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I

(Acts whose publication is obligatory)

COUNCIL REGULATION (EC) No 2345/97

of 24 November 1997

providing for the reduction of the tariff rate applicable to imports under the
WTO tariff quota for certain live bovine animals

THE COUNCIL OF THE EUROPEAN UNION,

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

Having regard to the proposal from the Commission,

Whereas the Community has undertaken, in the framework of the World Trade Organization (WTO), to open an annual tariff quota of 169 000 head of certain live bovine animals; whereas the tariff rate that is applicable for imports under this quota is composed of a 16 % *ad valorem* duty and of a specific amount of ECU 582 per tonne;

Whereas Council Regulation (EC) No 2179/95 of 8 August 1995, providing for the adjustment, as an autonomous and transitional measure, of certain agricultural concessions provided for in the Europe Agreements and amending Regulation (EC) No 3379/94 opening and administering certain Community tariff quotas in 1995 for certain agricultural products and for beer, to take account of the Agreement concluded during the Uruguay Round Multilateral Trade Negotiations⁽¹⁾, and Council Regulation (EC) No 3066/95 of 22 December 1995 establishing certain concessions in the form of Community tariff quotas for certain agricultural products and providing for the adjustment, as an autonomous and transitional measure, of certain agricultural concessions provided in the Europe Agreements to take account of the Agreement on Agriculture concluded during the Uruguay Round of Multilateral Trade Negotiations⁽²⁾ provide for the possibility of reducing the specific amount that is payable on import within the tariff quota for 169 000 head of certain live bovine animals, to ECU 399 per tonne in respect of animals originating in the associated countries of Central Europe; whereas the reduction has been implemented as regards these countries as from 1 July 1995;

Whereas similar treatment is envisaged for imports originating in Estonia, Latvia and Lithuania as from 1 July 1996 by virtue of Regulation (EC) No 1926/96⁽³⁾;

Whereas it is necessary, in view of the international obligations of the Community under the WTO, to ensure that imports from all countries benefit from the reduced in-quota tariff rate whenever a reduction has been, or will be, implemented as regards imports from the associated countries of Central Europe and the Baltic States; whereas therefore provision should be made for the extension of such reduction to imports of live bovine animals from all countries,

HAS ADOPTED THIS REGULATION:

Article 1

Any reduction of the import duty which is payable under the Community tariff quota for 169 000 head of certain live bovine animals for animals originating in Poland, Hungary, the Czech Republic, Slovakia, Romania and Bulgaria and in Estonia, Latvia and Lithuania shall be extended to all imports under that tariff quota, irrespective of the origin of the animals.

Article 2

Detailed rules for the application of this Regulation shall be adopted by the Commission in accordance with the procedure provided for in Article 27 of Council Regulation (EEC) No 805/68 of 27 June 1968 on the common market organization of the market in beef and veal⁽⁴⁾.

Article 3

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

It shall apply to imports for which licences were issued during the period from 1 July 1995 to 30 June 1997.

⁽¹⁾ OJ L 223, 20. 9. 1995, p. 29.

⁽²⁾ OJ L 328, 30. 12. 1995, p. 31. Regulation as amended by Regulation (EC) No 1595/97 (OJ L 216, 8. 8. 1997, p. 1).

⁽³⁾ OJ L 254, 8. 10. 1996, p. 1.

⁽⁴⁾ OJ L 148, 28. 6. 1968, p. 24. Regulation as last amended by Regulation (EC) No 2222/96 (OJ L 296, 21. 11. 1996, p. 50).

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

Done at Brussels, 24 November 1997.

For the Council

The President

J. POOS

COMMISSION REGULATION (EC) No 2346/97**of 27 November 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 Commission 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 28 November 1997.

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

Done at Brussels, 27 November 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 27 November 1997 establishing the standard import values for determining the entry price of certain fruit and vegetables

(ECU/100 kg)

CN code	Third country code ⁽¹⁾	Standard import value
0702 00 45	204	49,9
	999	49,9
0709 90 79	052	96,2
	999	96,2
0805 20 31	052	64,0
	204	56,8
	999	60,4
0805 20 33, 0805 20 35, 0805 20 37, 0805 20 39	052	46,0
	400	50,5
	999	48,3
0805 30 40	052	88,9
	600	82,5
	999	85,7
0808 10 92, 0808 10 94, 0808 10 98	052	51,0
	060	48,5
	064	40,8
	400	72,0
	404	84,5
	999	59,4
0808 20 67	052	109,3
	064	80,6
	400	93,5
	999	94,5

⁽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 2347/97
of 27 November 1997
fixing the export refunds on rice and broken rice

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EC) No 3072/95 of 22 December 1995 on the common organization of the market in rice ⁽¹⁾, and in particular the second subparagraph of Article 13 (3) thereof,

Whereas Article 13 of Regulation (EC) No 3072/95 provides that the difference between quotations or prices on the world market for the products listed in Article 1 of that Regulation and prices for those products within the Community may be covered by an export refund;

Whereas Article 13 (4) of Regulation (EC) No 3072/95, provides that when refunds are being fixed account must be taken of the existing situation and the future trend with regard to prices and availabilities of rice and broken rice on the Community market on the one hand and prices for rice and broken rice on the world market on the other; whereas the same Article provides that it is also important to ensure equilibrium and the natural development of prices and trade on the rice market and, furthermore, to take into account the economic aspect of the proposed exports and the need to avoid disturbances of the Community market with limits resulting from agreements concluded in accordance with Article 228 of the Treaty;

Whereas Commission Regulation (EEC) No 1361/76 ⁽²⁾ lays down the maximum percentage of broken rice allowed in rice for which an export refund is fixed and specifies the percentage by which that refund is to be reduced where the proportion of broken rice in the rice exported exceeds that maximum;

Whereas export possibilities exist for a quantity of 1 000 tonnes of rice to certain destinations; whereas the procedure laid down in Article 7 (4) of Commission Regulation (EC) No 1162/95 ⁽³⁾, as last amended by Regulation (EC) No 932/97 ⁽⁴⁾ should be used; whereas account should be taken of this when the refunds are fixed;

Whereas Article 13 (5) of Regulation (EC) No 3072/95 defines the specific criteria to be taken into account when the export refund on rice and broken rice is being calculated;

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

Whereas a separate refund should be fixed for packaged long grain rice to accommodate current demand for the product on certain markets;

Whereas the refund must be fixed at least once a month; whereas it may be altered in the intervening period;

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

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

HAS ADOPTED THIS REGULATION:

Article 1

The export refunds on the products listed in Article 1 of Regulation (EC) No 3072/95 with the exception of those listed in paragraph 1 (c) of that Article, exported in the natural state, shall be as set out in the Annex hereto.

Article 2

This Regulation shall enter into force on 28 November 1997.

⁽¹⁾ OJ L 329, 30. 12. 1995, p. 18.

⁽²⁾ OJ L 154, 15. 6. 1976, p. 11.

⁽³⁾ OJ L 117, 24. 5. 1995, p. 2.

⁽⁴⁾ OJ L 135, 27. 5. 1997, p. 2.

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

Done at Brussels, 27 November 1997.

For the Commission

Franz FISCHLER

Member of the Commission

ANNEX

to the Commission Regulation of 27 November 1997 fixing the export refunds on rice and broken rice

(ECU/tonne)			(ECU/tonne)		
Product code	Destination (1)	Amount of refunds	Product code	Destination (1)	Amount of refunds
1006 20 11 9000	01	139,00	1006 30 65 9900	01	173,00
1006 20 13 9000	01	139,00		05	173,00
1006 20 15 9000	01	139,00	1006 30 67 9100	04	179,00
1006 20 17 9000	—	—	1006 30 67 9900	—	—
1006 20 92 9000	01	139,00	1006 30 92 9100	01	173,00
1006 20 94 9000	01	139,00		02	179,00
1006 20 96 9000	01	139,00		03	184,00
1006 20 98 9000	—	—		05	173,00
1006 30 21 9000	01	139,00			
1006 30 23 9000	01	139,00	1006 30 92 9900	01	173,00
1006 30 25 9000	01	139,00		05	173,00
1006 30 27 9000	—	—		—	—
1006 30 42 9000	01	139,00	1006 30 94 9100	01	173,00
1006 30 44 9000	01	139,00		02	179,00
1006 30 46 9000	01	139,00		03	184,00
1006 30 48 9000	—	—		05	173,00
1006 30 61 9100	01	173,00	1006 30 94 9900	01	173,00
	02	179,00		05	173,00
	03	184,00		—	—
	05	173,00	1006 30 96 9100	01	173,00
1006 30 61 9900	01	173,00		02	179,00
	05	173,00		03	184,00
1006 30 63 9100	01	173,00		05	173,00
	02	179,00			
	03	184,00	1006 30 96 9900	01	173,00
	05	173,00		05	173,00
1006 30 63 9900	01	173,00		—	—
	05	173,00	1006 30 98 9100	04	179,00
1006 30 65 9100	01	173,00	1006 30 98 9900	—	—
	02	179,00			
	03	184,00	1006 40 00 9000	—	—
	05	173,00			

(1) The destinations are identified as follows:

01 Liechtenstein, Switzerland, the communes of Livigno and Campione d'Italia,

02 Zones I, II, III, VI, Ceuta and Melilla,

03 Zones IV, V, VII (c), Canada and Zone VIII excluding Surinam, Guyana and Madagascar,

04 Ceuta and Melilla: refund fixed under the procedure laid down in Article 7 (4) of amended Regulation (EC) No 1162/95 in respect of a quantity of 1 000 tonnes,

05 Destinations mentioned in Article 34 of amended Commission Regulation (EEC) No 3665/87.

NB: The zones are those defined in the Annex to amended Commission Regulation (EEC) No 2145/92.

COMMISSION REGULATION (EC) No 2348/97
of 27 November 1997
fixing the export refunds on milk and milk products

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EEC) No 804/68 of 27 June 1968 on the common organization of the market in milk and milk products ⁽¹⁾, as last amended by Regulation (EC) No 1587/96 ⁽²⁾, and in particular Article 17 (3) thereof,

Whereas Article 17 of Regulation (EEC) No 804/68 provides that the difference between prices in international trade for the products listed in Article 1 of that Regulation and prices for those products within the Community may be covered by an export refund within the limits resulting from agreements concluded in accordance with Article 228 of the Treaty;

Whereas Regulation (EEC) No 804/68 provides that when the refunds on the products listed in Article 1 of the abovementioned Regulation, exported in the natural state, are being fixed account must be taken of:

- the existing situation and the future trend with regard to prices and availabilities of milk and milk products on the Community market and prices for milk and milk products in international trade,
- marketing costs and the most favourable transport charges from Community markets to ports or other points of export in the Community, as well as costs incurred in placing the goods on the market of the country of destination,
- the aims of the common organization of the market in milk and milk products which are to ensure equilibrium and the natural development of prices and trade on this market,
- the limits resulting from agreements concluded in accordance with Article 228 of the Treaty, and
- the need to avoid disturbances on the Community market, and
- the economic aspect of the proposed exports;

Whereas Article 17 (5) of Regulation (EEC) No 804/68 provides that when prices within the Community are being determined account should be taken of the ruling

prices which are most favourable for exportation, and that when prices in international trade are being determined particular account should be taken of:

- (a) prices ruling on third country markets;
- (b) the most favourable prices in third countries of destination for third country imports;
- (c) producer prices recorded in exporting third countries, account being taken, where appropriate, of subsidies granted by those countries; and
- (d) free-at-Community-frontier offer prices;

Whereas Article 17 (3) of Regulation (EEC) No 804/68 provides that the world market situation or the specific requirements of certain markets may make it necessary to vary the refund on the products listed in Article 1 of the abovementioned Regulation according to destination;

Whereas Article 17 (3) of Regulation (EEC) No 804/68 provides that the list of products on which export refunds are granted and the amount of such refunds should be fixed at least once every four weeks; whereas the amount of the refund may, however, remain at the same level for more than four weeks;

Whereas, in accordance with Article 12 of Commission Regulation (EC) No 1466/95 of 27 June 1995 on specific detailed rules for the application of export refunds on milk and milk products ⁽³⁾, as last amended by Regulation (EC) No 2283/97 ⁽⁴⁾, the refund granted for milk products containing added sugar is equal to the sum of the two components, one of which is intended to take account of the quantity of milk products and the other is intended to take account of the quantity of added sucrose; whereas, however, the latter component is applied only if the added sucrose was produced from sugar beet or cane harvested in the Community; whereas, for products falling within CN codes ex 0402 99 11, ex 0402 99 19, ex 0404 90 51, ex 0404 90 53, ex 0404 90 91 and ex 0404 90 93, with a fat content by weight not exceeding 9,5 % and a non-fatty milk content in the dry matter equal to or greater than 15 % by weight, the former abovementioned component is fixed for 100 kilograms of the whole product; whereas, for the other products containing added sugar falling within CN codes 0402 and 0404, that component is calculated by multiplying the basic amount by the milk products content of the product concerned; whereas that basic amount is equal to the refund to be fixed for one kilogram of milk products contained in the whole product;

⁽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 314, 18. 11. 1997, p. 13.

Whereas the second component is calculated by multiplying the sucrose content of the product by the basic amount of the refund valid on the day of exportation for the products listed in Article 1 (1) (d) of Council Regulation (EEC) No 1785/81 of 30 June 1981 on the common organization of the markets in the sugar sector⁽¹⁾, as last amended by Regulation (EC) No 1599/96⁽²⁾;

Whereas the level of refund for cheeses is calculated for products intended for direct consumption; whereas the cheese rinds and cheese wastes are not products intended for this purpose; whereas, to avoid any confusion in interpretation, it should be specified that there will be no refund for cheeses of a free-at-frontier value less than ECU 230,00 per 100 kilograms;

Whereas Commission Regulation (EEC) No 896/84⁽³⁾, as last amended by Regulation (EEC) No 222/88⁽⁴⁾, laid down additional provisions concerning the granting of refunds on the change from one milk year to another; whereas those provisions provide for the possibility of varying refunds according to the date of manufacture of the products;

Whereas for the calculation of the refund for processed cheese provision must be made where casein or caseinates are added for that quantity not to be taken into account;

Whereas it follows from applying the rules set out above to the present situation on the market in milk and in particular to quotations or prices for milk products within

the Community and on the world market that the refund should be as set out in the Annex to this Regulation;

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

HAS ADOPTED THIS REGULATION:

Article 1

1. The export refunds referred to in Article 17 of Regulation (EEC) No 804/68 on products exported in the natural state shall be as set out in the Annex.
2. There shall be no refunds for exports to destination No 400 for products falling within CN codes 0401, 0402, 0403, 0404, 0405 and 2309.
3. There shall be no refunds for exports to destinations No 022, 024, 028, 043, 044, 045, 046, 052, 404, 600, 800 and 804 for products falling within CN code 0406.

Article 2

This Regulation shall enter into force on 28 November 1997.

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

Done at Brussels, 27 November 1997.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ L 177, 1. 7. 1981, p. 4.

⁽²⁾ OJ L 206, 16. 8. 1996, p. 43.

⁽³⁾ OJ L 91, 1. 4. 1984, p. 71.

⁽⁴⁾ OJ L 28, 1. 2. 1988, p. 1.

ANNEX

to the Commission Regulation of 27 November 1997 fixing the export refunds on milk and milk products

(in ECU/100 kg net weight unless otherwise indicated)

Product code	Destination (*)	Amount of refund	Product code	Destination (*)	Amount of refund
0401 10 10 9000	970	2,327	0402 21 99 9600	+	124,73
	...	—	0402 21 99 9700	+	130,38
0401 10 90 9000	970	2,327	0402 21 99 9900	+	136,76
	...	—	0402 29 15 9200	+	0,6800
0401 20 11 9100	+	—	0402 29 15 9300	+	0,9054
0401 20 11 9500	970	3,597	0402 29 15 9500	+	0,9538
	...	—	0402 29 15 9900	+	1,0262
0401 20 19 9100	+	—	0402 29 19 9200	+	0,6800
0401 20 19 9500	970	3,597	0402 29 19 9300	+	0,9054
	...	—	0402 29 19 9500	+	0,9538
0401 20 91 9100	+	4,551	0402 29 19 9900	+	1,0262
0401 20 91 9500	+	5,302	0402 29 91 9100	+	1,0334
0401 20 99 9100	+	4,551	0402 29 91 9500	+	1,1258
0401 20 99 9500	+	5,302	0402 29 99 9100	+	1,0334
0401 30 11 9100	+	6,803	0402 29 99 9500	+	1,1258
0401 30 11 9400	+	10,50	0402 91 11 9110	+	—
0401 30 11 9700	+	15,77	0402 91 11 9120	+	4,551
0401 30 19 9100	+	6,803	0402 91 11 9310	+	13,30
0401 30 19 9400	+	10,50	0402 91 11 9350	+	16,29
0401 30 19 9700	+	15,77	0402 91 11 9370	+	19,81
0401 30 31 9100	+	38,32	0402 91 19 9110	+	—
0401 30 31 9400	+	59,85	0402 91 19 9120	+	4,551
0401 30 31 9700	+	66,00	0402 91 19 9310	+	13,30
0401 30 39 9100	+	38,32	0402 91 19 9350	+	16,29
0401 30 39 9400	+	59,85	0402 91 19 9370	+	19,81
0401 30 39 9700	+	66,00	0402 91 31 9100	+	8,991
0401 30 91 9100	+	75,22	0402 91 31 9300	+	23,42
0401 30 91 9400	+	110,55	0402 91 39 9100	+	8,991
0401 30 91 9700	+	129,01	0402 91 39 9300	+	23,42
0401 30 99 9100	+	75,22	0402 91 51 9000	+	10,50
0401 30 99 9400	+	110,55	0402 91 59 9000	+	10,50
0401 30 99 9700	+	129,01	0402 91 91 9000	+	75,22
0402 10 11 9000	+	68,00	0402 91 99 9000	+	75,22
0402 10 19 9000	+	68,00	0402 99 11 9110	+	—
0402 10 91 9000	+	0,6800	0402 99 11 9130	+	0,0456
0402 10 99 9000	+	0,6800	0402 99 11 9150	+	0,1269
0402 21 11 9200	+	68,00	0402 99 11 9310	+	15,33
0402 21 11 9300	+	90,54	0402 99 11 9330	+	18,40
0402 21 11 9500	+	95,38	0402 99 11 9350	+	24,46
0402 21 11 9900	+	102,60	0402 99 19 9110	+	—
0402 21 17 9000	+	68,00	0402 99 19 9130	+	0,0456
0402 21 19 9300	+	90,54	0402 99 19 9150	+	0,1269
0402 21 19 9500	+	95,38	0402 99 19 9310	+	15,33
0402 21 19 9900	+	102,60	0402 99 19 9330	+	18,40
0402 21 91 9100	+	103,34	0402 99 19 9350	+	24,46
0402 21 91 9200	+	104,05	0402 99 31 9110	+	0,0975
0402 21 91 9300	+	105,34	0402 99 31 9150	+	25,47
0402 21 91 9400	+	112,58	0402 99 31 9300	+	0,3832
0402 21 91 9500	+	115,09	0402 99 31 9500	+	0,6600
0402 21 91 9600	+	124,73	0402 99 39 9110	+	0,0975
0402 21 91 9700	+	130,38	0402 99 39 9150	+	25,47
0402 21 91 9900	+	136,76	0402 99 39 9300	+	0,3832
0402 21 99 9100	+	103,34			
0402 21 99 9200	+	104,05			
0402 21 99 9300	+	105,34			
0402 21 99 9400	+	112,58			
0402 21 99 9500	+	115,09			

Product code	Destination (*)	Amount of refund	Product code	Destination (*)	Amount of refund
0402 99 39 9500	+	0,6600	0404 90 29 9160	+	129,22
0402 99 91 9000	+	0,7522	0404 90 29 9180	+	135,53
0402 99 99 9000	+	0,7522	0404 90 81 9100	+	0,6685
0403 10 11 9400	+	—	0404 90 81 9910	+	—
0403 10 11 9800	+	—	0404 90 81 9950	+	15,20
0403 10 13 9800	+	4,551	0404 90 83 9110	+	0,6685
0403 10 19 9800	+	6,803	0404 90 83 9130	+	0,8973
0403 10 31 9400	+	—	0404 90 83 9150	+	0,9453
0403 10 31 9800	+	—	0404 90 83 9170	+	1,0168
0403 10 33 9800	+	0,0456	0404 90 83 9911	+	—
0403 10 39 9800	+	0,0680	0404 90 83 9913	+	0,0456
0403 90 11 9000	+	66,85	0404 90 83 9915	+	0,0680
0403 90 13 9200	+	66,85	0404 90 83 9917	+	0,1050
0403 90 13 9300	+	89,73	0404 90 83 9919	+	0,1577
0403 90 13 9500	+	94,53	0404 90 83 9931	+	15,20
0403 90 13 9900	+	101,68	0404 90 83 9933	+	18,24
0403 90 19 9000	+	102,44	0404 90 83 9935	+	24,24
0403 90 31 9000	+	0,6685	0404 90 83 9937	+	25,22
0403 90 33 9200	+	0,6685	0404 90 89 9130	+	1,0244
0403 90 33 9300	+	0,8973	0404 90 89 9150	+	1,1159
0403 90 33 9500	+	0,9453	0404 90 89 9930	+	0,4601
0403 90 33 9900	+	1,0168	0404 90 89 9950	+	0,6600
0403 90 39 9000	+	1,0244	0404 90 89 9990	+	0,7522
0403 90 51 9100	970	2,327	0405 10 11 9500	+	165,85
	...	—	0405 10 11 9700	+	170,00
0403 90 51 9300	+	—	0405 10 19 9500	+	165,85
0403 90 53 9000	+	4,551	0405 10 19 9700	+	170,00
0403 90 59 9110	+	6,803	0405 10 30 9100	+	165,85
0403 90 59 9140	+	10,50	0405 10 30 9300	+	170,00
0403 90 59 9170	+	15,77	0405 10 30 9500	+	165,85
0403 90 59 9310	+	38,32	0405 10 30 9700	+	170,00
0403 90 59 9340	+	59,85	0405 10 50 9100	+	165,85
0403 90 59 9370	+	66,00	0405 10 50 9300	+	170,00
0403 90 59 9510	+	75,22	0405 10 50 9500	+	165,85
0403 90 59 9540	+	110,55	0405 10 50 9700	+	170,00
0403 90 59 9570	+	129,01	0405 10 90 9000	+	176,22
0403 90 61 9100	+	—	0405 20 90 9500	+	155,49
0403 90 61 9300	+	—	0405 20 90 9700	+	161,71
0403 90 63 9000	+	0,0456	0405 90 10 9000	+	216,00
0403 90 69 9000	+	0,0680	0405 90 90 9000	+	170,00
0404 90 21 9100	+	66,85	0406 10 20 9100	+	—
0404 90 21 9910	+	—	0406 10 20 9230	037	—
0404 90 21 9950	+	13,18		039	—
0404 90 23 9120	+	66,85		099	22,83
0404 90 23 9130	+	89,73		400	22,83
0404 90 23 9140	+	94,53		...	37,68
0404 90 23 9150	+	101,68			
0404 90 23 9911	+	—	0406 10 20 9290	037	—
0404 90 23 9913	+	4,551		039	—
0404 90 23 9915	+	6,803		099	21,24
0404 90 23 9917	+	10,50		400	15,29
0404 90 23 9919	+	15,77		...	35,05
0404 90 23 9931	+	13,18			
0404 90 23 9933	+	16,15	0406 10 20 9300	037	—
0404 90 23 9935	+	19,63		039	—
0404 90 23 9937	+	23,21		099	9,329
0404 90 23 9939	+	24,26		400	7,834
0404 90 29 9110	+	102,44		...	15,39
0404 90 29 9115	+	103,11			
0404 90 29 9120	+	104,40			
0404 90 29 9130	+	111,59			
0404 90 29 9135	+	114,05			
0404 90 29 9150	+	123,60			

Product code	Destination (*)	Amount of refund	Product code	Destination (*)	Amount of refund
0406 10 20 9610	037	—	0406 20 90 9990	+	—
	039	—	0406 30 31 9710	037	—
	099	30,98		039	—
	400	30,98		099	9,54
	...	51,11		400	8,346
0406 10 20 9620	037	—		...	17,88
	039	—	0406 30 31 9730	037	—
	099	31,42		039	—
	400	31,42		099	13,99
	...	51,83		400	12,25
0406 10 20 9630	037	—		...	26,24
	039	—	0406 30 31 9910	037	—
	099	35,06		039	—
	400	35,06		099	9,54
	...	57,86		400	8,346
0406 10 20 9640	037	—		...	17,88
	039	—	0406 30 31 9930	037	—
	099	51,54		039	—
	400	48,35		099	13,99
	...	85,03		400	12,25
0406 10 20 9650	037	—		...	26,24
	039	—	0406 30 31 9950	037	—
	099	42,95		039	—
	400	25,44		099	20,36
	...	70,86		400	17,81
0406 10 20 9660	+	—		...	38,17
0406 10 20 9830	037	—	0406 30 39 9500	037	—
	039	—		039	—
	099	15,93		099	13,99
	400	13,38		400	12,25
	...	26,28		...	26,24
0406 10 20 9850	037	—	0406 30 39 9700	037	—
	039	—		039	—
	099	19,31		099	20,36
	400	16,22		400	17,81
	...	31,87		...	38,17
0406 10 20 9870	+	—	0406 30 39 9930	037	—
0406 10 20 9900	+	—		039	—
0406 20 90 9100	+	—		099	20,36
0406 20 90 9913	037	—		400	17,81
	039	—		...	38,17
	099	35,62	0406 30 39 9950	037	—
	400	31,59		039	—
	...	58,77		099	23,02
0406 20 90 9915	037	—		400	21,14
	039	—		...	43,16
	099	47,01	0406 30 90 9000	037	—
	400	42,12		039	—
	...	77,56		099	24,15
0406 20 90 9917	037	—		400	21,14
	039	—		...	45,28
	099	49,94	0406 40 50 9000	037	—
	400	44,75		039	—
	...	82,41		099	54,55
0406 20 90 9919	037	—		400	32,98
	039	—		...	90,00
	099	55,82			
	400	50,02			
	...	92,10			

Product code	Destination (*)	Amount of refund	Product code	Destination (*)	Amount of refund
0406 40 90 9000	037	—	0406 90 33 9951	037	—
	039	—		039	—
	099	56,01		099	36,20
	400	32,98		400	20,01
	...	92,42		...	59,72
0406 90 13 9000	037	—	0406 90 35 9190	037	28,95
	039	—		039	28,95
	099	60,16		099	61,40
	400	60,16		400	61,40
	...	99,26		...	101,30
0406 90 15 9100	037	—	0406 90 35 9990	037	—
	039	—		039	—
	099	62,17		099	54,68
	400	62,17		400	40,19
	...	102,58		...	90,22
0406 90 17 9100	037	—	0406 90 37 9000	037	—
	039	—		039	—
	099	62,17		099	60,16
	400	62,17		400	60,16
	...	102,58		...	99,26
0406 90 21 9900	037	—	0406 90 61 9000	037	40,61
	039	—		039	40,61
	099	61,63		099	65,82
	400	44,53		400	57,27
	...	101,68		...	108,59
0406 90 23 9900	037	—	0406 90 63 9100	037	37,12
	039	—		039	37,12
	099	36,51		099	63,89
	400	18,57		400	63,89
	...	75,31		...	105,42
0406 90 25 9900	037	—	0406 90 63 9900	037	29,52
	039	—		039	29,52
	099	36,98		099	48,93
	400	21,16		400	48,93
	...	76,25		...	80,75
0406 90 27 9900	037	—	0406 90 69 9100	+	—
	039	—	0406 90 69 9910	037	—
	099	33,48		039	—
	400	18,57		099	48,93
	...	69,06		400	48,93
0406 90 31 9119	037	—		...	80,75
	039	—	0406 90 73 9900	037	—
	099	38,17		039	—
	400	25,56		099	52,63
	...	62,99		400	52,63
0406 90 33 9119	037	—		...	86,83
	039	—	0406 90 75 9900	037	—
	099	38,17		039	—
	400	25,56		099	51,97
	...	62,99		400	22,27
0406 90 33 9919	037	—		...	85,75
	039	—	0406 90 76 9300	037	—
	099	34,36		039	—
	400	20,33		099	34,88
	...	56,69		400	20,12
				...	71,94

Product code	Destination (*)	Amount of refund	Product code	Destination (*)	Amount of refund
0406 90 76 9400	037	—	0406 90 85 9999	+	—
	039	—	0406 90 86 9100	+	—
	099	40,07	0406 90 86 9200	037	—
	400	23,22		039	—
	...	82,65		099	29,74
0406 90 76 9500	037	—		400	27,65
	039	—		...	61,34
	099	38,60	0406 90 86 9300	037	—
	400	23,22		039	—
	...	79,62		099	30,78
0406 90 78 9100	037	—		400	30,30
	039	—		...	63,48
	099	32,73	0406 90 86 9400	037	—
	400	18,14		039	—
	...	67,50		099	34,58
0406 90 78 9300	037	—		400	34,28
	039	—		...	71,32
	099	40,07	0406 90 86 9900	037	—
	400	20,12		039	—
	...	82,65		099	43,80
0406 90 78 9500	037	—		400	40,24
	039	—		...	90,34
	099	40,07	0406 90 87 9100	+	—
	400	23,22	0406 90 87 9200	037	—
	...	82,65		039	—
0406 90 79 9900	037	—		099	24,78
	039	—		400	24,78
	099	30,31		...	51,11
	400	19,23	0406 90 87 9300	037	—
	...	62,51		039	—
0406 90 81 9900	037	—		099	28,27
	039	—		400	28,02
	099	53,71		...	58,31
	400	47,61	0406 90 87 9400	037	—
	...	88,63		039	—
0406 90 85 9910	037	28,95		099	30,66
	039	28,95		400	30,66
	099	59,27		...	63,25
	400	59,27	0406 90 87 9951	037	—
	...	97,79		039	—
0406 90 85 9991	037	—		099	42,19
	039	—		400	42,19
	099	54,68		...	87,04
	400	40,19	0406 90 87 9971	037	—
	...	90,22		039	—
0406 90 85 9995	037	—		099	42,07
	039	—		400	34,41
	099	51,97		...	86,78
	400	21,16	0406 90 87 9972	099	16,03
	...	85,75		400	13,67
				...	33,07

Product code	Destination (*)	Amount of refund	Product code	Destination (*)	Amount of refund
0406 90 87 9973	037	—	2309 10 19 9100	+	—
	039	—	2309 10 19 9200	+	—
	099	37,66	2309 10 19 9300	+	—
	400	24,08	2309 10 19 9400	+	—
	...	77,68	2309 10 19 9500	+	—
0406 90 87 9974	037	—	2309 10 19 9600	+	—
	039	—	2309 10 19 9700	+	—
	099	42,07	2309 10 19 9800	+	—
	400	24,08	2309 10 70 9010	+	—
	...	86,78	2309 10 70 9100	+	13,85
0406 90 87 9979	037	—	2309 10 70 9200	+	18,47
	039	—	2309 10 70 9300	+	23,09
	099	36,51	2309 10 70 9500	+	27,70
	400	24,08	2309 10 70 9600	+	32,32
	...	75,31	2309 10 70 9700	+	36,94
0406 90 88 9100	+	—	2309 10 70 9800	+	40,63
0406 90 88 9105	037	—	2309 90 35 9010	+	—
	039	—	2309 90 35 9100	+	—
	099	52,46	2309 90 35 9200	+	—
	400	30,30	2309 90 35 9300	+	—
	...	86,56	2309 90 35 9400	+	—
0406 90 88 9300	037	—	2309 90 35 9500	+	—
	039	—	2309 90 35 9700	+	—
	099	31,84	2309 90 39 9010	+	—
	400	30,30	2309 90 39 9100	+	—
	...	52,55	2309 90 39 9200	+	—
2309 10 15 9010	+	—	2309 90 39 9300	+	—
2309 10 15 9100	+	—	2309 90 39 9400	+	—
2309 10 15 9200	+	—	2309 90 39 9500	+	—
2309 10 15 9300	+	—	2309 90 39 9600	+	—
2309 10 15 9400	+	—	2309 90 39 9700	+	—
2309 10 15 9500	+	—	2309 90 39 9800	+	—
2309 10 15 9700	+	—	2309 90 70 9010	+	—
2309 10 19 9010	+	—	2309 90 70 9100	+	13,85
			2309 90 70 9200	+	18,47
			2309 90 70 9300	+	23,09
			2309 90 70 9500	+	27,70
			2309 90 70 9600	+	32,32
			2309 90 70 9700	+	36,94
			2309 90 70 9800	+	40,63

(*) The code numbers for the destinations are those set out in the Annex to Commission Regulation (EC) No 895/97 (OJ L 128, 21. 5. 1997, p. 1).

However:

— '099' covers all destination codes from 053 to 096 inclusive,

— '970' covers the exports referred to in Article 34 (1) (c) of Commission Regulation (EEC) No 3665/87 (OJ L 351, 14. 12. 1987, p. 1).

For destinations other than those indicated for each 'product code', the amount of the refund applying is indicated by ''.

Where no destination ('+') is indicated, the amount of the refund is applicable for exports to any destination other than those referred to in Article 1 (2) and (3).

NB: The product codes and the footnotes are defined in Commission Regulation (EEC) No 3846/87 (OJ L 366, 24. 12. 1987, p. 1), as amended.

COMMISSION REGULATION (EC) No 2349/97

of 27 November 1997

repealing Regulation (EC) No 581/97 adopting exceptional support measures for the market in pigmeat in Belgium

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EEC) No 2759/75 of 29 October 1975 on the common organization of the market in pigmeat ⁽¹⁾, as last amended by Regulation (EC) No 3290/94 ⁽²⁾, and in particular Article 20 thereof,

Whereas, because of the outbreak of classical swine fever in certain production regions in Belgium, animal health measures were adopted by the Belgian authorities pursuant to Council Directive 80/217/EEC of 22 January 1980 introducing Community measures for the control of classical swine fever ⁽³⁾, as last amended by Decision 93/384/EEC ⁽⁴⁾, and exceptional support measures for the market in pigmeat were adopted for this Member State by Regulation (EC) No 581/97 ⁽⁵⁾, as last amended by Regulation (EC) No 1935/97 ⁽⁶⁾;

Whereas, in view of the progress achieved on the animal health side, the exceptional market support measures can

now be closed down; whereas Regulation (EC) No 581/97 needs to be repealed;

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

HAS ADOPTED THIS REGULATION:

Article 1

Regulation (EC) No 581/97 is hereby repealed.

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, 27 November 1997.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ L 282, 1. 11. 1975, p. 1.
⁽²⁾ OJ L 349, 31. 12. 1994, p. 105.
⁽³⁾ OJ L 47, 21. 2. 1980, p. 11.
⁽⁴⁾ OJ L 166, 8. 7. 1993, p. 34.
⁽⁵⁾ OJ L 87, 2. 4. 1997, p. 11.
⁽⁶⁾ OJ L 272, 4. 10. 1997, p. 16.

COMMISSION REGULATION (EC) No 2350/97
of 27 November 1997

fixing Community producer and import prices for carnations and roses with a view to the application of the arrangements governing imports of certain floricultural products originating in Cyprus, Israel, Jordan, Morocco and the West Bank and the Gaza Strip

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

Having regard to Council Regulation (EEC) No 4088/87 of 21 December 1987 fixing conditions for the application of preferential customs duties on imports of certain flowers originating in Cyprus, Israel, Jordan, Morocco and the West Bank and the Gaza Strip ⁽¹⁾, as last amended by Regulation (EC) No 1300/97 ⁽²⁾, and in particular Article 5 (2) (a) thereof,

Whereas, pursuant to Article 2 (2) and Article 3 of above-mentioned Regulation (EEC) No 4088/87, Community import and producer prices are fixed each fortnight for uniflorous (bloom) carnations, multiflorous (spray) carnations, large-flowered roses and small-flowered roses and apply for two-weekly periods; whereas, pursuant to Article 1b of Commission Regulation (EEC) No 700/88 of 17 March 1988 laying down detailed rules for the application of the arrangements for the import into the Community of certain floricultural products originating in Cyprus, Israel, Jordan, Morocco and the West Bank and the Gaza Strip ⁽³⁾, as last amended by Regulation (EC) No 2062/97 ⁽⁴⁾, those prices are determined for fortnightly periods on the basis of weighted prices provided by the

Member States; whereas those prices should be fixed immediately so the customs duties applicable can be determined; whereas, to that end, provision should be made for this Regulation to enter into force immediately,

HAS ADOPTED THIS REGULATION:

Article 1

The Community producer and import prices for uniflorous (bloom) carnations, multiflorous (spray) carnations, large-flowered roses and small-flowered roses as referred to in Article 1b of Regulation (EEC) No 700/88 for a fortnightly period shall be as set out in the Annex.

Article 2

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

It shall apply from 19 November to 2 December 1997.

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

Done at Brussels, 27 November 1997.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ L 382, 31. 12. 1987, p. 22.

⁽²⁾ OJ L 177, 5. 7. 1997, p. 1.

⁽³⁾ OJ L 72, 18. 3. 1988, p. 16.

⁽⁴⁾ OJ L 289, 22. 10. 1997, p. 1.

ANNEX

(ECU/100 pieces)

Period from 19 November to 2 December 1997

Community producer price	Uniflorous (bloom) carnations	Multiflorous (spray) carnations	Large-flowered roses	Small-flowered roses
	13,91	11,27	36,84	14,62
Community import prices	Uniflorous (bloom) carnations	Multiflorous (spray) carnations	Large-flowered roses	Small-flowered roses
Israel	10,70	8,29	11,77	10,25
Morocco	12,68	13,65	—	8,65
Cyprus	—	—	—	—
Jordan	—	—	—	—
West Bank and Gaza Strip	—	—	—	—

COMMISSION REGULATION (EC) No 2351/97

of 27 November 1997

suspending the preferential customs duty and re-establishing the Common Customs Tariff duty on imports of small-flowered roses originating in Morocco

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EEC) No 4088/87 of 21 December 1987 fixing conditions for the application of preferential customs duties on imports of certain flowers originating in Cyprus, Israel, Jordan, Morocco and the West Bank and the Gaza Strip ⁽¹⁾, as last amended by Regulation (EC) No 1300/97 ⁽²⁾, and in particular Article 5 (2) (b) thereof,

Whereas Regulation (EEC) No 4088/87 lays down the conditions for applying a preferential customs duty on large-flowered roses, small-flowered roses, uniflorous (bloom) carnations and multiflorous (spray) carnations within the limit of tariff quotas opened annually for imports into the Community of fresh cut flowers;

Whereas Council Regulation (EC) No 1981/94 ⁽³⁾, as last amended by Commission Regulation (EC) No 1667/97 ⁽⁴⁾, opens and provides for the administration of Community tariff quotas for fresh cut flowers and flower buds originating in Cyprus, Egypt, Israel, Malta, Morocco and the West Bank and the Gaza Strip;

Whereas Commission Regulation (EC) No 2350/97 ⁽⁵⁾ fixes the Community producer and import prices for carnations and roses for the application of the arrangements;

Whereas Commission Regulation (EEC) No 700/88 ⁽⁶⁾, as last amended by Regulation (EC) No 2062/97 ⁽⁷⁾, lays down the detailed rules for the application of the arrangements in question;

Whereas the representative market rates defined in Article 1 of Council Regulation (EEC) No 3813/92 ⁽⁸⁾, as last

amended by Regulation (EC) No 150/95 ⁽⁹⁾, are used to convert amounts expressed in third country currencies and serve as a basis for determining the agricultural conversion rates for the Member States' currencies; whereas detailed rules for applying and determining such conversion rates are laid down in Commission Regulation (EEC) No 1068/93 ⁽¹⁰⁾, as last amended by Regulation (EC) No 1482/96 ⁽¹¹⁾;

Whereas, in the light of the prices recorded pursuant to Regulations (EEC) No 4088/87 and (EEC) No 700/88, it may be concluded that the conditions laid down in Article 2 (3) of Regulation (EEC) No 4088/87 for the suspension of the preferential customs duty on small-flowered roses originating in Morocco are met; whereas the Common Customs Tariff duty should therefore be re-established;

Whereas the quota for the products in question covers the period 1 November 1997 to 31 October 1998; whereas the suspension of the preferential duty and the re-establishment of the Common Customs Tariff duty should accordingly apply up to the end of that period at the latest;

Whereas, in between meetings of the Management Committee, the Commission must adopt such measures,

HAS ADOPTED THIS REGULATION:

Article 1

The preferential customs duty on imports of small-flowered roses (CN codes ex 0603 10 11 and ex 0603 10 51) originating in Morocco fixed by Regulation (EC) No 1981/94 is hereby suspended and the Common Customs Tariff duty re-established.

Article 2

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

⁽¹⁾ OJ L 382, 31. 12. 1987, p. 22.

⁽²⁾ OJ L 177, 5. 7. 1997, p. 1.

⁽³⁾ OJ L 199, 2. 8. 1994, p. 1.

⁽⁴⁾ OJ L 236, 27. 8. 1997, p. 3.

⁽⁵⁾ See page 17 of this Official Journal.

⁽⁶⁾ OJ L 72, 18. 3. 1988, p. 16.

⁽⁷⁾ OJ L 289, 22. 10. 1997, p. 1.

⁽⁸⁾ OJ L 387, 31. 12. 1992, p. 1.

⁽⁹⁾ OJ L 22, 31. 1. 1995, p. 1.

⁽¹⁰⁾ OJ L 108, 1. 5. 1993, p. 106.

⁽¹¹⁾ OJ L 188, 27. 7. 1996, p. 22.

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

Done at Brussels, 27 November 1997.

For the Commission

Franz FISCHLER

Member of the Commission

COMMISSION REGULATION (EC) No 2352/97
of 27 November 1997

**introducing specific measures in respect of imports of rice originating in the
overseas countries and territories**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

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,

Following consultation of the Committee established by Article 1 (2) of Annex IV to Decision 91/482/EEC,

Whereas the safeguard measures in respect of imports of rice originating in the overseas countries and territories (OCTs) introduced by Council Regulation (EC) No 1036/97⁽²⁾ expire on 30 November 1997; whereas the Council adopted amendments to Decision 91/482/EEC; whereas, however, until the implementing measures required by the amendments to the arrangements made by this Decision have been adopted, specific surveillance measures are required;

Whereas the import of unlimited quantities of rice originating in the OCTs threatens seriously to disturb the Community market in rice; whereas, in particular, the import of large quantities of rice originating in the OCTs since 1 December 1997 threatens seriously to undermine the Community rice market during the 1997/98 marketing year; whereas the risk of large quantities of imports from the OCTs is all the greater because the Council has agreed to limit the quantities which may be imported from them as part of the mid-term revision of the arrangements under Decision 91/482/EEC but that agreement has not yet come into force;

Whereas on 13 November 1997 the Commission decided that specific measures should therefore be taken;

Whereas the Italian Government on 10 November 1997 and the Greek Government on 12 November 1997 requested to the Commission under Article 109 of Decision 91/482/EEC to extend the safeguard measures in respect of rice imported from the OCTs;

Whereas Article 109 (2) of Decision 91/482/EEC requires priority to be given to such measures as would least

disturb the functioning of the association of these OCTs and the Community; whereas these measures should not exceed the limits of what is strictly necessary to remedy the difficulties that have arisen;

Whereas, to comply with these goals, arrangements for the surveillance of imports originating in the OCTs under the conditions laid down by Decision 91/482/EEC should be introduced from 1 December 1997 until the Commission has adopted arrangements for the application of the Council Decision on the revision of the arrangements; whereas a monthly quantity should therefore be fixed on the basis of one twelfth of the total annual quantity of 160 000 tonnes laid down in the last draft which secured the broadest agreement in the Council; whereas above that figure applications should be scrutinised particularly carefully on the basis of an assessment of the situation on the Community market and the trend thereof;

Whereas the Dutch authorities have sent the Commission a decision by the Ministers of Economic Affairs and Finance of the Netherlands Antilles establishing, for the purposes of Annex II to Decision 91/482/EEC, a minimum price for the export to the Community of rice originating in the Netherlands Antilles; whereas that measure could help avoid serious disturbance to the Community market;

Whereas, however, that measure, which is, in any case, limited to a single OCT, is not such as to render unnecessary the arrangements for the surveillance of the Community market in rice required for the reasons set out above;

Whereas, in order not to change in a sudden and unexpected fashion the current practices regarding imports of products originating in the OCTs in this sector, the provisions applying to the submission of applications for licences laid down by Regulation (EC) No 1036/97 should remain in force;

Whereas the measures provided for in this Regulation either complement or derogate from Commission Regulation (EEC) No 3719/88⁽³⁾, as last amended by Regulation (EC) No 1404/97⁽⁴⁾, and Regulation (EEC) No 1162/95⁽⁵⁾, as last amended by Regulation (EC) No 932/97⁽⁶⁾,

⁽¹⁾ OJ L 331, 2. 12. 1988, p. 1.

⁽²⁾ OJ L 194, 23. 7. 1997, p. 5.

⁽³⁾ OJ L 117, 24. 5. 1995, p. 2.

⁽⁴⁾ OJ L 135, 27. 5. 1997, p. 2.

⁽¹⁾ OJ L 263, 19. 9. 1991, p. 1.

⁽²⁾ OJ L 151, 10. 6. 1997, p. 8.

HAS ADOPTED THIS REGULATION:

Article 1

From 1 December 1997 imports into the Community of rice originating in the OCTs falling within CN code 1006 and benefiting from exemption from customs duties shall be subject to this Regulation.

Article 2

1. Applications for import licences shall be lodged with the competent authorities of the Member States.

2. Applications for import licences shall be for a quantity of 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. 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) section 8 shall show the country of origin and 'yes' shall be marked with a cross;

(b) section 20 of the licence shall bear one of the following entries:

- 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 τον τελωνειακό δασμό (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 (päättöksen 91/482/ETY, 101 artikla)
- 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 set out in sections 17 and 18 of the import licence. To that end, the figure '0' shall be entered in section 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 'originating products' for the purposes of applying this Regulation and the administrative methods 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 notify the Commission by telex or fax of the quantities covered by licence applications, broken down by eight-digit CN code and by country of origin, the number of the licence applied for and the name and address of the applicant.

The above information must be notified separately from that relating to other import licence applications covering rice and in accordance with the same procedure.

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 monthly total of 13 300 tonnes of rice expressed as the equivalent in husked rice and, on the basis of an assessment of the Community market, this situation threatens to substantially disturb that market, the Commission shall, within 10 working days following the day the quantity was exceeded:

- fix a percentage reduction to be applied to all the applications lodged on the day the quantity was exceeded,
- reject applications made after the day on which the quantity was exceeded,
- suspend the lodging of new applications for that month.

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.

⁽¹⁾ OJ L 329, 30. 12. 1995, p. 18.

5. If paragraph 3 is applied, the application for a licence may be withdrawn within one working day following publication of the Regulation laying down the percentage reduction. The security shall be released immediately.

Article 5

Member States shall notify the Commission by telex or fax and in accordance with the Annex to this Regulation:

- within two working days of their issue, of the quantities, broken down by eight-digit CN code and country of origin, covered by the import licences issued, with the date of issue, the number of the licence and the name and address of the holder,
- on the last working day of the month following the month of release for free circulation, of the quantities, broken down by eight-digit CN code and country of origin, actually released for free circulation, with the date of release, the number of the licence and the name and address of the holder.

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

Done at Brussels, 27 November 1997.

The above information must be notified separately from that relating to other import licence applications covering rice and in accordance with the same procedure.

Article 6

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

This Regulation shall enter into force on 1 December 1997 and shall apply until 31 January 1998.

For the Commission

Franz FISCHLER

Member of the Commission

ANNEX

RICE — REGULATION (EC) No 2352/97

Application for an import licence ⁽¹⁾

Issue of an import licence ⁽¹⁾

Release for free circulation (1)

To: DG VI-C-2 Fax: (00 32) 2 296 60 21

From:

Date	No of licence	CN code	Quantity (tonnes)	Country of origin	Name and address of applicant/holder

(1) Delete as appropriate.

COMMISSION REGULATION (EC) No 2353/97**of 27 November 1997****amending representative prices and additional duties for the import of certain products in the sugar sector**

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

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

Having regard to Commission Regulation (EC) No 1423/95 of 23 June 1995 laying down detailed implementing rules for the import of products in the sugar sector other than molasses ⁽³⁾, as last amended by Regulation (EC) No 1143/97 ⁽⁴⁾, and in particular the second subparagraph of Article 1 (2), and Article 3 (1) thereof,

Whereas the amounts of the representative prices and additional duties applicable to the import of white sugar, raw sugar and certain syrups are fixed by Commission Regulation (EC) No 1222/97 ⁽⁵⁾, as last amended by Regulation (EC) No 2297/97 ⁽⁶⁾;

Whereas it follows from applying the general and detailed fixing rules contained in Regulation (EC) No 1423/95 to the information known to the Commission that the representative prices and additional duties at present in force should be altered to the amounts set out in the Annex hereto,

HAS ADOPTED THIS REGULATION:

Article 1

The representative prices and additional duties on imports of the products referred to in Article 1 of Regulation (EC) No 1423/95 shall be as set out in the Annex hereto.

Article 2

This Regulation shall enter into force on 28 November 1997.

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

Done at Brussels, 27 November 1997.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ L 177, 1. 7. 1981, p. 4.

⁽²⁾ OJ L 206, 16. 8. 1996, p. 43.

⁽³⁾ OJ L 141, 24. 6. 1995, p. 16.

⁽⁴⁾ OJ L 165, 24. 6. 1997, p. 11.

⁽⁵⁾ OJ L 173, 1. 7. 1997, p. 3.

⁽⁶⁾ OJ L 316, 20. 11. 1997, p. 9.

ANNEX

to the Commission Regulation of 27 November 1997 amending representative prices and the amounts of additional duties applicable to imports of white sugar, raw sugar and products covered by CN code 1702 90 99

(ECU)

CN code	Amount of representative prices per 100 kg net of product concerned	Amount of additional duty per 100 kg net of product concerned
1701 11 10 ⁽¹⁾	25,98	3,49
1701 11 90 ⁽¹⁾	25,98	8,54
1701 12 10 ⁽¹⁾	25,98	3,36
1701 12 90 ⁽¹⁾	25,98	8,11
1701 91 00 ⁽²⁾	26,25	12,11
1701 99 10 ⁽²⁾	26,25	7,59
1701 99 90 ⁽²⁾	26,25	7,59
1702 90 99 ⁽³⁾	0,26	0,39

⁽¹⁾ For the standard quality as defined in Article 1 of amended Council Regulation (EEC) No 431/68 (OJ L 89, 10. 4. 1968, p. 3).

⁽²⁾ For the standard quality as defined in Article 1 of Council Regulation (EEC) No 793/72 (OJ L 94, 21. 4. 1972, p. 1).

⁽³⁾ By 1 % sucrose content.

**COMMISSION REGULATION (EC) No 2354/97
of 27 November 1997**

**fixing the maximum export refund on common wheat in connection with the
invitation to tender issued in Regulation (EC) No 1883/97**

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 Regulation (EC) No 923/96⁽²⁾,

Having regard to Commission Regulation (EC) No 1501/95 of 29 June 1995 laying down certain detailed rules for the application of Council Regulation (EEC) No 1766/92 on the granting of export refunds on cereals and the measures to be taken in the event of disturbance on the market for cereals⁽³⁾, as last amended by Regulation (EC) No 2052/97⁽⁴⁾, and in particular Article 7 thereof,

Whereas an invitation to tender for the refund and/or the tax for the export of common wheat to Ceuta, Melilla and certain ACP States was opened pursuant to Commission Regulation (EC) No 1883/97⁽⁵⁾;

Whereas Article 7 of Regulation (EC) No 1501/95 provides that the Commission may, on the basis of the tenders notified, in accordance with the procedure laid down in Article 23 of Regulation (EEC) No 1766/92, decide to fix a maximum export refund taking account of the criteria referred to in Article 1 of Regulation (EC) No

1501/95; whereas in that case a contract is awarded to any tenderer whose bid is equal to or lower than the maximum refund, as well as to any tenderer whose bid relates to an export tax;

Whereas the application of the abovementioned criteria to the current market situation for the cereal in question results in the maximum export refund being fixed at the amount specified in Article 1;

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

HAS ADOPTED THIS REGULATION:

Article 1

For tenders notified from 21 November to 27 November 1997, pursuant to the invitation to tender issued in Regulation (EC) No 1883/97, the maximum refund on exportation of common wheat shall be ECU 19,47 per tonne.

Article 2

This Regulation shall enter into force on 28 November 1997.

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

Done at Brussels, 27 November 1997.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ L 181, 1. 7. 1992, p. 21.

⁽²⁾ OJ L 126, 24. 5. 1996, p. 37.

⁽³⁾ OJ L 147, 30. 6. 1995, p. 7.

⁽⁴⁾ OJ L 287, 21. 10. 1997, p. 14.

⁽⁵⁾ OJ L 265, 27. 9. 1997, p. 69.

COMMISSION REGULATION (EC) No 2355/97

of 27 November 1997

fixing the maximum export refund on common wheat in connection with the invitation to tender issued in Regulation (EC) No 1339/97

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 Regulation (EC) No 923/96⁽²⁾,

Having regard to Commission Regulation (EC) No 1501/95 of 29 June 1995 laying down certain detailed rules for the application of Council Regulation (EEC) No 1766/92 on the granting of export refunds on cereals and the measures to be taken in the event of disturbance on the market for cereals⁽³⁾, as last amended by Regulation (EC) No 2052/97⁽⁴⁾, and in particular Article 7 thereof,

Whereas an invitation to tender for the refund and/or the tax for the export of common wheat to all third countries except Ceuta, Melilla and certain ACP States was opened pursuant to Commission Regulation (EC) No 1339/97⁽⁵⁾, as amended by Regulation (EC) No 1884/97⁽⁶⁾;

Whereas Article 7 of Regulation (EC) No 1501/95 provides that the Commission may, on the basis of the tenders notified, in accordance with the procedure laid down in Article 23 of Regulation (EEC) No 1766/92, decide to fix a maximum export refund taking account of the criteria referred to in Article 1 of Regulation (EC) No

1501/95; whereas in that case a contract is awarded to any tenderer whose bid is equal to or lower than the maximum refund, as well as to any tenderer whose bid relates to an export tax;

Whereas the application of the abovementioned criteria to the current market situation for the cereal in question results in the maximum export refund being fixed at the amount specified in Article 1;

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

For tenders notified from 21 November to 27 November 1997, pursuant to the invitation to tender issued in amended Regulation (EC) No 1339/97, the maximum refund on exportation of common wheat shall be ECU 12,90 per tonne.

Article 2

This Regulation shall enter into force on 28 November 1997.

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

Done at Brussels, 27 November 1997.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ L 181, 1. 7. 1992, p. 21.

⁽²⁾ OJ L 126, 24. 5. 1996, p. 37.

⁽³⁾ OJ L 147, 30. 6. 1995, p. 7.

⁽⁴⁾ OJ L 287, 21. 10. 1997, p. 14.

⁽⁵⁾ OJ L 184, 12. 7. 1997, p. 7.

⁽⁶⁾ OJ L 265, 27. 9. 1997, p. 73.

COMMISSION REGULATION (EC) No 2356/97
of 27 November 1997
concerning tenders notified in response to the invitation to tender for the export
of barley issued in Regulation (EC) No 1337/97

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 Regulation (EC) No 923/96⁽²⁾,

Having regard to Commission Regulation (EC) No 1501/95 of 29 June 1995 laying down certain detailed rules for the application of Council Regulation (EEC) No 1766/92 on the granting of export refunds on cereals and the measures to be taken in the event of disturbance on the market for cereals⁽³⁾, as last amended by Regulation (EC) No 2052/97⁽⁴⁾, and in particular Article 7 thereof,

Whereas an invitation to tender for the refund and or the tax for the export of barley to all third countries was opened pursuant to Commission Regulation (EC) No 1337/97⁽⁵⁾;

Whereas Article 7 of Regulation (EC) No 1501/95, allows the Commission to decide, in accordance with the procedure laid down in Article 23 of Regulation (EEC) No

1766/92 and on the basis of the tenders notified, to make no award;

Whereas on the basis of the criteria laid down in Article 1 of Regulation (EC) No 1501/95 a maximum refund or a minimum tax should not be fixed;

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

HAS ADOPTED THIS REGULATION:

Article 1

No action shall be taken on the tenders notified from 21 November to 27 November 1997 in response to the invitation to tender for the refund or the tax for the export of barley issued in Regulation (EC) No 1337/97.

Article 2

This Regulation shall enter into force on 28 November 1997.

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

Done at Brussels, 27 November 1997.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ L 181, 1. 7. 1992, p. 21.

⁽²⁾ OJ L 126, 24. 5. 1996, p. 37.

⁽³⁾ OJ L 147, 30. 6. 1995, p. 7.

⁽⁴⁾ OJ L 287, 21. 10. 1997, p. 14.

⁽⁵⁾ OJ L 184, 12. 7. 1997, p. 1.

COMMISSION REGULATION (EC) No 2357/97
of 27 November 1997
concerning tenders notified in response to the invitation to tender for the export
of oats issued in Regulation (EC) No 1773/97

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 Regulation (EC) No 923/96 ⁽²⁾,

Having regard to Commission Regulation (EC) No 1501/95 of 29 June 1995 laying down certain detailed rules for the application of Council Regulation (EEC) No 1766/92 on the granting of export refunds on cereals and the measures to be taken in the event of disturbance on the market for cereals ⁽³⁾, as last amended by Regulation (EC) No 2052/97 ⁽⁴⁾, and in particular Article 7 thereof,

Whereas an invitation to tender for the refund for the export of oats was opened pursuant to Commission Regulation (EC) No 1773/97 ⁽⁵⁾, as amended by Regulation (EC) No 2133/97 ⁽⁶⁾;

Whereas Article 7 of Regulation (EC) No 1501/95, allows the Commission to decide, in accordance with the procedure laid down in Article 23 of Regulation (EEC) No

1766/92 and on the basis of the tenders notified, to make no award;

Whereas on the basis of the criteria laid down in Article 1 of Regulation (EC) No 1501/95 a maximum refund should not be fixed;

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

No action shall be taken on the tenders notified from 21 November to 27 November 1997 in response to the invitation to tender for the refund for the export of oats issued in Regulation (EC) No 1773/97.

Article 2

This Regulation shall enter into force on 28 November 1997.

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

Done at Brussels, 27 November 1997.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ L 181, 1. 7. 1992, p. 21.

⁽²⁾ OJ L 126, 24. 5. 1996, p. 37.

⁽³⁾ OJ L 147, 30. 6. 1995, p. 7.

⁽⁴⁾ OJ L 287, 21. 10. 1997, p. 14.

⁽⁵⁾ OJ L 250, 13. 9. 1997, p. 1.

⁽⁶⁾ OJ L 296, 30. 10. 1997, p. 29.

COMMISSION REGULATION (EC) No 2358/97

of 27 November 1997

fixing the export refunds on cereals and on wheat or rye flour, groats and meal

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 13 (2) thereof,

Whereas Article 13 of Regulation (EEC) No 1766/92 provides that the difference between quotations or prices on the world market for the products listed in Article 1 of that Regulation and prices for those products in the Community may be covered by an export refund;

Whereas the refunds must be fixed taking into account the factors referred to in Article 1 of Commission Regulation (EC) No 1501/95 of 29 June 1995 laying down certain detailed rules under Council Regulation (EEC) No 1766/92 on the granting of export refunds on cereals and the measures to be taken in the event of disturbance on the market for cereals⁽³⁾, as last amended by Regulation (EC) No 2052/97⁽⁴⁾;

Whereas, as far as wheat and rye flour, groats and meal are concerned, when the refund on these products is being calculated, account must be taken of the quantities of cereals required for their manufacture; whereas these quantities were fixed in Regulation (EC) No 1501/95;

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

Whereas the refund must be fixed once a month; whereas it may be altered in the intervening period;

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

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

HAS ADOPTED THIS REGULATION:

Article 1

The export refunds on the products listed in Article 1 (a), (b) and (c) of Regulation (EEC) No 1766/92, excluding malt, exported in the natural state, shall be as set out in the Annex hereto.

Article 2

This Regulation shall enter into force on 28 November 1997.

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

Done at Brussels, 27 November 1997.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ L 181, 1. 7. 1992, p. 21.

⁽²⁾ OJ L 126, 24. 5. 1996, p. 37.

⁽³⁾ OJ L 147, 30. 6. 1995, p. 7.

⁽⁴⁾ OJ L 287, 21. 10. 1997, p. 14.

ANNEX

to the Commission Regulation of 27 November 1997 fixing the export refunds on cereals and on wheat or rye flour, groats and meal

(ECU / tonne)			(ECU / tonne)		
Product code	Destination (1)	Amount of refund	Product code	Destination (1)	Amount of refund
1001 10 00 9200	—	—	1101 00 11 9000	—	—
1001 10 00 9400	—	—	1101 00 15 9100	01	13,00
1001 90 91 9000	—	—	1101 00 15 9130	01	12,00
1001 90 99 9000	03	3,00	1101 00 15 9150	01	11,25
	04	20,00	1101 00 15 9170	01	10,25
	02	0	1101 00 15 9180	01	9,75
1002 00 00 9000	03	17,00	1101 00 15 9190	—	—
	02	0	1101 00 90 9000	—	—
1003 00 10 9000	—	—	1102 10 00 9500	01	36,50
1003 00 90 9000	03	4,00	1102 10 00 9700	—	—
	02	0	1102 10 00 9900	—	—
1004 00 00 9200	—	—	1103 11 10 9200	—	— (2)
1004 00 00 9400	—	—	1103 11 10 9400	—	— (2)
1005 10 90 9000	—	—	1103 11 10 9900	—	—
1005 90 00 9000	—	—	1103 11 90 9200	01	0 (2)
1007 00 90 9000	—	—	1103 11 90 9800	—	—
1008 20 00 9000	—	—			

(1) The destinations are identified as follows:

01 All third countries,

02 Other third countries,

03 Switzerland, Liechtenstein,

04 Seychelles, Comoros, Madagascar, Mauritius, Angola, Zambia, Malawi, Mozambique, Namibia, Botswana, Zimbabwe, Lesotho, Swaziland, Djibouti, Ethiopia, Eritrea, 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.

(2) No refund is granted when this product contains compressed meal.

NB: The zones are those defined in amended Commission Regulation (EEC) No 2145/92 (OJ L 214, 30. 7. 1992, p. 20).

COMMISSION REGULATION (EC) No 2359/97

of 27 November 1997

fixing the export refunds on products processed from cereals and rice

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 13 (3) thereof,

Having regard to Council Regulation (EC) No 3072/95 of 22 December 1995 on the common organization of the market in rice⁽³⁾, and in particular Article 13 (3) thereof,

Whereas Article 13 of Regulation (EEC) No 1766/92 and Article 13 of Regulation (EC) No 3072/95 provide that the difference between quotations or prices on the world market for the products listed in Article 1 of those Regulations and prices for those products within the Community may be covered by an export refund;

Whereas Article 13 of Regulation (EC) No 3072/95 provides that when refunds are being fixed account must be taken of the existing situation and the future trend with regard to prices and availabilities of cereals, rice and broken rice on the Community market on the one hand and prices for cereals, rice, broken rice and cereal products on the world market on the other; whereas the same Articles provide that it is also important to ensure equilibrium and the natural development of prices and trade on the markets in cereals and rice and, furthermore, to take into account the economic aspect of the proposed exports, and the need to avoid disturbances on the Community market;

Whereas Article 4 of Commission Regulation (EC) No 1518/95⁽⁴⁾, as amended by Regulation (EC) No 2993/95⁽⁵⁾, on the import and export system for products processed from cereals and from rice defines the specific

criteria to be taken into account when the refund on these products is being calculated;

Whereas the refund to be granted in respect of certain processed products should be graduated on the basis of the ash, crude fibre, tegument, protein, fat and starch content of the individual product concerned, this content being a particularly good indicator of the quantity of basic product actually incorporated in the processed product;

Whereas there is no need at present to fix an export refund for manioc, other tropical roots and tubers or flours obtained therefrom, given the economic aspect of potential exports and in particular the nature and origin of these products; whereas, for certain products processed from cereals, the insignificance of Community participation in world trade makes it unnecessary to fix an export refund at the present time;

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

Whereas the refund must be fixed once a month; whereas it may be altered in the intervening period;

Whereas certain processed maize products may undergo a heat treatment following which a refund might be granted that does not correspond to the quality of the product; whereas it should therefore be specified that on these products, containing pregelatinized starch, no export refund is to be granted;

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

HAS ADOPTED THIS REGULATION:

Article 1

The export refunds on the products listed in Article 1 (1) (d) of Regulation (EEC) No 1766/92 and in Article 1 (1) (c) of Regulation (EC) No 3072/95 and subject to Regulation (EC) No 1518/95 are hereby fixed as shown in the Annex to this Regulation.

⁽¹⁾ OJ L 181, 1. 7. 1992, p. 21.

⁽²⁾ OJ L 126, 24. 5. 1996, p. 37.

⁽³⁾ OJ L 329, 30. 12. 1995, p. 18.

⁽⁴⁾ OJ L 147, 30. 6. 1995, p. 55.

⁽⁵⁾ OJ L 312, 23. 12. 1995, p. 25.

Article 2

This Regulation shall enter into force on 28 November 1997.

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

Done at Brussels, 27 November 1997.

For the Commission

Franz FISCHLER

Member of the Commission

ANNEX

to the Commission Regulation of 27 November 1997 fixing the export refunds on products
processed from cereals and rice

(ECU/tonne)		(ECU/tonne)	
Product code	Refund	Product code	Refund
1102 20 10 9200 ⁽¹⁾	28,06	1104 23 10 9100	30,06
1102 20 10 9400 ⁽¹⁾	24,05	1104 23 10 9300	23,05
1102 20 90 9200 ⁽¹⁾	24,05	1104 29 11 9000	8,69
1102 90 10 9100	24,14	1104 29 51 9000	8,52
1102 90 10 9900	16,41	1104 29 55 9000	8,52
1102 90 30 9100	29,66	1104 30 10 9000	2,13
1103 12 00 9100	29,66	1104 30 90 9000	5,01
1103 13 10 9100 ⁽¹⁾	36,07	1107 10 11 9000	15,17
1103 13 10 9300 ⁽¹⁾	28,06	1107 10 91 9000	28,64
1103 13 10 9500 ⁽¹⁾	24,05	1108 11 00 9200	17,04
1103 13 90 9100 ⁽¹⁾	24,05	1108 11 00 9300	17,04
1103 19 10 9000	32,04	1108 12 00 9200	32,06
1103 19 30 9100	24,94	1108 12 00 9300	32,06
1103 21 00 9000	8,69	1108 13 00 9200	32,06
1103 29 20 9000	16,41	1108 13 00 9300	32,06
1104 11 90 9100	24,14	1108 19 10 9200	63,84
1104 12 90 9100	32,96	1108 19 10 9300	63,84
1104 12 90 9300	26,37	1109 00 00 9100	0,00
1104 19 10 9000	8,69	1702 30 51 9000 ⁽²⁾	35,86
1104 19 50 9110	32,06	1702 30 59 9000 ⁽²⁾	27,46
1104 19 50 9130	26,05	1702 30 91 9000	35,86
1104 21 10 9100	24,14	1702 30 99 9000	27,46
1104 21 30 9100	24,14	1702 40 90 9000	27,46
1104 21 50 9100	32,18	1702 90 50 9100	35,86
1104 21 50 9300	25,74	1702 90 50 9900	27,46
1104 22 20 9100	26,37	1702 90 75 9000	37,58
1104 22 30 9100	28,02	1702 90 79 9000	26,08
		2106 90 55 9000	27,46

⁽¹⁾ No refund shall be granted on products given a heat treatment resulting in pregelatinization of the starch.

⁽²⁾ Refunds are granted in accordance with Council Regulation (EEC) No 2730/75 (OJ L 281, 1. 11. 1975, p. 20), amended.

NB: The product codes and the footnotes are defined in Commission Regulation (EEC) No 3846/87 (OJ L 366, 24. 12. 1987, p. 1), amended.

COMMISSION REGULATION (EC) No 2360/97

of 27 November 1997

fixing the export refunds on cereal-based compound feedingstuffs

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 13 (3) thereof,

Whereas Article 13 of Regulation (EEC) No 1766/92 provides that the difference between quotations or prices on the world market for the products listed in Article 1 of that Regulation and prices for those products within the Community may be covered by an export refund;

Whereas Regulation (EC) No 1517/95 of 29 June 1995 laying down detailed rules for the application of Regulation (EEC) No 1766/92 as regards the arrangements for the export and import of compound feedingstuffs based on cereals and amending Regulation (EC) No 1162/95 laying down special detailed rules for the application of the system of import and export licences for cereals and rice⁽³⁾ in Article 2 lays down general rules for fixing the amount of such refunds;

Whereas that calculation must also take account of the cereal products content; whereas in the interest of simplification, the refund should be paid in respect of two categories of 'cereal products', namely for maize, the most commonly used cereal in exported compound feeds and maize products, and for 'other cereals', these being eligible cereal products excluding maize and maize products; whereas a refund should be granted in respect of the quantity of cereal products present in the compound feedingstuff;

Whereas furthermore, the amount of the refund must also take into account the possibilities and conditions for the sale of those products on the world market, the need to avoid disturbances on the Community market and the economic aspect of the export;

Whereas, however, in fixing the rate of refund it would seem advisable to base it at this time on the difference in the cost of raw inputs widely used in compound feedingstuffs as the Community and world markets, allowing more accurate account to be taken of the commercial conditions under which such products are exported;

Whereas the refund must be fixed once a month; whereas it may be altered in the intervening period;

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

HAS ADOPTED THIS REGULATION:

Article 1

The export refunds on the compound feedingstuffs covered by Regulation (EEC) No 1766/92 and subject to Regulation (EC) No 1517/95 are hereby fixed as shown in the Annex to this Regulation.

Article 2

This Regulation shall enter into force on 28 November 1997.

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

Done at Brussels, 27 November 1997.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ L 181, 1. 7. 1992, p. 21.

⁽²⁾ OJ L 126, 24. 5. 1996, p. 37.

⁽³⁾ OJ L 147, 30. 6. 1995, p. 51.

ANNEX

to the Commission Regulation of 27 November 1997 fixing the export refunds on cereal-based compound feedingstuffs

Product code benefitting from export refund ⁽¹⁾:

2309 10 11 9000, 2309 10 13 9000, 2309 10 31 9000,
2309 10 33 9000, 2309 10 51 9000, 2309 10 53 9000,
2309 90 31 9000, 2309 90 33 9000, 2309 90 41 9000,
2309 90 43 9000, 2309 90 51 9000, 2309 90 53 9000.

(ECU/tonne)

Cereal products ⁽²⁾	Amount of refund ⁽²⁾
Maize and maize products: CN codes 0709 90 60, 0712 90 19, 1005, 1102 20, 1103 13, 1103 29 40, 1104 19 50, 1104 23, 1904 10 10	20,04
Cereal products ⁽²⁾ excluding maize and maize products	12,31

⁽¹⁾ The product codes are defined in Sector 5 of the Annex to Commission Regulation (EEC) No 3846/87 (OJ L 366, 24. 12. 1987, p. 1), amended.

⁽²⁾ For the purposes of the refund only the starch coming from cereal products is taken into account.

Cereal products means the products falling within subheadings 0709 90 60 and 0712 90 19, Chapter 10, and headings Nos 1101, 1102, 1103 and 1104 (excluding subheading 1104 30) and the cereals content of the products falling within subheadings 1904 10 10 and 1904 10 90 of the combined nomenclature. The cereals content in products under subheadings 1904 10 10 and 1904 10 90 of the combined nomenclature is considered to be equal to the weight of this final product.

No refund is paid for cereals where the origin of the starch cannot be clearly established by analysis.

COMMISSION REGULATION (EC) No 2361/97
of 27 November 1997
fixing production refunds on cereals and rice

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 7 (3) thereof,

Having regard to Council Regulation (EC) No 3072/95 of 22 December 1995 on the common organization of the market in rice⁽³⁾, and in particular Article 7 (2) thereof,

Having regard to Commission Regulation (EEC) No 1722/93 of 30 June 1993 laying down detailed rules for the arrangements concerning production refunds in the cereals and rice sectors⁽⁴⁾, as last amended by Regulation (EC) No 1516/95⁽⁵⁾, and in particular Article 3 thereof,

Whereas Regulation (EEC) No 1722/93 establishes the conditions for granting the production refund; whereas the basis for the calculation is established in Article 3 of the said Regulation; whereas the refund thus calculated must be fixed once a month and may be altered if the price of maize and/or wheat and/or barley changes significantly;

Whereas the production refunds to be fixed in this Regulation should be adjusted by the coefficients listed in the

Annex II to Regulation (EEC) No 1722/93 to establish the exact amount payable;

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

HAS ADOPTED THIS REGULATION:

Article 1

1. The refund referred to in Article 3 (2) of Regulation (EEC) No 1722/93, expressed per tonne of starch extracted from maize, wheat, potatoes, rice or broken rice, shall be ECU 3,31 per tonne.

2. The refund referred to in Article 3 (3) of Regulation (EEC) No 1722/93, expressed per tonne of starch extracted from barley and oats, shall be ECU 3,31 per tonne.

Article 2

This Regulation shall enter into force on 28 November 1997.

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

Done at Brussels, 27 November 1997.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ L 181, 1. 7. 1992, p. 21.
⁽²⁾ OJ L 126, 24. 5. 1996, p. 37.
⁽³⁾ OJ L 329, 30. 12. 1995, p. 18.
⁽⁴⁾ OJ L 159, 1. 7. 1993, p. 112.
⁽⁵⁾ OJ L 147, 30. 6. 1995, p. 49.

COMMISSION REGULATION (EC) No 2362/97

of 27 November 1997

fixing the rates of the refunds applicable to certain cereal and rice-products
exported in the form of goods not covered by Annex II to the Treaty

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 13 (3) thereof,

Having regard to Council Regulation (EC) No 3072/95 of 22 December 1995 on the common organization of the market in rice⁽³⁾, and in particular Article 13 (3) thereof,

Whereas Article 13 (1) of Regulation (EEC) No 1766/92 and Article 13 (1) of Regulation (EC) No 3072/95 provide that the difference between quotations of prices on the world market for the products listed in Article 1 of each of those Regulations and the prices within the Community may be covered by an export refund;

Whereas Commission Regulation (EC) No 1222/94 of 30 May 1994 laying down common implementing rules for granting export refunds on certain agricultural products exported in the form of goods not covered by Annex II to the Treaty, and the criteria for fixing the amount of such refunds⁽⁴⁾, as last amended by Regulation (EC) No 1909/97⁽⁵⁾, specifies the products for which a rate of refund should be fixed, to be applied where these products are exported in the form of goods listed in Annex B to Regulation (EEC) No 1766/92 or in Annex B to Regulation (EC) No 3072/95 as appropriate;

Whereas, in accordance with the first subparagraph of Article 4 (1) of Regulation (EC) No 1222/94, the rate of the refund per 100 kilograms for each of the basic products in question must be fixed for each month;

Whereas, now that a settlement has been reached between the European Community and the United States of America on Community exports of pasta products to the United States and has been approved by Council Decision 87/482/EEC⁽⁶⁾, it is necessary to differentiate the refund on goods falling within CN codes 1902 11 00 and 1902 19 according to their destination;

Whereas Article 4 (5) (b) of Regulation (EC) No 1222/94 provides that, in the absence of the proof referred to in Article 4 (5) (a) of that Regulation, a reduced rate of export refund has to be fixed, taking account of the amount of the production refund applicable, pursuant to Commission Regulation (EEC) No 1722/93⁽⁷⁾, as last amended by Regulation (EC) No 1516/95⁽⁸⁾, for the basic product in question, used during the assumed period of manufacture of the goods;

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

HAS ADOPTED THIS REGULATION:

Article 1

The rates of the refunds applicable to the basic products appearing in Annex A to Regulation (EC) No 1222/94 and listed either in Article 1 of Regulation (EEC) No 1766/92 or in Article 1 (1) of Regulation (EC) No 3072/95, exported in the form of goods listed in Annex B to Regulation (EEC) No 1766/92 or in Annex B to Regulation (EC) No 3072/95 respectively, are hereby fixed as shown in the Annex to this Regulation.

Article 2

This Regulation shall enter into force on 28 November 1997.

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

Done at Brussels, 27 November 1997.

For the Commission

Martin BANGEMANN

Member of the Commission

⁽¹⁾ OJ L 181, 1. 7. 1992, p. 21.
⁽²⁾ OJ L 126, 24. 5. 1996, p. 37.
⁽³⁾ OJ L 329, 30. 12. 1995, p. 18.
⁽⁴⁾ OJ L 136, 31. 5. 1994, p. 5.
⁽⁵⁾ OJ L 268, 1. 10. 1997, p. 20.

⁽⁶⁾ OJ L 275, 29. 9. 1987, p. 36.
⁽⁷⁾ OJ L 159, 1. 7. 1993, p. 112.
⁽⁸⁾ OJ L 147, 30. 6. 1995, p. 49.

ANNEX

to the Commission Regulation of 27 November 1997 fixing the rates of the refunds applicable to certain cereals and rice products exported in the form of goods not covered by Annex II to the Treaty

CN code	Description of products ⁽¹⁾	Rate of refund per 100 kg of basic product
1001 10 00	Durum wheat: — on exports of goods falling within CN codes 1902 11 and 1902 19 to the United States of America — in other cases	— —
1001 90 99	Common wheat and meslin: — on exports of goods falling within CN codes 1902 11 and 1902 19 to the United States of America — in other cases: — — where pursuant to Article 4 (5) of Regulation (EC) No 1222/94 ⁽²⁾ — — in other cases	0,554 0,721 0,852
1002 00 00	Rye	3,204
1003 00 90	Barley	1,609
1004 00 00	Oats	1,648
1005 90 00	Maize (corn) used in the form of: — starch: — — where pursuant to Article 4 (5) of Regulation (EC) No 1222/94 ⁽²⁾ — — in other cases — glucose, glucose syrup, maltodextrine, maltodextrine syrup of CN codes 1702 30 51, 1702 30 59, 1702 30 91, 1702 30 99, 1702 40 90, 1702 90 50, 1702 90 75, 1702 90 79, 2106 90 55 ⁽³⁾ : — — where pursuant to Article 4 (5) of Regulation (EC) No 1222/94 ⁽²⁾ — — in other cases — other (including unprocessed) Potato starch of CN code 1108 13 00 similar to a product obtained from processed maize: — where pursuant to Article 4 (5) of Regulation (EC) No 1222/94 ⁽²⁾ — in other cases	1,840 2,004 1,552 1,716 2,004 1,840 2,004
1006 20	Husked rice: — round grain — medium grain — long grain	13,873 12,351 12,351
ex 1006 30	Wholly-milled rice: — round grain — medium grain — long grain	17,900 17,900 17,900
1006 40 00	Broken rice used in the form of: — starch of CN code 1108 19 10: — — where pursuant to Article 4 (5) of Regulation (EC) No 1222/94 ⁽²⁾ — — in other cases — other (including unprocessed)	4,028 4,200 4,200

CN code	Description of products ⁽¹⁾	Rate of refund per 100 kg of basic product
1007 00 90	Sorghum	1,609
1101 00	Wheat or meslin flour:	
	— on exports of goods falling within CN codes 1902 11 and 1902 19 to the United States of America	0,681
	— in other cases	1,048
1102 10 00	Rye flour	3,650
1103 11 10	Groats and durum wheat meal:	
	— on exports of goods falling within CN codes 1902 11 and 1902 19 to the United States of America	—
	— in other cases	—
1103 11 90	Common wheat groats and spelt:	
	— on exports of goods falling within CN codes 1902 11 and 1902 19 to the United States of America	0,681
	— in other cases	1,048

⁽¹⁾ As far as agricultural products obtained from the processing of a basic product or/and assimilated products are concerned, the coefficients shown in Annex E of amended Commission Regulation (EC) No 1222/94 shall be applied (OJ L 136, 31. 5. 1994, p. 5).

⁽²⁾ The goods concerned are listed in Annex I of amended Regulation (EEC) No 1722/93 (OJ L 159, 1. 7. 1993, p. 112).

⁽³⁾ For syrups of CN codes 1702 30 99, 1702 40 90 and 1702 60 90, obtained from mixing glucose and fructose syrup, the export refund may be granted only for the glucose syrup.

II

(Acts whose publication is not obligatory)

COUNCIL

COUNCIL DECISION

of 24 November 1997

appointing two members of the Committee of the Regions

(97/801/EC)

THE COUNCIL OF THE EUROPEAN UNION,

HAS DECIDED AS FOLLOWS:

Having regard to the Treaty establishing the European Community, and in particular Article 198a thereof,

Having regard to the Council Decisions of 26 January 1994 ⁽¹⁾ and 23 January 1995 ⁽²⁾ appointing members and alternate members of the Committee of the Regions,

Whereas two seats as full members of the Committee have become vacant following the resignations of Ms Gun-Britt Mårtensson and of Mr Joakim Ollén, notified to the Council on 8 September and 1 October 1997 respectively;

Having regard to the proposals from the Swedish Government,

Sole Article

Ms Catharina Tarras-Wahlberg and Mr Henrik Hammar are hereby appointed full members of the Committee of the Regions in place of Ms Gun-Britt Mårtensson and Mr Joakim Ollén respectively for the remainder of the latters' term of office, which runs until 25 January 1998.

Done at Brussels, 24 November 1997.

For the Council

The President

J. POOS

⁽¹⁾ OJ L 31, 4. 2. 1994, p. 29.

⁽²⁾ OJ L 25, 2. 2. 1995, p. 20.

COMMISSION

COMMISSION DECISION

of 19 November 1997

on import licences in respect of beef and veal products originating in Botswana, Kenya, Madagascar, Swaziland, Zimbabwe and Namibia

(97/802/EC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EEC) No 715/90 of 5 March 1990 on the arrangements applicable to agricultural products and certain goods resulting from the processing of agricultural products originating in the African, Caribbean and Pacific States (ACP) or in the overseas countries and territories (OCT)⁽¹⁾, as last amended by Regulation (EC) No 619/96⁽²⁾, and in particular Article 27 thereof,

Having regard to Commission Regulation (EC) No 589/96 of 2 April 1996 laying down detailed rules for the application in the beef and veal sector of Council Regulation (EEC) No 715/90 on the arrangements applicable to agricultural products and certain goods resulting from the processing of agricultural products originating in the African, Caribbean and Pacific States or in the overseas countries and territories⁽³⁾, and in particular Article 4 thereof,

Whereas Article 1 of Regulation (EC) No 589/96 provides for the possibility of issuing import licences for beef and veal products; whereas, however, imports must take place within the limits of the quantities specified for each of these exporting non-member countries;

Whereas the applications for import licences submitted between 1 and 10 November 1997, expressed in terms of boned meat, in accordance with Regulation (EC) No 589/96, do not exceed, in respect of products originating in Botswana, Kenya, Madagascar, Swaziland, Zimbabwe and Namibia, the quantities available from these States;

whereas it is therefore possible to issue import licences in respect of the quantities requested;

Whereas the quantities, in respect of which licences may be applied for from 1 December 1997, should be fixed within the scope of the total quantity of 52 100 tonnes;

Whereas it seems expedient to recall that this Decision is without prejudice to Council Directive 72/462/EEC of 12 December 1972 on health and veterinary inspection problems on importation of bovine, ovine and caprine animals and swine, fresh meat or meat products from third countries⁽⁴⁾, as last amended by Directive 96/91/EC⁽⁵⁾,

HAS ADOPTED THIS DECISION:

Article 1

The following Member States shall issue on 21 November 1997 import licences for beef and veal products, expressed as boned meat, originating in certain African, Caribbean and Pacific States, in respect of the following quantities and countries of origin:

Germany:

- 260,000 tonnes originating in Botswana,
- 180,000 tonnes originating in Namibia.

United Kingdom:

- 520,000 tonnes originating in Botswana,
- 300,000 tonnes originating in Zimbabwe,
- 288,000 tonnes originating in Namibia,
- 10,000 tonnes originating in Swaziland.

⁽¹⁾ OJ L 84, 30. 3. 1990, p. 85.

⁽²⁾ OJ L 89, 10. 4. 1996, p. 1.

⁽³⁾ OJ L 84, 3. 4. 1996, p. 22.

⁽⁴⁾ OJ L 302, 31. 12. 1972, p. 28.

⁽⁵⁾ OJ L 13, 16. 1. 1997, p. 26.

Article 2

Licence applications may be submitted, pursuant to Article 3 (3) of Regulation (EC) No 589/96 during the first 10 days of December 1997 for the following quantities of boned beef and veal:

— Botswana:	8 396,000 tonnes,
— Kenya:	142,000 tonnes,
— Madagascar:	7 144,000 tonnes,
— Swaziland:	3 153,000 tonnes,
— Zimbabwe:	2 674,659 tonnes,
— Namibia:	7 489,000 tonnes.

Article 3

This Decision is addressed to the Member States.

Done at Brussels, 19 November 1997.

For the Commission

Franz FISCHLER

Member of the Commission
