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⁽¹⁾ Text with EEA relevance

I

(Acts whose publication is obligatory)

COMMISSION REGULATION (EC) No 2128/96

of 6 November 1996

fixing the export refunds on white sugar and raw sugar exported in its unaltered state

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EEC) No 1785/81 of 1 June 1981 on the common organization of the markets in the sugar sector⁽¹⁾, as last amended by Regulation (EC) No 1599/96⁽²⁾, and in particular point (a) of the first subparagraph of Article 19 (4) thereof,

Whereas Article 19 of Regulation (EEC) No 1785/81 provides that the difference between quotations or prices on the world market for the products listed in Article 1 (1) (a) of that Regulation and prices for those products within the Community may be covered by an export refund;

Whereas Regulation (EEC) No 1785/81 provides that when refunds on white and raw sugar, undenatured and exported in its unaltered state, are being fixed account must be taken of the situation on the Community and world markets in sugar and in particular of the price and cost factors set out in Article 17a of that Regulation; whereas the same Article provides that the economic aspect of the proposed exports should also be taken into account;

Whereas the refund on raw sugar must be fixed in respect of the standard quality; whereas the latter is defined in Article 1 of Council Regulation (EEC) No 431/68 of 9 April 1968 determining the standard quality for raw sugar and fixing the Community frontier crossing point for calculating cif prices for sugar⁽³⁾, as amended by Regulation (EC) No 3290/94⁽⁴⁾; whereas, furthermore, this refund should be fixed in accordance with Article 17a (4) of Regulation (EEC) No 1785/81; whereas candy sugar is defined in Commission Regulation (EC) No 2135/95 of 7 September 1995 laying down detailed rules of application for the grant of export refunds in the sugar sector⁽⁵⁾; whereas the refund thus calculated for sugar containing

added flavouring or colouring matter must apply to their sucrose content and, accordingly, be fixed per 1 % of the said content;

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

Whereas, in special cases, the amount of the refund may be fixed by other legal instruments;

Whereas Council Regulation (EEC) No 990/93⁽⁶⁾, as amended by Regulation (EC) No 1380/95⁽⁷⁾, prohibits trade between the European Community and the Federal Republic of Yugoslavia (Serbia and Montenegro); whereas this prohibition does not apply in certain situations as comprehensively listed in Articles 2, 4, 5 and 7 thereof and in Council Regulation (EC) No 462/96⁽⁸⁾; whereas account should be taken of this fact when fixing the refunds;

Whereas the representative market rates defined in Article 1 of Council Regulation (EEC) No 3813/92⁽⁹⁾, as last amended by Regulation (EC) No 150/95⁽¹⁰⁾, are used to convert amounts expressed in third country currencies and are used as the basis for determining the agricultural conversion rates of the Member States' currencies; whereas detailed rules on the application and determination of these conversions were set by Commission Regulation (EEC) No 1068/93⁽¹¹⁾, as last amended by Regulation (EC) No 1482/96⁽¹²⁾;

Whereas the refund must be fixed every two weeks; whereas it may be altered in the intervening period;

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

⁽⁶⁾ OJ No L 102, 28. 4. 1993, p. 14.

⁽⁷⁾ OJ No L 138, 21. 6. 1995, p. 1.

⁽⁸⁾ OJ No L 65, 15. 3. 1996, p. 1.

⁽⁹⁾ OJ No L 387, 31. 12. 1992, p. 1.

⁽¹⁰⁾ OJ No L 22, 31. 1. 1995, p. 1.

⁽¹¹⁾ OJ No L 108, 1. 5. 1993, p. 106.

⁽¹²⁾ OJ No L 188, 27. 7. 1996, p. 22.

⁽¹⁾ OJ No L 177, 1. 7. 1981, p. 4.

⁽²⁾ OJ No L 206, 16. 8. 1996, p. 43.

⁽³⁾ OJ No L 89, 10. 4. 1968, p. 3.

⁽⁴⁾ OJ No L 349, 31. 12. 1994, p. 105.

⁽⁵⁾ OJ No L 214, 8. 9. 1995, p. 16.

Whereas, in the light of the amendment introduced by Regulation (EC) No 1222/96 ⁽¹⁾, the figure 9 after the first eight digits corresponding to the combined nomenclature subheadings should be regarded as forming part of the refund nomenclature code from 1 January 1997;

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

HAS ADOPTED THIS REGULATION:

Article 1

The export refunds on the products listed in Article 1 (1) (a) of Regulation (EEC) No 1785/81, undenatured and exported in the natural state, are hereby fixed to the amounts shown in the Annex hereto.

Article 2

This Regulation shall enter into force on 7 November 1996.

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

Done at Brussels, 6 November 1996.

For the Commission

Franz FISCHLER

Member of the Commission

ANNEX

to the Commission Regulation of 6 November 1996 fixing the export refunds on white sugar and raw sugar exported in its unaltered state

Product code	Amount of refund ⁽¹⁾
	— ECU/100 kg —
1701 11 90 100	39,60 ⁽¹⁾
1701 11 90 910	39,27 ⁽¹⁾
1701 11 90 950	⁽²⁾
1701 12 90 100	39,60 ⁽¹⁾
1701 12 90 910	39,27 ⁽¹⁾
1701 12 90 950	⁽²⁾
	— ECU/1 % of sucrose × 100 kg —
1701 91 00 000	0,4305
	— ECU/100 kg —
1701 99 10 100	43,05
1701 99 10 910	43,67
1701 99 10 950	43,67
	— ECU/1 % of sucrose × 100 kg —
1701 99 90 100	0,4305

⁽¹⁾ Applicable to raw sugar with a yield of 92 %; if the yield is other than 92 %, the refund applicable is calculated in accordance with the provisions of Article 17a (4) of Regulation (EEC) No 1785/81.

⁽²⁾ Fixing suspended by Commission Regulation (EEC) No 2689/85 (OJ No L 255, 26. 9. 1985, p. 12), as amended by Regulation (EEC) No 3251/85 (OJ No L 309, 21. 11. 1985, p. 14).

⁽³⁾ Refunds on exports to the Federal Republic of Yugoslavia (Serbia and Montenegro) may be granted only where the conditions laid down in amended Regulation (EEC) No 990/93 and Regulation (EC) No 462/96 are observed.

⁽¹⁾ OJ No L 161, 29. 6. 1996, p. 62.

COMMISSION REGULATION (EC) No 2129/96

of 6 November 1996

fixing the maximum export refund for white sugar for the 14th partial invitation to tender issued within the framework of the standing invitation to tender provided for in Regulation (EC) No 1464/96

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

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⁾, as last amended by Regulation (EC) No 1599/96⁽²⁾, and in particular the second subparagraph of Article 17 (5) (b) thereof,

Whereas Commission Regulation (EC) No 1464/96 of 25 July 1996 on a standing invitation to tender to determine levies and/or refunds on exports of white sugar⁽³⁾, requires partial invitations to tender to be issued for the export of this sugar;

Whereas, pursuant to Article 9 (1) of Regulation (EC) No 1464/96 a maximum export refund shall be fixed, as the case may be, account being taken in particular of the state and foreseeable development of the Community and world markets in sugar, for the partial invitation to tender in question;

Whereas, following an examination of the tenders submitted in response to the 14th partial invitation to tender, the provisions set out in Article 1 should be adopted;

Whereas Council Regulation (EEC) No 990/93⁽⁴⁾, as amended by Regulation (EC) No 1380/95⁽⁵⁾, prohibits trade between the European Community and the Federal Republic of Yugoslavia (Serbia and Montenegro); whereas

this prohibition does not apply in certain situations as comprehensively listed in Articles 2, 4, 5 and 7 thereof and in Council Regulation (EC) No 462/96⁽⁶⁾; whereas account should be taken of this fact when fixing the refunds;

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

HAS ADOPTED THIS REGULATION:

Article 1

1. For the 14th partial invitation to tender for white sugar issued pursuant to Regulation (EC) No 1464/96 the maximum amount of the export refund is fixed at ECU 46,721 per 100 kilograms.

2. Refunds on exports to the Federal Republic of Yugoslavia (Serbia and Montenegro) may be granted only where the conditions laid down in amended Regulation (EEC) No 990/93 and Regulation (EC) No 462/96 are observed.

Article 2

This Regulation shall enter into force on 7 November 1996.

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

Done at Brussels, 6 November 1996.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ No L 177, 1. 7. 1981, p. 4.

⁽²⁾ OJ No L 206, 16. 8. 1996, p. 43.

⁽³⁾ OJ No L 187, 26. 7. 1996, p. 42.

⁽⁴⁾ OJ No L 102, 28. 4. 1993, p. 14.

⁽⁵⁾ OJ No L 138, 21. 6. 1995, p. 1.

⁽⁶⁾ OJ No L 65, 15. 3. 1996, p. 1.

COMMISSION REGULATION (EC) No 2130/96

of 6 November 1996

fixing the representative prices and the additional import duties for molasses in the sugar sector

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

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 sugar⁽¹⁾, as last amended by Regulation (EC) No 1599/96⁽²⁾,

Having regard to Commission Regulation (EC) No 1422/95 of 23 June 1995 laying down detailed rules of application for imports of molasses in the sugar sector and amending Regulation (EEC) No 785/68⁽³⁾, and in particular Articles 1 (2) and 3 (1) thereof,

Whereas Regulation (EC) No 1422/95 stipulates that the cif import price for molasses, hereinafter referred to as the 'representative price', should be set in accordance with Commission Regulation (EEC) No 785/68⁽⁴⁾; whereas that price should be fixed for the standard quality defined in Article 1 of the above Regulation;

Whereas the representative price for molasses is calculated at the frontier crossing point into the Community, in this case Amsterdam; whereas that price must be based on the most favourable purchasing opportunities on the world market established on the basis of the quotations or prices on that market adjusted for any deviations from the standard quality; whereas the standard quality for molasses is defined in Regulation (EEC) No 785/68;

Whereas, when the most favourable purchasing opportunities on the world market are being established, account must be taken of all available information on offers on the world market, on the prices recorded on important third-country markets and on sales concluded in international trade of which the Commission is aware, either directly or through the Member States; whereas, under Article 7 of Regulation (EEC) No 785/68, the Commission may for this purpose take an average of several prices as a basis, provided that this average is representative of actual market trends;

Whereas the information must be disregarded if the goods concerned are not of sound and fair marketable quality or

if the price quoted in the offer relates only to a small quantity that is not representative of the market; whereas offer prices which can be regarded as not representative of actual market trends must also be disregarded;

Whereas, if information on molasses of the standard quality is to be comparable, prices must, depending on the quality of the molasses offered, be increased or reduced in the light of the results achieved by applying Article 6 of Regulation (EEC) No 785/68;

Whereas a representative price may be left unchanged by way of exception for a limited period if the offer price which served as a basis for the previous calculation of the representative price is not available to the Commission and if the offer prices which are available and which appear not to be sufficiently representative of actual market trends would entail sudden and considerable changes in the representative price;

Whereas where there is a difference between the trigger price for the product in question and the representative price, additional import duties should be fixed under the conditions set out in Article 3 of Regulation (EC) No 1422/95; whereas should the import duties be suspended pursuant to Article 5 of Regulation (EC) No 1422/95, specific amounts for these duties should be fixed;

Whereas application of these provisions will have the effect of fixing the representative prices and the additional import duties for the products in question as set out in the Annex to this Regulation;

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

HAS ADOPTED THIS REGULATION:

Article 1

The representative prices and the additional duties applying to imports of the products referred to in Article 1 of Regulation (EC) No 1422/95 are fixed in the Annex hereto.

Article 2

This Regulation shall enter into force on 7 November 1996.

⁽¹⁾ OJ No L 177, 1. 7. 1981, p. 4.

⁽²⁾ OJ No L 206, 16. 8. 1996, p. 43.

⁽³⁾ OJ No L 141, 24. 6. 1995, p. 12.

⁽⁴⁾ OJ No L 145, 27. 6. 1968, p. 12.

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

Done at Brussels, 6 November 1996.

For the Commission

Franz FISCHLER

Member of the Commission

ANNEX

fixing the representative prices and additional import duties applying to imports of molasses in the sugar sector

CN code	Amount of the representative price in ECU per 100 kg net of the product in question	Amount of the additional duty in ECU per 100 kg net of the product in question	Amount of the duty to be applied to imports in ECU per 100 kg net of the product in question because of suspension as referred to in Article 5 of Regulation (EC) No 1422/95 ⁽²⁾
1703 10 00 ⁽¹⁾	7,52	0,00	—
1703 90 00 ⁽¹⁾	11,15	—	0,00

⁽¹⁾ For the standard quality as defined in Article 1 of amended Regulation (EEC) No 785/68.

⁽²⁾ This amount replaces, in accordance with Article 5 of Regulation (EC) No 1422/95, the rate of the Common Customs Tariff duty fixed for these products.

COMMISSION REGULATION (EC) No 2131/96

of 6 November 1996

amending Regulation (EC) No 1503/96 on the detailed rules for the application of Council Regulation (EC) No 3072/95 with regard to import duties on rice

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EC) No 3072/95 of 22 December 1995 on the common organization of the market in rice⁽¹⁾, and in particular Article 11 (2) and (4) thereof,

Whereas, in order to simplify the administration relating to the calculation of the import duties provided for in Commission Regulation (EC) No 1503/96⁽²⁾, import duties taking account of the average representative cif import prices for rice in bulk noted over a period of two weeks should be established in the rice sector every two weeks on a Wednesday and on the last working day of March, April, May, June and August;

Whereas it has transpired that the prices of certain varieties of Pakistani Basmati rice, in particular grade I Kernel Basmati and Super Basmati, are around the same level as the price of Basmati rice originating in India; whereas the Pakistani authorities have indicated that around 9 000 tonnes of these qualities are available for export to the Community; whereas the certificate of authenticity provided for in Annex I to Regulation (EC) No 1503/96 will from now on be granted only for these qualities; whereas, therefore, the reduction in import duties for Pakistani rice thus certified should be aligned with that for Basmati rice of Indian origin; whereas the Commission will closely follow market trends and may propose appropriate amendments on the basis of those trends;

Whereas, however, it is no longer appropriate to grant the present reduction of ECU 50 per tonne for Pakistani rice which has not been thus certified, given that the average market price for these types of rice is not generally substantially different from the established representative price;

Whereas, in the interests of clarity, Commission Regulation (EEC) No 81/92 of 15 January 1992 laying down detailed rules for the application of Council Regulation (EEC) No 3877/86 on imports of rice of the long-grain aromatic Basmati variety⁽³⁾, as amended by Regulation (EC) No 2123/95⁽⁴⁾, should be repealed, since it no longer

has a legal basis; whereas, however, its provisions as regards the issuing of certificates of authenticity for this type of rice should be set out in this Regulation;

Whereas the application for an import licence and the import licence for Basmati rice must contain particular information to enable the quantities imported to be checked;

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

HAS ADOPTED THIS REGULATION:

Article 1

Regulation (EC) No 1503/96 is hereby amended as follows:

1. in Article 4 (1):

(a) the first subparagraph is replaced by the following:

'1. The import duties for the products referred to in Article 3 shall be calculated every week but shall be fixed by the Commission every two weeks on a Wednesday and on the last working day of the months of March, April, May, June and August, in accordance with the method provided for in Article 5 and shall apply from the first working day following their fixing and the first day of the following month, respectively.'

(b) the third subparagraph is replaced by the following:

'The fixing carried out on the last working day of the months of March, April, May and June shall be based on the intervention price for the following month which shall be subject to monthly increases in accordance with Article 3 (2) of Regulation (EC) No 3072/95.'

2. Article 4 (4) is repealed;

3. the following Article is added:

Article 4 a

1. Basmati rice originating in India and Basmati rice of the varieties 'Kernel Basmati' and 'Super Basmati' originating in Pakistan falling within CN codes ex 1006 20 17 and ex 1006 20 98 may benefit from a reduction in the import duty of ECU 250 per tonne.

⁽¹⁾ OJ No L 329, 30. 12. 1995, p. 18.

⁽²⁾ OJ No L 189, 30. 7. 1996, p. 71.

⁽³⁾ OJ No L 10, 16. 1. 1992, p. 9.

⁽⁴⁾ OJ No L 212, 7. 9. 1995, p. 8.

This amount may be revised in response to market trends, in particular as regards the quantities imported.

2. Import licence applications and import licences for Basmati rice shall include:

(a) in box 8, indication of the country of origin and the word 'yes' marked with a cross;

(b) in box 20, one of the following:

- Arroz aromático de la variedad Basmati del código NC 1006 20 17/1006 20 98
- Aromatisk ris af sorten Basmati henhørende under KN-kode 1006 20 17/1006 20 98
- Aromatischer Reis der Sorte Basmati des KN-Codes 1006 20 17/1006 20 98
- Αρωματικό ρύζι της ποικιλίας Basmati του κωδικού ΣΟ 1006 20 17/1006 20 98
- Aromatic rice of the Basmati variety falling within CN code 1006 20 17/1006 20 98
- Riz aromatique de la variété Basmati du code NC 1006 20 17/1006 20 98
- Riso aromatico della varietà Basmati del codice NC 1006 20 17/1006 20 98
- Aromatische Basmati-rijst van GN-code 1006 20 17/1006 20 98
- Arroz aromático da variedade Basmati do código NC 1006 20 17/1006 20 98
- CN-koodiin 1006 20 17/1006 20 98 kuuluvan Basmati-lajikkeiden aromaattinen riisi
- Aromatiskt ris av sorten Basmati med KN-nummer 1006 20 17/1006 20 98;

(c) in box 24, one of the following:

- Derecho de aduana reducido de 250 Ecu/t [Reglamento (CE) n° 2131/96]
- Told nedsat med 250 ECU/ton (Forordning (EF) nr. 2131/96)
- Um 250 Ecu/t ermäßigter Zollsatz (Verordnung (EG) Nr. 2131/96)
- Μειωμένος δασμός κατά 250 Ecu ανά τόνο [κανονισμός (ΕΚ) αριθ. 2131/96]
- Reduced duty by 250 Ecu/t (Regulation (EC) No 2131/96)
- Droit réduit de 250 Ecu/t [Règlement (CE) n° 2131/96]
- Dazio ridotto di 250 Ecu/t [Regolamento (CE) n. 2131/96]
- Douanerecht verminderd met 250 ecu/t (Verordening (EG) nr. 2131/96)
- Direito reduzido de 250 Ecu/t [Regulamento (CE) n° 2131/96]
- Tulli alennettu 250 eculla tonnilta (Asetus (EY) N:o 2131/96)

— Nedsättning av tull med 250 ecu/ton (Förordning (EG) nr 2131/96).

3. The import licence application for Basmati rice shall be accompanied by:

- proof that the applicant is a natural or legal person who has been engaged for at least 12 months in a commercial activity in the rice sector and who is registered in the Member State where the application is submitted,
- a certificate of authenticity for the product issued by the competent bodies recognized by the Commission in the exporting country and listed in Annex III.

4. The certificate of authenticity shall be drawn up on the form a specimen of which is shown in Annex II.

The form shall have a format of approximately 210 × 297 millimetres. The original shall be drawn up on paper allowing any mechanical or chemical forgery to be detected.

The forms shall be printed and completed in English.

The original and the copies thereof shall be completed either using a typewriter or by hand. In the latter case, they must be completed in ink using block capitals.

Each certificate of authenticity shall bear a serial number in the right-hand uppermost box. The copies shall bear the same number as the original.

5. The body issuing the import licence shall keep the original of the certificate of authenticity and return a copy to the applicant.

The certificate of authenticity shall be valid for ninety days from the date of its issue.

It shall be valid only if the boxes have been properly completed and if it has been stamped in accordance with the instructions printed on it.

6. Article 9 of Regulation (EEC) No 3719/88 (*) notwithstanding, the rights arising from the import licence shall not be transferable.

7. The Member States shall forward to the Commission, by telex or fax, the following information:

- (a) not later than the second working day following their issue, the quantities of Basmati rice for which import licences have been issued, stating the date, CN code, country of origin and the names and addresses of the holders;
- (b) where licences are cancelled, not later than the second working day following the cancellation, the quantities for which the licences have been cancelled and the names and addresses of the holders of the licences cancelled;

- (c) on the last working day of the month following the month of release for free circulation, the quantities actually released for free circulation, broken down by CN code and country of origin.

The above information must be forwarded separately from information on other applications for import licences in the rice sector and following the same procedures.

8. Article 10 of Regulation (EC) No 1162/95 notwithstanding, the security for import licences for Basmati rice originating in India and Pakistan shall be ECU 275 per tonne.

(¹) OJ No L 331, 2. 12. 1988, p. 1.

- 4) The following Annex is added:

ANNEX III

Competent bodies for the issue of the certificate of authenticity referred to in Article 4 a

INDIA: — Export Inspection Council
(Ministry of Commerce, Government of India)

— Directorate of marketing and Inspection (Ministry of Agriculture and Rural Development)

PAKISTAN: — Rice Export Corporation of Pakistan Ltd, Karachi.

Article 2

Regulation (EEC) No 81/92 is hereby repealed. References to Regulation (EEC) No 81/92 in other Regulations shall be read as references to the comparable provisions of this Regulation.

Article 3

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

It shall apply from 27 November 1996.

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

Done at Brussels, 6 November 1996.

For the Commission

Franz FISCHLER

Member of the Commission

COMMISSION REGULATION (EC) No 2132/96

of 6 November 1996

adopting for 1997 the measures to improve the quality of olive oil production

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

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⁾, as last amended by Regulation (EC) No 1581/96⁽²⁾, and in particular Article 5 (5) thereof,

Whereas, pursuant to Article 5 (4) of Regulation No 136/66/EEC, a percentage of the production aid earmarked for olive oil producers may be allocated to financing action at regional level to improve the quality of olive oil production; whereas, under Article 4 of Council Regulation (EC) No 1535/95⁽³⁾, 1,4 % of the production aid earmarked for olive oil producers in the relevant Member States has been allocated to financing action to improve the quality of olive oil in those countries;

Whereas rules for the execution and monitoring of the operations in question should be laid down; whereas the tasks that may be assigned to producers' organizations should also be defined;

Whereas the measures laid down for 1996 should be maintained so as to provide for a wide selection on the basis of the requirements and opportunities existing in each Member State;

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

HAS ADOPTED THIS REGULATION:

Article 1

1. This Regulation specifies the action to be taken during the period 1 January to 31 December 1997 to improve the quality of olive oil production.

⁽¹⁾ OJ No 172, 30. 9. 1966, p. 3025/66.

⁽²⁾ OJ No L 206, 16. 8. 1996, p. 11.

⁽³⁾ OJ No L 148, 30. 6. 1995, p. 13.

2. Action shall be taken in the following areas:

- (a) control of the olive fly (*Dacus oleae*) and, where appropriate, other harmful organisms;
- (b) improvement of the treatment of olive trees, of the cropping, storage and processing of olives and of the storage of the oils produced;
- (c) technical assistance during the year to olive growers and to mills with a view to improving the quality, production and processing of olives into oil;
- (d) the installation and/or the management of tasting rooms to assess the organoleptic characteristics of the virgin olive oils;
- (e) the installation and/or the management at regional or provincial level of laboratories to analyse the physical and chemical properties of olive oils;
- (f) collaboration with bodies specializing in research programmes to improve the quality of olive oil.

Article 2

Expenditure on action as defined in this Regulation shall be financed by resources arising from the deduction made from the production aid pursuant to Article 4 of Regulation (EC) No 1535/95. The distribution of resources for the financing of action shall be based on the amount withheld in each Member State.

Article 3

On the basis of the resources available, each Member State shall draw up a programme covering part or all of the field of action indicated in Article 1.

Article 4

In the case of action as indicated in Article 1 (2) (a), the programme shall comprise:

- (a) a list of the olive oil production zones in which action against the olive fly is to be considered a matter of priority in view of the likely impact of the programme on the quality of the oil produced and the impact of the production volume involved;
- (b) where regional situations so dictate, a list of the olive oil production zones in which action against other harmful organisms is to be considered a matter of priority in view of the likely impact of the programme on the quality of the oil produced and the impact of the production volume involved;

(c) a plan for establishing or maintaining a monitoring, warning and assessment system in each priority production zone, comprising in particular:

- means of measuring the population of olive fly or of other harmful organisms,
- a warning and treatment prescription mechanism,
- means of training and briefing producers,
- means of assessing the warning mechanism and the effects of treatment;

(d) a draft plan for effecting treatment necessary in each production zone.

Article 5

In the case of action as indicated in Article 1 (2) (b), the programme shall comprise:

- a product training course covering treatment of olive trees, the optimum cropping period and cropping and processing methods,
- a training course for mill managers and technical staff on olive storage and processing methods and on the quality and storage of the oils produced.

Article 6

In the case of action as indicated in Article 1 (2) (c), the programme shall comprise a detailed description of the technical assistance contract, the area involved, the proposed objectives and the means to be used to achieve them.

Article 7

In the case of action as indicated in Article 1 (2) (d), the programme shall comprise the specifications proposed for the installation and/or management of tasting rooms, account being taken of the information set out in Annex XII to Commission Regulation (EEC) No 2568/91⁽¹⁾.

Article 8

In the case of action as indicated in Article 1 (2) (e), the programme shall comprise a description of the analyses to be carried out, and of the equipment to be acquired.

Article 9

In the case of action under Article 1 (2) (f), the programme shall include a detailed description of the scientific research, aims and methods, and whether the

research organization or organizations specialize in research.

Article 10

1. Each Member State concerned shall transmit its action programme to the Commission by 16 December 1996 at the latest.

The programme shall comprise:

- (a) a detailed description of the action planned, giving duration and costs;
- (b) a list of all products and equipment required, with unit costs;
- (c) a list of the centres, bodies or producers' organizations responsible for execution of the various actions.

2. Within 30 days of receipt of the programme, the Commission may ask the Member State to make any changes it considers desirable. The Member State shall adjust the programme in accordance with the Commission's requests.

3. The programme shall be adopted definitively by the Member State by 31 January 1997 at the latest and transmitted immediately to the Commission.

The contracts or agreements with the centres, bodies or producers' organizations responsible for implementing the measures or the administrative provisions adopted by the Member State with regard to the said centres, bodies or producers' organizations shall be concluded or adopted to take effect on 1 March 1997.

Those contracts or agreements may be multiannual and shall be subject to adjustments resulting from the approval by the Commission of subsequent programmes.

The Member States shall use the standard contract provided by the Commission.

The Member State shall be responsible for execution of the programme.

4. Expenditure arising from the programme adopted by the Member State, as adjusted in line with any requests made by the Commission, shall be eligible under this Regulation.

However, expenditure on:

- carrying out treatment as referred to in Article 4,
- testers' allowances and the salaries of laboratory personnel;

shall be chargeable only to a maximum of 75 %.

5. The contractor's general costs, including any subcontracting costs, shall be limited to a maximum of 2 % of the overall eligible expenditure.

⁽¹⁾ OJ No L 248, 5. 9. 1991, p. 1.

Article 10

Treatments may be carried out by olive oil producer groups or associations thereof recognized under Article 20c of Regulation No 136/66/EEC.

When insecticides are used in anti-olive-fly treatment, such treatment must be carried out in conjunction with protein traps. However, in special circumstances and under the direction of the bodies responsible for prescribing treatment, different procedures for insecticide use may be authorized. Insecticides and application methods must be such that no residue can be detected in oil produced from olives from treated zones.

Integrated biological pest control methods may also be used.

Article 11

Payments in connection with:

- contracts and agreements concluded or adopted by the Member State with the centres, bodies or organizations referred to in Article 10 (1) (c), or
- the administrative arrangements made by the Member State with regard to such centres, bodies or organizations,

shall be made up on presentation of documentary proof of the expenditure incurred and after the competent authorities have checked the said documents and have verified that the obligations laid down have been observed.

At the time of signing of the contract or agreement, the contractor shall lodge a security equal to at least 4 % of the value of the contract or the agreement to guarantee its performance. Where contracts or agreements cover a period of more than one year, the security shall be calculated on the basis of the value of each annual part of the contract.

The security shall be released subject to verification by the Member State of performance of the measure provided for in the contract or agreement within the time limits laid down therein or during the annual period applicable.

Advances of up to 30 % may be paid following the signing of the contract or agreement or on adoption of the administrative provisions, against the lodging of a security for an equivalent amount.

Further advances may be decided, against the lodging of an equal amount as security, when the Member State has been provided with supporting documents for expenditure effected using funds advanced previously.

Release of the security shall be subject to:

- (a) transmission to the Member State of the documentary evidence in support of the expenditure effected;

- (b) verification of such documentation and acknowledgment that the obligations laid down have been observed.

However, the Member State may stand surety for the centres and bodies referred to in Article 10 (1) (c) having the status of public establishments.

Where securities are forfeited they shall be deducted from the expenditure incurred by the European Agricultural Guidance and Guarantee Fund, Guarantee Section.

All centres, bodies or producer organizations responsible for carrying out the measures shall forward to the Member State within two months of the final date set in the contract for carrying out the measures, a detailed report on use of the Community funds and the results of the measures concerned. If the report is forwarded after the time limit of two months, 10 % of the Community funding per measure shall be deducted for each month or part thereof after the expiry of the time limit. The penalty shall be deducted from the expenditure incurred by the European Agricultural Guidance and Guarantee Fund, Guarantee Section.

Article 12

The Member States concerned shall monitor the application of their programmes in order to ensure that operations for which financing is granted are executed correctly. To this end, the Member States concerned shall carry out:

- administrative and accounting checks to verify the costs for which assistance was given,
- checks — on-the-spot checks in particular — to verify that the measures have been carried out in conformity with the provisions of the contract, the agreement or the administrative arrangements.

They shall inform the Commission of the monitoring measures provided for when transmitting the programme referred to in Article 3.

The Commission may also, if it deems advisable, request any amendment to the control arrangements.

A report on the execution of the programme and the monitoring measures carried out with reference to the forecasts shall be drawn up by the Member States concerned and transmitted to the Commission before 1 May 1998.

Article 13

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

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

Done at Brussels, 6 November 1996.

For the Commission

Franz FISCHLER

Member of the Commission

COMMISSION REGULATION (EC) No 2133/96

of 6 November 1996

on detailed rules for the application of Council Regulation (EEC) No 3483/92 laying down special measures for the transport of certain fresh fruit and vegetables originating in Greece and despatched in 1996

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EEC) No 3438/92 of 23 November 1992 laying down special measures for the transport of certain fresh fruit and vegetables originating in Greece ⁽¹⁾, as last amended by Regulation (EC) No 1600/96 ⁽²⁾, and in particular Article 3 thereof,

Having regard to Council Regulation (EEC) No 3813/92 of 28 December 1992 on the unit of account and the conversion rates to be applied for the purposes of the common agricultural policy ⁽³⁾, as last amended by Regulation (EC) No 150/95 ⁽⁴⁾, and in particular Articles 3 and 13 (2) thereof,

Whereas Regulation (EEC) No 3438/92 introduces a special temporary allowance for consignments of certain fresh fruit and vegetables originating in Greece despatched by refrigerated lorry, vessel or wagon from Greece to Member States other than Italy, Spain and Portugal in 1992, 1993, 1994, 1995 and 1996;

Whereas the detailed rules for the application of Regulation (EEC) No 3438/92 to consignments in 1992, 1993, 1994 and 1995 have already been laid down;

Whereas it is necessary to establish the consignors and consignments eligible for the special temporary allowance in 1996 and the minimum particulars to be indicated on the application for the grant of that allowance;

Whereas the increase in transport costs due to poor transport conditions in former Yugoslavia, despite the cessation of hostilities, can be regarded as identical for all means of transport and for all destinations;

Whereas, pursuant to Article 2 (2) of Regulation (EEC) No 3438/92, the special temporary allowance should be adjusted on a degressive basis;

Whereas, in order to limit expenditure, the special temporary allowance should be calculated on the basis of the anticipated quantities indicated by Greece;

Whereas applications for the special temporary allowance must be subject to verification and serious irregularities must be penalized;

Whereas the information which the competent Greek authorities must forward to the Commission and the time limit within which it must be forwarded must be defined;

Whereas this Regulation must apply from 1 January 1996;

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

HAS ADOPTED THIS REGULATION:

Article 1

The special temporary allowance provided for in Article 1 of Regulation (EEC) No 3438/92 shall be granted:

- (a) to consignors, be they natural or legal persons, who have actually borne the costs of the consignments in question;
- (b) in respect of consignments leaving Greek territory in 1996;
- (c) in respect of quantities actually imported into a Member State other than Italy, Spain and Portugal.

Article 2

1. Applications for the special temporary allowance shall be submitted to the competent Greek authorities no later than six months after despatch of the consignments in question.

However, such applications shall be submitted no later than six months after the date of entry into force of this Regulation where they relate to consignments despatched prior to that date.

2. Applications must contain at least the following information:

- (a) the name or company name and address of the applicant;
- (b) the total quantities of the products meeting the conditions set out in Article 1 of Regulation (EEC) No 3438/92 and Article 1 of this Regulation, in net weight broken down by product and by consignment;

⁽¹⁾ OJ No L 350, 1. 12. 1992, p. 1.

⁽²⁾ OJ No L 206, 16. 8. 1996, p. 45.

⁽³⁾ OJ No L 387, 31. 12. 1992, p. 1.

⁽⁴⁾ OJ No L 22, 31. 1. 1995, p. 1.

(c) in respect of each consignment:

- the total quantity, in net weight broken down by product,
- the Member State of destination,
- the means of transport used,
- the invoice for the transport costs, made out in the name of the applicant and receipted, or a copy of the transport document if this identifies the person who actually bore the cost of the consignment in question,
- a copy of the T5 document drawn up by the Greek authorities and stamped by the Member State of destination,
- a declaration by the applicant certifying that the products making up the consignment in question originate in Greece.

3. The competent Greek authorities shall decide whether applications are admissible.

Article 3

1. The special temporary allowance provided for in Article 1 of Regulation (EEC) No 3438/92 shall be ECU 3,21 per 100 kilograms net weight for consignments from 1 January to 17 October 1996 and ECU 2,76 per 100 kilograms net weight for consignments from 18 October to 31 December 1996.

However, if the quantities covered by applications for consignments from 1 January to 17 October 1996 exceed 175 500 tonnes or if the quantities covered by applications for consignments from 18 October to 31 December 1996 exceed 41 000 tonnes, the special temporary allowance shall be reduced in proportion to the overrun in the relevant period. Furthermore, the amount thus calculated for the second period may not be higher than that for the first period.

2. The rate to be applied for the conversion of the special temporary allowance into Greek drachmas shall be the agricultural conversion rate in force on the date of issue of the T5 document referred to in the fifth indent of Article 2 (2) (c).

3. The special temporary allowance shall be paid in two instalments. The first instalment shall be paid within three months of submission of admissible applications and shall be equal to 60 % of the special temporary allowance. The second instalment shall be paid by 15 October 1997.

Article 4

The competent Greek authorities shall carry out the verifications relating to the grant of the special temporary allowance.

Article 5

1. Where a special temporary allowance has been paid unduly, the competent Greek authorities shall recover the amounts paid, plus interest from the date of payment until the actual date of recovery, plus, in the event of a serious irregularity, a penalty sum equal to the amounts unduly paid. The rate to be applied for the calculation of interest shall be that in force for similar recovery operations under Greek law.

2. Special temporary allowances recovered, where applicable, together with interest and penalty sums shall be paid to the paying agencies or departments and deducted by them from expenditure financed by the Guarantee Section of the European Agricultural Guidance and Guarantee Fund.

Article 6

The competent Greek authorities shall notify the Commission by 31 August 1997 of the total quantities of products covered by admissible applications under this Regulation, broken down by product, means of transport, Member State of destination and period of despatch.

Article 7

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

It shall apply with effect from 1 January 1996.

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

Done at Brussels, 6 November 1996.

For the Commission

Franz FISCHLER

Member of the Commission

COMMISSION REGULATION (EC) No 2134/96
of 6 November 1996

**amending Regulation (EC) No 3582/93 laying down detailed rules for the
application of Council Regulation (EEC) No 2073/92 on promoting consumption
in the Community and expanding the markets for milk and milk products**

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

Having regard to Council Regulation (EEC) No 2073/92
of 30 June 1992 on promoting consumption in the
Community and expanding the markets for milk and
milk products⁽¹⁾, and in particular Article 4 thereof,

Whereas Article 6 (2) of Commission Regulation (EC) No
3582/93⁽²⁾ provides that the competent body shall
conclude contracts for the selected measures with the
successful applicants within one month of notification of
the decision to the Member States; whereas this time limit
expired on 2 June 1996 for the marketing year 1995/96;
whereas strikes by the public services in Greece have
precluded the conclusion of such contracts within the
deadline for the marketing year 1995/96;

Whereas, as a result, a deadline of 31 December 1996 for
the conclusion of the contract should be set for the
marketing year 1995/96 in the case of Greece; whereas
the delay in the conclusion of the contract will not neces-
sitate a prolongation in the period for the accomplish-
ment of the measures beyond the date that would other-
wise have been applicable;

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

HAS ADOPTED THIS REGULATION:

Article 1

The following subparagraph is inserted after the first
subparagraph of Article 6 (2) of Regulation (EC) No
3582/93:

‘However, for the marketing year 1995/96, in the case
of Greece, the contracts for the selected measures with
the successful applicants shall be concluded before 31
December 1996.’

Article 2

This Regulation shall enter into force on the day follo-
wing its publication in the *Official Journal of the Euro-
pean Communities*.

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

Done at Brussels, 6 November 1996.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ No L 215, 30. 7. 1992, p. 67.

⁽²⁾ OJ No L 326, 28. 12. 1993, p. 23.

COMMISSION REGULATION (EC) No 2135/96

of 6 November 1996

fixing, for October 1996, the specific agricultural conversion rate for the amount of the reimbursement of storage costs in the sugar sector

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

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⁾, as last amended by Regulation (EC) No 1599/96⁽²⁾,

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

Having regard to Commission Regulation (EEC) No 1713/93 of 30 July 1993 establishing special detailed rules for applying the agricultural conversion rate in the sugar sector⁽⁵⁾, as last amended by Regulation (EC) No 2926/94⁽⁶⁾, and in particular Article 1 (3) thereof,

Whereas Article 1 (2) of Regulation (EEC) No 1713/93 provides that the amount of the reimbursement of storage costs referred to in Article 8 of Regulation (EEC) No 1785/81 is to be converted into national currency using a specific agricultural conversion rate equal to the average, calculated *pro rata temporis*, of the agricultural

conversion rates applicable during the month of storage; whereas that specific rate must be fixed each month for the previous month;

Whereas application of these provisions will lead to the fixing, for October 1996, of the specific agricultural conversion rate for the amount of the reimbursement of storage costs in the various national currencies as indicated in the Annex to this Regulation,

HAS ADOPTED THIS REGULATION:

Article 1

The specific agricultural conversion rate to be used to convert the amount of the reimbursement of storage costs referred to in Article 8 of Regulation (EEC) No 1785/81 into each of the national currencies for October 1996 shall be as indicated in the Annex hereto.

Article 2

This Regulation shall enter into force on 7 November 1996.

It shall apply with effect from 1 October 1996.

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

Done at Brussels, 6 November 1996.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ No L 177, 1. 7. 1981, p. 4.

⁽²⁾ OJ No L 206, 16. 8. 1996, p. 43.

⁽³⁾ OJ No L 387, 31. 12. 1992, p. 1.

⁽⁴⁾ OJ No L 22, 31. 1. 1995, p. 1.

⁽⁵⁾ OJ No L 159, 1. 7. 1993, p. 94.

⁽⁶⁾ OJ No L 307, 1. 12. 1994, p. 56.

ANNEX

to the Commission Regulation of 6 November 1996 fixing, for October 1996, the specific agricultural conversion rate for the amount of the reimbursement of storage costs in the sugar sector

Agricultural conversion rates		
ECU 1 =	39,5720	Belgian and Luxembourg francs
	7,49997	Danish kroner
	1,92055	German marks
	311,761	Greek drachmas
	165,198	Spanish pesetas
	6,61023	French francs
	0,829498	Irish punt
	1 973,93	Italian lire
	2,15444	Dutch guilders
	13,5119	Austrian schillings
	198,202	Portuguese escudos
	6,02811	Finnish marks
	8,64446	Swedish kroner
	0,833821	Pound sterling

COMMISSION REGULATION (EC) No 2136/96
of 6 November 1996
fixing the import duties in the rice sector

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

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

Having regard to Commission Regulation (EC) No 1503/96 of 29 July 1996 laying down detailed rules for the application of Council Regulation (EC) No 3072/95 as regards import duties in the rice sector ⁽²⁾, and in particular Article 4 (1) thereof,

Whereas Article 11 of Regulation (EC) No 3072/95 provides that the rates of duty in the Common Customs Tariff are to be charged on import of the products referred to in Article 1 of that Regulation; whereas, however, in the case of the products referred to in paragraph 2 of that Article, the import duty is to be equal to the intervention price valid for such products on importation and increased by a certain percentage according to whether it is husked or milled rice, minus the cif import price provided that duty does not exceed the rate of the Common Customs Tariff duties;

Whereas, pursuant to Article 12 (3) of Regulation (EC) No 3072/95, the cif import prices are calculated on the basis of the representative prices for the product in question on the world market or on the Community import market for the product;

Whereas Regulation (EC) No 1503/96 lays down detailed rules for the application of Regulation (EC) No 3072/95 as regards import duties in the rice sector;

Whereas the import duties are applicable until new duties are fixed and enter into force; whereas they also remain in force in cases where no quotation is available from the source referred to in Article 5 of Regulation (EC) No 1503/96 during the two weeks preceding the next periodical fixing;

Whereas, in order to allow the import duty system to function normally, the market rates recorded during a reference period should be used for calculating the duties;

Whereas application of Regulation (EC) No 1503/96 results in import duties being fixed as set out in the Annexes to this Regulation,

HAS ADOPTED THIS REGULATION:

Article 1

The import duties in the rice sector referred to in Article 11 (1) and (2) of Regulation (EC) No 3072/95 shall be those fixed in Annex I to this Regulation on the basis of the information given in Annex II.

Article 2

This Regulation shall enter into force on 7 November 1996.

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

Done at Brussels, 6 November 1996.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ No L 329, 30. 12. 1995, p. 18.

⁽²⁾ OJ No L 189, 30. 7. 1996, p. 71.

ANNEX I

to the Commission Regulation of 6 November 1996 fixing the import duties on rice and broken rice

(ECU/tonne)

CN code	Duties ⁽¹⁾			
	Third countries (except ACP and Bangladesh) ⁽¹⁾ ⁽⁸⁾	ACP Bangladesh ⁽¹⁾ ⁽²⁾ ⁽³⁾ ⁽⁴⁾	Basmati India ⁽⁶⁾ Article 4 of Regulation (EC) No 1573/95	Basmati Pakistan ⁽⁷⁾ Article 4 of Regulation (EC) No 1573/95
1006 10 21	⁽⁸⁾	140,81		
1006 10 23	⁽⁸⁾	140,81		
1006 10 25	⁽⁸⁾	140,81		
1006 10 27	⁽⁸⁾	140,81		
1006 10 92	⁽⁸⁾	140,81		
1006 10 94	⁽⁸⁾	140,81		
1006 10 96	⁽⁸⁾	140,81		
1006 10 98	⁽⁸⁾	140,81		
1006 20 11	360,65	175,99		
1006 20 13	360,65	175,99		
1006 20 15	360,65	175,99		
1006 20 17	309,76	150,54	59,76	259,76
1006 20 92	360,65	175,99		
1006 20 94	360,65	175,99		
1006 20 96	360,65	175,99		
1006 20 98	309,76	150,54	59,76	259,76
1006 30 21	⁽⁸⁾	271,09		
1006 30 23	⁽⁸⁾	271,09		
1006 30 25	⁽⁸⁾	271,09		
1006 30 27	⁽⁸⁾	271,09		
1006 30 42	⁽⁸⁾	271,09		
1006 30 44	⁽⁸⁾	271,09		
1006 30 46	⁽⁸⁾	271,09		
1006 30 48	⁽⁸⁾	271,09		
1006 30 61	⁽⁸⁾	271,09		
1006 30 63	⁽⁸⁾	271,09		
1006 30 65	⁽⁸⁾	271,09		
1006 30 67	⁽⁸⁾	271,09		
1006 30 92	⁽⁸⁾	271,09		
1006 30 94	⁽⁸⁾	271,09		
1006 30 96	⁽⁸⁾	271,09		
1006 30 98	⁽⁸⁾	271,09		
1006 40 00	⁽⁸⁾	84,38		

⁽¹⁾ Subject to the application of the provisions of Articles 12 and 13 of amended Council Regulation (EEC) No 715/90 (OJ No L 84, 30. 3. 1990, p. 85).

⁽²⁾ In accordance with Regulation (EEC) No 715/90, the duties are not applied to products originating in the African, Caribbean and Pacific States and imported directly into the overseas department of Réunion.

⁽³⁾ The import levy on rice entering the overseas department of Réunion is specified in Article 11 (3) of Regulation (EC) No 3072/95.

⁽⁴⁾ The duty on imports of rice not including broken rice (CN code 1006 40 00), originating in Bangladesh is applicable under the arrangements laid down in Council Regulation (EEC) No 3491/90 (OJ No L 337, 4. 12. 1990, p. 1) and amended Commission Regulation (EEC) No 862/91 (OJ No L 88, 9. 4. 1991, p. 7).

⁽⁵⁾ No import duty applies to products originating in the OCT pursuant to Article 101 (1) of amended Council Decision 91/482/EEC (OJ No L 263, 19. 9. 1991, p. 1).

⁽⁶⁾ For husked rice of the Basmati variety originating in India, a reduction of ECU 250 per tonne applies (Article 4 of Regulation (EC) No 1503/96).

⁽⁷⁾ For husked rice of the Basmati variety originating in Pakistan, a reduction of ECU 50 per tonne applies (Article 4 of Regulation (EC) No 1503/96).

⁽⁸⁾ Duties fixed in the Common Customs Tariff.

ANNEX II

Calculation of import duties for rice

	Paddy	Indica rice		Japonica rice		Broken rice
		Husked	Milled	Husked	Milled	
1. Import duty (ECU/tonne)	(¹)	309,76	572,00	360,65	572,00	(¹)
2. Elements of calculation:						
(a) Arag cif price (\$/tonne)	—	408,97	370,76	380,00	430,00	—
(b) fob price (\$/tonne)	—	—	—	350,00	400,00	—
(c) Sea freight (\$/tonne)	—	—	—	30,00	30,00	—
(d) Source	—	USDA	USDA	Operators	Operators	—

(¹) Duties fixed in the Common Customs Tariff.

COMMISSION REGULATION (EC) No 2137/96

of 6 November 1996

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

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

Having regard to Commission Regulation (EC) No 3223/94 of 21 December 1994 on detailed rules for the application of the import arrangements for fruit and vegetables⁽¹⁾, as last amended by Regulation (EC) No 1890/96⁽²⁾, and in particular Article 4 (1) thereof,

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

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

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

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

HAS ADOPTED THIS REGULATION:

Article 1

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

Article 2

This Regulation shall enter into force on 7 November 1996.

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

Done at Brussels, 6 November 1996.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ No L 337, 24. 12. 1994, p. 66.

⁽²⁾ OJ No L 249, 1. 10. 1996, p. 29.

⁽³⁾ OJ No L 387, 31. 12. 1992, p. 1.

⁽⁴⁾ OJ No L 22, 31. 1. 1995, p. 1.

ANNEX

to the Commission Regulation of 6 November 1996 establishing the standard import values for determining the entry price of certain fruit and vegetables

(ECU/100 kg)

CN code	Third country code ⁽¹⁾	Standard import value
0702 00 45	204	51,1
	999	51,1
0707 00 35	624	91,4
	999	91,4
0709 90 79	052	88,1
	999	88,1
0805 20 31	204	89,7
	999	89,7
0805 20 33, 0805 20 35, 0805 20 37, 0805 20 39	052	63,8
	999	63,8
0805 30 40	052	65,1
	388	66,0
	524	52,6
	528	49,1
	600	61,3
	999	58,8
0806 10 50	052	98,3
	400	258,5
	999	178,4
0808 10 92, 0808 10 94, 0808 10 98	052	68,2
	060	56,5
	064	52,4
	400	77,9
	404	77,7
	999	66,5
0808 20 67	052	69,9
	064	79,4
	999	74,7

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

II

(Acts whose publication is not obligatory)

COMMISSION

COMMISSION DECISION

of 25 October 1996

on applications for import licences for rice and broken rice submitted in the first five working days of October 1996 under the arrangements provided for in Council Regulation (EC) No 1522/96

(96/638/EC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

HAS ADOPTED THIS DECISION:

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EC) No 1522/96 of 24 July 1996 opening and providing for the administration of certain tariff quotas for imports of rice and broken rice⁽¹⁾, and in particular Article 5 (2) thereof,

Whereas, under Article 5 (2) of Regulation (EC) No 1522/96, the Commission must decide within 10 days of the closing date for the submission of licence applications the extent to which applications can be granted and must fix the available quantities for the following tranche; whereas the Commission must notify the Member States of its decision as soon as possible;

Whereas, in the light of the quantities for which applications are submitted during the first five working days of October 1996 and the quantities available, licences may be issued subject to the application of a standard percentage reduction,

Article 1

Import licences may be issued in respect of licence applications for rice submitted under the arrangements provided for in Regulation (EC) No 1522/96 in the first five working days of October 1996 and notified to the Commission, subject to the application of a standard percentage reduction to the quantities applied for of 99,244871 %.

Article 2

This Decision is addressed to the Member States.

Done at Brussels, 25 October 1996.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ No L 190, 31. 7. 1996, p. 1.

COMMISSION DECISION

of 28 October 1996

on financial aid from the Community for the operation of the Community
Reference Laboratory for Classical Swine Fever, Hannover, Germany

(Only the German text is authentic)

(Text with EEA relevance)

(96/639/EC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES, HAS ADOPTED THIS DECISION:

Having regard to the Treaty establishing the European Community,

Article 1

Having regard to Council Decision 90/424/EEC of 26 June 1990 on expenditure in the veterinary field⁽¹⁾, as last amended by Decision 94/370/EC⁽²⁾, and in particular Article 28 (2) thereof,

The Community shall grant Germany financial assistance for the functions and duties to be carried out in the Community Reference Laboratory for Classical Swine Fever at the Institute for Virology, School of Veterinary Medicine, Hannover.

Whereas Annex VI to Council Directive 80/217/EEC of 22 January 1980 introducing Community measures for the control of Classical Swine Fever⁽³⁾, as last amended by the Act of Accession of Austria, Finland and Sweden, designates the Institute of Virology, School of Veterinary Medicine, Hannover, Germany, as the Reference Laboratory for Classical Swine Fever;

Article 2

The Institute for Virology, School of Veterinary Medicine, Hannover, Germany, shall perform the functions and duties to which Article 1 relates. The provisions of Annex VI to Directive 80/217/EEC shall apply.

Whereas all the functions and duties which the laboratory has to perform are specified in Annex VI to that Directive; whereas Community assistance must be conditional on the accomplishment of these;

Article 3

Whereas the Community financial aid should be granted to the Community Reference Laboratory to enable it to carry out the said functions and duties;

The Community's financial assistance shall be a maximum of ECU 150 000 for the period from 1 October 1996 to 30 September 1997.

Whereas for budgetary reasons the Community assistance should be granted for a period of one year;

Article 4

Whereas for supervisory purposes Article 8 and 9 of Council Regulation (EEC) No 729/70 of 21 April 1970 on financing of the common agricultural policy⁽⁴⁾, as last amended by Regulation (EEC) No 2048/88⁽⁵⁾, should apply;

The Community's financial assistance shall be paid as follows:

- 70 % by way of an advance at Germany's request,
- the balance following presentation of supporting technical and financial documents. These documents must be presented before 1 December 1997.

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

Article 5

⁽¹⁾ OJ No L 224, 18. 8. 1990, p. 19.
⁽²⁾ OJ No L 168, 2. 7. 1994, p. 31.
⁽³⁾ OJ No L 47, 21. 2. 1980, p. 11.
⁽⁴⁾ OJ No L 94, 28. 4. 1970, p. 13.
⁽⁵⁾ OJ No L 185, 15. 7. 1988, p. 1.

Articles 8 and 9 of Regulation (EEC) No 729/70 shall apply *mutatis mutandis*.

Article 6

This Decision is addressed to the Federal Republic of Germany.

Done at Brussels, 28 October 1996.

For the Commission

Franz FISCHLER

Member of the Commission

EUROPEAN ECONOMIC AREA

EFTA SURVEILLANCE AUTHORITY

RECOMMENDATION OF THE EFTA SURVEILLANCE AUTHORITY

No 85/96/COL

of 10 July 1996

concerning a coordinated programme of inspections in 1996 to ensure compliance with maximum levels of pesticide residues in and on certain products of plant origin, including fruit and vegetables

THE EFTA SURVEILLANCE AUTHORITY,

Having regard to the EEA Agreement, and in particular Article 109 and Protocol 1 thereof,

Having regard to the Surveillance and Court Agreement, and in particular Article 5 (2) (b) and Protocol 1 thereof,

Having regard to the Act referred to in point 54 of Chapter XII of Annex II to the EEA Agreement (Council Directive 90/642/EEC of 27 November 1990 on the fixing of maximum levels for pesticide residues in and on certain products of plant origin, including fruit and vegetables, as amended) and in particular Article 4 (3) thereof,

Whereas Article 4 (2) of Directive 90/642/EEC requires the EFTA States to send to the EFTA Surveillance Authority by 1 August 1995 all necessary information on the implementation during 1994 of their national programmes of inspection to ensure compliance with maximum levels of pesticide residues set in Annex II to the said Directive; whereas the Authority has received certain information in accordance with this requirement;

Whereas Article 4 (1) of Directive 90/642/EEC requires the EFTA States to draw up forward programmes laying down the nature and frequency of the inspections to be carried out to ensure compliance with the established list of maximum levels of pesticide residues;

Whereas, by recommendation of the EFTA Surveillance Authority of 19 April 1995, concerning a coordinated programme of inspections in 1995 to ensure compliance with maximum levels of pesticide residues in and on certain products of plant origin, including fruit and vegetables, the Authority recommended the EFTA States to send to the Surveillance Authority by 1 September 1995 their intended national monitoring programmes for 1996; whereas the Authority has received certain information in response to this Recommendation;

Whereas Annex II of Directive 90/642/EEC, as amended, contains lists of harmonized maximum residue levels for certain pesticides, which should be subject to the national and coordinated programmes of inspections in 1996;

Whereas the amount of information made available to the EFTA Surveillance Authority is not sufficient to permit a complete overview of the EFTA States' completed and intended programmes of inspections;

Whereas it remains necessary to recommend general basic arrangements for the inspections for pesticide residues to be carried out by the EFTA States during 1996 in order to ensure compliance with the mandatory maximum levels of pesticide residues and to contribute to the good functioning of the European Economic Area;

Whereas it is important that information on current national quality assurance measures applied to sampling and analyses of pesticide residue levels is made available by the EFTA States as a basis for further discussion;

Whereas it would also be helpful for the establishment of future recommendations for the EFTA Surveillance Authority to be informed in advance of the EFTA States' forward programmes for 1997 for the monitoring of maximum levels of pesticide residues provided for by Directive 90/642/EEC;

Whereas the inspections and check sampling by EFTA States to ensure compliance with the maximum levels of pesticide residues set out in the list referred to in Article 1 (1) of Directive 90/642/EEC should be carried out in accordance with the requirements of the Act referred to in point 20 of Chapter XII of Annex II to the EEA Agreement (Directive 79/700/EEC establishing Community methods of sampling for the official control of pesticide residues in and on fruit and vegetables), the Act referred to in point 37 of Chapter XII of Annex II to the EEA Agreement (Directive 85/591/EEC concerning the introduction of Community methods of sampling and analysis for the monitoring of foodstuffs intended for human consumption) and the Acts referred to in points 50 and 54n on Chapter XII of Annex II to the EEA Agreement (Directives 89/397/EEC and 93/99/EEC on the official control of foodstuffs);

Whereas Liechtenstein shall comply with the provisions of the acts referred to in chapter XII of Annex II to the EEA Agreement by 1 January 2000; whereas Liechtenstein shall do its utmost to comply with the provisions of the acts referred to in that chapter by 1 January 1997; whereas therefore Liechtenstein should not be included in this Recommendation for 1996;

Whereas Norway and Iceland have been consulted within the EFTA Foodstuffs Committee assisting the EFTA Surveillance Authority on 7 November 1995,

HAS ADOPTED THIS RECOMMENDATION:

It is recommended that Norway and Iceland:

1. as a priority criterion, monitor products from a significant proportion of the groups of products set out in Annex I of Directive 90/642/EEC;
2. as a priority criterion, take a minimum number of samples reflecting production, consumption and importation into the EEA of each product regularly throughout 1996 or during the marketing season of the product, with clearly recorded origin and stage of trade or marketing;
3. as a priority criterion, analyse for residues of as many pesticides listed in Annex II to Directive 90/642/EEC as possible, bearing in mind the analytical methods employed;
4. as a priority criterion, draw up a general report on the current application of their quality assurance measures applied to sampling and analyses of pesticide residues, for information, at the same time as the report referred to in recommendation 6;

5. as a specific exercise for 1996, sample and analyse for the product/pesticide residue combinations set out in Annex, on the basis of a target number of 30 samples of each product, reflecting as appropriate, national, EEA and third country shares of the EFTA State's market and report the results, including analytical methods used and quality assurance measures, by 1 July 1997 if possible, but at the latest by 1 August 1997;
6. send to the EFTA Surveillance Authority all the information as required by Article 4 (2) of Directive 90/642/EEC and, in particular report the results of the monitoring exercise for 1995 concerning pesticides listed in Annex II to Directive 90/642/EEC;
and
7. by 1 September 1996, send to the EFTA Surveillance Authority their intended national monitoring programme for the year 1997.

Done at Brussels, 10 July 1996.

For the EFTA Surveillance Authority

Knut ALMESTAD

President

ANNEX

MRLs to be monitored in the specific exercise for 1996 set out in recommendation 5

PRODUCTS TO WHICH MRLs APPLY

Pesticide residue to be analysed	1. Apples	2. Table grapes	3. Strawberries	4. Tomatoes	5. Lettuce
Acephate	(x)	0.02 *	0.02 *	0.5	1
Chlorpyrifos	0.5	0.5	0.2	0.5	(x)
Chlorpyrifos-methyl	0.5	0.2	0.5	0.5	0.05 *
Methamidophos	(x)	(x)	(x)	0.5	0.2
Iprodione	10	10	10	5	10
Procymidone	(x)	5	5	2	5
Chlorothalonil	(x)	1	(x)	2	(x)
Benomyl group (a)	2	(x)	(x)	(x)	(x)
Maneb group (b)	(x)	2	2	(x)	5

(x) Indicates open or unharmonized position: Member States should report their national MRLs as well as the levels found in the specific exercise.

(a) Benomyl, Carbendazim, Thiophanat-Methyl (sum expressed as carbendazim).

(b) Maneb, Mancozeb, Metiram, Propineb, Zineb (sum expressed as CS₂).

CORRIGENDA

Corrigendum to Commission Regulation (EC) No 1444/96 of 24 July 1996 amending Annex I to Council Regulation (EC) No 1808/95 opening and providing for the administration of Community tariff quotas bound in GATT for certain agricultural, industrial and fisheries products and establishing the detailed provisions for adapting these quotas

(Official Journal of the European Communities No L 186 of 25 July 1996)

On page 12, second paragraph of Article 2:

for: 'It shall be applicable with effect from 1 January 1996.'

read: 'It shall be applicable with effect from 1 July 1996.'

Corrigendum to Decision No 4/96 of the Association Council between the European Communities and their Member States, of the one part, and the Republic of Poland, of the other part, of 16 July 1996 amending Protocol 4 concerning the definition of 'originating products' and methods of administrative cooperation (96/497/Euratom, ECSC, EC)

(Official Journal of the European Communities No L 208 of 17 August 1996)

On page 34 in Protocol 4, Article 2 (2), penultimate line:

for: '... have undergone working or processing going beyond that ...',

read: '... have undergone sufficient working or processing there, provided however that they have undergone working or processing going beyond that ...'.
