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Legislation

Contents

I Acts whose publication is obligatory

- * Commission Regulation (EC) No 2569/97 of 19 December 1997 concerning the stopping of fishing for mackerel by vessels flying the flag of Denmark 1
- * Commission Regulation (EC) No 2570/97 of 19 December 1997 concerning the stopping of fishing for mackerel by vessels flying the flag of Denmark 2
- * Commission Regulation (EC) No 2571/97 of 15 December 1997 on the sale of butter at reduced prices and the granting of aid for cream, butter and concentrated butter for use in the manufacture of pastry products, ice-cream and other foodstuffs 3
- * Commission Regulation (EC) No 2572/97 of 15 December 1997 fixing, for the 1998 fishing year, the withdrawal and selling prices for fishery products listed in Annex I (A), (D) and (E) of Council Regulation (EEC) No 3759/92 ⁽¹⁾ 36
- * Commission Regulation (EC) No 2573/97 of 15 December 1997 fixing the reference prices for fishery products for the 1998 fishing year ⁽¹⁾ 46
- * Commission Regulation (EC) No 2574/97 of 15 December 1997 fixing the amount of the carry-over aid for certain fishery products for the 1998 fishing year ⁽¹⁾ 55
- * Commission Regulation (EC) No 2575/97 of 15 December 1997 fixing the amount of the flat-rate premium for certain fishery products during the 1998 fishing year ⁽¹⁾ 57
- * Commission Regulation (EC) No 2576/97 of 15 December 1997 fixing the standard values to be used in calculating the financial compensation and the advance pertaining thereto in respect of fishery products withdrawn from the market during the 1998 fishing year ⁽¹⁾ 58

⁽¹⁾ Text with EEA relevance

Price: ECU 25

(Continued overleaf)

EN

Acts whose titles are printed in light type are those relating to day-to-day management of agricultural matters, and are generally valid for a limited period.

The titles of all other Acts are printed in bold type and preceded by an asterisk.

★ Commission Regulation (EC) No 2577/97 of 16 December 1997 concerning imports of certain textile products originating in the Russian Federation	60
Commission Regulation (EC) No 2578/97 of 19 December 1997 establishing the standard import values for determining the entry price of certain fruit and vegetables	65
Commission Regulation (EC) No 2579/97 of 19 December 1997 fixing the maximum export refund on wholly milled long grain rice in connection with the invitation to tender issued in Regulation (EC) No 2097/97	67
Commission Regulation (EC) No 2580/97 of 19 December 1997 fixing the maximum export refund on wholly milled round grain rice in connection with the invitation to tender issued in Regulation (EC) No 2098/97	68
Commission Regulation (EC) No 2581/97 of 19 December 1997 fixing the maximum export refund on wholly milled medium grain and long grain A rice in connection with the invitation to tender issued in Regulation (EC) No 2096/97	69
Commission Regulation (EC) No 2582/97 of 19 December 1997 fixing the maximum export refund on wholly milled medium grain and long grain A rice in connection with the invitation to tender issued in Regulation (EC) No 2095/97	70
Commission Regulation (EC) No 2583/97 of 19 December 1997 fixing the export refunds on rice and broken rice	71
Commission Regulation (EC) No 2584/97 of 19 December 1997 setting the amounts of aid for the supply of rice products from the Community to the Azores and Madeira	73
Commission Regulation (EC) No 2585/97 of 19 December 1997 setting the amounts of aid for the supply of rice products from the Community to the Canary Islands	75
Commission Regulation (EC) No 2586/97 of 19 December 1997 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	77
Commission Regulation (EC) No 2587/97 of 19 December 1997 amending Regulation (EEC) No 1832/92 setting the amounts of aid for the supply of cereals products from the Community to the Canary Islands	79
Commission Regulation (EC) No 2588/97 of 19 December 1997 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	81
Commission Regulation (EC) No 2589/97 of 19 December 1997 amending the import duties in the cereals sector	83

II *Acts whose publication is not obligatory*

Commission

97/850/EC:

★ Commission Decision of 3 December 1997 concerning a request for exemption submitted by Luxembourg pursuant to Article 8 (2) (c) of Council Directive 70/156/EEC on the approximation of the laws of the Member States relating to the type-approval of motor vehicles and their trailers	86
---	----

97/851/EC:

- * Commission Decision of 3 December 1997 concerning a request for exemption submitted by Luxembourg pursuant to Article 8 (2) (c) of Council Directive 70/156/EEC on the approximation of the laws of the Member States relating to the type-approval of motor vehicles and their trailers 88

97/852/EC:

- * Commission Decision of 3 December 1997 concerning a request for exemption submitted by Luxembourg pursuant to Article 8 (2) (c) of Council Directive 70/156/EEC on the approximation of the laws of the Member States relating to the type-approval of motor vehicles and their trailers 89

97/853/EC:

- * Commission Decision of 3 December 1997 concerning a request for exemption submitted by Belgium pursuant to Article 8 (2) (c) of Council Directive 70/156/EEC on the approximation of the laws of the Member States relating to the type-approval of motor vehicles and their trailers 90

97/854/EC:

- * Commission Decision of 3 December 1997 concerning a request for exemption submitted by Belgium pursuant to Article 8 (2) (c) of Council Directive 70/156/EEC on the approximation of the laws of the Member States relating to the type-approval of motor vehicles and their trailers 91

97/855/EC:

- * Commission Decision of 3 December 1997 concerning a request for exemption submitted by Belgium pursuant to Article 8 (2) (c) of Council Directive 70/156/EEC on the approximation of the laws of the Member States relating to the type-approval of motor vehicles and their trailers 92

97/856/EC:

- * Commission Decision of 3 December 1997 concerning a request for exemption submitted by Italy pursuant to Article 8 (2) (c) of Council Directive 70/156/EEC on the approximation of the laws of the Member States relating to the type-approval of motor vehicles and their trailers 93

97/857/EC:

- * Commission Decision of 3 December 1997 concerning a request for exemption submitted by the United Kingdom pursuant to Article 8 (2) (c) of Council Directive 70/156/EEC on the approximation of the laws of the Member States relating to the type-approval of motor vehicles and their trailers 94

97/858/EC:

- * Commission Decision of 3 December 1997 concerning a request for exemption submitted by the United Kingdom pursuant to Article 8 (2) (c) of Council Directive 70/156/EEC on the approximation of the laws of the Member States relating to the type-approval of motor vehicles and their trailers 95

97/859/EC:

- * Commission Decision of 3 December 1997 concerning a request for exemption submitted by the United Kingdom pursuant to Article 8 (2) (c) of Council Directive 70/156/EEC on the approximation of the laws of the Member States relating to the type-approval of motor vehicles and their trailers 96

97/860/EC:

- * Commission Decision of 3 December 1997 concerning a request for exemption submitted by Spain pursuant to Article 8 (2) (c) of Council Directive 70/156/EEC on the approximation of the laws of the Member States relating to the type-approval of motor vehicles and their trailers 97

I

(Acts whose publication is obligatory)

COMMISSION REGULATION (EC) No 2569/97**of 19 December 1997****concerning the stopping of fishing for mackerel by vessels flying the flag of Denmark**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EEC) No 2847/93 of 12 October 1993 establishing a control system applicable to the common fisheries policy⁽¹⁾, as last amended by Regulation (EC) No 2205/97⁽²⁾, and in particular Article 21 (3) thereof,

Whereas Council Regulation (EC) No 390/97 of 20 December 1996 fixing, for certain fish stocks and groups of fish stocks, the total allowable catches for 1997 and certain conditions under which they may be fished⁽³⁾, as last amended by Council Regulation (EC) No 1974/97⁽⁴⁾, provides for mackerel quotas for 1997;

Whereas, in order to ensure compliance with the provisions relating to the quantitative limitations on catches of stocks subject to quotas, it is necessary for the Commission to fix the date by which catches made by vessels flying the flag of a Member State are deemed to have exhausted the quota allocated;

Whereas, according to the information communicated to the Commission, catches of mackerel in the waters of ICES divisions IIa (EC zone), IIIa; IIIb, c, d (EC zone), IV by vessels flying the flag of Denmark or registered in

Denmark have reached the quota allocated for 1997; whereas Denmark has prohibited fishing for this stock as from 23 November 1997; whereas it is therefore necessary to abide by that date,

HAS ADOPTED THIS REGULATION:

Article 1

Catches of mackerel in the waters of ICES divisions IIa (EC zone), IIIa; IIIb, c, d (EC zone), IV by vessels flying the flag of Denmark or registered in Denmark are deemed to have exhausted the quota allocated to Denmark for 1997.

Fishing for mackerel in the waters of ICES divisions IIa (EC zone), IIIa; IIIb, c, d (EC zone), IV by vessels flying the flag of Denmark or registered in Denmark is prohibited, as well as the retention on board, the transshipment and the landing of such stock captured by the abovementioned vessels after the date of application of this Regulation.

Article 2

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

It shall apply with effect from 23 November 1997.

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

Done at Brussels, 19 December 1997.

For the Commission

Emma BONINO

Member of the Commission

⁽¹⁾ OJ L 261, 20. 10. 1993, p. 1.

⁽²⁾ OJ L 304, 7. 11. 1997, p. 1.

⁽³⁾ OJ L 66, 6. 3. 1997, p. 1.

⁽⁴⁾ OJ L 278, 11. 10. 1997, p. 1.

COMMISSION REGULATION (EC) No 2570/97

of 19 December 1997

concerning the stopping of fishing for mackerel by vessels flying the flag of Denmark

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

Having regard to Council Regulation (EEC) No 2847/93 of 12 October 1993 establishing a control system applicable to the common fisheries policy⁽¹⁾, as last amended by Regulation (EC) No 2205/97⁽²⁾, and in particular Article 21 (3) thereof,

Whereas Council Regulation (EC) No 392/97 of 20 December 1996 allocating, for 1997, certain catch quotas between Member States for vessels fishing in the Norwegian exclusive economic zone and the fishing zone around Jan Mayen⁽³⁾, provides for mackerel quotas for 1997;

Whereas, in order to ensure compliance with the provisions relating to the quantitative limitations on catches of stocks subject to quotas, it is necessary for the Commission to fix the date by which catches made by vessels flying the flag of a Member State are deemed to have exhausted the quota allocated;

Whereas, according to the information communicated to the Commission, catches of mackerel in the waters of ICES division IIa (Norwegian waters north of 62 °N) by vessels flying the flag of Denmark or registered in Denmark have reached the quota allocated for 1997;

whereas Denmark has prohibited fishing for this stock as from 23 November 1997; whereas it is therefore necessary to abide by that date,

HAS ADOPTED THIS REGULATION:

Article 1

Catches of mackerel in the waters of ICES division IIa (Norwegian waters north of 62 °N) by vessels flying the flag of Denmark or registered in Denmark are deemed to have exhausted the quota allocated to Denmark for 1997.

Fishing for mackerel in the waters of ICES division IIa (Norwegian waters north of 62 °N) by vessels flying the flag of Denmark or registered in Denmark is prohibited, as well as the retention on board, the transshipment and the landing of such stock captured by the abovementioned vessels after the date of application of this Regulation.

Article 2

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

It shall apply with effect from 23 November 1997.

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

Done at Brussels, 19 December 1997.

For the Commission

Emma BONINO

Member of the Commission

⁽¹⁾ OJ L 261, 20. 10. 1993, p. 1.

⁽²⁾ OJ L 304, 7. 11. 1997, p. 1.

⁽³⁾ OJ L 66, 6. 3. 1997, p. 57.

COMMISSION REGULATION (EC) No 2571/97

of 15 December 1997

on the sale of butter at reduced prices and the granting of aid for cream, butter and concentrated butter for use in the manufacture of pastry products, ice-cream and other foodstuffs

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

retailers for subsequent processing;

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EEC) No 804/68 of 27 June 1968 on the common organization of the market in milk and milk products⁽¹⁾, as last amended by Regulation (EC) No 1587/96⁽²⁾, and in particular Articles 6 (6), 12 (3) and 28 thereof,

Whereas the butter market in the Community is encumbered by heavy surpluses; whereas Article 6 (3) of Regulation (EEC) No 804/68 provides for disposal of the butter bought in by the intervention agency; whereas Council Regulation (EEC) No 1723/81⁽³⁾, as amended by Regulation (EEC) No 863/84⁽⁴⁾, lays down general rules on measures intended to maintain the level of use of market butter by certain classes of consumer and undertakings;

Whereas Commission Regulation (EEC) No 570/88⁽⁵⁾, as last amended by Regulation (EC) No 531/96⁽⁶⁾, provides for the sale of butter from intervention stocks at reduced prices and the granting of aid for cream, butter and concentrated butter for use in the manufacture of pastry products, ice-cream and other foodstuffs; whereas experience has shown that the arrangements need to be adjusted and simplified in order to improve the operation of the scheme;

Whereas, in order to ensure consistency with the definition of butter eligible for aid, it should be specified that cream must meet the conditions laid down in Article 6 (5) of Regulation (EEC) No 804/68 in order to qualify for aid;

Whereas Regulation (EEC) No 570/88 provides that market butter must be packaged even if, after manufacture, it is intended for incorporation in products other than final products in the same establishment; whereas this requirement is not necessary for control purposes and may be abolished in such cases; whereas the requirement concerning the packaging of certain final products in the form of uncooked dough or powder preparations may also be abolished where the products are transported direct to

Whereas, in order to facilitate verification of compliance with the six-month time limit for incorporation of products under this scheme into final products, the number of the tendering procedure should be indicated on the packaging;

Whereas past experience with cream to which tracers have been added as a product eligible for aid shows that cream to which no tracers have been added can also be accepted as eligible if it is incorporated directly and exclusively into the final products covered by formula B; whereas the limit on the maximum fat content of cream may be abolished; whereas, in order to ensure that all operators are treated equally, the conditions regarding the perception of organoleptic tracers in cream should also apply to butter and concentrated butter, and the minimum dosage of such tracers in cream should be specified;

Whereas changes to the combined nomenclature and to the composition and nature of certain final products require adjustments to the descriptions of such products and the conditions to which they are subject;

Whereas the establishments at which the different manufacturing, processing and incorporation operations covered by this scheme are carried out must be approved; whereas, in order to obtain approval, establishments must meet a number of conditions and give various undertakings; whereas establishments which no longer meet the conditions should lose their approval; whereas, if an establishment fails to comply with its undertakings, its approval should be withdrawn for a period which reflects the seriousness of the irregularity;

Whereas Regulation (EEC) No 570/88 provides that products falling within CN codes 0401 to 0406 may not, except for a few products specifically indicated, be treated as intermediate products within the meaning of that Regulation; whereas experience has shown that there is no need to maintain these exceptions, except for recombined butter; whereas the definition of 'recombined butter' should take account of the different processes by which this product is manufactured, particularly to allow for the addition of cream to concentrated butter;

⁽¹⁾ OJ L 148, 28. 6. 1968, p. 13.

⁽²⁾ OJ L 206, 16. 8. 1996, p. 21.

⁽³⁾ OJ L 172, 30. 6. 1981, p. 14.

⁽⁴⁾ OJ L 90, 1. 4. 1984, p. 23.

⁽⁵⁾ OJ L 55, 1. 3. 1988, p. 31.

⁽⁶⁾ OJ L 78, 28. 3. 1996, p. 13.

Whereas the addition of tracers to butter or cream, or incorporation of butter or cream into final products or intermediate products may take place in a Member State other than that of manufacture; whereas, in such cases, the Member State of destination must be able to ensure that the quality criteria have been complied with;

Whereas it seems appropriate to give operators the option, in the case of products to which tracers have been added, not to lodge a processing security if the aid is requested only after incorporation in final products and after checks have been carried out;

Whereas, in view of the lower level of aid henceforth applicable, the amount of the penalty to be imposed if the deadline for incorporation in final products is exceeded should be reduced;

Whereas the option provided for in Regulation (EEC) No 570/88 to fix a minimum basic selling price and/or maximum basic aid has not been taken up since it was introduced; whereas this option, together with Annex VII to that Regulation may be abolished;

Whereas reliable and regular data on the utilization of butter, cream and concentrated butter in intermediate and final products and on users and trade flows are essential for the proper management of the aid scheme; whereas the obligation to supply information laid down in Regulation (EEC) No 570/88 is limited and should therefore be widened;

Whereas, in order to enable the national authorities to fulfil their obligations to communicate information, approval of establishments should be made subject to the further condition that they undertake to supply the data required by the competent body;

Whereas Regulation (EEC) No 570/88 has been repeatedly and substantially amended; whereas, on the occasion of fresh amendments, it should be recast for the sake of clarity;

Whereas the operative events for the applicable agricultural conversion rate are laid down in Commission Regulation (EEC) No 1756/93⁽¹⁾, as last amended by Regulation (EC) No 569/96⁽²⁾;

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

HAS ADOPTED THIS REGULATION:

CHAPTER I

General provisions

Article 1

1. This Regulation shall govern:

(a) the sale of intervention butter bought in under Article 6 (1) of Regulation (EEC) No 804/68 and taken into storage before a date to be determined;

(b) the aid granted for using butter, concentrated butter and cream, as defined in paragraph 2.

2. Notwithstanding Article 9 (a), only the following may qualify for aid:

(a) butter produced directly and exclusively from pasteurized cream which meets the requirements laid down in Article 6 (2) of Regulation (EEC) No 804/68 and the requirements of the national quality class set out in Annex II to Commission Regulation (EC) No 454/95⁽³⁾ in the Member State of manufacture and whose packaging is marked accordingly. Where the butter is manufactured in the same establishment as the one in which tracers are added or the butter, with or without the addition of tracers, is incorporated at an intermediate stage into products other than final products, the packaging of the butter prior to such operations shall not be required;

(b) concentrated butter produced from butter or cream at an establishment approved in accordance with Article 10 and meeting the specifications laid down in Annex I;

(c) cream meeting the conditions of Article 6 (5) of Regulation (EEC) No 804/68, falling within CN codes ex 0401 30 39 and ex 0401 30 99, with a fat content of not less than 35 % and directly and exclusively used in the final products referred to in Article 4 (1), formula B.

Article 2

The intervention butter shall be sold and the aid shall be granted for the products referred to in Article 1 (2) by means of a standing invitation to tender organized by each intervention agency.

Article 3

Tenders shall be accepted only if the tenderer gives a written undertaking to incorporate the butter or concentrated butter, or cause it to be incorporated, exclusively and notwithstanding the intermediate products referred to in Article 8, into final products as referred to in Article 4 or, in the case of cream, directly and exclusively into final products as referred to in Article 4 (1), formula B, in one of the following ways:

(a) either by adding the tracers referred to in Article 6 (1),

⁽¹⁾ OJ L 161, 2. 7. 1993, p. 48.

⁽²⁾ OJ L 80, 30. 3. 1996, p. 48.

⁽³⁾ OJ L 46, 1. 3. 1995, p. 1.

- (i) after processing of the intervention butter into concentrated butter, in accordance with Article 5, or
 - (ii) without further processing;
- (b) or by providing a written undertaking to use, at the establishment where incorporation into the final products is effected, a minimum of 5 tonnes of butter-equivalent per month, or a minimum of 45 tonnes of butter-equivalent per year of the same quantities in intermediate products,
- (i) after processing of the intervention butter into concentrated butter, in accordance with Article 5, or
 - (ii) without further processing.

CHAPTER II

Conditions relating to the use and incorporation of the butter, concentrated butter and cream

Article 4

1. The relevant final products shall belong to one of the formulas set out below, which is to be indicated in the tender:

Formula A:

- A1 products falling within CN codes 1905 20, 1905 30, 1905 90 40, 1905 90 45, 1905 90 55, 1905 90 60 and 1905 90 90;
- A2 the following products, put up for retail sale:
- (a) sugar confectionery falling within CN codes 1704 90 51, 1704 90 55, 1704 90 61, 1704 90 65, 1704 90 71, 1704 90 75 and 1704 90 99,
 - (b) sugar confectionery falling within CN code 1806 90 50,
 - (c) other food preparations containing cocoa falling within CN codes 1806 31 00, 1806 32, 1806 90 60, 1806 90 70 and 1806 90 90, other than chocolate and chocolate items;
- A3 fillings incorporated into chocolate goods put up for retail sale falling within CN codes 1806 31 00, 1806 90 11, 1806 90 19 and 1806 90 31.
- The milkfat content by weight of the products specified in A2 and A3 shall be not less than 3 % and not more than 50 %.
- A4 products falling within CN codes 1901 20 00 and 1901 90 99:
- (a) in the form of uncooked dough, not including decoration:

(i) with a flour and/or starch base, representing not less than 40 % of the weight of the constituents calculated in terms of dry matter, mixed with milkfat and other ingredients such as sugar (sucrose), eggs or egg yolk, milk powder, salt, etc., with a milkfat content by weight exceeding 90 % of the total fat content, not including the fat forming part of the normal composition of the ingredients; and

(ii) the ingredients of which have been thoroughly kneaded and the fat emulsified, so that no matter what physical treatment is applied it is impossible to separate the milkfat; and

(iii) ready for baking, or other heat treatment of equivalent effect, for the direct production of goods falling within CN code 1905, as referred to in A1; and

(iv) put up in accordance with (c) below.

Decoration may be added to the uncooked dough, provided the product thus obtained does not fall within a different CN code;

(b) in the form of a powder preparation:

(i) with a flour and/or starch base, representing not less than 40 % of the weight of the constituents calculated in terms of dry matter, mixed with milkfat and other ingredients such as sugar (sucrose), eggs or egg yolk, milk powder, salt, etc., with a milkfat content by weight exceeding 90 % of the total fat content, not including the fat forming part of the normal composition of the ingredients; and

(ii) suitable for kneading, grinding, simple or multiple fermentation or cutting up to obtain a dough which, after baking or other equivalent heat treatment, directly produces products falling within CN code 1905, as referred to in A1; and

(iii) put up in accordance with (c) below;

(c) put up:

(i) in the case of uncooked dough, in units packed together in an outer carton; or

(ii) in the case of powder preparations, in packages of a maximum content of 25 kg;

(iii) in both cases set out in points (i) and (ii), all packages must bear, in clearly visible, legible letters the following information:

- the date of manufacture (a code may be used),
- the milkfat content by weight,
- the words 'Formula A — Article 4 of Regulation (EC) No 2571/97',
- where appropriate, the serial number referred to in Article 10 (4).

However, compliance with the conditions laid down in (i), (ii) and (iii) shall not be required where the products referred to in points (a) and (b) are either processed in the same establishment into final products as referred to in A1, or, with the agreement of the competent body, transported directly to the retailer to undergo such processing.

- A5 (a) prepared or preserved meat, fish, crustaceans and molluscs falling within Chapter 16 and food preparations falling within CN codes 1902 20 10 to 1902 30 90 and 1902 40 90 and 1904 90 10, 1904 90 90 and 2005 80 00;
- (b) sauces and preparations for sauces falling within CN codes 2103 10 00, 2103 20 00, 2103 90 10 and ex 2103 90 90 and products falling within CN code 2104 10.

The milkfat content by weight of these products, calculated in terms of dry matter, shall be at least 5 %.

Formula B:

- B1 Ice-cream falling within CN codes 2105 00 91 and 2105 00 99 and the preparations referred to in B2, suitable for consumption without further treatment other than mechanical treatment and freezing and containing 4,5 % or more by weight of milkfat but not more than 30 %.
- B2 Preparations, excluding yoghurt and yoghurt powder, for the manufacture of ice-cream falling within CN codes 1806 20 80, 1806 20 95, 1806 90 90, 1901 90 99 and 2106 90 98, which contain 10 % or more by weight of milkfat but not more than 33 %, together with one or more flavourings and with emulsifiers or stabilizers, and suitable for consumption without further treatment other than the addition of water if required, any mechanical treatment necessary, and freezing.

2. Further processing of these final products shall be permitted only if the products obtained fall within one of the CN codes referred to in paragraph 1 and if no product falling within any other CN code is produced at any intermediate stage of such processing.

Article 5

Where the intervention butter is to be processed into concentrated butter, all the butter awarded to the tenderer

must be processed into concentrated butter of a fat content of not less than 99,8 %, and must produce a minimum quantity of 100 kilograms of concentrated butter per 122,5 kilograms of butter used.

Article 6

1. Where Article 3 (a) applies, and if the product is concentrated butter in the process of or immediately after manufacture and in the same establishment, the following shall be added, to the exclusion of any other products, in such a way that they are evenly distributed, according to the minimum quantities prescribed:

- (a) if the butter or concentrated butter is to be incorporated in formula A products: the products listed in Annex II hereto,
- (b) if the butter or concentrated butter is to be incorporated in formula B products: the products listed in Annex III hereto,
- (c) in the case of cream, the products listed in Annex IV hereto.

2. Where, for example because of uneven distribution, the content of each of the products referred to in Annex II (I) to (V), Annex III (I) to (III), and Annex IV (1) is found to be more than 5 % but less than 30 % below the minimum quantities prescribed up to 1,5 % of the processing security referred to in Article 18 (2) shall be forfeited or the aid shall be reduced by 1,5 % for each percentage point below the prescribed minimum quantities.

The provisions laid down in the first subparagraph shall not apply in the case of organoleptic tracers if the products referred to in Annex II at (a) of points I to V, in Annex III at (a) of point I to III and in Annex IV (1) (a) are added in such quantities that their flavour or colour can be perceived up to the stage of incorporation in final products as referred to in Article 4 or, where applicable, in intermediate products as referred to in Article 8.

3. The competent body designated by the Member State concerned shall ensure that the requirements as to composition and characteristics, in particular the degree of purity, of the products set out in Annexes II, III and IV, have been complied with.

Article 7

1. If the manufacture of the concentrated butter, with, or without added tracers, or the addition of the tracers to butter or cream, as the case may be, and the incorporation in final products or, where applicable, in intermediate products as referred to in Article 8, are carried out in different places, then the concentrated butter, butter or cream shall be put up in sealed packages, weighing not less than 10 kilograms net for concentrated butter or butter, without prejudice to any subpackaging, and not less than 25 kilograms net for cream.

Concentrated butter and cream may also be transported in tankers or containers. Before incorporation into final products, the concentrated butter may be repackaged in sealed packages as provided for in this Article at an establishment approved for such purpose in accordance with Article 10.

2. Packages shall bear in clearly visible and legible characters an indication of this Regulation and the intended use (formula A or formula B), a reference to the number of the tendering procedure (a code may be used), to be indicated on the original packaging, so that the competent body can verify compliance with the deadline for incorporation, and:

- (a) for concentrated butter, one or more of the markings referred to in Annex V (1) (a). If tracers have been added to the concentrated butter, the words 'to which tracers have been added' shall be added;
- (b) for butter to which tracers have been added, one or more of the markings referred to in Annex V (1) (b);
- (c) for cream to which tracers have been added, one or more of the markings referred to in Annex V (1) (c).

Article 8

1. Where the butter or concentrated butter, with or without added tracers, is incorporated at an intermediate stage into products other than final products and in an establishment other than that of final processing, the conditions laid down in paragraphs 2 to 5 shall apply.

2. In accordance with Article 10, approval of the processing establishment and of the intermediate products shall be given, or refused, on the basis of an application specifying in particular the composition and butterfat content of the products manufactured and showing that incorporation into such intermediate products is justified for the manufacture of one of the final products.

The list of establishments of final processing or, failing this, the list of first consignees in the Member State and, where applicable, the list of first consignees in other Member States, shall be forwarded to the competent authority together with the application for approval.

The latter list shall be forwarded by the competent authority of each Member State to the other Member States concerned. These lists shall be updated in accordance with provisions laid down by the Member State which grants the approval.

3. Where the holder as referred to in Article 10 (2) (c) is a resale establishment, the latter shall undertake under the terms of the contract of sale:

- (a) to keep accounts showing, for each delivery, the name(s) and address(es) of the establishment(s) of final processing or, failing this, the first consignees in the Member State and, where applicable, the first con-

signees in other Member States, together with the corresponding quantities sold;

- (b) to ensure that Articles 11 and 23 (4) are complied with.

4. The competent authority shall subject intermediate processing establishments as referred to in paragraph 2 to the control measures provided for in Article 23 (3).

5. Without prejudice to any subpackaging, intermediate products shall be put up in sealed packages weighing not less than 10 kilograms net or shall be transported in tankers or containers. However, products of low density such as foamed products may be put up in sealed packaging weighing not less than five kilograms net without prejudice to any subpackaging.

Packages shall bear, in addition to the intended use (formula A or formula B) and, where applicable, the words 'to which tracers have been added', one or more of the markings referred to in Annex V (2) and, in the case of the products referred to in Article 9 (a), reference to the number of the tendering procedure (a code may be used) so that the competent body can verify compliance with the deadline for incorporation.

Article 9

The intermediate products referred to in Article 8 shall, without prejudice to Article 4, be products other than those falling within CN codes 0401 to 0406.

However,

- (a) products falling within subheading 0405 10 30 with a butterfat content of not less than 82 % manufactured exclusively from concentrated butter as referred to in Article 1 (2) (b), without prejudice to the addition of cream, at an establishment approved to that effect in accordance with Article 10, shall be considered as intermediate products on condition that tracers as referred to in Article 6 (1) have been added to them. In this case, the minimum selling price paid and the maximum amount of aid granted shall correspond respectively to the minimum selling price and the maximum amount of aid fixed in accordance with Article 18 for traced butter with a fat content of 82 %;
- (b) mixtures as referred to in Annex VI shall not be considered to be intermediate products.

Article 10

1. The manufacture of concentrated butter as referred to in Article 1 (2) (b), the processing of butter into concentrated butter as referred to in Article 5, the addition of tracers as referred to in Article 6, the repackaging of concentrated butter as referred to in the second subparagraph of Article 7 (1), the incorporation into intermediate products as referred to in Article 8 and, where Article 3 (b) applies, the incorporation of butter, concentrated butter, intermediate products and cream into final products shall be carried out in approved establishments.

2. Establishments shall be approved only on condition that:

- (a) they possess suitable technical plant, capable of processing or incorporating at least five tonnes of butter per month or its equivalent in concentrated butter or cream, or, where appropriate, intermediate products;
- (b) they possess premises enabling any stocks of non-butter fats held to be kept separate and identified;
- (c) they undertake to keep permanent records showing the quantities, composition and origin of fats used and the quantities, composition and butterfat content of the products obtained, and, except for establishments marketing final products at the retail stage, the date on which the products leave the establishment and the names and addresses of their holders, supported by references to the delivery orders and invoices;
- (d) they undertake to forward the manufacturing programme for each tender offer as defined in Article 16 to the agency responsible for inspection as referred to in Article 23, in accordance with the detailed rules laid down by the Member State concerned. However, where the competent agency decides, as a result of the inspections referred to in Article 23, to carry out intensive checks at least once a month, Member States may accept manufacturing programmes which do not bear a reference to the tender;
- (e) they undertake to forward to the competent body the data concerning them as referred to in Annexes IX to XIII, in accordance with detailed rules to be laid down by each Member State.

3. Establishments which process different products attracting aid or price reductions under different Community schemes must also undertake:

- (a) to keep separately the records referred to in paragraph 2 (c),
- (b) to process the said products successively. However, at the request of the party concerned, Member States may waive this obligation if any establishment possesses premises ensuring proper separation and identification of any stocks of the butter in question.

4. Separate approvals bearing a serial number shall be issued by the Member States on whose territories each of the following are performed:

- (a) manufacture of concentrated butter;
- (b) addition of tracers to butter or cream;
- (c) incorporation into intermediate products;
- (d) where Article 3 (b) applies, incorporation into final products.

5. An approval shall be withdrawn whenever the pre-conditions set out in paragraph 2 (a) and (b) are no longer met. At the request of the establishment concerned, approval may be restored after a minimum period of six months, following a detailed inspection.

If an establishment is found not to have complied with one of its undertakings as referred to in paragraph 2 (c) and (d) or any other obligation arising from this Regulation, then, except in cases of *force majeure*, approval shall be suspended for a period of one to twelve months, depending on the seriousness of the irregularity. Member States may decide not to impose such a suspension if it is established that the irregularity was not committed deliberately or through serious negligence and that its consequences are marginal.

Article 11

The products referred to in Article 1 shall be processed and incorporated into final products in the Community within a period of six months following the month of the closing date for the submission of tenders in response to the individual invitation to tender as fixed in accordance with Article 14 (2).

Article 12

1. Successful tenderers shall:

- (a) carry out or cause to be carried out on their behalf and at their expense the operations relating to the manufacture of concentrated butter and the addition of tracers;
- (b) keep accounts showing, for each delivery, the names and addresses of the purchasers and the corresponding quantities, specifying their intended use (formula A or formula B) and either the deadline for incorporation referred to in Article 11 or the number of the tendering procedure, which may be in code. Where the successful tenderer processes different products attracting aid or price reductions under different Community schemes, separate accounts must be kept for each scheme;
- (c) include in each sales contract:
 - (i) in the case of manufacture of intermediate products, an obligation to comply with Articles 8 and 9;
 - (ii) an obligation to comply, where appropriate, with the undertaking referred to in Article 3 (b);

- (iii) an obligation of incorporation into final products, specifying the intended use (formula A or formula B), within the period referred to in Article 11;
- (iv) where applicable, an obligation to keep accounts as referred to in point (b);
- (v) an obligation to comply with Article 10;
- (vi) an obligation to keep records as referred to in Article 10 (2) (c) where products containing tracers are incorporated into final products;
- (vii) an obligation on the contractor to forward to the competent body the data concerning them as referred to in Annexes IX to XIII, in accordance with detailed rules to be laid down by each Member State;
- (viii) where applicable, an obligation to provide the manufacturing programme.

2. Successful tenderers who manufacture the final products must keep records as referred to in Article 10 (2) (c) and forward their manufacturing programmes in accordance with Article 10 (2) (d).

CHAPTER III

Tendering procedures

Article 13

1. Notice of a standing invitation to tender shall be published in the *Official Journal of the European Communities* at least eight days before the first closing date for submission of tenders.

2. The competent intervention agency shall issue each notice of invitation to tender, indicating in particular the closing date and address for the submission of tenders.

The intervention agency shall also specify, for the butter stocks it holds:

- (a) the location of the cold stores where the butter intended for sale is held. Only the stores holding the oldest butter shall be listed.
- (b) the quantity of intervention butter for sale in each store.

Article 14

1. During the period of validity of the standing invitation to tender, intervention agencies shall issue individual invitations to tender.

2. The period for the submission of tenders in response to each individual invitation shall expire at 12 noon (Brussels time) each second and fourth Tuesday of the

month, except the fourth Tuesday in December. If the Tuesday is a public holiday, the period shall expire at 12 noon (Brussels time) on the previous working day.

Article 15

1. Intervention agencies shall make available to prospective tenderers on request an up-to-date list as provided for in Article 13 (2) (a) of the cold stores where the oldest butter put up for tender is stored and the corresponding quantities. Intervention agencies shall also publish updated lists at regular intervals, in an appropriate form to be specified in the notices of invitation to tender provided for in Article 13 (2). Intervention agencies shall inform the Commission, when transmitting tender offers to it, of the quantities of butter available for sale.

2. Intervention agencies shall take the necessary steps to enable prospective tenderers to examine samples of the butter for sale, at their own expense, before tendering.

Article 16

1. Tenders shall be submitted in writing either by registered post or delivery by hand to the intervention agency against proof of receipt, or by any other written means of telecommunication.

Tenders relating to the sale of intervention butter shall be submitted to the intervention agency holding the butter.

Tenders relating to the grant of aid shall be submitted:

- (a) where Article 3 (a) applies, to the intervention agency of the Member State in whose territory tracers are to be added;
- (b) where Article 3 (b) applies, to the intervention agency of the Member State in whose territory the first of the following operations is to be carried out:

- (i) manufacture of concentrated butter, or
- (ii) incorporation of butter into intermediate products, or
- (iii) incorporation of butter or cream into final products.

2. Tenders relating to the sale of butter shall state:

- (a) the name and address of the tenderer;
- (b) the quantity applied for;
- (c) the intended use of the butter (formula A or formula B), the incorporation procedure chosen having regard to the relevant provisions of Article 3 and, where applicable, the manufacture of intermediate products as referred to in Article 9 (a);

- (d) the price offered per 100 kilograms of butter, exclusive of internal taxes, ex cold store, expressed in ecus;
- (e) where appropriate, the Member State on whose territory the butter is to be incorporated into final products or processed into concentrated butter, tracers are to be added to the butter or intermediate products are to be manufactured;
- (f) where appropriate, the cold store in which the butter is held and, optionally, an alternative store.

3. Tenders for the grant of aid shall state:

- (a) the name and address of the tenderer;
- (b) the quantity of cream, butter or concentrated butter for which aid is requested and, in the case of butter, the fat content;
- (c) the intended use of the butter (formula A or formula B), the incorporation procedure chosen having regard to the relevant provisions of Article 3 and, where applicable, the manufacture of intermediate products as referred to in Article 9 (a);
- (d) the proposed amount of aid per 100 kilograms of cream, butter or concentrated butter, disregarding any tracers, expressed in ecus.

4. Tenders shall be valid only if:

- (a) relating to a single product (intervention butter, cream or butter or concentrated butter), which a uniform fat content in the case of butter (82 % or more, or less than 82 %), intended for the same use (formula A or formula B) and subject to the same incorporation procedure (whether or not tracers are to be added);
- (b) relating to at least five tonnes of butter or twelve tonnes of cream or four tonnes of concentrated butter. However, if the quantity available in a store is less, this available quantity shall constitute the minimum quantity for the tender;
- (c) accompanied by the undertaking referred to in the first sentence of Article 3 and, where appropriate, the undertaking referred to in Article 3 (b);
- (d) without prejudice to Article 18 (4), tenderers include a declaration to the effect that they agree to forgo any claim as to the quality and characteristics of any butter awarded to them;
- (e) proof is furnished before expiry of the period set for the submission of tenders that the tenderer has lodged a tendering security as referred to in Article 17 (1) for the relevant individual invitation to tender;

The undertakings and declarations referred to in points (c) and (d) of the first subparagraph forwarded initially to the intervention agency shall be tacitly renewed for sub-

sequent tenders until this arrangement is expressly terminated by the tenderer or the intervention agency, on condition that:

- (a) the original tender states that the tenderer wishes this subparagraph to be applied;
- (b) subsequent tenders refer to this subparagraph and to the date of the original tender.

5. No tender may be withdrawn after the closing date as specified in Article 14 (2) for the specific invitation to tender concerned.

Article 17

1. Maintenance of the tender after the closing date for the submission of tenders and, where appropriate,

- (a) for intervention butter, the lodging of a processing security as referred to in Article 18 (2) and payment of the price within the period set in Article 20 (2);

- (b) for the products referred to in Article 1 (2), where Article 3 (a) applies, the lodging of a processing security as referred to in Article 18 (2) or, where the second subparagraph of Article 22 (3) applies, incorporation into final products;

- (c) for the products referred to in Article 1 (2), where Article 3 (b) applies, incorporation into final products,

shall constitute primary requirements, against performance of which a tendering security of ECU 180 per tonne shall be lodged.

2. Tendering securities shall be lodged in the Member State in which the tender is submitted.

However, if the tender offer states, under Article 16 (2) (e), that incorporation into final products or, where appropriate, manufacture of concentrated butter or addition of tracers to butter, or manufacture of intermediate products will take place in a Member State other than the Member State in which the tender has been submitted, the security may be lodged with the competent authority designated by the other Member State, which shall issue to the tenderer the proof referred to in Article 16 (4) (e). In such cases, the intervention agency concerned shall inform the competent authority of the other Member State of the circumstances entailing release or forfeiture of the security.

Article 18

1. A minimum selling price shall be fixed for intervention butter and maximum aid shall be fixed for cream, butter or concentrated butter in the light of the tenders received in response to each individual invitation to tender and in accordance with the procedure laid down in Article 30 of Regulation (EEC) No 804/68. The price or aid thus fixed may vary according to:

- (a) the intended use (formula A or formula B),
- (b) the fat content of the butter,
- (c) the incorporation procedure to be followed in accordance with Article 3.

In accordance with the procedure defined in Article 30 of Regulation (EEC) No 804/68, a decision may be taken to make no award in respect of an invitation to tender.

2. At the same time as the minimum selling price(s) or maximum amount(s) of aid is/are fixed and under the procedure defined in Article 30 of Regulation (EEC) No 804/68, the amount(s) of the processing security shall be fixed per 100 kilograms by reference either to the difference between the intervention price of butter and the minimum prices fixed or to the amounts of aid.

The purpose of the processing security shall be to ensure performance of the primary requirements concerning either:

- (a) for intervention butter:
 - (i) the processing of the butter into concentrated butter in accordance with Article 5 and the addition of tracers, where appropriate, or the addition of tracers to the butter,
 - and
 - (ii) the incorporation of the butter or concentrated butter, to which tracers have or have not been added, into final products; or,
- (b) for products as referred to in Article 1 (2), where Article 3 (a) applies, incorporation into final products.

3. The proof required for the purposes of release of the processing security referred to in paragraph 2 shall be produced for the competent agency designated by the Member State within 12 months of the expiry of the period laid down in Article 11.

Where the time limits laid down in Article 11 are exceeded by less than a total of 60 days, the processing security shall be forfeited at the rate of ECU 4 per tonne per day. At the end of this period, Article 23 of Commission Regulation (EEC) No 2220/85⁽¹⁾ shall apply to the amount remaining.

4. Where the primary requirements referred to in paragraph 2 (a) are not complied with within the time limits laid down in Article 11 because the intervention butter is found to be unfit for consumption, any processing securities shall nevertheless be released, with the agreement of the Commission, once appropriate action has been taken under the supervision of the authorities of the Member State concerned.

Article 19

1. Tenders shall be rejected if the price offered is lower than the minimum price or if the amount of aid proposed exceeds the maximum amount of aid fixed, due regard being had to the intended use, the fat content of the butter in question and the incorporation procedure.

2. Without prejudice to paragraph 1, successful tenderers shall be those offering the highest price.

The competent intervention agency shall sell intervention butter on the basis of the date on which it entered storage, starting with the oldest butter among the total available quantity or, where applicable, the available quantity in the cold store(s) named by the operator.

3. Under the sale procedure, if the quantity available in the store in question is not exhausted, contracts for the remaining quantity shall be awarded to the other tenderers according to the prices offered, starting with the highest price. Where the remaining quantity is one tonne or less, that quantity shall be offered to the successful tenderers on the same terms as quantities already awarded to them.

Where acceptance of a tender would lead to a contract being awarded for more butter than is available at the cold store in question, a contract shall be awarded to the tenderer concerned only for the quantity available. However, notwithstanding Article 16 (2) (f), the intervention agency shall designate other stores from which the quantity specified in the tender is to be made up.

Where, in respect of a single cold store, acceptance of two or more tenders offering the same prices with the same intended uses for the butter, the same fat content and the same method of incorporation would lead to contracts being awarded in excess of the quantity available, awards shall be made by dividing the quantity available in proportion to the quantities tendered for. However, should such a division lead to the award of quantities of less than five tonnes, awards shall be made by drawing lots.

4. Rights and obligations arising in connection with the invitation to tender shall not be transferable.

CHAPTER IV

Sale by tendering procedure of butter from intervention

Article 20

1. All tenderers shall immediately be notified by the competent intervention agency of the result of their participation in an individual invitation to tender.

⁽¹⁾ OJ L 205, 3. 8. 1985, p. 5.

2. Before removing the butter and within the period specified in Article 21 (2), successful tenderers shall pay the intervention agency an amount corresponding to their tender for the quantity which they intend to remove from store and shall lodge a processing security as referred to in Article 18 (2).

3. Except in cases of *force majeure*, if the successful tenderer has not made the payment referred to in paragraph 2 within the specified period the tendering security referred to in Article 17 (1) shall be forfeited and the sale of the remaining quantities shall be cancelled.

Article 21

1. When the amount referred to in Article 20 (2) has been paid and a security as referred to in Article 18 (2) has been lodged, the intervention agency shall issue a removal warrant indicating:

- (a) the quantity for which the conditions referred to above have been satisfied and the tender to which it relates, identified by a serial number;
- (b) the cold store where it is stored;
- (c) the final date for removal of the butter;
- (d) the final date for incorporation into final products;
- (e) the incorporation procedure chosen, having regard to Article 3, and
the intended use (formula A or formula B).

2. Successful tenderers shall remove the butter awarded to them within 45 days of the closing date for submission of tenders. Removal may take place in instalments.

If the payment referred to in Article 20 (2) has been made but the butter has not been removed within the period referred to above, the successful tenderer shall bear the cost and risk of storing the butter with effect from the day following that referred to in paragraph 1 (c).

3. The butter shall be handed over by the intervention agency in packages bearing a clear and legible indication of this Regulation, the intended use (formula A or formula B) and the incorporation procedure chosen having regard to the relevant provisions of Article 3.

The butter shall remain in its original packaging until the start of the incorporation procedure in accordance with Article 3.

4. For imperative and duly substantiated commercial reasons, a change in the intended use or incorporation method for the entire quantity of the tender as referred to in Article 16, prior to the addition of tracers where Article 3 (a) applies, shall be authorized by the intervention

agency, under its supervision and in compliance with this Regulation.

However, where the minimum selling price or the maximum level of aid referred to in Article 18 (1), as the case may be, are identical for formula A and formula B, at the tenderer's request a change in the intended use between the two formulas for the entire quantity of the tender as referred to in Article 16 may be authorized by the competent authority, under its supervision and in compliance with this Regulation.

CHAPTER V

Performance of the tender as regards the granting of aid

Article 22

1. All tenderers shall immediately be notified by the competent intervention agency of the result of their participation in an individual invitation to tender.

2. Successful tenderers shall be notified of the following in particular:

- (a) the amount of aid awarded for the quantity of butter, concentrated butter or cream concerned and the tender to which it relates, identified by a serial number;
- (b) where applicable, the amount of the processing security;
- (c) the final date for incorporation into final products;
- (d) the incorporation procedure chosen, having regard to Article 3, and the intended use (formula A or formula B), without prejudice to the application of Article 21 (4).

3. Aid shall be paid to successful tenderers only on condition that proof has been provided, within 12 months of the final date laid down in Article 11:

(a) for butter:

- (i) that it has satisfied the conditions laid down in Article 1 (2) (a),
and
- (ii) that it has been incorporated into final products within the period laid down in Article 11 or, where Article 3 (a) applies, that the processing security referred to in Article 18 (2) has been lodged;

(b) for concentrated butter:

- (i) that it has been manufactured in accordance with the specifications in Annex I within the period laid down in Article 11,
and

- (ii) that it has been incorporated into final products within the period laid down in Article 11 or, where Article 3 (a) applies, that the processing security referred to in Article 18 (2) has been lodged;
- (c) for cream:
 - (i) that it has satisfied the conditions laid down in Article 1 (2) (c),
 - and
 - (ii) that it has been incorporated into final products within the period laid down in Article 11 or, where Article 3 (a) applies, that the processing security referred to in Article 18 (2) has been lodged.

However, no processing security as referred to in Article 18 (2) need be lodged if the aid is claimed following completion of the checks referred to in Article 23 and if proof is supplied of incorporation into final products within the period laid down in Article 11.

4. The aid shall be paid within 60 days of presentation to the intervention agency of the proof referred to in paragraph 3, in proportion to the quantities for which such proof has been provided.

However, Member States may restrict payment of the aid to one application per month and per tendering procedure.

Where the period specified in Article 11 is exceeded by less than a total of 60 days, for products as referred to in Article 3 (b), the aid shall be reduced by ECU 4 per tonne per day. At the end of this period, the remaining amount of the aid shall be reduced by 15 %, and thereafter by 2 % for each extra day.

Where a subordinate obligation within the meaning of Article 20 of Regulation (EEC) No 2220/85 is not complied with and in the absence of any specific penalty provided for under this Regulation, the aid shall be reduced by 15 %.

In cases of *force majeure* or where an administrative inquiry concerning entitlement to the aid has been initiated, payment shall not be made until entitlement to the aid has been established.

CHAPTER VI

Control measures

Article 23

1. In order to ensure compliance with this Regulation, Member States shall adopt the control measures set out in paragraphs 2 to 8, the cost of which they shall bear.

2. During the manufacture of concentrated butter, whether or not tracers are added, or during the addition of tracers to cream or butter, or during repackaging as

referred to in the second subparagraph of Article 7 (1), the competent agency shall carry out on-the-spot checks on the basis of the establishment's manufacturing programme as referred to in Article 10 (2) (d) in such a way that each tender award, as referred to in Article 16, is checked at least once. However, for quality control purposes, Member States may, after obtaining the Commission's consent, establish under their supervision a system of self-checking for certain approved establishments.

Such checks shall entail physical sampling and shall relate in particular to the conditions of manufacture and the quantity and composition of the product obtained depending on the butter or cream used.

The above checks shall be supplemented from time to time, on the basis of quantities processed, by detailed scrutiny, by sampling of records as referred to in Article 10 (2) (c) and, where appropriate, by sampling accounts as referred to in Article 12 (1) (b) and by verifying compliance with the terms and conditions governing approval of the establishment.

3. The arrangements to check the incorporation of concentrated butter or butter into intermediate products must include at least the following provisions:

- (a) on-the-spot inspections of the establishments concerned shall be carried out unannounced on the basis of the manufacturing programme as referred to in Article 10 (2), (d), at a frequency which shall depend on the quantities used, but at least once a month. Inspections shall relate in particular to the conditions in which the intermediate products are manufactured and compliance with the requirements regarding butterfat content as declared in accordance with Article 8 (2), by means of:
 - (i) scrutiny of the records provided for in Article 10 (2) (c) to verify the composition as declared of the intermediate products manufactured,
 - (ii) sampling of intermediate products and examination of the butterfats used, to check the composition as indicated in the above records,
 - (iii) checks on the input of butterfat and the output of intermediate products manufactured;
- (b) the inspections referred to in (a) shall be supplemented by checks to ascertain whether the conditions for the approval of the undertaking have been complied with and, where applicable, checks on the accounts referred to in Article 12 (1), and by detailed inspection of the said records carried out:
 - by sampling, where Article 3 (a) applies,
 - for each batch of intermediate products manufactured, where Article 3 (b) applies.

4. The arrangements to check the use of butter or concentrated butter or cream or of intermediate products in final products must include at least the following provisions:

(a) on-the-spot inspections of the establishments concerned shall be carried out to check compliance with the use to which the product is to be put as stated in the tender, on the basis of either the manufacturing recipes and of the records referred to in Article 10 (2) (c) or of the accounts referred to in Article 12 (1) (b):

(i) by sampling, at a frequency based on the quantities used, where Article 3 (a) applies, but at least once a month if five tonnes or more of butter or its equivalent are incorporated in the establishment per month. Such establishments shall forward their manufacturing programme in accordance with Article 10 (2) (d),

(ii) for each manufacturing batch of final products, where Article 3 (b) applies;

(b) where Article 3 (b) applies, the checks referred to in (a) shall be carried out at least once a month and shall be supplemented periodically by checks to ascertain compliance with:

(i) Article 1 (2) if necessary, with sampling of final products where appropriate,

(ii) the conditions for the approval of the establishment,

(iii) the undertaking given under Article 3 (b). Application of this provision may be suspended where an establishment has not respected its undertaking.

5. Where Article 3 (b) applies, 'manufacturing batch' shall mean a quantity of products manufactured from butter or concentrated butter or cream to which no tracers have been added, identified in relation to all or part of a tender as referred to in Article 16.

Where Article 3 (a) applies, the checks referred to in paragraph 3 (a) and in subpoint (i) of paragraph 4 (a) shall be carried out by identifying the quantities used in relation to tenders as referred to in Article 16.

6. Where Article 3 (a) applies, the checks referred to in paragraph 4 shall be deemed to have been carried out if the successful tenderers or, where applicable, the vendors submit a declaration by the final users or, where applicable, the final retailers, applicable to all sales, in which the latter:

(a) confirm their undertaking of incorporation into final products, as referred to in subpoint (iii) of Article 12 (1) (c) and set out in the sales contract;

(b) state that they are aware of the penalties they may incur if any checks which the public authorities may perform reveal that they have not fulfilled the obligations they have entered into.

Without prejudice to the penalties laid down now or in the future by the Member States concerned, a sum equal to the amount of the processing security referred to in Article 18 (2) shall be paid to the intervention agency in respect of the quantities concerned.

The Member States shall notify the Commission, before 1 March each year in respect of the previous year, or all cases where this point is applied.

The first subparagraph shall apply only if the final user or, where applicable, the final retailer, undertakes in writing to purchase over a 12-month period not more than 9 tonnes of butter-equivalent covering, where relevant, not more than 14 tonnes of cream or the same quantity of butter or concentrated butter in intermediate products. That subparagraph shall no longer apply to final users or final retailers who have not complied with this undertaking. However, if the competent authority deems it justified, it may approve a further undertaking by a final user or retailer who has so requested in writing, setting out the reasons for their non-compliance with the previous undertaking. Such approval may take effect only after a period of 12 months following the request. In the meantime, the checks referred to in paragraph 4 shall apply.

7. In addition to the checks referred to in paragraphs 2 to 6, the data forwarded to the competent authority under Article 10 (2) (e) and subpoint (vii) of Article 12 (1) (c) shall be checked periodically.

8. The inspections carried out pursuant to this Article must be the subject of an inspection report specifying the date of the inspection, its duration, and the operations carried out.

Article 24

1. Commission Regulation (EEC) No 3002/92⁽¹⁾ shall apply *mutatis mutandis* to the products referred to in this Regulation, save as otherwise provided for herein. The products referred to in Article 1 (2) shall also be subject to the checks referred to in Article 2 of Regulation (EEC) No 3002/92 from the beginning of the operations referred to in Article 6 or, in the case of concentrated butter to which no tracers have been added, from the date of manufacture or, in the case of butter to which no tracers have been added, incorporated into intermediate products, as from the date of incorporation and until incorporation into the final products.

The special entries to be made in sections 104 and 106 of the T5 control copy shall be as set out in Annex VII.

2. Where tracers have been added to butter or cream, or butter or cream have been incorporated into final products or, where applicable, into intermediate products, in a Member State other than the country of manufacture, such butter or cream shall be accompanied by a certificate issued by the competent authority of the Member State stating that the terms of Article 1 (2) have been complied with.

⁽¹⁾ OJ L 301, 17. 10. 1992, p. 17.

CHAPTER VII

Reporter requirements*Article 25*

The Member States shall communicate to the Commission:

1. each month, for the previous month, the data referred to in Annex VIII;
2. before 1 March, 1 June, 1 September and 1 December, for the previous quarter of the calendar year:
 - (a) the data referred to in Annexes IX, X, XI and XII,
 - (b) the prices paid, expressed as a weighted average with an indication of the extremes, as declared by final users in accordance with the rules laid down by the Member State or established by sampling by the Member State,
 - (c) cases where it has been found that the terms of Article 1 (2) have not been complied with;
3. before 1 March each year, for the previous year,
 - the date referred to in Annex XIII,
 - the number of changes of intended use authorized under Article 21 (4) and the quantities and uses concerned.

Member States shall take the necessary steps to ensure compliance with the obligations referred to in Article 10 (2) (e) and subpoint (vii) of Article 12 (1) (c).

CHAPTER VIII

General provisions*Article 26*

For the purposes of this Regulation, except as regards Articles 8, 10 and 23, the Belgium-Luxembourg Economic Union shall be regarded as a single Member State.

Article 27

Regulations (EEC) No 2220/85 shall apply, except where otherwise explicitly provided. The penalty for failure to comply with a subordinate obligation provided for in this

Regulation shall preclude the penalties provided for by Regulation (EEC) No 2220/85.

Article 28

Regulation (EEC) No 570/88 is hereby repealed.

However, the following provisions shall apply:

- (a) Regulation (EEC) No 570/88 shall continue to apply to tendering procedures for which the period allowed for submission of tenders expires before 1 January 1998, without prejudice to the provisions of the third paragraph of Article 29;
- (b) pre-printed packages as referred to in Articles 8 and 9 of Regulation (EEC) No 570/88 may be used until 30 June 1998;
- (c) the undertakings entered into under point 5 of Article 23 of Regulation (EEC) No 570/88 and the approval of establishments and intermediate products under Article 10 of that Regulation shall remain valid under this Regulation except for those concerning products falling within CN codes 0402 21 19 and 0402 21 99. The competent authorities shall ensure that the additional undertakings referred to in Article 10 of this Regulation are made by the establishments concerned not later than 30 June 1998.

References to the repealed Regulation shall be construed as references to this regulation.

Article 29

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

It shall apply from 1 January 1998.

However, where successful tenderers so request, from the date of entry into force of this Regulation and before their incorporation into final products, Articles 4, 6 (2) and 23 (6) shall be applied to quantities awarded before 1 January 1998. In such cases, the intervention agency shall issue an amendment to the initial terms of the contract and forward a copy thereof, at the successful tenderer's request, to the inspection authorities of the other Member States concerned.

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

Done at Brussels, 15 December 1997.

For the Commission

Franz FISCHLER

Member of the Commission

ANNEX I

Quality requirements for pure concentrated butter⁽¹⁾
(to which no tracers have been added)⁽¹⁾

- *Milk fat content*: minimum 99,8 %,
 - *Moisture content and non-milk fat constituents*: maximum 0,2 %,
 - *Free fatty acids*: maximum 0,35 % (expressed as oleic acid),
 - *Peroxide number*: maximum 0,5 % (in milli-equivalents of active oxygen per kilogram),
 - *Flavour*: fresh,
 - *Smell*: absence of extraneous odours,
 - *Neutralizing agents, antioxidants and preservatives*: absent,
 - *Non-milkfats*: absent⁽²⁾.
-

⁽¹⁾ The analyses regarding the conditions referred to below must be carried out before the products referred to in Annexes II and III are added to the concentrated butter.

⁽²⁾ To be tested for at random on the basis of quantities produced, at least once for every 1 000 tonnes and/or once a month in accordance with the detailed rules referred to in Annex III to Regulation (EC) No 454/95.

ANNEX II

Products to be incorporated per tonne of butter or of concentrated butter — Formula A

(Article 6 (1) (a))

The products referred to in the first indent of Article 6 (1) (a) are the following:

I. Either:

- (a) — 250 grams of 4-hydroxy-3-methoxybenzaldehyde obtained either from vanilla or from synthetic vanillin,
or
— 100 grams of 4-hydroxy-3-methoxybenzaldehyde obtained exclusively from vanilla beans or integral extracts thereof;
and
- (b) — 11 kg of triglycerides of enanthic (n-heptanoic) acid, at least 95 % pure, calculated as triglycerides on the product ready for incorporation, with a maximum acid value of 0,3, a saponification number between 385 and 395, and a 95 % minimum content of enanthic acid in the esterified acid part,
or
— 150 grams of stigmasterol ($C_{29}H_{48}O = \Delta$ 5,22-stigmastene-3-beta-ol), at least 95 % pure, calculated on the product ready for incorporation,
or
— 170 grams of stigmasterol ($C_{29}H_{48}O = \Delta$ 5,22-stigmastene-3-beta-ol) at least 85 % pure, calculated on the product ready to be incorporated, containing not more than 7,5 % brassicasterol ($C_{28}H_{46}O = \Delta$ 5,22-ergostene-3-beta-ol) and not more than 6 % sitosterol ($C_{29}H_{50}O = \Delta$ 5,22-stigmastene-3-beta-ol).

II. Or:

- (a) 20 grams of ethyl ester of beta-apo-8'-carotenic acid, in the form of a compound soluble in the butterfat;
and
- (b) — 11 kg of triglycerides of enanthic (n-heptanoic) acid, at least 95 % pure, calculated as triglycerides on the product ready for incorporation, with a maximum acid value of 0,3, a saponification number between 385 and 395, and a 95 % minimum content of enanthic acid in the esterified acid part,
or
— 150 grams of stigmasterol ($C_{29}H_{48}O = \Delta$ 5,22-stigmastene-3-beta-ol), at least 95 % pure, calculated on the product ready for incorporation,
or
— 170 grams of stigmasterol ($C_{29}H_{48}O = \Delta$ 5,22-stigmastene-3-beta-ol) at least 85 % pure, calculated on the product ready to be incorporated, containing not more than 7,5 % brassicasterol ($C_{28}H_{46}O = \Delta$ 5,22-ergostene-3-beta-ol) and not more than 6 % sitosterol ($C_{29}H_{50}O = \Delta$ 5,22-stigmastene-3-beta-ol).

III. Or:

- (a) 250 kilograms of refined granulated or powdered sugar;
and
- (b) — 11 kilograms of triglycerides of enanthic (n-heptanoic) acid, at least 95 % pure, calculated as triglycerides on the product ready to be incorporated, with a maximum acid value of 0,3, a saponification number between 385 and 395, and a 95 % minimum content of enanthic acid in the esterified acid part,
or
— 150 grams of stigmasterol ($C_{29}H_{48}O = \Delta$ 5,22-stigmastene-3-beta-ol) at least 95 % pure, calculated on the product ready for incorporation,
or
— 170 grams of stigmasterol ($C_{29}H_{48}O = \Delta$ 5,22-stigmastene-3-beta-ol) at least 85 % pure, calculated on the product ready to be incorporated, containing not more than 7,5 % brassicasterol ($C_{28}H_{46}O = \Delta$ 5,22-ergostene-3-beta-ol) and not more than 6 % sitosterol ($C_{29}H_{50}O = \Delta$ 5-stigmastene-3-beta-ol).

IV. Or:

- (a) Compounds responsible for the aroma of one or more flavourings in the form of oils or oleoresins, e.g. onion oil, garlic oil, tarragon oil, etc., in such quantities that their flavour can be perceived after dilution of the concentrated butter and marked with a neutral oil in the proportion of 1:20;

and

- (b) — 11 kg of triglycerides of enanthic (n-heptanoic) acid, at least 95 % pure, calculated as triglycerides on the product ready for incorporation, with a maximum acid value of 0,3, a saponification number between 385 and 395, and a 95 % minimum content of enanthic acid in the esterified acid part,

or

- 150 grams of stigmaterol ($C_{29}H_{48}O = \Delta 5,22$ -stigmastene-3-beta-ol), at least 95 % pure, calculated on the product ready for incorporation,

or

- 170 grams of stigmaterol ($C_{29}H_{48}O = \Delta 5,22$ -stigmastene-3-beta-ol) at least 85 % pure, calculated on the product ready to be incorporated, containing not more than 7,5 % brassicasterol ($C_{28}H_{46}O = \Delta 5,22$ -ergostene-3-beta-ol) and not more than 6 % sitosterol ($C_{29}H_{50}O = \Delta 5$ -stigmastene-3-beta-ol).

V. Or:

- (a) — 500 grams of thymol (5-methyl-2-isopropyl-1-phenol = $C_{10}H_{14}O$), at least 99 % pure,

or

- 500 grams of eugenol (4-allyl-2-methoxyphenol = $C_{10}H_{12}O_2$), at least 99 % pure,

or

- 10 grams of capsaicin (trans-8-methyl-N-vanillyl-6-nonenamide $C_{18}H_{27}NO_3$), in the oleoresin of capsicum;

and

- (b) — 11 kg of triglycerides of enanthic (n-heptanoic) acid, at least 95 % pure, calculated as triglycerides on the product ready for incorporation, with a maximum acid value of 0,3, a saponification number between 385 and 395, and a 95 % minimum content of enanthic acid in the esterified acid part,

or

- 150 grams of stigmaterol ($C_{29}H_{48}O = \Delta 5,22$ -stigmastene-3-beta-ol), at least 95 % pure, calculated on the product ready for incorporation,

or

- 170 grams of stigmaterol ($C_{29}H_{48}O = \Delta 5,22$ -stigmastene-3-beta-ol) at least 85 % pure, calculated on the product ready to be incorporated, containing not more than 7,5 % brassicasterol ($C_{28}H_{46}O = \Delta 5,22$ -ergostene-3-beta-ol) and not more than 6 % sitosterol ($C_{29}H_{50}O = \Delta 5$ -stigmastene-3-beta-ol).

ANNEX III

Products to be incorporated per tonne of butter or of concentrated butter — Formula B

(Article 6 (1) (b))

The products referred to in the second indent of Article 6 (1) (b) are the following:

I. Either:

- (a) — 250 grams of 4-hydroxy-3-methoxybenzaldehyde obtained either from vanilla or from synthetic vanillin,
or
— 100 grams of 4-hydroxy-3-methoxybenzaldehyde obtained exclusively from vanilla pods or integral extracts thereof;
and
- (b) 600 grams of a compound containing at least 90 % of sitosterol and in particular 80 % of beta-sitosterol ($C_{29}H_{50}O = \Delta$ 5-stigmastene-3-beta-ol), as well as a maximum of 9 % of campesterol ($C_{28}H_{48}O = \Delta$ 5-ergostene-3-beta-ol) and 1 % of other sterols in traces, including stigmasterol ($C_{29}H_{48}O = \Delta$ 5,22-stigmastene-3-beta-ol).

II. Or:

- (a) 20 grams of ethyl ester of beta-apo-8'-carotenic acid, in the form of a compound soluble in the butterfat;
and
- (b) 600 grams of a compound containing at least 90 % of sitosterol, and in particular 80 % of beta-sitosterol ($C_{29}H_{50}O = \Delta$ 5-stigmastene-3-beta-ol), as well as a maximum 9 % of campesterol ($C_{28}H_{48}O = \Delta$ 5-ergostene-3-beta-ol) and 1 % of other sterols in traces including stigmasterol ($C_{29}H_{48}O = \Delta$ 5,22-stigmastene-3-beta-ol).

III. Or:

- (a) 250 kg of refined granulated or powdered sugar;
and
 - (b) 600 grams of a compound containing at least 90 % of sitosterol, and in particular 80 % of beta-sitosterol ($C_{29}H_{50}O = \Delta$ 5-stigmastene-3-beta-ol), as well as a maximum 9 % of campesterol ($C_{28}H_{48}O = \Delta$ 5-ergostene-3-beta-ol) and 1 % of other sterols in traces including stigmasterol ($C_{29}H_{48}O = \Delta$ 5,22-stigmastene-3-beta-ol).
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ANNEX IV

PRODUCTS TO BE INCORPORATED IN CREAM

(Article 6 (1) (c))

1. The following are to be incorporated into the cream referred to in Article 1 *et seq.*, to the exclusion of any other product, including fats of non-milk origin:
 - (a) either:
 - compounds responsible for the aroma, i.e. 4-hydroxy-3-methoxybenzaldehyde obtained from vanilla or from synthetic vanillin in a proportion of at least 250 ppm,
 - or
 - compounds responsible for the colour, i.e. ethyl ester of beta-apo-8'-carotenoic acid in the form of a compound soluble in the milk fat, in a proportion of at least 20 ppm;
 - and
 - (b) either:
 - in a proportion of at least 1 %, the triglycerides of enanthic acid (n-heptanoic acid C₇) at least 95 % pure, calculated as triglycerides on the product ready for incorporation, with a maximum acid value of 0,3, and a saponification number between 385 and 395, the esterified acid part being composed of at least 95 % of enanthic acid,
 - or
 - in a proportion of at least 1 %, the triglycerides of n-undecanoic acid (C₁₁) at least 95 % pure, calculated as triglycerides on the product ready for incorporation, with a maximum acid value of 0,3, and a saponification number between 275 and 285, the esterified acid part being composed of at least 95 % of n-undecanoic acid,
 - or
 - in a proportion of at least 600 ppm, a compound containing at least 90 % sitosterol, more particularly 80 % beta-sitosterol and a maximum of 9 % campesterol and 1 % of other sterols present in traces, including stigmasterol,
 - or
 - in a proportion of 2 %, a directly incorporated mixture containing one part free n-tridecanoic acid (C₁₃), two parts milk fat, 2,5 parts sodium caseinate and 94,5 parts mineral salts obtained from milk.
 2. The homogeneous and stable dispersion in the cream of the products referred to in paragraph 1 (b), which are incorporated into one another beforehand, is to be ensured by premixing and using mechanical, thermal and refrigeration treatment or other authorized treatment.
 3. The concentrations expressed in percent or in ppm referred to in paragraph 1 are calculated by reference to the part of the cream made up exclusively of fat.
-

ANNEX V

Marking on packages as referred to in Articles 7 and 8

1. (a) Concentrated butter:

- Mantequilla concentrada destinada exclusivamente a su incorporación a uno de los productos contemplados en el artículo 4 del Reglamento (CE) No 2571/97
- Koncentreret smør udelukkende til iblanding i en af de færdigvarer, som er omhandlet i artikel 4 i forordning (EØF) nr. 2571/97
- Butterfett ausschließlich zur Verarbeitung zu einem der in Artikel 4 der Verordnung (EG) Nr. 2571/97 genannten Enderzeugnisse bestimmt
- Συμπυκνωμένο βούτυρο που προορίζεται αποκλειστικά για την ενσωμάτωση σε ένα από τα προϊόντα που αναφέρονται στο άρθρο 4 του κανονισμού (ΕΚ) αριθ. 2571/97
- Concentrated butter for incorporation exclusively into one of the final products referred to in Article 4 of Regulation (EC) No 2571/97
- Beurre concentré destiné exclusivement à l'incorporation dans l'un des produits finaux visés à l'article 4 du règlement (CE) n° 2571/97
- Burro concentrato destinato esclusivamente all'incorporazione in uno dei prodotti di cui all'articolo 4 del regolamento (CE) n. 2571/97
- Boterconcentraat uitsluitend bestemd voor verwerking tot een van de in artikel 4 van Verordening (EG) nr. 2571/97 bedoelde producten
- Manteiga concentrada destinada exclusivamente à incorporação num dos produtos finais referidos no artigo 4º do Regulamento (CE) nº 2571/97
- Voiöljy, joka on tarkoitettu yksinomaan sekoitettavaksi johonkin asetuksen (EY) N:o 2571/97 4 artiklassa tarkoitettuista lopputuotteista
- Koncentrerat smör uteslutande avsett för iblandning i en av de slutprodukter som avses i artikel 4 i förordning (EEG) nr 2571/97.

(b) Butter to which tracers have been added:

- Mantequilla destinada exclusivamente a su incorporación en uno de los productos finales contemplados en el artículo 4 del Reglamento (CE) No 2571/97
- Smør udelukkende til iblanding i færdigvarer som omhandlet i artikel 4 i forordning (EØF) nr. 2571/97
- Butter, ausschließlich zur Verarbeitung zu einem der in Artikel 4 der Verordnung (EWG) Nr. 2571/97 genannten Enderzeugnisse bestimmt
- Βούτυρο που προορίζεται αποκλειστικά για την ενσωμάτωση σε ένα από τα προϊόντα που αναφέρονται στο άρθρο 4 του κανονισμού (ΕΚ) αριθ. 2571/97
- Butter for incorporation exclusively into one of the final products referred to in Article 4 of Regulation (EC) No 2571/97
- Beurre destiné exclusivement à l'incorporation dans les produits finaux visés à l'article 4 du règlement (CE) n° 2571/97
- Burro destinato esclusivamente all'incorporazione in uno dei prodotti di cui all'articolo 4 del regolamento (CE) n. 2571/97
- Boter uitsluitend bestemd voor verwerking tot een van de in artikel 4 van Verordening (EG) nr. 2571/97 bedoelde producten
- Manteiga destinada exclusivamente à incorporação num dos produtos finais referidos no artigo 4º do Regulamento (CE) nº 2571/97
- Voi, joka on tarkoitettu yksinomaan sekoitettavaksi asetuksen (EY) N:o 2571/97 4 artiklassa tarkoitettuihin lopputuotteisiin
- Smör uteslutande avsett för iblandning i de slutprodukter som avses i artikel 4 förordning (EEG) nr 2571/97.

(c) Cream to which tracers have been added:

- Nata con adición de marcadores marcada destinada exclusivamente a su incorporación a uno de los productos finales contemplados en el artículo 4 fórmula B del Reglamento (CE) No 2571/97
- Fløde tilsat røbestoffer, udelukkende til iblanding i færdigvarer som omhandlet i artikel 4, formel B, i forordning (EØF) nr. 2571/97
- Gekennzeichneter Rahm, ausschließlich zur Verarbeitung zu einem der in Artikel 4 Formel B der Verordnung (EG) Nr. 2571/97 genannten Enderzeugnisse bestimmt

- Κρέμα γάλακτος με ιχνοθέτες που προορίζεται αποκλειστικά για την ενσωμάτωση σε ένα από τα προϊόντα που αναφέρονται στο άρθρο 4, τύπος Β, του κανονισμού (ΕΚ) αριθ. 2571/97
- Cream to which tracers have been added for incorporation exclusively into one of the final products referred to in Article 4 formula B of Regulation (EC) No 2571/97
- Crème tracée destinée exclusivement à l'incorporation dans les produits finaux visés à l'article 4 formule B du règlement (CE) n° 2571/97
- Crema contenente rivelatori destinata esclusivamente all'incorporazione in uno dei prodotti di cui all'articolo 4 formula B del regolamento (CE) n. 2571/97
- Room waarin verklikstoffen zijn bijgemengd, uitsluitend bestemd voor verwerking in de in artikel 4, formule B, van Verordening (EG) nr. 2571/97 bedoelde producten
- Nata marcada destinada exclusivamente à incorporação num dos produtos finais referidos no artigo 4º, fórmula B, do Regulamento (CE) nº 2571/97
- Merkitty kerma, joka on tarkoitettu yksinomaan sekoitettavaksi asetuksen N:o 2571/97 4 artiklan B menettelyssä tarkoitettuihin lopputuotteisiin
- Grädde med tillsats av spårämnen uteslutande avsedd iblandning i de slutprodukter som avses i artikel 4 metod B i förordning (EG) nr 2571/97.

2. Intermediate products

- Producto intermedio contemplado en el artículo 8 del Reglamento (CE) No 2571/97 y destinado exclusivamente a su incorporación a uno de los productos finales contemplados en el artículo 4 de dicho Reglamento
- Mellemprodukt som omhandlet i artikel 8 i förordning (EØF) nr. 2571/97 udelukkende til iblanding i en af de i artikel 4 i samme forordning omhandlede færdigvarer
- Zwischenerzeugnisse gemäß Artikel 8 der Verordnung (EWG) Nr. 2571/97, ausschließlich zur Verarbeitung zu einem der in Artikel 4 derselben Verordnung genannten Enderzeugnisse bestimmt
- Ενδιάμεσο προϊόν που αναφέρεται στο άρθρο 8 του κανονισμού (ΕΚ) αριθ. 2571/97 και προορίζεται αποκλειστικά για ενσωμάτωση σε ένα από τα τελικά προϊόντα που αναφέρονται στο άρθρο 4 του ιδίου κανονισμού
- Intermediate product as referred to in Article 8 of Regulation (EC) No 2571/97 solely for incorporation into one of the final products referred to in Article 4 of that Regulation
- Produit intermédiaire visé à l'article 8 du règlement (CE) n° 2571/97 et destiné exclusivement à l'incorporation dans l'un des produits finaux visés à l'article 4 du même règlement
- Prodotto intermedio di cui all'articolo 8 del regolamento (CE) n. 2571/97 destinato esclusivamente all'incorporazione in uno dei prodotti finali di cui all'articolo 4 dello stesso regolamento
- Tussenproduct als bedoeld in artikel 8 van Verordening (EG) nr. 2571/97 en uitsluitend bestemd om in een van de in artikel 4 van die verordening bedoelde eindproducten te worden verwerkt
- Produto intermédio referido no artigo 8º do Regulamento (CE) nº 2571/97 e exclusivamente destinado à incorporação num dos produtos finais referidos no artigo 4º do mesmo regulamento
- Asetuksen (EY) N:o 2571/97 8 artiklassa tarkoitettu välituote, joka on tarkoitettu yksinomaan sekoitettavaksi johonkin mainitun asetuksen 4 artiklassa tarkoitetuista lopputuotteista
- Mellanprodukt enligt artikel 8 i förordning (EEG) nr 2571/97, uteslutande avsedd för iblandning i en av de slutprodukter som avses i artikel 4 i samma förordning.

For intermediate products as referred to in Article 9 (a), the words 'in Article 8' are replaced by 'in Article 9'.

*ANNEX VI***Products referred to in Article 9 (b)**

1. Preparations obtained from mixing butterfat with fats covered by Chapter 15 of the combined nomenclature but not including the products falling within CN codes 1704 90 30 and 1806.
 2. Preparations obtained by mixing butterfat with the products covered by Chapter 21 obtained from products covered by Chapter 15.
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ANNEX VII

Specifications to be entered in sections 104 and 106 of the T5 control copy

A. Butter, concentrated butter, cream or intermediate products for incorporation into final products after tracers have been added:

(a) On dispatch of intervention butter for the addition of tracers:

- box 104 of the T5 control copy:
 - Mantequilla para la adición de marcadores y la utilización conforme a la letra a) del artículo 3) del Reglamento (CE) No 2571/97
 - Smør, der skal tilsættes røbestoffer og anvendes i overensstemmelse med artikel 3, litra a), i forordning (EF) nr. 2571/97
 - Butter, zur Kennzeichnung und zur Verwendung nach Artikel 3 Buchstabe a) der Verordnung (EG) Nr. 2571/97 bestimmt
 - Βούτυρο που προορίζεται να ιχνοθετηθεί και να χρησιμοποιηθεί σύμφωνα με το άρθρο 3 στοιχείο α) του κανονισμού (ΕΚ) αριθ. 2571/97
 - Butter for the addition of tracers for use in accordance with Article 3 (a) of Regulation (EC) No 2571/97
 - Beurre destiné à être tracé et mis en œuvre conformément à l'article 3 point a) du règlement (CE) n° 2571/97
 - Burro destinato all'aggiunta di rivelatori e alla lavorazione conformemente all'articolo 3, lettera a) del regolamento (CE) n. 2571/97
 - Boter bestemd voor verwerking overeenkomstig artikel 3, onder a), van Verordening (EG) nr. 2571/97, na bijmenging van verklikstoffen
 - Manteiga destinada a ser marcada e transformada em conformidade com a alínea a) do artigo 3º do Regulamento (CE) nº 2571/97
 - Voi, joka on tarkoitettu merkittäväksi ja jonka käyttötapana on asetuksen (EY) N:o 2571/97 3 artiklan a alakohdan mukainen
 - Smör avsett för tillsättning av spårämnen och för iblandning i enlighet med artikel 3 a i förordning (EG) nr 2571/97;
- box 106 of the T5 control copy:
 1. final date for incorporation into final products;
 2. indication of intended use (formula A or formula B);

(b) On dispatch of intervention butter for concentration and addition of tracers:

- box 104 of the T5 control copy:
 - Mantequilla destinada a su concentración, a su utilización y a la adición de marcadores, conforme a la letra a) del artículo 3) del Reglamento (CE) No 2571/97
 - Smør, der skal koncentrerer, tilsættes røbestoffer og anvendes i overensstemmelse med artikel 3, litra a), i forordning (EF) nr. 2571/97
 - Butter, zur Verarbeitung zu Butterfett, zur Kennzeichnung und zur Verwendung nach Artikel 3 Buchstabe a) der Verordnung (EG) Nr. 2571/97 bestimmt
 - Βούτυρο που προορίζεται να συμπυκνωθεί, να ιχνοθετηθεί και να χρησιμοποιηθεί σύμφωνα με το άρθρο 3 στοιχείο α) του κανονισμού (ΕΚ) αριθ. 2571/97
 - Butter for the concentration and the addition of tracers for use in accordance with Article 3 (a) of Regulation (EC) No 2571/97
 - Beurre destiné à être concentré et tracé et mis en œuvre conformément à l'article 3 point a) du règlement (CE) n° 2571/97
 - Burro destinato alla concentrazione, all'aggiunta di rivelatori e alla lavorazione conformemente all'articolo 3, lettera a) del regolamento (CE) n. 2571/97
 - Boter bestemd voor verwerking tot boterconcentraat, bijmenging van verklikstoffen en verdere verwerking overeenkomstig artikel 3, onder a), van Verordening (EG) nr. 2571/97
 - Manteiga destinada a ser concentrada e marcada e transformada em conformidade com a alínea a) do artigo 3º do Regulamento (CE) nº 2571/97
 - Voi, joka on tarkoitettu voiöljyn valmistusta ja merkitsemistä varten ja jonka käyttötarkoitus on asetuksen (EY) N:o 2571/97 3 artiklan a alakohdan mukainen
 - Smör avsett för förädling till koncentrerat smör, för tillsättning av spårämnen och för iblandning i enlighet med artikel 3 a i förordning (EG) nr 2571/97.

- box 106 of T5 control copy:
 1. final date for incorporation into final products;
 2. indication of intended use (formula A or formula B);
- (c) on dispatch of an intermediate product to which tracers have been added or butter or concentrated butter to which tracers have been added for incorporation directly into a final product or indirectly via an intermediate product:
 - box 104 of the T5 control copy:
 - Mantequilla con adición de marcadores destinada a ser incorporada a los productos finales previstos en el artículo 4 del Reglamento (CE) No 2571/97, en su caso, a través de un producto intermedio contemplado en el artículo 8
 - o
 - Mantequilla concentrada con adición de marcadores destinada a ser incorporada a los productos finales previstos en el artículo 4 del Reglamento (CE) No 2571/97, en su caso, a través de un producto intermedio contemplado en el artículo 8 ^(a)
 - o
 - Producto intermedio con adición de marcadores contemplado en el artículo 8 (b) destinado a ser incorporado a los productos finales previstos en el artículo 4 del Reglamento (CE) No 2571/97
 - Smør tilsat røbestoffer, bestemt til iblanding i færdigvarer som omhandlet i artikel 4 i forordning (EF) nr. 2571/97, i givet fald via et mellemprodukt som omhandlet i artikel 8 eller
 - Koncentreret smør tilsat røbestoffer, bestemt til iblanding i færdigvarer som omhandlet i artikel 4 i forordning (EF) nr. 2571/97, i givet fald via et mellemprodukt som omhandlet i artikel 8 ^(a)
 - eller
 - Mellemprodukt tilsat røbestoffer, som omhandlet i artikel 8 (b), bestemt til iblanding i færdigvarer som omhandlet i artikel 4 i forordning (EF) nr. 2571/97
 - Gekennzeichnete Butter, zur Beimischung zu den in Artikel 4 der Verordnung (EG) Nr. 2571/97 bezeichneten Enderzeugnissen bestimmt, gegebenenfalls über ein Zwischenerzeugnis gemäß Artikel 8
 - oder
 - Gekennzeichnetes Butterfett, zur Beimischung zu den in Artikel 4 der Verordnung (EWG) Nr. 2571/97 bezeichneten Enderzeugnissen bestimmt, gegebenenfalls über ein Zwischenerzeugnis gemäß Artikel 8 ^(a)
 - oder
 - Gekennzeichnetes Zwischenerzeugnis gemäß Artikel 8 (b), zur Beimischung zu den in Artikel 4 der Verordnung (EWG) Nr. 2571/97 bezeichneten Enderzeugnissen bestimmt
 - Βούτυρο ιχνοθετημένο, που προορίζεται να ενσωματωθεί στα τελικά προϊόντα που αναφέρονται στο άρθρο 4 του κανονισμού (ΕΚ) αριθ. 2571/97 κατά περίπτωση μέσω ενός ενδιάμεσου προϊόντος που αναφέρεται στο άρθρο 8
 - ή
 - Συμπυκνωμένο βούτυρο ιχνοθετημένο, που προορίζεται να ενσωματωθεί στα τελικά προϊόντα που αναφέρονται στο άρθρο 4 του κανονισμού (ΕΚ) αριθ. 2571/97 κατά περίπτωση μέσω ενός ενδιάμεσου προϊόντος που αναφέρεται στο άρθρο 8 ^(a)
 - ή
 - Ενδιάμεσο προϊόν ιχνοθετημένο, που αναφέρεται στο άρθρο 8 (b), που προορίζεται να ενσωματωθεί στα τελικά προϊόντα που αναφέρονται στο άρθρο 4 του κανονισμού (ΕΚ) αριθ. 2571/97
 - Butter to which tracers have been added for incorporation in the final products referred to in Article 4 of Regulation (EC) No 2571/97 or into an intermediate product as referred to in Article 8
 - or
 - Concentrated butter to which tracers have been added for incorporation directly into a final product as referred to in Article 4 of Regulation (EC) No 2571/97 or into an intermediate product as referred to in Article 8 ^(a)
 - or
 - Intermediate product as referred to in Article 8 (b) to which tracers have been added for incorporation into the final products referred to in Article 4 of Regulation (EC) No 2571/97

^(a) For intermediate products as referred to in Article 9 (a), the words, 'or in an intermediate product as referred to in Article 8' are replaced by 'in an intermediate product as referred to in Article 9'.

^(b) For intermediate products as referred to in Article 9 (a), the words 'in Article 8' are replaced by 'in Article 9'.

- Beurre tracé destiné à être incorporé dans les produits finaux visés à l'article 4 du règlement (CE) n° 2571/97 le cas échéant, via un produit intermédiaire visé à l'article 8
ou
Beurre concentré tracé destiné à être incorporé dans les produits finaux visés à l'article 4 du règlement (CE) n° 2571/97 le cas échéant, via un produit intermédiaire visé à l'article 8 ^(a)
ou
Produit intermédiaire tracé visé à l'article 8 (b) destiné à être incorporé dans les produits finaux visés à l'article 4 du règlement (CE) n° 2571/97
- Burro contenente rivelatori, destinato all'incorporazione nei prodotti finali di cui all'articolo 4 del regolamento (CE) n. 2571/97, eventualmente tramite un prodotto intermedio di cui all'articolo 8
o
Burro concentrato contenente rivelatori, destinato all'incorporazione nei prodotti finali di cui all'articolo 4 del regolamento (CE) n. 2571/97, eventualmente tramite un prodotto intermedio di cui all'articolo 8 ^(a)
o
Prodotto intermedio contenente rivelatori di cui all'articolo 8 (b) destinato all'incorporazione nei prodotti finali di cui all'articolo 4 del regolamento (CEE) n. 2571/97
- Boter met verklikstof, voor bijmenging, in voorkomend geval via een in artikel 8 bedoeld tussenproduct, in eindproducten als bedoeld in artikel 4 van Verordening (EG) nr. 2571/97
of
Boterconcentraat met verklikstof, voor bijmenging, in voorkomend geval via een in artikel 8 ^(a) bedoeld tussenproduct, in eindproducten als bedoeld in artikel 4 van Verordening (EG) nr. 2571/97
of
In artikel 8 (b) bedoeld tussenproduct met verklikstof, voor verwerking in eindproducten als bedoeld in artikel 4 van Verordening (EG) nr. 2571/97
- Manteiga marcada destinada a ser incorporada nos produtos finais referidos nos artigo 4º do Regulamento (CE) nº 2571/97, eventualmente por via de um produto intermédio referido no artigo 8º
ou
Manteiga concentrada marcada destinada a ser incorporada nos produtos finais referidos no artigo 4º do Regulamento (CE) nº 2571/97, eventualmente por via de um produto intermédio referido no artigo 8º
ou
Produto intermédio marcado referido no artigo 8º destinado a ser incorporado nos produtos finais referidos no artigo 4º do Regulamento (CE) nº 2571/97
- Merkitty voi, joka on tarkoitettu sekoitettavaksi asetuksen (EY) N:o 2571/97 4 artiklassa tarkoitettuihin lopputuotteisiin, tarvittaessa 8 artiklassa tarkoitettun välituotteen kautta
tai
Merkitty voiöljy, joka on tarkoitettu sekoitettavaksi asetuksen (EY) N:o 2571/97 4 artiklassa tarkoitettuihin lopputuotteisiin, tarvittaessa 8 artiklan a alakohdassa tarkoitettun välituotteen kautta
tai
- Edellä 8 artiklan b alakohdassa tarkoitettu merkitty välituote, joka on tarkoitettu sekoitettavaksi asetuksen (ETY) n:o 2571/97 4 artiklassa tarkoitettuihin lopputuotteisiin.
- Smör med tillsats av spårämnen avsett för iblandning i de slutprodukter som avses i artikel 4 i förordning (EG) nr 2571/97, i förekommande fall via den mellanprodukt som avses i artikel 8.
eller
Koncentrerat smör med tillsats av spårämnen avsett för iblandning i de slutprodukter som avses i artikel 4 i förordning (EEG) nr 2571/97, i förekommande fall via den mellanprodukt som avses i artikel 8 ^(a).
eller
Mellanprodukt med tillsats av spårämnen i enlighet med artikel 8 (b), avsedd att blandas i de slutprodukter som avses i artikel 4 i förordning (EG) nr 2571/97

^(a) For intermediate products as referred to in Article 9 (a), the words 'or in an intermediate product as referred to in Article 8' are replaced by 'in an intermediate product as referred to in Article 9'.

^(b) For intermediate products as referred to in Article 9 (a), the words 'in Article 8' are replaced by 'in Article 9'.

— box 106 of the T5 control copy:

1. final date for incorporation into final products;
2. indication of intended use (formula A or formula B);
3. where applicable, the weight of butter or concentrated butter used in the manufacture of the intermediate product.

(d) on dispatch of cream to which tracers have been added for incorporation into final products:

— box 104 of the T5 control copy:

Nata con adición de marcadores destinada a su incorporación a los productos previstos en el artículo 4 del Reglamento (CE) No 2571/97

Fløde tilsat røbestoffer, bestemt til iblanding i produkter som omhandlet i artikel 4 i forordning (EØF) nr. 2571/97

Gekennzeichneter Rahm zur Beimischung zu Erzeugnissen gemäß Artikel 4 der Verordnung (EG) Nr. 2571/97

Κρέμα γάλακτος ιχνοθετημένη, που προορίζεται να ενσωματωθεί στα προϊόντα που αναφέρονται στο άρθρο 4 του κανονισμού (ΕΚ) αριθ. 2571/97

Cream to which tracers have been added for incorporation into the products referred to in Article 4 of Regulation (EEC) No 2571/97

Crème tracée destinée à être incorporée dans les produits visés à l'article 4 du règlement (CE) n° 2571/97

Crema contenente rivelatori destinata ad essere incorporata nei prodotti di cui all'articolo 4 del regolamento (CEE) n. 2571/97

Room waarin verklikstoffen zijn bijgemengd, bestemd voor verwerking in de in artikel 4 van Verordening (EG) nr. 2571/97 bedoelde producten

Nata marcada destinada a ser incorporada nos produtos referidos no artigo 4º do Regulamento (CE) n° 2571/97

Merkitty kerma, joka on tarkoitettu sekoitettavaksi asetuksen (EY) N:o 2571/97 4 artiklassa tarkoitettuihin tuotteisiin

Grädde med tillsats av spårämnen avsedd att blandas i de produkter som avses i artikel 4 i förordning (EG) nr 2571/97;

— box 106 of the T5 control copy:

1. final date for incorporation into final products;
2. indication of intended use (formula B).

B. Butter, concentrated butter or intermediate products for incorporation into final products:

(a) on dispatch of intervention butter for concentration:

— box 104 of the T5 control copy:

— Mantequilla para ser concentrada y utilizada conforme a la letra b) del artículo 3 del Reglamento (CE) No 2571/97

— Smør, der skal koncentreret og anvendes i overensstemmelse med artikel 3, litra b), i forordning (EF) nr. 2571/97

— Butter, zur Verarbeitung zu Butterfett und zur Verwendung gemäß Artikel 3 Buchstabe b) der Verordnung (EG) Nr. 2571/97 bestimmt

— Βούτυρο που προορίζεται να συμπυκνωθεί και να χρησιμοποιηθεί σύμφωνα με το άρθρο 3 στοιχείο β) του κανονισμού (ΕΚ) αριθ. 2571/97

— Butter for concentration and use in accordance with Article 3 (b) of Regulation (EEC) No 2571/97

— Beurre destiné à être concentré et mis en œuvre conformément à l'article 3 point b) du règlement (CE) n° 2571/97

— Burro destinato alla concentrazione e alla lavorazione conformemente all'articolo 3, lettera b) del regolamento (CEE) n. 2571/97

— Boter bestemd voor verwerking tot boterconcentraat en verdere verwerking overeenkomstig artikel 3, onder b), van Verordening (EG) nr. 2571/97

— Manteiga destinada a ser marcada e transformada em conformidade com a alínea b) do artigo 3º do Regulamento (CE) n° 2571/97

— Voi, joka on tarkoitettu voiöljyn valmistukseen tai merkitsemiseen tai jonka käyttötarkoitus on asetuksen (EY) N:o 2571/97 3 artiklan b alakohdan mukainen

— Smör avsett för förädling till koncentrerat smör och för iblandning i enlighet med artikel 3 b i förordning (EG) nr 2571/97;

- box 106 of T5 control copy:
 1. final date for incorporation into final products;
 2. indication of intended use (formula A or formula B);
- (b) on dispatch of an intermediate product manufactured using butter or concentrated butter or of intervention butter or concentrated butter for incorporation directly into a final product or indirectly via an intermediate product.
 - box 104 of the T5 control copy:
 - Mantequilla destinada a ser incorporada a los productos finales previstos en el artículo 4 del Reglamento (CE) No 2571/97, en su caso, a través de un producto intermedio contemplado en el artículo 8
 - o
 - Mantequilla concentrada para ser incorporada a los productos finales previstos en el artículo 4 del Reglamento (CE) No 2571/97, en su caso, a través de un producto intermedio contemplado en el artículo 8 ^(*)
 - o
 - Producto intermedio contemplado en el artículo 8 destinado a ser incorporado a los productos finales previstos en el artículo 4 del Reglamento (CE) No 2571/97
 - Smør til iblanding i færdigvarer som omhandlet i artikel 4 i forordning (EF) nr. 2571/97, i givet fald via et mellemprodukt som omhandlet i artikel 8
 - eller
 - Koncentreret smør til iblanding i færdigvarer som omhandlet i artikel 4 i forordning (EF) nr. 2571/97, i givet fald via et mellemprodukt som omhandlet i artikel 8 ^(*)
 - eller
 - Mellemprodukt som omhandlet i artikel 8 til iblanding i færdigvarer som omhandlet i artikel 4 i forordning (EF) 2571/97
 - Butter, zur Verwendung zu den in Artikel 4 der Verordnung (EG) Nr. 2571/97 bezeichneten Enderzeugnissen bestimmt, gegebenenfalls über ein Zwischenerzeugnis gemäß Artikel 8
 - oder
 - Butter, zur Verwendung zu den in Artikel 4 der Verordnung (EG) Nr. 2571/97 bezeichneten Enderzeugnissen bestimmt, gegebenenfalls über ein Zwischenerzeugnis gemäß Artikel 8 ^(*)
 - oder
 - Zwischenerzeugnis gemäß Artikel 8, zur Verarbeitung zu den in Artikel 4 der Verordnung (EG) Nr. 2571/97 bezeichneten Enderzeugnissen bestimmt
 - Βούτυρο που προορίζεται να ενσωματωθεί στα τελικά προϊόντα που αναφέρονται στο άρθρο 4 του κανονισμού (ΕΚ) αριθ. 2571/97, κατά περίπτωση μέσω ενός ενδιάμεσου προϊόντος που αναφέρεται στο άρθρο 8
 - ή
 - Συμπυκνωμένο βούτυρο που προορίζεται να ενσωματωθεί στα τελικά προϊόντα που αναφέρονται στο άρθρο 4 του κανονισμού (ΕΚ) αριθ. 2571/97 κατά περίπτωση μέσω ενός ενδιάμεσου προϊόντος που αναφέρεται στο άρθρο 8 ^(*)
 - ή
 - Ενδιάμεσο προϊόν που αναφέρεται στο άρθρο 8, που προορίζεται να ενσωματωθεί στα τελικά προϊόντα που αναφέρονται στο άρθρο 4 του κανονισμού (ΕΚ) αριθ. 2571/97
 - Butter for incorporation directly into a final product as referred to in Article 4 of Regulation (EC) No 2571/97 or into an intermediate product as referred to in Article 8
 - or
 - Concentrated butter for incorporation directly into a final product as referred to in Article 4 of Regulation (EC) No 2571/97 or into an intermediate product as referred to in Article 8 ^(*)
 - or
 - Intermediate product as referred to in Article 8 for incorporation into a final product as referred to in Article 4 of Regulation (EEC) No 2571/97
 - Beurre destiné à être incorporé dans les produits finaux visés à l'article 4 du règlement (CE) n° 2571/97 le cas échéant, via un produit intermédiaire visé à l'article 8
 - ou
 - Beurre concentré destiné à être incorporé dans les produits finaux visés à l'article 4 du règlement (CE) n° 2571/97 le cas échéant, via un produit intermédiaire visé à l'article 8 ^(*)
 - ou
 - Produit intermédiaire visé à l'article 8 destiné à être incorporé dans les produits finaux visés à l'article 4 du règlement (CE) n° 2571/97

^(*) For intermediate products as referred to in Article 9 (a), the words 'or in an intermediate product as referred to in Article 8' are replaced by 'in an intermediate product as referred to in Article 9'.

- Burro destinato all'incorporazione nei prodotti finali di cui all'articolo 4 del regolamento (CE) n. 2571/97, eventualmente tramite un prodotto intermedio di cui all'articolo 8
 - o
 - Burro concentrato destinato all'incorporazione nei prodotti finali di cui all'articolo 4 del regolamento (CE) n. 2571/97, eventualmente tramite un prodotto intermedio di cui all'articolo 8 ^(a)
 - o
 - Prodotto intermedio di cui all'articolo 8 destinato all'incorporazione nei prodotti finali di cui all'articolo 4 del regolamento (CE) n. 2571/97
- Boter voor bijmenging, in voorkomend geval via een in artikel 8 bedoeld tussenproduct, in eindproducten als bedoeld in artikel 4 van Verordening (EG) nr. 2571/97
 - of
 - Boterconcentraat voor bijmenging, in voorkomend geval via een in artikel 8 ^(a) bedoeld tussenproduct, in eindproducten als bedoeld in artikel 4 van Verordening (EG) nr. 2571/97
 - of
 - In artikel 8 bedoeld tussenproduct voor bijmenging in eindproducten als bedoeld in artikel 4 van Verordening (EG) nr. 2571/97
- Manteiga destinada a ser incorporada nos produtos finais referidos no artigo 4º do Regulamento (CE) nº 2571/97, eventualmente por via de um produto intermédio referido no artigo 8º
 - ou
 - Manteiga concentrada destinada a ser incorporada nos produtos finais referidos no artigo 4º do Regulamento (CE) nº 2571/97, eventualmente por via de um produto intermédio referido no artigo 8º
 - ou
 - Produto intermédio referido no artigo 8º destinado a ser incorporado nos produtos finais referidos no artigo 4º do Regulamento (CE) nº 2571/97
- Voi, joka on tarkoitettu sekoitettavaksi asetuksen (EY) N:o 2571/97 4 artiklassa tarkoitettuihin lopputuotteisiin tarvittaessa 8 artiklassa tarkoitettua välituotteen kautta
 - tai
 - Voiljy, joka on tarkoitettu sekoitettavaksi asetuksen (EY) N:o 2571/97 4 artiklassa tarkoitettuihin lopputuotteisiin tarvittaessa 8 artiklan a alakohdassa tarkoitettua välituotteen kautta
 - tai
 - Edellä 8 artiklassa tarkoitettu välituote, joka on tarkoitettu sekoitettavaksi asetuksen (EY) N:o 2571/97 4 tarkoitettuihin lopputuotteisiin.
- Smör avsett för iblandning i de slutprodukter som avses i artikel 4 i förordning (EG) nr 2571/97, i förekommande fall via den mellanprodukt som avses i artikel 8.
 - eller
 - Koncentrerat smör avsett för iblandning i de slutprodukter som avses i artikel 4 i förordning (EG) nr 2571/97, i förekommande fall via den mellanprodukt som avses i artikel 8 ^(a).
 - eller
 - Mellanprodukt i enlighet med artikel 8 avsedd för iblandning i de slutprodukter som avses i artikel 4 i förordning (EG) nr 2571/97;
- box 106 of the T5 control copy:
 1. final date for incorporation into final products;
 2. indication of intended use (formula A or formula B);
 3. where applicable, weight of butter or concentrated butter used in the manufacture of the intermediate product.

^(a) For intermediate products as referred to in Article 9 (a), the words 'or in an intermediate product as referred to in Article 8' are replaced by 'in an intermediate product as referred to in Article 9'.

ANNEX VIII

Intervention butter

Tenders received and quantities accepted ⁽¹⁾

Month:

Member State:

	Quantity (tonnes)			
	Formula A		Formula B	
	Tenders received	Accepted	Tenders received	Accepted
Butter with no added tracers				
Butter with added tracers				
Concentrated butter with no added tracers				
Concentrated butter with added tracers				
Intermediate products				
Article 9 (a) ⁽²⁾				
Total				

⁽¹⁾ Under the individual tendering procedures for the month in question.

⁽²⁾ Intermediate products as referred to in Article 9 (a) falling within CN code 0405 10 30.

ANNEX IX

Production and trade in butter, concentrated butter and cream

Quarter:

Member State:

Formula A (in tonnes)

	Intervention butter with no added tracers	Butter with added tracers	Concentrated butter with no added tracers	Concentrated butter with added tracers	Article 9 (a) (1)
Production	(2)				
T5 entering					
T5 leaving					

Formula B (in tonnes)

	Intervention butter with no added tracers	Butter with added tracers	Concentrated butter with no added tracers	Concentrated butter with added tracers	Article 9 (a) (1)	Cream with no added tracers	Cream with added tracers
Production	(2)					xxxxxxxxxxxxxxxx	
T5 entering						xxxxxxxxxxxxxxxx	
T5 leaving						xxxxxxxxxxxxxxxx	

(1) Intermediate products as referred to in Article 9 (a) falling within CN code 0405 10 30.

(2) Quantity removed from storage.

ANNEX X

Incorporation of butter and concentrated butter (in butter-equivalent) into intermediate products, as referred to in Article 8, and trade

Quarter:

Member State:

	Formula A		Formula B	
	with no added tracers	with added tracers	with no added tracers	with added tracers
Quantity of butter equivalent (1) in intermediate products as referred to in Article 8				
Of which				
— CN code 1704				
— CN code 1806				
— CN code 19				
— CN code 2106				
— other (specify)				
T5 entering (2)				
T5 leaving (2)				

(1) Butter and concentrated butter in butter-equivalent (tonnes).

(2) Quantity of butter-equivalent incorporated into intermediate products as referred to in Article 8 and covered by a T5.

ANNEX XI

Incorporation of products with no added tracers, as referred to in Article 1,
into final products, as referred to in Article 4, (in tonnes)

Quarter:

Member State:

Number of users:

Final product ⁽¹⁾	Butter		Concentrated butter		Cream		in IPs ⁽¹⁾	
	with no added tracers	with added tracers	Article 9 (a)	with no added tracers	with added tracers	with no added tracers	with added tracers	with no added tracers
A1	xxxxxxxxxxxx	xxxxxxxxxxxx	xxxxxxxxxxxx	xxxxxxxxxxxx	xxxxxxxxxxxx	xxxxxxxxxxxx	xxxxxxxxxxxx	xxxxxxxxxxxx
A2, (a), (b)	xxxxxxxxxxxx	xxxxxxxxxxxx	xxxxxxxxxxxx	xxxxxxxxxxxx	xxxxxxxxxxxx	xxxxxxxxxxxx	xxxxxxxxxxxx	xxxxxxxxxxxx
A2, (c)	xxxxxxxxxxxx	xxxxxxxxxxxx	xxxxxxxxxxxx	xxxxxxxxxxxx	xxxxxxxxxxxx	xxxxxxxxxxxx	xxxxxxxxxxxx	xxxxxxxxxxxx
A3	xxxxxxxxxxxx	xxxxxxxxxxxx	xxxxxxxxxxxx	xxxxxxxxxxxx	xxxxxxxxxxxx	xxxxxxxxxxxx	xxxxxxxxxxxx	xxxxxxxxxxxx
A4, (a)	xxxxxxxxxxxx	xxxxxxxxxxxx	xxxxxxxxxxxx	xxxxxxxxxxxx	xxxxxxxxxxxx	xxxxxxxxxxxx	xxxxxxxxxxxx	xxxxxxxxxxxx
A4, (b)	xxxxxxxxxxxx	xxxxxxxxxxxx	xxxxxxxxxxxx	xxxxxxxxxxxx	xxxxxxxxxxxx	xxxxxxxxxxxx	xxxxxxxxxxxx	xxxxxxxxxxxx
A5, (a)	xxxxxxxxxxxx	xxxxxxxxxxxx	xxxxxxxxxxxx	xxxxxxxxxxxx	xxxxxxxxxxxx	xxxxxxxxxxxx	xxxxxxxxxxxx	xxxxxxxxxxxx
A5, (b)	xxxxxxxxxxxx	xxxxxxxxxxxx	xxxxxxxxxxxx	xxxxxxxxxxxx	xxxxxxxxxxxx	xxxxxxxxxxxx	xxxxxxxxxxxx	xxxxxxxxxxxx
B1	xxxxxxxxxxxx	xxxxxxxxxxxx	xxxxxxxxxxxx	xxxxxxxxxxxx	xxxxxxxxxxxx	xxxxxxxxxxxx	xxxxxxxxxxxx	xxxxxxxxxxxx
B2	xxxxxxxxxxxx	xxxxxxxxxxxx	xxxxxxxxxxxx	xxxxxxxxxxxx	xxxxxxxxxxxx	xxxxxxxxxxxx	xxxxxxxxxxxx	xxxxxxxxxxxx

⁽¹⁾ Quantities of butter equivalent incorporated into intermediate products as referred to in Article 8.

⁽²⁾ In accordance with the formulas, definitions and CN codes referred to in Article 4.

ANNEX XII

Incorporation of products with added tracers, as referred to in Articles 1 and 9 (a), into final products, as referred to in Article 4, by category of user (in tonnes) ⁽¹⁾

Quarter:

Member State:

Category: ⁽¹⁾

Number of users:

Final product ⁽²⁾	Butter		Concentrated butter		Cream		in IPs ⁽³⁾	
	with no added tracers	with added tracers	Article 9 (a) ⁽⁴⁾	with no added tracers	with added tracers	with no added tracers	with added tracers	with added tracers
A1	xxxxxxxxxxxx			xxxxxxxxxxxx		xxxxxxxxxxxx	xxxxxxxxxxxx	
A2, (a), (b)	xxxxxxxxxxxx			xxxxxxxxxxxx		xxxxxxxxxxxx	xxxxxxxxxxxx	
A2, (c)	xxxxxxxxxxxx			xxxxxxxxxxxx		xxxxxxxxxxxx	xxxxxxxxxxxx	
A3	xxxxxxxxxxxx			xxxxxxxxxxxx		xxxxxxxxxxxx	xxxxxxxxxxxx	
A4, (a)	xxxxxxxxxxxx			xxxxxxxxxxxx		xxxxxxxxxxxx	xxxxxxxxxxxx	
A4, (b)	xxxxxxxxxxxx			xxxxxxxxxxxx		xxxxxxxxxxxx	xxxxxxxxxxxx	
A5, (a)	xxxxxxxxxxxx			xxxxxxxxxxxx		xxxxxxxxxxxx	xxxxxxxxxxxx	
A5, (b)	xxxxxxxxxxxx			xxxxxxxxxxxx		xxxxxxxxxxxx	xxxxxxxxxxxx	
B1	xxxxxxxxxxxx			xxxxxxxxxxxx		xxxxxxxxxxxx	xxxxxxxxxxxx	
B2	xxxxxxxxxxxx			xxxxxxxxxxxx		xxxxxxxxxxxx	xxxxxxxxxxxx	

⁽¹⁾ A table for each category of establishment using:

(a) more than five tonnes per month of butter equivalent ('large users'),

(b) more than nine tonnes per year and less than five tonnes per month of butter equivalent ('medium-sized users').

⁽²⁾ In accordance with the formulas, definitions and CN codes referred to in Article 4.

⁽³⁾ Quantity of butter equivalent incorporated in intermediate products as referred to in Article 8.

⁽⁴⁾ Intermediate products as referred to in Article 9 (a) falling within CN code 0405 10 30.

ANNEX XIII

Incorporation of products with added tracers, as referred to in Articles 1 and 9 (a), into final products, as referred to in Article 4, by small users (in tonnes) ⁽¹⁾

Year:

Member State:

Number of users:

Final product ⁽²⁾	Butter			Concentrated butter		Cream		in IPs ⁽³⁾	
	with no added tracers	with added tracers	Article 9 (a) ⁽⁴⁾	with no added tracers	with added tracers	with no added tracers	with added tracers	with no added tracers	with added tracers
Formula A	xxxxxxxxxxxxxx			xxxxxxxxxxxxxx		xxxxxxxxxxxxxx		xxxxxxxxxxxxxx	
Formula B	xxxxxxxxxxxxxx			xxxxxxxxxxxxxx		xxxxxxxxxxxxxx		xxxxxxxxxxxxxx	

⁽¹⁾ Establishments using less than nine tonnes of butter equivalent per year ('small users', with or without a declaration).

⁽²⁾ In accordance with the formulas, definitions and CN codes referred to in Article 4.

⁽³⁾ Quantity of butter equivalent incorporated into intermediate products as referred to in Article 8.

⁽⁴⁾ Intermediate products as referred to in Article 9 (a) falling within CN code 0405 10 30.

COMMISSION REGULATION (EC) No 2572/97
of 15 December 1997

fixing, for the 1998 fishing year, the withdrawal and selling prices for fishery products listed in Annex I (A), (D) and (E) of Council Regulation (EEC) No 3759/92

(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 3759/92 of 17 December 1992 on the common organization of the market in fishery and aquaculture products⁽¹⁾, as last amended by Regulation (EC) No 3318/94⁽²⁾, and in particular Article 11 (3) and Article 13 thereof,

Whereas Article 11 (1) and Article 13 of Regulation (EEC) No 3759/92 provide that the Community withdrawal and selling prices for each of the products listed respectively, in Annex I (A) and (D) and in Annex I (E) are to be fixed by applying the conversion factor for the product category concerned to an amount equal to at least 70 % but not more than 90 % of the relevant guide price;

Whereas changes in production and marketing structures in the Community make it necessary to alter the basis for calculating the withdrawal and the sale prices in the Community as compared with those of the preceding fishing year;

Whereas Article 11 (2) of Regulation (EEC) No 3759/92 provides that the withdrawal price may be multiplied by conversion factors in landing areas which are very distant from main centres of consumption in the Community;

Whereas the guide prices for the 1998 fishing year were fixed for all the products in question by Council Regulation (EC) No 2445/97⁽³⁾;

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

HAS ADOPTED THIS REGULATION:

Article 1

The percentages of the guide price which are used as a basis for calculating the Community withdrawal and selling prices shall be as shown in Annex I for the products concerned.

Article 2

The conversion factors which are used for calculating the Community withdrawal and selling prices for the products listed, respectively, in Annex I (A) and (D) and in Annex I (E) of Regulation (EEC) No 3759/92, shall be as shown in Annex II.

Article 3

The Community withdrawal and selling prices applicable for the 1998 fishing year and the products to which they refer, shall be as shown in Annex III.

Article 4

The withdrawal prices applicable for the 1998 fishing year in the landing areas which are very distant from the main centres of consumption in the Community and the products to which those prices relate, shall be as shown in Annex IV.

Article 5

This Regulation shall enter into force on 1 January 1998.

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

Done at Brussels, 15 December 1997.

For the Commission

Emma BONINO

Member of the Commission

⁽¹⁾ OJ L 388, 31. 12. 1992, p. 1.

⁽²⁾ OJ L 350, 31. 12. 1994, p. 15.

⁽³⁾ OJ L 340, 11. 12. 1997, p. 3.

ANNEX I

Percentage of guide price used in calculating withdrawal or sale prices

Product	%
Herrings of the species <i>Clupea harengus</i>	85
Sardines of the species <i>Sardina pilchardus</i>	85
Dogfish (<i>Squalus acanthias</i>)	80
Dogfish (<i>Scyliorhinus</i> spp.)	80
Redfish (<i>Sebastes</i> spp.)	90
Cod of the species <i>Gadus morhua</i>	80
Coalfish (<i>Pollachius virens</i>)	80
Haddock (<i>Melanogrammus aeglefinus</i>)	80
Whiting (<i>Merlangius merlangus</i>)	80
Ling (<i>Molva</i> spp.)	80
Mackerel of the species <i>Scomber scombrus</i>	85
Mackerel of the species <i>Scomber japonicus</i>	90
Anchovies (<i>Engraulis</i> spp.)	85
Plaice (<i>Pleuronectes platessa</i>)	83
Hake of the species <i>Merluccius merluccius</i>	90
Megrim (<i>Lepidorhombus</i> spp.)	80
Ray's bream (<i>Brama</i> spp.)	80
Monkfish (<i>Lophius</i> spp.)	85
Shrimps of the species <i>Crangon crangon</i> and deep-water prawns (<i>Pandalus borealis</i>)	90
Crabs of the species (<i>Cancer pagurus</i>)	90
Norway lobster (<i>Nephrops norvegicus</i>)	90
Dab (<i>Limanda limanda</i>)	83
Flounder (<i>Platichthys flesus</i>)	83
Albacore or longfinned tuna (<i>Thunnus alalunga</i>)	90
Cuttlefish (<i>Sepia officinalis</i> and <i>Rossia macrosoma</i>)	80
Sole (<i>Solea</i> spp.)	83

ANNEX II

Conversion factor of the products listed in Annex I (A), (D) and (E) to Regulation (EEC) No 3759/92

Species	Size (l)	Conversion			
		Gutted fish, with head (l)		Whole fish (l)	
		Extra, A (l)	B (l)	Extra, A (l)	B (l)
Herring of the species <i>Clupea harengus</i>	1	0,00	0,00	0,55	0,55
	2	0,00	0,00	0,85	0,85
	3	0,00	0,00	0,80	0,80
	4	0,00	0,00	0,50	0,50
	5	0,00	0,00	0,95	0,95
Sardines of the species <i>Sardina pilchardus</i>	1	0,00	0,00	0,60	0,37
	2	0,00	0,00	0,75	0,37
	3	0,00	0,00	0,85	0,37
	4	0,00	0,00	0,55	0,37
Dogfish (<i>Squalus acanthias</i>)	1	0,75	0,55	0,75	0,50
	2	0,64	0,45	0,64	0,40
	3	0,35	0,25	0,35	0,20
Dogfish (<i>Scyliorhinus</i> spp.)	1	0,80	0,60	0,75	0,50
	2	0,80	0,60	0,70	0,50
	3	0,55	0,40	0,45	0,23

Species	Size (')	Conversion			
		Gutted fish, with head (')		Whole fish (')	
		Extra, A (')	B (')	Extra, A (')	B (')
Redfish (<i>Sebastes</i> spp.)	1	0,00	0,00	0,90	0,90
	2	0,00	0,00	0,90	0,90
	3	0,00	0,00	0,76	0,76
Cod of the species <i>Gadus morhua</i>	1	0,90	0,85	0,65	0,50
	2	0,90	0,85	0,65	0,50
	3	0,85	0,70	0,50	0,40
	4	0,67	0,46	0,38	0,27
	5	0,47	0,27	0,28	0,18
Coalfish (<i>Pollachius virens</i>)	1	0,90	0,90	0,70	0,70
	2	0,90	0,90	0,70	0,70
	3	0,89	0,89	0,69	0,69
	4	0,76	0,52	0,38	0,28
Haddock (<i>Melanogrammus aeglefinus</i>)	1	0,90	0,80	0,70	0,60
	2	0,90	0,80	0,70	0,60
	3	0,77	0,65	0,54	0,37
	4	0,65	0,53	0,48	0,30
Whiting (<i>Merlangius merlangus</i>)	1	0,83	0,78	0,63	0,43
	2	0,80	0,75	0,60	0,40
	3	0,75	0,61	0,55	0,23
	4	0,51	0,34	0,37	0,20
Ling (<i>Molva</i> spp.)	1	0,85	0,65	0,70	0,50
	2	0,83	0,63	0,68	0,48
	3	0,75	0,55	0,60	0,40
Mackerel of the species <i>Scomber scombrus</i>	1	0,00	0,00	0,85	0,80
	2	0,00	0,00	0,83	0,75
	3	0,00	0,00	0,81	0,70
Spanish mackerel of the species <i>Scomber japonicus</i>	1	0,00	0,00	0,85	0,75
	2	0,00	0,00	0,85	0,70
	3	0,00	0,00	0,70	0,57
	4	0,00	0,00	0,52	0,32
Anchovies (<i>Engraulis</i> spp.)	1	0,00	0,00	0,80	0,45
	2	0,00	0,00	0,85	0,45
	3	0,00	0,00	0,70	0,45
	4	0,00	0,00	0,29	0,29
Plaice (<i>Pleuronectes platessa</i>)	1	0,90	0,85	0,49	0,49
	2	0,90	0,85	0,49	0,49
	3	0,87	0,80	0,49	0,49
	4	0,68	0,60	0,46	0,46
Hake of the species <i>Merluccius merluccius</i>	1	1,00	0,94	0,79	0,73
	2	0,76	0,71	0,59	0,54
	3	0,75	0,70	0,58	0,53
	4	0,62	0,57	0,48	0,39
	5	0,58	0,53	0,45	0,36
Megrim (<i>Lepidorhombus</i> spp.)	1	0,85	0,65	0,80	0,60
	2	0,75	0,55	0,70	0,50
	3	0,68	0,48	0,61	0,41
	4	0,43	0,23	0,36	0,16

Species	Size (°)	Conversion				
		Gutted fish, with head (°)		Whole fish (°)		
		Extra, A (°)	B (°)	Extra, A (°)	B (°)	
Ray's bream (<i>Brama</i> spp.)	1	0,85	0,65	0,80	0,60	
	2	0,60	0,40	0,55	0,35	
Dab (<i>Limanda limanda</i>)	1	0,85	0,75	0,70	0,55	
	2	0,65	0,55	0,50	0,35	
Flounder (<i>Platichthys flesus</i>)	1	0,80	0,70	0,70	0,55	
	2	0,60	0,50	0,50	0,35	
Albacore or longfinned tuna (<i>Thunnus alalunga</i>)	1	1,00	0,60	0,90	0,85	
	2	1,00	0,57	0,85	0,80	
Cuttlefish (<i>Sepia officinalis</i> and <i>Rossia macrosoma</i>)	1	0,00	0,00	0,80	0,60	
	2	0,00	0,00	0,80	0,60	
	3	0,00	0,00	0,50	0,30	
		Whole fish or gutted, with head (°)		Fish without head (°)		
		Extra, A (°)	B (°)	Extra, A (°)	B (°)	
Monkfish (<i>Lophius</i> spp.)	1	0,72	0,52	0,90	0,70	
	2	0,92	0,72	0,85	0,65	
	3	0,92	0,72	0,80	0,60	
	4	0,77	0,57	0,70	0,50	
	5	0,42	0,22	0,50	0,30	
		All presentations				
		A (°)		B (°)		
Shrimps of the genus <i>Crangon crangon</i>	1	0,65		0,55		
	2	0,30		0,30		
		Cooked in water		Fresh or chilled		
		A (°)	B (°)	A (°)	B (°)	
Deep-water prawns (<i>Pandalus borealis</i>)	1	0,85	0,75	0,75	0,60	
	2	0,30	0,30	—	—	
		Whole (°)				
Edible crabs (<i>Cancer pagurus</i>)	1	0,80				
	2	0,60				
		Whole (°)			Tails (°)	
		E (°)	Extra, A (°)	B (°)	Extra, A (°)	B (°)
Norway lobster (<i>Nephrops norvegicus</i>)	1	0,95	0,95	0,68	0,90	0,60
	2	0,95	0,65	0,38	0,75	0,40
	3	0,85	0,65	0,38	0,55	0,29
	4	0,55	0,45	0,25	0,46	0,14

Species	Size (1)	Gutted fish, with head (1)		Whole fish (1)	
		Extra, A (1)	B (1)	Extra, A (1)	B (1)
Sole (<i>Solea</i> spp.)	1	0,90	0,80	0,70	0,55
	2	0,90	0,80	0,70	0,55
	3	0,85	0,75	0,65	0,50
	4	0,70	0,60	0,50	0,40
	5	0,60	0,50	0,40	0,35

(1) The freshness categories, sizes and presentations are those defined pursuant to Article 2 of Regulation (EEC) No 3759/92.

ANNEX III

Withdrawal or sale price in the Community of the products listed in Annex I (A), (D) and (E) to Regulation (EEC) No 3759/92

Species	Size (')	Withdrawal price (ECU/t)			
		Gutted fish with head (')		Whole fish (')	
		Extra, A (')	B (')	Extra, A (')	B (')
Herrings of the species <i>Clupea harengus</i>	1	0	0	128	128
	2	0	0	198	198
	3	0	0	186	186
	4	0	0	116	116
	5	0	0	221	221
Sardines of the species <i>Sardina pilchardus</i>	1	0	0	266	164
	2	0	0	332	164
	3	0	0	376	164
	4	0	0	244	164
Dogfish (<i>Squalus acanthias</i>)	1	616	451	616	410
	2	525	369	525	328
	3	287	205	287	164
Dogfish (<i>Scyliorhinus</i> spp.)	1	516	387	484	322
	2	516	387	451	322
	3	355	258	290	148
Redfish (<i>Sebastes</i> spp.)	1	0	0	917	917
	2	0	0	917	917
	3	0	0	774	774
Cod of the species <i>Gadus morhua</i>	1	1 063	1 004	768	590
	2	1 063	1 004	768	590
	3	1 004	827	590	472
	4	791	543	449	319
	5	555	319	331	213
Coalfish (<i>Pollachius virens</i>)	1	549	549	427	427
	2	549	549	427	427
	3	543	543	421	421
	4	463	317	232	171
Haddock (<i>Melanogrammus aeglefinus</i>)	1	739	657	575	492
	2	739	657	575	492
	3	632	534	443	304
	4	534	435	369	246
Whiting (<i>Merlangius merlangus</i>)	1	593	557	450	307
	2	572	536	429	286
	3	536	436	393	164
	4	364	243	264	143
Ling (<i>Molva</i> spp.)	1	775	592	638	456
	2	756	574	620	437
	3	683	501	547	364

Species	Size (l)	Withdrawal price (ECU/t)			
		Gutted fish with head (l)		Whole fish (l)	
		Extra, A (l)	B (l)	Extra, A (l)	B (l)
Mackerel of the species <i>Scomber scombrus</i>	1	0	0	208	196
	2	0	0	203	184
	3	0	0	198	171
Spanish mackerel of the species <i>Scomber japonicus</i>	1	0	0	234	207
	2	0	0	234	193
	3	0	0	193	157
	4	0	0	143	88
Anchovies (<i>Engraulis</i> spp.)	1	0	0	794	447
	2	0	0	844	447
	3	0	0	695	447
	4	0	0	288	288
Plaice (<i>Pleuronectes platessa</i>)	1	771	728	420	420
	2	771	728	420	420
	3	745	685	420	420
	4	582	514	394	394
	1	1 061	1 002	578	578
	2	1 061	1 002	578	578
	3	1 025	943	578	578
	4	801	707	542	542
	1	3 261	3 065	2 576	2 380
	2	2 478	2 315	1 924	1 761
	3	2 446	2 282	1 891	1 728
	4	2 022	1 859	1 565	1 272
Hake of the species <i>Merluccius merluccius</i>	5	1 891	1 728	1 467	1 174
	1	1 557	1 190	1 465	1 099
	2	1 373	1 007	1 282	916
	3	1 245	879	1 117	751
	4	787	421	659	293
Rays' bream (<i>Brama</i> spp.)	1	1 212	927	1 140	855
	2	855	570	784	499
Dab (<i>Limanda limanda</i>)	1	678	598	558	439
	2	518	439	399	279
Flounder (<i>Platichthys flesus</i>)	1	371	324	324	255
	2	278	232	232	162
Albacore or longfinned tuna (<i>Thunnus alalunga</i>)	1	2 185	1 311	1 703	1 609
	2	2 185	1 246	1 609	1 514
Cuttlefish (<i>Sepia officinalis</i> and <i>Rossia macrosoma</i>)	1	0	0	1 007	756
	2	0	0	1 007	756
	3	0	0	630	378

Species	Size (l)	Whole or gutted fish, with head (l)		Without head (l)	
		Extra, A (l)	B (l)	Extra, A (l)	B (l)
Monkfish (<i>Lophius</i> spp.)	1	1 630	1 177	4 210	3 274
	2	2 083	1 630	3 976	3 040
	3	2 083	1 630	3 742	2 807
	4	1 744	1 291	3 274	2 339
	5	951	498	2 339	1 403
		All presentations			
		A (l)		B (l)	
Shrimps of the species <i>Crangon crangon</i>	1	1 393		1 179	
	2	643		643	
		Cooked in water		Fresh or chilled	
		A (l)	B (l)	A (l)	B (l)
Deep-water prawns (<i>Pandalus borealis</i>)	1	4 886	4 311	1 129	903
	2	1 724	1 724	—	—
		Sale price (ECU/t)			
		Whole (l)			
Edible crabs (<i>Cancer pagurus</i>)	1	1 259			
	2	944			
		Whole (l)			Tails (l)
		E (l)	Extra, A (l)	B (l)	Extra, A (l) B (l)
Norway lobster (<i>Nephrops norvegicus</i>)	1	4 429	4 429	3 170	3 519 2 346
	2	4 429	3 030	1 772	2 933 1 564
	3	3 963	3 030	1 772	2 151 1 134
	4	2 564	2 098	1 166	1 799 547
		Gutted fish with head (l)		Whole fish (l)	
		Extra, A (l)	B (l)	Extra, A (l)	B (l)
Sole (<i>Solea</i> spp.)	1	4 726	4 200	3 675	2 888
	2	4 726	4 200	3 675	2 888
	3	4 463	3 938	3 413	2 625
	4	3 675	3 150	2 625	2 100
	5	3 150	2 625	2 100	1 838

(l) The freshness categories, sizes and presentations are those defined pursuant to Article 2 of Regulation (EEC) No 3759/92.

ANNEX IV

Species	Landing area	Conversion factor	Size (l)	Withdrawal prices (ECU/tonne)			
				Gutted fish, with head (l)		Whole fish (l)	
				Extra, A (l)	B (l)	Extra, A (l)	B (l)
Herring of the species <i>Clupea harengus</i>	Coastal areas and islands of Ireland	0,85	$\begin{cases} 1 \\ 2 \\ 3 \\ 4 \end{cases}$	0 0 0 0	0 0 0 0	109 168 158 99	109 168 158 99
	Coastal areas in the east of England from Berwick to Dover. Coastal areas of Scotland from Portpatrick to Eyemouth including the islands to the west and the north of these regions. Coastal areas of County Down (Northern Ireland)	0,85	$\begin{cases} 1 \\ 2 \\ 3 \\ 4 \end{cases}$	0 0 0 0	0 0 0 0	109 168 158 99	109 168 158 99
Mackerel of the species <i>Scomber scombrus</i>	Coastal areas and islands of Ireland	0,90	$\begin{cases} 1 \\ 2 \\ 3 \end{cases}$	0 0 0	0 0 0	187 183 178	176 165 154
	Coastal areas and islands of Cornwall and Devon in the United Kingdom	0,90	$\begin{cases} 1 \\ 2 \\ 3 \end{cases}$	0 0 0	0 0 0	187 183 178	176 165 154
	Coastal areas from Portpatrick in south-west Scotland to Wick in north-east Scotland and the islands to the west and north of these areas, coastal areas and islands of Northern Ireland	0,95	$\begin{cases} 1 \\ 2 \\ 3 \end{cases}$	0 0 0	0 0 0	198 193 188	186 174 163
	Coastal areas from Wick to Aberdeen in the north-east of Scotland	0,99	$\begin{cases} 1 \\ 2 \\ 3 \end{cases}$	0 0 0	0 0 0	206 201 196	194 182 170
Hake of the species <i>Merluccius merluccius</i>	Coastal areas from Troon in south-west Scotland to Wick in north-east Scotland and the islands to the west and north of these areas	0,70	$\begin{cases} 1 \\ 2 \\ 3 \\ 4 \\ 5 \end{cases}$	2 282 1 735 1 712 1 415 1 324	2 146 1 621 1 598 1 301 1 210	1 803 1 347 1 324 1 096 1 027	1 666 1 233 1 210 890 822
	Coastal areas and islands of Ireland	0,95	$\begin{cases} 1 \\ 2 \\ 3 \\ 4 \\ 5 \end{cases}$	3 098 2 354 2 323 1 921 1 797	2 912 2 199 2 168 1 766 1 642	2 447 1 828 1 797 1 487 1 394	2 261 1 673 1 642 1 208 1 115
Albacore or longfinned tuna (<i>Thunnus alalunga</i>)	Azores and Madeira	0,48	$\begin{cases} 1 \\ 2 \end{cases}$	1 049 1 049	629 598	818 772	772 727

Species	Landing area	Conversion factor	Size (')	Withdrawal prices (ECU/tonne)			
				Gutted fish, with head (')		Whole fish (')	
				Extra, A (')	B (')	Extra, A (')	B (')
Sardines of the species <i>Sardina pilchardus</i>	Canary Islands	0,48	$\left\{ \begin{array}{l} 1 \\ 2 \\ 3 \\ 4 \end{array} \right.$	0 0 0 0	0 0 0 0	128 159 181 117	79 79 79 79
	Coastal areas and islands of the counties of Cornwall and Devon in the United Kingdom	0,65	$\left\{ \begin{array}{l} 1 \\ 2 \\ 3 \\ 4 \end{array} \right.$	0 0 0 0	0 0 0 0	173 216 245 158	107 107 107 107
	Coastal areas on the Atlantic seaboard of Spain (excluding the Canaries)	0,92	3	0	0	346	151
	Coastal areas on the Atlantic seaboard of Portugal	0,77	$\left\{ \begin{array}{l} 2 \\ 3 \end{array} \right.$	0 0	0 0	282 290	— —
	French coastal areas on the Atlantic, the Channel and the North Sea	0,92	2	0	0	306	151

(') The freshness categories, sizes and presentations are those defined pursuant to Article 2 of Regulation (EEC) No 3759/92.

COMMISSION REGULATION (EC) No 2573/97
of 15 December 1997
fixing the reference prices for fishery products for the 1998 fishing year
(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 3759/92 of 17 December 1992 on the common organization of the market in fishery and aquaculture products⁽¹⁾, as last amended by Regulation (EC) No 3318/94⁽²⁾, and in particular the first subparagraph of Articles 22 (6) and 23 (5) thereof,

Whereas Article 22 (1) of Regulation (EEC) No 3759/92 provides, among other things, for reference prices valid for the Community to be fixed each year, by product category, for the products specified in Annexes I, II, III, IV (B) and V to that Regulation, subject to the consultation procedures laid down for certain products within the framework of the GATT;

Whereas Article 23 (1) of Regulation (EEC) No 3759/92 allows, *inter alia*, the fixing of reference prices for the products referred to in Annex IV (A) before the beginning of each marketing year;

Whereas Article 22 (2) of Regulation (EEC) No 3759/92 provides that the reference price for the products specified in Annex I (A), (D) and (E) thereto must be equal, respectively, to the withdrawal and selling prices fixed in accordance with Article 11 (1) and Article 13 thereof;

Whereas Community withdrawal and selling prices for the products concerned were fixed for the 1998 fishing year by Commission Regulation (EC) No 2572/97⁽³⁾;

Whereas, the reference prices for the products specified in Annexes I (B) and (C) and IV (B) to Regulation (EEC) No 3759/92 are determined on the basis of the average of the reference prices for the fresh product, account being taken of the processing costs and of the need to ensure a price relationship in keeping with the market situation;

Whereas the reference prices for the products specified in Annex II to Regulation (EEC) No 3759/92 must be derived from their guide prices by reference to the price level at which the intervention measures provided for in

Article 16 (1) thereof may be taken, and fixed taking account of the situation on the market in those products;

Whereas the reference prices for the fishes of the species *Thunnus* and *Euthynnus*, specified in Annex III to Regulation (EEC) No 3759/92 are based on the weighted average of the free-at-frontier prices recorded on the most representative markets in the Member States during the three preceding years;

Whereas for the carp and salmon referred to in Annex IV (A) to Regulation (EEC) No 3759/92, reference prices are fixed on the basis of the average of the producer prices recorded during the three years preceding the date on which the reference price is fixed for a product with commercial characteristics as set out in Commission Regulation (EEC) No 2210/93⁽⁴⁾, as amended by Regulation (EC) No 843/95⁽⁵⁾;

Whereas, for the frozen and salted products specified in Annex V to Regulation (EEC) No 3759/92 for which no reference price is fixed for the fresh product, the reference prices are determined on the basis of the reference price applied to a commercially similar fresh product; however, given the quantities of certain frozen and salted products and the conditions governing their importation, it does not appear necessary to fix a reference price for such products in the immediate future;

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

HAS ADOPTED THIS REGULATION:

Article 1

The reference prices for the 1998 fishing year for the products specified in Annexes I, II, III, IV (A), (B) and V to Regulation (EEC) No 3759/92 shall be as shown in the Annex hereto.

Article 2

This Regulation shall enter into force on 1 January 1998.

⁽¹⁾ OJ L 388, 31. 12. 1992, p. 1.

⁽²⁾ OJ L 350, 31. 12. 1994, p. 15.

⁽³⁾ See page 36 of this Official Journal.

⁽⁴⁾ OJ L 197, 6. 8. 1993, p. 8.

⁽⁵⁾ OJ L 85, 19. 4. 1995, p. 13.

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

Done at Brussels, 15 December 1997.

For the Commission

Emma BONINO

Member of the Commission

ANNEX

1. Reference prices of products listed in Annex I (A), (D) and (E) to Regulation (EEC) No 3759/92

Species	Size (')	Reference price (ECU/tonne)			
		Gutted fish with head (')		Whole fish (')	
		Extra, A (')	B (')	Extra, A (')	B (')
Herring of the species <i>Clupea harengus</i> ex 0302 40 05, ex 0302 40 10 and ex 0302 40 98	1 2 3 4 5	0 0 0 0 0	0 0 0 0 0	128 198 186 116 221	128 198 186 116 221
Sardines of the species <i>Sardina pilchardus</i> ex 0302 61 10	1 2 3 4	0 0 0 0	0 0 0 0	266 332 376 244	164 164 164 164
Dogfish (<i>Squalus acanthias</i>) 0302 65 20	1 2 3	616 525 287	451 369 205	616 525 287	410 328 164
Dogfish (<i>Scyliorhinus</i> spp.) 0302 65 50	1 2 3	516 516 355	387 387 258	484 451 290	322 322 148
Redfish (<i>Sebastes</i> spp.) 0302 69 31 and 0302 69 33	1 2 3	0 0 0	0 0 0	917 917 774	917 917 774
Cod of the species <i>Gadus morhua</i> 0302 50 10	1 2 3 4 5	1 063 1 063 1 004 791 555	1 004 1 004 827 543 319	768 768 590 449 331	590 590 472 319 213
Coalfish (<i>Pollachius virens</i>) 0302 63 00	1 2 3 4	549 549 543 463	549 549 543 317	427 427 421 232	427 427 421 171
Haddock (<i>Melanogrammus aeglefinus</i>) 0302 62 00	1 2 3 4	739 739 632 534	657 657 534 435	575 575 443 369	492 492 304 246
Whiting (<i>Merlangius merlangus</i>) 0302 69 41	1 2 3 4	593 572 536 364	557 536 436 243	450 429 393 264	307 286 164 143
Ling (<i>Molva</i> spp.) 0302 69 45	1 2 3	775 756 683	592 574 501	638 620 547	456 437 364
Mackerel of the species <i>Scomber scombrus</i> ex 0302 64 05, ex 0302 64 10 and ex 0302 64 98	1 2 3	0 0 0	0 0 0	208 203 198	196 184 171
Spanish mackerel of the species <i>Scomber japonicus</i> ex 0302 64 05, ex 0302 64 10 and ex 0302 64 98	1 2 3 4	0 0 0 0	0 0 0 0	234 234 193 143	207 193 157 88

Species	Size (l)	Reference price (ECU/tonne)			
		Gutted fish with head (l)		Whole fish (l)	
		Extra, A (l)	B (l)	Extra, A (l)	B (l)
Anchovies (<i>Engraulis</i> spp.) 0302 69 55	1	0	0	794	447
	2	0	0	844	447
	3	0	0	695	447
	4	0	0	288	288
Plaice (<i>Pleuronectes platessa</i>) 0302 22 00	1	771	728	420	420
	2	771	728	420	420
	3	745	685	420	420
	4	582	514	394	394
	1	1 061	1 002	578	578
	2	1 061	1 002	578	578
	3	1 025	943	578	578
	4	801	707	542	542
	1	3 261	3 065	2 576	2 380
	2	2 478	2 315	1 924	1 761
	3	2 446	2 282	1 891	1 728
	4	2 022	1 895	1 565	1 272
Hake of the species <i>Merluccius merluccius</i> ex 0302 69 68	5	1 891	1 728	1 467	1 174
	1	1 557	1 190	1 465	1 099
	2	1 373	1 007	1 282	916
	3	1 245	879	1 117	751
	4	787	421	659	293
Megrim (<i>Lepidorhombus</i> spp.) 0302 29 10	1	1 212	927	1 140	855
	2	855	570	784	499
Dab (<i>Limanda limanda</i>) ex 0302 29 90	1	678	598	558	439
	2	518	439	399	279
Flounder (<i>Platichthys flesus</i>) ex 0302 29 90	1	371	324	324	255
	2	278	232	232	162
Albacore or longfinned tuna (<i>Thunnus alalunga</i>) 0302 31 10 and 0302 31 90	1	2 185	1 311	1 703	1 609
	2	2 185	1 246	1 609	1 514
Cuttlefish (<i>Sepia officinalis</i> and <i>Rossia macrosoma</i>) ex 0307 41 10	1	0	0	1 007	756
	2	0	0	1 007	756
	3	0	0	630	378
		Whole or gutted fish with head (l)		Without head (l)	
		Extra, A (l)	B (l)	Extra, A (l)	B (l)
Monkfish (<i>Lophius</i> spp.) 0302 69 81	1	1 630	1 177	4 210	3 274
	2	2 083	1 630	3 976	3 040
	3	2 083	1 630	3 742	2 807
	4	1 744	1 291	3 274	2 339
	5	951	498	2 339	1 403

Species	Size (°)	All presentations			
		A (°)		B (°)	
Shrimps of the species <i>Crangon crangon</i> ex 0306 23 31 and ex 0306 23 39	1	1 393		1 179	
	2	643		643	
		cooked in water		fresh or chilled	
		A (°)	B (°)	A (°)	B (°)
Deep-water prawns (<i>Pandalus borealis</i>) ex 0306 23 10	1	4 886	4 311	1 129	903
	2	1 724	1 724	—	—
		Whole (°)			
Edible crabs (<i>Cancer pagurus</i>) ex 0306 24 30	1	1 259			
	2	944			
		Whole (°)			Tails (°)
		E (°)	Extra, A (°)	B (°)	Extra, A (°) B (°)
Norway lobster (<i>Nephrops norvegicus</i>) ex 0306 29 30	1	4 429	4 429	3 170	3 519 2 346
	2	4 429	3 030	1 772	2 933 1 564
	3	3 963	3 030	1 772	2 151 1 134
	4	2 564	2 098	1 166	1 799 547
		Gutted fish with head (°)		Whole fish (°)	
		Extra, A (°)	B (°)	Extra, A (°)	B (°)
Sole (<i>Solea</i> spp.) 0302 23 00	1	4 726	4 200	3 675	2 888
	2	4 726	4 200	3 675	2 888
	3	4 463	3 938	3 413	2 625
	4	3 675	3 150	2 625	2 100
	5	3 150	2 625	2 100	1 838

(°) The freshness categories, sizes and presentations are those defined pursuant to Article 2 of Regulation (EEC) No 3759/92.

2. Reference prices for the products listed in Annex II to Regulation (EEC) No 3759/92

CN code	Description	Reference prices (ECU/tonne)
A. Frozen products falling within CN codes 0303 and 0304		
0303 31 10	Greenland halibut (<i>Reinhardtius hippoglossoides</i>)	1 631
0303 79 71	Sea bream (<i>Dentex dentex</i> and <i>Pagellus</i> spp.)	1 323
	Hake (<i>Merluccius</i> spp.)	
	Whole fish:	
	— with or without head	931
	Fillets:	
	— interleaved or in industrial blocks, with bones (standard)	1 165
	— interleaved or in industrial blocks, boneless	1 358
	— individual or fully interleaved fillets, with skin	1 210
	— individual or fully interleaved fillets, skinless	1 299
	— blocks in immediate packing weighing not more than 4 kg	1 373

CN code	Description	Reference prices (ECU/tonne)
ex 0304 20 56	<i>Merluccius hubbsi</i> Fillets: — interleaved or in industrial blocks, with bones (standard) — interleaved or in industrial blocks, boneless — individual or fully interleaved fillets, with skin — individual or fully interleaved fillets, skinless — blocks in immediate packing weighing not more than 4 kg	1 049 1 222 1 089 1 169 1 236
ex 0304 90 47	Pieces and other meat, except minced blocks	1 162
B. Frozen products falling within CN code 0306:		
0306 13 40	Deepwater rose shrimps <i>Parapenaeus longirostris</i>	3 502
0306 13 50	Shrimps of the genus <i>Penaeus</i>	6 787
C. Frozen products falling within CN code 0307:		
	Squid of the genus <i>Loligo</i>	
0307 49 35	— <i>Loligo patagonica</i> : whole, not cleaned cleaned	898 1 078
0307 49 31	— <i>Loligo vulgaris</i> : whole, not cleaned cleaned	1 797 2 156
0307 49 33	— <i>Loligo pealei</i> : whole, not cleaned cleaned	1 078 1 258
ex 0307 49 38	— <i>Loligo opalescens</i> : whole, not cleaned cleaned	719 854
0307 49 38	— other species: whole, not cleaned cleaned	988 1 168
0307 49 51	Squid (<i>Ommastrephes sagittatus</i>): whole, not cleaned tube cylinder	817 1 552 2 328
	<i>Illex</i> spp.	
ex 0307 99 11	— <i>Illex argentinus</i> : whole, not cleaned tube cylinder	754 1 434 2 151
ex 0307 99 11	— <i>Illex illecebrosus</i> : whole, not cleaned tube cylinder	754 1 434 2 151
ex 0307 99 11	— other species: whole, not cleaned tube cylinder	754 1 434 2 151
0307 49 01, 0307 49 18	Cuttle fish (<i>Sepia officinalis</i> and <i>Rossia macrosoma</i>) and sépioles (<i>Sepiola rondeleti</i>)	1 656
0307 59 10	Octopus (<i>Octopus</i> spp.)	1 689

3. Reference prices for the products listed in Annex III to Regulation (EEC) No 3759/92

Tuna (of the genus *Thunnus*), skipjack or stripe-bellied bonito (*Euthynnus (Katsuwonus) pelamis*) and other species of the genus *Euthynnus*, fresh, chilled or frozen, for the industrial manufacture of products falling within CN code 1604:

Product	Reference prices (ECU/tonne)		
	Whole	Gilled and gutted	Other (for example 'heads off')
A. Albacore or longfinned tuna (<i>Thunnus alalunga</i>), frozen: 0303 41 11, 0303 41 13, 0303 41 19	1 419	1 617	1 758
B. Yellowfin tuna (<i>Thunnus albacares</i>): 1) weighing more than 10 kg each (!): 0302 32 10, 0303 42 12, 0303 42 32, 0303 42 52	1 013	1 156	1 256
2) weighing not more than 10 kg each (!): 0302 32 10, 0303 42 18, 0303 42 38, 0303 42 58	790	901	980
C. Lisatos or stripe bellied bonito (<i>Euthynnus (Katsuwonus) pelamis</i>): 0302 33 10, 0303 43 11, 0303 43 13, 0303 43 19	628	716	779
D. Fish of the genus <i>Thunnus</i> and <i>Euthynnus</i> excluding Bluefin tuna (<i>Thunnus thynnus</i>), fresh or chilled and bigeye tuna (<i>Parathunnus obesus</i> or <i>Thunnus obesus</i>), fresh or chilled: ex 0302 39 19, 0302 69 21, ex 0303 49 41, ex 0303 49 43, ex 0303 49 49, 0303 79 21, 0303 79 23, 0303 79 29	760	866	942

(!) Reference to weight applies to whole products.

4. Reference prices for certain products listed in Annex IV (A) of Regulation (EEC) No 3759/92:

Product	Form	Periods from	Reference prices (ECU/t)
Carp falling within CN code 0301 93 00	live, weighing at least 800 g	1. 1. to 31. 7.1998	1 403
		1. 8. to 30.11.1998	1 683
		1.12. to 31.12.1998	1 683
Atlantic salmon (<i>Salmo salar</i>) fresh, chilled or frozen falling within CN codes			
ex 0302 12 00,	— whole	—	3 163
ex 0303 22 00,	— gutted	—	3 514
ex 0304 10 13,	— gutted without head	—	3 867
ex 0304 20 13	— fillets	—	4 866

5. Reference prices for the product listed in Annexes IV (B) and V to Regulation (EEC) No 3759/92

Frozen and salted products falling within CN code 0303 and 0304:

Species	Presentation	Reference prices (ECU/tonne)
1. Redfish (<i>Sebastes</i> spp.) 0303 79 35 0303 79 37	Whole fish: — with or without head	933
	Fillets: — with bones ('standard')	1 858
0304 20 35 0304 20 37	— boneless	2 098
	— blocks in immediate packing weighing not more than 4 kg	2 219
ex 0304 90 31	Pieces and other meat	1 311
2. Cod (<i>Gadus morhua</i> , <i>Gadus ogac</i> and <i>Gadus macrocephalus</i>) and fish of the species <i>Boreogadus saida</i> 0303 60 11, 0303 60 19, 0303 60 90, 0303 79 41	Whole fish: — with or without head	1 062
	Fillets: — interleaved or in industrial blocks, with bones ('standard')	2 356
	— interleaved or in industrial blocks, boneless	2 639
0304 20 21 0304 20 29	— individual or fully interleaved fillets, with skin	2 500
	— individual or fully interleaved fillets, skinless	2 886
	— blocks in immediate packing weighing not more than 4 kg	2 818
ex 0304 90 35, ex 0304 90 38, ex 0304 90 39	Pieces and other meat	1 392
3. Coalfish (<i>Pollachius virens</i>) 0303 73 00	Whole fish: — with or without head	728
	Fillets: — interleaved or in industrial blocks, (standard)	1 473
	— interleaved or in industrial blocks, boneless	1 623
0304 20 31	— individual or fully interleaved fillets, with skin	1 476
	— individual or fully interleaved fillets, skinless	1 665
	— blocks in immediate packing weighing not more than 4 kg	1 700
ex 0304 90 41	Pieces and other meat, except minced blocks	977

Species	Presentation	Reference prices (ECU/tonne)
4. Haddock (<i>Melanogrammus aeglefinus</i>) 0303 72 00	Whole fish: — with or without head	886
0304 20 33	Fillets: — interleaved or in industrial blocks, with bones (standard) — interleaved or in industrial blocks, boneless — individual or fully interleaved fillets, with skin — individual or fully interleaved fillets, skinless — blocks in immediate packing weighing not more than 4 kg	2 198 2 633 2 512 2 739 2 931
ex 0304 90 45	Pieces and other meat, except minced blocks	1 038
5. Mackerel of the species <i>Scomber scombrus</i> and <i>Scomber japonicus</i> and fish of the species <i>Orcynopsis unicolor</i> 0303 74 10 0303 74 11 0303 74 20 0303 79 60 0303 79 61 0303 79 62 0304 20 53 ex 0304 90 97	Whole fish: — with head — without head Fillets: Sides	 399 441 710 575
6. Alaska pollack (<i>Theragra chalcogramma</i>) ex 0304 20 85	Fillets: — interleaved or in industrial blocks, with bones ('standard') — interleaved or in industrial blocks, boneless	1 115 1 285
7. Swordfish (<i>Xiphias gladius</i>) ex 0303 79 87	Whole fish, with or without head	3 164
8. Cod (<i>Gadus morhua</i> , <i>Gadus ogac</i> and <i>Gadus macrocephalus</i>) and fish of the species <i>Borreogadus saida</i> 0305 62 00, 0305 69 10	Salted fish, not dried or smoked, and fish in brine < 1,1 kg ≥ 1,1 kg; < 2,1 kg ≥ 2,1 kg	 2 612 2 869 3 313

COMMISSION REGULATION (EC) No 2574/97

of 15 December 1997

fixing the amount of the carry-over aid for certain fishery products for the 1998 fishing year

(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 3901/92 of 23 December 1992 laying down general rules for the granting of a carry-over aid for certain fishery products ⁽¹⁾ as last amended by Regulation (EC) No 1337/95 ⁽²⁾, and in particular Article 5 thereof,

Whereas the purpose of the carry-over aid is to give suitable encouragement to producers' organizations to carry over products withdrawn from the market so that their destruction can be avoided;

Whereas the amount of the aid must be such as not to disturb the balance of the market for the products in question;

Whereas, on the basis of the information on technical and financial costs associated with the concerned operations, recorded in the Community, the amount of the aid

should, for the 1998 fishing year, be as indicated in the Annex;

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

HAS ADOPTED THIS REGULATION:

Article 1

For the 1998 fishing year, the carry-over aid for the products listed in Annex I A, D and E to Council Regulation (EEC) No 3759/92 ⁽³⁾ shall be as indicated in the Annex.

Article 2

This Regulation shall enter into force on 1 January 1998.

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

Done at Brussels, 15 December 1997.

For the Commission

Emma BONINO

Member of the Commission

⁽¹⁾ OJ L 392, 31. 12. 1992, p. 29.

⁽²⁾ OJ L 129, 14. 6. 1995, p. 5.

⁽³⁾ OJ L 388, 31. 12. 1992, p. 1.

ANNEX

1. Amount of the carry-over aid for products listed in Annex I (A) and (D) and for sole (*Solea spp.*) listed in Annex I (E) to Regulation (EEC) No 3759/92

Processing methods listed in Article 14 of Regulation (EEC) No 3759/92	Amount of aid (ECU/tonne)	
1	2	
	First month	Per additional month
I. Freezing and storage of whole, gutted and whole head or cutting-up products		
— Sardines of the species <i>Sardina pilchardus</i>	210	17
— Other species	120	17
II. Filleting, freezing and storage	200	17
III. Salting and/or drying and storage of whole, gutted and with head, cutting-up of filleted products	165	17

2. Amount of the carry-over aid for products listed in Annex I (E) to Regulation (EEC) No 3759/92

Processing methods listed in Article 14 of Regulation (EEC) No 3759/92	Products	Amount of aid (ECU/tonne)	
1	2	3	
		First month	Per additional month
I. Freezing and storage	Norway lobster (<i>Nephrops norvegicus</i>)	250	28
	Norway lobster tails (<i>Nephrops norvegicus</i>)	168	28
II. Removing the head, freezing and storage	Norway lobster (<i>Nephrops norvegicus</i>)	168	19
III. Cooking, freezing and storage	Norway lobster (<i>Nephrops norvegicus</i>)	287	28
	Edible crabs (<i>Cancer pagurus</i>)	162	19
IV. Storage in suitable fixed tanks or cages	Edible crabs (<i>Cancer pagurus</i>)	162	

COMMISSION REGULATION (EC) No 2575/97
of 15 December 1997

**fixing the amount of the flat-rate premium for certain fishery products during
the 1998 fishing year**

(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 4176/88 of 28 December 1988 laying down detailed rules for the grant of a flat-rate aid for certain fishery products and aquaculture products⁽¹⁾ as last amended by Regulation (EEC) No 3516/93⁽²⁾, and in particular Article 11 thereof,

Whereas the flat-rate premium should encourage the producers' organizations to prevent the destruction of products withdrawn from the market;

Whereas the amount of the premium must be fixed in such a way as to take account of the interdependence of the markets concerned and of the need to prevent distortion of competition;

Whereas the amount of the premium may not exceed the technical and financial costs of processing and storage recorded during the previous fishing year, the highest costs being disregarded;

Whereas, on the basis of the information concerning the technical and financial costs associated with the concerned operations recorded in the Community, the amount of the premium should be fixed for the 1998 fishing year as shown below;

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

HAS ADOPTED THIS REGULATION:

Article 1

For the 1998 fishing year, the amount of the flat-rate premium for the products listed in Annex VI to Council Regulation (EEC) No 3759/92⁽³⁾ shall be as follows:

- (a) freezing and storage of products, whole, gutted with head, or cut:
 - ECU 120/tonne, for the first month
 - ECU 17/tonne, per additional month;
- (b) filleting, freezing and storage:
 - ECU 200/tonne, for the first month
 - ECU 17/tonne, per additional month.

Article 2

This Regulation shall enter into force on 1 January 1998.

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

Done at Brussels, 15 December 1997.

For the Commission

Emma BONINO

Member of the Commission

⁽¹⁾ OJ L 367, 31. 12. 1988, p. 63.

⁽²⁾ OJ L 320, 22. 12. 1993, p. 10.

⁽³⁾ OJ L 388, 31. 12. 1992, p. 1.

COMMISSION REGULATION (EC) No 2576/97
of 15 December 1997

**fixing the standard values to be used in calculating the financial compensation
and the advance pertaining thereto in respect of fishery products withdrawn
from the market during the 1998 fishing year**

(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 3759/92 of 17 December 1992 on the common organization of the market in fishery and aquaculture products⁽¹⁾, as last amended by Regulation (EC) No 3318/94⁽²⁾, and in particular Article 12 (6) thereof,

Whereas Article 12 of Regulation (EEC) No 3759/92 provides for the payment of financial compensation to producers' organizations which intervene, on certain conditions, in respect of the products listed in Annex I (A) and (D) to that Regulation; whereas the amount of such financial compensation must be reduced by standard values in the case of products intended for purposes other than human consumption;

Whereas Commission Regulation (EEC) No 1501/83⁽³⁾ specifies the ways in which the products withdrawn must be disposed of; whereas the value of such products must be fixed at a standard level for each of these modes of disposal, taking into account the average receipts which may be obtained from such disposal;

Whereas, on the basis of the relevant information on this value, it should be fixed for the 1998 fishing year as shown in the Annex hereto;

Whereas, pursuant to Article 7 of Commission Regulation (EEC) No 3902/92⁽⁴⁾, as last amended by Regulation (EC) No 1338/95⁽⁵⁾, the body responsible for payment of the financial compensation is that of the Member State in

which the producers' organization was recognized; whereas the standard value deductible should therefore be the value applied in that Member State;

Whereas the abovementioned provisions are equally applicable to the advance on the financial compensation provided for in Article 6 (1) of Regulation (EEC) No 3902/92;

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

HAS ADOPTED THIS REGULATION:

Article 1

The standard values to be used in calculating the financial compensation and the advance pertaining thereto in respect of products withdrawn by producers' organizations and used for purposes other than human consumption shall be for the 1998 fishing year as shown in the Annex hereto for each of the uses indicated therein.

Article 2

The standard value to be deducted from the financial compensation and the advance pertaining thereto shall be that applied in the Member State in which the producers' organization was recognized.

Article 3

This Regulation shall enter into force on 1 January 1998.

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

Done at Brussels, 15 December 1997.

For the Commission

Emma BONINO

Member of the Commission

⁽¹⁾ OJ L 388, 31. 12. 1992, p. 1.
⁽²⁾ OJ L 350, 31. 12. 1994, p. 15.
⁽³⁾ OJ L 152, 10. 6. 1983, p. 22.
⁽⁴⁾ OJ L 392, 31. 12. 1992, p. 35.
⁽⁵⁾ OJ L 129, 14. 6. 1995, p. 7.

ANNEX

Use of products withdrawn	ECU/tonne
1. Used as animal feed after drying and cutting up or processing into meal:	
(a) herring of the species <i>Clupea harengus</i> and mackerel of the species <i>Scomber scombrus</i> and <i>Scomber japonicus</i> :	
— Denmark	80
— Sweden	60
— France	1
— other Member States	18
(b) for shrimps of the species <i>Crangon crangon</i> and deep-water prawns (<i>Pandalus borealis</i>):	
— all Member States	5
(c) for other products:	
— Denmark	60
— United Kingdom, Portugal, Sweden and Belgium	18
— France	0
— other Member States	10
2. Used otherwise than as under animal feed (bait included):	
(a) Sardines of the species <i>Sardina pilchardus</i> and anchovy (<i>Engraulis</i> spp.)	
— all Member States	20
(b) for other products:	
— Sweden, France and Denmark	55
— Ireland	0
— other Member States	35
3. Used for purposes other than animal feed	0

COMMISSION REGULATION (EC) No 2577/97

of 16 December 1997

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⁽¹⁾, as last amended by Commission Regulation (EC) No 1457/97⁽²⁾, and in particular Article 12 (2) in conjunction with Article 25 (5) thereof,

Whereas the Agreement in the form of an Exchange of Letters between the European Community and the Russian Federation on trade in textile products initialled on 19 December 1995 expired on 31 December 1996; whereas, pending the completion of negotiations directed towards the initialling of a new agreement with the Russian Federation, Commission Regulations (EC) No 2446/96⁽³⁾, as amended by Regulation (EC) No 562/97⁽⁴⁾ and (EC) No 1025/97⁽⁵⁾ were adopted in order to safeguard the economic interests of the Community in the further conduct of trade in textile products with that country;

Whereas the measures brought in by Regulation (EC) No 1025/97 are to apply until 31 December 1997, by which date it appears unlikely that a new textiles agreement can be negotiated and brought into application;

Whereas it is necessary, given the sensitivity of the textiles and clothing sector, to maintain the present import regime for an additional period of three months starting on 1 January 1998 and to establish quantitative limits for imports of the same textile products covered by Regulation (EC) No 1025/97;

Whereas these new limits should be set by reference to the period covered together with an increase which does not prejudice the results of the negotiation of a new textiles agreement;

Whereas in the interim the negotiations to reach a new bilateral agreement between the Community and the

Russian Federation before the expiry of this Regulation will continue;

Whereas the proposed measures are in accordance with the opinion of the Committee set up by Regulation (EC) No 517/94,

HAS ADOPTED THIS REGULATION:

Article 1

1. As from 1 January 1998 imports into the Community of textile products listed in Annex I to this Regulation originating in the Russian Federation shall be subject to the quantitative limits established in that Annex.
2. As from 1 January 1998, re-imports into the Community, after outward economic processing in the Russian Federation, of textile products listed in Annex II to this Regulation originating in the Community shall be subject to the quantitative limits established in that Annex.

Article 2

Without prejudice to the provisions of this Regulation, the provisions of Regulation (EC) No 517/94 are applicable to imports referred to in this Regulation.

Article 3

As from the date of entry into force of this Regulation in respect to products listed in Annex I the following provisions are applicable:

1. the quantity requested by each operator in obtaining an import licence shall not exceed the maximum quantities set out in Annex III;
2. any importer who has used an import licence to the extent of 50 % or more of the quantity allocated to him pursuant to paragraph 1 may make a further application for a licence for the same category of products provided that quantities remain available within the relevant quantitative limit;
3. the competent authorities of the Member States shall issue import licences only after being notified of the Commission's decision and only if an operator can prove the existence of a contract and, without prejudice to the provisions of paragraph 2, certify in writing that he has not already been allocated a Community import licence under this Regulation for the relevant category;

⁽¹⁾ OJ L 67, 10. 3. 1994, p. 1.

⁽²⁾ OJ L 199, 26. 7. 1997, p. 6.

⁽³⁾ OJ L 333, 21. 12. 1996, p. 7.

⁽⁴⁾ OJ L 85, 27. 3. 1997, p. 38.

⁽⁵⁾ OJ L 150, 7. 6. 1997, p. 20.

4. the requests for import licences can be submitted to the Commission as of 2 January 1998 at 10 a.m., Brussels time. Import licenses shall be valid for three months from the date of issue. At the importer's request the competent national authorities may, however, grant a one-month extension.

Article 4

Only the quantities of products listed in Annexes I and II to this Regulation released for free circulation into the Community after 1 January 1998 on the basis of an import licence issued pursuant to this Regulation or on the basis of a prior authorization for economic outward processing pursuant to Commission Regulation (EC) No 3017/95⁽¹⁾ shall be deducted from the respective limits set out in the said Annexes.

Article 5

The provisions of this Regulation shall not apply to imports into the Community of products covered by Annexes I and II, the importation of which has been

authorized pursuant to Regulations (EC) No 2446/96 and (EC) No 1025/97.

Article 6

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 7

This Regulation shall enter into force on 1 January 1998.

It is applicable until 31 March 1998.

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

Done at Brussels, 16 December 1997.

For the Commission

Leon BRITTAN

Vice-President

⁽¹⁾ OJ L 314, 28. 12. 1995, p. 40.

ANNEX I

Community quantitative limits referred to in Article 1 (1) applicable from 1 January to 31 March 1998

Category (1)	Unit	Quantity
1	tonnes	1 353
2	tonnes	4 008
2a	tonnes	308
3	tonnes	526
4	1 000 pieces	752
5	1 000 pieces	478
6	1 000 pieces	838
7	1 000 pieces	236
8	1 000 pieces	719
9	tonnes	490
20	tonnes	710
22	tonnes	385
39	tonnes	251
12	1 000 pairs	1 179
13	1 000 pieces	1 547
15	1 000 pieces	296
16	1 000 pieces	215
21	1 000 pieces	355
24	1 000 pieces	366
29	1 000 pieces	165
83	tonnes	122
33	tonnes	138
37	tonnes	475
50	tonnes	148
74	1 000 pieces	158
90	tonnes	254
115	tonnes	127
117	tonnes	455
118	tonnes	268

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

*ANNEX II***OUTWARD PROCESSING TRAFFIC**

Community quantitative limits referred to in Article 1 (2) applicable from 1 January to 31 March 1998

Category ⁽¹⁾	Unit	Quantity
4	1 000 pieces	260
5	1 000 pieces	597
6	1 000 pieces	1 651
7	1 000 pieces	1 055
8	1 000 pieces	955
12	1 000 pairs	1 274
13	1 000 pieces	376
15	1 000 pieces	999
16	1 000 pieces	365
21	1 000 pieces	1 449
24	1 000 pieces	737
29	1 000 pieces	1 147
83	tonnes	132
74	1 000 pieces	263

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

ANNEX III

Maximum Quantities referred to in Article 3 (1)

Category (1)	Unit	Maximum quantity
1	tonnes	30
2	tonnes	40
2a	tonnes	15
3	tonnes	15
4	1 000 pieces	20
5	1 000 pieces	15
6	1 000 pieces	15
7	1 000 pieces	15
8	1 000 pieces	20
9	tonnes	15
20	tonnes	15
22	tonnes	15
39	tonnes	15
12	1 000 pairs	15
13	1 000 pieces	15
15	1 000 pieces	15
16	1 000 pieces	15
21	1 000 pieces	15
24	1 000 pieces	15
29	1 000 pieces	15
83	tonnes	15
33	tonnes	15
37	tonnes	15
50	tonnes	15
74	1 000 pieces	15
90	tonnes	15
115	tonnes	15
117	tonnes	15
118	tonnes	15

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

COMMISSION REGULATION (EC) No 2578/97
of 19 December 1997
establishing the standard import values for determining the entry price of
certain fruit and vegetables

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

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

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

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

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

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

HAS ADOPTED THIS REGULATION:

Article 1

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

Article 2

This Regulation shall enter into force on 20 December 1997.

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

Done at Brussels, 19 December 1997.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ L 337, 24. 12. 1994, p. 66.

⁽²⁾ OJ L 325, 14. 12. 1996, p. 5.

⁽³⁾ OJ L 387, 31. 12. 1992, p. 1.

⁽⁴⁾ OJ L 22, 31. 1. 1995, p. 1.

ANNEX

to the Commission Regulation of 19 December 1997 establishing the standard import values for determining the entry price of certain fruit and vegetables

(ECU/100 kg)

CN code	Third country code ⁽¹⁾	Standard import value
0702 00 45	052	87,9
	204	82,3
	624	200,4
	999	123,5
0707 00 40	624	134,7
	999	134,7
0709 10 40	220	184,6
	999	184,6
0709 90 79	052	89,4
	999	89,4
0805 10 61, 0805 10 65, 0805 10 69	052	27,6
	204	44,1
	388	29,6
	448	27,4
	528	44,4
	999	34,6
0805 20 31	052	58,9
	204	53,1
	999	56,0
0805 20 33, 0805 20 35, 0805 20 37, 0805 20 39	052	60,8
	464	156,8
	999	108,8
0805 30 40	052	72,9
	400	55,5
	528	36,3
	600	80,4
	999	61,3
0808 10 92, 0808 10 94, 0808 10 98	060	46,2
	064	59,5
	400	83,4
	404	82,2
	512	39,2
	720	62,8
	804	84,0
	999	65,3
0808 20 67	052	97,6
	064	85,4
	400	83,5
	999	88,8

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

**COMMISSION REGULATION (EC) No 2579/97
of 19 December 1997**

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

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

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

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

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

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

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

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

HAS ADOPTED THIS REGULATION:

Article 1

The maximum export refund on wholly milled long grain
rice falling within CN code 1006 30 67 to be exported to
certain third countries pursuant to the invitation to tender
issued in Regulation (EC) No 2097/97 is hereby fixed on
the basis of the tenders submitted from 15 to 18
December 1997 at ECU 354 per tonne.

Article 2

This Regulation shall enter into force on 20 December
1997.

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

Done at Brussels, 19 December 1997.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ L 329, 30. 12. 1995, p. 18.

⁽²⁾ OJ L 292, 25. 10. 1997, p. 22.

⁽³⁾ OJ L 61, 7. 3. 1975, p. 25.

⁽⁴⁾ OJ L 35, 15. 2. 1995, p. 8.

**COMMISSION REGULATION (EC) No 2580/97
of 19 December 1997**

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

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

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

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

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

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

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

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

HAS ADOPTED THIS REGULATION:

Article 1

The maximum export refund on wholly milled round grain rice to be exported to certain third countries pursuant to the invitation to tender issued in Regulation (EC) No 2098/97 is hereby fixed on the basis of the tenders submitted from 15 to 18 December 1997 at ECU 150 per tonne.

Article 2

This Regulation shall enter into force on 20 December 1997.

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

Done at Brussels, 19 December 1997.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ L 329, 30. 12. 1995, p. 18.

⁽²⁾ OJ L 292, 25. 10. 1997, p. 25.

⁽³⁾ OJ L 61, 7. 3. 1975, p. 25.

⁽⁴⁾ OJ L 35, 15. 2. 1995, p. 8.

COMMISSION REGULATION (EC) No 2581/97
of 19 December 1997

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

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

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

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

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

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

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

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

HAS ADOPTED THIS REGULATION:

Article 1

The maximum export refund on wholly milled medium grain and long grain A rice to be exported to certain third countries pursuant to the invitation to tender issued in Regulation (EC) No 2096/97 is hereby fixed on the basis of the tenders submitted from 15 to 18 December 1997 at ECU 178 per tonne.

Article 2

This Regulation shall enter into force on 20 December 1997.

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

Done at Brussels, 19 December 1997.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ L 329, 30. 12. 1995, p. 18.

⁽²⁾ OJ L 292, 25. 10. 1997, p. 19.

⁽³⁾ OJ L 61, 7. 3. 1975, p. 25.

⁽⁴⁾ OJ L 35, 15. 2. 1995, p. 8.

COMMISSION REGULATION (EC) No 2582/97
of 19 December 1997

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

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

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

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

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

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

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

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

HAS ADOPTED THIS REGULATION:

Article 1

The maximum export refund on wholly milled medium grain and long grain A rice to be exported to certain third countries pursuant to the invitation to tender issued in Regulation (EC) No 2095/97 is hereby fixed on the basis of the tenders submitted from 15 to 18 December 1997 at ECU 148 per tonne.

Article 2

This Regulation shall enter into force on 20 December 1997.

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

Done at Brussels, 19 December 1997.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ L 329, 30. 12. 1995, p. 18.

⁽²⁾ OJ L 292, 25. 10. 1997, p. 16.

⁽³⁾ OJ L 61, 7. 3. 1975, p. 25.

⁽⁴⁾ OJ L 35, 15. 2. 1995, p. 8.

COMMISSION REGULATION (EC) No 2583/97
of 19 December 1997
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⁽¹⁾, 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⁽²⁾ 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 export possibilities exist for a quantity of 1 000 tonnes of rice to certain destinations; whereas the procedure laid down in Article 7 (4) of Commission Regulation (EC) No 1162/95⁽³⁾, as last amended by Regulation

(EC) No 932/97⁽⁴⁾ should be used; whereas account should be taken of this when the refunds are fixed;

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 1998.

⁽¹⁾ OJ L 329, 30. 12. 1995, p. 18.

⁽²⁾ OJ L 154, 15. 6. 1976, p. 11.

⁽³⁾ OJ L 117, 24. 5. 1995, p. 2.

⁽⁴⁾ OJ L 135, 27. 5. 1997, p. 2.

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

Done at Brussels, 19 December 1997.

For the Commission

Franz FISCHLER

Member of the Commission

ANNEX

to the Commission Regulation of 19 December 1997 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	129,00	1006 30 65 9900	01	162,00
1006 20 13 9000	01	129,00		05	162,00
1006 20 15 9000	01	129,00	1006 30 67 9100	04	168,00
1006 20 17 9000	—	—	1006 30 67 9900	—	—
1006 20 92 9000	01	129,00	1006 30 92 9100	01	162,00
1006 20 94 9000	01	129,00		02	168,00
1006 20 96 9000	01	129,00		03	173,00
1006 20 98 9000	—	—		05	162,00
1006 30 21 9000	01	129,00	1006 30 92 9900	01	162,00
1006 30 23 9000	01	129,00		05	162,00
1006 30 25 9000	01	129,00		—	—
1006 30 27 9000	—	—	1006 30 94 9100	01	162,00
1006 30 42 9000	01	129,00		02	168,00
1006 30 44 9000	01	129,00		03	173,00
1006 30 46 9000	01	129,00		05	162,00
1006 30 48 9000	—	—	1006 30 94 9900	01	162,00
1006 30 61 9100	01	162,00		05	162,00
	02	168,00		—	—
	03	173,00	1006 30 96 9100	01	162,00
	05	162,00		02	168,00
1006 30 61 9900	01	162,00		03	173,00
	05	162,00		05	162,00
1006 30 63 9100	01	162,00	1006 30 96 9900	01	162,00
	02	168,00		05	162,00
	03	173,00		—	—
	05	162,00	1006 30 98 9100	04	168,00
1006 30 63 9900	01	162,00	1006 30 98 9900	—	—
	05	162,00	1006 40 00 9000	—	—
1006 30 65 9100	01	162,00			
	02	168,00			
	03	173,00			
	05	162,00			

⁽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 Ceuta and Melilla: refund fixed under the procedure laid down in Article 7 (4) of amended Regulation (EC) No 1162/95 in respect of a quantity of 1 000 tonnes,

05 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 2584/97

of 19 December 1997

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⁽¹⁾, as last amended by Regulation (EC) No 2348/96⁽²⁾, 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⁽³⁾, as last amended by Regulation (EEC) No 2596/93⁽⁴⁾, 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⁽⁵⁾, as last amended by Regulation (EC) No 1683/94⁽⁶⁾, 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⁽⁷⁾, as last amended by Regulation (EC) No 150/95⁽⁸⁾, 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⁽⁹⁾, as last amended by Regulation (EC) No 1482/96⁽¹⁰⁾;

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 1998.

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

Done at Brussels, 19 December 1997.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ L 173, 27. 6. 1992, p. 1.

⁽²⁾ OJ L 320, 11. 12. 1996, p. 1.

⁽³⁾ OJ L 179, 1. 7. 1992, p. 6.

⁽⁴⁾ OJ L 238, 23. 9. 1993, p. 24.

⁽⁵⁾ OJ L 198, 17. 7. 1992, p. 37.

⁽⁶⁾ OJ L 178, 12. 7. 1994, p. 53.

⁽⁷⁾ OJ L 387, 31. 12. 1992, p. 1.

⁽⁸⁾ OJ L 22, 31. 1. 1995, p. 1.

⁽⁹⁾ OJ L 108, 1. 5. 1993, p. 106.

⁽¹⁰⁾ OJ L 188, 27. 7. 1996, p. 22.

ANNEX

to the Commission Regulation of 19 December 1997 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)	176,00	176,00

COMMISSION REGULATION (EC) No 2585/97

of 19 December 1997

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⁽¹⁾, as last amended by Regulation (EC) No 2348/96⁽²⁾, 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⁽³⁾, as amended by Regulation (EC) No 2883/94⁽⁴⁾, 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⁽⁵⁾, as last amended by Regulation (EC) No 150/95⁽⁶⁾, 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⁽⁷⁾, as last amended by Regulation (EC) No 1482/96⁽⁸⁾;

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 1998.

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

Done at Brussels, 19 December 1997.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ L 173, 27. 6. 1992, p. 13.

⁽²⁾ OJ L 320, 11. 12. 1996, p. 1.

⁽³⁾ OJ L 296, 17. 11. 1994, p. 23.

⁽⁴⁾ OJ L 304, 29. 11. 1994, p. 18.

⁽⁵⁾ OJ L 387, 31. 12. 1992, p. 1.

⁽⁶⁾ OJ L 22, 31. 1. 1995, p. 1.

⁽⁷⁾ OJ L 108, 1. 5. 1993, p. 106.

⁽⁸⁾ OJ L 188, 27. 7. 1996, p. 22.

ANNEX

to the Commission Regulation of 19 December 1997 setting the amounts of aid for the supply of rice products from the Community to the Canary Islands

(ECU/tonne)

Product (CN code)	Amount of aid
	Canary Islands
Milled rice (1006 30)	176,00
Broken rice (1006 40)	39,00

COMMISSION REGULATION (EC) No 2586/97
of 19 December 1997
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 ⁽¹⁾, as last amended by Regulation (EC) No 2598/95 ⁽²⁾, 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 ⁽³⁾, as last amended by Regulation (EC) No 2371/97 ⁽⁴⁾; 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 1998.

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

Done at Brussels, 19 December 1997.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ L 356, 24. 12. 1991, p. 1.

⁽²⁾ OJ L 267, 9. 11. 1995, p. 1.

⁽³⁾ OJ L 43, 19. 2. 1992, p. 23.

⁽⁴⁾ OJ L 329, 29. 11. 1997, p. 19.

ANNEX

to the Commission Regulation of 19 December 1997 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/tonne)

Product (CN code)	Amount of aid			
	Destination			
	Guadeloupe	Martinique	French Guiana	Réunion
Common wheat (1001 90 99)	20,00	20,00	20,00	23,00
Barley (1003 00 90)	21,00	21,00	21,00	24,00
Maize (1005 90 00)	34,00	34,00	34,00	37,00
Durum wheat (1001 10 00)	12,00	12,00	12,00	16,00

COMMISSION REGULATION (EC) No 2587/97
of 19 December 1997
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 ⁽¹⁾, as last amended by Regulation (EC) No 2348/96 ⁽²⁾, 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 ⁽³⁾, as last amended by Regulation (EC) No 2369/97 ⁽⁴⁾; 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 1998.

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

Done at Brussels, 19 December 1997.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ L 173, 27. 6. 1992, p. 13.

⁽²⁾ OJ L 320, 11. 12. 1996, p. 1.

⁽³⁾ OJ L 185, 4. 7. 1992, p. 26.

⁽⁴⁾ OJ L 329, 29. 11. 1997, p. 15.

ANNEX

to the Commission Regulation of 19 December 1997 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)	17,00
Barley	(1003 00 90)	18,00
Maize	(1005 90 00)	31,00
Durum wheat	(1001 10 00)	8,00
Oats	(1004 00 00)	29,00

COMMISSION REGULATION (EC) No 2588/97
of 19 December 1997
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 ⁽¹⁾, as last amended by Regulation (EC) No 2348/96 ⁽²⁾, 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 ⁽³⁾, as last amended by Regulation (EC) No 2370/97 ⁽⁴⁾; 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 1998.

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

Done at Brussels, 19 December 1997.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ L 173, 27. 6. 1992, p. 1.

⁽²⁾ OJ L 320, 11. 12. 1996, p. 1.

⁽³⁾ OJ L 185, 4. 7. 1992, p. 28.

⁽⁴⁾ OJ L 329, 29. 11. 1997, p. 17.

ANNEX

to the Commission Regulation of 19 December 1997 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)	17	17
Barley	(1003 00 90)	18	18
Maize	(1005 90 00)	31	31
Durum wheat	(1001 10 00)	8	8

COMMISSION REGULATION (EC) No 2589/97
of 19 December 1997
amending the import duties in the cereals sector

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

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

Having regard to Commission Regulation (EC) No 1249/96 of 28 June 1996 laying down detailed rules for the application of Council Regulation (EEC) No 1766/92 as regards import duties in the cereals sector⁽³⁾, as last amended by Regulation (EC) No 2092/97⁽⁴⁾, and in particular Article 2 (1) thereof,

Whereas the import duties in the cereals sector are fixed by Commission Regulation (EC) No 2512/97⁽⁵⁾;

Whereas Article 2 (1) of Regulation (EC) No 1249/96 provides that if during the period of application, the

average import duty calculated differs by ECU 5 per tonne from the duty fixed, a corresponding adjustment is to be made; whereas such a difference has arisen; whereas it is therefore necessary to adjust the import duties fixed in Regulation (EC) No 2512/97,

HAS ADOPTED THIS REGULATION:

Article 1

Annexes I and II to Regulation (EC) No 2512/97 are hereby replaced by Annexes I and II to this Regulation.

Article 2

This Regulation shall enter into force on 20 December 1997.

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

Done at Brussels, 19 December 1997.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ L 181, 1. 7. 1992, p. 21.

⁽²⁾ OJ L 126, 24. 5. 1996, p. 37.

⁽³⁾ OJ L 161, 29. 6. 1996, p. 125.

⁽⁴⁾ OJ L 292, 25. 10. 1997, p. 10.

⁽⁵⁾ OJ L 345, 16. 12. 1997, p. 49.

ANNEX I

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

CN code	Description	Import duty by land inland waterway or sea from Mediterranean, the Black Sea or Baltic Sea ports (ECU/tonne)	Import duty by air or by sea from other ports ⁽²⁾ (ECU/tonne)
1001 10 00	Durum wheat ⁽¹⁾	0,00	0,00
1001 90 91	Common wheat seed	35,51	25,51
1001 90 99	Common high quality wheat other than for sowing ⁽³⁾	35,51	25,51
	medium quality	54,09	44,09
	low quality	57,83	47,83
1002 00 00	Rye	73,57	63,57
1003 00 10	Barley, seed	73,57	63,57
1003 00 90	Barley, other ⁽³⁾	73,57	63,57
1005 10 90	Maize seed other than hybrid	79,07	69,07
1005 90 00	Maize other than seed ⁽³⁾	79,07	69,07
1007 00 90	Grain sorghum other than hybrids for sowing	73,57	63,57

⁽¹⁾ In the case of durum wheat not meeting the minimum quality requirements referred to in Annex I to Regulation (EC) No 1249/96, the duty applicable is that fixed for low-quality common wheat.

⁽²⁾ For goods arriving in the Community via the Atlantic Ocean or via the Suez Canal (Article 2 (4) of Regulation (EC) No 1249/96), the importer may benefit from a reduction in the duty of:

- ECU 3 per tonne, where the port of unloading is on the Mediterranean Sea, or
- ECU 2 per tonne, where the port of unloading is in Ireland, the United Kingdom, Denmark, Sweden, Finland or the Atlantic Coasts of the Iberian Peninsula.

⁽³⁾ The importer may benefit from a flat-rate reduction of ECU 14 or 8 per tonne, where the conditions laid down in Article 2 (5) of Regulation (EC) No 1249/96 are met.

ANNEX II

Factors for calculating duties

(period from 15 December 1997 to 18 December 1997)

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

Exchange quotations	Minneapolis	Kansas City	Chicago	Chicago	Minneapolis	Minneapolis
Product (% proteins at 12 % humidity)	HRS2. 14 %	HRW2. 11,5 %	SRW2	YC3	HAD2	US barley 2
Quotation (ECU/tonne)	123,89	115,71	116,69	98,32	214,81 (¹)	100,68 (¹)
Gulf premium (ECU/tonne)	—	14,46	10,00	7,14	—	—
Great Lakes premium (ECU/tonne)	14,83	—	—	—	—	—

(¹) Fob Duluth.

2. Freight/cost: Gulf of Mexico — Rotterdam: ECU 13,58 per tonne; Great Lakes — Rotterdam: ECU 23,61 per tonne.

3. Subsidy within the meaning of the third paragraph of Article 4 (2) of Regulation (EC) No 1249/96: ECU 0,00 per tonne (HRW2)
: ECU 0,00 per tonne (SRW2).

II

(Acts whose publication is not obligatory)

COMMISSION

COMMISSION DECISION

of 3 December 1997

concerning a request for exemption submitted by Luxembourg pursuant to Article 8 (2) (c) of Council Directive 70/156/EEC on the approximation of the laws of the Member States relating to the type-approval of motor vehicles and their trailers

(Only the French text is authentic)

(97/850/EC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Directive 70/156/EEC of 6 February 1970 on the approximation of the laws of the Member States relating to the type-approval of motor vehicles and their trailers ⁽¹⁾, as last amended by European Parliament and Council Directive 97/27/EC ⁽²⁾, and in particular Article 8 (2) (c) thereof,

Whereas the request submitted by Luxembourg on 8 April 1997, which reached the Commission on 14 April 1997, contains the information required by Article 8 (2) (c); whereas the request concerns the fitting of one type of vehicle with one type of third stop lamp falling within category ECE S3 by virtue of ECE (United Nations Economic Commission for Europe) Regulation No 7 carried out in accordance with ECE Regulation No 48;

Whereas the reasons given in the request, according to which the fitting of the stop lamps and the stop lamps themselves do not meet the requirements of Council Directive 76/758/EEC of 27 July 1976 on the approximation of the laws of the Member States relating to end-outline marker lamps, front position (side) lamps, rear position (side) lamps and stop lamps for motor vehicles and their trailers ⁽³⁾, as last amended by Commission Directive 97/30/EC ⁽⁴⁾, and of Council Directive

76/756/EEC of 27 July 1976 on the approximation of the laws of the Member States relating to the installation of lighting and light-signalling devices on motor vehicles and their trailers ⁽⁵⁾, as last amended by Commission Directive 97/28/EC ⁽⁶⁾, are well founded; whereas the descriptions of the tests, the results thereof and their compliance with ECE Regulations No 7 and No 48 ensure a satisfactory level of safety;

Whereas the Community Directives concerned will be amended in order to permit the production and fitting of such stop lamps;

Whereas the measure provided for by this Decision is in accordance with the opinion of the Committee on Adaptation to Technical Progress set up by Directive 70/156/EEC,

HAS ADOPTED THIS DECISION:

Article 1

The request submitted by Luxembourg for an exemption concerning the production and fitting of one type of third stop lamp falling within category ECE S3 by virtue of ECE Regulation No 7 and the fitting thereof in accordance with ECE Regulation No 48 on the type of vehicle for which it is intended is hereby approved.

⁽¹⁾ OJ L 42, 23. 2. 1970, p. 1.

⁽²⁾ OJ L 233, 25. 8. 1997, p. 1.

⁽³⁾ OJ L 262, 27. 9. 1976, p. 54.

⁽⁴⁾ OJ L 171, 30. 6. 1997, p. 25.

⁽⁵⁾ OJ L 262, 27. 9. 1976, p. 1.

⁽⁶⁾ OJ L 171, 30. 6. 1997, p. 1.

Article 2

This Decision is addressed to the Grand Duchy of Luxembourg.

Done at Brussels, 3 December 1997.

For the Commission

Martin BANGEMANN

Member of the Commission

COMMISSION DECISION

of 3 December 1997

concerning a request for exemption submitted by Luxembourg pursuant to Article 8 (2) (c) of Council Directive 70/156/EEC on the approximation of the laws of the Member States relating to the type-approval of motor vehicles and their trailers

(Only the French text is authentic)

(97/851/EC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Directive 70/156/EEC of 6 February 1970 on the approximation of the laws of the Member States relating to the type-approval of motor vehicles and their trailers ⁽¹⁾, as last amended by European Parliament and Council Directive 97/27/EC ⁽²⁾, and in particular Article 8 (2) (c) thereof,

Whereas the request submitted by Luxembourg on 8 April 1997, which reached the Commission on 14 April 1997, contains the information required by Article 8 (2) (c); whereas the request concerns the fitting of one type of vehicle with one type of third stop lamp falling within category ECE S3 by virtue of ECE (United Nations Economic Commission for Europe) Regulation No 7 carried out in accordance with ECE Regulation No 48;

Whereas the reasons given in the request, according to which the fitting of the stop lamps and the stop lamps themselves do not meet the requirements of Council Directive 76/758/EEC of 27 July 1976 on the approximation of the laws of the Member States relating to end-outline marker lamps, front position (side) lamps, rear position (side) lamps and stop lamps for motor vehicles and their trailers ⁽³⁾, as last amended by Commission Directive 97/30/EC ⁽⁴⁾, and of Council Directive 76/756/EEC of 27 July 1976 on the approximation of the laws of the Member States relating to the installation of lighting and light-signalling devices on motor vehicles and their trailers ⁽⁵⁾, as last amended by Commission Directive 97/28/EC ⁽⁶⁾, are well founded; whereas the descriptions of the tests, the results thereof and their

compliance with ECE Regulations No 7 and No 48 ensure a satisfactory level of safety;

Whereas the Community Directives concerned will be amended in order to permit the production and fitting of such stop lamps;

Whereas the measure provided for by this Decision is in accordance with the opinion of the Committee on Adaptation to Technical Progress set up by Directive 70/156/EEC,

HAS ADOPTED THIS DECISION:

Article 1

The request submitted by Luxembourg for an exemption concerning the production and fitting of one type of third stop lamp falling within category ECE S3 by virtue of ECE Regulation No 7 and the fitting thereof in accordance with ECE Regulation No 48 on the type of vehicle for which it is intended is hereby approved.

Article 2

This Decision is addressed to the Grand Duchy of Luxembourg.

Done at Brussels, 3 December 1997.

For the Commission

Martin BANGEMANN

Member of the Commission

⁽¹⁾ OJ L 42, 23. 2. 1970, p. 1.

⁽²⁾ OJ L 233, 25. 8. 1997, p. 1.

⁽³⁾ OJ L 262, 27. 9. 1976, p. 54.

⁽⁴⁾ OJ L 171, 30. 6. 1997, p. 25.

⁽⁵⁾ OJ L 262, 27. 9. 1976, p. 1.

⁽⁶⁾ OJ L 171, 30. 6. 1997, p. 1.

COMMISSION DECISION

of 3 December 1997

concerning a request for exemption submitted by Luxembourg pursuant to Article 8 (2) (c) of Council Directive 70/156/EEC on the approximation of the laws of the Member States relating to the type-approval of motor vehicles and their trailers

(Only the French text is authentic)

(97/852/EC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Directive 70/156/EEC of 6 February 1970 on the approximation of the laws of the Member States relating to the type-approval of motor vehicles and their trailers⁽¹⁾, as last amended by European Parliament and Council Directive 97/27/EC⁽²⁾, and in particular Article 8 (2) (c) thereof,

Whereas the request submitted by Luxembourg on 15 April 1997, which reached the Commission on 21 April 1997, contains the information required by Article 8 (2) (c); whereas the request concerns the fitting of six types of vehicle with five types of third stop lamp falling within category ECE S3 by virtue of ECE (United Nations Economic Commission for Europe) Regulation No 7 carried out in accordance with ECE Regulation No 48;

Whereas the reasons given in the request, according to which the fitting of the stop lamps and the stop lamps themselves do not meet the requirements of Council Directive 76/758/EEC of 27 July 1976 on the approximation of the laws of the Member States relating to end-outline marker lamps, front position (side) lamps, rear position (side) lamps and stop lamps for motor vehicles and their trailers⁽³⁾, as last amended by Commission Directive 97/30/EC⁽⁴⁾, and of Council Directive 76/756/EEC of 27 July 1976 on the approximation of the laws of the Member States relating to the installation of lighting and light-signalling devices on motor vehicles and their trailers⁽⁵⁾, as last amended by Commission Directive 97/28/EC⁽⁶⁾, are well founded; whereas the descriptions of the tests, the results thereof and their

compliance with ECE Regulations No 7 and No 48 ensure a satisfactory level of safety;

Whereas the Community Directives concerned will be amended in order to permit the production and fitting of such stop lamps;

Whereas the measure provided for by this Decision is in accordance with the opinion of the Committee on Adaptation to Technical Progress set up by Directive 70/156/EEC,

HAS ADOPTED THIS DECISION:

Article 1

The request submitted by Luxembourg for an exemption concerning the production of five types of third stop lamp falling within category ECE S3 by virtue of ECE Regulation No 7 and the fitting thereof in accordance with ECE Regulation No 48 on the types of vehicle for which they are intended is hereby approved.

Article 2

This Decision is addressed to the Grand Duchy of Luxembourg.

Done at Brussels, 3 December 1997.

For the Commission

Martin BANGEMANN

Member of the Commission

⁽¹⁾ OJ L 42, 23. 2. 1970, p. 1.

⁽²⁾ OJ L 233, 25. 8. 1997, p. 1.

⁽³⁾ OJ L 262, 27. 9. 1976, p. 54.

⁽⁴⁾ OJ L 171, 30. 6. 1997, p. 25.

⁽⁵⁾ OJ L 262, 27. 9. 1976, p. 1.

⁽⁶⁾ OJ L 171, 30. 6. 1997, p. 1.

COMMISSION DECISION

of 3 December 1997

concerning a request for exemption submitted by Belgium pursuant to Article 8 (2) (c) of Council Directive 70/156/EEC on the approximation of the laws of the Member States relating to the type-approval of motor vehicles and their trailers

(Only the French and Dutch texts are authentic)

(97/853/EC)

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

Having regard to Council Directive 70/156/EEC of 6 February 1970 on the approximation of the laws of the Member States relating to the type-approval of motor vehicles and their trailers ⁽¹⁾, as last amended by European Parliament and Council Directive 97/27/EC ⁽²⁾, and in particular Article 8 (2) (c) thereof,

Whereas the request submitted by Belgium on 13 March 1997, which reached the Commission on 17 March 1997, contains the information required by Article 8 (2) (c); whereas the request concerns the fitting of one type of vehicle with two types of third stop lamp falling within category ECE S3 by virtue of ECE (United Nations Economic Commission for Europe) Regulation No 7 carried out in accordance with ECE Regulation No 48;

Whereas the reasons given in the request, according to which the fitting of the stop lamps and the stop lamps themselves do not meet the requirements of Council Directive 76/758/EEC of 27 July 1976 on the approximation of the laws of the Member States relating to end-outline marker lamps, front position (side) lamps, rear position (side) lamps and stop lamps for motor vehicles and their trailers ⁽³⁾, as last amended by Commission Directive 97/30/EC ⁽⁴⁾, and of Council Directive 76/756/EEC of 27 July 1976 on the approximation of the laws of the Member States relating to the installation of lighting and light-signalling devices on motor vehicles and their trailers ⁽⁵⁾, as last amended by Commission Directive 97/28/EC ⁽⁶⁾, are well founded; whereas the descriptions of the tests, the results thereof and their compliance with ECE Regulations No 7 and No 48 ensure a satisfactory level of safety;

Whereas the Community Directives concerned will be amended in order to permit the production and fitting of such stop lamps;

Whereas the measure provided for by this Decision is in accordance with the opinion of the Committee on Adaptation to Technical Progress set up by Directive 70/156/EEC,

HAS ADOPTED THIS DECISION:

Article 1

The request submitted by Belgium for an exemption concerning the production of two types of third stop lamp falling within category ECE S3 by virtue of ECE Regulation No 7 and the fitting thereof in accordance with ECE Regulation No 48 on the types of vehicle for which they are intended is hereby approved.

Article 2

This Decision is addressed to the Kingdom of Belgium.

Done at Brussels, 3 December 1997.

For the Commission

Martin BANGEMANN

Member of the Commission

⁽¹⁾ OJ L 42, 23. 2. 1970, p. 1.

⁽²⁾ OJ L 233, 25. 8. 1997, p. 1.

⁽³⁾ OJ L 262, 27. 9. 1976, p. 54.

⁽⁴⁾ OJ L 171, 30. 6. 1997, p. 25.

⁽⁵⁾ OJ L 262, 27. 9. 1976, p. 1.

⁽⁶⁾ OJ L 171, 30. 6. 1997, p. 1.

COMMISSION DECISION

of 3 December 1997

concerning a request for exemption submitted by Belgium pursuant to Article 8 (2) (c) of Council Directive 70/156/EEC on the approximation of the laws of the Member States relating to the type-approval of motor vehicles and their trailers

(Only the French and Dutch texts are authentic)

(97/854/EC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Directive 70/156/EEC of 6 February 1970 on the approximation of the laws of the Member States relating to the type-approval of motor vehicles and their trailers⁽¹⁾, as last amended by European Parliament and Council Directive 97/27/EC⁽²⁾, and in particular Article 8 (2) (c) thereof,

Whereas the request submitted by Belgium on 13 March 1997, which reached the Commission on 17 March 1997, contains the information required by Article 8 (2) (c); whereas the request concerns the fitting of one type of vehicle with one type of third stop lamp falling within category ECE S3 by virtue of ECE (United Nations Economic Commission for Europe) Regulation No 7 carried out in accordance with ECE Regulation No 48;

Whereas the reasons given in the request, according to which the fitting of the stop lamps and the stop lamps themselves do not meet the requirements of Council Directive 76/758/EEC of 27 July 1976 on the approximation of the laws of the Member States relating to end-outline marker lamps, front position (side) lamps, rear position (side) lamps and stop lamps for motor vehicles and their trailers⁽³⁾, as last amended by Commission Directive 97/30/EC⁽⁴⁾, and of Council Directive 76/756/EEC of 27 July 1976 on the approximation of the laws of the Member States relating to the installation of lighting and light-signalling devices on motor vehicles and their trailers⁽⁵⁾, as last amended by Commission Directive 97/28/EC⁽⁶⁾, are well founded; whereas the

descriptions of the tests, the results thereof and their compliance with ECE Regulations No 7 and No 48 ensure a satisfactory level of safety;

Whereas the Community Directives concerned will be amended in order to permit the production and fitting of such stop lamps;

Whereas the measure provided for by this Decision is in accordance with the opinion of the Committee on Adaptation to Technical Progress set up by Directive 70/156/EEC,

HAS ADOPTED THIS DECISION:

Article 1

The request submitted by Belgium for an exemption concerning the production of one type of third stop lamp falling within category ECE S3 by virtue of ECE Regulation No 7 and the fitting thereof in accordance with ECE Regulation No 48 on the type of vehicle for which they are intended is hereby approved.

Article 2

This Decision is addressed to the Kingdom of Belgium.

Done at Brussels, 3 December 1997.

For the Commission

Martin BANGEMANN

Member of the Commission

⁽¹⁾ OJ L 42, 23. 2. 1970, p. 1.

⁽²⁾ OJ L 233, 25. 8. 1997, p. 1.

⁽³⁾ OJ L 262, 27. 9. 1976, p. 54.

⁽⁴⁾ OJ L 171, 30. 6. 1997, p. 25.

⁽⁵⁾ OJ L 262, 27. 9. 1976, p. 1.

⁽⁶⁾ OJ L 171, 30. 6. 1997, p. 1.

COMMISSION DECISION

of 3 December 1997

concerning a request for exemption submitted by Belgium pursuant to Article 8 (2) (c) of Council Directive 70/156/EEC on the approximation of the laws of the Member States relating to the type-approval of motor vehicles and their trailers

(Only the French and Dutch texts are authentic)

(97/855/EC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Directive 70/156/EEC of 6 February 1970 on the approximation of the laws of the Member States relating to the type-approval of motor vehicles and their trailers⁽¹⁾, as last amended by European Parliament and Council Directive 97/27/EC⁽²⁾, and in particular Article 8 (2) (c) thereof,

Whereas the request submitted by Belgium on 26 March 1997, which reached the Commission on 3 April 1997, contains the information required by Article 8 (2) (c); whereas the request concerns the fitting of one type of vehicle with one type of third stop lamp falling within category ECE S3 by virtue of ECE (United Nations Economic Commission for Europe) Regulation No 7 carried out in accordance with ECE Regulation No 48;

Whereas the reasons given in the request, according to which the fitting of the stop lamps and the stop lamps themselves do not meet the requirements of Council Directive 76/758/EEC of 27 July 1976 on the approximation of the laws of the Member States relating to end-outline marker lamps, front position (side) lamps, rear position (side) lamps and stop lamps for motor vehicles and their trailers⁽³⁾, as last amended by Commission Directive 97/30/EC⁽⁴⁾, and of Council Directive 76/756/EEC of 27 July 1976 on the approximation of the laws of the Member States relating to the installation of lighting and light-signalling devices on motor vehicles and their trailers⁽⁵⁾, as last amended by Commission Directive 97/28/EC⁽⁶⁾, are well founded; whereas the

descriptions of the tests, the results thereof and their compliance with ECE Regulations No 7 and No 48 ensure a satisfactory level of safety;

Whereas the Community Directives concerned will be amended in order to permit the production and fitting of such stop lamps;

Whereas the measure provided for by this Decision is in accordance with the opinion of the Committee on Adaptation to Technical Progress set up by Directive 70/156/EEC,

HAS ADOPTED THIS DECISION:

Article 1

The request submitted by Belgium for an exemption concerning the production of one type of third stop lamp falling within category ECE S3 by virtue of ECE Regulation No 7 and the fitting thereof in accordance with ECE Regulation No 48 on the type of vehicle for which they are intended is hereby approved.

Article 2

This Decision is addressed to the Kingdom of Belgium.

Done at Brussels, 3 December 1997.

For the Commission

Martin BANGEMANN

Member of the Commission

⁽¹⁾ OJ L 42, 23. 2. 1970, p. 1.

⁽²⁾ OJ L 233, 25. 8. 1997, p. 1.

⁽³⁾ OJ L 262, 27. 9. 1976, p. 54.

⁽⁴⁾ OJ L 171, 30. 6. 1997, p. 25.

⁽⁵⁾ OJ L 262, 27. 9. 1976, p. 1.

⁽⁶⁾ OJ L 171, 30. 6. 1997, p. 1.

COMMISSION DECISION

of 3 December 1997

concerning a request for exemption submitted by Italy pursuant to Article 8 (2) (c) of Council Directive 70/156/EEC on the approximation of the laws of the Member States relating to the type-approval of motor vehicles and their trailers

(Only the Italian text is authentic)

(97/856/EC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Directive 70/156/EEC of 6 February 1970 on the approximation of the laws of the Member States relating to the type-approval of motor vehicles and their trailers⁽¹⁾, as last amended by European Parliament and Council Directive 97/27/EC⁽²⁾, and in particular Article 8 (2) (c) thereof,

Whereas the request submitted by Italy on 10 April 1997, which reached the Commission on 14 April 1997, contains the information required by Article 8 (2) (c); whereas the request concerns the fitting of one type of vehicle with one type of third stop lamp falling within category ECE S3 by virtue of ECE (United Nations Economic Commission for Europe) Regulation No 7 carried out in accordance with ECE Regulation No 48;

Whereas the reasons given in the request, according to which the fitting of the stop lamps and the stop lamps themselves do not meet the requirements of Council Directive 76/758/EEC of 27 July 1976 on the approximation of the laws of the Member States relating to end-outline marker lamps, front position (side) lamps, rear position (side) lamps and stop lamps for motor vehicles and their trailers⁽³⁾, as last amended by Commission Directive 97/30/EC⁽⁴⁾, and of Council Directive 76/756/EEC of 27 July 1976 on the approximation of the laws of the Member States relating to the installation of lighting and light-signalling devices on motor vehicles and their trailers⁽⁵⁾, as last amended by Commission Directive 97/28/EC⁽⁶⁾, are well founded; whereas the

descriptions of the tests, the results thereof and their compliance with ECE Regulations No 7 and No 48 ensure a satisfactory level of safety;

Whereas the Community Directives concerned will be amended in order to permit the production and fitting of such stop lamps;

Whereas the measure provided for by this Decision is in accordance with the opinion of the Committee on Adaptation to Technical Progress set up by Directive 70/156/EEC,

HAS ADOPTED THIS DECISION:

Article 1

The request submitted by Italy for an exemption concerning the production of one type of third stop lamp falling within category ECE S3 by virtue of ECE Regulation No 7 and the fitting thereof in accordance with ECE Regulation No 48 on the type of vehicle for which it is intended is hereby approved.

Article 2

This Decision is addressed to the Italian Republic.

Done at Brussels, 3 December 1997.

For the Commission

Martin BANGEMANN

Member of the Commission

⁽¹⁾ OJ L 42, 23. 2. 1970, p. 1.

⁽²⁾ OJ L 233, 25. 8. 1997, p. 1.

⁽³⁾ OJ L 262, 27. 9. 1976, p. 54.

⁽⁴⁾ OJ L 171, 30. 6. 1997, p. 25.

⁽⁵⁾ OJ L 262, 27. 9. 1976, p. 1.

⁽⁶⁾ OJ L 171, 30. 6. 1997, p. 1.

COMMISSION DECISION

of 3 December 1997

concerning a request for exemption submitted by the United Kingdom pursuant to Article 8 (2) (c) of Council Directive 70/156/EEC on the approximation of the laws of the Member States relating to the type-approval of motor vehicles and their trailers

(Only the English text is authentic)

(97/857/EC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Directive 70/156/EEC of 6 February 1970 on the approximation of the laws of the Member States relating to the type-approval of motor vehicles and their trailers⁽¹⁾, as last amended by European Parliament and Council Directive 97/27/EC⁽²⁾, and in particular Article 8 (2) (c) thereof,

Whereas the request submitted by the United Kingdom on 4 April 1997, which reached the Commission on 11 April 1997, contains the information required by Article 8 (2) (c); whereas the request concerns the fitting of one type of vehicle with five types of third stop lamp falling within category ECE S3 by virtue of ECE (United Nations Economic Commission for Europe) Regulation No 7 carried out in accordance with ECE Regulation No 48;

Whereas the reasons given in the request, according to which the fitting of the stop lamps and the stop lamps themselves do not meet the requirements of Council Directive 76/758/EEC of 27 July 1976 on the approximation of the laws of the Member States relating to end-outline marker lamps, front position (side) lamps, rear position (side) lamps and stop lamps for motor vehicles and their trailers⁽³⁾, as last amended by Commission Directive 97/30/EC⁽⁴⁾, and of Council Directive 76/756/EEC of 27 July 1976 on the approximation of the laws of the Member States relating to the installation of lighting and light-signalling devices on motor vehicles and their trailers⁽⁵⁾, as last amended by Commission Directive 97/28/EC⁽⁶⁾, are well founded; whereas the descriptions of the tests, the results thereof and their

compliance with ECE Regulations No 7 and No 48 ensure a satisfactory level of safety;

Whereas the Community Directives concerned will be amended in order to permit the production and fitting of such stop lamps;

Whereas the measure provided for by this Decision is in accordance with the opinion of the Committee on Adaptation to Technical Progress set up by Directive 70/156/EEC,

HAS ADOPTED THIS DECISION:

Article 1

The request submitted by the United Kingdom for an exemption concerning the production of five types of third stop lamp falling within category ECE S3 by virtue of ECE Regulation No 7 and the fitting thereof in accordance with ECE Regulation No 48 on the type of vehicle for which they are intended is hereby approved.

Article 2

This Decision is addressed to the United Kingdom of Great Britain and Northern Ireland.

Done at Brussels, 3 December 1997.

For the Commission

Martin BANGEMANN

Member of the Commission

⁽¹⁾ OJ L 42, 23. 2. 1970, p. 1.

⁽²⁾ OJ L 233, 25. 8. 1997, p. 1.

⁽³⁾ OJ L 262, 27. 9. 1976, p. 54.

⁽⁴⁾ OJ L 171, 30. 6. 1997, p. 25.

⁽⁵⁾ OJ L 262, 27. 9. 1976, p. 1.

⁽⁶⁾ OJ L 171, 30. 6. 1997, p. 1.

COMMISSION DECISION

of 3 December 1997

concerning a request for exemption submitted by the United Kingdom pursuant to Article 8 (2)(c) of Council Directive 70/156/EEC on the approximation of the laws of the Member States relating to the type-approval of motor vehicles and their trailers

(Only the English text is authentic)

(97/858/EC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Directive 70/156/EEC of 6 February 1970 on the approximation of the laws of the Member States relating to the type-approval of motor vehicles and their trailers⁽¹⁾, as last amended by European Parliament and Council Directive 97/27/EC⁽²⁾, and in particular Article 8 (2) (c) thereof,

Whereas the request submitted by the United Kingdom on 6 May 1997, which reached the Commission on 16 May 1997, contains the information required by Article 8 (2) (c); whereas the request concerns the fitting of one type of vehicle with four types of third stop lamp falling within category ECE S3 by virtue of ECE (United Nations Economic Commission for Europe) Regulation No 7 carried out in accordance with ECE Regulation No 48;

Whereas the reasons given in the request, according to which the fitting of the stop lamps and the stop lamps themselves do not meet the requirements of Council Directive 76/758/EEC of 27 July 1976 on the approximation of the laws of the Member States relating to end-outline marker lamps, front position (side) lamps, rear position (side) lamps and stop lamps for motor vehicles and their trailers⁽³⁾, as last amended by Commission Directive 97/30/EC⁽⁴⁾, and of Council Directive 76/756/EEC of 27 July 1976 on the approximation of the laws of the Member States relating to the installation of lighting and light-signalling devices on motor vehicles and their trailers⁽⁵⁾, as last amended by Commission Directive 97/28/EC⁽⁶⁾, are well founded; whereas the descriptions of the tests, the results thereof and their

compliance with ECE Regulations No 7 and No 48 ensure a satisfactory level of safety;

Whereas the Community Directives concerned will be amended in order to permit the production and fitting of such stop lamps;

Whereas the measure provided for by this Decision is in accordance with the opinion of the Committee on Adaptation to Technical Progress set up by Directive 70/156/EEC,

HAS ADOPTED THIS DECISION:

Article 1

The request submitted by the United Kingdom for an exemption concerning the production of four types of third stop lamp falling within category ECE S3 by virtue of ECE Regulation No 7 and the fitting thereof in accordance with ECE Regulation No 48 on the type of vehicle for which they are intended is hereby approved.

Article 2

This Decision is addressed to the United Kingdom of Great Britain and Northern Ireland.

Done at Brussels, 3 December 1997.

For the Commission

Martin BANGEMANN

Member of the Commission

⁽¹⁾ OJ L 42, 23. 2. 1970, p. 1.

⁽²⁾ OJ L 233, 25. 8. 1997, p. 1.

⁽³⁾ OJ L 262, 27. 9. 1976, p. 54.

⁽⁴⁾ OJ L 171, 30. 6. 1997, p. 25.

⁽⁵⁾ OJ L 262, 27. 9. 1976, p. 1.

⁽⁶⁾ OJ L 171, 30. 6. 1997, p. 1.

COMMISSION DECISION

of 3 December 1997

concerning a request for exemption submitted by the United Kingdom pursuant to Article 8 (2) (c) of Council Directive 70/156/EEC on the approximation of the laws of the Member States relating to the type-approval of motor vehicles and their trailers

(Only the English text is authentic)

(97/859/EC)

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

Having regard to Council Directive 70/156/EEC of 6 February 1970 on the approximation of the laws of the Member States relating to the type-approval of motor vehicles and their trailers ⁽¹⁾, as last amended by European Parliament and Council Directive 97/27/EC ⁽²⁾, and in particular Article 8 (2) (c) thereof,

Whereas the request submitted by the United Kingdom on 22 May 1997, which reached the Commission on 27 May 1997, contains the information required by Article 8 (2) (c); whereas the request concerns the fitting of one type of vehicle with two types of third stop lamp falling within category ECE S3 by virtue of ECE (United Nations Economic Commission for Europe) Regulation No 7 carried out in accordance with ECE Regulation No 48;

Whereas the reasons given in the request, according to which the fitting of the stop lamps and the stop lamps themselves do not meet the requirements of Council Directive 76/758/EEC of 27 July 1976 on the approximation of the laws of the Member States relating to end-outline marker lamps, front position (side) lamps, rear position (side) lamps and stop lamps for motor vehicles and their trailers ⁽³⁾, as last amended by Commission Directive 97/30/EC ⁽⁴⁾, and of Council Directive 76/756/EEC of 27 July 1976 on the approximation of the laws of the Member States relating to the installation of lighting and light-signalling devices on motor vehicles and their trailers ⁽⁵⁾, as last amended by Commission Directive 97/28/EC ⁽⁶⁾, are well founded; whereas the descriptions of the tests, the results thereof and their

compliance with ECE Regulations No 7 and No 48 ensure a satisfactory level of safety;

Whereas the Community Directives concerned will be amended in order to permit the production and fitting of such stop lamps;

Whereas the measure provided for by this Decision is in accordance with the opinion of the Committee on Adaptation to Technical Progress set up by Directive 70/156/EEC,

HAS ADOPTED THIS DECISION:

Article 1

The request submitted by the United Kingdom for an exemption concerning the production of two types of third stop lamp falling within category ECE S3 by virtue of ECE Regulation No 7 and the fitting thereof in accordance with ECE Regulation No 48 on the type of vehicle for which they are intended is hereby approved.

Article 2

This Decision is addressed to the United Kingdom of Great Britain and Northern Ireland.

Done at Brussels, 3 December 1997.

For the Commission

Martin BANGEMANN

Member of the Commission

⁽¹⁾ OJ L 42, 23. 2. 1970, p. 1.

⁽²⁾ OJ L 233, 25. 8. 1997, p. 1.

⁽³⁾ OJ L 262, 27. 9. 1976, p. 54.

⁽⁴⁾ OJ L 171, 30. 6. 1997, p. 25.

⁽⁵⁾ OJ L 262, 27. 9. 1976, p. 1.

⁽⁶⁾ OJ L 171, 30. 6. 1997, p. 1.

COMMISSION DECISION**of 3 December 1997****concerning a request for exemption submitted by Spain pursuant to Article 8 (2) (c) of Council Directive 70/156/EEC on the approximation of the laws of the Member States relating to the type-approval of motor vehicles and their trailers****(Only the Spanish text is authentic)**

(97/860/EC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Directive 70/156/EEC of 6 February 1970 on the approximation of the laws of the Member States relating to the type-approval of motor vehicles and their trailers⁽¹⁾, as last amended by European Parliament and Council Directive 97/27/EC⁽²⁾, and in particular Article 8 (2) (c) thereof,

Whereas the request submitted by Spain on 9 June 1997, which reached the Commission on 17 June 1997, contains the information required by Article 8 (2) (c); whereas the request concerns the fitting of one type of vehicle with one type of third stop lamp falling within category ECE S3 by virtue of ECE (United Nations Economic Commission for Europe) Regulation No 7 carried out in accordance with ECE Regulation No 48;

Whereas the reasons given in the request, according to which the fitting of the stop lamps and the stop lamps themselves do not meet the requirements of Council Directive 76/758/EEC of 27 July 1976 on the approximation of the laws of the Member States relating to end-outline marker lamps, front position (side) lamps, rear position (side) lamps and stop lamps for motor vehicles and their trailers⁽³⁾, as last amended by Commission Directive 97/30/EC⁽⁴⁾, and of Council Directive 76/756/EEC of 27 July 1976 on the approximation of the laws of the Member States relating to the installation of lighting and light-signalling devices on motor vehicles and their trailers⁽⁵⁾, as last amended by Commission Directive 97/28/EC⁽⁶⁾, are well founded; whereas the

descriptions of the tests, the results thereof and their compliance with ECE Regulations No 7 and No 48 ensure a satisfactory level of safety;

Whereas the Community Directives concerned will be amended in order to permit the production and fitting of such stop lamps;

Whereas the measure provided for by this Decision is in accordance with the opinion of the Committee on Adaptation to Technical Progress set up by Directive 70/156/EEC,

HAS ADOPTED THIS DECISION:

Article 1

The request submitted by Spain for an exemption concerning the production and fitting of one type of third stop lamp falling within category ECE S3 by virtue of ECE Regulation No 7 and the fitting thereof in accordance with ECE Regulation No 48 on the type of vehicle for which it is intended is hereby approved.

Article 2

This Decision is addressed to the Kingdom of Spain.

Done at Brussels, 3 December 1997.

For the Commission

Martin BANGEMANN

Member of the Commission

⁽¹⁾ OJ L 42, 23. 2. 1970, p. 1.

⁽²⁾ OJ L 233, 25. 8. 1997, p. 1.

⁽³⁾ OJ L 262, 27. 9. 1976, p. 54.

⁽⁴⁾ OJ L 171, 30. 6. 1997, p. 25.

⁽⁵⁾ OJ L 262, 27. 9. 1976, p. 1.

⁽⁶⁾ OJ L 171, 30. 6. 1997, p. 1.