goods may be rebagged, the successful tenderer must provide 2 % of empty bags of the same quality as those containing the goods, with the marking followed by a capital 'R'.
  - (7) The rule provided at the second indent of Article 18 (2) (a) of Regulation (EEC) No 2103/77 (OJ No L 246, 27. 9. 1977, p. 12) is binding for determination of the sugar category.
  - (8) The successful tenderer shall supply to the beneficiary or its representative, on delivery, the following document:
    - health certificate.

- (9) Shipment to take place in 20-foot containers: Lots A, C and E: The contracted shipping terms shall be considered full liner terms (liner in/liner out) free port of landing container yard and is understood to cover 15 days — Saturdays, Sundays and official public and religious holidays excluded — free of container detention charges at the port of discharge taken from the day/time of the arrival of the vessel. The 15 day period should be clearly marked on the bill of lading. Bona fide detention charges levied in respect of container detention(s) excess of the said 15 days as detailed above will be born by UNRWA. UNRWA shall not pay/not be charged any container deposit fees.

After take-over of the goods at the delivery stage, the recipient will bear all costs of shifting the containers for destuffing outside the port area and of returning them to the container yard.

Ashdod: consignment to be stowed in 20-foot containers containing not more than 17 tonnes each, net.

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**COMMISSION REGULATION (EC) No 2451/96**  
**of 20 December 1996**  
**on the supply of milk products as food aid**

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

Having regard to Council Regulation (EC) No 1292/96 of 27 June 1996 on food-aid policy and food-aid management and special operations in support of food security<sup>(1)</sup>, and in particular Article 24 (1) (b) thereof,

Whereas the abovementioned Regulation lays down the list of countries and organizations eligible for food-aid operations and specifies the general criteria on the transport of food aid beyond the fob stage;

Whereas, following the taking of a number of decisions on the allocation of food aid, the Commission has allocated milk powder to certain beneficiaries;

Whereas it is necessary to make these supplies in accordance with the rules laid down by Commission Regulation (EEC) No 2200/87 of 8 July 1987 laying down general rules for the mobilization in the Community of products to be supplied as Community food aid<sup>(2)</sup>, as amended by Regulation (EEC) No 790/91<sup>(3)</sup>; whereas it is necessary to specify the time limits and conditions of

supply and the procedure to be followed to determine the resultant costs,

HAS ADOPTED THIS REGULATION:

*Article 1*

Milk products shall be mobilized in the Community, as Community food aid for supply to the recipient listed in the Annex, in accordance with Regulation (EEC) No 2200/87 and under the conditions set out in the Annex. Supplies shall be awarded by the tendering procedure.

The successful tenderer is deemed to have noted and accepted all the general and specific conditions applicable. Any other condition or reservation included in his tender is deemed unwritten.

*Article 2*

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

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

Done at Brussels, 20 December 1996.

*For the Commission*

Franz FISCHLER

*Member of the Commission*

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<sup>(1)</sup> OJ No L 166, 5. 7. 1996, p. 1.

<sup>(2)</sup> OJ No L 204, 25. 7. 1987, p. 1.

<sup>(3)</sup> OJ No L 81, 28. 3. 1991, p. 108.

## ANNEX

## LOTS A, B, C, D, E

1. **Operation No** <sup>(1)</sup>: 48/96 (A); 49/96 (B); 50/96 (C); 51/96 (D); 52/96 (E)
2. **Programme**: 1996
3. **Recipient** <sup>(2)</sup>: UNRWA, Supply division, Amman Office, PO Box 140157, Amman — Jordan [telex: - 21170 UNRWA JC; fax: (962-6) 86 41 27]
4. **Representative of the recipient**: UNRWA Field Supply and Transport Officer
  - A + E: Ashdod: Israel, PO Box 19149, Jerusalem [tel.: (972-2) — 589 05 55; telex: 26194 UNRWA IL; telefax: 581 65 64]
  - B: Beirut: Lebanon, PO Box 947, Beirut [tel.: (961-1) 212 478 4291; telex: 00581 150 2564 ULFO; telefax: 212 478 1055]
  - C: Lattakia: Syria, PO BOX 4313, Damascus, [tel.: (963-11) 613 30 35; telex: 412006 UNRWA SY; telefax: 613 30 47]
  - D: Amman: Jordan, PO Box 484, Amman [tel.: (962-6) 74 19 14/77 22 26; telex: 23402 UNRWAJFO JO; telefax: 74 63 61]
5. **Place or country of destination** <sup>(3)</sup>: A + E: Israel; B: Lebanon; C: Syria; D: Jordan
6. **Product to be mobilized**: whole milk powder
7. **Characteristics and quality of the goods** <sup>(3)</sup> <sup>(6)</sup> <sup>(9)</sup>: see OJ No C 114, 29. 4. 1991, p. 1, (I.C.(1))
8. **Total quantity (tonnes)**: 508
9. **Number of lots**: 5 (lot A: 170 tonnes; lot B: 130 tonnes; lot C: 52 tonnes; lot D: 78 tonnes; lot E: 78 tonnes)
10. **Packaging and marking** <sup>(7)</sup> <sup>(8)</sup>: see OJ No C 267, 13. 9. 1996, p. 1, (6.1 A, B and C.2)  
 see OJ No C 114, 29. 4. 1991, p. 1, (I.C. (3))  
 Language to be used for the marking: English  
 Supplementary markings: 'NOT FOR SALE' + D; 'Expiry date ...' (date of manufacture plus 9 months)
11. **Method of mobilization**: the Community market  
 The whole milk powder must be manufactured after the award of the tender
12. **Stage of supply**: A, C, E: free at port of landing — landed  
 B, D: free at destination
13. **Port of shipment**: —
14. **Port of landing specified by the recipient**: —
15. **Port of landing**: A, E: Ashdod; C: Lattakia
16. **Address of the warehouse and, if appropriate, port of landing**:  
 B: UNRWA warehouse in Beirut, Lebanon;  
 D: UNRWA warehouse in Amman, Jordan
17. **Period for making the goods available at the port of shipment where the supply is awarded at the port of shipment stage**: 17. 2 to 2. 3. 1997
18. **Deadline for the supply**: A, C, E: 16. 3. 1997; B, D: 23. 3. 1997
19. **Procedure for determining the costs of supply**: invitation to tender
20. **Date of expiry of the period allowed for submission of tenders**: 6. 1. 1997 [12 noon (Brussels time)]

**21. In the case of a second invitation to tender:**

- (a) deadline for the submission of tenders: 20. 1. 1997 [12 noon (Brussels time)]
- (b) period for making the goods available at the port of shipment where the supply is awarded at the port of shipment stage: 3 to 16. 3. 1997
- (c) deadline for the supply: A, C, E: 30. 3. 1997; B, D: 6. 4. 1997

**22. Amount of tendering security:** ECU 20 per tonne**23. Amount of delivery security:** 10 % of the amount of the tender in ecus**24. Address for submission of tenders and tendering securities (1):** Bureau de l'aide alimentaire, Attn. Mr T. Vestergaard, Bâtiment Loi 130, bureau 7/46, Rue de la Loi/Wetstraat 200, B-1049 Bruxelles/Brussel (telex: 25670 AGREC B; fax: (32-2) 296 70 03 / 296 70 04)**25. Refund payable on application by the successful tenderer (\*):** refund applicable on 16. 12. 1996, fixed by Commission Regulation (EC) No 2371/96 (OJ No L 323, 13. 12. 1996, p. 14)

*Notes:*

- (<sup>1</sup>) The operation number should be mentioned in all correspondence.
  - (<sup>2</sup>) The successful tenderer shall contact the recipient as soon as possible to establish which consignment documents are required.
  - (<sup>3</sup>) The successful tenderer shall deliver to the beneficiary a certificate from an official entity certifying that for the product to be delivered the standards applicable, relative to nuclear radiation, in the Member State concerned, have not been exceeded. The radioactivity certificate must indicate the caesium-134 and -137 and iodine-131 levels.
  - (<sup>4</sup>) Commission Regulation (EEC) No 2330/87 (OJ No L 210, 1. 8. 1987, p. 56), as last amended by Regulation (EEC) No 2226/89 (OJ No L 214, 25. 7. 1989, p. 10), is applicable as regards the export refund. The date referred to in Article 2 of the said Regulation is that referred to in point 25 of this Annex.

The amount of the refund shall be converted into national currency by applying the agricultural conversion rate applicable on the day of completion of the customs export formalities. The provisions of Articles 13 to 17 of Commission Regulation (EEC) No 1068/93 (OJ No L 108, 1. 5. 1993, p. 106), as last amended by Regulation (EC) No 1482/96 (OJ No L 188, 27. 7. 1996, p. 22), shall not apply to this amount.
  - (<sup>5</sup>) Commission delegation to be contacted by the successful tenderer: OJ No C 114, 29. 4. 1991, p. 33.
  - (<sup>6</sup>) The successful tenderer shall supply to the beneficiary or its representative, on delivery, the following documents:
    - health certificate.
  - (<sup>7</sup>) Notwithstanding OJ No C 114, point I.C.3 c) is replaced by the following: 'the words "European Community".'
  - (<sup>8</sup>) Shipment to take place in 20-foot containers: Lots A, C and E: The contracted shipping terms shall be considered full liner terms (liner in/liner out) free port of landing container yard and is understood to cover 15 days — Saturdays, Sundays and official public and religious holidays excluded — free of container detention charges at the port of discharge taken from the day/time of the arrival of the vessel. The 15 day period should be clearly marked on the bill of lading. Bona fide detention charges levied in respect of container detention(s) in excess of the said 15 days as detailed above will be born by UNRWA. UNRWA shall not pay/not be charged any container deposit fees.

After take-over of the goods at the delivery stage, the recipient will bear all costs of shifting the containers for destuffing outside the port area and of returning them to the container yard.

Ashdod: consignment to be stowed in 20-foot containers containing not more than 17 tonnes each, net.
  - (<sup>9</sup>) Lot C: The health certificate and the certificate of origin must be signed and stamped by a Syrian Consulate, including the statement that consular fees and charges have been paid.
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**COMMISSION REGULATION (EC) No 2452/96  
of 18 December 1996**

**on the opening of a tariff quota for the importation of certain goods originating  
in Norway resulting from the processing of agricultural products as referred to  
in the Annex to Council Regulation (EC) No 3448/93**

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

Having regard to Council Regulation (EC) No 3448/93 of  
6 December 1993 laying down the trade arrangements  
applicable to certain goods resulting from the processing  
of agricultural products<sup>(1)</sup>, and in particular Article 7 (2)  
thereof,

Having regard to the Council Decision of 6 December  
1996, concerning Protocol 2 of the Agreement between  
the European Economic Community and the Kingdom of  
Norway<sup>(2)</sup>,

Whereas Commission Regulation (EC) No 1460/96 of 25  
July 1996 establishing the detailed rules for imple-  
menting the trade arrangements applicable to certain  
goods resulting from the processing of agricultural  
products, as provided for in Article 7 of Regulation (EC)  
No 3448/93<sup>(3)</sup>, provides in Article 10 for the manage-  
ment of quotas;

Whereas it is appropriate to open, for 1997, the quota  
referred to in Part IV (2) of the Agreement in the form of  
an Exchange of Letters concerning the amendment of

Protocol 2 of the Agreement between the European  
Economic Community and the Kingdom of Norway;

Whereas the measures provided for in this Regulation are  
in accordance with the opinion of the Management  
Committee for horizontal questions concerning trade in  
processed agricultural products not listed in Annex II,

HAS ADOPTED THIS REGULATION:

*Article 1*

From 1 January to 31 December 1997, the goods origin-  
ating in Norway listed in the Annex to this Regulation  
shall, within the limits of the quota, be subject to the duty  
shown therein.

*Article 2*

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

It shall be applicable from 1 January 1997.

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

Done at Brussels, 18 December 1996.

*For the Commission*

Martin BANGEMANN

*Member of the Commission*

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<sup>(1)</sup> OJ No L 318, 20. 12. 1993, p. 18.

<sup>(2)</sup> Not yet published in the Official Journal.

<sup>(3)</sup> OJ No L 187, 26. 7. 1996, p. 18.

## ANNEX

Order No	CN code	Description of goods	Quotas (t)	Rate of duty applicable
09.0764	ex 1806 1806 20 1806 31 1806 32 1806 90	Chocolate and other food preparations containing cocoa except for cocoa powder containing added sugar or other sweetening matter covered by CN code 1806 10	5 500	35,15 ecu/100 kg

## COMMISSION REGULATION (EC) No 2453/96

of 18 December 1996

on the opening of tariff quotas for the importation of certain goods from Norway resulting from the processing of agricultural products as referred to in the Annex to Council Regulation (EC) No 3448/93

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

Having regard to Council Regulation (EC) No 3448/93 of 6 December 1993 laying down the trade arrangements applicable to certain goods resulting from the processing of agricultural products<sup>(1)</sup>, and in particular Article 7 (2) thereof,

Having regard to the Council Decision of 6 December 1996<sup>(2)</sup>, concerning Protocol 2 of the Agreement between the European Community and the Kingdom of Norway,

Whereas Commission Regulation (EC) No 1460/96 of 25 July 1996 establishing the detailed rules for implementing the trade arrangements applicable to certain goods resulting from the processing of agricultural products, as provided for in Article 7 of Council Regulation (EC) No 3448/93<sup>(3)</sup>, provides in Article 10 for the management of quotas;

Whereas it is appropriate to open, for 1996, the quota referred to in Part IV of the Agreement in the form of an Exchange of Letters concerning the amendment of Protocol 2 of the Agreement between the European Economic Community and the Kingdom of Norway;

Whereas the measures provided for in this Regulation comply with the opinion of the Management Committee

for horizontal questions relating to the trading of processed agricultural products outside Annex II,

HAS ADOPTED THIS REGULATION:

*Article 1*

1. From 1 January to 31 December 1996, the goods from Norway which are listed in the Annex to this Regulation shall be subject to the duties recorded in this Annex within the limits of the annual quotas mentioned therein.

2. Quota No 09.0764, however, is opened from 1 September to 31 December 1996.

*Article 2*

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

It shall be applicable from 1 January 1996, with the exception of Article 1 (2) which shall be applicable from 1 September 1996.

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

Done at Brussels, 18 December 1996.

*For the Commission*

Martin BANGEMANN

*Member of the Commission*

<sup>(1)</sup> OJ No L 318, 20. 12. 1993, p. 18.

<sup>(2)</sup> Not yet published in the Official Journal.

<sup>(3)</sup> OJ No L 187, 26. 7. 1996, p. 18.

## ANNEX

## NORWAY

Order No	CN code	Description of goods	Quotas (t)	Rate of duty applicable
09.0765	1517 10 90	Margarine, excluding liquid/other margarine	2 470	exemption
09.0764	ex 1806 1806 31 1806 32 1806 90	Chocolate and other food preparations containing cocoa except for cocoa powder containing added sugar or other sweetening matter covered by CN code 1806 10	5 500	35,15 ecu/ 100 kg
09.0766	2102 30 00	Prepared baking powders	150	exemption
09.0767	ex 2103 90 90	Sauces and preparations therefor; mixed condiments and mixed seasonings covered by CN code 2103 90 90, with the exception of mayonnaise and preparations for the manufacture of sauces and mixtures for seasoning	130	exemption
09.0768	2104 10 00	Preparations for soups and broths	390	exemption
09.0769	2106 90 92	Food or other preparations containing no milk fats, sucrose, isoglucose, glucose, starch or non-cereal starch or containing less than 1,5 % milk fat, 2,5% milk proteins, 5 % sucrose or isoglucose, 5 % glucose, starch or non-cereal starch	510	exemption
09.0770	2203 00	Beers made from malt	4 800 hl	exemption
* 09.0771	2207 10 00-90/80	Undenatured ethyl alcohol of an alcoholic strength by volume of 80 % vol or higher	134 000 hl	exemption
* 09.0772	2207 20 00-90/80	Ethyl alcohol and other spirits, denatured, of any strength	3 340 hl	exemption
* 09.0773	2208 90 57-20/80	Aquavit	300 hl	exemption
09.0774	2403 10 10 2403 10 90	Smoking tobacco	370	exemption

\*: Taric codes.



## COMMISSION REGULATION (EC) No 2454/96

of 20 December 1996

fixing the refunds applicable to cereal and rice sector products supplied as  
Community and national food aid

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

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

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

Whereas Article 2 of Council Regulation (EEC) No 2681/74 of 21 October 1974 on Community financing of expenditure incurred in respect of the supply of agricultural products as food aid<sup>(4)</sup> lays down that the portion of the expenditure corresponding to the export refunds on the products in question fixed under Community rules is to be charged to the European Agricultural Guidance and Guarantee Fund, Guarantee Section;

Whereas, in order to make it easier to draw up and manage the budget for Community food aid actions and to enable the Member States to know the extent of Community participation in the financing of national food aid actions, the level of the refunds granted for these actions should be determined;

Whereas the general and implementing rules provided for in Article 13 of Regulation (EEC) No 1766/92 and in

Article 13 of Regulation (EC) No 3072/95 on export refunds are applicable *mutatis mutandis* to the above-mentioned operations;

Whereas the specific criteria to be used for calculating the export refund on rice are set out in Article 13 of Regulation (EC) No 3072/95;

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

HAS ADOPTED THIS REGULATION:

*Article 1*

For Community and national food aid operations under international agreements or other supplementary programmes, and other Community free supply measures, the refunds applicable to cereals and rice sector products shall be as set out in the Annex.

*Article 2*

The refunds fixed in this Regulation shall not be regarded as refunds varying according to destination.

*Article 3*

This Regulation shall enter into force on 21 December 1996.

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

Done at Brussels, 20 December 1996.

*For the Commission*

Franz FISCHLER

*Member of the Commission*

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

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

<sup>(3)</sup> OJ No L 329, 30. 12. 1995, p. 18.

<sup>(4)</sup> OJ No L 288, 25. 10. 1974, p. 1.

## ANNEX

to the Commission Regulation of 20 December 1996 fixing the refunds applicable to cereal and rice sector products supplied as Community and national food aid

<i>(ECU/tonne)</i>	
Product code	Refund
1001 10 00 9400	6,00
1001 90 99 9000	12,00
1002 00 00 9000	32,00
1003 00 90 9000	29,00
1004 00 00 9400	33,00
1005 90 00 9000	43,00
1006 30 92 9100	262,00
1006 30 92 9900	262,00
1006 30 94 9100	262,00
1006 30 94 9900	262,00
1006 30 96 9100	262,00
1006 30 96 9900	262,00
1006 30 98 9100	262,00
1006 30 98 9900	262,00
1006 40 00 9000	—
1007 00 90 9000	43,00
1101 00 15 9100	16,00
1101 00 15 9130	16,00
1102 20 10 9200	63,13
1102 20 10 9400	54,11
1102 30 00 9000	—
1102 90 10 9100	47,64
1103 11 10 9200	16,00
1103 11 90 9200	16,00
1103 13 10 9100	81,16
1103 14 00 9000	—
1104 12 90 9100	58,44
1104 21 50 9100	63,52

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

**COMMISSION REGULATION (EC) No 2455/96**  
**of 20 December 1996**  
**fixing the export refunds on rice and broken rice**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

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

Whereas Article 13 of Regulation (EC) No 3072/95 provides that the difference between quotations or prices on the world market for the products listed in Article 1 of that Regulation and prices for those products within the Community may be covered by an export refund;

Whereas Article 13 (4) of Regulation (EC) No 3072/95, provides that when refunds are being fixed account must be taken of the existing situation and the future trend with regard to prices and availabilities of rice and broken rice on the Community market on the one hand and prices for rice and broken rice on the world market on the other; whereas the same Article provides that it is also important to ensure equilibrium and the natural development of prices and trade on the rice market and, furthermore, to take into account the economic aspect of the proposed exports and the need to avoid disturbances of the Community market with limits resulting from agreements concluded in accordance with Article 228 of the Treaty;

Whereas Commission Regulation (EEC) No 1361/76<sup>(2)</sup> lays down the maximum percentage of broken rice allowed in rice for which an export refund is fixed and specifies the percentage by which that refund is to be reduced where the proportion of broken rice in the rice exported exceeds that maximum;

Whereas Article 13 (5) of Regulation (EC) No 3072/95 defines the specific criteria to be taken into account when

the export refund on rice and broken rice is being calculated;

Whereas the world market situation or the specific requirements of certain markets may make it necessary to vary the refund for certain products according to destination;

Whereas a separate refund should be fixed for packaged long grain rice to accommodate current demand for the product on certain markets;

Whereas the refund must be fixed at least once a month; whereas it may be altered in the intervening period;

Whereas it follows from applying these rules and criteria to the present situation on the market in rice and in particular to quotations or prices for rice and broken rice within the Community and on the world market, that the refund should be fixed as set out in the Annex hereto;

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

HAS ADOPTED THIS REGULATION:

*Article 1*

The export refunds on the products listed in Article 1 of Regulation (EC) No 3072/95 with the exception of those listed in paragraph 1 (c) of that Article, exported in the natural state, shall be as set out in the Annex hereto.

*Article 2*

This Regulation shall enter into force on 1 January 1997.

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

Done at Brussels, 20 December 1996.

*For the Commission*

Franz FISCHLER

*Member of the Commission*

<sup>(1)</sup> OJ No L 329, 30. 12. 1995, p. 18.

<sup>(2)</sup> OJ No L 154, 15. 6. 1976, p. 11.

## ANNEX

## to the Commission Regulation of 20 December 1996 fixing the export refunds on rice and broken rice

(ECU / tonne)			(ECU / tonne)		
Product code	Destination (1)	Amount of refunds	Product code	Destination (1)	Amount of refunds
1006 20 11 9000	01	197,00	1006 30 65 9900	01	246,00
1006 20 13 9000	01	197,00		04	246,00
1006 20 15 9000	01	197,00	1006 30 67 9100	—	—
1006 20 17 9000	—	—	1006 30 67 0900	—	—
1006 20 92 9000	01	197,00	1006 30 92 9100	01	246,00
1006 20 94 9000	01	197,00		02	252,00
1006 20 96 9000	01	197,00		03	257,00
1006 20 98 9000	—	—		04	246,00
1006 30 21 9000	01	197,00	1006 30 92 9900	01	246,00
1006 30 23 9000	01	197,00		04	246,00
1006 30 25 9000	01	197,00		—	—
1006 30 27 9000	—	—	1006 30 94 9100	01	246,00
1006 30 42 9000	01	197,00		02	252,00
1006 30 44 9000	01	197,00		03	257,00
1006 30 46 9000	01	197,00		04	246,00
1006 30 48 9000	—	—	1006 30 94 9900	01	246,00
1006 30 61 9100	01	246,00		04	246,00
	02	252,00		—	—
	03	257,00	1006 30 96 9100	01	246,00
	04	246,00		02	252,00
1006 30 61 9900	01	246,00		03	257,00
	04	246,00		04	246,00
1006 30 63 9100	01	246,00	1006 30 96 9900	01	246,00
	02	252,00		04	246,00
	03	257,00		—	—
	04	246,00	1006 30 98 9100	—	—
1006 30 63 9900	01	246,00	1006 30 98 9900	—	—
	04	246,00	1006 40 00 9000	—	—
1006 30 65 9100	01	246,00			
	02	252,00			
	03	257,00			
	04	246,00			

(1) The destinations are identified as follows:

01 Liechtenstein, Switzerland, the communes of Livigno and Campione d'Italia,

02 Zones I, II, III, VI, Ceuta and Melilla,

03 Zones IV, V, VII (c), Canada and Zone VIII excluding Surinam, Guyana and Madagascar,

04 Destinations mentioned in Article 34 of amended Commission Regulation (EEC) No 3665/87.

NB: The zones are those defined in the Annex to amended Commission Regulation (EEC) No 2145/92.

## COMMISSION REGULATION (EC) No 2456/96

of 20 December 1996

setting the amounts of aid for the supply of rice products from the Community  
to the Canary Islands

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

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

Whereas, pursuant to Article 3 of Regulation (EEC) No 1601/92, the requirements of the Canary Islands for rice are to be covered in terms of quantity, price and quality by the mobilization, on disposal terms equivalent to exemption from the levy, of Community rice, which involves the grant of an aid for supplies of Community origin; whereas this aid is to be fixed with particular reference to the costs of the various sources of supply and in particular is to be based on the prices applied to exports to third countries;

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

Whereas the representative market rates defined in Article 1 of Council Regulation (EEC) No 3813/92<sup>(5)</sup>, as last amended by Regulation (EC) No 150/95<sup>(6)</sup>, are used to convert amounts expressed in third country currencies and are used as the basis for determining the agricultural

conversion rates of the Member States' currencies; whereas detailed rules on the application and determination of these conversions were set by Commission Regulation (EEC) No 1068/93<sup>(7)</sup>, as last amended by Regulation (EC) No 1482/96<sup>(8)</sup>;

Whereas, as a result of the application of these detailed rules to the current market situation in the rice sector, and in particular to the rates of prices for these products in the European part of the Community and on the world market, the aid for supply to the Canary Islands should be set at the amounts given in the Annex;

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

HAS ADOPTED THIS REGULATION:

*Article 1*

Pursuant to Article 3 of Regulation (EEC) No 1601/92, the amount of aid for the supply of rice of Community origin under the specific arrangements for the supply of the Canary Islands shall be as set out in the Annex hereto.

*Article 2*

This Regulation shall enter into force on 1 January 1997.

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

Done at Brussels, 20 December 1996.

*For the Commission*

Franz FISCHLER

*Member of the Commission*

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

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

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

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

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

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

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

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

## ANNEX

to the Commission Regulation of 20 December 1996 setting the amounts of aid for the supply of rice products from the Community to the Canary Islands

Product (CN code)	<i>(ECU/tonne)</i>	
	Amount of aid	
	Canary Islands	
Milled rice (1006 30)	260,00	
Broken rice (1006 40)	57,00	

## COMMISSION REGULATION (EC) No 2457/96

of 20 December 1996

setting the amounts of aid for the supply of rice products from the Community  
to the Azores and Madeira

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

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

Whereas, pursuant to Article 10 of Regulation (EEC) No 1600/92, the requirements of the Azores and Madeira for rice are to be covered in terms of quantity, price and quality by the mobilization, on disposal terms equivalent to exemption from the levy, of Community rice, which involves the grant of an aid for supplies of Community origin; whereas this aid is to be fixed with particular reference to the costs of the various sources of supply and in particular is to be based on the prices applied to exports to third countries;

Whereas Commission Regulation (EEC) No 1696/92<sup>(3)</sup>, as last amended by Regulation (EEC) No 2596/93<sup>(4)</sup>, lays down common detailed rules for implementation of the specific arrangements for the supply of certain agricultural products, including rice, to the Azores and Madeira; whereas Commission Regulation (EEC) No 1983/92 of 16 July 1992 laying down detailed rules for implementation of the specific arrangements for the supply of rice products to the Azores and Madeira and establishing the forecast supply balance for these products<sup>(5)</sup>, as last amended by Regulation (EC) No 1683/94<sup>(6)</sup>, lays down detailed rules which complement or derogate from the provisions of the aforementioned Regulation;Whereas the representative market rates defined in Article 1 of Council Regulation (EEC) No 3813/92<sup>(7)</sup>, as last amended by Regulation (EC) No 150/95<sup>(8)</sup>, are used to convert amounts expressed in third country currencies and are used as the basis for determining the agricultural conversion rates of the Member States' currencies; whereas detailed rules on the application and determination of these conversions were set by Commission Regulation (EEC) No 1068/93<sup>(9)</sup>, as last amended by Regulation (EC) No 1482/96<sup>(10)</sup>;

Whereas, as a result of the application of these detailed rules to the current market situation in the rice sector, and in particular to the rates of prices for these products in the European part of the Community and on the world market the aid for supply to the Azores and Madeira should be set at the amounts given in the Annex;

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

HAS ADOPTED THIS REGULATION:

*Article 1*

Pursuant to Article 10 of Regulation (EEC) No 1600/92, the amount of aid for the supply of rice of Community origin under the specific arrangements for the supply of the Azores and Madeira shall be as set out in the Annex hereto.

*Article 2*

This Regulation shall enter into force on 1 January 1997.

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

Done at Brussels, 20 December 1996.

*For the Commission*

Franz FISCHLER

*Member of the Commission*<sup>(1)</sup> OJ No L 173, 27. 6. 1992, p. 1.<sup>(2)</sup> OJ No L 320, 11. 12. 1996, p. 1.<sup>(3)</sup> OJ No L 179, 1. 7. 1992, p. 6.<sup>(4)</sup> OJ No L 238, 23. 9. 1993, p. 24.<sup>(5)</sup> OJ No L 198, 17. 7. 1992, p. 37.<sup>(6)</sup> OJ No L 178, 12. 7. 1994, p. 53.<sup>(7)</sup> OJ No L 387, 31. 12. 1992, p. 1.<sup>(8)</sup> OJ No L 22, 31. 1. 1995, p. 1.<sup>(9)</sup> OJ No L 108, 1. 5. 1993, p. 106.<sup>(10)</sup> OJ No L 188, 27. 7. 1996, p. 22.

## ANNEX

to the Commission Regulation of 20 December 1996 setting the amounts of aid for the supply of rice products from the Community to the Azores and Madeira

(ECU/tonne)

Product (CN code)	Amount of aid	
	Destination	
	Azores	Madeira
Milled rice (1006 30)	260,00	260,00



**COMMISSION REGULATION (EC) No 2458/96**  
**of 20 December 1996**  
**amending Regulation (EEC) No 1832/92 setting the amounts of aid for the supply**  
**of cereals products from the Community to the Canary Islands**

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

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

Whereas the amounts of aid for the supply of cereals products to the Canary Islands has been settled by Commission Regulation (EEC) No 1832/92 <sup>(3)</sup>, as last amended by Regulation (EC) No 2289/96 <sup>(4)</sup>; whereas, as a consequence of the changes of the rates and prices for cereals products in the European part of the Community and on the world market, the aid for supply to the Canary Islands should be set at the amounts given in the Annex;

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

HAS ADOPTED THIS REGULATION:

*Article 1*

The Annex of amended Regulation (EEC) No 1832/92 is replaced by the Annex to the present Regulation.

*Article 2*

This Regulation shall enter into force on 1 January 1997.

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

Done at Brussels, 20 December 1996.

*For the Commission*

Franz FISCHLER

*Member of the Commission*

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

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

<sup>(3)</sup> OJ No L 185, 4. 7. 1992, p. 26.

<sup>(4)</sup> OJ No L 311, 30. 11. 1996, p. 18.

## ANNEX

to the Commission Regulation of 20 December 1996 amending Regulation (EEC)  
No 1832/92 setting the amounts of aid for the supply of cereals products from the  
Community to the Canary Islands

*(Ecu/tonne)*

Product (CN code)		Amount of aid
Common wheat	(1001 90 99)	15,00
Barley	(1003 00 90)	32,00
Maize	(1005 90 00)	46,00
Durum wheat	(1001 10 00)	9,00
Oats	(1004 00 00)	35,00

**COMMISSION REGULATION (EC) No 2459/96  
of 20 December 1996**

**amending Regulation (EEC) No 1833/92 setting the amounts of aid for the supply  
of cereals products from the Community to the Azores and Madeira**

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

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

Whereas the amounts of aid for the supply of cereals products to the Azores and Madeira has been settled by Commission Regulation (EEC) No 1833/92 <sup>(3)</sup>, as last amended by Regulation (EC) No 2290/96 <sup>(4)</sup>, whereas, as a consequence of the changes of the rates and prices for cereals products in the European part of the Community and on the world market, the aid for supply to the Azores and Madeira should be set at the amounts given in the Annex;

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

HAS ADOPTED THIS REGULATION:

*Article 1*

The Annex of amended Regulation (EEC) No 1833/92 is replaced by the Annex to the present Regulation.

*Article 2*

This Regulation shall enter into force on 1 January 1997.

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

Done at Brussels, 20 December 1996.

*For the Commission*

Franz FISCHLER

*Member of the Commission*

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

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

<sup>(3)</sup> OJ No L 185, 4. 7. 1992, p. 28.

<sup>(4)</sup> OJ No L 311, 30. 11. 1996, p. 20.

## ANNEX

to the Commission Regulation of 20 December 1996 amending Regulation (EEC) No 1833/92 setting the amounts of aid for the supply of cereals products from the Community to the Azores and Madeira

<i>(Ecu/tonne)</i>			
Product (CN code)		Amount of aid	
		Destination	
		Azores	Madeira
Common wheat	(1001 90 99)	15	15
Barley	(1003 00 90)	32	32
Maize	(1005 90 00)	46	46
Durum wheat	(1001 10 00)	9	9

**COMMISSION REGULATION (EC) No 2460/96**  
**of 20 December 1996**  
**amending Regulation (EEC) No 391/92 setting the amounts of aid for the supply**  
**of cereals products from the Community to the French overseas departments**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EEC) No 3763/91 of 16 December 1991 introducing specific measures in respect of certain agricultural products for the benefit of the French overseas departments <sup>(1)</sup>, as last amended by Regulation (EC) No 2598/95 <sup>(2)</sup>, and in particular Article 2 (6) thereof,

Whereas the amounts of aid for the supply of cereals products to the French overseas departments (FOD) has been settled by Commission Regulation (EEC) No 391/92 <sup>(3)</sup>, as last amended by Regulation (EC) No 2288/96 <sup>(4)</sup>; whereas, as a consequence of the changes of the rates and prices for cereals products in the European part of the Community and on the world market, the aid

for supply to the FOD should be set at the amounts given in the Annex;

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

HAS ADOPTED THIS REGULATION:

*Article 1*

The Annex of amended Regulation (EEC) No 391/92 is replaced by the Annex to the present Regulation.

*Article 2*

This Regulation shall enter into force on 1 January 1997.

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

Done at Brussels, 20 December 1996.

*For the Commission*

Franz FISCHLER

*Member of the Commission*

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<sup>(1)</sup> OJ No L 356, 24. 12. 1991, p. 1.

<sup>(2)</sup> OJ No L 267, 9. 11. 1995, p. 1.

<sup>(3)</sup> OJ No L 43, 19. 2. 1992, p. 23.

<sup>(4)</sup> OJ No L 311, 30. 11. 1996, p. 16.

## ANNEX

to the Commission Regulation of 20 December 1996 amending Regulation (EEC) No 391/92 setting the amounts of aid for the supply of cereals products from the Community to the French overseas departments

*(Ecu/tonnes)*

Product (CN code)	Amount of aid			
	Destination			
	Guadeloupe	Martinique	French Guiana	Réunion
Common wheat (1001 90 99)	18,00	18,00	18,00	21,00
Barley (1003 00 90)	35,00	35,00	35,00	38,00
Maize (1005 90 00)	49,00	49,00	49,00	52,00
Durum wheat (1001 10 00)	12,00	12,00	12,00	16,00

**COMMISSION REGULATION (EC) No 2461/96  
of 20 December 1996**

**amending Regulation (EC) No 1173/96 adopting the balance and fixing the aid  
for the supply of products from the eggs and poultrymeat sectors to the Canary  
Islands under the arrangements provided for in Articles 2, 3 and 4 of Council  
Regulation (EEC) No 1601/92, regarding the amounts of aid**

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

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

Whereas Commission Regulation (EC) No 1173/96<sup>(3)</sup>  
fixed the amounts of the aid for the supply to the archi-  
pelago, of meat and eggs, originating in the rest of the  
Community; whereas such aid must be fixed taking into  
account in particular the costs of supply from the world  
market, conditions due to the geographical situation of  
the archipelago and the basis of the current prices on  
export to third countries for the animals or products  
concerned;

Whereas it follows from applying these rules and criteria  
to the present situation on the market in poultrymeat that

the amounts of aid for such deliveries should be adjusted,  
taking account of their current volume and ensuring that  
the share of supplies from the Community is maintained;

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

HAS ADOPTED THIS REGULATION:

*Article 1*

Annex II to Regulation (EC) No 1173/96 is replaced by  
the Annex to this Regulation.

*Article 2*

This Regulation shall enter into force on 1 January 1997.

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

Done at Brussels, 20 December 1996.

*For the Commission*

Franz FISCHLER

*Member of the Commission*

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

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

<sup>(3)</sup> OJ No L 155, 28. 6. 1996, p. 19.

## ANNEX

## ANNEX II

## Amounts of aid granted for products from the Community market

(ECU/100 kg)	
Product code	Amount of aid
0207 12 10 9900	20
0207 12 90 9190	23
0207 25 10 9000	}
0207 25 90 9000	
0207 14 20 9900	
0207 14 60 9900	
0207 14 70 9190	
0207 14 70 9290	
0207 27 10 9990	
0207 27 60 9000	
0207 27 70 9000	
0408 11 80 9100	53
0408 91 80 9100	41

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



**COMMISSION REGULATION (EC) No 2462/96**  
**of 20 December 1996**  
**establishing the standard import values for determining the entry price of**  
**certain fruit and vegetables**

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

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

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

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

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

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

HAS ADOPTED THIS REGULATION:

*Article 1*

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

*Article 2*

This Regulation shall enter into force on 21 December 1996.

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

Done at Brussels, 20 December 1996.

*For the Commission*

Franz FISCHLER

*Member of the Commission*

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

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

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

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

## ANNEX

to the Commission Regulation of 20 December 1996 establishing the standard import values for determining the entry price of certain fruit and vegetables

*(ECU/100 kg)*

CN code	Third country code <sup>(1)</sup>	Standard import value
0702 00 50	052	101,9
	204	88,4
	624	142,9
	999	111,1
0707 00 40	624	112,3
	999	112,3
0709 10 40	220	184,6
	999	184,6
0709 90 79	052	75,0
	999	75,0
0805 10 61, 0805 10 65, 0805 10 69	052	52,0
	204	51,9
	388	20,1
	448	28,8
	624	47,1
	999	40,0
0805 20 31	052	94,9
	204	74,3
	999	84,6
0805 20 33, 0805 20 35, 0805 20 37, 0805 20 39	052	64,0
	464	127,1
	624	72,5
	999	87,9
0805 30 40	052	72,1
	400	60,6
	528	40,6
	600	78,7
	999	63,0
0808 10 92, 0808 10 94, 0808 10 98	052	65,1
	060	48,1
	064	52,8
	400	78,0
	404	62,2
	728	121,0
	999	71,2
	052	63,5
0808 20 67	064	79,3
	400	106,4
	624	67,6
	999	79,2

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

**COMMISSION REGULATION (EC) No 2463/96****of 20 December 1996****on the issue of system B export licences in the fruit and vegetables sector**

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

Having regard to Commission Regulation (EC) No 2190/96 of 14 November 1996 on detailed rules for implementing Council Regulation (EEC) No 1035/72 as regards export refunds on fruit and vegetables<sup>(1)</sup>, and in particular Article 5 (5) thereof,

Whereas Commission Regulation (EC) No 2196/96<sup>(2)</sup> fixes the indicative quantities for system B export licences other than those sought in the context of food aid;

Whereas, in the light of the information available to the Commission today, the indicative quantities laid down for the current export period for tomatoes have already been exceeded; whereas there is a risk that these quantities for apples will shortly be exceeded; whereas these overruns prejudice the proper working of the export refund scheme in the fruit and vegetables sector;

Whereas, to avoid this situation, applications for system B licences for tomatoes and apples exported after 24 December 1996 should be rejected until the end of the current export period,

HAS ADOPTED THIS REGULATION:

*Article 1*

Applications for system B licences for tomatoes and apples submitted under Article 1 of Regulation (EC) No 2196/96, export declarations for which are accepted after 24 December 1996 and before 17 January 1997, are hereby rejected.

*Article 2*

This Regulation shall enter into force on 21 December 1996.

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

Done at Brussels, 20 December 1996.

*For the Commission*

Franz FISCHLER

*Member of the Commission*

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<sup>(1)</sup> OJ No L 292, 15. 11. 1996, p. 12.

<sup>(2)</sup> OJ No L 293, 16. 11. 1996, p. 7.

**COMMISSION REGULATION (EC) No 2464/96**  
**of 20 December 1996**  
**fixing the agricultural conversion rates**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EEC) No 3813/92 of 28 December 1992 on the unit of account and the conversion rates to be applied for the purposes of the common agricultural policy <sup>(1)</sup>, as last amended by Regulation (EC) No 150/95 <sup>(2)</sup>, and in particular Article 3 (1) thereof,

Whereas the agricultural conversion rates were fixed by Commission Regulation (EC) No 2356/96 <sup>(3)</sup>;

Whereas Article 4 of Regulation (EEC) No 3813/92 provides that, subject to confirmation periods being triggered, the agricultural conversion rate for a currency is to be adjusted where the monetary gap between it and the representative market rate exceeds certain levels;

Whereas the representative market rates are determined on the basis of basic reference periods or, where applicable, confirmation periods, established in accordance with Article 2 of Commission Regulation (EEC) No 1068/93 of 30 April 1993 on detailed rules for determining and applying the agricultural conversion rates <sup>(4)</sup>, as last amended by Regulation (EC) No 1482/96 <sup>(5)</sup>; whereas paragraph 2 of that Article provides that, in cases where the absolute value of the difference between the monetary gaps in two Member States, calculated from the average of the ecu rates for three consecutive quotation days, exceeds six points, the representative market rates are to be adjusted on the basis of the three quotation days in question;

Whereas, as a consequence of the exchange rates recorded from 11 to 20 December 1996, it is necessary to fix a new agricultural conversion rate for the Belgian franc, the

German mark, the Dutch guilder and the Austrian schilling;

Whereas Article 15 (2) of Regulation (EEC) No 1068/93 provides that an agricultural conversion rate fixed in advance is to be adjusted if the gap between that rate and the agricultural conversion rate in force at the time of the operative event applicable for the amount concerned exceeds four points; whereas, in that event, the agricultural conversion rate fixed in advance is brought more closely into line with the rate in force, up to the level of a gap of four points with that rate; whereas the rate which replaces the agricultural conversion rate fixed in advance should be specified,

HAS ADOPTED THIS REGULATION:

*Article 1*

The agricultural conversion rates are fixed in Annex I hereto.

*Article 2*

In the case referred to in Article 15 (3) of Regulation (EEC) No 1068/93, the agricultural conversion rate fixed in advance shall be replaced by the ecu rate for the currency concerned, shown in Annex II:

- Table A, where the latter rate is higher than the rate fixed in advance,
- Table B, where the latter rate is lower than the rate fixed in advance.

*Article 3*

Regulation (EC) No 2356/96 is hereby repealed.

*Article 4*

This Regulation shall enter into force on 21 December 1996.

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

Done at Brussels, 20 December 1996.

*For the Commission*

Franz FISCHLER

*Member of the Commission*

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

<sup>(2)</sup> OJ No L 22, 31. 1. 1995, p. 1.

<sup>(3)</sup> OJ No L 320, 11. 12. 1996, p. 22.

<sup>(4)</sup> OJ No L 108, 1. 5. 1993, p. 106.

<sup>(5)</sup> OJ No L 188, 27. 7. 1996, p. 22.

## ANNEX I

## Agricultural conversion rates

ECU 1 =	39,9696	Belgian and Luxembourg francs
	7,49997	Danish kroner
	1,93917	German marks
	311,761	Greek drachmas
	198,202	Portuguese escudos
	6,61023	French francs
	6,02811	Finnish marks
	2,17598	Dutch guilders
	0,812908	Irish punt
	1 973,93	Italian lire
	13,6463	Austrian schillings
	165,198	Spanish pesetas
	8,64446	Swedish kroner
	0,809915	Pound sterling

## ANNEX II

## Agricultural conversion rates fixed in advance and adjusted

Table A			Table B		
ECU 1 =	38,4323	Belgian and Luxembourg francs	ECU 1 =	41,6350	Belgian and Luxembourg francs
	7,21151	Danish kroner		7,81247	Danish kroner
	1,86459	German marks		2,01997	German marks
	299,770	Greek drachmas		324,751	Greek drachmas
	190,579	Portuguese escudos		206,460	Portuguese escudos
	6,35599	French francs		6,88566	French francs
	5,79626	Finnish marks		6,27928	Finnish marks
	2,09229	Dutch guilders		2,26665	Dutch guilders
	0,781642	Irish punt		0,846779	Irish punt
	1 898,01	Italian lire		2 056,18	Italian lire
	13,1214	Austrian schillings		14,2149	Austrian schillings
	158,844	Spanish pesetas		172,081	Spanish pesetas
	8,31198	Swedish kroner		9,00465	Swedish kroner
	0,778764	Pound sterling		0,843661	Pound sterling

## II

*(Acts whose publication is not obligatory)*

## COMMISSION

## COMMISSION RECOMMENDATION

of 9 December 1996

concerning Environmental Agreements implementing Community directives

(Text with EEA relevance)

(96/733/EC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community, and in particular the second indent of Article 155 thereof,

Whereas the Resolution of the Council and the Representatives of the Governments of the Member States, meeting within the Council on 1 February 1993, on a Community programme of policy and action in relation to the environment and sustainable development <sup>(1)</sup> recognizes that the involvement of all levels of society in a spirit of shared responsibility requires a deepening and broadening of the range of instruments to complement normative legislation;

Whereas that Community programme indicates that legislative measures alone are not sufficient to bring about changes in current trends and practices;

Whereas despite some progress, broadening the range of instruments has proved more difficult than was envisaged, so that more efforts are needed to encourage market-based instruments;

Whereas agreements between public authorities and industry ('Environmental Agreements') are a policy instrument which can cost-effectively contribute to achieving environmental objectives by encouraging a pro-active approach from industry;

Whereas the Commission wishes to promote the use of Environmental Agreements and, in its Communication to the Council and the European Parliament regarding Environmental Agreements <sup>(2)</sup>, has outlined the advantages and the criteria for the success of such agreements;

Whereas Environmental Agreements might in certain circumstances complement legislation or replace otherwise more detailed legislation when they are used as a means for implementing certain provisions of directives;

Whereas directives are binding upon each Member State as to the result to be achieved, so that Member States using agreements to implement a directive need to be able at any time to guarantee the results imposed by that directive;

<sup>(1)</sup> OJ No C 138, 17. 5. 1993, p. 1.

<sup>(2)</sup> COM(96) 561 final.

Whereas, in order to ensure full compliance with Community directives, Environmental Agreements implementing certain provisions of directives need to take a binding form and should meet the requirements ensuring their transparency, credibility and reliability;

Whereas directives should specifically list the provisions of a directive which may be implemented by an Environmental Agreement;

Whereas binding requirements for agreements implementing the stated provisions of a directive should be laid down in those directives;

Whereas Member States should ensure that such Environmental Agreements comply both with the Treaty and in particular its internal market requirements and competition rules, and also with Council Directive 83/189/EEC of 28 March 1983 laying down a procedure for the provision of information in the field of technical standards and regulations<sup>(1)</sup>, as last amended by Commission Decision 93/139/EC<sup>(2)</sup>;

Whereas Environmental Agreements as well as all relevant information concerning them should be formally notified to the Commission alongside other national measures taken to implement the Directive, in order to permit verification of their effectiveness as a means of transposition,

HEREBY RECOMMENDS:

1. The purpose of this Recommendation is to give guidelines for the use of agreements between public authorities and the economic sectors concerned ('Environmental Agreements') as a means of implementing Community Directives in the field of the environment.
- 2.1 Where provisions in Directives in the field of the environment explicitly allow for implementation by way of Environmental Agreements, Member States should observe the following guidelines.
- 2.2 Agreements should in all cases
  - (a) take the form of a contract, enforceable either under civil or under public law;
  - (b) specify quantified objectives and indicate intermediary objectives with the corresponding deadlines;
  - (c) be published in the national Official Journal or as an official document equally accessible to the public;
  - (d) provide for the monitoring of the results achieved, for a regular reporting to the competent authorities and for appropriate information to the public;
  - (e) be open to all partners who wish to meet the conditions of the agreement.
- 2.3 Agreements should, where appropriate,
  - (a) establish effective arrangements for the collection, evaluation and verification of the results achieved;
  - (b) require the participating companies to make available the information regarding the implementation of the agreement to any third person under the same conditions applying to public authorities under Council Directive 90/313/EEC of 7 June 1990 on the freedom of access to information on the environment<sup>(3)</sup>;
  - (c) establish dissuasive sanctions such as fines, penalties or the withdrawal of a permit, in case of non-compliance.

<sup>(1)</sup> OJ No L 109, 26. 4. 1983, p. 8.

<sup>(2)</sup> OJ No L 32, 10. 2. 1996, p. 31.

<sup>(3)</sup> OJ No L 158, 23. 6. 1990, p. 56.

- 3.1 In concluding environmental agreements, the competent authority should make provision for examining the progress reached under the agreement and for taking additional measures in due time, if this is necessary to fulfil the obligations under the Directive.
- 3.2 As a party to the agreement, the national authority should also ensure its compatibility with the Treaty and in particular with the Treaty's internal market requirements and competition rules and also with Directive 83/189/EEC.
4. When used as a means of implementing Community directives, Environmental Agreements, together with all relevant information concerning them, should be notified to the Commission at the same time as other national measures taken to implement the directive, in order to allow verification of their effectiveness as a means of transposition.
5. This Recommendation is addressed to the Member States.

Done at Brussels, 9 December 1996.

*For the Commission*

Ritt BJERREGAARD

*Member of the Commission*

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