COMMISSION REGULATION (EC) No 197/97

of 31 January 1997

on the issuing of export licences for fruit and vegetables without advance fixing of the refund

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Commission Regulation (EC) No 2190/96 of 14 November 1996 on detailed rules for implementing Council Regulation (EEC) No 1035/72 as regards export refunds on fruit and vegetables [1], as amended by Regulation (EC) No 26/97 [2], and in particular Article 5 (6) thereof,

Whereas, under Article 7 of Regulation (EC) No 2190/96, Articles 5 and 6 of Commission Regulation (EC) No 1488/95 of 28 June 1995 on implementing rules for export refunds on fruit and vegetables [3], as last amended by Regulation (EC) No 2702/95 [4], continue to apply to licences without advance fixing as referred to in Article 5 thereof that are applied for in respect of consignments for which the export declaration is accepted before 25 November 1996;

Whereas Commission Regulation (EC) No 2196/96 [5] fixes the indicative quantities laid down for the issue of export licences other than those requested in the context of food aid;

Whereas, in the light of information now available to the Commission, the indicative quantities have been exceeded in the case of tomatoes, oranges, lemons and apples;

Whereas as a consequence, for licences without advance fixing of the refund and system B licences applied for between 25 November 1996 and 16 January 1997, a rate of refund which is lower than the indicative rate should be fixed for tomatoes, oranges, lemons and apples,

HAS ADOPTED THIS REGULATION:

Article 1

The reduction coefficients by which the quantities applied for must be multiplied and the rates of refund applying to export licences without advance fixing of the refund as referred to in Article 5 of Regulation (EC) No 1488/95 and system B licences as referred to in Article 5 of Regulation (EC) No 2190/96, and applied for between 25 November 1996 and 16 January 1997, shall be as fixed in the Annex hereto.

The above subparagraph shall not apply to licences applied for in connection with food-aid operations as provided for in Article 10 (4) of the Agreement on Agriculture concluded during the Uruguay Round of multilateral trade negotiations.

Article 2

This Regulation shall enter into force on 1 February 1997.

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

Done at Brussels, 31 January 1997.

For the Commission

Franz FISCHLER

Member of the Commission

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[1] OJ No L 292, 15. 11. 1996, p. 12.
[2] OJ No L 6, 10. 1. 1997, p. 9.
[3] OJ No L 145, 29. 6. 1995, p. 68.
[4] OJ No L 280, 23. 11. 1995, p. 30.
[5] OJ No L 293, 16. 11. 1996, p. 7.

ANNEX

Reduction coefficients for quantities applied for and rates of refund applicable to licences without advance fixing of the refund and system B licences applied for between 25 November 1996 and 16 January 1997

Product	Reduction coefficient (quantities)	Rate of refund (ECU/tonne net)
Tomatoes	(no reduction)	9,19
Shelled almonds	(no reduction)	77,90
Hazelnuts in shell	(no reduction)	91,00
Shelled hazelnuts	(no reduction)	175,60
Walnuts in shell	(no reduction)	112,90
Oranges	(no reduction)	64,80
Lemons	(no reduction)	62,16
Table grapes		
Apples	(no reduction)	30,46
Peaches and nectarines		