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I

(Acts whose publication is obligatory)

COMMISSION REGULATION (EC) No 2242/96
of 25 November 1996
concerning the stopping of fishing for plaice by vessels flying the flag of Belgium

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EEC) No 2847/93 of 12 October 1993 establishing a control system applicable to the common fisheries policy ⁽¹⁾, as amended by Regulation (EC) No 2870/95 ⁽²⁾, and in particular Article 21 ⁽³⁾ thereof,

Whereas Council Regulation (EC) No 3074/95 of 22 December 1995 fixing, for certain fish stocks and groups of fish stocks, the total allowable catches for 1996 and certain conditions under which they may be fished ⁽³⁾, as last amended by Regulation (EC) No 1952/96 ⁽⁴⁾, provides for plaice quotas for 1996;

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

Whereas, according to the information communicated to the Commission, catches of plaice in the waters of ICES division VII a by vessels flying the flag of Belgium or

registered in Belgium have reached the quota allocated for 1996; whereas Belgium has prohibited fishing for this stock as from 1 November 1996; whereas it is therefore necessary to abide by that date,

HAS ADOPTED THIS REGULATION:

Article 1

Catches of plaice in the waters of ICES division VII a by vessels flying the flag of Belgium or registered in Belgium are deemed to have exhausted the quota allocated to Belgium for 1996.

Fishing for plaice in the waters of ICES division VII a by vessels flying the flag of Belgium or registered in Belgium is prohibited, as well as the retention on board, the transshipment and the landing of such stock captured by the abovementioned vessels after the date of application of this Regulation.

Article 2

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

It shall apply with effect from 1 November 1996.

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

Done at Brussels, 25 November 1996.

For the Commission

Emma BONINO

Member of the Commission

⁽¹⁾ OJ No L 261, 20. 10. 1993, p. 1.

⁽²⁾ OJ No L 301, 14. 12. 1995, p. 1.

⁽³⁾ OJ No L 330, 30. 12. 1995, p. 1.

⁽⁴⁾ OJ No L 258, 11. 10. 1996, p. 1.

COMMISSION REGULATION (EC) No 2243/96
of 25 November 1996
concerning the stopping of fishing for common sole by vessels flying the flag of Belgium

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

Having regard to Council Regulation (EEC) No 2847/93 of 12 October 1993 establishing a control system applicable to the common fisheries policy ⁽¹⁾, as amended by Regulation (EC) No 2870/95 ⁽²⁾, and in particular Article 21 (3) thereof,

Whereas Council Regulation (EC) No 3074/95 of 22 December 1995 fixing, for certain fish stocks and groups of fish stocks, the total allowable catches for 1996 and certain conditions under which they may be fished ⁽³⁾, as last amended by Regulation (EC) No 1952/96 ⁽⁴⁾, provides for common sole quotas for 1996;

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

Whereas, according to the information communicated to the Commission, catches of common sole in the waters of ICES division VII a by vessels flying the flag of Belgium or registered in Belgium have reached the quota allocated

for 1996; whereas Belgium has prohibited fishing for this stock as from 1 November 1996; whereas it is therefore necessary to abide by that date,

HAS ADOPTED THIS REGULATION:

Article 1

Catches of common sole in the waters of ICES division VII a by vessels flying the flag of Belgium or registered in Belgium are deemed to have exhausted the quota allocated to Belgium for 1996.

Fishing for common sole in the waters of ICES division VII a by vessels flying the flag of Belgium or registered in Belgium is prohibited, as well as the retention on board, the transhipment and the landing of such stock captured by the abovementioned vessels after the date of application of this Regulation.

Article 2

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

It shall apply with effect from 1 November 1996.

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

Done at Brussels, 25 November 1996.

For the Commission

Emma BONINO

Member of the Commission

⁽¹⁾ OJ No L 261, 20. 10. 1993, p. 1.

⁽²⁾ OJ No L 301, 14. 12. 1995, p. 1.

⁽³⁾ OJ No L 330, 30. 12. 1995, p. 1.

⁽⁴⁾ OJ No L 258, 11. 10. 1996, p. 1.

COMMISSION REGULATION (EC) No 2244/96
of 25 November 1996
concerning the stopping of fishing for common sole by vessels flying the flag of Belgium

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

Having regard to Council Regulation (EEC) No 2847/93 of 12 October 1993 establishing a control system applicable to the common fisheries policy ⁽¹⁾, as amended by Regulation (EC) No 2870/95 ⁽²⁾, and in particular Article 21 (3) thereof,

Whereas Council Regulation (EC) No 3074/95 of 22 December 1995 fixing, for certain fish stocks and groups of fish stocks, the total allowable catches for 1996 and certain conditions under which they may be fished ⁽³⁾, as last amended by Regulation (EC) No 1952/96 ⁽⁴⁾, provides for common sole quotas for 1996;

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

Whereas, according to the information communicated to the Commission, catches of common sole in the waters of ICES division VII f, g by vessels flying the flag of Belgium or registered in Belgium have reached the quota allocated

for 1996; whereas Belgium has prohibited fishing for this stock as from 1 November 1996; whereas it is therefore necessary to abide by that date,

HAS ADOPTED THIS REGULATION:

Article 1

Catches of common sole in the waters of ICES division VII f, g by vessels flying the flag of Belgium or registered in Belgium are deemed to have exhausted the quota allocated to Belgium for 1996.

Fishing for common sole in the waters of ICES division VII f, g by vessels flying the flag of Belgium or registered in Belgium is prohibited, as well as the retention on board, the transshipment and the landing of such stock captured by the abovementioned vessels after the date of application of this Regulation.

Article 2

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

It shall apply with effect from 1 November 1996.

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

Done at Brussels, 25 November 1996.

For the Commission

Emma BONINO

Member of the Commission

⁽¹⁾ OJ No L 261, 20. 10. 1993, p. 1.

⁽²⁾ OJ No L 301, 14. 12. 1995, p. 1.

⁽³⁾ OJ No L 330, 30. 12. 1995, p. 1.

⁽⁴⁾ OJ No L 258, 11. 10. 1996, p. 1.

COMMISSION REGULATION (EC) No 2245/96

of 25 November 1996

concerning the stopping of fishing for plaice by vessels flying the flag of Belgium

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

Having regard to Council Regulation (EEC) No 2847/93 of 12 October 1993 establishing a control system applicable to the common fisheries policy ⁽¹⁾, as amended by Regulation (EC) No 2870/95 ⁽²⁾, and in particular Article 21 (3) thereof,

Whereas Council Regulation (EC) No 3074/95 of 22 December 1995 fixing, for certain fish stocks and groups of fish stocks, the total allowable catches for 1996 and certain conditions under which they may be fished ⁽³⁾, as last amended by Regulation (EC) No 1952/96 ⁽⁴⁾, provides for plaice quotas for 1996;

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

Whereas, according to the information communicated to the Commission, catches of plaice in the waters of ICES division VII f, g by vessels flying the flag of Belgium or registered in Belgium have reached the quota allocated for

1996; whereas Belgium has prohibited fishing for this stock as from 1 November 1996; whereas it is therefore necessary to abide by that date,

HAS ADOPTED THIS REGULATION:

Article 1

Catches of plaice in the waters of ICES division VII f, g by vessels flying the flag of Belgium or registered in Belgium are deemed to have exhausted the quota allocated to Belgium for 1996.

Fishing for plaice in the waters of ICES division VII f, g by vessels flying the flag of Belgium or registered in Belgium is prohibited, as well as the retention on board, the transshipment and the landing of such stock captured by the abovementioned vessels after the date of application of this Regulation.

Article 2

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

It shall apply with effect from 1 November 1996.

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

Done at Brussels, 25 November 1996.

For the Commission

Emma BONINO

Member of the Commission

⁽¹⁾ OJ No L 261, 20. 10. 1993, p. 1.

⁽²⁾ OJ No L 301, 14. 12. 1995, p. 1.

⁽³⁾ OJ No L 330, 30. 12. 1995, p. 1.

⁽⁴⁾ OJ No L 258, 11. 10. 1996, p. 1.

COMMISSION REGULATION (EC) No 2246/96
of 25 November 1996
concerning the stopping of fishing for cod by vessels flying the flag of Finland

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EEC) No 2847/93 of 12 October 1993 establishing a control system applicable to the common fisheries policy ⁽¹⁾, as amended by Regulation (EC) No 2870/95 ⁽²⁾, and in particular Article 21 (3) thereof,

Whereas Council Regulation (EC) No 3074/95 of 22 December 1995 fixing, for certain fish stocks and groups of fish stocks, the total allowable catches for 1996 and certain conditions under which they may be fished ⁽³⁾, as last amended by Regulation (EC) No 1952/96 ⁽⁴⁾, provides for cod quotas for 1996;

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

Whereas, according to the information communicated to the Commission, catches of cod in the waters of ICES division III b, c, d (EC-zone) by vessels flying the flag of Finland or registered in Finland have reached the quota

allocated for 1996; whereas Finland has prohibited fishing for this stock as from 6 November 1996; whereas it is therefore necessary to abide by that date,

HAS ADOPTED THIS REGULATION:

Article 1

Catches of cod in the waters of ICES III b, c, d (EC-zone) by vessels flying the flag of Finland or registered in Finland are deemed to have exhausted the quota allocated to Finland for 1996.

Fishing for cod in the waters of ICES III b, c, d (EC-zone) by vessels flying the flag of Finland or registered in Finland is prohibited, as well as the retention on board, the transshipment and the landing of such stock captured by the abovementioned vessels after the date of application of this Regulation.

Article 2

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

It shall apply with effect from 6 November 1996.

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

Done at Brussels, 25 November 1996.

For the Commission

Emma BONINO

Member of the Commission

⁽¹⁾ OJ No L 261, 20. 10. 1993, p. 1.

⁽²⁾ OJ No L 301, 14. 12. 1995, p. 1.

⁽³⁾ OJ No L 330, 30. 12. 1995, p. 1.

⁽⁴⁾ OJ No L 258, 11. 10. 1996, p. 1.

COMMISSION REGULATION (EC) No 2247/96

of 25 November 1996

concerning the stopping of fishing for salmon by vessels flying the flag of Finland

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EEC) No 2847/93 of 12 October 1993 establishing a control system applicable to the common fisheries policy⁽¹⁾, as amended by Regulation (EC) No 2870/95⁽²⁾, and in particular Article 21 (3) thereof,

Whereas Council Regulation (EC) No 3084/95 of 21 December 1995 allocating, for 1996, catch quotas between Member States for vessels fishing in Latvian waters⁽³⁾, provides for salmon quotas for 1996,

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

Whereas, according to the information communicated to the Commission, catches of salmon in the waters of ICES division III d (Latvian waters) by vessels flying the flag of Finland or registered in Finland have reached the quota allocated for 1996; whereas Finland has prohibited fishing

for this stock as from 1 November 1996; whereas it is therefore necessary to abide by that date,

HAS ADOPTED THIS REGULATION:

Article 1

Catches of salmon in the waters of ICES division III d (Latvian waters) by vessels flying the flag of Finland or registered in Finland are deemed to have exhausted the quota allocated to Finland for 1996.

Fishing for salmon in the waters of ICES division III d (Latvian waters) by vessels flying the flag of Finland or registered in Finland is prohibited, as well as the retention on board, the transhipment and the landing of such stock captured by the abovementioned vessels after the date of application of this Regulation.

Article 2

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

It shall apply with effect from 1 November 1996.

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

Done at Brussels, 25 November 1996.

For the Commission

Emma BONINO

Member of the Commission

⁽¹⁾ OJ No L 261, 20. 10. 1993, p. 1.

⁽²⁾ OJ No L 301, 14. 12. 1995, p. 1.

⁽³⁾ OJ No L 330, 30. 12. 1995, p. 86.

COMMISSION REGULATION (EC) No 2248/96

of 25 November 1996

on the supply of vegetable oil as food aid

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

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

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

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

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

HAS ADOPTED THIS REGULATION:

Article 1

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

The supply shall cover the mobilization of vegetable oil produced in the Community. Mobilization may not involve a product manufactured and/or packaged under inward processing arrangements.

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

Article 2

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

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

Done at Brussels, 25 November 1996.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ No L 166, 5. 7. 1996, p. 1.

⁽²⁾ OJ No L 204, 25. 7. 1987, p. 1.

⁽³⁾ OJ No L 81, 28. 3. 1991, p. 108.

ANNEX

LOT A

1. **Operation No** ⁽¹⁾: 1166/95
2. **Programme**: 1995
3. **Recipient** ⁽²⁾: CICR, 19 avenue de la Paix, CH-1202 Genève (tel.: (41-22) 734 60 01; telex: 22269 CICR CH)
4. **Representative of the recipient**: ICRC Tbilissi, Dutu Megrelli Road 1, 380003 Tbilissi (tel.: (78832) 935511; fax: (78832) 935520)
5. **Place or country of destination** ⁽³⁾: Georgia
6. **Product to be mobilized**: refined rape seed oil
7. **Characteristics and quality of the goods** ⁽³⁾ ⁽⁷⁾: see OJ No C 114, 29. 4. 1991, p. 1 (III.A.(1)(a))
8. **Total quantity (tonnes net)**: 200
9. **Number of lots**: 1
10. **Packaging and marking** ⁽⁴⁾ ⁽⁹⁾: see OJ No C 114, 29. 4. 1991, p. 1 (III.A.(2)(1), III.A.(2)(3) and III.A.(3))
one-litre metal canister, without cardboard cross-pieces
Language to be used for the marking: English
Supplementary marking 'ZZC-267'
11. **Method of mobilization**: mobilization of refined rape seed oil produced in the Community.
Mobilization may not involve a product manufactured and/or packaged under inward-processing arrangements.
12. **Stage of supply**: free at destination
13. **Port of shipment**: —
14. **Port of landing specified by the recipient**: —
15. **Port of landing**: —
16. **Address of the warehouse and, if appropriate, port of landing**: see point 4
17. **Period for making the goods available at the port of shipment where the supply is awarded at the port of shipment stage**: 6. — 19. 1. 1997
18. **Deadline for the supply**: 16. 2. 1997
19. **Procedure for determining the costs of supply**: invitation to tender
20. **Date of expiry of the period allowed for submission of tenders**: (12 noon (Brussels time)) 10. 12. 1996
21. **In the case of a second invitation to tender**:
 - (a) deadline for the submission of tenders: (12 noon (Brussels time)) 23. 12. 1996
 - (b) period for making the goods available at the port of shipment where the supply is awarded at the port of shipment stage: 20. 1. — 2. 2. 1997
 - (c) deadline for the supply: 2. 3. 1997
22. **Amount of tendering security**: ECU 15 per tonne
23. **Amount of delivery security**: 10 % of the amount of the tender in ecus
24. **Address for submission of tenders and tendering securities** ⁽¹⁾:
Bureau de l'aide alimentaire,
Attn. Mr T. Vestergaard,
Bâtiment Loi 130, bureau 7/46,
Rue de la Loi/Wetstraat 200,
B-1049 Brussels
telex: 25670 AGREC B; fax: (32-2) 296 70 03 / 296 70 04
25. **Refund payable on application by the successful tenderer** ⁽⁴⁾: —

LOT B

1. **Operation No** ⁽¹⁾: 1164/95
2. **Programme**: 1995
3. **Recipient** ⁽²⁾: Euronaid, Postbus 12, NL-2501 CA Den Haag, Nederland (tel.: (31 70) 33 05 757; fax: 36 41 701; telex: 30960 EURON NL)
4. **Representative of the recipient**: to be designated by the recipient
5. **Place or country of destination**: Haiti
6. **Product to be mobilized**: refined rape seed oil
7. **Characteristics and quality of the goods** ⁽³⁾ ⁽⁷⁾: see OJ No C 114, 29. 4. 1991, p. 1 (III.A.(1)(a))
8. **Total quantity (tonnes)**: 225
9. **Number of lots**: 1
10. **Packaging and marking** ⁽⁶⁾ ⁽⁸⁾: see OJ No C 114, 29. 4. 1991, p. 1 (III.A.(2)(1), III.A.(2)(3) and III.A.(3))
five-litre metal canister, without cardboard cross-pieces
Language to be used for the marking: French
11. **Method of mobilization**: mobilization of refined rape seed oil produced in the Community.
Mobilization may not involve a product manufactured and/or packaged under inward-processing arrangements
12. **Stage of supply**: free at port of shipment
13. **Port of shipment**: —
14. **Port of landing specified by the recipient**: —
15. **Port of landing**: —
16. **Address of the warehouse and, if appropriate, port of landing**: —
17. **Period for making the goods available at the port of shipment**: 6. — 26. 1. 1997
18. **Deadline for the supply**: —
19. **Procedure for determining the costs of supply**: invitation to tender
20. **Date of expiry of the period allowed for submission of tenders**: [12 noon (Brussels time)] 10. 12. 1996
21. **In the case of a second invitation to tender**:
 - (a) deadline for the submission of tenders: [12 noon (Brussels time)] 23. 12. 1996
 - (b) period for making the goods available at the port of shipment: 20. 1. — 9. 2. 1997
 - (c) deadline for the supply: —
22. **Amount of tendering security**: ECU 15 per tonne
23. **Amount of delivery security**: 10 % of the amount of the tender in ecus
24. **Address for submission of tenders and tendering securities** ⁽¹⁾:
Bureau de l'aide alimentaire,
Attn. Mr T. Vestergaard,
Bâtiment Loi 130, bureau 7/46,
Rue de la Loi/Wetstraat 200,
B-1049 Bruxelles/Brussel
telex: 25670 AGREC B; fax: (32-2) 296 70 03 / 296 70 04
25. **Refund payable on application by the successful tenderer** ⁽⁴⁾: —

Notes:

- (¹) The operation number should be mentioned in all correspondence.
 - (²) The successful tenderer shall contact the recipient as soon as possible to establish which consignment documents are required.
 - (³) The successful tenderer shall deliver to the beneficiary a certificate from an official entity certifying that for the product to be delivered the standards applicable, relative to nuclear radiation, in the Member State concerned, have not been exceeded. The radioactivity certificate must indicate the caesium-134 and -137 and iodine-131 levels.
 - (⁴) Article 7 (3) (g) of Regulation (EEC) No 2200/87 shall not be applicable to tenders submitted.
 - (⁵) Commission delegation to be contacted by the successful tenderer: OJ No C 114, 29. 4. 1991, p. 33.
 - (⁶) Notwithstanding OJ No C 114, point IIIA (3)(c) is replaced by the following: 'the words "European Community"'.

(⁷) The successful tenderer shall supply to the beneficiary or its representative, on delivery, a sanitary certificate.
 - (⁸) Shipment to take place in 20-foot containers, FCL/FCL (each containing 15 tonnes net). The supplier will be responsible for the cost of making the containers available in the stack position at the container terminal at the port of shipment. The beneficiary will be responsible for all subsequent loading costs, including the cost of moving the containers from the container terminal.

The provisions of Article 13 (2), second subparagraph, of Regulation (EEC) No 2200/87 shall not apply.

The successful tenderer must submit to the recipient's agent a complete packing list of each container, specifying the number of metal canisters belonging to each shipping number as specified in the invitation to tender. The successful tenderer must stow the cartons in the containers in such a way that any empty spaces are filled; he must stabilize the final row of cartons using stowage belts.

The successful tenderer must seal each container with a numbered locktainer (sysko locktainer 180 seal), the number of which is to be provided to the recipient's forwarder.
 - (⁹) Placed in 20-foot containers. The free holding period for containers must be at least 15 days.
-

**COMMISSION REGULATION (EC) No 2249/96
of 25 November 1996
on the supply of common wheat as food aid**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

HAS ADOPTED THIS REGULATION:

Having regard to the Treaty establishing the European Community,

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

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

Whereas, by its Decision of 22 October 1992 on the supply of food aid to Bangladesh, the Commission allocated to this country cereals to be supplied free at port of landing — undischarged;

Whereas it is necessary to provide for the carrying-out of this measure in accordance with the rules laid down by Commission Regulation (EEC) No 2200/87 of 8 July 1987 laying down general rules for the mobilization in the Community of products to be supplied as Community food aid⁽²⁾, as amended by Regulation (EEC) No 790/91⁽³⁾; whereas it is necessary to specify the time limits and conditions of supply and the procedure to be followed to determine the resultant costs,

Article 1

A tendering procedure is hereby initiated for the award of a contract for the supply of common wheat to Bangladesh in accordance with the provisions of Regulation (EEC) No 2200/87 and with the conditions laid down in Annex I hereto.

The offer submitted shall be deemed to have been drawn up taking account of the charges and constraints resulting from specific clauses set out in the exchange of letters between the Commission and the recipient, published in part in Annex II. In particular, the laydays should be assessed on the basis of an average daily discharge rate of 2 400 tonnes in such a way that dispatch to be paid to the recipient by the Community will be for the account of the successful tenderer.

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

Article 2

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

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

Done at Brussels, 25 November 1996.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ No L 166, 5. 7. 1996, p. 1.

⁽²⁾ OJ No L 204, 25. 7. 1987, p. 1.

⁽³⁾ OJ No L 81, 28. 3. 1991, p. 108.

ANNEX I

LOTS A, B

1. **Operation No** ⁽¹⁾: 38/96 (A); 39/96 (B)
2. **Programme**: 1996
3. **Recipient** ⁽²⁾: Bangladesh
4. **Representative of the recipient**: The Secretary, Ministry of Food, Bangladesh Secretariat, Dhaka, Bangladesh
5. **Place or country of destination** ⁽³⁾: Bangladesh
6. **Product to be mobilized**: common wheat
7. **Characteristics and quality of the goods** ⁽³⁾ ⁽⁷⁾: see OJ No C 114, 29. 4. 1991, p. 1 (under IIA. (1) (a))
8. **Total quantity (tonnes)**: 40750
9. **Number of lots**: 2 (lot A: 20 750 tonnes; lot B: 20 000 tonnes)
10. **Packaging and marking**: in bulk
11. **Method of mobilization**: the Community market
12. **Stage of supply**: free at port of landing — undischarged
13. **Port of shipment**: —
14. **Port of landing specified by the recipient**: —
15. **Port of landing**: Chittagong
16. **Address of the warehouse and, if appropriate, port of landing**: —
17. **Period for making the goods available at the port of shipment where the supply is awarded at the port of shipment stage**: A: 23. 12. 1996 — 5. 1. 1997; B: 6. — 19. 1. 1997
18. **Deadline for the supply** ⁽⁶⁾: A: 3. — 16. 2. 1997; B: 17. 2. — 2. 3. 1997
19. **Procedure for determining the costs of supply**: invitation to tender
20. **Date of expiry of the period allowed for submission of tenders**: 10. 12. 1996 (12 noon (Brussels time))
21. **In the case of a second invitation to tender**:
 - (a) deadline for the submission of tenders: 23. 12. 1996 (12 noon (Brussels time))
 - (b) period for making the goods available at the port of shipment where the supply is awarded at the port of shipment: A: 6. — 19. 1. 1997; B: 20. 1. — 2. 2. 1997
 - (c) deadline for the supply ⁽⁶⁾: A: 17. 2. — 2. 3. 1997; B: 3. — 16. 3. 1997
22. **Amount of tendering security**: ECU 5 per tonne
23. **Amount of delivery security**: 10 % of the amount of the tender in ecus
24. **Address for submission of tenders and tendering securities** ⁽¹⁾: Bureau de l'aide alimentaire, attn. Mr. T. Vestergaard, Bâtiment Loi 130, bureau 7/46, Rue de la Loi/Weststraat 200, B-1049 Brussels; Telex: 25670 AGREC B; fax: (32-2) 296 70 03 / 296 70 04
25. **Refund payable on application by the successful tenderer** ⁽⁴⁾: refund applicable on 15. 11. 1996, fixed by Commission Regulation (EC) No 2055/96 (OJ No L 276, 29. 10. 1996, p. 1)

Notes:

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

The amount of the refund shall be converted into national currency by applying the agricultural conversion rate applicable on the day of completion of the customs export formalities. The provisions of Articles 13 to 17 of Commission Regulation (EEC) No 1068/93 (OJ No L 108, 1. 5. 1993, p. 106), as last amended by Regulation (EC) No 1482/96 (OJ No L 188, 27. 7. 1996, p. 22), shall not apply to this amount.
 - (⁵) Commission delegation to be contacted by the successful tenderer: OJ No C 114, 29. 4. 1991, p. 33.
 - (⁶) See Annex II point 4, second paragraph.
 - (⁷) The successful tenderer shall supply to the beneficiary or its representative, on delivery, the following documents:
 - phytosanitary certificate.
-

ANNEX II

The recipient shall unload the 40 750 tonnes of wheat as per the following conditions.

1. Type of vessels to be fixed

It is envisaged that two vessels (self-trimming bulk carriers) will be fixed. The vessels must have at least four hatches. Vessels to be geared and each crane/derrick to serve one or two hatches. The vessels must be capable of entering the Chittagong outer anchorage and, after necessary lighterage, be able to shift and berth at Chittagong jetties. To this end vessels should have a maximum length of 610 feet.

Charterers/shipowners must ensure that all certificated officers carry with them on board the original valid certificate of competency and that all vessels are manned strictly according to the *STCW* Convention 1978, failing which any delay to the vessel will be on owner's account.

2. Discharging facilities

Vessels will furnish at the discharge port, free of expenses to the recipient, winches and/or cranes and the power to drive them, gins and falls in good working condition and will also supply sufficient lights for night work, as on board, on deck and in the holds, if required. Vessels will provide winchmen at load and discharge ports at their own expense.

3. Vessels' ETA information

Master to wireless/cable nominees of the recipient, namely Movements Chittagong — telex 642237 CMS C BJ — (simultaneously informing Bengalship Chittagong — telex 66277 BSC BJ — and Movestore Dhaka — telex 642230 CMS BJ) for orders regarding discharge 10 days prior to their arrival at the discharge port, i.e. Chittagong, and state ETA and draft. Orders for discharging will be transmitted to the vessel within five days of the receipt of master's request.

Master to give following notice to the recipient's nominees, i.e. Movements Chittagong, Bengalship Chittagong and Movestore Dhaka:

(a) upon sailing from load port vessels must state:

- (i) quantity loaded;
- (ii) arrival draft;
- (iii) TPI (tonnes per inch).

(b) 10 days beforehand ETA Chittagong port,

five days beforehand ETA Chittagong port,

72 hours, 48 hours and 24 hours beforehand ETA Chittagong port.

4. Discharging rate and discharging port time counting

The cargo is to be discharged by the recipient free of risk and expense to the vessel at the rate of 2 400 tonnes at Chittagong per weather working day of 24 consecutive hours. Time from 12 noon on Thursday or 5 p.m. on a day preceding a holiday until 9 a.m. on Saturday or next working day not to count as laytime even if used. The rate of discharge is based on four or more workable hatches. If, however, the number of workable hatches is less than the specified minimum, the discharging rate will be reduced proportionately.

Notice of readiness is to be tendered and accepted after vessel arrives at the Chittagong outer anchorage and laytime to commence 24 hours after NOR tendered during office hours, whether the vessel is in berth or not. However, in case a time period for the supply has been fixed by the Commission, laytime shall not commence before the first day of the said period. At discharge port, cost of shifting from anchorage to anchorage, anchorage to berth and berth to berth on owner's/charterer's account and time used for such shifting not to count as laytime.

Although stevedores appointed by recipients, all discharging operations to be carried out under masters' direction/approval. All necessary trimming will be at owner's time and expense.

At Chittagong anchorage, if a lighter vessel is required to cast off from the mother ship, due to heavy swell and/or bad weather, all time lost will not count as laytime. The time will stop counting from the time the lighter vessel casts off and will start counting again from the time the lighter ship is re-tied alongside the mother ship.

5. Lighterage at discharge port

All necessary lighterage at Chittagong outer anchorage will be carried out by the recipients at their own cost and time. For vessels unable to enter the Chittagong outer anchorage, due to excessive draft, lighterage may be carried out at Kutubdia anchorage by the charterers/owners at their expense and such lighterage to be treated as transshipment and lighters engaged to be discharged on identical terms as the mother vessel, and time used for lighterage at Kutubdia not to count as laytime. Collision damage, if any, during lighterage to be settled directly between the owners of the mother and the lighter vessels (notwithstanding whether engaged by owners/charterers for Kutubdia lighterage, or by the recipients for outer anchorage lighterage). In case of unsafe anchorage at Chittagong outer anchorage, any lighterage at Kutubdia is for recipients account.

Master of the vessel(s) at all times to extend full cooperation to the recipients and/or their nominees/agents/stevedores/lighterage contractors in order to expedite discharge. Lighter vessels to supply suitable fenders to avoid damage.

6. Demurrage/Despatch

Should the vessel(s) not be discharged at the rate herein stipulated, demurrage shall be paid by the recipient at the rate stipulated in the charter party, subject to a maximum of USD 8 000 per day or part thereof.

For working time saved at the port of discharge, despatch money shall be paid to the recipient at the rate of 50 % of the rate of demurrage stipulated in the charter party, subject to a maximum of USD 4 000 per day saved.

Demurrage of despatch at the discharge port, if any, at the amounts specified above, shall be paid, as the case may be, by the recipient to the Commission or by the Commission to the recipient. Afterwards settlement of despatch/demurrage, if any, between the successful tenderer and the Commission will take place.

Laytime at port of discharge to be non-reversible.

7. Miscellaneous

Overtime expenses, if any, on account of port and customs personnel will be for the account of the party (owner/their agents or receiver/their agents) ordering the same, but if ordered by the Port Authorities, to be on the receiver's/owner's account on 50:50 basis. Overtime expenses for vessel's crew always to be on the owner's account.

At the port of discharge opening/closing of hatches on all occasions to be for owner's account and time not to count as laytime. First opening and last closing of hatches at port of discharge to be done by vessel's crew.

Whatever the respective destination of the goods found damaged, they must be disposed of/destroyed as per port rules prior to sailing out of the vessels.

Dock worker management board's levy or any similar levy is for owner's account.

In the case where some extra costs requested by the owner/charterer are to be pre-financed by the recipient, they may be directly paid by the Commission on the recipient's behalf to the successful tenderer.

COMMISSION REGULATION (EC) No 2250/96
of 25 November 1996

amending Regulation (EC) No 918/94 derogating from Regulation (EEC) No 778/83 laying down the quality standards for tomatoes, as regards tomatoes attached to the stalk (trusses of tomatoes)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EEC) No 1035/72 of 18 May 1972 on the common organization of the market in fruit and vegetables⁽¹⁾, as last amended by Commission Regulation (EC) No 1363/95⁽²⁾, and in particular Article 2 (2) thereof,

Whereas Commission Regulation (EC) No 918/94⁽³⁾, as last amended by Regulation (EC) No 2728/95⁽⁴⁾, derogates from Regulation (EEC) No 778/83⁽⁵⁾, as last amended by Regulation (EEC) No 1657/92⁽⁶⁾, so as to authorize for a trial period the marketing of tomatoes attached to the stalk (trusses of tomatoes) during the 1994 marketing year; whereas that period was extended to the 1996 marketing year by Regulation (EC) No 2728/95; whereas the marketing year for tomatoes runs from 1 January to 31 December of a given year;

Whereas it would appear appropriate definitively to insert the provisions authorizing the marketing of tomatoes attached to the stalk (trusses of tomatoes) in Regulation (EEC) No 778/83; whereas, however, pending the entry

into force and application of the reform of the common organization of the market in fresh fruit and vegetables, the said trial period should be extended for a further marketing year;

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

In Article 1 (1) of Regulation (EC) No 918/94, '1996' is replaced by '1997'.

Article 2

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

It shall apply from 1 January 1997.

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

Done at Brussels, 25 November 1996.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ No L 118, 20. 5. 1972, p. 1.
⁽²⁾ OJ No L 132, 16. 6. 1995, p. 8.
⁽³⁾ OJ No L 106, 27. 4. 1994, p. 5.
⁽⁴⁾ OJ No L 284, 28. 11. 1995, p. 4.
⁽⁵⁾ OJ No L 86, 31. 1. 1983, p. 14.
⁽⁶⁾ OJ No L 172, 27. 6. 1992, p. 53.

COMMISSION REGULATION (EC) No 2251/96

of 25 November 1996

amending and derogating in part from Regulation (EC) No 3338/93 to provide for the payment of financial compensation to the producers of certain citrus fruits and lemons

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EC) No 3119/93 of 8 November 1993 laying down special measures to encourage the processing of certain citrus fruits⁽¹⁾, and in particular Article 10 thereof,

Having regard to Council Regulation (EC) No 1543/95 of 29 June 1995 derogating, for the 1995/96 marketing year, from Regulation (EC) No 3119/93 laying down special measures to encourage the processing of certain citrus fruits⁽²⁾, as last amended by Regulation (EC) No 2087/96⁽³⁾ as regards the period of application, and in particular Article 4 thereof,

Having regard to Council Regulation (EEC) No 1035/77 of 17 May 1977 laying down special measures to encourage the marketing of products processed from lemons⁽⁴⁾, as last amended by Regulation (EEC) No 1199/90⁽⁵⁾, and in particular Article 3 thereof,

Having regard to Council Regulation (EC) No 2086/96 of 28 October 1996 derogating, for the 1996/97 marketing year, from Regulation (EEC) No 1035/77 laying down special measures to encourage the marketing of products processed from lemons⁽⁶⁾, and in particular Article 4 thereof,

Whereas Commission Regulation (EC) No 3338/93⁽⁷⁾ as last amended by Regulation (EC) No 2615/95⁽⁸⁾, lays down detailed rules for the application of Regulations (EEC) No 1035/77 and (EC) No 3119/93 as regards the payment of financial compensation to the processor;

Whereas Regulation (EC) No 1543/95, and Regulation (EC) No 2086/96 both authorize the Member States, in respect of the 1996/97 marketing year, to pay financial compensation directly to producers for the quantities delivered by the latter under contracts for processing;

whereas all the necessary conclusions should be drawn as regards the detailed rules for applying the abovementioned Regulations;

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

Regulation (EC) No 3338/93 is hereby amended as follows:

1. The following paragraph is added to Article 1:

'The first paragraph shall also apply to the detailed rules for applying Council Regulations (EC) No 1543/95^(*) and (EC) No 2086/96^(**) in respect of the 1996/97 marketing year.

^(*) OJ No L 148, 30. 6. 1995, p. 30.

^(**) OJ No L 282, 1. 11. 1996, p. 1.'

2. The following paragraph is added to Article 3:

'3. The processor shall comply with paragraph 1 even where Regulations (EC) No 1543/95 or (EC) No 2086/96 apply.'

3. The following paragraph is added to Article 4:

'3. The processor shall comply with paragraph 1 even where Regulations (EC) No 1543/95 or (EC) No 2086/96 apply.'

4. The following is added to Article 5 (2):

'(f) explicit reference to Regulations (EC) No 1543/95 or (EC) No 2086/96 where these apply. The price to be paid referred to in point (e) shall then be reduced by the amount of the financial compensation to be paid to the producer by the Member State.'

5. The following subparagraph is added to Article 8 (1):

'Where Regulations (EC) No 1543/95 or (EC) No 2086/96 apply, except where growers have entered into a commitment to supply the fruit, processors shall at the same time lodge with the abovementioned competent authorities a security equal to the price to be

⁽¹⁾ OJ No L 279, 12. 11. 1993, p. 17.

⁽²⁾ OJ No L 148, 30. 6. 1995, p. 30.

⁽³⁾ OJ No L 282, 1. 11. 1996, p. 3.

⁽⁴⁾ OJ No L 125, 19. 5. 1977, p. 3.

⁽⁵⁾ OJ No L 119, 11. 5. 1990, p. 61.

⁽⁶⁾ OJ No L 282, 1. 11. 1996, p. 1.

⁽⁷⁾ OJ No L 299, 4. 12. 1993, p. 26.

⁽⁸⁾ OJ No L 268, 10. 11. 1995, p. 9.

paid referred to in Article 5 (2) (f) plus 10 %, in order to guarantee the payment of that price. The amount of the security shall be adjusted in accordance with the provisions of any supplementary agreements.'

6. The following subparagraphs are added to Article 11 (1):

'Where Regulations (EC) No 1543/95 or (EC) No 2086/96 apply, applications for financial compensation shall be submitted by producers to the competent body in the Member State where production took place from the 30th day following the dates referred to in points (a), (b), (c) and (d) of the subparagraph above.

For the implementation of the second subparagraph, the words "fruit processed" and "processing" in points (a), (b), (c) and (d) of the first subparagraph shall be replaced by the words "fruit delivered" and "delivery" respectively.'

7. The following paragraph is added to Article 12:

'3. Where Regulations (EC) No 1543/95 or (EC) No 2086/96 apply:

- (a) applications for financial compensation must include the name and address of the producer and an indication of the quantities of each product delivered under any contracts or supplementary agreements;
- (b) paragraph 2 notwithstanding, the application for financial compensation shall be accompanied:

- where a grower has entered into a commitment to supply the fruit, by a statement by him that the processor has transferred to his account an amount at least equal to the price referred to in Article 5 (2) (f), or has credited that amount to him,
- by the certificate referred to in Article 10,
- by a copy of the bank or post office transfer order for payment of the price referred to in Article 5 (2) (f).

Where the producer is unable to supply the above-mentioned supporting documents with his application, he must accompany the application with a statement that he has not been paid by the processor and references to the contracts to which the application relates. In such cases, the competent authority shall verify the content of the statement and draw the necessary conclusions as regards the security and payment of the producer pursuant to Regulation (EEC) No 2220/85.'

8. The following paragraph is added to Article 16:

'8. This Article, and in particular paragraph 5 thereof, shall continue to apply *mutatis mutandis* for the 1996/97 marketing year where the financial compensation is paid directly to the producer.'

Article 2

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

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

Done at Brussels, 25 November 1996.

For the Commission

Franz FISCHLER

Member of the Commission

COMMISSION REGULATION (EC) No 2252/96
of 25 November 1996

laying down rates of compensatory interest applicable during the first half of 1997 to customs debts incurred in relation to compensating products or goods in the unaltered state (inward processing relief arrangements and temporary importation)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

HAS ADOPTED THIS REGULATION:

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EEC) No 2913/92 of 12 October 1992 establishing the Community Customs Code ⁽¹⁾,

Having regard to Commission Regulation (EEC) No 2454/93 of 2 July 1993 laying down provisions for the implementation of Council Regulation (EEC) No 2913/92 establishing the Community Customs Code ⁽²⁾, as last amended by Regulation (EC) No 2153/96 ⁽³⁾, and in particular Articles 589 (4) (a) and 709 thereof,

Whereas Article 589 (4) (a) of Regulation (EEC) No 2454/93 provides that the Commission shall set rates of compensatory interest applicable to customs debts incurred in relation to compensating products or goods in the unaltered state, in order to make up for the unjustified financial advantage arising from the postponement of the date on which the customs debt is incurred in the case of non-exportation out of the customs territory of the Community; whereas the rates of compensatory interest for the first half of 1997 must be established in accordance with the rules laid down in that Regulation,

Article 1

The annual rates of compensatory interest referred to Articles 589 (4) (a) and 709 (3) (a) of Regulation (EEC) No 2454/93 applicable for the period 1 January until 30 June 1997 are hereby established as follows:

Belgium	3,26 %
Denmark	4,06 %
Germany	3,34 %
Greece	14,23 %
Spain	8,10 %
France	4,21 %
Ireland	5,15 %
Italy	9,37 %
Luxembourg	3,26 %
Netherlands	3,00 %
Austria	3,31 %
Portugal	7,74 %
Finland	3,97 %
Sweden	6,86 %
United Kingdom	6,08 %.

Article 2

This Regulation shall enter into force on 1 January 1997.

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

Done at Brussels, 25 November 1996.

For the Commission

Mario MONTI

Member of the Commission

⁽¹⁾ OJ No L 302, 19. 10. 1992, p. 1.

⁽²⁾ OJ No L 253, 11. 10. 1993, p. 1.

⁽³⁾ OJ No L 289, 12. 11. 1996, p. 1.

COMMISSION REGULATION (EC) No 2253/96

of 25 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 vege-
tables⁽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 Regu-
lation (EC) No 150/95⁽⁴⁾, and in particular Article 3 (3)
thereof,

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

countries, in respect of the products and periods stipu-
lated in the Annex thereto;

Whereas, in compliance with the above criteria, the stan-
dard 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 26 November
1996.

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

Done at Brussels, 25 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 25 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	54,5
	624	131,9
	999	93,2
0709 90 79	052	77,1
	999	77,1
0805 20 31	204	105,7
	999	105,7
0805 20 33, 0805 20 35, 0805 20 37, 0805 20 39	052	60,1
	999	60,1
0805 30 40	052	66,9
	528	44,9
	600	90,9
	999	67,6
0808 10 92, 0808 10 94, 0808 10 98	052	70,1
	060	43,8
	064	46,4
	400	77,1
	404	69,1
0808 20 67	999	61,3
	052	71,0
	064	74,5
	400	84,3
	624	65,2
	999	73,8

⁽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 13 November 1996

laying down the special conditions for the approval of establishments situated in
wholesale markets

(Text with EEA relevance)

(96/658/EC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Directive 64/433/EEC of 26 June 1964 on health conditions for the production and marketing of fresh meat ⁽¹⁾, as last amended by Directive 95/23/EC ⁽²⁾, and in particular Article 13, third indent,

Having regard to Council Directive 71/118/EEC of 15 February 1971 on health problems affecting the production and placing on the market of fresh poultry meat ⁽³⁾, as last amended by the Act of Accession of Austria, Finland and Sweden of 1994, and in particular Article 20, first indent,

Having regard to Council Directive 77/99/EEC of 21 December 1976 on health problems affecting intra-Community trade in meat products ⁽⁴⁾, as last amended by Directive 95/68/EC ⁽⁵⁾, and in particular Article 17, first indent,

Whereas a long tradition of wholesale markets for meat and meat products exists in the Community;

Whereas establishments situated in wholesale markets to which Directives 64/433/EEC, 71/118/EEC and

77/99/EEC apply, have special technical characteristics; these establishments are using certain rooms in common, for example meat cutting rooms;

Whereas it is necessary to take these technical circumstances into account in order to fix conditions for the approval of these establishments situated in wholesale markets;

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

HAS ADOPTED THIS DECISION:

Article 1

This Decision lays down the special conditions for the approval of establishments according to Council Directives 64/433/EEC, 71/118/EEC and 77/99/EEC situated in wholesale markets.

Article 2

For the purposes of this Decision 'wholesale market' means: a market comprising a number of separate establishments which may share common facilities, including common areas in which fresh meat or fresh poultry-meat are cut, stored, displayed and put on the market or meat products are produced, stored, displayed and put on the market. A wholesale market may be attached to other approved establishments.

⁽¹⁾ OJ No 121, 29. 7. 1964, p. 2012/64.

⁽²⁾ OJ No L 243, 11. 10. 1995, p. 7.

⁽³⁾ OJ No L 55, 8. 3. 1971, p. 23.

⁽⁴⁾ OJ No L 26, 31. 1. 1977, p. 85.

⁽⁵⁾ OJ No L 332, 30. 12. 1995, p. 10.

Article 3

1. An establishment situated in a wholesale market cannot be placed on the list of approved establishments provided for in Article 10 (1) of Directive 64/433/EEC unless it complies with the conditions of Annex I.
2. An establishment situated in a wholesale market cannot be placed on the list of approved establishments provided for in Article 6 (1) of Directive 71/118/EEC unless it complies with the conditions of Annex II.
3. An establishment situated in a wholesale market cannot be placed on the list of approved establishments provided for in Article 8 (1) of Directive 77/99/EEC unless it complies with the conditions of Annex III.

Article 4

1. The establishments or combinations of establishments operating in a wholesale market can receive a veterinary approval number.
2. The veterinary approval number mentioned in paragraph 1 can be temporarily suspended or withdrawn by

the national competent authority if an establishment or combination of establishments no longer fulfils the conditions set out in Community rules. This suspension or withdrawal does not necessarily affect the approval of other establishments of the wholesale market.

Article 5

This decision shall apply from 1 January 1997.

Article 6

This Decision is addressed to the Member States.

Done at Brussels, 13 November 1996.

For the Commission

Franz FISCHLER

Member of the Commission

*ANNEX I***Conditions for the approval of establishments as referred to in Directive 64/433/EEC situated in whole sales markets**

1. Establishments must meet the conditions for the approval of establishments laid down in Chapter I and Chapter III of Annex I to Directive 64/433/EEC.

However the areas, equipment and facilities referred to at points 1, 2 (b), 4 (c) and (e) and 5 to 13 of Chapter I and points 15 (a) to (d) of Chapter III may be used jointly.

To the room referred to in point 9 of Chapter I for the veterinary service, extra rooms may be added if necessary; the room or rooms, may be situated in another part of the wholesale market.

2. Refrigerated storage areas:

If refrigerated storage areas exist in addition to those mentioned in Annex I, Chapter III point 15 (a) of Directive 64/433/EEC, the areas must fulfil the special conditions for the approval of cold stores laid down in Chapter IV of Annex I to Directive 64/433/EEC.

3. Storage:

Carcases, half-carcases, quarters or other cuts as well as offal which are displayed for selection or for sale shall be kept chilled in such a way as to ensure that the internal temperature is maintained as laid down in Chapter XIV, point 66 of Annex I to Directive 64/433/EEC.

If necessary cold rooms for inspecting the goods or cool boxes for displaying the goods shall be provided.

4. The hygiene conditions laid down in Chapter V and in particular these of point 19, chapter VII, point 38, chapters IX, XII and XV of Annex I to Directive 64/433/EEC must be respected.

All practicable measures must be taken to ensure that persons who have access to the areas in which meat is handled or displayed comply with the requirements as to hygiene in points 18 (a) and 24 in Chapter V of Annex I to Directive 64/433/EEC.

5. Supervisory measures as provided for in Article 9 of Directive 64/433/EEC and Chapters X and XI of Annex I thereto must be respected.

When establishments combine, the operators or owners of the establishments, or their representatives, shall be jointly liable for meeting the conditions for approval and fulfilling the hygiene requirements. For this purpose they shall name a person to be responsible for the regular supervision of general hygiene with regard to production conditions in the combined establishments in accordance with Article 10 (2) of Directive 64/433/EEC.

The name of this person shall be given to the competent authorities.

Such an agreement with the combined establishments shall be an essential part of the approval.

6. The requirements of Article 3 (1) (A) (f) of Directive 64/433/EEC must be respected.

*ANNEX II***Conditions for the approval of establishments as referred to in Directive 71/118/EEC situated in whole sale markets**

1. Establishments must meet the conditions for the approval of establishments laid down in Chapter I and Chapter III of Annex I to Directive 71/118/EEC.

However the areas, equipment and facilities referred to at points 1, 2 (b), 4 (c) and (e) and 5 to 13 of Chapter I and points 15 (a) to (c) of Chapter III may be used jointly.

To the room referred to in point 9 of Chapter I for the veterinary service, extra rooms may be added if necessary; the room or rooms, may be situated in another part of the wholesale market.

2. Refrigerated storage areas:

If refrigerated storage areas exist in addition to those mentioned in Annex I, Chapter III point 15 (a) of Directive 71/118/EEC, the areas must fulfil the special conditions for the approval of cold stores laid down in Chapter IV of Annex I to Directive 71/118/EEC.

3. Storage:

Carcases cuts as well as offals which are displayed for selection or for sale shall be kept chilled in such a way as to ensure that the internal temperature is maintained as laid down in Chapter XIII, point 69 of Annex I to Directive 71/118/EEC.

If necessary cold rooms for inspecting the goods or cool boxes for displaying the goods shall be provided.

4. The hygiene conditions laid down in Chapter V and in particular these of point 19, Chapter VII point 38, Chapters X, XIV and XV of Annex I to Directive 71/118/EEC must be respected.

All practicable measures must be taken to ensure that persons who have access to the areas in which meat is handled or displayed comply with the requirements as to hygiene in points 18 (a) and 24 in Chapter V of Annex I to Directive 71/118/EEC.

5. Supervisory measures provided for in Article 8 of Directive 71/118/EEC and Chapters XI and XII of Annex I thereto must be respected.

When establishments combine, the operators or owners of the establishments, or their representatives, shall be jointly liable for meeting the conditions for approval and fulfilling the hygiene requirements. For this purpose they shall name a person to be responsible for the regular supervision of general hygiene with regard to production conditions in the combined establishments in accordance with Article 6 (2) of Directive 71/118/EEC.

The name of this person shall be given to the competent authorities.

Such an agreement with the combined establishments shall be an essential part of the approval.

6. The requirements of Article 3 paragraph 1 (A) (i) of Directive 71/118/EEC must be respected.

*ANNEX III***Conditions for the approval of establishments as referred to in Directive 77/99/EEC situated in whole sale markets**

1. Establishments must meet the conditions for the approval of establishments laid down in Chapter I of Annex A to Directive 77/99/EEC.

However the areas, equipment and facilities referred to at points 1, 3, 4 and 8 to 15 of that Chapter may be used jointly.

To the room referred to in point 12 of Chapter I for the veterinary service, extra rooms may be added if necessary; the room or rooms, may be situated in another part of the wholesale market.

2. Depending on the product and the working activities the establishments must fulfil the relevant provisions laid down in Chapter I of Annex B.

3. Storage:

Meat products have to be stored and transported under the conditions laid down in Chapter VII of Annex B.

If necessary cold rooms for inspecting the goods or cool boxes for displaying the goods shall be provided.

4. The hygiene conditions laid down in Chapter II of Annex A and Chapters II, III, IV, V of Annex B to Directive 77/99/EEC must be respected.

All practicable measures must be taken to ensure that persons who have access to the areas in which meat is handled or displayed comply with the requirements as to hygiene in Chapter II of Annex A and of Annex B to Directive 77/99/EEC.

5. Supervisory measures are observed as provided for in Article 8 (2), (3) of Directive 77/99/EEC and Chapters IV and VI of Annex B thereto.

When establishments combine, the operators or owners of the establishments, or their representatives, shall be jointly liable for meeting the conditions for approval and fulfilling the hygiene requirements. For this purpose they shall name a person to be responsible for the regular supervision of general hygiene with regard to production conditions in the combined establishments in accordance with Article 7 (1) of Directive 77/99/EEC.

The name of this person shall be given to the competent authorities.

Such an agreement with the combined establishments shall be an essential part of the approval.

6. The requirements of Article 3 paragraph A (9) (b) of Directive 77/99/EEC must be respected.
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COMMISSION DECISION**of 22 November 1996****on protective measures in relation to Crimean Congo haemorrhagic fever in
South Africa****(Text with EEA relevance)**

(96/659/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 Directive 91/496/EEC of 15 July 1991 laying down the principles governing the organization of veterinary checks on animals entering the Community from third countries and amending Directives 89/662/EEC, 90/425/EEC and 90/675/EEC ⁽¹⁾, as last amended by Directive 96/43/EC ⁽²⁾, and in particular Article 18 (1) thereof,

The Member States shall prohibit the importation of live ratites and ratite meat from South Africa.

*Article 2*Having regard to Council Directive 90/675/EEC of 10 December 1990 laying down the principles governing the organization of veterinary checks on products entering the Community from third countries ⁽³⁾, as last amended by Directive 96/43/EC and in particular Article 19 (1) thereof,

Member States shall amend the measures they apply in respect of South Africa to bring them into line with this Decision. They shall inform the Commission thereof.

Article 3

Whereas the presence of Crimean Congo haemorrhagic fever has been confirmed in South Africa;

This Decision shall be reviewed before 15 February 1997.

Article 4

Whereas the appearance of Crimean Congo haemorrhagic fever in South Africa constitutes a serious threat to animal and public health in the Member States;

This Decision is addressed to the Member States.

Whereas it is therefore necessary to prohibit the importation of live ratites, and meat of ratites from South Africa until the situation is clarified;

Done at Brussels, 22 November 1996.

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

For the Commission

Franz FISCHLER

Member of the Commission⁽¹⁾ OJ No L 268, 24. 9. 1991, p. 56.⁽²⁾ OJ No L 162, 1. 7. 1996, p. 1.⁽³⁾ OJ No L 373, 31. 12. 1990, p. 1.