

COUNCIL OF THE EUROPEAN UNION

COMPILATION OF TEXTS

XX

**ASSOCIATION
OF THE OVERSEAS COUNTRIES AND TERRITORIES**

FRENCH OVERSEAS DEPARTMENTS

1 January 1996 to 31 December 1996



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Part 1 : OCTs

I. Basic texts

COUNCIL DECISION

of 29 January 1996

on transitional measures to be applied from 1 March 1995 in the context of the association of the overseas countries and territories with the European Community

(96/109/EC)

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty establishing the European Community,

Having regard to Council Decision 91/482/EEC of 25 July 1991 on the association of the overseas countries and territories with the European Economic Community⁽¹⁾, and in particular Article 240 thereof,

Having regard to the proposal from the Commission,

Whereas Decision 91/482/EEC is applicable for ten years from 1 March 1990;

Whereas Decision 91/482/EEC stipulates in Article 154 (4) that further amounts of Community financing shall be adopted for the second five-year period covered by it;

Whereas pending the fixing of the new amounts by the Council, the appropriate provisions should be adopted by way of transitional measures to be applied from 1 March 1995,

HAS DECIDED AS FOLLOWS:

Article 1

1. The balances referred to in Article 119 (2) of Decision 91/482/EEC shall, until exhausted, be allocated to

the Stabex system for the purposes specified in Article 114.

2. The balances referred to in Article 142 (2) of Decision 91/482/EEC shall, until exhausted, be allocated to the special financing facility (Sysmin) for the purposes specified in Article 137.

Article 2

The Council shall undertake a review of the implementation of this Decision upon the entry into force of the Decision provided for by Article 154 (4) of Decision 91/482/EEC fixing the financing for the second five-year period covered by it.

Article 3

This Decision shall take effect on the day following its publication in the *Official Journal of the European Communities*.

It shall apply as from 1 March 1995.

Done at Brussels, 29 January 1996.

For the Council

The President

S. AGNELLI

⁽¹⁾ OJ No L 263, 19. 9. 1991, p. 1. Decision is amended by the 1994 Act of Accession.

COUNCIL RECOMMENDATION

of 11 March 1996

concerning the discharge to be given to the Commission in respect of the implementation of the operations of the European Development Fund (1984) (Sixth EDF) for the financial year 1994

(96/209/EC)

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty establishing the European Community, and in particular Article 206 thereof,

Having regard to the Third ACP-EEC Convention, signed at Lomé on 8 December 1984,

Having regard to Council Decision 86/283/EEC of 30 June 1986 on the association of the overseas countries and territories with the European Economic Community⁽¹⁾,

Having regard to the Internal Agreement on the financing and administration of Community aid⁽²⁾, signed in Brussels on 19 February 1985, as amended by Decision 86/281/EEC⁽³⁾, and in particular Article 29 (3) thereof,

Having regard to the Financial Regulation of 11 November 1986 applicable to the Sixth European Development Fund⁽⁴⁾, and in particular Articles 66 to 73 thereof,

Having examined the revenue and expenditure account and the balance sheet relating to the operations of the European Development Fund (1984) (Sixth EDF) as at

31 December 1994 and the Court of Auditors' report relating to the financial year 1994 together with the Commission's replies⁽⁵⁾,

Whereas, pursuant to Article 29 (3) of the Internal Agreement, the discharge for the management of the European Development Fund (1984) (Sixth EDF) must be given to the Commission by the European Parliament on a recommendation from the Council;

Whereas the overall implementation by the Commission of the operations of the European Development Fund (1984) (Sixth EDF) during the financial year 1994 has been satisfactory,

HEREBY RECOMMENDS that the European Parliament give the Commission a discharge in respect of the implementation of the operations of the European Development Fund (1984) (Sixth EDF) for the financial year 1994.

Done at Brussels, 11 March 1996.

For the Council

The President

L. DINI

⁽¹⁾ OJ No L 175, 1. 7. 1986, p. 1.

⁽²⁾ OJ No L 86, 31. 3. 1986, p. 210.

⁽³⁾ OJ No L 178, 2. 7. 1986, p. 13.

⁽⁴⁾ OJ No L 325, 20. 11. 1996, p. 42.

⁽⁵⁾ OJ No C 303, 14. 11. 1995, pp. 252 to 293.

COUNCIL RECOMMENDATION

of 11 March 1996

concerning the discharge to be given to the Commission in respect of the implementation of the operations of the European Development Fund (1989) (Seventh EDF) for the financial year 1994

(96/210/EC)

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty establishing the European Union, and in particular Article 206 thereof,

Having regard to the Fourth ACP-EEC Convention, signed at Lomé on 15 December 1989,

Having regard to Council Decision 91/482/EEC of 25 July 1991 on the association of the overseas countries and territories with the European Economic Community (*),

Having regard to the Internal Agreement on the financing and administration of Community aid (**), signed in Brussels on 16 July 1990, and in particular Article 33 (3) thereof,

Having regard to the Financial Regulation of 29 July 1991 applicable to the Seventh European Development Fund (*), and in particular Articles 69 to 77 thereof,

Having examined the revenue and expenditure account and the balance sheet relating to the operations of the European Development Fund (1989) (Seventh EDF) as at 31 December 1994 and the Court of Auditors' report relating to the financial year 1994 together with the Commission's replies (**),

Whereas, pursuant to Article 33 (3) of the Internal Agreement, the discharge for the management of the European Development Fund (1989) (Seventh EDF) must be given to the Commission by the European Parliament on a recommendation from the Council;

Whereas the overall implementation by the Commission of the operations of the European Development Fund (1989) (Seventh EDF) during the financial year 1994 has been satisfactory,

HEREBY RECOMMENDS that the European Parliament give the Commission a discharge in respect of the implementation of the operations of the European Development Fund (1989) (Seventh EDF) for the financial year 1994.

Done at Brussels, 11 March 1996.

For the Council

The President

L. DINI

(*) OJ No L 263, 19. 9. 1991, p. 1.

(**) OJ No L 229, 17. 8. 1991, p. 288.

(*) OJ No L 266, 21. 9. 1991, p. 1.

(*) OJ No C 303, 14. 11. 1995, pp. 252 to 293.

Part 1 : OCTs

II. Implementing texts

A. Trade

a) Agricultural products

COUNCIL REGULATION (EC) No 619/96
of 25 March 1996

amending Regulation (EEC) No 715/90 on the arrangements applicable to agricultural products and certain goods resulting from the processing of agricultural products originating in the ACP States or in the overseas countries and territories (OCT)

THE COUNCIL OF THE EUROPEAN UNION,

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

Having regard to the proposal from the Commission,

Whereas Council Regulation (EEC) No 715/90 of 5 March 1990 on the arrangements applicable to agricultural products and certain goods resulting from the processing of agricultural products originating in the African, Caribbean and Pacific States (ACP) or in the overseas countries and territories (OCT) (*) provides for concessions on imports of agricultural products originating in ACP States;

Whereas Articles 3 and 4a of the said Regulation lay down the arrangements applying to imports of beef from Namibia; whereas the quantities of meat were specified for five calendar years, i. e. up to 31 December 1995; whereas, in order not to disrupt the flow of trade from Namibia to the Community, the arrangements should be extended until 31 December 1996;

Whereas, under Article 16 of the aforementioned Regulation, 400 tonnes of seedless table grapes may be imported between 1 December and 31 January free of *ad valorem* duties; whereas Namibia has requested a concession for a further 600 tonnes to apply from 1 to 31 January;

Whereas, on account of the economic importance of seedless table grapes for the ACP States, an extra 400 tonnes should be granted exemption from *ad valorem* duties,

HAS ADOPTED THIS REGULATION:

Article 1

Regulation (EEC) No 715/90 is hereby amended as follows:

1. Article 4a shall be replaced by the following:

Article 4a

1. Article 3 shall apply to Namibia in respect of the following quantities of boneless meat:

for the first and second calendar years:	10 500 tonnes,
for the third, fourth and fifth calendar years:	13 000 tonnes,
for the sixth calendar year :	13 000 tonnes.

(*) OJ No L 84, 30. 3. 1990, p. 85. Regulation as last amended by Regulation (EC) No 2484/94 (OJ No L 265, 15. 10. 1994, p. 3).

2. Article 4 (2) and (3) shall also apply to Namibia. For these purposes, the quantities given in paragraph 1 shall be added to the amount stated in Article 4 (2) and (3).'

2. The entry in Article 16 for fresh or dried grapes shall be replaced by the following:

0806	Grapes, fresh or dried:		
0806 10	- Fresh:		
	- - Table grapes:		
	- - - from 1 January to 14 July		
ex 0806 10 29	- - - - Other:		
	- Seedless table grapes:		
	- from 1 to 31 January	100	TQ 400
	- from 1 February to 31 March	100	RQ 100
	- - - from 21 November to 31 December		
ex 0806 10 69	- - - - Other:		
	- Seedless table grapes:		
	- from 1 to 31 December	100	TQ 400'

Article 2

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

It shall apply from 1 January 1996.

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

Done at Brussels, 25 March 1996.

For the Council
The President
 S. AGNELLI

COMMISSION REGULATION (EC) No 871/96
of 14 May 1996

amending Regulation (EEC) No 2245/90 laying down detailed rules for the application of the import arrangements applicable to products falling within CN codes 0714 10 91 and 0714 90 11 and originating in the African, Caribbean and Pacific (ACP) States or in the overseas countries and territories (OCT)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

kind used in animal feed covered by CN codes 2309 10 11 and 2309 10 31;

Having regard to the Treaty establishing the European Community,

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

Having regard to Council Regulation (EC) No 3290/94 of 22 December 1994 on the adjustments and transitional arrangements required in the agriculture sector in order to implement the Agreements concluded during the Uruguay Round of multilateral trade negotiations⁽¹⁾, and in particular Article 3 (1) thereof,

HAS ADOPTED THIS REGULATION:

Article 1

Regulation (EEC) No 2245/90 is amended as follows:

Having regard to Council Regulation (EC) No 3093/95 of 22 December 1995 fixing the customs duties to be applied by the Community as a result of the negotiations conducted under Article XXIV (6) of the GATT following the accession of Austria, Finland and Sweden to the European Union⁽²⁾, and in particular Article 5 thereof,

1. Article 1 is amended as follows:

(a) Paragraphs 2 and 3 are replaced by the following:

'2. Without prejudice to paragraph 1, the reduced customs duties set out in the Annex on imports of the products designated below and originating in the ACP States shall be reduced by:

- ECU 2,19 per 1 000 kg in the case of products covered by CN codes 0714 10 99 and ex 0714 90 19, with the exception of arrowroot,
- ECU 4,38 per 1 000 kg in the case of products covered by CN codes 0714 10 10 and ex 1106 20, with the exception of arrowroot flour and meal,
- 50 % in the case of products covered by CN codes 1108 14 00 and ex 1108 19 90, with the exception of arrowroot starch.

3. Notwithstanding paragraph 1, the customs duties on imports of the following products originating in the ACP States shall not be levied thereon:

- sweet potatoes covered by CN code 0714 20 10,
- products covered by CN code 0714 10 91,
- arrowroot covered by CN code ex 0714 90,
- arrowroot flour and meal covered by CN code ex 1106 20,
- arrowroot starch covered by CN code ex 1108 19 90.'

Whereas Commission Regulation (EC) No 2023/95 of 21 August 1995 adapting by way of a temporary measure the special arrangements for importing cereal substitute products and processed cereal and rice products as provided for in Regulation (EEC) No 2245/90 with a view to the implementation of the Agreement on agriculture concluded during the Uruguay Round of multilateral trade negotiations⁽³⁾, adapts as a temporary measure Commission Regulation (EEC) No 2245/90⁽⁴⁾; whereas it appears that some or all of the language versions of that Regulation contain errors; whereas, in particular, the Annex to Regulation (EC) No 2023/95 has not been added to Regulation (EEC) No 2245/90; whereas the corrected version of the Annex must be added to that Regulation;

Whereas Article 4 (1) of Regulation (EC) No 3093/95 lowers to zero the rates of duties for preparations of a

⁽¹⁾ OJ No L 349, 31. 12. 1994, p. 105.

⁽²⁾ OJ No L 334, 30. 12. 1995, p. 1.

⁽³⁾ OJ No L 198, 23. 8. 1995, p. 15.

⁽⁴⁾ OJ No L 203, 1. 8. 1990, p. 47.

(b) The following paragraph 4 is added:

'4. Notwithstanding paragraph 1, the customs duties on imports of the following products shall not be levied thereon from 1 January 1996:

— Preparations of a kind used in animal feed covered by CN codes 2309 10 11 and 2309 10 31.'

2. The Annex to this Regulation is added.

Article 2

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

It shall apply from 1 July 1995 to 30 June 1996.

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

Done at Brussels, 14 May 1996.

For the Commission

Franz FISCHLER

Member of the Commission

ANNEX

CN code	Description	Applicable
1	2	3
0714	Manioc, arrowroot, salep, Jerusalem artichokes, sweet potatoes and similar roots and tubers with high starch or inulin content, fresh, chilled, frozen or dried, whether or not sliced or in the form of pellets; sago pith:	
0714 10	- Manioc (cassava)	
0714 10 10	- - Pellets of flour and meal	ECU 13,5/100 kg/net
	- - Other:	
ex 0714 10 91	- - - Of a kind used for human consumption in immediate packings of a net content not exceeding 28 kg, either fresh and whole or without skin and frozen, whether or not sliced	ECU 13,9/100 kg/net
0714 10 99	- - - Other	ECU 13,5/100 kg/net
0714 90	- Other:	
	- - Arrowroot, salep and similar roots and tubers with high starch content:	
ex 0714 90 11	- - - Of a kind used for human consumption, in immediate packings of a net content not exceeding 28 kg, either fresh and whole or without skin and frozen, whether or not sliced	ECU 13,9/100 kg/net
0714 90 19	- - - Other	ECU 13,5/100 kg/net
1102	Cereal flours other than that of wheat or meslin (1):	
1102 20	- Maize (corn) flour	
1102 20 10	- - Of a fat content not exceeding 1,5 % by weight	ECU 247,4/tonne
1102 20 90	- - Other	ECU 140,2/tonne
1102 30 00	- Rice flour	ECU 198,5/tonne
1102 90	- Other:	
1102 90 10	- - Barley flour	ECU 243,7/tonne
1102 90 30	- - Oat flour	ECU 234,3/tonne
1102 90 90	- - Other	ECU 140,2/tonne
1103	Cereal groats, meal and pellets (1):	
	- Groats and meal:	
1103 12 00	- - Of oats	ECU 234,3/tonne
1103 13	- - Of maize (corn):	
1103 13 10	- - - Of a fat content not exceeding 1,5 % by weight	ECU 247,4/tonne
1103 13 90	- - - Other	ECU 140,2/tonne
1103 14 00	- - Of rice	ECU 198,5/tonne
1103 19	- - Of other cereals:	
1103 19 10	- - - Of rye	ECU 243,7/tonne
1103 19 30	- - - Of barley	ECU 243,7/tonne
1103 19 90	- - - Other	ECU 140,2/tonne
	- Pellets:	
1103 21 00	- - Of wheat	ECU 250,3/tonne
1103 29	- - Of other cereals:	
1103 29 10	- - - Of rye	ECU 243,7/tonne
1103 29 20	- - - Of barley	ECU 243,7/tonne
1103 29 30	- - - Of oats	ECU 234,3/tonne
1103 29 40	- - - Of maize	ECU 247,4/tonne
1103 29 50	- - - Of rice	ECU 198,5/tonne
1103 29 90	- - - Other	ECU 140,2/tonne

CN code	Description	Applicable
1	2	3
1104	Cereal grains otherwise worked (for example, hulled, rolled, flaked, pearled, sliced or kibbled), except rice of heading No 1006: germ of cereals, whole, rolled, flaked or ground (*):	
	– Rolled or flaked grains:	
1104 11	– – Of barley:	
1104 11 10	– – – Rolled	ECU 138,3/tonne
1104 11 90	– – – Flaked	ECU 270,9/tonne
1104 12	– – Of oats:	
1104 12 10	– – – Rolled	ECU 132,7/tonne
1104 12 90	– – – Flaked	ECU 260,6/tonne
1104 19	– – Of other cereals:	
1104 19 10	– – – Of wheat	ECU 250,3/tonne
1104 19 30	– – – Of rye	ECU 243,7/tonne
1104 19 50	– – – Of maize	ECU 247,4/tonne
	– – – Other:	
1104 19 91	– – – – Flaked rice	ECU 336,7/tonne
1104 19 99	– – – – Other	ECU 247,4/tonne
	– Other worked grains (for example, hulled, pearled, sliced or kibbled):	
1104 21	– – Of barley:	
1104 21 10	– – – Hulled (shelled or husked)	ECU 217,3/tonne
1104 21 30	– – – Hulled and sliced or kibbled ('Grütze' or 'grutten')	ECU 217,3/tonne
1104 21 50	– – – Pearled	ECU 339,6/tonne
1104 21 90	– – – Not otherwise worked than kibbled	ECU 138,3/tonne
1104 21 99	– – – Other	ECU 138,3/tonne
1104 22	– – Of oats:	
1104 22 20	– – – Hulled (shelled or husked)	ECU 234,2/tonne
1104 22 30	– – – Hulled and sliced or kibbled ('Grütze' or 'grutten')	ECU 234,2/tonne
1104 22 50	– – – Pearled	ECU 208,8/tonne
1104 22 90	– – – Not otherwise worked than kibbled	ECU 132,7/tonne
1104 22 92	– – – Clipped	ECU 132,7/tonne
1104 22 99	– – – Other	ECU 132,7/tonne
1104 23	– – Of maize:	
1104 23 10	– – – Hulled (shelled or husked), whether or not sliced or kibbled	ECU 220,1/tonne
1104 23 30	– – – Pearled	ECU 220,1/tonne
1104 23 90	– – – Not otherwise worked than kibbled	ECU 140,2/tonne
1104 23 99	– – – Other	ECU 140,2/tonne
1104 29	– – Of other cereals:	
	– – – Hulled (shelled or husked) whether or not sliced or kibbled:	
1104 29 11	– – – – Of wheat	ECU 185,3/tonne
1104 29 15	– – – – Of rye	ECU 185,3/tonne
1104 29 19	– – – – Other	ECU 185,3/tonne
	– – – Pearled:	
1104 29 31	– – – – Of wheat	ECU 222,9/tonne
1104 29 35	– – – – Of rye	ECU 222,9/tonne
1104 29 39	– – – – Other	ECU 222,9/tonne

CN code	Description	Applicable
1	2	3
	- - - Not otherwise worked than kibbled:	
1104 29 51	- - - - Of wheat	ECU 142,1/tonne
1104 29 55	- - - - Of rye	ECU 138,3/tonne
1104 29 59	- - - - Other	ECU 140,2/tonne
	- - - Other:	
1104 29 81	- - - - Of wheat	ECU 142,1/tonne
1104 29 85	- - - - Of rye	ECU 138,3/tonne
1104 29 89	- - - - Other	ECU 140,2/tonne
1104 30	- Germ of cereals, whole, rolled, flaked or ground:	
1104 30 10	- - Of wheat	ECU 103,6/tonne
1104 30 90	- - Other	ECU 102,7/tonne
1106	Flour and meal of the dried leguminous vegetables of heading No 0713, of sago or of roots or tubers of heading No 0714 or of the products of Chapter 8:	
1106 20	- Of sago, roots or tubers of heading No 0714:	
1106 20 10	- - Denatured (?)	ECU 135,5/tonne
1106 20 90	- - Other	ECU 219,6/tonne
1108	Starches; inulin:	
	- Starches:	
1108 11 00	- - Wheat starch	ECU 304,2/tonne
1108 12 00	- - Maize (corn) starch	ECU 219,6/tonne
1108 13 00	- - Potato starch	ECU 219,6/tonne
1108 14 00	- - Manioc (cassava) starch	ECU 219,6/tonne
1108 19	- - Other starches:	
1108 19 10	- - - Rice starch	ECU 280,5/tonne
1108 19 90	- - - Other	ECU 219,6/tonne
1109 00 00	Wheat gluten, whether or not dried	ECU 533/tonne
1702	Other sugars, including chemically pure lactose, maltose, glucose and fructose, in solid form; sugar syrups not containing added flavouring or colouring matter; artificial honey, whether or not mixed with natural honey; caramel:	
1702 30	- Glucose and glucose syrup, not containing fructose or containing in the dry state less than 20 % by weight of fructose:	
	- - Other:	
	- - - Other:	
1702 30 51	- - - - In the form of white crystalline powder, whether or not agglomerated	ECU 27,6/100 kg/net
1702 30 59	- - - - Other	ECU 21,3/100 kg/net
1702 30 91	- - - - In the form of white crystalline powder, whether or not agglomerated	ECU 27,6/100 kg/net
1702 30 99	- - - - Other	ECU 21,3/100 kg/net
1702 40	- Glucose and glucose syrup, containing in the dry state at least 20 % but less than 50 % by weight of fructose:	
1702 40 90	- - Other	ECU 21,3/100 kg/net
1702 90	- Other, including invert sugar:	
1702 90 50	- - Maltodextrine and maltodextrine syrup	ECU 21,3/100 kg/net
	- - Caramel:	
	- - - Other:	
1702 90 75	- - - - In the form of powder, whether or not agglomerated	ECU 29/100 kg/net
1702 90 79	- - - - Other	ECU 20,2/100 kg/net

CN code	Description	Applicable
1	2	3
2106	Food preparations not elsewhere specified or included:	
2106 90	– Other:	
	– – Flavoured or coloured sugar syrups:	
	– – – Other:	
2106 90 55	– – – – Glucose syrup and maltodextrine	ECU 21,2/100 kg/net
2302	Bran, sharps and other residues, whether or not in the form of pellets derived from the sifting, milling or other working of cereals or of leguminous plants:	
2302 10	– Of maize (corn):	
2302 10 10	– – With a starch content not exceeding 35 % by weight	ECU 56,7/tonne
2302 10 90	– – Other	ECU 123,5/tonne
2302 20	– Of rice:	
2302 20 10	– – With a starch content not exceeding 35 % by weight	ECU 56,7/tonne
2302 20 90	– – Other	ECU 123,5/tonne
2302 30	– Of wheat:	
2302 30 10	– – Of which the starch content does not exceed 28 % by weight, and of which the proportion that passes through a sieve with an aperture of 0,2 mm does not exceed 10 % by weight or alternatively the proportion that passes through the sieve has an ash content, calculated on the dry product, equal to or more than 1,5 % by weight	ECU 56,7/tonne (1)
2302 30 90	– – Other	ECU 123,5/tonne (1)
2302 40	– Of other cereals:	
2302 40 10	– – Of which the starch content does not exceed 28 % by weight, and of which the proportion that passes through a sieve with an aperture of 0,2 mm does not exceed 10 % by weight or alternatively the proportion that passes through the sieve has an ash content, calculated on the dry product, equal to or more than 1,5 % by weight	ECU 56,7/tonne (1)
2302 40 90	– – Other	ECU 123,5/tonne (1)
2303	Residues of starch manufacture and similar residues, beet-pulp, bagasse and other waste of sugar manufacture, brewing or distilling dregs and waste, whether or not in the form of pellets:	
2303 10	– Residues of starch manufacture and similar residues:	
2303 10 11	– – Residues from the manufacture of starch from maize (excluding concentrated steeping liquors), of a protein content, calculated on the dry product:	
	– – – exceeding 40 % by weight	ECU 251/tonne
2309	Preparations of a kind used in animal feeding:	
ex 2309 10	– Dog or cat food, put up for retail sale:	
	– – Containing starch, glucose, glucose syrup, maltodextrine or maltodextrine syrup falling within subheadings 1702 30 51 to 1702 30 99, 1702 40 90, 1702 90 50 and 2106 90 55 or milk products:	
	– – – Containing starch, glucose, syrup, maltodextrine or maltodextrine syrup:	
	– – – – Containing no starch or containing 10 % or less by weight of starch:	

CN code	Description	Applicable
1	2	3
2309 10 11	--- -- Containing no milk products or containing less than 10 % by weight of such products	ECU 22,9/tonne
2309 10 13	--- -- Containing not less than 10 % but less than 50 % by weight of milk products	ECU 720,4/tonne
2309 10 31	--- -- Containing no milk products or containing less than 10 % by weight of such products	ECU 69,9/tonne
2309 10 33	--- -- Containing not less than 10 % but less than 50 % by weight of milk products	ECU 767,4/tonne
2309 10 51	--- -- Containing no milk products or containing less than 10 % by weight of such products	ECU 138,6/tonne
2309 10 53	--- -- Containing not less than 10 % but less than 50 % by weight of milk products	ECU 837/tonne
ex 2309 90	--- Other: --- Other: --- Containing starch, glucose, glucose syrup, maltodextrine or maltodextrine syrup falling within subheadings 1702 30 51 to 1702 30 99, 1702 40 90, 1702 90 50 and 2106 90 55 or milk products: --- Containing starch, glucose, glucose syrup, maltodextrine or maltodextrine-syrup: --- Containing no starch or containing 10 % or less by weight of starch:	
2309 90 31	--- -- Containing no milk products or containing less than 10 % by weight of such products	ECU 22,9/tonne
2309 90 33	--- -- Containing not less than 10 % but less than 50 % by weight of milk products	ECU 720,4/tonne
2309 90 41	--- -- Containing no milk products or containing less than 10 % by weight of such products	ECU 69,9/tonne
2309 90 43	--- -- Containing not less than 10 % but less than 50 % by weight of milk products	ECU 767,4/tonne
2309 90 51	--- -- Containing no milk products or containing less than 10 % by weight of such products	ECU 138,6/tonne
2309 90 53	--- -- Containing not less than 10 % but less than 50 % by weight of milk products	ECU 837/tonne

(¹) For the purpose of distinguishing between products covered by CN codes 1102, 1103 and 1104 and those covered by CN codes 2302 10 and 2302 40, products covered by CN codes 1102, 1103 and 1104 are those having both of the following:

- a starch content (determined by the modified Ewers polarimetric method) exceeding 45 % by weight referred to dry matter,
- an ash content by weight, referred to dry matter (after deduction of any added mineral matter), not exceeding 1,6 % for rice, 2,5 % for wheat and rye, 3 % for barley, 4 % for buckwheat, 5 % for oats and 2 % for other cereals.

Germ of cereals, whether or not in the form of flour, is covered in all cases by CN codes 1101 00 00 and 1102.

(²) Entry under this subheading is subject to conditions laid down in the relevant Community provisions.

COMMISSION REGULATION (EC) No 1226/96
of 28 June 1996

amending Regulation (EC) No 865/90 laying down detailed rules for the application of the special arrangements for imports of grain sorghum and millet originating in the African, Caribbean and Pacific States (ACP) or in the overseas countries and territories (OCT) in order to implement the agreement on agriculture concluded during the Uruguay Round of negotiations

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EC) No 3290/94 of 22 December 1994 on the adjustments and transitional arrangements required in the agriculture sector in order to implement the Agreements concluded during the Uruguay Round of multilateral trade negotiations⁽¹⁾, amended by Regulation No 1193/96⁽²⁾, and in particular Article 3 (1) thereof,

Whereas in order to take account of the existing import arrangements in the cereals sector and those resulting from the Agreement on Agriculture concluded during the Uruguay Round of the multilateral trade negotiations, transitional measures are needed to adjust the preferential concessions in the form of exemption from the import levy on certain cereal products from the ACP States and the OCT;

Whereas the period for the adoption of transitional measures was extended until 30 June 1997 by Regulation (EC) No 1193/96 extending the period for the adoption of the transitional arrangements required in the agriculture sector in order to implement the agreements concluded during the Uruguay Round of multilateral trade negotiations; whereas, pending the adoption by the Council of definitive measures, application of the measures provided for by Regulation (EEC) No 865/90 should be extended until 30 June 1997;

Whereas Commission Regulation (EEC) No 865/90⁽³⁾, as amended by Regulation (EC) No 1420/95⁽⁴⁾, lays down detailed rules for the application of the preferential conditions reducing the import levy for quotas of sorghum and millet;

Whereas, given that the levies were replaced by customs duties and the advance fixing of the import charge was

abolished on 1 July 1995, the transitional adjustment of those provisions should be extended;

Whereas the rates of duties of the customs tariff within the abovementioned quotas are those applicable on the day that the declaration of release for free circulation of the import is accepted;

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

Regulation (EEC) No 865/90 is hereby amended as follows for the marketing year 1996/97;

1. 'levy' is replaced by 'duty' each time that it appears;
2. the last sentence of Article 2 (b) and the last sentence of Article 4 (b) are deleted;
3. Article 3 (b) is replaced by the following:

'(b) the letters "ACP" or "OCT" as the case may be in Section 8.

The licence shall oblige to import from the countries specified. The import duty shall not be increased or adjusted.'

Article 2

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

It shall apply from 1 July 1996 to 30 June 1997.

⁽¹⁾ OJ No L 349, 31. 12. 1994, p. 105.

⁽²⁾ See page 1 of this Official Journal.

⁽³⁾ OJ No L 90, 5. 4. 1990, p. 16.

⁽⁴⁾ OJ No L 141, 24. 6. 1995, p. 9.

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

Done at Brussels, 28 June 1996.

For the Commission
Franz FISCHLER
Member of the Commission

COMMISSION REGULATION (EC) No 1313/96

of 8 July 1996

amending Regulation (EEC) No 2245/90 laying down detailed rules for the application of the import arrangements applicable to products falling within CN codes 0714 10 91 and 0714 90 11 and originating in the African, Caribbean and Pacific (ACP) States or in the overseas countries and territories (OCT)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EC) No 3290/94 of 22 December 1994 on the adjustments and transitional arrangements required in the agricultural sector in order to implement the agreements concluded during the Uruguay Round of multilateral trade negotiations⁽¹⁾, as amended by Regulation (EC) No 1193/96⁽²⁾, and in particular Article 3 (1) thereof,

Whereas Commission Regulation (EEC) No 2245/90⁽³⁾, as last amended by Regulation (EC) No 871/96⁽⁴⁾, lays down transitional measures, applicable until 30 June 1996, to facilitate the transition to the arrangements for importing cereal substitute products and processed cereal and rice products as provided for in Regulation (EEC) No 2245/90 with a view to the implementation of the Agreement on Agriculture concluded during the Uruguay Round of multilateral trade negotiations;

Whereas the period for taking the transitional measures was extended to 30 June 1997 by Regulation (EC) No 1193/96 extending the period for taking the transitional measures necessary in the agricultural sector to implement the agreements concluded under the Uruguay Round of multilateral trade negotiations; whereas, pending the adoption by the Council of a definitive measure, the aforementioned measures should be extended until 30 June 1997;

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

Regulation (EEC) No 2245/90 is hereby amended as follows:

⁽¹⁾ OJ No L 349, 31. 12. 1994, p. 105.

⁽²⁾ OJ No L 161, 29. 6. 1996, p. 1.

⁽³⁾ OJ No L 203, 1. 8. 1990, p. 47.

⁽⁴⁾ OJ No L 118, 15. 5. 1996, p. 3.

1. Article 1 is replaced by the following Articles:

Article 1

1. For the purposes of Article 14 (1) of Council Regulation (EEC) No 715/90^(*), the customs duties on imports of products listed in Annex A to Regulation (EEC) No 1766/92 and Article 1 (1) (c) of Regulation (EEC) No 1418/76 and originating in the ACP States shall be as set out in the Annex hereto.

2. Without prejudice to paragraph 1, the reduced customs duties listed in the Annex hereto on imports of the products designated hereinunder and originating in the ACP States shall be reduced by:

- ECU 2,19 per 1 000 kg in the case of products falling within CN codes 0714 10 99 and ex 0714 90 19, with the exception of arrowroot,
- ECU 4,38 per 1 000 kg in the case of products falling within CN codes 0714 10 10 and ex 1106 20, with the exception of arrowroot flour and meal,
- 50 % in the case of products falling within CN codes 1108 14 00 and ex 1108 19 90, with the exception of arrowroot starch.

3. Notwithstanding paragraph 1, the customs duties on imports of the following products originating in the ACP States shall not be levied thereon:

- sweet potatoes falling within CN code 0714 20 10,
- products falling within CN code 0714 10 91,
- arrowroot falling within CN code 0714 90 11 and ex 0714 90 19,
- arrowroot flour and meal falling within CN code ex 1106 20,
- arrowroot starch falling within CN code ex 1108 19 90.

Article 1a

The detailed rules for the application of the import arrangements shall be as set out in Articles 2 to 8 as regards:

- products falling within CN codes 0714 10 91 and 0714 90 11 originating in the ACP States and imported into the Community (Title I),
- products falling within CN code 0714 90 11 originating in the ACP States or the OCT and imported into the French overseas territories (Title II).

^(*) OJ No L 84, 30. 3. 1990, p. 85¹

2. In Articles 2 (2) and 4 (3), the words 'import duty' are replaced by 'Common Customs Tariff customs duty' each time they appear.

3. The Annex to this Regulation is added.

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 1 July 1996 to 30 June 1997.

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

Done at Brussels, 8 July 1996.

For the Commission

Franz FISCHLER

Member of the Commission

ANNEX

CN code	Description	Customs duty applicable
(1)	(2)	(3)
0714	Manioc, arrowroot, salep, Jerusalem artichokes, sweet potatoes and similar roots and tubers with high starch or inulin content, fresh, chilled, frozen or dried, whether or not sliced or in the form of pellets; sago pith:	
0714 10	- Manioc (cassava):	
0714 10 10	- - Pellets of flour and meal	ECU 12,6/100kg/net
	- - Other:	
0714 10 91	- - - Of a kind used for human consumption in immediate packings of a net content not exceeding 28 kg, either fresh and whole or without skin and frozen, whether or not sliced	ECU 13/100kg/net
0714 10 99	- - - Other	ECU 12,6/100kg/net
0714 90	- Other:	
	- - Arrowroot, salep and similar roots and tubers with high starch content:	
0714 90 11	- - - Of a kind used for human consumption, in immediate packings of a net content not exceeding 28 kg, either fresh and whole or without skin and frozen, whether or not sliced	ECU 13/100kg/net
0714 90 19	- - - Other:	ECU 12,6/100kg/net
1102	Cereal flour other than that of wheat or meslin (1):	
1102 20	- Maize (corn) flour	
1102 20 10	- - Of a fat content not exceeding 1,5 % by weight	ECU 231,2/tonne
1102 20 90	- - Other	ECU 131/tonne
1102 30 00	- Rice flour	ECU 185,6/tonne
1102 90	- Other:	
1102 90 10	- - Barley flour	ECU 227,7/tonne
1102 90 30	- - Oat flour	ECU 218,9/tonne
1102 90 90	- - Other	ECU 131/tonne
1103	Cereal groats, meal and pellets (2):	
	- Groats and meal:	
1103 12 00	- - Of oats	ECU 218,9/tonne
1103 13	- - Of maize (corn):	
1103 13 10	- - - Of a fat content not exceeding 1,5 % by weight	ECU 231,2/tonne
1103 13 90	- - - Other	ECU 131/tonne
1103 14 00	- - Of rice	ECU 185,6/tonne
1103 19	- - Of other cereals:	
1103 19 10	- - - Of rye	ECU 227,7/tonne
1103 19 30	- - - Of barley	ECU 227,7/tonne
1103 19 90	- - - Other	ECU 131/tonne
	- Pellets:	
1103 21 00	- - Of wheat	ECU 233,8/tonne
1103 29	- - Of other cereals:	
1103 29 10	- - - Of rye	ECU 227,7/tonne

CN code	Description	Customs duty applicable
(1)	(2)	(3)
1103 29 20	— — — Of barley	ECU 227,7/tonne
1103 29 30	— — — Of oats	ECU 218,9/tonne
1103 29 40	— — — Of maize	ECU 231,2/tonne
1103 29 50	— — — Of rice	ECU 185,6/tonne
1103 29 90	— — — Other	ECU 131/tonne
1104	Cereal grains otherwise worked (for example, hulled, rolled, flaked, pearled, sliced or kibbled), except rice of heading No 1006: germ of cereals, whole, rolled, flaked or ground (*):	
	— Rolled or flaked grains:	
1104 11	— — Of barley:	
1104 11 10	— — — Rolled	ECU 129,3/tonne
1104 11 90	— — — Flaked	ECU 253,2/tonne
1104 12	— — Of oats:	
1104 12 10	— — — Rolled	ECU 124/tonne
1104 12 90	— — — Flaked	ECU 243,5/tonne
1104 19	— — Of other cereals:	
1104 19 10	— — — Of wheat	ECU 233,8/tonne
1104 19 30	— — — Of rye	ECU 227,7/tonne
1104 19 50	— — — Of maize	ECU 231,2/tonne
	— — — Other:	
1104 19 91	— — — — Flaked rice	ECU 314,8/tonne
1104 19 99	— — — — Other	ECU 231,2/tonne
	— Other worked grains (for example, hulled, pearled, sliced or kibbled):	
1104 21	— — Of barley:	
1104 21 10	— — — Hulled (shelled or husked)	ECU 203,2/tonne
1104 21 30	— — — Hulled and sliced or kibbled ('Grütze' or 'grutten')	ECU 203,2/tonne
1104 21 50	— — — Pearled	ECU 317,4/tonne
1104 21 90	— — — Not otherwise worked than kibbled	ECU 129,3/tonne
1104 21 99	— — — Other	ECU 129,3/tonne
1104 22	— — Of oats:	
1104 22 20	— — — Hulled (shelled or husked)	ECU 219/tonne
1104 22 30	— — — Hulled and sliced or kibbled ('Grütze' or 'grutten')	ECU 219/tonne
1104 22 50	— — — Pearled	ECU 195,3/tonne
1104 22 90	— — — Not otherwise worked than kibbled:	ECU 124/tonne
1104 22 92	— — — — Clipped	ECU 124/tonne
1104 22 99	— — — — Other	ECU 124/tonne
1104 23	— — Of maize:	
1104 23 10	— — — Hulled (shelled or husked), whether or not sliced or kibbled	ECU 205,8/tonne
1104 23 30	— — — Pearled	ECU 205,8/tonne
1104 23 90	— — — Not otherwise worked than kibbled	ECU 131/tonne
1104 23 99	— — — Other	ECU 131/tonne
1104 29	— — Of other cereals	
	— — — Hulled (shelled or husked) whether or not sliced or kibbled:	

CN code	Description	Customs duty applicable
(1)	(2)	(3)
1104 29 11	-- -- -- Of wheat	ECU 173,3/tonne
1104 29 15	-- -- -- Of rye	ECU 173,3/tonne
1104 29 19	-- -- -- Other	ECU 173,3/tonne
	-- -- -- Pearled:	
1104 29 31	-- -- -- Of wheat	ECU 208,5/tonne
1104 29 35	-- -- -- Of rye	ECU 208,5/tonne
1104 29 39	-- -- -- Other	ECU 208,5/tonne
	-- -- -- Not otherwise worked than kibbled:	
1104 29 51	-- -- -- Of wheat	ECU 132,8/tonne
1104 29 55	-- -- -- Of rye	ECU 129,3/tonne
1104 29 59	-- -- -- Other	ECU 131/tonne
	-- -- -- Other:	
1104 29 81	-- -- -- Of wheat	ECU 132,8/tonne
1104 29 85	-- -- -- Of rye	ECU 129,3/tonne
1104 29 89	-- -- -- Other	ECU 131/tonne
1104 30	-- Germ of cereals, whole, rolled, flaked or ground:	
1104 30 10	-- -- Of wheat	ECU 96,5/tonne
1104 30 90	-- -- Other	ECU 95,7/tonne
1106	Flour, meal and powder of the dried leguminous vegetables of heading No 0713, of sago or of roots or tubers of heading No 0714 or of the products of Chapter 8:	
1106 20	-- Of sago or of roots or tubers of heading No 0714:	
1106 20 10	-- -- Denatured (?)	ECU 126,6/tonne
1106 20 90	-- -- Other	ECU 204/tonne
1108	Starches; inulin:	
	-- Starches:	
1108 11 00	-- -- Wheat starch	ECU 283,2/tonne
1108 12 00	-- -- Maize (corn) starch	ECU 204/tonne
1108 13 00	-- -- Potato starch	ECU 204/tonne
1108 14 00	-- -- Manioc (cassava) starch	ECU 204/tonne
1108 19	-- -- Other starches:	
1108 19 10	-- -- -- Rice starch	ECU 260,2/tonne
1108 19 90	-- -- -- Other	ECU 204/tonne
1109 00 00	Wheat gluten, whether or not dried	ECU 485/tonne
1702	Other sugars, including chemically pure lactose, maltose, glucose and fructose, in solid form; sugar syrups not containing added flavouring or colouring matter; artificial honey, whether or not mixed with natural honey; caramel:	
1702 30	-- Glucose and glucose syrup, not containing fructose or containing in the dry state less than 20 % by weight of fructose:	
	-- -- Other:	
	-- -- -- Other:	
1702 30 51	-- -- -- In the form of white crystalline powder, whether or not agglomerated	ECU 25,1/100kg/net
1702 30 59	-- -- -- Other	ECU 19,5/100kg/net

CN code	Description	Customs duty Applicable
(1)	(2)	(3)
1702 30 91	- - - - In the form of white crystalline powder, whether or not agglomerated	ECU 25,1/100kg/net
1702 30 99	- - - - Other	ECU 19,5/100kg/net
1702 40	- Glucose and glucose syrup, containing in the dry state at least 20 % but less than 50 % by weight of fructose:	
1702 40 90	- - Other	ECU 19,5/100kg/net
1702 90	- Other, including invert sugar:	
1702 90 50	- - Maltodextrine and maltodextrine syrup	ECU 19,5/100kg/net
	- - Caramel:	
	- - - Other:	
1702 90 75	- - - - In the form of powder, whether or not agglomerated	ECU 26,4/100kg/net
1702 90 79	- - - - Other	ECU 18,4/100kg/net
2106	Food preparations not elsewhere specified or included:	
2106 90	- Other:	
	- - Flavoured or coloured sugar syrups:	
	- - - Other:	
2106 90 55	- - - - Glucose syrup and maltodextrine	ECU 19,5/100kg/net
2302	Bran, sharps and other residues, whether or not in the form of pellets derived from the sifting, milling or other working of cereals or of leguminous plants:	
2302 10	- Of maize (corn):	
2302 10 10	- - With a starch content not exceeding 35 % by weight	ECU 52,6/tonne
2302 10 90	- - Other	ECU 115,1/tonne
2302 20	- Of rice:	
2302 20 10	- - With a starch content no exceeding 35 % by weight	ECU 52,6/tonne
2302 20 90	- - Other	ECU 115,1/tonne
2302 30	- Of wheat:	
2302 30 10	- - Of which the starch content does not exceed 28 % by weight, and of which the proportion that passes through a sieve with an aperture of 0,2 mm does not exceed 10 % by weight or alternatively the proportion that passes through the sieve has an ash content, calculated on the dry product, equal to or more than 1,5 % by weight	ECU 52,6/tonne (1)
2302 30 90	- - Other	ECU 115,1/tonne (1)
2302 40	- Of other cereals:	
2302 40 10	- - Of which the starch content does not exceed 28 % by weight, and of which the proportion that passes through a sieve with an aperture of 0,2 mm does not exceed 10 % by weight or alternatively the proportion that passes through the sieve has an ash content, calculated on the dry product, equal to or more than 1,5 % by weight	ECU 52,6/tonne (1)
2302 40 90	- - Other	ECU 115,1/tonne (1)
2303	Residues of starch manufacture and similar residues, beet-pulp, bagasse and other waste of sugar manufacture, brewing or distilling dregs and waste, whether or not in the form of pellets:	
2303 10	- Residues of starch manufacture and similar residues:	
2303 10 11	- - Residues from the manufacture of starch from maize (excluding concentrated steeping liquors), of a protein content, calculated on the dry product:	
	- - - exceeding 40 % by weight	ECU 221/tonne

CN code	Description	Customs duty Applicable
(1)	(2)	(3)
2309	Preparations of a kind used in animal feeding:	
ex 2309 10	-- Dog or cat food, put up for retail sale:	
	-- -- Containing starch, glucose, glucose syrup, maltodextrine or maltodextrine syrup falling within subheadings 1702 30 51 to 1702 30 99, 1702 40 90, 1702 90 50 and 2106 90 55, or milk products:	
	-- -- -- Containing starch, glucose, syrup, maltodextrine or maltodextrine syrup:	
	-- -- -- -- Containing no starch or containing 10 % or less by weight of starch:	
2309 10 11	-- -- -- -- -- Containing no milk products or containing less than 10 % by weight of such products	exemption
2309 10 13	-- -- -- -- -- Containing not less than 10 % but less than 50 % by weight of milk products	ECU 673,7
2309 10 31	-- -- -- -- -- Containing no milk products or containing less than 10 % by weight of such products	exemption
2309 10 33	-- -- -- -- -- Containing not less than 10 % but less than 50 % by weight of milk products	ECU 717,7
2309 10 51	-- -- -- -- -- Containing no milk products or containing less than 10 % by weight of such products	ECU 129,02
2309 10 53	-- -- -- -- -- Containing not less than 10 % but less than 50 % by weight of milk products	ECU 782,9
ex 2309 90	- Other:	
	-- Other:	
	-- -- Containing starch, glucose, glucose syrup, maltodextrine or maltodextrine syrup falling within subheadings 1702 30 51 to 1702 30 99, 1702 40 90, 1702 90 50 and 2106 90 55 or milk products:	
	-- -- -- Containing starch, glucose, glucose syrup, maltodextrine or maltodextrine syrup:	
	-- -- -- -- Containing no starch or containing 10 % or less by weight of starch:	
2309 90 31	-- -- -- -- -- Containing no milk products or containing less than 10 % by weight of such products	ECU 20,8/tonne
2309 90 33	-- -- -- -- -- Containing not less than 10 % but less than 50 % by weight of milk products	ECU 673,7/tonne
2309 90 41	-- -- -- -- -- Containing no milk products or containing less than 10 % by weight of such products	ECU 64,8/tonne
2309 90 43	-- -- -- -- -- Containing not less than 10 % but less than 50 % by weight of milk products	ECU 717,7/tonne
2309 90 51	-- -- -- -- -- Containing no milk products or containing less than 10 % by weight of such products	ECU 129/tonne
2309 90 53	-- -- -- -- -- Containing not less than 10 % but less than 50 % by weight of milk products	ECU 782,9/tonne

(1) For the purpose of distinguishing between products covered by CN codes 1102, 1103 and 1104 and those covered by CN codes 2302 10 to 2302 40, products covered by CN codes 1102, 1103 and 1104 are those having both of the following:

- a starch content (determined by the modified Ewers polarimetric method) exceeding 45 % by weight referred to dry matter,
- an ash content by weight, referred to dry matter (after deduction of any added mineral matter), not exceeding 1,6 % for rice, 2,5 % for wheat and rye, 3 % for barley, 4 % for buckwheat, 5 % for oats and 2 % for other cereals.

Germ of cereals, whether or not in the form of flour, is covered in all cases by CN codes 1101 00 00 and 1102.

(2) Entry under this subheading is subject to conditions laid down in the relevant Community provisions.

Part 1 : OCTs

II. Implementing texts

A. Trade

b) Beef and veal

COMMISSION REGULATION (EC) No 589/96
of 2 April 1996

laying down detailed rules for the application in the beef and veal sector of Council Regulation (EEC) No 715/90 on the arrangements applicable to agricultural products and certain goods resulting from the processing of agricultural products originating in the African, Caribbean and Pacific States or in the overseas countries and territories

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EEC) No 715/90 of 5 March 1990 on the arrangements applicable to agricultural products originating in the ACP States or in the overseas countries and territories⁽¹⁾, as last amended by Commission Regulation (EC) No 2916/95⁽²⁾, and in particular Article 2 and 4 thereof,

Having regard to Decision No 6/95 of the ACP-EC Council of Ministers of 20 December 1995 on the transitional measures to be applied from 1 January 1996⁽³⁾, and in particular Articles 2 and 4 thereof,

Whereas, under the mid-term review of the Fourth ACP-EC Convention, the arrangements for the importation of beef and veal from certain ACP States provided for the reduction in the specific customs duty referred to in Protocol 7 to the Convention to be increased from 90 % to 92 %; whereas in the case of Namibia the quantities benefiting from the specific import arrangements were fixed at 13 000 tonnes; whereas these changes to the arrangements constitute clear and unconditional commitments;

Whereas by its Decision No 6/95 the ACP-EC Council of Ministers adopted as transitional measures valid until the entry into force of the Agreement amending the Lomé Convention the provisions permitting some of the amendments to the Convention to enter into force in advance; whereas under that Decision the provisions concerning beef and veal are to apply from 1 January 1996;

Whereas arrangements to implement these measures should be adopted; whereas it is appropriate to bring together in a single Commission Regulation all the provisions concerning the arrangements for the importation of beef and veal from the ACP States, including those concerning the application for and issue of import licences, and to repeal Commission Regulation (EC) No 1636/95 of 5 July 1995 temporarily adapting the special import arrangements in the beef sector provided for in Council Regulation (EEC) No 715/90 with the view to the implementa-

tion of the Agreement on Agriculture concluded during the Uruguay Round of multilateral trade negotiations⁽⁴⁾;

Whereas the arrangements in question should be managed using import licences; whereas to this end rules should be set on the submission of applications and the information to be given on applications and licences, by way of derogation, if necessary, from certain provisions of Commission Regulation (EEC) No 3719/88 of 16 November 1988 laying down common detailed rules for application of the system of import and export licences and advance-fixing certificates for agricultural products⁽⁵⁾, as last amended by Regulation (EC) No 2137/95⁽⁶⁾, and of Commission Regulation (EC) No 1445/95 of 26 June 1995 on rules of application for import and export licences in the beef and veal sector and repealing Regulation (EEC) No 2377/80⁽⁷⁾, as last amended by Regulation (EC) No 2856/95⁽⁸⁾;

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. Import licences shall be issued for beef and veal products originating in Botswana, Kenya, Madagascar, Swaziland, Zimbabwe and Namibia under the conditions laid down in this Regulation and within the limits of the quantities, expressed in tonnes of boneless meat, fixed in Article 4 of Regulation (EEC) No 715/90. In the case of Namibia, import licences shall be issued for an annual quantity not exceeding 13 000 tonnes.

2. For the purpose of this Regulation, 100 kilograms of boneless beef shall be equal to:

- 130 kilograms of bone-in beef,
- 260 kilograms of live bovine animals,
- 100 kilograms of products falling under CN codes 0206, 0210 and 1602.

⁽¹⁾ OJ No L 84, 30. 3. 1990, p. 85.

⁽²⁾ OJ No L 331, 2. 12. 1988, p. 1.

⁽³⁾ OJ No L 214, 8. 9. 1995, p. 21.

⁽⁴⁾ OJ No L 143, 27. 6. 1995, p. 35.

⁽⁵⁾ OJ No L 299, 12. 12. 1995, p. 10.

⁽¹⁾ OJ No L 84, 30. 3. 1990, p. 85.

⁽²⁾ OJ No L 305, 19. 12. 1995, p. 49.

⁽³⁾ OJ No L 327, 30. 12. 1995, p. 32.

Article 2

1. The specific rate of customs duty fixed in the Common Customs Tariff shall be reduced by 92 % for products referred to in Annex I and being imported under the present Regulation.

2. Notwithstanding Article 8 (4) of Commission Regulation (EEC) No 3719/88, the reduction referred to in paragraph 1 shall not apply on quantities exceeding those indicated in the import licence.

Article 3

1. Applications for import licences and the licences themselves for products to be imported free of *ad valorem* customs duty pursuant to Article 2 of Regulation (EEC) No 715/90 and qualifying for a reduction of the specific rate of customs duties fixed in the Common Customs Tariff in accordance with Article 3 of the said Regulation shall contain:

(a) under the heading 'notes' and in Section 24 respectively, one of the following:

- Producto ACP — Reglamentos (CEE) n° 715/90 y (CE) n° 589/96
- AVS-produkt — forordning (EØF) nr. 715/90 og (EF) nr. 589/96
- AKP-Erzeugnis — Verordnungen (EWG) Nr. 715/90 und (EG) Nr. 589/96
- Προϊόν ΑΚΕ — Κανονισμοί (ΕΟΚ) αριθ. 715/90 και (ΕΚ) αριθ. 589/96
- ACP product — Regulations (EEC) No 715/90 and (EC) No 589/96
- Produit ACP — règlements (CEE) n° 715/90 et (CE) n° 589/96
- Prodotto ACP — regolamenti (CEE) n. 715/90 e (CE) n. 589/96
- ACS-produkt — Verordningen (EEG) nr. 715/90 en (EG) nr. 589/96
- Producto ACP — Reglamentos (CEE) n° 715/90 e (CE) n° 589/96
- AKT-tuote — asetys (ETY) N:o 715/90 ja (EY) N:o 589/96
- AVS-produkt — förordning (EEG) nr 715/90 och (EG) nr 589/96;

(b) in Section 8, the name of the State in which the product originates.

2. The licence shall carry with it an obligation to import from the State in question.

3. Applications for licences may be lodged only during the first 10 days of each month.

4. Member States shall notify valid applications to the Commission not later than the second working day following the end of the period for the submission of applications.

Such notifications shall include the quantities applied for in respect of each third country concerned, broken down by CN code or group of CN codes, as the case may be.

5. Where no valid applications have been lodged Member States shall so notify the Commission within the deadline referred to in paragraph 4.

Article 4

1. The Commission shall decide in respect of each third country concerned to what extent applications can be accepted. If the quantities of products originating in a third country in respect of which licences are requested exceed the quantity available for that country, the Commission shall reduce the quantities requested by a fixed percentage.

If the total quantity requested by applications relating to a third country is lower than that available for that country, the Commission shall determine the amount of the balance remaining.

2. Subject to the Commission's decision to accept applications, licences shall be issued on the 21st day of each month.

Article 5

Importation under the arrangements for import duty reduction provided for in this Regulation may take place only if the origin of the products concerned is certified by the competent authorities of the exporting countries in accordance with the rules of origin applicable to the products in question pursuant to Protocol 1 to the Fourth ACP-EEC Convention signed at Lomé on 15 December 1989.

Article 6

1. Before the fifth day of each month, the Member States shall notify the Commission of the quantity of products for which ACP import licences were issued during the previous calendar month.

2. The notifications provided for in this Article shall be made in accordance with Annex II.

Article 7

Regulations (EEC) No 3719/88 and (EC) No 1445/95 shall apply, subject to the provisions of this Regulation.

Article 8

Regulation (EC) No 1636/95 is hereby repealed.

Article 9

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

Articles 1 and 2 shall apply from 1 January 1996.

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

Done at Brussels, 2 April 1996.

For the Commission
Franz FISCHLER
Member of the Commission

ANNEX I

Products referred to in Article 4 (1)

Código NC KN-code KN-Code Κωδικός ΣΟ CN code Code NC Codice NC GN-code Código NC CN-koodi KN-nummer
0102 90 05
0102 90 21
0102 90 29
0102 90 41
0102 90 49
0102 90 51
0102 90 59
0102 90 61
0102 90 69
0102 90 71
0102 90 79
0201 10 00
0201 20 20
0201 20 30
0201 20 50
0201 20 90
0201 30 00
0202 10 00
0202 20 10
0202 20 30
0202 20 50
0202 20 90
0202 30 10
0202 30 50
0202 30 90
0206 10 95
0206 29 91
0210 20 10
0210 20 90
0210 90 41
0210 90 90
1602 50 10
1602 90 61

NB: Los códigos NC, incluidas las notas a pie de página, se definen en el Reglamento (CEE) nº 2658/87 del Consejo, modificado (DO nº L 256 de 7. 9. 1987, p. 1).

NB: KN-kodeme, herunder henvisninger til fodnoter, er fastsat i Rådets ændrede forordning (EØF) nr. 2658/87 (EFT nr. L 256 af 7. 9. 1987, s. 1).

NB: Die KN-Codes sowie die Verweisungen und Fußnoten sind durch die geänderte Verordnung (EWG) Nr. 2658/87 des Rates bestimmt (ABl. Nr. L 256 vom 7. 9. 1987, S. 1).

NB: Οι κωδικοί της συνδυασμένης ονοματολογίας συμπεριλαμβανομένων των υποσημειώσεων, καθορίζονται στον τροποποιημένο κανονισμό (ΕΟΚ) αριθ. 2658/87 του Συμβουλίου (ΕΕ αριθ. L 256 της 7. 9. 1987, σ. 1).

NB: The CN codes and the footnotes are defined in amended Council Regulation (EEC) No 2658/87 (OJ No L 256, 7. 9. 1987, p. 1).

NB: Les codes NC ainsi que les renvois en bas de page sont définis au règlement (CEE) nº 2658/87 du Conseil, modifié (JO nº L 256 du 7. 9. 1987, p. 1).

NB: I codici NC e i relativi richiami in calce sono definiti dal regolamento (CEE) n. 2658/87 del Consiglio modificato (GU n. L 256 del 7. 9. 1987, pag. 1).

NB: GN-codes en voetnoten: zie de gewijzigde Verordening (EEG) nr. 2658/87 van de Raad (PB nr. L 256 van 7. 9. 1987, blz. 1).

NB: Os códigos NC, incluindo as remissões em pé-de-página, são definidos no Regulamento (CEE) nº 2658/87 do Conselho, alterado (JO nº L 256 de 7. 9. 1987, p. 1).

HUOM: Tuotekoodit ja niihin liittyvät alaviitteet määritellään neuvoston asetuksessa (ETY) N:o 2658/87 (EYVL N:o L 256, 7.9.1987, s. 1).

Anm: KN-numren och fotnoterna definieras i rådets ändrade förordning (EEG) nr 2658/87 (EGT nr L 256, 7.9.1987, s. 1).

ANNEX II

Licences comprising ACP products

(referred to in Regulation (EC) No 589/96)

(in tonnes)

CN code	Code	Madagascar	Botswana	Swaziland	Kenya	Zimbabwe	Namibia
		370	391	393	346	382	389
— 0102 90 05							
— 0102 90 21, 0102 90 29							
— 0102 90 41 to 0102 90 79							
— 0201 10 00, 0201 20 20							
— 0201 20 30							
— 0201 20 50							
— 0201 20 90							
— 0201 30, 0206 10 95							
— 0202 10, 0202 20 10							
— 0202 20 30							
— 0202 20 50							
— 0202 20 90							
— 0202 30 10							
— 0202 30 50							
— 0202 30 90, 0206 29 91							
— 0210 20 10							
— 0210 20 90, 0210 90 41							
— 0210 90 90							
— 1602 50 10, 1602 90 61							

Part 1 : OCTs

II. Implementing texts

A. Trade

c) Pigmeat

COMMISSION REGULATION (EC) No 1216/96
of 28 June 1996

amending Regulation (EEC) No 904/90 laying down detailed rules for the application of the arrangements applicable to imports of certain pigmeat products originating in the African, Caribbean and Pacific States (ACP) or in the overseas countries and territories (OCT), in order to implement the Agricultural Agreement concluded during the Uruguay Round of negotiations

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

Having regard to Council Regulation (EC) No 3290/94 of 22 December 1994 on the adjustments and transitional arrangements required in the agriculture sector in order to implement agreements concluded during the Uruguay Round of multilateral trade negotiations⁽¹⁾, and in particular Article 3 (1) thereof,

Whereas, in order to take account of existing import arrangements in the pigmeat sector and those resulting from the Agricultural Agreement concluded during the Uruguay Round of multilateral trade negotiations, transitional measures are needed to adjust the preferential concessions in the form of exemption from the import duty for certain pigmeat products from the ACP States and the OCT;

Whereas Commission Regulation (EEC) No 904/90 of 10 April 1990⁽²⁾, as last amended by Regulation (EEC) No 1592/95⁽³⁾, lays down detailed rules for the application of preferential conditions in the form of a reduction in the import levy for pigmeat quotas; whereas, since the levies are being replaced by customs duties from 1 July 1995, transitional adjustments to these rules have been made;

Whereas the period for the adoption of transitional measures was extended until 30 June 1997 by Council

Regulation (EC) No 1193/96 of 26 June 1996 extending the period for the adoption of the transitional measures required in the agriculture sector in order to implement the agreements concluded during the Uruguay Round of multilateral trade negotiations⁽⁴⁾; whereas the adjustments should be extended over the period concerned;

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

HAS ADOPTED THIS REGULATION:

Article 1

In Regulation (EEC) No 904/90 the word 'levy' is replaced by the words 'customs duty' each time that it appears.

Article 2

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

It shall apply from 1 July 1996 to 30 June 1997.

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

Done at Brussels, 28 June 1996.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ No L 349, 31. 12. 1994, p. 105.

⁽²⁾ OJ No L 93, 10. 4. 1990, p. 23.

⁽³⁾ OJ No L 150, 1. 7. 1995, p. 93.

⁽⁴⁾ See page 1 of this Official Journal.

Part 1 : OCTs

II. Implementing texts

A. Trade

d) Poultrymeat

COMMISSION REGULATION (EC) No 1215/96

of 28 June 1996

amending Regulation (EEC) No 903/90 laying down detailed rules for the application of the arrangements applicable to imports of certain poultrymeat products originating in the African, Caribbean and Pacific States (ACP) or in the overseas countries and territories (OCT), in order to implement the Agricultural Agreement concluded during the Uruguay Round of negotiations

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EC) No 3290/94 of 22 December 1994 on the adjustments and transitional arrangements required in the agriculture sector in order to implement agreements concluded during the Uruguay Round of multilateral trade negotiations⁽¹⁾, and in particular Article 3 (1) thereof,

Whereas, in order, to take account of existing import arrangements in the poultrymeat sector and those resulting from the Agricultural Agreement concluded during the Uruguay Round of multilateral trade negotiations, transitional measures are needed to adjust the preferential concessions in the form of exemption from the import duty for certain poultrymeat products from the ACP States and the OCT;

Whereas Commission Regulation (EEC) No 903/90⁽²⁾, as last amended by Regulation (EC) No 2916/95⁽³⁾, lays down detailed rules for the application of preferential conditions in the form of a reduction in the import levy for poultrymeat quotas; whereas, since the levies have been replaced by customs duties from 1 July 1995, transitional adjustments to these rules have been made;

Whereas the period for the adoption of transitional measures was extended until 30 June 1997 by Council

Regulation (EC) No 1193/96 of 26 June 1996 extending the period for the adoption of the transitional measures required in the agriculture sector in order to implement the agreements concluded during the Uruguay Round of multilateral trade negotiations⁽⁴⁾; whereas the adjustments should be extended over the period concerned;

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

HAS ADOPTED THIS REGULATION:

Article 1

Regulation (EEC) No 903/90 is hereby amended as follows:

The word 'levy' is replaced by the words 'customs duty laid down in the Common Customs Tariff' each time that it appears.

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 1 July 1996 to 30 June 1997.

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

Done at Brussels, 28 June 1996.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ No L 349, 31. 12. 1994, p. 105.

⁽²⁾ OJ No L 93, 10. 4. 1990, p. 20.

⁽³⁾ OJ No L 305, 19. 12. 1995, p. 49.

⁽⁴⁾ See page 1 of this Official Journal.

COMMISSION REGULATION (EC) No 1447/96

of 24 July 1996

on import licences for poultrymeat products originating in the African, Caribbean and Pacific States or in the overseas countries and territories

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

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

Whereas Article 4 (5) of Commission Regulation (EEC) No 903/90 ⁽³⁾, as last amended by Regulation (EC) No 1215/96 ⁽⁴⁾, provides that the Commission is to decide to what extent quantities may be awarded in respect of applications for import licences; whereas, however, imports must not exceed the quotas;

Whereas licence applications have been lodged from 1 to 10 July 1996,

HAS ADOPTED THIS REGULATION:

Article 1

Applications for import licences lodged in accordance with Regulation (EEC) No 903/90 for the period 1 July to 30 September 1996 shall be accepted in full.

Article 2

This Regulation shall enter into force on 25 July 1996.

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

Done at Brussels, 24 July 1996.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ No L 64, 30. 3. 1990, p. 85.

⁽²⁾ OJ No L 59, 10. 4. 1996, p. 1.

⁽³⁾ OJ No L 93, 10. 4. 1990, p. 20.

⁽⁴⁾ OJ No L 161, 29. 6. 1996, p. 48.

Part 1 : OCTs

II. Implementing texts

A. Trade

e) Milk products

COMMISSION REGULATION (EC) No 714/96
of 19 April 1996

on import licences for milk and milk products originating in the African, Caribbean and Pacific States (ACP States) or in the overseas countries and territories (OCT)

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

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

Whereas Article 4 (4) of Commission Regulation (EEC) No 1150/90 ⁽³⁾, as last amended by Regulation (EC) No 1802/95 ⁽⁴⁾, provides that if the total quantity for which applications have been submitted is less than that available the Commission is to calculate the quantity remaining, which is to be added to that available for the following half year; whereas under these circumstances the

quantity available for the second half of 1996 of the products referred to in Article 7 of Regulation (EEC) No 715/90 should be determined,

HAS ADOPTED THIS REGULATION:

Article 1

Further licence applications may be lodged during the first 10 days of July 1996 for the following quantities:

- 500 tonnes of products falling within CN code 0402,
- 500 tonnes of products falling within CN code 0406.

Article 2

This Regulation shall enter into force on 20 April 1996.

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

Done at Brussels, 19 April 1996.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ No L 84, 30. 3. 1990, p. 85.

⁽²⁾ OJ No L 89, 10. 4. 1996, p. 1.

⁽³⁾ OJ No L 114, 5. 5. 1990, p. 21.

⁽⁴⁾ OJ No L 174, 26. 7. 1995, p. 27.

COMMISSION REGULATION (EC) No 1220/96
of 28 June 1996

amending Regulation (EEC) No 1150/90 as regards the transitional adjustment of certain provisions relating to imports into the Community of certain milk products originating in the African, Caribbean and Pacific States (ACP) or in the overseas countries and territories (OCT) in order to implement the Agreement on Agriculture concluded during the Uruguay Round of negotiations

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EC) No 3290/94 of 22 December 1994 on the adjustments and transitional arrangements required in the agriculture sector in order to implement the agreements concluded during the Uruguay Round of multilateral trade negotiations⁽¹⁾, and in particular Article 3 (1) thereof,

Whereas Commission Regulation (EC) No 1677/95⁽²⁾ lays down transitional measures until 30 June 1996 to facilitate the move from the arrangements provided for by Commission Regulation (EEC) No 1150/90 of 4 May 1990, laying down detailed rules for the application of the special arrangements for imports of milk and milk products originating in the African, Caribbean and Pacific States (ACP) or in the overseas countries and territories (OCT)⁽³⁾, as last amended by Regulation (EC) No 1802/95⁽⁴⁾, to those introduced by the agreements concluded during the Uruguay Round of multilateral trade negotiations;

Whereas the period for the application of the transitional measures was extended until 30 June 1997 by Council Regulation (EC) No 1193/96 extending the period for the adoption of the transitional arrangements required in the agriculture sector in order to implement the agreements concluded during the Uruguay Round of multilateral trade negotiations⁽⁵⁾; whereas, pending the adoption by the Council of definitive measures, the measures provided for by Regulation (EC) No 1677/95 should be extended until 30 June 1997;

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

HAS ADOPTED THIS REGULATION:

Article 1

Article 3 (d) of Regulation (EEC) No 1150/90 is hereby replaced by the following:

⁽¹⁾ OJ No L 349, 31. 12. 1994, p. 105.

⁽²⁾ OJ No L 159, 11. 7. 1995, p. 5.

⁽³⁾ OJ No L 114, 5. 5. 1990, p. 21.

⁽⁴⁾ OJ No L 174, 26. 7. 1995, p. 27.

⁽⁵⁾ See page 1 of this Official Journal.

'(d) the heading "notes" and Section 24 of licence applications and licences shall show respectively one of the following:

- Derecho de aduana reducido en un 50 %, Producto ACP/PTOM Reglamento (CEE) n° 715/90
- Told nedsat med 50 %, AVS/OLT-varer forordning (EØF) nr. 715/90
- Zoll, ermäßigt um 50 %, AKP/ÜLG-Erzeugnis Verordnung (EWG) Nr. 715/90
- Διασμός μειωμένος κατά 50 %, προϊόν ΑΚΕ/ΥΧΕ Κανονισμός (ΕΟΚ) αριθ. 715/90
- Customs duty reduced by 50 %, ACP/OCT-Product Regulation (EEC) No 715/90
- Droit de douane réduit de 50 %, produit ACP/PTOM règlement (CEE) n° 715/90
- Dazio doganale ridotto del 50 %, prodotto ACP/PTOM regolamento (CEE) n. 715/90
- Douanerecht verminderd met 50 %, ACS/LGO-produkt Verordening (EEG) nr. 715/90
- Direito aduaneiro reduzido de 50 %, produto ACP/PTOM Regulamento (CEE) n° 715/90
- Tullia alennettu viidelläkymmenellä prosentilla, AKT/MMA-tuote Asetus (ETY) N:o 715/90
- Nedsättning med 50 % av tullsatsen, produkt AVS/ULT Förordning (EEG) nr 715/90.'

Article 2

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

It shall apply from 1 July 1996 to 30 June 1997.

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

Done at Brussels, 28 June 1996.

For the Commission
Franz FISCHLER
Member of the Commission

COMMISSION REGULATION (EC) No 1387/96
of 17 July 1996
**on import licences for milk and milk products originating in the African,
Caribbean and Pacific States (ACP States) or in the overseas countries and
territories (OCT)**

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

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

Whereas Article 4 (4) of Commission Regulation (EEC)
No 1150/90 ⁽³⁾, as last amended by Regulation (EC) No
1220/96 ⁽⁴⁾, provides that the Commission is to decide to
what extent quantities may be awarded in respect of
applications for import licences; whereas, however,
imports must not exceed the quotas;

Whereas applications for licences have been made for a
total quantity not greater than that available; whereas,
therefore, all applications submitted should be accepted,

HAS ADOPTED THIS REGULATION:

Article 1

Licence applications lodged pursuant to Article 4 of
Regulation (EEC) No 1150/90 from 1 to 10 July 1996 and
notified to the Commission are hereby accepted.

Article 2

This Regulation shall enter into force on 18 July 1996.

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

Done at Brussels, 17 July 1996.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ No L 84, 30. 3. 1990, p. 85.

⁽²⁾ OJ No L 89, 10. 4. 1996, p. 1.

⁽³⁾ OJ No L 114, 5. 5. 1990, p. 21.

⁽⁴⁾ OJ No L 161, 29. 6. 1996, p. 57.

Part 2 : FODs

A. Agricultural products

COMMISSION REGULATION (EC) No 822/96

of 3 May 1996

on the exceptional allocation of a quantity additional to the tariff quota for imports of bananas during the second quarter of 1996 as a result of tropical storms Iris, Luis and Marilyn

(Text with EEA relevance)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EEC) No 404/93 of 13 February 1993 on the common organization of the market in bananas ⁽¹⁾, as last amended by Regulation (EC) No 3290/94 ⁽²⁾, and in particular Articles 16 (3), 20 and 30 thereof,

Whereas Commission Regulation (EEC) No 1442/93 ⁽³⁾, as last amended by Regulation (EC) No 1164/95 ⁽⁴⁾, lays down the detailed rules for applying the arrangements for importing bananas into the Community;

Whereas in August and September 1995 the tropical storms Iris, Luis and Marilyn caused severe damage to the banana plantations in the Community regions of Martinique and Guadeloupe and in the ACP States of Saint Vincent, Saint Lucia and Dominica; whereas the effects of these exceptional circumstances on production in Guadeloupe and Dominica will be felt until July 1996 and will greatly affect imports and supplies to the Community markets during the second quarter of 1996; whereas this is likely to cause an appreciable increase in market prices in certain regions of the Community;

Whereas Article 16 (3) of Regulation (EEC) No 404/93 stipulates that where necessary, in particular to take account of the effects of exceptional circumstances affecting production or import conditions, the forecast supply balance may be adjusted and, in such a case, the tariff quota is adapted;

Whereas the adaptation of the tariff quota must permit adequate supplies to the Community market during the second quarter of 1996 and provide compensation to operators who include or directly represent banana producers who suffered damage and who, in addition, in the absence of appropriate measures, risk losing their traditional outlets on the Community market on a long-term basis;

Whereas the measures to be taken should have a specific transitional nature, within the meaning of Article 30 of

Regulation (EEC) No 404/93; whereas, prior to the entry into force of the new common market organization on 1 July 1993, existing national market organizations, in order to cope with urgent cases or exceptional circumstances such as the tropical storms cited above, included provisions ensuring supplies to the market from other suppliers while safeguarding the interests of operators who are victims of such exceptional events;

Whereas also, under the Uruguay Round of multilateral trade negotiations, the Community negotiated an agreement which provides for the implementation of a provision for the reallocation of supplies which is intended to overcome such exceptional circumstances and which will safeguard the interests of operators in the supplier countries which have suffered such damage; whereas this agreement applies from 1 January 1995;

Whereas the Community producer regions and the ACP States which suffer such exceptional circumstances should be able to benefit from comparable measures; whereas the measures should include the granting of the right to import in compensation third-country bananas and non-traditional ACP bananas for the benefit of the operators who directly suffered damage as a result of the impossibility of supplying the Community market with bananas originating in affected producer regions; whereas, in addition, provision should be made for the quantities marketed on the Community market pursuant to this measure to be taken into consideration, in due course, for determining the reference quantities for the operators concerned for the tariff quotas for future years; whereas these measures should be to the benefit of the operators who have directly suffered actual damage, without the possibility of compensation, and as a function of the extent of the damage;

Whereas the competent authorities in the Member States where the operators concerned are established are the only authorities capable of determining those who should benefit from the measure in view of their experience and their knowledge of the actual characteristics of the trade in question and to assess the damage on the basis of the supporting documentation provided by the operators;

Whereas, in view of their objectives, the provisions of this Regulation must enter into force immediately;

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

⁽¹⁾ OJ No L 47, 25. 2. 1993, p. 1.

⁽²⁾ OJ No L 349, 31. 12. 1994, p. 105.

⁽³⁾ OJ No L 142, 12. 6. 1993, p. 6.

⁽⁴⁾ OJ No L 117, 24. 5. 1995, p. 14.

HAS ADOPTED THIS REGULATION:

Article 1

1. The tariff quota fixed for 1996 is increased by an additional quantity of 21 090 tonnes (net weight).
2. This additional quantity of 21 090 tonnes (net weight) shall be allocated to the operators determined in accordance with Article 2 below as follows:
 - (a) 12 340 tonnes for operators supplying the Community with bananas produced in Guadeloupe;
 - (b) 8 750 tonnes for operators supplying the Community with bananas produced in Dominica.

Article 2

1. The quantities referred to in Article 1 (2) shall be allocated to the operators who:
 - include or directly represent banana producers affected by the tropical storms Iris, Luis and Marilyn,
 - and who, during the second quarter of 1996, are unable to supply, on their own account, the Community market with bananas originating in the regions or countries referred to in Article 1 (2) on account of the damage caused by these tropical storms.
2. The competent authorities in the Member States concerned shall determine the beneficiary operators who meet the requirements of paragraph 1 and shall make an allocation to each of them pursuant to this Regulation on the basis of:
 - the quantities allocated to the producer regions or countries referred to in Article 1 (2), and of
 - the damage sustained as a result of the tropical storms Iris, Luis and Marilyn.

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

Done at Brussels, 3 May 1996.

3. The competent authorities shall assess the damage sustained on the basis of all supporting documents and information collected from the operators concerned.

Article 3

1. The Member States concerned shall inform the Commission by 13 May 1996 at the latest of the quantities of bananas for which a proposal for an allocation pursuant to this Regulation has been made.
2. If the overall quantity for which proposals for allocations in connection with the tropical storms Iris, Luis and Marilyn are made exceeds the quantity additional to the tariff quota fixed in Article 1 (1), the Commission shall fix a uniform percentage reduction to be applied to all allocations.

3. Tropical storms Iris, Luis and Marilyn import licences shall be issued not later than 21 May 1996 and shall be valid until 7 July 1996.

The words 'Tropical storms Iris, Luis and Marilyn licence' shall be entered in box 20 of the licence.

Article 4

The quantities of bananas released for free circulation issued in accordance with this Regulation on the basis of tropical storms Iris, Luis and Marilyn import licences shall be taken into consideration for the purpose of determining the reference quantity of each operator concerned, as regards 1996, for the application of Articles 3 to 6 of Regulation (EEC) No 1442/93.

Article 5

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

For the Commission

Franz FISCHLER

Member of the Commission

COMMISSION REGULATION (EC) No 1736/96
of 5 September 1996
**amending Regulation (EEC) No 131/92 laying down common detailed rules for
implementation of the specific measures for the supply of certain agricultural
products to the French overseas departments**

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

Having regard to Council Regulation (EEC) No 3763/91
of 16 December 1991 introducing specific measures in
respect of certain agricultural products for the benefit of
the French overseas departments⁽¹⁾, as last amended by
Regulation (EC) No 2598/95⁽²⁾, and in particular Articles
2 (6), 3 (5) and 4 (5) thereof,

Whereas Commission Regulation (EEC) No 131/92⁽³⁾, as
last amended by Regulation (EEC) No 2596/93⁽⁴⁾,
provides that the exemption from import duties provided
for in Title I of Regulation (EEC) No 3763/91 is to apply
subject to presentation of an import licence issued
pursuant to 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⁽⁵⁾, as last amended by Regulation (EC) No
2137/95⁽⁶⁾;

Whereas the Council, in amending Regulation (EEC) No
3763/91 by Regulation (EC) No 2598/95, extended the
scope of the specific supply arrangements for products
whose importation into the Community is not subject to
presentation of an import licence; whereas, as a result, it is
necessary to introduce a document that can be used for
the system of exemption from import duties for such
products; whereas the import licence form can be used for
that purpose as exemption certificate; whereas, to that
end, Regulation (EEC) No 131/92 should be amended;

Whereas the measures provided for in this Regulation are
in accordance with the opinion of the Management
Committees concerned,

HAS ADOPTED THIS REGULATION:

Article 1

Regulation (EEC) No 131/92 is amended as follows:

1. The following Article 2a is added in Title I:

'Article 2a

1. In the case of products not subject to presenta-
tion of an import licence, the exemption from import

duties referred to in Title I of Regulation (EEC) No
3763/91 shall apply subject to presentation of an
exemption certificate.

2. The form for the import licence in the Annex to
Regulation (EEC) No 3719/88 shall be used for the
exemption certificate.

Articles 8 (3) and (5), 9, 10, 13 to 16, 19 to 22, 24 to 31
and 33 to 37 of Regulation (EEC) No 3719/88 shall
apply *mutatis mutandis* subject to the provisions of
this Regulation.

3. The words "Exemption certificate" shall be
printed or stamped in the top left-hand box of the
licence/certificate.

4. The exemption certificate shall be issued at the
request of the parties concerned by the competent
authorities designated by France, subject to the quanti-
ty provided for in the forecast supply balance. The
issue of the exemption certificate shall be subject to
the lodging of a security whose amount shall be fixed
for each of the products concerned.

The competent authorities may set a time limit for the
issue of the certificate.

5. The exemption certificate application and the
certificate itself shall contain, in box 20, the following
entry: "exemption certificate to be used in ... (name of
the overseas department)" and, where appropriate, the
following entry: "products intended for the processing
industries".

6. Article 2 (4) and (5) shall apply *mutatis
mutandis*.

2. Article 5 is amended as follows:

(a) the first subparagraph of paragraph 1 is replaced by
the following:

"The holder of the import licence, the exemption
certificate or "aid certificate" shall include in the
contract, in the event of the sale of the products or
transfer of the licence or certificate, a clause re-
quiring the benefits of the measure to be passed on
to the end user;"

⁽¹⁾ OJ No L 356, 24. 12. 1991, p. 1.

⁽²⁾ OJ No L 267, 9. 11. 1995, p. 1.

⁽³⁾ OJ No L 15, 22. 1. 1992, p. 13.

⁽⁴⁾ OJ No L 238, 23. 9. 1993, p. 24.

⁽⁵⁾ OJ No L 331, 2. 12. 1988, p. 1.

⁽⁶⁾ OJ No L 214, 8. 9. 1995, p. 21.

(b) the second indent of paragraph 3 is replaced by the following:

'— may, depending on the seriousness of the failure to fulfil the obligations, provisionally or definitively limit or suspend the right to apply for the licence/certificate referred to in Articles 2 and 2a or the "aid certificate" referred to in Article 3 (2);'

(c) the first indent of paragraph 4 is replaced by the following:

'— the holder of the import licence, exemption certificate or "aid certificate" shall be considered to have received the benefit granted;'

3. In Article 7 (1), the first indent is replaced by the following:

'— separately, the quantities which were the subject of applications for import licences, exemption certificates and "aid certificates".'

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, 5 September 1996.

For the Commission

Franz FISCHLER

Member of the Commission

COMMISSION REGULATION (EC) No 1771/96
of 12 September 1996

laying down detailed rules for implementation of the specific measures for the
supply of hops to the French overseas departments

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EEC) No 3763/91 of 16 December 1991 introducing specific measures in respect of certain agricultural products for the benefit of the French overseas departments⁽¹⁾, as last amended by Regulation (EC) No 2598/95⁽²⁾, and in particular Article 2 (6) thereof,

Whereas, for the purpose of applying Article 2 of Regulation (EEC) No 3763/91, the forecast supply balance for hops and the level of aid for their supply from the rest of the Community to the French overseas departments should be established; whereas the aid should be fixed in particular on the basis of the cost of supplies from the world market and the conditions resulting from the geographical location of the French overseas departments;

Whereas Commission Regulation (EEC) No 131/92⁽³⁾, as last amended by Regulation (EC) No 1736/96⁽⁴⁾, lays down common detailed rules for implementing the specific measures for the supply of certain agricultural products to the French overseas departments; whereas additional detailed rules tailored to commercial practices for hops should be adopted, especially as regards the validity of aid certificates and the amount of security to ensure that operators meet their obligations;

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

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

HAS ADOPTED THIS REGULATION:

Article 1

For the purposes of Article 2 of Regulation (EEC) No 3763/91, the forecast supply balance for hops falling

within CN codes 1210 and 1302 13 00 exempt from duty on importation into the French overseas departments or, for products from the rest of the Community, eligible for Community aid is hereby set at 15 tonnes for the period 1 July 1996 to 30 June 1997. This quantity is allocated as laid down in the Annex.

The French authorities may adjust the allocation within the overall limit set. They shall inform the Commission of any such adjustment.

Article 2

For the purposes of Article 2 (4) of Regulation (EEC) No 3763/91, aid for supplying the French overseas departments with hops from other parts of the Community is hereby set, having regard to the forecast supply balance, at ECU 12,08 per 100 kilograms.

Article 3

France shall designate the competent authority for:

- (a) issuing the exemption certificates provided for in Article 2 a (1) of Regulation (EEC) No 131/92;
- (b) issuing the aid certificates provided for in Article 3 (1) of Regulation (EEC) No 131/92;
- (c) paying the aid to the operators concerned.

Article 4

1. Applications for certificates shall be submitted to the competent authority within the first five working days of each month. Applications for certificates shall only be admissible if:

- (a) the quantity applied for does not exceed that published by the French authorities as available from the supply balance;
- (b) before the expiry of the time limit laid down for submitting certificate applications, proof has been provided that the party concerned has lodged a security of ECU 3,02 per 100 kilograms.

Applications shall be submitted for the first time at the beginning of August 1996.

2. Certificates shall be issued on the 10th working day of each month, at the latest.

⁽¹⁾ OJ No L 356, 24. 12. 1991, p. 1.

⁽²⁾ OJ No L 267, 9. 11. 1995, p. 1.

⁽³⁾ OJ No L 15, 22. 1. 1992, p. 13.

⁽⁴⁾ OJ No L 225, 6. 9. 1996, p. 3.

3. Where certificates are issued for quantities less than those applied for, operators may withdraw their applications in writing within three working days of the date of issue of the certificate. The security on that certificate shall be released immediately.

4. The quantity available from the supply balance shall be that published by the competent authority in the last week of the month preceding that in which the application is submitted.

Article 5

The validity of exemption certificates and aid certificates shall expire on the last day of the second month following that in which they were issued.

Article 6

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

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

Done at Brussels, 12 September 1996.

For the Commission

Franz FISCHLER

Member of the Commission

ANNEX

(in tonnes)

Hops CN codes 1210 and 1302 13 00	
Guadeloupe	1
Martinique	3
Réunion	11

COMMISSION REGULATION (EC) No 1772/96
of 12 September 1996

laying down detailed rules for implementation of the specific measures for the supply of seed potatoes to the French overseas departments

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EEC) No 3763/91 of 16 December 1991 introducing specific measures in respect of certain agricultural products for the benefit of the French overseas departments⁽¹⁾, as last amended by Regulation (EC) No 2598/95⁽²⁾, and in particular Article 2 (6) thereof,

Whereas, for the purpose of applying Article 2 of Regulation (EEC) No 3763/91, the forecast supply balance for seed potatoes and the level of aid for their supply from the rest of the Community to the French overseas departments should be established; whereas the aid should be fixed in particular on the basis of the cost of supplies from the world market and the conditions resulting from the geographical location of the French overseas departments;

Whereas Commission Regulation (EEC) No 131/92⁽³⁾, as last amended by Regulation (EC) No 1736/96⁽⁴⁾, lays down common detailed rules for implementing the specific measures for the supply of certain agricultural products to the French overseas departments; whereas additional detailed rules tailored to commercial practices for seed potatoes should be adopted, especially as regards the validity of aid certificates and the amount of security to ensure that operators meet their obligations;

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

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

HAS ADOPTED THIS REGULATION:

Article 1

For the purposes of Article 2 of Regulation (EEC) No 3763/91, the forecast supply balance for seed potatoes

falling within CN code 0701 10 00 exempt from duty on importation into the French overseas departments or, for products from the rest of the Community, eligible for Community aid is hereby set at 750 tonnes for the period 1 July 1996 to 30 June 1997. This quantity is allocated as laid down in the Annex.

The French authorities may adjust the allocation within the overall limit set. They shall inform the Commission of any such adjustment.

Article 2

For the purposes of Article 2 (4) of Regulation (EEC) No 3763/91, aid for supplying the French overseas departments with seed potatoes from other parts of the Community is hereby set, having regard to the forecast supply balance, at ECU 4,83 per 100 kg for exports to Guadeloupe and ECU 5,43 per 100 kg for exports to Réunion.

Article 3

France shall designate the competent authority for:

- (a) issuing the exemption certificates provided for in Article 2 a (1) of Regulation (EEC) No 131/92;
- (b) issuing the aid certificates provided for in Article 3 (1) of Regulation (EEC) No 131/92;
- (c) paying the aid to the operators concerned.

Article 4

1. Applications for certificates shall be submitted to the competent authority within the first five working days of each month. Applications for certificates shall only be admissible if:

- (a) the quantity applied for does not exceed that published by the French authorities as available from the supply balance;
- (b) before the expiry of the time limit laid down for submitting certificate applications, proof has been provided that the party concerned has lodged a security of ECU 2,113 per 100 kilograms.

Applications shall be submitted for the first time at the beginning of August 1996.

2. Certificates shall be issued on the 10th working day of each month, at the latest.

⁽¹⁾ OJ No L 356, 24. 12. 1991, p. 1.

⁽²⁾ OJ No L 267, 9. 11. 1995, p. 1.

⁽³⁾ OJ No L 15, 22. 1. 1992, p. 13.

⁽⁴⁾ OJ No L 225, 6. 9. 1996, p. 3.

3. Where certificates are issued for quantities less than those applied for, operators may withdraw their applications in writing within three working days of the date of issue of the certificate. The security on that certificate shall be released immediately.

4. The quantity available from the supply balance shall be that published by the competent authority in the last week of the month preceding that in which the application is submitted.

Article 5

The validity of exemption certificates and aid certificates shall expire on the last day of the second month following that in which they were issued.

Article 6

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

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

Done at Brussels, 12 September 1996.

For the Commission

Franz FISCHLER

Member of the Commission

ANNEX

<i>(tonnes)</i>	
Seed potatoes falling within CN code 0701 10 00	
Guadeloupe	50
Réunion	700

COMMISSION DECISION

of 23 October 1996

on the Community financial contribution to a programme for the control of organisms harmful to plants and plant products in the French overseas departments for 1996

(Only the French text is authentic)

(96/632/EC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EEC) No 3763/91 of 16 December 1991 introducing specific measures in respect of certain agricultural products for the benefit of the French overseas departments⁽¹⁾, as last amended by Regulation (EC) No 2598/95⁽²⁾, and in particular the first subparagraph of Article 11 (3) thereof,

Whereas Commission Decision 93/522/EEC⁽³⁾ defines the measures eligible for Community financing under programmes for the control of organisms harmful to plants and plant products in the French overseas departments, the Azores and Madeira;

Whereas specific growing conditions in the French overseas departments call for particular attention; whereas measures concerning crop production, in particular plant health measures, must be adopted or strengthened in those regions;

Whereas the plant health measures to be adopted or strengthened are particularly costly;

Whereas a programme of measures has been presented to the Commission by the competent French authorities; whereas the programme specifies the objectives to be achieved, the operations to be carried out, their duration and their cost with a view to a possible Community financial contribution;

Whereas the Community's financial contribution may cover up to 60 % of eligible expenditure, protective measures for bananas being excluded;

Whereas the plant protection operations in the French overseas departments provided for in the single programming documents for the period 1994 to 1999 and

financed from the Structural Funds cannot be the same as those contained in this programme;

Whereas the operations provided for in the European Community Framework Programme for Research and Technological Development cannot be the same as those contained in this programme;

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

HAS ADOPTED THIS DECISION:

Article 1

A Community financial contribution to the official programme for the control of organisms harmful to plants and plant products in the French overseas departments presented by France for 1996 is hereby approved.

Article 2

The official programme shall consist of four subprogrammes:

1. a subprogramme drawn up for the department of Guadeloupe in two parts:
 - structures for the evaluation, analysis and diagnosis of plant health risks,
 - control of the principal harmful organisms;
2. a subprogramme drawn up for the department of French Guiana in three parts:
 - structures for the evaluation, analysis and diagnosis of plant health risks,
 - development of control methods for the principal harmful organisms,
 - study and control of pests and diseases of rice;

(1) OJ No L 356, 24. 12. 1991, p. 1.

(2) OJ No L 267, 9. 11. 1995, p. 1.

(3) OJ No L 251, 8. 10. 1993, p. 35.

3. a subprogramme drawn up for the department of Réunion in three parts:
- structures for the evaluation, analysis and diagnosis of plant health risks,
 - development of control methods for the principal harmful organisms,
 - study of fruit flies;
4. a subprogramme drawn up for the department of Martinique in three parts:
- structures for the evaluation, analysis and diagnosis of plant health risks,
 - control of the principal harmful organisms,
 - development of integrated pest control.

Article 3

The maximum Community financial contribution to the programme in 1996 shall be ECU 700 000 for expenditure related to eligible measures as defined by Commission Decision 93/522/EEC out of a total expenditure of ECU 1 167 833 (excluding VAT).

The financing plan for the programme, showing the costs and their financing, is set out in Annex I hereto. If the total eligible expenditure for 1996, as presented by France, is less than ECU 1 167 833, the Community contribution shall be reduced in proportion.

The Community shall reimburse expenditure up to the amount given in the first paragraph at the accounting rate for the ecu on 1 May 1996, namely ECU 1 = FF 6,44527.

Article 4

An advance of ECU 140 000 shall be paid to France.

Article 5

The Community assistance shall relate to expenditure on eligible measures associated with the operations covered

by the programme for which provisions are adopted by France and for which the necessary financial resources are committed between 1 October and 31 December 1996. The final date for payments in connection with the operations shall be 30 September 1997; unjustified delay shall entail loss of entitlement to Community financing.

Should an extension of the deadline for payment become necessary, the competent official authorities shall submit a request, along with the necessary justification, before the final date laid down.

Article 6

Provisions on the financing of the programme, compliance with Community policies and the information to be supplied to the Commission by France are set out in Annex II.

Article 7

Any public contracts connected with investments covered by this Decision shall be subject to Community law.

Article 8

This Decision is addressed to the French Republic.

Done at Brussels, 23 October 1996.

For the Commission

Franz FISCHLER

Member of the Commission

ANNEX I

FINANCIAL BREAKDOWN FOR 1996

(in ecus)⁽¹⁾

	Eligible expenditure 1996		
	EC	National	Total
Guadeloupe	157 000	105 208	262 208
Martinique	192 700	128 466	321 166
French Guiana	90 500	60 463	150 963
Réunion	259 800	173 696	433 496
Total	700 000	467 833	1 167 833

⁽¹⁾ ECU 1 = FF 6,44527 (1 May 1996)

ANNEX II

I. PROVISIONS ON THE IMPLEMENTATION OF THE PROGRAMME

A. Provisions on financial implementation

1. The Commission's intention is to establish real cooperation with the authorities responsible for the implementation of the programme. In line with the programme these authorities are those indicated below.

Commitments and payments

2. France shall guarantee that all public and private bodies involved in the management and implementation of all operations part-financed by the Community will keep suitable accounting records of all transactions in order to facilitate the verification of expenditure by the Community and the national inspection authorities.
3. The initial budgetary commitment shall be based on an indicative financial plan; this commitment shall be made for one year.
4. The commitment shall be made when the decision approving assistance is adopted by the Commission under the procedure provided for in Article 16 (a) of Council Directive 77/93/EEC⁽¹⁾, as last amended by Commission Directive 96/14/EC⁽²⁾.
5. Following commitment, an initial advance of ECU 140 000 shall be paid.
6. The balance of the amount committed shall be paid as two equal payments of ECU 280 000. The first instalment of the balance shall be paid upon presentation to and approval by the Commission of an interim activity report. The second and final instalment of the balance shall be paid upon presentation to and approval by the Commission of a final activity report and a detailed breakdown of the total expenditure incurred.

Authorities responsible for the implementation of the programme

— Central administration:

Ministère de l'agriculture, de la pêche et de l'alimentation
 Direction générale de l'alimentation
 Sous-direction de la protection des végétaux
 175 rue du Chevaleret
 F-75646 PARIS CEDEX 13

— Local administration:

— Guadeloupe:

Ministère de l'agriculture, de la pêche et de l'alimentation
 Direction de l'agriculture et de la forêt
 Jardin Botanique
 F-97109 BASSE TERRE CEDEX

— Martinique:

Ministère de l'agriculture, de la pêche et de l'alimentation
 Direction de l'agriculture et de la forêt
 Jardin Desclieux
 BP 642
 F-97262 FORT DE FRANCE CEDEX

— French Guiana:

Ministère de l'agriculture, de la pêche et de l'alimentation
 Direction de l'agriculture et de la forêt
 Cité Rebard
 Route de Baduel
 BP 746
 F-97305 CAYENNE CEDEX

— Réunion:

Ministère de l'agriculture, de la pêche et de l'alimentation
 Direction de l'agriculture et la forêt
 Parc de la Providence
 F-97489 SAINT DENIS DE LA REUNION.

⁽¹⁾ OJ No L 26, 31. 1. 1977, p. 20.

⁽²⁾ OJ No L 68, 19. 3. 1996, p. 24.

7. The actual expenditure incurred shall be notified to the Commission broken down by type of action or sub-programme in a way demonstrating the link between the indicative financial plan and expenditure actually incurred. If France keeps suitable computerized accounts this will be acceptable.
8. All payments of aid granted by the Community pursuant to this Decision shall be made to the authority designated by France, which will also be responsible for repayment to the Community of any excess amount.
9. All commitments and payments shall be made in ecus.
Financial schedules for Community support frameworks and amounts of Community aid shall be expressed in ecus at the rate fixed by this Decision. Payment shall be made to the following account:

Ministère du budget
Direction de la comptabilité publique
Agence comptable centrale du Trésor
139 rue de Bercy
F-75572 PARIS CEDEX 12
N° 47598

Financial control

10. Inspections may be carried out by the Commission or the Court of Auditors should it so request. France and the Commission shall immediately exchange all relevant information in regard to the outcome of an inspection.
11. For three years following the last payment relating to the assistance the authority responsible for implementation shall keep available to the Commission all documentary evidence of expenditure incurred.
12. When it submits applications for payment France shall make available to the Commission all official reports relating to supervision of the measures in question.

Reduction, suspension and withdrawal of aid

13. France shall declare that Community funds are used for the intended purposes. If implementation of a measure appears to require only part of the financial assistance allotted the Commission shall immediately recover the amount due. In cases of dispute the Commission shall examine the case, asking France or the other authorities designated by France for implementation of the measure to submit their comments within two months.
14. The Commission may reduce or suspend aid for a measure if the examination confirms the existence of an irregularity, in particular of a substantial modification affecting the nature or conditions of implementation of the measure for which approval by the Commission has not been sought.

Recovery of undue payments

15. All sums unduly paid must be reimbursed to the Community by the designated authority indicated in point 8. Interest may be levied on sums not reimbursed. If for any reason the designated authority indicated in point 8 does not reimburse the Community, France shall pay the amount to the Commission.

Prevention and detection of irregularities

16. The partners shall observe a code of conduct drawn up by France in order to ensure that any irregularity in the provision of assistance programme is detected. France shall ensure that:
 - suitable action is taken in this area,
 - any amount unduly paid as a result of an irregularity is recovered,
 - action is taken to prevent irregularities.

B. Monitoring and assessment

1. Monitoring committee

1. Establishment

Independent of the financing of this action, a monitoring committee for the programme shall be set up, composed of representatives of France and the Commission. It shall review implementation of the programme and, where appropriate, propose any adjustments required.

2. The committee shall establish its own internal procedures within one month of the notification of this Decision to France.
3. Competence of monitoring committee

The committee:

- shall have as its general responsibility the satisfactory progress of the programme towards attainment of the objectives set. Its competence shall embrace the programme measures within the limits of the Community aid granted. It shall keep watch with respect to the regulatory provisions, including those on eligibility of operations and projects,
- shall, on the basis of information on the selection of projects already approved and implemented, reach an opinion on application of the selection criteria set out in the programme,
- shall propose any action required to accelerate implementation of the programme should the information furnished periodically by the interim monitoring and assessment indicators reveal a delay,
- may, in agreement with the Commission representative(s), adjust the financing plans within a limit of 15 % of the Community contribution to a sub-programme or measure for the entire period, and 20 % for any financial year, provided that the total amount scheduled in the programme is not exceeded. Care must be taken to see that the main objectives of the programme are not thereby compromised,
- shall give its opinion on the adjustments proposed to the Commission,
- shall issue an opinion on technical assistance projects scheduled in the programme,
- shall give its opinion on the final draft report,
- shall report regularly and at least twice during the period concerned, to the Standing Committee on Plant Health on the progress of the programme and expenditure incurred.

11. *Monitoring and assessment of the programme during the implementation period (continuous monitoring and assessment)*

1. The national agency responsible for implementation shall also be responsible for continuous monitoring and assessment of the programme.
2. By continuous monitoring is meant an information system on the state of progress of the programme. Continuous monitoring will cover the measures contained in the programme. It involves reference to the financial and physical indicators structured so as to permit assessment of the correspondence between expenditure on each measure and predefined physical indicators showing the degree of realization.
3. Continuous assessment of the programme will involve analysis of the quantitative results of implementation on the basis of operational, legal and procedural considerations. The purpose is to guarantee correspondence between measures and programme objectives.

Implementation report and scrutiny of the programme

4. France shall notify to the Commission, within one month of adoption of the programme, the name of the authority responsible for compilation and presentation of the final implementation report.

The final report shall contain a concise evaluation of the entire programme (degree of achievement of physical and qualitative objectives and of progress accomplished) and an assessment of the immediate impact in plant-health and economic terms.

The competent authority shall present the final report on the programme to the Commission by 31 December 1997 and to the Standing Committee on Plant Health within the following six weeks.

5. The Commission may jointly with France call in an independent assessor who shall, on the basis of the continuous monitoring, carry out the continuous assessment referred to in point 3. He may submit proposals for adjusting the subprogrammes and/or measures and amending the selection criteria for projects, etc., in the light of difficulties encountered in the course of implementation. On the basis of monitoring of management he shall give an opinion on administrative measures to be taken.

C. Information and publicity

In the framework of this action, the agency appointed as responsible for the programme shall ensure that it is adequately publicized.

It shall in particular take action to:

- make potential recipients and professional organizations aware of the possibilities offered under the programme measures,
- make the general public aware of the Community's role in the programme.

France and the agency responsible for implementation shall consult the Commission on initiatives envisaged in this area, possibly through the monitoring committee. They shall regularly notify the Commission of information and publicity measures adopted, either by a final report or through the monitoring committee.

The national legal provisions on confidentiality of information shall be complied with.

II. COMPLIANCE WITH COMMUNITY POLICIES

Community policies applying in this field must be complied with.

The programme shall be implemented in accordance with the provisions on coordination of and compliance with Community policies. The following information must be supplied by France.

1. Award of public contracts

The 'public contracts' (1) questionnaire must be completed for:

- public contracts above the ceilings set by the 'supplies' and 'works' directives that are awarded by contract-awarding authorities as defined in these directives and are not covered by the exemptions specified therein,
- public contracts below these ceilings where they constitute components of a single piece of work or of uniform supplies of a value above the ceiling. By 'a single piece of work' is meant a product of building or civil engineering works intended in itself to fulfil an economic or technical function.

The thresholds will be those in force on the date of notification of this Decision.

2. Protection of the environment

(a) General information

- description of the main environmental features and problems of the region concerned, giving, *inter alia*, a description of the important conservation areas (sensitive zones),
- a comprehensive description of the major beneficial and harmful effects that the programme, given the investments planned, is likely to have on the environment,
- a description of the action planned to prevent, reduce or offset any serious harmful effects on the environment,
- a report on consultations with the responsible environmental authorities (opinion of the Ministry for the Environment or its equivalent) and, if there were any such consultations, with the public concerned.

(b) Description of planned activities

For programme measures liable to have a significantly harmful effect on the environment:

- the procedures which will be applied for assessing individual projects during implementation of the programme,
- the mechanisms planned for monitoring environmental impact during implementation, assessing results and eliminating, reducing or offsetting harmful effects.

(1) Commission notification to the Member States C(88) 2510 (OJ No C 22, 28. 1. 1989, p. 3) on monitoring of compliance with public procurement rules in the projects and programmes financed by the structural funds and financial tools.

COMMISSION DECISION

of 23 October 1996

amending Decision 93/522/EEC on the definition of the measures eligible for Community financing in the programmes for the control of organisms harmful to plants or plant products in the French overseas departments, in the Azores and in Madeira

(Only the French and Portuguese texts are authentic)

(96/633/EC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EEC) No 3763/91 of 16 December 1991 introducing specific measures in respect of certain agricultural products for the benefit of the French overseas departments⁽¹⁾, as last amended by Commission Regulation (EC) No 2598/95⁽²⁾, and in particular the last sentence of the last subparagraph of Article 11 (3) thereof,

Having regard to Council Regulation (EEC) No 1600/92 of 15 June 1992 concerning specific measures for the Azores and Madeira relating to certain agricultural products⁽³⁾, as last amended by Commission Regulation (EC) No 2537/95⁽⁴⁾, and in particular the last sentence of Article 33 (3) thereof,

Whereas experience has been gained and reports drawn up by France and Portugal regarding the application of Commission Decision 93/522/EEC of 30 September 1993 on the definition of the measures eligible for Community financing in the programmes for the control of organisms harmful to plants or plant products in the French overseas departments, in the Azores and in Madeira⁽⁵⁾;

Whereas Article 3 of that Decision is worded so as to allow measures which have incurred expenditure during the six months prior to notification of the Commission's decisions on the Community's annual contribution to the financing of the control programmes in question to be included retroactively;

Whereas that Article stipulates that the period of retroactivity may either exclude a part of the beginning of the calendar year during which the financing decisions are taken or include a part of the year preceding the year in which the decisions are taken, in which case there is a danger that the financing of programmes may overlap from one year to the next;

Whereas the Member States concerned are having difficulty in applying this retroactivity;

Whereas Article 4 of Decision 93/522/EEC provides that the Decision may be re-examined in the light of annual reports drawn up by France and Portugal;

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

HAS ADOPTED THIS DECISION:

Article 1

Article 3 of Decision 93/522/EEC on the definition of the measures eligible for Community financing in the programmes for the control of organisms harmful to plants or plant products in the French overseas departments, in the Azores and in Madeira is hereby amended as follows:

"The Community's contribution to the financing of the programmes for the control of organisms harmful to plants or plant products shall be decided on an annual basis and shall relate to a period to be determined at the time each programme is approved."

Article 2

This Decision is addressed to the French Republic and the Portuguese Republic.

Done at Brussels, 23 October 1996.

For the Commission

FRANZ FISCHLER

Member of the Commission

⁽¹⁾ OJ No L 356, 24. 12. 1991, p. 1.

⁽²⁾ OJ No L 267, 9. 11. 1995, p. 1.

⁽³⁾ OJ No L 173, 27. 6. 1992, p. 1.

⁽⁴⁾ OJ No L 260, 31. 10. 1995, p. 10.

⁽⁵⁾ OJ No L 251, 8. 10. 1993, p. 35.

Part 2 : FODs

B. Cereals

COMMISSION REGULATION (EC) No 766/96
of 26 April 1996
amending Regulation (EEC) No 391/92 setting the amounts of aid for the supply
of cereals products from the Community to the French overseas departments

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

Having regard to Council Regulation (EEC) No 3763/91 of 16 December 1991 introducing specific measures in respect of certain agricultural products for the benefit of the French overseas departments⁽¹⁾, as last amended by Commission Regulation (EC) No 2598/95⁽²⁾, and in particular Article 2 (6) thereof,

Whereas the amounts of aid for the supply of cereals products to the French overseas departments (FOD) has been settled by Commission Regulation (EEC) No 391/92⁽³⁾, as last amended by Regulation (EC) No 554/96⁽⁴⁾; whereas, as a consequence of the changes of the rates and prices for cereals products in the European part of the Community and on the world market, the aid

for supply to the FOD should be set at the amounts given in the Annex;

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 Annex of amended Regulation (EEC) No 391/92 is replaced by the Annex to the present Regulation.

Article 2

This Regulation shall enter into force on 1 May 1996.

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

Done at Brussels, 26 April 1996.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ No L 356, 24. 12. 1991, p. 1.

⁽²⁾ OJ No L 267, 9. 11. 1995, p. 1.

⁽³⁾ OJ No L 43, 19. 2. 1992, p. 23.

⁽⁴⁾ OJ No L 80, 30. 3. 1996, p. 17.

ANNEX

to the Commission Regulation of 26 April 1996 amending Regulation (EEC) No 391/92 setting the amounts of aid for the supply of cereals products from the Community to the French overseas departments

(Ecu/tonnes)

Product (CN code)	Amount of aid			
	Destination			
	Guadeloupe	Martinique	French Guiana	Reunion
Common wheat (1001 90 99)	0,00	0,00	0,00	0,00
Barley (1003 00 90)	0,00	0,00	0,00	0,00
Maize (1005 90 00)	21,00	21,00	21,00	24,00
Durum wheat (1001 10 00)	0,00	0,00	0,00	0,00

COMMISSION REGULATION (EC) No 1203/96
of 28 June 1996

amending Regulation (EEC) No 391/92 setting the amounts of aid for the supply of cereals products from the Community to the French overseas departments

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

Having regard to Council Regulation (EEC) No 3763/91 of 16 December 1991 introducing specific measures in respect of certain agricultural products for the benefit of the French overseas departments⁽¹⁾, as last amended by Commission Regulation (EC) No 2598/95⁽²⁾, and in particular Article 2 (6) thereof,

Whereas the amounts of aid for the supply of cereals products to the French overseas departments (FOD) has been settled by Commission Regulation (EEC) No 391/92⁽³⁾, as last amended by Regulation (EC) No 970/96⁽⁴⁾; whereas, as a consequence of the changes of the rates and prices for cereals products in the European part of the Community and on the world market, the aid

for supply to the FOD should be set at the amounts given in the Annex;

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 Annex of amended Regulation (EEC) No 391/92 is replaced by the Annex to the present Regulation.

Article 2

This Regulation shall enter into force on 1 July 1996.

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

Done at Brussels, 28 June 1996.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ No L 356, 24. 12. 1991, p. 1.

⁽²⁾ OJ No L 267, 9. 11. 1995, p. 1.

⁽³⁾ OJ No L 43, 19. 2. 1992, p. 23.

⁽⁴⁾ OJ No L 131, 1. 6. 1996, p. 13.

ANNEX

to the Commission Regulation of 28 June 1996 amending Regulation (EEC) No 391/92 setting the amounts of aid for the supply of cereals products from the Community to the French overseas departments

(Ecu/tonnes)

Product (CN code)	Amount of aid			
	Destination			
	Guadeloupe	Martinique	French Guiana	Reunion
Common wheat (1001 90 99)	12,00	12,00	12,00	16,00
Barley (1003 00 90)	0,00	0,00	12,00	16,00
Maize (1005 90 00)	18,50	18,50	18,50	21,50
Durum wheat (1001 10 00)	0,00	0,00	0,00	0,00

COMMISSION REGULATION (EC) No 1234/96

of 28 June 1996

amending Regulations (EEC) Nos 388/92 and 1727/92, laying down detailed rules for the implementation of the specific arrangements for the supply of cereal products to the French overseas departments (FOD) and to the Azores and Madeira respectively and establishing the relevant forecast supply balances, and establishing a forecast balance for the supply to the Canary Islands of cereal products and glucose

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EEC) No 3763/91 of 16 December 1991 introducing specific measures in respect of certain agricultural products for the benefit of the French overseas departments (⁽¹⁾), as last amended by Regulation (EC) No 2598/95 (⁽²⁾), and in particular Article 2 (6) thereof,

Having regard to Council Regulation (EEC) No 1600/92 of 15 June 1992 concerning specific measures for the Azores and Madeira relating to certain agricultural products (⁽³⁾), as last amended by Commission Regulation (EC) No 2537/95 (⁽⁴⁾), and in particular Article 10 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 (⁽⁵⁾), as last amended by Regulation (EC) No 2537/95 and in particular Article 3 (4) thereof,

Whereas, pursuant to Article 2 of Regulation (EEC) No 3763/91, Commission Regulation (EEC) No 388/92 (⁽⁶⁾), as last amended by Regulation (EC) No 2885/95 (⁽⁷⁾), establishes the forecast balance for the supply of cereal products to the French overseas departments for the first half of 1996; whereas the forecast supply balance for the second half of 1996 should be established;

Whereas, pursuant to Article 2 of Regulation (EEC) No 1600/92, Commission Regulation (EEC) No 1727/92 (⁽⁸⁾), as last amended by Regulation (EC) No 829/96 (⁽⁹⁾), establishes the forecast balance for the supply of cereal

products to the Azores and Madeira for the 1995/96 marketing year; whereas the forecast supply balance for the 1996/97 marketing year should be established;

Whereas, pursuant to Article 2 of Regulation (EEC) No 1601/92, the forecast balance for the supply to the Canary Islands of cereal products and glucose for the 1996/97 marketing year should be established;

Whereas the balances are established on the basis of the justified requirements, as appropriate, for consumption or processing, notified by the competent national authorities;

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 Annex to Regulation (EEC) No 388/92 is hereby replaced by Annex I hereto.

Article 2

The Annex to Regulation (EEC) No 1727/92 is hereby replaced by Annex II hereto.

Article 3

The quantities of the forecast supply balance exempt from duties on imports from third countries or eligible for Community aid, in accordance with Article 2 of Regulation (EEC) No 1601/92, shall be as set out in Annex III hereto.

Article 4

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 July 1996.

(⁽¹⁾) OJ No L 356, 24. 12. 1991, p. 1.

(⁽²⁾) OJ No L 267, 9. 11. 1995, p. 1.

(⁽³⁾) OJ No L 173, 27. 6. 1992, p. 1.

(⁽⁴⁾) OJ No L 260, 31. 10. 1995, p. 1.

(⁽⁵⁾) OJ No L 173, 27. 6. 1992, p. 13.

(⁽⁶⁾) OJ No L 43, 19. 2. 1992, p. 16.

(⁽⁷⁾) OJ No L 302, 15. 12. 1995, p. 3.

(⁽⁸⁾) OJ No L 179, 1. 7. 1992, p. 101.

(⁽⁹⁾) OJ No L 112, 7. 5. 1996, p. 5.

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

Done at Brussels, 28 June 1996.

For the Commission
Franz FISCHLER
Member of the Commission

ANNEX I

ANNEX

SUPPLY BALANCE FOR CEREALS FOR THE FRENCH OVERSEAS DEPARTMENTS

Second half of 1996

(in tonnes)

Cereals originating in third countries (ACP/developing countries or EC)	Common wheat	Durum wheat	Barley	Maize	Durum wheat meal and groats	Malt
Guadeloupe	35 000	—	0	8 000	0	100
Martinique	1 000	—	0	10 000	1 000	400
French Guiana	100	—	100	1 000	0	0
Réunion	15 000	—	15 000	60 000	0	1 500
Total	51 100	—	15 100	79 000	1 000	2 000
Total quantity	148 200					

ANNEX II

ANNEX

AZORES AND MADEIRA: SUPPLY BALANCE FOR CEREALS FOR THE 1996/97 MARKETING YEAR

(in tonnes)

Product	Common breadmaking wheat	Feed wheat	Durum wheat	Barley	Maize	Malt	Total
Azores	34 000	—	500	41 000	73 000	1 000	149 500
Madeira	20 000	—	5 000	5 000	30 000	2 200	62 200
Total	54 000	—	5 500	46 000	103 000	3 200	211 700

ANNEX III

CANARY ISLANDS: SUPPLY BALANCE FOR CEREAL PRODUCTS AND GLUCOSE FOR
THE 1996/97 MARKETING YEAR*(in tonnes)*

CN code	Product	Quantity
1001 90 (*)	Common wheat	155 000
1001 10 (*)	Durum wheat	0
1003 (*)	Barley	30 000
1004 (*)	Oats	2 000
1005 (*)	Maize	180 000
1103 11 50	Durum wheat meal	3 000
1103 13	Maize meal	3 000
1103 19	Meal of other cereals	0
1103 21 to 1103 29	Pellets	0
1107	Malt	16 000
ex 1702 (except products falling within CN codes 1702 30 10, 1702 40 10, 1702 60 10 and 1702 90 30)	Glucose	1 800

(*) In the case of individual products marked with an asterisk (*), the quantities fixed may be exceeded by up to a maximum of 25 %, provided that the combined quantity for the products concerned is not exceeded.

COMMISSION REGULATION (EC) No 1498/96

of 29 July 1996

amending Regulation (EEC) No 391/92 setting the amounts of aid for the supply of cereals products from the Community to the French overseas departments

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EEC) No 3763/91 of 16 December 1991 introducing specific measures in respect of certain agricultural products for the benefit of the French overseas departments⁽¹⁾, as last amended by Commission Regulation (EC) No 2598/95⁽²⁾, and in particular Article 2 (6) thereof,Whereas the amounts of aid for the supply of cereals products to the French overseas departments (FOD) has been settled by Commission Regulation (EEC) No 391/92⁽³⁾, as last amended by Regulation (EC) No 1203/96⁽⁴⁾; whereas, as a consequence of the changes of the rates and prices for cereals products in the European part of the Community and on the world market, the aid

for supply to the FOD should be set at the amounts given in the Annex;

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 Annex of amended Regulation (EEC) No 391/92 is replaced by the Annex to the present Regulation.

Article 2

This Regulation shall enter into force on 1 August 1996.

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

Done at Brussels, 29 July 1996.

For the Commission

Franz FISCHLER

Member of the Commission⁽¹⁾ OJ No L 356, 24. 12. 1991, p. 1.⁽²⁾ OJ No L 267, 9. 11. 1995, p. 1.⁽³⁾ OJ No L 43, 19. 2. 1992, p. 23.⁽⁴⁾ OJ No L 161, 29. 6. 1996, p. 22.

ANNEX

to the Commission Regulation of 29 July 1996 amending Regulation (EEC) No 391/92 setting the amounts of aid for the supply of cereals products from the Community to the French overseas departments

(Ecu/tonnes)

Product (CN code)	Amount of aid			
	Destination			
	Guadeloupe	Martinique	French Guiana	Réunion
Common wheat (1001 90 99)	12,00	12,00	12,00	16,00
Barley (1003 00 90)	12,00	12,00	12,00	16,00
Maize (1005 90 00)	31,00	31,00	31,00	34,00
Durum wheat (1001 10 00)	12,00	12,00	12,00	16,00

COMMISSION REGULATION (EC) No 1702/96
of 30 August 1996
amending Regulation (EEC) No 391/92 setting the amounts of aid for the supply
of cereals products from the Community to the French overseas departments

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

Having regard to Council Regulation (EEC) No 3763/91
of 16 December 1991 introducing specific measures in
respect of certain agricultural products for the benefit of
the French overseas departments ⁽¹⁾, as last amended by
Regulation (EC) No 2598/95 ⁽²⁾, and in particular Article 2
(6) thereof,

Whereas the amounts of aid for the supply of cereals
products to the French overseas departments (FOD) has
been settled by Commission Regulation (EEC) No
391/92 ⁽³⁾, as last amended by Regulation (EC) No
1498/96 ⁽⁴⁾; whereas, as a consequence of the changes of
the rates and prices for cereals products in the European
part of the Community and on the world market, the aid
for supply to the FOD should be set at the amounts given
in the Annex;

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 Annex of amended Regulation (EEC) No 391/92 is
replaced by the Annex to the present Regulation.

Article 2

This Regulation shall enter into force on 1 September
1996.

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

Done at Brussels, 30 August 1996.

For the Commission
Karel VAN MIERT
Member of the Commission

⁽¹⁾ OJ No L 356, 24. 12. 1991, p. 1.

⁽²⁾ OJ No L 267, 9. 11. 1995, p. 1.

⁽³⁾ OJ No L 43, 19. 2. 1992, p. 23.

⁽⁴⁾ OJ No L 189, 30. 7. 1996, p. 60.

ANNEX

to the Commission Regulation of 30 August 1996 amending Regulation (EEC) No 391/92 setting the amounts of aid for the supply of cereals products from the Community to the French overseas departments

(Ecu/tonnes)

Product (CN code)	Amount of aid			
	Destination			
	Guadeloupe	Martinique	French Guiana	Réunion
Common wheat (1001 90 99)	12,00	12,00	12,00	16,00
Barley (1003 00 90)	12,00	12,00	12,00	16,00
Maize (1005 90 00)	21,00	21,00	21,00	24,00
Durum wheat (1001 10 00)	12,00	12,00	12,00	16,00

COMMISSION REGULATION (EC) No 1863/96
of 27 September 1996
amending Regulation (EEC) No 391/92 setting the amounts of aid for the supply
of cereals products from the Community to the French overseas departments

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

Having regard to Council Regulation (EEC) No 3763/91
 of 16 December 1991 introducing specific measures in
 respect of certain agricultural products for the benefit of
 the French overseas departments ⁽¹⁾, as last amended by
 Regulation (EC) No 2598/95 ⁽²⁾, and in particular Article 2
 (6) thereof,

Whereas the amounts of aid for the supply of cereals
 products to the French overseas departments (FOD) has
 been settled by Commission Regulation (EEC) No
 391/92 ⁽³⁾, as last amended by Regulation (EC) No
 1702/96 ⁽⁴⁾; whereas, as a consequence of the changes of
 the rates and prices for cereals products in the European
 part of the Community and on the world market, the aid

for supply to the FOD should be set at the amounts given
 in the Annex;

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 Annex of amended Regulation (EEC) No 391/92 is
 replaced by the Annex to the present Regulation.

Article 2

This Regulation shall enter into force on 1 October 1996.

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

Done at Brussels, 27 September 1996.

For the Commission
 Franz FISCHLER
 Member of the Commission

⁽¹⁾ OJ No L 356, 24. 12. 1991, p. 1.

⁽²⁾ OJ No L 267, 9. 11. 1995, p. 1.

⁽³⁾ OJ No L 43, 19. 2. 1992, p. 23.

⁽⁴⁾ OJ No L 221, 31. 8. 1996, p. 14.

ANNEX

to the Commission Regulation of 27 September 1996 amending Regulation (EEC) No 391/92 setting the amounts of aid for the supply of cereals products from the Community to the French overseas departments

(Ecu/tonnes)

Product (CN code)	Amount of aid			
	Destination			
	Guadeloupe	Martinique	French Guiana	Réunion
Common wheat (1001 90 99)	12,00	12,00	12,00	16,00
Barley (1003 00 90)	33,00	33,00	33,00	36,00
Maize (1005 90 00)	35,00	35,00	35,00	38,00
Durum wheat (1001 10 00)	26,00	26,00	26,00	29,00

COMMISSION REGULATION (EC) No 2048/96
of 25 October 1996
amending Regulation (EEC) No 391/92 setting the amounts of aid for the supply
of cereals products from the Community to the French overseas departments

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

Having regard to Council Regulation (EEC) No 3763/91
of 16 December 1991 introducing specific measures in
respect of certain agricultural products for the benefit of
the French overseas departments ⁽¹⁾, as last amended by
Regulation (EC) No 2598/95 ⁽²⁾, and in particular Article 2
(6) thereof,

Whereas the amounts of aid for the supply of cereals
products to the French overseas departments (FOD) has
been settled by Commission Regulation (EEC) No
391/92 ⁽³⁾, as last amended by Regulation (EC) No
1863/96 ⁽⁴⁾; whereas, as a consequence of the changes of
the rates and prices for cereals products in the European
part of the Community and on the world market, the aid
for supply to the FOD should be set at the amounts given
in the Annex;

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 Annex of amended Regulation (EEC) No 391/92 is
replaced by the Annex to the present Regulation.

Article 2

This Regulation shall enter into force on 1 November
1996.

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

Done at Brussels, 25 October 1996.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ No L 356, 24. 12. 1991, p. 1.

⁽²⁾ OJ No L 267, 9. 11. 1995, p. 1.

⁽³⁾ OJ No L 43, 19. 2. 1992, p. 23.

⁽⁴⁾ OJ No L 247, 28. 9. 1996, p. 10.

ANNEX

to the Commission Regulation of 25 October 1996 amending Regulation (EEC) No 391/92 setting the amounts of aid for the supply of cereals products from the Community to the French overseas departments

(Ecu/tonnes)

Product (CN code)	Amount of aid			
	Destination			
	Guadeloupe	Martinique	French Guiana	Réunion
Common wheat (1001 90 99)	19,00	19,00	19,00	22,00
Barley (1003 00 90)	37,00	37,00	37,00	40,00
Maize (1005 90 00)	44,00	44,00	44,00	47,00
Durum wheat (1001 10 00)	19,00	19,00	19,00	22,00

COMMISSION REGULATION (EC) No 2288/96
of 29 November 1996
amending Regulation (EEC) No 391/92 setting the amounts of aid for the supply
of cereals products from the Community to the French overseas departments

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

Having regard to Council Regulation (EEC) No 3763/91
of 16 December 1991 introducing specific measures in
respect of certain agricultural products for the benefit of
the French overseas departments ⁽¹⁾, as last amended by
Regulation (EC) No 2598/95 ⁽²⁾, and in particular Article 2
(6) thereof,

Whereas the amounts of aid for the supply of cereals
products to the French overseas departments (FOD) has
been settled by Commission Regulation (EEC) No
391/92 ⁽³⁾, as last amended by Regulation (EC) No
2048/96 ⁽⁴⁾; whereas, as a consequence of the changes of
the rates and prices for cereals products in the European
part of the Community and on the world market, the aid
for supply to the FOD should be set at the amounts given
in the Annex;

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 Annex of amended Regulation (EEC) No 391/92 is
replaced by the Annex to the present Regulation.

Article 2

This Regulation shall enter into force on 1 December
1996.

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

Done at Brussels, 29 November 1996.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ No L 356, 24. 12. 1991, p. 1.

⁽²⁾ OJ No L 267, 9. 11. 1995, p. 1.

⁽³⁾ OJ No L 43, 19. 2. 1992, p. 23.

⁽⁴⁾ OJ No L 274, 26. 10. 1996, p. 8.

ANNEX

to the Commission Regulation of 29 November 1996 amending Regulation (EEC) No 391/92 setting the amounts of aid for the supply of cereals products from the Community to the French overseas departments

(Ecu/tonnes)

Product (CN code)	Amount of aid			
	Destination			
	Guadeloupe	Martinique	French Guiana	Reunion
Common wheat (1001 90 99)	25,00	25,00	25,00	28,00
Barley (1003 00 90)	38,00	38,00	38,00	41,00
Maize (1005 90 00)	50,00	50,00	50,00	53,00
Durum wheat (1001 10 00)	16,00	16,00	16,00	19,00

COMMISSION REGULATION (EC) No 2414/96
of 18 December 1996

amending Regulation (EEC) No 388/92 laying down detailed rules for implementation of the specific arrangements for the supply of cereal products to the French overseas departments (FOD) and establishing a forecast supply balance

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EEC) No 3763/91 of 16 December 1991 introducing specific measures in respect of certain agricultural products for the benefit of the French overseas departments (⁽¹⁾), as last amended by Council Regulation (EC) No 2598/95 (⁽²⁾), and in particular Article 2 (6) thereof,

Whereas, pursuant to Article 2 of Regulation (EEC) No 3763/91, the forecast supply balance of cereal products to the FOD for 1996 was established by Commission Regulation (EEC) No 388/92 (⁽³⁾), as last amended by Regulation (EC) No 1234/96 (⁽⁴⁾); whereas this forecast supply balance for 1997 should be drawn up; whereas, subsequently, Regulation (EEC) No 388/92 should be amended;

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 Annex to Regulation (EEC) No 388/92 is hereby replaced by the Annex to the present Regulation.

Article 2

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

This Regulation shall be applicable as from 1 January 1997.

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

Done at Brussels, 18 December 1996.

For the Commission

Franz FISCHLER

Member of the Commission

(¹) OJ No L 356, 24. 12. 1991, p. 1.

(²) OJ No L 267, 9. 11. 1995, p. 1.

(³) OJ No L 43, 19. 2. 1992, p. 16.

(⁴) OJ No L 161, 29. 6. 1996, p. 101.

ANNEX

CEREALS SUPPLY BALANCE FOR THE FOD

1997

(in tonnes)

Cereals originating in third countries (ACP/developing countries) or EC	Common wheat	Durum wheat	Barley	Maize	Durum wheat meal and groats	Malt
Guadeloupe	70 000	0	—	16 000	—	200
Martinique	2 000	0	—	20 000	2 000	800
French Guiana	200	0	200	2 000	—	—
Réunion	30 000	0	30 000	120 000	—	3 000
Total	102 200	0	30 200	158 000	2 000	4 000

296 400

COMMISSION REGULATION (EC) No 2415/96
of 18 December 1996

establishing the forecast supply balance and Community aid for the supply to French Guiana of products falling within CN codes 2309 90 31, 2309 90 33, 2309 90 41, 2309 90 43, 2309 90 51 and 2309 90 53 used in feedingstuffs for 1997

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EEC) No 3763/91 of 16 December 1991 introducing specific measures in respect of certain agricultural products for the benefit of the French overseas departments⁽¹⁾, as last amended by Regulation (EC) No 2598/95⁽²⁾, and in particular Article 3 (5) thereof,

Whereas Article 3 (1) of Regulation (EEC) No 3763/91 introduces an exemption scheme for duties on imports into French Guiana and aid for the supply by the rest of the Community of certain cereal products used in feedingstuffs;

Whereas the supply balance for these products for the department of Guiana should be drawn up on the basis of feedingstuffs requirements based on the notifications sent by the competent authorities and for the year 1997;

Whereas Commission Regulation (EEC) No 388/92⁽³⁾, as last amended by Regulation (EC) No 2414/96⁽⁴⁾, lays down detailed rules for the implementation of the specific arrangements for the supply of cereal products to the French overseas departments; whereas those provisions, which supplement Commission Regulation (EEC) No 131/92⁽⁵⁾ for the cereals sector, as last amended by Regulation (EC) No 1736/96⁽⁶⁾, apply to cereals used in feedingstuffs as referred to in this Regulation;

Whereas, in accordance with Regulation (EEC) No 3763/91, the amount of the aid for the supply of Community products must be determined in such a way that users are supplied on terms equivalent to exemption from levies on imports from the world market; whereas fixing the aid at an amount equal to the export refund plus a

fixed component to take account of conditions for deliveries of small quantities will satisfy this aim;

Whereas this Regulation should apply from 1 January 1997;

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

Pursuant to Article 3 (1) and (2) of Regulation (EEC) No 3763/91, the forecast supply balance quantities of products falling within CN codes 2309 90 31, 2309 90 33, 2309 90 41, 2309 90 43, 2309 90 51 and 2309 90 53 used in feedingstuffs eligible for exemption from import duties or for Community aid shall be as specified in the Annex.

Article 2

The amount of the aid for the supply of feedingstuffs referred to in Article 1 and manufactured from cereals processed in the rest of the Community shall be equal to the export refunds for those products, plus ECU 20 per tonne.

Article 3

Article 1 (2) and Articles 2 to 7 of Regulation (EEC) No 388/92 shall apply to the supply to French Guiana of the products referred to in Article 1 of this Regulation.

Article 4

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 1997.

⁽¹⁾ OJ No L 356, 24. 12. 1991, p. 1.

⁽²⁾ OJ No L 267, 9. 11. 1995, p. 1.

⁽³⁾ OJ No L 43, 19. 2. 1992, p. 16.

⁽⁴⁾ See page 23 of this Official Journal.

⁽⁵⁾ OJ No L 15, 22. 1. 1992, p. 13.

⁽⁶⁾ OJ No L 225, 6. 9. 1996, p. 3.

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

Done at Brussels, 18 December 1996.

For the Commission
 Franz FISCHLER
 Member of the Commission

ANNEX

Supply balance for French Guiana of certain products used in feedingstuffs

<i>(in tonnes)</i>	
CN code	Quantity for 1997
2309 90 31 2309 90 41 2309 90 51	6 225
2309 90 33 2309 90 43 2309 90 53	300
Total	6 525

COMMISSION REGULATION (EC) No 2460/96
of 20 December 1996
amending Regulation (EEC) No 391/92 setting the amounts of aid for the supply
of cereals products from the Community to the French overseas departments

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

Having regard to Council Regulation (EEC) No 3763/91 of 16 December 1991 introducing specific measures in respect of certain agricultural products for the benefit of the French overseas departments⁽¹⁾, as last amended by Regulation (EC) No 2598/95⁽²⁾, and in particular Article 2 (6) thereof,

Whereas the amounts of aid for the supply of cereals products to the French overseas departments (FOD) has been settled by Commission Regulation (EEC) No 391/92⁽³⁾, as last amended by Regulation (EC) No 2288/96⁽⁴⁾; whereas, as a consequence of the changes of the rates and prices for cereals products in the European part of the Community and on the world market, the aid

for supply to the FOD should be set at the amounts given in the Annex;

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 Annex of amended Regulation (EEC) No 391/92 is replaced by the Annex to the present Regulation.

Article 2

This Regulation shall enter into force on 1 January 1997.

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

Done at Brussels, 20 December 1996.

For the Commission
 Franz FISCHLER
 Member of the Commission

⁽¹⁾ OJ No L 356, 24. 12. 1991, p. 1.

⁽²⁾ OJ No L 267, 9. 11. 1995, p. 1.

⁽³⁾ OJ No L 43, 19. 2. 1992, p. 23.

⁽⁴⁾ OJ No L 311, 30. 11. 1996, p. 16.

ANNEX

to the Commission Regulation of 20 December 1996 amending Regulation (EEC) No 391/92 setting the amounts of aid for the supply of cereals products from the Community to the French overseas departments

(Ecu/tonnes)

Product (CN code)	Amount of aid			
	Destination			
	Guadeloupe	Martinique	French Guiana	Réunion
Common wheat (1001 90 99)	18,00	18,00	18,00	21,00
Barley (1003 00 90)	35,00	35,00	35,00	38,00
Maize (1005 90 00)	49,00	49,00	49,00	52,00
Durum wheat (1001 10 00)	12,00	12,00	12,00	16,00

Part 2 : FODs

C. Beef and veal

COMMISSION DECISION
of 13 December 1995

approving the 1996 programmes for the eradication of anaplasmosis and babesiosis in Réunion and of cowdriosis and babesiosis in Martinique presented by France and fixing the Community financial contribution

(Only the French text is authentic)

(96/66/EC)

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

Having regard to the Council Decision 90/424/EEC of 26 June 1990 on expenditure in the veterinary field ⁽¹⁾, as last amended by Decision 94/370/EC ⁽²⁾, and in particular Article 24 (6) thereof,

Whereas Decision 90/424/EEC provides, in particular, for the possibility of a Community financial measure for the eradication and monitoring of cowdriosis, babesiosis and anaplasmosis transmitted by insect vectors in the French overseas departments;

Whereas France presented a programme for the eradication of anaplasmosis and babesiosis in Réunion and a programme for the eradication of cowdriosis and babesiosis in Guadeloupe and Martinique;

Whereas additional information required for assessing the abovementioned programmes was communicated by France in accordance with Article 24 (4) of Decision 90/424/EEC concerning the programmes for Réunion and Martinique;

Whereas no information was received about the programme for Guadeloupe; whereas, therefore, it has not been possible to make a full assessment of the programme for Guadeloupe; whereas, therefore, that programme cannot qualify for a Community financial contribution;

Whereas after examination, the programmes for Réunion and Martinique have been found to fulfil all the Community criteria for the eradication of diseases, pursuant to Council Decision 90/638/EEC of 27 November 1990 laying down Community criteria for the eradication and monitoring of certain animal diseases ⁽³⁾, as amended by Council Directive 92/65/EEC ⁽⁴⁾;

Whereas the abovementioned programmes are included in the list of programmes for the eradication and monitoring of animal diseases which may receive a financial contribution from the Community in 1996, as laid down in Decision 95/434/EC ⁽⁵⁾;

Whereas in view of the programmes' important role in achieving the objectives pursued by the Community as regards animal health, the Community's financial contribution should be set at 50% of the costs borne by France, up to a maximum of ECU 600 000;

Whereas the Community will make a financial contribution provided that the measures planned are carried out and the authorities supply all the information necessary within the time limit laid down;

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

HAS ADOPTED THIS DECISION:

Article 1

1. The programme for the eradication of anaplasmosis and babesiosis in Réunion presented by France is approved for the period 1 January to 31 December 1996.

2. The programme for the eradication of cowdriosis and babesiosis in Martinique presented by France is approved for the period 1 January to 31 December 1996.

Article 2

France shall bring into force by 1 January 1996 the laws, regulations and administrative provisions to implement the programme referred to in Article 1.

Article 3

1. The Community financial contribution shall be 50% of the costs borne by France for the implementation of the programmes referred to in Article 1, up to a maximum of:

- ECU 150 000 for the programme referred to in Article 1 (1),
- ECU 450 000 for the programme referred to in Article 1 (2).

2. The Community's financial contribution shall be granted after:

- a quarterly report has been forwarded to the Commission on the progress of each programme and the expenditure incurred,
- a final report has been forwarded to the Commission by 1 June 1997 at the latest on the technical implementation of each programme, accompanied by supporting documents relating to the expenditure incurred.

Article 4

This Decision is addressed to the French Republic.

Done at Brussels, 13 December 1995.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ No L 224, 18. 8. 1990, p. 19.

⁽²⁾ OJ No L 168, 2. 7. 1994, p. 31.

⁽³⁾ OJ No L 347, 12. 12. 1990, p. 27.

⁽⁴⁾ OJ No L 268, 13. 7. 1992, p. 54.

⁽⁵⁾ OJ No L 256, 26. 10. 1995, p. 57.

COMMISSION REGULATION (EC) No 315/96

of 21 February 1996

on detailed rules of application for aid for increasing cow's milk production in the French overseas departments and amending Regulation (EEC) No 1756/93

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EEC) No 3763/91 of 16 December 1991 introducing specific measures in respect of certain agricultural products for the benefit of the French overseas departments⁽¹⁾, as last amended by Regulation (EC) No 2598/95⁽²⁾, and in particular Article 9 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 6 (2) thereof,

Whereas Article 6 (1) of Regulation (EEC) No 3763/91 provides that aid is to be granted to increase production of cow's milk in the French overseas departments within the limit of these territories' consumption requirements and a maximum of 20 000 tonnes per year; whereas aid is to be granted to producers and producer groups on quantities delivered to dairies; whereas it is necessary to specify certain rules of application for the measure and to supplement Commission Regulation (EEC) No 1756/93⁽⁵⁾, as last amended by Regulation (EC) No 693/95⁽⁶⁾, by specifying the agricultural conversion rate to be used; whereas no aid is to be granted on skimmed milk used as animal feed;

Whereas the authorities managing the aid should be given the necessary powers to prevent its being deflected from its purpose of increasing cow's milk production within the limit of human consumption in the FOD;

Whereas procedures must be introduced by the national authorities for verifying proper operation of the aid scheme; whereas periodic notification should be made to the Commission;

Whereas Regulation (EC) No 2598/95 introducing the aid to increase cow's milk production came into force on 12 November 1995 and the rules for its application must take effect on the same date;

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

HAS ADOPTED THIS REGULATION:

Article 1

For the purposes of this Regulation:

- (a) 'whole milk' shall be the product, unmodified in composition, given by milking one or more cows;
- (b) a 'dairy' shall be an undertaking or group purchasing milk or other milk products from the producer and treating, processing and/or selling these to one or more undertakings treating or processing milk or other milk products.

Article 2

1. Aid shall be granted on written request by dairies undertaking to:

- (a) keep stock records showing at least the quantity delivered each month by each producer and the quantities of milk resold and/or of the various products of the dairy;
- (b) submit to all checks required by the Member State on stock record accuracy and product quality.

2. Aid applications shall be made for quarterly throughputs to the competent authority no later than the last day of the month following the end of the quarter on a standard form specified by the competent authority on which at least the following information shall be given:

— the quantity of milk delivered by each producer,

⁽¹⁾ OJ No L 356, 24. 12. 1991, p. 1.

⁽²⁾ OJ No L 267, 9. 11. 1995, p. 1.

⁽³⁾ OJ No L 387, 31. 12. 1992, p. 1.

⁽⁴⁾ OJ No L 22, 31. 1. 1995, p. 1.

⁽⁵⁾ OJ No L 161, 2. 7. 1993, p. 48.

⁽⁶⁾ OJ No L 71, 3. 3. 1995, p. 52.

- the quantities of milk resold or used in each product, including skimmed milk for animal feed,
- the dairy's name and address,
- the aid amount.

Aid applications for throughput during the period 12 November to 31 December 1995 shall however be made at the same time as those for throughput in the first quarter of 1996.

3. The aid shall be paid to the dairy, after a check on the accuracy of the information provided, no later than the last day of the second month following the end of the quarter concerned.

4. The dairy shall transfer the entire aid amount to the benefiting producers or producer groups no later than the 15th day following that on which payment was made to it.

Article 3

The French Republic shall notify to the Commission no later than 15 October each year the quantities on which aid was paid in the previous milk year.

Article 4

1. The French Republic shall take all appropriate action, in particular by checks, to ensure that aid is actually paid to producers and producer groups and is not granted on skimmed milk for animal feed.

2. Checks made under Article 2 (1) must be the subject of a report specifying;

- date,
- place,
- findings.

3. The competent authorities shall notify irregularity cases to the Commission within four weeks.

Article 5

The following point 5 is added to Part A of the Annex to Regulation (EEC) No 1756/93:

Regulation	Amounts concerned	Agricultural conversion rate to be applied
'5. (EEC) No 3763/91	Aid for increasing cow's milk production (Article 6)	Agricultural conversion rate applicable on first day of month of delivery'

Article 6

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

It shall apply from 12 November 1995.

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

Done at Brussels, 21 February 1996.

For the Commission

Franz FISCHLER

Member of the Commission

COMMISSION REGULATION (EC) No 442/96

of 11 March 1996

amending Regulations (EEC) No 1912/92, No 1913/92, No 2254/92, No 2255/92, No 2312/92 and No 1148/93 laying down detailed implementing rules for the specific measures for supplying the Canary Islands, the Azores, Madeira and the French overseas departments with beef and veal

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EEC) No 1601/92 of 15 June 1992 concerning specific measures for the Canary Islands relating to certain agricultural products⁽¹⁾, as last amended by Commission Regulation (EC) No 2537/95⁽²⁾, and in particular Articles 4(4) and 5(2) thereof,

Having regard to Council Regulation (EEC) No 1600/92 of 15 June 1992 introducing specific measures for the Azores and Madeira concerning certain agricultural products⁽³⁾, as last amended by Regulation (EC) No 2537/95, and in particular Article 10 thereof,

Having regard to Council Regulation (EEC) No 3763/91 of 16 December 1991 introducing specific measures in respect of certain agricultural products for the benefit of the French overseas departments⁽⁴⁾, as last amended by Regulation (EC) No 2598/95⁽⁵⁾, and in particular Article 4(5) and Articles 7 and 9 thereof,

Whereas the aid for products covered by the forecast supply balance and coming from the Community market is fixed by Commission Regulations (EEC) No 1912/92⁽⁶⁾, (EEC) No 1913/92⁽⁷⁾, (EEC) No 2254/92⁽⁸⁾, (EEC) No 2255/92⁽⁹⁾, (EEC) No 2312/92⁽¹⁰⁾ and (EEC) No 1148/93⁽¹¹⁾, as last amended by Regulation (EC) No 2998/95⁽¹²⁾;

Whereas the application of the criteria for fixing the Community aid to the current situation of the market in the product group and in particular to the rates or prices

for those products in the continental part of the Community and on the world market results in the aid for supplies of beef and veal to the Canary Islands, the Azores and the French overseas departments being fixed at the rates set out in the Annex;

Whereas the forecast supply balance for pure-bred breeding animals and male bovine animals for fattening for certain overseas departments should be adjusted on the basis of the justifications put forward by the competent authorities;

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. Annexes II and IIa to Regulation (EEC) No 1912/92 are hereby replaced by Annex I hereto.
2. Annex II to Regulation (EEC) No 1913/92 is hereby replaced by Annex II hereto.
3. Annex II to Regulations (EEC) No 2254/92, No 2255/92 and No 2312/92 is hereby replaced by Annex III hereto.
4. The aid set out in Annex III to Regulation (EEC) No 1912/92 is hereby replaced by the amount set out in Annex IV hereto.
5. Annex III to Regulation (EEC) No 1913/92 is hereby replaced by Annex V hereto.
6. Annex III to Regulation (EEC) No 2312/92 is hereby replaced by Annex VI hereto.
7. The Annex to Regulation (EEC) No 1148/93 is hereby replaced by Annex VII hereto.

Article 2

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

⁽¹⁾ OJ No L 173, 27. 6. 1992, p. 13.

⁽²⁾ OJ No L 260, 31. 10. 1995, p. 10.

⁽³⁾ OJ No L 173, 27. 6. 1992, p. 1.

⁽⁴⁾ OJ No L 356, 24. 12. 1991, p. 1.

⁽⁵⁾ OJ No L 267, 9. 11. 1995, p. 1.

⁽⁶⁾ OJ No L 192, 11. 7. 1992, p. 31.

⁽⁷⁾ OJ No L 192, 11. 7. 1992, p. 35.

⁽⁸⁾ OJ No L 219, 4. 8. 1992, p. 34.

⁽⁹⁾ OJ No L 219, 4. 8. 1992, p. 37.

⁽¹⁰⁾ OJ No L 222, 7. 8. 1992, p. 32.

⁽¹¹⁾ OJ No L 116, 12. 5. 1993, p. 15.

⁽¹²⁾ OJ No L 312, 23. 12. 1995, p. 50.

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

Done at Brussels, 11 March 1996.

For the Commission
Franz FISCHLER
Member of the Commission

ANNEX I

ANNEX II

Aid on products listed in Annex I and coming from the Community market

<i>(ECU/100 kg net weight)</i>	
Product code	Aid
0201 10 00 110 (*)	69,0
0201 10 00 120	53,0
0201 10 00 130 (*)	93,0
0201 10 00 140	72,5
0201 20 20 110 (*)	93,0
0201 20 20 120	72,5
0201 20 30 110 (*)	69,0
0201 20 30 120	53,0
0201 20 50 110 (*)	117,0
0201 20 50 120	91,5
0201 20 50 130 (*)	69,0
0201 20 50 140	53,0
0201 20 90 700	53,0
0201 30 00 100 (*)	171,5
0201 30 00 150 (*)	102,5
0201 30 00 190 (*)	69,0
<hr/>	
0202 10 00 100	53,0
0202 10 00 900	72,5
0202 20 10 000	72,5
0202 20 30 000	53,0
0202 20 50 100	91,5
0202 20 50 900	53,0
0202 20 90 100	53,0
0202 30 90 400 (*)	102,5
0202 30 90 500 (*)	69,0
<hr/>	
1602 50 10 190	48,5
1602 50 31 195	36,0
1602 50 31 395	36,0
1602 50 39 195	36,0
1602 50 39 395	36,0
1602 50 39 495	36,0
1602 50 39 505	36,0
1602 50 39 595	36,0
1602 50 39 615	36,0
1602 50 39 625	16,0
1602 50 39 705	19,0
1602 50 80 195	36,0
1602 50 80 395	36,0
1602 50 80 495	36,0
1602 50 80 505	36,0
1602 50 80 515	16,0
1602 50 80 595	36,0
1602 50 80 615	36,0
1602 50 80 625	16,0
1602 50 80 705	19,0

NB: The product codes and the footnotes are defined in Commission Regulation (EEC) No 3846/87 (OJ No L 366, 24. 12. 1987, p. 1), as last amended by Regulation (EC) No 310/96 (OJ No L 46, 23. 2. 1996, p. 1).

ANNEX II A

Aid granted on certain processed products listed in Annex I and coming from the Community market

(ECU/100 kg net weight)

Product code	Aid
1602 50 10 120	102,5
1602 50 10 140	91,0
1602 50 10 160	73,0
1602 50 10 170	48,5
1602 50 31 125	115,5
1602 50 31 135	73,0
1602 50 31 325	103,5
1602 50 31 335	65,5
1602 50 39 125	115,5
1602 50 39 135	73,0
1602 50 39 325	103,5
1602 50 39 335	65,5

NB: The product codes and the footnotes are defined in Commission Regulation (EEC) No 3846/87 (OJ No L 366, 24. 12. 1987, p. 1), as last amended by Regulation (EC) No 310/96 (OJ No L 46, 23. 2. 1996, p. 1).'

ANNEX II

ANNEX II

Aid on products listed in Annex I and coming from the Community market

(ECU/100 kg net weight)

Product code	Aid
0201 10 00 110 (*)	69,0
0201 10 00 120	53,0
0201 10 00 130 (*)	93,0
0201 10 00 140	72,5
0201 20 20 110 (*)	93,0
0201 20 20 120	72,5
0201 20 30 110 (*)	69,0
0201 20 30 120	53,0
0201 20 50 110 (*)	117,0
0201 20 50 120	91,5
0201 20 50 130 (*)	69,0
0201 20 50 140	53,0
0201 20 90 700	53,0
0201 30 00 100 (*)	171,5
0201 30 00 150 (*)	102,5
0201 30 00 190 (*)	69,0
<hr/>	
0202 10 00 100	53,0
0202 10 00 900	72,5
0202 20 10 000	72,5
0202 20 30 000	53,0
0202 20 50 100	91,5
0202 20 50 900	53,0
0202 20 90 100	53,0
0202 30 90 400 (*)	102,5
0202 30 90 500 (*)	69,0

NB: The product codes and the footnotes are defined in Commission Regulation (EEC) No 3846/87 (OJ No L 366, 24. 12. 1987, p. 1), as last amended by Regulation (EC) No 310/96 (OJ No L 46, 23. 2. 1996, p. 1).

ANNEX III

ANNEX II

Amounts of aid that can be granted to male bovine animals for fattening coming from the Community market

(ECU/head)

CN code	Amount of aid
ex 0102 90 05	49,0
ex 0102 90 29	97,5
ex 0102 90 49	130,0
0102 90 79	195,0'

ANNEX IV

ANNEX III

Amount of aid that can be granted in the Canary Islands for pure-bred breeding bovines originating in the Community

(ECU/head)

CN code	Description	Aid
0102 10 00	Pure-bred breeding bovines (*)	790

(*) Entry under this subheading is subject to conditions laid down in the relevant Community provisions.

ANNEX V

ANNEX III

PART 1

Azores: Supply of pure-bred breeding bovines originating in the Community for the period 1 July 1995 to 30 June 1996

(ECU/head)

CN code	Description	Number of animals to be supplied	Aid
0102 10 00	Pure-bred breeding bovines (*)	1 150	630

(*) Entry under this subheading is subject to conditions laid down in the relevant Community provisions.

PART 2

Madeira: Supply of pure-bred breeding bovines originating in the Community for the period 1 July 1995 to 30 June 1996

(ECU/head)

CN code	Description	Number of animals to be supplied	Aid
0102 10 00	Pure-bred breeding bovines (*)	200	685

(*) Entry under this subheading is subject to conditions laid down in the relevant Community provisions.

ANNEX VI

ANNEX III

PART 1

Supply to Réunion of pure-bred breeding bovines originating in the Community for the period
1 July 1995 to 30 June 1996

<i>(ECU/head)</i>			
CN code	Description	Number of animals to be supplied	Aid
0102 10 00	Pure-bred breeding bovines (*)	300	1 050

PART 2

Supply to French Guiana of pure-bred breeding bovines originating in the Community for the
period 1 July 1995 to 30 June 1996

<i>(ECU/head)</i>			
CN code	Description	Number of animals to be supplied	Aid
0102 10 00	Pure-bred breeding bovines (*)	350	1 050

PART 3

Supply to Martinique of pure-bred breeding bovines originating in the Community for the period
1 July 1995 to 30 June 1996

<i>(ECU/head)</i>			
CN code	Description	Number of animals to be supplied	Aid
0102 10 00	Pure-bred breeding bovines (*)	40	1 050

PART 4

Supply to Guadeloupe of pure-bred breeding bovines originating in the Community for the
period 1 July 1995 to 30 June 1996

<i>(ECU/head)</i>			
CN code	Description	Number of animals to be supplied	Aid
0102 10 00	Pure-bred breeding bovines (*)	50	1 050

(*) Entry under this subheading is subject to the conditions laid down in the relevant Community provisions.

ANNEX VII

ANNEX

PART 1

Supply to French Guiana of pure-bred breeding horses originating in the Community for the period 1 July 1995 to 30 June 1996

(ECU/head)

CN code	Description of the goods	Number of animals to be supplied	Aid
0101 11 00	Pure-bred breeding horses (*)	16	1 050

PART 2

Supply to Martinique of pure-bred breeding horses originating in the Community for the period 1 July 1995 to 30 June 1996

(ECU/head)

CN code	Description of the goods	Number of animals to be supplied	Aid
0101 11 00	Pure-bred breeding horses (*)	15	1 050

(*) Inclusion in this subheading is subject to the conditions provided for by Council Directive 90/427/EEC of 26 June 1990 on the zootechnical and genealogical conditions governing intra-Community trade in equidae (OJ No L 224, 18. 8. 1990, p. 55).

COMMISSION REGULATION (EC) No 1330/96
of 9 July 1996

amending Regulations (EEC) No 2312/92 and (EEC) No 1148/93 laying down detailed rules for implementing the specific measures for supplying the French overseas departments with live bovine animals and breeding horses

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

Having regard to Council Regulation (EEC) No 3763/91 of 16 December 1991 introducing specific measures in respect of certain agricultural products for the benefit of the French overseas departments⁽¹⁾, as last amended by Regulation (EC) No 2598/95⁽²⁾, and in particular Article 4 (5) thereof,

Whereas for the purposes of Article 4 of Regulation (EEC) No 3763/91, the number should be determined, for the marketing year 1996/1997, for bovine animals and pure-bred breeding horses originating in the Community and eligible for aid with a view to encouraging the development of those sectors in the French overseas departments (FOD);

Whereas the quantities of the forecast supply balance for those products are fixed by Commission Regulations (EEC) No 2312/92⁽³⁾ and (EEC) No 1148/93⁽⁴⁾, as last amended by Regulations (EC) No 442/96⁽⁵⁾, whereas the Annexes to those Regulations should therefore be amended;

Whereas, pursuant to Regulation (EEC) No 3763/91, the supply arrangements are applicable from 1 July; whereas the provisions of this Regulation should therefore apply immediately;

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

Done at Brussels, 9 July 1996.

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

Regulation (EEC) No 2312/92 is hereby amended as follows:

1. Annex I is hereby replaced by Annex I to this Regulation.
2. Annex III is hereby replaced by Annex II to this Regulation.

Article 2

The Annex to Regulation (EEC) No 1148/93 is hereby replaced by Annex III to this Regulation.

Article 3

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 July 1996.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ No L 356, 24. 12. 1991, p. 1.

⁽²⁾ OJ No L 267, 9. 11. 1995, p. 1.

⁽³⁾ OJ No L 222, 7. 8. 1992, p. 32.

⁽⁴⁾ OJ No L 116, 12. 5. 1993, p. 15.

⁽⁵⁾ OJ No L 61, 12. 3. 1996, p. 8.

ANNEX I

ANNEX I

PART 1

Supply balance for Réunion for male bovine animals for fattening for the period 1 July 1996 to 30 June 1997

CN code	Description	Number of animals
ex 0102 90	Bovine animals for fattening	500

PART 2

Supply balance for Guyana for male bovine animals for fattening for the period 1 July 1996 to 30 June 1997

CN code	Description	Number of animals
ex 0102 90	Bovine animals for fattening	100'

ANNEX II

ANNEX III

PART 1

Supply to Réunion of pure-bred breeding bovines originating in the Community for the period
1 July 1996 to 30 June 1997

(ECU/head)

CN code	Description	Number of animals to be supplied	Aid
0102 10 00	Pure-bred breeding bovines (*)	300	1 050

PART 2

Supply to French Guiana of pure-bred breeding bovines originating in the Community for the period 1 July 1996 to 30 June 1997

(ECU/head)

CN code	Description	Number of animals to be supplied	Aid
0102 10 00	Pure-bred breeding bovines (*)	400	1 050

PART 3

Supply to Martinique of pure-bred breeding bovines originating in the Community for the period
1 July 1996 to 30 June 1997

(ECU/head)

CN code	Description	Number of animals to be supplied	Aid
0102 10 00	Pure-bred breeding bovines (*)	40	1 050

PART 4

Supply to Guadeloupe of pure-bred breeding bovines originating in the Community for the period 1 July 1996 to 30 June 1997

(ECU/head)

CN code	Description	Number of animals to be supplied	Aid
0102 10 00	Pure-bred breeding bovines (*)	50	1 050

(*) Entry under this subheading is subject to the conditions laid down in the relevant Community provisions.*

ANNEX III

ANNEX

PART 1

Supply to French Guiana of pure-bred breeding horses originating in the Community for the period 1 July 1996 to 30 June 1997

(ECU/head)

CN code	Description of the goods	Number of animals to be supplied	Aid
0101 11 00	Pure-bred breeding horses (*)	16	1 050

PART 2

Supply to Martinique of pure-bred breeding horses originating in the Community for the period 1 July 1996 to 30 June 1997

(ECU/head)

CN code	Description of the goods	Number of animals to be supplied	Aid
0101 11 00	Pure-bred breeding horses (*)	15	1 050

(*) Inclusion in this subheading is subject to the conditions provided for by Council Directive 90/427/EEC of 26 June 1990 on the zootechnical and genealogical conditions governing intra-Community trade in equidae (OJ No L 224, 18. 8. 1990, p. 55).

Part 2 : FODs

D. Sheepmeat and goatmeat

COMMISSION REGULATION (EC) No 1360/96
of 12 July 1996

amending Regulation (EEC) No 1123/93 laying down detailed rules to implement the specific measures for supplying the French overseas departments with products from the sheepmeat and goatmeat sector

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EEC) No 3763/91 of 16 December 1991 introducing specific measures in respect of certain agricultural products for the benefit of the French overseas departments⁽¹⁾, as last amended by Regulation (EC) No 2598/95⁽²⁾, and in particular Article 4 (5) thereof,

Whereas, pursuant to Article 4 of Regulation (EEC) No 3763/91, it is necessary to determine for the sheepmeat and goatmeat sector for each annual period of validity, the number of purebred breeding sheep and goats originating in the Community which benefit from aid with a view to developing the potential for production in the French overseas departments;

Whereas the amount of the aforementioned aid and the number of animals qualifying for it are laid down in Commission Regulation (EEC) No 1123/93⁽³⁾, as amended by Regulation (EC) No 40/96⁽⁴⁾; whereas, to take account of the new needs justified by the national authorities, the arrangements for the supply of breeding

sheep and goats should be adapted to the new situation; whereas, in order to comply with the timetable, it is necessary to replace the Annex to that Regulation with effect from 1 January 1996;

Whereas the measures provided for in this Regulation are in accordance with the Management Committee for Sheep and Goats,

HAS ADOPTED THIS REGULATION:

Article 1

The Annex to Regulation (EEC) No 1123/93 is hereby replaced by the Annex to this Regulation.

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 1 January 1996.

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

Done at Brussels, 12 July 1996.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ No L 356, 24. 12. 1991, p. 1.

⁽²⁾ OJ No L 267, 9. 11. 1995, p. 1.

⁽³⁾ OJ No L 114, 8. 5. 1993, p. 16.

⁽⁴⁾ OJ No L 10, 13. 1. 1996, p. 6.

ANNEX

ANNEX

PART 1

Supply to French Guiana of pure-bred breeding sheep and goats originating in the Community for each calendar year

(ECU/head)

CN code	Description	Number of animals to be supplied	Aid
0104 10 10	Pure-bred breeding sheep ⁽¹⁾ :		
	— males	15	530
	— females	15	205
0104 20 10	Pure-bred breeding goats ⁽¹⁾ :		
	— males	2	530
	— females	28	205

PART 2

Supply to Martinique of pure-bred breeding sheep originating in the Community for each calendar year

(ECU/head)

CN code	Description	Number of animals to be supplied	Aid
0104 10 10	Pure-bred breeding sheep ⁽¹⁾ :		
	— males	5	530
	— females	10	205

PART 3

Supply to Réunion of pure-bred breeding sheep originating in the Community for each calendar year

(ECU/head)

CN code	Description	Number of animals to be supplied	Aid
0104 10 10	Pure-bred breeding sheep ⁽¹⁾ :		
	— males	15	530
	— females	—	—

⁽¹⁾ Inclusion in this subposition is subject to the conditions provided for in Council Directive 89/361/EEC of 30 May 1989 concerning pure-bred breeding sheep and goats (OJ No L 153, 6. 6. 1989, p. 30).

Part 2 : FODs

E. Fisheries

COMMISSION DECISION

of 29 July 1996

derogating from the definition of the concept of 'originating products' to take account of the special situation of Saint Pierre and Miquelon with regard to frozen fillets of cod of CN code 0304 20

(96/529/EC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Decision 91/482/EEC of 25 July 1991 on the association of the overseas countries and territories with the European Economic Community (¹), and in particular Article 30 (8) of Annex II thereto,

Whereas Article 30 of Annex II to the said Decision concerning the definition of the concept of 'originating products' and methods of administrative cooperation provides that derogations from the rules of origin may be adopted where the development of existing industries or the creation of new industries in a country or territory justifies them;

Whereas the French Government has requested a derogation for frozen fillets of cod exported by Saint Pierre and Miquelon;

Whereas the French Government has based its request on the current shortfall in the sources of supply of other originating fish;

Whereas the requested derogation is justified under the terms of the provisions concerned in Article 30 of Annex II to Decision 91/482/EEC, notably with regard to the substantial nature of the processing carried out in Saint Pierre and Miquelon, because the derogation is essential for the preservation of the processing plant in question which employs large numbers and there would be no

injury to Community industry, provided that certain conditions relating to quantities and duration are respected,

HAS ADOPTED THIS DECISION:

Article 1

By way of derogation from the provisions of Annex II to Decision 91/482/EEC, frozen fillets of cod falling within CN code 0304 20 shall be considered as originating in Saint Pierre and Miquelon when they are processed there from non-originating materials, subject to the conditions set out in this Decision.

Article 2

The derogation provided for in Article 1 shall relate to the annual quantities indicated in the Annex exported from Saint Pierre and Miquelon to the Community during the period 1 May 1996 to 28 February 2000.

Article 3

The quantities referred to in Article 2 shall be managed by the Commission, which shall take all administrative action it deems advisable for their efficient management.

When an importer presents in a Member State a declaration of entry for free circulation including an application for the benefit of this Decision, the Member State shall, if the declaration has been accepted by the customs authorities, notify the Commission of its wish to draw the amount corresponding to its requirements.

(¹) OJ No L 263, 19. 9. 1991, p. 1.

Applications to draw showing the date of acceptance of declarations shall be transmitted to the Commission without delay.

Drawings shall be granted by the Commission in order of date of acceptance of declarations of entry for free circulation by the Member States' customs authorities provided that the available balance permits.

If a Member State does not use the quantities drawn it shall return them to the corresponding amount available with all speed.

If the quantities applied for are greater than the balance in question, assignment shall be made *pro rata* to applications. Member States shall be informed of the drawings assigned.

Each Member State shall ensure that importers have continuous and equal access to the amounts available as long as balances permit.

Article 4

Box 7 of EUR 1 certificates issued pursuant to this Decision shall show the following reference:

'Derogation — Decision No 96/529/EEC'.

Article 5

This Decision is addressed to the Member States.

Done at Brussels, 29 July 1996.

For the Commission

João DE DEUS PINHEIRO

Member of the Commission

ANNEX

(in tonnes)

Order No	CN code	Description	Period	Quantities
09.1651	0304 20	Filets of cod, frozen	From 1. 5. 1996 until 30. 4. 1997 (inclusive)	2 400
			From 1. 5. 1997 until 30. 4. 1998 (inclusive)	2 400
			From 1. 5. 1998 until 30. 4. 1999 (inclusive)	2 400
			From 1. 5. 1999 until 28. 2. 2000 (inclusive)	2 000

COUNCIL REGULATION (EC) No 1953/96
of 7 October 1996
amending Regulation (EC) No 3079/95 allocating, for 1996, Community catch
quotas in Greenland waters

THE COUNCIL OF THE EUROPEAN UNION,
 Having regard to the Treaty establishing the European Community,

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

Having regard to the proposal from the Commission,

Whereas Regulation (EC) No 3079/95⁽²⁾ established, for 1996, the Community catch quota for capelin in Greenland waters on the basis of a provisional TAC;

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

Whereas Regulation (EC) No 3079/95 has to be amended accordingly,

HAS ADOPTED THIS REGULATION:

Article 1

In Annex I to Regulation (EC) No 3079/95, the entry dealing with capelin shall be replaced by that given in the Annex to this Regulation.

Article 2

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

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

Done at Luxembourg, 7 October 1996.

For the Council
The President
 P. RABBITTE

⁽¹⁾ OJ No L 389, 31. 12. 1992, p. 1. Regulation as amended by the 1994 Act of Accession.

⁽²⁾ OJ No L 330, 30. 12. 1995, p. 64.

ANNEX

'Allocation of Community catch quotas in Greenland waters for 1996

Species	Geographical area	Community catch quotas (in tonnes)	Quotas allocated to Member States (in tonnes)	Quantities allocated to Norway (*)	Quantities allocated to Iceland (*)	Faroese quotas under EC/ Greenland Fisheries Protocol (*)
Capelin	ICES XIV/V	127 050 (*)	Community 62 050	25 000	30 000	10 000

(*) 70 % of the Greenland share of the TAC for capelin minus 10 000 tonnes to the Faeroes. Calculated on the basis of a provisional TAC of 1 100 000 tonnes. On revision of this TAC in the course of 1996, the Community quota shall be revised accordingly.'

COUNCIL REGULATION (EC) No 547/96
of 28 March 1996
repealing Regulation (EEC) No 1038/79 on Community support for a
hydrocarbon exploration project in Greenland

THE COUNCIL OF THE EUROPEAN UNION,

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

Having regard to the proposal from the Commission,

Having regard to the opinion of the European Parliament⁽¹⁾,

Having regard to the opinion of the Economic and Social Committee⁽²⁾,

Whereas Regulation (EEC) No 1038/79⁽³⁾ was adopted to implement a specific hydrocarbon exploration project in Greenland;

Whereas the project was completed in the time planned;

Whereas, in view of the results obtained on completion of the project, it was not exploited commercially;

Whereas there is therefore no need to maintain a legislative act which is no longer useful,

HAS ADOPTED THIS REGULATION:

Article 1

Regulation (EEC) No 1038/79 is hereby repealed.

Article 2

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

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

Done at Brussels, 28 March 1996.

For the Council

The President

A. CLO

⁽¹⁾ OJ No C 17, 22. 1. 1996.

⁽²⁾ OJ No C 18, 22. 1. 1996, p. 103.

⁽³⁾ OJ No L 132, 30. 5. 1979, p. 1.

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