COMMISSION REGULATION (EC) No 1890/96

of 30 September 1996

amending Regulation (EC) No 3223/94 on detailed rules for the application of the import arrangements for fruit and vegetables

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EEC) No 1035/72 of 18 May 1972 on the common organization of the market in fruit and vegetables [1], as last amended by Commission Regulation (EC) No 1363/95 [2], and in particular Article 23 (2) thereof,

Whereas Commission Regulation (EC) No 3223/94 of 21 December 1994 [3], as last amended by Regulation (EC) No 2933/95 [4], laid down detailed rules for the application of the import arrangements for fruit and vegetables;

Whereas the average representative prices of products imported from third countries cannot be regarded as significant at Community level if they correspond to quantities of less than one tonne; whereas there is therefore no need for the Member States to communicate those prices to the Commission;

Whereas, where a standard import value for a product of a given origin has applied unchanged for seven days, imports of that product can be regarded as temporarily ended; whereas the said value should therefore be deleted;

Whereas Regulation (EC) No 3223/94 established machinery for recording prices on representative markets with a view to fixing a standard import value for determining the value of products imported on consignment with a view to their tariff classification; whereas, pursuant to Commission Regulation (EC) No 1558/96 [5] pears and plums originating in the associated countries of Central Europe, imported for processing, separate prices apply during specified periods for the year 1996; whereas, for those products, which are not sold on consignment on representative markets, a mechanism for directly recording prices may be implemented for their tariff classification; whereas the said mechanism may involve only the tariff classification of the products concerned on the basis of either the fob price of those products plus the cost of insurance and transport to the frontiers of the Community customs territory or the customs value referred to in Article 30 (c) of Council Regulation (EC) No 2913/92 of 12 October 1992 establishing the Community Customs Code [6], as amended by Commission Regulation (EEC) No 2454/93 [7];

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

HAS ADOPTED THIS REGULATION:

Article 1

Regulation (EC) No 3223/94 is amended as follows:

1. the following subparagraph is added to Article 2 (1):

   'Where the total quantities referred to in (b) are less than one tonne, the corresponding prices shall not be communicated to the Commission'.

2. the following subparagraph is added to Article 4 (4):

   'They shall cease to apply, however, where no average representative price has been communicated to the Commission for seven consecutive days.'

3. The Annex is replaced by the Annex to this Regulation.

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, 30 September 1996.

For the Commission

Franz FISCHLER

Member of the Commission

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[1] OJ No L 118, 20. 5. 1972, p. 1.
[2] OJ No L 132, 16. 6. 1995, p. 8.
[3] OJ No L 337, 24. 12. 1994, p. 66.
[4] OJ No L 307, 20. 12. 1995, p. 21.
[5] OJ No L 193, 3. 8. 1996, p. 10.
[6] OJ No L 302, 19. 10. 1992, p. 1.
[7] OJ No L 253, 11. 10. 1993, p. 1.

ANNEX

'ANNEX

Part A

CN code	Description	Period of application
0702 00 15	Tomatoes	from 1 January to 31 March
0702 00 20		from 1 to 30 April
0702 00 25		from 1 to 14 May
0702 00 30		from 15 to 31 May
0702 00 35		from 1 June to 30 September
0702 00 40		from 1 to 31 October
0702 00 45		from 1 November to 20 December
0702 00 50		from 21 to 31 December
0707 00 10	Cucumbers	from 1 January to the end of February
0707 00 15	Cucumbers	from 1 March to 30 April
ex 0707 00 20	Cucumbers other than those intended for processing	from 1 to 15 May
ex 0707 00 25	Cucumbers other than those intended for processing	from 16 May to 30 September
ex 0707 00 30	Cucumbers other than those intended for processing	from 1 to 31 October
0707 00 35	Cucumbers	from 1 to 10 November
0707 00 40	Cucumbers	from 11 November to 31 December
0709 10 40	Artichokes	from 1 November to 31 December
0709 10 10		from 1 January to 31 May
0709 10 20		from 1 to 30 June
0709 90 71	Courgettes	from 1 to 31 January
0709 90 73		from 1 February to 31 March
0709 90 75		from 1 April to 31 May
0709 90 77		from 1 June to 31 July
0709 90 79		from 1 August to 31 December
0805 10 61	Sweet oranges, fresh	from 1 to 31 December
0805 10 65		
0805 10 69		
0805 10 01		from 1 January to 31 March
0805 10 05		
0805 10 09		
0805 10 11		from 1 to 30 April
0805 10 15		
0805 10 19		
0805 10 21		from 1 to 15 May
0805 10 25		
0805 10 29		
0805 10 31		from 16 to 31 May
0805 10 33		
0805 10 35		
0805 20 31	Clementines	from 1 November to 31 December
0805 20 11		from 1 January to end February

CN code	Description	Period of application
0805 20 33 0805 20 35 0805 20 37 0805 20 39 0805 20 13 0805 20 15 0805 20 17 0805 20 19	Mandarins, (including tangerines and satsumas); wilkings and similar citrus hybrids	from 1 November to 31 December from 1 January to end February
0805 30 30 0805 30 40 0805 30 20	Lemons	from 1 June to 31 October from 1 November to 31 December from 1 January to 31 May
0806 10 40 0806 10 50	Table grapes (1)	from 21 July to 31 October from 1 to 20 November
0808 10 71 0808 10 73 0808 10 79 0808 10 92 0808 10 94 0808 10 98 0808 10 51 0808 10 53 0808 10 59 0808 10 61 0808 10 63 0808 10 69	Apples (2)	from 1 to 31 July from 1 August to 31 December from 1 January to 31 March from 1 April to 30 June
0808 20 47 0808 20 51 ex 0808 20 57 (4) 0808 20 67 0808 20 31 0808 20 37	Pears (3)	from 1 to 15 July from 16 to 31 July from 1 August to 31 October from 1 November to 31 December from 1 January to 31 March from 1 to 30 April
0809 10 20 0809 10 30 0809 10 40	Apricots	from 1 to 20 June from 21 to 30 June from 1 to 31 July
0809 20 39 0809 20 49 0809 20 59 0809 20 69	Cherries "other"	from 21 to 31 May from 1 June to 15 July from 16 to 31 July from 1 to 10 August
0809 30 21 0809 30 29 0809 30 31 0809 30 39 0809 30 41 0809 30 49	Peaches and nectarines	from 11 to 20 June from 21 June to 31 July from 1 August to 30 September
0809 40 20 ex 0809 40 30 (5)	Plums	from 11 to 30 June from 1 July to 30 September

(1) Except grapes of the variety Empereur of CN code 0806 10 21, from 1 to 31 January.

(2) Except cider apples code 0808 10 10, presented in bulk, from 16 September to 15 December.

(3) Except perry pears of CN code 0808 20 10, presented in bulk, from 1 August to 31 December.

(4) Except pears originating in the associated countries of Central Europe (Bulgaria, Czech Republic, Slovak Republic, Hungary, Poland, Romania), intended for processing, from 1 August to 31 October 1996.

(5) Except plums originating in the associated countries of Central Europe (Bulgaria, Czech Republic, Slovak Republic, Hungary, Poland, Romania), intended for processing, from 31 July to 30 September 1996.

Part B

CN code	Description	Period of application
ex 0707 00 20 ex 0707 00 25 ex 0707 00 30	Cucumbers intended for processing	from 1 to 15 May from 16 May to 30 September from 1 to 31 October
0809 20 31 0809 20 41 0809 20 51 0809 20 61	Sour cherries	from 21 to 31 May from 1 June to 15 July from 16 to 31 July from 1 to 10 August
ex 0808 20 57	Pears originating in the associated countries of Central Europe (Bulgaria, Czech Republic, Slovak Republic, Hungary, Poland, Romania), intended for processing	from 1 August to 31 October 1996
ex 0809 40 30	Plums originating in the associated countries of Central Europe (Bulgaria, Czech Republic, Slovak Repubic, Hungary, Poland, Romania), intended for processing	from 31 July to 30 September 1996'