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Contents

I *Acts whose publication is obligatory*

- ★ **Council Regulation (EC) No 824/97 of 29 April 1997 amending Regulation (EEC) No 3030/93 on common rules for imports of certain textile products from third countries** 1
- ★ **Council Regulation (EC) No 825/97 of 29 April 1997 amending Regulation (EC) No 70/97 concerning the arrangements applicable to imports into the Community of products originating in the Republics of Bosnia-Herzegovina, Croatia and the Former Yugoslav Republic of Macedonia and to imports of wine originating in the Republic of Slovenia** 4
- Commission Regulation (EC) No 826/97 of 7 May 1997 amending Regulation (EEC) No 1627/89 on the buying in of beef by invitation to tender..... 5
- Commission Regulation (EC) No 827/97 of 7 May 1997 altering the export refunds on white sugar and raw sugar exported in the natural state 7
- Commission Regulation (EC) No 828/97 of 7 May 1997 fixing the maximum export refund for white sugar for the 37th partial invitation to tender issued within the framework of the standing invitation to tender provided for in Regulation (EC) No 1464/96 9
- Commission Regulation (EC) No 829/97 of 7 May 1997 fixing the representative prices and the additional import duties for molasses in the sugar sector 10
- Commission Regulation (EC) No 830/97 of 7 May 1997 opening an invitation to tender for the reduction in the duty on maize imported into Portugal from third countries 12
- ★ **Commission Regulation (EC) No 831/97 of 7 May 1997 laying down marketing standards applicable to avocados**..... 13
- ★ **Commission Regulation (EC) No 832/97 of 7 May 1997 laying down detailed rules for the application of Council Regulation (EC) No 2275/96 introducing specific measures for live plants and floricultural products** 17

Contents (continued)

Commission Regulation (EC) No 833/97 of 7 May 1997 providing for the rejection of applications for export licences in relation to cereal products	25
Commission Regulation (EC) No 834/97 of 7 May 1997 temporarily suspending the issuing of export licences for certain milk products and determining what proportion of the amounts covered by pending applications for export licences may be allocated	26
Commission Regulation (EC) No 835/97 of 7 May 1997 altering the export refunds on milk and milk products	27
Commission Regulation (EC) No 836/97 of 7 May 1997 on the issue of import licences for garlic originating in China	30
Commission Regulation (EC) No 837/97 of 7 May 1997 establishing the standard import values for determining the entry price of certain fruit and vegetables	31
Commission Regulation (EC) No 838/97 of 7 May 1997 on the issue of import licences for high-quality fresh, chilled or frozen beef and veal	33
Commission Regulation (EC) No 839/97 of 7 May 1997 laying down to what extent applications for issue of export licences submitted during May 1997 for beef and veal products which may benefit from special import treatment in Canada may be accepted	34

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(Acts whose publication is obligatory)

COUNCIL REGULATION (EC) No 824/97
of 29 April 1997
amending Regulation (EEC) No 3030/93 on common rules for imports of certain
textile products from third countries

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty establishing the European Community, and in particular Article 113 thereof,

Having regard to the proposal from the Commission,

Whereas Regulation (EEC) No 3030/93⁽¹⁾ introduced common rules applicable to imports of certain textile products from third countries;

Whereas publication of a notice in the *Official Journal of the European Communities*, 'C' series, would be sufficient to meet operators' information requirements, in particular as regards the list of World Trade Organization (WTO) member countries;

Whereas, in the light of the conclusion of the arrangement concerning market access for textile products between the European Community and the Republic of India by Council Decision 96/386/EC of 26 February 1996⁽²⁾ and of Council Decision 96/207/EC of 22 December 1995 on the provisional application of two Agreements in the form of Agreed Minutes between the European Community and the Socialist Republic of Vietnam on trade in textile and clothing products⁽³⁾, Article 3 of Regulation (EEC) No 3030/93 should be amended to take account of the new arrangements for imports of cottage industry and folklore products from those countries;

Whereas Article 8 of Regulation (EEC) No 3030/93 allows the possibility, under particular circumstances, of importing additional quantities; whereas, in the light of past experience, it would be advisable to clarify the way in which that Article is applied; whereas, in that respect, the additional quantities granted for a given quota year and category could, for example, be deducted from one or

more categories of products in respect of the year concerned or from the quantitative limit applicable to the category concerned in respect of the following quota year;

Whereas it should be specified that this Regulation does not take precedence over the provisions of the Agreement on Textiles and Clothing (ATC) or of bilateral agreements in the case of non-WTO member countries;

Whereas export licences must be presented to the national authority responsible for the issue of import authorizations no later than 31 March of the year following that in which the products covered by the export licence were shipped; whereas the goods covered by the export licence may not be imported in the event of failure to comply with that deadline; whereas, in exceptional circumstances, there should be provision for the deadline for presentation of export licences to be put back until 30 June;

Whereas it seems appropriate to make certain amendments to Regulation (EEC) No 3030/93 in the light of experience acquired in its implementation; whereas, when these amendments are made, the opportunity should also be taken to clarify and update certain provisions;

Whereas amendments to the list of Members of the WTO or to details in the list of national authorities responsible for the issue of import papers do not as such justify recourse to the committee procedure laid down in Article 17 of the said Regulation; whereas publication on the Commission's initiative of regular updates to these lists in the 'C' series of the *Official Journal of the European Communities* would meet the needs of administrative simplification and adequately fulfil operators' information requirements,

HAS ADOPTED THIS REGULATION:

Article 1

Regulation (EEC) No 3030/93 is hereby amended as follows:

⁽¹⁾ OJ No L 275, 8. 11. 1993, p. 1. Regulation as last amended by Regulation (EC) No 2315/96 (OJ No L 314, 4. 12. 1996, p. 1).

⁽²⁾ OJ No L 153, 27. 6. 1996, p. 47.

⁽³⁾ OJ No L 73, 21. 3. 1996, p. 1.

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

'1. This Regulation applies to:

- imports of textile products listed in Annex I, originating in third countries with which the Community has concluded bilateral agreements, protocols or other arrangements as listed in Annex II,
- imports of textile products, as listed in Annex X, which, so far as the Community is concerned, have not been integrated into GATT 1994 within the meaning of Article 2 (6) or (8) of the WTO Agreement on Textiles and Clothing (ATC) and which originate in third countries, Members of the World Trade Organization (WTO).

The Commission shall ensure that the list of third countries, Members of the WTO, and any updates thereto, are published in the *Official Journal of the European Communities*, "C" series.'

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

'1. The quantitative limits referred to in Annex V shall not apply to the cottage industry and folklore products specified in Annex VI which are accompanied on import by a certificate issued by the competent authorities of the country of origin in accordance with the provisions of Annex VI and which fulfil the other conditions laid down therein.'

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

'3. Paragraphs 1 and 2 shall not apply to Brazil, Hong Kong or Macao.'

4. Article 8 shall be replaced by the following:

'Article 8

Additional imports

Where, under particular circumstances, imports over and above those referred to in Annex V are required in respect of one or more categories of products, additional opportunities for imports during a given quota year may be granted by the Commission in accordance with the procedure laid down in Article 17.

Where such additional opportunities are granted following over-licensing by the authorities of a supplier country, this shall be subject to the deduction of an amount corresponding to the additional amount from the quantitative limit:

- of one or more categories of products belonging to the same group or subgroup of products for the current quota year (provided that such an amount does not exceed 3 % of the quantitative limit for the category for which the additional opportunities are granted) and/or
- of the same category of products for the following quota year.

In an emergency, the Commission shall open consultations in the Committee set up pursuant to

Article 17 within five working days following receipt of a request from a Member State and shall take a decision within 15 working days calculated from the same date.

These additional opportunities for imports shall not be taken into account for the purpose of applying Article 7.'

5. Article 15 (1) shall be replaced by the following:

'1. Where, following the enquiries carried out in accordance with the procedures established in Annex IV, the Commission finds that the information in its possession constitutes proof that products originating in a supplier country listed in Annex V and subject to the quantitative limits referred to in Article 2 or introduced pursuant to Article 10 have been trans-shipped, re-routed or otherwise imported into the Community through circumvention of such quantitative limits and that there is a need for the necessary adjustments to be made, it shall request that consultations be opened, in accordance with the procedure described in Article 16, so that agreement may be reached on an equivalent adjustment of the corresponding quantitative limits.'

6. Article 15 (5) shall be replaced by the following:

'5. In addition, where there is evidence of the involvement of the territories of third countries which are Members of the WTO but which are not listed in Annex V, the Commission shall request consultations with the third country or countries concerned in accordance with the procedure described in Article 16 in order to take appropriate action to address the problem. The Commission, in accordance with the procedure laid down in Article 17, may introduce quantitative limits against the third country or countries concerned or it may take any other appropriate measures.'

7. The introductory words to Article 16 (1) shall be replaced by the following:

'1. The Commission, in accordance with the procedure laid down in Article 17 (5), shall conduct the consultations referred to in this Regulation in accordance with the following rules:'

8. Article 20 shall be replaced by the following:

'Article 20

This Regulation shall not prejudice the provisions either of the ATC with regard to WTO members or of the bilateral agreements, protocols or arrangements between the Community and the third countries listed in Annex II.'

9. Article 14 (1) of Annex III shall be replaced by the following:

'1. Where the Commission, pursuant to Article 12 of this Regulation has confirmed that the amount requested is available within the quantitative limit in question, the authorities of a Member State shall issue an import authorization within a maximum of five

working days of the presentation by the importer of the original of the corresponding export licence. This presentation must be effected not later than 31 March of the year following that in which the goods covered by the licence were shipped. In exceptional circumstances the deadline for presentation of the export licence may be put back to 30 June on a duly motivated request by a Member State and in accordance with the procedure laid down in Article 17 of this Regulation.'

10. The following subparagraph shall be added to Articles 14 (4), 21 (3) and 26 of Annex III:

'The competent authorities may, under the conditions fixed by them, allow the submission of declarations or requests to be transmitted or printed by electronic means. However, all documents and evidence must be available to the competent authorities.'

11. The introductory words to Article 14 (4) of Annex III shall be replaced by the following:

'4. The declaration or request made by the importer to the competent authorities in order to obtain the import authorization shall contain:'

12. Article 21 (1) of Annex III shall be replaced by the following:

'1. The authorities of the Member States shall issue an import authorization within a maximum of five working days of the presentation by the importer of the original of the corresponding export licence. This presentation must be effected not later than 31 March of the year following that in which the goods covered by the licence were shipped. In exceptional circumstances the deadline for presentation of the export licence may be put back to 30 June on a duly substantiated request by a Member State and in accordance with the procedure laid down in Article 17 of this Regulation. This time limit shall not apply to Egypt and Malta. Import authorizations, drawn up on the form conforming to the specimen set out in Appendix 1 to this Annex, shall be valid throughout the customs territory of the Community.'

13. The introductory words to Article 21 (3) of Annex III shall be replaced by the following:

'3. The declaration or request made by the importer to the competent authorities in order to obtain the import authorization shall contain:'

14. In Annex III, the introductory words to Article 26 shall be replaced by the following:

'The declaration or request made by the importer to the competent authorities in order to obtain the surveillance document shall contain:'

15. The following Article shall be inserted in Annex III:

'Article 30a

The list and addresses of the competent authorities referred to in Articles 14 (4), 21 (1) and (3), 25 (3), 26 and 31 (1) shall be published by the Commission in the *Official Journal of the European Communities*, "C" series.'

16. Article 31 (1) of Annex III shall be replaced by the following:

'1. The forms to be used by the competent authorities of the Member States for issuing the import authorizations and surveillance documents referred to in Articles 14 (1), 21 (1) and 25 (3) shall conform to the specimen of the import licence set out in Appendix 1 to this Annex.'

17. The following paragraph shall be added to Article 31 of Annex III:

'12. The import licence may be issued by electronic means as long as the customs offices involved have access to this licence across a computer network.'

18. Annex XI and Appendix 2 to Annex III are hereby deleted.

Article 2

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

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

Done at Luxembourg, 29 April 1997.

For the Council

The President

H. VAN MIERLO

COUNCIL REGULATION (EC) No 825/97

of 29 April 1997

amending Regulation (EC) No 70/97 concerning the arrangements applicable to imports into the Community of products originating in the Republics of Bosnia-Herzegovina, Croatia and the Former Yugoslav Republic of Macedonia and to imports of wine originating in the Republic of Slovenia

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty establishing the European Community, and in particular Article 113 thereof,

Having regard to the proposal from the Commission,

Whereas Regulation (EC) No 70/97⁽¹⁾ does not apply to imports into the Community of products originating in the Federal Republic of Yugoslavia;

Whereas the arrangements provided for in that Regulation should be extended to the Federal Republic of Yugoslavia,

2. in Article 8 (2) '11 725 tonnes' shall be replaced by '21 700 tonnes';

3. in the heading of the last column of Annex D 'the Federal Republic of Yugoslavia' shall be inserted after 'Croatia';

4. in Annex G a new row 'Federal Republic of Yugoslavia 9 975 tonnes (carcase weight)' shall be inserted after 'Croatia'.

HAS ADOPTED THIS REGULATION:

*Article 2**Article 1*

Regulation (EC) No 70/97 is hereby amended as follows:

1. in the title and Article 1 (1) 'the Federal Republic of Yugoslavia' shall be inserted after 'Croatia';

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

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

Done at Luxembourg, 29 April 1997.

*For the Council**The President*

H. VAN MIERLO

⁽¹⁾ OJ No L 16, 18. 1. 1997, p. 1.

COMMISSION REGULATION (EC) No 826/97
of 7 May 1997
amending Regulation (EEC) No 1627/89 on the buying in of beef by invitation to tender

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

Having regard to Council Regulation (EEC) No 805/68 of 27 June 1968 on the common organization of the market in beef and veal⁽¹⁾, as last amended by Regulation (EC) No 2222/96⁽²⁾, and in particular Article 6 (7) thereof,

Whereas Commission Regulation (EEC) No 1627/89 of 9 June 1989 on the buying in of beef by invitation to tender⁽³⁾, as last amended by Regulation (EC) No 699/97⁽⁴⁾, opened buying in by invitation to tender in certain Member States or regions of a Member State for certain quality groups;

Whereas the application of Article 6 (2), (3) and (4) of Regulation (EEC) No 805/68 and the need to limit intervention to the buying in of the quantities necessary to ensure reasonable support for the market result, on the basis of the prices of which the Commission is aware, in

an amendment, in accordance with the Annex hereto, to the list of Member States or regions of a Member State where buying in is open by invitation to tender, and the list of the quality groups which may be bought in;

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

HAS ADOPTED THIS REGULATION:

Article 1

The Annex to Regulation (EEC) No 1627/89 is hereby replaced by the Annex hereto.

Article 2

This Regulation shall enter into force on 12 May 1997.

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

Done at Brussels, 7 May 1997.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ No L 148, 28. 6. 1968, p. 24.

⁽²⁾ OJ No L 296, 21. 11. 1996, p. 50.

⁽³⁾ OJ No L 159, 10. 6. 1989, p. 36.

⁽⁴⁾ OJ No L 102, 19. 4. 1997, p. 26.

*ANEXO — BILAG — ANHANG — ΠΑΡΑΡΤΗΜΑ — ANNEX — ANNEXE — ALLEGATO —
BIJLAGE — ANEXO — LIITE — BILAGA*

Estados miembros o regiones de Estados miembros y grupos de calidades previstos en el apartado 1 del artículo 1 del Reglamento (CEE) n° 1627/89

Medlemsstater eller regioner og kvalitetsgrupper, jf. artikel 1, stk. 1 i forordning (EØF) nr. 1627/89

Mitgliedstaaten oder Gebiete eines Mitgliedstaats sowie die in Artikel 1 Absatz 1 der Verordnung (EWG) Nr. 1627/89 genannten Qualitätsgruppen

Κράτη μέλη ή περιοχές κρατών μελών και ομάδες ποιότητας που αναφέρονται στο άρθρο 1 παράγραφος 1 του κανονισμού (ΕΟΚ) αριθ. 1627/89

Member States or regions of a Member State and quality groups referred to in Article 1 (1) of Regulation (EEC) No 1627/89

États membres ou régions d'États membres et groupes de qualités visés à l'article 1^{er} paragraphe 1 du règlement (CEE) n° 1627/89

Stati membri o regioni di Stati membri e gruppi di qualità di cui all'articolo 1, paragrafo 1 del regolamento (CEE) n. 1627/89

In artikel 1, lid 1, van Verordening (EEG) nr. 1627/89 bedoelde lidstaten of gebieden van een lidstaat en kwaliteitsgroepen

Estados-membros ou regiões de Estados-membros e grupos de qualidades referidos no n° 1 do artigo 1º do Regulamento (CEE) n° 1627/89

Jäsenvaltiot tai alueet ja asetuksen (ETY) N:o 1627/89 1 artiklan 1 kohdan tarkoittamat laaturyhmät

Medlemsstater eller regioner och kvalitetsgrupper som avses i artikel 1.1 i förordning (EEG) nr 1627/89

Estados miembros o regiones de Estados miembros	Categoría A					Categoría C		
Medlemsstat eller region	Kategori A					Kategori C		
Mitgliedstaaten oder Gebiete eines Mitgliedstaats	Kategorie A					Kategorie C		
Κράτος μέλος ή περιοχές κράτους μέλους	Κατηγορία Α					Κατηγορία Γ		
Member States or regions of a Member State	Category A					Category C		
États membres ou régions d'États membres	Catégorie A					Catégorie C		
Stati membri o regioni di Stati membri	Categoria A					Categoria C		
Lidstaat of gebied van een lidstaat	Categorie A					Categorie C		
Estados-membros ou regiões de Estados-membros	Categoria A					Categoria C		
Jäsenvaltiot tai alueet	Luokka A					Luokka C		
Medlemsstater eller regioner	Kategori A					Kategori C		
	S	E	U	R	O	U	R	O
België/Belgique		×	×	×				
Danmark				×	×			
Deutschland			×	×				
Spain			×	×				
France			×	×				×
Ireland						×	×	×
Nederland				×				
Österreich			×	×				
Portugal			×	×				
Suomi				×	×			
Sweden				×	×			
Great Britain			×	×	×	×	×	×
Northern Ireland			×	×	×	×	×	×

COMMISSION REGULATION (EC) No 827/97

of 7 May 1997

altering the export refunds on white sugar and raw sugar exported in the natural state

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EEC) No 1785/81 of 30 June 1981 on the common organization of the markets in the sugar sector⁽¹⁾, as last amended by Regulation (EC) No 1599/96⁽²⁾, and in particular the second subparagraph of Article 19 (4) thereof,

Whereas the refunds on white sugar and raw sugar exported in the natural state were fixed by Commission Regulation (EC) No 786/97⁽³⁾;

Whereas it follows from applying the detailed rules contained in Regulation (EC) No 786/97 to the informa-

tion known to the Commission that the export refunds at present in force should be altered to the amounts set out in the Annex hereto,

HAS ADOPTED THIS REGULATION:

Article 1

The export refunds on the products listed in Article 1 (1) (a) of Regulation (EEC) No 1785/81, undenatured and exported in the natural state, as fixed in the Annex to Regulation (EC) No 786/97, are hereby altered to the amounts shown in the Annex hereto.

Article 2

This Regulation shall enter into force on 8 May 1997.

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

Done at Brussels, 7 May 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 114, 1. 5. 1997, p. 9.

ANNEX

to the Commission Regulation of 7 May 1997 altering the export refunds on white sugar and raw sugar exported in its unaltered state

Product code	Amount of refund
	— ECU/100 kg —
1701 11 90 9100	36,85 ⁽¹⁾
1701 11 90 9910	35,99 ⁽¹⁾
1701 11 90 9950	⁽²⁾
1701 12 90 9100	36,85 ⁽¹⁾
1701 12 90 9910	35,99 ⁽¹⁾
1701 12 90 9950	⁽²⁾
	— ECU/1 % of sucrose × 100 kg —
1701 91 00 9000	0,4006
	— ECU/100 kg —
1701 99 10 9100	40,06
1701 99 10 9910	40,05
1701 99 10 9950	40,05
	— ECU/1 % of sucrose × 100 kg —
1701 99 90 9100	0,4006

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

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

COMMISSION REGULATION (EC) No 828/97
of 7 May 1997

fixing the maximum export refund for white sugar for the 37th partial invitation to tender issued within the framework of the standing invitation to tender provided for in Regulation (EC) No 1464/96

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

Having regard to Council Regulation (EEC) No 1785/81 of 30 June 1981 on the common organization of the markets in the sugar sector⁽¹⁾, as last amended by Regulation (EC) No 1599/96⁽²⁾, and in particular the second subparagraph of Article 17 (5) (b) thereof,

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

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

Whereas, following an examination of the tenders submitted in response to the 37th partial invitation to

tender, the provisions set out in Article 1 should be adopted;

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

HAS ADOPTED THIS REGULATION:

Article 1

For the 37th partial invitation to tender for white sugar issued pursuant to Regulation (EC) No 1464/96 the maximum amount of the export refund is fixed at ECU 43,085 per 100 kilograms.

Article 2

This Regulation shall enter into force on 8 May 1997.

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

Done at Brussels, 7 May 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 187, 26. 7. 1996, p. 42.

COMMISSION REGULATION (EC) No 829/97

of 7 May 1997

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

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EEC) No 1785/81 of 30 June 1981 on the common organization of the market in sugar⁽¹⁾, as last amended by Regulation (EC) No 1599/96⁽²⁾,

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

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

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

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

Whereas the information must be disregarded if the goods concerned are not of sound and fair marketable quality or if the price quoted in the offer relates only to a small

quantity that is not representative of the market; whereas offer prices which can be regarded as not representative of actual market trends must also be disregarded;

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

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

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

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

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

HAS ADOPTED THIS REGULATION:

Article 1

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

Article 2

This Regulation shall enter into force on 8 May 1997.

⁽¹⁾ OJ No L 177, 1. 7. 1981, p. 4.

⁽²⁾ OJ No L 206, 16. 8. 1996, p. 43.

⁽³⁾ OJ No L 141, 24. 6. 1995, p. 12.

⁽⁴⁾ OJ No L 145, 27. 6. 1968, p. 12.

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

Done at Brussels, 7 May 1997.

For the Commission

Franz FISCHLER

Member of the Commission

ANNEX

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

CN code	Amount of the representative price in ECU per 100 kg net of the product in question	Amount of the additional duty in ECU per 100 kg net of the product in question	Amount of the duty to be applied to imports in ECU per 100 kg net of the product in question because of suspension as referred to in Article 5 of Regulation (EC) No 1422/95 ⁽²⁾
1703 10 00 ⁽¹⁾	8,47	—	0,00
1703 90 00 ⁽¹⁾	12,35	—	0,00

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

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

COMMISSION REGULATION (EC) No 830/97

of 7 May 1997

opening an invitation to tender for the reduction in the duty on maize imported into Portugal from third countries

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 12 (1) thereof,

Whereas, pursuant to the Agreement on Agriculture concluded during the Uruguay Round of multilateral trade negotiations, the Community has undertaken to import a certain quantity of maize into Portugal;

Whereas Commission Regulation (EC) No 1839/95 of 26 July 1995 laying down detailed rules for the tariff quotas for maize and sorghum into Spain and maize into Portugal⁽³⁾, as amended by Regulation (EC) No 1963/95⁽⁴⁾, lays down the rules governing the administration of those special arrangements; whereas this Regulation lays down the special additional detailed rules necessary for implementing the invitation to tender, in particular those relating to the lodging and release of the security to be lodged by operators to ensure compliance with their obligations and, in particular, the obligation to process or use the imported product on the Portuguese market;

Whereas in the light of current market needs in Portugal, an invitation to tender for the reduction in the duty on imports of maize should be opened in the framework of these special arrangements for imports;

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

1. An invitation to tender is hereby opened for the reduction in the import duty referred to in Article 10 (2) of Regulation (EEC) No 1766/92 on maize to be imported into Portugal.
2. The invitation to tender shall be open until 29 May 1997. During that period, weekly invitations shall be issued with quantities and closing dates as shown in the notice of invitation to tender.
3. Regulation (EC) No 1839/95 shall apply save as otherwise provided for in this Regulation.

Article 2

Import licences issued under these invitations to tender shall be valid from the date they are issued, within the meaning of Article 10 (4) of Regulation (EC) No 1839/95, until 30 June 1997.

Article 3

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

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

Done at Brussels, 7 May 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 177, 28. 7. 1995, p. 4.

⁽⁴⁾ OJ No L 189, 10. 8. 1995, p. 22.

COMMISSION REGULATION (EC) No 831/97
of 7 May 1997
laying down marketing standards applicable to avocados

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 2 (2) thereof,

Whereas Regulation (EC) No 2200/96, in Annex I, lists the products for which standards must be adopted; whereas, of the products listed in that Annex, no Community standards have yet been laid down for, *inter alia*, avocados; whereas it is therefore necessary to lay down marketing standards for those products; whereas, to that end, for the sake of transparency on the world market, account should be taken of the standards recommended for those products by the United Nations Economic Commission for Europe;

Whereas application of those standards should have the effect of keeping products of unsatisfactory quality off the market, directing production to meet consumers' requirements and facilitating trade under fair competitive conditions, thereby helping to improve the profitability of production;

Whereas those standards are applicable to all marketing stages; whereas transport over large distances, storage for more than a certain duration and the amount of handling to which products are subject can result in some degree of deterioration owing to the biological development of the product or its perishable nature; whereas such deteriora-

tion should be taken into account in the application of the standards to the marketing stages following consignment; whereas, since products of the 'Extra' class must be particularly carefully selected and packed, allowance should only be made for some loss of freshness and turgidity;

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

HAS ADOPTED THIS REGULATION:

Article 1

1. The marketing standards applicable to avocados falling within CN code 0804 40 shall be as set out in the Annex.
2. The standards shall apply to all marketing stages under the conditions laid down in Regulation (EC) No 2200/96.

However, at stages following consignment the following tolerances shall be allowed:

- (a) a slight loss of freshness and turgidity;
- (b) for products other than 'Extra' class, slight deterioration due to biological development and perishability.

Article 2

This Regulation shall enter into force on 1 June 1997.

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

Done at Brussels, 7 May 1997.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ No L 297, 21. 11. 1996, p. 1.

ANNEX

STANDARDS FOR AVOCADOS

I. DEFINITION OF PRODUCE

This standard applies to avocados of varieties (cultivars) grown from *Persea americana* Mill. to be supplied fresh to the consumer, parthenocarpic fruit and avocados for industrial processing being excluded.

II. PROVISIONS CONCERNING QUALITY

The purpose of the standard is to define the quality requirements of avocados after preparation and packaging.

A. Minimum requirements

In all classes, subject to the special provisions for each class and the tolerances allowed, the avocados must be:

- intact,
- sound, produce affected by rotting or deterioration such as to make it unfit for consumption is excluded,
- clean, practically free of any visible foreign matter,
- practically free from damage caused by pests,
- free of damage caused by low temperature,
- having a stalk not more than 10 mm in length which must be cut off cleanly. However, its absence is not considered a defect on condition that the place of the stalk attachment is dry and intact,
- free of abnormal external moisture,
- free of any foreign smell and/or taste.

Avocados must be carefully picked. Their development should have reached a physiological stage which will ensure a continuation of the ripening process to completion. The ripe fruit should be free from bitterness.

The development and condition of the avocados must be such as to enable them:

- to withstand transport and handling, and
- to arrive in satisfactory condition at the place of destination.

B. Classification

Avocados are classified in three classes defined below:

(i) 'Extra' Class

Avocados in this class must be of superior quality. In shape and colouring they must be characteristic of the variety.

They must be free from defects, with the exception of very slight superficial defects of the skin provided these do not affect the general appearance of the produce, the quality, the keeping quality and presentation in the package. If present, the stalk must be intact.

(ii) Class I

Avocados in this class must be of good quality and show the typical colour and shape of the variety.

The following slight defects, however, may be allowed provided these do not affect the general appearance of the produce, the quality, the keeping quality and presentation in the package:

- slight defects of shape and colour,
- slight skin defects (corkiness, healed lenticels) and sunburn; the maximum total area should not exceed 4 cm².

In no case may the defects affect the fruit flesh.

The stalk, if present, may be slightly damaged.

(iii) *Class II*

This class includes avocados which do not qualify for inclusion in the higher classes but satisfy the minimum requirements specified above.

The following defects may be allowed provided the avocados retain their essential characteristics as regards the quality, the keeping quality and presentation:

- defects in shape and colouring,
- skin defects (corkiness, healed lenticels) and sunburn: the maximum total area should not exceed 6 cm².

In no case may the defects affect the fruit flesh.

The stalk, if present, may be damaged.

III. PROVISIONS CONCERNING SIZING

Size is determined by the weight of the fruit; the size scale is as follows:

Weight scale in grams	Code size
781 to 1 220	4
576 to 780	6
461 to 575	8
366 to 460	10
306 to 365	12
266 to 305	14
236 to 265	16
211 to 235	18
191 to 210	20
171 to 190	22
156 to 170	24
146 to 155	26
136 to 145	28
125 to 135	30

The minimum weight of avocados must not be less than 125 g.

IV. PROVISIONS CONCERNING TOLERANCES

Tolerances in respect of quality and size shall be allowed in each package for produce not satisfying the requirements for the class indicated.

A. **Quality tolerances**(i) *'Extra' Class*

5 per cent by number or weight of avocados not satisfying the requirements of avocados but meeting those of class I or, exceptionally, coming within the tolerances of that class.

(ii) *Class I*

10 per cent by number or weight of avocados not satisfying the requirements of the class but meeting those of Class II or, exceptionally, coming within the tolerance of that class.

(iii) *Class II*

10 per cent by number or weight of avocados satisfying neither the requirements of the class nor the minimum requirements, with the exception of fruit affected by rotting, marked bruising or any other deterioration rendering it unfit for consumption.

B. **Size tolerances**

For all classes: 10 % by number or weight of avocados conforming to the size range immediately below and/or above that mentioned in the marking.

V. PROVISIONS CONCERNING PRESENTATION**A. Uniformity**

The contents of each package must be uniform and contain only avocados of the same origin, variety, quality and size.

The visible part of the contents of the package must be representative of the entire contents.

B. Packaging

The avocados must be packed in such a way as to protect the produce properly.

The materials used inside the package must be new, clean and of a quality such as to avoid causing any external or internal damage to the fruit. The use of materials, particularly of paper or stamps bearing trade specifications is allowed provided the printing or labelling has been done with non-toxic ink or glue.

Packages must be free of all foreign matter.

VI. PROVISIONS CONCERNING MARKING

Each package must bear the following particulars, in letters grouped on the same side, legibly and indelibly marked, and visible from the outside:

A. Identification

Packer and/or dispatcher: name and address or officially issued or accepted code mark. However, in the case where a code mark is used, the reference 'packer and/or dispatcher' (or equivalent abbreviations) has to be indicated in close connection with the code mark.

B. Nature of produce

- 'Avocados', if the contents are not visible from the outside,
- name of the variety.

C. Origin of produce

- Country of origin and, optionally, district where grown, or national, regional or local place name.

D. Commercial specifications

- Class,
- size expressed in minimum and maximum weight,
- code number of the size scale and number of fruits when it is different from code number or, optionally, code number of the size scale and the net weight of the package.

E. Official control mark (optional)

COMMISSION REGULATION (EC) No 832/97
of 7 May 1997

laying down detailed rules for the application of Council Regulation (EC) No 2275/96 introducing specific measures for live plants and floricultural products

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EC) No 2275/96 of 22 November 1996 introducing specific measures for live plants and floricultural products⁽¹⁾, and in particular Article 5 thereof,

Whereas Regulation (EC) No 2275/96 provides for a Community financial contribution to measures to increase the consumption of Community live plants and floricultural products within the Community and abroad;

Whereas the principal measures eligible for a Community financial contribution should be defined;

Whereas such measures must form part of a coherent strategy and provide guarantees as to the achievement in the medium term of the planned objectives and to the satisfaction of Community interests; whereas they must commit the main operators in the sector, be presented in a standard form and contain the information necessary for their assessment;

Whereas the procedure to be followed and the criteria to be applied for determining each year the Member States in which the promotional measures are to be implemented and for allocating the overall amount available for the measures among them should be laid down;

Whereas the procedures for the submission by the professional organizations of applications for assistance and for the assessment and selection of the measures by the bodies authorized by the Member States should be laid down; whereas the procedures should allow the Commission to forward its observations to the Member States;

Whereas the various provisions concerning fulfilment of the commitments made should be laid down in contracts concluded between the parties concerned and the competent national authorities on the basis of standard contracts supplied by the Commission;

Whereas the Member States should check the implementation of the measures and the Commission should be kept informed of the results of the measures provided for in this Regulation;

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

HAS ADOPTED THIS REGULATION:

Article 1

1. The measures to increase the consumption of live plants and floricultural products within the Community and abroad referred to in Article 1 of Regulation (EC) No 2275/96 shall be presented in the form of programmes.

2. 'Programme' shall mean a coherent set of measures which are of sufficient scope to contribute to increasing the disposal of production and consumption, and, where appropriate, to that end, help target production and adapt it to market requirements.

3. Programmes shall be implemented over a period of one or more years from the signing of the annual contracts referred to in Article 7 (2).

However, the duration of programmes shall not exceed three years from the signing of the contract entered into during the first year of application of this Regulation.

Article 2

1. Programmes may cover the following measures:

- (a) the organization of generic promotional campaigns on radio and television, in the press and by means of posters;
- (b) the organization of information at point of sale;
- (c) the organization of and participation in fairs and other events;
- (d) the production of publications and audiovisual material;
- (e) the organization of public relations campaigns for opinion-formers and the general public;
- (f) the preparation of teaching aids.

⁽¹⁾ OJ No L 308, 29. 11. 1996, p. 7.

2. The programmes may be accompanied by the following additional measures:

- (a) market studies and consumer surveys;
- (b) the distribution to operators of the results of marketing research;
- (c) the development of new packaging and presentations.

3. Measures receiving other Community assistance or receiving other national or regional assistance shall not be eligible.

However, for the years 1997, 1998 and 1999, measures receiving national or regional assistance not exceeding 20 % of the total budget may be eligible.

Article 3

1. The following shall be determined each year in accordance with the procedure laid down in Article 14 of Council Regulation (EEC) No 234/68⁽¹⁾:

- (a) the Member States in which the promotional campaigns are to be implemented by groups which satisfy the requirements of Article 4;
- (b) the amount intended for the financing of those campaigns in each of those Member States, the overall amount being allocated with due regard to the value of production in the Member State concerned.

2. In the event that all or part of the amount allocated to a Member State for a given year is not used, that Member State may choose to allocate that amount to another selected project pending as a result of insufficient funding or to forego payment of the amount concerned. In that case, the available amount shall be redistributed *pro rata* among the Member States concerned by the Commission.

3. For 1997, the available Community financial contribution shall be distributed as follows:

Country	Quota (ECU 1 000)	Quota (%)
Netherlands	4 322,321	29,60
Germany	2 566,028	17,58
Italy	2 543,761	17,42
France	1 492,665	10,22
United Kingdom	908,608	6,22
Spain	674,619	4,62
Denmark	550,089	3,77
Belgium	490,844	3,36

Country	Quota (ECU 1 000)	Quota (%)
Austria	243,411	1,67
Sweden	193,808	1,33
Greece	183,216	1,25
Finland	130,629	0,89
Portugal	100,000	0,68
Ireland	100,000	0,68
Luxembourg	100,000	0,68
EUR 15	14 600,000	100,00

Article 4

1. The programmes referred to in Article 1 shall be presented by representative groups for operators in one or more branches of activity in the live plant and floricultural products sector, such as producer organizations or their unions or traders, organizations or their associations.

2. A group submitting an application for assistance shall have sole responsibility for implementation of the measures for which financial assistance is granted. The group must have the legal capacity necessary to implement the measures and shall have its head office in the Community.

Article 5

1. Applications for assistance shall be submitted to the competent body of the Member State in which the head office of the group is located by 31 March each year.

However, for 1997 the deadline for the submission of applications shall be 30 May.

Applications shall contain all the information listed in the Annex and be accompanied by:

- (a) details of the situation with regard to the marketing and consumption of live plants and floricultural products in the regions concerned;
- (b) the anticipated results of the proposed measures and their capacity to achieve the general and specific objectives laid down in the programme.

2. The competent body shall verify the accuracy of the information given in applications and their compliance with Regulation (EC) No 2275/96 and this Regulation. Before 30 April each year, and for 1997 before 21 June, the Member State concerned shall draw up on the basis of the criteria referred to in Article 6, a provisional list of the measures selected to receive Community financial assistance within the limit of the amounts determined in accordance with Article 3. The financial assistance shall amount to 60 % of the actual cost of the selected measures.

⁽¹⁾ OJ No L 55, 2. 3. 1968, p. 1.

3. The Member State shall immediately forward the provisional list of selected measures with a copy of the relevant applications to the Commission. The Commission shall transmit to the Member States any observations it may have on the measures in question with a view to guaranteeing their legality and their coordination at Community level. From the 31st day following the date specified in paragraph 2, each Member State shall draw up a final list of selected measures and forward it to the Commission without delay.

Article 6

The list of selected measures shall be drawn up, in particular, on the basis of the coherence of the strategies presented, the merits of the proposed measures, the expected impact of their implementation, and the groups' capacity to implement the measures and the guarantees presented as to the groups' efficiency and representative nature.

Member States shall give preference to measures to be implemented in the territories of more than one Member State.

Article 7

1. The competent bodies shall inform applicants as quickly as possible of the decision taken on their application for assistance.

2. Within one month following the drawing up of the list of selected measures pursuant to Article 5 (3), the competent bodies shall conclude annual contracts with the applicants concerned.

The competent bodies shall use standard contracts supplied by the Commission. Those contracts shall contain the general conditions which the contractor is considered to know and accept.

3. Contracts shall not take effect until contractors have lodged in favour of the competent body a security equal to 15 % of the Community financing in order to ensure correct implementation of the contract. If proof of lodging of the security does not reach the competent body within two weeks of conclusion of the contract, the contract shall no longer have legal effect.

The security shall be lodged in accordance with the conditions laid down in Title III of Commission Regulation (EEC) No 2220/85 ⁽¹⁾.

The primary requirement within the meaning of Article 20 of that Regulation shall be the implementation, within the time limits laid down, of the measures referred to in the contract.

The security shall be released within the time limit and under the conditions laid down in Article 8 of this Regulation for payment of the balance.

4. The contracting competent body shall immediately send a copy of the contract to the Commission.

Article 8

1. After the contract has been signed, the contractor may submit to the competent body an application for an advance.

The advance may cover up to 30 % of the Community financing.

The competent body shall pay the advance not later than 15 October of the year concerned.

Payment of the advance shall be subject to the lodging in favour of the competent body of a security equal to 110 % of that advance in accordance with the conditions laid down in Title III of Regulation (EEC) No 2220/85.

2. Applications for payment shall be submitted each quarter and be accompanied by supporting documents and an interim report on the implementation of the contract.

However, the payments and the advance referred to in paragraph 1 may not in aggregate exceed 75 % of the total Community financial contribution.

3. Applications for payment of the balance shall be submitted before the end of the fourth month following completion of the measures covered by the contract. They shall be accompanied by:

- (a) appropriate supporting documents;
- (b) a summary of the work carried out;
- (c) an internal evaluation report of the results obtained, as ascertainable on the date of the report and of the use that can be made of them.

Except in cases of *force majeure*, where an application for payment of the balance with the relevant documentation is submitted late, the balance shall be reduced by 3 % for each month by which it is overdue.

4. Payment of the balance shall be subject to checking of the documents referred to in paragraph 3.

The balance shall be reduced in proportion to the failure to fulfil the primary requirement referred to in Article 7 (3).

5. The security referred to in paragraph 1 shall be released provided that definitive entitlement to the amount advanced has been established when the balance is paid.

6. The competent body shall make the payments referred to in paragraphs 1 to 5 within three months of receipt of the application. It may, however, postpone the payments referred to in paragraphs 2 and 4 where additional checks are required.

⁽¹⁾ OJ No L 205, 3. 8. 1985, p. 5.

7. The competent body shall forward the evaluation reports referred to in paragraph 3 to the Commission as soon as possible.

8. The overall amount for each Member State fixed each year in accordance with Article 3 shall be converted into national currency at the agricultural conversion rate applicable on 1 April of the year concerned. However, for 1997 the relevant date shall be 1 May.

Article 9

1. The competent bodies shall take the steps necessary to verify, in particular by means of technical, administrative and accounting checks on the contractor, any partners and subcontractors:

- (a) the accuracy of the information and supporting documents supplied;
- (b) fulfilment of all the obligations laid down in the contract.

They shall immediately inform the Commission of the results of the checks.

2. For the purposes of paragraph 1, where the contractor implements measures in a Member State other than that in which the contracting competent body is established, the competent body of the Member State concerned shall afford it all necessary assistance.

3. The competent body of the Member State concerned shall determine the most appropriate way of carrying out checks on measures implemented in third countries and shall notify the Commission thereof.

4. The Commission may at any time take part in the verifications and checks referred to in paragraphs 1, 2 and 3.

It may also carry out any additional checks it considers necessary.

Article 10

During the final year of a programme, an external evaluation of the planned and approved measures shall be carried out by an independent body selected by the Member State with the approval of the Commission.

The external evaluation shall comprise an evaluation of the results obtained in relation to the objectives laid down for the planned and approved measures and a cost/benefit analysis of each measure and for the whole programme on the basis of performance indicators (output and input).

The evaluation shall be sent to the Commission immediately.

The competent body shall pay for the evaluation, which shall be financed on the same conditions as the promotional measures.

Article 11

1. Where undue payments are made, the beneficiary shall repay the amounts concerned plus interest calculated on the basis of the time elapsing between payment and repayment by the beneficiary.

The interest rate to be used shall be that applied by the European Monetary Institute to its operations in ecus applicable on the date of the undue payment, published in the 'C' series of the *Official Journal of the European Communities*, increased by three percentage points.

2. Amounts recovered and the relevant interest shall be paid to the paying agencies and departments and deducted by them from the expenditure financed by the European Agricultural Guidance and Guarantee Fund in proportion to the Community financial contribution.

Article 12

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

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

Done at Brussels, 7 May 1997.

For the Commission

Franz FISCHLER

Member of the Commission

ANNEX

AID APPLICATION

I

GENERAL INFORMATION

1. **Title:**

2. **Products concerned:**

3. **Measures:**

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4. **Duration:** 1 year ☐ 2 years ☐ 3 years ☐

5. **Identification of applicant:**

5.1. *Group*

— Name or company name:

— Legal status:

..... Date established:

— Registered place of business:

Street: No Box:

Postal code: Town: Country:

Telephone: Telex: Fax:

— Bank details:

Name: Agency or branch:

Street: No Box: Town: Country:

Account No:

5.2. *Partners* (one form for each)

Name or company name:	
Legal status:	Type: (1) OP ☐ IT ☐ D ☐ AS ☐ C ☐ O ☐
Main activity:	
Role in the group: — Partner ☐ — Prime contractor ☐	
Responsibility and contribution to implementation of the programme:	
Experience and references (field of activity):	
Contribution to financing of programme (in national currency): — First year — Second year — Third year Total:	
Right to use the results:	

(1) OP = Producers' organization.
 IT = Processing firm.
 AS = Association.

C = Trader.
 D = Retailer.
 O = Other.

6. Financing of the programme6.1. Total cost of programme ⁽¹⁾ ⁽²⁾: (ecu)

6.2. Community contribution requested: (ecu)

(a) year 1: (ecu)

(b) year 2: (ecu)

(c) year 3: (ecu)

6.3. Contribution of the group: (ecu)

of which:

— own funds:

— loans:

— payments in kind:

— other contributions:

7. General information:Subcontractors: Yes ☐ No ☐

If yes, specify which:

Specify task(s):

Type of commitment: Contract ⁽³⁾ ☐ Other ⁽³⁾ ☐

If other, specify which:

8. Declaration

The undersigned declare(s):

(a) that he/they have the necessary funds to ensure full financing of the programme;

(b) that he/they are not receiving any other Community financial assistance or any other national or regional grant or subsidy equal to more than 20 % of the total budget.

.....

(Date)

(Signature) ^(*)⁽¹⁾ Exclusive of VAT.⁽²⁾ For the duration of implementation of the programme.⁽³⁾ Attach copy.^(*) Of the person authorized by the group or partners.

II

DESCRIPTION OF THE PROGRAMME

Programmes must contain at least the following:

1. A summary of the programme concerning the aspects referred to in points 3 to 6 (not more than two pages).
2. Reasons and objectives.
3. The proposed measures.
4. Strategy: targets, methods, the phases of implementation and the timetable.
5. Implementation of the measures: details of the technical, scientific, economic, financial, media, logistic aspects.
6. The anticipated results and advantages for the sector and the Community market.
7. The criteria for assessing progress and results on completion of the programme.
8. Outlook as regards use and dissemination of results.

III

BUDGET

The net budget for the measures, before tax, expressed in ecus, broken down and reasoned ⁽¹⁾, showing how the amount is to be allocated by category and by year.

⁽¹⁾ On the basis of estimates, fees, etc. and, in the case of subcontracting, offers.

COMMISSION REGULATION (EC) No 833/97

of 7 May 1997

providing for the rejection of applications for export licences in relation to cereal products

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⁾,

Having regard to Commission Regulation (EC) No 1162/95 of 23 May 1995 laying down special detailed rules for the application of the system of import and export licences for cereals and rice⁽³⁾, as last amended by Regulation (EC) No 1527/96⁽⁴⁾, and in particular Article 7 (3) thereof,

Whereas the quantity covered by applications for advance fixing of refunds common wheat, flour of common wheat and spelt and flour of meslin, groats and meal of common wheat and spelt, as well as durum wheat, flour of durum wheat and groats and meal of durum wheat could give rise

to speculation; whereas it has therefore been decided to reject all applications for export licences of such products made on 6 and 7 May 1997,

HAS ADOPTED THIS REGULATION:

Article 1

In accordance with Article 7 (3) of Regulation (EC) No 1162/95, applications for export licences with advance fixing of refunds for products falling within CN codes 1001 10 00, 1001 90 99, 1101 00 11, 1101 00 15, 1101 00 90, 1103 11 10 and 1103 11 90 made on 6 and 7 May 1997 shall be rejected.

Article 2

This Regulation shall enter into force on 8 May 1997.

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

Done at Brussels, 7 May 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 117, 24. 5. 1995, p. 2.

⁽⁴⁾ OJ No L 190, 31. 7. 1996, p. 23.

COMMISSION REGULATION (EC) No 834/97

of 7 May 1997

temporarily suspending the issuing of export licences for certain milk products and determining what proportion of the amounts covered by pending applications for export licences may be allocated

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⁾,

Having regard to Commission Regulation (EC) No 1466/95 of 27 June 1995 laying down special detailed rules of application for export refunds on milk and milk products ⁽³⁾, as last amended by Regulation (EC) No 417/97 ⁽⁴⁾, and in particular Article 8 (3) thereof,

Whereas the market in certain milk products is currently subject to uncertainty; whereas licence applications of a speculative nature should be avoided which may lead to distortions of competition between operators and potentially disrupt the continuity of exports of these products for the remainder of the period in question; whereas the issue of export licenses for the products involved should

be temporarily suspended and licences for some of these products should not be issued in respect of applications pending,

HAS ADOPTED THIS REGULATION:

Article 1

1. The issue of export licences for milk products falling within CN code 0401 20 91 9100 is hereby suspended for 8 May 1997.

2. No licences shall be issued for products falling within CN code 0401 20 91 9100 for which applications submitted from 1 May 1997 are still pending and against which licences would have been issued from 8 May 1997.

Article 2

This Regulation shall enter into force on 8 May 1997.

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

Done at Brussels, 7 May 1997.

For the Commission

Franz FISCHLER

Member of the Commission

⁽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 64, 5. 3. 1997, p. 1.

COMMISSION REGULATION (EC) No 835/97
of 7 May 1997
altering 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 the export refunds on milk and milk products were fixed by Commission Regulation (EC) No 730/97 ⁽³⁾;

Whereas it follows from the application of the detailed rules contained in Regulation (EC) No 730/97 to the

information known to the Commission that the export refunds for the products listed in the Annex hereto should be altered to the amounts set out therein,

HAS ADOPTED THIS REGULATION:

Article 1

The export refunds to in Article 17 of Regulation (EEC) No 804/68 on products exported in the natural state, as fixed in the Annex to Regulation (EC) No 730/97 are hereby altered, in respect of the products set out in the Annex hereto, to the amounts set out therein.

Article 2

This Regulation shall enter into force on 8 May 1997.

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

Done at Brussels, 7 May 1997.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ No L 148, 28. 6. 1968, p. 13.

⁽²⁾ OJ No L 206, 16. 8. 1996, p. 21.

⁽³⁾ OJ No L 108, 25. 4. 1997, p. 26.

ANNEX

to the Commission Regulation of 7 May 1997 altering 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	+	2,327	0402 21 99 9600	+	131,29
0401 10 90 9000	+	2,327	0402 21 99 9700	+	137,24
0401 20 11 9100	+	2,327	0402 21 99 9900	+	143,96
0401 20 11 9500	+	3,597	0402 29 15 9200	+	0,6300
0401 20 19 9100	+	2,327	0402 29 15 9300	+	0,9530
0401 20 19 9500	+	3,597	0402 29 15 9500	+	1,0040
0401 20 91 9100	+	4,790	0402 29 15 9900	+	1,0802
0401 20 91 9500	+	5,581	0402 29 19 9200	+	0,6300
0401 20 99 9100	+	4,790	0402 29 19 9300	+	0,9530
0401 20 99 9500	+	5,581	0402 29 19 9500	+	1,0040
0401 30 11 9100	+	7,161	0402 29 19 9900	+	1,0802
0401 30 11 9400	+	11,05	0402 29 91 9100	+	1,0878
0401 30 11 9700	+	16,60	0402 29 91 9500	+	1,1851
0401 30 19 9100	+	7,161	0402 29 99 9100	+	1,0878
0401 30 19 9400	+	11,05	0402 29 99 9500	+	1,1851
0401 30 19 9700	+	16,60	0402 91 11 9110	+	2,327
0401 30 31 9100	+	28,24	0402 91 11 9120	+	4,790
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	+	2,327
0401 30 39 9700	+	48,63	0402 91 19 9120	+	4,790
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	+	9,464
0401 30 99 9400	+	81,46	0402 91 31 9300	+	24,65
0401 30 99 9700	+	95,06	0402 91 39 9100	+	9,464
0402 10 11 9000	+	63,00	0402 91 39 9300	+	24,65
0402 10 19 9000	+	63,00	0402 91 51 9000	+	11,05
0402 10 91 9000	+	0,6300	0402 91 59 9000	+	11,05
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	+	0,0233
0402 21 11 9500	+	100,40	0402 99 11 9130	+	0,0480
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	+	0,0233
0402 21 91 9100	+	108,78	0402 99 19 9130	+	0,0480
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	+	0,1026
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	+	0,1026
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 21 9950	+	13,87
0402 99 91 9000	+	0,5543	0404 90 23 9120	+	61,94
0402 99 99 9000	+	0,5543	0404 90 23 9130	+	94,45
0403 10 11 9400	+	2,327	0404 90 23 9140	+	99,50
0403 10 11 9800	+	3,597	0404 90 23 9150	+	107,03
0403 10 13 9800	+	4,790	0404 90 23 9911	+	2,327
0403 10 19 9800	+	7,161	0404 90 23 9913	+	4,790
0403 10 31 9400	+	0,0233	0404 90 23 9915	+	7,161
0403 10 31 9800	+	0,0360	0404 90 23 9917	+	11,05
0403 10 33 9800	+	0,0480	0404 90 23 9919	+	16,60
0403 10 39 9800	+	0,0716	0404 90 23 9931	+	13,87
0403 90 11 9000	+	61,94	0404 90 23 9933	+	17,00
0403 90 13 9200	+	61,94	0404 90 23 9935	+	20,66
0403 90 13 9300	+	94,45	0404 90 23 9937	+	24,43
0403 90 13 9500	+	99,50	0404 90 23 9939	+	25,54
0403 90 13 9900	+	107,03	0404 90 29 9110	+	107,83
0403 90 19 9000	+	107,83	0404 90 29 9115	+	108,54
0403 90 31 9000	+	0,6194	0404 90 29 9120	+	109,89
0403 90 33 9200	+	0,6194	0404 90 29 9130	+	117,46
0403 90 33 9300	+	0,9445	0404 90 29 9135	+	120,05
0403 90 33 9500	+	0,9950	0404 90 29 9150	+	130,11
0403 90 33 9900	+	1,0703	0404 90 29 9160	+	136,02
0403 90 39 9000	+	1,0783	0404 90 29 9180	+	142,66
0403 90 51 9100	+	2,327	0404 90 81 9100	+	0,6194
0403 90 51 9300	+	3,597	0404 90 81 9910	+	0,0233
0403 90 53 9000	+	4,790	0404 90 81 9950	+	16,00
0403 90 59 9110	+	7,161	0404 90 83 9110	+	0,6194
0403 90 59 9140	+	11,05	0404 90 83 9130	+	0,9445
0403 90 59 9170	+	16,60	0404 90 83 9150	+	0,9950
0403 90 59 9310	+	28,24	0404 90 83 9170	+	1,0703
0403 90 59 9340	+	44,10	0404 90 83 9911	+	0,0233
0403 90 59 9370	+	48,63	0404 90 83 9913	+	0,0480
0403 90 59 9510	+	55,43	0404 90 83 9915	+	0,0716
0403 90 59 9540	+	81,46	0404 90 83 9917	+	0,1105
0403 90 59 9570	+	95,06	0404 90 83 9919	+	0,1660
0403 90 61 9100	+	0,0233	0404 90 83 9931	+	16,00
0403 90 61 9300	+	0,0360	0404 90 83 9933	+	19,20
0403 90 63 9000	+	0,0480	0404 90 83 9935	+	25,52
0403 90 69 9000	+	0,0716	0404 90 83 9937	+	26,55
0404 90 21 9100	+	61,94	0404 90 89 9130	+	1,0783
0404 90 21 9910	+	2,327	0404 90 89 9150	+	1,1746
			0404 90 89 9930	+	0,3390
			0404 90 89 9950	+	0,4863
			0404 90 89 9990	+	0,5543

(*) 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 836/97

of 7 May 1997

on the issue of import licences for garlic originating in China

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⁾,

Having regard to Council Regulation (EC) No 885/96 of 15 May 1996 concerning a protective measure applicable to imports of garlic from China ⁽²⁾, and in particular Article 1 (3) thereof,

Whereas pursuant to Commission Regulation (EEC) No 1859/93 ⁽³⁾, as amended by Regulation (EC) No 1662/94 ⁽⁴⁾, the release for free circulation in the Community of garlic imported from third countries is subject to presentation of an import licence;

Whereas Article 1 (1) of Regulation (EC) No 885/96, restricts the issue of import licences for garlic originating in China to a maximum monthly quantity in the case of applications lodged from 1 June 1996 to 31 May 1997;

Whereas, given the criteria laid down in Article 1 (2) of that Regulation and the import licences already issued, the quantity applied for on 5 May 1997 is in excess of the maximum monthly quantity given in the Annex to that

Regulation for the month of May 1997; whereas it is therefore necessary to determine to what extent import licences may be issued in response to these applications; whereas the issue of licences in response to applications lodged after 5 May 1997 and before 1 June 1997 should be refused,

HAS ADOPTED THIS REGULATION:

Article 1

Import licences applied for on 5 May 1997 under Article 1 of Regulation (EEC) No 1859/93 for garlic falling within CN code 0703 20 00 originating in China shall be issued for 0,56399 % of the quantity applied for, having regard to the information available to the Commission on 7 May 1997.

For the abovementioned products applications for import licences lodged after 5 May 1997 and before 1 June 1997 shall be refused.

Article 2

This Regulation shall enter into force on 8 May 1997.

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

Done at Brussels, 7 May 1997.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ No L 297, 21. 11. 1996, p. 1.

⁽²⁾ OJ No L 119, 16. 5. 1996, p. 12.

⁽³⁾ OJ No L 170, 13. 7. 1993, p. 10.

⁽⁴⁾ OJ No L 176, 9. 7. 1994, p. 1.

COMMISSION REGULATION (EC) No 837/97**of 7 May 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 8 May 1997.

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

Done at Brussels, 7 May 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 7 May 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 25	052	90,5
	204	46,3
	212	108,7
	999	81,8
ex 0707 00 20	052	93,9
	999	93,9
0709 90 75	052	97,6
	999	97,6
0805 10 21, 0805 10 25, 0805 10 29	052	64,9
	204	39,2
	212	59,8
	400	54,1
	448	28,6
	600	55,6
	624	39,6
	625	37,4
	999	47,4
	388	69,9
0805 30 20	528	66,9
	600	60,7
	999	65,8
	060	51,0
0808 10 61, 0808 10 63, 0808 10 69	388	83,6
	400	82,9
	404	78,7
	508	77,0
	512	71,2
	528	80,0
	804	98,4
	999	77,8

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

COMMISSION REGULATION (EC) No 838/97**of 7 May 1997****on the issue of import licences for high-quality fresh, chilled or frozen beef and veal**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Commission Regulation (EC) No 1036/96 of 10 June 1996 opening and providing for the administration of tariff quotas for high-quality fresh, chilled and frozen beef and for frozen buffalo meat for the period 1 July 1996 to 30 June 1997 ⁽¹⁾, as amended by Regulation (EC) No 1737/96 ⁽²⁾, and in particular Article 5 (3) thereof,

Whereas Commission Regulation (EC) No 1036/96 provides in Articles 4 and 5 the conditions for applications and for the issue of import licences for meat referred to in Article 2 (f);

Whereas Article 2 (f) of Regulation (EC) No 1036/96 fixes the amount of high-quality fresh, chilled or frozen beef and veal originating in and imported from the United States of America and Canada which may be imported on special terms for the period 1 July 1996 to 30 June 1997 at 12 250 tonnes;

Whereas it should be recalled that licences issued pursuant to this Regulation will, throughout the period of validity, be open for use only in so far as provisions on health protection in force permit,

HAS ADOPTED THIS REGULATION:

Article 1

1. All applications for import licences from 1 until 5 May 1997 for high-quality fresh, chilled or frozen beef and veal as referred to in Article 2 (e) of Regulation (EC) No 1036/96 shall be granted in full.

2. Applications for licences may be submitted, in accordance with Article 5 of Regulation (EC) No 1036/96, during the first five days of June 1997 for 4 971 tonnes.

Article 2

This Regulation shall enter into force on 8 May 1997.

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

Done at Brussels, 7 May 1997.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ No L 138, 11. 6. 1996, p. 1.

⁽²⁾ OJ No L 225, 6. 9. 1996, p. 5.

COMMISSION REGULATION (EC) No 839/97
of 7 May 1997

laying down to what extent applications for issue of export licences submitted during May 1997 for beef and veal products which may benefit from special import treatment in Canada 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 1445/95 of 26 June 1995 on rules of application for import and export licences in the beef and veal sector and repealing Regulation (EEC) No 2377/80⁽¹⁾, as last amended by Regulation (EC) No 266/97⁽²⁾, and in particular Article 12 (a) (8) thereof,

Whereas Regulation (EC) No 1445/95 lays down, in Article 12 (a), detailed rules for export licence applications for the products referred to in Article 1 of Commission Regulation (EC) No 2051/96⁽³⁾, laying down certain detailed rules for granting of assistance for the export of beef and veal which may benefit from a special import treatment in Canada, as amended by Regulation (EC) No 2333/96⁽⁴⁾;

Whereas Regulation (EC) No 2051/96 fixed the quantities of meat which might be exported on special terms for the year 1997, whereas no applications were submitted for export licences for beef and veal,

HAS ADOPTED THIS REGULATION:

Article 1

No applications for export licences were lodged for the beef and veal referred to in Regulation (EC) No 2051/96 for the month of May 1997.

Article 2

Applications for licences in respect of the meat referred to in Article 1 may be entered in accordance with Article 12a of Regulation (EC) No 1445/95 during the first 5 days of the month of June 1997 the total quantity available being 5 000 tonnes.

Article 3

This Regulation shall enter into force on 8 May 1997.

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

Done at Brussels, 7 May 1997.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ No L 143, 27. 6. 1995, p. 35.

⁽²⁾ OJ No L 45, 15. 2. 1997, p. 1.

⁽³⁾ OJ No L 274, 26. 10. 1996, p. 18.

⁽⁴⁾ OJ No L 317, 6. 12. 1996, p. 13.