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⁽¹⁾ Text with EEA relevance

I

(Acts whose publication is obligatory)

COMMISSION REGULATION (EC) No 934/97

of 27 May 1997

**fixing certain indicative quantities for imports of bananas into the Community
for the third quarter of 1997**

(Text with EEA relevance)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

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

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

Whereas, on the basis of an analysis of the data relating on the one hand to the quantities of bananas marketed in the Community in 1996 and in particular to actual imports in particular during the third quarter, and on the other hand to the outlook for supply of the market and consumption within the Community during the third quarter of 1997, an indicative quantity should be fixed for each country of origin at 27 % of the quantity allocated to it in the tariff quota to ensure adequate supplies to the Community as a whole;

Whereas, on the basis of the same data, the authorized quantity referred to in Article 9 (2) of Regulation (EEC)

No 1442/93 which operators in categories A and B can apply for in respect of the third quarter of 1997 should be fixed;

Whereas the indicative quantities provided for in Article 14 (1) of Regulation (EEC) No 1442/93 for the purposes of issuing import licences for traditional imports from ACP States should also be fixed;

Whereas this Regulation must enter into force prior to the period for the submission of licence applications in respect of the third quarter of 1997;

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

HAS ADOPTED THIS REGULATION:

Article 1

For the Community as a whole for the third quarter of 1997, the indicative quantities provided for in Article 9 (1) of Regulation (EEC) No 1442/93 for imports of bananas under the tariff quota provided for in Articles 18 and 19 of Regulation (EEC) No 404/93 shall be 27 % of the quantities laid down for each country or group of countries mentioned in Annex I to Regulation (EC) No 478/95.

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

Article 2

The authorized quantities for Category A and B operators for the third quarter of 1997 as provided for in Article 9 (2) of Regulation (EEC) No 1442/93 shall amount to 29 % of the quantity allocated to each operator pursuant to the second paragraph of Article 6 of that Regulation.

⁽¹⁾ OJ No L 47, 25. 2. 1993, p. 1.

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

⁽³⁾ OJ No L 142, 12. 6. 1993, p. 6.

⁽⁴⁾ OJ No L 181, 20. 7. 1996, p. 13.

⁽⁵⁾ OJ No L 49, 4. 3. 1995, p. 13.

⁽⁶⁾ OJ No L 71, 31. 3. 1995, p. 84.

Article 3

The indicative quantities provided for in Article 14 (1) of Regulation (EEC) No 1442/93 for traditional ACP imports of bananas for the third quarter of 1997 shall be 30 % of

the traditional quantities laid down in respect of each country in the Annex to Regulation (EEC) No 404/93.

Article 4

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

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

Done at Brussels, 27 May 1997.

For the Commission

Franz FISCHLER

Member of the Commission

COMMISSION REGULATION (EC) No 935/97**of 27 May 1997****opening and providing for the administration of tariff quotas for the import of
bulls, cows and heifers, other than those intended for slaughter, of certain Alpine
and mountain breeds, for the period 1 July 1997 to 30 June 1998**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

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

Whereas for bulls, cows and heifers, other than those intended for slaughter, of the mottled Simmental breed and the Schwyz and Fribourg breeds and for cows and heifers, other than those intended for slaughter, of the grey, brown, yellow and mottled Simmental breed and the Pinzgau breed, the Community has undertaken, in the framework of the World Trade Organization (WTO), to open two annual tariff quotas each of 5 000 head at rates of duty of 6 % and 4 % respectively; whereas those quotas should therefore be opened for the period 1 July 1997 to 30 June 1998 and detailed rules adopted for their application;

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

Whereas these arrangements are based on the allocation by the Commission of the quantities available to traditional traders (first part) and traders involved in the cattle trade (second part); whereas the first part should be allocated to traditional importers in proportion to the number of animals imported under similar quotas between 1 July 1994 and 30 June 1997 and to traditional importers in the new Member States; whereas, in order to prevent speculation and given the end-use, only quantities of a certain size representative of trade with third countries should be taken into account as reference quantities for the allocation of the second part; whereas, for all traders from the new Member States, imported animals

must be from countries which are third countries for them at the time of import;

Whereas, subject to the provisions of this Regulation, Commission Regulation (EEC) No 3719/88 of 16 November 1988 laying down common detailed rules for the application of the system of import and export licences and advance fixing certificates for agricultural products⁽²⁾, as last amended by Regulation (EC) No 2350/96⁽³⁾, and Commission Regulation (EC) No 1445/95 of 26 June 1995 on rules of application for import and export licences in the beef and veal sector and repealing Regulation (EEC) No 2377/80⁽⁴⁾, as last amended by Regulation (EC) No 266/97⁽⁵⁾, are applicable;

Whereas Article 82 of Council Regulation (EEC) No 2913/92 of 12 October 1992 establishing the Community Customs Code⁽⁶⁾, as last amended by Regulation (EC) No 82/97⁽⁷⁾, provides for customs supervision of goods put into free circulation at a reduced rate of duty on account of their end-use; whereas imported animals should be monitored for a certain period to ensure they are not slaughtered; whereas, in order to ensure that the animals concerned are not slaughtered, a security should be required;

Whereas experience has shown that importers do not always inform the authorities which have issued the import licences of the number and origin of the animals imported under the quotas concerned; whereas this information is important for assessing the market situation; whereas a security relating to provision of that information should be provided for;

Whereas provision should be made for the Member States to forward information on the imports in question;

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

⁽²⁾ OJ No L 331, 2. 12. 1988, p. 1.

⁽³⁾ OJ No L 320, 11. 12. 1996, p. 4.

⁽⁴⁾ OJ No L 143, 27. 6. 1995, p. 35.

⁽⁵⁾ OJ No L 45, 15. 2. 1997, p. 1.

⁽⁶⁾ OJ No L 302, 19. 10. 1992, p. 1.

⁽⁷⁾ OJ No L 17, 21. 1. 1997, p. 1.

⁽¹⁾ OJ No L 146, 20. 6. 1996, p. 1.

HAS ADOPTED THIS REGULATION:

Article 1

1. The following tariff quotas are hereby opened for the period 1 July 1997 to 30 June 1998:

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

(¹) Taric codes: see Annex I.

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

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

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

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

— importers from the new Member States who are able to furnish proof of having imported,

— between 1 July 1994 and 30 June 1995, into the Member State in which they are established, animals covered by the CN codes listed in Annex I from countries which were for them, in the year of import, third countries,

— between 1 July 1995 and 30 June 1997, animals covered by import quotas governed by this Regulation.

(b) The second part, equal to 20 % of the quota volume, shall be reserved for applicants who can furnish proof of having imported, between 1 July 1996 and 30 June 1997, at least 15 live bovine animals covered by CN code 0102.

Importers must be entered in a national VAT register.

Article 2

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

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

- importers from the Community as constituted on 31 December 1994 who are able to furnish proof of having imported animals covered by the quotas between 1 July 1994 and 30 June 1997, and

2. On application for the right to import, the first part shall be allocated among importers as referred to in (1) (a) in proportion to their imports of animals as referred to in the said point between 1 July 1994 and 30 June 1997.

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

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

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

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

Article 3

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

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

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

3. For the purposes of Article 2 (2) and (3), all applications, accompanied by the proof referred to in Article 2 (5), must reach the competent authorities not later than 15 July 1997.

After verifying the documents submitted, the Member States shall communicate to the Commission, not later than 1 August 1997:

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

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

Article 4

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

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

If the reduction referred to in the preceding subparagraph results in a quantity of less than 15 head per application, the allocation shall be by drawing lots, by batches of 15

head. If the remaining quantity is less than 15 head, a single licence shall be issued for that quantity.

Article 5

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

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

3. After the notification of allocations from the Commission, import licences shall be issued as soon as possible on application by and in the names of the operators who have obtained rights to import.

4. Import licences shall be valid for 90 days from the date of issue within the meaning of Article 21 (1) of Regulation (EEC) No 3719/88. They shall expire, however, on 30 June 1998 at the latest.

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

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

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

8. Notwithstanding Article 33 (3) (b) (ii) of Regulation (EEC) No 3719/88 the maximum period within which proof of importation must be provided with forfeiture of the security limited to 15 % shall be four months.

Article 6

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

2. Without prejudice to the provisions of Regulation (EEC) No 2913/92, importers shall lodge a security of ECU 1 193 per tonne with the competent customs authorities to ensure compliance with the obligation not to slaughter the animals.

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

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

Article 7

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

- (a) in section 8, the country of origin;
- (b) in section 16, the CN codes given in Annex I;
- (c) in section 20, one of the following:
 - Razas alpinas y de montaña [Reglamento (CE) n° 935/97]
 - Alpine racer og bjerggracer (forordning (EF) nr. 935/97)
 - Höhenrassen (Verordnung (EG) Nr. 935/97)
 - Αλπικές και ορεισίδιες φυλές [κανονισμός (ΕΚ) αριθ. 935/97]
 - Alpine and mountain breeds (Regulation (EC) No 935/97)
 - Races alpines et de montagne [règlement (CE) n° 935/97]
 - Razze alpine e di montagna [regolamento (CE) n. 935/97]
 - Bergrassen (Verordening (EG) nr. 935/97)
 - Raças alpinas e de montanha [Regulamento (CE) n° 935/97]
 - Alppi- ja vuoristorotuja (asetus (EY) N:o 935/97)
 - Alp- och berggraser (förordning (EG) nr 935/97).

Article 8

1. Not later than three weeks after the importation of the animals referred to in this Regulation, the importer shall inform the competent authority which issued the import licences of the number and origin of the animals imported. The authority shall forward that information to the Commission at the beginning of each month.

2. Not later than four months after each half of the year of importation the competent authority in question shall inform the Commission of the number of animals

referred to in Article 1 for which import licences issued under this Regulation have been used during that six-month period.

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

Article 9

1. On applying for import licences imports shall lodge a security to cover the licences, of ECU 25 per head of cattle in derogation from Article 4 of Regulation (EC) No 1445/95 and a security of ECU 1 per head of cattle to cover notification by the importer to the competent authority of the information referred to in Article 8 (1) of this Regulation.

2. The security covering notification shall be released in respect of the number of cattle notified if the information is forwarded to the competent authority within the period referred to in Article 8 (1). If not, the security shall be forfeited.

The decision to release the security shall be taken simultaneously with that to release the security covering the import licences.

Article 10

1. Quantities for which import licence applications have not been received by 31 March 1998 shall be allocated to importers who have applied for import licences for the total quantity to which they are entitled, irrespective of the provisions of Article 2 (1).

2. To that end, not later than 10 April 1998, Member States shall forward to the address given in Annex II details of the quantities for which no application has been received and the information referred to in the second subparagraph of Article 3 (3). The Commission shall make the allocation by drawing lots by batches of 15 head. If the remaining quantity is less than 15 head, a single licence shall be issued for that quantity. It shall notify the Member States of the result not later than 17 April 1998.

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

Article 11

This Regulation shall enter into force on 1 July 1997.

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

Done at Brussels, 27 May 1997.

For the Commission

Franz FISCHLER

Member of the Commission

ANNEX I

Taric codes

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

ANNEX II

COMMISSION OF THE EUROPEAN COMMUNITIES,
DG XXI-B.6 — Economic tariff questions;

fax: (32-2) 296 33 06.

ANNEX III

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

fax: (32-2) 295 36 13.

COMMISSION REGULATION (EC) No 936/97
of 27 May 1997

**opening and providing for the administration of tariff quotas for high-quality
fresh, chilled and frozen beef and for frozen buffalo meat**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

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

Whereas the Community has undertaken, pursuant to the Agreement on agriculture concluded under the Uruguay Round of multilateral trade negotiations, to open tariff quotas for high-quality beef and frozen buffalo meat, fixed at an annual quantity of 58 100 tonnes and 2 250 tonnes respectively; whereas those quotas should be opened on a multiannual basis and detailed rules should be adopted for their application for 12-month periods starting on 1 July;

Whereas the exporting third countries have undertaken to issue certificates of authenticity guaranteeing the origin of the products; whereas the form and layout of the certificates and the procedures for using them must be specified; whereas certificates of authenticity must be issued by authorities in third countries affording all the necessary guarantees to ensure that the arrangements concerned are properly applied;

Whereas the quota in question should be managed using import licences; whereas to this end rules should be laid down on submission of applications and the information to be given on applications and licences, by way of derogation, if necessary, from certain provisions of Commission Regulation (EEC) No 3719/88 of 16 November 1988 laying down common detailed rules for the application of the system of import and export licences and advance-fixing certificates for agricultural products⁽²⁾, as last amended by Regulation (EC) No 2350/96⁽³⁾, and of Commission Regulation (EC) No 1445/95 of 26 June 1995 on rules of application for import and export licences in the beef and veal sector and repealing Regulation (EEC) No 2377/80⁽⁴⁾, as last amended by Regulation (EC) No 266/97⁽⁵⁾;

Whereas, in order to ensure proper management of the imports of meat, provision should be made, where rel-

evant, for import licences to be issued subject to verification, in particular of entries on certificates of authenticity;

Whereas experience has shown that importers do not always inform the competent authorities which issued the import licences of the quantity and origin of the beef imported under the quota in question; whereas this information is important for the assessment of the market situation; whereas a security should therefore be introduced to ensure that importers comply with this requirement;

Whereas provision should be made for the Member States to forward information concerning such imports;

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

HAS ADOPTED THIS REGULATION:

Article 1

1. The following tariff quotas are hereby opened on a multiannual basis for the period from 1 July one year to 30 June the year after, hereinafter called 'import year':

- 58 100 tonnes for high-quality fresh, chilled or frozen meat of bovine animals covered by CN codes 0201 and 0202 and for products covered by CN codes 0206 10 95 and 0206 29 91. This quota carries serial No 09.4002,
- 2 250 tonnes for frozen boneless buffalo meat covered by CN code 0202 30 90, expressed in weight of boneless meat. This quota carries serial No 09.4001.

For the purposes of attributing the said quota, 100 kilograms of bone-in meat shall be equivalent to 77 kilograms of boneless meat.

2. For the purposes of this Regulation, 'frozen meat' means meat with an internal temperature of -12°C or lower when it enters the customs territory of the Community.

3. The *ad valorem* customs duty under the quotas referred to in paragraph 1 shall be 20 %.

⁽¹⁾ OJ No L 146, 20. 6. 1996, p. 1.

⁽²⁾ OJ No L 331, 2. 12. 1988, p. 1.

⁽³⁾ OJ No L 320, 11. 12. 1996, p. 4.

⁽⁴⁾ OJ No L 143, 27. 6. 1995, p. 35.

⁽⁵⁾ OJ No L 45, 15. 2. 1997, p. 1.

Article 2

The tariff quota for fresh, chilled and frozen beef provided for in the first indent of Article 1 (1) shall be allocated as follows:

- (a) 28 000 tonnes for boneless meat covered by CN codes 0201 30 and 0206 10 95 and meeting the following definition:

'Special or good-quality beef cuts obtained from exclusively pasture-grazed animals aged between 22 and 24 months, having two permanent incisors and presenting a slaughter liveweight not exceeding 460 kilograms, referred to as "special boxed beef", cuts of which may bear the letters "sc" (special cuts);

- (b) 7 000 tonnes product weight for meat covered by CN codes 0201 20 90, 0201 30, 0202 20 90, 0202 30, 0206 10 95 and 0206 29 91 and meeting the following definition:

'Selected cuts of fresh, chilled or frozen beef obtained from bovine animals which do not have more than four permanent incisor teeth, the carcasses of which have a dressed weight of not more than 327 kilograms (720 pounds), a compact appearance with a good eye of meat of light and uniform colour, and adequate but not excessive fat cover. The meat shall be certified "high-quality beef EC";

- (c) 6 300 tonnes for boneless meat covered by CN codes 0201 30, 0202 30 90, 0206 10 95 and 0206 29 91 and meeting the following definition:

'Special or good-quality beef cuts obtained from exclusively pasture-grazed animals presenting a slaughter liveweight not exceeding 460 kilograms, referred to as "special boxed beef". These cuts may bear the letters "sc" (special cuts);

- (d) 5 000 tonnes for boneless meat covered by CN codes 0201 30, 0202 30 90, 0206 10 95 and 0206 29 91 and meeting the following definition:

'Beef cuts obtained from steers (*novilbos*) or heifers (*novilhas*) aged between 20 and 24 months, which have been exclusively pasture-grazed, have lost their central temporary incisors but do not have more than four permanent incisor teeth, which are of good maturity and which meet the following beef-carcase classification requirements:

meat from B or R class carcasses of rounded to straight conformation and a fat-cover class of 2 or 3; the cuts, bearing the letters "sc" (special cuts) or an "sc" (special cuts) label as a sign of their high quality are to be boxed in cartons bearing the words "high quality beef";

- (e) 300 tonnes product weight for meat covered by CN codes 0201 20 90, 0201 30, 0202 20 90, 0202 30, 0206 10 95 and 0206 29 91 and meeting the following definition:

'Selected chilled or frozen premium beef cuts derived from exclusively pasture-grazed bovine animals which do not have more than four permanent incisor teeth in wear, the carcasses of which have a dressed weight of not more than 325 kilograms, a compact appearance with a good eye, of meat of light and uniform colour and adequate but not excessive fat cover. All cuts will be vacuum packaged and referred to as "high-quality beef";

- (f) 11 500 tonnes product weight for meat covered by CN codes 0201, 0202, 0206 10 95 and 0206 29 91 and meeting the following definition:

'Carcasses or any cuts obtained from bovine animals not over 30 months of age which have been fed for 100 days or more on nutritionally balanced, high-energy-content rations containing not less than 70 % grain and comprising at least 20 pounds total feed per day. Beef graded "choice" or "prime" according to USDA (United States Department of Agriculture) standards automatically meets the above definition. Meat graded A 2, A 3 or A 4 according to the standards of the Canadian Ministry of Agriculture automatically meets the above definition'.

Article 3

1. Imports of the quantities set out in Article 2 (f) shall be subject to presentation, on release for free circulation, of:

- an import licence issued in accordance with Articles 4 and 5, and
- a certificate of authenticity issued in accordance with Article 6.

2. Import licences as referred to in paragraph 1 shall be allocated on a monthly basis. The quantity available each month of each import year shall correspond to one twelfth of the total quantity set out in Article 2 (f), plus any quantity remaining from the preceding months as referred to in Article 5 (3).

Article 4

In order to obtain import licences as referred to in Article 3:

- (a) the licence applicants must be natural or legal persons who, at the time their applications are submitted, have been engaged for at least 12 months in trade in beef and veal between Member States or with third countries and who are registered in a Member State for VAT purposes;

- (b) the licence applications lodged may cover a total quantity corresponding to not more than the quantity available for the month in which the application is lodged;
- (c) section 8 of licence applications and licences must show the country of origin; licences shall carry with them an obligation to import from the country in question;
- (d) section 20 of licence applications and licences shall contain one of the following entries:
- Carne de vacuno de alta calidad [Reglamento (CE) n° 936/97]
 - Oksekød af høj kvalitet (forordning (EF) nr. 936/97)
 - Qualitätsrindfleisch (Verordnung (EG) Nr. 936/97)
 - Βόειο κρέας εκλεκτής ποιότητας [κανονισμός (ΕΚ) αριθ. 936/97]
 - High-quality beef/veal (Regulation (EC) No 936/97)
 - Viande bovine de haute qualité [règlement (CE) n° 936/97]
 - Carni bovine di alta qualità [regolamento (CE) n. 936/97]
 - Rundvlees van hoge kwaliteit (Verordening (EG) nr. 936/97)
 - Carne de bovino de alta qualidade [Regulamento (CE) n° 936/97]
 - Korkealaatuista naudanlihaa (asetus (EY) N:o 936/97)
 - Nötkött av hög kvalitet (förordning (EG) nr 936/97).

Article 5

1. Licence applications as referred to in Article 4 may be lodged solely during the first five days of each month of each import year with the competent authorities of the Member State in which the applicant is registered for VAT purposes. If an applicant lodges more than one application, none of his applications shall be considered.
2. On the second working day following the closing date for the submission of applications, the Member States shall notify the Commission of the total quantity covered by applications. Such notifications shall include the list of applicants and the countries of origin indicated. All notifications, including nil returns, shall be sent before 4 p.m. on the stipulated day.
3. The Commission shall decide what proportion of quantities covered by applications may be granted. If the quantities covered by licence applications exceed the quantities available, the Commission shall reduce the quantities applied for by a fixed percentage. If the total quantity covered by licence applications is less than the quantity available, the Commission shall determine the

quantity remaining to be added to the quantity available for the following month of each import year.

4. Subject to a decision by the Commission to accept applications, licences shall be issued on the 11th day of each month.

Article 6

1. Certificates of authenticity shall be made out in one original and not less than one copy in accordance with the model at Annex I.

The forms shall measure approximately 210 × 297 mm and the paper shall weigh not less than 40 g/m².

2. The forms shall be printed and completed in one of the official languages of the Community; they may also be printed and completed in the official language or one of the official languages of the exporting country.

The relevant definition in Article 2 applying to the meat originating in the exporting country shall be shown on the reverse of the form.

3. Certificates of authenticity shall bear an individual serial number allocated by the issuing authorities referred to in Article 7. The copies shall bear the same serial number as the original.

4. The original and copies thereof may be typed or hand-written. In the latter case, they must be completed in black ink and in block capitals.

5. Certificates of authenticity shall be valid only if they are duly completed and endorsed in accordance with the instructions in Annexes I and II by an issuing authority listed in Annex II.

6. Certificates of authenticity shall be deemed to have been duly endorsed if they state the date and place of issue and if they bear the stamp of the issuing authority and the signature of the person or persons empowered to sign them.

The stamp may be replaced by a printed seal on the original of the certificate of authenticity and any copies thereof.

Article 7

1. The issuing authorities listed in Annex II must:
 - (a) be recognized as such by the exporting country;
 - (b) undertake to verify entries on certificates of authenticity;
 - (c) undertake to forward to the Commission each Wednesday an information enabling the entries on certificates of authenticity to be verified.
2. The list may be revised by the Commission where any issuing authority is no longer recognized, where it fails to fulfil any of the obligations incumbent on it or where a new issuing authority is designated.

Article 8

1. Imports of the quantities set out in the second indent of Article 1 (1) and in Article 2 (a) to (e) shall be subject to presentation, on release for free circulation, of import licences issued in accordance with Article 4 (c) and (d) and paragraph 2 of this Article.

2. (a) The original of the certificate of authenticity drawn up in accordance with Articles 6 and 7 plus a copy thereof shall be presented to the competent authority together with the application for the first import licence relating to the certificate of authenticity. The original of the certificate of authenticity shall be kept by the abovementioned authority.

(b) Certificates of authenticity may be used for the issuing of more than one import licence for quantities not exceeding that shown on the certificate. Where more than one licence is issued in respect of a certificate, the competent authority shall endorse the certificate of authenticity to show the quantity attributed.

(c) The competent authorities may issue import licences only after they are satisfied that all the information on the certificate of authenticity corresponds to that received each week from the Commission on the subject. The licences shall be issued immediately thereafter.

3. Notwithstanding paragraph 2 (c), the competent authorities may, in exceptional cases and on duly reasoned application, issue import licences on the basis of the relevant certificates of authenticity before the information from the Commission is received. In such cases, the security for the import licences as referred to in Article 12 (1) shall be ECU 50 per 100 kg net weight. After having received the information relating to the certificate, Member States shall replace this security with that referred to in Article 12 (1).

Article 9

Certificates of authenticity and import licences shall be valid for three months from their dates of issue. Their term of validity shall, however, expire at the latest on 30 June following the date of issue.

Article 10

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

2. Without prejudice to Article 8 (4) of Regulation (EEC) No 3719/88, the full import duty provided for in

the Common Customs Tariff (CCT) shall be charged on quantities in excess of those stated on import licences.

3. The second subparagraph of Article 14 (3) of Regulation (EEC) No 3719/88 shall not apply.

4. Notwithstanding Article 33 (3) (b) (ii) of Regulation (EEC) No 3719/88, the maximum time limit for production of proof of importation entailing forfeit of only 15 % of the security shall be four months.

Article 11

1. Not later than three weeks after importation of the products covered by this Regulation, importers shall inform the competent authority which issued the import licence of the quantity and origin of the products imported. The competent authority shall transmit this information to the Commission at the beginning of each month.

2. Not later than four months after each half of the import year the competent authority in question shall notify the Commission of the quantity of products referred to in Article 1 for which import licences issued pursuant to this Regulation have been used during the six-month period in question, broken down by country of origin.

Article 12

1. When applying for import licences, importers must lodge a licence security of ECU 12 per 100 kilograms, notwithstanding Article 4 of Regulation (EC) No 1445/95, and a security of ECU 1 per 100 kilograms to ensure the importer transmits to the competent authority the information referred to in Article 11 (1) of this Regulation.

2. The information security shall be released if the information is transmitted to the competent authority within the time limit referred to in Article 11 (1) for the quantity covered by the information. Otherwise the security shall be forfeit.

The decision to release this security shall be taken at the same time as the decision to release the licence security.

Article 13

This Regulation shall enter into force on 1 July 1997.

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

Done at Brussels, 27 May 1997.

For the Commission

Franz FISCHLER

Member of the Commission

ANNEX I

| | | | |
|---|---|-------------------------|-----------------------|
| 1. Exporter (name and address) | 2. Certificate No | ORIGINAL | |
| 4. Consignee (name and address) | 3. Issuing authority | | |
| 6. Means of transport | 5. CERTIFICATE OF AUTHENTICITY BEEF AND VEAL Regulation (EC) No 936/97 | | |
| 7. Marks, numbers, number and kind of packages; description of goods | | 8. Gross weight (kg) | 9. Net weight (kg) |
| 10. Net weight (in words) | | | |
| 11. CERTIFICATION BY THE ISSUING AUTHORITY I hereby certify that the beef described in this certificate complies with the specification shown overleaf. (a) for high-quality beef ⁽¹⁾ (b) for buffalo meat ⁽¹⁾ <div style="display: flex; justify-content: space-between;"> Place: Date: </div> <div style="text-align: center; margin-top: 20px;">Signature and stamp (or printed seal)</div> | | | |

⁽¹⁾ Delete as appropriate.

To be completed either by typewriter or hand in block capitals.

DEFINITION

**High-quality beef originating in
(appropriate definition)**

Buffalo meat originating in Australia

*ANNEX II***LIST OF AUTHORITIES IN EXPORTING COUNTRIES EMPOWERED TO ISSUE
CERTIFICATES OF AUTHENTICITY**

- SECRETARÍA DE AGRICULTURA, GANADERÍA Y PESCA:
for meat originating in Argentina and meeting the definition in Article 2 (a).
 - AUSTRALIAN MEAT AND LIVESTOCK CORPORATION:
for meat originating in Australia:
 - (a) meeting the definition in Article 2 (b);
 - (b) meeting the definition in the second indent of Article 1 (1).
 - INSTITUTO NACIONAL DE CARNES (INAC):
for meat originating in Uruguay and meeting the definition in Article 2 (c).
 - DEPARTAMENTO NACIONAL DE INSPECÇÃO DE PRODUTOS DE ORIGEM ANIMAL (DIOPA):
for meat originating in Brazil and meeting the definition in Article 2 (d).
 - NEW ZEALAND MEAT PRODUCERS BOARD:
for meat originating in New Zealand, meeting the definition in Article 2 (e).
 - FOOD SAFETY AND INSPECTION SERVICE (FSIS) OF THE UNITED STATES DEPARTMENT OF AGRICULTURE (USDA):
for meat originating in the United States of America and meeting the definition in Article 2 (f).
 - FOOD PRODUCTION AND INSPECTION BRANCH — AGRICULTURE CANADA, DIRECTION GÉNÉRALE 'PRODUCTION ET INSPECTION DES ALIMENTS' — AGRICULTURE CANADA:
for meat originating in Canada, and meeting the definition in Article 2 (f).
-

COMMISSION REGULATION (EC) No 937/97

of 27 May 1997

establishing the standard import values for determining the entry price of
certain fruit and vegetables

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

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

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

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

sion fixes the standard values for imports from third
countries, in respect of the products and periods stipu-
lated 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 28 May 1997.

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

Done at Brussels, 27 May 1997.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ No L 337, 24. 12. 1994, p. 66.

⁽²⁾ OJ No L 325, 14. 12. 1996, p. 5.

⁽³⁾ OJ No L 387, 31. 12. 1992, p. 1.

⁽⁴⁾ OJ No L 22, 31. 1. 1995, p. 1.

ANNEX

to the Commission Regulation of 27 May 1997 establishing the standard import values for determining the entry price of certain fruit and vegetables

(ECU/100 kg)

| CN code | Third country code ⁽¹⁾ | Standard import value |
|------------------------------------|-----------------------------------|-----------------------|
| 0702 00 30 | 212 | 61,9 |
| | 999 | 61,9 |
| 0709 90 75 | 052 | 59,3 |
| | 999 | 59,3 |
| 0805 10 31, 0805 10 33, 0805 10 35 | 052 | 65,1 |
| | 204 | 40,6 |
| | 448 | 26,5 |
| | 600 | 48,6 |
| | 624 | 75,3 |
| | 625 | 39,1 |
| | 999 | 49,2 |
| 0805 30 20 | 388 | 67,6 |
| | 528 | 55,1 |
| | 999 | 61,3 |
| 0808 10 61, 0808 10 63, 0808 10 69 | 060 | 53,0 |
| | 388 | 88,2 |
| | 400 | 86,7 |
| | 404 | 104,0 |
| | 442 | 83,8 |
| | 508 | 94,2 |
| | 512 | 61,6 |
| | 528 | 66,7 |
| | 804 | 98,7 |
| 0809 20 39 | 999 | 81,9 |
| | 400 | 286,0 |
| | 999 | 286,0 |

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

II

(Acts whose publication is not obligatory)

COMMISSION

COMMISSION DECISION

of 30 April 1997

amending, as regards certain Spanish regions, Decision 93/52/EEC recording the compliance by certain Member States or regions with the requirements relating to brucellosis (*B. melitensis*) and according them the status of a Member State or region officially free of the disease

(Text with EEA relevance)

(97/315/EC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Directive 91/68/EEC of 28 January 1991 on animal health conditions governing intra-Community trade in ovine and caprine animals⁽¹⁾, as last amended by Commission Decision 94/953/EC⁽²⁾, and in particular Annex A, Chapter 1.II thereof,

Whereas, by Commission Decision 93/52/EEC⁽³⁾, as last amended by Decision 94/972/EC⁽⁴⁾, the Commission recorded compliance by certain Member States or regions with the requirements relating to brucellosis (*B. melitensis*) and accorded them the status of a Member State or region officially free of the disease;

Whereas in the regions of Santa Cruz de Tenerife and Las Palmas brucellosis has been a notifiable disease for at least five years; whereas no case has been confirmed officially there for at least five years and vaccination has been banned for at least three years; whereas it should be therefore recorded that these regions comply with the requirements laid down in Annex A, Chapter 1.II (1) (b) to Directive 91/68/EEC;

Whereas the regions of Santa Cruz de Tenerife and Las Palmas therefore satisfy the conditions to be recognized officially free of brucellosis;

Whereas Spain furthermore undertakes to comply with Annex A Chapter 1.II (2) of Council Directive

91/68/EEC; whereas the status of Santa Cruz de Tenerife and Las Palmas should therefore be recognized as officially free of brucellosis (*B. melitensis*) and Decision 93/52/EEC should be amended accordingly;

Whereas sheep and goats introduced onto holdings in Santa Cruz de Tenerife and Las Palmas must therefore comply with the conditions laid down in Annex A Chapter 1.I.D to Council Directive 91/68/EEC;

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

HAS ADOPTED THIS DECISION:

Article 1

The following paragraph is added to Annex II ('Regions') to Decision 93/52/EEC:

'In Spain: Santa Cruz de Tenerife, Las Palmas'.

Article 2

This Decision is addressed to the Member States.

Done at Brussels, 30 April 1997.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ No L 46, 19. 2. 1991, p. 19.

⁽²⁾ OJ No L 371, 31. 12. 1994, p. 14.

⁽³⁾ OJ No L 13, 21. 1. 1993, p. 14.

⁽⁴⁾ OJ No L 371, 31. 12. 1994, p. 48.