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I

(Acts whose publication is obligatory)

COMMISSION REGULATION (EC) No 940/97**of 28 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,

⁽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.

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 29 May 1997.

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

Done at Brussels, 28 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⁾	8,21	—	0,00
1703 90 00 ⁽¹⁾	12,16	—	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 941/97

of 28 May 1997

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

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

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

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

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

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

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

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

Whereas the representative market rates defined in Article 1 of Council Regulation (EEC) No 3813/92⁽⁶⁾, as last amended by Regulation (EC) No 150/95⁽⁷⁾, are used to convert amounts expressed in third country currencies and are used as the basis for determining the agricultural conversion rates of the Member States' currencies; whereas detailed rules on the application and determination of these conversions were set by Commission Regulation (EEC) No 1068/93⁽⁸⁾, as last amended by Regulation (EC) No 1482/96⁽⁹⁾;

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

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

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

HAS ADOPTED THIS REGULATION:

Article 1

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

Article 2

This Regulation shall enter into force on 29 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 89, 10. 4. 1968, p. 3.

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

⁽⁵⁾ OJ No L 214, 8. 9. 1995, p. 16.

⁽⁶⁾ OJ No L 387, 31. 12. 1992, p. 1.

⁽⁷⁾ OJ No L 22, 31. 1. 1995, p. 1.

⁽⁸⁾ OJ No L 108, 1. 5. 1993, p. 106.

⁽⁹⁾ OJ No L 188, 27. 7. 1996, p. 22.

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

Done at Brussels, 28 May 1997.

For the Commission

Franz FISCHLER

Member of the Commission

ANNEX

to the Commission Regulation of 28 May 1997 fixing 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	35,79 ⁽¹⁾
1701 11 90 9950	⁽²⁾
1701 12 90 9100	36,85 ⁽¹⁾
1701 12 90 9910	35,79 ⁽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	39,87
1701 99 10 9950	39,87
	— 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 942/97
of 28 May 1997**

**fixing the maximum export refund for white sugar for the 40th 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 40th 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 40th 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 42,874 per 100 kilograms.

Article 2

This Regulation shall enter into force on 29 May 1997.

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

Done at Brussels, 28 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 943/97**of 27 May 1997****establishing unit values for the determination of the customs value of certain perishable goods**

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

Having regard to Council Regulation (EEC) No 2913/92 of 12 October 1992 establishing the Community Customs Code ⁽¹⁾, as last amended by Regulation (EC) No 82/97 ⁽²⁾,

Having regard to Commission Regulation (EEC) No 2454/93 of 2 July 1993 laying down provisions for the implementation of Council Regulation (EEC) No 2913/92 establishing the Community Customs Code ⁽³⁾, as last amended by Regulation (EC) No 89/97 ⁽⁴⁾, and in particular Article 173 (1) thereof,

Whereas Articles 173 to 177 of Regulation (EEC) No 2454/93 provide that the Commission shall periodically establish unit values for the products referred to in the classification in Annex 26 to that Regulation;

Whereas the result of applying the rules and criteria laid down in the abovementioned Articles to the elements

communicated to the Commission in accordance with Article 173 (2) of Regulation (EEC) No 2454/93 is that unit values set out in the Annex to this Regulation should be established in regard to the products in question,

HAS ADOPTED THIS REGULATION:

Article 1

The unit values provided for in Article 173 (1) of Regulation (EEC) No 2454/93 are hereby established as set out in the table in the Annex hereto.

Article 2

This Regulation shall enter into force on 30 May 1997.

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

Done at Brussels, 27 May 1997.

For the Commission

Martin BANGEMANN

Member of the Commission

⁽¹⁾ OJ No L 302, 19. 10. 1992, p. 1.

⁽²⁾ OJ No L 17, 21. 1. 1997, p. 1.

⁽³⁾ OJ No L 253, 11. 10. 1993, p. 1.

⁽⁴⁾ OJ No L 17, 21. 1. 1997, p. 28.

ANNEX

Code	Description	Amount of unit values per 100 kg						
	Species, varieties, CN code	a) b) c)	ECU FIM SEK	ATS FRF BEF/LUF	DEM IEP GBP	DKK ITL	GRD NLG	ESP PTE
1.10	New potatoes 0701 90 51 0701 90 59	a) b) c)	34,68 204,51 304,62	477,64 228,58 1 400,73	67,86 26,46 24,54	258,41 66 826,63	10 832,85 76,30	5 722,30 6 845,21
1.30	Onions (other than seed) 0703 10 19	a) b) c)	44,50 262,42 390,88	612,89 293,31 1 797,36	87,07 33,95 31,48	331,58 85 749,28	13 900,29 97,90	7 342,63 8 783,50
1.40	Garlic 0703 20 00	a) b) c)	83,27 491,05 731,43	1 146,87 548,85 3 363,28	162,94 63,52 58,91	620,47 160 457,13	26 010,72 183,19	13 739,80 16 436,00
1.50	Leeks ex 0703 90 00	a) b) c)	48,53 286,19 426,28	668,40 319,87 1 960,13	94,96 37,02 34,34	361,61 93 514,88	15 159,12 106,77	8 007,60 9 578,95
1.60	Cauliflowers 0704 10 10 0704 10 05 0704 10 80	a) b) c)	75,84 447,23 666,16	1 044,54 499,88 3 063,19	148,40 57,85 53,66	565,11 146 139,89	23 689,84 166,85	12 513,83 14 969,45
1.70	Brussels sprouts 0704 20 00	a) b) c)	53,71 316,73 471,78	739,74 354,01 2 169,35	105,10 40,97 38,00	400,21 103 496,48	16 777,18 118,16	8 862,31 10 601,39
1.80	White cabbages and red cabbages 0704 90 10	a) b) c)	44,24 260,89 388,60	609,31 291,60 1 786,86	86,57 33,75 31,30	329,65 85 248,27	13 819,07 97,33	7 299,73 8 732,18
1.90	Sprouting broccoli or calabrese (<i>Brassica oleracea</i> L. <i>convar. botrytis</i> (L.) <i>Alef</i> var. <i>italica</i> Plenck) ex 0704 90 90	a) b) c)	105,95 624,80 930,65	1 459,24 698,34 4 279,33	207,31 80,82 74,96	789,47 204 160,35	33 095,18 233,09	17 482,07 20 912,62
1.100	Chinese cabbage ex 0704 90 90	a) b) c)	55,89 329,59 490,93	769,77 368,38 2 257,40	109,36 42,63 39,54	416,46 107 697,24	17 458,14 122,96	9 222,02 11 031,68
1.110	Cabbage lettuce (head lettuce) 0705 11 10 0705 11 05 0705 11 80	a) b) c)	90,53 533,86 795,20	1 246,86 596,70 3 656,52	177,14 69,06 64,05	674,57 174 446,78	28 278,49 199,17	14 937,72 17 868,99
1.120	Endives ex 0705 29 00	a) b) c)	21,82 128,67 191,66	300,52 143,82 881,31	42,70 16,65 15,44	162,59 42 046,05	6 815,83 48,00	3 600,37 4 306,88
1.130	Carrots ex 0706 10 00	a) b) c)	45,74 269,73 401,77	629,97 301,48 1 847,44	89,50 34,89 32,36	340,82 88 138,69	14 287,62 100,63	7 547,24 9 028,25
1.140	Radishes ex 0706 90 90	a) b) c)	149,40 881,02 1 312,30	2 057,67 984,73 6 034,28	292,33 113,97 105,70	1 113,23 287 886,33	46 667,48 328,68	24 651,45 29 488,87
1.160	Peas (<i>Pisum sativum</i>) 0708 10 90 0708 10 20 0708 10 95	a) b) c)	382,65 2 256,52 3 361,13	5 270,20 2 522,13 15 455,27	748,74 291,90 270,73	2 851,26 737 347,42	119 526,85 841,83	63 138,40 75 528,22

Code	Description	Amount of unit values per 100 kg						
	Species, varieties, CN code	a) b) c)	ECU FIM SEK	ATS FRF BEF/LUF	DEM IEP GBP	DKK ITL	GRD NLG	ESP PTE
1.170	Beans:							
1.170.1	Beans (<i>Vigna</i> spp., <i>Phaseolus</i> spp.) ex 0708 20 90 ex 0708 20 20 ex 0708 20 95	a) b) c)	101,27 597,20 889,54	1 394,78 667,49 4 090,31	198,16 77,25 71,65	754,60 195 142,23	31 633,30 222,79	16 709,85 19 988,88
1.170.2	Beans (<i>Phaseolus</i> spp., <i>vulgaris</i> var. <i>Compressus</i> Savi) ex 0708 20 90 ex 0708 20 20 ex 0708 20 95	a) b) c)	123,44 727,94 1 084,27	1 700,13 813,62 4 985,75	241,54 94,16 87,34	919,79 237 862,71	38 558,46 271,57	20 367,97 24 364,83
1.180	Broad beans ex 0708 90 00	a) b) c)	92,83 547,43 815,40	1 278,54 611,86 3 749,41	181,64 70,81 65,68	691,71 178 878,77	28 996,94 204,23	15 317,23 18 322,97
1.190	Globe artichokes 0709 10 30	a) b) c)	— — —	— — —	— — —	— — —	— — —	— — —
1.200	Asparagus:							
1.200.1	— green ex 0709 20 00	a) b) c)	313,63 1 849,50 2 754,87	4 319,59 2 067,20 12 667,55	613,69 239,25 221,90	2 336,96 604 349,33	97 967,35 689,99	51 749,89 61 904,92
1.200.2	— other ex 0709 20 00	a) b) c)	463,55 2 733,59 4 071,74	6 384,43 3 055,36 18 722,83	907,04 353,61 327,97	3 454,07 893 237,67	144 797,26 1 019,81	76 487,14 91 496,43
1.210	Aubergines (eggplants) 0709 30 00	a) b) c)	88,90 524,25 780,88	1 224,41 585,96 3 590,68	173,95 67,82 62,90	662,42 171 305,86	27 769,34 195,58	14 668,77 17 547,26
1.220	Ribbed celery (<i>Apium graveolens</i> L, var. <i>dulce</i> (Mill.) Pers.) ex 0709 40 00	a) b) c)	68,41 403,42 600,90	942,20 450,90 2 763,09	133,86 52,19 48,40	509,75 131 822,65	21 368,96 150,50	11 287,86 13 502,90
1.230	Chantarelles 0709 51 30	a) b) c)	1 317,71 7 770,64 11 574,53	18 148,69 8 685,30 53 222,44	2 578,39 1 005,19 932,30	9 818,71 2 539 161,28	411 607,80 2 898,96	217 426,10 260 092,24
1.240	Sweet peppers 0709 60 10	a) b) c)	209,44 1 235,08 1 839,68	2 884,60 1 380,46 8 459,30	409,82 159,77 148,18	1 560,61 403 580,41	65 421,94 460,77	34 558,23 41 339,69
1.250	Fennel 0709 90 50	a) b) c)	73,55 433,73 646,05	1 013,00 484,78 2 970,69	143,92 56,11 52,04	548,05 141 727,17	22 974,52 161,81	12 135,97 14 517,45
1.270	Sweet potatoes, whole, fresh (intended for human consumption) 0714 20 10	a) b) c)	40,99 241,72 360,05	564,55 270,17 1 655,59	80,21 31,27 29,00	305,43 78 985,68	12 803,88 90,18	6 763,47 8 090,69
2.10	Chestnuts (<i>Castanea</i> spp.), fresh ex 0802 40 00	a) b) c)	159,46 940,35 1 400,67	2 196,23 1 051,03 6 440,61	312,02 121,64 112,82	1 188,19 307 271,45	49 809,88 350,81	26 311,38 31 474,53
2.30	Pineapples, fresh ex 0804 30 00	a) b) c)	62,01 365,68 544,68	854,06 408,72 2 504,59	121,34 47,30 43,87	462,06 119 490,17	19 369,82 136,42	10 231,84 12 239,66

Code	Description	Amount of unit values per 100 kg						
	Species, varieties, CN code	a) b) c)	ECU FIM SEK	ATS FRF BEF/LUF	DEM IEP GBP	DKK ITL	GRD NLG	ESP PTE
2.40	Avocados, fresh ex 0804 40 90 ex 0804 40 20 ex 0804 40 95	a) b) c)	106,50 628,04 935,48	1 466,81 701,96 4 301,55	208,39 81,24 75,35	793,57 205 220,18	33 266,98 234,30	17 572,82 21 021,18
2.50	Guavas and mangoes, fresh ex 0804 50 00	a) b) c)	88,31 520,77 775,70	1 216,28 582,07 3 566,85	172,80 67,37 62,48	658,03 170 168,95	27 585,04 194,28	14 571,41 17 430,80
2.60	Sweet oranges, fresh:							
2.60.1	— Sanguines and semi-sanguines 0805 10 42 0805 10 51 0805 10 37	a) b) c)	17,65 104,08 155,03	243,09 116,33 712,89	34,54 13,46 12,49	131,52 34 010,67	5 513,26 38,83	2 912,30 3 483,79
2.60.2	— Navels, navelines, navelates, salustianas, vernas, Valencia lates, Maltese, shamou- tis, ovalis, trovita and hamlins 0805 10 44 0805 10 55 0805 10 38	a) b) c)	38,98 229,87 342,39	536,87 256,93 1 574,41	76,27 29,74 27,58	290,45 75 112,51	12 176,03 85,76	6 431,82 7 693,95
2.60.3	— Others 0805 10 39 0805 10 46 0805 10 59	a) b) c)	39,42 232,46 346,26	542,93 259,83 1 592,18	77,13 30,07 27,89	293,73 75 960,37	12 313,47 86,72	6 504,42 7 780,80
2.70	Mandarins (including tangerines and satsu- mas), fresh; clementines, wilkings and simi- lar citrus hybrids, fresh:							
2.70.1	— Clementines 0805 20 21	a) b) c)	120,80 712,37 1 061,09	1 663,77 796,22 4 879,12	236,37 92,15 85,47	900,12 232 775,56	37 733,81 265,76	19 932,36 23 843,75
2.70.2	— Monreales and satsumas 0805 20 23	a) b) c)	83,68 493,47 735,03	1 152,52 551,55 3 379,84	163,74 63,83 59,20	623,53 161 247,18	26 138,79 184,10	13 807,45 16 516,93
2.70.3	— Mandarines and wilkings 0805 20 25	a) b) c)	74,57 439,75 655,01	1 027,05 491,51 3 011,89	145,91 56,88 52,76	555,65 143 692,66	23 293,13 164,05	12 304,27 14 718,78
2.70.4	— Tangerines and others ex 0805 20 27 ex 0805 20 29	a) b) c)	59,21 349,17 520,09	815,49 390,27 2 391,50	115,86 45,17 41,89	441,19 114 094,71	18 495,19 130,26	9 769,83 11 686,99
2.85	Limes (<i>Citrus aurantifolia</i>), fresh ex 0805 30 90	a) b) c)	153,77 906,79 1 350,69	2 117,86 1 013,53 6 210,79	300,88 117,30 108,79	1 145,79 296 307,10	48 032,52 338,29	25 372,51 30 351,43

Code	Description	Amount of unit values per 100 kg						
	Species, varieties, CN code	a) b) c)	ECU FIM SEK	ATS FRF BEF/LUF	DEM IEP GBP	DKK ITL	GRD NLG	ESP PTE
2.90	Grapefruit, fresh:							
2.90.1	— white	a)	36,25	499,27	70,93	270,11	11 323,27	5 981,36
	ex 0805 40 90	b)	213,77	238,93	27,65	69 851,94	79,75	7 155,10
	ex 0805 40 20	c)	318,41	1 464,14	25,65			
	ex 0805 40 95							
2.90.2	— pink	a)	47,72	657,24	93,37	355,58	14 906,11	7 873,94
	ex 0805 40 90	b)	281,41	314,53	36,40	91 954,05	104,98	9 419,07
	ex 0805 40 20	c)	419,16	1 927,42	33,76			
	ex 0805 40 95							
2.100	Table grapes	a)	146,52	2 018,01	286,70	1 091,77	45 767,87	24 176,24
	0806 10 21	b)	864,04	965,74	111,77	282 336,71	322,34	28 920,41
	0806 10 29	c)	1 287,01	5 917,96	103,66			
	0806 10 61							
	0806 10 30							
	0806 10 69							
2.110	Water melons	a)	46,75	643,88	91,48	348,35	14 603,11	7 713,89
	0807 11 00	b)	275,69	308,14	35,66	90 084,91	102,85	9 227,61
		c)	410,64	1 888,24	33,08			
2.120	Melons (other than water melons):							
2.120.1	— Amarillo, cuper, honey dew (including cantalene), onteniente, piel de sapo (including verde liso), rochet, tendral, futuro	a)	60,11	827,89	117,62	447,90	18 776,32	9 918,33
	ex 0807 19 00	b)	354,47	396,20	45,85	115 828,96	132,24	11 864,63
		c)	528,00	2 427,85	42,53			
2.120.2	— other	a)	57,58	793,04	112,67	429,05	17 986,03	9 500,87
	ex 0807 19 00	b)	339,55	379,52	43,92	110 953,78	126,68	11 365,26
		c)	505,77	2 325,66	40,74			
2.140	Pears							
2.140.1	Pears — nashi (<i>Pyrus pyrifolia</i>)	a)	126,44	1 741,45	247,41	942,15	39 495,56	20 862,98
	ex 0808 20 41	b)	745,63	833,39	96,45	243 643,56	278,17	24 956,98
		c)	1 110,63	5 106,92	89,46			
2.140.2	Other	a)	71,94	990,82	140,77	536,05	22 471,61	11 870,32
	ex 0808 20 41	b)	424,24	474,17	54,88	138 624,78	158,27	14 199,66
		c)	631,91	2 905,66	50,90			
2.150	Apricots	a)	312,80	4 308,16	612,06	2 330,78	97 708,08	51 612,94
	0809 10 10	b)	1 844,61	2 061,73	238,61	602 749,96	688,16	61 741,09
	0809 10 50	c)	2 747,58	12 634,02	221,31			
2.160	Cherries	a)	—	—	—	—	—	—
	0809 20 11	b)	—	—	—	—	—	—
	0809 20 19	c)	—	—	—	—	—	—
	0809 20 21							
	0809 20 29							
	0809 20 71							
	0809 20 79							
2.170	Peaches	a)	84,52	1 164,09	165,38	629,79	26 401,17	13 946,05
	0809 30 19	b)	498,42	557,09	64,47	162 865,81	185,94	16 682,73
	0809 30 59	c)	742,41	3 413,77	59,80			
2.180	Nectarines	a)	100,60	1 385,55	196,85	749,60	31 424,02	16 599,30
	ex 0809 30 11	b)	593,25	663,08	76,74	193 851,17	221,32	19 856,63
	ex 0809 30 51	c)	883,65	4 063,24	71,18			

Code	Description	Amount of unit values per 100 kg						
	Species, varieties, CN code	a) b) c)	ECU FIM SEK	ATS FRF BEF/LUF	DEM IEP GBP	DKK ITL	GRD NLG	ESP PTE
2.190	Plums	a)	129,76	1 787,17	253,90	966,89	40 532,61	21 410,79
	0809 40 10	b)	765,21	855,28	98,99	250 041,03	285,47	25 612,29
	0809 40 40	c)	1 139,79	5 241,02	91,81			
2.200	Strawberries	a)	183,50	2 527,33	359,06	1 367,32	57 319,16	30 278,05
	0810 10 10	b)	1 082,11	1 209,49	139,98	353 595,33	403,70	36 219,60
	0810 10 05	c)	1 611,83	7 411,58	129,83			
	0810 10 80							
2.205	Raspberries	a)	1 173,21	16 158,50	2 295,64	8 741,99	366 470,91	193 583,17
	0810 20 10	b)	6 918,51	7 732,87	894,96	2 260 717,01	2 581,06	231 570,54
		c)	10 305,27	47 386,07	830,06			
2.210	Fruit of the species <i>Vaccinium myrtillus</i>	a)	1 428,23	19 670,87	2 794,65	10 642,23	446 130,49	235 662,23
	0810 40 30	b)	8 422,39	9 413,76	1 089,50	2 752 127,80	3 142,11	281 906,89
		c)	12 545,32	57 686,35	1 010,49			
2.220	Kiwi fruit (<i>Actinidia chinensis</i> Planch.)	a)	108,21	1 490,37	211,74	806,31	33 801,12	17 854,97
	0810 50 10	b)	638,12	713,23	82,55	208 515,26	238,06	21 358,71
	0810 50 20	c)	950,50	4 370,61	76,56			
	0810 50 30							
2.230	Pomegranates	a)	124,96	1 721,06	244,51	931,12	39 033,26	20 618,77
	ex 0810 90 85	b)	736,90	823,64	95,32	240 791,67	274,91	24 664,85
		c)	1 097,63	5 047,15	88,41			
2.240	Khakis (including sharon fruit)	a)	345,90	4 764,05	676,83	2 577,42	108 047,40	57 074,54
	ex 0810 90 85	b)	2 039,80	2 279,90	263,86	666 532,01	760,98	68 274,43
		c)	3 038,32	13 970,94	244,73			
2.250	Lychees	a)	480,72	6 620,91	940,63	3 582,01	150 160,58	79 320,24
	ex 0810 90 30	b)	2 834,84	3 168,53	366,71	926 323,40	1 057,58	94 885,48
		c)	4 222,56	19 416,33	340,12			

COMMISSION REGULATION (EC) No 944/97

of 28 May 1997

correcting Regulation (EC) No 198/97 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 Commission Regulation (EC) No 198/97⁽⁵⁾ establishes standard import values for determining the entry price of fruit and vegetables originating in certain third countries;

Whereas an omission has been discovered in the Annex to this Regulation; whereas the Regulation in question should therefore be corrected;

Whereas application of the standard import values established by this Regulation must be requested by the party concerned,

HAS ADOPTED THIS REGULATION:

Article 1

The standard import values applicable to courgettes originating in certain third countries omitted from the Annex to Regulation (EC) No 198/97 are listed in the table in the Annex hereto.

Article 2

This Regulation shall enter into force on 29 May 1997.

At the request of the party concerned, Article 1 shall apply from 1 to 3 February 1997.

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

Done at Brussels, 28 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.

⁽⁵⁾ OJ No L 31, 1. 2. 1997, p. 57.

ANNEX

<i>(ECU/100 kg)</i>			
Regulation	CN code	Country code ⁽¹⁾	Standard import value
(EC) No 198/97	0709 90 71	052	127,2
		204	118,8
		628	130,2
		999	125,4

⁽¹⁾ Country nomenclature laid down in Commission Regulation (EC) No 68/96 (OJ No L 14, 19. 1. 1996, p. 6). The code '999' represents 'other origins'.

COMMISSION REGULATION (EC) No 945/97

of 28 May 1997

determining the quantity available for the third quarter of 1997 of certain products in the milk and milk products sector covered by the arrangements provided for in the Interim Agreement concluded by the Community with the Republic of Slovenia

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

Having regard to Commission Regulation (EC) No 455/97 of 10 March 1997 laying down detailed rules for the application to milk and milk products of the arrangements provided for in the Interim Agreement between the Community and the Republic of Slovenia⁽¹⁾, and in particular Article 4(4) thereof,

Whereas, in application of Commission Regulation (EC) No 695/97⁽²⁾, determining the extent to which applications for import licences for the said products lodged in April 1997 can be accepted, applications for import licences lodged for the products referred to in Regulation (EC) No 455/97 concern quantities less than those

available; whereas, therefore, the quantity available for the period 1 July to 30 September 1997 should be fixed for each product,

HAS ADOPTED THIS REGULATION:

Article 1

The quantity available for the period 1 July to 30 September 1997 pursuant to Regulation (EC) No 455/97 shall be as indicated in the Annex hereto.

Article 2

This Regulation shall enter into force on 29 May 1997.

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

Done at Brussels, 28 May 1997.

For the Commission

Franz FISCHLER

Member of the Commission

ANNEX

Total quantity available for the period 1 July to 30 September 1997

CN codes and products	0402 10 0402 21	0403 10 Yoghurts	0406 90 Other cheeses
in tonnes	750	375	225

⁽¹⁾ OJ No L 69, 11. 3. 1997, p. 7.

⁽²⁾ OJ No L 102, 19. 4. 1997, p. 19.

COMMISSION REGULATION (EC) No 946/97

of 28 May 1997

amending Regulation (EC) No 1172/96 adopting the balance and fixing the aid for the supply of breeding rabbits to the Canary Islands under the arrangements provided for in Article 4 of Council Regulation (EEC) No 1601/92

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

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

Whereas Commission Regulation (EC) No 1172/96⁽³⁾ fixed the quantities for the supply to the archipelago, of breeding rabbits originating in the rest of the Community;

Whereas that balance can be revised during the course of the year in line with the Canary Islands' needs; whereas information supplied by the competent authorities justifies an increase in the quantity of breeding rabbits for the

1996/97 marketing year; whereas, therefore, the forecast balance for the supply to the Canary Islands of that product should be adjusted;

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

HAS ADOPTED THIS REGULATION:

Article 1

The Annex to Regulation (EC) No 1172/96 is replaced by the Annex to this Regulation.

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, 28 May 1997.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ No L 173, 27. 6. 1992, p. 13.

⁽²⁾ OJ No L 320, 11. 12. 1996, p. 1.

⁽³⁾ OJ No L 155, 28. 6. 1996, p. 17.

ANNEX

**Supply to the Canary Islands of breeding rabbits originating in the Community for the period
1 July 1996 to 30 June 1997**

CN code	Description	Number of animals to be supplied	Aid (ECU/head)
ex 0106 00 10	Breeding rabbits:		
	— pure-bred and grand-parents	900	30
	— parents	3 000	24

COMMISSION REGULATION (EC) No 947/97

of 28 May 1997

fixing the maximum export refunds for olive oil for the 13th partial invitation to tender under the standing invitation to tender issued by Regulation (EC) No 2081/96

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

Having regard to Council Regulation No 136/66/EEC of 22 September 1966 on the establishment of a common organization of the market in oils and fats⁽¹⁾, as last amended by Regulation (EC) No 1581/96⁽²⁾, and in particular Article 3 thereof,

Whereas Commission Regulation (EC) No 2081/96⁽³⁾ issued a standing invitation to tender with a view to determining the export refunds on olive oil;

Whereas Article 6 of Regulation (EC) No 2081/96 provides that maximum amounts are to be fixed for the export refunds in the light in particular of the current situation and foreseeable developments on the Community and world olive-oil markets and on the basis of the tenders received; whereas contracts are awarded to any tenderer who submits a tender at the level of the maximum refund or at a lower level;

Whereas, for the purposes of applying the abovementioned provisions, the maximum export refunds should be set at the levels specified in the Annex;

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

HAS ADOPTED THIS REGULATION:

Article 1

The maximum export refunds for olive oil for the 13th partial invitation to tender under the standing invitation to tender issued by Regulation (EC) No 2081/96 are hereby fixed in the Annex, on the basis of the tenders submitted by 23 May 1997.

Article 2

This Regulation shall enter into force on 29 May 1997.

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

Done at Brussels, 28 May 1997.

For the Commission

Franz FISCHLER

Member of the Commission

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

⁽²⁾ OJ No L 206, 16. 8. 1996, p. 11.

⁽³⁾ OJ No L 279, 31. 10. 1996, p. 17.

ANNEX

to the Commission Regulation of 28 May 1997 fixing the maximum export refunds for olive oil for the 13th partial invitation to tender under the standing invitation to tender issued by Regulation (EC) No 2081/96

<i>(ECU/100 kg)</i>	
Product code	Amount of refund
1509 10 90 9100	28,00
1509 10 90 9900	—
1509 90 00 9100	31,80
1509 90 00 9900	—
1510 00 90 9100	—
1510 00 90 9900	—

NB: The product codes and the footnotes are defined in amended Commission Regulation (EEC) No 3846/87.

COMMISSION REGULATION (EC) No 948/97
of 28 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 29 May 1997.

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

Done at Brussels, 28 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 28 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 30	212	61,9
	999	61,9
0709 90 75	052	56,6
	999	56,6
0805 10 31, 0805 10 33, 0805 10 35	052	65,1
	204	41,9
	448	25,9
	600	43,4
	624	39,3
	625	39,1
	999	42,4
0805 30 20	388	76,0
	528	55,1
	999	65,5
0808 10 61, 0808 10 63, 0808 10 69	060	53,0
	388	85,1
	400	87,2
	404	108,8
	442	83,8
	508	97,9
	512	74,6
	528	74,9
	804	90,9
	999	84,0
0809 20 39	400	270,4
	999	270,4

⁽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 949/97
of 28 May 1997
fixing the import duties in the rice sector

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

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

Having regard to Commission Regulation (EC) No 1503/96 of 29 July 1996 laying down detailed rules for the application of Council Regulation (EC) No 3072/95 as regards import duties in the rice sector ⁽²⁾, as amended by Regulation (EC) No 703/97 ⁽³⁾, and in particular Article 4 (1) thereof,

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

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

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

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

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

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

HAS ADOPTED THIS REGULATION:

Article 1

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

Article 2

This Regulation shall enter into force on 29 May 1997.

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

Done at Brussels, 28 May 1997.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ No L 329, 30. 12. 1995, p. 18.

⁽²⁾ OJ No L 189, 30. 7. 1996, p. 71.

⁽³⁾ OJ No L 104, 22. 4. 1997, p. 12.

ANNEX I

to the Commission Regulation of 28 May 1997 fixing the import duties on rice and broken rice

(ECU/tonne)

CN code	Duties (%)			
	Third countries (except ACP and Bangladesh) (%) ⁽¹⁾	ACP Bangladesh (%) ⁽²⁾ (%) ⁽³⁾ (%) ⁽⁴⁾	Basmati India and Pakistan (%) ⁽⁵⁾	Egypt (%)
1006 10 21	(7)	140,81		217,73
1006 10 23	(7)	140,81		217,73
1006 10 25	(7)	140,81		217,73
1006 10 27	(7)	140,81		217,73
1006 10 92	(7)	140,81		217,73
1006 10 94	(7)	140,81		217,73
1006 10 96	(7)	140,81		217,73
1006 10 98	(7)	140,81		217,73
1006 20 11	(7)	177,31		272,48
1006 20 13	(7)	177,31		272,48
1006 20 15	(7)	177,31		272,48
1006 20 17	262,94	127,13	12,94	197,21
1006 20 92	(7)	177,31		272,48
1006 20 94	(7)	177,31		272,48
1006 20 96	(7)	177,31		272,48
1006 20 98	262,94	127,13	12,94	197,21
1006 30 21	(7)	271,09		429,00
1006 30 23	(7)	271,09		429,00
1006 30 25	(7)	271,09		429,00
1006 30 27	(7)	271,09		429,00
1006 30 42	(7)	271,09		429,00
1006 30 44	(7)	271,09		429,00
1006 30 46	(7)	271,09		429,00
1006 30 48	(7)	271,09		429,00
1006 30 61	(7)	271,09		429,00
1006 30 63	(7)	271,09		429,00
1006 30 65	(7)	271,09		429,00
1006 30 67	(7)	271,09		429,00
1006 30 92	(7)	271,09		429,00
1006 30 94	(7)	271,09		429,00
1006 30 96	(7)	271,09		429,00
1006 30 98	(7)	271,09		429,00
1006 40 00	(7)	84,38		132,00

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

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

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

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

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

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

(⁷) Duties fixed in the Common Customs Tariff.

(⁸) The duty on imports of rice originating in and coming from Egypt is applicable under the arrangements laid down in Council Regulation (EC) No 2184/96 (OJ No L 292, 15. 11. 1996, p. 1) and Commission Regulation (EC) No 196/97 (OJ No L 31, 1. 2. 1997, p. 53).

ANNEX II

Calculation of import duties for rice

	Paddy	Indica rice		Japonica rice		Broken rice
		Husked	Milled	Husked	Milled	
1. Import duty (ECU/tonne)	(¹)	262,94	572,00	363,30	572,00	(¹)
2. Elements of calculation:						
(a) Arag cif price (ECU/tonne)	—	377,07	330,27	286,56	329,98	—
(b) fob price (ECU/tonne)	—	—	—	256,56	299,98	—
(c) Sea freight (ECU/tonne)	—	—	—	30,00	30,00	—
(d) Source	—	USDA	USDA	Operators	Operators	—

(¹) Duties fixed in the Common Customs Tariff.

II

(Acts whose publication is not obligatory)

COMMISSION

COMMISSION DECISION

of 5 May 1997

on the clearance of the accounts of Member States' expenditure financed by the European Agricultural Guidance and Guarantee Fund (EAGGF), Guarantee Section, for the 1996 financial year

(97/316/EC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EEC) No 729/70 of 21 April 1970 on the financing of the common agricultural policy⁽¹⁾, as last amended by Regulation (EC) No 1287/95⁽²⁾, and in particular Article 5 (2) (b) thereof,

After consulting the Fund Committee,

Whereas, under Article 5 (2) (b) of Regulation (EEC) No 729/70, the Commission, on the basis of the annual accounts submitted by the Member States, accompanied by the information required for clearance and a certificate regarding the integrality, exactitude and veracity of the accounts transmitted, and reports drawn up by the certifying bodies, clears the accounts of the paying agencies referred to in Article 4 (1) of that Regulation;

Whereas, with regard to Article 7 (1) of Commission Regulation (EC) No 296/96 of 16 February 1996 on data to be forwarded by the Member States and the monthly booking of expenditure financed under the Guarantee Section of the European Agricultural Guidance and

Guarantee Fund (EAGGF) and repealing Regulation (EEC) No 2776/88⁽³⁾, account is taken for the 1996 financial year of expenditure made by the Member States between 16 October 1995 and 15 October 1996;

Whereas the time limits granted to the Member States for the submission to the Commission of the documents referred to in Article 5 (1) (b) of Regulation (EEC) No 729/70 and in Article 4 (1), (3) and (4) of Commission Regulation (EC) No 1663/95 of 7 July 1995 laying down detailed rules for the application of Commission Regulation (EEC) No 729/70 regarding the procedure for the clearance of accounts of the EAGGF Guarantee Section⁽⁴⁾ have expired;

Whereas the Commission has checked the information submitted, and communicated to the Member States before the 31 March 1997 the results of its verifications of that information with the necessary amendments;

Whereas, according to the first subparagraph of Article 7 (1) of Regulation (EC) No 1663/95, the accounts clearance decision referred to in Article 5 (2) (b) of Regulation (EEC) No 729/70 must determine the amount of expenditure effected in each Member State during the financial year in question recognized as being chargeable to the EAGGF Guarantee Section, without prejudice to decisions taken subsequently in accordance with paragraph 2 (c) of

⁽¹⁾ OJ No L 94, 28. 4. 1970, p. 13.

⁽²⁾ OJ No L 125, 8. 6. 1995, p. 1.

⁽³⁾ OJ No L 39, 17. 2. 1996, p. 5.

⁽⁴⁾ OJ No L 158, 8. 7. 1995, p. 6.

that Article; whereas, in accordance with Article 102 of the Financial Regulation of 21 December 1977⁽¹⁾, as last amended by Regulation (EC, Euratom, ECSC) No 2335/95⁽²⁾, the outcome of the clearance decision, that is to say, any discrepancy which may occur between the total expenditure booked to the accounts for a financial year pursuant to Articles 100 and 101 and the total expenditure taken into consideration by the Commission in this Decision, is to be booked, under a single Article, as additional expenditure or a reduction in expenditure;

Whereas, for certain paying agencies, the annual accounts and the accompanying documents permit the Commission to take a decision on the integrality, exactitude and veracity of the accounts submitted; whereas, in the light of the verifications made, some of the accounts submitted do not totally fulfil those conditions; whereas the expenditure concerned cannot therefore be recognized as chargeable to the EAGGF Guarantee Section; whereas Annex I lists the amounts cleared for each paying agency;

Whereas the information submitted by certain other paying agencies requires additional inquiries and their accounts cannot therefore be cleared in this Decision,

- because the accounts, supporting documents, certificates or reports did not yet arrive, or arrived late,
- the certificates, reports or accounts show specific problems,
- the Commission has information indicating such problems,
- or the conditions for the accreditation of paying agencies have not been satisfactorily fulfilled;

Whereas the relevant information is given in Annex II to this Decision;

Whereas Article 4 (2) of Regulation (EC) No 296/96, in liaison with Article 13 of Council Decision 94/729/EC of 31 October 1994 on budgetary discipline⁽³⁾, lays down that advances against booking are to be reduced for expenditure effected by the Member States after the limits or deadlines laid down; whereas, however, pursuant to Article 4 (3) of Regulation (EC) No 296/96, any overrun of deadlines during September and October are to be taken into account in the accounts clearance decision except where noted before the last decision of the financial year relating to advances; whereas part of the expenditure claimed by certain Member States during the abovementioned period was effected after the limits or deadlines laid down; this Decision should therefore lay down the

relevant reductions; whereas a decision will be taken at a later date, in accordance with Article 5 (2) (c) of Regulation (EEC) No 729/70, regarding those reductions, definitively fixing the expenditure for which Community financing will not be granted;

Whereas the Commission, in accordance with Article 13 of Decision 94/729/EC and Article 4 (2) of Regulation (EC) No 296/96, reduced or suspended a number of monthly advances on entry into the accounts of expenditure for the 1996 financial year and proceeds in this Decision to the reductions laid down in Article 4 (3) of the above Regulation; whereas, notwithstanding their clearance under this Decision, a decision will be taken at a later date on the expenditure concerned in accordance with Article 5 (2) (c) of Regulation (EEC) No 729/70; whereas, in the light of the above, to avoid any premature or even only temporary reimbursement of the amounts in question, they should not be recognized in this Decision, without prejudice to further examination according to Article 5 (2) (c) of the above Regulation;

Whereas the second subparagraph of Article 7 (1) of Regulation (EC) No 1663/95 lays down that the amounts which are recoverable from, or payable to, each Member State in accordance with Annex III to the present Decision are to be deducted from, or added to, the advances payable during the second month following the month in which the accounts clearance decision is adopted;

Whereas, in accordance with the final subparagraph of Article 5 (2) (b) of Regulation (EEC) No 729/70 and Article 7 (1) of Regulation (EC) No 1663/95, this Decision, adopted on the basis of accounting information, does not prejudice decisions taken subsequently by the Commission excluding from Community financing expenditure not effected in accordance with Community rules,

HAS ADOPTED THIS DECISION:

Article 1

The accounts of the paying agencies of the Member States concerning expenditure financed by the EAGGF Guarantee Section in respect of the 1996 financial year are hereby cleared as shown in Annex I.

Article 2

The accounts of the paying agencies of the Member States concerning expenditure financed by the EAGGF Guarantee Section in respect of the 1996 financial year referred to in Annex II are disjoined from the present Decision and shall be the subject of a future decision.

⁽¹⁾ OJ No L 356, 31. 12. 1977, p. 1.

⁽²⁾ OJ No L 240, 7. 10. 1995, p. 12.

⁽³⁾ OJ No L 293, 12. 11. 1994, p. 14.

Article 3

The amounts which are recoverable from, or payable to, each Member State in accordance with the present clearance of accounts are determined in Annex III to the present Decision.

Article 4

This Decision is addressed to the Member States.

Done at Brussels, 5 May 1997.

For the Commission

Franz FISCHLER

Member of the Commission

ANNEX I

CLEARANCE OF THE PAYING AGENCIES' ACCOUNTS — FINANCIAL YEAR 1996

List of paying agencies for which the accounts are cleared as follows:

Member State	Paying agency	Amounts cleared in national currency
Belgium	BIRB	32 341 253 774,00
	Ministerie van Landbouw — DG 3	12 346 613 231,00
	Organisme payeur de la Région wallonne	17 571 955,00
Denmark	EU-direktoratet	9 908 565 701,48
Germany	BLE	1 599 644 495,25
	Hamburg-Jonas	1 923 631 859,40
	Baden-Württemberg MLR	616 078 966,66
	Bayern StMELF	1 453 144 674,77
	Bayern StMLU	0,00
	Berlin SenWiTech	4 015 368,83
	Brandenburg MELF	612 067 461,18
	Bremen	2 859 580,76
	Hamburg	6 091 492,28
	Hessen HMILFN	341 100 538,40
	Mecklenburg-Vorpommern LM	743 462 197,40
	Niedersachsen MELF	1 088 116 097,90
	Nordrhein-Westfalen LEJ	17 998 116,45
	Nordrhein-Westfalen LÖBF	240 189,75
	Nordrhein-Westfalen Rheinland	170 281 130,98
	Nordrhein-Westfalen Westfalen	510 619 278,95
	Saarland MUEV	26 601 332,68
	Sachsen-Anhalt ML	671 235 554,96
	Schleswig-Holstein MELFF	484 657 952,66
	Schleswig-Holstein MNU	2 121 469,83
	Thüringen TLVwA	469 769 255,27
Spain	<i>B1-370 clearance⁽¹⁾</i>	— 86 937 734,08
	DIAP de la Comunidad Autónoma del País Vasco	1 797 547 846,00
	DGAGPR de la Comunidad Autónoma de Navarra	1 792 738 680,00
	<i>B1-370 clearance⁽¹⁾</i>	— 46 636 438 601,00
France	<i>B1-370 clearance⁽¹⁾</i>	— 479 811 600,91
Ireland	DAFF	1 357 589 858,65
Italy	ENR	17 215 685 525,00
	<i>B1-370 clearance⁽¹⁾</i>	— 1 149 369 727 187,00
Luxembourg	Ministère de l'agriculture	767 426 497,00
The Netherlands	HPA	802 434 672,00
	LASER	828 327 068,70
	LBL	10 968 098,16
	MVO	161 026,52
	PGF	24 433 486,21
	PVE	447 624 251,84
	PVis	320 777,49
	PZ	1 141 416 566,58
	STOAS	5 664 614,50
	<i>B1-370 clearance⁽¹⁾</i>	4 503 695,10

Member State	Paying agency	Amounts cleared in national currency
Austria	AMA	15 263 275 084,19
	BMLF Abt. VI B 8 (Wein)	36 579 740,69
	ZA Salzburg	935 145 372,00
	Landesamt Salzburg	3 839 076,75
	Landesamt Vorarlberg	2 029,00
	Landesamt Tirol	4 840 106,00
Finland	MMM	3 704 810 041,77
Sweden	SJV	5 355 212 599,94

(¹) The amount 'B1-370 clearance' is mentioned only if it was not included in the declaration initially sent in by the Member State.

ANNEX II

CLEARANCE OF THE PAYING AGENCIES' ACCOUNTS — FINANCIAL YEAR 1996

List of paying agencies for which the accounts are disjointed and are the subject of a following clearance decision

Member State	Paying agency
Germany	Rheinland-Pfalz MWVLW Sachsen
Greece	GEDIDAGEP
Spain	DGDR FEGA FROM DAGP de la Comunidad Autónoma de Cataluña
France	CNASEA FIOM FIRS ODEADOM OFIVAL ONIC ONIFLHOR ONILAIT ONIVINS SAV Services déconcentrés du Trésor et services déconcentrés du ministère de l'agriculture, de la pêche et de l'alimentation SIDO
Italy	AIMA DCCC IGFOR Ministero dell'Agricoltura
Portugal	INGA IFADAP
United Kingdom	CC CCW DANI Forestry Commission IBEA MAFF SOAEFD WOAD

ANNEX III

CLEARANCE OF THE PAYING AGENCIES' ACCOUNTS — FINANCIAL YEAR 1996

Amount to be recovered from or paid to the Member State

Member State	1996 — expenditure for the paying agencies for which the accounts are		Total a + b	Reductions and suspensions for the whole financial year	Total including reductions and suspensions	Advances paid to the Member State for the financial year	Amount to be recovered from (-) or paid to (+) the Member State
	cleared	disjointed = total of the expenditure in the monthly declarations					
	a	b	c = a + b	d	e = c + d	f	g = e - f
B	44 705 438 960,00	0,00	44 705 438 960,00	- 5 193 131,00	44 700 245 829,00	44 703 293 113,00	- 3 047 284,00
DK	9 908 565 701,48	0,00	9 908 565 701,48	- 2 189 498,11	9 906 376 203,37	9 906 470 474,62	- 94 271,25
D	10 656 799 280,28	787 287 140,88	11 444 086 421,16	- 295 196,29	11 443 791 224,87	11 444 444 364,94	- 653 140,07
EL	0,00	865 918 604 800,00	865 918 604 800,00	- 8 934 078 065,00	856 984 526 735,00	856 984 866 276,00	- 339 541,00
ES	- 43 046 152 075,00	692 378 041 412,00	649 331 889 337,00	- 1 586 795 314,00	647 745 094 023,00	647 799 055 134,00	- 53 961 111,00
F	- 479 811 600,91	62 456 928 679,45	61 977 117 078,54	- 289 464,04	61 976 827 614,50	61 976 901 915,69	- 74 301,19
IRL	1 357 589 858,65	0,00	1 357 589 858,65	- 1 272 748,40	1 356 317 110,25	1 364 455 544,68	- 8 138 434,43
IT	- 1 132 154 041 662,00	9 740 095 968 551,00	8 607 941 926 889,00	- 8 914 610 157,00	8 599 027 316 732,00	8 534 710 968 587,00	64 316 348 145,00
L	767 426 497,00	0,00	767 426 497,00	0,00	767 426 497,00	767 426 497,00	0,00
NL	3 265 854 257,10	0,00	3 265 854 257,10	0,00	3 265 854 257,10	3 266 572 390,90	- 718 133,80
Ö	16 243 681 408,63	0,00	16 243 681 408,63	0,00	16 243 681 408,63	16 231 517 686,61	12 163 722,02
P	0,00	127 732 775 951,00	127 732 775 951,00	- 1 695 597 463,00	126 037 178 488,00	126 605 516 808,00	- 568 338 320,00
SU	3 704 810 041,77	0,00	3 704 810 041,77	0,00	3 704 810 041,77	3 704 831 777,93	- 21 736,16
SV	5 355 212 599,94	0,00	5 355 212 599,94	0,00	5 355 212 599,94	5 355 212 599,94	0,00
UK	0,00	2 762 783 566,72	2 762 783 566,72	115 626 482,46	2 878 410 049,18	2 878 415 943,20	- 5 894,02

(¹) For the calculation of the amount to be recovered from or paid to the Member State the amount taken into account is, the total of the annual declaration for the expenditure cleared (column a) or, the total of the monthly declarations for the expenditure disjointed (column b).

(²) The reductions and suspensions are those taken into account in the advance system, to which are added in particular the corrections for the non-respect of payment deadlines established in September and October 1996.

CORRIGENDA**Corrigendum to Commission Regulation (EC) No 194/97 of 31 January 1997 setting maximum levels for certain contaminants in foodstuffs***(Official Journal of the European Communities No L 31 of 1 February 1997)*

Page 50, Annex, point I.1.2. (Other processed vegetables for consumption), second column, title:

for: 'Maximum nitrate levels (1) (mg NO₃/kg fresh product)',

read: 'Maximum nitrate levels (1) (mg NO₃/kg processed product)'.
