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I

(Acts whose publication is obligatory)

COUNCIL REGULATION (EC) No 1575/96

of 30 July 1996

amending Regulation (EEC) No 1765/92 establishing a support system for producers of certain arable crops and repealing Regulation (EEC) No 1541/93

THE COUNCIL OF THE EUROPEAN UNION,

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

Having regard to the proposal from the Commission⁽¹⁾,

Having regard to the opinion of the European Parliament⁽²⁾,

Having regard to the opinion of the Economic and Social Committee⁽³⁾,

Whereas, in order to qualify for the compensatory payments for arable crops introduced by Regulation (EEC) No 1765/92⁽⁴⁾ farmers must set aside a percentage of their land; whereas, so as to prevent this compulsory set-aside from being carried out only on a farm's marginal land, it is laid down that the set-aside must be rotational; whereas it is laid down that the set-aside may be other than rotational provided that the percentage of land set aside is increased;

Whereas experience has shown that farmers have a marked preference for other than rotational set-aside, because of the simplification that this can involve for the management of their cultivation plan; whereas, furthermore, a single rate of set-aside is more appropriate for set-aside used as a tool for the management of the markets for arable crops; whereas it should therefore no longer be required to carry out set-aside on a rotational basis and a single rate of set-aside should be set; whereas the abolition of compulsory rotation must not be allowed to weaken the reform of the common agricultural policy with regard to the control of production of arable crops; whereas account must be taken of this when setting the single rate of compulsory set-aside;

Whereas the setting of a single rate of set-aside requires the repeal of Council Regulation (EEC) No 1541/93 of 14 June 1993 fixing the non-rotational set-aside rate referred to in Article 7 of Regulation (EEC) No 1765/92⁽⁵⁾;

Whereas, furthermore, with the setting of a single rate of set-aside, the compulsory rate of set-aside becomes the same throughout the Community; whereas the additional percentage of land to be set aside where set-aside obligations are transferred between farmers should therefore be standardized,

HAS ADOPTED THIS REGULATION:

Article 1

Regulation (EEC) No 1765/92 is hereby amended as follows:

1. In Article 5 (1) (e) the word 'rotational' shall be deleted.
2. In Article 7:
 - (a) the second and third subparagraphs of paragraph 1 shall be replaced by the following:
'The set-aside requirement shall be 17,5 %.';
 - (b) the final two sentences of the second indent of the first subparagraph of paragraph 7 shall be replaced by the following:
'The set-aside rate referred to in paragraph 1 shall be increased by three percentage points.';
 - (c) the last subparagraph of paragraph 7 shall be deleted.

⁽¹⁾ OJ No C 125, 27. 4. 1996, p. 1.

⁽²⁾ OJ No C 166, 10. 6. 1996.

⁽³⁾ OJ No C 204, 15. 7. 1996, p. 57.

⁽⁴⁾ OJ No L 181, 1. 7. 1992, p. 12. Regulation as last amended by Regulation (EC) No 2989/95 (OJ No L 312, 23. 12. 1995, p. 5).

⁽⁵⁾ OJ No L 154, 25. 6. 1993, p. 1.

3. In the eighth indent of Article 12, the words 'forms of set-aside other than rotational' shall be deleted.

Article 3

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

Article 2

Regulation (EEC) No 1541/93 is hereby repealed.

It shall apply from the 1997/98 marketing year.

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

Done at Brussels, 30 July 1996.

For the Council
The President
H. COVENEY

COUNCIL REGULATION (EC) No 1576/96

of 30 July 1996

fixing the monthly price increases for cereals for the 1996/97 marketing year

THE COUNCIL OF THE EUROPEAN UNION,

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⁾, and in particular Article 3 thereof,

Having regard to the proposal from the Commission⁽²⁾,

Having regard to the opinion of the European Parliament⁽³⁾,

Having regard to the opinion of the Economic and Social Committee⁽⁴⁾,

Whereas, when the amounts and the number of the monthly increases are fixed and the first month in which they are to apply is determined, account should be taken of the storage costs and financing charges for storing cereals in the Community and of the need to ensure that the disposal of stocks of cereals is in line with market requirements;

Whereas, under the reform of the common agricultural policy, provision was made for the fixing of a single intervention price for all cereals; whereas this price has been fixed at a substantially reduced level applied in stages; whereas this fact should be taken into account in the fixing of the size of the monthly increases;

Whereas the intervention price for maize and sorghum applicable in July, August and September is to be the price valid in May of the previous marketing year, in accordance with Article 3 (3) of Regulation (EEC) No 1766/92,

HAS ADOPTED THIS REGULATION:

Article 1

Without prejudice to the last subparagraph of Article 3 (3) of Regulation (EEC) No 1766/92, for the 1996/97 marketing year, the monthly increases to be applied to the intervention price applicable for the first month of the marketing year, shall be as follows:

(ECU per tonne)

	Monthly increase in the intervention price
July 1996	—
August 1996	—
September 1996	—
October 1996	—
November 1996	1,1
December 1996	2,2
January 1997	3,3
February 1997	4,4
March 1997	5,5
April 1997	6,6
May 1997	7,7
June 1997	7,7

Article 2

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

It shall apply from the 1996/97 marketing year.

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

Done at Brussels, 30 July 1996.

For the Council

The President

H. COVENEY

⁽¹⁾ OJ No L 181, 1. 7. 1992, p. 21. Regulation as last amended by Regulation (EC) No 1863/95 (OJ No L 179, 29. 7. 1995, p. 1).

⁽²⁾ OJ No C 125, 27. 4. 1996, p. 3.

⁽³⁾ OJ No C 166, 10. 6. 1996.

⁽⁴⁾ OJ No C 204, 15. 7. 1996, p. 57.

COUNCIL REGULATION (EC) No 1577/96

of 30 July 1996

introducing a specific measure in respect of certain grain legumes

THE COUNCIL OF THE EUROPEAN UNION,

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

Having regard to the proposal from the Commission⁽¹⁾,

Having regard to the opinion of the European Parliament⁽²⁾,

Having regard to the opinion of the Economic and Social Committee⁽³⁾,

Whereas Regulation (EEC) No 762/89⁽⁴⁾ introduced a specific measure for certain grain legumes; whereas this measure expires on 30 June 1996;

Whereas maintaining the cultivation of grain legumes such as lentils, chick peas and vetches is of economic importance to the Community;

Whereas the objective of maintaining such crops may be achieved by granting aid per hectare; whereas the aid must be fixed at a rate enabling the abovementioned objective to be achieved; whereas the current rate of aid of ECU 181 per hectare is satisfactory;

Whereas Council Regulation (EEC) No 1765/92 of 30 June 1992 establishing a support system for producers of certain arable crops⁽⁵⁾ lays down constraints on areas on which the compensatory aid is payable, in particular in respect of oilseeds; whereas the cultivation of such grain legumes provides a viable alternative and prevents imbalance on the Community market; whereas, however, too great an extension of areas under such crops should be avoided; whereas that can be achieved by fixing a maximum guaranteed area of 400 000 hectares;

Whereas Regulation (EEC) No 762/89 applies penalties to the aid paid in the marketing year following any overrun of the maximum guaranteed area; whereas this Regulation applies the penalty, in the event of an overrun, in the current marketing year; whereas transitional measures should be adopted by the Commission to avoid the application of two penalties in the first year of application, namely from 1 July 1996 to 30 June 1997,

HAS ADOPTED THIS REGULATION:

Article 1

Aid shall be granted for the production of the following grain legumes:

- (a) lentils covered by CN code 0713 40 90 (other);
- (b) chick peas covered by CN code 0713 20 90 (other);
- (c) vetches of the species *Vicia sativa* L. and *Vicia ervilla* Willd. covered by CN code ex 0713 90 90 (other).

Article 2

1. The aid shall be granted by marketing year for the production of the grain legumes covered by Article 1. The marketing year shall run from 1 July to 30 June.

An arable plot which is the subject of an application for aid per hectare under a system financed in accordance with Article 1 (2) of Regulation (EEC) No 729/70⁽⁶⁾ shall be excluded from eligibility for payment of the aid provided for by this system.

2. Without prejudice to Article 3, the aid per hectare of area sown and harvested shall be ECU 181 per hectare.

Article 3

Whereas the areas sown to the grain legumes covered by Article 1 exceed a maximum guaranteed area of 400 000 hectares, the aid in respect of the current marketing year shall be reduced proportionately.

Article 4

1. The production aid introduced by this Regulation shall be deemed intervention intended to stabilize agricultural markets within the meaning of Article 3 (1) of Regulation (EEC) No 729/70.

2. The following indent shall be added to Article 1 (1) (a) of Regulation (EEC) No 3508/92⁽⁷⁾:

⁽¹⁾ OJ No C 125, 27. 4. 1996, p. 5.

⁽²⁾ OJ No C 166, 10. 6. 1996.

⁽³⁾ OJ No C 204, 15. 7. 1996, p. 57.

⁽⁴⁾ OJ No L 80, 23. 3. 1989, p. 76. Regulation as amended by Regulation (EEC) No 2064/92 (OJ No L 215, 30. 7. 1992, p. 47).

⁽⁵⁾ OJ No L 181, 1. 7. 1992, p. 12. Regulation as last amended by Regulation (EC) No 1575/96 (see page 1 of this Official Journal).

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

⁽⁷⁾ OJ No L 355, 5. 12. 1992, p. 1. Regulation as last amended by Regulation (EC) No 3235/94 (OJ No L 338, 28. 12. 1994, p. 16).

— the specific measure in respect of certain grain legumes established by Regulation (EC) No 1575/96 (*);

(*) OJ No L 206, 16. 8. 1996, p. 1.

Article 5

1. Member States shall notify the Commission by no later than 15 September of each marketing year of the areas covered by aid applications.

2. Member States shall notify the Commission by no later than 1 November of each marketing year of the areas in respect of which the aid is payable.

Article 6

1. The Commission shall lay down detailed rules of application in accordance with the procedure provided

for in Article 17 of Regulation (EC) No 603/95⁽¹⁾. In accordance with that procedure, the Commission shall determine the overrun in the maximum guaranteed area and shall fix the definitive aid by no later than 15 November of the marketing year in question.

2. If transitional measures are necessary in order to facilitate transition from the system in force to that established by this Regulation, they shall be adopted in accordance with the procedure referred to in paragraph 1.

3. After three marketing years of the system provided for in this Regulation the Commission shall make a report on its application, accompanied, where necessary, by appropriate proposals.

Article 7

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

It shall apply from the 1996/97 marketing year.

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

Done at Brussels, 30 July 1996.

For the Council
The President
H. COVENEY

⁽¹⁾ OJ No L 63, 21. 3. 1995, p. 1. Regulation as last amended by Regulation (EC) No 1347/95 (OJ No L 131, 15. 6. 1995, p. 1).

COUNCIL REGULATION (EC) No 1578/96

of 30 July 1996

fixing the monthly price increases for paddy rice for the 1996/97 marketing year

THE COUNCIL OF THE EUROPEAN UNION,

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 3 thereof,Having regard to the proposal from the Commission⁽²⁾,Having regard to the opinion of the European Parliament⁽³⁾,Having regard to the opinion of the Economic and Social Committee⁽⁴⁾,

Whereas, when the amounts of the monthly increases are fixed, account should be taken on the one hand of the storage costs and the financing charges for storing rice in the Community and on the other hand of the need to

ensure that the disposal of stocks of rice is in line with market requirements,

HAS ADOPTED THIS REGULATION:

Article 1

For the 1996/97 marketing year, the monthly increases provided for in Article 3 (2) of Regulation (EC) No 3072/95 shall be ECU 2,28 per tonne for the intervention price.

Article 2

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

It shall apply from 1 September 1996.

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

Done at Brussels, 30 July 1996.

For the Council
The President
H. COVENEY

⁽¹⁾ OJ No L 329, 30. 12. 1995, p. 18.

⁽²⁾ OJ No C 125, 27. 4. 1996, p. 7.

⁽³⁾ OJ No C 166, 10. 6. 1996.

⁽⁴⁾ OJ No C 204, 15. 7. 1996, p. 57.

COUNCIL REGULATION (EC) No 1579/96

of 30 July 1996

fixing, for the 1996/97 marketing year, certain sugar prices and the standard quality of beet

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EEC) No 1785/81 of 30 June 1981 on the common organization of the market in the sugar sector⁽¹⁾, and in particular Articles 2 (3), 3 (4) and 4 (3) thereof,

Having regard to the proposal from the Commission⁽²⁾,

Having regard to the opinion of the European Parliament⁽³⁾,

Having regard to the opinion of the Economic and Social Committee⁽⁴⁾,

Whereas, when sugar prices are fixed, account should be taken of the objectives of the common agricultural policy; whereas the objectives of the common agricultural policy are in particular to ensure a fair standard of living for the agricultural community, to assure the availability of supplies and ensure that they reach consumers at reasonable prices;

Whereas, in order to attain these objectives, the target price for sugar must be fixed at a level which, taking into account in particular the resultant level of the intervention price, ensures a fair remuneration for beet and sugar cane producers while at the same time respecting consumers' interests, and which is likely to maintain the balance between the prices of the principal agricultural products;

Whereas, as a result of the characteristics of the sugar market, the risks involved in this trade are relatively slight; whereas, consequently, when the intervention price for sugar is being fixed, the difference between the target price and the intervention price may be fixed at a relatively low level;

Whereas the basic price for beet must take account of the intervention price, revenue to undertakings as a result of the sale of molasses, which can be valued at ECU 7,61 per 100 kilogrammes, that amount being derived from

the molasses price referred to in Article 14 (2) of Regulation (EEC) No 1785/81, the latter being valued at ECU 8,21 per 100 kilogrammes, and of the costs of processing and delivering the beet to factories and be based on an estimated Community yield of 130 kilogrammes of white sugar per tonne of beet with a 16 % sugar content,

HAS ADOPTED THIS REGULATION:

Article 1

1. The target price for white sugar shall be ECU 66,50 per 100 kilogrammes.
2. The intervention price for white sugar shall be ECU 63,19 per 100 kilogrammes for the non-deficit areas of the Community.

Article 2

The basic price applicable in the Community for beet shall be ECU 47,67 per tonne delivered at the collection centre.

Article 3

Standard quality beet shall:

- (a) be of sound, genuine and merchantable quality;
- (b) have a sugar content of 16 % at the reception point.

Article 4

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

It shall be applicable for the 1996/97 marketing year.

⁽¹⁾ OJ No L 177, 1. 7. 1981, p. 4. Regulation as last amended by Regulation (EC) No 1101/95 (OJ No L 110, 17. 5. 1995, p. 1).

⁽²⁾ OJ No C 125, 27. 4. 1996, p. 8.

⁽³⁾ OJ No C 166, 10. 6. 1996.

⁽⁴⁾ OJ No C 204, 15. 7. 1996, p. 57.

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

Done at Brussels, 30 July 1996.

For the Council
The President
H. COVENEY

COUNCIL REGULATION (EC) No 1580/96

of 30 July 1996

fixing, for the 1996/97 marketing year, the derived intervention prices for white sugar, the intervention price for raw sugar, the minimum prices for A and B beet, and the amount of compensation for storage costs

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EEC) No 1785/81 of 30 June 1981 on the common organization of the markets in the sugar sector⁽¹⁾, and in particular Articles 3 (5), 5 (5) and 8 (4) thereof,

Having regard to the proposal from the Commission⁽²⁾,

Whereas Council Regulation (EC) No 1579/96 of 30 July 1996 fixing, for the 1996/97 marketing year, certain sugar prices and the standard quality of beet⁽³⁾, fixed the intervention price for white sugar at ECU 63,19 per 100 kilograms applicable for the non-deficit areas;

Whereas Article 3 (1) of Regulation (EEC) No 1785/81 provides that derived intervention prices for white sugar are to be fixed for each of the deficit areas; whereas, for such fixing, it is appropriate that account be taken of the regional variations in the price of sugar, which, given a normal harvest and free movement of sugar, might be expected to occur in the price of sugar under natural conditions of price formation on the market;

Whereas a deficit supply situation is to be foreseen in the areas of production in Italy, Ireland, the United Kingdom, Spain, Portugal and Finland;

Whereas Article 3 (5) of Regulation (EEC) No 1785/81 provides that an intervention price for raw sugar shall be fixed; whereas such price should be established on the basis of the intervention price for white sugar;

Whereas Regulation (EC) No 1579/96 fixed the basic price for beet at ECU 47,67 per tonne; whereas Article 5 (2) of Regulation (EEC) No 1785/81 provides that the minimum price to be fixed for A beet shall be 98% of the basic price of the beet and the minimum price to be fixed for B beet shall in principle be 68% of the said basic price, without prejudice to Article 28 (5) of that Regulation;

Whereas Article 5 of Council Regulation (EEC) No 1358/77 of 20 June 1977 laying down general rules for offsetting storage costs for sugar and repealing Regulation (EEC) No 750/68⁽⁴⁾ provides that the amount of repayment in the context of the compensation for storage costs shall be fixed per month and per unit of weight, taking account of financing costs, insurance costs and specific costs; whereas, for financing costs, account should be taken of a 6,10% interest rate,

HAS ADOPTED THIS REGULATION:

Article 1

For the deficit areas of the Community, the derived intervention price for white sugar shall be fixed, per 100 kilograms, at:

- a) ECU 64,65 for all the areas in the United Kingdom;
- (b) ECU 64,65 for all the areas in Ireland;
- (c) ECU 64,65 for all the areas in Portugal;
- (d) ECU 64,65 for all the areas in Finland;
- (e) ECU 64,88 for all the areas in Spain;
- (f) ECU 65,53 for all the areas in Italy.

Article 2

The intervention price of raw sugar shall be ECU 52,37 for 100 kilograms.

Article 3

- 1. The minimum price for A beet applicable in the Community shall be ECU 46,72 per tonne.
- 2. Subject to Article 28 (5) of Regulation (EEC) No 1785/81, the minimum price for B beet

⁽¹⁾ OJ No L 177, 1. 7. 1981, p. 4. Regulation as last amended by Regulation (EC) No 1101/95 (OJ No L 110, 17. 5. 1995, p. 1).

⁽²⁾ OJ No C 125, 27. 4. 1996, p. 10.

⁽³⁾ See page 7 of this Official Journal.

⁽⁴⁾ OJ No L 156, 25. 6. 1977, p. 4. Regulation as last amended by Regulation (EEC) No 3042/78 (OJ No L 361, 23. 12. 1978, p. 8).

applicable in the Community shall be ECU 32,42 per tonne.

Article 5

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

Article 4

The amount of the reimbursement referred to in Article 8 of Regulation (EEC) No 1785/81 shall be ECU 0,42 per month per 100 kilograms of white sugar.

It shall apply from the 1996/97 marketing year.

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

Done at Brussels, 30 July 1996.

For the Council

The President

H. COVENEY

COUNCIL REGULATION (EC) No 1581/96

of 30 July 1996

amending Regulation No 136/66/EEC on the establishment of a common organization of the market in oils and fats

THE COUNCIL OF THE EUROPEAN UNION,

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

Having regard to the proposal from the Commission⁽¹⁾,

Having regard to the opinion of the European Parliament⁽²⁾,

Having regard to the opinion of the Economic and Social Committee⁽³⁾,

Whereas Regulation No 136/66/EEC⁽⁴⁾ lays down in Article 2a that common customs tariff rates are to be applied to products, including olive oil, subject to a common market organization, and in Article 11 that aid for the consumption of olive oil is to be granted only in respect of oil produced in the Community;

Whereas, as a result of the implementation of the agreements concluded under the Uruguay Round of multilateral trade negotiations, the system of variable agricultural levies has been replaced by fixed common customs duties; whereas a feature of the olive oil sector are naturally fluctuating harvests that result in erratic olive oil production in the Community; whereas experience has shown that, to ensure supplies to the market and to prevent significant price fluctuations, the option of allowing imports at a reduced rate of duty should be provided for;

Whereas, in view of the fact that the abovementioned rate of common customs duty takes account of the security lodged earlier for quantities of olive oil released for free circulation, entitlement to the consumption aid in respect of olive oil should not be limited to oil produced in the Community, nor should a difference in the level of production refunds for the manufacture of tinned oil be maintained,

HAS ADOPTED THIS REGULATION:

Article 1

Regulation No 136/66/EEC is hereby amended as follows:

⁽¹⁾ OJ No C 125, 27. 4. 1996, p. 12.

⁽²⁾ OJ No C 166, 10. 6. 1996.

⁽³⁾ OJ No C 204, 15. 7. 1996, p. 57.

⁽⁴⁾ OJ No 172, 30. 9. 1966, p. 3025/66. Regulation as last amended by Regulation (EC) No 3290/94 (OJ No L 349, 31. 12. 1994, p. 105).

1. The existing text of Article 2a shall become paragraph 1 and the following paragraph shall be added:

'2. Paragraph 1 notwithstanding, should the market price for olive oil in the Community appreciably exceed the intervention price during a period of at least three months, to ensure the Community market is adequately supplied with olive oil through imports from non-member countries, the Commission may, in accordance with the procedure laid down in Article 38:

— partially or fully suspend the application of common customs duties to olive oil, and establish the detailed arrangements for any such suspension,

— open an import quota for olive oil at a reduced rate of common customs duties and establish the detailed arrangements for managing any such quota.

These measures shall apply for the minimum period strictly required, which period in any event may not exceed the end of the marketing year in question.'

2. Article 11 (1) shall be replaced by the following:

'1. Where the production target price, less production aid, is greater than the representative market price for olive oil, a consumption aid shall be granted for olive oil placed on the Community market. This aid shall be equal to the difference between these two amounts.'

3. The second subparagraph of Article 20a (2) shall be replaced by the following:

'The refund shall be equal to the amount referred to in the first subparagraph, plus an amount equal to the consumption aid applicable on the day on which the refund was applied.'

Article 2

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

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

Done at Brussels, 30 July 1996.

For the Council

The President

H. COVENEY

COUNCIL REGULATION (EC) No 1582/96

of 30 July 1996

amending Regulation (EEC) No 3089/78 laying down general rules in respect of aid for the consumption of olive oil

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation No 136/66/EEC of 22 September 1966 on the establishment of a common organization of the market in oils and fats⁽¹⁾, and in particular Article 11 (7) thereof,

Having regard to the proposal from the Commission⁽²⁾,

Whereas, since it was last amended by Regulation (EC) No 1581/96, Article 11 of Regulation No 136/66/EEC no longer provides that olive oil must be of Community origin in order to be eligible for consumption aid; whereas, therefore, it is no longer necessary to provide for checks on the Community origin of the product or to retain the system of securities in respect of the placing in free circulation of olive oil imported from third countries; whereas, however, the placing in free circulation of olive oil originating in Tunisia and imported within a quota under special arrangements must continue to be subject to the lodging of a security, since the reduced duty applicable to such oil is determined with no account being taken of the security lodged previously in respect of all the quantities of olive oil placed in free circulation,

HAS ADOPTED THIS REGULATION:

Article 1

Regulation (EEC) No 3089/78⁽³⁾ is hereby amended as follows:

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

Done at Brussels, 30 July 1996.

1. In the introductory lines of Article 4 (1) the words 'produced in the Community' shall be deleted.
2. In Article 7 (a) and (b) the words 'of Community origin' shall be deleted.
3. Article 9 shall be replaced by the following:

'Article 9

The placing in free circulation in the Community of olive oil falling within CN code 1509 10 originating in Tunisia and imported under special arrangements within a quantity ceiling shall be subject to the lodging of a security. The amount of this security shall be equal to the part of the consumption aid which would be paid to the packaging plants for the same quantity of olive oil and which obtains when the customs formalities for placing the oil in free circulation are completed. However, in the event of a decision entailing a substantial alteration in the consumption aid, the Commission may adjust, as from the data of that decision, the amount of the security to take account of the alteration in question. The security shall be released as soon as the party concerned provides proof that the olive oil in question has been made ineligible for consumption aid and for the production refund referred to in Article 20a of Regulation No 136/66/EEC.'

Article 2

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

It shall apply from 1 July 1996.

For the Council

The President

H. COVENEY

⁽¹⁾ OJ No 172, 30. 9. 1966, p. 3025/66. Regulation as last amended by Regulation (EC) No 1581/96 (see page 11 of this Official Journal).

⁽²⁾ OJ No C 125, 27. 4. 1996, p. 14.

⁽³⁾ OJ No L 369, 29. 12. 1978, p. 12. Regulation as last amended by Regulation (EEC) No 3461/87 (OJ No L 329, 20. 11. 1987, p. 1).

COUNCIL REGULATION (EC) No 1583/96

of 30 July 1996

fixing, for the 1996/97 marketing year, the prices, aids and percentages of aid to be retained in the olive oil sector

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation No 136/66/EEC of 22 September 1966 on the establishment of a common organization of the market in oils and fats⁽¹⁾, and in particular Articles 4 (4), 5 (1) and 11 (6) thereof,

Having regard to the proposal from the Commission⁽²⁾,

Having regard to the opinion of the European Parliament⁽³⁾,

Having regard to the opinion of the Economic and Social Committee⁽⁴⁾,

Whereas the target price for olive oil production must be fixed in accordance with the criteria laid down in Articles 4 and 6 of Regulation No 136/66/EEC;

Whereas the intervention price must be fixed in accordance with the criteria laid down in Article 8 of Regulation No 136/66/EEC;

Whereas, if producers are to receive a fair income, production aid must be fixed in the light of the impact which the consumption aid has on part only of production;

Whereas, in accordance with Articles 5 (4) and 20d (1) of Regulation No 136/66/EEC, the percentages of production aid to be allocated to finance measures to improve the quality of olive oil production and to finance expenditure incurred in the work done by recognized producer organizations or associations thereof in administering and controlling olive oil production aid, should be determined;

Whereas, pursuant to Article 11 (5) and (6) of Regulation No 136/66/EEC, a certain percentage of the consumption aid during each olive oil marketing year is to be used, on the one hand, to finance measures by the recognized trade organizations referred to in paragraph 3 of the

abovementioned Article and, on the other hand, to finance measures to promote olive oil consumption in the Community; whereas the said percentages for the 1996/97 marketing year should be fixed; whereas having regard to the financing already laid down for the promotion actions referred to in the abovementioned Article 11 (6), the percentage relating thereto is set at zero for the marketing year 1996/97,

HAS ADOPTED THIS REGULATION:

Article 1

1. For the 1996/97 marketing year, the production target price and the intervention price for olive oil shall be as follows:

- (a) production target price:
ECU 383,77 per 100 kilogrammes;
- (b) intervention price:
ECU 186,17 per 100 kilogrammes.

2. The prices fixed in paragraph 1 shall be for ordinary virgin olive oil with a free fatty-acid content, expressed as oleic acid, of 3,3 g per 100 g.

Article 2

For the 1996/97 marketing year, the representative market price for olive oil shall be ECU 229,50 per 100 kilogrammes.

Article 3

For the 1996/97 marketing year, the production aid shall be as follows:

- (a) production aid:
ECU 142,20 per 100 kilogrammes;
- (b) production aid for growers whose average production is less than 500 kilogrammes of olive oil per marketing year:
ECU 151,48 per 100 kilogrammes.

Article 4

1. For the 1996/97 marketing year, 1,4% of the production aid earmarked for olive-oil producers shall be

⁽¹⁾ OJ No 172, 30. 9. 1966, p. 3025/66. Regulation as last amended by Regulation (EC) No 1581/96 (see p. 11 of this Official Journal).

⁽²⁾ OJ No C 125, 27. 4. 1996, p. 16.

⁽³⁾ OJ No C 166, 10. 6. 1996.

⁽⁴⁾ OJ No C 204, 15. 7. 1996, p. 57.

allocated to the financing of specific measures to improve the quality of olive oil in each producer Member State.

2. For the 1996/97 marketing year, the percentage of the production aid which may be withheld pursuant to Article 20d (1) of Regulation No 136/66/EEC for organizations of olive-oil producers or associations thereof recognized under the said Regulation shall be 0,8 %.

Article 5

1. For the 1996/97 marketing year, the percentage of consumption aid referred to in Article 11 (5) of Regulation No 136/66/EEC shall be 5,5 %.

2. For the 1996/97 marketing year, the percentage of consumption aid to be allocated to the measures referred to in Article 11 (6) of Regulation No 136/66/EEC shall be zero.

Article 6

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

It shall apply from 1 November 1996.

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

Done at Brussels, 30 July 1996.

For the Council

The President

H. COVENEY

COUNCIL REGULATION (EC) No 1584/96

of 30 July 1996

amending Regulation (EC) No 1554/95 laying down the general rules for the system of aid for cotton

THE COUNCIL OF THE EUROPEAN UNION,

HAS ADOPTED THIS REGULATION:

Having regard to the Treaty establishing the European Community,

Article 1

Having regard to the Act of Accession of Greece, and in particular Protocol 4 on cotton, as last amended by Regulation (EC) No 1553/95⁽¹⁾,

Having regard to the proposal from the Commission⁽²⁾,

Whereas the second subparagraph of Article 5 (2) of Regulation (EC) No 1554/95⁽³⁾ provides in particular for the possibility of lodging an application for aid before the application for supervised storage; whereas use of this provision has caused distortions of competition between operators; whereas, therefore, the provision should be withdrawn;

Whereas Article 5 (3) of Regulation (EC) No 1554/95 provides in particular that aid may be paid in advance from 16 October following the start of the marketing year in which the unginned cotton enters the cotton-ginning undertaking; whereas the level of this advance, which is a set percentage of the guide price, is based on both the estimated production of unginned cotton and the likely amount of the aid; whereas, as a result, the level of the advance does not fluctuate during the marketing year in line with the world-market price; whereas, consequently, a drop in the world price causing an increase in the aid widens the gap between the level of the aid and the level of the advance to the detriment of operators; whereas such a situation is also likely to disturb commercial dealings between producers and ginning undertakings; whereas, to offset these disadvantages, it is proposed that advances be equal to the guide price minus the world price and reduced further by an amount determined by reference to the likely level of the aid, provided that the latter is set so as to include an adequate safety margin,

Article 5 of Regulation (EC) No 1554/95 is hereby amended as follows:

1. Paragraph 2 shall be replaced by the following:

‘2. The amount of the aid to be paid shall be the amount applicable on the day the application for aid is made.’.

2. Paragraph 3 shall be replaced by the following:

‘3. Entitlement to the aid shall be acquired when the cotton is ginned. However, aid may be paid in advance from 16 October following the start of the marketing year when the unginned cotton enters the cotton-ginning undertaking, provided that an adequate security has been lodged. The level of the advance shall be equal to the guide price minus the world price and reduced further by an amount calculated using the method provided for in Article 6, but replacing actual production by the estimated production of unginned cotton plus 15%. Any aid balance outstanding shall be paid once the actual quantity produced has been determined and any adjustments to the aid as referred to in Article 2 (3) and (4) of Council Regulation (EEC) No 1964/87 (*). It shall be paid before the end of the marketing year, at the latest.

(*) OJ No L 184, 3. 7. 1987, p. 14. Regulation as last amended by Regulation (EC) No 1553/95 (OJ No L 148, 30. 6. 1995, p. 45).’.

Article 2

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

It shall apply from the 1996/97 marketing year.

⁽¹⁾ OJ No L 148, 30. 6. 1995, p. 45.

⁽²⁾ OJ No C 125, 27. 4. 1996, p. 18.

⁽³⁾ OJ No L 148, 30. 6. 1995, p. 48.

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

Done at Brussels, 30 July 1996.

For the Council

The President

H. COVENEY

COUNCIL REGULATION (EC) No 1585/96

of 30 July 1996

fixing the amounts of aid for flax fibre and hemp and the amount withheld to finance measures to promote the use of flax fibre for the 1996/97 marketing year

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EEC) No 1308/70 of 29 June 1970 on the common organization of the market in flax and hemp⁽¹⁾, and in particular Articles 2 (3) and 4 (3) thereof,

Having regard to the proposal from the Commission⁽²⁾,

Having regard to the opinion of the European Parliament⁽³⁾,

Having regard to the opinion of the Economic and Social Committee⁽⁴⁾,

Whereas Article 4 of Regulation (EEC) No 1308/70 provides that the amounts of aid for flax grown mainly for fibre and for hemp grown in the Community are to be fixed each year;

Whereas, in accordance with Article 4 (2) of that Regulation, this amount shall be fixed per hectare of area sown and harvested so as to ensure an even balance between the volume of production required in the Community and the amount that can be marketed; whereas it must be fixed, taking into account the price for fibres and flax and hemp seed on the world market;

Whereas the flax market has over recent years been subject to major fluctuations in the price of fibre and to a considerable increase in Community areas put down in cultivation of flax; whereas, in order to contribute to longer term market stability, the situation for the 1997/98 marketing year should be re-examined in the full light of all relevant factors before deciding on the proposal of the Commission to introduce a maximum guaranteed area; whereas, however, in order to take into account the development of the areas under cultivation and to lessen the already high budgetary expenses in this sector, a limited reduction of the aid from the 1996/97 marketing year is appropriate;

Whereas Article 2 (3) of Regulation (EEC) No 1308/70 provides that the portion of aid for financing Community measures to encourage the use of flax fibre is to be fixed at the time when the aid is fixed for the marketing year in question in accordance with the criteria referred to in the said paragraph; whereas it is to be fixed in the light of trends on the market in flax, the amount of aid for flax and the cost of the measures to be introduced;

Whereas application of the abovementioned criteria entails fixing the amount of aid and the portion of the aid to be used for financing measures to promote the use of flax fibre at the levels set out below,

HAS ADOPTED THIS REGULATION:

Article 1

For the 1996/97 marketing year, the amounts of aid provided for in Article 4 of Regulation (EEC) No 1308/70 shall be:

- (a) ECU 865,48 per hectare as regards flax;
- (b) ECU 774,74 per hectare as regards hemp.

Article 2

For the 1996/97 marketing year, the amount of the aid for flax to be used to finance the measures to promote the use of flax fibre referred to in Article 1 of Regulation (EEC) No 1308/70 shall be ECU 49,62 per hectare.

Article 3

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

It shall apply from 1 August 1996.

⁽¹⁾ OJ No L 146, 4. 7. 1970, p. 1. Regulation as last amended by Regulation (EC) No 3290/94 (OJ No L 349, 31. 12. 1994, p. 105).

⁽²⁾ OJ No C 125, 27. 4. 1996, p. 22.

⁽³⁾ OJ No C 166, 10. 6. 1996.

⁽⁴⁾ OJ No C 204, 15. 7. 1996, p. 57.

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

Done at Brussels, 30 July 1996.

For the Council
The President
H. COVENEY

COUNCIL REGULATION (EC) No 1586/96

of 30 July 1996

fixing the amount of aid in respect of silkworms for the 1996/97 rearing year

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EEC) No 845/72 of 24 April 1972 laying down special measures to encourage silkworm rearing⁽¹⁾, and in particular Article 2 (3) thereof,Having regard to the proposal from the Commission⁽²⁾,Having regard to the opinion of the European Parliament⁽³⁾,Having regard to the opinion of the Economic and Social Committee⁽⁴⁾,

Whereas Article 2 of Regulation (EEC) No 845/72 provides that the amount of aid for silkworms reared within the Community must be fixed each year in such a way as to help ensure a fair income for silkworm rearers, taking into account the state of the market in cocoons and raw silk, of foreseeable trends on that market and of import policy;

Whereas application of the abovementioned criteria entails fixing the amount of aid at the level mentioned below,

HAS ADOPTED THIS REGULATION:

Article 1

For the 1996/97 rearing year, the amount of aid in respect of silkworms as referred to in Article 2 of Regulation (EEC) No 845/72 shall be fixed at ECU 133,26 per box of silkworm eggs used.

Article 2

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

It shall apply from 1 April 1996.

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

Done at Brussels, 30 July 1996.

For the Council
The President
H. COVENEY

⁽¹⁾ OJ No L 100, 27. 4. 1972, p. 1. Regulation as last amended by Regulation (EEC) No 2059/92 (OJ No L 215, 30. 7. 1992, p. 19).

⁽²⁾ OJ No C 125, 27. 4. 1996, p. 24.

⁽³⁾ OJ No C 166, 10. 6. 1996.

⁽⁴⁾ OJ No C 204, 15. 7. 1996, p. 57.

COUNCIL REGULATION (EC) No 1587/96

of 30 July 1996

amending Regulation (EEC) No 804/68 on the common organization of the market in milk and milk products

THE COUNCIL OF THE EUROPEAN UNION,

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

Having regard to the proposal from the Commission⁽¹⁾,

Having regard to the opinion of the European Parliament⁽²⁾,

Having regard to the opinion of the Economic and Social Committee⁽³⁾,

Whereas Article 2 of Regulation (EEC) No 804/68⁽⁴⁾ provides that the milk year begins on 1 April and ends on 31 March of the following year; whereas since 1992 the target price for milk and the intervention prices for butter and skimmed-milk powder have been fixed for periods running from 1 July to 30 June, taking account of the link between those prices and those in other sectors whose marketing year covers the same period; whereas that link should be maintained in the future and, in the interests of coherence, the milk year should be aligned with the same period; whereas the deadline for fixing the target price provided for in Article 3 of that Regulation should therefore be changed;

Whereas certain agreements concluded between the Community and third countries allow the Community to participate in the management of quotas of milk products imported from the Community into third countries; whereas in order to make full use of those opportunities, a specific procedure should be laid down for adopting appropriate management methods,

HAS ADOPTED THIS REGULATION:

Article 1

Regulation (EEC) No 804/68 is hereby amended as follows:

1. Article 2 shall be replaced by the following:

'Article 2

Except where a derogation is decided by the Council, acting by a qualified majority, the milk year for all

products listed in Article 1 shall begin on 1 July and end on 30 June of the following year.'

2. Article 3 (1) shall be replaced by the following:

'1. Each year a target price for milk shall be fixed for the Community.'

3. In Article 13 (2), 'Articles 16 and 17' shall be replaced by 'Articles 16, 16a and 17'.

4. The following Article shall be inserted:

'Article 16a

1. Where an agreement concluded in accordance with Article 228 of the Treaty provides for the total or partial management of a tariff quota opened by a third country for the products referred to in Article 1, the management method to be applied and detailed rules relating to that method shall be adopted in accordance with the procedure provided for in Article 30.

2. Quotas may be managed using one of the following methods or a combination thereof:

- order in which applications are submitted ('first come, first served' basis),
- allocation in proportion to quantities requested when applications are submitted ('simultaneous examination' method),
- traditional trade flows ('traditional importers/new arrivals' method).

Other appropriate measures may be adopted, in particular ones which guarantee the full use of the possibilities available under the quota concerned.

They must avoid any discrimination between the operators concerned.'

Article 2

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

Article 1 (1) and (2) shall apply from 1 July 1996.

⁽¹⁾ OJ No L 125, 27. 4. 1996, p. 25.

⁽²⁾ OJ No C 166, 10. 6. 1996.

⁽³⁾ OJ No C 204, 15. 7. 1996, p. 57.

⁽⁴⁾ OJ No L 148, 28. 6. 1968, p. 13. Regulation as last amended by Regulation (EC) No 2931/95 (OJ No L 307, 20. 12. 1995, p. 10).

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

Done at Brussels, 30 July 1996.

For the Council

The President

H. COVENEY

COUNCIL REGULATION (EC) No 1588/96

of 30 July 1996

amending Regulation (EEC) No 805/68 on the common organization of the market in beef and veal, with regard to the marketing year and the deseasonalization premium

THE COUNCIL OF THE EUROPEAN UNION,

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

Having regard to the proposal from the Commission⁽¹⁾,

Having regard to the opinion of the European Parliament⁽²⁾,

Having regard to the opinion of the Economic and Social Committee⁽³⁾,

Whereas Article 4 of Regulation (EEC) No 805/68⁽⁴⁾ sets the beginning of the marketing year as the first Monday in April; whereas experience has shown that it would be preferable for the marketing year to commence on 1 July of each year and end on 30 June of the following year;

Whereas, in accordance with Articles 4c (3) and 4k (3) of Regulation (EEC) No 805/68 on the common organization of the market in beef and veal, the Commission has prepared a report for the Council on the situation in the beef and veal sector and in particular on the operation of certain measures introduced by the new premium arrangements instituted by the reform; whereas, on the basis of the findings of the report, the Regulation should be amended accordingly;

Whereas, as a result of the deseasonalization premium referred to in Article 4c of Regulation (EEC) No 805/68, the number of castrated male bovine animals slaughtered outside the annual 'off-grass' period has risen appreciably; whereas, on account of their environmental conditions and structure of production, Ireland, and to a lesser extent Northern Ireland, are the regions most affected by the seasonal nature of slaughtering and whereas, because of this, the fact that the premium is granted in one part of the island of Ireland and not in another is disturbing their markets and can lead to exchanges of animals which are undesirable on health grounds; whereas, therefore, where the triggering threshold required for granting the premium is exceeded in Ireland or in Northern Ireland, the premium shall apply in Ireland or in Northern Ireland; whereas, however, where the threshold is not reached, it should be possible for Member States affected by seasonalization to continue to grant the premium, to be borne in such case, however, by their own production sector by means of a

simultaneous reduction in the amount envisaged for the second tranche of the special premium; whereas, lastly, it can be inferred from the present Regulation that in order to qualify for the premium an animal must be slaughtered in the year following that in which the special premium is granted; whereas, since this is undesirable, the reference to the following year should be deleted; whereas it seems appropriate to maintain the deseasonalization premium and to improve certain aspects of it,

HAS ADOPTED THIS REGULATION:

Article 1

Regulation (EEC) No 805/68 is hereby amended as follows:

1. Article 4 shall be replaced by the following:

'Article 4

Subject to a derogation adopted by the Council, acting by a qualified majority on a proposal from the Commission, the marketing year shall begin on 1 July and end on 30 June of the following year for all products referred to in Article 1.'

2. In Article 4 (c):

- (a) paragraph 1 shall be replaced by the following:

'1. Where, in a Member State, the number of castrated male bovine animals slaughtered during the period 1 September to 30 November in a given year exceeds 35 % of total annual slaughterings of castrated male bovine animals, producers may qualify, on application, for an additional premium to the special premium granted pursuant to Article 4b (deseasonalization premium). However, if the triggering rate referred to above is reached in Ireland or in Northern Ireland, the premium shall apply in Ireland and in Northern Ireland.

In order to establish whether the 35 % has been exceeded, account shall be taken of slaughterings carried out during the last year but one before that of the slaughter of the animal qualifying for the premium.

For the purpose of applying this Article in the United Kingdom, Northern Ireland shall be regarded as a separate entity.'

- (b) in paragraph 2 the words 'of the following year' shall be replaced by 'in a given year' each time they occur;

⁽¹⁾ OJ No C 125, 27. 4. 1996, p. 29.

⁽²⁾ OJ No C 166, 10. 6. 1996.

⁽³⁾ OJ No C 204, 15. 7. 1996, p. 57.

⁽⁴⁾ OJ No L 148, 28. 6. 1968, p. 24. Regulation as last amended by Commission Regulation (EC) No 1357/96 (OJ No L 175, 13. 7. 1996, p. 9).

(c) paragraph 3 shall be replaced by the following:

'3. Where the rate referred to in paragraph 1 is not achieved, Member States whose producers have previously received the deseasonalization premium and in which the number of castrated male bovine animals produced exceeds 60 % of all male bovine animals produced may decide to grant this premium at the rate of 60 % of the amounts set in paragraph 2.

In such case, the amount of the second tranche of the special premium applicable to castrated male bovine animals granted in that Member State pursuant to Article 4b shall be reduced insofar as is necessary for the measure to be financially neutral in respect of the same budget year. The

reduction shall be determined in accordance with the procedure laid down in Article 27 before final payment of the second tranche of the premium.

For the purpose of applying this measure, Ireland and Northern Ireland shall be regarded as one entity for the calculation of the number of male bovine animals produced and consequently for qualification for the premium.'

Article 2

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

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

Done at Brussels, 30 July 1996.

For the Council

The President

H. COVENEY

COUNCIL REGULATION (EC) No 1589/96

of 30 July 1996

amending Regulation (EEC) No 3013/89 on the common organization of the market in
sheepmeat and goatmeat

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty establishing the European
Community, and in particular Article 43 thereof,Having regard to the proposal from the Commission⁽¹⁾,Having regard to the opinion of the European
Parliament⁽²⁾,Having regard to the opinion of the Economic and Social
Committee⁽³⁾,

Whereas, in accordance with Article 5c (3) of Council
Regulation (EEC) No 3013/89⁽⁴⁾, the Commission has
submitted a report to the Council with proposals for the
application in the territories of the new German Länder
of the individual producer limits applicable in the rest of
the Community; whereas this report concludes that the
restructuring process in the sheep sector in the new
German Länder is not yet completed; whereas it is
therefore necessary to redefine the conditions under
which special provisions may be adopted by Germany in
order to take account of the specific problems which
remain in the new Länder;

Whereas, in order to effect a smooth passage from the
current provisions in the territories of the new German
Länder to the premium regime applicable in the rest of
the Community, certain temporary measures may be
found to be necessary;

Whereas Article 7 (2) of Regulation (EEC) No 3013/89
provides that where certain market price criteria are met
the decision to grant private storage aid may be taken
only in the context of a tendering procedure; whereas
experience has shown, however, that private storage aid
could be made more effective if the amount of the aid is
fixed in advance, where urgent recourse to private
storage proves necessary in the light of a particularly
difficult market situation in one or more quotation areas;
whereas it therefore appears necessary to authorize the
Commission to carry out advance fixing of the aid where
such a market situation has arisen, even if the market
price criteria referred to above have not been met;

Whereas it is necessary to amend Regulation (EEC)
No 3013/89,

HAS ADOPTED THIS REGULATION:

Article 1

Regulation (EEC) No 3013/89 is hereby amended as
follows:

1. Article 5c shall be replaced by the following:

'Article 5c

1. By way of derogation from Article 5a (1), for
the new Länder of Germany;

- (a) a regional ceiling of one million eligible animals
shall be fixed;
- (b) Germany shall determine the conditions for the
distribution of this ceiling and its regional
breakdown.

2. In the territories of the new German Länder,
not later than the marketing year 2000, Germany
shall apply the provisions on individual limits
applicable in the rest of the Community, subject to
the provisions of this Article.

Germany shall notify the producers of their individual
limit per producer, in respect of the granting of the
premium provided for in Article 5. The individual
producer limit shall be determined on the basis of the
number of ewes for which premium was paid in the
marketing year preceding the year in which
notification to producers of their individual limits was
made.

3. In the case of natural circumstances which led
to a non-payment or to a reduced payment for the
reference year, the number of animals corresponding
to the payments made during the most recent
marketing year shall be used. In the case of
non-payment of the premium or of reduced payment
for the reference year, as a result of the imposition of
penalties provided for to that end, the number
recorded during the check which gave rise to those
penalties shall be used.

4. In the event that the sum of the individual limits
of producers whose holdings are situated in the new
German Länder is less than the regional ceiling fixed
for this territory, the remaining rights shall be added

⁽¹⁾ OJ No C 125, 27. 4. 1996, p. 33.

⁽²⁾ OJ No C 166, 10. 6. 1996.

⁽³⁾ OJ No C 204, 15. 7. 1996, p. 57.

⁽⁴⁾ OJ No L 289, 7. 10. 1989, p. 1. Regulation as last amended
by Regulation (EC) No 1265/95 (OJ No L 123, 3. 6. 1995,
p. 1).

to the German national reserve, referred to in Article 5b (1). The new reserve thus constituted shall be applicable in the entire German territory.

5. The Commission shall lay down, if necessary, the detailed rules for implementing this Article in accordance with the procedure provided for in Article 30.'

2. Article 7 (2) shall be replaced by the following:

'2. Where:

- the price established in accordance with Article 4, on the one hand, and
- the market price in a quotation area, on the other hand,

are less than 70 % of the seasonally adjusted basic price and are likely to remain at that level, the private storage aid provided for in Article 6 may be brought in for the quotation area in question. In this case, aid shall be introduced in the framework of a tendering procedure.

However, it may be decided to grant aid in the framework of an advance fixing procedure where urgent recourse to private storage proves necessary in the light of a particularly difficult market situation in one or more quotation areas. In such cases, this procedure may only be applied to those quotation areas where such a market situation has been established.'

Article 2

The Commission shall lay down, if necessary and in accordance with the procedure provided for in Article 30 of Regulation (EEC) No 3013/89, temporary measures to facilitate the transition from the existing arrangements in the new German Länder to those laid down in Article 1 point 1 of this Regulation.

Article 3

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

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

Done at Brussels, 30 July 1996.

For the Council
The President
H. COVENEY

COUNCIL REGULATION (EC) No 1590/96

of 30 July 1996

fixing the basic price, and the seasonal adjustments to the basic price, for sheepmeat for
the 1997 marketing year

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EEC) No 3013/89 of 25 September 1989 on the common organization of the market in sheepmeat and goatmeat⁽¹⁾, and in particular Article 3 (1) and (2) thereof,

Having regard to the proposal from the Commission⁽²⁾,

Having regard to the opinion of the European Parliament⁽³⁾,

Having regard to the opinion of the Economic and Social Committee⁽⁴⁾,

Whereas the basic price must be fixed in accordance with the criteria laid down in Article 3 (2) of Regulation (EEC) No 3013/89;

Whereas the basic price for sheep carcasses is fixed, account should be taken of the objectives of the common agricultural policy; whereas the main objectives of the common agricultural policy are, in particular, to guarantee a fair standard of living for the farming community and to ensure that supplies are available and that they reach consumers at reasonable prices; whereas these factors result in the price for the 1997 marketing year being fixed at the level laid down in this Regulation;

Whereas the weekly seasonally adjusted amounts applicable to the basic price should be fixed in the light of experience gained during the 1991, 1992, 1993, 1994 and 1995 marketing years concerning private storage,

HAS ADOPTED THIS REGULATION:

Article 1

For the 1997 marketing year, the basic price for sheepmeat is hereby fixed at ECU 504,07 for 100 kg carcase weight.

Article 2

The basic price referred to in Article 1 is hereby seasonally adjusted in accordance with the table set out in the Annex to this Regulation.

Article 3

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

It shall apply from the beginning of the 1997 marketing year.

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

Done at Brussels, 30 July 1996.

For the Council

The President

H. COVENEY

⁽¹⁾ OJ No L 289, 7. 10. 1989, p. 1. Regulation as last amended by Regulation (EC) No 1589/96 (see p. 25 of this Official Journal).

⁽²⁾ OJ No C 125, 27. 4. 1996, p. 35.

⁽³⁾ OJ No C 166, 10. 6. 1996.

⁽⁴⁾ OJ No C 204, 15. 7. 1996, p. 57.

ANNEX

1997 MARKETING YEAR

(ECU/100 kilograms carcase weight)

Week beginning	Week	Basic price
6 January 1997	1	515,06
13 January 1997	2	518,58
20 January 1997	3	522,67
27 January 1997	4	525,59
3 February 1997	5	528,51
10 February 1997	6	531,42
17 February 1997	7	534,35
24 February 1997	8	537,27
3 March 1997	9	539,61
10 March 1997	10	541,94
17 March 1997	11	543,11
24 March 1997	12	543,11
31 March 1997	13	541,94
7 April 1997	14	540,30
14 April 1997	15	538,09
21 April 1997	16	534,94
28 April 1997	17	532,60
5 May 1997	18	529,09
12 May 1997	19	525,59
19 May 1997	20	520,92
26 May 1997	21	515,08
2 June 1997	22	509,23
9 June 1997	23	502,24
16 June 1997	24	496,39
23 June 1997	25	491,72
30 June 1997	26	487,05
7 July 1997	27	483,55
14 July 1997	28	481,20
21 July 1997	29	480,01
28 July 1997	30	479,45
4 August 1997	31	478,83
11 August 1997	32	478,83
18 August 1997	33	478,83
25 August 1997	34	478,83
1 September 1997	35	478,83
8 September 1997	36	478,83
15 September 1997	37	478,83
22 September 1997	38	478,83
29 September 1997	39	478,86

Week beginning	Week	Basic price
6 October 1997	40	478,98
13 October 1997	41	479,10
20 October 1997	42	479,20
27 October 1997	43	479,30
3 November 1997	44	480,00
10 November 1997	45	480,95
17 November 1997	46	482,00
24 November 1997	47	483,20
1 December 1997	48	486,10
8 December 1997	49	490,75
15 December 1997	50	496,60
22 December 1997	51	503,85
29 December 1997	52	511,50

COUNCIL REGULATION (EC) No 1591/96

of 30 July 1996

fixing the basic price and the standard quality for pig carcasses for the period 1 July 1996
to 30 June 1997

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EEC) No 2759/75 of 29 October 1975 on the common organization of the market in pigmeat⁽¹⁾, and in particular Article 4 (4) thereof,Having regard to the proposal from the Commission⁽²⁾,Having regard to the opinion of the European Parliament⁽³⁾,Having regard to the opinion of the Economic and Social Committee⁽⁴⁾,

Whereas, when the basic price for slaughtered pigs is fixed, account should be taken of the objectives of the common agricultural policy; whereas the objectives of the common agricultural policy are in particular to ensure a fair standard of living for the agricultural community, to ensure that supplies are available and that they reach consumers at reasonable prices;

Whereas the basic price must be fixed in accordance with the criteria laid down in Article 4 (1) of Regulation (EEC) No 2759/75 for a standard quality defined by reference to Council Regulation (EEC) No 3220/84 of 13 November 1984 determining the Community scale for grading pig carcasses⁽⁵⁾,

HAS ADOPTED THIS REGULATION:

Article 1

For the period 1 July 1996 to 30 June 1997, the basic price for slaughtered pigs of the standard quality shall be ECU 1 509,39 per tonne.

Article 2

The standard quality shall be defined in terms of carcass weight and lean meat content, determined in accordance with Article 2 (2) and (3) of Regulation (EEC) No 3220/84, as follows:

- (a) carcasses weighing 60 to less than 120 kg: grade E;
- (b) carcasses weighing 120 to 180 kg: grade R.

Article 3

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

It shall apply from 1 July 1996.

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

Done at Brussels, 30 July 1996.

For the Council

The President

H. COVENEY

⁽¹⁾ OJ No L 282, 1. 11. 1975, p. 1. Regulation as last amended by Regulation (EC) No 3290/94 (OJ No L 349, 31. 12. 1994, p. 105) and by the 1994 Act of Accession.

⁽²⁾ OJ No C 125, 27. 4. 1996, p. 37.

⁽³⁾ OJ No C 166, 10. 6. 1996.

⁽⁴⁾ OJ No C 204, 15. 7. 1996, p. 57.

⁽⁵⁾ OJ No L 301, 20. 11. 1984, p. 1. Regulation as last amended by Regulation (EC) No 3513/93 (OJ No L 320, 22. 12. 1993, p. 5).

COUNCIL REGULATION (EC) No 1592/96

of 30 July 1996

amending Regulation (EEC) No 822/87 on the common organization of the market in wine

THE COUNCIL OF THE EUROPEAN UNION,

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

Having regard to the proposal from the Commission⁽¹⁾,

Having regard to the opinion of the European Parliament⁽²⁾,

Having regard to the opinion of the Economic and Social Committee⁽³⁾,

Whereas all new planting of vines is prohibited until 31 August 1996; whereas, in view of the situation on the wine sector market, the existing ban should be extended by two wine years pending Council decisions on reforming the sector; whereas, however, on the one hand, there should not be included in this ban areas intended for producing table grapes and, on the other hand, derogations from the ban should be introduced for certain wines which are in demand on the market on account of their qualitative characteristics;

Whereas, to take account of the special conditions in which table wines are produced in Spain, temporary derogations concerning blending and the total acidity of certain table wines produced in that Member State should be laid down; whereas the derogation concerning total acidity should also be extended to table wines produced in Portugal;

Whereas Article 17 (3) of Regulation (EEC) No 822/87⁽⁴⁾ provides that one particular form of deacidification is permitted on a transitional basis only; whereas, so that a final decision can be taken regarding that technique, current practice should be continued until the end of the 1996/97 wine year;

Whereas, because the areas intended for the production of table grapes are not included in the scope of the ban on any new vine planting, these grapes should no longer be permitted to be turned into wine and Article 36 (1) of Regulation (EEC) No 822/87 should be consequentially amended; whereas, however, to allow producers to adapt to the new system, this provision should not be applied until 1 August 1997;

Whereas Articles 39 (12) and 65 (6) of Regulation (EEC) No 822/87 provide that, during the 1995/96 wine year, the Commission is to submit to the Council reports on the effects of the structural measures and their link with compulsory distillation, and on maximum sulphur dioxide levels in wine and any proposals arising therefrom; whereas the reports on wine-growing zones and on the effects of the structural measures and their link with compulsory distillation are no longer necessary because of new policies in the sector; whereas the Commission has just submitted its report on enrichment; whereas, therefore, those reports no longer need to be referred to;

Whereas Article 46 (4) of Regulation (EEC) No 822/87 provides that campaigns to promote the consumption of grape juice may only be conducted until the 1995/96 wine year; whereas they should be continued for one wine year so that their effectiveness may be assessed;

Whereas developments in wine growing potential within certain of the production regions referred to in Article 39 (3) of Regulation (EC) No 822/87 has deeply affected the situation of various sub-regions, which causes the risk that it will be difficult to use the references set out in the said paragraph; whereas provision should be made for the 1996/97 marketing year to take into account the abovementioned developments;

Whereas the significance for the sector of the sulphur dioxide problem calls for proposals taking account of all data available, in particular the work of the International Vine and Wine Office (IWO); whereas that time limit must therefore be deferred by one wine year;

Whereas, in the light of experience, two practices relating to the productions of sparkling wine should be inserted in the list of authorized oenological practices and processes,

HAS ADOPTED THIS REGULATION:

Article 1

Regulation (EEC) No 822/87 is hereby amended as follows:

⁽¹⁾ OJ No C 125, 27. 4. 1996, p. 45.

⁽²⁾ OJ No C 166, 10. 6. 1996.

⁽³⁾ OJ No C 204, 15. 7. 1996, p. 57.

⁽⁴⁾ OJ No L 84, 27. 3. 1987, p. 1. Regulation as last amended by Regulation (EC) No 1544/95 (OJ No L 148, 30. 6. 1995, p. 31).

1. Article 6 (1) shall be replaced by the following:

'1. Any new planting of vine varieties other than those classified, for the administrative unit concerned, solely amongst table grape varieties shall be banned until 31 August 1998.

However, authorizations for new vine planting may be granted by Member States for areas intended for the production of:

— quality wines produced in specified regions,
or

— table wines designated as one of the following: 'Landwein', 'vin de pays', 'indicazione geografica tipica', 'ονομασία κατά παράδοση', 'οίνος τοπικός', 'vino de la tierra', 'vinho regional' or 'regional wine',

for which the Commission has recognized that production, by reason of its qualitative characteristics, is far from able to satisfy demand.

The second subparagraph shall apply within an overall limit of 10 000 hectares for new vine planting to be carried out over the marketing year 1996/97 and/or 1997/98 in accordance with the following allocation:

Germany:	289
Greece:	208
Spain:	3 615
France:	2 584
Italy:	2 442
Luxembourg:	4
Austria:	139
Portugal:	719.'

2. In the third subparagraph of Article 16 (5), 'between 1 January and 31 August 1996' shall be replaced by 'between 1 January 1996 and 31 August 1997'.

3. In Article 17 (3), '31 August 1996' shall be replaced by '31 August 1997'.

4. The second subparagraph of Article 18 (3) shall be deleted.

5. Article 36 (1) shall be replaced by the following:

'1. Until 31 July 1997, wine made from grapes belonging to varieties not listed as wine grape varieties in the classification of vine varieties for the administrative unit where they were harvested, and which is not exported during the wine year concerned shall be distilled by a date to be determined. Except by derogation, it may not be moved except to a distillery.

As from 1 August 1997, the grapes referred to in the first subparagraph may not be turned into wine.'

6. In Article 39:

(a) in the third subparagraph of paragraph 3, 'until the end of the 1995/96 wine year' shall be replaced by 'until the end of the 1996/97 wine year';

(b) in the fourth subparagraph of paragraph 3, 'from the 1996/97 wine year onwards' shall be replaced by 'from the 1997/98 wine year onwards';

(c) in paragraph 10:

— '1995/96' shall be replaced by '1996/97',

— the following subparagraph shall be added:

'By way of derogation from this Article, and at the request of the Member State concerned the quantity to be distilled in a region during the 1996/97 marketing year may be allocated amongst subregions to be determined, according to criteria using references other than those referred to in paragraph 3, third subparagraph, second indent. The allocation of quantities and the demarcation of subregions shall be decided in accordance with the procedure laid down in Article 83.';

(d) in paragraph 11, '1995/96' shall be replaced by '1996/97';

(e) paragraph 12 shall be deleted.

7. In Article 46 (4), '1995/96' shall be replaced by '1996/97'.

8. In Article 65:

(a) in paragraph 2, the following indent shall be added at the end of (b):

'— white quality wines psr originating in the United Kingdom described and presented in accordance with British legislation by the term "botrytis", or other equivalent terms, such as "noble harvest", "noble late harvested" or "special late harvested".';

(b) in paragraph 5, '1 April 1996' shall be replaced by '1 April 1997' and '1 September 1996' shall be replaced by '1 September 1997'.

9. In Annex I, point 13, the third subparagraph shall be replaced by:

'For the 1996/97 wine year, table wine produced in Portugal and Spanish areas of winegrowing zone C other than the regions of Asturias, the Balearic Islands, Cantabria and Galicia and the provinces of Guipúzcoa and Vizcaya, and released to the Portuguese market and to the Spanish market respectively, may have a total acidity content expressed as tartaric acid, of not less than 3,5 grammes per litre'.

10. The following points shall be inserted in section 3 of Annex VI:

‘(t)a the use of yeasts for wine production, dry or in wine suspension, for the production of sparkling wine;

(t)b the addition, in the production of sparkling wine, of ammonium and thiamine salts to the basic wines, to encourage the growth of yeasts, under the following conditions:

— for nutritive salts, diammonium phosphate or ammonium sulphate up to a maximum dose of 0,3 g/l (expressed as salt),

— for growth factors, thiamine in the form of thiamine hydrochloride, up to a maximum dose of 0,6 mg/l (expressed in thiamine);’.

Article 2

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

It shall apply as from 1 September 1996.

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

Done at Brussels, 30 July 1996.

For the Council

The President

H. COVENEY

COUNCIL REGULATION (EC) No 1593/96

of 30 July 1996

fixing the guide price for wine for the 1996/97 wine year

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EEC) No 822/87 of 16 March 1987 on the common organization of the market in wine⁽¹⁾, and in particular Article 27 thereof,

Having regard to the proposal from the Commission⁽²⁾,

Having regard to the opinion of the European Parliament⁽³⁾,

Having regard to the opinion of the Economic and Social Committee⁽⁴⁾,

Whereas, when the guide prices for the various types of table wine are fixed, account should be taken of the objectives of the common agricultural policy; whereas the objectives of the common agricultural policy are, in particular, to ensure a fair standard of living for the agricultural community, to assure the availability of supplies and to ensure that supplies reach consumers at reasonable prices;

Whereas, if these objectives are to be achieved, it is of prime importance that the gap between production and demand should not be opened further; whereas, to that end, the guide prices for the 1996/97 wine year should be set at the same levels as the previous year;

Whereas the guide prices, as defined in Annex III to Regulation (EEC) No 822/87, must be fixed for each type of table wine representative of Community production,

HAS ADOPTED THIS REGULATION:

Article 1

For the 1996/97 wine year, the guide prices for table wine shall be as follows:

Type of wine	Guide price
R I	ECU 3,828/% vol/hl
R II	ECU 3,828/% vol/hl
R III	ECU 62,15/hl
A I	ECU 3,828/% vol/hl
A II	ECU 82,81/hl
A III	ECU 94,57/hl

Article 2

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

It shall apply from 1 September 1996.

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

Done at Brussels, 30 July 1996.

For the Council
The President
H. COVENEY

⁽¹⁾ OJ No L 84, 27. 3. 1987, p. 1. Regulation as last amended by Regulation (EC) No 1592/96 (see page 31 of this Official Journal).

⁽²⁾ OJ No C 125, 27. 4. 1996, p. 47.

⁽³⁾ OJ No C 166, 10. 6. 1996.

⁽⁴⁾ OJ No C 204, 15. 7. 1996, p. 57.

COUNCIL REGULATION (EC) No 1594/96

of 30 July 1996

amending Regulation (EEC) No 2332/92 as regards sparkling wines produced in the Community and Regulation (EEC) No 4252/88 on the preparation and marketing of liqueur wines produced in the Community

THE COUNCIL OF THE EUROPEAN UNION,

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

Having regard to the proposal from the Commission⁽¹⁾,

Having regard to the opinion of the European Parliament⁽²⁾,

Having regard to the opinion of the Economic and Social Committee⁽³⁾,

Whereas Articles 11 and 16 of Regulation (EEC) No 2332/92⁽⁴⁾ and Article 6 (2) of Regulation (EEC) No 4252/88⁽⁵⁾ fix the maximum sulphur dioxide content of sparkling wines and of liqueur wines; whereas those Articles provide for the presentation by 1 April 1996 of a report from the Commission to the Council on those contents, together, where appropriate, with proposals; whereas the measures proposed should be consistent with others that the Commission is required to draft; whereas the abovementioned deadline should therefore be postponed; whereas the same is true for the deadlines provided for in Article 4 (2) of Regulation (EEC) No 4252/88,

HAS ADOPTED THIS REGULATION:

Article 1

Regulation (EEC) No 2332/92 is hereby amended as follows:

1. In Article 11 (3), '1 April 1996' and '1 September 1996' shall be replaced respectively by '1 April 1997' and '1 September 1997'.

2. In Article 16 (3), '1 April 1996' and '1 September 1996' shall be replaced respectively by '1 April 1997' and '1 September 1997'.

Article 2

Regulation (EEC) No 4252/88 is hereby amended as follows:

1. In Article 4 (2), '1 April 1995' and '1 September 1995' shall be replaced respectively by '1 April 1997' and '1 September 1997'.

2. In Article 6 (2), '1 April 1996' and '1 September 1996' shall be replaced respectively by '1 April 1997' and '1 September 1997'.

Article 3

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

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

Done at Brussels, 30 July 1996.

For the Council
The President
H. COVENEY

⁽¹⁾ OJ No C 125, 27. 4. 1996, p. 48.

⁽²⁾ OJ No C 166, 10. 6. 1996.

⁽³⁾ OJ No C 204, 15. 7. 1996, p. 57.

⁽⁴⁾ OJ No L 231, 13. 8. 1992, p. 1. Regulation as last amended by Regulation (EC) No 1547/95 (OJ No L 148, 30. 6. 1995, p. 35).

⁽⁵⁾ OJ No L 373, 31. 12. 1988, p. 59. Regulation as last amended by Regulation (EC) No 1547/95.

COUNCIL REGULATION (EC) No 1595/96

of 30 July 1996

amending Regulation (EEC) No 1442/88 on the granting, for the 1988/89 to 1995/96 wine years, of permanent abandonment premiums in respect of wine-growing areas

THE COUNCIL OF THE EUROPEAN UNION,

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

Having regard to the proposal from the Commission⁽¹⁾,

Having regard to the opinion of the European Parliament⁽²⁾,

Having regard to the opinion of the Economic and Social Committee⁽³⁾,

Whereas the measure encouraging the permanent abandonment of wine-growing areas by means of the grant of premiums, as provided for in Regulation (EEC) No 1442/88⁽⁴⁾, has helped to rationalize the wine-growing sector; whereas, however, certain marginal wine-growing areas still exist whose abandonment should be encouraged;

Whereas, pending adoption of the reform of the common market organization in the wine sector, the current system of premiums for the permanent abandonment of wine-growing areas should be extended, whilst limiting the total surface area that may be so abandoned; whereas it also proves advisable to allow the Member States to determine the regions in which the measure applies, so as to avoid that pursuit of the grubbing-up system may upset the productive and/or ecological balance of certain regions; whereas this measure makes the provisions of Article 12 of Regulation (EEC) No 1442/88 superfluous;

Whereas, because the areas intended for the production of grapes classified solely as table grapes are not included in the scope of the ban on any new vine planting within the meaning of Article 6 of Regulation (EEC) No 822/87⁽⁵⁾, it is necessary to exclude those areas from entitlement to permanent abandonment premiums;

Whereas certain detailed rules should be laid down so as to exclude from eligibility for permanent abandonment

premiums those areas having previously received aid for the restructuring of vineyards,

HAS ADOPTED THIS REGULATION:

Article 1

Regulation (EEC) No 1442/88 is hereby amended as follows:

1. The title of the Regulation shall be replaced by the following:

‘Regulation (EEC) No 1442/88 of 24 May 1988 on the granting, for the 1988/89 to 1997/98 wine years, of permanent abandonment premiums in respect of wine-growing areas.’.

2. The following subparagraphs shall be added to Article 1 (1):

‘The provisions of the first subparagraph shall also apply during the 1996/97 and 1997/98 marketing years to holders in the regions designated by the Member States concerned:

- (a) up to a limit for each of these marketing years, of 25 000 hectares in accordance with the following allocation:

Germany:	50
Greece:	985
Spain:	13 000
France:	3 895
Italy:	5 785
Luxembourg:	15
Austria:	15
Portugal:	1 255

- (b) with the exception of holders of wine-growing areas cultivated with varieties classified, in the administrative unit concerned, solely as table grape varieties.

It shall be open for a Member State:

- not to designate any region,
- to attach to the designation conditions aimed, in particular, at guaranteeing the productive and ecological balance of the regions concerned.’.

⁽¹⁾ OJ No C 125, 27. 4. 1996, p. 49.

⁽²⁾ OJ No C 166, 10. 6. 1996.

⁽³⁾ OJ No C 204, 15. 7. 1996, p. 57.

⁽⁴⁾ OJ No L 132, 28. 5. 1988, p. 3. Regulation as last amended by Regulation (EC) No 1548/95 (OJ No L 148, 30. 6. 1995, p. 36).

⁽⁵⁾ OJ No L 84, 27. 3. 1987, p. 1. Regulation as last amended by Regulation (EC) No 1592/96 (see page 31 of this Official Journal).

3. In Article 11, the phrase 'before the end of the 1993/94 wine year' shall be replaced by 'at the earliest by 31 July 1998 and at the latest by 31 December 1999'.

4. Article 12 shall be deleted.

5. In the third subparagraph of Article 17a, '31 December 1995' shall be replaced by '15 May 1998'.

6. In Article 20, the following indent shall be added:

— Article 3 (e), in particular with regard to the criterion for financing and the period during which it was granted, and which may not be less than 15 years'.

Article 2

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

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

Done at Brussels, 30 July 1996.

For the Council

The President

H. COVENEY

COUNCIL REGULATION (EC) No 1596/96

of 30 July 1996

amending Regulation (EEC) No 2392/86 establishing a Community vineyard register

THE COUNCIL OF THE EUROPEAN UNION,

HAS ADOPTED THIS REGULATION:

Having regard to the Treaty establishing the European Community,

Article 1

Having regard to Council Regulation (EEC) No 822/87 of 16 March 1987 on the common organization of the market in wine⁽¹⁾, and in particular Article 80 thereof,

In Article 4 (4) of Regulation (EEC) No 2392/86:

- (a) in the first subparagraph, '31 December 1996' shall be replaced by '31 December 1998';
- (b) in the fifth subparagraph, '31 December 1996' shall be replaced by '31 December 1997'.

Having regard to the proposal from the Commission⁽²⁾,

Article 2

Whereas the measures provided for in Regulation (EEC) No 2392/86⁽³⁾ must be sufficiently flexible to allow them to be adjusted to developments in the common organization of the market in wine; whereas the technical difficulties encountered by some Member States to establish a vineyard register make it necessary to extend the time limits laid down in Article 4 (4) of Regulation (EEC) No 2392/86,

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

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

Done at Brussels, 30 July 1996.

For the Council
The President
H. COVENEY

⁽¹⁾ OJ No L 84, 27. 3. 1987, p. 1. Regulation as last amended by Regulation (EC) No 1592/96 (see p. 31 of this Official Journal).

⁽²⁾ OJ No C 125, 27. 4. 1996, p. 50.

⁽³⁾ OJ No L 208, 31. 7. 1986, p. 1. Regulation as last amended by Regulation (EC) No 1549/95 (OJ No L 148, 30. 6. 1995, p. 37).

COUNCIL REGULATION (EC) No 1597/96

of 30 July 1996

fixing, for the 1996 harvest, the premiums for leaf tobacco by group of tobacco varieties

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EEC) No 2075/92 of 30 June 1992 on the common organization of the market in raw tobacco⁽¹⁾, and in particular Article 4 (1) thereof,Having regard to the proposal from the Commission⁽²⁾,Having regard to the opinion of the European Parliament⁽³⁾,

Whereas, when the premiums for raw tobacco are fixed, account should be taken of the objectives of the common agricultural policy; whereas the common agricultural policy aims in particular to guarantee a fair standard of living for the farming community and to ensure that supplies are available and that they reach consumers at reasonable prices; whereas the premiums must take account in particular of past and foreseeable possibilities

of disposal of the various tobaccos under normal conditions of competition,

HAS ADOPTED THIS REGULATION:

Article 1

For the 1996 harvest, the premium referred to in Article 4 of Regulation (EEC) No 2075/92 for each group of raw tobacco varieties, and the supplementary amounts, shall be as set out in the Annex hereto.

Article 2

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

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

Done at Brussels, 30 July 1996.

For the Council
The President
H. COVENEY

⁽¹⁾ OJ No L 215, 30. 7. 1992, p. 70. Regulation as last amended by Regulation (EC) No 711/95 (OJ No L 73, 1. 4. 1995, p. 13).

⁽²⁾ OJ No C 125, 27. 4. 1996, p. 51.

⁽³⁾ OJ No C 166, 10. 6. 1996.

ANNEX

PREMIUMS FOR LEAF TOBACCO FROM THE 1996 HARVEST

	I Flue-cured	II Light air-cured	III Dark air-cured	IV Fire-cured	V Sun-cured	VI Basma	VII Katerini	VIII Kaba Koulak
ECU/kg	2,70965	2,16748	2,16748	2,38362	2,16748	3,75415	3,18541	2,27615

SUPPLEMENTARY AMOUNTS

Variety	ECU/kg
Badischer Geudertheimer, Pereg, Korso	0,4238
Badischer Burley E and hybrids thereof	0,6786
Virgin D and hybrids thereof, Virginia and hybrids thereof	0,3876
Paraguay and hybrids thereof, Dragon vert and hybrids thereof, Philippin, Petit Grammont (Flobecq), Semois, Appelterre	0,3163
Nijkerk	0,1847
Misionero and hybrids thereof, Rio Grande and hybrids thereof	0,2016

COUNCIL REGULATION (EC) No 1598/96

of 30 July 1996

derogating from Regulation (EEC) No 1765/92 establishing a support system for producers of certain arable crops as regards the set-aside requirement for the 1997/98 marketing year

THE COUNCIL OF THE EUROPEAN UNION,

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

Having regard to the proposal from the Commission,

Having regard to the opinion of the European Parliament⁽¹⁾,

Whereas the support system for producers of certain arable crops introduced by Regulation (EEC) No 1765/92⁽²⁾ provides that, in order to qualify for compensatory payments under the general scheme, producers must set aside a predetermined percentage of their arable land; whereas this percentage is to be reviewed to take account of production and market developments;

Whereas, since the introduction of this system, the cereals market has achieved a better balance as a result of a reduction in production and an increase in Community consumption; whereas this situation, together with the very low level of stocks and very firm prices on the world market, has resulted in a significant reduction in stocks and a sharp rise in the prices for cereals on the Community market;

Whereas the present market situation for cereals is threatening to undermine, in the short term, the Community's presence on the world market and to jeopardize some of the results achieved since the reform of the arable sector, in particular the continuing rise in the consumption of cereals in animal feed; whereas the rate for set-aside beginning not later than 15 January 1997 should therefore be set for the 1997/98 marketing year at a level lower than that resulting from the provisions in force and the application of special set-aside should be suspended where the base area under the 1996/97 marketing year is exceeded;

Whereas, in the event of a transfer of the set-aside requirement, the basic 17,5 % set-aside rate is increased by 3 %; whereas this increase should be adjusted in order to maintain a similar ratio between the basic rate and the percentage increase due on transfer, as a result of the drop in the basic rate; whereas, in the event of a transfer of the set-aside requirement to areas which are sensitive from an environmental point of view, it is appropriate not to apply the abovementioned increase,

HAS ADOPTED THIS REGULATION:

Article 1

For the 1997/98 marketing year, notwithstanding Article 7 of Regulation (EEC) No 1765/92:

- the set-aside requirement referred to in paragraph 1 and the said Article shall be set at 5 %,
- the increase referred to in the second indent of paragraph 7 of the said Article shall be set at one percentage point. However, no increase shall apply to transfers executed to a particular area where environment objectives are achieved.

Article 2

Should the base area under the 1996/97 marketing year be exceeded, the special set-aside referred to in Article 2 (6), second indent of Regulation (EEC) No 1765/92 shall not apply.

Article 3

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

It shall apply to set-aside for the 1997/98 marketing year only.

⁽¹⁾ OJ No C 166, 10. 6. 1996.

⁽²⁾ OJ No L 181, 1. 7. 1992, p. 12. Regulation as last amended by Regulation (EC) No 1575/96 (see page 1 of this Official Journal).

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

Done at Brussels, 30 July 1996.

For the Council
The President
H. COVENEY

COUNCIL REGULATION (EC) No 1599/96

of 30 July 1996

amending Regulation (EEC) No 1785/81 on the common organization of the markets in the sugar sector

THE COUNCIL OF THE EUROPEAN UNION,

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

Having regard to the proposal from the Commission⁽¹⁾,

Having regard to the opinion of the European Parliament⁽²⁾,

Having regard to the opinion of the Economic and Social Committee⁽³⁾,

Whereas Article 24 of Council Regulation (EEC) No 1785/81 of 30 June 1981 on the common organization of the markets in the sugar sector⁽⁴⁾, lays down the basic quantities for the allocation of A and B quotas to producing undertakings during the marketing years 1995/96 to 2000/01;

Whereas the basic quantities for sugar for the mainland region of Portugal are those fixed in the Act of Accession of Spain and Portugal for the purpose of enabling sugar production to start up there; whereas the size of those basic quantities has proved to be insufficient to provide the impetus for the envisaged start up of sugar production, to the detriment of the producers in the region concerned; whereas the basic quantities for sugar for the mainland region of Portugal should be increased to the levels needed to permit sugar production to start up;

Whereas the length of the production year varies considerably from one region to another in the Community; whereas experience shows that this variation is particularly marked for the United Kingdom; whereas, therefore, the deadline set until now for decisions to carry forward production is no longer appropriate for that situation in the said region and thus a longer period should be provided for;

Whereas it is possible that the minimum stock system will not be sufficient to ensure supplies to one or more regions if natural disasters strike the said regions; whereas it is therefore desirable to allow undertakings established in those regions to use to that end blocked carry-over stocks for authorizing them to dispose of the sugar in question before the end of the compulsory storage period,

HAS ADOPTED THIS REGULATION:

Article 1

Article 24 (2) of Regulation (EEC) No 1785/81 is hereby amended as follows:

1. In Table I under the column entitled '(a) Basic quantity A for sugar', '54 545,5' on the line 'Portugal (mainland)' shall be replaced by '63 636,4'.
2. In Table II under the column entitled '(a) Basic quantity B for sugar', '5 454,5' on the line 'Portugal (mainland)', shall be replaced by '6 363,6'.

Article 2

Article 27 of Regulation (EEC) No 1785/81 shall be amended as follows:

1. The text of paragraph 2, second subparagraph shall be replaced by the following:

'However, the date of 1 February referred to in the first indent of the first subparagraph shall be replaced:

- (a) for undertakings established in Spain, by that of 15 April where beet sugar production is concerned, and by that of 20 June where cane sugar production is concerned;
 - (b) for undertakings established in the United Kingdom, by that of 15 February.'
2. Paragraph 2bis shall be inserted as follows:

'2bis. In cases of natural disasters such as drought and flooding striking a Community region and where the application of Article 12 is not sufficient to ensure the normal supply of that region, a decision may be taken, under the procedure laid down in Article 41, to reduce the period of compulsory storage referred to in paragraph 2, second indent for a quantity of sugar sufficient to ensure the normal supply of the said region.'

Article 3

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

Article 1 shall apply from 1 July 1995.

⁽¹⁾ OJ No C 28, 1. 2. 1996, p. 6.

⁽²⁾ OJ No C 117, 22. 4. 1996, p. 22.

⁽³⁾ OJ No C 174, 17. 6. 1996, p. 29.

⁽⁴⁾ OJ No L 177, 1. 7. 1981, p. 4. Regulation as last amended by Regulation (EC) No 1101/95 (OJ No L 110, 17. 5. 1995, p. 1).

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

Done at Brussels, 30 July 1996.

For the Council

The President

H. COVENEY

COUNCIL REGULATION (EC) No 1600/96

of 30 July 1996

amending Regulation (EEC) No 3438/92 laying down special measures for the transport of certain fresh fruit and vegetables originating in Greece as regards their period of application

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty establishing the European Community, and in particular Article 43,

Having regard to the proposal from the Commission⁽¹⁾,

Having regard to the opinion of the European Parliament⁽²⁾,

Whereas Regulation (EEC) No 3438/92⁽³⁾ lays down special measures for the transport of certain fresh fruit and vegetables originating in Greece dispatched in the period 1992 to 1995 to Member States other than Italy, Spain and Portugal;

Whereas, since transport conditions in certain territories of the former Yugoslavia continue to be poor despite the cessation of hostilities in the region, provision should be made for gradual phasing out and to extend these measures, covering temporary assistance to the operators involved in avoiding those territories, for a period of one year,

HAS ADOPTED THIS REGULATION:

Article 1

Regulation (EEC) No 3438/92 is hereby amended as follows:

1. Article 2 (1) and (2) shall be replaced by the following:

'1. The special temporary allowance shall be granted from 1 January 1992 to 31 December 1996 for the marketing of the fruit and vegetables referred to in Article 1.

2. The amount of the special temporary allowance shall be determined in such a way as to contribute to meeting the additional transport costs arising as a result of the poor transport conditions obtaining in certain regions of the former Yugoslavia. It may be fixed on a flat-rate basis. For 1996, it shall be adjusted on a degressive basis.'

2. The first indent of Article 3 shall be deleted.

Article 2

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

It shall apply from 1 January 1996.

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

Done at Brussels, 30 July 1996.

For the Council
The President
H. COVENEY

⁽¹⁾ OJ No C 157, 1. 6. 1996, p. 16.

⁽²⁾ OJ No C 198, 8. 7. 1996.

⁽³⁾ OJ No L 350, 1. 12. 1992, p. 1. Regulation as amended by Regulation (EC) No 456/95 (OJ No L 47, 2. 3. 1995, p. 1).

COUNCIL REGULATION (EC) No 1601/96

of 30 July 1996

laying down, in respect of hops, the amount of aid to producers for the 1995 harvest

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EEC) No 1696/71 of 26 July 1971 on the common organization of the market in hops⁽¹⁾ and in particular Article 12 (7) thereof,

Having regard to the proposal from the Commission,

Having regard to the opinion of the European Parliament⁽²⁾,

Whereas Article 12 of Regulation (EEC) No 1696/71 provides that aid may be granted to hop producers to enable them to achieve a fair income; whereas the amount of this aid is fixed per hectare and differs according to varieties, taking into account the average return on the areas in full production as compared with the average returns for previous harvests, the current position of the market and trends in costs;

Whereas Article 12a of the said Regulation provides that aid to producers may also be granted for areas cultivated with experimental strains in order to facilitate the development of new varieties;

Whereas an examination of the results of the 1995 harvest reveals the need to fix aid for groups of varieties of hops cultivated in the Community; whereas aid to producers should also be granted for areas cultivated with experimental strains,

HAS ADOPTED THIS REGULATION:

Article 1

1. For the 1995 harvest, aid shall be granted to the producers of hops cultivated in the Community for the groups of varieties set out in the Annex as well as for experimental strains.

2. The amount of the aid shall be as set out in the Annex.

Article 2

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

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

Done at Brussels, 30 July 1996.

For the Council

The President

H. COVENEY

⁽¹⁾ OJ No C 175, 4. 8. 1971, p. 1. Regulation as last amended by the 1994 Act of Accession and Regulation (EC) No 3290/94 (OJ No L 349, 31. 12. 1994, p. 105).

⁽²⁾ OJ No C 198, 8. 7. 1996.

ANNEX

Aid to hop producers for the 1995 harvest

<i>Group of varieties</i>	<i>Aid in ECU/hectare</i>
Aromatic	444
Bitter	416
Other	298
Experimental strains	298
