COMMISSION

COMMISSION DECISION

of 7 July 1997

on supplies of certain beef and pigmeat products to the Canary Islands in the second half of 1996

(Only the Spanish text is authentic)

(97/512/EC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EC) No 1601/92 of 15 June 1992 concerning specific measures for the Canary Islands with regard to certain agricultural products [1], as last amended by Commission Regulation (EC) No 93/97 [2], and in particular Article 3 (4) and Article 7 thereof,

Having regard to Council Regulation (EEC) No 2913/92 of 12 October 1992 establishing the Community Customs Code [3], as last amended by Regulation (EC) No 82/97 [4], and in particular Article 236 (1) thereof,

Whereas Commission Regulation (EC) No 2790/94 [5] lays down common detailed rules for the implementation of Regulation (EEC) No 1601/92 in particular as regards the specific supply measures;

Whereas, by Regulation (EC) No 2348/96 [6], the Council temporarily extended until 30 June 1997 the specific measures for supplying the Canary Islands with bovine animals for fattening and for consumption locally and certain processed beef and pigmeat products, which had been suspended since 1 July 1996; whereas, following that decision, the supply balances were established and the aid fixed for the products concerned for the first half of 1997 by Commission Regulations (EC) No 75/97 [7] and (EC) No 93/97;

Whereas, as a precaution pending a decision by the Council and in order to ensure that operators who have failed to show some discipline as regards passing prices on to the end-user do not enjoy unwarranted profits, payment of the aid on products coming from the rest of the Community or, as the case may be, reimbursement of customs duties should be made subject, for the second half of 1996, to production of proof of compliance with Regulations (EEC) No 1601/92 and (EC) No 2790/94;

Whereas the aid for supplies from the rest of the Community should be fixed by applying the criteria laid down in Article 3 (2) of Regulation (EEC) No 1601/92 and on the basis of the corresponding data for the second half of 1996;

Whereas it should be stipulated that applications for reimbursement of customs duties must be made in accordance with the relevant provisions of Commission Regulation (EEC) No 2454/93 of 2 July 1993 laying down provisions for the implementation of Council Regulation (EEC) No 2913/92 establishing the Community Customs Code [8], as last amended by Regulation (EC) No 12/97 [9];

Whereas, for the sake of sound financial management, provision should be made for aid payments and customs duty reimbursements to relate to the maximum quantity of products covered by administrative documents issued by the Spanish authorities under precautionary management measures covering the arrangements for the period in question;

[1] OJ No L 173, 27. 6. 1992, p. 1.
[2] OJ No L 19, 22. 1. 1997, p. 5.
[3] OJ No L 302, 19. 10. 1992, p. 1.
[4] OJ No L 17, 21. 1. 1997, p. 1.
[5] OJ No L 296, 17. 11. 1994, p. 23.
[6] OJ No L 320, 11. 12. 1996, p. 1.
[7] OJ No L 16, 18. 1. 1997, p. 72.
[8] OJ No L 253, 11. 10. 1993, p. 1.
[9] OJ No L 9, 13. 1. 1997, p. 1.

Whereas the measures provided for in this Decision are in accordance with the opinions of the Management Committees concerned,

HAS ADOPTED THIS DECISION:

Article 1

1. Pursuant to Article 3 of Regulation (EEC) No 1601/92 and on the basis of applications submitted with suitable supporting documents by the operators concerned, the Spanish authorities shall, as the case may be:

(a) grant the aid fixed in Annex I to this Decision for bovine animals for fattening and consumption locally and for processed beef and pigmeat products on the quantities of such products supplied to the Canary Islands from the rest of the Community during the second half of 1996;

(b) reimburse the customs duties collected on the release for free circulation in the Canary Islands of the products mentioned in (a) and imported from third countries during the second half of 1996.

2. Payment of the aid fixed in this Decision and reimbursement of customs duties shall be subject to compliance with Title I of Regulation (EEC) No 1601/92 concerning specific supply measures for the Canary Islands, Regulation (EC) No 3290/94, and in particular Title III thereof, and this Decision.

3. Applications for reimbursement of customs import duties on products exempt therefrom shall be submitted by the person who pays such duties or is required to pay them in accordance with Articles 878 to 881 of Regulation (EEC) No 2454/93.

Article 2

1. The competent Spanish authorities shall lay down such additional administrative rules as are required for the application of this Decision, in particular as regards the submission of applications.

2. Those authorities shall conduct the checks necessary to ensure that the operations covered by applications submitted comply with the provisions applicable, in particular as regards the obligation to pass on to the end-user the economic benefit deriving from Article 3 of Regulation (EEC) No 1601/92.

3. Those authorities shall inform the Commission periodically of the application of this Decision.

Article 3

Pursuant to this Decision, the aid shall be paid and customs duties shall be reimbursed for up to the quantities of products mentioned in Annex II.

Article 4

This Decision is addressed to Spain.

Done at Brussels, 7 July 1997.

For the Commission

Franz FISCHLER

Member of the Commission

ANNEX I

1. **BEEF/VEAL**

Aid granted on products referred to in Article 1 (a) from the Community market

(ECU/head)

Product code	Aid
ex 0102 90 05	49,0
ex 0102 90 29	97,5
ex 0102 90 49	130,0
0102 90 79	195,0

(ECU/100 kg net weight)

Product code	Aid
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
1602 50 10 120	102,5 (8)
1602 50 10 140	91,0 (8)
1602 50 10 160	73,0 (8)
1602 50 10 170	48,5 (8)
1602 50 31 125	115,5 (5)
1602 50 31 135	73,0 (8)
1602 50 31 325	103,5 (5)
1602 50 31 335	65,5 (8)
1602 50 39 125	115,5 (5)
1602 50 39 135	73,0 (8)
1602 50 39 325	103,5 (5)
1602 50 39 335	65,5 (8)

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), and apply for the period 1 July to 31 December 1996.

2. **PIGMEAT**

Aid granted on products from the Community market

(ECU/100 kg net weight)

Product code	Aid
1601 00 91 100	14,1
1601 00 99 100	9,4
1602 20 90 100	4,7
1602 41 10 210	16
1602 42 10 210	11,3
1602 49 11 190	—
1602 49 13 190	—
1602 49 19 190	9,4

NB: The product codes and the footnotes are defined in Commission Regulation (EEC) No 3846/87 and apply for the period 1 July to 31 December 1996.

ANNEX II

1. **BEEF/VEAL**

Maximum quantities referred to in Article 3

CN code	Description	Number or quantity (tonnes)
ex 0102 90	Bovine animals for fattening	503 (1)
1602 50	Other preparations and preserves containing meat or offal of domestic bovine animals	776

(1) Head.

2. **PIGMEAT**

Maximum quantities referred to in Article 3

CN code	Description	Number or quantity (tonnes)
1601 00	Sausages and similar products, of meat, meat offal or blood; food preparations based on these products	5 315
1602 20 90	Prepared or preserved livers of all animals other than geese or ducks	262
	Other preparations or preserves containing meat or meat offal of domestic swine	
1602 41 10	Hams and cuts thereof	2 241
1602 42 10	Shoulders and cuts thereof	779
1602 49	Other, including mixtures	1 675