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Notice to readers (see page 3 of the cover)

I

(Acts whose publication is obligatory)

COUNCIL REGULATION (EC) No 2429/97
of 4 December 1997
amending Regulation (EC) No 395/97 allocating, for 1997, Community catch
quotas in Greenland waters

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EEC) No 3760/92 of 20 December 1992 establishing a Community system for fisheries and aquaculture ⁽¹⁾, and in particular Article 8 (4) thereof,

Having regard to the proposal from the Commission,

Whereas Regulation (EC) No 395/97 ⁽²⁾ established, for 1997, *inter alia*, the Community catch quota for capelin in Greenland waters on the basis of a provisional TAC;

Whereas a revision of the relevant TAC in the meantime has resulted in a decrease in the share available to the Community;

Whereas Greenland has consented to grant the Community an additional quantity;

Whereas Regulation (EC) No 395/97 should be amended accordingly,

HAS ADOPTED THIS REGULATION:

Article 1

In Annex I to Regulation (EC) No 395/97, the entry referring to capelin shall be amended as set out in the Annex to this Regulation.

Article 2

This Regulation shall enter into force on the day following that 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 Luxembourg, 4 December 1997.

For the Council

The President

J. LAHURE

⁽¹⁾ OJ L 389, 31. 12. 1992, p. 1. Regulation as amended by the 1994 Act of Accession.

⁽²⁾ OJ L 66, 6. 3. 1997, p. 71.

ANNEX

Allocation of Community catch quotas in Greenland waters for 1997

Species	Geographical area	Community catch quotas (in tonnes)	Quotas allocated to Member States	Quantities allocated to Norway	Quantities allocated to Iceland	Faroese quotas under EC/Greenland
Capelin	ICES XIV/V	111 150 ⁽⁶⁾ ⁽¹⁰⁾	Community 46 150	25 000	30 000	10 000

⁽⁶⁾ 70 % of the Greenland share of the TAC for capelin minus 10 000 tonnes to the Faroe Islands. Upon any further revision of the relevant TAC in the course of 1997, the Community quota shall be revised accordingly.

⁽¹⁰⁾ Includes a transfer of 13 745 tonnes from Greenland.'

COMMISSION REGULATION (EC) No 2430/97

of 8 December 1997

adopting for the 1998/99 production cycle the measures to improve the quality of olive oil production

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation No 136/66/EEC of 22 September 1966 on the establishment of a common organization of the market in oils and fats⁽¹⁾, as last amended by Regulation (EC) No 1581/96⁽²⁾, and in particular Article 5 (5) thereof,

Whereas, pursuant to Article 5 (4) of Regulation No 136/66/EEC, a percentage of the production aid earmarked for olive oil producers may be allocated to financing action to improve the quality of olive oil production at regional level; whereas, pursuant to Article 4 of Council Regulation (EC) No 1583/96⁽³⁾, 1,4 % of the production aid earmarked for olive oil producers in the relevant Member States has been allocated to financing action to improve the quality of olive oil in those countries;

Whereas rules for the execution and monitoring of the operations in question should be laid down; whereas the tasks that may be assigned to producers' organizations should also be defined;

Whereas the measures laid down for 1997 should be maintained so as to provide for a wide selection on the basis of the requirements and opportunities existing in each Member State;

Whereas, with a view to aligning them more closely with the entire sector's actual production cycle, the quality improvement measures should be carried out over a consecutive period of 12 months, starting on 1 June;

Whereas account must, however, be taken of the producer Member States' plans relating to certain actions in March, April and May 1998, provision should be made to allow the actions to be carried out between 1 March 1998 and 30 April 1999;

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

HAS ADOPTED THIS REGULATION:

Article 1

1. This Regulation specifies the action to be taken during the period 1 January 1998 to 30 April 1999 to improve the quality of olive oil production.

⁽¹⁾ OJ 172, 30. 9. 1966, p. 3025/66.

⁽²⁾ OJ L 206, 16. 8. 1996, p. 11.

⁽³⁾ OJ L 206, 16. 8. 1996, p. 14.

2. Action shall be taken in the following areas:

- (a) control of the olive fly (*Dacus oleae*) and, where appropriate, other harmful organisms;
- (b) improvement of the treatment of olive trees, of the cropping, storage and processing of olives and of the storage of the oils produced;
- (c) technical assistance during the year to olive growers and to mills with a view to improving the quality, production and processing of olives into oil;
- (d) the installation or the management of tasting rooms to assess the organoleptic characteristics of the virgin olive oils;
- (e) the installation or the management at regional or provincial level of laboratories to analyse the physical and chemical properties of olive oils;
- (f) collaboration with bodies specializing in research programmes to improve the quality of olive oil.

Article 2

Expenditure on action as defined in this Regulation shall be financed in particular by resources arising from the deduction made from the production aid pursuant to Article 4 of Regulation (EC) No 1583/96. The distribution of resources for the financing of that action shall be based on the amount withheld in each Member State concerned.

Article 3

On the basis of the resources available, each producer Member State shall draw up a programme covering part or all of the field of action indicated in Article 1.

Article 4

In the case of action referred to in Article 1 (2) (a), the programme shall comprise:

- (a) a list of the olive oil production zones in which action against the olive fly is to be considered a matter of priority in view in particular of the likely impact of the programme on the quality of the oil produced and of the production volume concerned by the action;

- (b) where regional situations so require, a list of the olive oil production zones in which action against other harmful organisms is to be considered a matter of priority in view of the likely impact of the programme on the quality of the oil produced and of the production volume concerned by the action;
- (c) a plan for establishing or maintaining a monitoring, warning and assessment system in each priority production zone, comprising in particular:
 - means of measuring the population of olive fly or of other harmful organisms,
 - a warning and treatment prescription mechanism,
 - means of training and briefing producers,
 - means of assessing the warning mechanism and the effects of treatment;
- (d) a draft plan for effecting the treatment necessary in each production zone.

Article 5

In the case of action referred to in Article 1 (2) (b), the programme shall comprise:

- a plan for a training course for producers covering treatment of olive trees, the optimum cropping period and cropping and processing methods,
- a plan for a training course for mill managers and technical staff on olive storage and processing methods and on the quality and storage of the oils produced.

Article 6

In the case of action as referred to in Article 1 (2) (c), the programme shall comprise a detailed description of the technical assistance contract, the area of the action, the proposed objectives and the means to be used to achieve them.

Article 7

In the case of action referred to in Article 1 (2) (d), the programme shall comprise the specifications proposed for the installation or management of tasting rooms, account being taken of the information set out in Annex XII to Commission Regulation (EEC) No 2568/91⁽¹⁾.

Article 8

In the case of action referred to in Article 1 (2) (e), the programme shall comprise a description of the analyses to be carried out, and of the equipment which is to be acquired.

⁽¹⁾ OJ L 248, 5. 9. 1991, p. 1.

Article 9

In the case of action referred to in Article 1 (2) (f), the programme shall include a detailed description of the scientific research, aims and methods, and an indication of the research organization or organizations which specialize in research.

Article 10

1. Each Member State concerned shall transmit its action programme to the Commission by 31 December 1997 at the latest.

The programme shall include in particular:

- (a) a detailed description of the action planned, giving duration and costs;
- (b) a list of all products and equipment required, with unit costs;
- (c) a list of the centres, bodies or producers' organizations responsible for execution of the various actions.

2. Within 30 days after receipt of the programme, the Commission may ask the Member State concerned to make any changes the Commission considers desirable. The Member State shall adjust the programme in accordance with the Commission's requests.

3. The programme shall be adopted definitively by the Member State concerned by 15 February 1998 at the latest and transmitted immediately to the Commission.

The contracts or agreements with the centres, bodies or producers' organizations responsible for implementing the action or the administrative provisions adopted by the Member State concerned with regard to the said centres, bodies or producers' organizations shall be concluded or adopted to take effect on 1 March 1998.

Those contracts or agreements may be multiannual, subject to adjustments resulting from the subsequent programmes approved by the Commission.

The Member States shall use the standard contract provided by the Commission.

The programme shall be executed under the responsibility of the Member State concerned.

4. Expenditure arising from the programme adopted by the Member State, as adjusted in accordance with any requests made by the Commission, shall be eligible pursuant to this Regulation.

However, a maximum of 75 % of expenditure shall be chargeable for:

- carrying out treatment referred to in Article 4,
- testers' allowances and the salaries of laboratory personnel.

5. The contractor's general costs, including any subcontracting costs, shall be limited to a maximum of 2 % of the overall eligible expenditure.

Article 11

Treatments may be carried out by olive oil producer groups or associations thereof recognized pursuant to Article 20c of Regulation No 136/66/EEC.

When insecticides are used in anti-olive-fly treatment, such treatment must be carried out in conjunction with protein traps. However, in special circumstances and under the direction of the bodies responsible for prescribing treatment, different procedures for insecticide use may be authorized. Those insecticides and their application methods must be such that no residue can be detected in oil produced from olives from treated zones.

Integrated biological pest control methods may also be used.

Article 12

Payments in connection with the following shall be made upon presentation of documentary proof of the expenditure incurred and after the competent authorities have checked those documents and have verified that the prescribed obligations have been observed:

- contracts and agreements concluded or adopted by the Member State with the centres, bodies or organizations referred to in Article 10 (1) (c), or
- the administrative arrangements made by the Member State with regard to such centres, bodies or organizations.

At the time of signing of the contract or agreement, the contractor shall lodge a security equal to at least 4 % of the value of the contract or the agreement to guarantee its performance. Where contracts or agreements cover a period of more than one year, the security shall be calculated on the basis of the value of each annual part of the contract.

The security shall be released subject to verification by the Member State of performance of the action provided for in the contract or agreement within the time limits laid down therein or during the annual period applicable.

Advances of up to 30 % may be paid as from the signing of the contract or agreement or the adoption of the administrative provisions, against the lodging of a security for an equivalent amount.

Further advances may be decided, against the lodging of an equal amount as security, in so far as the Member State concerned has been provided with supporting documents for expenditure effected using funds advanced previously.

Release of the security shall be subject to:

- (a) transmission to the Member State concerned of the documentary evidence in support of the expenditure effected;
- (b) verification of such documentation and the finding that the prescribed obligations have been observed.

However, the Member State concerned may stand surety for the centres and bodies referred to in Article 10 (1) (c) which have the status of public establishments.

Where securities are forfeited, they shall be deducted from the expenditure incurred by the European Agricultural Guidance and Guarantee Fund, Guarantee Section.

All centres, bodies or producer organizations responsible for executing actions shall forward to the Member State within two months after the final date set in the contract for execution of the action, a detailed report on use of the Community funds allocated and the results of the actions concerned. If the report is forwarded after the time limit of two months, 10 % of the Community funding per action shall be deducted for each month or part thereof after the expiry of the time limit. The penalty shall be deducted from the expenditure incurred by the European Agricultural Guidance and Guarantee Fund, Guarantee Section.

Article 13

The producer Member States concerned by the programme shall apply a system of controls to ensure that the action provided for in the programme and for which financing is granted is executed correctly. To this end, the Member States concerned shall carry out:

- administrative and accounting checks to verify the costs for which assistance was given,
- checks, in particular on-the-spot checks, to verify that the action has been executed in conformity with the provisions of the contract, the agreement or the administrative arrangements.

They shall inform the Commission of the control measures provided for when transmitting the programme referred to in Article 3.

The Commission may also ask the Member States to make any amendment to the system of controls which it considers appropriate.

A report on the execution of the programme and the control measures carried out with reference to the forecasts shall be drawn up by the Member States concerned and transmitted to the Commission before 1 October 1999.

Article 14

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

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

Done at Brussels, 8 December 1997.

For the Commission

Franz FISCHLER

Member of the Commission

**COMMISSION REGULATION (EC) No 2431/97
of 8 December 1997**

replacing the Annex to Regulation (EEC) No 2177/92 concerning the forecast supply balance for sugar for the Azores and Madeira for the period 1 July 1997 to 30 June 1998 as provided for in Council Regulation (EEC) No 1600/92

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

Having regard to Council Regulation (EEC) No 1600/92 of 15 June 1992 concerning specific measures for the Azores and Madeira with regard to certain agricultural products⁽¹⁾, as last amended by Regulation (EC) No 2348/96⁽²⁾, and in particular Article 10 thereof,

Whereas, pursuant to Article 2 of Regulation (EEC) No 1600/92, the forecast supply balance for sugar in respect of the 1997/98 marketing year for the Azores and Madeira was originally established for the period 1 July to 31 December 1997 in Commission Regulation (EC) No 1270/97⁽³⁾ pending a notification from the competent authorities updating the requirements of the regions concerned and in order to avoid interrupting the application of the specific supply arrangements; whereas, following the presentation of the data for those regions by the Portuguese authorities, the supply balance for the whole of the 1997/98 marketing year has been drawn up; whereas the Annex to Commission Regulation (EEC) No 2177/92⁽⁴⁾, as last amended by Regulation (EC) No 1270/97, should accordingly be replaced;

Whereas the supply balances provided for under the specific arrangements are to be drawn up for the period 1 July 1997 to 30 June 1998; whereas the definitive forecast supply balance should accordingly be made applicable from 1 July 1997;

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

HAS ADOPTED THIS REGULATION:

Article 1

The Annex to Regulation (EEC) No 2177/92 is hereby replaced by the Annex hereto.

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 with effect from 1 July 1997.

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

Done at Brussels, 8 December 1997.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ L 173, 27. 6. 1992, p. 13.

⁽²⁾ OJ L 320, 11. 12. 1996, p. 1.

⁽³⁾ OJ L 174, 2. 7. 1997, p. 37.

⁽⁴⁾ OJ L 217, 31. 7. 1992, p. 71.

ANNEX

Quantities of sugar expressed in terms of tonnes of white sugar, referred to in Article 1 of Regulation (EEC) No 2177/92

Region	Quantity
I. Period from 1 July 1997 to 30 June 1998	
Canary Islands	60 000
II. Period from 1 July 1997 to 30 June 1998	
— Azores	6 500
— Madeira	10 000

COMMISSION REGULATION (EC) No 2432/97

of 8 December 1997

amending Regulation (EC) No 1600/95 laying down detailed rules for the application of the import arrangements and opening tariff quotas for 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 Articles 13 (3) and 16 (1) and (4) thereof,

Having regard to Council Regulation (EC) No 1095/96 of 18 June 1996 on the implementation of the concessions set out in Schedule CXL drawn up in the wake of the conclusion of the GATT XXIV.6 negotiations⁽³⁾, and in particular Article 1 (1) thereof,

Whereas Article 13 (a) of Commission Regulation (EC) No 1600/95⁽⁴⁾, as last amended by Regulation (EC) No 1873/97⁽⁵⁾, lays down the conditions to be met by applicants for import licences under the tariff quotas referred to in the GATT/WTO Agreements opened for unspecified countries of origin; whereas experience gained shows, on the one hand, that the way those conditions are defined does not ensure uniform application in all the Member States and, on the other hand, that a more restrictive approach should be followed with a view to limiting speculative applications; whereas that Regulation should accordingly be adapted;

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

HAS ADOPTED THIS REGULATION:

Article 1

Article 13 (a) of Regulation (EC) No 1600/95 is hereby replaced by the following:

- (a) At the time import licence applications are submitted, applicants must prove to the satisfaction of the competent authorities of the Member State concerned that they have regularly imported into the Community and/or exported from the Community milk products during the preceding 12 months. Retail establishments and restaurants selling their products to the final consumer shall not, however, qualify under the arrangements⁶.

Article 2

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

It shall apply from 1 January 1998.

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

Done at Brussels, 8 December 1997.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ L 148, 28. 6. 1968, p. 13.

⁽²⁾ OJ L 206, 16. 8. 1996, p. 21.

⁽³⁾ OJ L 146, 20. 6. 1996, p. 1.

⁽⁴⁾ OJ L 151, 1. 7. 1995, p. 12.

⁽⁵⁾ OJ L 265, 27. 9. 1997, p. 23.

COMMISSION REGULATION (EC) No 2433/97

of 8 December 1997

amending Regulation (EEC) No 1102/89 laying down certain measures for implementing Council Regulation (EEC) No 1101/89 on structural improvements in inland waterway transport

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EEC) No 1101/89 of 27 April 1989 on structural improvements in inland waterway transport⁽¹⁾, as last amended by Commission Regulation (EC) No 2310/96⁽²⁾, and in particular Articles 4a, 6 and 10 (3) thereof,

Whereas Regulation (EEC) No 1101/89, as amended, provides for the possibility of reducing structural over-capacity in inland waterway transport in the Member States concerned by introducing schemes coordinated at Community level for the scrapping of vessels in 1996, 1997 and 1998, with a view to reducing fleet capacity by some 15 %;

Whereas, pursuant to Commission Regulation (EEC) No 1102/89 of 27 April 1989 laying down certain measures for implementing Council Regulation (EEC) No 1101/89 on structural improvements in inland waterway transport⁽³⁾, as last amended by Regulation (EC) No 241/97⁽⁴⁾, the Commission establishes the practical arrangements for these scrapping schemes;

Whereas, in respect of the scrapping scheme for 1998, the total financial contribution payable to the Scrapping Funds by the Member States concerned is estimated at ECU 64 million, to achieve a reduction in capacity of about 5 %; whereas this contribution is calculated in proportion to the size of the active fleet of each Member State concerned, as provided for in Council Regulation (EC) No 2254/96⁽⁵⁾;

Whereas, for 1998, the financial contribution from the Member States concerned and the contribution payable by the trade must be shared between dry cargo vessels, pusher craft and tanker vessels;

Whereas, the 1997 scrapping premium rates should be maintained in 1998 since they have demonstrated their effectiveness; whereas the premium rate percentage bracket should also be extended from 80 to 120 % of the maximum values laid down with effect from 1 January

1998 in order to make the scrapping scheme more attractive for those largest vessels which cause excess capacity, and in order to enable certain skippers to leave the trade under acceptable financial conditions before complete liberation of the market on 1 January 2000;

Whereas, to enable the 1998 scrapping scheme to go ahead, between June and July 1998, the lodging of new applications pursuant to Article 6 (6) (a) must continue to be suspended so that no vessel can be placed on a quarterly waiting list and at the same time be entered under the 1998 scrapping scheme procedure; whereas the quarterly mechanism for applying for premiums from the Scrapping Funds, as provided for in Article 6 (6) (b) of Regulation (EEC) No 1102/89, as amended, must therefore also continue to be suspended;

Whereas the budgetary implications for the Member States concerned and the need to initiate the procedure by introducing national implementing measures from the start of 1998 make it necessary to bring this Regulation into force as a matter of urgency;

Whereas the Member States and the Group of Experts on Structural Improvements in Inland Waterway Transport, set up pursuant to Article 12 of Regulation (EEC) No 1102/89, have been consulted on the proposed amendments,

HAS ADOPTED THIS REGULATION:

Article 1

Regulation (EEC) No 1102/89 is hereby amended as follows:

1. the following paragraph 7 is added to Article 1:

‘7. Without prejudice to the provisions of paragraphs 1 to 6, and in view of the need to reduce the capacity of their inland waterway fleets by some 5 % in 1998, the Member States concerned shall pay to the Scrapping Funds, from 1 January 1998 and from their national budgets, the amounts necessary for scrapping the vessels referred to in Article 2 of Regulation (EEC) No 1101/89, namely ECU 49 million, to supplement the financial resources referred to in paragraph 4. To achieve this aim, a total budget of ECU 64 million is considered necessary for 1998, of which ECU 40 million^(*) is for the scrapping of dry cargo vessels and pusher craft and ECU 24 million^(*) for the scrapping

⁽¹⁾ OJ L 116, 28. 4. 1989, p. 25.

⁽²⁾ OJ L 313, 3. 12. 1996, p. 8.

⁽³⁾ OJ L 116, 28. 4. 1989, p. 30.

⁽⁴⁾ OJ L 40, 11. 2. 1997, p. 11.

⁽⁵⁾ OJ L 304, 27. 11. 1996, p. 1.

of tanker vessels. For 1998, each of the Member States concerned shall pay a financial contribution proportional to the capacity of its active fleet, in equivalent tonnage, the national contributions being as follows:

— Austria:	ECU 769 300,
— Belgium:	ECU 7 163 800,
— Germany:	ECU 12 137 300,
— France:	ECU 1 298 500,
— Netherlands:	ECU 27 631 100.

(*) Approximate figure at present, to which the outstanding balance from the 1997 scheme will be added.

2. '1997' is replaced by '1998' in Article 5 (1) (2);

3. Article 9 (2) is amended as follows:

the expression 'referred to in Article 2' is replaced by 'of publication of the first *Official Journal of the European Communities* for 1998 in which the interest rates applied by the European Monetary Institute to its operations in ECU for the month of January are specified'.

Article 2

For 1998, Article 6 of Regulation (EEC) No 1102/89 is hereby replaced by the following:

'Article 6

1. Applications for scrapping premiums submitted by vessel owners must be received by the authorities of the relevant Fund between 1 June and 31 July 1998. Applications received after this deadline shall not be considered. An application for a scrapping premium, once received by the Fund authorities, may not be withdrawn or modified.

2. Applicants for scrapping premiums shall indicate in their applications the percentage, within the bracket ranging from 80 to 120 % of the maximum rates set out in Article 5, which they wish to receive as

a premium for scrapping their vessels. This percentage is referred to hereinafter as the "premium-rate percentage".

3. Valid applications for scrapping premiums amounting to 80 % of the rates set out in Article 5 (1) and (2) shall be deemed to be accepted by the Fund within the limits of the financial resources available in the various accounts, as provided for in Article 1 (7). The Fund authorities shall confirm their acceptance of applications within two months of receipt.

The authorities for the various Funds shall send to the Commission before 1 September a list of the applications which they have received for scrapping premiums amounting to 80 % and a list of the applications which they have received for scrapping premiums exceeding 80 %. The Commission shall ensure that these applications do not exceed the financial resources referred to in Article 1 (7) and shall keep the Fund authorities informed of the current situation.

4. The Fund authorities shall, before 1 October 1998, notify in writing applicants for scrapping premiums exceeding 80 % of the rates set out in Article 5 (1) and (2) as to whether those applications have been accepted or refused.

Article 3

For 1998, Article 7 of Regulation (EEC) No 1102/89 is hereby amended as follows:

- in paragraph 1, '1 December 1990' is replaced by '1 April 1999'. The final sentence is deleted,
- in paragraph 4, '1 December 1992' is replaced by '1 December 2000'.

Article 4

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

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

Done at Brussels, 8 December 1997.

For the Commission

Neil KINNOCK

Member of the Commission

COMMISSION REGULATION (EC) No 2434/97

of 8 December 1997

establishing the standard import values for determining the entry price of
certain fruit and vegetables

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

Having regard to Commission Regulation (EC) No
3223/94 of 21 December 1994 on detailed rules for the
application of the import arrangements for fruit and
vegetables ⁽¹⁾, as last amended by Regulation (EC) No
2375/96 ⁽²⁾, and in particular Article 4 (1) thereof,

Having regard to Council Regulation (EEC) No 3813/92
of 28 December 1992 on the unit of account and the
conversion rates to be applied for the purposes of the
common agricultural policy ⁽³⁾, as last amended by Regu-
lation (EC) No 150/95 ⁽⁴⁾, and in particular Article 3 (3)
thereof,

Whereas Regulation (EC) No 3223/94 lays down,
pursuant to the outcome of the Uruguay Round multilat-
eral trade negotiations, the criteria whereby the Commis-
sion fixes the standard values for imports from third

countries, in respect of the products and periods stipu-
lated in the Annex thereto;

Whereas, in compliance with the above criteria, the
standard import values must be fixed at the levels set out
in the Annex to this Regulation,

HAS ADOPTED THIS REGULATION:

Article 1

The standard import values referred to in Article 4 of
Regulation (EC) No 3223/94 shall be fixed as indicated
in the Annex hereto.

Article 2

This Regulation shall enter into force on 9 December
1997.

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

Done at Brussels, 8 December 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 8 December 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	51,6
	624	206,7
	999	129,1
0707 00 40	052	93,0
	999	93,0
0709 10 40	220	242,6
	999	242,6
0709 90 79	052	96,6
	999	96,6
0805 10 61, 0805 10 65, 0805 10 69	204	39,4
	388	34,8
	448	36,5
	528	44,3
	999	38,8
0805 20 31	052	77,8
	204	56,0
	999	66,9
0805 20 33, 0805 20 35, 0805 20 37, 0805 20 39	052	70,0
	464	139,1
	999	104,6
0805 30 40	052	84,0
	400	65,6
	528	47,1
	600	112,3
	999	77,3
0808 10 92, 0808 10 94, 0808 10 98	052	50,9
	060	46,6
	064	40,4
	400	80,9
	404	85,6
0808 20 67	999	60,9
	064	83,5
	400	85,2
	999	84,3

(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'.

II

(Acts whose publication is not obligatory)

COMMISSION

COMMISSION RECOMMENDATION

of 3 November 1997

concerning a coordinated Community monitoring programme for 1998 to ensure compliance with maximum levels of pesticide residues in and on certain products of plant origin, including fruit and vegetables

(97/822/EC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Directive 90/642/EEC of 27 November 1990 on the fixing of maximum levels for pesticide residues in and on certain products of plant origin, including fruit and vegetables⁽¹⁾, as last amended by Directive 97/41/EC⁽²⁾, and in particular Article 4 (2) (b) thereof,

Whereas Article 4 (2) (b) of Directive 90/642/EEC requires the Commission to submit to the Standing Committee on Plant Health by 30 September each year a recommendation setting out a coordinated Community monitoring programme for the following year to ensure compliance for maximum levels of pesticide residues set out in Annex II to the said Directive;

Whereas Annex II Directive 90/642/EEC has been completed by lists of maximum residue levels for certain pesticides by Council Directives 93/58/EEC⁽³⁾, 94/30/EC⁽⁴⁾, 95/38/EC⁽⁵⁾ and 96/32/EC⁽⁶⁾, and has been amended by Council Directive 95/61/EC⁽⁷⁾;

Whereas a specific exercise for all Member States should be coordinated for 1998; whereas this is the third such

specific coordinated programme to be recommended and indications as to the products to be included in future annual specific coordinated programmes are important for the planning of the competent authorities of the Member States; whereas products will not normally be repeated in specific coordinated programmes within an interval of three years;

Whereas a systematic statistical approach to numbers of samples to be taken in the specific coordinated exercise is necessary; whereas such an approach has been set out by the Commission of the *Codex alimentarius*⁽⁸⁾ and indicates that examination of a total sample number of 459 gives a 99 % confidence of detecting one sample containing pesticide residues if it is anticipated that 1 % of products of plant origin will contain residues; whereas the total number of samples to be taken by each Member State should be apportioned on the basis of population and consumer numbers, with a minimum of 12 samples per product and per year, and indicated in Annex I B;

Whereas Article 4 (2) (a) of Directive 90/642/EEC requires Member States to specify the criteria applied in drawing up their national inspection programmes when sending to the Commission information on their implementation during the previous year; whereas such information should include the criteria applied in determining the

⁽¹⁾ OJ L 350, 14. 12. 1990, p. 71.

⁽²⁾ OJ L 184, 12. 7. 1997, p. 33.

⁽³⁾ OJ L 211, 23. 8. 1993, p. 6.

⁽⁴⁾ OJ L 189, 23. 7. 1994, p. 70.

⁽⁵⁾ OJ L 197, 22. 8. 1995, p. 14.

⁽⁶⁾ OJ L 144, 18. 6. 1996, p. 96.

⁽⁷⁾ OJ L 292, 17. 12. 1995, p. 27.

⁽⁸⁾ *Codex alimentarius*, Pesticide residues in foodstuffs, Rome 1994, ISBN 92-5-203271-1; vol. 2, p. 367.

numbers of samples to be taken and analyses to be carried out and the reporting levels applied and the criteria by which the reporting levels have been fixed; whereas details of accreditation pursuant to Directive 93/99/EC of 29 October 1993 on the subject of additional measures concerning the official control of foodstuffs⁽¹⁾ and the laboratories carrying out analyses should be indicated;

Whereas information on the results of monitoring programmes and details of intended national monitoring programmes are particularly appropriate for treatment, storage and transmission by electronic/informatic methods; whereas formats have been developed for supply in diskette form to the Member States by the Commission; whereas Member States should therefore be able to send their reports and intended national monitoring programmes to the Commission in the standard format; whereas the further development of such a standard format is most effectively undertaken by the development of guidelines by the Commission;

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

HEREBY RECOMMENDS THE MEMBER STATES TO:

1. as a specific exercise for 1998, sample and analyse for the product/pesticide residue combinations set out in Annex I A, on the basis of the number of samples of each product allocated to each Member State in Annex I B, reflecting as appropriate, national, Community and third country share of the Member State's market and report the results, together with

the analytical methods used and reporting levels achieved, at the latest by 31 August 1999;

2. by 31 August 1998, send to the Commission all the information as required by Article 4 (3) of Directive 90/642/EEC concerning the 1997 monitoring exercise to ensure, at least by check-sampling, compliance with maximum pesticide residue levels including:
 - 2.1. — the results of their national programmes concerning pesticides listed in Annex II to Directive 90/642/EEC, in relation to harmonized levels and, where these have not yet been fixed at Community level, in relation to the national levels in force,
 - 2.2. — the criteria applied when drawing up their national programmes concerning the numbers of samples taken and the analyses carried out,
 - 2.3. — the criteria applied when defining and fixing reporting levels,
 - 2.4. — details of accreditation, in accordance with the provisions of Article 3 of Directive 93/99/EC, of the laboratories carrying out the analyses and, where such accreditation has not yet been accorded, the criteria applied in establishing quality assurance measures in those laboratories.

This recommendation is addressed to the Member States.

Done at Brussels, 3 November 1997.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ L 290, 24. 11. 1993, p. 14.

ANNEX I A

Maximum residue levels (MRLs) to be monitored in the specific exercise for 1998 set out in point 1 of the recommendation

Pesticide residue to be analysed	Products to which MRLs (mg/kg) apply			
	1. Oranges	2. Peaches	3. Carrots	4. Spinach (fresh including frozen)
Acephate	1	(a)	0,02 *	0,02 *
Benomyl group	5	(a)	(a)	0,1 *
Chlorpyrifos	0,3	(a)	0,1	0,05 *
Chlorpyrifos-methyl	(a)	(a)	0,05 *	0,05 *
Deltamethrin	0,05 *	0,1	0,05 *	0,5
Maneb group	2	2	(a)	0,05 *
Imazalil	5	0,02 *	0,02 *	0,02 *
Iprodione	0,02 *	5	(a)	0,02 *
Methamidophos	0,2	(a)	0,01 *	0,01 *
Permethrin	0,5	1	0,05 *	0,05 *
Vinclozolin	0,05 *	2	(a)	0,05 *
Lambda-cyhalothrin	0,02 *	0,02 *	0,02 *	0,02 *
Metalaxyl	(b)	(b)	0,1	(b)
Methidathion	2	0,2	0,02 *	0,02 *
Pirimiphos-methyl	1	(b)	1	(b)
Thiabendazol	6	0,05 *	0,05 *	0,05 *
Diazinon	0,5	0,5	0,5	0,5
Endosulfan	1	1	0,2	1
Mecarbam	2	0,05 *	0,05 *	0,05 *
Triazophos	(b)	(b)	1	0,02 *

* Indicates lower limit of analytical determination

(a) Appropriate lower limit of analytical determination from 1 January 1998 unless another level adopted.

(b) No MRL fixed at European Community level.

*ANNEX I B***Number of samples of each product to be taken by each Member State**

B	DK	D	EL	E	F	IRL	I	L	NL	A	P	FIN	S	UK	Total
12	12	93	12	45	66	12	65	12	17	12	12	12	12	66	460

CORRIGENDA**Corrigendum to Commission Regulation (EC) No 2412/97 of 4 December 1997 fixing the export refunds on malt**

(Official Journal of the European Communities L 334 of 5 December 1997)

On page 5, in Article 2:

for: 'This Regulation shall enter into force on 15 December 1997',

read: 'This Regulation shall enter into force on 5 December 1997'.

Corrigendum to Commission Decision 97/634/EC of 26 September 1997 accepting undertakings offered in connection with the anti-dumping and anti-subsidy proceedings concerning imports of farmed Atlantic salmon originating in Norway

(Official Journal of the European Communities L 267 of 30 September 1997)

On page 83, in the Annex against No 67 (Hydrotech-gruppen A/S), in the column headed 'Taric Code':

for: '8161',

read: '8428'.

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