

Official Journal

of the European Communities

ISSN 0378-6978

L 5

Volume 41

9 January 1998

English edition

Legislation

Contents

I Acts whose publication is obligatory

- ★ **Commission Regulation (EC) No 30/98 of 8 January 1998 supplementing the restructuring plan referred to in Regulation (EEC) No 1487/92 concerning flat-rate aid for sugar cane cultivation in the French overseas departments** 1
- ★ **Commission Regulation (EC) No 31/98 of 8 January 1998 amending Regulation (EC) No 936/97 opening and providing for the administration of tariff quotas for high-quality fresh, chilled and frozen beef and for frozen buffalo meat** 3
- ★ **Commission Regulation (EC) No 32/98 of 8 January 1998 amending Regulation (EC) No 1218/96 on partial import duty exemption for certain cereals sector products as provided for in the Agreements between the European Community and the Republic of Poland, the Republic of Hungary, the Czech Republic, the Slovak Republic, the Republic of Bulgaria and the Republic of Romania** 4
- Commission Regulation (EC) No 33/98 of 8 January 1998 establishing the standard import values for determining the entry price of certain fruit and vegetables 5
- Commission Regulation (EC) No 34/98 of 8 January 1998 fixing the rates of the refunds applicable to certain cereal and rice-products exported in the form of goods not covered by Annex II to the Treaty 7
- Commission Regulation (EC) No 35/98 of 8 January 1998 concerning tenders notified in response to the invitation to tender for the export of barley issued in Regulation (EC) No 1337/97 10
- Commission Regulation (EC) No 36/98 of 8 January 1998 fixing the maximum export refund on common wheat in connection with the invitation to tender issued in Regulation (EC) No 1339/97 11

Commission Regulation (EC) No 37/98 of 8 January 1998 fixing the maximum export refund on common wheat in connection with the invitation to tender issued in Regulation (EC) No 1883/97	12
Commission Regulation (EC) No 38/98 of 8 January 1998 fixing the maximum export refund on oats in connection with the invitation to tender issued in Regulation (EC) No 1773/97	13
Commission Regulation (EC) No 39/98 of 8 January 1998 fixing the export refunds on malt	14
Commission Regulation (EC) No 40/98 of 8 January 1998 fixing the export refunds on rice and broken rice	16
Commission Regulation (EC) No 41/98 of 8 January 1998 fixing the agricultural conversion rates	18
Commission Regulation (EC) No 42/98 of 8 January 1998 fixing the export refunds on products processed from cereals and rice	20
Commission Regulation (EC) No 43/98 of 8 January 1998 fixing the export refunds on cereal-based compound feedingstuffs	22
* Commission Regulation (EC) No 44/98 of 8 January 1998 establishing, for 1998, the list of vessels exceeding eight metres length overall permitted to fish for sole in certain Community areas using beam trawls whose aggregate length exceeds nine metres	24

II *Acts whose publication is not obligatory*

Commission

98/13/EC:

- | | |
|--|-----------|
| * Decision No 4/97 of the EC-EFTA Joint Committee on Common Transit of 17 December 1997 amending Annex VIII to Appendix II of the Convention of 20 May 1987 on a common transit procedure | 34 |
|--|-----------|

98/14/EC:

- | | |
|--|-----------|
| * Decision No 5/97 of the EC-EFTA Joint Committee on Common Transit of 17 December 1997 relating to the renewal of the ban on the use of the comprehensive guarantee, made by Decision Nos 1/96 and 2/96 of the Joint Committee | 36 |
|--|-----------|

Notice to readers (see page 3 of the cover)

I

(Acts whose publication is obligatory)

COMMISSION REGULATION (EC) No 30/98**of 8 January 1998****supplementing the restructuring plan referred to in Regulation (EEC) No 1487/92 concerning flat-rate aid for sugar cane cultivation in the French overseas departments**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EEC) No 3763/91 of 16 December 1991 introducing specific measures in respect of certain agricultural products for the benefit of the French overseas departments⁽¹⁾, as last amended by Regulation (EC) No 2598/95⁽²⁾, and in particular Article 19 thereof,

Whereas aid for the planting of sugar cane and for land-improvement works referred to in Article 17 of Regulation (EEC) No 3763/91 has been granted by Commission Regulation (EEC) No 1487/92⁽³⁾, as last amended by Regulation (EC) No 260/96⁽⁴⁾, for a given area on the basis of a restructuring plan presented by the French authorities;

Whereas these measures, to be implemented by 31 December 1998, have already been fully carried out; whereas, however, the measures for the improvement of plantations have not completely achieved their economic objectives, namely an optimal replantation rate; whereas, one of the reasons for this outcome is that a part of the plantations, having benefited or not from replanting aid, has been affected on a catastrophic scale by bad weather and plant health problems and, as a result, has been or will be replanted ahead of schedule; whereas another reason for this outcome has been the time required for carrying out the measures which has been in excess of what was initially anticipated under the plan, with the effect that the eligible areas have increased in number; whereas the impact on rejuvenating the plantations generally has consequently been lessened;

Whereas, on the basis of the additional plan presented by the French authorities, aid for replanting and for land

improvement should be granted for the areas affected by the natural and plant disasters and for those affected by delays in the rejuvenation exercise;

Whereas if the general objective of strengthening the sugar cane — sugar — rum sector is to be achieved, the land improvement works must be carried out in parallel with replanting;

Whereas for these measures to be brought to a successful conclusion, the plan must be administered more rigorously and action must be well targeted; whereas the additional plan cannot be implemented within the period initially specified in the Regulation; whereas, therefore, a period of time should be fixed for its implementation; whereas the end of that period should be fixed in this Regulation;

Whereas the additional plan relies, for its implementation, on the same technical support as the main plan and its continuity should be ensured; whereas, therefore, this Regulation should apply retroactively from 1 April 1997 in respect of eligible measures started in 1997 and not covered by Regulation (EEC) No 1487/92;

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

HAS ADOPTED THIS REGULATION:

Article 1

1. As a supplement to the restructuring plan referred to in Article 1 of Regulation (EEC) No 1487/92, France shall pay out aid for the replanting of sugar cane and aid for land improvement to individual planters, planter groups and associations of planters.

Community aid shall be limited as regards replanting to 16 423 ha, of which 8 568 ha in Réunion, 6 895 ha in Guadeloupe and 960 ha in Martinique and, as regards land improvement to 8 875 ha, of which 7 500 ha in Réunion, 1 165 ha in Guadeloupe and 210 ha in Martinique.

⁽¹⁾ OJ L 356, 24. 12. 1991, p. 1.

⁽²⁾ OJ L 267, 9. 11. 1995, p. 1.

⁽³⁾ OJ L 156, 10. 6. 1992, p. 7.

⁽⁴⁾ OJ L 34, 13. 2. 1996, p. 16.

2. Aid for replanting shall be paid by the French authorities for plots:

— which on 1 April 1997 were planted with sugar cane aged over:

(a) seven years in Réunion;

(b) five years in Martinique and Guadeloupe,

— for which replanting aid has not been granted pursuant to Regulation (EEC) No 1487/92.

3. Plots shall, however, be eligible for the aid referred to in the second subparagraph which are situated in Réunion and Guadeloupe and, regardless of whether or not they have received replanting aid pursuant to Regulation (EEC) No 1487/92, have been affected in whole or in part by recognised natural disasters due to bad weather or infestations deleterious to plant health.

In the cases referred to in the first subparagraph, only those plots on which the sugar cane has actually been affected may receive replanting aid up to a limit, as regards Réunion, of 3 500 ha and, as regards Guadeloupe, of 4 200 ha.

4. Aid for the land-improvement works referred to in the additional plan may be granted by the French authorities only in respect of areas under cane which have received no aid pursuant to Regulation (EEC) No 1487/92.

Plots shall, however, be eligible for the aid if they have received aid pursuant to Regulation (EEC) No 1487/92 for removal of large stones and aid applications have been submitted for removal of small stones.

Article 2

The additional restructuring plan shall be implemented before 31 December 1999, in accordance with the rules and conditions laid down in Regulation (EEC) No 1487/92 and in this Regulation.

Article 3

France shall notify to the Commission, as a supplement to the notification referred to in Article 5 of Regulation (EEC) No 1487/92, the method of administration including, in particular, the conditions of eligibility and the inspection measures to be adopted within one month following the entry into force of this Regulation as well as, every six months, the progress reports on the additional plan.

Article 4

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

It shall apply with effect from 1 April 1997.

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

Done at Brussels, 8 January 1998.

For the Commission

Franz FISCHLER

Member of the Commission

COMMISSION REGULATION (EC) No 31/98

of 8 January 1998

amending Regulation (EC) No 936/97 opening and providing for the administration of tariff quotas for high-quality fresh, chilled and frozen beef and for frozen buffalo meat

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

HAS ADOPTED THIS REGULATION:

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EC) No 1095/96 of 18 June 1996 on the implementation of the concessions set out in Schedule CXL drawn up in the wake of the conclusion of the GATT XXIV.6 negotiations⁽¹⁾, and in particular Article 1 (1) thereof,

Whereas Article 2 (f) of Commission Regulation (EC) No 936/97 of 27 May 1997 opening and providing for the administration of tariff quotas for high-quality fresh, chilled and frozen beef and for frozen buffalo meat⁽²⁾, as amended by Regulation (EC) No 2048/97⁽³⁾, provides for imports of high-quality beef from Canada within a tariff quota; whereas that meat must meet certain quality criteria; whereas the competent Canadian authorities have just defined the Canadian carcass grades; whereas Article 2 (f) referred to above should accordingly be amended;

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

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

Done at Brussels, 8 January 1998.

Article 1

Article 2 (f) of Regulation (EC) No 936/97 is hereby replaced by the following:

“(f) 11 500 tonnes product weight for meat falling within CN codes 0201, 0202, 0206 10 95 and 0206 29 91 and meeting the following definition:

“Carcasses or any cuts obtained from bovine animals of less than 30 months of age which have been fed for at least 100 days on nutritionally balanced, high-energy-content rations containing not less than 70 % grain and comprising at least 20 pounds total feed per day. Beef graded ‘choice’ or ‘prime’ according to the USDA (United States Department of Agriculture) standards automatically meets the above definition. Meat graded Canada A, Canada AA, Canada AAA, Canada Choice and Canada Prime in accordance with the standards of the Canadian Ministry of Agriculture meets to that definition.”

Article 2

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

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ L 146, 20. 6. 1996, p. 1.

⁽²⁾ OJ L 137, 28. 5. 1997, p. 10.

⁽³⁾ OJ L 287, 21. 10. 1997, p. 10.

COMMISSION REGULATION (EC) No 32/98

of 8 January 1998

amending Regulation (EC) No 1218/96 on partial import duty exemption for certain cereals sector products as provided for in the Agreements between the European Community and the Republic of Poland, the Republic of Hungary, the Czech Republic, the Slovak Republic, the Republic of Bulgaria and the Republic of Romania

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

Having regard to Council Regulation (EC) No 3066/95 of 22 December 1995 establishing certain concessions in the form of Community tariff quotas for certain agricultural products and providing for the adjustment, as an autonomous and transitional measure, of certain agricultural concessions provided for in the Europe Agreements to take account of the Agreement on Agriculture concluded during the Uruguay Round Multilateral Trade Negotiations ⁽¹⁾, as last amended by Regulation (EC) No 1595/97 ⁽²⁾, and in particular Article 8 thereof,

Whereas Commission Regulation (EC) No 1218/96 ⁽³⁾, as last amended by Regulation (EC) No 1986/97 ⁽⁴⁾, makes provision in respect of the second half of the 1997/98 marketing year and subsequent marketing years for concessions in the form of tariff quotas; whereas it is therefore necessary to restrict the validity of import licences issued in the course of the second half of the 1997/98 marketing year and in the course of subsequent marketing years to the end of the month of July; whereas Article 3 of the aforementioned Regulation should therefore be adjusted accordingly;

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

HAS ADOPTED THIS REGULATION:

Article 1

Article 3 of Regulation (EC) No 1218/96 is replaced by the following:

'Article 3

Article 6 (1) of Regulation (EC) No 1162/95 notwithstanding, import licences shall be valid from their date of issue until the end of the third month following that date. They shall not, however, be valid after the end of the month of July.'

Article 2

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

It shall apply from 12 January 1998.

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

Done at Brussels, 8 January 1998.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ L 328, 30. 12. 1995, p. 31.

⁽²⁾ OJ L 216, 8. 8. 1997, p. 1.

⁽³⁾ OJ L 161, 29. 6. 1996, p. 51.

⁽⁴⁾ OJ L 280, 14. 10. 1997, p. 1.

COMMISSION REGULATION (EC) No 33/98**of 8 January 1998****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 2375/96⁽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 9 January 1998.

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

Done at Brussels, 8 January 1998.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ L 337, 24. 12. 1994, p. 66.

⁽²⁾ OJ L 325, 14. 12. 1996, p. 5.

⁽³⁾ OJ L 387, 31. 12. 1992, p. 1.

⁽⁴⁾ OJ L 22, 31. 1. 1995, p. 1.

ANNEX

to the Commission Regulation of 8 January 1998 establishing the standard import values for determining the entry price of certain fruit and vegetables

(ECU/100 kg)

CN code	Third country code ⁽¹⁾	Standard import value
0702 00 00	052	76,7
	204	74,5
	999	75,6
0707 00 05	624	201,3
	999	201,3
0709 10 00	220	181,6
	999	181,6
0709 90 70	052	136,8
	204	171,0
	999	153,9
0805 10 10, 0805 10 30, 0805 10 50	052	39,5
	204	45,9
	220	47,0
	388	18,5
	448	28,4
	624	65,9
	999	40,9
0805 20 10	052	78,7
	204	46,8
	999	62,7
0805 20 30, 0805 20 50, 0805 20 70, 0805 20 90	052	79,4
	464	117,3
	600	85,8
	624	113,4
	999	99,0
0805 30 10	052	85,1
	204	67,2
	400	80,0
	528	39,7
	600	70,4
	999	68,5
0808 10 20, 0808 10 50, 0808 10 90	060	47,7
	400	96,4
	404	103,0
	728	86,0
	999	83,3
0808 20 50	052	76,3
	064	99,4
	400	97,9
	999	91,2

⁽¹⁾ Country nomenclature as fixed by Commission Regulation (EC) No 2317/97 (OJ L 321, 22. 11. 1997, p. 19). Code '999' stands for 'of other origin'.

COMMISSION REGULATION (EC) No 34/98

of 8 January 1998

fixing the rates of the refunds applicable to certain cereal and rice-products
exported in the form of goods not covered by Annex II to the Treaty

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

Having regard to Council Regulation (EEC) No 1766/92 of 30 June 1992 on the common organization of the market in cereals⁽¹⁾, as last amended by Commission Regulation (EC) No 923/96⁽²⁾, and in particular Article 13 (3) thereof,

Having regard to Council Regulation (EC) No 3072/95 of 22 December 1995 on the common organization of the market in rice⁽³⁾, and in particular Article 13 (3) thereof,

Whereas Article 13 (1) of Regulation (EEC) No 1766/92 and Article 13 (1) of Regulation (EC) No 3072/95 provide that the difference between quotations of prices on the world market for the products listed in Article 1 of each of those Regulations and the prices within the Community may be covered by an export refund;

Whereas Commission Regulation (EC) No 1222/94 of 30 May 1994 laying down common implementing rules for granting export refunds on certain agricultural products exported in the form of goods not covered by Annex II to the Treaty, and the criteria for fixing the amount of such refunds⁽⁴⁾, as last amended by Regulation (EC) No 1909/97⁽⁵⁾, specifies the products for which a rate of refund should be fixed, to be applied where these products are exported in the form of goods listed in Annex B to Regulation (EEC) No 1766/92 or in Annex B to Regulation (EC) No 3072/95 as appropriate;

Whereas, in accordance with the first subparagraph of Article 4 (1) of Regulation (EC) No 1222/94, the rate of the refund per 100 kilograms for each of the basic products in question must be fixed for each month;

Whereas, now that a settlement has been reached between the European Community and the United States of America on Community exports of pasta products to the United States and has been approved by Council Decision 87/482/EEC⁽⁶⁾, it is necessary to differentiate the refund on goods falling within CN codes 1902 11 00 and 1902 19 according to their destination;

Whereas Article 4 (5) (b) of Regulation (EC) No 1222/94 provides that, in the absence of the proof referred to in Article 4 (5) (a) of that Regulation, a reduced rate of export refund has to be fixed, taking account of the amount of the production refund applicable, pursuant to Commission Regulation (EEC) No 1722/93⁽⁷⁾, as last amended by Regulation (EC) No 1516/95⁽⁸⁾, for the basic product in question, used during the assumed period of manufacture of the goods;

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

HAS ADOPTED THIS REGULATION:

Article 1

The rates of the refunds applicable to the basic products appearing in Annex A to Regulation (EC) No 1222/94 and listed either in Article 1 of Regulation (EEC) No 1766/92 or in Article 1 (1) of Regulation (EC) No 3072/95, exported in the form of goods listed in Annex B to Regulation (EEC) No 1766/92 or in Annex B to Regulation (EC) No 3072/95 respectively, are hereby fixed as shown in the Annex to this Regulation.

Article 2

This Regulation shall enter into force on 9 January 1998.

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

Done at Brussels, 8 January 1998.

For the Commission

Martin BANGEMANN

Member of the Commission

⁽¹⁾ OJ L 181, 1. 7. 1992, p. 21.

⁽²⁾ OJ L 126, 24. 5. 1996, p. 37.

⁽³⁾ OJ L 329, 30. 12. 1995, p. 18.

⁽⁴⁾ OJ L 136, 31. 5. 1994, p. 5.

⁽⁵⁾ OJ L 268, 1. 10. 1997, p. 20.

⁽⁶⁾ OJ L 275, 29. 9. 1987, p. 36.

⁽⁷⁾ OJ L 159, 1. 7. 1993, p. 112.

⁽⁸⁾ OJ L 147, 30. 6. 1995, p. 49.

ANNEX

to the Commission Regulation of 8 January 1998 fixing the rates of the refunds applicable to certain cereals and rice products exported in the form of goods not covered by Annex II to the Treaty

CN code	Description of products (1)	Rate of refund per 100 kg of basic product
1001 10 00	Durum wheat: — on exports of goods falling within CN codes 1902 11 and 1902 19 to the United States of America — in other cases	— —
1001 90 99	Common wheat and meslin: — on exports of goods falling within CN codes 1902 11 and 1902 19 to the United States of America — in other cases: — — where pursuant to Article 4 (5) of Regulation (EC) No 1222/94 (2) — — in other cases	0,818 0,704 1,258
1002 00 00	Rye	3,401
1003 00 90	Barley	1,349
1004 00 00	Oats	1,439
1005 90 00	Maize (corn) used in the form of: — starch: — — where pursuant to Article 4 (5) of Regulation (EC) No 1222/94 (2) — — in other cases — glucose, glucose syrup, maltodextrine, maltodextrine syrup of CN codes 1702 30 51, 1702 30 59, 1702 30 91, 1702 30 99, 1702 40 90, 1702 90 50, 1702 90 75, 1702 90 79, 2106 90 55 (3): — — where pursuant to Article 4 (5) of Regulation (EC) No 1222/94 (2) — — in other cases — other (including unprocessed) Potato starch of CN code 1108 13 00 similar to a product obtained from processed maize: — where pursuant to Article 4 (5) of Regulation (EC) No 1222/94 (2) — in other cases	1,600 2,293 1,341 2,034 2,293 1,600 2,293
1006 20	Husked rice: — round grain — medium grain — long grain	12,245 10,902 10,902
ex 1006 30	Wholly-milled rice: — round grain — medium grain — long grain	15,800 15,800 15,800
1006 40 00	Broken rice used in the form of: — starch of CN code 1108 19 10: — — where pursuant to Article 4 (5) of Regulation (EC) No 1222/94 (2) — — in other cases — other (including unprocessed)	1,471 2,200 2,200

CN code	Description of products ⁽¹⁾	Rate of refund per 100 kg of basic product
1007 00 90	Sorghum	1,349
1101 00	Wheat or meslin flour:	
	— on exports of goods falling within CN codes 1902 11 and 1902 19 to the United States of America	1,006
	— in other cases	1,547
1102 10 00	Rye flour	3,650
1103 11 10	Groats and durum wheat meal:	
	— on exports of goods falling within CN codes 1902 11 and 1902 19 to the United States of America	—
	— in other cases	—
1103 11 90	Common wheat groats and spelt:	
	— on exports of goods falling within CN codes 1902 11 and 1902 19 to the United States of America	1,006
	— in other cases	1,547

⁽¹⁾ As far as agricultural products obtained from the processing of a basic product or/and assimilated products are concerned, the coefficients shown in Annex E of amended Commission Regulation (EC) No 1222/94 shall be applied (OJ L 136, 31. 5. 1994, p. 5).

⁽²⁾ The goods concerned are listed in Annex I of amended Regulation (EEC) No 1722/93 (OJ L 159, 1. 7. 1993, p. 112).

⁽³⁾ For syrups of CN codes 1702 30 99, 1702 40 90 and 1702 60 90, obtained from mixing glucose and fructose syrup, the export refund may be granted only for the glucose syrup.

COMMISSION REGULATION (EC) No 35/98
of 8 January 1998
concerning tenders notified in response to the invitation to tender for the export
of barley issued in Regulation (EC) No 1337/97

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

Having regard to Council Regulation (EEC) No 1766/92 of 30 June 1992 on the common organization of the market in cereals⁽¹⁾, as last amended by Regulation (EC) No 923/96⁽²⁾,

Having regard to Commission Regulation (EC) No 1501/95 of 29 June 1995 laying down certain detailed rules for the application of Council Regulation (EEC) No 1766/92 on the granting of export refunds on cereals and the measures to be taken in the event of disturbance on the market for cereals⁽³⁾, as last amended by Regulation (EC) No 2052/97⁽⁴⁾, and in particular Article 7 thereof,

Whereas an invitation to tender for the refund and or the tax for the export of barley to all third countries was opened pursuant to Commission Regulation (EC) No 1337/97⁽⁵⁾;

Whereas Article 7 of Regulation (EC) No 1501/95, allows the Commission to decide, in accordance with the procedure laid down in Article 23 of Regulation (EEC) No

1766/92 and on the basis of the tenders notified, to make no award;

Whereas on the basis of the criteria laid down in Article 1 of Regulation (EC) No 1501/95 a maximum refund or a minimum tax should not be fixed;

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

HAS ADOPTED THIS REGULATION:

Article 1

No action shall be taken on the tenders notified from 2 to 8 January 1998 in response to the invitation to tender for the refund or the tax for the export of barley issued in Regulation (EC) No 1337/97.

Article 2

This Regulation shall enter into force on 9 January 1998.

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

Done at Brussels, 8 January 1998.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ L 181, 1. 7. 1992, p. 21.

⁽²⁾ OJ L 126, 24. 5. 1996, p. 37.

⁽³⁾ OJ L 147, 30. 6. 1995, p. 7.

⁽⁴⁾ OJ L 287, 21. 10. 1997, p. 14.

⁽⁵⁾ OJ L 184, 12. 7. 1997, p. 1.

COMMISSION REGULATION (EC) No 36/98

of 8 January 1998

fixing the maximum export refund on common wheat in connection with the invitation to tender issued in Regulation (EC) No 1339/97

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

Having regard to Council Regulation (EEC) No 1766/92 of 30 June 1992 on the common organization of the market in cereals⁽¹⁾, as last amended by Regulation (EC) No 923/96⁽²⁾,

Having regard to Commission Regulation (EC) No 1501/95 of 29 June 1995 laying down certain detailed rules for the application of Council Regulation (EEC) No 1766/92 on the granting of export refunds on cereals and the measures to be taken in the event of disturbance on the market for cereals⁽³⁾, as last amended by Regulation (EC) No 2052/97⁽⁴⁾, and in particular Article 7 thereof,

Whereas an invitation to tender for the refund and/or the tax for the export of common wheat to all third countries except Ceuta, Melilla and certain ACP States was opened pursuant to Commission Regulation (EC) No 1339/97⁽⁵⁾, as amended by Regulation (EC) No 1884/97⁽⁶⁾;

Whereas Article 7 of Regulation (EC) No 1501/95 provides that the Commission may, on the basis of the tenders notified, in accordance with the procedure laid down in Article 23 of Regulation (EEC) No 1766/92, decide to fix a maximum export refund taking account of

the criteria referred to in Article 1 of Regulation (EC) No 1501/95; whereas in that case a contract is awarded to any tenderer whose bid is equal to or lower than the maximum refund, as well as to any tenderer whose bid relates to an export tax;

Whereas the application of the abovementioned criteria to the current market situation for the cereal in question results in the maximum export refund being fixed at the amount specified in Article 1;

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

HAS ADOPTED THIS REGULATION:

Article 1

For tenders notified from 2 to 8 January 1998, pursuant to the invitation to tender issued in amended Regulation (EC) No 1339/97, the maximum refund on exportation of common wheat shall be ECU 16,97 per tonne.

Article 2

This Regulation shall enter into force on 9 January 1998.

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

Done at Brussels, 8 January 1998.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ L 181, 1. 7. 1992, p. 21.

⁽²⁾ OJ L 126, 24. 5. 1996, p. 37.

⁽³⁾ OJ L 147, 30. 6. 1995, p. 7.

⁽⁴⁾ OJ L 287, 21. 10. 1997, p. 14.

⁽⁵⁾ OJ L 184, 12. 7. 1997, p. 7.

⁽⁶⁾ OJ L 265, 27. 9. 1997, p. 73.

COMMISSION REGULATION (EC) No 37/98

of 8 January 1998

fixing the maximum export refund on common wheat in connection with the invitation to tender issued in Regulation (EC) No 1883/97

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

Having regard to Council Regulation (EEC) No 1766/92 of 30 June 1992 on the common organization of the market in cereals⁽¹⁾, as last amended by Regulation (EC) No 923/96⁽²⁾,

Having regard to Commission Regulation (EC) No 1501/95 of 29 June 1995 laying down certain detailed rules for the application of Council Regulation (EEC) No 1766/92 on the granting of export refunds on cereals and the measures to be taken in the event of disturbance on the market for cereals⁽³⁾, as last amended by Regulation (EC) No 2052/97⁽⁴⁾, and in particular Article 7 thereof,

Whereas an invitation to tender for the refund and/or the tax for the export of common wheat to Ceuta, Melilla and certain ACP States was opened pursuant to Commission Regulation (EC) No 1883/97⁽⁵⁾, as amended by Regulation (EC) No 2545/97⁽⁶⁾;

Whereas Article 7 of Regulation (EC) No 1501/95 provides that the Commission may, on the basis of the tenders notified, in accordance with the procedure laid down in Article 23 of Regulation (EEC) No 1766/92, decide to fix a maximum export refund taking account of

the criteria referred to in Article 1 of Regulation (EC) No 1501/95; whereas in that case a contract is awarded to any tenderer whose bid is equal to or lower than the maximum refund, as well as to any tenderer whose bid relates to an export tax;

Whereas the application of the abovementioned criteria to the current market situation for the cereal in question results in the maximum export refund being fixed at the amount specified in Article 1;

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

HAS ADOPTED THIS REGULATION:

Article 1

For tenders notified from 2 to 8 January 1998, pursuant to the invitation to tender issued in Regulation (EC) No 1883/97, the maximum refund on exportation of common wheat shall be ECU 24,00 per tonne.

Article 2

This Regulation shall enter into force on 9 January 1998.

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

Done at Brussels, 8 January 1998.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ L 181, 1. 7. 1992, p. 21.

⁽²⁾ OJ L 126, 24. 5. 1996, p. 37.

⁽³⁾ OJ L 147, 30. 6. 1995, p. 7.

⁽⁴⁾ OJ L 287, 21. 10. 1997, p. 14.

⁽⁵⁾ OJ L 265, 27. 9. 1997, p. 69.

⁽⁶⁾ OJ L 347, 18. 12. 1997, p. 33.

COMMISSION REGULATION (EC) No 38/98**of 8 January 1998****fixing the maximum export refund on oats in connection with the invitation to tender issued in Regulation (EC) No 1773/97**

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

Having regard to Council Regulation (EEC) No 1766/92 of 30 June 1992 on the common organisation of the market in cereals⁽¹⁾, as last amended by Regulation (EC) No 923/96⁽²⁾,

Having regard to Commission Regulation (EC) No 1501/95 of 29 June 1995 laying down certain detailed rules for the application of Council Regulation (EEC) No 1766/92 on the granting of export refunds on cereals and the measures to be taken in the event of disturbance on the market for cereals⁽³⁾, as last amended by Regulation (EC) No 2052/97⁽⁴⁾,

Having regard to Commission Regulation (EC) No 1773/97 of 12 September 1997 on a special intervention measure for cereals in Finland and Sweden⁽⁵⁾, as amended by Regulation (EC) No 2133/97⁽⁶⁾, and in particular Article 8 thereof,

Whereas an invitation to tender for the refund for the export of oats produced in Finland and Sweden for export from Finland or Sweden to all third countries was opened pursuant to Regulation (EC) No 1773/97;

Whereas Article 8 of Regulation (EC) No 1773/97 provides that the Commission may, on the basis of the tenders notified, in accordance with the procedure laid

down in Article 23 of Regulation (EEC) No 1766/92, decide to fix a maximum export refund taking account of the criteria referred to in Article 1 of Regulation (EC) No 1501/95; whereas in that case a contract is awarded to any tenderer whose bid is equal to or lower than the maximum refund;

Whereas the application of the abovementioned criteria to the current market situation for the cereal in question results in the maximum export refund being fixed at the amount specified in Article 1;

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

HAS ADOPTED THIS REGULATION:

Article 1

For tenders notified from 2 to 8 January 1998, pursuant to the invitation to tender issued in Regulation (EC) No 1773/97, the maximum refund on exportation of oats shall be ECU 28,93 per tonne.

Article 2

This Regulation shall enter into force on 9 January 1998.

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

Done at Brussels, 8 January 1998.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ L 181, 1. 7. 1992, p. 21.

⁽²⁾ OJ L 126, 24. 5. 1996, p. 37.

⁽³⁾ OJ L 147, 30. 6. 1995, p. 7.

⁽⁴⁾ OJ L 287, 21. 10. 1997, p. 14.

⁽⁵⁾ OJ L 250, 13. 9. 1997, p. 1.

⁽⁶⁾ OJ L 296, 30. 10. 1997, p. 29.

COMMISSION REGULATION (EC) No 39/98
of 8 January 1998
fixing the export refunds on malt

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EEC) No 1766/92 of 30 June 1992 on the common organization of the market in cereals⁽¹⁾, as last amended by Commission Regulation (EC) No 923/96⁽²⁾, and in particular the third subparagraph of Article 13 (2) thereof,

Whereas Article 13 of Regulation (EEC) No 1766/92 provides that the difference between quotations or prices on the world market for the products listed in Article 1 of that Regulation and prices for those products within the Community may be covered by an export refund;

Whereas the refunds must be fixed taking into account the factors referred to in Article 1 of Commission Regulation (EC) No 1501/95 of 29 June 1995 laying down certain detailed rules under Council Regulation (EEC) No 1766/92 on the granting of export refunds on cereals and the measures to be taken in the event of disturbance on the market for cereals⁽³⁾, as last amended by Regulation (EC) No 2052/97⁽⁴⁾;

Whereas the refund applicable in the case of malts must be calculated with amount taken of the quantity of cereals required to manufacture the products in question; whereas the said quantities are laid down in Regulation (EC) No 1501/95;

Whereas the world market situation or the specific requirements of certain markets may make it necessary to vary the refund for certain products according to destination;

Whereas the representative market rates defined in Article 1 of Council Regulation (EEC) No 3813/92⁽⁵⁾, as last amended by Regulation (EC) No 150/95⁽⁶⁾, are used to convert amounts expressed in third country currencies and are used as the basis for determining the agricultural conversion rates of the Member States' currencies; whereas detailed rules on the application and determination of these conversions were set by Commission Regulation (EEC) No 1068/93⁽⁷⁾, as last amended by Regulation (EC) No 1482/96⁽⁸⁾;

Whereas the refund must be fixed once a month; whereas it may be altered in the intervening period;

Whereas it follows from applying these rules to the present situation on markets in cereals, and in particular to quotations or prices for these products within the Community and on the world market, that the refunds should be as set out in the Annex hereto;

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

HAS ADOPTED THIS REGULATION:

Article 1

The export refunds on malt listed in Article 1 (c) of Regulation (EEC) No 1766/92 shall be as set out in the Annex hereto.

Article 2

This Regulation shall enter into force on 9 January 1998.

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

Done at Brussels, 8 January 1998.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ L 181, 1. 7. 1992, p. 21.

⁽²⁾ OJ L 126, 24. 5. 1996, p. 37.

⁽³⁾ OJ L 147, 30. 6. 1995, p. 7.

⁽⁴⁾ OJ L 287, 21. 10. 1997, p. 14.

⁽⁵⁾ OJ L 387, 31. 12. 1992, p. 1.

⁽⁶⁾ OJ L 22, 31. 1. 1995, p. 1.

⁽⁷⁾ OJ L 108, 1. 5. 1993, p. 106.

⁽⁸⁾ OJ L 188, 27. 7. 1996, p. 22.

ANNEX

to the Commission Regulation of 8 January 1998 fixing the export refunds on malt

<i>(ECU / tonne)</i>	
Product code	Refund
1107 10 19 9000	16,80
1107 10 99 9000	17,60
1107 20 00 9000	20,00

COMMISSION REGULATION (EC) No 40/98
of 8 January 1998
fixing the export refunds on rice and broken rice

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EC) No 3072/95 of 22 December 1995 on the common organization of the market in rice⁽¹⁾, and in particular the second subparagraph of Article 13 (3) thereof,

Whereas Article 13 of Regulation (EC) No 3072/95 provides that the difference between quotations or prices on the world market for the products listed in Article 1 of that Regulation and prices for those products within the Community may be covered by an export refund;

Whereas Article 13 (4) of Regulation (EC) No 3072/95, provides that when refunds are being fixed account must be taken of the existing situation and the future trend with regard to prices and availabilities of rice and broken rice on the Community market on the one hand and prices for rice and broken rice on the world market on the other; whereas the same Article provides that it is also important to ensure equilibrium and the natural development of prices and trade on the rice market and, furthermore, to take into account the economic aspect of the proposed exports and the need to avoid disturbances of the Community market with limits resulting from agreements concluded in accordance with Article 228 of the Treaty;

Whereas Commission Regulation (EEC) No 1361/76⁽²⁾ lays down the maximum percentage of broken rice allowed in rice for which an export refund is fixed and specifies the percentage by which that refund is to be reduced where the proportion of broken rice in the rice exported exceeds that maximum;

Whereas export possibilities exist for a quantity of 1 000 tonnes of rice to certain destinations; whereas the procedure laid down in Article 7 (4) of Commission Regulation (EC) No 1162/95⁽³⁾, as last amended by Regulation

(EC) No 932/97⁽⁴⁾ should be used; whereas account should be taken of this when the refunds are fixed;

Whereas Article 13 (5) of Regulation (EC) No 3072/95 defines the specific criteria to be taken into account when the export refund on rice and broken rice is being calculated;

Whereas the world market situation or the specific requirements of certain markets may make it necessary to vary the refund for certain products according to destination;

Whereas a separate refund should be fixed for packaged long grain rice to accommodate current demand for the product on certain markets;

Whereas the refund must be fixed at least once a month; whereas it may be altered in the intervening period;

Whereas it follows from applying these rules and criteria to the present situation on the market in rice and in particular to quotations or prices for rice and broken rice within the Community and on the world market, that the refund should be fixed as set out in the Annex hereto;

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

HAS ADOPTED THIS REGULATION:

Article 1

The export refunds on the products listed in Article 1 of Regulation (EC) No 3072/95 with the exception of those listed in paragraph 1 (c) of that Article, exported in the natural state, shall be as set out in the Annex hereto.

Article 2

This Regulation shall enter into force on 9 January 1998.

⁽¹⁾ OJ L 329, 30. 12. 1995, p. 18.

⁽²⁾ OJ L 154, 15. 6. 1976, p. 11.

⁽³⁾ OJ L 117, 24. 5. 1995, p. 2.

⁽⁴⁾ OJ L 135, 27. 5. 1997, p. 2.

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

Done at Brussels, 8 January 1998.

For the Commission

Franz FISCHLER

Member of the Commission

ANNEX

to the Commission Regulation of 8 January 1998 fixing the export refunds on rice and broken rice

(ECU/tonne)			(ECU/tonne)		
Product code	Destination (¹)	Amount of refunds	Product code	Destination (¹)	Amount of refunds
1006 20 11 9000	01	119,00	1006 30 65 9900	01	149,00
1006 20 13 9000	01	119,00		05	149,00
1006 20 15 9000	01	119,00	1006 30 67 9100	04	155,00
1006 20 17 9000	—	—	1006 30 67 9900	—	—
1006 20 92 9000	01	119,00	1006 30 92 9100	01	149,00
1006 20 94 9000	01	119,00		02	155,00
1006 20 96 9000	01	119,00		03	160,00
1006 20 98 9000	—	—		05	149,00
1006 30 21 9000	01	119,00	1006 30 92 9900	01	149,00
1006 30 23 9000	01	119,00		05	149,00
1006 30 25 9000	01	119,00		—	—
1006 30 27 9000	—	—	1006 30 94 9100	01	149,00
1006 30 42 9000	01	119,00		02	155,00
1006 30 44 9000	01	119,00		03	160,00
1006 30 46 9000	01	119,00		05	149,00
1006 30 48 9000	—	—	1006 30 94 9900	01	149,00
1006 30 61 9100	01	149,00		05	149,00
	02	155,00		—	—
	03	160,00	1006 30 96 9100	01	149,00
	05	149,00		02	155,00
1006 30 61 9900	01	149,00		03	160,00
	05	149,00		05	149,00
1006 30 63 9100	01	149,00	1006 30 96 9900	01	149,00
	02	155,00		05	149,00
	03	160,00		—	—
	05	149,00	1006 30 98 9100	04	155,00
1006 30 63 9900	01	149,00	1006 30 98 9900	—	—
	05	149,00	1006 40 00 9000	—	—
1006 30 65 9100	01	149,00			
	02	155,00			
	03	160,00			
	05	149,00			

(¹) The destinations are identified as follows:

01 Liechtenstein, Switzerland, the communes of Livigno and Campione d'Italia,

02 Zones I, II, III, VI, Ceuta and Melilla,

03 Zones IV, V, VII (c), Canada and Zone VIII excluding Surinam, Guyana and Madagascar,

04 Ceuta and Melilla: refund fixed under the procedure laid down in Article 7 (4) of amended Regulation (EC) No 1162/95 in respect of a quantity of 1 000 tonnes,

05 Destinations mentioned in Article 34 of amended Commission Regulation (EEC) No 3665/87.

NB: The zones are those defined in the Annex to amended Commission Regulation (EEC) No 2145/92.

COMMISSION REGULATION (EC) No 41/98
of 8 January 1998
fixing the agricultural conversion rates

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

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⁽¹⁾, as last amended by Regulation (EC) No 150/95⁽²⁾, and in particular Article 3 (1) thereof,

Whereas the agricultural conversion rates were fixed by Commission Regulation (EC) No 10/98⁽³⁾;

Whereas Article 4 of Regulation (EEC) No 3813/92 provides that, subject to confirmation periods being triggered, the agricultural conversion rate for a currency is to be adjusted where the monetary gap between it and the representative market rate exceeds certain levels;

Whereas the representative market rates are determined on the basis of basic reference periods or, where applicable, confirmation periods, established in accordance with Article 2 of Commission Regulation (EEC) No 1068/93 of 30 April 1993 on detailed rules for determining and applying the agricultural conversion rates⁽⁴⁾, as last amended by Regulation (EC) No 1482/96⁽⁵⁾; whereas paragraph 2 of that Article provides that, in cases where the absolute value of the difference between the monetary gaps in two Member States, calculated from the average of the ecu rates for three consecutive quotation days, exceeds six points, the representative market rates are to be adjusted on the basis of the three quotation days in question;

Whereas, as a consequence of the exchange rates recorded from 7 to 8 January 1998, it is necessary to fix a new agricultural conversion rate for the Irish punt;

Whereas Article 15 (2) of Regulation (EEC) No 1068/93 provides that an agricultural conversion rate fixed in advance is to be adjusted if the gap between that rate and the agricultural conversion rate in force at the time of the operative event applicable for the amount concerned exceeds four points; whereas, in that event, the agricultural conversion rate fixed in advance is brought more closely into line with the rate in force, up to the level of a gap of four points with that rate; whereas the rate which replaces the agricultural conversion rate fixed in advance should be specified,

HAS ADOPTED THIS REGULATION:

Article 1

The agricultural conversion rates are fixed in Annex I hereto.

Article 2

In the case referred to in Article 15 (2) of Regulation (EEC) No 1068/93, the agricultural conversion rate fixed in advance shall be replaced by the ecu rate for the currency concerned, shown in Annex II:

- Table A, where the latter rate is higher than the rate fixed in advance,
- Table B, where the latter rate is lower than the rate fixed in advance.

Article 3

Regulation (EC) No 10/98 is hereby repealed.

Article 4

This Regulation shall enter into force on 9 January 1998.

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

Done at Brussels, 8 January 1998.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ L 387, 31. 12. 1992, p. 1.

⁽²⁾ OJ L 22, 31. 1. 1995, p. 1.

⁽³⁾ OJ L 3, 7. 1. 1998, p. 10.

⁽⁴⁾ OJ L 108, 1. 5. 1993, p. 106.

⁽⁵⁾ OJ L 188, 27. 7. 1996, p. 22.

ANNEX I

Agricultural conversion rates

ECU 1 =	40,9321	Belgian and Luxembourg francs
	7,54917	Danish kroner
	1,98243	German marks
	312,011	Greek drachmas
	201,259	Portuguese escudos
	6,68769	French francs
	6,02811	Finnish marks
	2,23273	Dutch guilders
	0,785663	Irish punt
	1 973,93	Italian lire
	13,9485	Austrian schillings
	167,153	Spanish pesetas
	8,68510	Swedish kroner
	0,695735	Pound sterling

ANNEX II

Agricultural conversion rates fixed in advance and adjusted

Table A			Table B		
ECU 1 =	39,3578	Belgian and Luxembourg francs	ECU 1 =	42,6376	Belgian and Luxembourg francs
	7,25882	Danish kroner		7,86372	Danish kroner
	1,90618	German marks		2,06503	German marks
	300,011	Greek drachmas		325,011	Greek drachmas
	193,518	Portuguese escudos		209,645	Portuguese escudos
	6,43047	French francs		6,96634	French francs
	5,79626	Finnish marks		6,27928	Finnish marks
	2,14686	Dutch guilders		2,32576	Dutch guilders
	0,755445	Irish punt		0,818399	Irish punt
	1 898,01	Italian lire		2 056,18	Italian lire
	13,4120	Austrian schillings		14,5297	Austrian schillings
	160,724	Spanish pesetas		174,118	Spanish pesetas
	8,35106	Swedish kroner		9,04698	Swedish kroner
	0,668976	Pound sterling		0,724724	Pound sterling

COMMISSION REGULATION (EC) No 42/98

of 8 January 1998

fixing the export refunds on products processed from cereals and rice

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EEC) No 1766/92 of 30 June 1992 on the common organization of the market in cereals⁽¹⁾, as last amended by Commission Regulation (EC) No 923/96⁽²⁾, and in particular Article 13 (3) thereof,

Having regard to Council Regulation (EC) No 3072/95 of 22 December 1995 on the common organization of the market in rice⁽³⁾, and in particular Article 13 (3) thereof,

Whereas Article 13 of Regulation (EEC) No 1766/92 and Article 13 of Regulation (EC) No 3072/95 provide that the difference between quotations or prices on the world market for the products listed in Article 1 of those Regulations and prices for those products within the Community may be covered by an export refund;

Whereas Article 13 of Regulation (EC) No 3072/95 provides that when refunds are being fixed account must be taken of the existing situation and the future trend with regard to prices and availabilities of cereals, rice and broken rice on the Community market on the one hand and prices for cereals, rice, broken rice and cereal products on the world market on the other; whereas the same Articles provide that it is also important to ensure equilibrium and the natural development of prices and trade on the markets in cereals and rice and, furthermore, to take into account the economic aspect of the proposed exports, and the need to avoid disturbances on the Community market;

Whereas Article 4 of Commission Regulation (EC) No 1518/95⁽⁴⁾, as amended by Regulation (EC) No 2993/95⁽⁵⁾, on the import and export system for products processed from cereals and from rice defines the specific criteria to be taken into account when the refund on these products is being calculated;

Whereas the refund to be granted in respect of certain processed products should be graduated on the basis of the ash, crude fibre, tegument, protein, fat and starch content of the individual product concerned, this content being a particularly good indicator of the quantity of basic product actually incorporated in the processed product;

Whereas there is no need at present to fix an export refund for manioc, other tropical roots and tubers or flours obtained therefrom, given the economic aspect of potential exports and in particular the nature and origin of these products; whereas, for certain products processed from cereals, the insignificance of Community participation in world trade makes it unnecessary to fix an export refund at the present time;

Whereas the world market situation or the specific requirements of certain markets may make it necessary to vary the refund for certain products according to destination;

Whereas the refund must be fixed once a month; whereas it may be altered in the intervening period;

Whereas certain processed maize products may undergo a heat treatment following which a refund might be granted that does not correspond to the quality of the product; whereas it should therefore be specified that on these products, containing pregelatinized starch, no export refund is to be granted;

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

HAS ADOPTED THIS REGULATION:

Article 1

The export refunds on the products listed in Article 1 (1) (d) of Regulation (EEC) No 1766/92 and in Article 1 (1) (c) of Regulation (EC) No 3072/95 and subject to Regulation (EC) No 1518/95 are hereby fixed as shown in the Annex to this Regulation.

⁽¹⁾ OJ L 181, 1. 7. 1992, p. 21.

⁽²⁾ OJ L 126, 24. 5. 1996, p. 37.

⁽³⁾ OJ L 329, 30. 12. 1995, p. 18.

⁽⁴⁾ OJ L 147, 30. 6. 1995, p. 55.

⁽⁵⁾ OJ L 312, 23. 12. 1995, p. 25.

Article 2

This Regulation shall enter into force on 9 January 1998.

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

Done at Brussels, 8 January 1998.

For the Commission

Franz FISCHLER

Member of the Commission

ANNEX

to the Commission Regulation of 8 January 1998 fixing the export refunds on products processed from cereals and rice

<i>(ECU/tonne)</i>		<i>(ECU/tonne)</i>	
Product code	Refund	Product code	Refund
1102 20 10 9200 ⁽¹⁾	32,10	1104 23 10 9100	34,40
1102 20 10 9400 ⁽¹⁾	27,52	1104 23 10 9300	26,37
1102 20 90 9200 ⁽¹⁾	27,52	1104 29 11 9000	12,83
1102 90 10 9100	20,24	1104 29 51 9000	12,58
1102 90 10 9900	13,76	1104 29 55 9000	12,58
1102 90 30 9100	25,90	1104 30 10 9000	3,15
1103 12 00 9100	25,90	1104 30 90 9000	5,73
1103 13 10 9100 ⁽¹⁾	41,27	1107 10 11 9000	22,39
1103 13 10 9300 ⁽¹⁾	32,10	1107 10 91 9000	24,01
1103 13 10 9500 ⁽¹⁾	27,52	1108 11 00 9200	25,16
1103 13 90 9100 ⁽¹⁾	27,52	1108 11 00 9300	25,16
1103 19 10 9000	34,01	1108 12 00 9200	36,69
1103 19 30 9100	20,91	1108 12 00 9300	36,69
1103 21 00 9000	12,83	1108 13 00 9200	36,69
1103 29 20 9000	13,76	1108 13 00 9300	36,69
1104 11 90 9100	20,24	1108 19 10 9200	33,44
1104 12 90 9100	28,78	1108 19 10 9300	33,44
1104 12 90 9300	23,02	1109 00 00 9100	0,00
1104 19 10 9000	12,83	1702 30 51 9000 ⁽²⁾	42,53
1104 19 50 9110	36,69	1702 30 59 9000 ⁽²⁾	32,56
1104 19 50 9130	29,81	1702 30 91 9000	42,53
1104 21 10 9100	20,24	1702 30 99 9000	32,56
1104 21 30 9100	20,24	1702 40 90 9000	32,56
1104 21 50 9100	26,98	1702 90 50 9100	42,53
1104 21 50 9300	21,58	1702 90 50 9900	32,56
1104 22 20 9100	23,02	1702 90 75 9000	44,57
1104 22 30 9100	24,46	1702 90 79 9000	30,93
		2106 90 55 9000	32,56

⁽¹⁾ No refund shall be granted on products given a heat treatment resulting in pregelatinization of the starch.

⁽²⁾ Refunds are granted in accordance with Council Regulation (EEC) No 2730/75 (OJ L 281, 1. 11. 1975, p. 20), amended.

NB: The product codes and the footnotes are defined in Commission Regulation (EEC) No 3846/87 (OJ L 366, 24. 12. 1987, p. 1), amended.

COMMISSION REGULATION (EC) No 43/98

of 8 January 1998

fixing the export refunds on cereal-based compound feedingstuffs

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EEC) No 1766/92 of 30 June 1992 on the common organization of the market in cereals⁽¹⁾, as last amended by Commission Regulation (EC) No 923/96⁽²⁾, and in particular Article 13 (3) thereof,

Whereas Article 13 of Regulation (EEC) No 1766/92 provides that the difference between quotations or prices on the world market for the products listed in Article 1 of that Regulation and prices for those products within the Community may be covered by an export refund;

Whereas Regulation (EC) No 1517/95 of 29 June 1995 laying down detailed rules for the application of Regulation (EEC) No 1766/92 as regards the arrangements for the export and import of compound feedingstuffs based on cereals and amending Regulation (EC) No 1162/95 laying down special detailed rules for the application of the system of import and export licences for cereals and rice⁽³⁾ in Article 2 lays down general rules for fixing the amount of such refunds;

Whereas that calculation must also take account of the cereal products content; whereas in the interest of simplification, the refund should be paid in respect of two categories of 'cereal products', namely for maize, the most commonly used cereal in exported compound feeds and maize products, and for 'other cereals', these being eligible cereal products excluding maize and maize products; whereas a refund should be granted in respect of

the quantity of cereal products present in the compound feedingstuff;

Whereas furthermore, the amount of the refund must also take into account the possibilities and conditions for the sale of those products on the world market, the need to avoid disturbances on the Community market and the economic aspect of the export;

Whereas, however, in fixing the rate of refund it would seem advisable to base it at this time on the difference in the cost of raw inputs widely used in compound feedingstuffs as the Community and world markets, allowing more accurate account to be taken of the commercial conditions under which such products are exported;

Whereas the refund must be fixed once a month; whereas it may be altered in the intervening period;

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

HAS ADOPTED THIS REGULATION:

Article 1

The export refunds on the compound feedingstuffs covered by Regulation (EEC) No 1766/92 and subject to Regulation (EC) No 1517/95 are hereby fixed as shown in the Annex to this Regulation.

Article 2

This Regulation shall enter into force on 9 January 1998.

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

Done at Brussels, 8 January 1998.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ L 181, 1. 7. 1992, p. 21.

⁽²⁾ OJ L 126, 24. 5. 1996, p. 37.

⁽³⁾ OJ L 147, 30. 6. 1995, p. 51.

ANNEX

to the Commission Regulation of 8 January 1998 fixing the export refunds on cereal-based compound feedingstuffs

Product code benefitting from export refund ⁽¹⁾:

2309 10 11 9000, 2309 10 13 9000, 2309 10 31 9000,
2309 10 33 9000, 2309 10 51 9000, 2309 10 53 9000,
2309 90 31 9000, 2309 90 33 9000, 2309 90 41 9000,
2309 90 43 9000, 2309 90 51 9000, 2309 90 53 9000.

(ECU/tonne)

Cereal products ⁽²⁾	Amount of refund ⁽²⁾
Maize and maize products: CN codes 0709 90 60, 0712 90 19, 1005, 1102 20, 1103 13, 1103 29 40, 1104 19 50, 1104 23, 1904 10 10	22,93
Cereal products ⁽²⁾ excluding maize and maize products	13,04

⁽¹⁾ The product codes are defined in Sector 5 of the Annex to Commission Regulation (EEC) No 3846/87 (OJ L 366, 24. 12. 1987, p 1), amended.

⁽²⁾ For the purposes of the refund only the starch coming from cereal products is taken into account.

Cereal products means the products falling within subheadings 0709 90 60 and 0712 90 19, Chapter 10, and headings Nos 1101, 1102, 1103 and 1104 (excluding subheading 1104 30) and the cereals content of the products falling within subheadings 1904 10 10 and 1904 10 90 of the combined nomenclature. The cereals content in products under subheadings 1904 10 10 and 1904 10 90 of the combined nomenclature is considered to be equal to the weight of this final product.

No refund is paid for cereals where the origin of the starch cannot be clearly established by analysis.

COMMISSION REGULATION (EC) No 44/98

of 8 January 1998

establishing, for 1998, the list of vessels exceeding eight metres length overall permitted to fish for sole in certain Community areas using beam trawls whose aggregate length exceeds nine metres

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

Having regard to Council Regulation (EC) No 894/97 of 29 April 1997 laying down certain technical measures for the conservation of fishery resources ⁽¹⁾,

Having regard to Commission Regulation (EEC) No 3554/90 of 10 December 1990 adopting provisions for the establishment of the list of vessels exceeding eight metres length overall which are permitted to fish for sole within certain areas of the Community using beam trawls of an aggregate length exceeding nine metres ⁽²⁾, as amended by Regulation (EC) No 3407/93 ⁽³⁾, and in particular Article 1 (1) thereof,

Whereas Article 10 (3) (c) of Regulation (EC) No 894/97 provides for the establishment of an annual list of vessels exceeding eight metres length overall authorized to fish for sole in the areas mentioned in Article 10 (3) (a) using beam trawls of which the aggregate beam length exceeds nine metres;

Whereas inclusion in the list is without prejudice to the application of other measures for the conservation of

fishery resources defined in Regulation (EC) No 894/97 or Council Regulation (EEC) No 3760/92 ⁽⁴⁾ or adopted in accordance with them;

Whereas it is necessary to establish this list according to the detailed rules set out in Regulation (EEC) No 3554/90,

HAS ADOPTED THIS REGULATION:

Article 1

The list of vessels for 1998 authorized by virtue of Article 10 (3) (c) of Regulation (EC) No 894/97 to use beam trawls whose aggregate length exceeds nine metres inside the areas mentioned in Article 10 (3) (a) is given in the Annex.

Article 2

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

It shall apply with effect from 1 January 1998.

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

Done at Brussels, 8 January 1998.

For the Commission

Emma BONINO

Member of the Commission

⁽¹⁾ OJ L 132, 23. 5. 1997, p. 1.

⁽²⁾ OJ L 346, 11. 12. 1990, p. 11.

⁽³⁾ OJ L 310, 14. 12. 1993, p. 19.

⁽⁴⁾ OJ L 389, 31. 12. 1992, p. 1.

ANEXO — BILAG — ANHANG — ΠΑΡΑΡΤΗΜΑ — ANNEX — ANNEXE — ALLEGATO — BIJLAGE — ANEXO —
LIITE — BILAGA

Matrícula y folio	Nombre del barco	Indicativo de llamada de radio	Puerto base	Potencia del motor (kW)
Havnekendings- bogstaver og -nummer	Fartøjets navn	Radio- kaldesignal	Registreringshavn	Maskin- effekt (kW)
Äußere Identifizierungs- kennbuchstaben und -nummern	Name des Schiffes	Rufzeichen	Registrierhafen	Motorstärke (kW)
Εξωτερικά στοιχεία και αριθμοί αναγνώρισης	Όνομα σκάφους	Αριθμός κλήσης ασυρμάτου	Λιμένας νηολόγησης	Ισχύς κινητήρος (kW)
External identification letters + numbers	Name of vessel	Radio call sign	Port of registry	Engine power (kW)
Numéro d'immatriculation lettres + chiffres	Nom du bateau	Indicatif d'appel radio	Port d'attache	Puissance motrice (kW)
Identificazione esterna lettere + numeri	Nome del peschereccio	Indicativo di chiamata	Porto di immatricolazione	Potenza motrice (kW)
Op de romp aangebrachte identificatieletters en -cijfers	Naam van het vaartuig	Roepletters	Haven van registratie	Motor- vermogen (kW)
Identificação externa letras + números	Nome do navio	Indicativo de chamada	Porto de registo	Potência motriz (kW)
Rekisteröintinnumero kirjaimet + numerot	Aluksen nimi	Radioliiken- teen tunnus	Kotisatama	Konetehto (kW)
Registreringsnummer bokstäver + nummer	Fartygets namn	Anrops- nummer	Fartygets hemort	Motoreffekt (kW)
1	2	3	4	5

BÉLGICA / BELGIEN / BELGIEN / ΒΕΛΓΙΟ / BELGIUM / BELGIQUE / BELGIO /
BELGIË / BÉLGICA / BELGIA / BELGIEN

BOU	7	De Enige Zoon	OPAG	Boekhoude	218
BOU	24	Beatrix	OPAX	Boekhoude	202
N	12	Arthur	OPAL	Nieuwpoort	210
N	64	Black Jack	OPCL	Nieuwpoort	143
N	86	Surcouf	OPDH	Nieuwpoort	144

1	2	3	4	5	
N	88	Nova Cura	OPDJ	Nieuwpoort	104
N	782	Nancy	OQFD	Nieuwpoort	110
O	2	Nancy	OPAB	Oostende	213
O	20	Goewind	OPAT	Oostende	110
O	62	Dini	OPCJ	Oostende	221
O	100	Emilie	OPDV	Oostende	176
O	101	Benny	OPDW	Oostende	184
O	110	Jeaninne Margaret	OPEF	Oostende	192
O	152	Aran	OPFV	Oostende	221
O	225	Norman Kim	OPIQ	Oostende	184
O	455	Zeesymphonie	OPSC	Oostende	184
O	533	Virtus	OPVC	Oostende	147
O	700	Bi-Si-Ti	OQBV	Oostende	176
Z	8	Aquarius	OPAH	Zeebrugge	220
Z	13	Morgenster	OPAM	Zeebrugge	218
Z	28	Annie-B	OPBB	Zeebrugge	220
Z	211	Christoph	OPIC	Zeebrugge	221
Z	403	Stern	OPQC	Zeebrugge	221
Z	554	Nadia	OPVX	Zeebrugge	191
Z	580	Poseidon	OPWX	Zeebrugge	206
Z	582	Asannat	OPWZ	Zeebrugge	107
Z	586	Mermaid	OPXD	Zeebrugge	221

DINAMARCA / DANMARK / DÄNEMARK / ΔANIA / DENMARK / DANEMARK / DANIMARCA /
DENEMARKEN / DINAMARCA / TANSKA / DANMARK

E	35	Karen Lund	OUIB	Esbjerg	200
E	45	Jette Susanne	OXDU	Esbjerg	201
E	64	Albatros	OU5578	Esbjerg	221
E	129	Lissy Krarup	OWGC	Esbjerg	147
E	223	Mai-Britt Thygesen	OU3102	Esbjerg	128
E	562	Helle Nymann	OWCU	Esbjerg	220
E	641	Rune Egholm	OXAO	Esbjerg	214
HV	2	Heidi	5PVZ	Havneby	94
HV	3	Vinnie Runge	OVIT	Havneby	165
HV	6	Hansine	XP2750	Havneby	148
HV	35	Svend Åge	OZNX	Havneby	169
HV	41	Havsand	XP3685	Haderslev	147
HV	58	Komet	XP2918	Haderslev	197
HV	67	Juvredyb	XP3614	Haderslev	104
HV	73	Roem	OXTW	Haderslev	165
HV	80	Nordlyset	XP4787	Haderslev	144
HV	89	Helga-Vera	5QEV	Haderslev	168
L	476	Sara-Christina	OWAC	Thyborøn	210
RI	48	Lasiry	OYCI	Hvide Sande	126
RI	78	Lasse Stensberg	XP5820	Hvide Sande	196
RI	426	Mette Janni	OYCG	Hvide Sande	125
RI	450	Perkredes	OXUL	Hvide Sande	213

1	2	3	4	5
ALEMANIA / TYSKLAND / DEUTSCHLAND / ΓΕΡΜΑΝΙΑ / GERMANY / ALLEMAGNE / GERMANIA / DUITSLAND / ALEMANHA / SAKSA / TYSKLAND				
ACC	2	Uranus	DCGK	Accumersiel 175
ACC	3	Harmonie	DCRK	Accumersiel 221
ACC	4	Freya	DCGU	Accumersiel 175
ACC	5	Anita	DCPF	Accumersiel 146
ACC	6	Goodewind	DCCA	Accumersiel 175
ACC	8	Orion	DCFM	Accumersiel 221
ACC	9	Ozean	DCHI	Accumersiel 221
ACC	10	Komet	DCHI	Accumersiel 221
ACC	12	Poseidon	DCFL	Accumersiel 221
ACC	14	Gerda-Katharina	DIUO	Accumersiel 221
ACC	16	Edelweiss	DCPJ	Accumersiel 144
AG	8	Eltje Looden	DCKC	Greetsiel 146
BUS	4	Adler	DJIC	Büsum 100
CUX	1	Cuxi	DFNB	Cuxhaven 169
CUX	2	Jan Janshen Bruhns	DCSM	Cuxhaven 151
CUX	3	Fortuna	DJEN	Cuxhaven 130
CUX	4	Nordergrunde	DFPD	Cuxhaven 220
CUX	5	Troll	DFMX	Cuxhaven 93
CUX	6	Heimkehr	DEKY	Cuxhaven 130
CUX	7	Edelweiss	DFBO	Cuxhaven 162
CUX	8	Johanna		Cuxhaven 92
CUX	9	Ramona	DFNZ	Cuxhaven 146
CUX	10	Aldebaran	DJGW	Cuxhaven 132
CUX	11	Seehund	DERF	Spieka 184
CUX	12	Anne K.	DIRJ	Cuxhaven 136
CUX	13	Seerose	DISP	Cuxhaven 165
CUX	14	Saphir	DFAX	Cuxhaven 216
CUX	15	Bastian	DITD	Cuxhaven 151
CUX	17	Osteriff	DFNZ	Cuxhaven 146
DAN	3	Seestern		Dangast 68
DIT	1	Henriette	DQQJ	Ditzum 221
DIT	3	Stiene Bruhns	DQNX	Ditzum 221
DIT	5	Mathilde Bruhns	DQQY	Ditzum 221
DIT	6	Amisia	DQNW	Ditzum 221
DIT	9	Condor	DCVS	Ditzum 180
DIT	18	Jan Bruhns	DETV	Ditzum 217
DOR	2	Hoffnung	DESX	Dorum 161
DOR	5	Stör	DFAT	Dorum 165
DOR	10	Wangerland	DCVZ	Dorum 175
DOR	12	Sirius	DESC	Dorum 162
DOR	13	Dithmarschen	DIZM	Dorum 125
DOR	15	Else		Dorum 124
DOR	16	Poseidon	DFCS	Dorum 220
FED	1	Orion	DDMP	Fedderwardsiel 184
FED	2	Sirius		Fedderwardsiel 147
FED	3	Venus	DLIL	Fedderwardsiel 217
FED	4	Christine	DLIG	Fedderwardsiel 180
FED	5	Butjadingen	DDHN	Fedderwardsiel 183
FED	7	Seestern		Fedderwardsiel 110
FED	9	Bianca	DLIX	Fedderwardsiel 191
FED	10	Edelweiss	DDJB	Fedderwardsiel 180
FED	12	Rubin	DDIT	Fedderwardsiel 183
FRI	18	Adler	DIQL	Friedrichskoog 134

1		2	3	4	5
FRI	20	Falke	DIQT	Friedrichskoog	130
FRI	23	Godewind	DIRK	Friedrichskoog	151
FRI	35	Zenit	DCGN	Friedrichskoog	175
FRI	36	Heimatland	DIUP	Friedrichskoog	131
FRI	75	Luise	DIJK	Friedrichskoog	145
FRI	86	Sirius	DB5381	Friedrichskoog	151
GRE	1	Edde	DCSJ	Greetsiel	146
GRE	2	Erna	DCOH	Greetsiel	110
GRE	3	Horizont	DCMU	Greetsiel	184
GRE	4	Magellan	DMXQ	Greetsiel	184
GRE	5	Oberon	DCIL	Greetsiel	186
GRE	6	Albatros	DCJJ	Greetsiel	145
GRE	7	Emsstrom	DCCH	Greetsiel	221
GRE	8	Gretje	DJMP	Greetsiel	214
GRE	9	Odin	DCBG	Greetsiel	184
GRE	10	Jan Ysker	DDAY	Greetsiel	165
GRE	11	Korsar	DCEJ	Greetsiel	184
GRE	12	Condor	DCVO	Greetsiel	188
GRE	13	Jan Looden	DCRA	Greetsiel	145
GRE	14	Wangerland	DCEQ	Greetsiel	180
GRE	15	Zwei Gebrüder	DCEP	Greetsiel	186
GRE	16	Angelika	DCEY	Greetsiel	184
GRE	17	Odysseus	DCFP	Greetsiel	206
GRE	18	Capella	DITL	Greetsiel	221
GRE	19	Flamingo	DCFW	Greetsiel	184
GRE	20	Sechs Gebrüder	DCGO	Greetsiel	190
GRE	21	Sturmvogel	DCGR	Greetsiel	140
GRE	22	Frieda-Luise	DCPU	Greetsiel	199
GRE	23	Merlan	DJHL	Greetsiel	183
GRE	24	Friedrich Conradi	DCVW	Greetsiel	221
GRE	25	Delphin	DCME	Greetsiel	190
GRE	28	Vorwärts	DCDN	Greetsiel	110
GRE	29	Paloma	DCEL	Greetsiel	219
HAR	1	Gesine Albrecht	DCQM	Harlesiel	191
HAR	2	Jens Albrecht II		Harlesiel	150
HAR	8	Sperber	DCVF	Greetsiel	146
HAR	5	Ruth Albrecht	DCMJ	Harlesiel	175
HAR	7	Poseidon	DCWF	Harlesiel	132
HAR	14	Georg Albrecht	DCBU	Harlesiel	180
HAR	20	Marion Albrecht	DCGF	Harlesiel	175
HOO	1	De Liekedeelers	DJIS	Hooge	136
HOO	3	Nantiane	DLYL	Hooge	132
HOO	50	Sturmvogel	DDAX	Hooksiel	175
HOO	52	Aggi	DDAE	Hooksiel	198
HOO	61	Samland	DDEP	Hooksiel	206
HOR	1	Falke	DEPJ	Horumersiel	110
HUS	9	Edelweiss	DJGC	Husum	180
HUS	18	Friesland	DJGB	Husum	184
HUS	19	Marion	DJGF	Husum	184
HUS	28	Zukunft	DLYQ	Husum	162
NEU	226	Keen Tied	DCBQ	Neuharlingersiel	147
NEU	227	Stortebeker	DLYJ	Neuharlingersiel	175
NEU	228	Gorch Fock	DCMO	Neuharlingersiel	147
NEU	229	Falke	DCGX	Neuharlingersiel	174
NEU	230	Polaris	DCCX	Neuharlingersiel	110
NEU	231	Medusa	DCFU	Neuharlingersiel	184
NEU	232	Möwe	DCET	Neuharlingersiel	190

1		2	3	4	5
NEU	234	Beluga	DFCQ	Neuharlingersiel	164
NEU	235	Nordlicht		Neuharlingersiel	110
NEU	236	Albatros	DISO	Neuharlingersiel	182
NEU	240	Anna I	DDFS	Neuharlingersiel	135
NEU	243	Seeschwalbe	DFNS	Neuharlingersiel	177
NEU	245	Seestern	DCKM	Neuharlingersiel	221
NOR	202	Johanne	DD3833	Norddeich	107
NOR	203	Sperber	DFND	Norddeich	169
NOR	205	Annette	DCEM	Norddeich	161
NOR	207	Seestern	DCJS	Norddeich	146
NOR	208	Erika	DCHU	Norddeich	191
NOR	211	Helga	DCPP	Norddeich	175
NOR	213	Nordsee	DCPV	Norddeich	161
NOR	223	Nordlicht	DCTH	Norddeich	110
NOR	225	Nordmeer	DCDB	Norddeich	110
NOR	228	Nordstern	DCWV	Norddeich	185
NOR	231	Nordstrom I	DCJO	Norddeich	219
NOR	232	Nordstrand	DCIO	Norddeich	110
ON	180	Jupiter	DLHG	Fedderwardsiel	213
OTT	1	Mareike	DIRQ	Otterndorf	107
PEL	1	Yvonne	DJIG	Pellworm	184
PEL	2	Annemarie	DJFK	Pellworm	132
PEL	9	Norderoog	DLZC	Pellworm	182
POG	2	Jan	DQQH	Pogum	221
SC	2	Stolperbank II	DIVQ	Büsum	221
SC	5	Atlantis	DIXG	Büsum	183
SC	6	Keen Tied	DISU	Büsum	184
SC	7	Seefuchs	DIUQ	Büsum	184
SC	8	Birgit I	DIYR	Büsum	179
SC	9	Wotan	DIZO	Büsum	184
SC	10	Amrum Bank	DIRT	Büsum	220
SC	11	Anne-Gret	DIYM	Büsum	221
SC	12	Damkerort	DERT	Büsum	221
SC	13	Condor	DISD	Büsum	159
SC	14	Maret	DJIJ	Büsum	184
SC	15	Martina	DIWD	Büsum	184
SC	18	Gaby Egel	DITV	Büsum	183
SC	19	Bonafide	DIYT	Büsum	221
SC	20	Wiking Bank	DISA	Büsum	220
SC	21	Maren	DFPN	Büsum	221
SC	28	Doggerbank	DIZL	Büsum	220
SC	30	Maarten Senior	DITY	Büsum	220
SC	32	Cornelia	DIUE	Büsum	184
SC	33	Joke Sabine	DJGS	Büsum	184
SC	34	Dithmarschen I	DIRV	Büsum	184
SC	35	Jakob Senior	DIRY	Büsum	221
SC	36	Achat	DIVU	Büsum	100
SC	40	Klaasje	DFMP	Büsum	221
SC	41	Osterems	DIQR	Büsum	220
SC	42	Westerems	DIQN	Büsum	220
SC	43	Horns Riff	DIZA	Büsum	220
SC	44	Klaus Groth I	DIUC	Büsum	184
SC	45	Marijtje Keuter	DIYU	Büsum	221
SC	52	Sabine	DJHT	Büsum	184
SC	57	Südwind	DJRS	Büsum	184
SC	58	Oderbank	DIXM	Büsum	221
SD	1	Hornsriff	DIZQ	Friedrichskoog	184
SD	3	Germania	DITK	Friedrichskoog	184
SD	4	Wattenmeer	DITO	Friedrichskoog	184

1		2	3	4	5
SD	5	Hoffnung	DISX	Friedrichskoog	140
SD	6	Cap Arkona	DIRF	Friedrichskoog	184
SD	7	Delphin	DIUY	Friedrichskoog	184
SD	8	Rugenort	DIWK	Friedrichskoog	165
SD	9	Dieksand	DIRB	Friedrichskoog	184
SD	10	Christine	DJCH	Friedrichskoog	138
SD	11	Hindenburg	DISC	Friedrichskoog	184
SD	12	Wiking	DISE	Friedrichskoog	172
SD	13	Antares	DITA	Friedrichskoog	147
SD	15	Hanseat	DIVW	Friedrichskoog	184
SD	16	Polli	DIUZ	Friedrichskoog	178
SD	18	Atlantik	DISR	Friedrichskoog	180
SD	22	Kormoran	DITZ	Friedrichskoog	184
SD	23	Odin I	DIRI	Friedrichskoog	184
SD	24	Venus	DITW	Friedrichskoog	182
SD	26	Paloma G	DIWG	Friedrichskoog	147
SD	30	Cormoran	DFOC	Friedrichskoog	140
SD	31	Utholm	DJEE	Friedrichskoog	182
SD	32	Tümmeler	DIXU	Friedrichskoog	165
SD	33	Marlies	DCQD	Friedrichskoog	184
SD	34	Keen Tied	DDEW	Friedrichskoog	146
SD	35	Marschenland	DIQK	Friedrichskoog	184
SH	3	Stella Polaris	DMJZ	Heiligenhafen	220
SH	9	Glaube	DMYI	Heiligenhafen	220
SK	18	Frans Wilhelm	DFOC	Büsum	220
SK	20	Unternehmung		Kiel	219
SPI	1	Sonny-Boy	DFBI	Spieka	138
SPI	2	Skua	DERI	Spieka	183
SPI	3	Atlantis	DFDX	Spieka	147
SPI	4	Polarstern	DIRH	Spieka	151
SPI	5	Nixe II		Spieka	184
ST	1	Seeburg	DJEZ	Tönning	162
ST	2	Boreas	DJBC	Tönning	184
ST	3	Nordland	DJBB	Tönning	182
ST	4	Möwe	DCSP	Tönning	145
ST	5	Friesland	DJDU	Tönning	176
ST	6	Hilke-Maritta	DNHA	Tönning	221
ST	7	Heimatland	DLXW	Tönning	184
ST	8	Sigrid	DJEP	Tönning	184
ST	9	Nordfriesland	DJHW	Tönning	153
ST	11	Birgitt-R	DJDF	Tönning	184
ST	12	Anja II		Tönning	165
ST	20	Poseidon	DJHQ	Tönning	165
ST	22	Korona	DIQJ	Tönning	169
ST	24	Karolin	DJIF	Tönning	99
ST	26	Wega II	DJCE	Tönning	184
ST	28	Glück Auf	DLZP	Tönning	184
SU	1	Stefanie	DDEJ	Husum	175
SU	2	Jupiter	DD6372	Husum	131
SU	3	Theodor Storm	DJDM	Husum	184
SU	5	Andrea	DJIM	Husum	184
SU	6	Ostpreußen	DJEL	Husum	184
SU	7	Holstein	DIRM	Husum	110
SU	9	Stella Mare	DLWN	Husum	184
SU	11	Schippi		Husum	129
SU	12	Marianne	DJDS	Husum	182

1		2	3	4	5
SW	1	Elfriede	DLZV	Wyk-Föhr	125
SW	2	Claudia	DJIO	Wyk-Föhr	182
SW	3	Rungholdt	DLYA	Wyk-Föhr	182
SW	4	Hartje	DJGO	Wyk-Föhr	184
SW	6	Alk	DCJG	Wyk-Föhr	198
VAR	6	Hein Godenwind	DDBL	Varel	180
VAR	7	Falke I	DJDW	Varel	151
VAR	18	Helga		Varel	109
WIT	1	Christina	DIQQ	Wittdün	124
WIT	12	Nausikaa	DDFA	Wittdün	183
WRE	1	Apollo	DFCM	Wremen	183
WRE	3	Falke	DESJ	Wremen	184
WRE	4	Wremen	DFAZ	Wremen	184
WRE	5	Land Wursten	DEQW	Wremen	221
WRE	6	Condor	DETZ	Wremen	110
WRE	7	Seerose	DEQX	Wremen	151
WRE	9	Neptun	DISK	Wremen	221

FRANCIA / FRANKRIG / FRANKREICH / ΓΑΛΛΙΑ / FRANCE / FRANCE / FRANCIA / FRANKRIJK /
FRANÇA / RANSKA / FRANKRIKE

DK	659450	Daisy	FU 4888	Dunkerque	182
DK	779894	Manoot Che	FG 8312	Dunkerque	162
DK	780634	Schooner	FQQI	Dunkerque	220

PAÍSES BAJOS / NEDERLANDENE / NIEDERLANDE / ΚΑΤΩ ΧΩΡΕΣ / NETHERLANDS / PAYS-BAS /
PAESI BASSI / NEDERLAND / PAÍSES BAIXOS / ALANKOMAAAT / NEDERLÄNDERNA

BR	10	Johanna	PFDQ	Oostburg-Breskens	217
BR	29	Eendracht	PDYB	Oostburg-Breskens	220
DZ	3	Alina	PCMH	Delfzijl	174
GO	27	Marjo		Goedereede	220
GO	29	Jan Maria	PEZI	Goedereede	221
GO	33	De Hinder	PDNI	Goedereede	221
GO	57	Johanna Maria	PFDS	Goedereede	221
GO	58	Jakoriwi	PEZC	Goedereede	221
HA	13	Wobbegien		Harlingen	158
HA	14	Grietje		Harlingen	134
HA	41	Antje	PCMP	Harlingen	158
HA	50	Zeevalk	PIXY	Harlingen	165
HA	62	Willem Tjitsche		Harlingen	126
HA	75	Elizabeth	PDWR	Harlingen	221
KG	6	Imantje	PEVK	Kortgene	221
KG	7	Christina	PDKC	Kortgene	221
KG	9	Pieterella	PGTD	Kortgene	221
KW	72	Tina Adriana	PHYT	Katwijk	221
LO	5	Eeltje Jan		Ulrum-Lauwersoog	125
LO	8	Trijntje	PIBJ	Ulrum-Lauwersoog	221
NZ	21	Magdalena	PFSK	Terneuzen	99
OD	3	Adrianne	PFWH	Goedereede-Ouddorp	221
OD	5	Clara Jacoba	PDJV	Goedereede-Ouddorp	221
OD	18	Johannes Lars	PFSB	Goedereede-Ouddorp	221
OD	27	Vertrouwen	PIFW	Goedereede-Ouddorp	221
TH	36	Izabella	PEXR	Tholen	221

1		2	3	4	5
TH	61	Johanna Cornelia	PFDD	Tholen	221
TX	25	Everdina	PEAH	Texel	221
TX	50	Deneb	PDNF	Texel	208
UK	186	Klaas Jelle Pieter	PFJY	Urk	221
UQ	2	Nooitgedacht	PGID	Usquert	220
WL	8	Albatros		Westdongeradeel	92
WL	15	Monte Tjerk		Westdongeradeel	107
WON	24	Elisabeth	PDWL	Wonseradeel	221
WON	77	Wietske	PIRC	Wonseradeel	162
WR	10	Petrina	PGSD	Wieringen	220
WR	12	Dirk	PDQD	Wieringen	158
WR	17	Bona Spes	PDEY	Wieringen	221
WR	20	Elisabeth	PDXH	Wieringen	221
WR	21	Jente	PGUX	Wieringen	221
WR	34	Leendert Jan	PFNU	Wieringen	221
WR	40	Jogina	PEZH	Wieringen	221
WR	54	Cornelis-Nan	PDJG	Wieringen	221
WR	57	Jacoba	PEYI	Wieringen	220
WR	68	Jan Cornelis	PEYX	Wieringen	221
WR	71	Marry An	PFVJ	Wieringen	220
WR	75	Sandra Petra	PHIG	Wieringen	176
WR	88	Rana	PGYN	Wieringen	184
WR	89	Geja Anjo		Wieringen	208
WR	98	Else Jeanette	PDWC	Wieringen	221
WR	102	Limanda	PFOW	Wieringen	221
WR	106	Alida Catherina	PCLM	Wieringen	221
WR	131	Twee Gebroeders	PIBP	Wieringen	220
WR	174	Aleida	PCKC	Wieringen	221
WR	189	Grietje	PIZO	Wieringen	221
WR	210	Exmera Gratia	PEAM	Wieringen	134
WR	213	Tini Simone	PHZA	Wieringen	221
WR	244	Margretha Hendrika	PEYY	Wieringen	221
YE	31	Jozias Jannetje	PFFU	Reimerswaal-Yerseke	221
YE	52	Adriana	PCEB	Reimerswaal-Yerseke	221
YE	76	Tobber	PHAU	Reimerswaal-Yerseke	221
YE	138	Maatje Helena	PDAU	Reimerswaal-Yerseke	221
YE	139	Elizabeth	PDXB	Reimerswaal-Yerseke	221
ZK	14	Tamme Sr	PHWT	Ulrum-Zoutkamp	221
ZK	15	Lambert	PHXZ	Ulrum-Zoutkamp	220
ZK	18	Liberty		Ulrum-Zoutkamp	138
ZK	40	Morgenster	PGAQ	Ulrum-Zoutkamp	221
ZK	43	Bornrif	PDEW	Ulrum-Zoutkamp	221
ZK	49	Twee Gebroeders	PHXM	Ulrum-Zoutkamp	220
ZK	54	Goede Verwachting		Ulrum-Zoutkamp	138
ZK	185	Noorderlicht		Ulrum-Zoutkamp	184

1	2	3	4	5
---	---	---	---	---

REINO UNIDO / DET FORENEDE KONGERIGE / VEREINIGTES KÖNIGREICH / ΗΝΩΜΕΝΟ
 ΒΑΣΙΛΕΙΟ / UNITED KINGDOM / ROYAUME-UNI / REGNO UNITO / VERENIGD KONINKRIJK /
 REINO UNIDO / YHDISTYNYT KUNINGASKUNTA / FÖRENADE KUNGARIKET

BM	23	Carhelmar	MHWD8	Brixham	220
BM	28	Sea Lady	MMNL9	Brixham	219
BM	30	Sara Lena	MRKH	Brixham	212
BM	51	Harm Johannes	27ZH	Brixham	221
BM	56	Charmaine M	2MCJ	Brixham	221
BM	148	Margaretha Maria	2PLE	Brixham	221
BM	180	Arie Dirk	2GER	Brixham	177
BM	188	Sola Gratia	2JXX	Brixham	177
BM	261	Susanna D	GAVZ6	Brixham	220
BS	101	Cowrie Bay	MMOG	Beaumaris	172
CK	134	Diana	MUAZ	Colchester	170
CK	179	Gandalf	2GYY	Colchester	111
CK	299	Marina 1	MJIM	Colchester	114
FD	357	Susan Bird	2EDX	Fleetwood	220
FD	367	Willem	ZETU	Fleetwood	221
FH	36	Auldgirth II	2JZU	Falmouth	82
FR	460	Brothers	MCWX7	Fraserburgh	216
GY	119	Giant John	MPVF5	Grimsby	220
NN	215	Seafalke	MKMJ5	Newhaven	220
P	336	Zuiderzee	2MHY	Portsmouth	210
PH	5	Nauru	2HWW	Plymouth	214
PH	330	Admiral Gordon	MKXW3	Plymouth	221
PH	412	Aleyna	MSAF	Plymouth	220
PH	440	Admiral Blake	MHPR6	Plymouth	221
PW	14	Hannah Christine	MNED4	Padstow	172
TH	29	Two Sisters	MJOM	Teignmouth	140
TH	50	Elly Gerda	2GFT	Teignmouth	221
TH	106	Mattanga	GDVZ	Teignmouth	221
TH	186	Niblick	2GAR	Teignmouth	221

II

(Acts whose publication is not obligatory)

COMMISSION

**DECISION No 4/97 OF THE EC-EFTA JOINT COMMITTEE ON COMMON
TRANSIT**

of 17 December 1997

**amending Annex VIII to Appendix II of the Convention of 20 May 1987 on a
common transit procedure**

(98/13/EC)

THE JOINT COMMITTEE,

Having regard to the Convention of 20 May 1987 on a common transit procedure ⁽¹⁾, and
in particular Article 15 (3) (a) thereof,

Whereas Annex VIII to Appendix II of the Convention contains the list of goods which,
when transported, give rise to an increase in the flat-rate guarantee; whereas, for the
purpose of simplifying administrative procedures, it would seem advisable to group to-
gether in a single list, as far as possible, the different lists of sensitive goods which exist
under the Community transit and common transit arrangements; whereas experience has
shown that the only goods which should appear in the Annex in question are those for
which there is evidence of sizeable levels of fraud,

HAS DECIDED AS FOLLOWS:

Article 1

Annex VIII to Appendix II of the Convention is replaced by the text in the Annex to this
Decision.

Article 2

This Decision shall enter into force on 1 February 1998.

Done at Brussels, 17 December 1997.

For the Joint Committee
The Chairman
Sigurgeir A. JÓNSSON

⁽¹⁾ OJ L 226, 13. 8. 1987, p. 2.

ANNEX

ANNEX VIII

LIST OF GOODS WHICH, WHEN TRANSPORTED, GIVE RISE TO AN INCREASE IN THE
FLAT-RATE GUARANTEE

HS code	Description	Quantity corresponding to the standard amount of ECU 7000
1	2	3
01.02	Live bovine animals	4 000 kg
02.02	Meat of bovine animals, frozen	3 000 kg
04.02	Milk and cream, concentrated or containing added sugar or other sweetening matter	5 000 kg
ex 04.05	Butter and other fats and oils derived from milk	3 000 kg
08.03	Bananas, including plantains, fresh or dried	8 000 kg
17.01	Cane or beet sugar and chemically pure sucrose, in solid form	7 000 kg
22 07.10	Undenatured ethyl alcohol of an alcoholic strength by volume of 80 % vol or higher	3 hl
ex 22.08	Spirits, liqueurs and other spirituous beverages	5 hl
24 02.20	Cigarettes	35 000 items'

**DECISION No 5/97 OF THE EC-EFTA JOINT COMMITTEE ON COMMON
TRANSIT**

of 17 December 1997

**relating to the renewal of the ban on the use of the comprehensive guarantee,
made by Decision Nos 1/96 and 2/96 of the Joint Committee**

(98/14/EC)

THE JOINT COMMITTEE,

Having regard to the Convention of 20 May 1987 on a common transit procedure ⁽¹⁾, and in particular Article 34B of Appendix II thereto ⁽²⁾,

Whereas under the provisions of Article 34B of Appendix II, the use of the comprehensive guarantee may be temporarily forbidden at the request of one or more Contracting Parties, with regard of goods which present an exceptional risk of fraud;

Whereas by Decision Nos 1/96 ⁽³⁾ and 2/96 ⁽⁴⁾, as amended and last renewed by Decision No 1/97 ⁽⁵⁾, the EC/EFTA Joint Committee on Common Transit has adopted measures to temporarily forbid the use of the comprehensive guarantee for the transport of cigarettes of subheading 2402.20 of the harmonised system and for certain other sensitive goods, because of the exceptional risk of fraud affecting those operations;

Whereas the protection of the financial interests at risk in those operations makes it necessary to maintain the same measures for common transit as for Community transit in order to ensure maximum effectiveness;

Whereas the Joint Committee considers it necessary to renew the ban in question for a period of twelve months,

HAS DECIDED AS FOLLOWS:

Article 1

The measures taken by Decision Nos 1/96 and 2/96 of the EC/EFTA Joint Committee on common transit are renewed for a period of twelve months.

Article 2

This Decision shall enter into force on 1 January 1998.

Done at Brussels, 17 December 1997.

For the Joint Committee

The Chairman

Sigurgeir A. JÓNSSON

⁽¹⁾ OJ L 226, 13. 8. 1987, p. 2.

⁽²⁾ OJ L 238, 29. 8. 1997, p. 27.

⁽³⁾ OJ L 226, 7. 9. 1996, p. 20.

⁽⁴⁾ OJ L 226, 7. 9. 1996, p. 22.

⁽⁵⁾ OJ L 186, 16. 7. 1997, p. 27.

NOTICE TO READERS

In 1998 several changes to the Official Journal (OJ) L & C subscription will be introduced. This notice aims to help paying subscribers make an informed choice about the new possibilities.

THE OFFICIAL JOURNAL ON THE INTERNET

Starting in January 1998, the full text (including tables and graphics) of new editions of the OJ L & C will be available in all 11 languages free of charge on the Internet (<http://europa.eu.int>) for a period of 20 days.

OJ L & C CD-ROM

In 1998 a CD-ROM version of the OJ L & C will be published in quarterly, cumulative, single-language editions. Current subscribers to the OJ L & C who purchase the CD-ROM subscription in addition to the paper or microfiche version or CELEX will benefit from a promotional discount of 50 % on the CD-ROM. A LAN option will be available. Individual copies of each CD-ROM can also be purchased.

FLAT FEE SUBSCRIPTION TO CELEX

In spring 1998 a flat fee subscription to CELEX will be available, offering one year's access at a fixed price (960 ECU), independent of consumption. CELEX is the EU's official legal database offering unparalleled coverage of EU legislation since 1951 (<http://europa.eu.int/celex>).

LATE RENEWALS OF PAPER SUBSCRIPTION

Dispatch of the paper version of the OJ L & C will be stopped on 31 January 1998 to all paying subscribers who have not renewed their subscription by then. Subscribers starting or renewing a subscription to the OJ L & C after this date may choose:

- (i) not to receive retroactive dispatch of missing editions, and pay only for months received;
- (ii) to receive the CD-ROM version of the missing editions, and pay the normal annual subscription fee;
- (iii) to receive the paper version of the missing editions, and pay double for each month requiring retroactive despatch.

Please note it is now possible to purchase all versions of subscription to the Official Journal L & C (paper, microfiche, off-line and CELEX) from any member of the EUR-OP sales networks, except document delivery agents. Please contact your sales agent for further details on the above.