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I

(Acts whose publication is obligatory)

COUNCIL REGULATION (EC) No 1035/97

of 2 June 1997

establishing a European Monitoring Centre on Racism and Xenophobia

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty establishing the European Community, and in particular Article 213 and Article 235 thereof,

Having regard to the proposal from the Commission ⁽¹⁾,

Having regard to the opinion of the European Parliament ⁽²⁾,

Having regard to the opinion of the Economic and Social Committee ⁽³⁾,

Having regard to the opinion of the Committee of the Regions,

Commission stressed 'the prime importance they attach to the protection of fundamental rights' and declared that 'in the exercise of their powers and in pursuance of the aims of the European Communities they respect and will continue to respect those rights';

(1) Whereas the Community must respect fundamental rights in formulating and applying its policies and the legal acts which it adopts; whereas, in particular, compliance with human rights constitutes a condition of the legality of Community acts;

(2) Whereas the collection and analysis of objective, reliable and comparable information on the phenomena of racism, xenophobia and anti-Semitism are therefore necessary at Community level to provide full information to the Community on those phenomena so as to enable the Community to meet its obligation to respect fundamental rights and to enable it to take account of them in formulating and applying whatever policies and acts it adopts in its sphere of competence;

(3) Whereas the importance of respect for human rights has been stressed on many occasions by the Community institutions and the Member States;

(4) Whereas in a Joint Declaration of 5 April 1977 ⁽⁴⁾ the European Parliament, the Council and the

(5) Whereas on 11 June 1986, the European Parliament, the Council, the representatives of the Member States meeting within the Council and the Commission adopted a Joint Declaration on racism and xenophobia ⁽⁵⁾ stressing the 'importance of adequate and objective information and of making all citizens aware of the dangers of racism and xenophobia, and the need to ensure that all acts or forms of discrimination are prevented or curbed';

(6) Whereas on 29 May 1990 the Council and the representative of the governments of the Member States, meeting within the Council, adopted a Resolution on the fight against racism and xenophobia ⁽⁶⁾;

(7) Whereas on 5 October 1995 the Council and the representatives of the governments of the Member States, meeting within the Council, adopted a Resolution on the fight against racism and xenophobia in the fields of employment and social affairs ⁽⁷⁾ and on 23 October 1995 they adopted a Resolution on the response of educational systems to the problems of racism and xenophobia ⁽⁸⁾;

(8) Whereas on 15 July 1996 the Council, acting on the basis of Article K.3 of the Treaty on European Union, adopted a Joint Action concerning action to combat racism and xenophobia ⁽⁹⁾;

⁽¹⁾ OJ No C 78, 12. 3. 1987, p. 15.

⁽²⁾ OJ No C 132, 28. 4. 1997.

⁽³⁾ OJ No C 158, 26. 5. 1997, p. 9.

⁽⁴⁾ OJ No C 103, 27. 4. 1977, p. 1.

⁽⁵⁾ OJ No C 158, 25. 6. 1986, p. 1.

⁽⁶⁾ OJ No C 157, 27. 6. 1990, p. 1.

⁽⁷⁾ OJ No C 296, 10. 11. 1995, p. 13.

⁽⁸⁾ OJ No C 312, 23. 11. 1995, p. 1.

⁽⁹⁾ OJ No L 185, 24. 7. 1996, p. 5.

- (9) Whereas on 23 July 1996 the Council and the representatives of the governments of the Member States, meeting within the Council, adopted a Resolution concerning the European Year against Racism (1997)⁽¹⁾;
- (10) Whereas the European Council meeting in Corfu on 24 and 25 June 1994 determined to step up efforts to define, at European Union level, a global strategy aimed at combating acts of racist and xenophobic violence; whereas to this end it set up a Consultative Commission charged with making recommendations on combating racism and xenophobia;
- (11) Whereas the European Council meeting in Cannes on 26 and 27 June 1995 called on the Consultative Commission to extend its work in order to study, in close cooperation with the Council of Europe, the feasibility of a European Monitoring Centre on Racism and Xenophobia;
- (12) Whereas the conclusions of this feasibility study were submitted to the European Council meeting in Florence on 21 and 22 June 1996;
- (13) Whereas the European Council meeting in Florence reaffirmed the Union's determination to combat racism and xenophobia with the utmost resolve and approved the principle underlying the establishment of a European Monitoring Centre;
- (14) Whereas in order to carry out this task of collecting and analysing information on racism, xenophobia and anti-Semitism as well and as independently as possible and in order to maintain close links with the Council of Europe, it is necessary to establish an autonomous body, the European Centre on Racism and Xenophobia (Centre), at Community level with its own legal personality;
- (15) Whereas the phenomena of racism, xenophobia and anti-semitism involve many complex, closely interwoven aspects which are difficult to separate; whereas, as a result, the Centre must be given the overall task of collecting and analysing information concerning several of the Community's spheres of activity; whereas the Centre's task will concentrate on areas in which sound knowledge of those problems is particularly necessary for the Community in its activities;
- (16) Whereas racism and xenophobia are phenomena which manifest themselves at all levels within the Community: local, regional, national and Community, and therefore the information which is collected and analysed at Community level can also be useful to the Member States' authorities in formulating and applying measures at local, regional and national level in their own spheres of competence;
- (17) Whereas therefore the Centre will make the results of its work available to both the Community and the Member States;
- (18) Whereas, in the Member States, there are numerous outstanding organizations which study racism and xenophobia;
- (19) Whereas the coordination of research and the creation of a network of organizations will enhance the usefulness and effectiveness of such work;
- (20) Whereas, in order to enhance cooperation and avoid overlap or duplication of work, the tasks assigned to the Centre pre-suppose close links with the Council of Europe, which has considerable experience in this field, as well as cooperation with other organizations in the Member States and international organizations which are competent in the fields related to the phenomena of racism and xenophobia;
- (21) Whereas the Centre will itself be able to decide on the administrative arrangements for cooperating with those organizations; whereas, on the other hand, it is for the Community to conclude, on behalf of the Centre, an agreement with the Council of Europe for the purpose of establishing close cooperation between the latter and the Centre; whereas the same will apply to the conclusion of any agreements with other international organizations or with third countries which may prove necessary for the Centre to carry out its tasks;
- (22) Whereas the protection of personal data which are processed and exchanged by the Centre must be ensured in accordance with Directive 95/46/EC of the European Parliament and of the Council of 24 October 1995 on the protection of individuals with regard to the processing of personal data and on the free movement of such data⁽²⁾;
- (23) Whereas the Centre must enjoy maximum autonomy in the performance of its tasks;
- (24) Whereas the Court of Justice must have jurisdiction to hear and determine, pursuant to an arbitration clause, disputes regarding the contractual liability of the Centre as well as disputes on the non-contractual

⁽¹⁾ OJ No C 237, 15. 8. 1996, p. 1.

⁽²⁾ OJ No L 281, 23. 11. 1995, p. 31.

liability of the Centre; whereas the Court must also have jurisdiction to rule on actions brought against the Centre under the conditions laid down in Article 173 of the Treaty;

(25) Whereas this Regulation might, where appropriate, be adapted on expiry of a three-year period, with a view to deciding whether or not to modify or extend the Centre's tasks, more especially depending on any changes in Community powers;

(26) Whereas the powers provided for in Article 213 of the Treaty to collect and analyse information on several of the Community's areas of activity do not permit such information to be collected through a specialized, autonomous body with its own legal personality; whereas Article 235 must therefore also be used as the legal basis for the establishment of such a body and to enable the information to be transmitted to Community institutions and bodies and to the Member States,

HAS ADOPTED THIS REGULATION:

Article 1

A European Monitoring Centre on Racism and Xenophobia (hereinafter referred to as 'the Centre') is hereby established.

Article 2

Objective and tasks

1. The prime objective of the Centre shall be to provide the Community and its Member States, more especially within the fields referred to in Article 3 (3), with objective, reliable and comparable data at European level on the phenomena of racism, xenophobia and anti-Semitism in order to help them when they take measures or formulate courses of action within their respective spheres of competence.

2. The Centre shall study the extent and development of the phenomena and manifestations of racism, xenophobia and anti-Semitism, analyse their causes, consequences and effects and examine examples of good practice in dealing with them. To these ends, in order to accomplish its tasks, the Centre shall:

- (a) collect, record and analyse information and data, including data resulting from scientific research communicated to it by research centres, Member States, Community institutions, international organizations — particularly those referred to in Article 4 (1) — and non-governmental organizations;

- (b) build up cooperation between the suppliers of information and develop a policy for concerted use of their databases in order to foster, where appropriate at the request of the European Parliament, the Council or the Commission, the wide distribution of their information;

- (c) carry out scientific research and surveys, preparatory studies and feasibility studies, where appropriate, at the request of the European Parliament, the Council or the Commission. In doing so, the Centre shall take account of already existing studies and other activities (conferences, seminars, ongoing research, publications) especially of those centres and organizations with which it is linked in the European Racism and Xenophobia Information Network (Raxen), in order to avoid duplication and guarantee the best possible use of resources. It shall also organize meetings of experts and, whenever necessary, set up ad hoc working parties;

- (d) set up documentation resources open to the public, encourage the promotion of information activities and stimulate scientific research;

- (e) formulate conclusions and opinions for the Community and its Member States;

- (f) develop methods to improve the comparability, objectivity and reliability of data at Community level by establishing indicators and criteria that will improve the consistency of information;

- (g) publish an annual report on the situation regarding racism and xenophobia in the Community, also highlighting examples of good practice, and on the Centre's own activities;

- (h) set up and coordinate a European Racism and Xenophobia Information Network (Raxen) consisting of the Centre's own central unit, which shall cooperate with national university research centres, non-governmental organizations and specialist centres set up by organizations in the Member States or international organizations referred to in Article 7;

- (i) facilitate and encourage the organization of regular round-table discussions or meetings of other existing, standing advisory bodies within the Member States, with the participation of the social partners, research centres and representatives of competent public authorities and other persons or bodies involved in dealing with racism and xenophobia. The Centre shall take the findings of the national round-table discussions or of other existing, standing advisory bodies into account in its annual report on the situation regarding racism and xenophobia in the Community.

Article 3

Working methods and areas of activity

1. The Centre shall carry out its tasks within the competencies of the Communities and in the light of the objectives adopted in its annual programme and with due regard to the available budgetary resources.

2. In pursuing its activities, the Centre shall, in order to avoid duplication, take account of activities already carried out by the Community institutions and by other institutions, bodies and competent international organizations, particularly the Council of Europe, and shall ensure through close cooperation with the Council of Europe that it provides added value.

3. The information and data to be collected and processed, the scientific research, surveys and studies to be conducted or encouraged shall be concerned with the extent, development, causes and effects of the phenomena of racism and xenophobia, particularly in the following fields:

- (a) free movement of persons within the Community;
- (b) information and television broadcasts and the other media and means of communication;
- (c) education, vocational training and youth;
- (d) social policy including employment;
- (e) free movement of goods;
- (f) culture.

Article 4

European Racism and Xenophobia Information Network (Raxen)

1. To enable the network provided for in Article 2 (2) (h) to be established as rapidly and efficiently as possible, the Member States shall forward to the Centre a list of the centres and organizations of which they are aware referred to in that Article.

2. Taking into account the list referred to in paragraph 1, the Centre's Management Board shall invite the competent organizations in the fields related to the phenomena of racism and xenophobia or those organizations the principal aim of which is the analysis of those phenomena, to be parties to Raxen.

3. The Centre may enter into contractual relations, in particular subcontracting arrangements, with the organizations referred to in paragraph 2, in order to accomplish any tasks which it may entrust to them.

The Centre may also enter into contractual relations, on an ad hoc basis and for specific tasks, with bodies which are not part of Raxen.

The allocation of such tasks shall appear in the Centre's annual programme.

Article 5

Protection and confidentiality of personal data

1. The Centre may collect personal data only for the purposes of carrying out its tasks as provided for under this Regulation. The Centre shall apply to its processing and exchange of personal data under this Regulation the provisions laid down in Directive 95/46/EC. To this effect, rules implementing these provisions shall be adopted, in particular with regard to the rights of the individuals concerned, the confidentiality and security of processing, suitable safeguards for rendering data anonymous before disclosure, and the internal supervision of processing.

2. The implementing rules referred to in paragraph 1 shall be published in the *Official Journal of the European Communities*. The Centre may not process personal data before the entry into force of those rules and unless a supervisory authority within the meaning of Article 28 of Directive 95/46/EC has been set up and is operative.

Pending the appointment of any such authority or authorities set up for the Community institutions and bodies, the Centre's activities as regards data protection rules shall be supervised by the Ombudsman provided for in Article 138e of the Treaty, in the context of the tasks allotted to him by that Treaty.

3. Until the date of implementation of Directive 95/46/EC, where, under the provisions of this Regulation, the Member States transmit or receive personal data, they shall apply their respective national data-protection laws to the processing of such data.

Until the abovementioned date, a Member State which has transmitted data to the Centre, can object to the transmission of these data to another Member State or submit that transmission to the fulfilment of conditions, if no data protection standard equivalent to that of Directive 95/46/EC is guaranteed by the receiver for the processing of the transmitted data.

In any event, personal data collected by the Centre and transferred by it to the Community or the Member States shall not be filed and subsequently used by the latter in a way incompatible with the purposes for which they were collected by the Centre.

4. Member States and national bodies cooperating with the Centre shall be under no obligation to provide information classified as confidential under their national law.

Article 6

Legal personality and capacity

The Centre shall have legal personality. It shall enjoy, in each of the Member States, the most extensive legal capacity accorded to legal persons under their laws. In particular, it may acquire or dispose of movable and immovable property and may be a party to legal proceedings.

Article 7

Cooperation with national and international organizations

1. To help it carry out its tasks, the Centre shall cooperate with organizations in the Member States or international, governmental or non-governmental organizations competent in the field of racist and xenophobic phenomena.

2. The administrative arrangements for the cooperation referred to in paragraph 1 shall be subject to the approval of the Management Board.

3. The Centre shall coordinate its activities with those of the Council of Europe, particularly with regard to its programme of activities pursuant to Article 8 (3) (a). To this end, the Community shall, in accordance with the procedure provided for in Article 228 of the Treaty, enter into an agreement, on behalf of the Centre, with the Council of Europe for the purpose of establishing close cooperation between the latter and the Centre. This agreement shall include the appointment by the Council of Europe of a person to sit on the Centre's Management Board.

Should agreements with other international organizations or with third countries prove necessary for the Centre to carry out its tasks efficiently, the Community shall, following the same procedure as mentioned above, enter into such agreements, on behalf of the Centre.

Article 8

Management Board

1. The Centre's Management Board shall be composed of one independent person appointed by each Member State, one independent person appointed by the European Parliament, one independent person appointed by the Council of Europe pursuant to Article 7 (3), and a representative of the Commission. The members of the Management Board shall be persons with appropriate ex-

perience in the field of human rights and analysis of racist, xenophobic and anti-Semitic phenomena.

Each member shall have a deputy appointed on a similar basis.

2. The names of the members and deputy members of the Management Board shall be notified to the Commission for publication in the *Official Journal of the European Communities*. Their term of office shall be three years, which shall be renewable once. The Management Board shall elect its Chairman and Vice-Chairman and the other members of the Executive Board referred to in Article 9.

Each member of the Management Board, or in his absence, his deputy, shall have one vote. Decisions shall be taken by a two-thirds majority of the votes cast. The Chairman shall vote. The person appointed by the Council of Europe may not vote on decisions referred to in points (d) and (e) of paragraph 3.

3. The Management Board shall take the decisions necessary for the operation of the Centre. In particular, it shall:

- (a) determine the Centre's annual programme of activities in accordance with the budget and the available resources; this programme may be reviewed when necessary during the year;
- (b) adopt the Centre's annual report and its conclusions and opinions and forward them to the European Parliament, the Council, the Commission, the Economic and Social Committee and the Committee of the Regions; it shall ensure publication of the annual report;
- (c) appoint the Centre's Director;
- (d) adopt the Centre's annual draft and final budgets;
- (e) approve the accounts and give the Director discharge.

4. The Management Board shall adopt its rules of procedure. The Board shall meet, as convened by its Chairman, at least twice a year.

Article 9

Executive Board

1. The Executive Board shall be composed of the Chairman of the Management Board, the Vice-Chairman and a maximum of three other members of the Management Board, including the person appointed by the Council of Europe and the Commission representative.

2. The Executive Board shall supervise the work of the Centre, monitor the preparation and execution of programmes and prepare the meetings of the Management Board with the assistance of the Centre's Director. The Executive Board shall also perform any task entrusted to it by the Management Board, in accordance with the latter's rules of procedure.

Article 10

Director

1. The Centre shall be headed by a Director appointed by the Management Board on a proposal from the Commission for a period of four years, which shall be renewable.
2. The Director shall be responsible for:
 - (a) performance of the tasks referred to in Article 2 (2);
 - (b) preparing and implementing the Centre's annual programme of activities;
 - (c) preparing the annual report, conclusions and opinions as referred to in this Regulation;
 - (d) all staff matters and matters of day-to-day administration.
3. The Director shall be accountable for the management of his activities to the Management Board and shall attend its meetings and the meetings of the Executive Board.
4. The Director shall be the Centre's legal representative.

Article 11

Staff

1. The staff of the Centre shall be subject to the Regulations and Rules applicable to officials and other servants of the European Communities.
2. The Centre shall exercise in respect of its staff the powers devolved to the appointing authority.
3. The Management Board shall, in agreement with the Commission, adopt the appropriate implementing rules.

Article 12

Budget

1. Estimates shall be drawn up of all the Centre's revenue and expenditure for each financial year, which shall correspond to the calendar year, and shall be entered in the Centre's budget.
2. By 15 February each year at the latest, the Director shall draw up the preliminary draft budget for the following financial year. The preliminary draft budget shall cover the operating expenditure and programme of activities scheduled for the following financial year. The Director shall submit the preliminary draft, together with an establishment plan, to the Management Board.
3. The revenue and expenditure shown in the budget shall be in balance.

4. The revenue of the Centre shall, without prejudice to other resources, comprise:

- (a) a subsidy from the Community, entered under a specific heading in the general budget of the European Communities ('Commission' section);
- (b) payments received for services rendered;
- (c) any financial contributions from the organizations referred to in Article 7;
- (d) any voluntary financial contributions from the Member States.

5. The Centre's expenditure shall include staff remuneration, administrative and infrastructure expenses, operating costs and expenditure relating to contracts concluded with institutions or bodies party to Raxen and with third parties.

6. The Management Board shall adopt the draft budget and forward it to the Commission. On this basis, the Commission shall determine the corresponding subsidy estimates to be entered in the preliminary draft general budget of the European Communities, which it places before the Council pursuant to Article 203 of the Treaty.

7. The Management Board shall adopt the Centre's final budget before the beginning of the financial year, adjusting it where necessary to the Community subsidy and the Centre's other resources.

8. The Director shall implement the Centre's budget.

9. Monitoring of the commitment and payment of all the Centre's expenditure and of the establishment and recovery of all the Centre's revenue shall be carried out by the Commission's Financial Controller.

10. By 31 March each year at the latest, the Director shall send the Commission, the Management Board and the Court of Auditors the accounts for all the Centre's revenue and expenditure in respect of the preceding financial year.

The Court of Auditors shall examine these accounts in accordance with Article 188c of the Treaty.

11. The Management Board shall give a discharge to the Director in respect of the implementation of the budget.

12. The Management Board shall, after consulting the Commission and the Court of Auditors, adopt the internal financial provisions specifying in particular the arrangements for establishing and implementing the Centre's budget.

Article 13

The translation service required by the operation of the Centre shall, in principle, be provided by the Translation Centre for bodies of the European Union established by Regulation (EC) No 2965/94⁽¹⁾.

⁽¹⁾ OJ No L 314, 7. 12. 1994, p. 1.

*Article 14***Privileges and immunities**

The Protocol on the Privileges and Immunities of the European Communities shall apply to the Centre.

*Article 15***Jurisdiction of the Court of Justice**

1. The contractual liability of the Centre shall be governed by the law applicable to the contract in question.

The Court of Justice shall have jurisdiction pursuant to an arbitration clause contained in a contract concluded by the Centre.

2. In the case of non-contractual liability, the Centre shall, in accordance with the general principles common to the laws of the Member States, make good any damage caused by the Centre or its servants in the performance of their duties.

The Court of Justice shall have jurisdiction in disputes relating to compensation for any such damage.

3. The Court of Justice shall have jurisdiction in actions brought against the Centre under the conditions provided for in Article 173 of the Treaty.

*Article 16***Reporting arrangements**

During the third year following the entry into force of this Regulation, the Commission shall forward to the European Parliament, the Council, the Economic and Social Committee and the Committee of the Regions a progress report on the Centre's activities, together with proposals, if appropriate, to modify or extend its tasks, taking into account, in particular, the development of Community powers in the field of racism and xenophobia.

*Article 17***Entry into force**

This Regulation shall enter into force on the day following the date of the decision by the competent authorities on where the seat of the Centre should be located.

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

Done at Luxembourg, 2 June 1997.

For the Council

The President

H. VAN MIERLO

COUNCIL REGULATION (EC) No 1036/97

of 2 June 1997

introducing safeguard measures in respect of imports of rice originating in the overseas countries and territories (OCTs)

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty establishing the European Community,

Having regard to Council Decision 91/482/EEC of 25 July 1991 on the association of the overseas countries and territories with the European Economic Community⁽¹⁾, and in particular Article 109 thereof, in conjunction with Annex IV, Article 1 (7),

Whereas Council Regulation (EC) No 304/97⁽²⁾ introducing safeguard measures in respect of imports of rice originating in the overseas countries and territories for the period from 1 January to 30 April 1997;

Whereas, at the end of the period of application of those measures, the serious disruption in the Community rice sector and the risk of a significant deterioration in that sector of economic activity have not been eliminated, in particular with regard to the level of Community prices, the need for significant amounts to be bought into intervention and the risk of a great reduction in land under indica rice;

Whereas, on 9 April 1997 the Italian Government applied to the Commission, pursuant to Article 109 of Decision 91/482/EEC for the extension of the safeguard measures in respect of imports of rice originating in the overseas countries and territories (hereinafter referred to as OCTs);

Whereas the Commission adopted on 23 April 1997 Regulation (EC) No 764/97⁽³⁾ introducing safeguard measures for a period of five months in respect of imports of rice originating in the overseas countries and territories;

Whereas the governments of the United Kingdom and Spain have referred the said Decision from the Commission to the Council in accordance with Article 1 (5) of Annex IV of Decision 91/482/EEC;

Whereas pursuant to paragraph 7 of that Article, the Council may adopt a different decision within the time limit indicated;

Whereas the rice originating from the OCTs which is exempt from customs duty on import into the Community in accordance with Article 101 (1) of Decision 91/482/EEC is, as a result of the quantities involved, causing a disturbance on the Community market in rice,

which has experienced a normal harvest of indica rice in 1996/97 after two years of drought;

Whereas the Community has provided aid per hectare on a temporary basis to encourage Community producers to grow more indica rice; whereas massive imports of rice from the OCTs under preferential conditions may undermine these attempts to diversify production, leading European producers initially to put large quantities into intervention and subsequently to return to growing japonica rice, for which there is already a surplus; whereas, under those conditions, it is important to maintain producers' confidence during the sowing period;

Whereas the quantities of rice imported from the OCTs are likely to increase still further owing to the producer regions' unrealized potential;

Whereas the first safeguard measures have had a favourable effect on the rice market situation in the Community; whereas, nevertheless, the market price in the Community remains considerably under the intervention price fixed for rice in the Community;

Whereas quantities of rice in excess of 70 000 tonnes have been offered at the end of April 1997 for intervention and significant supplementary amounts will be offered for intervention in the weeks and months to come;

Whereas, consequently, the threat of damage to a sector of the Community economy persists; whereas the application of safeguard measures to imports into the Community of rice from the OCTs should therefore be extended;

Whereas priority should be given to measures which would least disturb the functioning of the association of the OCTs and the Community, in accordance with Article 109 (2) of Decision 91/482/EEC; whereas such measures must, moreover, be limited to what is strictly necessary to remedy the difficulties that have arisen;

Whereas the maintenance of a tariff quota would guarantee OCT rice access to the Community market within limits compatible with the stability of that market while preserving preferential treatment for that product consistent with the objectives of Decision 91/482/EEC;

Whereas, under these conditions, the limitation of imports to 10 000 tonnes of rice originating from Montserrat and the Turks and Caicos Islands and 59 610 tonnes of rice originating from other OCTs for a period of five months, as provided for by Commission Regula-

⁽¹⁾ OJ No L 263, 19. 9. 1991, p. 1.

⁽²⁾ OJ No L 51, 21. 2. 1997, p. 1.

⁽³⁾ OJ No L 112, 29. 4. 1997, p. 3.

tion (EC) No 764/97, is insufficient to compensate for the serious disturbances caused to the rice production sector in the Community by imports free of customs duties from the OCTs;

Whereas the quota should be opened for a period sufficient to achieve the abovementioned objectives; whereas a period of application of seven months from 1 May 1997, which would cover the last month of the current marketing year and the first month of the next, would meet those requirements; whereas interrupting those measures before the start of the new marketing year could gravely affect the stability of trade in products from the previous harvest and create a great deal of uncertainty at a time when the marketing forecasts for the new marketing year are being prepared; whereas a premature interruption of the measures would endanger the results achieved up to now;

Whereas in accordance with Article 110 of Decision 91/482/EEC, particular attention should be paid to the interests of the least-developed OCTs listed in Article 230 of that Decision; whereas those territories include Montserrat and the Turks and Caicos Islands;

Whereas, following major volcanic activity at Montserrat, rice growing represents for that island the most important source of employment apart from government services;

Whereas this situation should be closely studied and as a result the portion relating to Montserrat and the Turks and Caicos Islands of the overall quota should be increased in relation to the quantity laid down for that island in Commission Regulation (EC) No 764/97;

Whereas under those conditions, the quota should be opened for a period running from 1 May to 30 November 1997 for a quantity of 13 430 tonnes of husked rice equivalent originating in Montserrat and the Turks and Caicos Islands and 56 180 tonnes originating in the other OCTs;

Whereas the total available quantities should be allocated among the interested importers and speculation should be prevented; whereas the number of licence applications made daily by each importer for each origin should be restricted and provision should be made for the lodging by the importer concerned of an appropriate security so as to ensure correct performance of the import;

Whereas, with a view to guaranteeing proper administration of the measures, special rules should be laid down regarding the submission of applications and the issuing of licences; whereas those rules will either supplement or derogate from the provision of Commission Regulation (EEC) No 3719/88⁽¹⁾;

Whereas, in the light of the experience obtained and the assessment made at the end of the period of application of the measures introduced in January 1997, it seems

possible to extend, by derogation from 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⁽²⁾, the period of validity of import licences until the end of the third month following that in which they were actually issued, so as to allow importers better to organize their imports and avoid concentrating them too much, and to reduce the amount of the security applying to the certificate guaranteeing that importers' obligations are met,

HAS ADOPTED THIS REGULATION:

Article 1

Imports into the Community of rice originating in the OCTs falling within CN code 1006 and benefiting from exemption from customs duties shall be restricted during the period 1 May to 30 November 1997 to the following quantities of husked rice equivalent:

- (a) 13 430 tonnes for rice originating in Montserrat and the Turks and Caicos Islands; and
- (b) 56 180 tonnes for rice originating in the other OCTs.

Article 2

1. Applications for import licences shall be lodged with the competent authorities of the Member States from 2 May 1997.
2. Applications for import licences shall be for a quantity not less than 100 tonnes and not more than 2 000 tonnes of rice.
3. Applications for import licences shall be accompanied by:
 - proof that the applicant is a natural or legal person who has carried out a commercial activity in the rice sector for at least 12 months and is registered in the Member State in which the application is submitted,
 - a written declaration by the applicant stating that he has not submitted more than one application on the day in question for each of the origins referred to in Article 1. Where an applicant submits more than one application for an import licence, all his applications shall be rejected.

Article 3

1. The licence application and the import licence shall contain the following indications:
 - (a) in box 8, the country of origin must be indicated and 'yes' must be marked with a cross;

⁽¹⁾ OJ No L 331, 2. 12. 1988, p. 1. Regulation as last amended by Regulation (EC) No 2350/96 (OJ No L 320, 11. 12. 1996, p. 4).

⁽²⁾ OJ No L 117, 24. 5. 1995, p. 2. Regulation as last amended by Regulation (EC) No 1527/96 (OJ No L 190, 31. 7. 1996, p. 23).

(b) in box 20 of the licence, one of the following entries must be made:

- Exención del derecho de aduana (Decisión 91/482/CEE, artículo 101)
- Toldfri (artikel 101 i afgørelse 91/482/EØF)
- Zollfrei (Beschluss 91/482/EWG, Artikel 101)
- Απαλλαγή από τους δασμούς (απόφαση 91/482/EOK, άρθρο 101)
- Exemption from customs duty (Decision 91/482/EEC, Article 101)
- Exemption du droit de douane (Décision 91/482/CEE, article 101)
- Esenzione dal dazio doganale (Decisione 91/482/CEE, articolo 101)
- Vrijgesteld van douanerecht (Besluit 91/482/EEG, artikel 101)
- Isenção de direito aduaneiro (Decisão 91/482/CEE, artigo 101º)
- Tullivapaa (päättös 91/482/ETY, artikla 101)
- Tullfri (beslut 91/482/EEG, artikel 101).

2. Notwithstanding Article 8(4) of Regulation (EEC) No 3719/88, the quantity entered for free circulation may not exceed that entered in boxes 17 and 18 of the import licence. The figure '0' shall accordingly be entered in box 19 of the licence.

3. Notwithstanding Article 9 of Regulation (EEC) No 3719/88, the rights arising from import licences shall not be transferable.

4. Notwithstanding Article 10 of Regulation (EEC) No 1162/95, the amount of the security in respect of the import licences shall be equal to 50 % of the customs duty calculated in accordance with Article 11 of Regulation (EC) No 3072/95⁽¹⁾ applicable on the date on which the application was lodged.

5. The concept 'original products' for the purposes of applying this Regulation and the methods of administrative cooperation relating to it shall be as defined in Annex II to Decision 91/482/EEC.

Article 4

1. On the day on which licence applications are lodged, the Member States shall inform the Commission's departments by telex or fax of the quantities, by CN code and by country of origin, for which import licences have been applied and the names and addresses of the applicants.

2. Without prejudice to paragraph 3, import licences shall be issued on the 11th working day following that on which the application was lodged.

3. If the quantities applied for exceed the quantities still available for one or more of the quotas specified in Article 1, the Commission shall, within 10 working days following the date on which the licence applications were lodged, set a single percentage reduction to be applied to the quantities for which applications were lodged on the day on which the quotas were exceeded.

4. If the quantity for which the import licence is issued is less than the quantity applied for, the amount of the security referred to in Article 3(4) shall be reduced proportionately.

Article 5

Member States shall notify the Commission by telex or fax:

- (a) within two working days following issue, of the quantities for which import licences have been issued, specifying date, CN code, country of origin and name and address of holder,
- (b) on the last working day of the following month, of the quantities by CN code and by country of origin actually entered for free circulation during each month.

The above information must be notified in the same way but separately from information on other import licence applications in the rice sector.

Article 6

1. Regulation (EEC) No 3719/88 shall apply, including Article 33(5) thereof.

2. Regulation (EC) No 1162/95 shall apply without prejudice to this Regulation. However, by derogation from Article 6 of Regulation (EC) No 1162/95, import licences for husked, wholly-milled, semi-milled rice and broken rice shall be valid from the date on which they were actually issued until the end of the third month following that date, pursuant to Article 21(2) of Regulation (EEC) No 3719/88.

Article 7

Commission Regulation (EC) No 764/97 is hereby repealed.

Article 8

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

It shall apply from 1 May to 30 November 1997.

⁽¹⁾ OJ No L 329, 30. 12. 1995, p. 18.

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

Done at Luxembourg, 2 June 1997.

For the Council

The President

H. VAN MIERLO

COMMISSION REGULATION (EC) No 1037/97

of 9 June 1997

on the supply of vegetable oil as food aid

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

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

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

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

Whereas it is necessary to make these supplies in accordance with the rules laid down by Commission Regulation (EEC) No 2200/87 of 8 July 1987 laying down general rules for the mobilization in the Community of products to be supplied as Community food aid⁽²⁾, as amended by Regulation (EEC) No 790/91⁽³⁾;

Whereas it is necessary to specify the time limits and conditions of supply and the procedure to be followed to determine the resultant costs;

Whereas, in order to ensure that the supplies are carried out for a given lot, provision should be made for tenderers to be able to mobilize either rape-seed oil or sunflower oil; whereas the contract for the supply of such each lot is to be awarded to the tenderer submitting the lowest tender;

Whereas, for a given lot, given the large number of destinations of the supplies, provision should be made for

the possibility for tenderers to indicate two ports of loading, where necessary not belonging to the same port area,

HAS ADOPTED THIS REGULATION:

Article 1

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

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

Tenders relating to lot B shall cover either rape-seed oil or sunflower oil. Tenders shall be rejected unless they specify the type of oil to which they relate.

For lot B, notwithstanding Article 7 (3) (d) of Regulation (EEC) No 2200/87, the tender may indicate two ports of shipment not necessarily belonging to the same port area.

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

Article 2

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

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

Done at Brussels, 9 June 1997.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ No L 166, 5. 7. 1996, p. 1.

⁽²⁾ OJ No L 204, 25. 7. 1987, p. 1.

⁽³⁾ OJ No L 81, 28. 3. 1991, p. 108.

ANNEX

LOT A

1. **Operation No** ⁽¹⁾: 279/96
2. **Programme**: 1996
3. **Recipient** ⁽²⁾: Euronaid, PO Box 12, NL-2501 CA Den Haag, Nederland (tel.: (31 70) 33 05 757; fax: 36 41 701; telex: 30960 EURON NL)
4. **Representative of the recipient**: to be designated by the recipient
5. **Place or country of destination**: Cuba
6. **Product to be mobilized**: refined soya-bean oil
7. **Characteristics and quality of the goods** ⁽³⁾ ⁽⁷⁾ ⁽¹⁰⁾: —
8. **Total quantity (tonnes)**: 155
9. **Number of lots**: 1
10. **Packaging and marking** ⁽⁶⁾ ⁽⁸⁾: see OJ No C 267, 13. 9. 1996, p. 1 (10.4 A, B and C (2))
see OJ No C 114, 29. 4. 1991, p. 1 (III.A. (3))
Language to be used for the marking: Spanish
11. **Method of mobilization**: the Community market
12. **Stage of supply**: free at port of shipment
13. **Port of shipment**: —
14. **Port of landing specified by the recipient**: —
15. **Port of landing**: —
16. **Address of the warehouse and, if appropriate, port of landing**: —
17. **Period for making the goods available at the port of shipment**: 21. 7. — 10. 8. 1997
18. **Deadline for the supply**: —
19. **Procedure for determining the costs of supply**: invitation to tender
20. **Date of expiry of the period allowed for submission of tenders**: 24. 6. 1997 (12 noon (Brussels time))
21. **In the case of a second invitation to tender**:
 - (a) deadline for the submission of tenders: 8. 7. 1997 (12 noon (Brussels time))
 - (b) period for making the goods available at the port of shipment: 4. — 24. 8. 1997
 - (c) deadline for the supply: —
22. **Amount of tendering security**: ECU 15 per tonne
23. **Amount of delivery security**: 10 % of the amount of the tender in ecus
24. **Address for submission of tenders and tendering securities** ⁽¹⁾: Bureau de l'aide alimentaire, Attn. Mr T. Vestergaard, Bâtiment Loi 130, bureau 7/46, Rue de la Loi/Wetstraat 200, B-1049 Brussels
telex: 25670 AGREC B; fax: (32 2) 296 70 03 / 296 70 04 (exclusively)
25. **Refund payable on application by the successful tenderer** ⁽⁴⁾: —

LOT B

1. **Operation No** ⁽¹⁾: 277/96 (B1); 278/96 (B2)
2. **Programme**: 1996
3. **Recipient** ⁽²⁾: Euronaid, Postbus 12, NL-2501, CA Den Haag (tel.: (31 70) 33 05 757; fax: 36 41 701; telex: 30960 EURON NL)
4. **Representative of the recipient**: to be designated by the recipient
5. **Place or country of destination**: B1: Dominican Republic; B2: Ecuador
6. **Product to be mobilized**: vegetable oil: refined rape-seed oil or refined sunflower oil
7. **Characteristics and quality of the goods** ⁽³⁾ ⁽⁷⁾ ⁽⁸⁾: see OJ No C 114, 29. 4. 1991, p. 1 (IIIA (1) (a) or (b))
8. **Total quantity (tonnes)**: 225
9. **Number of lots**: 1 in 2 parts (B1: 45 tonnes; B2: 180 tonnes)
10. **Packaging and marking** ⁽⁹⁾ ⁽⁸⁾: see OJ No C 267, 13. 9. 1996, p. 1 (10.4 A, B and C (2))
see OJ No C 114, 29. 4. 1991, p. 1 (IIIA (3))
Language to be used for the marking: Spanish
11. **Method of mobilization**: mobilization of refined vegetable oil produced in the Community
Mobilization may not involve a product manufactured and/or packaged under inward-processing arrangements
12. **Stage of supply**: free at port of shipment ⁽⁹⁾
13. **Port of shipment**: —
14. **Port of landing specified by the recipient**: —
15. **Port of landing**: —
16. **Address of the warehouse and, if appropriate, port of landing**: —
17. **Period for making the goods available at the port of shipment**: 21. 7. — 10. 8. 1997
18. **Deadline for the supply**: —
19. **Procedure for determining the costs of supply**: invitation to tender
20. **Date of expiry of the period allowed for submission of tenders**: 24. 6. 1997 (12 noon (Brussels time))
21. **In the case of a second invitation to tender**:
 - (a) deadline for the submission of tenders: 8. 7. 1997 (12 noon (Brussels time))
 - (b) period for making the goods available at the port of shipment: 4. — 24. 8. 1997
 - (c) deadline for the supply: —
22. **Amount of tendering security**: ECU 15 per tonne
23. **Amount of delivery security**: 10 % of the amount of the tender in ecus
24. **Address for submission of tenders and tendering securities** ⁽¹⁾: Bureau de l'aide alimentaire, Attn Mr T. Vestergaard, Bâtiment Loi 130, bureau 7/46, Rue de la Loi/Wetstraat 200, B-1049 Brussels
telex: 25670 AGREC B; fax: (32 2) 296 70 03 / 296 70 04 (exclusively)
25. **Refund payable on application by the successful tenderer** ⁽⁴⁾: —

Notes:

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

The successful tenderer shall supply to the beneficiary or its representative, on delivery, a sanitary certificate.
 - (⁸) Shipment to take place in 20-foot containers, FCL/FCL (each containing 15 tonnes net).

The supplier will be responsible for the cost of making the containers available in the stack position at the container terminal at the port of shipment. The beneficiary will be responsible for all subsequent loading costs, including the cost of moving the containers from the container terminal.

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

The supplier must submit to the recipient's agent a complete packing list of each container, specifying the number of metal canisters belonging to each operation number as specified in the invitation to tender.

The supplier must seal each container with a numbered locktainer (Sysko locktainer 180 seal), the number of which is to be provided to the recipient's forwarder.
 - (⁹) Tenders shall be rejected unless they specify the type of oil to which they relate.
 - (¹⁰) Refined soya-bean oil meeting the following criteria:
 - appearance, at room temperature: clear and brilliant,
 - flavour and odour: bland,
 - free fatty acids: maximum 0,1 %,
 - water and impurities: maximum 0,05 %,
 - colour, Lovibond 5¼" (red/yellow): maximum 1,5/15,
 - peroxide value (meq/kg): maximum 2,0,
 - specific gravity at 20 °C: 0,91 to 0,93 g/cm³,
 - refractive index at 20 °C: 1,470 to 1,476,
 - iodine value (Wijs): 125 to 140 g/100 g.
-

COMMISSION REGULATION (EC) No 1038/97

of 9 June 1997

on the supply of cereals as food aid

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

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

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

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

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

Whereas, for a given lot, given the large number of destinations of the supplies, provision should be made for

the possibility for tenderers to indicate two ports of loading where necessary not belonging to the same port area,

HAS ADOPTED THIS REGULATION:

Article 1

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

For lot B, notwithstanding Article 7 (3) (d) of Regulation (EEC) No 2200/87, the tender may indicate two ports of shipment not necessarily belonging to the same port area.

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

Article 2

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

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

Done at Brussels, 9 June 1997.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ No L 166, 5. 7. 1996, p. 1.

⁽²⁾ OJ No L 204, 25. 7. 1987, p. 1.

⁽³⁾ OJ No L 81, 28. 3. 1991, p. 108.

ANNEX

LOT A

1. **Operation No** ⁽¹⁾: 276/96
2. **Programme**: 1996
3. **Recipient** ⁽²⁾: Euronaid, PO Box 12, NL-2501 CA Den Haag, Nederland (tel: (31 70) 33 05 757; fax: 36 41 701; telex: 30960 EURON NL)
4. **Representative of the recipient**: to be designated by the recipient
5. **Place or country of destination**: Ecuador
6. **Product to be mobilized**: oat flakes
7. **Characteristics and quality of the goods** ⁽³⁾ ⁽⁵⁾: see OJ No C 114, 29. 4. 1991, p. 1 (II.B.(1)(e))
8. **Total quantity (tonnes)**: 456
9. **Number of lots**: 1
10. **Packaging and marking** ⁽⁶⁾ ⁽⁷⁾ ⁽⁸⁾: see OJ No C 267, 13. 9. 1996, p. 1 (2.3 A 1.c, 2.c and B.4)
see OJ No C 114, 29. 4. 1991, p. 1 (II.B.(3))
Language to be used for the marking: Spanish
11. **Method of mobilization**: the Community market
12. **Stage of supply**: free at port of shipment
13. **Port of shipment**: —
14. **Port of landing specified by the recipient**: —
15. **Port of landing**: —
16. **Address of the warehouse and, if appropriate, port of landing**: —
17. **Period for making the goods available at the port of shipment**: 28. 7. — 17. 8. 1997
18. **Deadline for the supply**: —
19. **Procedure for determining the costs of supply**: invitation to tender
20. **Date of expiry of the period allowed for submission of tenders**: 24. 6. 1997 (12 noon (Brussels time))
21. **In the case of a second invitation to tender**:
 - (a) deadline for the submission of tenders: 8. 7. 1997 (12 noon (Brussels time))
 - (b) period for making the goods available at the port of shipment: 11. — 31. 8. 1997
 - (c) deadline for the supply: —
22. **Amount of the tendering security**: ECU 5 per tonne
23. **Amount of the delivery security**: 10 % of the amount of the tender in ecus
24. **Address for submission of tenders and tendering securities** ⁽¹⁾: Bureau de l'aide alimentaire, Attn. Mr T. Vestergaard, Bâtiment Loi 130, bureau 7/46, 200 rue de la Loi/Wetstraat, B-1049 Brussels
telex: 25670 AGREC B; fax: (32 2) 296 70 03 / 296 70 04 (exclusively)
25. **Refund payable on application by the successful tenderer** ^(*): refund applicable on 20. 6. 1997, fixed by Commission Regulation (EC) No 967/97 (OJ No L 141, 31. 5. 1997, p. 6)

LOT B

1. **Operation No** ⁽¹⁾: 281/96 (B1); 282/96 (B2)
2. **Programme**: 1996
3. **Recipient** ⁽²⁾: Euronaid, PO Box 12, NL-2501 CA Den Haag, Nederland (tel.: (31 70) 33 05 757; fax: 36 41 701; telex: 30960 EURON NL)
4. **Representative of the recipient**: to be designated by the recipient
5. **Place or country of destination**: B1: Uganda; B2: Peru
6. **Product to be mobilized**: milled rice (product code 1006 30 92 900, 1006 30 94 900, 1006 30 96 900, 1006 30 98 900)
7. **Characteristics and quality of the goods** ⁽³⁾ ⁽⁴⁾: see OJ No C 114, 29. 4. 1991, p. 1 (II.A. (1) (f))
8. **Total quantity (tonnes)**: 514
9. **Number of lots**: 1 in 2 parts (B1: 460 tonnes; B2: 54 tonnes)
10. **Packaging and marking** ⁽⁶⁾ ⁽⁷⁾ ⁽⁸⁾: see OJ No C 267, 13. 9. 1996, p. 1 (1.0 A 1.c, 2.c and B.6)
see OJ No C 114, 29. 4. 1991, p. 1 (II.A. (3))
Language to be used for the marking: B1: English; B2: Spanish
Supplementary markings: 'Expiry date ...' (B1)
11. **Method of mobilization**: the Community market
12. **Stage of supply**: free at port of shipment ⁽⁹⁾
13. **Port of shipment**: —
14. **Port of landing specified by the recipient**: —
15. **Port of landing**: —
16. **Address of the warehouse and, if appropriate, port of landing**: —
17. **Period for making the goods available at the port of shipment**: 21. 7. — 10. 8. 1997
18. **Deadline for the supply**: —
19. **Procedure for determining the costs of supply**: invitation to tender
20. **Date of expiry of the period allowed for submission of tenders**: 24. 6. 1997 (12 noon (Brussels time))
21. **In the case of a second invitation to tender**:
 - (a) deadline for the submission of tenders: 8. 7. 1997 (12 noon (Brussels time))
 - (b) period for making the goods available at the port of shipment: 4. — 24. 8. 1997
 - (c) deadline for the supply: —
22. **Amount of tendering security**: ECU 5 per tonne
23. **Amount of delivery security**: 10 % of the amount of the tender in ecus
24. **Address for submission of tenders and tendering securities** ⁽¹⁾: Bureau de l'aide alimentaire, Attn. Mr T. Vestergaard, Bâtiment Loi 130, bureau 7/46, Rue de la Loi/Wetstraat 200, B-1049 Brussels
telex: 25670 AGREC B; fax: (32 2) 296 70 03/296 70 04 (exclusively)
25. **Refund payable on application by the successful tenderer** ⁽⁴⁾: refund applicable on 20. 6. 1997, fixed by Commission Regulation (EC) No 967/97 (OJ No L 141, 31. 5. 1997, p. 6)

Notes:

- (¹) The operation number should be mentioned in all correspondence.
- (²) The successful tenderer shall contact the recipient as soon as possible to establish which consignment documents are required.
- (³) The successful tenderer shall deliver to the beneficiary a certificate from an official entity certifying that for the product to be delivered the standards applicable, relative to nuclear radiation, in the Member State concerned, have not been exceeded. The radioactivity certificate must indicate the caesium-134 and -137 and iodine-131 levels.
- (⁴) Commission Regulation (EEC) No 2330/87 (OJ No L 210, 1. 8. 1987, p. 56), as last amended by Regulation (EEC) No 2226/89 (OJ No L 214, 25. 7. 1989, p. 10), is applicable as regards the export refund. The date referred to in Article 2 of the said Regulation is that referred to in point 25 of this Annex.
- The amount of the refund, shall be converted into national currency by applying the agricultural conversion rate applicable on the day of completion of the customs export formalities. The provisions of Articles 13 to 17 of Commission Regulation (EEC) No 1068/93 (OJ No L 108, 1. 5. 1993, p. 106), as last amended by Regulation (EC) No 1482/96 (OJ No L 188, 27. 7. 1996, p. 22), shall not apply to this amount.
- (⁵) The successful tenderer shall supply to the beneficiary or its representative, on delivery, the following documents:
- phytosanitary certificate (B2: plus expiry date),
 - lot B: fumigation certificate (the cargo shall be fumigated before shipment with phosphine gas).
- (⁶) Shipment to take place in 20-foot containers condition FCL/FCL each containing 12 tonnes net (lot A) and 20 tonnes net (lot B).
- The supplier shall be responsible for the cost of making the containers available in the stack position at the container terminal at the port of shipment. The recipient shall be responsible for all subsequent loading costs, including the cost of moving the containers from the container terminal. The provisions of Article 13 (2), second paragraph, of Regulation (EEC) No 2200/87 shall not apply.
- The supplier has to submit to the recipient's agent a complete packing list of each container, specifying number of bags belonging to each shipping number as specified in the invitation to tender.
- The supplier has to seal each container with a numbered locktainer (SYSKO locktainer 180 seal), number of which to be provided to the beneficiary's forwarder.
- (⁷) Since the goods may be rebagged, the successful tenderer must provide 2 % of empty bags of the same quality as those containing the goods, with the marking followed by a capital 'R'.
- (⁸) Notwithstanding OJ No C 114, point IIA (3) (c) or IIB (3) (c) is replaced by the following: 'the words "European Community"'.
- (⁹) Notwithstanding Article 7 (3) (d) of Regulation (EEC) No 2200/87, the tender may indicate two ports of shipment not necessarily belonging to the same port area.
-

COMMISSION REGULATION (EC) No 1039/97

of 9 June 1997

deferring the final date for sowing certain arable crops in certain regions in the 1997/98 marketing year

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EEC) No 1765/92 of 30 June 1992 establishing a support system for producers of certain arable crops ⁽¹⁾, as last amended by Regulation (EC) No 922/97 ⁽²⁾, and in particular Article 12 thereof,

Whereas Article 10 (2) of Regulation (EEC) No 1765/92 stipulates that, to qualify for the compensatory payments for cereals, protein crops and linseed under the support system for certain arable crops, producers must have sown the seed at the latest by 15 May preceding the relevant harvest;

Whereas Article 9 of Commission Regulation (EC) No 658/96 of 9 April 1996 on certain conditions for granting compensatory payments under the support system for producers of certain arable crops ⁽³⁾, as last amended by Regulation (EC) No 843/97 ⁽⁴⁾, fixes 15 May as the final date for oilseeds;

Whereas, because of the particular weather conditions this year, the final dates for sowing seeds fixed for Germany, Austria, Spain, Portugal, France, Finland, Italy, the United Kingdom and Sweden cannot be complied with in all cases; whereas, in consequence, the time limit for sowing

cereals and/or oilseeds, and/or protein crops and/or linseed for the 1997/98 marketing year should, where necessary, be deferred for certain specific regions; whereas to do so Regulations (EEC) No 1765/92 and (EC) No 658/96 should be waived as permitted by the seventh indent of Article 12 of Regulation (EEC) No 1765/92;

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

HAS ADOPTED THIS REGULATION:

Article 1

The final dates for crop sowings in Germany, Austria, Spain, Portugal, France, Finland, Italy, the United Kingdom and Sweden for the 1997/98 marketing year are fixed in the Annex hereto for the crops and regions indicated therein.

Article 2

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

It shall apply from 15 May 1997.

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

Done at Brussels, 9 June 1997.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ No L 181, 1. 7. 1992, p. 12.

⁽²⁾ OJ No L 133, 24. 5. 1997, p. 1.

⁽³⁾ OJ No L 91, 12. 4. 1996, p. 46.

⁽⁴⁾ OJ No L 121, 13. 5. 1997, p. 5.

ANNEX

Final date for sowing crops for the 1997/98 marketing year

Crops	Member State	Region	Final date
Maize, sunflower, sorghum, soya	France	The entire country	31 May 97
Cereals, oilseeds, protein crops and linseed	Finland	The entire country	15 June 97
Cereals, oilseeds, protein crops and linseed	Sweden	Västmanland Stockholm Uppsala Södermanland Östergötland Gotland Älvsborg Örebro Halland Göteborg och Bohus	15 June 97
Maize, soya	Austria	The entire country	31 May 97
Linseed	United Kingdom	England	31 May 97
Maize	Germany	The entire country	31 May 97
Sunflower	Spain	The entire country	31 May 97
Cereals	United Kingdom	Orkney Islands	31 May 97
Maize, sorghum, soya	Italy	Piemonte	15 June 97
Maize, sorghum, sunflower	Portugal	The entire country	31 May 97

COMMISSION REGULATION (EC) No 1040/97

of 9 June 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 10 June 1997.

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

Done at Brussels, 9 June 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 9 June 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
0709 90 77	052	77,3
	999	77,3
0805 30 30	052	97,2
	388	80,3
	528	69,8
	999	82,4
	060	49,9
0808 10 61, 0808 10 63, 0808 10 69	388	85,9
	400	81,2
	404	112,5
	508	81,0
	512	70,1
	524	78,8
	528	70,2
	804	97,1
	999	80,7
	400	278,4
0809 10 20	999	278,4
0809 20 49	400	206,8
	999	206,8

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

II

(Acts whose publication is not obligatory)

COUNCIL

COUNCIL DECISION

of 2 June 1997

authorizing the automatic renewal or continuation in force of provisions governing matters covered by the common commercial policy contained in the friendship, trade and navigation treaties and trade agreements concluded between Member States and third countries

(97/351/EC)

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty establishing the European Community, and in particular Article 113 in conjunction with Article 228 (2) thereof,

Having regard to Council Decision 69/494/EEC of 16 December 1969 on the progressive standardization of agreements concerning commercial relations between Member States and third countries and on the negotiation of Community agreements⁽¹⁾, and in particular Article 3 thereof,

Having regard to the proposal from the Commission,

Whereas the extension or automatic renewal beyond the transitional period of the treaties, agreements and protocols listed in the Annex to this Decision was last authorized by Decision 95/133/EC⁽²⁾;

Whereas the Member States concerned have requested authorization for the automatic renewal or continuation in force of provisions governing matters covered by the common commercial policy within the meaning of Article 113 of the Treaty contained in the friendship, trade and navigation treaties and similar agreements with third countries listed in the Annex to this Decision, in order to avoid interrupting their contractual commercial relations with the third countries concerned;

Whereas, however, most of the matters covered by these provisions of national treaties and agreements are now

governed by Community agreements; whereas authorization should accordingly be given only in respect of those matters not covered by Community agreements; whereas such authorization does not absolve the Member States from the obligation of avoiding and eliminating any incompatibility between such treaties and agreements and the provisions of Community law;

Whereas, moreover, the provisions of the treaties and agreements to be automatically renewed or maintained in force must not constitute an obstacle to the implementation of the common commercial policy;

Whereas the Member States concerned have stated that the automatic renewal or continuation in force of these treaties and agreements should not be a bar to the opening of Community trade negotiations with the relevant third countries or the transfer to Community agreements of trade matters covered by current bilateral agreements;

Whereas, on conclusion of the consultation provided for in Article 2 of Decision 69/494/EEC, it was established, as the aforesaid statements by the Member States confirm, that the provisions of the relevant treaties and bilateral agreements would not constitute an obstacle to the implementation of the common commercial policy;

Whereas, moreover, the Member States concerned have stated that they would be willing to adapt and if necessary terminate those treaties and agreements should it be found that the automatic renewal or continuation in force of the provisions thereof relating to matters covered by Article 113 of the Treaty is an obstacle to the implementation of the common commercial policy;

⁽¹⁾ OJ No L 326, 29. 12. 1969, p. 39.

⁽²⁾ OJ No L 89, 21. 4. 1995, p. 30.

Whereas the treaties and agreements involved contain termination clauses requiring a period of notice of between three and twelve months;

Whereas, therefore, there is no reason for not authorizing the automatic renewal or continuation in force, for a period of four years, of the provisions in question;

Whereas there should be provision for such authorization to be withdrawn if circumstances require, particularly if at a later date it should appear that the continuation in force of the provisions of the abovementioned treaties and agreements constitutes, or threatens to constitute, an obstacle to the implementation of the common commercial policy; whereas a mechanism by which Member States are required to inform the Commission of any circumstances that might constitute such an obstacle should be established,

HAS ADOPTED THIS DECISION:

Article 1

The provisions governing matters covered by the common commercial policy within the meaning of Article 113 of the Treaty contained in the friendship,

trade and navigation treaties and trade agreements listed in the Annex to this Decision may be automatically renewed or maintained in force up to 30 April 2001 as regards those areas not covered by agreements between the Community and the third countries concerned, in so far as they are compatible with the common policies.

This authorization may be withdrawn if circumstances require, particularly if, at a later date, it should appear that the continuation in force of the abovementioned provisions of the treaties and agreements constitutes, or threatens to constitute, an obstacle to the implementation of the common commercial policy. Member States shall inform the Commission of any circumstances that might constitute such an obstacle.

Article 2

This Decision is addressed to the Member States.

Done at Brussels, 2 June 1997.

For the Council

The President

H. VAN MIERLO

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

Estado miembro Medlemsstat Mitgliedstaat Κράτος μέλος Member State État membre Stato membro Lidstaat Estado-membro Jäsenvaltio Medlemsstat	País tercero Tredjeland Drittland Τρίτη χώρα Third country Pays tiers Paese terzo Derde land País terceiro Kolmas maa Tredje land	Naturaleza del Acuerdo Aftalens art Art des Abkommens Φύση της συμφωνίας Type of Agreement Nature de l'accord Natura dell'accordo Aard van de overeenkomst Natureza do acordo Sopimuksen luonne Typ av avtal	Fecha del Acuerdo Aftalens dato Zeitpunkt des Abkommens Ημερομηνία της συμφωνίας Date of the Agreement Date de l'accord Data dell'accordo Datum van de overeenkomst Data do acordo Sopimuksen päivämäärä Datum för avtalet
(1)	(2)	(3)	(4)
BELGIQUE/BELGIË	El Salvador	Convention commerciale / Handelsovereenkomst	21. 3. 1906
	États-Unis d'Amérique/ Verenigde Staten	Traité d'amitié, de commerce et de navigation / Vriend- schaps-, handels- en scheepvaartverdrag	21. 2. 1961
	Honduras	Traité d'amitié, de commerce et de navigation / Vriend- schaps-, handels- en scheepvaartverdrag	25. 3. 1909
		Déclaration complémentaire / Aanvullende verklaring	30. 8. 1909
	Liberia	Traité d'amitié, de commerce et de navigation / Vriend- schaps-, handels- en scheepvaartverdrag	1. 5. 1885
	Maroc / Marokko	Traité d'amitié, de commerce et de navigation / Vriendschaps-, handels- en scheepvaartverdrag	4. 1. 1862
	République dominicaine / Dominicaanse Republiek	Traité d'amitié, de commerce et de navigation / Vriend- schaps-, handels- en scheepvaartverdrag	21. 8. 1884
	Venezuela	Traité d'amitié, de commerce et de navigation / Vriend- schaps-, handels- en scheepvaartverdrag	1. 3. 1884
BENELUX	Paraguay	Accord de commerce et de navigation / Handels- en scheepvaartakkoord	13. 8. 1963
	Union soviétique / USSR	Traité de commerce / Handelsverdrag	14. 7. 1971
DANMARK	Bolivia	Handelstraktat	9. 11. 1931
	Brasilien	Midlertidig aftale om mestbegunstigelsesklausul	30. 7. 1936
	Bulgarien	Ordning vedrørende den gensidige anvendelse af mestbe- gunstigelsesklausul (brevveksling)	27. 7. / 5. 8. 1921
	Burma	Noteveksling vedrørende mestbegunstigelsesklausul	29. 4. 1948 og 17. 4. 1950
	Chile	Handels- og søfartstraktat	4. 2. 1899
	Columbia	Handels- og søfartstraktat	21. 6. 1923
	Costa Rica	Handels- og søfartstraktat	26. 9. 1956
	Den Arabiske Republik Egypten	Midlertidig handelsaftale	7. 5. 1930
	Den Dominikanske Republik	Venskabs-, handels- og søfartstraktat	26. 7. 1852
	De Forenede Stater	Handels- og søfartstraktat	1. 10. 1951
	El Salvador	Handels- og søfartstraktat	9. 7. 1958
	Guatemala	Handels- og søfartstraktat	4. 3. 1948
	Haiti	Handelstraktat	21. 10. 1937
	Iran	Venskabs-, etablerings- og handelstraktat	20. 2. 1934

1	2	3	4
DANMARK (fortsat)	Israel	Foreløbig aftale (modus vivendi) om mestbegunstigelses-klausul i alle sager om søfart og i alt vedrørende told, osv.	14. 11. 1952
	Japan	Handels- og søfartstraktat	12. 2. 1912
	Liberia	Venskabs-, handels- og søfartstraktat	21. 5. 1860
	Paraguay	Handels- og søfartstraktat	3. 5. 1967
	Peru	Handels- og søfartstraktat	10. 6. 1957
	Polen	Handels- og søfartstraktat	22. 3. 1924
	Rumænien	Noteveksling om handel og søfart	28. 8. 1930
	Sovjetunionen	Handels- og søfartstraktat	17. 8. 1946
	Thailand	Venskabs-, handels- og søfartstraktat	5. 11. 1937
		Noteveksling	9. 3. 1972
	Tjekkoslaviet	Noteveksling om handel og søfart	18. 4. 1925
		Noteveksling om varebehandling	26. 8. 1929
	Tyrkiet	Etablerings-, handels- og søfartstraktat	31. 5. 1930
	Ungarn	Handels- og søfartskonvention	14. 3. 1887
	Uruguay	Handels- og søfartstraktat	4. 3. 1953
	Zaire	Handelskonvention	23. 2. 1885
DEUTSCHLAND	Argentinien	Handelsvertrag	19. 9. 1857
	Chile	Handelsvertrag	2. 2. 1951
	Dominikanische Republik	Freundschafts-, Handels- und Schiffahrtsvertrag	23. 12. 1957
	Ecuador	Handelsvertrag	1. 8. 1953
	El Salvador	Abkommen über die Meistbegünstigung (ratifiziert)	31. 10. 1952
	Indien	Handelsabkommen	19. 3. 1952 und 31. 3. 1955
	Iran	Handels-, Zoll- und Schiffahrtsvertrag	17. 2. 1929
	Japan	Handels- und Schiffahrtsvertrag	20. 7. 1927
	Pakistan	Handelsabkommen (ratifiziert)	4. 3. 1950
	Paraguay	Abkommen über die Meistbegünstigung (ratifiziert)	30. 7. 1955
	Peru	Handelsabkommen (ratifiziert)	20. 7. 1951
	Saudi-Arabien	Freundschaftsvertrag, bestätigt und abgeändert durch Briefwechsel	26. 4. 1929 31. 3./10. 7. 1952
	Türkei	Handelsvertrag	27. 5. 1930
	UdSSR	Abkommen über allgemeine Fragen des Handels und der Schifffahrt (ratifiziert)	25. 4. 1958
	Uruguay	Abkommen über die Meistbegünstigung (ratifiziert)	18. 4. 1953
	Vereinigte Staaten	Freundschafts-, Handels- und Schiffahrtsvertrag	29. 10. 1954
ΕΛΛΑΔΑ	Βουλγαρία	Συνθήκη εμπορίου	9. 7. 1964
	Καμερούν	Εμπορική συμφωνία	29. 10. 1962
	Κύπρος	Εμπορική συμφωνία	23. 8. 1962
	Αίγυπτος	Προσωρινή εμπορική συμφωνία	10. 4. 1926
	Ηνωμένες Πολιτείες της Αμερικής	Συνθήκη φιλίας, εμπορίου και ναυτιλίας	3. 8. 1951
	Ινδία	Συμφωνία εμπορίου	14. 2. 1958
	Ιράν	Σύμβαση εγκαταστάσεως, εμπορίου και ναυτιλίας	9. 1. 1931
	Ισραήλ	Σύμβαση εμπορίου και ναυτιλίας	22. 7. 1952
	Ιαπωνία	Συνθήκη φιλίας, εμπορίου και ναυτιλίας	20. 5. 1899

1	2	3	4
ΕΛΛΑΔΑ (συνέχεια)	Λίβανος	Προξενική σύμβαση ναυτιλίας, εμπορικών και αστικών δικαιωμάτων	6. 10. 1948
	Λιβύη	Εμπορική συμφωνία ⁽¹⁾	16. 3. 1957
	Πακιστάν	Εμπορική συμφωνία	17. 1. 1963
	Γιουγκοσλαβία	Οικονομική συνεργασία και εμπορικές συναλλαγές	1. 10. 1960
		Εμπορική συμφωνία	17. 12. 1974
		Συμφωνία εμπορίου και ναυτιλίας	2. 11. 1927
	Γκάνα	Ανταλλαγή επιστολών	13. 11. 1926
	Νιγηρία	Ανταλλαγή επιστολών	13. 11. 1926
	Σιέρα Λεόνε	Ανταλλαγή επιστολών	13. 11. 1926
	Νέα Ζηλανδία	Ανταλλαγή επιστολών	13. 11. 1926
	Τζαμάικα	Ανταλλαγή επιστολών	17. 11. 1926
	Τρινιτάντ και Τομπάγκο	Ανταλλαγή επιστολών	17. 11. 1926
	Σρι Λάνκα	Ανταλλαγή επιστολών	26. 11. 1926
	ΕΕΣΔ	Σύμβαση εμπορίου και ναυτιλίας	11. 6. 1929
ESPAÑA	Brasil	Canje de notas que regula el intercambio comercial	16. 5. 1962
	Costa Rica	Convenio de cooperación económica	29. 8. 1972
	Ecuador	Convenio de cooperación económica	9. 5. 1974
	Guatemala	Convenio de cooperación económica	31. 10. 1972
	Honduras	Convenio de cooperación económica	17. 10. 1972
	Hungría	Acuerdo a largo plazo sobre intercambios comerciales, navegación, transporte y desarrollo de la cooperación económica, industrial y técnica	8. 4. 1976
	México	Acuerdo de cooperación económica y comercial	14. 10. 1977
	Panamá	Protocolo de cooperación económica	15. 6. 1964
	Perú	Acuerdo comercial	23. 5. 1953
	Uruguay	Tratado comercial sobre la concesión de la cláusula de nación más favorecida	24. 2. 1954
FRANCE	Albanie	Traité de commerce et de navigation	14. 12. 1963
	Canada	Convention d'établissement et de navigation	12. 5. 1933
	Colombie	Convention relative à l'établissement des nationaux, au commerce et à la navigation	30. 5. 1892
	Costa Rica	Traité de commerce	30. 4. 1953
	Cuba	Convention commerciale et protocole	6. 11. 1929
	Équateur	Accord commercial	20. 3. 1959
	El Salvador	Traité de commerce	23. 3. 1953
	États-Unis d'Amérique	Convention de navigation et de commerce modifiée par accord	17. 7. 1919
	Hongrie	Convention commerciale	13. 10. 1925
	Iran	Convention d'établissement et de navigation	24. 6. 1964
	Liberia	Traité de commerce et de navigation	17. 4. 1852
	Libye	Convention de coopération économique ⁽¹⁾	10. 8. 1955
	Paraguay	Accord commercial	11. 9. 1956
	Pologne	Traité de commerce et de navigation	22. 5. 1937
	République dominicaine	Accord commercial ⁽²⁾	20. 12. 1954
	Roumanie	Convention de commerce et de navigation	27. 8. 1930
	Tchécoslovaquie	Convention commerciale	2. 7. 1928
	Turquie	Convention de commerce et de navigation	29. 8. 1929
	Uruguay	Convention de commerce et de navigation	4. 6. 1892
		Protocole additionnel	30. 12. 1953
	Venezuela	Accord de commerce et de navigation	26. 7. 1950
	Yougoslavie	Convention de commerce et de navigation	30. 1. 1929

⁽¹⁾ Αναστέλλεται η εφαρμογή της συμφωνίας σύμφωνα με τον κανονισμό (ΕΟΚ) αριθ. 945/92 του Συμβουλίου (ΕΕ αριθ. L 101 της 15. 4. 1992, σ. 53).
L'application de l'accord est suspendue conformément au règlement (CEE) n° 945/92 du Conseil (JO n° L 101 du 15. 4. 1992, p. 53).

⁽²⁾ Reconduction autorisée sous réserve d'une déclaration du gouvernement français concernant les articles 11 et 12 relatifs à l'obligation d'achat de tabac.

(1)	(2)	(3)	(4)
IRELAND	Arab Republic of Egypt	Exchange of notes in regard to commercial relations	25/28. 7. 1930
		Exchange of notes prolonging the provisional Commercial Agreement of 25/28. 7. 1930	27. 2. 1951
	Brazil	Exchange of notes in regard to commercial relations	16. 10. 1931
	Costa Rica	Exchange of notes in regard to commercial relations	2. 8. 1933 and 2. 4. 1934
	Guatemala	Exchange of notes in regard to commercial relations	8. 2. and 10. 4. 1930
	United States	Treaty of friendship, commerce and navigation	21. 10. 1950
	Vietnam	Exchange of notes in regard to commercial relations	1. 12. 1964
ITALIA	Africa del Sud	Estensione del trattato con il Regno Unito alle province di:	
		Natal	10. 3. 1884
		Transval	28. 5. 1906
		Orange	13. 7. 1907
	Argentina	Nota verbale	1. 5. 1948
		Convenzione commerciale	1. 6. 1894
		Protocollo	31. 1. 1895
		Protocollo addizionale	4. 3. 1937
	Bulgaria	Convenzione sui pagamenti	4. 3. 1937
		Protocollo sostitutivo del trattato di commercio e di navigazione	19. 12. 1950
	Cile	Trattato di commercio e di navigazione	12. 7. 1898
	Cuba	Trattato d'amicizia, di commercio e di navigazione	
		Protocollo addizionale	29. 12. 1903
	Ecuador	Trattato d'amicizia, di commercio e di navigazione	12. 8. 1900
		Convenzione addizionale	26. 2. 1911
	Haiti	Convenzione di commercio e di navigazione e scambi di note	14. 6. 1954
	Iran	Trattato di commercio, di stabilimento e di navigazione	26. 1. 1955
		Scambio di note	9. 2. 1955
	Iugoslavia	Convenzione di commercio e di navigazione	31. 3. 1955
	Libano	Trattato d'amicizia, di commercio e di navigazione	15. 2. 1949
	Liberia	Trattato d'amicizia, di commercio e di navigazione	23. 10. 1862
		Dichiarazione comune	24. 11. 1951
	Nicaragua	Trattato d'amicizia, di commercio e di navigazione	25. 1. 1906
	Nuova Zelanda	Scambio di note	24. 11. 1967
	Panama	Trattato d'amicizia, di commercio e di navigazione, protocollo e scambio di note	7. 10. 1965
	Perù	Trattato di commercio e di navigazione e dichiarazione	23. 12. 1874
	Polonia	Trattato di commercio	12. 5. 1922
	Romania	Protocollo doganale (1)	25. 11. 1950
	Stati Uniti	Trattato d'amicizia, di commercio e di navigazione	2. 2. 1948
		Accordo supplementare al trattato	26. 9. 1951
	Svizzera	Trattato di commercio	27. 1. 1923
		Protocolli	28. 11. 1925 e 30. 12. 1933
	Turchia	Trattato di commercio e di navigazione e scambio di note	29. 12. 1936
	Ungheria	Trattato di commercio e di navigazione	4. 7. 1928
		Protocollo doganale (1)	28. 3. 1950
	URSS	Trattato di commercio e di navigazione	11. 12. 1948
	Uruguay	Trattato di commercio	26. 2. 1947
	Venezuela	Trattato d'amicizia, di navigazione e di commercio	19. 6. 1861
		Modus vivendi	29. 6. 1939
	Yemen	Trattato d'amicizia e di relazioni economiche	4. 9. 1937

(1) Protocollo richiamato e riesaminato in occasione dell'accordo commerciale quadro fra i due paesi.

(1)	(2)	(3)	(4)
LUXEMBOURG	États-Unis d'Amérique	Traité d'amitié, d'établissement et de navigation	23. 2. 1962
NEDERLAND	Afghanistan	Vriendschaps- en handelsverdrag	26. 7. 1939
	Arabische Republiek Egypte	Voorlopige handelsovereenkomst	17. 3. 1930
	Bolivia	Handelsverdrag	30. 5. 1929
	Brazilië	Voorlopig handelsakkoord	15. 3. 1937
	Bulgarije	Notawisseling	1/9. 3. 1922
	Canada	Handelsovereenkomst	11. 7. 1924
	Colombia	Vriendschaps-, handels- en scheepvaartverdrag	1. 5. 1829
	Costa Rica	Handels- en scheepvaartovereenkomst	3. 6. 1957
	El Salvador	Handelsverdrag en briefwisseling	13. 3. 1956
	Ethiopië	Overeenkomst nopens de meestbegunstigingsclausule	30. 9. 1926
	Guatemala	Handelsverdrag	12. 5. 1926
	Haïti	Handelsverdrag en notawisseling	7. 9. 1926
	Hongarije	Handelsovereenkomst	9. 12. 1924
	Iran	Voorlopig handelsverdrag en briefwisseling	20. 6. 1928
	Japan	Handels- en scheepvaartverdrag	6. 7. 1912
	Jemen	Vriendschapsverdrag	12. 4. 1939
	Joegoslavië	Handels- en scheepvaartverdrag	28. 5. 1930
	Liberia	Vriendschaps-, handels- en scheepvaartverdrag	20. 12. 1862
	Marokko	Handels- en scheepvaartverdrag	18. 5. 1858
	Maskate	Handelsverdrag	27. 8. 1877
	Mexico	Handelsverdrag	27. 1. 1950
	Polen	Handels- en scheepvaartverdrag	30. 5. 1924
	Roemenië	Handelsschikking	29. 8. 1930
	Tsjechoslowakije	Overeenkomst	20. 1. 1923
	Turkije	Notawisseling	21. 11. 1929
	Uruguay	Handels- en scheepvaartverdrag	29. 1. 1934
		Protocol	12. 6. 1953
	Venezuela	Verdrag betreffende de diplomatieke betrekkingen	11. 5. 1920
	Verenigde Staten	Vriendschaps-, handels- en scheepvaartverdrag	27. 3. 1956
	Zaire	Overeenkomst met de internationale Vereniging van de Kongo	27. 12. 1884
	Zuid-Afrika	Voorlopig akkoord nopens de handelsbetrekkingen en de scheepvaart	20. 2. 1935
PORTUGAL	Bulgária	Acordo de comércio a longo prazo	11. 2. 1975
	Checoslováquia	Acordo de comércio a longo prazo	1. 3. 1975
	Cuba	Acordo de comércio a longo prazo	13. 9. 1976
	União das Repúblicas Socialistas Soviéticas	Acordo de comércio	19. 12. 1974
UEBL/BLEU	Afrique du Sud / Zuid-Afrika	Accord commercial provisoire / Voorlopig handelsakkoord	13. 7. 1937
	Albanie / Albanië	Échange de lettres / Briefwisseling	19. 2. 1929
	Argentine / Argentinië	Accord provisoire / Voorlopig akkoord	16. 1. 1934
	Bolivie / Bolivia	Traité d'amitié et de commerce / Vriendschaps- en handelsverdrag	18. 4. 1912
		Avenant au traité / Aanvullend protocol	10. 12. 1963
	Brésil / Brazilië	Accord commercial provisoire / Voorlopig handelsakkoord	14. 1. 1932
	Bulgarie / Bulgarije	Échange de lettres / Briefwisseling	8. 2. 1926
	Canada	Convention de commerce / Handelsovereenkomst	3. 7. 1924
	Chili	Accord commercial provisoire / Voorlopig handelsakkoord	27. 8. 1936

(1)	(2)	(3)	(4)
UEBL/BLEU (suite/vervolg)	Colombie / Colombia	Échange de lettres portant application à l'UEBL du traité conclu entre les Pays-Bas et la Colombie le 1 ^{er} mai 1829 / Briefwisseling van toepassing in de BLEU voor het Verdrag afgesloten tussen Nederland en Colombia van 1 mei 1829	19 et/en 22. 8. 1936
	Équateur / Ecuador	Traité d'amitié, de commerce et de navigation / Vriendschaps-, handels- en scheepvaartverdrag	5. 3. 1887
		Avenant au traité / Aanvullend protocol	19. 10. 1937
	Guatemala	Traité de commerce et de navigation / Handels- en scheepvaartverdrag	7. 11. 1924
	Haïti	Accord commercial provisoire / Voorlopig handelsakkoord	9. 7. 1936
	Hongrie / Hongarije	Échange de lettres / Briefwisseling	30. 9. 1924
	Iran	Convention de commerce et de navigation / Handels- en scheepvaartovereenkomst	9. 5. 1929
	Nouvelle-Zélande / Nieuw-Zeeland	Accord commercial provisoire par échange de lettres / Voorlopig handelsakkoord bij briefwisseling	5. 12. 1933
	Pologne / Polen	Traité de commerce / Handelsverdrag	30. 12. 1922
	Roumanie / Roemenië	Accord commercial provisoire / Voorlopig handelsakkoord	28. 8. 1930
	Suisse / Zwitserland	Traité de commerce / Handelsverdrag	26. 8. 1929
	Tchécoslovaquie / Tsjechoslowakije	Traité de commerce / Handelsverdrag	28. 12. 1925
	Union soviétique / USSR	Convention commerciale provisoire / Voorlopige handels-overeenkomst	5. 9. 1935
	Uruguay	Accord commercial provisoire / Voorlopig handelsakkoord	22. 2. 1937
	Viêt-nam / Vietnam	Échange de lettres portant sur le traitement de la nation la plus favorisée dans le domaine tarifaire / Briefwisseling betreffende de toepassing van de meestbegunstigingsclausule op tarifair gebied	16 et/en 20. 1. 1956
	Yémen / Jemen	Convention commerciale / Handelsovereenkomst	7. 12. 1936
	Yougoslavie / Joegoslavië	Traité de commerce et de navigation / Handels- en scheepvaartverdrag	16. 12. 1926
UNITED KINGDOM	Afghanistan	Treaty of friendship and commerce	22. 11. 1921
		Trade convention	5. 6. 1923
		Exchange of notes	6. 5. 1930
	Argentina	Treaty of amity, commerce and navigation	2. 2. 1825
	Bolivia	Treaty of commerce	1. 8. 1911
	Burma	Treaty regarding the recognition of Burmese independence, and related matters, with exchange of notes	17. 10. 1947
		Exchange of notes regulating commercial relations pending the conclusion of a new Treaty of commerce and navigation	24. 12. 1949
	Colombia	Treaty of friendship, commerce and navigation	16. 2. 1866
		Protocol applying the Treaty of certain parts of the Dominions	20. 8. 1912
		Exchange of notes	30. 12. 1938
	Costa Rica	Treaty of friendship, commerce and navigation	27. 11. 1849
		Protocol respecting the application of the Treaty to certain parts of the Dominions	18. 8. 1913
	Czechoslovakia	Treaty of commerce with declaration	14. 7. 1923
	Hungary	Treaty of commerce and navigation	23. 7. 1926
	Iran	Treaty of peace and commerce	4. 3. 1857
		Commercial convention	9. 2. 1903
		Agreement modifying the commercial convention	21. 3. 1920

(1)	(2)	(3)	(4)
UNITED KINGDOM (cont'd)	Japan	Treaty of commerce, establishment and navigation, with Protocols and exchanges of notes	14. 11. 1962
		Exchange of notes on voluntary export control	14. 11. 1962
	Liberia	Treaty of friendship and commerce	21. 11. 1848
		Agreement modifying the Treaty of 21. 11. 1848	23. 7. 1908
	Morocco	General treaty	9. 12. 1856
		Convention of commerce and navigation	9. 12. 1856
		Exchange of notes, concerning the convention of 9. 12. 1856	1. 3. 1957
	Muscat and Oman	Treaty of friendship, commerce and navigation with exchange of letters	20. 12. 1951
	Nepal	Treaty of peace and friendship	30. 10. 1950
	Nicaragua	Treaty of friendship, commerce and navigation	28. 7. 1905
	Peru	Treaty of friendship, commerce and navigation	10. 4. 1850
		Agreement relating to commerce and navigation (with Protocols and exchanges of notes)	6. 10. 1936
		Exchange of notes regarding the continuance in force of Articles 4 and 5 of the Commercial Agreement of 6. 10. 1936	28. 1. 1950
	Poland	Treaty of commerce and navigation	26. 11. 1923
	Romania	Treaty of commerce and navigation with Protocols and exchange of notes	6. 8. 1930
	Soviet Union	Temporary Commercial Agreement ⁽¹⁾	16. 2. 1934
	Switzerland	Treaty of friendship, commerce and reciprocal establishment	6. 9. 1855
		Convention applying the Treaty of 1855 to the Dominions	30. 3. 1914
		Exchange of notes applying to Liechtenstein Commercial Agreements in force	26. 4. 1924
	Turkey	Treaty of commerce and navigation	1. 3. 1930
		Exchange of notes relating to certain commercial matters	28. 2. 1957
	United States	Convention of commerce	3. 7. 1815
		Convention	20. 10. 1818
		Convention of commerce	6. 8. 1827
	Venezuela	Treaty of amity, commerce and navigation	18. 4. 1825
		Convention	29. 10. 1834
		Exchange of notes	3. 2. 1903
	Yugoslavia	Treaty of commerce and navigation with exchanges of notes	12. 5. 1927
		Agreement on trade and payments	27. 11. 1936
BENELUX	Honduras	Handelsakkoord/Accord commercial	30. 1. 1959
	Joegoslavië/ Yougoslavie	Handelsakkoord/Accord commercial	18. 6. 1958
	Marokko/ Maroc	Handelsakkoord/Accord commercial	5. 8. 1958
DANMARK	Indonesien	Handelsaftale	9. 9. 1952
	Madagaskar	Handelsaftale	10. 12. 1965
	Marokko	Handelsaftale	26. 7. 1961
	Senegal	Handelsaftale	11. 4. 1962
	Tunesien	Handelsaftale	8. 6. 1960

⁽¹⁾ Russian Federation and other former Soviet Republics which have succeeded to the Agreement, or parts thereof, in accordance with international law.

(1)	(2)	(3)	(4)
DEUTSCHLAND	Afghanistan Jugoslawien Philippinen Türkei	Handelsabkommen Handelsabkommen Protokoll Handelsabkommen Abkommen über Warenverkehr	31. 1. 1958 11. 6. 1952 16. 7. 1964 28. 2. 1964 16. 2. 1952
ΕΛΛΑΔΑ	Ιράν Τυνησία Ιορδανία Συρία Μάλτα	Εμπορική συμφωνία Εμπορική συμφωνία Εμπορική συμφωνία Εμπορική συμφωνία Εμπορική συμφωνία	3. 2. 1976 2. 3. 1960 27. 2. 1977 27. 5. 1969 14. 4. 1976
ESPAÑA	Angola Egipto República Dominicana Siria	Acuerdo de cooperación y comercial Acuerdo comercial Convenio de cooperación económica Convenio de cooperación económica	18. 3. 1983 19. 5. 1976 2. 6. 1973 26. 9. 1952
FRANCE	RAE (république arabe d'Égypte)	Accord commercial	10. 7. 1964
ITALIA	Colombia Somalia	Modus vivendi Accordo commerciale e di cooperazione economica e tecnica	19. 6. 1952 1. 7. 1960
PORTUGAL	Paquistão	Acordo comercial	6. 7. 1981
BENELUX	Israël Philippines / Filippijnen	Accord commercial / Handelsakkoord Accord commercial / Handelsakkoord	29. 8. 1958 14. 3. 1967
ITALIA	Cuba India Libano Svizzera Yemen	Scambio di note Accordo commerciale e scambio di lettere Accordo commerciale Accordo commerciale Protocollo addizionale (al trattato d'amicizia e di relazioni economiche del 4. 1937)	9. 9. 1950 6. 10. 1959 7. 7. 1964 4. 11. 1955 21. 10. 1950 5. 10. 1959
DANMARK	Cameroun	Handelsaftale	8. 10. 1962
DEUTSCHLAND	Ecuador Kolumbien	Handelsabkommen Handelsabkommen	1. 8. 1953 9. 11. 1957
ΕΛΛΑΔΑ	Βραζιλία Αιθιοπία Λιθερία Μεξικό	Εμπορική συμφωνία Εμπορική συμφωνία Εμπορική συμφωνία Εμπορική συμφωνία	9. 6. 1975 22. 6. 1959 29. 6. 1973 12. 4. 1960
ESPAÑA	El Salvador Nicaragua Senegal	Acuerdo comercial Convenio de cooperación económica Acuerdo comercial	2. 12. 1982 4. 3. 1974 15. 11. 1978
PORTUGAL	Argélia Brasil México Guiné-Bissau Marrocos Zimbabwe	Acordo comercial Acordo de comércio Acordo económico e comercial Acordo comercial Acordo comercial Acordo comercial	16. 6. 1976 7. 9. 1966 28. 8. 1980 13. 1. 1978 28. 1. 1977 10. 9. 1982

(1)	(2)	(3)	(4)
UEBL/BLEU	Mexique/Mexico	Accord commercial / Handelsakkoord	16. 9. 1950
BENELUX	Tunisie / Tunesië	Accord commercial / Handelsakkoord	1. 8. 1958
DEUTSCHLAND	Indonesien Südkorea	Handelsabkommen vom Handelsabkommen vom	22. 4. 1953 8. 4. 1965
ΕΛΛΑΔΑ	Αίγυπτος Μαρόκο Τουρκία Ινδία Ισραήλ Πακιστάν	Εμπορική συμφωνία Εμπορική συμφωνία Εμπορική συμφωνία Εμπορική συμφωνία Εμπορική συμφωνία Εμπορική συμφωνία	1. 1. 1979 1. 1. 1961 7. 11. 1953 31. 1. 1973 30. 1. 1969 17. 1. 1963
ESPAÑA	Camerún Chile Gabón Jordania Túnez	Acuerdo comercial Convenio comercial y de cooperación económica Acuerdo de cooperación económica y comercial Acuerdo comercial Acuerdo comercial	4. 2. 1964 9. 3. 1977 6. 2. 1976 16. 12. 1980 20. 4. 1961
FRANCE	Afrique du Sud ⁽¹⁾ Corée du Sud Inde ⁽¹⁾ Liban	Échange de lettres Échange de lettres Accord commercial et échange de lettres Accord commercial	18. 4. 1964 12. 3. 1963 19. 10. 1959 25. 3. 1955
ITALIA	Corea del Sud El Salvador Indonesia Iran Israele Repubblica Dominicana Iugoslavia	Accordo commerciale Accordo commerciale Protocollo addizionale Accordo commerciale Scambio di note Accordo commerciale Scambio di lettere Processi verbali Accordo commerciale Accordo commerciale Protocollo e scambio di note successivo	9. 3. 1965 30. 3. 1953 21. 12. 1955 23. 3. 1951 29. 1. 1958 23. 3. 1961 5. 3. 1954 5. 1. 1956 21. 10. 1956 11. 2. 1964 18. 2. 1954 1. 7. 1967 30. 4. 1969
PORTUGAL	Cabo Verde Egipto Moçambique São Tomé e Príncipe Tanzânia	Acordo comercial Acordo comercial Acordo comercial Acordo comercial Acordo comercial	20. 4. 1980 20. 3. 1983 25. 5. 1981 17. 7. 1978 30. 7. 1975
BENELUX	Japon / Japan	Accord commercial / Handelsakkoord Protocoles et <i>agreed minutes</i> / Protocollen en <i>agreed minutes</i> Échange de lettres / Briefwisseling	8. 10. 1960 13. 4. 1963 30. 4. 1963

⁽¹⁾ Prorogation par échange de notes.

(1)	(2)	(3)	(4)
DANMARK	Argentina Elfenbenskysten Israel	Handels- og betalingsaftale Handelsaftale Handelsaftale	25. 11. 1957 23. 11. 1966 14. 11. 1952
DEUTSCHLAND	Argentinien Brasilien Chile Gabun Japan Kamerun Neuseeland Pakistan Paraguay Schweiz Somalia Sri Lanka Tansania Uganda	Handels- und Zahlungsabkommen Handelsabkommen Protokoll über Handels- und Zahlungsverkehr Wirtschaftsabkommen Handelsabkommen Handelsabkommen Handelsabkommen Handelsabkommen und Protokoll Handelsabkommen 21. Zusatzprotokoll zum (aufgehobenen) deutsch-schweizerischen Handelsabkommen Handelsabkommen Handelsabkommen Handels- und Wirtschaftsabkommen Handelsabkommen	25. 11. 1957 1. 7. 1955 2. 11. 1956 11. 7. 1962 1. 7. 1960 8. 3. 1962 20. 4. 1959 9. 3. 1957 25. 7. 1955 13. 9. 1977 19. 1. 1962 1. 4. 1955 6. 9. 1962 17. 3. 1964
ΕΛΛΑΔΑ	Καναδάς Σουδάν Ζαΐρ Κορέα Κύπρος	Εμπορική συμφωνία Εμπορική συμφωνία Εμπορική συμφωνία Εμπορική συμφωνία Εμπορική συμφωνία	9. 6. 1975 22. 6. 1959 3. 7. 1958 29. 6. 1973 12. 4. 1960
ESPAÑA	Cuba Colombia India Madagascar Pakistan Uruguay Zaire	Convenio comercial Acuerdo comercial Acuerdo de comercio y de cooperación económica Acuerdo comercial Acuerdo comercial Convenio sobre intercambio comercial Acuerdo de cooperación económica	23. 1. 1979 27. 6. 1979 14. 12. 1972 20. 1. 1965 29. 11. 1976 24. 2. 1954 21. 11. 1983
FRANCE	Argentine Israël Japon Mexique Norvège Suisse Turquie Yougoslavie	Accord commercial et de paiement Accord commercial Protocole Échange de lettres Accord commercial et protocole Protocole Accord commercial Accord commercial Protocole Échange de lettres Accord commercial Accord commercial Accord commercial Protocole	25. 11. 1957 10. 7. 1953 16. 1. 1967 24. 12. 1968 14. 5. 1963 26. 7. 1966 11. 7. 1950 3. 7. 1951 2. 4. 1960 6. 2. 1964 21. 11. 1967 31. 8. 1946 25. 1. 1964 6. 5. 1970

(1)	(2)	(3)	(4)
ITALIA	Argentina	Accordo commerciale e scambio di note	25. 11. 1957
	Canada	Modus vivendi commerciale	28. 4. 1948
	Costa Rica	Modus vivendi commerciale e scambio di note	20. 2. 1953
			23. 6. 1953
	Giappone	Agreed minutes	31. 12. 1969
	Guatemala	Modus vivendi commerciale	6. 6. 1936
	Malta	Accordo commerciale	28. 7. 1967
	Marocco	Accordo commerciale	28. 1. 1961
		Protocollo	24. 2. 1963
	Messico	Accordo commerciale	15. 9. 1949
		Protocollo	28. 10. 1963
		Scambio di note	20. 7. 1963
	Pakistan	Accordo commerciale	10. 1. 1961
	Paraguay	Accordo commerciale	8. 7. 1959
	Repubblica araba d'Egitto	Protocollo commerciale	29. 4. 1959
	Siria	Accordo commerciale	10. 11. 1955
	Tunisia	Accordo commerciale e protocollo addizionale	23. 11. 1961
			2. 8. 1963
NEDERLAND	Arabische Republiek		
	Egypte	Handelsovereenkomst	21. 3. 1953
	Argentinië	Handels- en betalingsovereenkomst	25. 11. 1957
	Turkije	Handelsakkoord	6. 9. 1949
PORTUGAL	Angola	Acordo comercial	20. 1. 1979
	Colômbia	Acordo comercial	28. 12. 1978
	Coreia do Sul	Acordo comercial	2. 12. 1977
	Equador	Acordo comercial	16. 12. 1976
	Senegal	Acordo comercial	30. 1. 1975
		Protocolo adicional	21. 2. 1980
	Tunisia	Acordo comercial	9. 11. 1974
	Zaire	Acordo comercial	16. 12. 1983
UEBL / BLEU	Argentine /	Accord commercial et de paiement /	
	Argentinië	Handels- en betalingsakkoord	25. 11. 1957
	Pakistan	Accord commercial / Handelsakkoord	15. 3. 1952
ÖSTERREICH	Republik Korea	Handelsabkommen	31. 10. 1971
	Vereinigte Staaten von Amerika	Freundschafts-, Handels- und Konsularvertrag	19. 6. 1928
SUOMI	Iran	Kauppasopimus	9. 6. 1976
	Japani	Kauppa- ja merenkulkusopimus	7. 6. 1924
	Kiina	Pitkäaikainen kauppasopimus	11. 6. 1982
	Pakistan	Kauppasopimus	12. 10. 1962
	Kazakstan	Sopimus kaupasta ja taloudellisesta yhteistyöstä	29. 9. 1992
	Ukraina	Sopimus kaupasta ja taloudellisesta yhteistyöstä	14. 5. 1992
		Merenkulkusopimus	3. 4. 1974
	Uzbekistan	Sopimus kaupasta, taloudellisesta ja teknologisesta yhteistyöstä	1. 10. 1992
	Valko-Venäjä	Sopimus kaupasta ja taloudellisesta yhteistyöstä	20. 5. 1992
	Venäjä	Sopimus kaupasta ja taloudellisesta yhteistyöstä	20. 1. 1992
		Merenkulkusopimus	3. 4. 1974
	Vietnam	Kauppasopimus	9. 1. 1978
	Yhdysvallat	Ystävyys-, kauppa- ja konsulisopimus	13. 2. 1934
SVERIGE	Albanien	Handelsavtal	6. 12. 1984
	Argentina	Vänskaps-, handels- och sjöfartsavtal	17. 7. 1885
		Ministeriella noter om handelsförbindelserna	20. 1. 1960
	Australien	Ministeriella noter om varuutbytet	25. 5. 1953
	Brasilien	Ministeriella noter om reglerande av handelsförbindelserna	16. 10. 1931
		Ministeriella noter om handelsförbindelserna	28. 7. 1936
	Bulgarien	Ministeriella noter om reglerande av handelsförbindelserna	31. 12. 1923

(1)	(2)	(3)	(4)
		Långtidsavtal om handeln	29. 9. 1980
	Chile	Handels- och sjöfartsavtal	30. 10. 1936
	Colombia	Avtal om handelsförbindelserna	9. 3. 1928
	Nordkorea	Handelsavtal	20. 11. 1973
	De socialistiska rådsrepublikernas union	Handelsavtal	15. 3. 1924
	Egypten	Ministeriella noter om handelsförbindelserna	7. 6. 1930
	Elfenbenskusten	Handelsavtal	27. 8. 1965
	El Salvador	Ministeriella noter om handelsförbindelser	23. 6. 1936
	Guatemala	Ministeriella noter om handelsförbindelserna	11. 7. 1936
	Indien	Ministeriella noter om handeln	31. 5. 1955
	Indonesien	Handelsavtal	29. 7. 1954
	Iran	Bosättnings-, handels- och sjöfartsavtal	10. 5. 1929
	Japan	Handels- och sjöfartsavtal	19. 5. 1911
		Handelsavtal	5. 3. 1952
		Avtal om utvecklingen av handeln och de ekonomiska förbindelserna	17. 12. 1971
	Kazakstan	Handelsavtal	23. 3. 1994
	Kina	Handelsavtal	15. 5. 1979
	Madagaskar	Handelsavtal	2. 4. 1966
	Marocko	Handelsavtal	23. 4. 1986
	Moçambique	Handelsavtal	19. 8. 1981
	Nya Zeeland	Ministeriella noter om handels- och sjöfartsförbindelserna	24. 5. 1935
	Peru	Ministeriella noter om handels- och sjöfartsavtal	19. 10. 1944
	Polen	Handels- och sjöfartsavtal	2. 12. 1924
		Långtidsavtal om handeln	13. 4. 1978
	Rumänien	Bosättnings-, handels- och sjöfartsavtal	7. 10. 1931
		Långtidsavtal om handeln	8. 11. 1980
	Ryska federationen	Avtal om handelsförbindelser	4. 2. 1993
	Senegal	Handelsavtal	24. 2. 1967
	Slovenien	Handelsavtal	8. 6. 1993
	Thailand	Vänskaps-, handels- och sjöfartsavtal	5. 11. 1937
	Tjeckien	Handels- och sjöfartsavtal	18. 4. 1925
	Tunisien	Handelsavtal	20. 9. 1977
	Turkiet	Handels- och sjöfartsavtal	29. 9. 1929
		Tilläggsavtal till handels- och sjöfartsavtalet	24. 3. 1939
		Ministeriella noter om upphävandet av tullkoncessioner i 1929 och 1939 års avtal	28. 12. 1960
			27. 1. 1962
			19. 2. 1962
		Handelsavtal	7. 6. 1948
		Ministeriella noter om förlängning av 1948 års handelsavtal	30. 6. 1953
	Ungern	Handels- och sjöfartsavtal	8. 11. 1928
		Långtidsavtal om handeln	23. 2. 1982
		Protokoll om ändrad giltighetstid för 1982 års långtidsavtal	1. 9. 1987
	Uruguay	Handels- och sjöfartsavtal	13. 8. 1936
	Vietnam	Handelsavtal	1. 12. 1976
	Vitryssland	Handelsavtal	10. 3. 1994

Information relating to the entry into force of the Interim Agreement on trade and trade-related matters between the European Community, the European Coal and Steel Community and the European Atomic Energy Community, of the one part, and the Republic of Slovenia, of the other part

The Interim Agreement with Slovenia (published in Official Journal of the European Communities No L 344 of 31 December 1996), which the Council decided to conclude on 25 November 1996 and which has been applied provisionally since 1 January 1997, will enter into force on 1 July 1997, as the exchange of notifications of completion of the procedures provided for in Articles 51 of the Agreement was completed on 20 May 1997.

COMMISSION

COMMISSION DECISION

of 20 May 1997

amending the list of declining industrial areas covered by Objective No 2 as defined by Council Regulation (EEC) No 2052/88

(97/352/EC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EEC) No 2052/88 of 24 June 1988, concerning the tasks of the Structural Funds, their effectiveness and the coordination of their interventions between themselves and with the operations of the European Investment Bank and of the other existing financial instruments⁽¹⁾, as last amended by Regulation (EEC) No 3193/94⁽²⁾ and in particular Article 9 (3) thereof,

After consulting the Consultative Committee for the development and the reconversion of the regions,

Whereas a first list of areas eligible under Objective No 2 for the period 1994-96 was drawn up by Commission Decision 94/169/EC⁽³⁾;

Whereas that list was amended for the 1997-99 programming period by Commission Decision 96/472/EC⁽⁴⁾;

Whereas the French authorities have asked the Commission to re-examine Objective No 2 coverage of the Maine-et-Loire département,

HAS ADOPTED THIS DECISION:

Article 1

The list of declining industrial areas covered by Objective No 2 for the period 1997-1999, established on the basis of

Article 9 (3) of Regulation (EEC) No 2052/88, is hereby amended for the Maine-et-Loire département. The changes made are as follows:

- Champtoceaux canton and the perimeter of Angers station (delimited by Ecce-Homo boulevard, Rue Auguste Cautier, Rue Denis Papin, Place de la Gare, Avenue Turpin, Rue Bel Air, Rue Fulton, Rue Albéric Dubois, the extrapolation of Rue Vatieur up to the Maine, the left bank of the Maine, Olivier Couffon boulevard) are added to the list of declining industrial areas,
- The district of Létanduère-Eblé (delimited by Chanzy avenue, Rue Roisnet, Rue Eblé, Portet boulevard, Chaumin and Bedler boulevards) and the district of Jeanne d'Arc-Bellefontaine (delimited by Saint-Michel boulevard, Pasteur and Montaigne avenues, Rue Leclerc Guillory, Jeanne d'Arc avenue, 11 November 1918 avenue and Bessonneau boulevard) are withdrawn from the current list of declining industrial areas eligible for Objective 2.

Article 2

This decision is addressed to the Member States.

Done at Brussels, 20 May 1997.

For the Commission

Monika WULF-MATHIES

Member of the Commission

⁽¹⁾ OJ No L 185, 15. 7. 1988, p. 9.

⁽²⁾ OJ No L 337, 24. 12. 1994, p. 11.

⁽³⁾ OJ No L 81, 24. 3. 1994, p. 1.

⁽⁴⁾ OJ No L 193, 3. 8. 1996, p. 54.

COMMISSION DECISION

of 20 May 1997

authorizing Member States to provide for derogations from certain provisions of Council Directive 77/93/EEC in respect of plants of strawberry (*Fragaria* L.), intended for planting, other than seeds, originating in Argentina

(97/353/EC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Directive 77/93/EEC of 21 December 1976 on protective measures against the introduction into the Community of organisms harmful to plants or plant products and against their spread within the Community⁽¹⁾, as last amended by Commission Directive 97/14/EC⁽²⁾, and in particular Article 14 (1) thereof,

Having regard to the request made by Italy,

Whereas, under the provisions of Directive 77/93/EEC, plants of strawberry (*Fragaria* L.), intended for planting, other than seeds, originating in non-European countries, other than Mediterranean countries, Australia, New Zealand, Canada and the continental States of the USA, may in principle not be introduced into the Community;

Whereas, the growing in Argentina of plants of *Fragaria* L., intended for planting, other than seeds, from plants supplied by some Member States, in order to prolongate the growing season of the plants, has become an established practice; whereas these plants are afterwards re-exported to the Community in order to have them planted for the production of fruits;

Whereas, by Decision 93/411/EEC⁽³⁾, as last amended by Decision 96/403/EC⁽⁴⁾, Member States were authorized to provide, under certain conditions, for derogations from certain general rules of Directive 77/93/EEC for plants of strawberry (*Fragaria* L.), intended for planting, other than seeds, originating in Argentina in the 1993-96 seasons;

Whereas in the 1993 and 1994 import seasons there had been no confirmed findings of harmful organisms during import inspections on the plants imported pursuant to Decision 93/411/EEC; whereas however, in relation to the 1995 and 1996 import seasons, the Netherlands reported to the Commission four findings, one in the 1995 season and three in the 1996 season, of the harmful organism *Xanthomonas fragariae* Kennedy & King, detected

during the stipulated growing season inspections on the imported Argentinian strawberry plants; whereas it was not possible to confirm the source of the outbreaks; whereas it is considered that the circumstances justifying the previous authorizations still obtain; whereas it is appropriate to grant a further authorization with similar stringent requirements for the import of Argentinian strawberry plants for a limited period until 31 December 1998;

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

HAS ADOPTED THIS DECISION:

Article 1

1. Member States are hereby authorized to provide, under the conditions laid down in paragraph 2, for a derogation from Article 4 (1) of Directive 77/93/EEC, with regard to the requirements referred to in Annex III (A) (18) for plants of strawberry (*Fragaria* L.), intended for planting, other than seeds, originating in Argentina.

2. In addition to the requirements laid down in part A of the Annexes I, II and IV to Directive 77/93/EEC, in relation to plants of strawberry, the following specific conditions shall be satisfied:

(a) the plants shall be intended for fruit production within the Community and shall have been:

(i) produced exclusively from mother plants, certified under an approved certification scheme of a Member State and those mother plants shall have been imported from a Member State;

(ii) grown on land which is:

— situated in an area isolated from commercial strawberry production,

— situated at least 1 km from the nearest crop of strawberry plants for fruit or runner production which do not satisfy the conditions of this Decision,

— situated at least 200 m from any other plants of the genus *Fragaria* which do not satisfy the conditions of this Decision, and

⁽¹⁾ OJ No L 26, 31. 1. 1977, p. 20.

⁽²⁾ OJ No L 87, 2. 4. 1997, p. 17.

⁽³⁾ OJ No L 182, 24. 7. 1993, p. 63.

⁽⁴⁾ OJ No L 165, 4. 7. 1996, p. 37.

- prior to planting and in the period after the previous crop was removed from the land, tested by appropriate methods or treated to ensure freedom from soil infesting harmful organisms;
- (iii) officially inspected by the Plant Protection Service of Argentina, at least three times during the growing season and prior to export for presence of harmful organisms listed in part A of Annexes I and II to Directive 77/93/EEC and any other harmful organism which is not known to occur in the Community;
- (iv) found free, in the inspections referred to in point (iii), from the harmful organisms referred to in point (iii);
- (v) prior to export:
 - shaken free from soil or other growing medium,
 - cleaned (i.e. free from plant debris) and free from flowers and fruits;
- (b) the plants intended for the Community shall be accompanied by a phytosanitary certificate issued in Argentina in accordance with Articles 7 and 12 of Directive 77/93/EEC, on the basis of the examination laid down therein, in particular freedom from the harmful organisms mentioned in (a) (iii), as well as to the requirements specified in (a) (i), (ii), (iv) and (v).

The certificate shall state:

- under the rubric 'Disinfestation and/or disinfection treatment', the specification of the last treatment(s) applied prior to export,
- under 'Additional Declaration', the indication 'This consignment meets the conditions laid down in Decision 97/353/EC', as well as the name of the variety and the Member State certification scheme under which the mother plants had been certified;
- (c) the plants shall be introduced through points of entry situated within the territory of a Member State making use of this derogation and designated for the purpose of this derogation by that Member State;
- (d) prior to introduction into the Community, the importer shall notify each introduction 10 days in advance to the responsible official bodies in the Member State of introduction and that Member State shall convey the details of the notification to the Commission, indicating:
 - the type of material,
 - the quantity,
 - the declared date of introduction and confirmation of the point of entry,
 - the names and addresses of the premises referred to in (f) where the plants will be planted.

At the time of import the importer shall provide confirmation of the details of the aforementioned advance notification. The importer shall be officially informed, prior to the introduction, of the conditions laid down in (a), (b), (c), (d), (e) and (f);

- (e) the inspections including testing, as appropriate, required pursuant to Article 12 of Directive 77/93/EEC shall be made by the responsible official bodies, referred to in the said Directive, of the Member States making use of this derogation, and where appropriate, in cooperation with the said bodies of the Member State in which the plants will be planted. Without prejudice to the monitoring referred to in Article 19a (3) second indent, first possibility, the Commission shall determine to which extent the inspections referred to in Article 19a (3) second indent, second possibility of the said Directive shall be integrated into the inspection programme in accordance with Article 19a (5) (c) of that Directive;
- (f) the plants shall be planted only at premises the names and addresses of which have been notified by the person who intends to plant the plants imported pursuant to this Decision, to the said responsible official bodies of the Member State in which the premises are situated; in those cases where the place of planting is situated in a Member State other than the Member State making use of this derogation, the said responsible official bodies of the Member State making use of this derogation, at the moment of receipt of the aforementioned advance notification from the importer shall inform the said responsible official bodies of the Member State in which the plants will be planted giving the name and addresses of the premises where the plants will be planted;
- (g) in the growing period following importation, a suitable proportion of the plants shall be inspected by the said responsible official bodies of the Member State in which the plants are planted, at appropriate times, at the premises referred to in (f).

Article 2

Member States shall inform the other Member States and the Commission of any use made of the authorization. They shall provide the Commission and the other Member States, before 1 November of each year, with the information on amounts imported pursuant to this Decision and with a detailed technical report of the official examination referred to in Article 1 (2) (e). Furthermore all Member States in which the plants are planted shall also provide the Commission and the other Member

States, before 1 March after the year of importation, with a detailed technical report of the official examination referred to in Article 1 (2) (g).

Article 3

The authorization granted in Article 1 shall apply during the period between 1 June 1997 and 31 December 1998. It shall be revoked if it is established that the conditions laid down in Article 1 (2) are not sufficient to prevent the introduction of harmful organisms or have not been complied with.

Article 4

This Decision is addressed to the Member States.

Done at Brussels, 20 May 1997.

For the Commission

Franz FISCHLER

Member of the Commission

COMMISSION DECISION

of 20 May 1997

amending for the sixth time Decision 95/32/EC approving the Austrian programme for the implementation of Article 138 of the Act concerning the conditions of accession of the Republic of Austria, the Republic of Finland and the Kingdom of Sweden

(Only the German text is authentic)

(97/354/EC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to the Act of Accession of Austria, Finland and Sweden, and in particular Article 138, paragraph 5 thereof,

Whereas on 8 November 1994 Austria notified the Commission, pursuant to Article 143 of the Act of Accession, of the Austrian programme for the implementation of its Article 138 aid for a number of products for the period 1995 to 1999 inclusive;

Whereas this programme, as modified by letter dated 16 December 1994, was approved by Commission Decision 95/32/EC⁽¹⁾; whereas that Decision was amended by Commission Decisions 95/209/EC⁽²⁾, 95/416/EC⁽³⁾, 96/38/EC⁽⁴⁾, 96/140/EC⁽⁵⁾ and 97/24/EC⁽⁶⁾;

Whereas by letter dated 14 January 1997 Austria notified the Commission, pursuant to Article 143 of the Act of Accession, of a request for Commission authorization to further amend that programme; whereas that request was the subject of amendments by letter dated 22 January 1997;

Whereas Austria on 14 January 1997 requests that the quantity of starch potatoes referred to in Article 2 paragraph 2 of Decision 95/32/EC be increased to reflect the production quota allocated to Austria in Council Regulation (EC) No 1868/94 of 27 July 1994 establishing a quota system in relation to the production of potato starch⁽⁷⁾, as last modified by Regulation (EC) No

1863/95⁽⁸⁾; whereas the request is in accordance with this development of the common agricultural policy and its acceptance would contribute to greater consistency between various measures applicable in the starch sector,

HAS ADOPTED THIS DECISION:

Article 1

The first indent of Article 2 (2) of Decision 95/32/EC is replaced by the following:

— starch potatoes

- price category A1: 61 951 tonnes per annum,
- price category A2: 61 954 tonnes per annum,
- price category B: 107 847 tonnes per annum.

However, the amount of starch potatoes of the price category B is subject to the flexibility rule provided by Article 6 (2) of Council Regulation (EC) No 1868/94.⁹

Article 2

This Decision is addressed to the Republic of Austria.

Done at Brussels, 20 May 1997.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ No L 43, 25. 2. 1995, p. 53.

⁽²⁾ OJ No L 131, 15. 6. 1995, p. 34.

⁽³⁾ OJ No L 242, 11. 10. 1995, p. 21.

⁽⁴⁾ OJ No L 10, 13. 1. 1996, p. 46.

⁽⁵⁾ OJ No L 32, 10. 2. 1996, p. 33.

⁽⁶⁾ OJ No L 8, 11. 1. 1997, p. 27.

⁽⁷⁾ OJ No L 197, 30. 7. 1994, p. 4.

⁽⁸⁾ OJ No L 179, 29. 7. 1995, p. 1.

COMMISSION DECISION

of 9 June 1997

terminating the anti-dumping proceeding concerning imports of certain briefcases and schoolbags originating in the People's Republic of China

(97/355/EC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EC) No 384/96 of 22 December 1995 on protection against dumped imports from countries not members of the European Community⁽¹⁾, as last amended by Regulation (EC) No 2331/96⁽²⁾, and in particular Article 9 thereof,

After consulting the Advisory Committee,

Whereas:

I. PROCEDURE

- (1) In March 1996, the Commission received a complaint concerning alleged injurious dumping by imports of certain briefcases and schoolbags originating in the People's Republic of China.
- (2) The complaint was lodged by Cedim (*Comité Européen des Industries de la Marroquinerie*), on behalf of Community producers whose collective output was alleged to represent a major proportion of Community production of briefcases and schoolbags.
- (3) The complaint contained evidence of dumping by the imports concerned and of material injury resulting therefrom which was considered sufficient to justify the initiation of an anti-dumping proceeding.
- (4) The Commission, after consultation, accordingly announced in a notice published in the *Official Journal of the European Communities*⁽³⁾ the initiation of an anti-dumping proceeding concerning imports into the Community of certain briefcases and schoolbags falling within CN codes 4202 12 11 and 4202 12 91 and originating in the People's Republic of China.
- (5) The Commission officially advised the exporters and importers known to be concerned, the representatives of the exporting country and the complainant Community producers. Interested

parties were given the opportunity to make their views known in writing and to request a hearing within the time limit set out in the notice of initiation.

II. WITHDRAWAL OF THE COMPLAINT AND TERMINATION OF THE PROCEEDING

- (6) In the course of the investigation Cedim informed the Commission, by letter of 19 March 1997, that it formally withdraw its complaint concerning imports of briefcases and schoolbags originating in the People's Republic of China. The Commission considered that a termination in this context would not be against the interest of the Community.
- (7) In these circumstances, the anti-dumping proceeding concerning imports of briefcases and schoolbags originating in the People's Republic of China should be terminated without the imposition of protective measures.
- (8) The Advisory Committee has been consulted and has raised no objection.
- (9) Interested parties were informed of the facts and considerations on the basis of which the Commission intended to terminate the proceeding and gave them the opportunity to comment. None of them raised any objection,

HAS DECIDED AS FOLLOWS:

Sole Article

The anti-dumping proceeding concerning imports of certain briefcases and schoolbags originating in the People's Republic of China is hereby terminated.

Done at Brussels, 9 June 1997.

For the Commission

Leon BRITTAN

Vice-President

⁽¹⁾ OJ No L 56, 6. 3. 1996, p. 1.

⁽²⁾ OJ No L 317, 6. 12. 1996, p. 1.

⁽³⁾ OJ No C 111, 17. 4. 1996, p. 6.