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I *Acts whose publication is obligatory*

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EN

I

(Acts whose publication is obligatory)

**COMMISSION REGULATION (EC) No 710/96
of 19 April 1996**

**amending Regulation (EC) No 392/96 establishing the standard import values for
determining the entry price of certain fruit and vegetables**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Commission Regulation (EC) No 3223/94 of 21 December 1994 on detailed rules for the application of the import arrangements for fruit and vegetables⁽¹⁾, as last amended by Regulation (EC) No 2933/95⁽²⁾, and in particular Article 4(1) thereof,

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

Whereas Commission Regulation (EC) No 392/96 of 1 March 1996⁽⁵⁾ establishes the standard import values for determining the entry price of fresh sweet oranges originating in Cuba;

Whereas a check has shown that a mistake has crept into the Annex to that Regulation; whereas the Regulation in question should be corrected accordingly;

Whereas the party concerned must request that the corrected standard import value be applied in order to avoid suffering adverse consequences,

HAS ADOPTED THIS REGULATION:

Article 1

The standard import value of ECU 36,4 per 100 kilograms applicable to fresh sweet oranges originating in Cuba as set out in the Annex to Regulation (EC) No 392/96 is hereby replaced by ECU 37,7 per 100 kilograms.

Article 2

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

At the request of the party concerned, Article 1 shall apply from 2 to 5 March 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 337, 24. 12. 1994, p. 66.

⁽²⁾ OJ No L 307, 20. 12. 1995, p. 21.

⁽³⁾ OJ No L 387, 31. 12. 1992, p. 1.

⁽⁴⁾ OJ No L 22, 31. 1. 1995, p. 1.

⁽⁵⁾ OJ No L 53, 2. 3. 1996, p. 18.

COMMISSION REGULATION (EC) No 711/96

of 19 April 1996

laying down to what extent applications for issue of export licences submitted during April 1996 for beef and veal products which may benefit from special import treatment in a third country may be accepted

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to 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⁽¹⁾, as last amended by Regulation (EC) No 2856/95⁽²⁾, and in particular Article 12 (8) thereof,

Whereas Commission Regulation (EC) No 1445/95 lays down, in Article 12, detailed rules for export licence applications for the products referred to in Article 1 of Commission Regulation (EEC) No 2973/79⁽³⁾, as last amended by Regulation (EEC) No 3434/87⁽⁴⁾;

Whereas Commission Regulation (EEC) No 2973/79 fixed the quantities of meat which might be exported on special terms for the second quarter of 1996;

Whereas the quantities for which licence applications have been lodged for the second quarter of 1996 are lower than those available; whereas these applications can, therefore, be met in full,

HAS ADOPTED THIS REGULATION:

Article 1

The applications for export licences lodged for the beef and veal referred to in Regulation (EEC) No 2973/79 for the second quarter of 1996 shall be met in full.

Article 2

Applications for licences in respect of the meat referred to in Article 1 may be entered in accordance with Article 12 of Regulation (EC) No 1445/95 during the first 10 days of the third quarter of 1994 the total quantity available being 3 722 tonnes.

Article 3

This Regulation shall enter into force on 21 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 143, 27. 6. 1995, p. 35.

⁽²⁾ OJ No L 299, 12. 12. 1995, p. 10.

⁽³⁾ OJ No L 336, 29. 12. 1979, p. 44.

⁽⁴⁾ OJ No L 327, 18. 11. 1987, p. 7.

COMMISSION REGULATION (EC) No 712/96
of 19 April 1996
on the supply of white sugar as food aid

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EEC) No 3972/86 of 22 December 1986 on food-aid policy and food-aid management⁽¹⁾, as last amended by Regulation (EEC) No 1930/90⁽²⁾, and in particular Article 6 (1) (c) thereof,

Whereas Council Regulation (EEC) No 1420/87 of 21 May 1987 laying down implementing rules for Regulation (EEC) No 3972/86⁽³⁾ lays down the list of countries and organizations eligible for food-aid operations and specifies the general criteria on the transport of food aid beyond the fob stage;

Whereas following the taking of a number of decisions on the allocation of food aid the Commission has allocated to certain recipients 708 tonnes of sugar;

Whereas it is necessary to provide for the carrying out of this measure in accordance with the rules laid down by Commission Regulation (EEC) No 2200/87 of 8 July 1987 laying down general rules for the mobilization in the Community of products to be supplied as Community food aid⁽⁴⁾, as amended by Regulation (EEC) No 790/91⁽⁵⁾; whereas it is necessary to specify the time limits and conditions of supply and the procedure to be followed to determine the resultant costs;

Whereas, for a given lot, given the small quantities to be supplied, the packaging methods and the large number of

destinations of the supplies, provision should be made for the possibility for tenderers to indicate two ports of loading, where necessary not belonging to the same port area,

HAS ADOPTED THIS REGULATION:

Article 1

White sugar shall be mobilized in the Community, as Community food aid for supply to the recipients listed in the Annex in accordance with Regulation (EEC) No 2200/87 and under the conditions set out in the Annex. Supplies shall be awarded by the tendering procedure.

Notwithstanding Article 7 (3) (d) of Regulation (EEC) No 2200/87, the tender may indicate two ports of shipment not necessarily belonging to the same port area.

The successful tenderer is deemed to have noted and accepted all the general and specific conditions applicable. Any other condition or reservation included in his tender is deemed unwritten.

Article 2

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

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

Done at Brussels, 19 April 1996.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ No L 370, 30. 12. 1986, p. 1.

⁽²⁾ OJ No L 174, 7. 7. 1990, p. 6.

⁽³⁾ OJ No L 136, 26. 5. 1987, p. 1.

⁽⁴⁾ OJ No L 204, 25. 7. 1987, p. 1.

⁽⁵⁾ OJ No L 81, 28. 3. 1991, p. 108.

ANNEX

LOT A

1. **Operation No** ⁽¹⁾: 716/95 (A1); 717/95 (A2)
2. **Programme**: 1995
3. **Recipient** ⁽²⁾: Euronaid, Postbus 12, NL-2501 CA Den Haag (tel: (31-70) 33 05 757; fax: (31-70) 36 41 701; telex 30960 EURON NL)
4. **Representative of the recipient** ⁽³⁾: to be designated by the recipient
5. **Place or country of destination**: A1: Peru; A2: Madagascar
6. **Product to be mobilized**: white sugar
7. **Characteristics and quality of the goods** ⁽⁴⁾ ⁽⁷⁾ ⁽⁸⁾: see OJ No C 114, 29. 4. 1991, p. 1 (V.A(1))
8. **Total quantity**: 108 tonnes
9. **Number of lots**: 1 in 2 parts (A1: 90 tonnes; A2: 18 tonnes)
10. **Packaging and marking** ⁽⁶⁾ ⁽⁹⁾ ⁽¹¹⁾: see OJ No C 114, 29. 4. 1991, p. 1 (V.A(2) and V.A(3))
Language to be used for the marking: A1: Spanish; A2: French
11. **Method of mobilization**: sugar produced in the Community in accordance with the sixth subparagraph of Article 24 (1a) of Council Regulation (EEC) No 1785/81 as follows:
— A or B sugar (points (a) and (b))
12. **Stage of supply**: free at port of shipment ⁽¹⁰⁾
13. **Port of shipment**: —
14. **Port of landing specified by the recipient**: —
15. **Port of landing**: —
16. **Address of the warehouse and, if appropriate, port of landing**: —
17. **Period for making the goods available at the port of shipment**: 27. 5 — 16. 6. 1996
18. **Deadline for the supply**: —
19. **Procedure for determining the costs of supply**: invitation to tender
20. **Date of expiry of the period allowed for submission of tenders**: 12 noon (Brussels time) on 6. 5. 1996
21. **In the case of a second invitation to tender**:
 - (a) deadline for the submission of tenders: 12 noon (Brussels time) on 20. 5. 1996
 - (b) period for making the goods available at the port of shipment: 10 — 30. 6. 1996
 - (c) deadline for the supply: —
22. **Amount of tendering security**: ECU 15 per tonne
23. **Amount of delivery security**: 10 % of the amount of the tender in ecus
24. **Address for submission of tenders and tendering securities** ⁽¹⁾: Bureau de l'aide alimentaire, à l'attention de Monsieur T. Vestergaard, Bâtiment Loi 130, bureau 7/46, Rue de la Loi/Wetstraat 200, B-1049 Brussels (Attention! New numbers: telex: 25670 AGREC B; fax: (32-2) 296 70 03 / 296 70 04)
25. **Refund payable on application by the successful tenderer** ⁽¹⁾: periodic refund applicable to white sugar on 11. 4. 1996, fixed by Commission Regulation (EC) No 631/96 (OJ No L 90, 11. 4. 1996, p. 1)

LOT B

1. **Operation No** (1): 758/95 (B1); 759/95 (B2)
2. **Programme**: 1995
3. **Recipient** (2): Solidaridad Internacional, Glorieta de Quevedo 7, 6-D, E-28015 Madrid tel: (34-1) 5931113, fax: 448 44 69 / Oxfam Belgique, rue du Conseil 39, B-1050 Brussels (tel: (32-2) 512 99 90, fax: 5118919)
4. **Representative of the recipient**:
Croissant Rouge Sahraoui, 17, rue Ben M'Hidi Lardi, Oran (tel: (213-6) 39 64 24, fax: 33 10 65. Contact: Mr Nanni Yamma)
5. **Place or country of destination**: Algeria
6. **Product to be mobilized**: white sugar
7. **Characteristics and quality of the goods** (3) (7) (8): see OJ No C 114, 29. 4. 1991, p. 1 (V.A.(1))
8. **Total quantity**: 600 tonnes
9. **Number of lots**: one in two parts 2 (B1: 500 tonnes: B2: 100 tonnes)
10. **Packaging and marking** (6) (9) (12): see OJ No C 114, 29. 4. 1991, p. 1 (V.A.(2) and V.A. (3))
Language to be used for the marking: French
11. **Method of mobilization**: sugar produced in the Community in accordance with the sixth subparagraph of Article 24 (1a) of Council Regulation (EEC) No 1785/81 as follows:
— A or B sugar (points (a) and (b))
12. **Stage of supply**: free at port of landing — landed
13. **Port of shipment**: —
14. **Port of landing specified by the recipient**: —
15. **Port of landing**: Oran
16. **Address of the warehouse and, if appropriate, port of landing**:
17. **Period for making the goods available at the port of shipment where the supply is awarded at the port of shipment stage**: 3 — 16. 6. 1996
18. **Deadline for the supply**: 30. 6. 1996
19. **Procedure for determining the costs of supply**: invitation to tender
20. **Date of expiry of the period allowed for submission of tenders**: 12 noon (Brussels time) on 6. 5. 1996
21. **In the case of a second invitation to tender**:
 - (a) deadline for the submission of tenders: 12 noon (Brussels time) on 20. 5. 1996
 - (b) period for making the goods available at the port of shipment where the supply is awarded at the port of shipment stage: 17 — 30. 6. 1996
 - (c) deadline for the supply: 14. 7. 1996
22. **Amount of the tendering security**: ECU 15 per tonne
23. **Amount of the delivery security**: 10 % of the amount of the tender in ecus
24. **Address for submission of tenders and tendering securities** (1): Bureau de l'aide alimentaire, Attn. Mr T. Vestergaard, Bâtiment Loi 130, bureau 7/46, Rue de la Loi/Wetstraat 200, B-1049 Brussels, (Attention! New Numbers!: tlx: 25670 AGREC B; fax: (32-2) 296 70 03 / 296 70 04)
25. **Refund payable on application by the successful tenderer** (4): periodic refund applicable to white sugar on 11. 4. 1996 fixed by Commission Regulation (EC) No 631/96 (OJ No L 90, 11. 4. 1996, p. 1)

Notes:

- (¹) The operation number should be mentioned in all correspondence.
- (²) The successful tenderer shall contact the recipient as soon as possible to establish which consignment documents are required.
- (³) The successful tenderer shall deliver to the beneficiary a certificate from an official entity certifying that for the product to be delivered the standards applicable, relative to nuclear radiation, in the Member State concerned, have not been exceeded. The radioactivity certificate must indicate the caesium-134 and -137 and iodine-131 levels.
- (⁴) Commission Regulation (EEC) No 2330/87 (OJ No L 210, 1. 8. 1987, p. 56), as last amended by Regulation (EEC) No 2226/89 (OJ No L 214, 25. 7. 1989, p. 10), is applicable as regards the export refund. The date referred to in Article 2 of the abovementioned Regulation is that referred to in point 25 of this Annex.
- The amount of the refund, shall be converted into national currency by applying the agricultural conversion rate applicable on the day of completion of the customs export formalities. The provisions of Articles 13 to 17 of Commission Regulation (EEC) No 1068/93 (OJ No L 108, 1. 5. 1993, p. 106), as last amended by Regulation (EC) No 2853/95 (OJ No L 299, 12. 12. 1995, p. 1), shall not apply to this amount.
- (⁵) The supplier should send a duplicate of the original invoice to: Willis Corroon Scheuer, Postbus 1315, NL-1000 BH Amsterdam.
- (⁶) Since the goods may be rebagged, the successful tenderer must provide 2 % of empty bags of the same quality as those containing the goods, with the marking followed by a capital 'R'.
- (⁷) The rule provided at the second indent of Article 18 (2) (a) of Regulation (EEC) No 2103/77 (OJ No L 246, 27. 9. 1977, p. 12) is binding for determination of the sugar category.
- (⁸) The successful tenderer shall supply to the beneficiary or its representative, on delivery, the following document:
- health certificate.
- (⁹) Notwithstanding OJ No C 114, point V.A(3)(c) is replaced by the following: 'the words "European Community".'
- (¹⁰) Notwithstanding Article 7 (3) (d) of Regulation (EEC) No 2200/87, the tender may indicate two ports of shipment not necessarily belonging to the same port area.
- (¹¹) Shipment to take place in 20-foot containers, condition FCL/FCL.
- The supplier shall be responsible for the cost of making the containers available in the stack position at the container terminal at the port of shipment. The recipient shall be responsible for all subsequent loading costs, including the cost of moving the containers from the container terminal.
- The provisions of Article 13 (2), second paragraph, of Regulation (EEC) No 2200/87 shall not apply.
- The successful tenderer has to submit to the recipient's agent a complete packing list of each container, specifying number of bags belonging to each shipping number as specified in the invitation to tender.
- The successful tenderer has to seal each container with a numbered locktainer (Sysko locktainer 180 seal), the number of which to be provided to the beneficiary's forwarder.
- (¹²) Placed in one-way 20-foot containers.
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COMMISSION REGULATION (EC) No 713/96
of 19 April 1996
on the supply of milk products as food aid

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

Having regard to Council Regulation (EEC) No 3972/86 of 22 December 1986 on food-aid policy and food-aid management ⁽¹⁾, as last amended by Regulation (EEC) No 1930/90 ⁽²⁾, and in particular Article 6(1)(c) thereof,

Whereas Council Regulation (EEC) No 1420/87 of 21 May 1987 laying down implementing rules for Regulation (EEC) No 3972/86 on food-aid policy and food-aid management ⁽³⁾ lays down the list of countries and organizations eligible for food-aid operations and specifies the general criteria on the transport of food aid beyond the fob stage;

Whereas following the taking of a number of decisions on the allocation of food aid the Commission has allocated to certain recipients 1 490 tonnes of milk powder;

Whereas it is necessary to provide for the carrying-out of this measure in accordance with the rules laid down by Commission Regulation (EEC) No 2200/87 of 8 July 1987 laying down general rules for the mobilization in the Community of products to be supplied as Community food aid ⁽⁴⁾, as amended by Regulation (EEC) No

790/91 ⁽⁵⁾; whereas it is necessary to specify the time limits and conditions of supply and the procedure to be followed to determine the resultant costs,

HAS ADOPTED THIS REGULATION:

Article 1

Milk products shall be mobilized in the Community, as Community food aid, for supply to the recipients listed in the Annex in accordance with Regulation (EEC) No 2200/87 and under the conditions set out in the Annex. Supplies shall be awarded by the tendering procedure.

The successful tenderer is deemed to have noted and accepted all the general and specific conditions applicable. Any other condition or reservation included in his tender is deemed unwritten.

Article 2

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

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

Done at Brussels, 19 April 1996.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ No L 370, 30. 12. 1986, p. 1.
⁽²⁾ OJ No L 174, 7. 7. 1990, p. 6.
⁽³⁾ OJ No L 136, 26. 5. 1987, p. 1.
⁽⁴⁾ OJ No L 204, 25. 7. 1987, p. 1.

⁽⁵⁾ OJ No L 81, 28. 3. 1991, p. 108.

ANNEX

LOT A

1. **Operation No** (1): 760/95 (A1); 761/95 (A2)
2. **Programme**: 1995
3. **Recipient** (2): Solidaridad Internacional, Glorieta de Quevedo 7, 6-D, E-28015 Madrid (tel.: (34-1) 593 11 13, fax: 448 44 69) / Oxfam Belgique, rue du Conseil 39, B-1050 Brussels (Tel.: (32-2) 517 99 90, fax: 511 89 19)
4. **Representative of the recipient**: Croissant Rouge Sahraoui, 17, rue Ben M'Hidi Lardi, Oran (Tel.: (213-6) 39 64 24, fax: 33 10 65) Contact: Mr Nanni Yamma
5. **Place or country of destination**: Algeria
6. **Product to be mobilized**: Vitaminized skimmed-milk powder
7. **Characteristics and quality of the goods** (3) (6): See OJ No C 114, 29. 4. 1991, p. 1 (I.B(1))
8. **Total quantity**: 1 300 tonnes
9. **Number of lots**: One in two parts (A1: 1 100 tonnes; A2: 200 tonnes)
10. **Packaging and marking** (7) (10): See OJ No C 114, 29. 4. 1991, p. 1 (I.B (2), I.A. (2) (3) and I.B (3))
Language to be used for the marking: French
11. **Method of mobilization**: The Community market
The manufacture of the skimmed-milk powder, and the incorporation of vitamins, must be carried out after the award of the tender
12. **Stage of supply**: Free at port of landing — landed
13. **Port of shipment**: —
14. **Port of landing specified by the recipient**: —
15. **Port of landing**: Oran
16. **Address of the warehouse and, if appropriate, port of landing**: —
17. **Period for making the goods available at the port of shipment where the supply is awarded at the port of shipment stage**: 3 — 16. 6. 1996
18. **Deadline for the supply**: 30. 6. 1996
19. **Procedure for determining the costs of supply**: Invitation to tender
20. **Date of expiry of the period allowed for submission of tenders**: 12 noon (Brussels time) on 6. 5. 1996
21. **In the case of a second invitation to tender**:
 - (a) deadline for the submission of tenders: 12 noon (Brussels time) on 20. 5. 1996
 - (b) period for making the goods available at the port of shipment where the supply is awarded at the port of shipment stage: 17 — 30. 6. 1996
 - (c) deadline for the supply: 14. 7. 1996
22. **Amount of tendering security**: ECU 20 per tonne
23. **Amount of delivery security**: 10 % of the amount of the tender in ecus
24. **Address for submission of tenders and tendering securities** (1):
Bureau de l'aide alimentaire, Attn. Mr T. Vestergaard
Bâtiment Loi 130, bureau 7/46,
Rue de la Loi/Wetstraat 200, B-1049 Brussels
(Attention! New numbers!: telex: 2 56 70 AGREC B; fax: (32 2) 296 70 03 / 296 70 04)
25. **Refund payable on application by the successful tenderer** (4): refund applicable on 15. 4. 1996, fixed by Commission Regulation (EC) No 653/96 (OJ No L 91, 12. 4. 1996, p. 24)

LOT B

1. **Operation No** ⁽¹⁾: 805/95
2. **Programme**: 1995
3. **Recipient** ⁽²⁾: Euronaid, Postbus 12, NL-2501 CA Den Haag, Nederland (tel. (31 70) 33 05 757; fax 36 41 701; telex 30960 EURON NL)
4. **Representative of the recipient** ⁽³⁾: to be designated by the recipient
5. **Place or country of destination**: Cuba
6. **Product to be mobilized**: whole milk powder
7. **Characteristics and quality of the goods** ⁽³⁾ ⁽⁴⁾: see OJ No C 114, 29. 4. 1991, p. 1 (I.C.(1))
8. **Total quantity**: 135 tonnes
9. **Number of lots**: one
10. **Packaging and marking** ⁽⁷⁾ ⁽⁸⁾:
See OJ No C 114, 29. 4. 1991, p. 1 (I.C.(2), I.A.(2) (3) and I.C.(3))
Language to be used for the marking: Spanish
11. **Method of mobilization**: the Community market
The whole milk powder must be manufactured after the award of the tender
12. **Stage of supply**: free at port of shipment
13. **Port of shipment**: —
14. **Port of landing specified by the recipient**: —
15. **Port of landing**: —
16. **Address of the warehouse and, if appropriate, port of landing**: —
17. **Period for making the goods available at the port of shipment**: 27. 5 — 16. 6. 1996
18. **Deadline for the supply**: —
19. **Procedure for determining the costs of supply**: invitation to tender
20. **Date of expiry of the period allowed for submission of tenders**: 12 noon (Brussels time) on 6. 5. 1996
21. **In the case of a second invitation to tender**:
 - (a) deadline for the submission of tenders: 12 noon (Brussels time) on 20. 5. 1996
 - (b) period for making the goods available at the port of shipment: 10 — 30. 6. 1996
 - (c) deadline for the supply: —
22. **Amount of tendering security**: ECU 20 per tonne
23. **Amount of delivery security**: 10 % of the amount of the tender in ecus
24. **Address for submission of tenders and tendering securities** ⁽¹⁾: Bureau de l'aide alimentaire, à l'attention de Monsieur T. Vestergaard, Bâtiment Loi 130, bureau 7/46, rue de la Loi/Wetstraat 200, B-1049 Brussels (Attention!: New numbers!: telex 25670 AGREC B; fax (32 2) 296 70 03 / 296 70 04)
25. **Refund payable on application by the successful tenderer** ⁽⁴⁾: refund applicable on 15. 4. 1996 fixed by Commission Regulation (EC) No 653/96 (OJ No L 91, 12. 4. 1996, p. 24)

LOT C

1. **Operation No** (1): 1837/94
2. **Programme**: 1994
3. **Recipient** (2): UNHCR (for the attention of Mme Seinet), case postale 2500, CH-1211 Genève 2 dépôt (tel. (22) 739 81 37; telefax: 739 85 63)
4. **Representative of the recipient**: UNHCR, BP 4405 Nouakchott (tel. (222) 25 63 27; telefax 25 61 76; telex 57 29 MTN)
5. **Place or country of destination** (3): Mauritania
6. **Product to be mobilized**: whole milk powder
7. **Characteristics and quality of the goods** (3) (4): see OJ No C 114, 29. 4. 1991, p. 1 (under I.C (1))
8. **Total quantity**: 55 tonnes
9. **Number of lots**: one
10. **Packaging and marking** (7): see OJ No C 114, 29. 4. 1991, p. 1 (under I.C (2), I.A (2) (3) and I.C (3))
Markings in French
11. **Method of mobilization**: the Community market
The whole milk powder must be manufactured after the award of the tender
12. **Stage of supply**: free at port of landing — landed
13. **Port of shipment**: —
14. **Port of landing specified by the recipient**: —
15. **Port of landing**: Nouakchott
16. **Address of the warehouse and, if appropriate, port of landing**: —
17. **Period for making the goods available at the port of shipment where the supply is awarded at the port of shipment stage**: 27. 5 — 9. 6. 1996
18. **Deadline for the supply**: 30. 6. 1996
19. **Procedure for determining the costs of supply**: invitation to tender
20. **Date of expiry of the period allowed for submission of tenders**: 12 noon (Brussels time) on 6. 5. 1996
21. **In the case of a second invitation to tender**:
 - (a) deadline for the submission of tenders: 12 noon (Brussels time) on 20. 5. 1996
 - (b) period for making the goods available at the port of shipment where the supply is awarded at the port of shipment stage: 10 — 23. 6. 1996
 - (c) deadline for the supply: 14. 7. 1996
22. **Amount of the tendering security**: ECU 20 per tonne
23. **Amount of the delivery security**: 10 % of the tender in ecus
24. **Address for submission of tenders and tendering securities** (1): Bureau de l'aide alimentaire, à l'attention Monsieur T. Vestergaard, Bâtiment Loi 120, bureau 7/46, rue de la Loi/Wetstraat 200, B-1049, Brussels, (Attention!: New numbers!: telex 25670 AGREC B; fax (32 2) 296 70 03 / 296 70 03 / 296 70 04)
25. **Refund payable on request by the successful tenderer** (4): refund applicable on 15. 4. 1996, fixed by Commission Regulation (EC) No 653/96 (OJ No L 91, 12. 4. 1996, p. 24)

Notes:

- (1) The operation number should be mentioned in all correspondence.
- (2) The successful tenderer shall contact the recipient as soon as possible to establish which consignment documents are required.
- (3) The successful tenderer shall deliver to the beneficiary a certificate from an official entity certifying that for the product to be delivered the standards applicable, relative to nuclear radiation, in the Member State concerned, have not been exceeded. The radioactivity certificate must indicate the caesium-134 and -137 and iodine-131 levels.
- (4) Commission Regulation (EEC) No 2330/87 (OJ No L 210, 1. 8. 1987, p. 56), as last amended by Regulation (EEC) No 2226/89 (OJ No L 214, 25. 7. 1989, p. 10), is applicable as regards the export refund. The date referred to in Article 2 of the said Regulation is that referred to in point 25 of this Annex.
- The amount of the refund shall be converted into national currency by applying the agricultural conversion rate applicable on the day of completion of the customs export formalities. The provisions of Articles 13 to 17 of Commission Regulation (EEC) No 1068/93 (OJ No L 108, 1. 5. 1993, p. 106), as last amended by Regulation (EC) No 2853/95 (OJ No L 299, 12. 12. 1995, p. 1), shall not apply to this amount.
- (5) Commission delegation to be contacted by the successful tenderer: OJ No C 114, 29. 4. 1991, p. 33.
- (6) The successful tenderer shall supply to the beneficiary or its representative, on delivery, the following documents:
- health certificate,
 - lots A and B: veterinary certificate issued by an official entity stating that the product was processed with pasteurized milk, coming from healthy animals, processed under excellent sanitary conditions which are supervised by qualified technical personnel and that the area of production of raw milk had not registered foot-and-mouth disease nor any other notifiable infectious/contagious disease during the 12 months prior to the processing.
- The veterinary certificate must state the temperature and duration of the pasteurization, the temperature and duration in the spray-drying tower and the expiry date for consumption.
- (7) Notwithstanding OJ No C 114, point I. B.3 (c) or I. C.3 (c) is replaced by the following: 'the words "European Community".'
- (8) Shipment to take place in 20-foot containers, condition FCL/FCL. The supplier shall be responsible for the cost of making the containers available in the stack position at the container terminal at the port of shipment. The recipient shall be responsible for all subsequent loading costs, including the cost of moving the containers from the container terminal.
- The provisions of Article 13 (2), second paragraph, of Regulation (EEC) No 2200/87 shall not apply.
- The successful tenderer has to submit to the recipient's agent a complete packing list of each container, specifying the number of bags belonging to each shipping number as specified in the invitation to tender.
- The successful tenderer has to seal each container with a numbered locktainer (Sysko locktainer 180 seal), number of which to be provided to the beneficiary's forwarder.
- (9) The supplier should send a duplicate of the original invoice to: Willis Corroon Scheuer, Postbus 1315, NL-1000 BH Amsterdam.
- (10) Placed in one-way 20-foot containers.

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 715/96
of 19 April 1996

**amending Regulation (EEC) No 1318/93 on detailed rules for the application of
Council Regulation (EEC) No 2067/92 on measures to promote and market
quality 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 2067/92 of 30 June 1992 on measures to promote and market quality beef and veal ⁽¹⁾ and in particular Article 4 thereof,

Whereas Commission Regulation (EEC) No 1318/93 ⁽²⁾, as last amended by Regulation (EC) No 2895/95 ⁽³⁾, lays down detailed rules for the application of the abovementioned Regulation;

Whereas Articles 4 and 5 of Regulation (EEC) No 1318/93 lay down time limits for the submission of applications for financing with the competent bodies in the Member States for forwarding to the Commission;

Whereas, on account of the crisis arising as a result of the public's concern regarding BSE, the Commission adopted emergency measures; whereas those measures are likely to influence the objectives and strategy of programmes to promote beef and veal; whereas the parties concerned should accordingly be permitted to adapt, where necessary, such programmes; whereas the time limits referred to above for the current year must therefore be extended;

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

Done at Brussels, 19 April 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 1318/93 is hereby amended as follows:

1. the second sentence of Article 4 (1) is replaced by the following:

'However, for 1996, applications may be adjusted up to 30 April 1996.'

2. the second sentence of Article 5 (1) is replaced by the following:

'However, for 1996, it shall forward applications together with the corresponding reasoned opinions within 15 days of their receipt.'

Article 2

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

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ No L 215, 30. 7. 1992, p. 57.

⁽²⁾ OJ No L 132, 29. 5. 1993, p. 83.

⁽³⁾ OJ No L 304, 16. 12. 1995, p. 4.

COMMISSION REGULATION (EC) No 716/96

of 19 April 1996

adopting exceptional support measures for the beef market in the United Kingdom

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EEC) No 805/68 of 27 June 1968 on the common organization of the market in beef and veal⁽¹⁾, as last amended by Commission Regulation (EC) No 2417/95⁽²⁾ and, in particular, Article 23 thereof,

Whereas Commission Decision 96/239/EC of 27 March 1996 on emergency measures to protect against bovine spongiform encephalopathy (BSE)⁽³⁾ prohibits the exportation of live bovine animals, or any part of them, from the United Kingdom to other Member States and their export to third countries as a result of the incidence of BSE in the United Kingdom; whereas the United Kingdom has prohibited the introduction of bovine animals of more than 30 months at the time of slaughter into the human food and animal feed chains; whereas these measures involve serious disturbances in the market of the United Kingdom; whereas it is therefore necessary to take exceptional measures to support this market; whereas it is appropriate to establish a Community co-financed scheme authorizing the United Kingdom to purchase the animals covered by the abovementioned prohibition with a view to killing and subsequently destroying them;

Whereas, in view of the extent of the disease, in particular, of its probable duration, and consequently of the magnitude of the efforts needed to support the market, it would be appropriate for such efforts to be shared by the Community and the United Kingdom;

Whereas, in most cases animals slaughtered above the age of 30 months are cull cows; whereas the most recently observed price of carcasses of cows on the United Kingdom market was equivalent to ECU 1 per kilogram live weight and that it is therefore appropriate to base the purchase price on this, without prejudice to the possibility of subsequent adjustment in the light of developments; whereas, in similar cases the Community has contributed to the overall expenditure incurred at a rate of 70 %; whereas a price of ECU 1 per kilogram is equal on average to a price of ECU 560 per animal; whereas it is appropriate, in view of the large numbers of animals concerned and in the interests of simplification, to

provide a Community contribution of ECU 392 per animal;

Whereas, it is necessary to ensure that the animals concerned are killed and destroyed in a manner which does not pose any threat to human health or the health of other animals; whereas, it is therefore necessary to specify the conditions for the destruction of these animals and of the controls to be carried out by the United Kingdom authorities; whereas, so as to avoid that animals to be slaughtered under this scheme mix with animals not covered by this scheme and that mistakes as to identity occur, they should be kept separately in the lairage to a slaughterhouse, as well as in the slaughterhouse itself;

Whereas, provision should be made for Commission experts to check compliance with the conditions as specified;

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

HAS ADOPTED THIS REGULATION:

Article 1

1. The United Kingdom competent authority shall be authorized to purchase any bovine animal aged more than 30 months which does not show any clinical sign of BSE, presented to it by any producer or his agent, which was, during a period of at least three months prior to its sale, present on a holding located on the territory of the United Kingdom.

2. The animals referred to in paragraph 1 shall be killed in specially designated slaughterhouses, the heads, internal organs and carcasses shall be permanently stained. The stained material shall be transported in sealed containers to specially authorized incineration or rendering plants, where it shall be processed and then destroyed. No part of the abovementioned animals may enter into the human food or animal feed chains or be used for cosmetic or pharmaceutical products.

A representative of the United Kingdom competent authority shall be permanently present in the slaughterhouse referred to above in order to supervise the operations in question.

Notwithstanding the first subparagraph, the United Kingdom competent authority may allow the on-farm slaughter of an animal where existing animal welfare practice would require this.

⁽¹⁾ OJ No L 148, 28. 6. 1968, p. 24.

⁽²⁾ OJ No L 248, 14. 10. 1995, p. 39.

⁽³⁾ OJ No L 78, 28. 3. 1996, p. 47.

Notwithstanding the second subparagraph, the hides of the animals referred to in paragraph 1 do not have to be stained or destroyed provided that they have been treated in such a way that they can only be used for leather production.

3. The slaughterhouses referred to in paragraph 2 shall be organized and operated in such a way as to ensure that:

- no bovine animal, the product from the slaughter of which is intended for human or animal consumption, is present in the slaughterhouse when animals are being slaughtered under this scheme,
- where it is necessary for bovine animals to be slaughtered under the scheme to be held in lairage, they shall be kept separate from bovine animals which it is intended to slaughter for human or animal consumption, and
- where it is necessary for products derived from animals slaughtered under this scheme to be stored, such storage shall be separate from any storage facility used for meat or other products destined for human or animal consumption.

4. The United Kingdom competent authority shall:

- carry out the necessary administrative checks and effective on-the-spot supervision of the operations referred to in paragraphs 2 and 3, and
- control those operations on the basis of frequent and unannounced inspections, in particular to verify that all stained material has been effectively destroyed;

The results of these checks and controls shall be made available to the Commission on request.

5. If the number of animals presented for sale and subsequent destruction exceeds the number for which there is capacity to destroy in the United Kingdom, the competent authority may limit access to this scheme.

Article 2

1. The price to be paid to producers or their agents by the United Kingdom competent authority under Article 1 (1) shall be ECU 1 per kilogram live weight.

2. The Community shall co-finance the expenditure incurred by the United Kingdom for the purchases referred to under Article 1 (1) at a rate of ECU 392 per

purchased animal which has been destroyed in accordance with the provisions of Article 1.

3. The conversion rate to be applied shall be the agricultural rate valid on the first day of the month of the purchase of the animal in question.

Article 3

The United Kingdom shall adopt all measures necessary to ensure proper application of this scheme and full compliance with the provisions of this Regulation. It shall inform the Commission as soon as possible of the measures which it has taken and of any amendments thereto.

Article 4

The United Kingdom competent authority:

- (a) shall inform the Commission each Wednesday, of the number of animals:
 - purchased, and
 - slaughtered
 under this scheme during the previous week;
- (b) shall establish a detailed report of the controls which they have taken under the measures referred to in Article 3 and shall communicate this to the Commission each quarter.

Article 5

Without prejudice to Article 9 of Council Regulation (EEC) No 729/70⁽¹⁾, Commission experts, accompanied where appropriate by experts from the Member States, shall carry out, in collaboration with the United Kingdom competent authority, on-the-spot checks to verify compliance with all the provisions of this Regulation.

Article 6

The measures taken under this Regulation shall be considered to be intervention measures within the meaning of Article 1 (2) of Regulation (EEC) No 729/70.

Article 7

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

It shall be applicable from 29 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 94, 28. 4. 1970, p. 13.

COMMISSION REGULATION (EC) No 717/96
of 19 April 1996

**adopting exceptional support measures for the beef and veal market in Belgium,
France and the Netherlands**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EEC) No 805/68 of 27 June 1968 on the common organization of the market in beef and veal⁽¹⁾, as last amended by Commission Regulation (EC) No 2417/95⁽²⁾, and in particular Article 23 thereof,

Whereas Commission Decision 96/239/EEC of 27 March 1996 on emergency measures to protect against bovine spongiform encephalopathy (BSE)⁽³⁾ prohibits the exportation of live bovine animals, or any part of them, from the United Kingdom to other Member States and their export to third countries as a result of the incidence of BSE in the United Kingdom; whereas calves born in the United Kingdom had been exported to other Member States for fattening prior to the introduction of that export ban; whereas the possibility that these calves may enter the human food or animal feed chains has led to a lack of consumer confidence in beef and a disturbance of the markets in Belgium, France and the Netherlands; whereas it is therefore necessary to take exceptional measures to support these markets; whereas it is appropriate to establish a Community co-financed scheme authorizing Belgium, France and the Netherlands to purchase the animals concerned with a view to killing and subsequently destroying them;

Whereas, in view of the extent of the disease and consequently of the magnitude of the efforts needed to support the market, it would be appropriate for such efforts to be shared by the Community and the Member States concerned;

Whereas the most recently observed price of carcasses of calves on the Community market was equivalent to ECU 2,8 per kilogram live weight and that it is therefore appropriate to base the purchase price on this, without prejudice to the possibility of subsequent adjustment in the light of developments; whereas, in similar cases the Community has contributed to the overall expenditure incurred at a rate of 70 %; whereas it is appropriate, to provide a Community contribution of 70 % of the purchase price paid by Belgium, France and by the Netherlands per animal destroyed under this Regulation;

Whereas, it is necessary to ensure that the animals concerned are killed and destroyed in a hygienic manner;

whereas the price paid to producers is to compensate them for not selling the calves in question; whereas those calves must therefore be prohibited from being marketed; whereas it is therefore necessary to specify the conditions for the destruction of these animals and of the controls to be carried out by the authorities of the Member States concerned;

Whereas, provision should be made for Commission experts to check compliance with the conditions as specified;

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

HAS ADOPTED THIS REGULATION:

Article 1

1. The competent authorities in Belgium, France and the Netherlands shall be authorized to purchase any bovine animal aged six months or less on 20 March 1996 and present on that date on a holding located in the territory of Belgium, France or the Netherlands respectively presented to them by any producer, which can be proved by him to have been born in the United Kingdom.

2. The animals referred to in paragraph 1 shall be killed in specially designated slaughterhouses. If the hide is removed the head, internal organs and carcasses shall be permanently stained. The stained material or the whole animal shall be transported in sealed containers to specially authorized incineration or rendering plants for disposal in such a way that no part of it may be placed on the market. No part of the abovementioned animals may enter into the human food or animal feed chains or be used for cosmetic or pharmaceutical products. A representative of the competent authority of Belgium, France and the Netherlands respectively shall be permanently present in the slaughterhouses referred to above in order to supervise the operations in question.

Notwithstanding the first subparagraph, the competent authorities of Belgium, France and the Netherlands may allow the on-farm slaughter of an animal where existing animal welfare practice would require this.

⁽¹⁾ OJ No L 148, 28. 6. 1968, p. 24.

⁽²⁾ OJ No L 248, 14. 10. 1995, p. 39.

⁽³⁾ OJ No L 78, 28. 3. 1996, p. 47.

Notwithstanding the second subparagraph, the hides of the animals referred to in paragraph 1 do not have to be stained or destroyed provided that they have been treated in such a way that they can only be used for leather production.

3. The slaughterhouses referred to in paragraph 2 shall be organized and operated in such a way as to ensure that:

- no bovine animal, the product from the slaughter of which is intended for human or animal consumption, is present in the slaughterhouse when animals are being slaughtered under this scheme or in the lairage of the slaughterhouse when animals to be slaughtered under this scheme are present, and
- where it is necessary for products derived from animals slaughtered under the scheme to be stored, such storage shall be separate from any storage facility used for meat or other products destined for human or animal consumption.

4. The competent authority of the Member State concerned shall:

- carry out the necessary administrative checks and effective on-the-spot supervision of the operations referred to in paragraphs 2 and 3, and
- control those operations on the basis of frequent and unannounced inspections, in particular to verify that all material has been effectively destroyed;

The results of these checks and controls shall be made available to the Commission on request.

5. If the number of animals presented for sale and subsequent destruction exceeds the number for which there is capacity to destroy in the Member State concerned, the competent authority may limit access to this scheme.

Article 2

1. The price in respect of the animal to be paid by the competent authority of the Member State concerned under Article 1 (1) shall be ECU 2,8 per kilogram live weight. If the weight is assessed after the animal has been bled, the weight shall be increased by 5 %.

2. The Community shall co-finance the purchase price paid by the Member State concerned per purchased

animal which has been destroyed in accordance with the provisions of Article 1, at a rate of 70 %.

3. The conversion rate to be applied shall be the agricultural rate in force on the first day of the month of purchase of the animal in question.

Article 3

Belgium, France and the Netherlands shall adopt all measures necessary to ensure its proper application and full compliance with the provisions of this Regulation. They shall inform the Commission as soon as possible of the measures which they have taken and of any amendments thereto.

Article 4

The competent authorities in Belgium, France and the Netherlands:

- (a) shall inform the Commission each Wednesday, of the number of animals:
 - purchased, and
 - slaughtered,
 under this scheme during the previous week;
- (b) shall establish a detailed report of the controls which they have taken under the measures referred to in Article 3 and shall communicate this to the Commission each month.

Article 5

Without prejudice to Article 9 of Council Regulation (EEC) No 729/70⁽¹⁾, Commission experts, accompanied where appropriate by experts from the Member States, shall carry out, in collaboration with the competent authority of the Member State concerned, on the spot checks to verify compliance with all the provisions of this Regulation.

Article 6

The measures taken under this Regulation shall be considered to be intervention measures within the meaning of Article 1 (2) of Regulation (EEC) No 729/70.

Article 7

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

It shall be applicable from 11 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 94, 28. 4. 1970, p. 13.

COMMISSION REGULATION (EC) No 718/96
of 19 April 1996
establishing the standard import values for determining the entry price of
certain fruit and vegetables

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

Having regard to Commission Regulation (EC) No 3223/94 of 21 December 1994 on detailed rules for the application of the import arrangements for fruit and vegetables⁽¹⁾, as last amended by Regulation (EC) No 2933/95⁽²⁾, and in particular Article 4 (1) thereof,

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

Whereas Regulation (EC) No 3223/94 lays down, pursuant to the outcome of the Uruguay Round multilateral trade negotiations, the criteria whereby the Commis-

sion fixes the standard values for imports from third countries, in respect of the products and periods stipulated in the Annex thereto;

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

HAS ADOPTED THIS REGULATION:

Article 1

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

Article 2

This Regulation shall enter into force on 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 337, 24. 12. 1994, p. 66.

⁽²⁾ OJ No L 307, 20. 12. 1995, p. 21.

⁽³⁾ OJ No L 387, 31. 12. 1992, p. 1.

⁽⁴⁾ OJ No L 22, 31. 1. 1995, p. 1.

ANNEX

to the Commission Regulation of 19 April 1996 establishing the standard import values for determining the entry price of certain fruit and vegetables

<i>(ECU/100 kg)</i>			<i>(ECU/100 kg)</i>			
CN code	Third country code (1)	Standard import value	CN code	Third country code (1)	Standard import value	
0702 00 20	052	68,5	0805 30 20	052	130,6	
	060	80,2		204	88,8	
	064	59,6		220	74,0	
	066	41,7		388	93,3	
	068	62,3		400	79,2	
	204	52,3		512	54,8	
	208	44,0		520	66,5	
	212	97,5		524	100,8	
	624	81,2		528	74,5	
	999	65,3		600	71,5	
	0707 00 15	052		97,0	624	84,6
		053		156,2	999	83,5
		060		61,0	0808 10 61, 0808 10 63, 0808 10 69	052
066		53,8	064	78,6		
068		69,1	284	75,5		
204		144,3	388	72,3		
624		87,1	400	67,1		
999		95,5	404	62,0		
0709 10 10	220	126,6	416	72,7		
	999	126,6	508	89,5		
0709 90 75	052	72,5	512	70,8		
	204	77,5	524	97,2		
	412	54,2	528	75,6		
	624	199,9	624	86,5		
	999	101,0	728	107,3		
0805 10 11, 0805 10 15, 0805 10 19	052	63,5	800	78,0		
	204	41,6	804	88,6		
	208	58,0	999	79,0		
	212	71,7	0808 20 37	039	90,4	
	220	53,3		052	138,2	
	388	40,5		064	72,5	
	400	37,3		388	66,4	
	436	41,6		400	71,5	
	448	30,2		512	67,2	
	600	43,7		528	75,9	
	624	48,1		624	79,0	
	999	48,1		728	115,4	
				800	55,8	
				804	112,9	
				999	85,9	

(1) Country nomenclature as fixed by Commission Regulation (EC) No 3079/94 (OJ No L 325, 17. 12. 1994, p. 17). Code '999' stands for 'of other origin'.

DECISION No 719/96/EC OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL

of 29 March 1996

establishing a programme to support artistic and cultural activities having a European dimension (Kaleidoscope)

THE EUROPEAN PARLIAMENT AND THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty establishing the European Community, and in particular Article 128 thereof,

Having regard to the proposal from the Commission ⁽¹⁾,

Having regard to the opinion of the Committee of the Regions ⁽²⁾,

Acting in accordance with the procedure laid down in Article 189b of the Treaty ⁽³⁾, having regard to the joint text approved on 31 January 1996 by the Conciliation Committee,

- (1) Whereas, in reality, the most tangible and influential aspect of Europe as a whole is not merely its geographical, political, economic and social features but also its culture; whereas the perception of Europe in the world is largely determined by the position and strength of its cultural values;
- (2) Whereas the Treaty confers on the Community responsibility for contributing to the flowering of the cultures of the Member States by improving the knowledge and dissemination of the culture and history of the European peoples and by encouraging cultural exchanges and artistic and literary creation;
- (3) Whereas cultural diversity, as expressed at national and regional level, must be preserved and the works of European artists and creators which are a mani-

festation of the richness of the many identities of the Member States must be promoted; whereas creators and professionals should accordingly be involved more closely in the implementation of Community actions in the cultural field;

- (4) Whereas it is also important to encourage all citizens, from a diversity of social and regional backgrounds, including the least-favoured, and especially young people, to become more involved in culture by promoting greater access to culture and the arts for the various European audiences and helping to increase mutual knowledge and respect and to promote the idea of citizenship of the European Union;
- (5) Whereas, with due regard for the principle of subsidiarity as defined in Article 3b of the Treaty, cooperation through networks would seem to be one of the best ways of breaking down barriers and helping both professionals and volunteers in the cultural sector to cooperate more closely on the ground, thereby paving the way for a greater number of higher quality exchanges and helping artists improve their professional skills;
- (6) Whereas, within the framework of the actions under this programme, possibilities should be made available to operators from different regions in Europe to cooperate on transnational artistic projects which will strengthen their links while respecting cultural diversity;
- (7) Whereas Community action in support of artistic and cultural events with a European dimension and European cooperation measures with wide scope and an innovative or exemplary nature promote the spread of different cultures whilst bringing artists and creators closer to the European public, and can also create added value at a socio-economic level by encouraging operational synergies and partnership;
- (8) Whereas support in the sphere of the arts and culture can boost economic activity and employment;

⁽¹⁾ OJ No C 324, 22. 11. 1994, p. 5 and OJ No C 278, 24. 10. 1995, p. 9.

⁽²⁾ Opinion delivered on 21 April 1995 (not yet published in the Official Journal).

⁽³⁾ Opinion of the European Parliament of 7 April 1995 (OJ No C 109, 1. 5. 1995, p. 281), Common Position of the Council of 10 July 1995 (OJ No C 281, 25. 10. 1995, p. 10), and Decision of the European Parliament of 15 November 1995 (OJ No C 323, 4. 12. 1995, p. 31). Decision of the European Parliament of 14 March 1996 (OJ No C 96, 1. 4. 1996) and Decision of the Council of 14 March 1996.

- (9) Whereas, in the Solemn Declaration on European Union signed in Stuttgart on 19 June 1983, the Heads of State and Government called for more extensive contacts between writers and artists in the Member States and a wider dissemination of their works both inside and outside the Community;
- (10) Whereas the European Parliament adopted a resolution on the formation of a European Community Youth Orchestra⁽¹⁾ and a European Community Baroque Orchestra was created during the European Year of Music in 1985; whereas the European Parliament also adopted resolutions on the teaching and promotion of music in the European Community⁽²⁾ and the promotion of the theatre and music in the European Community⁽³⁾;
- (11) Whereas the Ministers responsible for Cultural Affairs meeting within the Council on 13 June 1985 adopted a resolution concerning the annual event 'European city of culture'⁽⁴⁾ to help bring the peoples of the Member States closer together, and the European Parliament adopted a resolution on European cities of culture⁽⁵⁾; whereas the Commission has announced the presentation in the immediate future of a proposal for a decision based on Article 128 of the Treaty containing a programme regarding the 'European city of culture' from the year 2001; whereas, also, the Community's financial contributions for the years 1999 and 2000 could be covered by the programme succeeding the present programme;
- (12) Whereas, in the conclusions of the Ministers for Culture meeting within the Council on 18 May 1990⁽⁶⁾, it was decided to create a 'European cultural month' to take place each year in one city in a European country basing itself on the principles of democracy, pluralism and the rule of law;
- (13) Whereas, in their resolution of 7 June 1991⁽⁷⁾, the Ministers for Culture meeting within the Council expressed 'their determination to encourage the theatre in Europe and to enhance its European dimension';
- (14) Whereas the resolution of the Council and the Ministers for Culture meeting within the Council of 14 November 1991 on European cultural networks⁽⁸⁾ stresses the important role of networks of cultural organizations in cultural cooperation within Europe;
- (15) Whereas in its communication of 29 April 1992 on 'New prospects for Community cultural action', the Commission states that the arts sector, and particularly the performing and visual arts, should be supported by means of transnational networks and measures to encourage creation; whereas the Council, in the conclusions of the Ministers for Culture meeting within the Council of 12 November 1992 on guidelines for Community cultural action⁽⁹⁾, encouraged this approach;
- (16) Whereas in its resolution on the Commission communication on new prospects for Community cultural action⁽¹⁰⁾ and in its resolution on Community policy in the field of culture⁽¹¹⁾ the European Parliament stressed the importance of cultural networks and of stepping up support for music, theatre, dance and the visual arts;
- (17) Whereas the European Parliament⁽¹²⁾ and the Council⁽¹³⁾, have adopted various Resolutions on cultural cooperation with third countries and the relevant international organizations in the cultural sector;
- (18) Whereas it is desirable to carry out Community cultural action with third countries inside and outside Europe and to undertake European cultural cooperation with the Council of Europe and other relevant international organizations (e.g. Unesco);
- (19) Whereas this Decision lays down, for the entire duration of this programme, a financial framework constituting the principal point of reference, within the meaning of point 1 of the Declaration by the European Parliament, the Council and the Commission of 6 March 1995, for the budgetary authority during the annual budgetary procedure;
- (20) Whereas a *modus vivendi* was concluded on 20 December 1994 between the European Parliament, the Council and the Commission concerning the implementing measures for acts adopted in accordance with the procedure laid down in Article 189b of the Treaty,

HAVE DECIDED AS FOLLOWS:

Article 1

This Decision establishes the action programme 'Kaleidoscope' set out in the Annex, hereinafter referred to as 'this programme', for the period 1 January 1996 to 31 December 1998.

⁽¹⁾ OJ No C 79, 5. 4. 1976, p. 8.

⁽²⁾ OJ No C 68, 14. 3. 1988, p. 46.

⁽³⁾ OJ No C 305, 25. 11. 1991, p. 518.

⁽⁴⁾ OJ No C 153, 22. 6. 1985, p. 2.

⁽⁵⁾ OJ No C 324, 24. 12. 1990, p. 350.

⁽⁶⁾ OJ No C 162, 3. 7. 1990, p. 1.

⁽⁷⁾ OJ No C 188, 19. 7. 1991, p. 3.

⁽⁸⁾ OJ No C 314, 5. 12. 1991, p. 1.

⁽⁹⁾ OJ No C 336, 19. 12. 1992, p. 1.

⁽¹⁰⁾ OJ No C 42, 15. 2. 1993, p. 173.

⁽¹¹⁾ OJ No C 44, 14. 2. 1994, p. 184.

⁽¹²⁾ OJ No C 267, 14. 10. 1991, p. 45, and OJ No C 255, 20. 9. 1996, p. 51.

⁽¹³⁾ Resolution of 4 April 1995 (OJ No C 247, 23. 9. 1995, p. 2).

This programme is intended, by means of cooperation, to encourage artistic and cultural creation and to promote knowledge and dissemination of the culture and cultural life of the European peoples.

Article 2

This programme shall encourage cooperation at European level between Member States in the field of culture. It shall support and supplement their action in accordance with the principle of subsidiarity by contributing to the flowering of their cultures while respecting their national and regional diversity.

To that end, and in accordance with the general objective set out in Article 1, the following shall be the specific objectives of this programme, based on the development of transnational cooperation:

- (a) encouragement of activities of artistic creation with a European dimension which are organized in partnership between artists from various Member States, thus enabling the number and quality of exchanges to be increased and a good overall representation of all forms of artistic expression covered by this programme to be ensured;
- (b) support for innovative cultural projects by European partners which are conducive to promoting the European dimension, stimulate the development of cultural activities at national and regional level and provide a genuine cultural added value;
- (c) assist in the improvement of the professional skills of artists and other cultural operators, in particular by supporting cultural projects which include the improvement of professional skills as part of their organization, and by stepping up exchanges of experiences, thus facilitating greater cooperation between artists from various Member States;
- (d) contribute to the mutual knowledge of European cultures by making it easier for different European audiences to have access to and participate in the culture and arts of other Member States and by facilitating intercultural dialogue.

Article 3

The actions described in the Annex shall be carried out in pursuit of the objectives set out in Article 2. They shall be implemented in accordance with the procedure laid down in Article 5.

Article 4

1. This programme shall be open to participation by the associated countries of central and eastern Europe

(ACCEE) in accordance with the conditions laid down in the Additional Protocols to the Association Agreements on participation in Community programmes concluded or to be concluded with those countries. This programme shall be open to participation by Cyprus and Malta and to cooperation with other third countries which have concluded association or cooperation agreements containing cultural clauses, on the basis of additional appropriations to be provided according to procedures to be agreed with those countries. Some general rules for such participation are provided for in Action 3 in the Annex.

2. The Community and the Member States shall promote cooperation with the Council of Europe and with other relevant international organizations in the cultural sector (e.g. Unesco), by ensuring, with due regard for the individual identity and autonomy of each institution and organization, that the instruments adopted are complementary.

Article 5

1. The Commission shall implement this programme in accordance with this Decision.
2. The Commission shall be assisted by a Committee consisting of two representatives per Member State which shall be chaired by the Commission representative. Members of the Committee may be assisted by experts or advisers.
3. The Commission representative shall submit to the Committee draft measures concerning:
 - priorities and general guidelines for the measures described in the Annex and the relevant annual work programme,
 - the general balance between all the Actions,
 - the selection rules and criteria for the various types of project described in the Annex (Actions 1, 2, 3 and 5),
 - the financial support to be provided by the Community (amounts, duration, distribution and beneficiaries),
 - the detailed procedures for monitoring and evaluating this programme and the conclusions of the assessment reports laid down in Article 8 and any other measure readjusting this programme arising therefrom.

The Committee shall deliver its opinion on the draft measures referred to in the previous subparagraph within a time limit which the Chairman may lay down according to the urgency of the matter. The opinion shall be delivered by the majority provided for in Article 148 (2) of

the Treaty for the adoption of decisions which the Council is required to take on a proposal from the Commission. When the Committee votes, the votes of the representatives of the Member States shall be weighted in accordance with the aforementioned Article. The Chairman shall not vote.

The Commission shall adopt measures which shall apply immediately. However, if these measures are not in accordance with the opinion of the Committee, they shall be communicated by the Commission to the Council forthwith. In that event:

- (a) the Commission may defer application of the measures it has decided upon for a period of two months from the date of such communication;
- (b) the Council, acting by a qualified majority, may take a different decision within the time limit laid down in indent (a).

4. The Commission may also consult the Committee on any other matter concerning the implementation of this programme not covered by paragraph 3.

The representative of the Commission shall submit to the Committee a draft of the measures to be taken. The Committee shall deliver its opinion on this draft within a time limit which the Chairman may lay down according to the urgency of the matter, if necessary by taking a vote.

The opinion shall be recorded in the minutes; each Member State shall have the right to ask to have its position recorded in the minutes.

The Commission shall take the utmost account of the opinion delivered by the Committee. It shall inform the Committee of the manner in which its opinion has been taken into account.

Article 6

1. The financial framework for the implementation of this programme for the period referred to in Article 1 shall be ECU 26,5 million.

2. The annual appropriations shall be authorized by the budgetary authority within the limits of the financial perspective.

Article 7

The Commission shall seek to ensure, in collaboration with the Member States, that the Actions provided for in this programme and other cultural programmes, on the

one hand, and those provided for by the Community action programmes, in particular concerning education, such as 'Socrates' ⁽¹⁾, and vocational training, such as 'Leonardo da Vinci' ⁽²⁾, on the other hand, are complementary.

Article 8

Two years after the programme has been brought into operation, and within the six months following that period, the Commission, after having consulted the Committee, shall present to the European Parliament and the Council a detailed assessment report on the results achieved accompanied, where necessary, by appropriate proposals, including proposals for the continuation of the programme and the relevant arrangements so as to enable the European Parliament and the Council to take a decision before the end of the period covered by this programme. This report will highlight the added value created, particularly of a cultural nature, and the socio-economic consequences brought about by the financial support granted by the Community.

In the light of the assessment report provided for in the previous paragraph and the proposals to be made by the Commission, the European Parliament and the Council will consider the possibility of adopting a new programme, worked out and developed taking full account of the fruitful experience gained from this programme.

In this context they will be able to take, where appropriate, any suitable measure to avoid interruption of the programme.

Article 9

This programme, containing practical information on procedure, the closing dates for submission of applications and the documents which must accompany applications, shall be published each year in the 'C' series of the *Official Journal of the European Communities*.

Article 10

This Decision shall enter into force on 1 January 1996.

Done at Brussels, 29 March 1996.

For the European Parliament

The President

K. HÄNSCH

For the Council

The President

T. TREU

⁽¹⁾ OJ No L 87, 20. 4. 1995, p. 10.

⁽²⁾ OJ No L 340, 29. 12. 1994, p. 8.

ANNEX

KALEIDOSCOPE PROGRAMME

To promote awareness and dissemination of the culture of the peoples of Europe, particularly in the fields of the performing arts, visual arts and applied arts, the Community intends to support artistic and cultural projects carried out in partnership, or by means of networks, and large-scale European cooperation projects.

To this end, the Community is organizing this programme, which includes the following measures:

Action 1 — Support for events and cultural projects carried out in partnership or through networks

1. This programme is open to cultural and artistic projects jointly organized by cultural networks or by cultural partners from at least three Member States, and involving creative or performing artists or others active in the cultural sector from at least three Member States.

Particular attention will be given to networks which promote access to culture for people from a diversity of social and regional backgrounds.

Such projects should either involve creative work intended for public display or dissemination in Europe or help to promote greater cultural exchanges and access to culture by the public.

2. (a) Cultural cooperation projects shall cover any artistic or cultural event involving creative work intended for public display or dissemination in Europe. The areas chosen are as follows: the performing arts (for example, dance, music, theatre and opera), visual arts (for example, painting, sculpture, carving, engraving, architecture, photography and design), multimedia, as a form of artistic expression, and applied arts.

(b) Consideration shall also be given to projects intended to promote the spread of culture and access to culture by the public, organized by cultural networks or others involved in culture from at least three Member States, and involving creative or performing artists or others involved in the cultural sector from at least three Member States.
3. Projects submitted under this programme must be of European interest, of high quality and innovatory or exemplary in nature. Additional encouragement will be given to projects, the organization of which includes training periods or courses for improving professional skills in the arts or culture for the benefit, in particular, of young people.
4. Community funding shall not cover:
 - cultural actions or events covered by other Community programmes (cinema and television, cultural heritage and literary translation),
 - cultural cooperation projects concerning regions of the same Member State or of a purely national or bilateral nature,
 - the production of material and publications for commercial purposes; nevertheless, consideration shall be given to monographs, collections, reviews, records, CDs, videos, CD-Is and CD-ROMs when forming an integral part of a project,
 - investment or operating costs of the cultural organizations which do not form an integral part of the project in question.
5. Generally speaking, support for a cultural project may not be repeated, and may in no event be continued for more than two consecutive years. The possibility of renewing Community support will be assessed by independent experts nominated by the Commission acting on a proposal from the Member States on the basis of the activity report for the project submitted by the organizers. Independent experts may recommend changes to the project.

6. Projects must have a balanced financing plan setting out the financial requirements for their implementation, it being understood that administrative costs must not exceed 20 % of the Community financing of the project. Financial assistance for a project under the action may not exceed 25 % of the total cost of the project in question and in no circumstances may it exceed ECU 50 000. In the case of projects involving training periods or courses for improving professional skills or projects intended to promote the dissemination of, or public access to, culture, additional Community assistance may be granted up to 50 % of the cost under this heading but it may not exceed ECU 20 000 in total. As regards projects for improvement of professional skills only, Community assistance may cover up to 50 % of the total cost, up to a maximum of ECU 50 000.

Projects involving a Community contribution of less than ECU 5 000 shall not, in principle, be eligible under this programme.

7. Projects shall be the subject of an individual application to the Community. The application shall include:
 - a detailed description of the actions,
 - a detailed estimated budget for these actions.
8. The resources to be committed to this action shall be not less than 60 % of the overall budget allocated to this programme.

Action 2 — Large-scale European cooperation actions

1. This action involves significant large-scale quality projects having a European dimension and major cultural and socio-economic impact.

Under this action the programme is open to the same type of cultural and artistic projects and under the same conditions as those described in Action 1, but subject to the following further conditions:

- projects must be jointly organized by cultural networks or by cultural partners from more than three Member States, and must involve creative or performing artists or others active in the cultural sector from more than three Member States,
 - projects may last no longer than three years. Extension from year to year depends on an assessment of the actions carried out in the previous year to allow an evaluation of both the cultural quality and the socio-economic impact of the results obtained,
 - Community support for a project under this Action may exceed ECU 50 000, but may not exceed 25 % of the total cost of the project.
2. However, in the context of projects under this Action, particular attention could be paid to some existing large-scale significant European actions (in particular, the European Community Youth Orchestra and the European Community Baroque Orchestra) for which Community support could exceed 25 % of the total cost of the project, without prejudice to a regular assessment of such actions in accordance with Article 8.
 3. Cultural events organized to mark Europe Day on 9 May shall be considered eligible for support under this Action, subject to the criteria set out in paragraph 1. However, by way of derogation from these criteria, such events must be organized by persons active in the cultural field from at least three Member States.

Action 3 — Involvement of third countries

1. The third countries referred to in Article 4 shall participate in the programme in accordance with the conditions set out in that Article. Participation or cooperation shall take account of the following objectives:
 - the promotion of mutual knowledge of artistic and cultural creation,
 - the promotion of actions for the exchange and improvement of professional skills of creative or performing artists.
2. Artistic and cultural cooperation projects involving, in both organization and participation in the event, partners from at least one third country and two Member States shall be eligible.

Action 4 — European city of culture and European cultural month

The Community shall provide assistance each year to the European city of culture and to the city designated to organize the European cultural month.

Action 5 — Specific measures

- A. 1. To bring about an improvement in cultural cooperation between professionals in the cultural sector from a diversity of regional and social backgrounds and between local, regional, national and European authorities, assistance could be granted in limited individual cases to projects involving meetings organized at European level or to studies and research directly linked to the development of Community cultural action.
 2. Such meetings and studies would not be directly linked to cultural projects and events supported under this programme (Actions 1 and 2).
 3. Applications must offer the financial guarantees required to carry them out. The Community contribution under this action cannot in any circumstances exceed 50 % of the total cost of the meeting or the study nor exceed ECU 50 000.
- B. The Commission will take the necessary measures to ensure publicity and the dissemination of information on this programme so that cultural operators and networks are informed and made aware of actions relevant to them.
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