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I

(Acts whose publication is obligatory)

**COMMISSION REGULATION (EC) No 638/97
of 11 April 1997
suspending the advance fixing of export refunds on poultrymeat**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EEC) No 2777/75 of 29 October 1975 on the common organization of the market in poultrymeat⁽¹⁾, as last amended by Commission Regulation (EC) No 2916/95⁽²⁾,

Having regard to Commission Regulation (EC) No 1372/95 of 16 June 1995 laying down detailed rules for implementing the system of export licences in the poultrymeat sector⁽³⁾, as last amended by Regulation (EC) No 2370/96⁽⁴⁾, and in particular Article 3 (4) thereof,

Whereas the export refunds on poultrymeat were fixed by destination in Commission Regulation (EC) No 290/97⁽⁵⁾;

Whereas the quantity covered by applications for advance fixing of refunds is greater than that normally disposed of;

Whereas applications for advance fixing of refunds should accordingly no longer be accepted,

HAS ADOPTED THIS REGULATION:

Article 1

The lodging of applications for export licences with advance fixing of the refund for categories 5, 7 and 8 in Annex I to Regulation (EC) No 1372/95 and categories 3 and 4 in that Annex as regards applications for destinations 03 and 04 in the Annex to Regulation (EC) No 290/97 shall be suspended from 14 to 15 April 1997 inclusive.

Article 2

This Regulation shall enter into force on 14 April 1997.

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

Done at Brussels, 11 April 1997.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ No L 282, 1. 11. 1975, p. 77.

⁽²⁾ OJ No L 305, 19. 12. 1995, p. 49.

⁽³⁾ OJ No L 133, 17. 6. 1995, p. 26.

⁽⁴⁾ OJ No L 323, 13. 12. 1996, p. 12.

⁽⁵⁾ OJ No L 48, 19. 2. 1997, p. 9.

COMMISSION REGULATION (EC) No 639/97

of 11 April 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 Commis-

sion 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 12 April 1997.

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

Done at Brussels, 11 April 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 11 April 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 20	052	91,6
	204	65,7
	212	116,5
	624	128,7
	999	100,6
0707 00 15	068	124,7
	999	124,7
0709 90 75	052	101,3
	204	62,0
	999	81,7
0805 10 11, 0805 10 15, 0805 10 19	052	64,3
	204	45,7
	212	62,2
	220	36,8
	400	37,1
	448	26,9
	600	46,0
	624	52,2
	625	36,7
	999	45,3
0805 30 20	600	65,5
	999	65,5
0808 10 61, 0808 10 63, 0808 10 69	060	50,4
	388	88,9
	400	93,6
	404	101,7
	508	78,4
	512	75,7
	524	69,8
	528	80,2
	720	103,4
	804	100,4
0808 20 37	999	84,3
	388	71,7
	512	75,9
	528	76,3
	999	74,6

⁽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'.

II

(Acts whose publication is not obligatory)

COUNCIL

**DECISION No 1/97 OF THE ASSOCIATION COUNCIL, ASSOCIATION
BETWEEN THE EUROPEAN COMMUNITIES AND THEIR MEMBER
STATES, OF THE ONE PART, AND THE CZECH REPUBLIC, OF THE
OTHER PART,**

of 3 April 1997

**concerning the duties applied by the Czech Republic to imports of processed
agricultural goods originating in the Community**

(97/244/EC)

THE ASSOCIATION COUNCIL,

HAS DECIDED AS FOLLOWS:

Having regard to the Europe Agreement establishing an association between the European Communities and their Member States, of the one part, and the Czech Republic, of the other part⁽¹⁾, and in particular to Article 6 (1) of Protocol 3 on trade between the Czech Republic and the Community in agricultural products not covered by Annex II to the EC Treaty,

Whereas under the provisions of Protocol 3 the Czech Republic has undertaken to determine both the agricultural part and the non-agricultural part of the levies applied on import from the Community to the goods covered by that Protocol, and to reduce the non-agricultural part in accordance with the timetable set out in Table 2 of the Annex to the said Protocol;

Whereas the Czech Republic has calculated in accordance with Articles 1 and 2 of Protocol 3 the agricultural components which will, in accordance with the timetable referred to in Article 5 (2) of that Protocol, replace the current levies,

Article 1

The duties applicable on import into the Czech Republic to processed agricultural products originating in the Community and listed in Protocol 3 on trade between the Czech Republic and the Community in agricultural products not covered by Annex II to the EC Treaty are set out in the Annex to this Decision.

Article 2

This Decision enters into force on the day of its adoption.

Done at Brussels, 3 April 1997.

For the Association Council

The President

H. VAN MIERLO

⁽¹⁾ OJ No L 360, 31. 12. 1994, p. 2.

ANNEX

Duties applied by the Czech Republic to imports of processed agricultural products originating in the Community

CN Code	Description	Rate of duty				
		1996	1997	1998	1999	2000 and after
1	2	3	4	5	6	7
0403	Buttermilk, curdled milk and cream, yoghurt, kephir and other fermented or acidified milk and cream, whether or not concentrated or containing added sugar or other sweetening matter or flavoured or containing added fruit, nuts or cocoa:					
0403 10	– Yoghurt:					
	– – Flavoured or containing added fruit, nuts or cocoa:					
	– – – In powder, granules or other solid forms, of a milk fat content, by weight:					
0403 10 51	– – – – Not exceeding 1,5 %	10,00	10,00	10,00	10,00	10,00
0403 10 53	– – – – Exceeding 1,5 % but not exceeding 27 %	10,00	10,00	10,00	10,00	10,00
0403 10 59	– – – – Exceeding 27 %	10,00	10,00	10,00	10,00	10,00
	– – – Other, of a milk fat content, by weight:					
0403 10 91	– – – – Not exceeding 3 %	15,00	15,00	15,00	15,00	15,00
0403 10 93	– – – – Exceeding 3 % but not exceeding 6 %	15,00	15,00	15,00	15,00	15,00
0403 10 99	– – – – Exceeding 6 %	10,00	10,00	10,00	10,00	10,00
0403 90	– Other:					
	– – Flavoured or containing added fruit, nuts or cocoa:					
	– – – In powder, granules or other solid forms, of a milk fat content, by weight:					
0403 90 71	– – – – Not exceeding 1,5 %	max ⁽¹⁾	max	max	max	max
0403 90 73	– – – – Exceeding 1,5 % but not exceeding 27 %	max	max	max	max	max
0403 90 79	– – – – Exceeding 27 %	26,20	24,40	22,50	22,50	22,50
	– – – Other, of a milk fat content, by weight:					
0403 90 91	– – – – Not exceeding 3 %	21,00	16,50	12,00	12,00	12,00
0403 90 93	– – – – Exceeding 3 % but not exceeding 6 %	21,50	17,30	13,00	13,00	13,00
0403 90 99	– – – – Exceeding 6 %	24,20	21,40	18,50	18,50	18,50
0405	Butter and other fats and oils derived from milk; dairy spreads:					
0405 20	– Dairy spreads:					
0405 20 10	– – Of a fat content, by weight, of 39 % or more, but less than 60 %	4,10	4,10	4,10	4,10	4,10
0405 20 30	– – Of a fat content, by weight, of 60 % or more, but not exceeding 75 %	4,10	4,10	4,10	4,10	4,10
1517	Margarine, edible mixtures or preparations of animal or vegetable fats or oils or of fractions of different fats or oils of this Chapter, other than edible fats or oils or their fractions of No 1516:					

CN Code	Description	Rate of duty				
		1996	1997	1998	1999	2000 and after
1	2	3	4	5	6	7
1517 10	– Margarine, excluding liquid margarine:					
1517 10 10	– – Containing more than 10 % but not more than 15 % by weight of milk fats	20,00	20,00	20,00	20,00	20,00
1517 90	– Other:					
1517 90 10	– – Containing more than 10 % but not more than 15 % by weight of milk fats	20,00	20,00	20,00	20,00	20,00
1704	Sugar confectionery (including white chocolate), not containing cocoa:					
1704 10	– Chewing gum, whether or not sugar-coated:					
1704 10 11 to 1704 10 19	– – Containing less than 60 % by weight of sucrose (including invert sugar expressed as sucrose)	7,50	7,50	7,50	7,50	7,50
1704 10 91 to 1704 10 99	– – Containing 60 % or more by weight of sucrose (including invert sugar expressed as sucrose)	7,50	7,50	7,50	7,50	7,50
1704 90	– Other:					
1704 90 10	– – Liquorice extract containing more than 10 % by weight of sucrose but not containing other added substances	7,50	7,50	7,50	7,50	7,50
1704 90 30	– – White chocolate	7,50	7,50	7,50	7,50	7,50
1704 90 51 to 1704 90 99	– – Other	11,20	9,40	7,50	7,50	7,50
1803	Cocoa paste, whether or not defatted	4,00	3,00	3,00	3,00	3,00
1804 00 00	Cocoa butter, fat and oil	1,00	0,80	0,80	0,80	0,80
1805 00 00	Cocoa powder, not containing added sugar or other sweetening matter	6,70	5,00	5,00	5,00	5,00
1806	Chocolate and other food preparation containing cocoa:					
1806 10	– Cocoa powder, containing added sugar or other sweetening matter	10,50	8,30	6,00	6,00	6,00
1806 20	– Other preparations in block slabs or bars weighing more than 2 kg or in liquid, paste, powder, granular or other bulk form in containers or immediate packings of a content exceeding 2 kg:					
1806 20 10	– – Containing 31 % or more by weight of cocoa butter or containing a combined weight of 31 % or more of cocoa butter and milk fat	14,00	13,50	12,70	12,70	12,70
1806 20 30	– – Containing a combined weight of 25 % or more, but less than 31 % of cocoa butter and milk fat	11,30	9,50	7,60	7,60	7,60
	– – Other:					
1806 20 50	– – – Containing 18 % or more by weight of cocoa butter	10,50	8,30	6,00	6,00	6,00
1806 20 70	– – – <i>Chocolate milk crumb</i>	10,90	8,90	6,90	6,90	6,90
1806 20 80	– – – Chocolate flavour coating	11,20	9,40	7,50	7,50	7,50
1806 20 95	– – – Other	11,20	9,40	7,50	7,50	7,50
1806 31 00	– – Filled	12,80	11,40	10,00	10,00	10,00
1806 32	– – Not filled	13,10	11,60	10,00	10,00	10,00
1806 90	– Other	11,20	9,40	7,50	7,50	7,50

CN Code	Description	Rate of duty				
		1996	1997	1998	1999	2000 and after
1	2	3	4	5	6	7
1901	Malt extract; food preparations of flour, meal, starch or malt extract, not containing cocoa or containing less than 40 % by weight of cocoa calculated on a totally defatted basis, not elsewhere specified or included; food preparations of goods of heading Nos 0401 to 0404, not containing cocoa or containing less than 5 % by weight of cocoa calculated on a totally defatted basis, not elsewhere specified or included:					
1901 10	– Preparations for infant use, put up for retail sale	5,50	5,50	5,50	5,50	5,50
1901 20	– Mixes and doughs for the preparation of bakers' wares of No 1905	5,50	5,50	5,50	5,50	5,50
1901 90	– Other	7,30	6,10	4,90	4,90	4,90
1902	Pasta, whether or not cooked or stuffed (with meat or other substances) or otherwise prepared such as spaghetti, macaroni, noodles, lasagne, gnocchi, ravioli, cannelloni, couscous, whether or not prepared:					
	– Uncooked pasta, not stuffed or otherwise prepared:					
1902 11 00	– – Containing eggs	19,20	19,20	19,20	19,20	19,20
1902 19	– – Other	19,20	19,20	19,20	19,20	19,20
1902 20	– Stuffed pasta whether or not cooked or otherwise prepared:					
1902 20 91 to 1902 20 99	– – Other	10,00	10,00	10,00	10,00	10,00
1902 30	– Other pasta:					
1902 30 10	– – Dried	19,00	19,00	19,00	19,00	19,00
1902 30 90	– – Other	17,40	17,40	17,40	17,40	17,40
1902 40	– Couscous	5,50	5,50	3,70	1,90	0,00
1903	Tapioca and substitutes therefor prepared from starch, in the form of flakes, grains, pearls, siftings or similar forms	2,00	2,00	1,30	0,70	0,00
1904	Prepared foods obtained by the swelling or roasting of cereals or cereal products (for example, <i>cornflakes</i>); cereals other than maize (corn), in grain form or in the form of flakes or other worked grains (except flour and meal), precooked or otherwise prepared, not elsewhere specified or included:					
1904 10	– Prepared foods obtained by the swelling or roasting of cereals or cereal products					
1904 10 10	– – Obtained from maize	4,50	4,50	4,50	4,00	3,00
1904 10 30	– – Obtained from rice	0,00	0,00	0,00	0,00	0,00
1904 19 90	– – Other	4,50	4,50	4,50	4,00	3,00
1904 20	– Prepared foods obtained from unroasted cereal flakes or from mixtures of unroasted cereal flakes and roasted cereal flakes or swelled cereals:					
	– – Other:					
1904 20 91	– – – Obtained from maize	4,50	4,50	4,50	4,00	3,00
1904 20 95	– – – Obtained from rice	0,00	0,00	0,00	0,00	0,00
1904 20 99	– – – Other	4,50	4,50	4,50	4,00	3,00
1904 90	– Other:					
1904 90 10	– – Rice	0,00	0,00	0,00	0,00	0,00
1904 90 90	– – Other	4,50	4,50	4,50	4,00	3,00

CN Code	Description	Rate of duty				
		1996	1997	1998	1999	2000 and after
1	2	3	4	5	6	7
1905	Bread, pastry, cakes, biscuits and other bakers' wares, whether or not containing cocoa; communion wafers, empty cachets of a kind suitable for pharmaceutical use, sealing wafers, rice paper and similar products:					
1905 10	– Crispbread	6,00	4,50	4,50	4,50	4,50
1905 20	– Gingerbread and the like:					
1905 20 10	– – Containing by weight of sucrose less than 30 % (including invert sugar expressed as sucrose)	6,70	5,00	5,00	5,00	5,00
1905 20 30	– – Containing by weight of sucrose 30 % or more but less than 50 % (including invert sugar expressed as sucrose)	6,70	5,00	5,00	5,00	5,00
1905 20 90	– – Containing by weight of sucrose 50 % or more (including invert sugar expressed as sucrose)	7,60	6,40	6,40	5,90	5,00
1905 30	– Sweet biscuits; waffles and wafers:					
	– – Completely or partially coated or covered with chocolate or other preparations containing cocoa:					
1905 30 11	– – – In immediate packings of a net content not exceeding 85 g	7,50	6,30	5,00	5,00	5,00
1905 30 19	– – – Other	7,50	6,30	5,00	5,00	5,00
	– – Other:					
	– – – Sweet biscuits:					
1905 30 30	– – – – Containing 8 % or more by weight of milk fats	8,60	7,80	7,00	7,00	7,00
	– – – – Other:					
1905 30 51	– – – – – Sandwich biscuits	8,60	7,80	7,00	7,00	7,00
1905 30 59	– – – – – Other	7,50	6,30	5,00	5,00	5,00
	– – – Waffles and wafers:					
1905 30 91	– – – – Salted, whether or not filled	5,00	5,00	5,00	5,00	5,00
1905 30 99	– – – – Other	5,00	5,00	5,00	5,00	5,00
1905 40	– Rusks, toasted bread and similar toasted products	5,00	5,00	5,00	5,00	5,00
1905 90	– Other	5,00	5,00	5,00	5,00	5,00
2101	Extracts, essences and concentrates, of coffee, tea or maté and preparations with a basis of these products or with a basis of coffee, tea or maté; roasted chicory and other roasted coffee substitutes and extracts, essences and concentrates thereof:					
	– Extracts, essences and concentrates of coffee, and preparations with a basis of these extracts, essences or concentrates or with a basis of coffee:					
2101 12	– – Preparations with a basis of these extracts, essences or concentrates or with a basis of coffee:					
2101 12 98	– – – Other	1,90	1,90	1,90	1,90	1,90
2101 20	– Extracts, essences and concentrates of tea or maté, and preparations with a basis of these extracts, essences and concentrates or with a basis of tea or maté	1,90	1,90	1,90	1,90	1,90
2101 30	– Roasted chicory and other roasted coffee substitutes and extracts, essences and concentrates thereof	12,00	10,00	8,00	8,00	8,00
2102	Yeasts (active or inactive): other similar single-cell micro-organisms, dead (but not including vaccines of No 3002); prepared baking powders:					
2102 10	– Active yeasts:					

CN Code	Description	Rate of duty				
		1996	1997	1998	1999	2000 and after
1	2	3	4	5	6	7
2102 10 10	— — Culture yeast	9,00	8,50	8,00	8,00	8,00
2102 10 31 to 2102 10 39	— — Bakers' yeasts	7,00	7,00	7,00	7,00	6,80
2102 10 90	— — Other	7,00	7,00	7,00	7,00	6,80
2102 20	— Inactive yeasts: other single-cell micro-organisms, dead:					
	— — Inactive yeasts:					
2102 20 11	— — — In tablet, cube or similar form, or in immediate packings of a net content not exceeding 1 kg	7,00	7,00	7,00	7,00	6,80
2102 30 00	— Prepared baking powder	4,50	4,50	4,50	4,50	4,50
2103	Sauces and preparations therefor; mixed condiments and mixed seasonings; mustard flour and meal and prepared mustard:					
2103 10	— Soya sauce	0,00	0,00	0,00	0,00	0,00
2103 20	— Tomato ketchup and other tomato sauces	7,50	6,30	5,00	5,00	5,00
2103 30	— Mustard flour and meal and prepared mustard					
2103 30 90	— — Prepared mustard:	4,50	4,50	4,50	4,50	4,50
2103 90	— Other:					
2103 90 90	— — Other	5,00	5,00	5,00	5,00	5,00
2104	Soups and broths and preparations therefor; homogenized composite food preparations:					
2104 10	— Soups and broths and preparations therefor	4,00	4,00	4,00	4,00	4,00
2104 20	— Homogenized composite food preparations	4,50	4,50	4,50	4,50	4,50
2105	Ice cream and other edible ice, whether or not containing cocoa	15,00	15,00	15,00	15,00	15,00
2106	Food preparations not elsewhere specified or included:					
2106 10	— Protein concentrates and textured protein substances	4,40	4,40	4,40	4,40	4,00
2106 90	— Other:					
2106 90 10	— — Cheese fondues	4,10	4,10	4,10	4,10	4,10
2106 90 20	— — Compound alcoholic preparations, other than those based on odoriferous substances, of a kind used for the manufacture of beverages	12,50	12,50	12,50	12,50	12,50
	— — Other:					
2106 90 92	— — — Containing no milk fats, sucrose, isoglucose, glucose or starch or containing less than 1,5 % milk fat, 5 % sucrose or isoglucose, 5 % glucose or starch	4,10	4,10	4,10	4,10	4,10
2106 90 98	— — — Other	4,10	4,10	4,10	4,10	4,10
2202	Waters, including mineral waters and aerated waters, containing added sugar or other sweetening matter or flavoured, and other non-alcoholic beverages, not including fruit or vegetable juices of heading No 2009:					
2202 10	— Waters including mineral waters and aerated waters containing added sugar or other sweetening matter or flavoured	15,00	15,00	15,00	15,00	15,00

CN Code	Description	Rate of duty				
		1996	1997	1998	1999	2000 and after
1	2	3	4	5	6	7
2202 90	— Other:					
2202 90 10	— — Not containing products of No 0401 to 0404 or fat obtained from products of No 0401 to 0404	5,50	5,50	5,50	5,50	5,50
	— — Other, containing by weight of fat obtained from the products of heading Nos 0401 to 0404:					
2202 90 91	— — — Less than 0,2 %	6,20	6,20	6,20	6,20	6,20
2202 90 95	— — — 0,2 % or more but less than 2 %	max	max	max	max	max
2202 90 99	— — — 2 % or more	max	max	max	max	max
2203	Beer made from malt	14,00	14,00	14,00	14,00	14,00
2205	Vermouth and other wine of fresh grapes flavoured with plants or aromatic substances	13,30	10,00	10,00	10,00	10,00
2208	Undenatured ethyl alcohol of an alcoholic strength by volume of less than 80 % vol.; spirits, liqueurs, and other spirituous beverages, compound alcoholic preparations of a kind used for the manufacture of beverages:					
2208 20	— Spirits obtained by distilling grape wine or grape mare	12,50	12,50	12,50	12,50	12,50
2208 30	— Whiskies	5,00	5,00	5,00	5,00	5,00
2208 40	— Rum and taffia	7,50	7,50	7,50	7,50	7,50
2208 50	— Gin and geneva	7,50	7,50	7,50	7,50	7,50
2208 60	— Vodka:					
	— — Of an alcoholic strength by volume of 45,4 % volume or less in containers holding:					
2208 60 11	— — — 2 litres or less	15,00 ⁽²⁾	15,00 ⁽²⁾	15,00 ⁽²⁾	15,00 ⁽²⁾	15,00 ⁽²⁾
2208 60 19	— — — More than 2 litres	15,00 ⁽²⁾	15,00 ⁽²⁾	15,00 ⁽²⁾	15,00 ⁽²⁾	15,00 ⁽²⁾
	— — Of an alcoholic strength by volume of more than 45,4 % volume in containers holding:					
2208 60 91	— — — 2 litres or less	25,00	25,00	25,00	25,00	25,00
2208 60 99	— — — More than 2 litres	25,00	25,00	25,00	25,00	25,00
2208 70	— Liqueurs:					
2208 70 10	— — In containers holding 2 litres or less	15,00	15,00	15,00	15,00	15,00
2208 70 90	— — In containers holding more than 2 litres	25,00	25,00	25,00	25,00	25,00
2208 90	— Other:					
	— — Arrack, in containers holding:					
2208 90 11	— — — 2 litres or less	15,00	15,00	15,00	15,00	15,00
2208 90 19	— — — More than 2 litres	15,00	15,00	15,00	15,00	15,00
	— — Plum, pear or cherry spirit (excluding liqueurs), in containers holding:					
2208 90 33	— — — 2 litres or less	15,00	15,00	15,00	15,00	15,00
2208 90 38	— — — More than 2 litres	25,00	25,00	25,00	25,00	25,00
	— — Other spirits, liqueurs and other spirituous beverages, in containers holding:					
	— — — 2 litres or less:					

CN Code	Description	Rate of duty				
		1996	1997	1998	1999	2000 and after
1	2	3	4	5	6	7
2208 90 41	— — — — Ouzo	25,00	25,00	25,00	25,00	25,00
	— — — — Other:					
	— — — — — Spirits (excluding liqueurs):					
	— — — — — — Distilled from fruit:					
2208 90 45	— — — — — — — Calvados	25,00	25,00	25,00	25,00	25,00
2208 90 48	— — — — — — — Other	25,00	25,00	25,00	25,00	25,00
	— — — — — — — Other:					
2208 90 52	— — — — — — — Korn	25,00	25,00	25,00	25,00	25,00
2208 90 57	— — — — — — — Other	25,00	25,00	25,00	25,00	25,00
2208 90 69	— — — — — Other spirituous beverages	15,00	15,00	15,00	15,00	15,00
	— — — — — More than 2 litres:					
	— — — — — — Spirits (excluding liqueurs):					
2208 90 71	— — — — — — — Distilled from fruit	25,00	25,00	25,00	25,00	25,00
2208 90 74	— — — — — — — Other	25,00	25,00	25,00	25,00	25,00
2208 90 78	— — — — — Liqueurs and other spirituous beverages	25,00	25,00	25,00	25,00	25,00
	— — Undenatured ethyl alcohol of an alcoholic strength by volume of less than 80 % volume, in containers holding:					
2208 90 91	— — — 2 litres or less	25,00	25,00	25,00	25,00	25,00
2208 90 99	— — — More than 2 litres	25,00	25,00	25,00	25,00	25,00
3302	Mixtures of odoriferous substances and mixtures (including alcoholic solutions) with a basis of one or more of these substances, of a kind used in raw materials in industry; other preparations based on odoriferous substances, of a kind used in the manufacture of beverages:					
3302 10	— Of a kind used in the food or drink industries:					
	— — Of the type used in the drink industries:					
	— — — Preparations containing all flavouring agents characterizing a beverage:					
3302 10 10	— — — — of an actual alcoholic strength by volume exceeding 0,5 %	12,50	12,50	12,50	12,50	12,50
	— — — — Other:					
3302 10 21	— — — — — Containing no milk fats, sucrose, isoglucose, glucose or starch or containing less than 1,5 % milk fat, 5 % sucrose or isoglucose, 5 % glucose or starch	4,10	4,10	4,10	4,10	4,10
3302 10 29	— — — — — Other	4,10	4,10	4,10	4,10	4,10

(¹) Duty calculated on the basis of the price difference of the basic agricultural product between the world market and the Czech market.

(²) This rate applies to imports of vodka falling within CN code 2208 60 11 and 2208 60 19 within a total annual quota of 80 000 hectolitres. All imports exceeding this quota are subject to a duty rate of 25 %.

COMMISSION

COMMISSION DECISION

of 20 March 1997

laying down the arrangements for the transmission of information to the Commission by the Member States under the Communities' own resources system

(97/245/EC, Euratom)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Decision 94/728/EC, Euratom of 31 October 1994 on the system of the European Communities' own resources ⁽¹⁾, and in particular Article 8 (2) thereof,

Having regard to Council Regulation (EEC, Euratom) No 1552/89 of 29 May 1989 implementing Decision 88/376/EEC, Euratom on the system of the Communities' own resources ⁽²⁾, as last amended by Regulation (Euratom, EC) No 1355/96 ⁽³⁾, and in particular Articles 6 and 17 thereof,

Having consulted the Advisory Committee on Own Resources,

Whereas, in Regulation (Euratom, EC) No 1355/96, the Council adopted provisions designed to improve certain parts of the arrangements for Member States to report to the Commission about action they have taken to recover own resources, in particular where fraud and irregularities are involved;

Whereas these improvements mainly concern the production of monthly and quarterly statements of accounts of own resources, the description of cases of fraud and irregularities already detected involving entitlements in excess of ECU 10 000 and the content of the annual report;

Whereas the details of these reporting procedures are to be laid down by the Commission after the Advisory Committee on Own Resources has been consulted;

Whereas the Member States must be allowed a suitable length of time to apply the reporting procedures,

HAS ADOPTED THIS DECISION:

Article 1

1. Member States shall use the models contained in Annexes I, II and III to draw up the monthly and quarterly statements of their accounts of own resources referred to in Article 6 (3) (a) and (3) (b) of Regulation (EEC, Euratom) No 1552/89.

2. The first such statements to be produced using the models referred to in paragraph 1 shall be those for April 1997 for the monthly statement and for the second quarter of 1997 for the quarterly statement.

Article 2

1. Member States shall use the model fraud form and update form in Annexes IV and V for the descriptions of cases of fraud and irregularities detected involving entitlements of over ECU 10 000 and details of the position concerning cases of fraud and irregularities already reported to the Commission where recovery, cancellation or non-recovery has not been indicated earlier, as referred to in Article 6 (4) of Regulation (EEC, Euratom) No 1552/89.

2. The first fraud forms and updates to be produced using the models referred to in paragraph 1 shall be sent in April 1997.

Article 3

1. The model in Annex VI shall be used for the annual report on the most important problems arising out of the application of Regulation (EEC, Euratom) No 1552/89, as referred to in Article 17 (3) of that Regulation.

⁽¹⁾ OJ No L 293, 12. 11. 1994, p. 9.

⁽²⁾ OJ No L 155, 7. 6. 1989, p. 1.

⁽³⁾ OJ No L 175, 13. 7. 1996, p. 3.

2. The first report to be produced using the model referred to in paragraph 1 shall be sent by 30 April 1997.

Article 4

Member States shall inform the Commission by 31 March 1997 of the departments or agencies responsible for producing the statements, forms and reports covered by this decision.

Article 5

This Decision is addressed to the Member States.

Done at Brussels, 20 March 1997.

For the Commission

Erkki LIIKANEN

Member of the Commission

ANNEX I

'A' ACCOUNT OF OWN RESOURCES OF THE EUROPEAN COMMUNITIES

Statement of established entitlements ⁽¹⁾

Member State:

month/year:

Nature of resource	Member State's reference (optional)	Amounts established during month ⁽²⁾	Amounts recovered from separate account	Corrections to earlier establishments ⁽³⁾		Gross amounts to be paid to EC (5) = (1) + (2) + (3) - (4)
				+	-	
		(1)	(2)	(3)	(4)	(5)
<i>(national currency)</i>						
1210 Customs duties (excluding ECSC, anti-dumping and agriculture)						
1220 ECSC duties						
1230 Countervailing and anti-dumping duties on products						
1240 Countervailing and anti-dumping duties on services						
12 CUSTOMS DUTIES						
1060 Customs duties relating to agricultural sector						
10 AGRICULTURAL LEVIES						
1110 Sugar storage levies						
1100 Sugar product levies — A and B quotas						
1120 Isoglucose production levies						
1130 Levies on C sugar and isoglucose not exported						
1140 Levies on substitute C sugar and isoglucose						
1150 Inulin production levies						
1160 Additional levy						
11 SUGAR AND ISOGLUCOSE LEVIES						
TOTAL 12 + 10 + 11						
⁽¹⁾ Including entitlements established as a result of inspections and cases of fraud and irregularities.						
⁽²⁾ Including accounting corrections.						
⁽³⁾ Corrections to initial establishments, in particular cases of post-clearance recovery and repayment. For sugar, corrections relating to earlier years must be mentioned.						
				- 10 % collection costs		
				Net amount to be paid		

ANNEX II

ANNEX TO THE STATEMENT OF THE 'A' ACCOUNT OF THE OWN RESOURCES OF THE EUROPEAN COMMUNITIES

Monitoring of recovery of amounts which relate to cases of irregularities or delays (Article 18 (2) (b) of Regulation (EEC, Euratom) 1552/89)

Month/Year:

(national currency)

Amount of own resources recovered ⁽¹⁾	References to irregularities or delays in the establishment, entry in the accounts and making available of own resources, the amount of which is shown in the statement of the 'A' account ⁽²⁾	Comments
Total		

⁽¹⁾ The amounts above are included in the statement of the 'A' account to which this is an annex.

⁽²⁾ If necessary, references to payments pursuant to Article 17 (2) are also shown in this column.

⁽¹⁾ The amounts above are included in the statement of the 'A' account to which this is an annex.

(2) If necessary, references to payments pursuant to Article 17 (2) are also shown in this column.

ANNEX III

OWN RESOURCES OF THE EUROPEAN COMMUNITIES — SEPARATE ACCOUNT ⁽¹⁾

Statement of established entitlements not included in 'A' account

Member State:

Quarter/Year:

<i>(national currency)</i>								
Nature of resource	Outstanding from previous quarter (2)	Established entitlements for current quarter (3)	Corrections of establishments (Article 8) (4)	Amounts which cannot be made available (Article 17 (2)) (5)	Total (2 + 3) - (4 + 5) (6)	Amounts recovered during quarter (7)	Outstanding at end of current quarter (8) = (6) - (7)	
(1)								
1210 Customs duties (excluding ECSC, anti-dumping and agriculture)								
1220 ECSC duties								
1230 Countervailing and anti-dumping duties on products								
1240 Countervailing and anti-dumping duties on services								
12 CUSTOMS DUTIES								
1060 Customs duties relating to agricultural sector								
10 AGRICULTURAL DUTIES								
11110 Sugar storage levies								
11100 Sugar product levies — A and B quotas								
11120 Isoglucose production levies								
11130 Levies on C sugar and isoglucose not exported								
11140 Levies on substitute C sugar and isoglucose								
11150 Inulin production levies								
11160 Additional levy								
11 SUGAR AND ISOGLUCOSE LEVIES								
TOTAL 12 + 10 + 11								

⁽¹⁾ 'B' account kept pursuant to Article 6 (2) (b) of Regulation (EEC, Euratom) 1552/89 as amended, including entitlements established as a result of inspections or cases of fraud.⁽²⁾ Correction of establishments should be understood to mean corrections in '+' or in '—', including cancellations resulting from a revision of the initial establishment arising from previous quarters. They differ by nature from those entered in column 5.⁽³⁾ Cases involving amounts in excess of ECU 10 000 are referred to in the report required by Article 17 (3).

ANNEX IV

FRAUD FORM

Information form to be sent to the Commission (DG XIX) giving a description of cases of fraud and irregularities already detected, involving entitlements in excess of ECU 10 000

IDENTIFICATION OF BASIC FORM

- 0 Member State:
 - 0.0 Serial number of the case ⁽¹⁾:
 - 0.1 Quarter reference period:
 - 0.2 Date of transmission:
 - 0.3 Department or agency which made the establishment:

DESCRIPTION OF CASE

- 1 Goods involved:
 - 1.0 Commercial description:
 - 1.1. Tariff heading ⁽²⁾:
 - 1.1.1 declared:
 - 1.1.2 established:
 - 1.1.3 presumed:
 - 1.2 Origin:
 - 1.2.1 declared:
 - 1.2.2 established:
 - 1.2.3 presumed:
 - 1.3 Coming from:
 - 1.3.1 declared:
 - 1.3.2 established:
 - 1.3.3 presumed:
 - 1.4 Quantity:
 - 1.4.1 declared:
 - 1.4.2 established:
 - 1.4.3 presumed:
 - 1.5 Value:
 - 1.5.1 declared:
 - 1.5.2 established:
 - 1.5.3 presumed:
 - 2 Type of fraud and/or irregularity:
 - 2.1 Designation:
 - 2.2 Customs procedure or treatment concerned:
 - 3 Concise description of fraud mechanism:
 - 4 Presumed order of magnitude of own resources evaded or exact amount:
 - 4.1 estimated:
 - 4.2 established:
 - 4.3 recovered:
 - 5 Type of check that led to discovery:
 - 5.1 method:
 - 5.2 remarks:

⁽¹⁾ Cases are numbered by Member States in an annual sequence in accordance with the following format: **OR/MS/99/999999/0**. For Member States which do not produce a single annual sequence but sequences for regional departments, the first two of the six digits identify the regional department concerned.

⁽²⁾ In accordance with the combined nomenclature provided for by Regulation (EEC) No 2658/87 (OJ No L 256, 7. 9. 1987).

-
- 6 Stage reached in procedure and, where appropriate, details of establishment:
- date of establishment:
 - administrative code:
 - financial code:
- 7 Case already notified under mutual assistance arrangements (Regulations (EEC) No 1468/81 and (EEC) No 945/87):
- MA reference:
- 8 Measures taken or planned to prevent the recurrence of cases of fraud and irregularities already detected:
- 9
- 9.1 Member States involved:
 - 9.2 Operators concerned (optional):
- 10 Other information:
- 10.1 Free:
 - 10.2 Reserved:
-

ANNEX V

FORM UPDATING BASIC FORM ⁽¹⁾

11 ⁽²⁾	12	13	14	15	16	17	18	19	20	21	22	Remarks
Basic form reference	Change in estimate	Date of establishment	Date of entry in 'B' account	Entitlements established: Balance previous quarter	Correction to base (±)	Written off	Amounts to be recovered (15 ± 16 - 17)	Amounts recovered	Entitlements established: end-of-quarter balance (18 - 19)	Administrative or judicial code	Financial code	

⁽¹⁾ Fields 11 to 22 of the updating form update fields 4 and 6 of the basic form.

⁽²⁾ The updating form is given the same serial number as the basic form to which it relates; where there is more than one updating form, the numbering should be 1 to x in the following format: OR/MS/99/999999/1 to x.

ANNEX VI

ANNUAL REPORT

Regulation (EEC, Euratom) No 1552/89, Article 17 (3)

Member State:

19 ..

1. Inspections by member states

Inspection operations	Number
Entries accepted (customs procedure or treatment concerned)	
Entries checked after customs clearance, customs procedure or treatment concerned (post clearance controls)	
Total number of staff in customs departments at national level (1)	
Total number of staff assigned to post clearance checks at national level	

(1) The total number of staff (expressed as persons per year) at all levels of the organization.

2. Fraud and irregularities ⁽¹⁾

Customs arrangement		Fraud and irregularities by type of customs arrangement				
		Number of detected cases ⁽²⁾ (1)	Amount involved ⁽³⁾ (2)	Amount established (3)	Amount already recovered (4)	Recovery rate ⁽⁴⁾ (%) (5) = (4) / (3) × 100
1	Release for free circulation					
Breakdown of types of fraud under release for free circulation ⁽⁶⁾						
(a)	Non-declaration					
(b)	Wrong description of the goods or error in CCT classification					
(c)	Origin					
(d)	Value					
(e)	Weight/Quantity					
(f)	Other					
2	Transit					
3	Customs warehouse					
4	Inward processing					
5	Outward processing					
6	Temporary admission					
7	Other customs arrangements or treatment ⁽⁷⁾					
8	Total					

⁽¹⁾ All cases, regardless of threshold values, expressed in national currency, including cases not included in the 'B' account.

⁽²⁾ Number of cases of fraud detected during the year.

⁽³⁾ 'Amount involved' means the amount (in national currency) after any correction that may have been made.

⁽⁴⁾ The recovery rate concerns only the amounts recovered during the year in question and is not the definitive rate.

⁽⁵⁾ If the fraud or irregularity involves a combination of two or more types of anomaly please record the case under the heading which appears first in the table (e.g. if there are irregularities involving both value and origin the case should be entered under 'origin' and not 'value').

⁽⁶⁾ The total of the subheadings (a) to (f) should correspond to the total under heading 1.

⁽⁷⁾ Processing under customs control, export, free zone/bonded warehouse, re-export.

3. Questions of principle

List of the most important points relating to establishment, entry in the accounts and making-available encountered in the application of Regulation (EEC, Euratom) No 1552/89, including those raised in matters in dispute

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(Where necessary, continue references to this item in an Annex to the report)

4. Notification of cases of written-off traditional own resources (Article 17 (2) of Regulation (EEC, Euratom) No 1552/89)

4.1. Total number of cases in this report⁽¹⁾:

.....

Information under items 4.2 to 4.11 is to be given for each case of own resources written off where the amount of duty exceeds ECU 10 000

4.2. Reference number of this form⁽²⁾: / /

⁽¹⁾ Please use a separate form for each case. If there are no cases write 'None'.

⁽²⁾ Please use this format: Member State/Year/Number (e.g. UK/1997/1).

4.3. *Information on the recovery procedure* ⁽¹⁾:

Stage	Date	Comments
Debt incurred		
Notification of debtor		
Entry in the 'B' account		
Payment reminder, if sent		
Existence of jointly liable debtors (yes/no)		
Action with suspension of the period of limitation		
First action		
Lodged		
Decision		
Appeal		
Lodged		
Decision		
Payment facilities (instalments)		
Requested		
Decision		
First partial payment		
Last partial payment		
Total amount paid by debtor		
ENFORCEMENT		
Enforcement order		
Issued		
Served on debtor		
Attachment		
(a) Debtor's assets:		
Credit position with administration		
Liquid assets		
Movable property		
Court order		
Attachment		
Enforcement		
Immovable property		
Court order		
Entry in mortgage register		
Attachment		
Enforcement		

⁽¹⁾ The recovery procedure can vary from Member State to Member State. The table should be completed by reference to national recovery procedure.

Stage	Date	Comments
(b) Assets of jointly liable debtors		
Credit position with administration		
Liquid assets		
Movable property		
Court order		
Attachment		
Enforcement		
Immovable property		
Court order		
Entry in mortgage register		
Attachment		
Enforcement		
Mutual assistance		
Request		
Reply		
Write-off		

4.4. Security

4.4.1. Was the established amount covered by a security?

(Mark × in the appropriate box)

Yes ☐

No ☐

4.4.2. Type of security or security waiver

(Mark × in the appropriate box)

Comprehensive ☐

Flat rate ☐

Single operation ☐

Compulsory ☐

Partial ☐

100 % ☐

Optional ☐

Partial ☐

100 % ☐

Waiver ☐

Amount of security:

4.5. Payment facilities (instalments) granted, if any:

.....

4.6. Reasons why the amount in question was deemed definitively irrecoverable:

.....

4.7. *Amount established in national currency by own resource type:*

- (a) Customs duties
- (b) Customs duties on agricultural produce
- (c) Anti-dumping duties
- (d) Agricultural levies
- (e) Sugar/isoglucose levies
- (f) Export customs duties

4.8. *Community legislation under which the customs debt was incurred:
(Article of the Community customs code or specific regulations)*

.....

.....

.....

4.9. *If a case where an amount is being written off has already been reported to the Commission pursuant to Article 6 (4) of Regulation (EEC, Euratom) No 1552/89 (fraud and irregularities sheets), please quote the number of the notifications*

Fraud sheet No:

There is no need to answer sections 4.10 and 4.11, if the information has already been provided pursuant to Article 6 (4) of Regulation (EEC, Euratom) No 1552/89.

4.10. *Establishment details: customs arrangements applied or status of the goods:
(Mark × in the appropriate box)*

Temporary store	☐	Outward processing	☐
Free circulation	☐	Processing under customs control	☐
Transit	☐	Temporary admission	☐
Customs warehouse	☐	Export	☐
Inward processing	☐	Others (1)	☐

(1) Please specify.

4.11. *Other information:*

(Any relevant information which makes it easier to examine the case, such as, where appropriate, Community decisions relating to non-repayment, non-remission or recovery — Article 239 of the Community customs code)

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4.12. *Contact person:*

Name: Address:

.....

Telephone: Fax:

Date:

COMMISSION DECISION

of 4 April 1997

amending Decision 71/128/EEC on the Advisory Committee on Fisheries

(97/246/EC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Whereas an Advisory Committee on Fisheries was set up by Commission Decision 71/128/EEC ⁽¹⁾ which text has last been replaced by Decision 89/4/EEC ⁽²⁾;

Whereas it is important for the Commission that the trade interests and the consumers be associated in the devising and management of the common fisheries policy;

Whereas experience gained in consulting the trade interests and the consumers has shown that the Committee's role and the way it functions should be adjusted to take account of changes which have occurred since it was set up, by improving the consultation process and the conditions under which the Committee operates;

Whereas the term of office of the members of the Committee expired on 9 November 1995 and new members should therefore be appointed;

Whereas the term of office of the Committee members should nevertheless be limited to 18 months and the Commission should draw up suitable provisions on the structure of the Committee and its working procedures during that time with a view to the adoption of a new decision;

Whereas, to that end, there should be no provision for the Committee members to remain in office after that 18-month term until their replacement or the renewal of their term of office;

Whereas certain minor points of the Decision should also be adapted,

HAS DECIDED AS FOLLOWS:

Article 1

Decision 71/128/EEC is hereby amended as follows:

1. Article 4 is replaced by the following:

'Article 4

1. Members of the Committee shall be appointed by the Commission on proposals from the trade, workers'

and consumer organizations set up at Community level which are most representative of the interests specified in Article 1 (2).

Those bodies shall put forward the names of two candidates of different nationality for each seat to be filled.

2. The term of office for members of the Committee shall be 18 months. Members shall not be remunerated for their services.

A member's term of office may be terminated before expiry of the 18 months' term by death or resignation.

It may also be terminated where the body which put forward the members' name requests that he be replaced.

A person shall be appointed in accordance with the procedure laid down in paragraph 1 to replace such member for the remainder of his term of office.

3. A list of the members of the Committee shall be published by the Commission for information purposes in the *Official Journal of the European Communities*.

2. Article 5 is replaced by the following:

'Article 5

The Committee shall, by a two-thirds majority of the members present, elect a chairman and two deputy chairmen for a period of 18 months.

The Committee may, by the like majority, elect further officers from among the other members. In that case, the officers other than the chairman shall consist at most of one representative of each interest represented on the Committee.

The officers shall prepare and organize the work of the Committee.'

Article 2

This Decision shall apply with effect from 4 April 1997.

Done at Brussels, 4 April 1997.

For the Commission

Emma BONINO

Member of the Commission

⁽¹⁾ OJ No L 68, 22. 3. 1971, p. 18.

⁽²⁾ OJ No L 5, 7. 1. 1989, p. 33.

COMMISSION DECISION

of 4 April 1997

on setting up a special aquaculture section of the Advisory Committee on Fisheries

(97/247/EC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Whereas it is important to seek the views of the trade and of consumers on various aspects of a Community system for fisheries and aquaculture, in the aquaculture sector;

Whereas an Advisory Committee on Fisheries was set up in the fisheries sector by Commission Decision 71/128/EEC⁽¹⁾, which text has last been replaced by Decision 89/4/EEC⁽²⁾;

Whereas in view of the development of the aquaculture industry, of its economic importance and of certain of its special features, a special aquaculture section of the Advisory Committee on Fisheries should be set up to improve opportunities for consulting the industry;

Whereas, in order to ensure that consultation in the fisheries and aquaculture sector is coordinated, the section should be chaired by the chairman of the Advisory Committee on Fisheries, and joint meetings of the Advisory Committee of Fisheries and the special aquaculture section should be organized whenever necessary,

HAS DECIDED AS FOLLOWS:

Article 1

1. There shall be attached to the Commission a special aquaculture section of the Advisory Committee on Fisheries, hereinafter called 'the Section'.

2. The Section shall be composed of representatives of the following interests, connected with the aquaculture sector: producers and cooperatives, credit institutions, trade and industry, workers and consumers.

Article 2

1. The Section may be consulted by the Commission on any problem concerning aquaculture, and in particular on measures it is required to adopt for the aquaculture

sector in the framework of the common policy on fisheries and aquaculture.

2. The chairman of the Section may indicate to the Commission the desirability of consulting the Section on any matter within the latter's competence.

3. He shall do so, in particular, at the request of one of the interests represented.

Article 3

The Section shall consist of 20 members. Seats shall be apportioned as follows:

- 13 to representatives of aquaculture producers and cooperatives, including at least four to representatives of producers and cooperatives engaged in the production of molluscs,
- three to representatives of the trade in and processing of aquaculture products,
- two to representatives of workers in the aquaculture sector,
- one joint seat to a representative of commercial banks and specialized cooperative credit institutions,
- one to a consumers' representative.

Article 4

1. Members of the Section shall be appointed by the Commission on proposals from the trade organizations and other bodies set up at Community level which are most representative of the interests specified in Article 1 (2). Those bodies shall, for each seat to be filled, put forward the names of two candidates of different nationality.

2. The term of office for members of the Section shall be three years, except the first term of office, which shall expire at the end of the term of office of the members of the Advisory Committee on Fisheries. Their appointments may be renewed. Members shall not be remunerated for their services.

After expiry of the three years, members of the Section shall remain in office until they are replaced or until their appointments are renewed.

A member's term of office may be terminated before expiry of the three years by death or resignation.

⁽¹⁾ OJ No L 68, 22. 3. 1971, p. 18.

⁽²⁾ OJ No L 5, 7. 1. 1989, p. 33.

It may also be terminated where the body which the member represents requests that he be replaced.

A person shall be appointed, in accordance with the procedure laid down in paragraph 1, to replace such member for the remainder of the term of office.

3. A list of the members of the Section shall be published by the Commission for information purposes, in the *Official Journal of the European Communities*.

Article 5

The chairman of the Advisory Committee on Fisheries shall be chairman of the Section. The Section shall elect a vice-chairman for a period of three years, save that the first term of office shall expire at the end of the term of office of the members of the Section, as provided for in Article 4 (2). The vice-chairman shall be elected by a two-thirds majority of the members present. The Section may, be the like majority, elect further officers from among the other members. In that case, the officers other than the chairman shall consist at most of one representative of each interest represented in the Section. The officers shall prepare and organize the work of the Section.

Article 6

At the request of any of the interests represented, the chairman may invite a person delegated by the interest concerned to be present at meetings of the Section. He may likewise on such request invite any person with special qualification in any subject on the agenda to take part in an except capacity in the deliberations of the Section. Experts shall take part in discussions only of those questions on account of which they were invited.

Article 7

The Section may set up working groups to assist it in carrying out its work.

Article 8

1. The Section shall be convened by the Commission and shall meet at Commission headquarters. Meetings of the officers shall be convened by the chairman by arrangement with the Commission.

2. Joint meetings with the Advisory Committee on Fisheries shall be organized at the request of the chairman of that Committee or of the Commission.

3. Representatives of the Commission departments concerned shall take part in meetings of the Section, its officers and working groups.

4. Secretarial services for the Section, its officers and working groups shall be provided by the Commission.

Article 9

The Section shall discuss matters on which the Commission has requested an opinion. No vote shall be taken.

The Commission may, when seeking the opinion of the Section, set a time limit within which such opinion shall be given.

The views expressed by the various interests represented shall be included in a report forwarded to the Commission.

In the event of unanimous agreement being reached in the Section on the opinion to be given, the Section shall formulate joint conclusions and attach them to the report.

Article 10

Without prejudice to the provisions of Article 214 of the Treaty, where the Commission informs them that the opinion requested or the question raised is on a matter of a confidential nature, members of the Section shall be under an obligation not to disclose information which has come to their knowledge through the work of the Section or of its working groups.

In such cases, only Section members and representatives of the Commission departments concerned may be present at meetings.

Article 11

This Decision shall enter into force on 4 April 1997.

Done at Brussels, 4 April 1997.

For the Commission

Emma BONINO

Member of the Commission