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I

(Acts whose publication is obligatory)

**COMMISSION REGULATION (EC) No 349/97
of 27 February 1997**

determining the extent to which import licence applications submitted in February 1997 under the tariff quotas for beef provided for in the Agreements on free trade between the Community, of the one part, and Lithuania, Latvia, and Estonia, of the other part, may be accepted

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

Having regard to Commission Regulation (EC) No 2155/96 of 11 November 1996 laying down, for the period 1 July 1996 to 30 June 1997, detailed rules of application for the tariff quotas for beef provided for in Council Regulation (EC) No 1926/96 for Estonia, Latvia and Lithuania ⁽¹⁾, and in particular Article 3 (3) thereof,

Whereas Article 1 (1) and (3) of Regulation (EC) No 2155/96 fixes the quantities of fresh, chilled and frozen beef and veal originating in Lithuania, Latvia and Estonia and of processed products originating in Latvia which may be imported on special terms during the period 1 January to 30 June 1997; whereas no applications were

submitted for import licences for beef and veal or processed products,

HAS ADOPTED THIS REGULATION:

Article 1

No applications for import licences were submitted for the period from 1 January to 30 June 1997 under the import quotas referred to in Article 1 (1) of Regulation (EC) No 2155/96.

Article 2

This Regulation shall enter into force on 28 February 1997.

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

Done at Brussels, 27 February 1997.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ No L 289, 12. 11. 1996, p. 3.

COMMISSION DECISION No 350/97/ECSC

of 17 December 1996

amending Annex V to Decision No 3/96/ECSC on administering certain restrictions on imports of certain steel products from Russia and Ukraine

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Coal and Steel Community,

Having regard to Commission Decision No 3/96/ECSC of 21 November 1995 on administering certain restrictions on imports of certain steel products from Russia and Ukraine ⁽¹⁾, as amended by Decision No 2510/96/ECSC ⁽²⁾, and in particular Article 8 in conjunction with Article 7 thereof,

Whereas the Agreement on trade in certain steel products between the European Coal and Steel Community and Russia ⁽³⁾ has been amended by way of agreement in the form of an Exchange of Letters extending the Agreement for the period 1 January to 30 June 1997 ⁽⁴⁾;

Whereas it is therefore necessary to amend Annex V to Decision No 3/96/ECSC to take account of the aforementioned Exchange of Letters;

Whereas the measures provided for in this Decision are in conformity with the opinion of the Committee established under Article 7 of Decision No 3/96/ECSC,

HAS ADOPTED THIS DECISION:

Article 1

Annex V to Decision No 3/96/ECSC is replaced by the text contained in Appendix 1 to this Decision.

Article 2

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

It shall apply from 1 January 1997.

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

Done at Brussels, 17 December 1996.

For the Commission

Leon BRITTAN

Vice-President

⁽¹⁾ OJ No L 5, 8. 1. 1996, p. 1.

⁽²⁾ OJ No L 345, 31. 12. 1996, p. 19.

⁽³⁾ OJ No L 5, 8. 1. 1996, p. 25.

⁽⁴⁾ OJ No L 45, 15. 2. 1997, p. 41.

*Appendix 1**ANNEX V***QUANTITATIVE LIMITS**

(expressed in metric tonnes)

The CN codes corresponding to these product categories were published in Official Journal No L 76 on 26 March 1996 on page 42.

RUSSIA

Products	1 January to 30 June 1997
SA. Flat products	
SA1. Coils	115 492
SA1.a. Hot-rolled coils for re-rolling ⁽¹⁾	283 800
SA2. Heavy plate	27 669
SA3. Other flat products	16 959
SB. Long products	
SB1. Beams	11 076
SB2. Wire rod	19 471
SB3. Other long products	56 067

⁽¹⁾ In the case of Russia, CN codes 7208 37 10, 7208 38 10 and 7208 39 10 form a separate sub-category within SA1.'

COMMISSION REGULATION (EC) No 351/97
of 27 February 1997
fixing export refunds on fruit and vegetables

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EC) No 2200/96 of 28 October 1996 on the common organization of the market in fruit and vegetables⁽¹⁾, and in particular Article 35 (11) thereof,

Whereas Commission Regulation (EC) No 2190/96 of 14 November 1996⁽²⁾, as last amended by Regulation (EC) No 324/97⁽³⁾, lays down detailed rules on export refunds on fruit and vegetables;

Whereas Article 35 (1) of Council Regulation (EC) No 2200/96, provides that, to the extent necessary for economically significant quantities of the products listed in that Article to be exported, the difference between the international market prices for those products and their prices in the Community may be covered by export refunds;

Whereas Article 35 (4) of Regulation (EC) No 2200/96 provides that refunds must be fixed in the light of the existing situation or the outlook for fruit and vegetable prices on the Community market and supplies available on the one hand, and prices on the international market on the other hand; whereas account must also be taken of the costs referred to in Article 26 (4) (b) of that Regulation and of the economic aspect of the exports planned;

Whereas, pursuant to Article 35 (1) of Regulation (EC) No 2200/96, refunds are to be set with due regard to the limits resulting from agreements concluded in accordance with Article 228 of the Treaty;

Whereas, in accordance with Article 35 (5) of Regulation (EC) No 2200/96, prices on the Community market are to be established in the light of the most favourable prices from the export standpoint; whereas international trade prices are to be established in the light of the prices referred to in the second subparagraph of that paragraph;

Whereas the international trade situation or the special requirements of certain markets may call for the refund on a given product to vary according to its destination;

Whereas tomatoes, lemons, oranges and apples of classes Extra, I and II of the common quality standards, shelled almonds, hazelnuts and walnuts in shell can currently be exported in economically significant quantities;

Whereas the representative market rates as defined in Article 1 of Council Regulation (EEC) No 3813/92 of 28 December 1992⁽⁴⁾, as last amended by Regulation (EC) No 150/95⁽⁵⁾, are used to convert amounts expressed in currencies of third countries and provide the basis for determining the agricultural conversion rates for the Member States' currencies; whereas rules for determining and applying those conversion rates are laid down in Commission Regulation (EEC) No 1068/93 of 30 April 1993⁽⁶⁾, as last amended by Regulation (EC) No 1482/96⁽⁷⁾;

Whereas the application of the abovementioned rules to the present and forecast market situation, and in particular to fruit and vegetable prices in the Community and international trade, gives the refund rates set out in the Annex hereto;

Whereas, pursuant to Article 35 (2) of Regulation (EC) No 2200/96, the resources available should be used as efficiently as possible while avoiding discrimination between traders; whereas, therefore, care should be taken not to disturb the trade flows previously induced by the refund arrangements; whereas, for those reasons and because of the seasonal nature of exports of fruit and vegetables, quotas should be fixed for each product;

Whereas Commission Regulation (EEC) No 3846/87⁽⁸⁾, as last amended by Regulation (EC) No 2230/96⁽⁹⁾, establishes an agricultural product nomenclature for export refunds;

⁽¹⁾ OJ No L 297, 21. 11. 1996, p. 1.

⁽²⁾ OJ No L 292, 15. 11. 1996, p. 12.

⁽³⁾ OJ No L 52, 22. 2. 1997, p. 10.

⁽⁴⁾ OJ No L 387, 31. 12. 1992, p. 1.

⁽⁵⁾ OJ No L 22, 31. 1. 1995, p. 1.

⁽⁶⁾ OJ No L 108, 1. 5. 1993, p. 106.

⁽⁷⁾ OJ No L 188, 27. 7. 1996, p. 22.

⁽⁸⁾ OJ No L 366, 24. 12. 1987, p. 1.

⁽⁹⁾ OJ No L 305, 27. 11. 1996, p. 1.

Whereas, owing to the market situation, in order to make the most efficient use of the resources available and given the structure of Community exports, the most appropriate method should be selected for export refunds on certain products and consequently refunds under the A1 and A2 licence arrangements referred to in Article 1 of Regulation (EC) No 2190/96 should not be fixed simultaneously for the export period in question; whereas under the A2 system a distinction should be made between close and more remote destinations;

Whereas account should be taken of the definitive rates under the A2 system fixed for the preceding licence application period;

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

1. The export refunds on fruit and vegetables shall be as set out in the Annex hereto.
2. Quantities covered by licences issued for food aid as referred to in Article 14a of Commission Regulation (EEC) No 3719/88 ⁽¹⁾, as last amended by Regulation (EC) No 2402/96 ⁽²⁾, laying down common detailed rules for the application of the system of import and export licences and advance fixing certificates for agricultural products shall not count against the eligible quantities covered by paragraph 1.
3. Without prejudice to the application of Article 4 (5) of Regulation (EC) No 2190/96, the term of validity of A1 and A2 licences shall be two months.

Article 2

This Regulation shall enter into force on 6 March 1997.

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

Done at Brussels, 27 February 1997.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ No L 331, 2. 12. 1988, p. 1.

⁽²⁾ OJ No L 327, 18. 12. 1996, p. 14.

ANNEX

EXPORT REFUNDS ON FRUIT AND VEGETABLES

Product (Full definitions of eligible products are given in the 'Fruit and vegetables' section of Commission Regulation (EEC) No 3846/87 amended)	Product code	A1 applications from 6. 3. 1997 to 28. 4. 1997			A2 applications from 7. 3. 1997 to 13. 3. 1997			B Export period from 13. 3. 1997 to 5. 5. 1997		
		Destination or destination group (1)	Refund rate (ECU/tonnes net weight)	Scheduled quantity (tonnes)	Destination or destination group (1)	Indicative refund rate (ECU/tonnes net weight)	Indicative quantity (tonnes)	Destination or destination group (1)	Indicative refund rate (ECU/tonnes net weight)	Indicative quantity (tonnes)
Tomatoes	0702 00 15 9100 0702 00 20 9100 0702 00 25 9100 0702 00 30 9100 0702 00 35 9100 0702 00 40 9100 0702 00 45 9100 0702 00 50 9100	F	36,2	8 046						
Shelled almonds	0802 12 90 9000	F	77,9	354				F	77,9	232
Hazelnuts in shell	0802 21 00 9000	F	91,0	11				F	91,0	7
Shelled hazelnuts	0802 22 00 9000	F	175,6	648				F	175,6	425
Walnuts in shell	0802 31 00 9000	F	112,9	6				F	112,9	3
Oranges	0805 10 01 9200 0805 10 05 9200 0805 10 09 9200 0805 10 11 9200 0805 10 15 9200 0805 10 19 9200 0805 10 21 9200 0805 10 25 9200 0805 10 29 9200 0805 10 31 9200 0805 10 33 9200 0805 10 35 9200 0805 10 37 9200 0805 10 38 9200 0805 10 39 9200 0805 10 42 9200 0805 10 44 9200 0805 10 46 9200 0805 10 51 9200 0805 10 55 9200 0805 10 59 9200 0805 10 61 9200 0805 10 65 9200 0805 10 69 9200	XYC	94,0		XC	94,0	32 579	XYC	94,0	47 165
					Y	94,0	14 586			
Lemons	0805 30 20 9100 0805 30 30 9100 0805 30 40 9100	F	108,7	19 205				F	108,7	5 378

Product (Full definitions of eligible products are given in the 'Fruit and vegetables' section of Commission Regulation (EEC) No 3846/87 amended)	Product code	A1 applications from 6. 3. 1997 to 28. 4. 1997			A2 applications from 7. 3. 1997 to 13. 3. 1997			B Export period from 13. 3. 1997 to 5. 5. 1997		
		Destination or destination group (*)	Refund rate (ECU/tonnes net weight)	Scheduled quantity (tonnes)	Destination or destination group (*)	Indicative refund rate (ECU/tonnes net weight)	Indicative quantity (tonnes)	Destination or destination group (*)	Indicative refund rate (ECU/tonnes net weight)	Indicative quantity (tonnes)
Table grapes	0806 10 21 9200 0806 10 29 9200 0806 10 30 9200 0806 10 40 9200 0806 10 50 9200 0806 10 61 9200 0806 10 69 9200	F	39,0							
Apples	0808 10 51 9910	X	29,0		X	29,0	2 749			
	0808 10 53 9910									
	0808 10 59 9910									
	0808 10 61 9910	Y	23,0		Y	23,0	1 784			
	0808 10 63 9910									
	0808 10 69 9910									
	0808 10 71 9910	Z	56,0		Z	56,0	1 147			
	0808 10 73 9910									
	0808 10 79 9910									
	0808 10 92 9910									
	0808 10 94 9910									
	0808 10 98 9910									
Peaches and nectarines	0809 30 11 9100 0809 30 19 9100 0809 30 21 9100 0809 30 29 9100 0809 30 31 9100 0809 30 39 9100 0809 30 41 9100 0809 30 49 9100 0809 30 51 9100 0809 30 59 9100	E	40,2							

(*) The destination codes are defined as follows:

X: Norway, Iceland, Greenland, Poland, Hungary, Romania, Bulgaria, Albania, Estonia, Latvia, Lithuania, Bosnia-Herzegovina, Croatia, Slovenia, Former Yugoslav Republic of Macedonia, Federal Republic of Yugoslavia (Serbia and Montenegro), Malta.

Y: Armenia, Azerbaijan, Belarus, Georgia, Kazakhstan, Kyrgyzstan, Moldova, Russia, Tajikistan, Turkmenistan, Uzbekistan, Ukraine.

Z: Faeroes, African countries and territories except South Africa, countries of the Arabian Peninsula (Saudi Arabia, Bahrain, Qatar, Oman, United Arab Emirates (Abu Dhabi, Dubai, Sharjah, Ajman, Umm al Qaiwain, Ras al Khaimah, Fujairah), Kuwait, Yemen), Syria, Iran, Jordan, Bolivia, Brazil, Venezuela, Peru, Panama, Ecuador, Colombia.

C: Switzerland, Czech Republic, Slovakia.

D: Hong Kong, Singapore, Malaysia, Indonesia, Thailand, Taiwan, Papua New Guinea, Laos, Cambodia, Vietnam, Uruguay, Paraguay, Argentina, Mexico, Costa Rica.

E: All destinations except Switzerland.

F: All destinations.

COMMISSION REGULATION (EC) No 352/97

of 27 February 1997

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

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

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

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

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

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

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

HAS ADOPTED THIS REGULATION:

Article 1

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

Article 2

This Regulation shall enter into force on 28 February 1997.

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

Done at Brussels, 27 February 1997.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ No L 337, 24. 12. 1994, p. 66.

⁽²⁾ OJ No L 325, 14. 12. 1996, p. 5.

⁽³⁾ OJ No L 387, 31. 12. 1992, p. 1.

⁽⁴⁾ OJ No L 22, 31. 1. 1995, p. 1.

ANNEX

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

(ECU/100 kg)		
CN code	Third country code ⁽¹⁾	Standard import value
0702 00 15	204	53,5
	212	113,8
	624	227,4
	999	131,6
0707 00 10	068	81,0
	999	81,0
0709 10 10	220	192,0
	999	192,0
0709 90 73	052	120,6
	204	95,0
	999	107,8
0805 10 01, 0805 10 05, 0805 10 09	052	54,4
	204	39,8
	212	49,2
	220	28,7
	448	23,6
	600	51,9
	624	53,2
	999	43,0
0805 20 11	204	64,1
	999	64,1
0805 20 13, 0805 20 15, 0805 20 17, 0805 20 19	052	52,9
	204	71,1
	220	52,8
	400	70,4
	464	113,5
	600	97,2
	624	77,9
	662	64,6
	999	75,0
	052	63,4
0805 30 20	600	71,9
	999	67,7
	052	62,1
0808 10 51, 0808 10 53, 0808 10 59	060	58,4
	400	90,2
	404	88,5
	508	87,8
	512	89,0
	528	100,8
	999	82,4
	039	106,6
	388	74,3
	400	105,0
0808 20 31	512	67,5
	528	69,7
	999	84,6

⁽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'.

COMMISSION REGULATION (EC) No 353/97

of 27 February 1997

determining the world market price for unginned cotton and the rate for the aid

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to the Act of Accession of Greece, and in particular paragraphs 3 and 10 of Protocol 4 on cotton, as last amended by Council Regulation (EC) No 1553/95⁽¹⁾,

Having regard to Council Regulation (EC) No 1554/95 of 29 June 1995⁽²⁾ laying down general rules for the system of aid for cotton and repealing Regulation (EEC) No 2169/81, as amended by Regulation (EC) No 1584/96⁽³⁾, and in particular Articles 3, 4 and 5 thereof,

Whereas Article 3 of Regulation (EC) No 1554/95 requires a world market price for unginned cotton to be periodically determined from the world market price determined for ginned cotton, using the historical relationship between the two prices as specified in Article 1 (2) of Commission Regulation (EEC) No 1201/89 of 3 May 1989 laying down rules for implementing the system of aid for cotton⁽⁴⁾, as last amended by Regulation (EC) No 1645/96⁽⁵⁾; whereas if it cannot be determined in this way it is to be based on the last price determined;

Whereas Article 4 of Regulation (EC) No 1554/95 requires the world market price for ginned cotton to be determined for a product of specific characteristics using the most favourable offers and quotations on the world market of those considered representative of the real market trend; whereas to this end an average is to be calculated of offers and quotations on one or more European exchanges for a cif product to a North European port from the supplier countries considered most representative as regards international trade; whereas these rules for determination of the world market price for ginned cotton provide for adjustments to reflect dif-

ferences in product quality and the nature of offers and quotations; whereas these adjustments are specified in Article 2 of Regulation (EEC) No 1201/89;

Whereas application of the above rules gives the world market price for unginned cotton indicated hereunder;

Whereas Article 5 (3) of Regulation (EC) No 1554/95 stipulates that the advance payment rate for the aid is to be the guide price less the world market price and less a further amount calculated by the formula applicable when the guaranteed maximum quantity is overrun but with a 15 % increase in the estimate for unginned cotton production; whereas Commission Regulation (EC) No 1683/96⁽⁶⁾ determined estimated production for the 1996/97 marketing year; whereas application of these rules gives the advance payment rates for each Member State indicated hereunder,

HAS ADOPTED THIS REGULATION:

Article 1

1. The world market price for unginned cotton as indicated in Article 3 of Regulation (EC) No 1554/95 is set at ECU 37,672 per 100 kilograms.

2. Advance payment of the aid as indicated in Article 5 (3) of Regulation (EC) No 1554/95 shall be at the rate of:

- ECU 56,935 per 100 kilograms in Spain,
- ECU 26,427 per 100 kilograms in Greece,
- ECU 68,628 per 100 kilograms in other Member States.

Article 2

This Regulation shall enter into force on 28 February 1997.

⁽¹⁾ OJ No L 148, 30. 6. 1995, p. 45.

⁽²⁾ OJ No L 148, 30. 6. 1995, p. 48.

⁽³⁾ OJ No L 206, 16. 8. 1996, p. 16.

⁽⁴⁾ OJ No L 123, 4. 5. 1989, p. 23.

⁽⁵⁾ OJ No L 207, 17. 8. 1996, p. 3.

⁽⁶⁾ OJ No L 217, 28. 8. 1996, p. 1.

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

Done at Brussels, 27 February 1997.

For the Commission

Franz FISCHLER

Member of the Commission

COMMISSION REGULATION (EC) No 354/97
of 27 February 1997
fixing the export refunds on 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 804/68 of 27 June 1968 on the common organization of the market in milk and milk products ⁽¹⁾, as last amended by Regulation (EC) No 1587/96 ⁽²⁾, and in particular Article 17 (3) thereof,

Whereas Article 17 of Regulation (EEC) No 804/68 provides that the difference between prices in international trade for the products listed in Article 1 of that Regulation and prices for those products within the Community may be covered by an export refund within the limits resulting from agreements concluded in accordance with Article 228 of the Treaty;

Whereas Regulation (EEC) No 804/68 provides that when the refunds on the products listed in Article 1 of the abovementioned Regulation, exported in the natural state, are being fixed account must be taken of:

- the existing situation and the future trend with regard to prices and availabilities of milk and milk products on the Community market and prices for milk and milk products in international trade,
- marketing costs and the most favourable transport charges from Community markets to ports or other points of export in the Community, as well as costs incurred in placing the goods on the market of the country of destination,
- the aims of the common organization of the market in milk and milk products which are to ensure equilibrium and the natural development of prices and trade on this market,
- the limits resulting from agreements concluded in accordance with Article 228 of the Treaty, and
- the need to avoid disturbances on the Community market, and
- the economic aspect of the proposed exports;

Whereas Article 17 (5) of Regulation (EEC) No 804/68 provides that when prices within the Community are being determined account should be taken of the ruling

prices which are most favourable for exportation, and that when prices in international trade are being determined particular account should be taken of:

- (a) prices ruling on third country markets;
- (b) the most favourable prices in third countries of destination for third country imports;
- (c) producer prices recorded in exporting third countries, account being taken, where appropriate, of subsidies granted by those countries; and
- (d) free-at-Community-frontier offer prices;

Whereas Article 17 (3) of Regulation (EEC) No 804/68 provides that the world market situation or the specific requirements of certain markets may make it necessary to vary the refund on the products listed in Article 1 of the abovementioned Regulation according to destination;

Whereas Article 17 (3) of Regulation (EEC) No 804/68 provides that the list of products on which export refunds are granted and the amount of such refunds should be fixed at least once every four weeks; whereas the amount of the refund may, however, remain at the same level for more than four weeks;

Whereas, in accordance with Article 12 of Commission Regulation (EC) No 1466/95 of 27 June 1995 on specific detailed rules for the application of export refunds on milk and milk products ⁽³⁾, as last amended by Regulation (EC) No 1875/96 ⁽⁴⁾, the refund granted for milk products containing added sugar is equal to the sum of the two components, one of which is intended to take account of the quantity of milk products and the other is intended to take account of the quantity of added sucrose; whereas, however, the latter component is applied only if the added sucrose was produced from sugar beet or cane harvested in the Community; whereas, for products falling within CN codes ex 0402 99 11, ex 0402 99 19, ex 0404 90 51, ex 0404 90 53, ex 0404 90 91 and ex 0404 90 93, with a fat content by weight not exceeding 9,5 % and a non-fatty milk content in the dry matter equal to or greater than 15 % by weight, the former abovementioned component is fixed for 100 kilograms of the whole product; whereas, for the other products containing added sugar falling within CN codes 0402 and 0404, that component is calculated by multiplying the basic amount by the milk products content of the product concerned; whereas that basic amount is equal to the refund to be fixed for one kilogram of milk products contained in the whole product;

⁽¹⁾ OJ No L 148, 28. 6. 1968, p. 13.

⁽²⁾ OJ No L 206, 16. 8. 1996, p. 21.

⁽³⁾ OJ No L 144, 28. 6. 1995, p. 22.

⁽⁴⁾ OJ No L 247, 28. 9. 1996, p. 36.

Whereas the second component is calculated by multiplying the sucrose content of the product by the basic amount of the refund valid on the day of exportation for the products listed in Article 1 (1) (d) of 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⁾;

Whereas the level of refund for cheeses is calculated for products intended for direct consumption; whereas the cheese rinds and cheese wastes are not products intended for this purpose; whereas, to avoid any confusion in interpretation, it should be specified that there will be no refund for cheeses of a free-at-frontier value less than ECU 230,00 per 100 kilograms;

Whereas Commission Regulation (EEC) No 896/84⁽³⁾, as last amended by Regulation (EEC) No 222/88⁽⁴⁾, laid down additional provisions concerning the granting of refunds on the change from one milk year to another; whereas those provisions provide for the possibility of varying refunds according to the date of manufacture of the products;

Whereas for the calculation of the refund for processed cheese provision must be made where casein or caseinates are added for that quantity not to be taken into account;

Whereas it follows from applying the rules set out above to the present situation on the market in milk and in particular to quotations or prices for milk products within

the Community and on the world market that the refund should be as set out in the Annex to this Regulation;

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

HAS ADOPTED THIS REGULATION:

Article 1

1. The export refunds referred to in Article 17 of Regulation (EEC) No 804/68 on products exported in the natural state shall be as set out in the Annex.
2. There shall be no refunds for exports to destination No 400 for products falling within CN codes 0401, 0402, 0403, 0404, 0405 and 2309.
3. There shall be no refunds for exports to destinations No 022, 024, 028, 043, 044, 045, 046, 052, 404, 600, 800 and 804 for products falling within CN code 0406.

Article 2

This Regulation shall enter into force on 28 February 1997.

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

Done at Brussels, 27 February 1997.

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 91, 1. 4. 1984, p. 71.

⁽⁴⁾ OJ No L 28, 1. 2. 1988, p. 1.

ANNEX

to the Commission Regulation of 27 February 1997 fixing the export refunds on milk and milk products

(in ECU/100 kg net weight unless otherwise indicated)

Product code	Destination (*)	Amount of refund	Product code	Destination (*)	Amount of refund
0401 10 10 9000	+	3,324	0402 21 99 9600	+	131,29
0401 10 90 9000	+	3,324	0402 21 99 9700	+	137,24
0401 20 11 9100	+	3,324	0402 21 99 9900	+	143,96
0401 20 11 9500	+	5,138	0402 29 15 9200	+	0,6300
0401 20 19 9100	+	3,324	0402 29 15 9300	+	0,9530
0401 20 19 9500	+	5,138	0402 29 15 9500	+	1,0040
0401 20 91 9100	+	6,843	0402 29 15 9900	+	1,0802
0401 20 91 9500	+	7,973	0402 29 19 9200	+	0,6300
0401 20 99 9100	+	6,843	0402 29 19 9300	+	0,9530
0401 20 99 9500	+	7,973	0402 29 19 9500	+	1,0040
0401 30 11 9100	+	10,23	0402 29 19 9900	+	1,0802
0401 30 11 9400	+	15,79	0402 29 91 9100	+	1,0878
0401 30 11 9700	+	23,71	0402 29 91 9500	+	1,1851
0401 30 19 9100	+	10,23	0402 29 99 9100	+	1,0878
0401 30 19 9400	+	15,79	0402 29 99 9500	+	1,1851
0401 30 19 9700	+	23,71	0402 91 11 9110	+	3,324
0401 30 31 9100	+	28,24	0402 91 11 9120	+	6,843
0401 30 31 9400	+	44,10	0402 91 11 9310	+	14,00
0401 30 31 9700	+	48,63	0402 91 11 9350	+	17,15
0401 30 39 9100	+	28,24	0402 91 11 9370	+	20,85
0401 30 39 9400	+	44,10	0402 91 19 9110	+	3,324
0401 30 39 9700	+	48,63	0402 91 19 9120	+	6,843
0401 30 91 9100	+	55,43	0402 91 19 9310	+	14,00
0401 30 91 9400	+	81,46	0402 91 19 9350	+	17,15
0401 30 91 9700	+	95,06	0402 91 19 9370	+	20,85
0401 30 99 9100	+	55,43	0402 91 31 9100	+	13,52
0401 30 99 9400	+	81,46	0402 91 31 9300	+	24,65
0401 30 99 9700	+	95,06	0402 91 39 9100	+	13,52
0402 10 11 9000	+	63,00	0402 91 39 9300	+	24,65
0402 10 19 9000	+	63,00	0402 91 51 9000	+	15,79
0402 10 91 9000	+	0,6300	0402 91 59 9000	+	15,79
0402 10 99 9000	+	0,6300	0402 91 91 9000	+	55,43
0402 21 11 9200	+	63,00	0402 91 99 9000	+	55,43
0402 21 11 9300	+	95,30	0402 99 11 9110	+	0,0333
0402 21 11 9500	+	100,40	0402 99 11 9130	+	0,0685
0402 21 11 9900	+	108,00	0402 99 11 9150	+	0,1336
0402 21 17 9000	+	63,00	0402 99 11 9310	+	16,14
0402 21 19 9300	+	95,30	0402 99 11 9330	+	19,37
0402 21 19 9500	+	100,40	0402 99 11 9350	+	25,75
0402 21 19 9900	+	108,00	0402 99 19 9110	+	0,0333
0402 21 91 9100	+	108,78	0402 99 19 9130	+	0,0685
0402 21 91 9200	+	109,53	0402 99 19 9150	+	0,1336
0402 21 91 9300	+	110,88	0402 99 19 9310	+	16,14
0402 21 91 9400	+	118,51	0402 99 19 9330	+	19,37
0402 21 91 9500	+	121,15	0402 99 19 9350	+	25,75
0402 21 91 9600	+	131,29	0402 99 31 9110	+	0,1466
0402 21 91 9700	+	137,24	0402 99 31 9150	+	26,81
0402 21 91 9900	+	143,96	0402 99 31 9300	+	0,2824
0402 21 99 9100	+	108,78	0402 99 31 9500	+	0,4863
0402 21 99 9200	+	109,53	0402 99 39 9110	+	0,1466
0402 21 99 9300	+	110,88	0402 99 39 9150	+	26,81
0402 21 99 9400	+	118,51	0402 99 39 9300	+	0,2824
0402 21 99 9500	+	121,15			

Product code	Destination (°)	Amount of refund	Product code	Destination (°)	Amount of refund
0402 99 39 9500	+	0,4863	0404 90 29 9160	+	136,02
0402 99 91 9000	+	0,5543	0404 90 29 9180	+	142,66
0402 99 99 9000	+	0,5543	0404 90 81 9100	+	0,6194
0403 10 11 9400	+	3,324	0404 90 81 9910	+	0,0333
0403 10 11 9800	+	5,138	0404 90 81 9950	+	16,00
0403 10 13 9800	+	6,843	0404 90 83 9110	+	0,6194
0403 10 19 9800	+	10,23	0404 90 83 9130	+	0,9445
0403 10 31 9400	+	0,0333	0404 90 83 9150	+	0,9950
0403 10 31 9800	+	0,0514	0404 90 83 9170	+	1,0703
0403 10 33 9800	+	0,0685	0404 90 83 9911	+	0,0333
0403 10 39 9800	+	0,1023	0404 90 83 9913	+	0,0685
0403 90 11 9000	+	61,94	0404 90 83 9915	+	0,1023
0403 90 13 9200	+	61,94	0404 90 83 9917	+	0,1579
0403 90 13 9300	+	94,45	0404 90 83 9919	+	0,2371
0403 90 13 9500	+	99,50	0404 90 83 9931	+	16,00
0403 90 13 9900	+	107,03	0404 90 83 9933	+	19,20
0403 90 19 9000	+	107,83	0404 90 83 9935	+	25,52
0403 90 31 9000	+	0,6194	0404 90 83 9937	+	26,55
0403 90 33 9200	+	0,6194	0404 90 89 9130	+	1,0783
0403 90 33 9300	+	0,9445	0404 90 89 9150	+	1,1746
0403 90 33 9500	+	0,9950	0404 90 89 9930	+	0,3390
0403 90 33 9900	+	1,0703	0404 90 89 9950	+	0,4863
0403 90 39 9000	+	1,0783	0404 90 89 9990	+	0,5543
0403 90 51 9100	+	3,324	0405 10 11 9500	+	185,37
0403 90 51 9300	+	5,138	0405 10 11 9700	+	190,00
0403 90 53 9000	+	6,843	0405 10 19 9500	+	185,37
0403 90 59 9110	+	10,23	0405 10 19 9700	+	190,00
0403 90 59 9140	+	15,79	0405 10 30 9100	+	185,37
0403 90 59 9170	+	23,71	0405 10 30 9300	+	190,00
0403 90 59 9310	+	28,24	0405 10 30 9500	+	185,37
0403 90 59 9340	+	44,10	0405 10 30 9700	+	190,00
0403 90 59 9370	+	48,63	0405 10 50 9100	+	185,37
0403 90 59 9510	+	55,43	0405 10 50 9300	+	190,00
0403 90 59 9540	+	81,46	0405 10 50 9500	+	185,37
0403 90 59 9570	+	95,06	0405 10 50 9700	+	190,00
0403 90 61 9100	+	0,0333	0405 10 90 9000	+	196,95
0403 90 61 9300	+	0,0514	0405 20 90 9500	+	173,78
0403 90 63 9000	+	0,0685	0405 20 90 9700	+	180,73
0403 90 69 9000	+	0,1023	0405 90 10 9000	+	240,00
0404 90 21 9100	+	61,94	0405 90 90 9000	+	190,00
0404 90 21 9910	+	3,324	0406 10 20 9100	+	—
0404 90 21 9950	+	13,87	0406 10 20 9230	037	—
0404 90 23 9120	+	61,94		039	—
0404 90 23 9130	+	94,45		099	24,03
0404 90 23 9140	+	99,50		400	24,72
0404 90 23 9150	+	107,03		...	36,05
0404 90 23 9911	+	3,324	0406 10 20 9290	037	—
0404 90 23 9913	+	6,843		039	—
0404 90 23 9915	+	10,23		099	22,36
0404 90 23 9917	+	15,79		400	16,09
0404 90 23 9919	+	23,71		...	33,54
0404 90 23 9931	+	13,87		037	—
0404 90 23 9933	+	17,00		039	—
0404 90 23 9935	+	20,66		099	9,820
0404 90 23 9937	+	24,43		400	8,246
0404 90 23 9939	+	25,54		...	14,73
0404 90 29 9110	+	107,83			
0404 90 29 9115	+	108,54	0406 10 20 9300	037	—
0404 90 29 9120	+	109,89		039	—
0404 90 29 9130	+	117,46		099	
0404 90 29 9135	+	120,05		400	
0404 90 29 9150	+	130,11		...	

Product code	Destination (°)	Amount of refund	Product code	Destination (°)	Amount of refund
0406 10 20 9610	037	—	0406 20 90 9990	+	—
	039	—	0406 30 31 9710	037	—
	099	32,61		039	—
	400	35,03		099	12,55
	...	48,91		400	8,785
0406 10 20 9620	037	—		...	18,82
	039	—	0406 30 31 9730	037	—
	099	33,07		039	—
	400	38,41		099	18,41
	...	49,60		400	12,89
0406 10 20 9630	037	—		...	27,62
	039	—	0406 30 31 9910	037	—
	099	36,91		039	—
	400	43,37		099	12,55
	...	55,37		400	8,785
0406 10 20 9640	037	—		...	18,82
	039	—	0406 30 31 9930	037	—
	099	54,25		039	—
	400	50,89		099	18,41
	...	81,37		400	12,89
0406 10 20 9650	037	—		...	27,62
	039	—	0406 30 31 9950	037	—
	099	45,21		039	—
	400	26,78		099	26,79
	...	67,81		400	18,75
0406 10 20 9660	+	—		...	40,18
0406 10 20 9830	037	—	0406 30 39 9500	037	—
	039	—		039	—
	099	16,77		099	18,41
	400	14,08		400	12,89
	...	25,15		...	27,62
0406 10 20 9850	037	—	0406 30 39 9700	037	—
	039	—		039	—
	099	20,33		099	26,79
	400	17,07		400	18,75
	...	30,49		...	40,18
0406 10 20 9870	+	—	0406 30 39 9930	037	—
0406 10 20 9900	+	—		039	—
0406 20 90 9100	+	—		099	26,79
0406 20 90 9913	037	—		400	18,75
	039	—		...	40,18
	099	37,49	0406 30 39 9950	037	—
	400	33,25		039	—
	...	56,24		099	30,29
0406 20 90 9915	037	—		400	22,25
	039	—		...	45,43
	099	49,48	0406 30 90 9000	037	—
	400	44,34		039	—
	...	74,22		099	31,78
0406 20 90 9917	037	—		400	22,25
	039	—		...	47,66
	099	52,57	0406 40 50 9000	037	—
	400	47,10		039	—
	...	78,86		099	57,42
0406 20 90 9919	037	—		400	34,72
	039	—		...	86,13
	099	58,76			
	400	52,65			
	...	88,14			

Product code	Destination (*)	Amount of refund	Product code	Destination (*)	Amount of refund
0406 40 90 9000	037	—	0406 90 33 9151	037	—
	039	—		039	—
	099	58,96		099	38,10
	400	34,72		400	22,64
	...	88,44		...	57,15
0406 90 13 9000	037	—	0406 90 33 9919	037	—
	039	—		039	—
	099	63,33		099	36,17
	400	68,40		400	21,40
	...	94,99		...	54,25
0406 90 15 9100	037	—	0406 90 33 9951	037	—
	039	—		039	—
	099	65,44		099	38,10
	400	72,00		400	21,06
	...	98,16		...	57,15
0406 90 17 9100	037	—	0406 90 35 9190	037	30,47
	039	—		039	30,47
	099	65,44		099	64,63
	400	68,40		400	79,25
	...	98,16		...	96,94
0406 90 21 9900	037	—	0406 90 35 9990	037	—
	039	—		039	—
	099	64,87		099	57,56
	400	46,87		400	42,31
	...	97,30		...	86,34
0406 90 23 9900	037	—	0406 90 37 9000	037	—
	039	—		039	—
	099	48,04		099	63,33
	400	19,55		400	72,00
	...	72,06		...	94,99
0406 90 25 9900	037	—	0406 90 61 9000	037	42,75
	039	—		039	42,75
	099	48,65		099	69,28
	400	22,27		400	60,28
	...	72,97		...	103,92
0406 90 27 9900	037	—	0406 90 63 9100	037	39,07
	039	—		039	39,07
	099	44,05		099	67,25
	400	19,55		400	70,62
	...	66,08		...	100,88
0406 90 31 9119	037	—	0406 90 63 9900	037	31,07
	039	—		039	31,07
	099	36,17		099	51,51
	400	24,22		400	54,09
	...	54,25		...	77,27
0406 90 31 9151	037	—	0406 90 69 9100	+	—
	039	—	0406 90 69 9910	037	—
	099	38,10		039	—
	400	22,64		099	51,51
	...	57,15		400	54,09
0406 90 33 9119	037	—		...	77,27
	039	—	0406 90 73 9900	037	—
	099	36,17		039	—
	400	24,22		099	48,53
	...	54,25		400	51,72
				...	72,79

Product code	Destination (°)	Amount of refund	Product code	Destination (°)	Amount of refund	
0406 90 75 9900	037	—	0406 90 85 9995	037	—	
	039	—		039	—	
	099	54,70		099	54,70	
	400	23,44		400	22,27	
	...	82,05		...	82,05	
0406 90 76 9100	037	—	0406 90 85 9999	+	—	
	039	—		0406 90 86 9100	+	—
	099	38,73		0406 90 86 9200	037	—
	400	19,09		039	—	
	...	58,10		099	39,13	
0406 90 76 9300	037	—	0406 90 86 9300	400	29,10	
	039	—		...	58,69	
	099	45,89		037	—	
	400	21,18		039	—	
	...	68,84		099	40,50	
0406 90 76 9500	037	—	0406 90 86 9400	400	31,89	
	039	—		...	60,75	
	099	50,79		037	—	
	400	24,44		039	—	
	...	76,19		099	45,50	
0406 90 78 9100	037	—	0406 90 86 9900	400	36,08	
	039	—		...	68,25	
	099	43,06		037	—	
	400	19,09		039	—	
	...	64,59		099	57,63	
0406 90 78 9300	037	—	0406 90 87 9100	400	42,36	
	039	—		...	86,45	
	099	52,73		+	—	
	400	21,18		0406 90 87 9200	037	—
	...	79,09		039	—	
0406 90 78 9500	037	—	0406 90 87 9300	099	32,61	
	039	—		400	26,91	
	099	52,73		...	48,91	
	400	24,44		037	—	
	...	79,09		039	—	
0406 90 79 9900	037	—	0406 90 87 9400	099	37,20	
	039	—		400	29,49	
	099	39,88		...	55,80	
	400	20,24		037	—	
	...	59,82		039	—	
0406 90 81 9900	037	—	0406 90 87 9951	099	40,35	
	039	—		400	33,38	
	099	47,73		...	60,53	
	400	42,31		037	—	
	...	71,59		039	—	
0406 90 85 9910	037	30,47	0406 90 87 9971	099	55,52	
	039	30,47		400	69,82	
	099	62,39		...	83,29	
	400	79,25		037	—	
	...	93,58		039	—	
0406 90 85 9991	037	—		099	55,36	
	039	—		400	36,22	
	099	57,56		...	83,04	
	400	42,31				
	...	86,34				

Product code	Destination (*)	Amount of refund	Product code	Destination (*)	Amount of refund
0406 90 87 9972	099	21,09	2309 10 19 9100	+	—
	400	14,39	2309 10 19 9200	+	—
	...	31,64	2309 10 19 9300	+	—
0406 90 87 9973	037	—	2309 10 19 9400	+	—
	039	—	2309 10 19 9500	+	—
	099	49,56	2309 10 19 9600	+	—
	400	25,35	2309 10 19 9700	+	—
	...	74,34	2309 10 19 9800	+	—
0406 90 87 9974	037	—	2309 10 70 9010	+	—
	039	—	2309 10 70 9100	+	14,58
	099	55,36	2309 10 70 9200	+	19,44
	400	25,35	2309 10 70 9300	+	24,30
	...	83,04	2309 10 70 9500	+	29,16
0406 90 87 9979	037	—	2309 10 70 9600	+	34,02
	039	—	2309 10 70 9700	+	38,88
	099	48,04	2309 10 70 9800	+	42,77
	400	25,35	2309 90 35 9010	+	—
	...	72,06	2309 90 35 9100	+	—
0406 90 88 9100	+	—	2309 90 35 9200	+	—
0406 90 88 9105	037	—	2309 90 35 9300	+	—
	039	—	2309 90 35 9400	+	—
	099	55,22	2309 90 35 9500	+	—
	400	31,89	2309 90 35 9700	+	—
	...	82,83	2309 90 39 9010	+	—
0406 90 88 9300	037	—	2309 90 39 9100	+	—
	039	—	2309 90 39 9200	+	—
	099	33,52	2309 90 39 9300	+	—
	400	31,89	2309 90 39 9400	+	—
	...	50,28	2309 90 39 9500	+	—
2309 10 15 9010	+	—	2309 90 39 9600	+	—
2309 10 15 9100	+	—	2309 90 39 9700	+	—
2309 10 15 9200	+	—	2309 90 39 9800	+	—
2309 10 15 9300	+	—	2309 90 70 9010	+	—
2309 10 15 9400	+	—	2309 90 70 9100	+	14,58
2309 10 15 9500	+	—	2309 90 70 9200	+	19,44
2309 10 15 9700	+	—	2309 90 70 9300	+	24,30
2309 10 19 9010	+	—	2309 90 70 9500	+	29,16
			2309 90 70 9600	+	34,02
			2309 90 70 9700	+	38,88
			2309 90 70 9800	+	42,77

(*) The code numbers for the destinations are those set out in the Annex to Commission Regulation (EC) No 68/96 (OJ No L 14, 19. 1. 1996, p. 6).

However, '099' covers all destination codes from 053 to 096 inclusive.

For destinations other than those indicated for each 'product code', the amount of the refund applying is indicated by '—'.

Where no destination ('+') is indicated, the amount of the refund is applicable for exports to any destination other than those referred to in Article 1 (2) and (3).

NB: The product codes and the footnotes are defined in Commission Regulation (EEC) No 3846/87 (OJ No L 366, 24. 12. 1987, p. 1), as amended.

COMMISSION REGULATION (EC) No 355/97

of 27 February 1997

amending Regulation (EEC) No 2219/92 laying down detailed rules for the application of the specific supply arrangements for Madeira relating to milk products regarding the amounts of aid

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

Having regard to Council Regulation (EEC) No 1600/92 of 15 June 1992 concerning specific measures for the Azores and Madeira relating to certain agricultural products ⁽¹⁾, as last amended by Regulation (EC) No 2348/96 ⁽²⁾, and in particular Article 10 thereof,

Whereas Commission Regulation (EEC) No 1696/92 ⁽³⁾, as last amended by Regulation (EEC) No 2596/93 ⁽⁴⁾, lays down in particular the detailed rules for the application of the specific arrangements for the supply of certain agricultural products to the Azores and Madeira;

Whereas Annex II to Regulation (EEC) No 2219/92 of 30 July 1992 laying down detailed rules for the application of the specific supply arrangements for Madeira relating to milk products and establishing the forecast supply balance ⁽⁵⁾, as last amended by Regulation (EC) No 167/97 ⁽⁶⁾, fixes the aid for milk products;

Whereas Commission Regulation (EC) No 354/97 of 27 February 1996 fixing the export refunds on milk and

milk products ⁽⁷⁾ fixes the refunds on those products; whereas Annex II to Regulation (EEC) No 2219/92 should be adapted to take account of those adjustments;

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

HAS ADOPTED THIS REGULATION:

Article 1

Annex II to amended Regulation (EEC) No 2219/92 is hereby replaced by the Annex hereto.

Article 2

This Regulation shall enter into force on 28 February 1997.

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

Done at Brussels, 27 February 1997.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ No L 173, 27. 6. 1992, p. 1.

⁽²⁾ OJ No L 320, 11. 12. 1996, p. 1.

⁽³⁾ OJ No L 179, 1. 7. 1992, p. 6.

⁽⁴⁾ OJ No L 238, 23. 9. 1993, p. 24.

⁽⁵⁾ OJ No L 218, 1. 8. 1992, p. 75.

⁽⁶⁾ OJ No L 29, 31. 1. 1997, p. 27.

⁽⁷⁾ See page 12 of this Official Journal.

ANNEX

ANNEX II

(in ECU/100 kg weight, if no other indication)

CN code	Description of goods	Product code	Notes	Amount of aid
0401	Milk and cream, not concentrated nor containing added sugar or other sweetening matter ⁽¹⁾ :			
0401 10	— Of a fat content, by weight, not exceeding 1 %:			
0401 10 10	— — In immediate packings of a net content not exceeding 2 litres	0401 10 10 9000	(¹)	3,324
0401 10 90	— — Other	0401 10 90 9000	(¹)	3,324
0401 20	— Of a fat content, by weight, exceeding 1 % but not exceeding 6 %:			
	— — Not exceeding 3 %:			
0401 20 11	— — — In immediate packings of a net content not exceeding 2 litres:			
	— — — Of a fat content, by weight, not exceeding 1,5 %	0401 20 11 9100	(¹)	3,324
	— — — Of a fat content, by weight, exceeding 1,5 %	0401 20 11 9500	(¹)	5,138
0401 20 19	— — — Other:			
	— — — Of a fat content, by weight, not exceeding 1,5 %	0401 20 19 9100	(¹)	3,324
	— — — Of a fat content, by weight, exceeding 1,5 %	0401 20 19 9500	(¹)	5,138
	— — Exceeding 3 %:			
0401 20 91	— — — In immediate packings of a net content not exceeding 2 litres:			
	— — — Of a fat content, by weight, not exceeding 4 %	0401 20 91 9100	(¹)	6,843
	— — — Of a fat content, by weight, exceeding 4 %	0401 20 91 9500	(¹)	7,973
0401 20 99	— — — Other:			
	— — — Of a fat content, by weight, not exceeding 4 %	0401 20 99 9100	(¹)	6,843
	— — — Of a fat content, by weight, exceeding 4 %	0401 20 99 9500	(¹)	7,973
0401 30	— Of a fat content, by weight, exceeding 6 %:			
	— — Not exceeding 21 %:			
0401 30 11	— — — In immediate packings of a net content not exceeding 2 litres:			
	— — — Of a fat content, by weight:			
	— — — Not exceeding 10 %	0401 30 11 9100	(¹)	10,23
	— — — Exceeding 10 % but not exceeding 17 %	0401 30 11 9400	(¹)	15,79
	— — — Exceeding 17 %	0401 30 11 9700	(¹)	23,71
0401 30 19	— — — Other:			
	— — — Of a fat content, by weight:			
	— — — Not exceeding 10 %	0401 30 19 9100	(¹)	10,23
	— — — Exceeding 10 % but not exceeding 17 %	0401 30 19 9400	(¹)	15,79
	— — — Exceeding 17 %	0401 30 19 9700	(¹)	23,71
	— — Exceeding 21 % but not exceeding 45 %:			

(in ECU/100 kg weight, if no other indication)

CN code	Description of goods	Product code	Notes	Amount of aid
0401 30 31	— — — In immediate packings of a net content not exceeding 2 litres: — Of a fat content, by weight: — Not exceeding 35 % — Exceeding 35 % but not exceeding 39 % — Exceeding 39 %	0401 30 31 9100 0401 30 31 9400 0401 30 31 9700	(¹) (¹) (¹)	28,24 44,10 48,63
0401 30 39	— — — Other: — Of a fat content, by weight: — Not exceeding 35 % — Exceeding 35 % but not exceeding 39 % — Exceeding 39 % — — Exceeding 45 %:	0401 30 39 9100 0401 30 39 9400 0401 30 39 9700	(¹) (¹) (¹)	28,24 44,10 48,63
0401 30 91	— — — In immediate packings of a net content not exceeding 2 litres: — Of a fat content, by weight: — Not exceeding 68 % — Exceeding 68 % but not exceeding 80 % — Exceeding 80 %	0401 30 91 9100 0401 30 91 9400 0401 30 91 9700	(¹) (¹) (¹)	55,43 81,46 95,06
0401 30 99	— — — Other: — Of a fat content, by weight: — Not exceeding 68 % — Exceeding 68 % but not exceeding 80 % — Exceeding 80 %	0401 30 99 9100 0401 30 99 9400 0401 30 99 9700	(¹) (¹) (¹)	55,43 81,46 95,06
ex 0402	Skimmed-milk powder of a fat content, by weight, not exceeding 1,5 %	0402 10 11 9000 0402 10 19 9000	(²)	63,00
ex 0402	Whole milk powder of a fat content, by weight, not exceeding 27 %	0402 21 11 9900 0402 21 19 9900	(²)	108,00
0402 21 11	— — — — In immediate packings of a net content not exceeding 2,5 kg: — Of a fat content, by weight: — Not exceeding 11 % — Exceeding 11 % but not exceeding 17 % — Exceeding 17 % but not exceeding 25 % — Exceeding 25 %	0402 21 11 9200 0402 21 11 9300 0402 21 11 9500 0402 21 11 9900	(²) (²) (²) (²)	63,00 95,30 100,40 108,00
0402 21 19	— — — — Other: — — — — Of a fat content, by weight, exceeding 11 % but not exceeding 27 %: — Not exceeding 17 % — Exceeding 17 % but not exceeding 25 % — Exceeding 25 % — — — Of a fat content, by weight, exceeding 27 %:	0402 21 19 9300 0402 21 19 9500 0402 21 19 9900	(²) (²) (²)	95,30 100,40 108,00

(in ECU/100 kg weight, if no other indication)

CN code	Description of goods	Product code	Notes	Amount of aid
ex 0405	Butter and other fats and oils derived from milk; dairy spreads:			
0405 10	— Butter:			
	— — Of a fat content, by weight, not exceeding 85 %:			
	— — — Natural butter:			
0405 10 11	— — — — In immediate packings of a net content not exceeding 1 kg:			
	— — — — — Of a fat content by weight:			
	— — — — — — Of 80 % or more but less than 82 %	0405 10 11 9500		185,37
	— — — — — — Of 82 % or more	0405 10 11 9700		190,00
0405 10 19	— — — — Other:			
	— — — — — Of a fat content by weight:			
	— — — — — — Of 80 % or more but less than 82 %	0405 10 19 9500		185,37
	— — — — — — Of 82 % or more	0405 10 19 9700		190,00
0405 10 30	— — — Recombined butter:			
	— — — — In immediate packings of a net content not exceeding 1 kg:			
	— — — — — Of a fat content by weight:			
	— — — — — — Of 80 % or more but less than 82 %	0405 10 30 9100		185,37
	— — — — — — Of 82 % or more	0405 10 30 9300		190,00
	— — — — Other:			
	— — — — — Of a fat content by weight:			
	— — — — — — Of 80 % or more but less than 82 %	0405 10 30 9500		185,37
	— — — — — — Of 82 % or more	0405 10 30 9700		190,00
0405 10 50	— — — Whey butter:			
	— — — — In immediate packings of a net content not exceeding 1 kg:			
	— — — — — Of a fat content by weight:			
	— — — — — — Of 80 % or more but less than 82 %	0405 10 50 9100		185,37
	— — — — — — Of 82 % or more	0405 10 50 9300		190,00
	— — — — Other:			
	— — — — — Of a fat content by weight:			
	— — — — — — Of 80 % or more but less than 82 %	0405 10 50 9500		185,37
	— — — — — — Of 82 % or more	0405 10 50 9700		190,00
0405 10 90	— — Other	0405 10 90 9000		196,95
ex 0405 20	— Dairy spreads:			
0405 20 90	— — Of a fat content by weight of more than 75 % but less than 80 %:			
	— — — Of a fat content by weight:			
	— — — — Of more than 75 % but less than 78 %	0405 20 90 9500		173,78
	— — — — Of 78 % or more	0405 20 90 9700		180,73
0405 90	— Other:			
0405 90 10	— — Of a fat content by weight of 99,3 % or more and of a water content by weight not exceeding 0,5 %:	0405 90 10 9000		240,00
0405 90 90	— — Other	0405 90 90 9000		190,00

(in ECU/100 kg weight, if no other indication)

CN code	Description of goods	Additional requirements for using the product code		Product code	Notes	Amount of aid
		Maximum water content in product weight (%)	Minimum fat content in the dry matter (%)			
ex 0406	Cheese and curd ⁽³⁾ :					
ex 0406 90 23	— — — Edam	47	40	0406 90 23 9900	⁽³⁾	72,06
ex 0406 90 25	— — — Tilsit	47	45	0406 90 25 9900	⁽³⁾	72,97
ex 0406 90 76	— — — — — Danbo, Fontal, Fontina, Fynbo, Havarti, Maribo, Samsøe:					
	— — — — — Of a fat content, by weight, in the dry matter of less than 45 %	55	20	0406 90 76 9100	⁽³⁾	58,10
	— — — — — Of a fat content, by weight, in the dry matter of 45 % or more but less than 55 %	50	45	0406 90 76 9300	⁽³⁾	68,84
	— — — — — Other	46	55	0406 90 76 9500	⁽³⁾	76,19
ex 0406 90 78	— — — — — Gouda:					
	— — — — — Of a fat content, by weight, in the dry matter of less than 48 %	50	20	0406 90 78 9100	⁽³⁾	64,59
	— — — — — Of a fat content by weight, in the dry matter of 48 % or more but less than 55 %	45	48	0406 90 78 9300	⁽³⁾	79,09
	— — — — — Other	45	55	0406 90 78 9500	⁽³⁾	79,09
ex 0406 90 79	— — — — — Esrom, Italico, Kernhem, Saint-Nectaire, Saint-Paulin, Taleggio	56	40	0406 90 79 9900	⁽³⁾	59,82
ex 0406 90 81	— — — — — Cantal, Cheshire, Wensleydale, Lancashire, Double Gloucester, Blarney, Colby, Monterey	48	45	0406 90 81 9900	⁽³⁾	71,59
ex 0406 90 86	— — — — — Exceeding 47 % but not exceeding 52 %:					
	— — — — — cheeses produced from whey			0406 90 86 9100		—
	— — — — — Other, of a fat content, by weight, in the dry matter:					
	— — — — — Of less than 5 %	52		0406 90 86 9200	⁽³⁾	58,69
	— — — — — Of 5 % or more but less than 19 %	51	5	0406 90 86 9300	⁽³⁾	60,75
	— — — — — Of 19 % or more but less than 39 %	47	19	0406 90 86 9400	⁽³⁾	68,25
	— — — — — Of 39 % or more	40	39	0406 90 86 9900	⁽³⁾	86,45
ex 0406 90 87	— — — — — Exceeding 52 % but not exceeding 62 %:					
	— — — — — cheeses produced from whey			0406 90 87 9100		—
	— — — — — Other, of a fat content, by weight, in the dry matter:					
	— — — — — Of less than 5 %	60		0406 90 87 9200	⁽³⁾	48,91
	— — — — — Of 5 % or more but less than 19 %	55	5	0406 90 87 9300	⁽³⁾	55,80
	— — — — — Of 19 % or more but less than 40 %	53	19	0406 90 87 9400	⁽³⁾	60,53

(in ECU/100 kg weight, if no other indication)

CN code	Description of goods	Additional requirements for using the product code		Product code	Notes	Amount of aid
		Maximum water content in product weight (%)	Minimum fat content in the dry matter (%)			
ex 0406 90 87 (cont'd.)	----- Of 40 % or more:					
	----- Idiazabal, Manchego and Roncal manufactured exclusively from sheep's milk	45	45	0406 90 87 9951	(³)	83,29
	----- Maasdam	45	45	0406 90 87 9971	(³)	83,04
	----- Manouri	43	53	0406 90 87 9972	(³)	31,64
	----- Hushallsost	46	45	0406 90 87 9973	(³)	74,34
	----- Turunmaa, Pohjanpoika, Olttermanni	41	50	0406 90 87 9974	(³)	83,04
	----- Other:	47	40	0406 90 87 9979	(³)	72,06
ex 0406 90 88	----- Exceeding 62 % but not exceeding 72 %:					
	----- cheeses produced from whey			0406 90 88 9100		—
	----- Other:					
	----- Of a fat content, by weight, in the dry matter:					
	----- Of 10 % or more but less than 19 %	60	10	0406 90 88 9300	(³)	50,28

(¹) When the product falling within this subheading is a mixture containing added whey and/or added lactose and/or casein and/or caseinates, no aid shall be granted. When completing customs formalities, the applicant shall state on the declaration provided for this purpose, whether or not whey and/or lactose and/or casein and/or caseinates have been added to the product.

(²) The weight of the added non-lactic matter and/or added whey and/or added lactose and/or added casein and/or added caseinates shall not be taken into account for the purpose of calculation of the fat content by weight. When the product falling within this subheading is a mixture containing added whey and/or added lactose and/or added casein and/or added caseinates, the whey and/or added casein and/or caseinates shall not be taken into account in the added calculation of the amount of aid.

When completing customs formalities, the applicant shall state, on the declaration provided for this purpose, whether or not whey and/or lactose and/or casein and/or caseinates have been added, and where this is the case:

- the actual content by weight of whey and/or lactose and/or casein and/or caseinates added per 100 kilograms of finished product, and in particular,
- the lactose content of the added whey.

(³) In the case of cheeses presented in containers which also contain conserving liquid, in particular brine, the aid is granted on the net weight, the weight of the liquid being deducted.

(⁴) The weight of added non-lactic matter and/or added whey and/or added lactose and/or added casein and/or added caseinates shall not be taken into account for the purpose of calculation of the fat content, by weight.

The aid per 100 kilograms of product falling within this subheading shall be equal to the sum of the following components:

(a) the amount per kilogram shown, multiplied by the weight of the lactic part contained in 100 kilograms of product; however, where whey and/or lactose and/or casein and/or caseinates have been added to the product, the amount per kilogram shown shall be multiplied by the weight of lactic part excluding the weight of added whey and/or added lactose and/or added caseinates, contained in 100 kilograms of product;

(b) a component calculated in accordance with the provisions of Article 12 (3) of amended Regulation (EC) No 1466/95 (OJ No L 144, 28. 6. 1995, p. 22).

When completing customs formalities, the applicant shall state, on the declaration provided for this purpose, whether or not whey and/or lactose and/or casein and/or caseinates have been added, and where this is the case:

- the actual content by weight of whey and/or lactose and/or casein and/or caseinates added per 100 kilograms of finished products, and in particular,
- the lactose content of the added whey.

COMMISSION REGULATION (EC) No 356/97

of 27 February 1997

amending Regulation (EC) No 2993/94 fixing the aid for the supply of milk products to the Canary Islands under the arrangements provided for in Articles 2 to 4 of Council Regulation (EEC) No 1601/92

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

Having regard to Council Regulation (EEC) No 1601/92 of 15 June 1992 concerning specific measures for the Canary Islands with regard to certain agricultural products⁽¹⁾, as last amended by Regulation (EC) No 2348/96⁽²⁾, and in particular Article 3 (4) thereof,

Whereas Commission Regulation (EC) No 2790/94⁽³⁾, as amended by Regulation (EC) No 2883/94⁽⁴⁾, lays down in particular the detailed rules for the application of the specific arrangements for the supply of certain agricultural products to the Canary Islands;

Whereas Commission Regulation (EC) No 2993/94⁽⁵⁾, as last amended by Regulation (EC) No 168/97⁽⁶⁾, fixed the amount of aid for milk products;

Whereas Commission Regulation (EC) No 354/97 of 27 February 1997 fixing the export refunds on milk and

milk products⁽⁷⁾, fixes the refunds on those products; whereas the Annex to Regulation (EC) No 2993/94 should be adapted to take account of those adjustments;

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

HAS ADOPTED THIS REGULATION:

Article 1

The Annex to amended Regulation (EC) No 2993/94 is hereby replaced by the Annex hereto.

Article 2

This Regulation shall enter into force on 28 February 1997.

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

Done at Brussels, 27 February 1997.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ No L 173, 27. 6. 1992, p. 13.

⁽²⁾ OJ No L 320, 11. 12. 1996, p. 1.

⁽³⁾ OJ No L 296, 17. 11. 1994, p. 23.

⁽⁴⁾ OJ No L 304, 29. 11. 1994, p. 18.

⁽⁵⁾ OJ No L 316, 9. 12. 1994, p. 11.

⁽⁶⁾ OJ No L 29, 31. 1. 1997, p. 33.

⁽⁷⁾ See page 12 of this Official Journal.

ANNEX

(in ECU/100 kg weight, if no other indication)

CN code	Description of goods	Product code	Notes	Amount of aid
0401	Milk and cream, not concentrated nor containing added sugar or other sweetening matter ('):			
0401 10	— Of a fat content, by weight, not exceeding 1 %:			
0401 10 10	— — In immediate packings of a net content not exceeding 2 litres	0401 10 10 9000	(¹)	3,324
0401 10 90	— — Other	0401 10 90 9000	(¹)	3,324
0401 20	— Of a fat content, by weight, exceeding 1 % but not exceeding 6 %:			
	— — Not exceeding 3 %:			
0401 20 11	— — — In immediate packings of a net content not exceeding 2 litres:			
	— — — Of a fat content, by weight, not exceeding 1,5 %	0401 20 11 9100	(¹)	3,324
	— — — Of a fat content, by weight, exceeding 1,5 %	0401 20 11 9500	(¹)	5,138
0401 20 19	— — — Other:			
	— — — Of a fat content, by weight, not exceeding 1,5 %	0401 20 19 9100	(¹)	3,324
	— — — Of a fat content, by weight, exceeding 1,5 %	0401 20 19 9500	(¹)	5,138
	— — Exceeding 3 %:			
0401 20 91	— — — In immediate packings of a net content not exceeding 2 litres:			
	— — — Of a fat content, by weight, not exceeding 4 %	0401 20 91 9100	(¹)	6,843
	— — — Of a fat content, by weight, exceeding 4 %	0401 20 91 9500	(¹)	7,973
0401 20 99	— — — Other:			
	— — — Of a fat content, by weight, not exceeding 4 %	0401 20 99 9100	(¹)	6,843
	— — — Of a fat content, by weight, exceeding 4 %	0401 20 99 9500	(¹)	7,973
0401 30	— Of a fat content, by weight, exceeding 6 %:			
	— — Not exceeding 21 %:			
0401 30 11	— — — In immediate packings of a net content not exceeding 2 litres:			
	— — — Of a fat content, by weight:			
	— — — Not exceeding 10 %	0401 30 11 9100	(¹)	10,23
	— — — Exceeding 10 % but not exceeding 17 %	0401 30 11 9400	(¹)	15,79
	— — — Exceeding 17 %	0401 30 11 9700	(¹)	23,71
0401 30 19	— — — Other:			
	— — — Of a fat content, by weight:			
	— — — Not exceeding 10 %	0401 30 19 9100	(¹)	10,23
	— — — Exceeding 10 % but not exceeding 17 %	0401 30 19 9400	(¹)	15,79
	— — — Exceeding 17 %	0401 30 19 9700	(¹)	23,71
	— — Exceeding 21 % but not exceeding 45 %:			
0401 30 31	— — — In immediate packings of a net content not exceeding 2 litres:			
	— — — Of a fat content, by weight:			
	— — — Not exceeding 35 %	0401 30 31 9100	(¹)	28,24
	— — — Exceeding 35 % but not exceeding 39 %	0401 30 31 9400	(¹)	44,10
	— — — Exceeding 39 %	0401 30 31 9700	(¹)	48,63

(in ECU/100 kg weight, if no other indication)

CN code	Description of goods	Product code	Notes	Amount of aid
0401 30 39	— — — Other: — Of a fat content, by weight: — Not exceeding 35 % — Exceeding 35 % but not exceeding 39 % — Exceeding 39 % — — Exceeding 45 %:	0401 30 39 9100 0401 30 39 9400 0401 30 39 9700	(¹) (¹) (¹)	28,24 44,10 48,63
0401 30 91	— — — In immediate packings of a net content not exceeding 2 litres: — Of a fat content, by weight: — Not exceeding 68 % — Exceeding 68 % but not exceeding 80 % — Exceeding 80 %	0401 30 91 9100 0401 30 91 9400 0401 30 91 9700	(¹) (¹) (¹)	55,43 81,46 95,06
0401 30 99	— — — Other: — Of a fat content, by weight: — Not exceeding 68 % — Exceeding 68 % but not exceeding 80 % — Exceeding 80 %	0401 30 99 9100 0401 30 99 9400 0401 30 99 9700	(¹) (¹) (¹)	55,43 81,46 95,06
0402	Milk and cream, concentrated or containing added sugar or other sweetening matter:			
0402 10	— In powder, granules or other solid forms, of a fat content, by weight, not exceeding 1,5 % (⁷): — — Not containing added sugar or other sweetening matter (²):			
0402 10 11	— — — In immediate packings of a net content not exceeding 2,5 kg	0402 10 11 9000	(²)	63,00
0402 10 19	— — — Other — — — Other (³):	0402 10 19 9000	(²)	63,00
0402 10 91	— — — In immediate packings of a net content not exceeding 2,5 kg	0402 10 91 9000	(³)	0,6300
0402 10 99	— — — Other — In powder, granules or other solid forms, of a fat content, by weight, exceeding 1,5 % (⁷):	0402 10 99 9000	(³)	0,6300
0402 21	— — Not containing added sugar or other sweetening matter (²): — — — Of a fat content, by weight, not exceeding 27 %:			
0402 21 11	— — — — In immediate packings of a net content not exceeding 2,5 kg: — Of a fat content, by weight: — Not exceeding 11 % — Exceeding 11 % but not exceeding 17 % — Exceeding 17 % but not exceeding 25 % — Exceeding 25 % — — — — Other:	0402 21 11 9200 0402 21 11 9300 0402 21 11 9500 0402 21 11 9900	(²) (²) (²) (²)	63,00 95,30 100,40 108,00
0402 21 17	— — — — — Of a fat content, by weight, not exceeding 11 %	0402 21 17 9000	(²)	63,00
0402 21 19	— — — — — Of a fat content, by weight, exceeding 11 % but not exceeding 27 %: — Not exceeding 17 % — Exceeding 17 % but not exceeding 25 % — Exceeding 25 % — — — Of a fat content, by weight, exceeding 27 %:	0402 21 19 9300 0402 21 19 9500 0402 21 19 9900	(³) (²) (²)	95,30 100,40 108,00

(in ECU/100 kg weight, if no other indication)

CN code	Description of goods	Product code	Notes	Amount of aid
0402 21 91	- - - - In immediate packings of a net content not exceeding 2,5 kg: - Of a fat content, by weight: - Not 28 % - Exceeding 28 % but not exceeding 29 % - Exceeding 29 % but not exceeding 41 % - Exceeding 41 % but not exceeding 45 % - Exceeding 45 % but not exceeding 59 % - Exceeding 59 % but not exceeding 69 % - Exceeding 69 % but not exceeding 79 % - Exceeding 7 %	0402 21 91 9100 0402 21 91 9200 0402 21 91 9300 0402 21 91 9400 0402 21 91 9500 0402 21 91 9600 0402 21 91 9700 0402 21 91 9900	(²) (²) (²) (²) (²) (²) (²) (²)	108,78 109,53 110,88 118,51 121,15 131,29 137,24 143,96
0402 21 99	- - - - Other: - Of a fat content, by weight: - Not exceeding 28 % - Exceeding 28 % but not exceeding 29 % - Exceeding 29 % but not exceeding 41 % - Exceeding 41 % but not exceeding 45 % - Exceeding 45 % but not exceeding 59 % - Exceeding 59 % but not exceeding 69 % - Exceeding 69 % but not exceeding 79 % - Exceeding 79 %	0402 21 99 9100 0402 21 99 9200 0402 21 99 9300 0402 21 99 9400 0402 21 99 9500 0402 21 99 9600 0402 21 99 9700 0402 21 99 9900	(²) (²) (²) (²) (²) (²) (²) (²)	108,78 109,53 110,88 118,51 121,15 131,29 137,24 143,96
ex 0402 29	- - Other (³): - - - Of a fat content, by weight, not exceeding 27 %: - - - - Other:			
0402 29 15	- - - - In immediate packings of a net content not exceeding 2,5 kg: - Of a fat content, by weight: - Not exceeding 11 % - Exceeding 11 % but not exceeding 17 % - Exceeding 17 % but not exceeding 25 % - Exceeding 25 %	0402 29 15 9200 0402 29 15 9300 0402 29 15 9500 0402 29 15 9900	(³) (³) (³) (³)	0,6300 0,9530 1,0040 1,0802
0402 29 19	- - - - Other: - Of a fat content, by weight: - Not exceeding 11 % - Exceeding 11 % but not exceeding 17 % - Exceeding 17 % but not exceeding 25 % - Exceeding 25 % - - - Of a fat content, by weight, exceeding 27 %:	0402 29 19 9200 0402 29 19 9300 0402 29 19 9500 0402 29 19 9900	(³) (³) (³) (³)	0,6300 0,9530 1,0040 1,0802
0402 29 91	- - - - In immediate packings of a net content not exceeding 2,5 kg: - Of a fat content, by weight: - Not exceeding 41 % - Exceeding 41 %	0402 29 91 9100 0402 29 91 9500	(³) (³)	1,0878 1,1851
0402 29 99	- - - - Other: - Of a fat content, by weight: - Not exceeding 41 % - Exceeding 41 %	0402 29 99 9100 0402 29 99 9500	(³) (³)	1,0878 1,1851

(in ECU/100 kg weight, if no other indication)

CN code	Description of goods	Product code	Notes	Amount of aid
	– Other:			
0402 91	– – Not containing added sugar or other sweetening matter ⁽²⁾ :			
	– – – Of a fat content, by weight, not exceeding 8 %:			
0402 91 11	– – – – In immediate packings of a net content not exceeding 2,5 kg:			
	– Of a non-fat lactic dry matter content:			
	– Of less than 15 % and of a fat content, by weight:			
	– Not exceeding 3 %	0402 91 11 9110	⁽²⁾	3,324
	– Exceeding 3 %	0402 91 11 9120	⁽²⁾	6,843
	– Of 15 % or more and of a fat content, by weight:			
	– Not exceeding 3 %	0402 91 11 9310	⁽²⁾	13,98
	– Exceeding 3 % but not exceeding 7,4 %	0402 91 11 9350	⁽²⁾	17,15
	– Exceeding 7,4 %	0402 91 11 9370	⁽²⁾	20,85
0402 91 19	– – – – Other:			
	– Of a non-fat lactic dry matter content:			
	– Of less than 15 % and of a fat content, by weight:			
	– Not exceeding 3 %	0402 91 19 9110	⁽²⁾	3,324
	– Exceeding 3 %	0402 91 19 9120	⁽²⁾	6,843
	– Of 15 % or more and of a fat content, by weight:			
	– Not exceeding 3 %	0402 91 19 9310	⁽²⁾	13,98
	– Exceeding 3 % but not exceeding 7,4 %	0402 91 19 9350	⁽²⁾	17,15
	– Exceeding 7,4 %	0402 91 19 9370	⁽²⁾	20,85
	– – – Of a fat content, by weight, exceeding 8 % but not exceeding 10 %:			
0402 91 31	– – – – In immediate packings of a net content not exceeding 2,5 kg:			
	– Of a non-fat lactic dry matter content:			
	– Of less than 15 %	0402 91 31 9100	⁽²⁾	13,52
	– Of 15 % or more	0402 91 31 9300	⁽²⁾	24,65
0402 91 39	– – – – Other:			
	– Of a non-fat lactic dry matter content:			
	– Of less than 15 %	0402 91 39 9100	⁽²⁾	13,52
	– Of 15 % or more	0402 91 39 9300	⁽²⁾	24,65
	– – – Of a fat content, by weight, exceeding 10 % but not exceeding 45 %:			
0402 91 51	– – – – In immediate packings of a net content not exceeding 2,5 kg	0402 91 51 9000	⁽²⁾	15,79
0402 91 59	– – – – Other	0402 91 59 9000	⁽²⁾	15,79
	– – – Of a fat content, by weight, exceeding 45 %:			
0402 91 91	– – – – In immediate packings of a net content not exceeding 2,5 kg	0402 91 91 9000	⁽²⁾	55,43
0402 91 99	– – – – Other	0402 91 99 9000	⁽²⁾	55,43

(in ECU/100 kg weight, if no other indication)

CN code	Description of goods	Product code	Notes	Amount of aid
0402 99	— — Other:			
	— — — Of a fat content, by weight, not exceeding 9,5 %:			
0402 99 11	— — — — In immediate packings of a net content not exceeding 2,5 kg:			
	— Of a non-fat lactic dry matter content of less than 15 % and of a fat content, by weight ⁽³⁾ :			
	— Not exceeding 3 %	0402 99 11 9110	⁽³⁾	0,0333
	— Exceeding 3 % but not exceeding 6,9 %	0402 99 11 9130	⁽³⁾	0,0685
	— Exceeding 6,9 %	0402 99 11 9150	⁽³⁾	0,1336
	— Of a non-fat lactic dry matter content of 15 % or more and of a fat content, by weight ⁽⁴⁾ :			
	— Not exceeding 3 %	0402 99 11 9310	⁽⁴⁾	16,14
	— Exceeding 3 % but not exceeding 6,9 %	0402 99 11 9330	⁽⁴⁾	19,37
	— Exceeding 6,9 %	0402 99 11 9350	⁽⁴⁾	25,75
0402 99 19	— — — — Other:			
	— Of a non-fat lactic dry matter content of less than 15 % and of a fat content, by weight ⁽³⁾ :			
	— Not exceeding 3 %	0402 99 19 9110	⁽³⁾	0,0333
	— Exceeding 3 % but not exceeding 6,9 %	0402 99 19 9130	⁽³⁾	0,0685
	— Exceeding 6,9 %	0402 99 19 9150	⁽³⁾	0,1336
	— Of a non-fat lactic dry matter content of 15 % or more and of a fat content, by weight ⁽⁴⁾ :			
	— Not exceeding 3 %	0402 99 19 9310	⁽⁴⁾	16,14
	— Exceeding 3 % but not exceeding 6,9 %	0402 99 19 9330	⁽⁴⁾	19,37
	— Exceeding 6,9 %	0402 99 19 9350	⁽⁴⁾	25,75
	— — — Of a fat content, by weight, exceeding 9,5 % but not exceeding 45 %:			
0402 99 31	— — — — In immediate packings not exceeding 2,5 kg:			
	— Of a fat content, by weight, not exceeding 21 %:			
	— Of a non-fat lactic dry matter content, by weight, of less than 15 % ⁽³⁾	0402 99 31 9110	⁽³⁾	0,1466
	— Of a non-fat lactic dry matter content, by weight, of 15 % or more ⁽⁴⁾	0402 99 31 9150	⁽⁴⁾	26,81
	— Of a fat content, by weight, exceeding 21 % but not exceeding 39 % ⁽³⁾	0402 99 31 9300	⁽³⁾	0,2824
	— Of a fat content, by weight, exceeding 39 % ⁽³⁾	0402 99 31 9500	⁽³⁾	0,4863
0402 99 39	— — — — Other:			
	— Of a fat content, by weight, not exceeding 21 %:			
	— Of a non-fat lactic dry matter content, by weight, of less than 15 % ⁽³⁾	0402 99 39 9110	⁽³⁾	0,1466
	— Of a non-fat lactic dry matter content, by weight, of 15 % or more ⁽⁴⁾	0402 99 39 9150	⁽⁴⁾	26,81
	— Of a fat content, by weight, exceeding 21 % but not exceeding 39 % ⁽³⁾	0402 99 39 9300	⁽³⁾	0,2824
	— Of a fat content, by weight, exceeding 39 % ⁽³⁾	0402 99 39 9500	⁽³⁾	0,4863

(in ECU/100 kg weight, if no other indication)

CN code	Description of goods	Product code	Notes	Amount of aid
	— — — Of a fat content, by weight, exceeding 45 %:			
0402 99 91	— — — — In immediate packings not exceeding 2,5 kg ⁽¹⁾	0402 99 91 9000	(2)	0,5543
0402 99 99	— — — — Other ⁽¹⁾	0402 99 99 9000	(2)	0,5543
ex 0405	Butter and other fats and oils derived from milk; dairy spreads:			
0405 10	— Butter:			
	— — Of a fat content, by weight, not exceeding 85 %:			
	— — — Natural butter:			
0405 10 11	— — — — In immediate packings of a net content not exceeding 1 kg:			
	— — — — — Of a fat content by weight:			
	— — — — — — Of 80 % or more but less than 82 %	0405 10 11 9500		185,37
	— — — — — — Of 82 % or more	0405 10 11 9700		190,00
0405 10 19	— — — — Other:			
	— — — — — Of a fat content by weight:			
	— — — — — — Of 80 % or more but less than 82 %	0405 10 19 9500		185,37
	— — — — — — Of 82 % or more	0405 10 19 9700		190,00
0405 10 30	— — — Recombined butter:			
	— — — — In immediate packings of a net content not exceeding 1 kg:			
	— — — — — Of a fat content by weight:			
	— — — — — — Of 80 % or more but less than 82 %	0405 10 30 9100		185,37
	— — — — — — Of 82 % or more	0405 10 30 9300		190,00
	— — — — Other:			
	— — — — — Of a fat content by weight:			
	— — — — — — Of 80 % or more but less than 82 %	0405 10 30 9500		185,37
	— — — — — — Of 82 % or more	0405 10 30 9700		190,00
0405 10 50	— — — Whey butter:			
	— — — — In immediate packings of a net content not exceeding 1 kg:			
	— — — — — Of a fat content by weight:			
	— — — — — — Of 80 % or more but less than 82 %	0405 10 50 9100		185,37
	— — — — — — Of 82 % or more	0405 10 50 9300		190,00
	— — — — Other:			
	— — — — — Of a fat content by weight:			
	— — — — — — Of 80 % or more but less than 82 %	0405 10 50 9500		185,37
	— — — — — — Of 82 % or more	0405 10 50 9700		190,00
0405 10 90	— — Other	0405 10 90 9000		196,95
ex 0405 20	— Dairy spreads:			
0405 20 90	— — Of a fat content by weight of more than 75 % but less than 80 %:			
	— — — Of a fat content by weight:			
	— — — — Of more than 75 % but less than 78 %	0405 20 90 9500		173,78
	— — — — Of 78 % or more	0405 20 90 9700		180,73
0405 90	— Other:			
0405 90 10	— — Of a fat content by weight of 99,3 % or more and of a water content by weight not exceeding 0,5 %:	0405 90 10 9000		240,00
0405 90 90	— — Other	0405 90 90 9000		190,00

(in ECU/100 kg weight, if no other indication)

CN code	Description of goods	Additional requirements for using the product code		Product code	Notes	Amount of aid
		Maximum water content in product weight (%)	Minimum fat content in the dry matter (%)			
ex 0406	Cheese and curd ⁽⁵⁾ :					
ex 0406 30	— Processed cheese, not grated or powdered ⁽⁶⁾ :					
	— — Other:					
	— — — Of a fat content, by weight, not exceeding 36 % and of a fat content, by weight, in the dry matter:					
ex 0406 30 31	— — — — Not exceeding 48 %:					
	— — — — — Of a dry matter content, by weight:					
	— — — — — — Of 40 % or more but less than 43 %, and of a fat content, by weight, in the dry matter:					
	— — — — — — — Of less than 20 %	60		0406 30 31 9710	⁽⁵⁾	18,82
	— — — — — — — Of 20 % or more	60	20	0406 30 31 9730	⁽⁵⁾	27,62
	— — — — — — — Of 43 % or more and with a fat content, by weight, in the dry matter:					
	— — — — — — — Of less than 20 %	57		0406 30 31 9910	⁽⁵⁾	18,82
	— — — — — — — Of 20 % or more but less than 40 %	57	20	0406 30 31 9930	⁽⁵⁾	27,62
	— — — — — — — Of 40 % or more	57	40	0406 30 31 9950	⁽⁵⁾	40,18
ex 0406 30 39	— — — — Exceeding 48 %:					
	— — — — — Of a dry matter, content, by weight:					
	— — — — — — Of 40 % or more but less than 43 %	60	48	0406 30 39 9500	⁽⁵⁾	27,62
	— — — — — — Of 43 % or more but less than 46 %	57	48	0406 30 39 9700	⁽⁵⁾	40,18
	— — — — — — Of 46 % or more and with a fat content, by weight, in the dry matter:					
	— — — — — — — Of less than 55 %	54	48	0406 30 39 9930	⁽⁵⁾	40,18
	— — — — — — — Of 55 % or more	54	55	0406 30 39 9950	⁽⁵⁾	45,43
ex 0406 30 90	— — — Of a list content exceeding 36 %	54	79	0406 30 90 9000	⁽⁵⁾	47,66
ex 0406 90 23	— — — Edam	47	40	0406 90 23 9900	⁽⁵⁾	72,06
ex 0406 90 25	— — — Tilsit	47	45	0406 90 25 9900	⁽⁵⁾	72,97
ex 0406 90 27	— — — Butterkäse	52	45	0406 90 27 9900	⁽⁵⁾	66,08
ex 0406 90 76	— — — — — Danbo, Fontal, Fontina, Fynbo, Havarti, Maribo, Samsøe:					
	— — — — — — Of a fat content, by weight, in the dry matter of less than 45 %	55	20	0406 90 76 9100	⁽⁵⁾	58,10
	— — — — — — Of a fat content, by weight, in the dry matter of 45 % or more but less than 55 %	50	45	0406 90 76 9300	⁽⁵⁾	68,84
	— — — — — — Other	46	55	0406 90 76 9500	⁽⁵⁾	76,19

(in ECU/100 kg weight, if no other indication)

CN code	Description of goods	Additional requirements for using the product code		Product code	Notes	Amount of aid
		Maximum water content in product weight (%)	Minimum fat content in the dry matter (%)			
ex 0406 90 78	----- Gouda:					
	----- Of a fat content, by weight, in the dry matter of less than 48 %	50	20	0406 90 78 9100	(⁹)	64,59
	----- Of a fat content by weight, in the dry matter of 48 % or more but less 55 %	45	48	0406 90 78 9300	(⁹)	79,09
	----- Other	45	55	0406 90 78 9500	(⁹)	79,09
ex 0406 90 79	----- Esrom, Italico, Kernhem, Saint-Nectaire, Saint-Paulin, Taleggio	56	40	0406 90 79 9900	(⁹)	59,82
ex 0406 90 81	----- Cantal, Cheshire, Wensleydale, Lancashire, Double Gloucester, Blarney, Colby, Monterey	48	45	0406 90 81 9900	(⁹)	71,59
ex 0406 90 86	----- Exceeding 47 % but not exceeding 52 %:					
	----- cheeses produced from whey			0406 90 86 9100		—
	----- Other, of a fat content, by weight, in the dry matter:					
	----- Of less than 5 %	52		0406 90 86 9200	(⁹)	58,69
	----- Of 5 % or more but less than 19 %	51	5	0406 90 86 9300	(⁹)	60,75
	----- Of 19 % or more but less than 39 %	47	19	0406 90 86 9400	(⁹)	68,25
	----- Of 39 % or more	40	39	0406 90 86 9900	(⁹)	86,45
ex 0406 90 87	----- Exceeding 52 % but not exceeding 62 %:					
	----- cheeses produced from whey			0406 90 87 9100		—
	----- Other, of a fat content, by weight, in the dry matter:					
	----- Of less than 5 %	60		0406 90 87 9200	(⁹)	48,91
	----- Of 5 % or more but less than 19 %	55	5	0406 90 87 9300	(⁹)	55,80
	----- Of 19 % or more but less than 40 %	53	19	0406 90 87 9400	(⁹)	60,53
	----- Of 40 % or more:					
	----- Idiazabal, Manchego and Roncal manufactured exclusively from sheep's milk	45	45	0406 90 87 9951	(⁹)	83,29
	----- Maasdam	45	45	0406 90 87 9971	(⁹)	83,04
	----- Manouri	43	53	0406 90 87 9972	(⁹)	31,64
	----- Hushallsost	46	45	0406 90 87 9973	(⁹)	74,34
	----- Turunmaa, Pohjanpoika, Oltermanni	41	50	0406 90 87 9974	(⁹)	83,04
	----- Other	47	40	0406 90 87 9979	(⁹)	72,06

- (1) When the product falling within this subheading is a mixture containing added whey and/or added lactose and/or casein and/or caseinates, no aid shall be granted.
When completing customs formalities, the applicant shall state on the declaration provided for this purpose, whether or not whey and/or lactose and/or casein and/or caseinates have been added to the product.
- (2) The weight of the added non-lactic matter and/or added whey and/or added lactose and/or added casein and/or added caseinates shall not be taken into account for the purpose of calculation of the fat content by weight. When the product falling within this subheading is a mixture containing added whey and/or added lactose and/or added casein and/or added caseinates, the whey and/or added casein and/or caseinates shall not be taken into account in the added calculation of the amount of aid.
When completing customs formalities, the applicant shall state, on the declaration provided for this purpose, whether or not whey and/or lactose and/or casein and/or caseinates have been added, and where this is the case:
- the actual content by weight of whey and/or lactose and/or casein and/or caseinates added per 100 kilograms of finished product, and in particular,
 - the lactose content of the added whey.
- (3) The weight of added non-lactic matter and/or added whey and/or added lactose and/or added casein and/or added caseinates shall not be taken into account for the purpose of calculation of the fat content, by weight.
The aid per 100 kilograms of product falling within this subheading shall be equal to the sum of the following components:
- (a) the amount per kilogram shown, multiplied by the weight of the lactic part contained in 100 kilograms of product; however, where whey and/or lactose and/or casein and/or caseinates have been added to the product, the amount per kilogram shown shall be multiplied by the weight of lactic part excluding the weight of added whey and/or added lactose and/or added caseinates, contained in 100 kilograms of product;
- (b) a component calculated in accordance with the provisions of Article 12 (3) of amended Regulation (EC) No 1466/95 (OJ No L 144, 28. 6. 1995, p. 22).
When completing customs formalities, the applicant shall state, on the declaration provided for this purpose, whether or not whey and/or lactose and/or casein and/or caseinates have been added, and where this is the case:
- the actual content by weight of whey and/or lactose and/or casein and/or caseinates added per 100 kilograms of finished products, and in particular,
 - the lactose content of the added whey.
- (4) The aid on 100 kilograms of product falling within this subheading is equal to the sum of the following elements:
- (a) the amount per 100 kilograms shown; however, where whey and/or lactose and/or casein and/or caseinates have been added to the products, the amount per 100 kilograms shown shall be:
- multiplied by the weight of the lactic part other than the added whey and/or added lactose and/or added casein and/or added caseinates contained in 100 kilograms of product, and then
 - divided by the weight of the lactic part contained in 100 kilograms of product;
- (b) a component calculated in accordance with the provisions of Article 12 (3) of Regulation (EC) No 1466/95.
When completing customs formalities, the applicant shall state, on the declaration provided for this purpose, whether or not whey and/or lactose and/or casein and/or caseinates have been added, and where this is the case:
- the actual content by weight of whey and/or lactose and/or casein and/or caseinates added per 100 kilograms of finished product, and, in particular,
 - the lactose content of the added whey.
- (5) In the case of cheeses presented in containers which also contain conserving liquid, in particular brine, the aid is granted on the net weight, the weight of the liquid being deducted.
- (6) Where the product contains non-lactic matter and/or casein and/or caseinates and/or whey and/or products derived from whey and/or lactose and/or permeate and/or products falling within CN code 3504, the part corresponding to the added non-lactic matter and/or casein and/or caseinates and/or whey and/or products derived from whey and/or lactose and/or permeate and/or products falling within CN code 3504 will not be taken into account for the purpose of calculating the aid.
When completing customs formalities, the party concerned is to state, on the declaration provided for the purpose, whether or not non-lactic matter and/or casein and/or caseinates and/or whey and/or products derived from whey and/or lactose and/or permeate and/or products falling within CN code 3504 have been added and, if so, the actual content by weight of added non-lactic matter and/or casein and/or caseinates and/or whey and/or products derived from whey and/or lactose and/or permeate and/or products falling within CN code 3504 per 100 kilograms of finished product.
- (7) The aid on frozen condensed milk is the same as that on products falling within CN codes 0402 91 or 0402 99.

COMMISSION REGULATION (EC) No 357/97

of 27 February 1997

fixing the export refunds on products processed from cereals and rice

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EEC) No 1766/92 of 30 June 1992 on the common organization of the market in cereals⁽¹⁾, as last amended by Commission Regulation (EC) No 923/96⁽²⁾, and in particular Article 13 (3) thereof,

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

Whereas Article 13 of Regulation (EEC) No 1766/92 and Article 13 of Regulation (EC) No 3072/95 provide that the difference between quotations or prices on the world market for the products listed in Article 1 of those Regulations and prices for those products within the Community may be covered by an export refund;

Whereas Article 13 of Regulation (EC) No 3072/95 provides that when refunds are being fixed account must be taken of the existing situation and the future trend with regard to prices and availabilities of cereals, rice and broken rice on the Community market on the one hand and prices for cereals, rice, broken rice and cereal products on the world market on the other; whereas the same Articles provide that it is also important to ensure equilibrium and the natural development of prices and trade on the markets in cereals and rice and, furthermore, to take into account the economic aspect of the proposed exports, and the need to avoid disturbances on the Community market;

Whereas Article 4 of Council Regulation (EC) No 1518/95⁽⁴⁾, as amended by Regulation (EC) No 2993/95⁽⁵⁾, on the import and export system for products processed from cereals and from rice defines the specific

criteria to be taken into account when the refund on these products is being calculated;

Whereas the refund to be granted in respect of certain processed products should be graduated on the basis of the ash, crude fibre, tegument, protein, fat and starch content of the individual product concerned, this content being a particularly good indicator of the quantity of basic product actually incorporated in the processed product;

Whereas there is no need at present to fix an export refund for manioc, other tropical roots and tubers or flours obtained therefrom, given the economic aspect of potential exports and in particular the nature and origin of these products; whereas, for certain products processed from cereals, the insignificance of Community participation in world trade makes it unnecessary to fix an export refund at the present time;

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

Whereas the refund must be fixed once a month; whereas it may be altered in the intervening period;

Whereas certain processed maize products may undergo a heat treatment following which a refund might be granted that does not correspond to the quality of the product; whereas it should therefore be specified that on these products, containing pregelatinized starch, no export refund is to be granted;

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

The export refunds on the products listed in Article 1 (1) (d) of Regulation (EEC) No 1766/92 and in Article 1 (1) (c) of Regulation (EC) No 3072/95 and subject to Regulation (EC) No 1518/95 are hereby fixed as shown in the Annex to this Regulation.

⁽¹⁾ OJ No L 181, 1. 7. 1992, p. 21.

⁽²⁾ OJ No L 126, 24. 5. 1996, p. 37.

⁽³⁾ OJ No L 329, 30. 12. 1995, p. 18.

⁽⁴⁾ OJ No L 147, 30. 6. 1995, p. 55.

⁽⁵⁾ OJ No L 312, 23. 12. 1995, p. 25.

Article 2

This Regulation shall enter into force on 28 February 1997.

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

Done at Brussels, 27 February 1997.

For the Commission

Franz FISCHLER

Member of the Commission

ANNEX

to the Commission Regulation of 27 February 1997 fixing the export refunds on products processed from cereals and rice

<i>(ECU/tonne)</i>		<i>(ECU/tonne)</i>	
Product code	Refund	Product code	Refund
1102 20 10 9200 ⁽¹⁾	46,63	1104 23 10 9100	49,97
1102 20 10 9400 ⁽¹⁾	39,97	1104 23 10 9300	38,31
1102 20 90 9200 ⁽¹⁾	39,97	1104 29 11 9000	14,33
1102 90 10 9100	27,14	1104 29 51 9000	14,05
1102 90 10 9900	18,45	1104 29 55 9000	14,05
1102 90 30 9100	40,50	1104 30 10 9000	3,51
1103 12 00 9100	40,50	1104 30 90 9000	8,33
1103 13 10 9100 ⁽¹⁾	59,96	1107 10 11 9000	25,01
1103 13 10 9300 ⁽¹⁾	46,63	1107 10 91 9000	32,20
1103 13 10 9500 ⁽¹⁾	39,97	1108 11 00 9200	28,10
1103 13 90 9100 ⁽¹⁾	39,97	1108 11 00 9300	28,10
1103 19 10 9000	30,98	1108 12 00 9200	53,30
1103 19 30 9100	28,04	1108 12 00 9300	53,30
1103 21 00 9000	14,33	1108 13 00 9200	53,30
1103 29 20 9000	18,45	1108 13 00 9300	53,30
1104 11 90 9100	27,14	1108 19 10 9200	37,24
1104 12 90 9100	45,00	1108 19 10 9300	37,24
1104 12 90 9300	36,00	1109 00 00 9100	0,00
1104 19 10 9000	14,33	1702 30 51 9000 ⁽²⁾	59,57
1104 19 50 9110	53,30	1702 30 59 9000 ⁽²⁾	45,60
1104 19 50 9130	43,30	1702 30 91 9000	59,57
1104 21 10 9100	27,14	1702 30 99 9000	45,60
1104 21 30 9100	27,14	1702 40 90 9000	45,60
1104 21 50 9100	36,18	1702 90 50 9100	59,57
1104 21 50 9300	28,94	1702 90 50 9900	45,60
1104 22 20 9100	36,00	1702 90 75 9000	62,42
1104 22 30 9100	38,25	1702 90 79 9000	43,32
		2106 90 55 9000	45,60

⁽¹⁾ No refund shall be granted on products given a heat treatment resulting in pregelatinization of the starch.

⁽²⁾ Refunds are granted in accordance with Regulation (EEC) No 2730/75 (OJ No L 281, 1. 11. 1975, p. 20), amended.

NB: The product codes and the footnotes are defined in Commission Regulation (EEC) No 3846/87 (OJ No L 366, 24. 12. 1987, p. 1), amended.

COMMISSION REGULATION (EC) No 358/97

of 27 February 1997

fixing the export refunds on cereal-based compound feedingstuffs

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

Having regard to Council Regulation (EEC) No 1766/92 of 30 June 1992 on the common organization of the market in cereals⁽¹⁾, as last amended by Commission Regulation (EC) No 923/96⁽²⁾, and in particular Article 13 (3) thereof,

Whereas Article 13 of Regulation (EEC) No 1766/92 provides that the difference between quotations or prices on the world market for the products listed in Article 1 of that Regulation and prices for those products within the Community may be covered by an export refund;

Whereas Regulation (EC) No 1517/95 of 29 June 1995 laying down detailed rules for the application of Regulation (EEC) No 1766/92 as regards the arrangements for the export and import of compound feedingstuffs based on cereals and amending Regulation (EC) No 1162/95 laying down special detailed rules for the application of the system of import and export licences for cereals and rice⁽³⁾ in Article 2 lays down general rules for fixing the amount of such refunds;

Whereas that calculation must also take account of the cereal products content; whereas in the interest of simplification, the refund should be paid in respect of two categories of 'cereal products', namely for maize, the most commonly used cereal in exported compound feeds and maize products, and for 'other cereals', these being eligible cereal products excluding maize and maize products; whereas a refund should be granted in respect of the quantity of cereal products present in the compound feedingstuff;

Whereas furthermore, the amount of the refund must also take into account the possibilities and conditions for the sale of those products on the world market, the need to avoid disturbances on the Community market and the economic aspect of the export;

Whereas, however, in fixing the rate of refund it would seem advisable to base it at this time on the difference in the cost of raw inputs widely used in compound feedingstuffs as the Community and world markets, allowing more accurate account to be taken of the commercial conditions under which such products are exported;

Whereas the refund must be fixed once a month; whereas it may be altered in the intervening period;

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

The export refunds on the compound feedingstuffs covered by Regulation (EEC) No 1766/92 and subject to Regulation (EC) No 1517/95 are hereby fixed as shown in the Annex to this Regulation.

Article 2

This Regulation shall enter into force on 28 February 1997.

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

Done at Brussels, 27 February 1997.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ No L 181, 1. 7. 1992, p. 21.

⁽²⁾ OJ No L 126, 24. 5. 1996, p. 37.

⁽³⁾ OJ No L 147, 30. 6. 1995, p. 51.

ANNEX

to the Commission Regulation of 27 February 1997 fixing the export refunds on cereal-based compound feedingstuffs

Product code benefitting from export refund⁽¹⁾:

2309 10 11 9000, 2309 10 13 9000, 2309 10 31 9000,
2309 10 33 9000, 2309 10 51 9000, 2309 10 53 9000,
2309 90 31 9000, 2309 90 33 9000, 2309 90 41 9000,
2309 90 43 9000, 2309 90 51 9000, 2309 90 53 9000.

(ECU/tonne)

Cereal products ⁽²⁾	Amount of refund ⁽²⁾
Maize and maize products: CN codes 0709 90 60, 0712 90 19, 1005, 1102 20, 1103 13, 1103 29 40, 1104 19 50, 1104 23, 1904 10 10	33,31
Cereal products ⁽²⁾ excluding maize and maize products	16,07

⁽¹⁾ The product codes are defined in Sector 5 of the Annex to Commission Regulation (EEC) No 3846/87 (OJ No L 366, 24. 12. 1987, p 1), amended.

⁽²⁾ For the purposes of the refund only the starch coming from cereal products is taken into account.

Cereal products means the products falling within subheadings 0709 90 60 and 0712 90 19, Chapter 10, and headings Nos 1101, 1102, 1103 and 1104 (excluding subheading 1104 30) and the cereals content of the products falling within subheadings 1904 10 10 and 1904 10 90 of the combined nomenclature. The cereals content in products under subheadings 1904 10 10 and 1904 10 90 of the combined nomenclature is considered to be equal to the weight of this final product.

No refund is paid for cereals where the origin of the starch cannot be clearly established by analysis.

COMMISSION REGULATION (EC) No 359/97

of 27 February 1997

fixing production refunds on cereals and rice

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

Having regard to Council Regulation (EEC) No 1766/92 of 30 June 1992, on the common organization of the market in cereals⁽¹⁾, as last amended by Commission Regulation (EC) No 923/96⁽²⁾, and in particular Article 7 (3) thereof,

Having regard to Council Regulation (EC) No 3072/95 of 22 December 1995 on the common organization of the market in rice⁽³⁾, and in particular Article 7 (2) thereof,

Having regard to Commission Regulation (EEC) No 1722/93 of 30 June 1993 laying down detailed rules for the arrangements concerning production refunds in the cereals and rice sectors⁽⁴⁾, as last amended by Regulation (EC) No 1516/95⁽⁵⁾, and in particular Article 3 thereof,

Whereas Regulation (EEC) No 1722/93 establishes the conditions for granting the production refund; whereas the basis for the calculation is established in Article 3 of the said Regulation; whereas the refund thus calculated must be fixed once a month and may be altered if the price of maize and/or wheat and/or barley changes significantly;

Whereas the production refunds to be fixed in this Regulation should be adjusted by the coefficients listed in the

Annex II to Regulation (EEC) No 1722/93 to establish the exact amount payable;

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

1. The refund referred to in Article 3 (2) of Regulation (EEC) No 1722/93, expressed per tonne of starch extracted from maize, wheat, potatoes, rice or broken rice, shall be ECU 18,80 per tonne.

2. The refund referred to in Article 3 (3) of Regulation (EEC) No 1722/93, expressed per tonne of starch extracted from barley and oats, shall be ECU 13,16 per tonne.

Article 2

This Regulation shall enter into force on 28 February 1997.

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

Done at Brussels, 27 February 1997.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ No L 181, 1. 7. 1992, p. 21.

⁽²⁾ OJ No L 126, 24. 5. 1996, p. 37.

⁽³⁾ OJ No L 329, 30. 12. 1995, p. 18.

⁽⁴⁾ OJ No L 159, 1. 7. 1993, p. 112.

⁽⁵⁾ OJ No L 147, 30. 6. 1995, p. 49.

COMMISSION REGULATION (EC) No 360/97

of 27 February 1997

fixing the export refunds on cereals and on wheat or rye flour, groats and meal

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

Having regard to Council Regulation (EEC) No 1766/92 of 30 June 1992 on the common organization of the market in cereals⁽¹⁾, as last amended by Commission Regulation (EC) No 923/96⁽²⁾, and in particular Article 13 (2) thereof,

Whereas Article 13 of Regulation (EEC) No 1766/92 provides that the difference between quotations or prices on the world market for the products listed in Article 1 of that Regulation and prices for those products in the Community may be covered by an export refund;

Whereas the refunds must be fixed taking into account the factors referred to in Article 1 of Commission Regulation (EC) No 1501/95 of 29 June 1995 laying down certain detailed rules under Council Regulation (EEC) No 1766/92 on the granting of export refunds on cereals and the measures to be taken in the event of disturbance on the market for cereals⁽³⁾, as last amended by Regulation (EC) No 95/96⁽⁴⁾;

Whereas, as far as wheat and rye flour, groats and meal are concerned, when the refund on these products is being calculated, account must be taken of the quantities of cereals required for their manufacture; whereas these quantities were fixed in Regulation (EC) No 1501/95;

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

Whereas the refund must be fixed once a month; whereas it may be altered in the intervening period;

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

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

HAS ADOPTED THIS REGULATION:

Article 1

The export refunds on the products listed in Article 1 (a), (b) and (c) of Regulation (EEC) No 1766/92, excluding malt, exported in the natural state, shall be as set out in the Annex hereto.

Article 2

This Regulation shall enter into force on 28 February 1997.

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

Done at Brussels, 27 February 1997.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ No L 181, 1. 7. 1992, p. 21.

⁽²⁾ OJ No L 126, 24. 5. 1996, p. 37.

⁽³⁾ OJ No L 147, 30. 6. 1995, p. 7.

⁽⁴⁾ OJ No L 18, 24. 1. 1996, p. 10.

ANNEX

to the Commission Regulation of 27 February 1997 fixing the export refunds on cereals and on wheat or rye flour, groats and meal

(ECU/tonne)			(ECU/tonne)		
Product code	Destination ⁽¹⁾	Amount of refund	Product code	Destination ⁽¹⁾	Amount of refund
0709 90 60	—	—	1008 20 00 9000	—	—
0712 90 19	—	—	1101 00 11 9000	—	—
1001 10 00 9200	—	—	1101 00 15 9100	01	17,00
1001 10 00 9400	01	0	1101 00 15 9130	01	16,00
1001 90 91 9000	—	—	1101 00 15 9150	01	15,00
1001 90 99 9000	03	3,00	1101 00 15 9170	01	14,00
	02	0	1101 00 15 9180	01	13,00
1002 00 00 9000	03	21,00	1101 00 15 9190	—	—
	02	0	1101 00 90 9000	—	—
1003 00 10 9000	—	—	1102 10 00 9500	01	41,00
1003 00 90 9000	03	17,50	1102 10 00 9700	—	—
	02	0	1102 10 00 9900	—	—
1004 00 00 9200	—	—	1103 11 10 9200	01	9,00 ⁽²⁾
1004 00 00 9400	—	—	1103 11 10 9400	—	— ⁽²⁾
1005 10 90 9000	—	—	1103 11 10 9900	—	—
1005 90 00 9000	—	—	1103 11 90 9200	01	9,00 ⁽²⁾
1007 00 90 9000	—	—	1103 11 90 9800	—	—

⁽¹⁾ The destinations are identified as follows:

01 All third countries,

02 Other third countries,

03 Switzerland and Liechtenstein.

⁽²⁾ No refund is granted when this product contains compressed meal.

NB: The zones are those defined in amended Commission Regulation (EEC) No 2145/92 (OJ No L 214, 30. 7. 1992, p. 20).

COMMISSION REGULATION (EC) No 361/97**of 27 February 1997****altering the rate of refunds applicable for certain products of the cereals and rice sectors exported in the form of goods not covered by Annex II to the Treaty**

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

Having regard to Council Regulation (EEC) No 1766/92 of 30 June 1992 on the common organization of the market in cereals⁽¹⁾, as last amended by Commission Regulation (EC) No 923/96⁽²⁾, and in particular the fourth subparagraph of Article 13 (3) thereof,

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

Whereas the rates of the refunds applicable from 1 February 1997 to the products listed in the Annex, exported in the form of goods not covered by Annex II to the Treaty, were fixed by Commission Regulation (EC) No 191/97⁽⁴⁾;

Whereas it follows from applying the rules and criteria contained in Regulation (EC) No 191/97 to the information at present available to the Commission that the export refunds at present applicable should be altered as shown in the Annex hereto,

HAS ADOPTED THIS REGULATION:

Article 1

The rates of refund fixed by Regulation (EC) No 191/97 are hereby altered as shown in the Annex hereto.

Article 2

This Regulation shall enter into force on 28 February 1997.

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

Done at Brussels, 27 February 1997.

For the Commission

Martin BANGEMANN

Member of the Commission

⁽¹⁾ OJ No L 181, 1. 7. 1992, p. 21.

⁽²⁾ OJ No L 126, 24. 5. 1996, p. 37.

⁽³⁾ OJ No L 329, 30. 12. 1995, p. 18.

⁽⁴⁾ OJ No L 31, 1. 2. 1997, p. 41.

ANNEX

to the Commission Regulation of 27 February 1997 altering the rates of the refunds applicable to certain cereals and rice products exported in the form of goods not covered by Annex II to the Treaty

CN code	Description of products ⁽¹⁾	Rate of refund per 100 kg of basic product
1001 10 00	Durum wheat: — on exports of goods falling within CN codes 1902 11 and 1902 19 to the United States of America — in other cases	— —
1001 90 99	Common wheat and meslin: — on exports of goods falling within CN codes 1902 11 and 1902 19 to the United States of America — in other cases: — — where pursuant to Article 4 (5) of Regulation (EC) No 1222/94 ⁽²⁾ — — in other cases	0,913 — 1,405
1002 00 00	Rye	3,098
1003 00 90	Barley	2,750
1004 00 00	Oats	2,250
1005 90 00	Maize (corn) used in the form of: — starch: — — where pursuant to Article 4 (5) of Regulation (EC) No 1222/94 ⁽²⁾ — — in other cases — glucose, glucose syrup, maltodextrine, maltodextrine syrup of CN codes 1702 30 51, 1702 30 59, 1702 30 91, 1702 30 99, 1702 40 90, 1702 90 50, 1702 90 75, 1702 90 79, 2106 90 55 ⁽³⁾ : — — where pursuant to Article 4 (5) of Regulation (EC) No 1222/94 ⁽²⁾ — — in other cases — other (including unprocessed) Potato starch of CN code 1108 13 00 similar to a product obtained from processed maize: — where pursuant to Article 4 (5) of Regulation (EC) No 1222/94 ⁽²⁾ — in other cases	1,638 3,331 1,156 2,850 3,331 1,638 3,331
1006 20	Husked rice: — round grain — medium grain — long grain	19,375 17,250 17,250
ex 1006 30	Wholly-milled rice: — round grain — medium grain — long grain	25,000 25,000 25,000
1006 40 00	Broken rice used in the form of: — starch of CN code 1108 19 10: — — where pursuant to Article 4 (5) of Regulation (EC) No 1222/94 ⁽²⁾ — — in other cases — other (including unprocessed)	0,668 2,450 2,450

CN code	Description of products ⁽¹⁾	Rate of refund per 100 kg of basic product
1007 00 90	Sorghum	2,750
1101 00	Wheat or meslin flour:	
	— on exports of goods falling within CN codes 1902 11 and 1902 19 to the United States of America	1,123
	— in other cases	1,728
1102 10 00	Rye flour	4,244
1103 11 10	Groats and durum wheat meal:	
	— on exports of goods falling within CN codes 1902 11 and 1902 19 to the United States of America	—
	— in other cases	—
1103 11 90	Common wheat groats and spelt:	
	— on exports of goods falling within CN codes 1902 11 and 1902 19 to the United States of America	1,297
	— in other cases	1,995

(¹) As far as agricultural products obtained from the processing of a basic product or/and assimilated products are concerned, the coefficients shown in Annex E of amended Commission Regulation (EC) No 1222/94 shall be applied (OJ No L 136, 31. 5. 1994, p. 5).

(²) The goods concerned are listed in Annex I of amended Regulation (EEC) No 1722/93 (OJ No L 159, 1. 7. 1993, p. 112).

(³) For syrups of CN codes 1702 30 99, 1702 40 90 and 1702 60 90, obtained from mixing glucose and fructose syrup, the export refund may be granted only for the glucose syrup.

COMMISSION REGULATION (EC) No 362/97

of 27 February 1997

suspending the preferential customs duties and re-establishing the Common Customs Tariff duty on imports of multiflorous (spray) carnations originating in Israel

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EEC) No 4088/87 of 21 December 1987 fixing conditions for the application of preferential customs duties on imports of certain flowers originating in Cyprus, Israel, Jordan and Morocco⁽¹⁾, as last amended by Regulation (EC) No 539/96⁽²⁾, and in particular Article 5 (2) (b) thereof,

Whereas Regulation (EEC) No 4088/87 lays down the conditions for applying a preferential duty on large-flowered roses, small-flowered roses, uniflorous (bloom) carnations and multiflorous (spray) carnations within the limit of tariff quotas opened annually for imports into the Community of fresh cut flowers;

Whereas Council Regulation (EC) No 1981/94⁽³⁾, as last amended by Regulation (EC) No 2397/96⁽⁴⁾, opens and provides for the administration of Community tariff quotas for cut flowers and flower buds, fresh, originating in Cyprus, Jordan, Morocco and Israel respectively;

Whereas Article 2 of Regulation (EEC) No 4088/87 provides, on the one hand, that for a given product of a given origin, the preferential customs duty is to be applicable only if the price of the imported product is at least equal to 85 % of the Community producer price; whereas, on the other hand, the preferential customs duty is, except in exceptional cases, suspended and the Common Customs Tariff duty introduced for a given product of a given origin:

- (a) if, on two successive market days, the prices of the imported product are less than 85 % of the Community producer price in respect of at least 30 % of the quantities for which prices are available on representative import markets;

or

- (b) if, over a period of five to seven successive market days, the prices of the imported product are alterna-

tively above and below 85 % of the Community producer price in respect of at least 30 % of the quantities for which prices are available on the representative import markets and if, for three days during that period, the prices of the import product have been below that level;

Whereas Commission Regulation (EC) No 1985/96⁽⁵⁾ fixes the Community producer prices for carnations and roses for the application of the import arrangements;

Whereas Commission Regulation (EEC) No 700/88⁽⁶⁾, as last amended by Regulation (EEC) No 2917/93⁽⁷⁾, lays down the detailed rules for the application of the arrangements;

Whereas the representative market rates defined in Article 1 of Council Regulation (EEC) No 3813/92⁽⁸⁾, as last amended by Regulation (EC) No 150/95⁽⁹⁾, 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⁽¹⁰⁾, as last amended by Regulation (EC) No 1482/96⁽¹¹⁾;

Whereas, on the basis of prices recorded pursuant to Regulations (EEC) No 4088/87 and (EEC) No 700/88, it must be concluded that the conditions laid down in Article 2 (2) (a) of Regulation (EEC) No 4088/87 for suspension of the preferential customs duty are met for multiflorous (spray) carnations originating in Israel; whereas the Common Customs Tariff duty should be re-established;

Whereas the quota for the products in question covers the period 1 January 1997 to 31 December 1997; whereas, as a result, the suspension of the preferential duty and the reintroduction of the Common Customs Tariff duty apply up to the end of that period at the latest,

⁽¹⁾ OJ No L 382, 31. 12. 1987, p. 22.

⁽²⁾ OJ No L 79, 29. 3. 1996, p. 6.

⁽³⁾ OJ No L 199, 2. 8. 1994, p. 1.

⁽⁴⁾ OJ No L 327, 18. 12. 1996, p. 1.

⁽⁵⁾ OJ No L 264, 17. 10. 1996, p. 14.

⁽⁶⁾ OJ No L 72, 18. 3. 1988, p. 16.

⁽⁷⁾ OJ No L 264, 23. 10. 1993, p. 33.

⁽⁸⁾ OJ No L 387, 31. 12. 1992, p. 1.

⁽⁹⁾ OJ No L 22, 31. 1. 1995, p. 1.

⁽¹⁰⁾ OJ No L 108, 1. 5. 1993, p. 106.

⁽¹¹⁾ OJ No L 188, 27. 7. 1996, p. 22.

HAS ADOPTED THIS REGULATION:

1981/94 is hereby suspended and the Common Customs
Tariff duty is hereby re-established.

Article 1

For imports of multiflorous (spray) carnations (CN codes
ex 0603 10 13 and ex 0603 10 53) originating in Israel, the
preferential customs duty fixed by Regulation (EC) No

Article 2

This Regulation shall enter into force on 22 January 1997
and is applicable until 31 December 1997 at the latest.

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

Done at Brussels, 27 February 1997.

For the Commission

Franz FISCHLER

Member of the Commission

II

(Acts whose publication is not obligatory)

COMMISSION

COMMISSION DECISION

of 4 February 1997

recognizing that the production of certain wines in specified regions and of certain *vinho regional* in Portugal, by reason of their qualitative characteristics, is far from able to satisfy demand

(Only the Portuguese text is authentic)

(97/151/EC)

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

Having regard to Council Regulation (EEC) No 822/87 of 16 March 1987 on the common organization of the market in wine ⁽¹⁾, as last amended by Regulation (EC) No 1592/96 ⁽²⁾, and in particular Article 6(4) thereof,

Whereas, in accordance with Article 6(1) of Regulation (EEC) No 822/87, all new planting of vines is prohibited until 31 August 1998; whereas, however, there is provision for Member States to grant authorization for new vine planting for the 1996/97 and 1997/98 wine years for areas intended for the production of:

- quality wines produced in specified regions (quality wines psr),
and
- table wines designated as one of the following: *Landwein*, *vin de pays*, *indicazione geografica tipica*, *vino de la tierra*, *vinho regional*, regional wine, etc.,

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

Whereas requests for the application of that provision as regards certain quality wines psr and *vinho regional* were submitted by Portugal on 29 November 1996, 6 January 1997 and 10 January 1997;

Whereas examination of those requests has revealed that the quality wines psr and *vinho regional* in question

meet the requisite conditions; whereas the limit of 719 ha laid down in the Regulation has not been exceeded;

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

HAS ADOPTED THIS DECISION:

Article 1

The quality wines psr and *vinho regional* listed in the Annex meet the requirements of the second subparagraph of Article 6(1) of Regulation (EEC) No 822/87, provided that the increase in surface area listed in that Annex is complied with for all quality wines psr and *vinho regional* of the same region.

Article 2

This Decision is addressed to the Portuguese Republic.

Done at Brussels, 4 February 1997.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ No L 84, 27. 3. 1987, p. 1.

⁽²⁾ OJ No L 206, 16. 8. 1996, p. 31.

ANNEX

'Denominação de origem'/'Vinho regional'	New plantings (hectares)
Colares and Carcavelos	9
Vinhos Verdes	20
Encostas da Nave, Varosa	20
Bairrada, Dão, Encostas de Aire	30
Castelo Rodrigo, Pinhel	6
Alenquer, Almeirim, Cartaxo, Chamusca, Coruche, Óbidos, Palmela, Santarém	180
Borba, Évora, Granja-Amareleja, Moura, Portalegre, Redondo, Reguengos, Vidigueira	248
Lagoa, Portimão	26
Vinho de mesa regional	Total 180
— Trás-os-Montes	29
— Beiras	8
— Ribatejo, Estremadura, Terras do Sado	58
— Alentejo	85
Total	719

NB: The Douro region is not affected by this measure.

COMMISSION DECISION

of 10 February 1997

concerning the information to be entered in the computerized file of consignments of animals or animal products from third countries which are re-dispatched

(Text with EEA relevance)

(97/152/EC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Decision 92/438/EEC of 13 July 1992 on computerization of veterinary import procedures (Shift project), amending Directives 90/675/EEC, 91/496/EEC, 91/628/EEC and Decision 90/424/EEC, and repealing Decision 88/192/EEC ⁽¹⁾, as last amended by the Act of Accession of Austria, Finland and Sweden, and in particular Article 12 thereof,

Whereas an information system must be established for consignments of animals re-dispatched by veterinary officials at border inspection posts;

Whereas each authority concerned must have random access to a computerized file of consignments of animals or products which are re-dispatched;

Whereas the information to be entered in the computerized file should be laid down in order to be able accurately to identify re-dispatched consignments and the reasons for re-dispatch;

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

HAS ADOPTED THIS DECISION:

Article 1

The information to be entered in the computerized file of consignments of animals or animal products from third countries which are re-dispatched shall be as set out in the Annex.

Article 2

This Decision is addressed to the Member States.

Done at Brussels, 10 February 1997.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ No L 243, 25. 8. 1992, p. 27.

ANNEX

INFORMATION TO BE ENTERED IN THE COMPUTERIZED FILE OF CONSIGNMENTS OF ANIMALS OR ANIMAL PRODUCTS FROM THIRD COUNTRIES WHICH ARE RE-DISPATCHED**1. Border inspection post**

- (a) Name and code of inspection post (*Animo*)
- (b) Name of veterinarian responsible.

2. Consignment

- (a) Nature and code of goods (*Animo*)
- (b) Number/quantity/units
- (c) Health certificate:
 - (i) serial number,
 - (ii) date,
 - (iii) name and service of veterinarian signing certificate,
 - (iv) service of origin of veterinarian,
 - (v) country of origin
- (d) Serial number of 'Annex B'

3. Traders

- (a) Name and address of holding and/or establishment of origin (authorization number where appropriate)
- (b) Name and address of exporter
- (c) Name and address of importer

4. Consignment movements

- (a) Third country of origin
- (b) Third country of dispatch
- (c) Region of origin (where appropriate)
- (d) Member State of destination/country of destination
- (e) Consignee and address of destination (authorization number where appropriate)
- (f) Means of transport:
 - (i) air: flight number,
 - (ii) road and rail: — registration number of vehicle,
— number of waggon,
 - (iii) sea: — name of ship,
 - (iv) number of container (if applicable)

5. Re-dispatch

- (a) Date and time (if possible) of re-dispatch
- (b) Departure point (if different from border inspection post of entry)
- (c) Destination (if possible)
- (d) Means of transport:
 - (i) air: flight number,
 - (ii) road and rail: — registration number of vehicle,
— number of waggon,
 - (iii) sea: — name of ship,
 - (iv) number of container

6. Reason for re-dispatch

- (a) Documentary checks:
 - (i) outside competence of inspection post,
 - (ii) absence of certificate/licence,
 - (iii) invalid certificate/licence,
 - copy rather than original,
 - other formal errors,
 - (iv) documentary errors,
 - third country,
 - region,
 - establishment,
 - additional guarantees,
 - protective clause
- (b) Identity checks.
 - (i) discrepancy between certificate/licence and goods.
 - (ii) absence of regulatory mark or brand.
 - (iii) results of visual examination negative,
 - goods,
 - means of transport,
 - animal welfare
- (c) Physical checks.
 - Goods not complying with rules,
 - examination by veterinarian,
 - laboratory tests,
 - animal welfare

7. Comments:
