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⁽¹⁾ Text with EEA relevance

I

(Acts whose publication is obligatory)

COMMISSION REGULATION (EC) No 1810/97
of 19 September 1997
amending Regulation (EC) No 1746/97 on the supply of vegetable oil as food aid

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

of vegetable oil; whereas some of the conditions specified in the Annex to that Regulation should be altered,

Having regard to the Treaty establishing the European Community,

HAS ADOPTED THIS REGULATION:

Article 1

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,

The Annex to Regulation (EC) No 1746/97 is replaced by the Annex to this Regulation.

Article 2

Whereas Commission Regulation (EC) No 1746/97 ⁽²⁾ issued an invitation to tender for the supply, as food aid,

This Regulation shall enter into force on the day of 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, 19 September 1997.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ L 166, 5. 7. 1996, p. 1.

⁽²⁾ OJ L 245, 9. 9. 1997, p. 1.

ANNEX

LOT A

1. **Operation No** ⁽¹⁾: 403/96 (A1); 421/96 (A2)
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**: A1: Nicaragua; A2: Madagascar
6. **Product to be mobilized**: vegetable oil: refined rape-seed oil or refined sunflower oil
7. **Characteristics and quality of the goods** ⁽³⁾ ⁽⁷⁾: see OJ C 114, 29. 4. 1991, p. 1 (IIIA (1)(a) or (b))
8. **Total quantity (tonnes)**: 345
9. **Number of lots**: one in two parts (A1: 330 tonnes; A2: 15 tonnes)
10. **Packaging and marking** ⁽⁶⁾ ⁽⁸⁾: see OJ C 267, 13. 9. 1996, p. 1 (10.4. A, B and C(2))
see OJ C 114, 29. 4. 1991, p. 1 (IIIA.(3))
Language to be used for the marking: A1: Spanish; A2: French
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**: 3 — 23. 11. 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**: 7. 10. 1997 (12 noon (Brussels time))
21. **In the case of a second invitation to tender**:
 - (a) deadline for the submission of tenders: 21. 10. 1997 (12 noon (Brussels time))
 - (b) period for making the goods available at the port of shipment: 24. 11 — 14. 12. 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) Tenders shall be rejected unless they specify the type of oil to which they relate.
- (⁶) Notwithstanding OJ C 114, point III.A (3) (c) is replaced by the following: 'the words "European Community".'
- (⁷) 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.

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) 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 1811/97

of 19 September 1997

amending Regulation (EC) No 1466/95 laying down special detailed rules of application for export refunds on milk and milk products

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EEC) No 804/68 of 27 June 1968 on the common organization of the market in milk and milk products ⁽¹⁾, as last amended by Regulation (EC) No 1587/96 ⁽²⁾, and in particular Article 17 (14) thereof,

Whereas Commission Regulation (EC) No 1466/95 ⁽³⁾, as last amended by Regulation (EC) No 417/97 ⁽⁴⁾, provides for a delay of five working days before the issue of licences in order to ensure that the quantities covered by the licences requested comply with the limits on subsidized exports; whereas, on the basis of communications made by the Member States in accordance with Commission Regulation (EEC) No 210/69 ⁽⁵⁾, as last amended by Regulation (EC) No 418/97 ⁽⁶⁾, the Commission may decide to adopt special management measures during the period concerned; whereas smooth operation of the arrangements depends on the accuracy of the communications made by the Member States; whereas, in order to prevent any risk of the abovementioned limits being exceeded where inaccurate communications are made, it should be laid down that licences may only be issued where the quantities for which applications have been lodged have been communicated by the Member States;

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

HAS ADOPTED THIS REGULATION:

Article 1

Article 8 (1) of Regulation (EC) No 1466/95 is hereby replaced by the following:

'1. Export licences shall be issued on the fifth working day following the day on which applications are lodged, provided that the quantities for which licences have been applied for have been communicated in accordance with Article 6 (1) of Commission Regulation (EEC) No 210/69 ⁽⁵⁾ and that the special measures referred to in paragraph 3 have not been adopted in the meantime.

⁽⁵⁾ OJ L 28, 5. 2. 1969, p. 1.'

Article 2

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

It shall apply to export licence applications lodged from its entry into force.

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

Done at Brussels, 19 September 1997.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ L 148, 28. 6. 1968, p. 13.

⁽²⁾ OJ L 206, 16. 8. 1996, p. 21.

⁽³⁾ OJ L 144, 28. 6. 1995, p. 22.

⁽⁴⁾ OJ L 64, 5. 3. 1997, p. 1.

⁽⁵⁾ OJ L 28, 5. 2. 1969, p. 1.

⁽⁶⁾ OJ L 64, 5. 3. 1997, p. 3.

COMMISSION REGULATION (EC) No 1812/97

of 19 September 1997

correcting Regulation (EC) No 2931/95 amending Regulation (EEC) No 804/68 and other Regulations following modification of the combined nomenclature for certain milk products

THE COMMISSION OF THE EUROPEAN COMMUNITIES

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EEC) No 234/79 of 5 February 1979 on the procedure for adjusting the Common Customs Tariff nomenclature used for agricultural products ⁽¹⁾, as amended by Regulation (EEC) No 3209/89 ⁽²⁾, and in particular Article 2 (1) thereof,

Having regard to Council Regulation (EEC) No 804/68 of 27 June 1968 on the common organization of the market in milk and milk products ⁽³⁾, as last amended by Regulation (EC) No 1587/96 ⁽⁴⁾, and in particular Articles 13 (3) and 17 (14) thereof,

Whereas Commission Regulation (EC) No 2448/95 of 10 October 1995 amending Annex I to Council Regulation (EEC) No 2658/87 on the tariff and statistical nomenclature and on the Common Customs Tariff ⁽⁵⁾ altered the codes for certain milk products from 1 January 1996;

Whereas Commission Regulation (EC) No 2931/95 ⁽⁶⁾ amended the Regulations affected by the abovementioned CN code alterations, including Regulation (EEC) No 804/68; whereas one CN code was omitted from the amendments to that Regulation; whereas it should be inserted in it with effect from 1 January 1996;

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

HAS ADOPTED THIS REGULATION:

Article 1

In Article 1 (4) of Regulation (EC) No 2931/95 the third indent is replaced by:

‘— the entry under CN code ex 1901 90 90 is replaced by:

CN code	Description
1901 90 91	— — — Containing no milk fats, sucrose, isoglucose, glucose or starch or containing less than 1,5 % milk fat, 5 % sucrose (including invert sugar) or isoglucose, 5 % glucose or starch, excluding food preparations in powder form of goods of headings 0401 to 0404
1901 90 99	— — — Other’

⁽¹⁾ OJ L 34, 9. 12. 1979, p. 2.

⁽²⁾ OJ L 312, 27. 10. 1989, p. 5.

⁽³⁾ OJ L 148, 28. 6. 1968, p. 13.

⁽⁴⁾ OJ L 206, 16. 8. 1996, p. 21.

⁽⁵⁾ OJ L 259, 30. 10. 1995, p. 1.

⁽⁶⁾ OJ L 307, 20. 12. 1995, p. 10.

Article 2

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

It shall apply with effect from 1 January 1996.

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

Done at Brussels, 19 September 1997.

For the Commission

Franz FISCHLER

Member of the Commission

COMMISSION REGULATION (EC) No 1813/97

of 19 September 1997

concerning the compulsory indication on the labelling of certain foodstuffs produced from genetically modified organisms of particulars other than those provided for in Directive 79/112/EEC

(Text with EEA relevance)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Directive 79/112/EEC of 18 December 1978 on the approximation of the laws of the Member States relating to the labelling, presentation and advertising of foodstuffs⁽¹⁾, as last amended by Directive 97/4/EC of the European Parliament and of the Council⁽²⁾, and in particular Article 4 (2) thereof,

Whereas in accordance with the provisions of Part C of Council Directive 90/220/EEC of 23 April 1990 on the deliberate release into the environment of genetically modified organisms⁽³⁾ consents have been given for the placing on the market of certain genetically modified products by Commission Decision 96/281/EC of 3 April 1996 concerning the placing on the market of genetically modified soya beans (*Glycine max* L.) with increased tolerance to the herbicide glyphosate pursuant to Council Directive 90/220/EEC⁽⁴⁾, and by Commission Decision 97/98/EC of 23 January 1997 concerning the placing on the market of genetically modified maize (*Zea mays* L.) with the combined modification for insecticidal properties conferred by the Bt-endotoxin gene and increased tolerance to the herbicide glufosinate ammonium pursuant to Council Directive 90/220/EEC⁽⁵⁾;

Whereas in accordance with Directive 90/220/EEC there have been no safety grounds for mentioning on the label of genetically modified soya beans (*Glycine max* L.) or of genetically modified maize (*Zea mays* L.) that they have been obtained by genetic modification techniques;

Whereas Directive 90/220/EEC does not cover non-viable products derived from genetically modified organisms;

Whereas certain Member States have taken measures in respect of the labelling of foods and food ingredients produced from the products concerned; whereas differences between those measures are liable to impede the free movement of those foods and food ingredients and thereby adversely affect the functioning of the internal market; whereas it is therefore necessary to adopt detailed

uniform Community labelling rules for the products concerned;

Whereas Regulation (EC) No 258/97 of the European Parliament and of the Council of 27 January 1997 concerning novel foods and novel food ingredients⁽⁶⁾, lays down, in Article 8, additional specific labelling requirements in order to ensure proper information for the final consumer;

Whereas, in order to prevent distortions of competition, the same labelling rules for the information of the final consumer should apply to foods and food ingredients consisting of or derived from GMOs which have been placed on the market before the entry into force of Regulation (EC) No 258/97 in accordance with a consent given pursuant to Directive 90/220/EEC, and to foods and food ingredients which are placed on the market thereafter;

Whereas, therefore, as a first step, it is appropriate to require that the same provisions as those laid down in Article 8 of Regulation (EC) No 258/97 should apply to the labelling of the specific foodstuffs covered by this Regulation;

Whereas further measures should be adopted as soon as possible to lay down detailed uniform Community rules for the labelling of the foodstuffs covered by this Regulation;

Whereas, having regard to the scope and effects of the proposed action, the Community measures introduced by this Regulation are not only necessary but essential if the objectives set are to be attained; whereas those objectives cannot be attained by the Member States acting individually;

Whereas the measures provided for in this Regulation are in accordance with the opinion of the Standing Committee on Foodstuffs,

HAS ADOPTED THIS REGULATION:

Article 1

1. This Regulation shall apply to the labelling of foods and food ingredients produced from:

⁽⁶⁾ OJ L 43, 14. 2. 1997, p. 1.

⁽¹⁾ OJ L 33, 8. 2. 1979, p. 1.

⁽²⁾ OJ L 43, 14. 2. 1997, p. 21.

⁽³⁾ OJ L 117, 8. 5. 1990, p. 15.

⁽⁴⁾ OJ L 107, 30. 4. 1996, p. 10.

⁽⁵⁾ OJ L 31, 1. 2. 1997, p. 69.

- genetically modified soya beans covered by Decision 96/281/EC,
- genetically modified maize covered by Decision 97/98/EC.

2. This Regulation shall not apply to food additives, flavourings for use in foodstuffs or extraction solvents used in the production of foodstuffs as referred to in Article 2 (1) of Regulation (EC) No 258/97.

Article 2

Without prejudice to the other requirements of Community law concerning the labelling of foodstuffs, the following additional specific labelling requirements shall apply in order to ensure that the final consumer is informed of:

(a) any characteristic or food property such as:

- composition,
- nutritional value or nutritional effects,
- intended use of the food,

which renders the food or food ingredient no longer equivalent to an existing food or food ingredient.

The food or food ingredient shall be deemed to be no longer equivalent for the purpose of this Article if scientific assessment, based upon an appropriate

analysis of existing data, can demonstrate that the characteristics assessed are different in comparison with a conventional food or food ingredient, having regard to the accepted limits of natural variations for such characteristics.

In this case, the labelling must indicate the characteristics or properties modified, together with the method by which that characteristic or property was obtained;

- (b) the presence in the food or food ingredient of material which is not present in an existing equivalent foodstuff and which may have implications for the health of certain sections of the population;
- (c) the presence in the food or food ingredient of material which is not present in an existing equivalent foodstuff and which gives rise to ethical concerns;
- (d) the presence of an organism genetically modified by techniques of genetic modification, the non-exhaustive list of which is laid down in Annex I A, Part 1 to Directive 90/220/EEC.

Article 3

This Regulation shall enter into force on 1 November 1997. Detailed uniform Community rules for the labelling of the foodstuffs referred to in Article 1 shall be adopted as soon as possible.

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

Done at Brussels, 19 September 1997.

For the Commission

Martin BANGEMANN

Member of the Commission

COMMISSION REGULATION (EC) No 1814/97

of 19 September 1997

on the issuing of import licences for bananas under the tariff quota for the fourth quarter of 1997 and on the submission of new applications

(Text with EEA relevance)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EEC) No 404/93 of 13 February 1993 on the common organization of the market in bananas ⁽¹⁾, as last amended by Regulation (EC) No 3290/94 ⁽²⁾, and in particular Article 20 thereof,

Whereas Commission Regulation (EEC) No 1442/93 ⁽³⁾, as last amended by Regulation (EC) No 1409/96 ⁽⁴⁾, lays down detailed rules for the application of the arrangements for importing bananas into the Community; whereas Commission Regulation (EC) No 478/95 ⁽⁵⁾, as amended by Regulation (EC) No 702/95 ⁽⁶⁾, lays down additional rules for the application of the tariff quota arrangements laid down in Articles 18 and 19 of Regulation (EEC) No 404/93;

Whereas Article 9 (3) of Regulation (EEC) No 1442/93 lays down that where, in the case of a given origin, for a country or group of countries referred to in Annex I to Regulation (EC) No 478/95, the quantities covered by import licence applications from one or more of the categories of operators exceed the quantity available, a reduction percentage to be applied to applications shall be set;

Whereas the quantities available for import under the tariff quota are laid down for the fourth quarter of 1997 in Commission Regulation (EC) No 1433/97 ⁽⁷⁾;

Whereas in the case of the quantities covered by licence applications that are either less than or equal to the quantities available, licences are issued for the quantities applied for; whereas, however, for certain origins, the quantities applied for exceed the quantities available set out in the Annex to Regulation (EC) No 1433/97; whereas, therefore, a reduction percentage should be set to be applied to each licence application for the origin or origins involved and category of licence in question;

Whereas, the maximum quantity for which such licence applications may still be submitted should be set taking account of the available quantities fixed by Regulation (EC) No 1433/97 and the applications accepted at the end of the application period running from 1 to 7 September 1997; whereas Regulation (EC) No 478/95 on additional rules for the application of Regulation (EEC) No 404/93 as regards the tariff quota arrangements for imports of bananas into the Community and amending Regulation (EEC) No 1442/93 applies;

Whereas, in application of the framework agreement on bananas concluded with a number of producer third countries during the Uruguay Round multilateral trade negotiations, those countries are authorized to issue export licences for up to 70 % of their allocations, which licences are to be presented in order to obtain category A and C import licences in the Community;

Whereas if, for the fourth quarter of 1997, licence applications submitted by category A and C importers do not use up the available quantities laid down in the Annex hereto, it is in the interest of the producer countries to enable them to best use their allocations and of the Community and its importers in order to satisfy the consumption needs laid down in the supply balance, to allocate any available quantities at the end of the second period for the submission of licence applications to category B importers submitting applications within the deadline; whereas the additional administrative rules should be laid down;

Whereas this Regulation should apply immediately to permit licences to be issued as quickly as possible;

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

HAS ADOPTED THIS REGULATION:

Article 1

Import licences shall be issued under the tariff quota arrangements for the import of bananas for the fourth quarter of 1997 for the quantity indicated in the licence application, multiplied by reduction coefficients of

⁽¹⁾ OJ L 47, 25. 2. 1993, p. 1.

⁽²⁾ OJ L 349, 31. 12. 1994, p. 105.

⁽³⁾ OJ L 142, 12. 6. 1993, p. 6.

⁽⁴⁾ OJ L 181, 20. 7. 1996, p. 13.

⁽⁵⁾ OJ L 49, 4. 3. 1995, p. 13.

⁽⁶⁾ OJ L 71, 31. 3. 1995, p. 84.

⁽⁷⁾ OJ L 196, 24. 7. 1997, p. 52.

0,4203, 0,5339 and 0,6337 for applications indicating the origins 'Columbia: category B', 'Costa Rica: category B' and 'Others' respectively.

Article 2

The quantities for which licence applications may still be lodged in respect of the fourth quarter of 1997 are laid down in the Annex hereto.

Article 3

Import licences shall be issued to category B importers, within the meaning of Article 18 (1) of Regulation (EEC) No 404/93, who have submitted an import licence application for bananas from Costa Rica, Colombia and Nicaragua within 10 working days of publication of this Regulation for the quantities of bananas laid down in the

Annex, for those two countries for categories A and C available after submission of applications for the second period pursuant to Article 4 of Regulation (EC) No 478/95. Such licence applications shall bear the words 'Application for category B licence — Regulation (EEC) No 1442/93'.

The Commission shall immediately determine the quantities for which licences may be issued for the origin or origins concerned. Licences shall be issued immediately by the competent authorities and shall be valid for the period laid down in Article 11 (2) of Regulation (EEC) No 1442/93.

Article 4

This Regulation shall enter into force on the day of 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, 19 September 1997.

For the Commission

Franz FISCHLER

Member of the Commission

ANNEX

	(in tonnes)
	Quantities available for new requests
COLOMBIA	
— Categories A and C	77 598,284
— Category B	5 346,000
COSTA RICA	
— Categories A and C	80 498,272
NICARAGUA	
— Categories A and C	10 326,222
— Category B	16 518,542
VENEZUELA	23 355,506
DOMINICAN REPUBLIC	5 119,729
BELIZE	4 350,000
CAMEROON	7 500,000
CÔTE D'IVOIRE	350,255
Other ACP	2 377,011

COMMISSION REGULATION (EC) No 1815/97
of 19 September 1997
amending Regulation (EEC) No 1627/89 on the buying in of beef by invitation to tender

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

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

Whereas Commission Regulation (EEC) No 1627/89 of 9 June 1989 on the buying in of beef by invitation to tender ⁽³⁾, as last amended by Regulation (EC) No 1743/97 ⁽⁴⁾, opened buying in by invitation to tender in certain Member States or regions of a Member State for certain quality groups;

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

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

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

HAS ADOPTED THIS REGULATION:

Article 1

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

Article 2

This Regulation shall enter into force on 22 September 1997.

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

Done at Brussels, 19 September 1997.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ L 148, 28. 6. 1968, p. 24.

⁽²⁾ OJ L 296, 21. 11. 1996, p. 50.

⁽³⁾ OJ L 159, 10. 6. 1989, p. 36.

⁽⁴⁾ OJ L 244, 6. 9. 1997, p. 10.

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

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

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

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

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

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

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

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

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

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

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

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

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

**COMMISSION REGULATION (EC) No 1816/97
of 19 September 1997**

**on the issuing of a standing invitation to tender for the sale of common wheat of
breadmaking quality held by the German intervention agency for export to
certain ACP countries 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 1766/92 of 30 June 1992 on the common organization of the market in cereals⁽¹⁾, as last amended by Commission Regulation (EC) No 923/96⁽²⁾, and in particular Article 5 thereof,

Whereas Commission Regulation (EEC) No 2131/93⁽³⁾, as last amended by Regulation (EC) No 2193/96⁽⁴⁾, lays down the procedure and conditions for the disposal of cereals held by intervention agencies;

Whereas, with a view to supplying the markets of the ACP countries, favoured partners of the Community, significant quantities of common wheat are required; whereas these markets are usually supplied on the basis of regular contracts to ensure stable prices for the ACP countries over a certain period; whereas it is therefore necessary to issue a specific invitation to tender to ensure that users in these countries have access to common wheat of breadmaking quality under conditions appropriate to the highly competitive situation on the world market;

Whereas the German intervention agency holds stocks of common wheat of breadmaking quality; whereas part of the wheat coming from the intervention stocks held by the aforementioned agency should therefore be resold to the ACP countries to meet their quantitative and qualitative needs; whereas the common wheat successfully tendered for must be exported to the countries of destination by 28 February 1998 at the latest;

Whereas the specific nature of the operation and the accounting position of the common wheat in question require greater flexibility in the mechanisms and obligations governing the resale of intervention stocks and also require exclusion of any refund, tax or monthly increase; whereas special procedures must be laid down to ensure

that the operations and their monitoring are properly effected; whereas to that end provision should be made for a security lodgment scheme which ensures that the aims are met while avoiding excessive costs for the operators; whereas derogations should accordingly be made to certain rules, in particular those laid down in Regulation (EEC) No 2131/93;

Whereas, in addition to the conditions laid down in Article 30 of Commission Regulation (EEC) No 3719/88⁽⁵⁾, as last amended by Regulation (EC) No 1404/97⁽⁶⁾, provision should be made for the release for consumption in the ACP State(s) laid down in the Regulation;

Whereas, where removal of the wheat is delayed by more than five days, or the release of one of the securities required is delayed, for reasons imputable to the intervention agency the Member State concerned will have to pay compensation;

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

HAS ADOPTED THIS REGULATION:

Article 1

1. A standing invitation to tender is hereby issued for the export of 225 133 tonnes of common wheat of breadmaking quality, held by the German intervention agency.
2. The common wheat must be exported to an ACP State or to several States within one of the groups of ACP States listed in Annex I.
3. The regions in which the 225 133 tonnes of German common wheat of breadmaking quality are stored are listed in Annex II.
4. The intervention agency concerned shall prepare a notice of invitation to tender indicating for each lot or, where appropriate, each part lot:

⁽¹⁾ OJ L 181, 1. 7. 1992, p. 21.

⁽²⁾ OJ L 126, 24. 5. 1996, p. 37.

⁽³⁾ OJ L 191, 31. 7. 1993, p. 76.

⁽⁴⁾ OJ L 293, 16. 11. 1996, p. 1.

⁽⁵⁾ OJ L 331, 2. 12. 1988, p. 1.

⁽⁶⁾ OJ L 194, 23. 7. 1997, p. 5.

- the location,
- and at least the following features:
 - specific weight,
 - moisture content,
 - Hagberg falling number,
 - impurity contents and sprouted grains,
 - protein content.

5. It shall publish the notice of invitation to tender at least two days before the date set for the first partial invitation to tender.

Article 2

Subject to the provisions of this Regulation, the sales of common wheat of breadmaking quality referred to in Article 1 shall take place in accordance with the procedure and conditions laid down by Regulation (EEC) No 2131/93.

Article 3

1. The time limit for submitting tenders for the first partial invitation to tender shall be 9 a.m. (Brussels time) on Thursday 25 September 1997.
2. The time limit for submitting tenders for the second partial invitation to tender shall be 9 a.m. (Brussels time) on the following Thursday.

The time limit for the last partial invitation to tender shall be 18 December 1997.

3. Tenders must be submitted to the German intervention agency.

Article 4

1. Tenders shall only be admissible if:
 - the tenderer provides written proof from an official body in the ACP country of destination or a company having its overseas subsidiary in the said country, that he has concluded for the quantity in question a commercial supply contract for common wheat for export to an ACP State or to several States within one of the groups of ACP States listed in Annex I. That contract may cover only those deliveries to be made during the period October 1997 to February 1998 for quantities traditionally supplied; such proof shall be lodged with the competent authorities at least two working days before the date of the partial invitation to tender against which the tender is to be submitted,
 - they are accompanied by an application for an export licence for the destination in question.

The proof provided for in the first indent shall also indicate the quality provided for in the contract, the time limit for delivery and the price terms.

The Member State shall send the Commission a copy of the said proof forthwith, for information.

2. Tenders may not exceed the quantity laid down in the commercial contract submitted.

Article 5

1. No export refund or export tax or monthly increase shall be applied for exports carried out pursuant to this Regulation.
2. The validity of the export licences issued in accordance with this Regulation shall expire on 28 February 1998.
3. The licence obliges the operator to export to the ACP State or States for which the licence application was submitted. However, up to a limit of 30 % of the quantity for which the licence was issued, the operator may effect his contract at another destination on condition that it belongs to the same group of countries listed in Annex I.
4. The export licences shall be issued as soon as the successful tenderers have been selected.
5. Article 9 of Regulation (EEC) No 3719/88 notwithstanding, the rights deriving from the licence referred to in this Article shall not be transferable.

Article 6

1. The intervention agency, the storer and the successful tenderer, if he so wishes, shall, by common agreement, either before or at the moment of removal from storage, as the successful tenderer chooses, take reference samples at the rate of at least one sample for every 500 tonnes, and shall analyse the samples. The intervention agency may be represented by a proxy, provided this is not the storer.

The Commission must be informed of the findings of the analyses in the event of a dispute.

Reference samples shall be taken and analysed within seven working days of the date of the successful tenderer's request or within three working days if the samples were taken on removal from storage. If the final result of the sample analyses indicates a quality:

- (a) greater than that specified in the notice of invitation to tender, the successful tenderer must accept the lot as established;
- (b) greater than the minimum characteristics required for intervention but below the quality described in the notice of invitation to tender, with the difference remaining within a limit of up to:

- 2 kg/hl for the specific weight, which must not, however, be less than 72 kg/hl,
 - one percentage point for the moisture content,
 - 20 percentage points for the Hagberg falling index,
 - one percentage point for the protein content,
 - half a percentage point for the impurities referred to in B.2 and B.4 of the Annex to Commission Regulation (EEC) No 689/92⁽¹⁾,
- and
- half a percentage point for the impurities referred to in point B.5 of the Annex to Regulation (EEC) No 689/92, the percentages admissible for noxious grains and ergot, however, remaining unchanged,
- the successful tenderer must accept the lot as established;
- (c) greater than the minimum characteristics required for intervention but below the quality described in the notice of invitation to tender with the difference surpassing the limit referred to in point (b), the successful tenderer may:
- either accept the lot as established,
 - or refuse to take over the lot in question. The successful tenderer shall be released from all his obligations relating to the lot in question, including the securities, only once he has informed the Commission and the intervention agency forthwith, in accordance with Annex V; however, if he requests the intervention agency to supply him with another lot of intervention breadmaking wheat of the quality laid down, and that without additional charges, the security shall not be released. The lot must be replaced within a maximum of three days from the date of the successful tenderer's request. The successful tenderer shall immediately inform the Commission thereof in accordance with Annex V;
- (d) below the minimum characteristics required for intervention, the successful tenderer may not remove the lot in question. He shall be released from all his obligations relating to the lot in question, including the securities, only once he has informed the Commission and the intervention agency forthwith, in accordance with Annex V; however, he may request the intervention agency to supply him with another lot of intervention breadmaking wheat of the quality laid down, without additional charges. In this case, the security shall not be released. The lot must be replaced within a maximum of three days from the date of the successful tenderer's request. The successful tenderer shall immediately inform the Commission thereof in accordance with Annex V.

2. However, if the breadmaking wheat is removed before the results of the analysis are known, all risks shall be borne by the successful tenderer from the time of removal of the lot, without prejudice to the forms of

recourse the successful tenderer may have against the storer.

3. If, after successive replacements, the successful tenderer has not received a replacement lot of the quality laid down within one month of the date of his request for replacement, he shall be released from all his obligations, including the securities once he has informed the Commission and the intervention agency forthwith in accordance with Annex V.

4. The costs of the taking of samples and the analyses referred to in paragraph 1, except those where the final result of the analyses produces a quality inferior to the minimum characteristics required for intervention, shall be borne by the EAGGF up to a maximum of one analysis per 500 tonnes with the exception of the transilage costs.

The cost of transilage and of any additional analyses requested by the successful tenderer shall be borne by him.

Article 7

The successful tenderer shall pay for the common wheat before removing it at the price indicated in the tender. The final date for removal is 31 January 1998. The payment due for each of the lots to be removed shall be indivisible.

Article 8

1. The security lodged pursuant to Article 13 (4) of Regulation (EEC) No 2131/93 must be released once the export licences have been issued to the successful tenderers.

2. The obligation to export and import into one of the countries of destination listed in Annex I shall be covered by a security amounting to ECU 45 per tonne of which ECU 15 per tonne shall be lodged upon issue of the export licence, with the balance of ECU 30 being lodged before removal of the cereals.

Article 15 (2) of Commission Regulation (EEC) No 3002/92⁽²⁾ notwithstanding:

- the amount of ECU 15 per tonne must be released within 20 working days of the date on which the successful tenderer supplies proof that the wheat removed has left the customs territory of the Community,
- the amount of ECU 30 per tonne must be released within 15 working days of the date on which the successful tenderer supplies proof of entry for consumption into the ACP State or States referred to in Article 5 (3). This proof shall be supplied in accordance with Articles 18 and 47 of Commission Regulation (EEC) No 3665/87⁽³⁾.

⁽¹⁾ OJ L 74, 20. 3. 1992, p. 18.

⁽²⁾ OJ L 301, 17. 10. 1992, p. 17.

⁽³⁾ OJ L 351, 14. 12. 1987, p. 1.

3. Except in duly substantiated exceptional cases, in particular the opening of an administrative enquiry, any release of the securities provided for in this Article after the limits specified in this same Article shall confer an entitlement to compensation from the Member State amounting to ECU 0,015/10 tonnes for each day's delay.

This compensation shall not be charged to the EAGGF.

Article 9

Article 12 of Regulation (EEC) No 3002/92 notwithstanding, the documents relating to the sale of common wheat in accordance with this Regulation and in particular the export licence, the removal order referred to in Article 3 (1) (b) of Regulation (EEC) No 3002/92, the export declaration and, where appropriate, the T5 control copy must bear the words:

- Trigo blando panificable de intervención sin aplicación de restitución ni gravamen, destinado a (nombre del Estado o de los Estados ACP), Reglamento (CE) n° 1816/97
- Bageegnet blød hvede fra intervention uden restitutionsydelse eller -afgift bestemt for (navnet på det eller de pågældende AVS-lande), forordning (EF) nr. 1816/97
- Interventions-Brotweichweizen ohne Anwendung von Ausfuhrerstattungen oder Ausfuhrabgaben, Bestimmung (Name des AKP-Staates oder der AKP-Staaten), Verordnung (EG) Nr. 1816/97
- Μαλακός αρτοποιήσιμος σίτος παρέμβασης, χωρίς εφαρμογή επιστροφής ή φόρου προοριζόμενος για (όνομα της χώρας ΑΚΕ ή των χωρών ΑΚΕ), κανονισμός (ΕΚ) αριθ. 1816/97
- Intervention common wheat of breadmaking quality without application of refund or tax, bound for (name of the ACP State or States), Regulation (EC) No 1816/97

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

Done at Brussels, 19 September 1997.

- Blé tendre d'intervention panifiable ne donnant pas lieu à restitution ni à taxe, destiné à (nom de l'État ACP ou des États ACP), règlement (CE) n° 1816/97
- Frumento tenero d'intervento panificabile senza applicazione di restituzione o di tassa, destinato al (nome del paese o dei paesi ACP), regolamento (CE) n. 1816/97
- Zachte tarwe van bakkwaliteit uit interventie, zonder toepassing van restitutie of belasting, bestemd voor (naam van de ACS-Staat of de ACS-Staten), Verordening (EG) nr. 1816/97
- Trigo mole panificável de intervenção sem aplicação de uma restituição, ou imposição destinado a (nome do Estado ou dos Estados ACP), Regulamento (CE) n° 1816/97
- Interventioleipävehnä, jolle ei makseta vientitukea eikä vientimaksua ja jonka määräpaikka on (AKT-maan nimi tai AKT-maiden nimet), asetus (EY) N:o 1816/97
- Interventionsvete av brödkvalitet, ej utan bidrag eller avgift avsett för (AVS-statens eller AVS-staternas namn), förordning (EG) nr 1816/97.

Article 10

1. The German intervention agency shall inform the Commission of the tenders received within three hours of the expiry of the time limit for submitting tenders. The information must be sent in the form laid down in Annex III to one of the telex or fax numbers listed in Annex IV.
2. It shall inform the Commission on a monthly basis of the quantities of common wheat removed pursuant to this Regulation.

Article 11

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

For the Commission

Franz FISCHLER

Member of the Commission

ANNEX I

Groups of ACP States signatories to the Lomé Convention

Group I	Group II	Group III
Mauritania Mali Niger Senegal Burkina Faso Gambia Guinea-Bissau Guinea Cape Verde Sierra Leone Liberia Côte d'Ivoire Ghana Togo	Chad Central African Republic Benin Cameroon Equatorial Guinea São Tomé and Príncipe Gabon Congo Democratic Republic of Congo Rwanda Burundi	Seychelles Comoros Madagascar Mauritius Angola Zambia Malawi Mozambique Namibia Botswana Zimbabwe Lesotho Swaziland Djibouti Ethiopia Eritrea

ANNEX II

(tonnes)

Region of storage	Quantities
Schleswig-Holstein/Hamburg/ Niedersachsen/Bremen/ Nordrhein-Westfalen	138 156
Hessen/Rheinland-Pfalz/ Baden-Württemberg/ Saarland/Bayern	67 348
Berlin/Brandenburg/ Mecklenburg-Vorpommern	705
Sachsen/Sachsen-Anhalt/ Thüringen	18 924

*ANNEX III***Standing invitation to tender for the export of 225 133 tonnes of common wheat of
breadmaking quality held by the German intervention agency**

(Regulation (EC) No 1816/97)

1	2	3	4	5	6	7
Registration number of the tenderer	Lot number	Quantity in tonnes	Offer price (ECU/tonne) (¹)	Increases (+) Reductions (-) (ECU/tonne) p.m.	Commercial costs (ECU/tonne)	Destination
1 2 3 etc.						

(¹) This price includes the increases and reductions relating to the lot for which the tender is submitted.

ANNEX IV

The only telex and fax numbers in Brussels to be used are:

DG VI/C/1:

- telex: 22037 AGREC B,
22070 AGREC B (Greek characters),
- fax: 296 49 56,
295 25 15.

ANNEX V

**Communication of refusal of lots under the standing invitation to tender for the export of
225 133 tonnes of breadmaking common wheat held by the German intervention agency**

(Article 6 of Regulation (EC) No 1816/97)

- Name of successful tenderer:
— Date of award of contract:
— Date of refusal of lot by successful tenderer:

Lot No	Quantity in tonnes	Address of silo	Reason for refusal to take over
			— Specific weight (kg/hl) — % sprouted grains — % miscellaneous impurities (Schwarzbesatz) — % of matter which is not wheat of unimpaired quality — Other

COMMISSION REGULATION (EC) No 1817/97
of 19 September 1997
on the issuing of A1 export licences for 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 2190/96 of 14 November 1996 on detailed rules for implementing Council Regulation (EEC) No 1035/72 as regards export refunds on fruit and vegetables⁽¹⁾, as last amended by Regulation (EC) No 610/97⁽²⁾, and in particular Article 2 (3) thereof,

Whereas Commission Regulation (EC) No 1744/97⁽³⁾ sets the quantities for which A1 export licences, other than those requested in the context of food aid, may be issued;

Whereas Article 2 of Regulation (EC) No 2190/96 sets the conditions under which special measures may be taken by the Commission with a view to avoiding an overrun of the quantities for which A1 licences may be issued;

Whereas the Commission has received information which indicates that those quantities, reduced or increased by the quantities referred to in Article 2 (3) of Regulation (EC) No 2190/96, would be exceeded if A1 licences were issued without restriction for walnuts in shell in response to applications submitted since 15 September 1997;

whereas, therefore, a percentage should be fixed for the issuing of licences for quantities applied for on 15 September 1997 and applications for A1 licences submitted later in that application period should be rejected,

HAS ADOPTED THIS REGULATION:

Article 1

A1 export licences for walnuts in shell for which applications were submitted on 15 September 1997 pursuant to Article 1 of Regulation (EC) No 1744/97 shall be issued for 79,3 % of the quantities applied for.

Applications for A1 export licences submitted after 15 September 1997 and before 12 November 1997 for that product shall be rejected.

Article 2

This Regulation shall enter into force on 20 September 1997.

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

Done at Brussels, 19 September 1997.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ L 292, 15. 11. 1996, p. 12.

⁽²⁾ OJ L 93, 8. 4. 1997, p. 11.

⁽³⁾ OJ L 244, 6. 9. 1997, p. 12.

COMMISSION REGULATION (EC) No 1818/97
of 19 September 1997
on issuing A2 export licences for 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 2190/96 of 14 November 1996 on detailed rules for implementing Council Regulation (EEC) No 1035/72 as regards export refunds on fruit and vegetables⁽¹⁾, as last amended by Regulation (EC) No 610/97⁽²⁾, and in particular Article 3 (4) thereof,

Whereas Commission Regulation (EC) No 1744/97⁽³⁾ sets the indicative refund rates and the indicative quantities for A2 export licences, other than those applied for in the context of food aid;

Whereas, for oranges and apples, in view of the economic situation in the various destination groups indicated in the Annex to Regulation (EC) No 1744/97 and taking account of information received by operators via their applications for A2 licences, the definitive refund rates should be set at a different rate from the indicative rates; whereas the percentages for the issuing of licences for the quantities applied for should also be set; whereas the definitive rates may not be more than double the indicative rates;

Whereas, pursuant to Article 3 (5) of Regulation (EC) No 2190/96, applications for rates in excess of the corre-

sponding definitive rates shall be considered null and void,

HAS ADOPTED THIS REGULATION:

Article 1

1. For A2 export licences for which applications have been submitted pursuant to Article 1 of Regulation (EC) No 1744/97, the actual date of application referred to in the second subparagraph of Article 3 (1) of Regulation (EC) No 2190/96 is hereby set at 22 September 1997.
2. The licences referred to in the first paragraph shall be issued at the definitive refund rates and at the percentages for the quantities applied for as indicated in the Annex to this Regulation.
3. Pursuant to Article 3 (5) of Regulation (EC) No 2190/96, applications referred to in the first paragraph for rates in excess of the corresponding definitive rates set out in the Annex shall be considered null and void.

Article 2

This Regulation shall enter into force on 22 September 1997.

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

Done at Brussels, 19 September 1997.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ L 292, 15. 11. 1996, p. 12.

⁽²⁾ OJ L 93, 8. 4. 1997, p. 16.

⁽³⁾ OJ L 244, 6. 9. 1997, p. 12.

ANNEX

Product	Destination or group of destinations ⁽¹⁾	Definitive refund rates (ECU/tonne net)	Percentages for the issuing of licences
Tomatoes	F	19	100 %
Oranges	XYC	35	83 %
Lemons	F	20	83 %
Table grapes	F	25	90 %
Apples	X	30	100 %
	Y	5	100 %
Peaches and nectarines	E	—	—

⁽¹⁾ The destination codes are defined as follows:

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

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

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

C: Switzerland, Czech Republic, Slovakia.

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

E: All destinations except Switzerland.

F: All destinations.

COMMISSION REGULATION (EC) No 1819/97**of 19 September 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 Regu-
lation (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 multilat-
eral trade negotiations, the criteria whereby the Commis-
sion fixes the standard values for imports from third

countries, in respect of the products and periods stipu-
lated 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 20 September
1997.

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

Done at Brussels, 19 September 1997.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ L 337, 24. 12. 1994, p. 66.

⁽²⁾ OJ L 325, 14. 12. 1996, p. 5.

⁽³⁾ OJ L 387, 31. 12. 1992, p. 1.

⁽⁴⁾ OJ L 22, 31. 1. 1995, p. 1.

ANNEX

to the Commission Regulation of 19 September 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
ex 0707 00 25	060	81,7
	999	81,7
0709 90 79	052	90,9
	999	90,9
0805 30 30	388	59,4
	524	54,2
	528	50,9
	999	54,8
0806 10 40	052	78,9
	064	42,1
	400	186,4
	999	102,5
0808 10 92, 0808 10 94, 0808 10 98	064	59,4
	388	37,0
	400	58,5
	512	50,7
	528	55,6
	804	94,9
	999	59,4
0808 20 57	052	82,0
	064	86,4
	388	38,9
	999	69,1
0809 30 41, 0809 30 49	052	174,0
	066	43,4
	400	133,9
	999	117,1
0809 40 30	052	53,3
	064	50,4
	066	51,9
	068	37,7
	400	108,5
	624	133,8
	999	72,6

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

COMMISSION REGULATION (EC) No 1820/97

of 19 September 1997

on the issuing of licences for traditional imports of bananas originating in the
ACP States for the fourth quarter of 1997

(Text with EEA relevance)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European
Community,

Having regard to Council Regulation (EEC) No 404/93 of
13 February 1993 on the common organization of the
market in bananas ⁽¹⁾, as last amended by Regulation (EC)
No 3290/94 ⁽²⁾,

Having regard to Commission Regulation (EEC) No
1442/93 of 10 June 1993 laying down detailed rules for
the application of the arrangements for importing
bananas into the Community ⁽³⁾, as last amended by
Regulation (EC) No 1409/96 ⁽⁴⁾, and in particular Article
16 (2) second subparagraph thereof,

Whereas Article 16 (2) of Regulation (EEC) No 1442/93
provides that where the quantities of bananas originating
in one and the same ACP State listed in the Annex to
Regulation (EEC) No 404/93 for which import licences
are applied for exceed the quantity fixed for the period in
question, the Commission is to set a single reduction
percentage to all licence applications mentioning that
country of origin;

Whereas Commission Regulation (EC) No 1433/97 ⁽⁵⁾
fixes quantities for imports of bananas into the Com-
munity for the fourth quarter of 1997 for imports origin-
ating in the ACP States under the traditional quantities
imported;

Whereas, for Cameroon the quantities requested for tradi-
tional imports of ACP bananas during the fourth quarter

of 1997 are higher than the quantities fixed by Regulation
(EC) No 1433/97; whereas, as a result, a single reduction
percentage should be fixed for each application indicating
this country of origin pursuant to Article 16 (2) of Regula-
tion (EEC) No 1442/93;

Whereas this Regulation should take effect without delay
in order to allow licences to be issued as quickly as
possible,

HAS ADOPTED THIS REGULATION:

Article 1

For the fourth quarter of 1997, as regards licence applica-
tions for traditional imports of bananas originating in the
ACP States, import licences shall be issued:

- for the quantity indicated in the licence application,
multiplied by a reduction coefficient of 0,9729 for
applications indicating the origin 'Cameroon',
- in the case of applications indicating other origins, for
the quantities indicated in the application.

Article 2

This Regulation shall enter into force on the day of 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, 19 September 1997.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ L 47, 25. 2. 1993, p. 1.
⁽²⁾ OJ L 349, 31. 12. 1994, p. 105.
⁽³⁾ OJ L 142, 12. 6. 1993, p. 6.
⁽⁴⁾ OJ L 181, 20. 7. 1996, p. 13.
⁽⁵⁾ OJ L 196, 24. 7. 1997, p. 52.

COMMISSION DIRECTIVE 97/53/EC

of 11 September 1997

adapting to technical progress Council Directive 79/196/EEC on the approximation of the laws of the Member States concerning electrical equipment for use in potentially explosive atmospheres employing certain types of protection

(Text with EEA relevance)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Directive 76/117/EEC of 18 December 1975 on the approximation of the laws of the Member States concerning electrical equipment for use in potentially explosive atmospheres⁽¹⁾, as last amended by the Act of Accession of Spain and Portugal,

Having regard to Council Directive 79/196/EEC of 6 February 1979 on the approximation of the laws of the Member States concerning electrical equipment for use in potentially explosive atmospheres employing certain types of protection⁽²⁾, as last amended by Commission Directive 94/26/EC⁽³⁾, and in particular Article 5 thereof,

Whereas it is necessary to adapt the contents of Annex I to Directive 79/196/EEC to technical progress by incorporating seven new European standards recently drawn up by the European Committee for Electrotechnical Standardization (Cenelec);

Whereas, in view of the present state of technical progress, it is now necessary to adapt the contents of the harmonized standards referred to in Annex I to Directive 79/196/EEC;

Whereas, in view of the nature of the equipment concerned, a provision should be made for transitional arrangements in order to enable the industry to adapt appropriately to the changes to the standards;

Whereas the measures provided for in this Directive are in accordance with the opinion of the Committee on the Adaptation to Technical Progress of the Directives for the Elimination of Technical Barriers in the Sector of Electrical Equipment for Use in Potentially Explosive Atmospheres,

HAS ADOPTED THIS DIRECTIVE:

Article 1

Annex I to Directive 79/196/EEC is replaced by the text in the Annex to this Directive.

Article 2

1. Member States shall bring into force the laws, regulations and administrative provisions necessary to comply with this Directive not later than 31 May 1998. They shall forthwith inform the Commission thereof.

When Member States adopt these provisions, they shall contain a reference to this Directive or shall be accompanied by such reference at the time of their official publication. The methods of making such reference shall be laid down by Member States.

2. Until 30 June 2003 the Member States shall continue to apply the measures provided for in Article 4 of Directive 76/117/EEC as regards the equipment for which conformity to the harmonized standards referred to in amended Directive 79/196/EEC, is attested by the issue of a certificate of conformity in accordance with Article 8 of Directive 76/117/EEC, provided that the certificate has been issued before 30 September 1998.

Article 3

This Directive shall enter into force on the 20th day following its publication in the *Official Journal of the European Communities*.

Article 4

This Directive is addressed to the Member States.

Done at Brussels, 11 September 1997.

For the Commission

Martin BANGEMANN

Member of the Commission

⁽¹⁾ OJ L 24, 30. 1. 1976, p. 45.

⁽²⁾ OJ L 43, 20. 2. 1979, p. 20.

⁽³⁾ OJ L 157, 24. 6. 1994, p. 33.

ANNEX

ANNEX I

HARMONIZED STANDARDS

The harmonized standards to which equipment must conform, depending on the type of protection, are the European standards referred to in the table below.

European Standards

(drawn up by Cenelec, 35 rue de Stassart, B-1050 Brussels)

Number	Title	Edition	Date
EN 50014	Electrical apparatus for potentially explosive atmospheres — General requirements	2	December 1992
EN 50015	Electrical apparatus for potentially explosive atmospheres — Oil immersion "o"	2	April 1994
EN 50016	Electrical apparatus for potentially explosive atmospheres — Pressurized apparatus "p"	2	October 1995
EN 50017	Electrical apparatus for potentially explosive atmospheres — Powder filling "q"	2	April 1994
EN 50018	Electrical apparatus for potentially explosive atmospheres — Flameproof enclosure "d"	2	August 1994
EN 50019	Electrical apparatus for potentially explosive atmospheres — Increased safety "e"	2	March 1994
EN 50020	Electrical apparatus for potentially explosive atmospheres — Intrinsic safety "i"	2	August 1994
EN 50028	Electrical equipment for use in potential explosive atmospheres — Encapsulation "m"	1	February 1987
EN 50039	Electrical equipment for use in potentially explosive atmospheres — Intrinsically safe electrical systems "i"	1	March 1980
EN 50050	Electrostatic hand-held spraying equipment	1	January 1986
EN 50053 (part 1)	Hand-held electrostatic paint spray guns with an energy limit of 0,24 mJ and their associated apparatus	1	February 1987 (*)
EN 50053 (part 2)	Hand-held electrostatic powder spray guns with an energy limit of 5 mJ and their associated apparatus	1	June 1989 (*)
EN 50053 (part 3)	Hand-held electrostatic flock spray guns with an energy limit of 0,24 mJ or 5 mJ and their associated apparatus	1	June 1989 (*)

(*) Only the paragraphs dealing with the construction of apparatus, provided for in standards EN 50053, parts 1, 2 and 3.