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Legislation

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I

(Acts whose publication is obligatory)

COMMISSION REGULATION (EC) No 2550/97

of 16 December 1997

**amending Regulation (EEC) No 2108/84 laying down detailed rules for
determining the mesh size of fishing nets**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EC) No 894/97 of 29 April 1997 laying down certain technical measures for the conservation of fishery resources ⁽¹⁾, and in particular Article 3 thereof,

Whereas, in conformity with Article 2 of Regulation (EC) No 894/97, minimum mesh sizes are applicable to passive gear; whereas the detailed rules for determination of mesh size in trawled gear are less appropriate to the characteristics of nets used as passive gear and the conditions for the measurement of mesh size of such gear;

Whereas it is necessary to specify the type of gauge to be used for the measurement of mesh size of nets used as passive gear as well as the procedure for measuring meshes and the calculation of the mesh size;

Whereas in cases where a master disputes the result of measurement in the course of an inspection, provision should be made for a further and final measurement;

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

HAS ADOPTED THIS REGULATION:

Article 1

Commission Regulation (EEC) No 2108/84 ⁽²⁾ is hereby amended as follows:

1. the following words are inserted above Article 1:

**'PART I — TRAWLS, DANISH SEINES AND SIMILAR
TOWED NETS';**

2. after Article 6, the following Part II is inserted:

'PART II — PASSIVE GEAR

Article 6a

Definitions

For the purposes of Part II:

"passive gear" shall mean gill nets, entangling nets trammel nets which may consist of one or more separate nets which are rigged with top, bottom and connecting ropes, and may be equipped with anchoring, floating and navigational gear.

Article 6b

Mesh gauge

1. The mesh gauge shall be of durable material and capable of retaining its shape. The construction of the gauge is shown in the Annex.

2. When extended, the mesh gauge shall be capable of measuring mesh sizes up to 300 mm. The scale shall be graduated in intervals of 1, and 5 and 10 millimetres.

3. Mesh gauges which conform to paragraphs 1 and 2 shall all be marked "EC gauge".

4. The jaws of the mesh gauge measuring the opening of the mesh shall be at least 1 millimetres thick but no more than 3 millimetres and shall have rounded edges.

5. No force other than manually extending the gauge, shall be used measuring a stretched mesh.

Article 6c

Measurement procedure

1. Nets shall be measured when unfrozen. The inspector shall select 20 meshes from the net, in the case of trammel nets the part of the net having the smallest meshes.

2. The inspector shall measure the opening of each mesh by inserting the gauge in a mesh, in either direction whichever is the longer, and the mesh shall be stretched manually until the sides of the mesh are straight and taut.

⁽¹⁾ OJ L 132, 23. 5. 1997, p. 5.

⁽²⁾ OJ L 194, 24. 7. 1984, p. 22.

3. The mesh size shall be the arithmetical mean in millimetres, rounded up to the next millimetre, of the sum of the results of the measurement of each of the meshes selected and measured.

4. Measurement shall in no circumstances include the following meshes:

— meshes at the top or bottom of a net selvedge attached to a length of rope or a support frame, or other attachments,

— meshes within two meshes of lacings and ropes,

— meshes that have been broken or repaired.

Article 6d

Measurement in case of disputes

If the master disputes the result of the measurement, the inspector shall again select and measure 20 meshes in another part of the net in conformity with the provisions of Article 6c. The mesh size shall then be recalculated in accordance with Article 6c (3), taking into account all 40 meshes measured. The result of this measurement shall be final.

Article 2

This Regulation shall enter into force on 1 January 1998.

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

Done at Brussels, 16 December 1997.

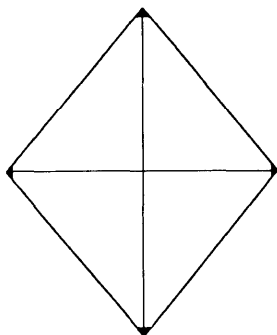
For the Commission

Emma BONINO

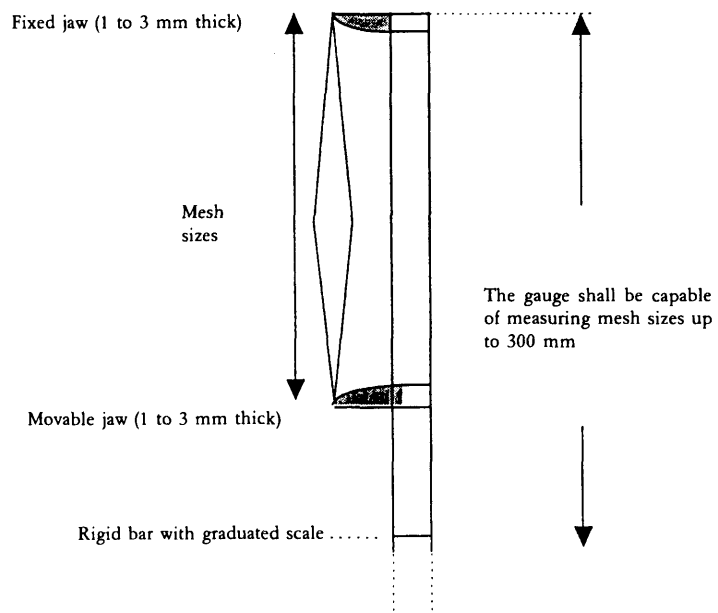
Member of the Commission

ANNEX

Knot and knotless meshes

Open mesh

Mesh gauge

Stretched mesh

COMMISSION REGULATION (EC) No 2551/97

of 15 December 1997

suspending the introduction into the Community of specimens of certain
species of wild fauna and flora

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EC) No 338/97 of 9 December 1996 on the protection of species of wild fauna and flora by regulating trade therein ⁽¹⁾, as last amended by Commission Regulation (EC) No 2307/97 ⁽²⁾, and in particular point 2 of Article 19 thereof,

After consulting the Scientific Review Group,

Whereas Article 4 (6) of Regulation (EC) No 338/97 provides for the establishment by the Commission of general restrictions, or restrictions relating to certain countries of origin, on the introduction into the Community of specimens of species listed in Annexes A and B thereto and lays down the criteria for such restrictions;

Whereas species listed in Annex C to Council Regulation (EEC) No 3626/82 of 3 December 1982 on the implementation in the Community of the Convention on International Trade in Endangered Species of Wild Fauna and Flora ⁽³⁾ were subject to restrictions on the introduction into the Community on the basis of the provisions of Article 10 (1) of that Regulation; whereas, in view of the replacement of that Regulation by Regulation (EC) No 338/97, the restrictions concerned should now be based on the similar criteria laid down in Article 4 (6) of the latter Regulation; whereas the countries of origin of the species subject to those restrictions were consulted with a view to their adoption;

Whereas point (d) of Article 3 (2) of Regulation (EC) No 338/97 provides for the inclusion in Annex B to that

Regulation of species in relation to which it has been established that the introduction of live specimens into the natural habitat of the Community would constitute an ecological threat to wild species of fauna and flora indigenous to the Community, as a result of which the species *Trachemys scripta elegans* and *Rana catesbeiana* were so listed; whereas point (d) of Article 4 (6) of that Regulation provides for the establishment by the Commission of restrictions on the introduction into the Community of such species on identical grounds;

Whereas Article 41 of Commission Regulation (EC) No 939/97 ⁽⁴⁾ contains provisions for the implementation by the Member States of the restrictions established by the Commission;

Whereas the measures provided for in this Regulation are in accordance with the opinion of the Committee on Trade in Wild Fauna and Flora,

HAS ADOPTED THIS REGULATION:

Article 1

Subject to the provisions of Article 41 of Regulation (EC) No 939/97, the introduction into the Community of the specimens of the species of wild fauna and flora mentioned in the Annex to this Regulation is hereby suspended.

Article 2

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, 15 December 1997.

For the Commission

Ritt BJERREGAARD

Member of the Commission

⁽¹⁾ OJ L 61, 3. 3. 1997, p. 1.

⁽²⁾ OJ L 325, 27. 11. 1997, p. 1.

⁽³⁾ OJ L 384, 31. 12. 1982, p. 1.

⁽⁴⁾ OJ L 140, 30. 5. 1997, p. 9.

ANNEX

Specimens of species included in Annex B to Regulation (EC) No 338/97 whose introduction into the Community is suspended

Species	Specimens	Countries of origin	Basis in Article 4 (6), point:
FAUNA			
MAMMALIA			
MONOTREMATA			
Tachyglossidae			
<i>Zaglossus bruijni</i>	Of wild origin	All range States	b
PRIMATES			
Tupaïidae			
<i>Tupaia glis</i>	Of wild origin	Bhutan	b
Loridae			
<i>Arctocebus calabarensis</i>	Of wild origin	Central African Republic, Gabon, Nigeria	b
<i>Nycticebus coucang</i>	Of wild origin	China, Philippines, Singapore	b
<i>Nycticebus pygmaeus</i>	Of wild origin	All range States	b
<i>Perodicticus potto</i>	Of wild origin	Angola, Liberia, Nigeria	b
Galagidae			
<i>Eutoticus elegantulus</i> (synonym <i>Galago elegantulus</i>)	Of wild origin	Equatorial Guinea, Nigeria	b
<i>Galago alleni</i>	Of wild origin	All range States	b
<i>Galago matschiei</i> (synonym <i>G. inustus</i>)	Of wild origin	Rwanda, Democratic Republic of Congo	b
<i>Galago moholi</i>	Of wild origin	Mozambique	b
<i>Galago senegalensis</i>	Of wild origin	Djibouti, Eritrea, Gambia	b
<i>Galagoides demidoff</i> (synonym <i>Galago demidovii</i>)	Of wild origin	Burkina Faso, Central African Republic, Kenya, Senegal	b
<i>Galagoides zanzibaricus</i> (synonym <i>Galago zanzibaricus</i>)	Of wild origin	Malawi, Mozambique	b
<i>Otolemur crassicaudatus</i>	Of wild origin	Mozambique	b
Callitricidae			
<i>Callithrix argentata</i>	Of wild origin	Brazil, Paraguay	b
<i>Callithrix geoffroyi</i> (synonym <i>C. jacchus geoffroyi</i>)	Of wild origin	Brazil	b
<i>Callithrix humeralifer</i>	Of wild origin	Brazil	b
<i>Callithrix jacchus</i>	Of wild origin	Brazil	b
<i>Callithrix penicillata</i> (synonym <i>C. jacchus penicillata</i>)	Of wild origin	Brazil	b
<i>Callithrix pygmaea</i> (synonym <i>Cebuella pygmaea</i>)	Of wild origin	Bolivia, Ecuador	b
<i>Saguinus imperator</i>	Of wild origin	All range States	b
<i>Saguinus labiatus</i>	Of wild origin	Colombia	b
<i>Saguinus mystax</i>	Of wild origin	Peru	b
Cebidae			
<i>Alouatta fusca</i>	Of wild origin	All range States	b
<i>Alouatta seniculus</i>	Of wild origin	Trinidad and Tobago	b
<i>Ateles belzebuth</i>	Of wild origin	All range States	b

Species	Specimens	Countries of origin	Basis in Article 4 (6), point:
<i>Ateles fusciceps</i>	Of wild origin	All range States	b
<i>Ateles geoffroyi</i>	Of wild origin	All range States	b
<i>Ateles paniscus</i>	Of wild origin	Bolivia, Brazil, Guyana, Peru, Suriname	b
<i>Callicebus torquatus</i>	Of wild origin	Colombia, Ecuador, Venezuela	b
<i>Cebus albifrons</i>	Of wild origin	Guyana	b
<i>Cebus capucinus</i>	Of wild origin	Belize, Venezuela	b
<i>Cebus olivaceus</i>	Of wild origin	Guyana, Peru, Suriname	b
<i>Chiropotes satanas</i>	Of wild origin	Brazil	b
<i>Lagothrix lagothricha</i>	Of wild origin	All range States	b
<i>Pithecia aequatorialis</i> (synonym <i>P. monachus aequatorialis</i>)	Of wild origin	Peru	b
<i>Pithecia irrorata</i> (synonym <i>P. monachus irrorata</i>)	Of wild origin	Brazil, Peru	b
<i>Pithecia monachus</i>	Of wild origin	Brazil, Peru	b
<i>Pithecia monachus hirsuta</i>	Of wild origin	Bolivia, Ecuador	b
<i>Pithecia pithecia</i>	Of wild origin	Brazil	b
Cercopithecidae			
<i>Allenopithecus nigroviridis</i>	Of wild origin	All range States	b
<i>Cercocebus agilis</i>	Of wild origin	Central African Republic	b
<i>Cercocebus torquatus</i>	Of wild origin	Côte d'Ivoire, Guinea, Nigeria, Senegal, Sierra Leone	b
<i>Cercopithecus ascanius</i>	Of wild origin	Angola, Burundi, Central African Republic, Kenya, Rwanda, Sudan, Uganda	b
<i>Cercopithecus cephus</i>	Of wild origin	Cameroon, Central African Republic, Equatorial Guinea, Gabon	b
<i>Cercopithecus dryas</i> (including <i>C. salongo</i>)	Of wild origin	Democratic Republic of Congo	b
<i>Cercopithecus erythrogaster</i>	Of wild origin	All range States	b
<i>Cercopithecus erythrotis</i>	Of wild origin	All range States	b
<i>Cercopithecus hamlyni</i>	Of wild origin	All range States	b
<i>Cercopithecus mitis</i>	Of wild origin	Mozambique	b
<i>Cercopithecus neglectus</i>	Of wild origin	Central African Republic, Ethiopia, Gabon, Kenya	b
<i>Cercopithecus nictitans</i>	Of wild origin	Benin, Sierra Leone	b
<i>Cercopithecus petaurista</i>	Of wild origin	Senegal	b
<i>Cercopithecus pogonias</i>	Of wild origin	Cameroon, Equatorial Guinea, Gabon, Nigeria	b
<i>Cercopithecus preussi</i> (synonym <i>C. lhoesti preussi</i>)	Of wild origin	Cameroon, Equatorial Guinea	b
<i>Chlorocebus aethiops</i>	Of wild origin	Mozambique	b
<i>Colobus angolensis</i>	Of wild origin	Angola, Malawi, Uganda, Zambia	b
<i>Colobus guereza</i>	Of wild origin	Equatorial Guinea, Ethiopia	b
<i>Colobus polykomos</i>	Of wild origin	Côte d'Ivoire, Ghana, Guinea-Bissau, Nigeria, Togo	b
<i>Erythrocebus patas</i>	Of wild origin	Somalia	b
<i>Lophocebus albigena</i> (synonym <i>Cercocebus albigena</i>)	Of wild origin	Cameroon, Equatorial Guinea, Kenya, Nigeria, Uganda	b
<i>Macaca arctoides</i>	Of wild origin	India, Malaysia, Thailand	b
<i>Macaca assamensis</i>	Of wild origin	Nepal	b

Species	Specimens	Countries of origin	Basis in Article 4 (6), point:
<i>Macaca cyclopis</i>	Of wild origin	All range States	b
<i>Macaca fascicularis</i>	Of wild origin	Bangladesh, India, Laos, Singapore	b
<i>Macaca maura</i>	Of wild origin	Indonesia	b
<i>Macaca mulatta</i>	Of wild origin	Myanmar, Pakistan, Thailand	b
<i>Macaca nemestrina</i>	Of wild origin	China	b
<i>Macaca nemestrina pagensis</i>	Of wild origin	Indonesia	b
<i>Macaca nigra</i>	Of wild origin	Indonesia	b
<i>Macaca ochreata</i>	Of wild origin	Indonesia	b
<i>Macaca sylvanus</i>	Of wild origin	Algeria, Morocco	b
<i>Macaca tonkeana</i>	Of wild origin	Indonesia	b
<i>Miopithecus talapoin</i> (synonym <i>Cercopithecus talapoin</i>)	Of wild origin	Angola	b
<i>Papio hamadryas</i>	Of wild origin	Central African Republic, Chad, Congo, Guinea, Guinea-Bissau, Liberia, Libya, Mauritania, Niger, Sierra Leone, Somalia	b
<i>Presbytis femoralis</i> (synonym <i>P. melalophos femoralis</i>)	Of wild origin	Singapore, Thailand	b
<i>Presbytis frontata</i>	Of wild origin	Malaysia	b
<i>Presbytis hosei</i>	Of wild origin	Brunei, Malaysia	b
<i>Presbytis rubicunda</i>	Of wild origin	Brunei, Malaysia	b
<i>Procolobus badius</i> (synonym <i>Colobus badius</i>)	Of wild origin	All range States	b
<i>Procolobus verus</i> (synonym <i>Colobus verus</i>)	Of wild origin	Benin, Côte d'Ivoire, Ghana, Guinea, Nigeria, Sierra Leone, Togo	b
<i>Theropithecus gelada</i>	Of wild origin	Eritrea	b
<i>Trachypithecus cristatus</i> (synonym <i>Presbytis cristata</i>)	Of wild origin	Malaysia, Thailand	b
<i>Trachypithecus obscurus</i> (synonym <i>Presbytis obscura</i>)	Of wild origin	Bangladesh, Myanmar	b
<i>Trachypithecus phayrei</i> (synonym <i>Presbytis phayrei</i>)	Of wild origin	Cambodia, China, India	b
<i>Trachypithecus vetulus</i> (synonym <i>Presbytis senex</i>)	Of wild origin	Sri Lanka	b
XENARTHRA			
Myrmecophagidae			
<i>Myrmecophaga tridactyla</i>	Of wild origin	Belize, Uruguay	b
PHOLIDOTA			
Manidae			
<i>Manis crassicaudata</i>	Of wild origin	China	b
<i>Manis javanica</i>	Of wild origin	Bangladesh, China, Laos, Singapore	b
<i>Manis pentadactyla</i>	Of wild origin	Bangladesh, Thailand	b
<i>Manis temminckii</i>	Of wild origin	South Africa	b
<i>Manis tetradactyla</i>	Of wild origin	Nigeria	b
RODENTIA			
Sciuridae			
<i>Ratufa affinis</i>	Of wild origin	Singapore	b
<i>Ratufa bicolor</i>	Of wild origin	China	b

Species	Specimens	Countries of origin	Basis in Article 4 (6), point:
CARNIVORA			
Canidae			
<i>Chrysocyon brachyurus</i>	Of wild origin	Argentina, Bolivia, Peru	b
Viverridae			
<i>Cynogale bennettii</i>	Of wild origin	Brunei, China, Indonesia, Malaysia, Singapore, Thailand, Vietnam	b
<i>Eupleres goudotii</i>	Of wild origin	Madagascar	b
<i>Fossa fossana</i>	Of wild origin	Madagascar	b
Felidae			
<i>Leptailurus serval</i>	Of wild origin	Algeria, Burkina Faso, Côte d'Ivoire, Djibouti, Eritrea, Ethiopia, Guinea, Lesotho, Mauritania, Mozambique	b
<i>Oncifelis colocolo</i>	Of wild origin	Argentina, Chile	b
<i>Prionailurus bengalensis</i>	Of wild origin	Macao	b
PERISSODACTYLA			
Equidae			
<i>Equus zebra hartmannae</i>	Of wild origin	Angola	b
ARTIODACTYLA			
Hippopotamidae			
<i>Hexaprotodon liberiensis</i> (synonym <i>Choeropsis liberiensis</i>)	Of wild origin	Côte d'Ivoire, Guinea, Guinea-Bissau, Nigeria, Sierra Leone	b
<i>Hippopotamus amphibius</i>	Of wild origin	Angola, Benin, Burundi, Central African Republic, Chad, Côte d'Ivoire, Equatorial Guinea, Eritrea, Ethiopia, Gambia, Ghana, Guinea-Bissau, Liberia, Namibia, Niger, Nigeria, Rwanda, Senegal, Sierra Leone, Togo	b
Cervidae			
<i>Pudu mephistophiles</i>	Of wild origin	Colombia, Ecuador	b
Bovidae			
<i>Ovis ammon</i>	Of wild origin	All range States	b
AVES			
ANSERIFORMES			
Anatidae			
<i>Anas bernieri</i>	Of wild origin	Madagascar	b
FALCONIFORMES			
Accipitridae			
<i>Accipiter brachyurus</i>	Of wild origin	Papua New Guinea	b
<i>Accipiter gundlachi</i>	Of wild origin	Cuba	b
<i>Accipiter imitator</i>	Of wild origin	Papua New Guinea, Solomon Islands	b
<i>Buteo galapagoensis</i>	Of wild origin	Ecuador	b
<i>Buteo ridgwayi</i>	Of wild origin	Dominican Republic, Haiti	b
<i>Erythrotriorchis radiatus</i>	Of wild origin	Australia	b
<i>Gyps coprotheres</i>	Of wild origin	Mozambique, Namibia, Swaziland	b
<i>Harpyopsis novaeguineae</i>	Of wild origin	Indonesia, Papua New Guinea	b
<i>Leucopternis lacernulata</i>	Of wild origin	Brazil	b

Species	Specimens	Countries of origin	Basis in Article 4 (6), point:
<i>Leucopternis occidentalis</i>	Of wild origin	Ecuador, Peru	b
<i>Lophoictinia isura</i>	Of wild origin	Australia	b
<i>Spizaetus bartelsi</i>	Of wild origin	Indonesia	b
Falconidae			
<i>Falco deiroleucus</i>	Of wild origin	Belize, Guatemala	b
<i>Falco fasciinucha</i>	Of wild origin	Botswana, Ethiopia, Kenya, Malawi, Mozambique, South Africa, Sudan, Tanzania, Zambia, Zimbabwe	b
<i>Falco hypoleucos</i>	Of wild origin	Australia, Papua New Guinea	b
<i>Micrastur plumbeus</i>	Of wild origin	Colombia, Ecuador	b
GALLIFORMES			
Cracidae			
<i>Crax rubra</i>	Of wild origin	Costa Rica, Guatemala, Honduras, Mexico, Nicaragua, Panama	b
<i>Penelopina nigra</i>	Of wild origin	Guatemala, Honduras, Mexico	b
Phasianidae			
<i>Polyplectron schleiermacheri</i>	Of wild origin	Indonesia, Malaysia	b
COLUMBIFORMES			
Columbidae			
<i>Goura cristata</i>	Of wild origin	Indonesia	b
<i>Goura scheepmakeri</i>	Of wild origin	Indonesia	b
<i>Goura victoria</i>	Of wild origin	Indonesia	b
PSITTACIFORMES			
Psittacidae			
<i>Agapornis fischeri</i>	Of wild origin	Burundi, Rwanda, Tanzania	b
<i>Agapornis lilianae</i>	Of wild origin	Mozambique, Tanzania, Zimbabwe	b
	Of ranched origin	Mozambique	b
<i>Agapornis nigrigenis</i>	Of wild origin	All range States	b
<i>Agapornis personatus</i>	Of wild origin	Kenya	b
<i>Agapornis pullarius</i>	Of wild origin	Angola, Benin, Burundi, Chad, Côte d'Ivoire, Ethiopia, Guinea, Kenya, Nigeria, Tanzania	b
<i>Agapornis roseicollis</i>	Of wild origin	Botswana, South Africa	b
<i>Agapornis swindernianus</i>	Of wild origin	All range States	b
<i>Amazona agilis</i>	Of wild origin	Jamaica	b
<i>Amazona albifrons</i>	Of wild origin	Mexico	b
<i>Amazona amazonica</i>	Of wild origin	Bolivia, Peru	b
<i>Amazona auropalliata</i>	Of wild origin	Costa Rica, El Salvador, Guatemala, Honduras	b
<i>Amazona autumnalis</i>	Of wild origin	Brazil, Ecuador, Guatemala	b
<i>Amazona collaria</i>	Of wild origin	Jamaica	b
<i>Amazona dufresniana</i>	Of wild origin	Venezuela	b
<i>Amazona farinosa</i>	Of wild origin	Belize, Honduras, Mexico	b
<i>Amazona festiva festiva</i>	Of wild origin	Ecuador, Guyana	b
<i>Amazona finschi</i>	Of wild origin	All range States	b
<i>Amazona kawalli</i>	Of wild origin	Brazil	b
<i>Amazona mercenaria</i>	Of wild origin	Colombia, Venezuela	b

Species	Specimens	Countries of origin	Basis in Article 4 (6), point:
<i>Amazona ochrocephala</i>	Of wild origin	Bolivia, Ecuador, Honduras, Peru, Trinidad and Tobago	b
<i>Amazona oratrix</i>	Of wild origin	All range States	b
<i>Amazona ventralis</i>	Of wild origin	All range States	b
<i>Amazona xantholara</i>	Of wild origin	Honduras	b
<i>Amazona xanthops</i>	Of wild origin	Bolivia, Paraguay	b
<i>Aprosictus erythropterus</i>	Of wild origin	Indonesia, Papua New Guinea	b
<i>Ara ararauna</i>	Of wild origin	Panama, Peru, Trinidad and Tobago	b
<i>Ara chloropterus</i>	Of wild origin	Argentina, Panama, Peru	b
<i>Ara couloni</i>	Of wild origin	Bolivia, Brazil	b
<i>Ara nobilis</i>	Of wild origin	Bolivia	b
<i>Ara severa</i>	Of wild origin	Ecuador, Guyana, Panama	b
<i>Aratinga acuticaudata</i>	Of wild origin	Uruguay	b
<i>Aratinga aurea</i>	Of wild origin	Argentina, Paraguay	b
<i>Aratinga auricapilla</i>	Of wild origin	All range States	b
<i>Aratinga erythrogenys</i>	Of wild origin	Ecuador, Peru	b
<i>Aratinga euops</i>	Of wild origin	Cuba	b
<i>Aratinga mitrata</i>	Of wild origin	Peru	b
<i>Aratinga solstitialis</i>	Of wild origin	Suriname, Venezuela	b
<i>Aratinga wagleri</i>	Of wild origin	Peru	b
<i>Bolborhynchus aurifrons</i>	Of wild origin	Peru	b
<i>Bolborhynchus aymara</i>	Of wild origin	Chile	b
<i>Bolborhynchus ferrugineifrons</i>	Of wild origin	Colombia	b
<i>Bolborhynchus orbygnesi</i>	Of wild origin	Peru	b
<i>Brotogeris pyrrhopterus</i>	Of wild origin	Ecuador, Peru	b
<i>Brotogeris sanctithomae</i>	Of wild origin	Ecuador	b
<i>Brotogeris versicolurus</i>	Of wild origin	Ecuador, Suriname	b
<i>Cacatua ducorpsi</i>	Of wild origin	Solomon Islands	b
<i>Cacatua galerita</i>	Of wild origin	Indonesia, Papua New Guinea	b
<i>Cacatua sanguinea</i>	Of wild origin	Indonesia	b
<i>Cacatua sulphurea</i>	Of wild origin	Indonesia	b
<i>Chalcopsitta cardinalis</i>	Of wild origin	Solomon Islands	b
<i>Charmosyna amabilis</i>	Of wild origin	Fiji	b
<i>Charmosyna diadema</i>	Of wild origin	All range States	b
<i>Charmosyna margarethae</i>	Of wild origin	Solomon Islands	b
<i>Charmosyna meeki</i>	Of wild origin	Solomon Islands	b
<i>Charmosyna palmarum</i>	Of wild origin	Solomon Islands	b
<i>Coracopsis vasa</i>	Of wild origin	Madagascar	b
<i>Cyanoliseus patagonus</i>	Of wild origin	Chile, Uruguay	b
<i>Cyanoramphus unicolor</i>	Of wild origin	New Zealand	b
<i>Deropterus accipitrinus</i>	Of wild origin	Brazil, Peru	b
<i>Eclectus roratus</i>	Of wild origin	Indonesia, Solomon Islands	b
<i>Enicognathus leptorhynchus</i>	Of wild origin	Chile	b
<i>Eos cyanogenia</i>	Of wild origin	Indonesia	b
<i>Eos reticulata</i>	Of wild origin	Indonesia	b
<i>Eunymphicus cornutus</i>	Of wild origin	New Caledonia	b
<i>Forpus xanthops</i>	Of wild origin	Peru	b

Species	Specimens	Countries of origin	Basis in Article 4 (6), point:
<i>Geoffroyus heteroclitus</i>	Of wild origin	Solomon Islands	b
<i>Hapalopsittaca amazonina</i>	Of wild origin	All range States	b
<i>Hapalopsittaca fuertesi</i>	Of wild origin	Colombia	b
<i>Hapalopsittaca pyrrhops</i>	Of wild origin	All range States	b
<i>Leptosittaca branickii</i>	Of wild origin	All range States	b
<i>Loriculus flosculus</i>	Of wild origin	Indonesia	b
<i>Lorius albidinuchus</i>	Of wild origin	Papa New Guinea	b
<i>Lorius chlorocercus</i>	Of wild origin	Solomon Islands	b
<i>Lorius domicella</i>	Of wild origin	Indonesia	b
<i>Lorius garrulus</i>	Of wild origin	Indonesia	b
<i>Lorius lory</i>	Of wild origin	Indonesia	b
<i>Micropsitta bruijnii</i>	Of wild origin	Solomon Islands	b
<i>Micropsitta finschii</i>	Of wild origin	Solomon Islands	b
<i>Nannopsittaca dachilleae</i>	Of wild origin	Bolivia, Peru	b
<i>Nannopsittaca panychlora</i>	Of wild origin	Brazil, Guyana	b
<i>Neophema splendida</i>	Of wild origin	Australia	b
<i>Pionites leucogaster</i>	Of wild origin	Brazil, Ecuador	b
<i>Pionopsitta pulchra</i>	Of wild origin	All range States	b
<i>Pionopsitta pyralia</i>	Of wild origin	All range States	b
<i>Pionus chalcopterus</i>	Of wild origin	Peru	b
<i>Pionus senilis</i>	Of wild origin	Guatemala, Honduras, Panama	b
<i>Pionus tumultuosus</i>	Of wild origin	Colombia, Ecuador, Venezuela	b
<i>Poicephalus crassus</i>	Of wild origin	All range States	b
<i>Poicephalus cryptoxanthus</i>	Of wild origin	Tanzania	b
	Of ranched origin	Mozambique	b
<i>Poicephalus gulielmi</i>	Of wild origin	Equatorial Guinea	b
<i>Poicephalus meyeri</i>	Of wild origin	Eritrea, Ethiopia, Tanzania	b
	Of ranched origin	Mozambique	b
<i>Poicephalus robustus</i>	Of wild origin	Botswana, Côte d'Ivoire, Gambia, Ghana, Guinea-Bissau, Namibia, Nigeria, Senegal, South Africa, Swaziland, Togo	b
<i>Poicephalus rufiventris</i>	Of wild origin	Tanzania	b
<i>Poicephalus senegalus</i>	Of wild origin	Burkina Faso, Chad, Liberia, Mali, Mauritania, Niger, Sierra Leone	b
<i>Polytelis alexandrae</i>	Of wild origin	Australia	b
<i>Prioniturus luconensis</i>	Of wild origin	Philippines	b
<i>Prosopeia personata</i>	Of wild origin	Fiji	b
<i>Prosopeia splendens</i>	Of wild origin	Fiji	b
<i>Prosopeia tabuensis</i>	Of wild origin	All range States	b
<i>Psittacula alexandri</i>	Of wild origin	Indonesia	b
<i>Psittacula cyanocephala</i>	Of wild origin	Bangladesh	b
<i>Psittacula finschii</i>	Of wild origin	Bangladesh, Cambodia	b
<i>Psittacula intermedia</i>	Of wild origin	India	b
<i>Psittacula roseata</i>	Of wild origin	China, Vietnam	b
<i>Psittaculirostris desmarestii</i>	Of wild origin	Indonesia	b
<i>Psittaculirostris edwardsii</i>	Of wild origin	Indonesia	b
<i>Psittaculirostris salvadorii</i>	Of wild origin	Indonesia	b

Species	Specimens	Countries of origin	Basis in Article 4 (6), point:
<i>Psittacus erithacus</i>	Of wild origin	Angola, Benin, Burundi, Cameroon, Central African Republic, Côte d'Ivoire, Equatorial Guinea, Liberia, Mali, São Tomé and Príncipe, Sierra Leone, Tanzania, Togo	b
<i>Psitteuteles goldiei</i>	Of wild origin	Indonesia	b
<i>Psitteuteles iris</i>	Of wild origin	All range States	b
<i>Psittinus cyanuras</i>	Of wild origin	Vietnam	b
<i>Psittrichas fulgidus</i>	Of wild origin	All range States	b
<i>Pyrrhura albipectus</i>	Of wild origin	Ecuador	b
<i>Pyrrhura calliptera</i>	Of wild origin	Colombia	b
<i>Pyrrhura boematotis</i>	Of wild origin	Venezuela	b
<i>Pyrrhura leucotis</i>	Of wild origin	Brazil	b
<i>Pyrrhura molinae</i>	Of wild origin	Paraguay	b
<i>Pyrrhura orcesi</i>	Of wild origin	Ecuador	b
<i>Pyrrhura picta</i>	Of wild origin	Bolivia, Colombia	b
<i>Pyrrhura viridicata</i>	Of wild origin	Colombia	b
<i>Tanygnathus gramineus</i>	Of wild origin	Indonesia	b
<i>Tanygnathus sumatranus</i>	Of wild origin	Indonesia	b
<i>Touit melanonotus</i>	Of wild origin	Brazil	b
<i>Touit surda</i>	Of wild origin	Brazil	b
<i>Trichoglossus euteles</i>	Of wild origin	Indonesia	b
<i>Trichoglossus haematodus</i>	Of wild origin	Solomon Islands	b
<i>Trichoglossus johnstoniae</i>	Of wild origin	Philippines	b
<i>Trichoglossus ornatus</i>	Of wild origin	Indonesia	b
<i>Trichoglossus rubiginosus</i>	Of wild origin	Federated States of Micronesia	b
<i>Triclaria malachitacea</i>	Of wild origin	Argentina, Brazil	b
STRIGIFORMES			
Tytonidae			
<i>Phodilus prigoginei</i>	Of wild origin	Democratic Republic of Congo	b
<i>Tyto aurantia</i>	Of wild origin	Papua New Guinea	b
<i>Tyto inexpectata</i>	Of wild origin	Indonesia	b
<i>Tyto manusi</i>	Of wild origin	Papua New Guinea	b
<i>Tyto nigrobrunnea</i>	Of wild origin	Indonesia	b
<i>Tyto sororcula</i>	Of wild origin	Indonesia	b
Strigidae			
<i>Bubo philippensis</i>	Of wild origin	Philippines	b
<i>Bubo vosseleri</i>	Of wild origin	Tanzania	b
<i>Glaucidium albertinum</i>	Of wild origin	Rwanda, Zaire	b
<i>Ketupa blakistoni</i>	Of wild origin	China, Japan, Russian Federation	b
<i>Ketupa ketupu</i>	Of wild origin	Singapore	b
<i>Nesasio solomonensis</i>	Of wild origin	Papua New Guinea, Solomon Islands	b
<i>Ninox affinis</i>	Of wild origin	India	b
<i>Ninox rudolfi</i>	Of wild origin	Indonesia	b
<i>Otus angelinae</i>	Of wild origin	Indonesia	b
<i>Otus fuliginosus</i>	Of wild origin	Philippines	b
<i>Otus longicornis</i>	Of wild origin	Philippines	b

Species	Specimens	Countries of origin	Basis in Article 4 (6), point:
<i>Otus magicus</i>	Of wild origin	Seychelles	b
<i>Otus mindorensis</i>	Of wild origin	Philippines	b
<i>Otus mirus</i>	Of wild origin	Philippines	b
<i>Otus pauliani</i>	Of wild origin	Comoros	b
<i>Otus rutilus</i>	Of wild origin	Comoros	b
<i>Scotopelia ussheri</i>	Of wild origin	Côte d'Ivoire, Ghana, Guinea, Liberia, Sierra Leone	b
<i>Strix davidi</i>	Of wild origin	China	b
CORACIIFORMES			
Bucerotidae			
<i>Buceros rhinoceros</i>	Of wild origin	Thailand	b
PASSERIFORMES			
Pittidae			
<i>Pitta nympha</i>	Of wild origin	All range States	b
REPTILIA			
TESTUDINES			
Emydidae			
<i>Trachemys scripta elegans</i>	All live, including captive-bred	All countries of origin	d
Testudinidae			
<i>Geochelone carbonaria</i>	Of wild origin	Argentina, Panama	b
<i>Geochelone chilensis</i>	Of wild origin	Argentina	b
<i>Geochelone denticulata</i>	Of wild origin	Bolivia, Ecuador	b
<i>Geochelone elegans</i>	Of wild origin	Bangladesh, Pakistan	b
<i>Geochelone pardalis</i>	Of wild origin	Mozambique, Namibia, Swaziland, Tanzania	b
	Of ranched origin	Mozambique	b
<i>Geochelone sulcata</i>	Of wild origin	Djibouti, Eritrea, Guinea, Niger, Togo	b
<i>Gopherus agassizii</i>	Of wild origin	All range States	b
<i>Gopherus berlandieri</i>	Of wild origin	All range States	b
<i>Gopherus polyphemus</i>	Of wild origin	United States of America	b
<i>Homopus signatus</i>	Of wild origin	Namibia	b
<i>Indotestudo elongata</i>	Of wild origin	Bangladesh, India	b
<i>Indotestudo forstenii</i>	Of wild origin	All range States	b
<i>Kinixys belliana</i>	Of wild origin	Burundi, Central African Republic, Côte d'Ivoire, Djibouti, Liberia, Madagascar, Mauritania, Mozambique	b
	Of ranched/captive-bred origin	Benin, Mozambique	b
<i>Kinixys erosa</i>	Of wild origin	Benin, Guinea-Bissau, Togo	b
<i>Kinixys homeana</i>	Of ranched/captive-bred origin	Benin	b
<i>Kinixys natalensis</i>	Of wild origin	Mozambique, South Africa, Swaziland	b
<i>Manouria emys</i>	Of wild origin	All range States	b
<i>Manouria impressa</i>	Of wild origin	All range States	b
<i>Pyxis arachnoides</i>	Of wild origin	All range States	b
<i>Testudo horsfieldii</i>	Of wild origin	China, Pakistan	b
Pelomedusidae			
<i>Erymnochelys madagascariensis</i>	Of wild origin	Madagascar	b
<i>Peltocephalus dumerilianus</i>	Of wild origin	Peru	b

Species	Specimens	Countries of origin	Basis in Article 4 (6), point:
<i>Podocnemis erythrocephala</i>	Of wild origin	Colombia, Venezuela	b
<i>Podocnemis expansa</i>	Of wild origin	Colombia, Ecuador, Guyana, Peru, Trinidad and Tobago, Venezuela	b
<i>Podocnemis lewyana</i>	Of wild origin	All range States	b
<i>Podocnemis sextuberculata</i>	Of wild origin	Peru	b
CROCODYLIA			
Alligatoridae			
<i>Caiman crocodilus crocodilus</i>	Of wild origin	Bolivia, Ecuador, Peru, Trinidad and Tobago	b
<i>Caiman crocodilus fuscus</i>	Of wild origin	Belize, Costa Rica, Ecuador, El Salvador, Guatemala, Mexico, Panama, Venezuela	b
<i>Caiman yacare</i>	Of wild origin	Argentina, Bolivia	b
<i>Palaeosuchus trigonatus</i>	Of wild origin	Guyana	b
SAURIA			
Agamidae			
<i>Uromastyx acanthinurus</i>	Of wild origin	Egypt	b
<i>Uromastyx aegyptius</i>	Of wild origin	Egypt	b
<i>Uromastyx maliensis</i>	Of wild origin	All range States	b
<i>Uromastyx ocellatus</i>	Of wild origin	Djibouti, Egypt, Ethiopia, Saudi Arabia, Yemen	b
<i>Uromastyx thomasi</i>	Of wild origin	Oman	b
Gekkonidae			
<i>Phelsuma abbotti</i>	Of wild origin	Madagascar	b
<i>Phelsuma antanosy</i>	Of wild origin	Madagascar	b
<i>Phelsuma barbouri</i>	Of wild origin	Madagascar	b
<i>Phelsuma befotakensis</i>	Of wild origin	Madagascar	b
<i>Phelsuma breviceps</i>	Of wild origin	Madagascar	b
<i>Phelsuma chekei</i>	Of wild origin	Madagascar	b
<i>Phelsuma dubia</i>	Of wild origin	Madagascar, Mozambique, Tanzania	b
<i>Phelsuma edwardnewtonii</i>	Of wild origin	Mauritius	b
<i>Phelsuma flavigularis</i>	Of wild origin	Madagascar	b
<i>Phelsuma guimbeui</i>	Of wild origin	Mauritius	b
<i>Phelsuma guttata</i>	Of wild origin	Madagascar	b
<i>Phelsuma klemmeri</i>	Of wild origin	Madagascar	b
<i>Phelsuma minuthi</i>	Of wild origin	Madagascar	b
<i>Phelsuma modesta</i>	Of wild origin	Madagascar	b
<i>Phelsuma mutabilis</i>	Of wild origin	Madagascar	b
<i>Phelsuma pronki</i>	Of wild origin	Madagascar	b
<i>Phelsuma pusilla</i>	Of wild origin	Madagascar	b
<i>Phelsuma seippi</i>	Of wild origin	Madagascar	b
<i>Phelsuma serraticauda</i>	Of wild origin	Madagascar	b
<i>Phelsuma standingi</i>	Of wild origin	Madagascar	b
<i>Phelsuma trilineata</i>	Of wild origin	Madagascar	b
Iguanidae			
<i>Conolophus pallidus</i>	Of wild origin	Ecuador	b
<i>Conolophus subcristatus</i>	Of wild origin	Ecuador	b

Species	Specimens	Countries of origin	Basis in Article 4 (6), point:
Helodermatidae			
<i>Heloderma horridum</i>	Of wild origin	Guatemala, Mexico	b
<i>Heloderma suspectum</i>	Of wild origin	Mexico, United States of America	b
Varanidae			
<i>Varanus albigularis</i>	Of wild origin	Djibouti, Eritrea, Kenya, Lesotho, Mozambique, Swaziland, Uganda, Democratic Republic of Congo	b
<i>Varanus baritji</i>	Of wild origin	Australia	b
<i>Varanus beccarii</i>	Of wild origin	Indonesia	b
<i>Varanus bogerti</i>	Of wild origin	Papa New Guinea	b
<i>Varanus dumerilii</i>	Of wild origin	Brunei	b
<i>Varanus exanthematicus</i>	Of wild origin	Angola, Benin, Burkina Faso, Burundi, Djibouti, Kenya, Liberia, Malawi, Niger, Rwanda, Democratic Republic of Congo	b
	Of ranched origin	Benin, Togo	b
<i>Varanus glauerti</i>	Of wild origin	Australia	b
<i>Varanus indicus</i>	Of wild origin	Australia, Marshall Islands, Solomon Islands	b
<i>Varanus irrawadicus</i>	Of wild origin	China	b
<i>Varanus jobiensis</i> (synonym <i>V. karlschmidti</i>)	Of wild origin	Papua New Guinea	b
<i>Varanus kingorum</i>	Of wild origin	Australia	b
<i>Varanus niloticus</i>	Of wild origin	Burkina Faso, Burundi, Djibouti, Egypt, Equatorial Guinea, Lesotho, Mauritania, Mozambique, Rwanda, Swaziland	b
	Of ranched origin	Benin, Togo	b
<i>Varanus pilbarensis</i>	Of wild origin	Australia	b
<i>Varanus rudicollis</i>	Of wild origin	Philippines	b
<i>Varanus salvadorii</i>	Of wild origin	Papua New Guinea	b
<i>Varanus salvator</i>	Of wild origin	Bangladesh, Brunei, Cambodia, China, India, Myanmar, Philippines, Singapore, Vietnam	b
<i>Varanus similis</i>	Of wild origin	Papua New Guinea	b
<i>Varanus telenestes</i>	Of wild origin	Papua New Guinea	b
<i>Varanus teriae</i>	Of wild origin	Australia	b
<i>Varanus yemenensis</i>	Of wild origin	Saudi Arabia, Yemen	b
SERPENTES			
Boidae			
<i>Boa constrictor</i>	Of wild origin	Costa Rica, El Salvador, Honduras, Peru	b
<i>Eunectes barbouri</i>	Of wild origin	Brazil	b
<i>Eunectes deschauenseei</i>	Of wild origin	Brazil	b
<i>Eunectes murinus</i>	Of wild origin	Paraguay	b
<i>Eunectes notaeus</i>	Of wild origin	Bolivia, Uruguay	b
<i>Python anchietae</i>	Of wild origin	All range States	b
<i>Python curtus</i>	Of wild origin	Brunei	b
<i>Python molurus</i>	Of wild origin	China, Laos, Vietnam	b

Species	Specimens	Countries of origin	Basis in Article 4 (6), point:
<i>Python regius</i>	Of wild origin	Central African Republic, Congo, Equatorial Guinea, Gabon, Liberia	b
	Of ranched origin	Benin	b
	Of ranched/captive-bred origin	Togo	b
<i>Python reticulatus</i>	Of wild origin	Bangladesh, Cambodia, India, Singapore	b
<i>Python sebae</i>	Of wild origin	Mauritania, South Africa	b
	Of ranched origin	Benin, Mozambique	b
AMPHIBIA			
ANURA			
Ranidae			
<i>Rana catesbeiana</i>	All live, including captive-bred	All countries of origin	d
FLORA			
Orchidaceae			
<i>Aceras anthropoporum</i>	Of wild origin	Turkey	b
<i>Anacamptis pyramidalis</i>	Of wild origin	Estonia, Slovakia, Switzerland, Turkey	b
<i>Barlia robertiana</i>	Of wild origin	Malta, Turkey	b
<i>Cephalanthera damasonium</i>	Of wild origin	Poland, Slovakia	b
<i>Cephalanthera rubra</i>	Of wild origin	Latvia, Lithuania, Norway, Poland, Slovakia	b
<i>Dactylorhiza fuchsii</i>	Of wild origin	Czech Republic, Poland	b
<i>Dactylorhiza incarnata</i>	Of wild origin	Norway, Slovakia	b
<i>Dactylorhiza latifolia</i>	Of wild origin	Norway, Poland, Slovakia	b
<i>Dactylorhiza maculata</i>	Of wild origin	Czech Republic, Lithuania, Norway	b
<i>Dactylorhiza romana</i>	Of wild origin	Turkey	b
<i>Dactylorhiza russowii</i>	Of wild origin	Czech Republic, Lithuania, Norway, Poland	b
<i>Dactylorhiza traunsteineri</i>	Of wild origin	Liechtenstein, Poland	b
<i>Gymnadenia conopsea</i>	Of wild origin	Czech Republic, Lithuania, Slovakia	b
<i>Himantoglossum hircinum</i>	Of wild origin	Czech Republic, Hungary, Switzerland	b
<i>Nigritella nigra</i>	Of wild origin	Norway	b
<i>Ophrys apifera</i>	Of wild origin	Hungary	b
<i>Ophrys holoserica</i>	Of wild origin	Turkey	b
<i>Ophrys insectifera</i>	Of wild origin	Czech Republic, Hungary, Latvia, Liechtenstein, Norway, Romania, Slovakia	b
<i>Ophrys pallida</i>	Of wild origin	Algeria	b
<i>Ophrys scolopax</i>	Of wild origin	Hungary, Romania	b
<i>Ophrys sphegodes</i>	Of wild origin	Hungary, Romania, Switzerland	b
<i>Ophrys tenthredinifera</i>	Of wild origin	Malta, Turkey	b
<i>Ophrys umbilicata</i>	Of wild origin	Turkey	b
<i>Orchis coriophora</i>	Of wild origin	Poland, Russian Federation, Switzerland	b
<i>Orchis italica</i>	Of wild origin	Malta, Turkey	b
<i>Orchis laxiflora</i>	Of wild origin	Switzerland	b
<i>Orchis mascula</i>	Of wild origin	Estonia, Lithuania, Poland	b
<i>Orchis militaris</i>	Of wild origin	Lithuania, Poland, Slovakia	b

Species	Specimens	Countries of origin	Basis in Article 4 (6), point:
<i>Orchis morio</i>	Of wild origin	Estonia, Lithuania, Poland, Slovakia, Turkey	b
<i>Orchis pallens</i>	Of wild origin	Hungary, Poland, Russian Federation, Slovakia	b
<i>Orchis papilionacea</i>	Of wild origin	Romania, Slovenia	b
<i>Orchis provincialis</i>	Of wild origin	Switzerland	b
<i>Orchis punctulata</i>	Of wild origin	Turkey	b
<i>Orchis purpurea</i>	Of wild origin	Poland, Slovakia, Switzerland, Turkey	b
<i>Orchis simia</i>	Of wild origin	Bosnia and Herzegovina, Croatia, Macedonia, Romania, Slovenia, Switzerland, Turkey, Yugoslavia	b
<i>Orchis tridentata</i>	Of wild origin	Czech Republic, Slovakia, Turkey	b
<i>Orchis ustulata</i>	Of wild origin	Estonia, Latvia, Lithuania, Poland, Russian Federation, Slovakia	b
<i>Serapias cordigera</i>	Of wild origin	Turkey	b
<i>Serapias lingua</i>	Of wild origin	Malta	b
<i>Serapias parviflora</i>	Of wild origin	Turkey	b
<i>Serapias vomeracea</i>	Of wild origin	Malta, Switzerland, Turkey	b
<i>Spiranthes spiralis</i>	Of wild origin	Czech Republic, Liechtenstein, Poland, Switzerland	b
Primulaceae			
<i>Cyclamen intaminatum</i>	Of wild origin	Turkey	b
<i>Cyclamen mirabile</i>	Of wild origin	Turkey	b
<i>Cyclamen parviflorum</i>	Of wild origin	Turkey	b
<i>Cyclamen persicum</i>	Of wild origin	Turkey	b
<i>Cyclamen pseudibericum</i>	Of wild origin	Turkey	b
<i>Cyclamen trochopteranthum</i>	Of wild origin	Turkey	b

COMMISSION REGULATION (EC) No 2552/97

of 18 December 1997

on the sale by the procedure laid down in Regulation (EEC) No 2539/84 of beef held by certain intervention agencies and intended for supplying the Canary Islands and repealing Regulation (EC) No 1827/97

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EEC) No 805/68 of 27 June 1968 on the common organization of the market in beef and veal⁽¹⁾, as last amended by Regulation (EC) No 2321/97⁽²⁾, and in particular Article 7 (3) thereof,

Having regard to Council Regulation (EEC) No 1601/92 of 15 June 1992 concerning specific measures for the Canary Islands with regard to certain agricultural products⁽³⁾, as last amended by Regulation (EC) No 2348/96⁽⁴⁾, and in particular Article 3 (2) thereof,

Whereas certain intervention agencies hold substantial stocks of beef bought into intervention; whereas an extension of the storage period should be avoided on account of the ensuing high costs;

Whereas Commission Regulation (EC) No 1264/97 of 1 July 1997 establishing a forecast balance for the supply to the Canary Islands of live bovine animals and beef and veal products⁽⁵⁾ fixes the forecast supply balance for frozen meat of bovine animals for the period 1 July 1997 to 30 June 1998; whereas, in the light of traditional trade patterns, beef should be released from intervention for the purpose of supplying the Canary Islands during that period;

Whereas Commission Regulation (EEC) No 2539/84 of 5 September 1984 laying down detailed rules for certain sales of frozen beef held by the intervention agencies⁽⁶⁾, as last amended by Regulation (EC) No 2417/97⁽⁷⁾, provides for the possibility of a two-stage procedure for the sale of beef from intervention;

Whereas, in order to ensure that the tendering procedure is consistent and uniform, measures should be adopted in addition to those laid down in Commission Regulation (EEC) No 2173/79⁽⁸⁾, as last amended by Regulation (EC) No 2417/95;

Whereas Article 3 of Commission Regulation (EC) No 2790/94 of 16 November 1994 laying down common detailed rules for the implementation of Council Regulation (EEC) No 1601/92 concerning specific measures for the Canary Islands with regard to certain agricultural products⁽⁹⁾, as last amended by Regulation (EEC) No 2883/94⁽¹⁰⁾, provides for the use of aid certificates issued by the competent Spanish authorities for supplies from the Community; whereas, in order to improve the operation of the abovementioned arrangements, certain derogations from that Regulation should be laid down, in particular, with regard to the application for and the issue of aid certificates;

Whereas the sale should be conducted in accordance with Commission Regulations (EEC) No 2539/84, (EEC) No 3002/92⁽¹¹⁾, as last amended by Regulation (EC) No 770/96⁽¹²⁾, and (EC) No 2790/94, subject to certain special exceptions on account of the particular use to which the products in question are to be put;

Whereas it is necessary to provide for the lodging of a security to guarantee that the beef arrives at the intended destination;

Whereas Commission Regulation (EC) No 1827/97⁽¹³⁾ should be repealed;

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

HAS ADOPTED THIS REGULATION:

Article 1

1. A sale shall be organized of approximately:
 - 40 tonnes of boneless beef held by the Spanish intervention agency,
 - 41 tonnes of boneless beef held by the Danish intervention agency,

⁽¹⁾ OJ L 148, 28. 6. 1968, p. 24.

⁽²⁾ OJ L 322, 25. 11. 1997, p. 25.

⁽³⁾ OJ L 173, 27. 6. 1992, p. 13.

⁽⁴⁾ OJ L 320, 11. 12. 1996, p. 1.

⁽⁵⁾ OJ L 174, 2. 7. 1997, p. 21.

⁽⁶⁾ OJ L 238, 6. 9. 1984, p. 13.

⁽⁷⁾ OJ L 248, 14. 10. 1995, p. 39.

⁽⁸⁾ OJ L 251, 5. 10. 1979, p. 12.

⁽⁹⁾ OJ L 296, 17. 11. 1994, p. 23.

⁽¹⁰⁾ OJ L 304, 29. 11. 1994, p. 18.

⁽¹¹⁾ OJ L 301, 17. 10. 1992, p. 17.

⁽¹²⁾ OJ L 104, 27. 4. 1996, p. 13.

⁽¹³⁾ OJ L 260, 23. 9. 1997, p. 12.

- 1 500 tonnes of boneless beef held by the French intervention agency,
- 1 500 tonnes of boneless beef held by the Irish intervention agency,
- 200 tonnes of bone-in beef held by the Austrian intervention agency,
- 200 tonnes of bone-in beef held by the Belgian intervention agency,
- 1 000 tonnes of bone-in beef held by the Danish intervention agency,
- 400 tonnes of bone-in beef held by the German intervention agency,
- 1 000 tonnes of bone-in beef held by the Spanish intervention agency,
- 700 tonnes of bone-in beef held by the French intervention agency,
- 400 tonnes of bone-in beef held by the Irish intervention agency,
- 100 tonnes of bone-in beef held by the Italian intervention agency,
- 400 tonnes of bone-in beef held by the Netherlands intervention agency,
- 700 tonnes of bone-in beef held by the Portuguese intervention agency,
- 80 tonnes of bone-in beef held by the Swedish intervention agency.

2. This meat shall be sold for delivery to the Canary Islands pursuant to Regulation (EC) No 1264/97.

3. Subject to the provisions of this Regulation, the sale shall take place in accordance with Regulations (EEC) No 2539/84, (EEC) No 3002/92 and (EC) No 2790/94.

4. The qualities and the minimum prices referred to in Article 3 (1) of Regulation (EEC) No 2539/84 are set out in Annex I hereto.

5. The intervention agencies shall sell first those products in each product group which have been in storage longest.

Particulars of the quantities and places where the products are stored shall be made available to interested parties at the addresses given in Annex II.

6. Only those tenders shall be taken into consideration which reach the intervention agencies concerned no later than 12 noon on 12 January 1998.

7. Notwithstanding Article 8 (1) of Regulation (EEC) No 2173/79 a tender must be submitted to the interven-

tion agency concerned in a closed envelope, bearing the reference to the Regulation concerned. The closed envelope must not be opened by the intervention agency before the expiry of the tender deadline referred to in paragraph 6.

Article 2

1. The tender or the purchase application shall be submitted by an operator entered in the register referred to in Article 5 (1) of Regulation (EC) No 2790/94 or by an operator duly authorized by the aforementioned operator to act on his behalf.

2. After receiving a tender or purchase application, the intervention agency shall only conclude the contract after having checked with the competent Spanish agencies referred to in Annex III that the quantity concerned is available within the forecast supply balance.

3. The Spanish agency shall immediately reserve for the applicant the quantity requested until receipt of the application for the relevant aid certificate. Notwithstanding Article 6 (1) of Regulation (EC) No 2790/94, the certificate application must be accompanied only by the original purchase invoice issued by the seller intervention agency or by a certified copy thereof.

The application for the aid certificate shall be submitted not later than seven working days after the date on which the purchase invoice is made out.

4. Notwithstanding Article 3 (1) of Regulation (EC) No 2790/94, the aid shall not be granted for meat sold pursuant to this Regulation.

5. Notwithstanding Article 3 (4) (b) of Regulation (EC) No 2790/94, box 24 of the aid certificate application and the aid certificate shall contain the entry: 'aid certificate for use in the Canary Islands — no aid to be paid'.

Article 3

Notwithstanding Article 4 (2) of Regulation (EEC) No 2539/84, purchase applications may be submitted from the 10th working day following the date referred to in Article 1 (6).

Article 4

The security provided for in Article 5 (1) of Regulation (EEC) No 2539/84 shall be:

- ECU 3 000 per tonne for boneless beef (except fillets),
- ECU 6 300 per tonne for fillets,
- ECU 1 850 per tonne for bone-in beef.

Delivery of the products concerned to the Canary Islands not later than 30 June 1998 shall be a primary requirement within the meaning of Article 20 of Commission Regulation (EEC) No 2220/85⁽¹⁾. Proof of compliance with this requirement must be provided not later than two months after completion of formalities with the competent authorities in the Canary Islands for the delivery concerned.

Article 5

The removal order referred to in Article 3 (1) (b) of Regulation (EEC) No 3002/92 and the T 5 control copy shall contain the entry:

Carne de intervención destinada a las islas Canarias — Sin ayuda [Reglamento (CE) No 2552/97]

Interventionskød til De Kanariske Øer — uden støtte (forordning (EF) No 2552/97)

Interventionsfleisch für die Kanarischen Inseln — ohne Beihilfe (Verordnung (EG) No 2552/97)

Κρέας από την παρέμβαση για τις Καναρίους Νήσους — χωρίς ενισχύσεις [Κανονισμός (ΕΚ) No 2552/97]

Intervention meat for the Canary Islands — without the payment of aid (Regulation (EC) No 2552/97)

Viandes d'intervention destinées aux îles Canaries — Sans aide [règlement (CE) No 2552/97]

Carni in regime d'intervento destinate alle isole Canarie — senza aiuto [regolamento (CE) No 2552/97]

Interventievlees voor de Canarische Eilanden — zonder steun (Verordening (EG) No 2552/97)

Carne de intervenção destinada às ilhas Canárias — sem ajuda [Regulamento (CE) No 2552/97]

Kanariansaarille osoitettu interventiolihä — ilman tukea (Asetus (EY) No 2552/97)

Interventionskött för Kanarieöarna — utan bidrag (Förordning (EG) No 2552/97).

Article 6

Regulation (EC) No 1827/97 is hereby repealed.

Article 7

This Regulation shall enter into force on 9 January 1998.

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

Done at Brussels, 18 December 1997.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ L 205, 3. 8. 1985, p. 5.

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

Estado miembro	Productos	Cantidad aproximada (toneladas)	Precio mínimo expresado en ecus por tonelada (1)
Medlemsstat	Produkter	Tilnærmet mængde (tons)	Mindstepriser i ECU/ton (1)
Mitgliedstaat	Erzeugnisse	Ungefähre Mengen (Tonnen)	Mindestpreise, ausgedrückt in ECU/Tonne (1)
Κράτος μέλος	Προϊόντα	Κατά προσέγγιση ποσότητα (τόνοι)	Ελάχιστες τιμές πώλησης εκφραζόμενες σε Ecu ανά τόνο (1)
Member State	Products	Approximate quantity (tonnes)	Minimum prices expressed in ECU per tonne (1)
État membre	Produits	Quantité approximative (tonnes)	Prix minimaux exprimés en écus par tonne (1)
Stato membro	Prodotti	Quantità approssimativa (tonnellate)	Prezzi minimi espressi in ecu per tonnellata (1)
Lidstaat	Producten	Hoeveelheid bij benadering (ton)	Minimumprijzen uitgedrukt in ecu per ton (1)
Estado-membro	Produtos	Quantidade aproximada (toneladas)	Preço mínimo expresso em ecus por tonelada (1)
Jäsenvaltio	Tuotteet	Arvioitu määrä (tonneina)	Alimmat hinnat ecuina tonnilla (1)
Medlemsstat	Produkter	Ungefärlig kvantitet (ton)	Lägsta priser i ecu per ton (1)

a) Carne deshuesada — Udbenet kød — Fleisch ohne Knochen — Οπίσθια τέταρτα με κόκαλα — Boneless beef — Viande désossée — Carni senza osso — Vlees zonder been — Carne desossada — Luuton naudanliha — Benfritt kött

DANMARK	— Klump (Int 12)	2	1 150
	— Yderlår (Int 14)	2	1 350
	— Mørbrad (Int 15)	24	4 600
	— Tyksteg (Int 16)	2	1 150
	— Entrecote (Int 19)	11	1 300
ESPAÑA	— Babilla (Int 12)	2	1 100
	— Tapa (Int 13)	2	1 400
	— Contratapa (Int 14)	3	1 300
	— Solomillo (Int 15)	1	4 700
	— Cadera (Int 16)	2	1 100
	— Lomo (Int 17)	2	2 000
	— Entrecote (Int 19)	28	1 300
FRANCE	— Tranche grasse (Int 12)	400	1 150
	— Tranche (Int 13)	100	1 400
	— Semelle (Int 14)	100	1 300
	— Filet (Int 15)	400	4 650
	— Rumsteak (Int 16)	100	1 150
	— Faux-filet (Int 17)	400	2 300
IRELAND	— Thick flank (Int 12)	400	1 150
	— Topside (Int 13)	100	1 400
	— Silverside (Int 14)	100	1 300
	— Fillet (Int 15)	400	4 700
	— Rump (Int 16)	100	1 100
	— Striploin (Int 17)	400	2 600

b) Cuartos traseros con hueso — Bagfjerdinger, ikke udbenet — Hinterviertel mit Knochen — Εμπρόσθια τέταρτα με κόκαλα — Bone-in hindquarters — Quartiers arrière avec os — Quarti posteriori non disossati — Achtervoeten met been — Quartos traseiros com osso — Luullinen takaneljännies — Bakkvartsparter med ben

BELGIQUE/ BELGIË	— Quartiers arrière/ Achtervoeten	200	950
DEUTSCHLAND	— Hinterviertel	400	950
DANMARK	— Bagfjerdinger	1 000	950
ESPAÑA	— Cuartos traseros	1 000	950
FRANCE	— Quartiers arrière	700	950
IRELAND	— Hindquarters	400	950
ITALIA	— Quarti posteriori	100	950
NEDERLAND	— Achtervoeten	400	950
ÖSTERREICH	— Hinterviertel	200	950
PORTUGAL	— Quartos traseiros	700	950
SVERIGE	— Bakkvartsparter	80	950

-
- (¹) Estos precios se entienden peso neto de acuerdo con las disposiciones del apartado 1 del artículo 17 del Reglamento (CEE) nº 2173/79.
- (¹) Disse priser gælder netto i overensstemmelse med bestemmelserne i artikel 17, stk. 1, i forordning (EØF) nr. 2173/79.
- (¹) Diese Preise gelten netto gemäß den Vorschriften von Artikel 17 Absatz 1 der Verordnung (EWG) Nr. 2173/79.
- (¹) Οι τιμές αυτές εφαρμόζονται επί του καθαρού βάρους σύμφωνα με τις διατάξεις του άρθρου 17 παράγραφος 1 του κανονισμού (ΕΟΚ) αριθ. 2173/79.
- (¹) These prices shall apply to net weight in accordance with the provisions of Article 17 (1) of Regulation (EEC) No 2173/79.
- (¹) Ces prix s'entendent poids net conformément aux dispositions de l'article 17 paragraphe 1 du règlement (CEE) nº 2173/79.
- (¹) Il prezzo si intende peso netto in conformità del disposto dell'articolo 17, paragrafo 1 del regolamento (CEE) n. 2173/79.
- (¹) Deze prijzen gelden netto, overeenkomstig de bepalingen van artikel 17, lid 1, van Verordening (EEG) nr. 2173/79.
- (¹) Estes preços aplicam-se a peso líquido, conforme o disposto no nº 1 do artigo 17º do Regulamento (CEE) nº 2173/79.
- (¹) Asetuksen (ETY) N:o 2173/79 17 artiklan 1 kohdan mukaiset nettopainohinnat.
- (¹) Dessa priser gäller nettovikt enligt bestämmelser i artikel 17.1 i förordning (EEG) nr 2173/79.
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*ANEXO II — BILAG II — ANHANG II — ΠΑΡΑΡΤΗΜΑ II — ANNEX II — ANNEXE II —
ALLEGATO II — BIJLAGE II — ANEXO II — LIITE II — BILAGA II*

**Direcciones de los organismos de intervención — Interventionsorganernes adresser —
Anschriften der Interventionsstellen — Διευθύνσεις των οργανισμών παρεμβάσεως — Addresses
of the intervention agencies — Adresses des organismes d'intervention — Indirizzi degli
organismi d'intervento — Adressen van de interventiebureaus — Endereços dos organismos de
intervenção — Interventioelinten osoitteet — Interventionsorganens adresser**

BELGIQUE/BELGIË:

Bureau d'intervention et de restitution belge
Rue de Trèves 82
B-1040 Bruxelles
Belgisch Interventie- en Restitutiebureau
Trierstraat 82
B-1040 Brussel
Téléphone: (32 2) 287 24 11; télex: BIRB. BRUB/24076-65567; télécopieur: (32 2) 230 2533/280 03 07

BUNDESREPUBLIK DEUTSCHLAND:

Bundesanstalt für Landwirtschaft und Ernährung (BLE)
Postfach 180203, D-60083 Frankfurt am Main
Adickesallee 40
D-60322 Frankfurt am Main
Tel.: (49) 69 1564-704/755; Telex: 411727; Telefax: (49) 69 15 64-790/791

DANMARK:

Ministeriet for Fødevarer, Landbrug og Fiskeri
EU-direktoratet
Kampmannsgade 3
DK-1780 København V
Tlf. (45) 33 92 70 00; telex 151317 DK; fax (45) 33 92 69 48, (45) 33 92 69 23

ESPAÑA:

FEGA (Fondo Español de Garantía Agraria)
Beneficencia, 8
E-28005 Madrid
Teléfono: (34 1) 347 65 00, 347 63 10; télex: FEGA 23427 E, FEGA 41818 E; fax: (34 1) 521 98 32, 522 43 87

FRANCE:

OFIVAL
80, avenue des Terroirs-de-France
F-75607 Paris Cedex 12
Téléphone: (33 1) 44 68 50 00; télex: 215330; télécopieur: (33 1) 44 68 52 33

ITALIA:

AIMA (Azienda di Stato per gli interventi nel mercato agricolo)
Via Palestro 81
I-00185 Roma
Tel. 49 49 91; telex 61 30 03; telefax: 445 39 40/445 19 58

IRELAND:

Department of Agriculture, Food and Forestry
Agriculture House
Kildare Street
IRL-Dublin 2
Tel. (01) 678 90 11, ext. 2278 and 3806
Telex 93292 and 93607, telefax (01) 661 62 63, (01) 678 52 14 and (01) 662 01 98

NEDERLAND:

Ministerie van Landbouw, Natuurbeheer en Visserij, Voedselvoorzieningsin- en verkoopbureau
p/a LASER, Zuidoost
Slachthuisstraat 71
Postbus 965
6040 AZ Roermond
Tel. (31-475) 35 54 44; telex 56396 VIBNL; fax (31-475) 31 89 39.

ÖSTERREICH:

AMA-Agrarmarkt Austria
Dresdner Straße 70
A-1201 Wien
Tel.: (431) 33 15 12 20; Telefax: (431) 33 15 1297

PORTUGAL:

Instituto Nacional de Intervenção e Garantia Agrícola
Rua Fernando Curado Ribeiro, nº 4-G
P-1600 Lisboa
Tel.: (351-1) 751 85 00; telefax: (351-1) 751 86 15;

SVERIGE:

Statens jordbruksverk — Swedish Board of Agriculture
Vallgatan 8
S-551 82 Jönköping
Tfn (46-36) 15 50 00; telex 70991 SJV-S; fax (46-36) 19 05 46

*ANEXO III — BILAG III — ANHANG III — ΠΑΡΑΡΤΗΜΑ ΙΙΙ — ANNEX III —
ANNEXE III — ALLEGATO III — BIJLAGE III — ANEXO III — LIITE III — BILAGA III*

Organismos españoles a que se refiere el apartado 2 del artículo 2 — De i artikel 2, stk. 2, omhandlede spanske organer — Die in Artikel 2 Absatz 2 genannten spanischen Stellen — Οι ισπανικοί οργανισμοί που προβλέπονται στο άρθρο 2 παράγραφος 2 — The Spanish agencies referred to in Article 2 (2) — Les organismes espagnols visés à l'article 2 paragraphe 2 — Organismi spagnoli di cui all'articolo 2, paragrafo 2 — In artikel 2, lid 2, bedoelde Spaanse instanties — Organismos espanhois referidos no n.º 2 do artigo 2.º — 2 artiklan 2 kohdan tarkoittama espanjalainen toimielin — De i artikel 2.2 avsedda spanska organen

— Dirección Territorial de Comercio en Las Palmas

José Frachy Roca, 5
E-35007
Las Palmas de Gran Canaria
[Teléfono: (28) 26 14 11 y (28) 26 21 36; fax: (28) 27 89 75]

— Dirección Territorial de Comercio en Santa Cruz de Tenerife

Pilar, 1
E-38002
Santa Cruz de Tenerife
[Teléfono: (22) 24 14 80 y (22) 24 13 79; fax: (22) 24 42 61/24 68 36]

**COMMISSION REGULATION (EC) No 2553/97
of 17 December 1997**

**on rules for issuing import licences for certain products covered by CN codes
1701, 1702, 1703 and 1704 and qualifying as ACP/OCT originating products**

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 Community⁽¹⁾, as last amended by Decision 97/803/EC⁽²⁾,

Having regard to Council Regulation (EEC) No 1785/81 of 30 June 1981 on the common organization of the markets in the sugar sector⁽³⁾, as last amended by Regulation (EC) No 1599/96⁽⁴⁾, and in particular Article 13 (2) (b) thereof,

Having regard to Council Regulation (EC) No 3448/93 of 6 December 1993 laying down the trade arrangements applicable to certain goods resulting from the processing of agricultural products⁽⁵⁾, and in particular Article 7 (2) thereof,

Whereas on 24 November 1997 the Council adopted a Decision amending Decision 91/482/EEC at mid-term; whereas, in accordance with the wording of the new Article 108b of that Decision, the ACP/OCT cumulation of origin is allowed up to a total annual quantity of 3 000 tonnes of sugar in the case of products covered by tariff headings CN 1701, 1702, 1703 and 1704;

Whereas the rules for issuing import licences for the products referred to in Article 108b of Decision 91/482/EEC should be laid down with a view to imports of the quantities provided for in that Decision and the controls necessary;

Whereas the list of products containing sugar referred to in Article 108b of Decision 91/482/EEC and falling within the scope of Regulations (EEC) No 1785/81 and (EC) No 3448/93 should be drawn up and specific licence arrangements should be introduced for those products;

Whereas Commission Regulation (EEC) No 3719/88 of 16 November 1988 laying down common detailed rules for the application of the system of import and export licences and advance fixing certificates for agricultural

products⁽⁶⁾, as last amended by Regulation (EC) No 1404/97⁽⁷⁾, should apply, save as otherwise provided herein; whereas the detailed rules laid down herein either supplement or derogate from the provisions of Regulation (EEC) No 3719/88;

Whereas, with a view to ensuring orderly management, preventing speculation and providing for effective controls, rules for submitting licence applications should be laid down; whereas such rules must in particular cover the production by the applicant of proof that he is customarily engaged in trade in sugar, of a declaration to the effect that he has lodged no other licence applications and of proof that he has lodged a security guaranteeing performance of the obligations stemming from licences;

Whereas the way the various sections of licence application forms are to be completed should be specified, as should the other characteristics of licences specifically for imports of products qualifying under Article 108b of Decision 91/482/EEC; whereas, in order to ensure such imports are administered strictly, provision should be made in particular for rights stemming from licences to be non-transmissible and the release for free circulation of quantities of products exceeding those covered by licences issued to be prohibited;

Whereas a timetable should be laid down for the presentation of applications and for the issuing of licences by the competent authorities of the Member States; whereas that timetable must in particular provide for a period during which the Member States are to notify the Commission of particulars relating to licence applications submitted and the Commission is to fix a single reducing coefficient to apply to any overrun in the maximum of 3 000 tonnes a year; whereas that reducing coefficient must be applied by the Member States when import licences are issued so that the maximum quantity is not exceeded; whereas, in order to prevent operators from carrying out operations which are no longer in their interest once the reducing coefficient has been applied, provision should be made for them to be able, in such cases, to withdraw their licence applications and for their securities to be released immediately; whereas, with a view to the time required to publish this Regulation, special time limits should be set for the submission of licence applications and the issuing of the licences in January 1998;

⁽¹⁾ OJ L 263, 19. 9. 1991, p. 1.
⁽²⁾ OJ L 329, 29. 11. 1997, p. 50.
⁽³⁾ OJ L 177, 1. 7. 1981, p. 4.
⁽⁴⁾ OJ L 206, 16. 8. 1996, p. 43.
⁽⁵⁾ OJ L 318, 20. 12. 1993, p. 18.

⁽⁶⁾ OJ L 331, 2. 12. 1988, p. 1.
⁽⁷⁾ OJ L 194, 23. 7. 1997, p. 5.

Whereas, in order to ensure that Decision 97/803/EC is actually implemented on its entry into force and to prevent speculation on the market, transitional provisions should be laid down regarding simplified rules for issuing licences before the arrangements laid down in this Regulation are fully applicable;

Whereas the measures provided for in this Regulation are in accordance with the opinions of the Management Committees for Sugar and Horizontal Questions concerning trade in processed agricultural products not listed in Annex II,

HAS ADOPTED THIS REGULATION:

Article 1

1. Imports of the products listed below under the ACP/OCT cumulation of origin provided for in Article 108b of Decision 91/482/EEC shall be subject to the presentation of import licences issued in accordance with this Regulation.

CN code	Description
1701	Cane or beet sugar and chemically pure sucrose, in solid form
1702 20	Maple sugar and maple syrup
1702 60 95 1702 90 99	Other sugars and sugar syrups not containing added flavouring or colouring matter, excluding lactose, glucose, maltodextrine and isoglucose
1702 90 60	Artificial honey, whether or not mixed with natural honey
1702 90 71	Caramel containing 50 % or more by weight of sucrose in the dry matter
1702 30 10 1702 40 10 1702 60 10 1702 90 30	Isoglucose
1702 60 80 1702 90 80	Inulin syrup
1703	Molasses resulting from the extraction or refining of sugar
ex 1704	Sugar confectionery (including white chocolate), not containing cocoa, with the exception of liquorice extract containing more than 10 % by weight of sucrose but not containing other added substances, of CN code 1704 90 10

2. For the purposes of determining the quantities which may be imported into the Community exempt from import duties under ACP/OCT cumulation of origin, section 22 of the import licence shall refer:

- in the case of products covered by CN code 1701: to the product as such,
- in the case of products covered by CN codes 1702 20, 1702 60 95, 1702 90 99, 1702 90 60 and 1702 90 71: to the sucrose content of the product, including other sugars expressed as sucrose, determined by the method laid down in Article 5 (2) of Commission Regulation (EC) No 1423/95⁽¹⁾,
- in the case of products covered by CN codes 1702 30 10, 1702 40 10, 1702 60 10 and 1702 90 30: to the dry matter content of the product, determined by the method laid down in the second subparagraph of Article 5 (2) of Regulation (EC) No 1423/95,
- in the case of products covered by CN codes 1702 60 80 and 1702 90 80: to the sucrose equivalent of the product, determined by the method laid down in Article 5 (4) of Regulation (EC) No 1423/95,
- in the case of products covered by CN code 1703: to the product of the standard quality defined in Article 1 of Regulation (EEC) No 785/68⁽²⁾,
- in the case of products covered by CN code 1704: to the sucrose content of the product, determined by applying the percentages laid down in the Annex to the net weight of the product in question.

3. Import licences issued pursuant to this Regulation shall bear the serial number 09.4096.

Article 2

1. Imports of the products listed in Article 1 shall be subject to the presentation of import licences.

2. Save where this Regulation specifically provides otherwise, Regulation (EEC) No 3719/88 shall apply.

Article 3

1. Import licence applications shall be lodged with the competent authorities of the Member States.

2. Import licence applications for the products listed in Article 1 shall relate to a quantity of at least 25 tonnes and not more than 3 000 tonnes of sugar.

⁽¹⁾ OJ L 141, 24. 6. 1995, p. 16.

⁽²⁾ OJ L 145, 27. 6. 1968, p. 12.

3. Import licence applications shall be accompanied by:

- proof that the applicant is a natural or legal person who has been engaged in trade in sugar for at least six months,
- a written declaration by the applicant to the effect that he has not submitted more than one application during the application submission period. Where an applicant submits more than one import licence application, all applications from the same person shall be inadmissible,
- proof that the party concerned has lodged a security equal to 50 % of the Common Customs Tariff duty applicable on the day of submission of the application.

Article 4

1. Import licence applications and import licences shall show:

- (a) the country of provenance in section 7, the word 'yes' being marked with a cross;
- (b) the country of origin in section 8, the word 'yes' being marked with a cross. Import licences shall be valid only for products originating in the country shown in that section;

(c) one of the following in section 20:

- Exención de derechos de importación (Decisión 91/482/CEE, artículo 101), número de orden 09.4096
- Fritages for importafgifter (artikel 101 i afgørelse 91/482/EØF), løbenummer 09.4096
- Frei von Einfuhrabgaben „Zucker“ (Beschluss 91/482/EWG, Artikel 101), Ordnungsnummer 09.4096
- Απαλλαγή από τον τελωνειακό δασμό (απόφαση 91/482/ΕΟΚ, άρθρο 101), αύξων αριθμός 09.4096
- Free from 'sugar' import duty (Decision 91/482/EEC, Article 101), serial number 09.4096
- Exemption du droit d'importation «sucre» (Décision 91/482/CEE, article 101), numéro d'ordre 09.4096
- Esenzione dal dazio all'importazione (Decisione 91/482/CEE, articolo 101), numero d'ordine 09.4096
- Vrij van invoerrechten „suiker“ (Besluit 91/482/EEG, artikel 101), volgnummer 09.4096

— Isenção de direitos de importação (Decisão 91/482/CEE, artigo 101º), número de ordem 09.4096

— Vapaa tuontitulleista (päättöksen 91/482/ETY 101 artikla), järjestysnumero 09.4096

— Importtullfri (beslut 91/482/EEG, artikel 101), löpnummer 09.4096.

2. Notwithstanding Article 8 (4) of Regulation (EEC) No 3719/88, the quantity released for free circulation may not exceed that shown 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, rights stemming from import licences shall not be transmissible.

4. For the purposes of this Regulation, the concept of 'originating products' and the methods of administration cooperation shall be as set out in Annex II to Decision 91/482/EEC.

Article 5

1. Licence applications may be submitted to the competent authorities of the Member States in the first five working days of January, April, July and October of each year.

2. On the sixth working day of each month referred to in paragraph 1, the Member States shall notify the Commission of:

- (a) the quantities of products, broken down by eight-digit CN codes and by country of origin covered by import licence applications lodged, with the relevant dates of submission;
- (b) the quantities of products, broken down by eight-digit CN codes and by country of origin covered by unused or partly used import licences, corresponding to the difference between the quantities attributed on the back of licences and those for which the latter were issued.

If no import licence applications are lodged in a Member State during the periods referred to in paragraph 1, that Member State shall so inform the Commission on the day referred to in the first subparagraph of this paragraph.

3. Where licence applications submitted for the products listed in Article 1 cover annual quantities in excess of 3 000 tonnes of sugar, the Commission shall:

- by the time limit laid down in paragraph 5, adopt a regulation fixing a single reducing coefficient to be applied to applications submitted, and
- suspend the submission of further applications during the year in progress.

4. For the purposes of paragraph 3, a single reducing coefficient shall be applied to the quantities covered by licence applications submitted each quarter, in proportion to the quantity of sugar corresponding to products listed in Article 1 and available for importing.

5. The licences shall be issued by the 15th working day of the months referred to in paragraph 1.

6. Where the quantity for which import licences are issued is less than that applied for, the security as provided for in Article 3 (3), last indent, shall be reduced proportionately.

7. Where paragraph 3 applies, licence applications may be withdrawn within three working days of publication of the regulation fixing the single reducing coefficient. The security shall be released forthwith.

8. Notwithstanding paragraphs 1, 2 and 5 and solely as regards January 1998, the time limit for the submission of licence applications shall expire on Friday 16 January 1998; the Member States shall forward the particulars referred to in paragraph 2 on Monday 19 January 1998 and the licences shall be issued on Friday 30 January 1998 at the latest.

Article 6

The term of validity of import licences shall expire on the last day of the second month following that of their issue.

Article 7

No part of the 3 000 tonnes of products as listed in Article 1 for import each year may be carried over to another year.

Article 8

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

It shall apply from 1 January 1998.

However, import licences applied for between 10 and 31 December 1997 shall be issued by the competent authorities of the Member States, after prior authorization has been granted by the Commission departments, in the order in which the applications are submitted and for quantities not exceeding the total maximum of 3 000 tonnes for the Community.

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

Done at Brussels, 17 December 1997.

For the Commission

Franz FISCHLER

Member of the Commission

ANNEX

Percentage sugar content of products for the purposes of determining quantities qualifying under ACP/OCT cumulation of origin

(Percentages referred to in the sixth indent of Article 1 (2))

CN Code	%
1704 10 11	58
1704 10 19	58
1704 10 91	70
1704 10 99	70
1704 90 30	45
1704 90 51	60
1704 90 55	60
1704 90 61	60
1704 90 65	60
1704 90 71	60
1704 90 75	60
1704 90 81	60
1704 90 99	60

COMMISSION REGULATION (EC) No 2554/97
of 18 December 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 19 December 1997.

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

Done at Brussels, 18 December 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 18 December 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			
	...	—			
0403 90 51 9300	+	—	0405 10 11 9500	+	165,85
0403 90 53 9000	+	4,551	0405 10 11 9700	+	170,00
0403 90 59 9110	+	6,803	0405 10 19 9500	+	165,85
0403 90 59 9140	+	10,50	0405 10 19 9700	+	170,00
0403 90 59 9170	+	15,77	0405 10 30 9100	+	165,85
0403 90 59 9310	+	38,32	0405 10 30 9300	+	170,00
0403 90 59 9340	+	59,85	0405 10 30 9500	+	165,85
0403 90 59 9370	+	66,00	0405 10 30 9700	+	170,00
0403 90 59 9510	+	75,22	0405 10 50 9100	+	165,85
0403 90 59 9540	+	110,55	0405 10 50 9300	+	170,00
0403 90 59 9570	+	129,01	0405 10 50 9500	+	165,85
0403 90 61 9100	+	—	0405 10 50 9700	+	170,00
0403 90 61 9300	+	—	0405 10 90 9000	+	176,22
0403 90 63 9000	+	0,0456	0405 20 90 9500	+	155,49
0403 90 69 9000	+	0,0680	0405 20 90 9700	+	161,71
0404 90 21 9100	+	66,85	0405 90 10 9000	+	216,00
0404 90 21 9910	+	—	0405 90 90 9000	+	170,00
0404 90 21 9950	+	13,18	0406 10 20 9100	+	—
0404 90 23 9120	+	66,85	0406 10 20 9230	037	—
0404 90 23 9130	+	89,73		039	—
0404 90 23 9140	+	94,53		099	22,83
0404 90 23 9150	+	101,68		400	22,83
0404 90 23 9911	+	—		...	37,68
0404 90 23 9913	+	4,551			
0404 90 23 9915	+	6,803	0406 10 20 9290	037	—
0404 90 23 9917	+	10,50		039	—
0404 90 23 9919	+	15,77		099	21,24
0404 90 23 9931	+	13,18		400	15,29
0404 90 23 9933	+	16,15		...	35,05
0404 90 23 9935	+	19,63			
0404 90 23 9937	+	23,21	0406 10 20 9300	037	—
0404 90 23 9939	+	24,26		039	—
0404 90 29 9110	+	102,44		099	9,329
0404 90 29 9115	+	103,11		400	7,834
0404 90 29 9120	+	104,40		...	15,39
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 2555/97

of 18 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 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 19 December 1997.

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

Done at Brussels, 18 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 18 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	052	87,9
	204	82,5
	624	196,5
	999	122,3
0707 00 40	624	134,7
	999	134,7
0709 10 40	220	220,4
	999	220,4
0709 90 79	052	108,2
	204	146,6
	999	127,4
0805 10 61, 0805 10 65, 0805 10 69	052	27,6
	204	47,5
	388	29,6
	448	29,8
	528	44,5
	999	35,8
0805 20 31	052	71,8
	204	52,6
	999	62,2
0805 20 33, 0805 20 35, 0805 20 37, 0805 20 39	052	63,9
	464	156,8
	999	110,4
0805 30 40	052	86,5
	400	60,0
	528	36,3
	600	75,5
	999	64,6
0808 10 92, 0808 10 94, 0808 10 98	060	48,8
	064	42,1
	400	88,9
	404	82,2
	512	39,2
	720	62,8
	804	84,0
	999	64,0
0808 20 67	052	97,6
	064	83,7
	400	96,8
	999	92,7

⁽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 2556/97**of 18 December 1997****on the sale by tender of beef held by certain intervention agencies and intended for processing within the Community and repealing Regulation (EC) No 2116/97**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EEC) No 805/68 of 27 June 1968 on the common organization of the market in beef and veal⁽¹⁾, as last amended by Regulation (EC) No 2321/97⁽²⁾, and in particular Article 7 (3) thereof,

Whereas the application of intervention measures in respect of beef has created stocks in several Member States; whereas, in order to prevent an excessive prolongation of storage, part of these stocks should be sold by tender for processing in the Community;

Whereas the sale should be made subject to the rules laid down by Commission Regulations (EEC) No 2173/79⁽³⁾, as last amended by Regulation (EC) No 2417/95⁽⁴⁾, (EEC) No 3002/92⁽⁵⁾, as last amended by Regulation (EC) No 770/96⁽⁶⁾ and (EEC) No 2182/77⁽⁷⁾, as last amended by Regulation (EC) No 2417/95, subject to certain special exceptions on account of the particular use to which the products in question are to be put;

Whereas, with a view to ensuring a regular and uniform tendering procedure, measures should be taken in addition to those laid down in Article 8 (1) of Regulation (EEC) No 2173/79;

Whereas provision should be made for derogations from Article 8 (2) (b) of Regulation (EEC) No 2173/79, in view of the administrative difficulties which application of this point creates in the Member States concerned;

Whereas in order to ensure optimum monitoring of the destination of beef from intervention stocks, control measures should be taken, in addition to the measures provided for in Regulation (EEC) No 3002/92, which are based on physical inspection of quantities and qualities;

Whereas Regulation (EC) No 2116/97⁽⁸⁾ should be repealed;

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

HAS ADOPTED THIS REGULATION:

Article 1

1. The sale shall take place of:

- approximately 400 tonnes of bone-in forequarters held by the Portuguese intervention agency;
- approximately 1 000 tonnes of bone-in forequarters held by the German intervention agency;
- approximately 1 000 tonnes of bone-in forequarters held by the Austrian intervention agency;
- approximately 1 000 tonnes of bone-in forequarters held by the Danish intervention agency;
- approximately 1 000 tonnes of bone-in forequarters held by the Belgian intervention agency;
- approximately 1 000 tonnes of bone-in forequarters held by the French intervention agency;
- approximately 1 000 tonnes of bone-in forequarters held by the Italian intervention agency;
- approximately 1 000 tonnes of bone-in forequarters held by the Dutch intervention agency;
- approximately 1 000 tonnes of bone-in forequarters held by the Spanish intervention agency;
- approximately 20 tonnes of bone-in forequarters held by the Swedish intervention agency;
- approximately 400 tonnes of bone-in forequarters held by the Irish intervention agency;
- approximately 2 000 tonnes of boneless beef held by the Irish intervention agency;

⁽¹⁾ OJ L 148, 28. 6. 1968, p. 24.

⁽²⁾ OJ L 322, 25. 11. 1997, p. 25.

⁽³⁾ OJ L 251, 5. 10. 1979, p. 12.

⁽⁴⁾ OJ L 248, 14. 10. 1995, p. 39.

⁽⁵⁾ OJ L 301, 17. 10. 1992, p. 17.

⁽⁶⁾ OJ L 104, 27. 4. 1996, p. 13.

⁽⁷⁾ OJ L 251, 1. 10. 1997, p. 60.

⁽⁸⁾ OJ L 295, 29. 10. 1997, p. 6.

- approximately 2 000 tonnes of boneless beef held by the Danish intervention agency;
- approximately 2 000 tonnes of boneless beef held by the French intervention agency;
- approximately 2 000 tonnes of boneless beef held by the United Kingdom intervention agency;

Detailed information concerning quantities is given in Annex I.

2. Subject to the provisions of this Regulation the products referred to in paragraph 1 shall be sold in accordance with Regulations (EEC) No 2173/79, in particular Titles II and III thereof, (EEC) No 2182/77 and (EEC) No 3002/92.

Article 2

1. Notwithstanding Articles 6 and 7 of Regulation (EEC) No 2173/79, the provisions of and Annexes to this Regulation shall serve as a general notice of invitation to tender.

The intervention agencies concerned shall draw up a notice of invitation to tender which shall include the following:

- (a) the quantities of beef offered for sale; and
- (b) the deadline and place for submitting tenders.

2. Interested parties may obtain the details of the quantities available and the places where the products are stored from the addresses listed in Annex II to this Regulation. The intervention agencies shall, in addition, display the notice referred to in paragraph 1 at their head offices and may publish it in other ways.

3. For each product mentioned in Annex I the intervention agencies concerned shall sell first the meat which has been stored the longest.

4. Only tenders which reach the intervention agencies concerned by 12 noon on 8 January 1998 shall be considered.

5. Notwithstanding Article 8 (1) of Regulation (EEC) No 2173/79, a tender must be submitted to the intervention agency concerned in a closed envelope, bearing the reference to the Regulation concerned. The closed envelope must not be opened by the intervention agency before the expiry of the tender deadline referred to in paragraph 4.

6. Notwithstanding Article 8 (2) (b) of Regulation (EEC) No 2173/79, tenders shall not indicate in which cold store or stores the products are held.

Article 3

1. Member States shall provide the Commission with information concerning the tenders received not later than the third working day following the deadline set for the submission of tenders.

2. After the tenders received have been examined a minimum selling price shall be set for each product or the sale will not proceed.

Article 4

1. A tender shall be valid only if presented by or on behalf of a natural or legal person who, for the 12 months prior to the entry into force of this Regulation, has been engaged in the processing of products containing beef and who is entered in a national VAT register. In addition, tenders must be presented by or on behalf of a processing establishment approved in accordance with Article 8 of Directive 77/99/EEC⁽¹⁾.

For the purposes of the preceding subparagraph, a retail or catering establishment or an establishment attached to a retail sales outlet where meat is processed and put up for sale to the final consumer shall not be taken into consideration.

2. Notwithstanding Article 3 (1) and (2) of Regulation (EEC) No 2182/77, a tender must be accompanied by:

- a written undertaking by the tenderer to process the meat into the products specified in Article 5 within the period referred to in Article 5 (1) of Regulation (EEC) No 2182/77,
- precise details of the establishment or establishments where the meat which has been purchased is to be processed.

3. The tenderers referred to in paragraph 1 may instruct an agent in writing to take delivery, on their behalf, of the products which they purchase. In this case the agent shall submit the bids of the tenderers whom he represents together with the written instruction referred to above.

4. The purchasers and agents referred to in the preceding paragraphs shall maintain and keep up to date an accounting system which permits the destination and use of the products to be ascertained with a view in particular to ensuring that the quantities of products purchased and manufactured tally.

⁽¹⁾ OJ L 26, 31. 1. 1977, p. 85.

Article 5

1. Meat purchased in accordance with this Regulation shall be processed into products which comply with the definitions for A products and B products set out in paragraphs 2 and 3 below.

2. An A product means a processed product falling within CN code 1602 10, 1602 50 31, 1602 50 39 or 1602 50 80, not containing meat other than that of animals of the bovine species, with a collagen/protein ratio of no more than 0,45 % ⁽¹⁾ and containing by weight at least 20 % ⁽²⁾ of lean meat excluding offal ⁽³⁾ and fat with meat and jelly accounting for at least 85 % of the total net weight.

The product must be subjected to a heat treatment sufficient to ensure the coagulation of meat proteins in the whole of the product which may not show any traces of a pinkish liquid on the cut surface when the product is cut along a line passing through its thickest part.

3. A B product means a processed product containing beef, other than:

— one specified in Article 1 (1) (a) of Regulation (EEC) No 805/68, or

— one referred to in paragraph 2.

However, a processed product falling within CN code 0210 20 90 which has been dried or smoked so that the colour and consistency of the fresh meat has totally disappeared and with a water/protein ratio not exceeding 3,2 shall be considered to be a B product.

Article 6

1. Member States shall set up a system of physical and documentary supervision to ensure that all meat is processed in accordance with Article 5.

The system must include physical checks of quantity and quality at the start of the processing, during the processing and after the processing operation is completed. To

⁽¹⁾ Determination of collagen content: the collagen content shall be taken to mean the hydroxyproline content multiplied by the factor 8. The hydroxyproline content must be determined according to ISO method 3496-1978.

⁽²⁾ The lean bovine meat content excluding fat is determined in accordance with the procedure described in the Annex to Commission Regulation (EEC) No 2429/86 (OJ L 210, 1. 8. 1986, p. 39).

⁽³⁾ Offal includes the following: heads and cuts thereof (including ears), feet, tails, hearts, udders, livers, kidneys, sweetbreads (thymus gland with pancreas), brains, lungs, throats, thick skirts, spleens, tongues, caul, spinal cords, edible skin, reproductive organs (i.e. uteri, ovaries and testes), thyroid glands, pituitary glands.

this end, processors shall at any time be able to demonstrate the identity and use of the meat through appropriate production records.

Technical verification of the production method by the competent authority may, to the extent necessary, make allowance for drip losses and trimmings.

In order to verify the quality of the finished product and establish its conformity with the processor's recipe Member States shall undertake representative sampling and analysis of the product. The costs of such operations shall be borne by the processor concerned.

2. Member States may, at the request of the processor, authorize the boning of bone-in forequarters in an establishment other than that provided for in respect of processing provided the relevant operations take place in the same Member State under appropriate supervision.

3. Article 1 of Regulation (EEC) No 2182/77 shall not apply.

Article 7

1. The security provided for in Article 15 (1) of Regulation (EEC) No 2173/79 shall be ECU 12 per 100 kilograms.

2. The security provided for in Article 4 (1) of Regulation (EEC) No 2182/77 shall be:

— the difference in ecus between the tender price per tonne and ECU 1 800 for bone-in forequarters,

— the difference in ecus between the tender price per tonne and ECU 2 500 for boneless beef.

3. Notwithstanding Article 5 (3) of Regulation (EEC) No 2182/77, the processing of all beef purchased into finished products as referred to in Article 5 shall constitute a principal requirement.

Article 8

Notwithstanding Article 9 of Regulation (EEC) No 2182/77, in addition to the entries provided for in Regulation (EEC) No 3002/92:

— Section 104 of T 5 control copies must be completed with one or more of the following:

— Para transformación [Reglamentos (CEE) n° 2182/77 y (CE) n° 2556/97]

— Til forarbejdning (forordning (EØF) nr. 2182/77 og (EF) nr. 2556/97)

- Zur Verarbeitung bestimmt (Verordnungen (EWG) Nr. 2182/77 und (EG) Nr. 2556/97)
- Για μεταποίηση [κανονισμοί (ΕΟΚ) αριθ. 2182/77 και (ΕΚ) αριθ. 2556/97]
- For processing (Regulations (EEC) No 2182/77 and (EC) No 2556/97)
- Destinés à la transformation [règlements (CEE) n° 2182/77 et (CE) n° 2556/97]
- Destinate alla trasformazione [Regolamenti (CEE) n. 2182/77 e (CE) n. 2556/97]
- Bestemd om te worden verwerkt (Verordeningen (EEG) nr. 2182/77 en (EG) nr. 2556/97)
- Para transformação [Regulamentos (CEE) n° 2182/77 e (CE) n° 2556/97]
- Jalostettavaksi (Asetukset (ETY) N:o 2182/77 ja (EY) N:o 2556/97)
- För bearbetning (Förordningarna (EEG) nr 2182/77 och (EG) nr 2556/97),
- Section 106 of T 5 control copies must be completed with the date of conclusion of the contract of sale.

Article 9

Regulation (EC) No 2116/97 is hereby repealed.

Article 10

This Regulation shall enter into force on 2 January 1998.

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

Done at Brussels, 18 December 1997.

For the Commission

Franz FISCHLER

Member of the Commission

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

Estado miembro	Productos (1)	Cantidad aproximada (toneladas)
Medlemsstat	Produkter (1)	Tilnærmet mængde (tons)
Mitgliedstaat	Erzeugnisse (1)	Ungefähre Mengen (Tonnen)
Κράτος μέλος	Προϊόντα (1)	Κατά προσέγγιση ποσότητα (τόνοι)
Member State	Products (1)	Approximate quantity (tonnes)
État membre	Produits (1)	Quantité approximative (tonnes)
Stato membro	Prodotti (1)	Quantità approssimativa (tonnellate)
Lidstaat	Producten (1)	Hoeveelheid bij benadering (ton)
Estado-membro	Produtos (1)	Quantidade aproximada (toneladas)
Jäsenvaltio	Tuotteet (1)	Arvioitu määrä (tonneina)
Medlemsstat	Produkter (1)	Ungefärlig kvantitet (ton)

a) **Carne con hueso — Kød, ikke udbenet — Fleisch mit Knochen — Εμπρόσθια τέταρτα με κόκαλα — Bone-in beef — Viande avec os — Carni non disossati — Vlees met been — Carne com osso — Luullinen naudanliha — Kött med ben**

DEUTSCHLAND	— Vorderviertel	1 000
DANMARK	— Forfjerdinger	1 000
ITALIA	— Quarti anteriore	1 000
IRELAND	— Forequarters	400
FRANCE	— Quartiers avant	1 000
BELGIQUE	— Quartiers avant/Voorvoeten	1 000
ÖSTERREICH	— Vorderviertel	1 000
PORTUGAL	— Quartos dianteiros	400
NEDERLAND	— Voorvoeten	1 000
ESPAÑA	— Cuartos delanteros	1 000
SVERIGE	— Framkvartspart	20

b) **Carne deshuesada — Udbenet kød — Fleisch ohne Knochen — Οπίσθια τέταρτα με κόκαλα — Boneless beef — Viande désossée — Carni senza osso — Vlees zonder been — Carne desossada — Luuton naudanliha — Benfritt kött**

DANMARK	Interventionssbov (INT 22)	700
	Interventionssbryst (INT 23)	800
	Interventionsforfjerdning (INT 24)	300
	Interventionsskank (INT 21)	50
	Interventionsslag (INT 18)	150
FRANCE	Jarret arrière d'intervention (INT 11)	300
	Jarret avant d'intervention (INT 21)	200
	Épaule d'intervention (INT 22)	400
	Poitrine d'intervention (INT 23)	300
	Avant d'intervention (INT 24)	400
	Flanchet d'intervention (INT 18)	400
UNITED KINGDOM	Intervention shank (INT 11)	300
	Intervention shin (INT 21)	200
	Intervention shoulder (INT 22)	400
	Intervention brisket (INT 23)	300
	Intervention forequarter (INT 24)	400
	Intervention flank (INT 18)	400
IRELAND	Intervention shank (INT 11)	300
	Intervention shin (INT 21)	200
	Intervention shoulder (INT 22)	400
	Intervention brisket (INT 23)	300
	Intervention forequarter (INT 24)	400
	Intervention flank (INT 18)	400

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- (¹) Véase los Anexos V y VII del Reglamento (CEE) n° 2453/93 (DO L 225 de 4. 9. 1993, p. 4), cuya última modificación la constituye el Reglamento (CE) n° 2368/96 (DO L 323 de 13. 12. 1996, p. 6).
- (¹) Se bilag V og VII til forordning (EØF) nr. 2453/93 (EFT L 225 af 4. 9. 1993, s. 4), senes ændret ved forordning (EF) nr. 2368/96 (EFT L 323 af 13. 12. 1996, s. 6).
- (¹) Vgl. Anhänge V und VII der Verordnung (EWG) Nr. 2453/93 (ABl. L 225 vom 4. 9. 1993, S. 4), zuletzt geändert durch die Verordnung (EG) Nr. 2368/96 (ABl. L 323 vom 13. 12. 1996, S. 6).
- (¹) Βλέπε παραρτήματα V και VII του κανονισμού (ΕΟΚ) αριθ. 2453/93 (ΕΕ L 225 της 4. 9. 1993, σ. 4), όπως τροποποιήθηκε τελευταία από τον κανονισμό (ΕΚ) αριθ. 2368/96 (ΕΕ L 323 της 13. 12. 1996, σ. 6).
- (¹) See Annexes V and VII to Regulation (EEC) No 2453/93 (OJ L 225, 4. 9. 1993, p. 4), as last amended by Regulation (EC) No 2368/96 (OJ No L 323, 13. 12. 1996, p. 6).
- (¹) Voir annexes V et VII du règlement (CEE) n° 2453/93 (JO L 225 du 4. 9. 1993, p. 4). Règlement modifié en dernier lieu par le règlement (CE) n° 2368/96 (JO L 323 du 13. 12. 1996, p. 6).
- (¹) Cfr. allegato V e VII del regolamento (CEE) n. 2453/93 (GU L 225 del 4. 9. 1993, pag. 4), modificato da ultimo dal regolamento (CE) n. 2368/96 (GU L 323 del 13. 12. 1996, pag. 6).
- (¹) Zie bijlagen V en VII van Verordening (EEG) nr. 2453/93 (PB L 225 van 4. 9. 1993, blz. 4); laatstelijk gewijzigd bij Verordening (EG) nr. 2368/96 (PB L 323 van 13. 12. 1996, blz. 6).
- (¹) Ver anexos V e VII do Regulamento (CEE) n° 2453/93 (JO L 225 de 4. 9. 1993, p. 4). Regulamento com a última redacção que lhe foi dada pelo Regulamento (CE) n° 2368/96 (JO L 323 de 13. 12. 1996, p. 6).
- (¹) Katso asetukset (ETY) N:o 2453/93 (EYVL L 225, 4. 9. 1993, s. 4), sellaisena kuin se on viimeksi muutettuna asetuksella (EY) N:o 2368/96 (EYVL L 323, 13.12.1996, s. 6) V ja liite VII.
- (¹) Se bilaga V och VII i förordning (EEG) nr 2453/93 (EGT L 225, 4.9.1993, s. 4), senast ändrad genom förordning (EG) nr 2368/96 (EGT L 323, 13.12.1996, s. 6).
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*ANEXO II — BILAG II — ANHANG II — ΠΑΡΑΡΤΗΜΑ II — ANNEX II — ANNEXE II —
ALLEGATO II — BIJLAGE II — ANEXO II — LIITE II — BILAGA II*

**Direcciones de los organismos de intervención — Interventionsorganernes adresser —
Anschriften der Interventionsstellen — Διευθύνσεις των οργανισμών παρεμβάσεως — Addresses
of the intervention agencies — Adresses des organismes d'intervention — Indirizzi degli
organismi d'intervento — Adressen van de interventiebureaus — Endereços dos organismos de
intervenção — Interventioelinten osoitteet — Interventionsorganens adresser**

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**COMMISSION REGULATION (EC) No 2557/97
of 18 December 1997**

**on applications for import licences for rice originating in the United States and
submitted under Regulation (EC) No 2382/97**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Commission Regulation (EC) No 2382/97 of 28 November 1997 opening tariff quotas for one year for imports of rice originating in the United States of America as provided for in Council Regulation (EC) No 1522/96 ⁽¹⁾, and in particular Article 4 (2) thereof,

Whereas, pursuant to Article 4 (2) of Regulation (EC) No 2382/97, the Commission is to decide, within ten days of the closing date for notification by the Member States, to what extent applications submitted may be accepted and fix the quantities available under the following tranche;

Whereas an examination of the quantities covered by applications lodged in the first five working days following the date of entry into force of Regulation (EC) No

2382/97, as compared with the quantities available, has shown that licences can be issued subject to application of a single percentage reduction,

HAS ADOPTED THIS REGULATION:

Article 1

Applications for import licences for the quotas referred to in Article 1 of Regulation (EC) No 2382/97 lodged during the first five working days following the date of entry into force of that Regulation and notified to the Commission may be accepted subject to application to the quantities applied for of a single percentage reduction of 93,1945 % as regards the quota referred to in Article 1 (a) and of 97,7002 % for the quota referred to in Article 1 (b).

Article 2

This Regulation shall enter into force on 19 December 1997.

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

Done at Brussels, 18 December 1997.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ L 329, 29. 11. 1997, p. 36.

**COMMISSION REGULATION (EC) No 2558/97
of 18 December 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 Articles 2 (2) and 3 of the 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 17 to 30 December 1997.

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

Done at Brussels, 18 December 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 17 to 30 December 1997				
Community producer price	Uniflorous (bloom) carnations	Multiflorous (spray) carnations	Large-flowered roses	Small-flowered roses
	14,62	9,87	44,15	16,95
Community import prices	Uniflorous (bloom) carnations	Multiflorous (spray) carnations	Large-flowered roses	Small-flowered roses
Israel	12,84	10,69	12,38	10,63
Morocco	12,10	11,91	—	—
Cyprus	—	—	—	—
Jordan	—	—	—	—
West Bank and Gaza Strip	—	—	—	—

COMMISSION REGULATION (EC) No 2559/97

of 18 December 1997

suspending the preferential customs duties and re-establishing the Common Customs Tariff duty on imports of uniflorous (standard) carnations 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, the West Bank and 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 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 cut flowers and flower buds, fresh, originating in Algeria, Cyprus, Egypt, Israel, Jordan, Malta, Morocco, the West Bank and the Gaza Strip, Tunisia and Turkey;

Whereas Commission Regulation (EEC) No 700/88⁽⁵⁾, as last amended by Regulation (EC) No 2062/97⁽⁶⁾, lays down the detailed rules for the application of the arrangements;

Whereas Commission Regulation (EC) No 2558/97⁽⁷⁾ fixes the Community producer and import prices for carnations and roses for the application of the import arrangements;

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 are used as the basis for determining the agricultural conversion rates of the Member States' currencies; whereas detailed rules on the application and determination of these conversions were set by Commission Regulation (EEC) No 1068/93⁽¹⁰⁾, as last amended by Regulation (EC) No 1482/96⁽¹¹⁾;

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

Whereas the quota for the products in question covers the period 1 November 1997 to 31 October 1998; whereas, as a result, the suspension of the preferential duty and the reintroduction of the Common Customs Tariff duty apply up to the end of that period at the latest;

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

HAS ADOPTED THIS REGULATION:

Article 1

For imports of uniflorous (standard) carnations (CN codes ex 0603 10 13 and ex 0603 10 53) originating in Morocco, the preferential customs duty fixed by Regulation (EC) No 1981/94 is hereby suspended and the Common Customs Tariff duty is hereby re-established.

Article 2

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

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

Done at Brussels, 18 December 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 199, 2. 8. 1994, p. 1.

⁽⁴⁾ OJ L 236, 27. 8. 1997, p. 3.

⁽⁵⁾ OJ L 72, 18. 3. 1988, p. 16.

⁽⁶⁾ OJ L 289, 22. 10. 1997, p. 1.

⁽⁷⁾ See page 50 of this Official Journal.

⁽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.

**COMMISSION REGULATION (EC) No 2560/97
of 18 December 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⁾, as amended by Regulation (EC) No 2545/97⁽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 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 12 to 18 December 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 19,00 per tonne.

Article 2

This Regulation shall enter into force on 19 December 1997.

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

Done at Brussels, 18 December 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.

⁽⁶⁾ OJ L 347, 18. 12. 1997, p. 33.

**COMMISSION REGULATION (EC) No 2561/97
of 18 December 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 12 to 18 December 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 13,89 per tonne.

Article 2

This Regulation shall enter into force on 19 December 1997.

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

Done at Brussels, 18 December 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 2562/97**of 18 December 1997****fixing the maximum export refund on barley in connection with the invitation
to tender 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 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 12 December to 18 December 1997, pursuant to the invitation to tender issued in Regulation (EC) No 1337/97, the maximum refund on exportation of barley shall be ECU 14,95 per tonne.

Article 2

This Regulation shall enter into force on 19 December 1997.

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

Done at Brussels, 18 December 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 2563/97**of 18 December 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,

Having regard to Commission Regulation (EC) No 1773/97 of 12 September 1997 on a special intervention measure for cereals in Finland and Sweden⁽⁵⁾, as amended by Regulation (EC) No 2133/97⁽⁶⁾, and in particular Article 8 thereof,

Whereas an invitation to tender for the refund for the export of oats produced in Finland and Sweden for export from Finland or Sweden to all third countries was opened pursuant to Regulation (EC) No 1773/97;

Whereas Article 8 of Regulation (EC) No 1773/97 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 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 12 to 18 December 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 19 December 1997.

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

Done at Brussels, 18 December 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 2564/97

of 18 December 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 19 December 1997.

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

Done at Brussels, 18 December 1997.

For the Commission

Franz FISCHLER

Member of the Commission

ANNEX

to the Commission Regulation of 18 December 1997 fixing the export refunds on products processed from cereals and rice

<i>(ECU/tonne)</i>		<i>(ECU/tonne)</i>	
Product code	Refund	Product code	Refund
1102 20 10 9200 ⁽¹⁾	32,10	1104 23 10 9100	34,40
1102 20 10 9400 ⁽¹⁾	27,52	1104 23 10 9300	26,37
1102 20 90 9200 ⁽¹⁾	27,52	1104 29 11 9000	6,79
1102 90 10 9100	20,24	1104 29 51 9000	6,66
1102 90 10 9900	13,76	1104 29 55 9000	6,66
1102 90 30 9100	25,90	1104 30 10 9000	1,67
1103 12 00 9100	25,90	1104 30 90 9000	5,73
1103 13 10 9100 ⁽¹⁾	41,27	1107 10 11 9000	11,85
1103 13 10 9300 ⁽¹⁾	32,10	1107 10 91 9000	24,01
1103 13 10 9500 ⁽¹⁾	27,52	1108 11 00 9200	13,32
1103 13 90 9100 ⁽¹⁾	27,52	1108 11 00 9300	13,32
1103 19 10 9000	34,01	1108 12 00 9200	36,69
1103 19 30 9100	20,91	1108 12 00 9300	36,69
1103 21 00 9000	6,79	1108 13 00 9200	36,69
1103 29 20 9000	13,76	1108 13 00 9300	36,69
1104 11 90 9100	20,24	1108 19 10 9200	33,44
1104 12 90 9100	28,78	1108 19 10 9300	33,44
1104 12 90 9300	23,02	1109 00 00 9100	0,00
1104 19 10 9000	6,79	1702 30 51 9000 ⁽²⁾	39,44
1104 19 50 9110	36,69	1702 30 59 9000 ⁽²⁾	30,19
1104 19 50 9130	29,81	1702 30 91 9000	39,44
1104 21 10 9100	20,24	1702 30 99 9000	30,19
1104 21 30 9100	20,24	1702 40 90 9000	30,19
1104 21 50 9100	26,98	1702 90 50 9100	39,44
1104 21 50 9300	21,58	1702 90 50 9900	30,19
1104 22 20 9100	23,02	1702 90 75 9000	41,33
1104 22 30 9100	24,46	1702 90 79 9000	28,68
		2106 90 55 9000	30,19

⁽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 2565/97

of 18 December 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 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 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 19 December 1997.

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

Done at Brussels, 18 December 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 18 December 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	22,93
Cereal products ⁽²⁾ excluding maize and maize products	10,08

⁽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 2566/97
of 18 December 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 6,93 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 6,93 per tonne.

Article 2

This Regulation shall enter into force on 19 December 1997.

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

Done at Brussels, 18 December 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 2567/97
of 18 December 1997**

on the issue of system B export licences in the fruit and vegetables sector

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

Having regard to Commission Regulation (EC) No 2190/96 of 14 November 1996 on detailed rules for implementing Council Regulation (EEC) No 1035/72 as regards export refunds on fruit and vegetables⁽¹⁾, as last amended by Regulation (EC) No 610/97⁽²⁾, and in particular Article 5 (5) thereof,

Whereas Commission Regulation (EC) No 2186/97⁽³⁾ fixes the indicative quantities for system B export licences other than those sought in the context of food aid;

Whereas, in the light of the information available to the Commission today, there is a risk that the indicative quantities laid down for the current export period for oranges and apples for destination group X will shortly be exceeded; whereas this overrun will prejudice the proper working of the export refund scheme in the fruit and vegetables sector;

Whereas, to avoid this situation, applications for system B licences for oranges and apples for destination group X exported after 18 December 1997 should be rejected until the end of the current export period,

HAS ADOPTED THIS REGULATION:

Article 1

Applications for system B licences for oranges and apples for destination group X submitted pursuant to Article 1 of Regulation (EC) No 2186/97, export declarations for which are accepted after 18 December 1997 and before 20 January 1998, are hereby rejected.

Article 2

This Regulation shall enter into force on 19 December 1997.

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

Done at Brussels, 18 December 1997.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ L 292, 15. 11. 1996, p. 12.

⁽²⁾ OJ L 93, 8. 4. 1997, p. 16.

⁽³⁾ OJ L 299, 4. 11. 1997, p. 10.

COMMISSION REGULATION (EC) No 2568/97
of 18 December 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 19 December 1997.

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

Done at Brussels, 18 December 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 18 December 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	0,210 0,206 0,323
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	1,857 2,004 1,437 1,584 2,004 1,857 2,004
1006 20	Husked rice: — round grain — medium grain — long grain	12,245 10,902 10,902
ex 1006 30	Wholly-milled rice: — round grain — medium grain — long grain	15,800 15,800 15,800
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)	2,046 2,200 2,200

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	0,258
	— in other cases	0,397
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	0,258
	— in other cases	0,397

⁽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)

COMMISSION

COMMISSION DECISION

of 3 December 1997

concerning a request for exemption submitted by Belgium pursuant to Article 8 (2) (c) of Council Directive 70/156/EEC on the approximation of the laws of the Member States relating to the type-approval of motor vehicles and their trailers

(Only the Dutch and French texts are authentic)

(97/839/EC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Directive 70/156/EEC of 6 February 1970 on the approximation of the laws of the Member States relating to the type-approval of motor vehicles and their trailers ⁽¹⁾, as last amended by European Parliament and Council Directive 97/27/EC ⁽²⁾, and in particular Article 8 (2) (c) thereof,

Whereas the request submitted by Belgium on 14 March 1997, which was received by the Commission on 18 March 1997, was accompanied by a report containing the information required by Article 8 (2) (c); whereas the request concerns the installation on one type of motor vehicle of two types of headlamps fitted with two types of gas discharge lamps; whereas the two types of headlamps and lamps are the subject of an exemption granted pursuant to Article 8 (2) (c);

Whereas the installation of these new types of headlamps fitted with gas discharge lamps meets the requirements of UNECE (United Nations Economic Commission for Europe) Regulation No 48; whereas it is therefore justified to allow the type of motor vehicle to benefit from the granting of EEC type-approval on condition that the type of vehicle concerned is equipped with an automatic headlamp levelling system, a headlamp cleaning device and a system guaranteeing that dipped-beam headlamps are lit even if the main-beam headlamps are lit;

Whereas the Community Directive concerned will be amended in order to enable headlamps fitted with gas discharge lamps to be installed on one type of vehicle;

Whereas the measure provided for in this Decision is in accordance with the opinion of the Committee on Adaptation to Technical Progress set up by Directive 70/156/EEC,

HAS ADOPTED THIS REGULATION:

Article 1

The request submitted by Belgium for an exemption concerning the installation on one type of motor vehicle of two types of headlamps fitted with two types of gas discharge lamps is hereby approved on condition that the type of vehicle concerned is equipped with an automatic headlamp levelling system, a headlamp cleaning device and a system guaranteeing that dipped-beam headlamps are lit even if the main-beam headlamps are lit.

Article 2

This Decision is addressed to the Kingdom of Belgium.

Done at Brussels, 3 December 1997.

For the Commission

Martin BANGEMANN

Member of the Commission

⁽¹⁾ OJ L 42, 23. 2. 1970, p. 1.

⁽²⁾ OJ L 233, 25. 8. 1997, p. 1.

COMMISSION DECISION

of 3 December 1997

concerning a request for exemption submitted by the Netherlands pursuant to Article 8 (2) (c) of Council Directive 70/156/EEC on the approximation of the laws of the Member States relating to the type-approval of motor vehicles and their trailers

(Only the Dutch text is authentic)

(97/840/EC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Directive 70/156/EEC of 6 February 1970 on the approximation of the laws of the Member States relating to the type-approval of motor vehicles and their trailers ⁽¹⁾, as last amended by European Parliament and Council Directive 97/27/EC ⁽²⁾, and in particular Article 8 (2) (c) thereof,

Whereas the request submitted by the Netherlands on 10 March 1997, which was received by the Commission on 13 March 1997, was accompanied by a report containing the information required by Article 8 (2) (c); whereas the request concerns two types of gas discharge lamp for two types of headlamps;

Whereas the information provided by the Netherlands shows that the technology and principle embodied in these new types of gas discharge lamp and headlamp do not meet the requirements of Community regulations; whereas, however, the descriptions of the tests, the results thereof and the action taken in order to ensure road safety are satisfactory and ensure a level of safety equivalent to that of the lamps and headlamps covered by the requirements of the Directives in force and, in particular, of Council Directive 76/761/EEC of 27 July 1976 on the approximation of the laws of the Member States relating to motor-vehicle headlamps which function as main-beam and/or dipped-beam headlamps and to incandescent electric filament lamps for such headlamps ⁽³⁾, as last amended by Commission Directive 89/517/EEC ⁽⁴⁾;

Whereas these new types of gas discharge lamp and these new types of headlamp meet the requirements of UNECE (United Nations Economic Commission for Europe) Regulations Nos 7, 8, 98 and 99; whereas it is therefore

justified to allow the four items covered by the request for exemption, i.e. the types of gas discharge lamp and the types of headlamp fitted with these types of lamp, to benefit from the granting of EC type-approval;

Whereas the Community directives concerned will be amended in order to enable gas discharge lamps embodying this new technology and headlamps fitted with such lamps to be placed on the market;

Whereas the measure provided for in this Decision is in accordance with the opinion of the Committee on Adaptation to Technical Progress set up by Directive 70/156/EEC,

HAS ADOPTED THIS DECISION:

Article 1

The request submitted by the Netherlands for an exemption concerning two types of gas discharge lamp for two types of headlamp is hereby approved.

Article 2

This Decision is addressed to the Kingdom of the Netherlands.

Done at Brussels, 3 December 1997.

For the Commission

Martin BANGEMANN

Member of the Commission

⁽¹⁾ OJ L 42, 23. 2. 1970, p. 1.

⁽²⁾ OJ L 233, 25. 8. 1997, p. 1.

⁽³⁾ OJ L 262, 27. 9. 1976, p. 96.

⁽⁴⁾ OJ L 265, 12. 9. 1989, p. 15.

COMMISSION DECISION

of 3 December 1997

concerning a request for exemption submitted by Germany pursuant to Article 8 (2) (c) of Council Directive 70/156/EEC on the approximation of the laws of the Member States relating to the type-approval of motor vehicles and their trailers

(Only the German text is authentic)

(97/841/EC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Directive 70/156/EEC of 6 February 1970 on the approximation of the laws of the Member States relating to the type-approval of motor vehicles and their trailers ⁽¹⁾, as last amended by European Parliament and Council Directive 97/27/EC ⁽²⁾, and in particular Article 8 (2) (c) thereof,

Whereas the request submitted by Germany on 7 April 1997, which was received by the Commission on 15 April 1997, was accompanied by a report containing the information required by Article 8 (2) (c); whereas the request concerns one type of gas discharge lamp for one type of headlamp for one type of motor vehicle;

Whereas the information provided by Germany shows that the technology and principle embodied in this new type of gas discharge lamp and headlamp do not meet the requirements of Community regulations; whereas, however, the descriptions of the tests, the results thereof and the action taken in order to ensure road safety are satisfactory and ensure a level of safety equivalent to that of the lamps and headlamps covered by the requirements of the Directives in force and, in particular, of Council Directive 76/761/EEC of 27 July 1976 on the approximation of the laws of the Member States relating to motor-vehicle headlamps which function as main-beam and/or dipped-beam headlamps and to incandescent electric filament lamps for such headlamps ⁽³⁾, as last amended by Commission Directive 89/517/EEC ⁽⁴⁾;

Whereas this new type of gas discharge lamp and this new type of headlamp meet the requirements of UNECE (United Nations Economic Commission for Europe) Regulations Nos 8, 98 and 99; whereas it is therefore justified to allow the three items covered by the request for exemption, i.e. the type of gas discharge lamp, the type of headlamp fitted with this type of lamp and the type of motor vehicle, to benefit from the granting of EC

type-approval on condition that the type of vehicle concerned is equipped with an automatic headlamp levelling system, a headlamp cleaning device and a system guaranteeing that dipped-beam headlamps are lit even if the main-beam headlamps are lit;

Whereas the Community directives concerned will be amended in order to enable gas discharge lamps embodying this new technology, headlamps fitted with such lamps and motor vehicles equipped with such headlamps to be placed on the market;

Whereas the measure provided for in this Decision is in accordance with the opinion of the Committee on Adaptation to Technical Progress set up by Directive 70/156/EEC,

HAS ADOPTED THIS DECISION:

Article 1

The request submitted by Germany for an exemption concerning one type of gas discharge lamp for one type of headlamp for one type of motor vehicle is hereby approved on condition that the vehicle type concerned is equipped with an automatic headlamp levelling system, a headlamp cleaning device and a system guaranteeing that dipped-beam headlamps are lit even if the main-beam headlamps are lit.

Article 2

This Decision is addressed to the Federal Republic of Germany.

Done at Brussels, 3 December 1997.

For the Commission

Martin BANGEMANN

Member of the Commission⁽¹⁾ OJ L 42, 23. 2. 1970, p. 1.⁽²⁾ OJ L 233, 25. 8. 1997, p. 1.⁽³⁾ OJ L 262, 27. 9. 1976, p. 96.⁽⁴⁾ OJ L 265, 12. 9. 1989, p. 15.

COMMISSION DECISION

of 3 December 1997

concerning a request for exemption submitted by Germany pursuant to Article 8 (2) (c) of Council Directive 70/156/EEC on the approximation of the laws of the Member States relating to the type-approval of motor vehicles and their trailers

(Only the German text is authentic)

(97/842/EC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Directive 70/156/EEC of 6 February 1970 on the approximation of the laws of the Member States relating to the type-approval of motor vehicles and their trailers⁽¹⁾, as last amended by European Parliament and Council Directive 97/27/EC⁽²⁾, and in particular Article 8 (2) (c) thereof,

Whereas the request submitted by Germany on 2 May 1997, which was received by the Commission on 12 May 1997, was accompanied by a report containing the information required by Article 8 (2) (c); whereas the request concerns one type of gas discharge lamp for one type of headlamp for one type of motor vehicle;

Whereas the information provided by Germany shows that the technology and principle embodied in this new type of gas discharge lamp and headlamp do not meet the requirements of Community regulations; whereas, however, the descriptions of the tests, the results thereof and the action taken in order to ensure road safety are satisfactory and ensure a level of safety equivalent to that of the lamps and headlamps covered by the requirements of the Directives in force and, in particular, of Council Directive 76/761/EEC of 27 July 1976 on the approximation of the laws of the Member States relating to motor-vehicle headlamps which function as main-beam and/or dipped-beam headlamps and to incandescent electric filament lamps for such headlamps⁽³⁾, as last amended by Commission Directive 89/517/EEC⁽⁴⁾;

Whereas this new type of gas discharge lamp and this new type of headlamp meet the requirements of UNECE (United Nations Economic Commission for Europe) Regulations Nos 8, 98 and 99; whereas it is therefore justified to allow the three items covered by the request for exemption, i.e. the type of gas discharge lamp, the type of headlamp fitted with this type of lamp and the type of motor vehicle, to benefit from the granting of EC

type-approval on condition that the type of vehicle concerned is equipped with an automatic headlamp levelling system, a headlamp cleaning device and a system guaranteeing that dipped-beam headlamps are lit even if the main-beam headlamps are lit;

Whereas the Community directives concerned will be amended in order to enable gas discharge lamps embodying this new technology, headlamps fitted with such lamps and motor vehicles equipped with such headlamps to be placed on the market;

Whereas the measure provided for in this Decision is in accordance with the opinion of the Committee on Adaptation to Technical Progress set up by Directive 70/156/EEC,

HAS ADOPTED THIS DECISION:

Article 1

The request submitted by Germany for an exemption concerning one type of gas discharge lamp for one type of headlamp for one type of motor vehicle is hereby approved on condition that the vehicle type concerned is equipped with an automatic headlamp levelling system, a headlamp cleaning device and a system guaranteeing that dipped-beam headlamps are lit even if the main-beam headlamps are lit.

Article 2

This Decision is addressed to the Federal Republic of Germany.

Done at Brussels, 3 December 1997.

For the Commission

Martin BANGEMANN

Member of the Commission

⁽¹⁾ OJ L 42, 23. 2. 1970, p. 1.

⁽²⁾ OJ L 233, 25. 8. 1997, p. 1.

⁽³⁾ OJ L 262, 27. 9. 1976, p. 96.

⁽⁴⁾ OJ L 265, 12. 9. 1989, p. 15.

COMMISSION DECISION

of 3 December 1997

concerning a request for exemption submitted by Germany pursuant to Article 8 (2) (c) of Council Directive 70/156/EEC on the approximation of the laws of the Member States relating to the type-approval of motor vehicles and their trailers

(Only the German text is authentic)

(97/843/EC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Directive 70/156/EEC of 6 February 1970 on the approximation of the laws of the Member States relating to the type-approval of motor vehicles and their trailers⁽¹⁾, as last amended by European Parliament and Council Directive 97/27/EC⁽²⁾, and in particular Article 8 (2) (c) thereof,

Whereas the request submitted by Germany on 7 April 1997, which was received by the Commission on 15 April 1997, was accompanied by a report containing the information required by Article 8 (2) (c); whereas the request concerns two types of gas discharge lamp for two types of headlamp for one type of motor vehicle;

Whereas the information provided by Germany shows that the technology and principle embodied in these new types of gas discharge lamp and headlamp do not meet the requirements of Community regulations; whereas, however, the descriptions of the tests, the results thereof and the action taken in order to ensure road safety are satisfactory and ensure a level of safety equivalent to that of the lamps and headlamps covered by the requirements of the Directives in force and, in particular, of Council Directive 76/761/EEC of 27 July 1976 on the approximation of the laws of the Member States relating to motor-vehicle headlamps which function as main-beam and/or dipped-beam and to incandescent electric filament lamps for such headlamps⁽³⁾, as last amended by Commission Directive 89/517/EEC⁽⁴⁾;

Whereas these new types of gas discharge lamp and these new types of headlamp meet the requirements of UNECE (United Nations Economic Commission for Europe) Regulations Nos 8, 98 and 99; whereas it is therefore justified to allow the three items covered by the request for exemption, i.e. the types of gas discharge lamp, the types of headlamp fitted with these types of lamp and the type of motor vehicle, to benefit from the granting of EC

type-approval on condition that the type of vehicle concerned is equipped with an automatic headlamp levelling system, a headlamp cleaning device and a system guaranteeing that dipped-beam headlamps are lit even if the main-beam headlamps are lit;

Whereas the Community directives concerned will be amended in order to enable gas discharge lamps embodying this new technology, headlamps fitted with such lamps and motor vehicles equipped with such headlamps to be placed on the market;

Whereas the measure provided for in this Decision is in accordance with the opinion of the Committee on Adaptation to Technical Progress set up by Directive 70/156/EEC,

HAS ADOPTED THIS DECISION:

Article 1

The request submitted by Germany for an exemption concerning two types of gas discharge lamp for two types of headlamp for one type of motor vehicle is hereby approved on condition that the vehicle type concerned is equipped with an automatic headlamp levelling system, a headlamp cleaning device and a system guaranteeing that dipped-beam headlamps are lit even if the main-beam headlamps are lit.

Article 2

This Decision is addressed to the Federal Republic of Germany.

Done at Brussels, 3 December 1997.

For the Commission

Martin BANGEMANN

Member of the Commission

⁽¹⁾ OJ L 42, 23. 2. 1970, p. 1.
⁽²⁾ OJ L 233, 25. 8. 1997, p. 1.
⁽³⁾ OJ L 262, 27. 9. 1976, p. 96.
⁽⁴⁾ OJ L 265, 12. 9. 1989, p. 15.

COMMISSION DECISION

of 3 December 1997

concerning a request for exemption submitted by Germany pursuant to Article 8 (2) (c) of Council Directive 70/156/EEC on the approximation of the laws of the Member States relating to the type-approval of motor vehicles and their trailers

(Only the German text is authentic)

(97/844/EC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Directive 70/156/EEC of 6 February 1970 on the approximation of the laws of the Member States relating to the type-approval of motor vehicles and their trailers⁽¹⁾, as last amended by European Parliament and Council Directive 97/27/EC⁽²⁾, and in particular Article 8 (2) (c) thereof,

Whereas the request submitted by Germany on 2 May 1997, which was received by the Commission on 12 May 1997, was accompanied by a report containing the information required by Article 8 (2) (c); whereas the request concerns one type of gas discharge lamp for two types of headlamp for one type of motor vehicle;

Whereas the information provided by Germany shows that the technology and principle embodied in these new types of gas discharge lamp and headlamp do not meet the requirements of Community regulations; whereas, however, the descriptions of the tests, the results thereof and the action taken in order to ensure road safety are satisfactory and ensure a level of safety equivalent to that of the lamps and headlamps covered by the requirements of the Directives in force and, in particular, of Council Directive 76/761/EEC of 27 July 1976 on the approximation of the laws of the Member States relating to motor-vehicle headlamps which function as main-beam and/or dipped-beam and to incandescent electric filament lamps for such headlamps⁽³⁾, as last amended by Commission Directive 89/517/EEC⁽⁴⁾;

Whereas this new type of gas discharge lamp and these new types of headlamp meet the requirements of UNECE (United Nations Economic Commission for Europe) Regulations Nos 8, 98 and 99; whereas it is therefore justified to allow the three items covered by the request for exemption, i.e. the type of gas discharge lamp, the types of headlamp fitted with these types of lamp and the type of motor vehicle, to benefit from the granting of EC

type-approval on condition that the type of vehicle concerned is equipped with an automatic headlamp levelling system, a headlamp cleaning device and a system guaranteeing that dipped-beam headlamps are lit even if the main-beam headlamps are lit;

Whereas the Community directives concerned will be amended in order to enable gas discharge lamps embodying this new technology, headlamps fitted with such lamps and motor vehicles equipped with such headlamps to be placed on the market;

Whereas the measure provided for in this Decision is in accordance with the opinion of the Committee on Adaptation to Technical Progress set up by Directive 70/156/EEC,

HAS ADOPTED THIS DECISION:

Article 1

The request submitted by Germany for an exemption concerning one type of gas discharge lamp for two types of headlamp for one type of motor vehicle is hereby approved on condition that the vehicle type concerned is equipped with an automatic headlamp levelling system, a headlamp cleaning device and a system guaranteeing that dipped-beam headlamps are lit even if the main-beam headlamps are lit.

Article 2

This Decision is addressed to the Federal Republic of Germany.

Done at Brussels, 3 December 1997.

For the Commission

Martin BANGEMANN

Member of the Commission

⁽¹⁾ OJ L 42, 23. 2. 1970, p. 1.

⁽²⁾ OJ L 233, 25. 8. 1997, p. 1.

⁽³⁾ OJ L 262, 27. 9. 1976, p. 96.

⁽⁴⁾ OJ L 265, 12. 9. 1989, p. 15.

COMMISSION DECISION

of 3 December 1997

concerning a request for exemption submitted by the United Kingdom pursuant to Article 8 (2) (c) of Council Directive 70/156/EEC on the approximation of the laws of the Member States relating to the type-approval of motor vehicles and their trailers

(Only the English text is authentic)

(97/845/EC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Directive 70/156/EEC of 6 February 1970 on the approximation of the laws of the Member States relating to the type-approval of motor vehicles and their trailers ⁽¹⁾, as last amended by European Parliament and Council Directive 97/27/EC ⁽²⁾, and in particular Article 8 (2) (c) thereof,

Whereas the request submitted by the United Kingdom on 12 May 1997, which was received by the Commission on 15 May 1997, was accompanied by a report containing the information required by Article 8 (2) (c); whereas the request concerns one type of gas discharge lamp for two types of headlamp for one type of motor vehicle;

Whereas the information provided by the United Kingdom shows that the technology and principle embodied in these new types of gas discharge lamp and headlamp do not meet the requirements of Community regulations; whereas, however, the descriptions of the tests, the results thereof and the action taken in order to ensure road safety are satisfactory and ensure a level of safety equivalent to that of the lamps and headlamps covered by the requirements of the Directives in force and, in particular, of Council Directive 76/761/EEC of 27 July 1976 on the approximation of the laws of the Member States relating to motor-vehicle headlamps which function as main-beam and/or dipped-beam headlamps and to incandescent electric filament lamps for such headlamps ⁽³⁾, as last amended by Commission Directive 89/517/EEC ⁽⁴⁾;

Whereas these new types of gas discharge lamp and these new types of headlamp meet the requirements of UNECE (United Nations Economic Commission for Europe) Regulations Nos 8, 98 and 99; whereas it is therefore justified to allow the three items covered by the request for exemption, i.e. the type of gas discharge lamp, the type of headlamp fitted with this type of lamp and the

type of motor vehicle, to benefit from the granting of EEC type-approval on condition that the type of vehicle concerned is equipped with an automatic headlamp leveling system, a headlamp cleaning device and a system guaranteeing that dipped-beam headlamps are lit even if the main-beam headlamps are lit;

Whereas the Community directives concerned will be amended in order to enable gas discharge lamps embodying this new technology, headlamps fitted with such lamps and motor vehicles equipped with such headlamps to be placed on the market;

Whereas the measure provided for in this Decision is in accordance with the opinion of the Committee on Adaptation to Technical Progress set up by Directive 70/156/EEC,

HAS ADOPTED THIS DECISION:

Article 1

The request submitted by the United Kingdom for an exemption concerning one type of gas discharge lamp for two types of headlamp for one type of motor vehicle is hereby approved on condition that the vehicle type concerned is equipped with an automatic headlamp leveling system, a headlamp cleaning device and a system guaranteeing that dipped-beam headlamps are lit even if the main-beam headlamps are lit.

Article 2

This Decision is addressed to the United Kingdom.

Done at Brussels, 3 December 1997.

For the Commission

Martin BANGEMANN

Member of the Commission

⁽¹⁾ OJ L 42, 23. 2. 1970, p. 1.

⁽²⁾ OJ L 233, 25. 8. 1997, p. 1.

⁽³⁾ OJ L 262, 27. 9. 1976, p. 96.

⁽⁴⁾ OJ L 265, 12. 9. 1989, p. 15.

COMMISSION DECISION

of 3 December 1997

concerning the extension of an exemption granted to Germany pursuant to Article 8 (2) (c) of Council Directive 70/156/EEC on the approximation of the laws of the Member States relating to the type-approval of motor vehicles and their trailers

(Only the German text is authentic)

(97/846/EC)

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

Having regard to Council Directive 70/156/EEC of 6 February 1970 on the approximation of the laws of the Member States relating to the type-approval of motor vehicles and their trailers⁽¹⁾, as last amended by European Parliament and Council Directive 97/27/EC⁽²⁾, and in particular Article 8 (2) (c) thereof,

Whereas by Decision 95/458/EC⁽³⁾ of 19 October 1995 the Commission approved the request for an exemption submitted by the Federal Republic of Germany pursuant to Article 8 (2) (c) of Directive 70/156/EEC concerning the production of a third stop lamp falling within category ECE S3 by virtue of ECE Regulation No 7 and the fitting thereof in accordance with ECE No 48, with a view to the granting of EC type approval;

Whereas the request for an extension of the exemption submitted by Germany on 7 May 1997 is justified by the fact that the measures needed to adapt the directives which were the subject of that exemption have not yet come into force and the exemption should therefore be extended until the entry into force of the adaptations to those directives and, in any case, for a maximum period of 24 months;

Whereas the measure provided for by this Decision is in accordance with the opinion of the Committee on Adap-

tation to Technical Progress set up by Directive 70/156/EEC,

HAS ADOPTED THIS DECISION:

Article 1

The exemption granted to Germany by Commission Decision 95/458/EEC of 19 October 1995 is hereby extended until the entry into force of the adaptations to the directives concerned and, in any case, for a period not exceeding 24 months.

Article 2

This Decision is addressed to the Federal Republic of Germany.

Done at Brussels, 3 December 1997.

For the Commission

Martin BANGEMANN

Member of the Commission

⁽¹⁾ OJ L 42, 23. 2. 1970, p. 1.

⁽²⁾ OJ L 233, 25. 8. 1997, p. 1.

⁽³⁾ OJ L 265, 8. 11. 1995, p. 37.

COMMISSION DECISION

of 3 December 1997

concerning the extension of an exemption granted to Germany pursuant to Article 8 (2) (c) of Council Directive 70/156/EEC on the approximation of the laws of the Member States relating to the type-approval of motor vehicles and their trailers

(Only the German text is authentic)

(97/847/EC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Directive 70/156/EEC of 6 February 1970 on the approximation of the laws of the Member States relating to the type-approval of motor vehicles and their trailers ⁽¹⁾, as last amended by European Parliament and Council Directive 97/27/EC ⁽²⁾, and in particular Article 8 (2) (c) thereof,

Whereas by Decision 95/460/EC ⁽³⁾ of 19 October 1995 the Commission approved the request for an exemption submitted by the Federal Republic of Germany pursuant to Article 8 (2) (c) of Directive 70/156/EEC concerning one type of gas discharge lamp for four types of headlamp for motor vehicles, meeting the requirements of ECE (United Nations Economic Commission for Europe) Regulation Nos 8, 98 and 99, with a view to the granting of EC type approval;

Whereas the request for an extension of the exemption submitted by Germany on 14 July 1997 is justified by the fact that the measures needed to adapt the directives which were the subject of that exemption have not yet come into force and the exemption should therefore be extended until the entry into force of the adaptations to those directives and, in any case, for a maximum period of 24 months;

Whereas the measure provided for by this Decision is in accordance with the opinion of the Committee on Adaptation to Technical Progress set up by Directive 70/156/EEC,

HAS ADOPTED THIS DECISION:

Article 1

The exemption granted to Germany by Commission Decision 95/460/EEC of 19 October 1995 is hereby extended until the entry into force of the adaptations to the directives concerned and, in any case, for a period not exceeding twenty-four months.

Article 2

This Decision is addressed to the Federal Republic of Germany.

Done at Brussels, 3 December 1997.

For the Commission

Martin BANGEMANN

Member of the Commission

⁽¹⁾ OJ L 42, 23. 2. 1970, p. 1.

⁽²⁾ OJ L 233, 25. 8. 1997, p. 1.

⁽³⁾ OJ L 265, 8. 11. 1995, p. 39.

COMMISSION DECISION

of 3 December 1997

concerning a request for exemption submitted by Germany pursuant to Article 8 (2) (c) of Council Directive 70/156/EEC on the approximation of the laws of the Member States relating to the type-approval of motor vehicles and their trailers

(Only the German text is authentic)

(97/848/EC)

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

Having regard to Council Directive 70/156/EEC of 6 February 1970 on the approximation of the laws of the Member States relating to the type-approval of motor vehicles and their trailers⁽¹⁾, as last amended by European Parliament and Council Directive 97/27/EC⁽²⁾, and in particular Article 8 (2) (c) thereof,

Whereas the request submitted by Germany on 10 June 1997, which was received by the Commission on 23 June 1997, contained the information required by Article 8 (2) (c); whereas the request concerns the production of glazing from a hard material (polycarbonate) and installation of the same in a type of vehicle;

Whereas the reasons set out in the request — according to which such glazing, and installation of the same, do not meet the requirements of the relevant Directive, namely Council Directive 92/22/EEC of 31 March 1992 on safety glazing and glazing materials on motor vehicles and their trailers⁽³⁾ — are well-founded;

Whereas the Community Directive concerned will be amended in order to permit the production and installation of such glazing;

Whereas the measure provided for in this Decision is in accordance with the opinion of the Committee on Adap-

tation to Technical Progress set up by Directive 70/156/EEC,

HAS ADOPTED THIS DECISION:

Article 1

The request submitted by Germany for an exemption concerning the production of glazing from a hard material (polycarbonate) and installation of the same in the rear lateral part of a type of motor vehicle is hereby approved.

Article 2

This Decision is addressed to the Federal Republic of Germany.

Done at Brussels, 3 December 1997.

For the Commission

Martin BANGEMANN

Member of the Commission

⁽¹⁾ OJ L 42, 23. 2. 1970, p. 1.

⁽²⁾ OJ L 233, 25. 8. 1997, p. 1.

⁽³⁾ OJ L 129, 14. 5. 1992, p. 11.

COMMISSION DECISION

of 3 December 1997

concerning a request for exemption submitted by Italy pursuant to Article 8 (2) (c) of Council Directive 70/156/EEC on the approximation of the laws of the Member States relating to the type-approval of motor vehicles and their trailers

(Only the Italian text is authentic)

(97/849/EC)

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

Having regard to Council Directive 70/156/EEC of 6 February 1970 on the approximation of the laws of the Member States relating to the type-approval of motor vehicles and their trailers ⁽¹⁾, as last amended by European Parliament and Council Directive 97/27/EC ⁽²⁾, and in particular Article 8 (2) (c) thereof,

Whereas the request submitted by Italy on 21 May 1997, which reached the Commission on 27 May 1997, contained the information required by Article 8 (2) (c); whereas the request concerns the fuelling with compressed natural gas of a class M₁ type of vehicle;

Whereas the reasons given in the request, according to which such fuelling systems do not meet the requirements of the Directives concerned, in particular Council Directive 70/220/EEC of 20 March 1970 on the approximation of the laws of the Member States relating to measures to be taken against air pollution by gases from spark-ignition engines of motor vehicles ⁽³⁾, as last amended by Directive 96/69/EC of the European Parliament and of the Council ⁽⁴⁾, and Council Directive 80/1268/EEC of 16 December 1980 on the approximation of the laws of the Member States relating to the fuel consumption of motor vehicles ⁽⁵⁾, as last amended by Commission Directive 93/116/EC of 17 December 1993 ⁽⁶⁾ are well founded; whereas, however, the tests performed in accordance with the abovementioned Directives were conducted using both petrol and natural gas as fuel; whereas the relevant limit values were respected with both types of fuel, while recorded emissions of pollutants were lower with natural gas; whereas equivalent environmental protection is thus ensured;

Whereas, in order to assure themselves of the safety of vehicles in service, Member States may periodically carry out leak-tightness tests at a pressure of at least the service pressure;

Whereas the Community Directives concerned will be amended in order to permit the production of vehicles powered by compressed natural gas;

Whereas the measure provided for by this Decision is in accordance with the opinion of the Committee on Adaptation to Technical Progress set up by Directive 70/156/EEC,

HAS ADOPTED THIS DECISION:

Article 1

The request submitted by Italy for an exemption concerning the production and placing on the market of a class M₁ type of vehicle powered by compressed natural gas is hereby approved.

Article 2

This Decision is addressed to the Italian Republic.

Done at Brussels, 3 December 1997.

For the Commission

Martin BANGEMANN

Member of the Commission

⁽¹⁾ OJ L 42, 23. 2. 1970, p. 1.

⁽²⁾ OJ L 233, 25. 8. 1997, p. 1.

⁽³⁾ OJ L 76, 6. 4. 1970, p. 1.

⁽⁴⁾ OJ L 282, 1. 11. 1996, p. 64.

⁽⁵⁾ OJ L 375, 31. 12. 1980, p. 36.

⁽⁶⁾ OJ L 329, 30. 12. 1993, p. 39.