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## Legislation

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## I

*(Acts whose publication is obligatory)*

**COUNCIL REGULATION (EC, EURATOM) No 410/98**  
**of 16 February 1998**  
**amending Regulation (EC, Euratom) No 58/97 concerning structural business**  
**statistics**

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty establishing the European Community, and in particular Article 213 thereof,

Having regard to the proposal from the Commission <sup>(1)</sup>,

Having regard to the opinion of the European Parliament <sup>(2)</sup>,

Having regard to the opinion of the Economic and Social Committee <sup>(3)</sup>,

Whereas Regulation (EC, Euratom) No 58/97 <sup>(4)</sup> established a common framework for the collection, compilation, transmission and evaluation of Community statistics on the structure, activity, competitiveness and performance of businesses in the Community;

Whereas developments in Community monetary, economic and social integration require the extension of the aforesaid framework to the insurance sector;

Whereas the compilation of national and regional accounts according to Regulation (EC) No 2223/96 <sup>(5)</sup> requires comparable, complete and reliable insurance statistics;

Whereas it is therefore necessary to amend Regulation (EC, Euratom) No 58/97 on the basis of Council Dir-

ectives 92/49/EEC <sup>(6)</sup> and 92/96/EEC <sup>(7)</sup>, completing the internal market for direct life and non-life insurance and of Council Directive 91/674/EEC <sup>(8)</sup> concerning the annual accounts and consolidated accounts of insurance undertakings;

Whereas the Statistical Programme Committee set up by Decision 89/382/EEC, Euratom <sup>(9)</sup> and the Insurance Committee set up by Directive 91/675/EEC <sup>(10)</sup> have been consulted,

HAS ADOPTED THIS REGULATION:

*Article 1*

Regulation (EC, Euratom) No 58/97 is hereby amended as follows:

1. The following indent shall be added to Article 5:
 

‘— a detailed module for structural statistics in insurance defined in Annex 5’.
2. An Annex 5, as set out in the Annex to this Regulation, shall be added.

*Article 2*

This Regulation shall enter into force on the 20th day following that of its publication in the *Official Journal of the European Communities*.

<sup>(1)</sup> OJ C 310, 10. 10. 1997, p. 5.

<sup>(2)</sup> OJ C 14, 19. 1. 1998.

<sup>(3)</sup> Opinion delivered on 28 January 1998 (not yet published in the Official Journal).

<sup>(4)</sup> OJ L 14, 17. 1. 1997, p. 1.

<sup>(5)</sup> OJ L 310, 30. 11. 1996, p. 1.

<sup>(6)</sup> OJ L 228, 11. 8. 1992, p. 1. Directive as amended by Directive 95/26/EC of the European Parliament and of the Council (OJ L 168, 18. 7. 1995, p. 7).

<sup>(7)</sup> OJ L 360, 9. 12. 1992, p. 1. Directive as amended by Directive 95/26/EC of the European Parliament and of the Council (OJ L 168, 18. 7. 1995, p. 7).

<sup>(8)</sup> OJ L 374, 31. 12. 1991, p. 7.

<sup>(9)</sup> OJ L 181, 28. 6. 1989, p. 47.

<sup>(10)</sup> OJ L 374, 31. 12. 1991, p. 32.

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

Done at Brussels, 16 February 1998.

*For the Council*  
*The President*  
J. CUNNINGHAM

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*ANNEX**'ANNEX 5***A DETAILED MODULE FOR STRUCTURAL STATISTICS IN INSURANCE***Section 1***Aims**

The aim of this Annex is to establish a common framework for the collection, compilation, transmission and evaluation of Community statistics on the structure, activity, competitiveness and performance of insurance services. This module includes a detailed list of characteristics on which statistics shall be compiled in order to improve knowledge of the national, Community and international development of the insurance sector.

*Section 2***Scope**

The statistics to be compiled shall relate to the domains referred to in points (i), (ii) and (iii) of Article 2 of this Regulation, and in particular to:

1. the detailed analysis of the structure, activity, competitiveness and performance of insurance enterprises;
2. the development and distribution of total business and business per product, customer patterns, international activities, employment, investments, capital and reserves and technical provisions.

*Section 3***Coverage**

1. Such statistics shall be compiled for all activities within the scope of NACE Rev. 1 division 66 except for class 66.02.
2. The compilation of statistics shall cover the following enterprises:
  - non-life insurance enterprises: all those referred to in Article 2(1)(a) of Directive 91/674/EEC<sup>(1)</sup>,
  - life assurance enterprises: all those referred to in Article 2(1)(b) of Directive 91/674/EEC,
  - specialist reinsurance enterprises: all those referred to in Article 2(1)(c) of Directive 91/674/EEC,
  - Lloyd's underwriters: all those referred to in Article 4 of Directive 91/674/EEC,
  - composite insurance enterprises: all those carrying out life and non-life insurance business.
3. In addition, branches of insurance enterprises referred to under Title III of Directives 73/239/EEC<sup>(2)</sup> and 79/267/EEC<sup>(3)</sup> and whose activity falls within one of the NACE Rev. 1 classes referred to in paragraph 1 shall be assimilated to the corresponding enterprises as defined in paragraph 2.
4. For the purposes of the harmonised Community statistics, Member States shall be free to exclude the enterprises mentioned in Article 3 of Directive 73/239/EEC and in Article 2(2) and (3) and Articles 3 and 4 of Directive 79/267/EEC.

*Section 4***Characteristics**

1. The characteristics and statistics presented in list A referred to in paragraph 3 and list B referred to in paragraph 4 shall be compiled in accordance with Section 5. When characteristics are derived directly from the annual accounts, accounting years ending within a reference year shall be assimilated to the said reference year.

<sup>(1)</sup> OJ L 374, 31. 12. 1991, p. 7.

<sup>(2)</sup> OJ L 228, 16. 8. 1973, p. 3.

<sup>(3)</sup> OJ L 63, 13. 3. 1979, p. 1.

2. In the lists A and B, characteristics relating to life insurance enterprises are identified by the number 1, those relating to non-life insurance enterprises by the number 2, those relating to composite insurance enterprises by the number 3, those relating to specialist reinsurance enterprises by the number 4, those relating to the life insurance business of composite insurance enterprises by the number 5 and those relating to the non-life insurance business (including acceptances in reinsurance) of composite insurance enterprises by the number 6.
3. List A includes the following information:
- (i) characteristics listed in Article 6 of Directive 91/674/EEC concerning life, non-life, composite and specialist reinsurance, enterprises: asset side of the balance sheet: items C I (showing land and buildings occupied by an insurance enterprise for its own activities separately), C II, C II 1 + C II 3 as an aggregate, C II 2 + C II 4 as an aggregate, C III, C III 1, C III 2, C III 3, C III 4, C III 5, C III 6 + C III 7 as an aggregate, C IV, D; liability side of the balance sheet: items A, A I, A II + A III + A IV as an aggregate, B, C 1 a (separately for the life and non-life business of composite enterprises), C 2 a (separately for the life and non-life business of composite enterprises), C 3 a (separately for the life and non-life business of composite enterprises), C 4 a, C 5, C 6 a, D a, G III (without separation of convertible loans), G IV;
  - (ii) characteristics listed in Article 34, Part I, of Directive 91/674/EEC concerning non-life and specialist reinsurance enterprises and the non-life business of composite insurance enterprises: items 1 a, 1 b, 1 c, 1 d, 2, 4 a aa, 4 a bb, 4 b aa, 4 b bb, 7 (gross amount), 7 d, 9, 10 (separately for the gross and net amount);
  - (iii) characteristics listed in Article 34, Part II, of Directive 91/674/EEC concerning life insurance enterprises and the life business of composite insurance enterprises: items 1 a, 1 b, 1 c (the gross amount and the reinsurers' share separately), 2, 3, 5 a aa, 5 a bb, 5 b aa, 5 b bb, 6 a aa, 6 a bb, 8 (gross amount), 8 d, 9, 10, 12, 13 (the gross and net amount separately);
  - (iv) characteristics listed in Article 34, Part III, of Directive 91/674/EEC concerning life, non-life, composite and specialist reinsurance enterprises: items 3, 4 (only for life and composite enterprises), 5, 6 (only for non-life, composite and specialist reinsurance enterprises), 7, 8, 9 + 14 + 15 as an aggregate, 10 (before tax), 13, 16;
  - (v) characteristics referred to in Article 63 of Directive 91/674/EEC:
    - concerning life and non-life insurance enterprises and life and non-life business of composite insurance enterprises: gross premiums written in direct business by (sub)categories of the CPA (5-digit level and subcategories 66.03.21, 66.03.22),
    - concerning non-life insurance enterprises and non-life business of composite insurance enterprises: gross claims incurred, direct business, gross operating expenses, direct business and reinsurance balance, direct business, all variables by (sub)categories of the CPA (5-digit level and subcategories 06.03.21, 66.03.22),
    - concerning life insurance enterprises and life business of composite insurance enterprises: gross direct premiums written with the breakdown as shown in number II, item 1;
  - (vi) characteristics referred to in Article 64 of Directive 91/674/EEC concerning life, non-life, composite and specialist reinsurance enterprises: commissions for direct insurance business (excluding specialist reinsurance enterprises) and total insurance business;
  - (vii) additional characteristics listed below:

| Code    | Title                                                                              | Enterprises/<br>business<br>concerned |
|---------|------------------------------------------------------------------------------------|---------------------------------------|
|         | <b>Structural data</b>                                                             |                                       |
| 11 11 0 | Number of enterprises                                                              | (1, 2, 3, 4)                          |
| 11 11 1 | Number of enterprises broken down by legal status                                  | (1, 2, 3, 4)                          |
| 11 11 2 | Number of enterprises broken down by size class of gross premiums written          | (1, 2, 3)                             |
| 11 11 3 | Number of enterprises broken down by size class of gross technical provisions      | (1)                                   |
| 11 11 5 | Number of enterprises broken down by country of residence of the parent enterprise | (1, 2, 3, 4)                          |
| 11 41 0 | Total number and location of branches in other countries                           | (1, 2, 3)                             |

| Code    | Title                                                                                                                               | Enterprises/<br>business<br>concerned |
|---------|-------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------|
|         | <b>Accounting data/technical part of the profit and loss account</b>                                                                |                                       |
| 32 11 4 | Gross premiums written broken down by legal status                                                                                  | (1, 2, 4, 5, 6)                       |
| 32 11 5 | Gross direct premiums written broken down according to the country of residence of the parent enterprise                            | (1, 2, 5, 6)                          |
| 32 11 6 | Gross reinsurance premiums accepted, written premiums broken down according to the country of residence of the parent enterprise    | (1, 2, 4, 6)                          |
| 32 18 2 | Reinsurers' share of gross premiums written broken down according to the country of residence of the parent enterprise              | (1, 2, 4, 5, 6)                       |
| 32 16 0 | Other items in the technical account, gross amount                                                                                  | (1, 2, 4, 5, 6)                       |
| 32 18 0 | Reinsurance balance                                                                                                                 | (1, 2, 4, 5, 6)                       |
| 32 18 8 | Reinsurers' share of the gross amount of other items in the technical account                                                       | (1, 2, 4, 5, 6)                       |
|         | <b>Accounting data/non-technical part of the profit and loss account</b>                                                            |                                       |
| 32 19 0 | Sub-total II (net balance of the technical account)                                                                                 | (3)                                   |
|         | <b>Additional data relating to the profit and loss account</b>                                                                      |                                       |
| 32 61 4 | External expenses on goods and services                                                                                             | (1, 2, 3, 4)                          |
| 13 31 0 | Personnel costs                                                                                                                     | (1, 2, 3, 4)                          |
| 32 61 5 | External and internal claims management expenses                                                                                    | (1, 2, 4, 5, 6)                       |
| 32 61 6 | Acquisition costs                                                                                                                   | (1, 2, 4, 5, 6)                       |
| 32 61 7 | Administrative expenses                                                                                                             | (1, 2, 4, 5, 6)                       |
| 32 61 8 | Gross other technical charges                                                                                                       | (1, 2, 4, 5, 6)                       |
| 32 61 9 | Investment management charges                                                                                                       | (1, 2, 4, 5, 6)                       |
| 32 71 1 | Income from participating interests                                                                                                 | (1, 2, 4, 5, 6)                       |
| 32 71 3 | Income from land and buildings                                                                                                      | (1, 2, 4, 5, 6)                       |
| 32 71 4 | Income from other investments                                                                                                       | (1, 2, 4, 5, 6)                       |
| 32 71 5 | Value re-adjustments on investments                                                                                                 | (1, 2, 4, 5, 6)                       |
| 32 71 6 | Gains on the realisations of investments                                                                                            | (1, 2, 4, 5, 6)                       |
| 32 72 1 | Investment management charges, including interest                                                                                   | (1, 2, 4, 5, 6)                       |
| 32 72 2 | Value adjustments on investments                                                                                                    | (1, 2, 4, 5, 6)                       |
| 32 72 3 | Losses on the realisations of investments                                                                                           | (1, 2, 4, 5, 6)                       |
|         | <b>Data by product by (sub)categories of the CPA</b>                                                                                |                                       |
| 33 12 1 | Reinsurers' share of gross direct premiums written (5-digit-level, subcategories 66.03.21, 66.03.22)                                | (1, 2, 5, 6)                          |
|         | <b>Data on internationalisation (geographical breakdown of the business written under the right of establishment)</b>               |                                       |
| 34 31 1 | Gross direct premiums written by CPA category (5-digit-level) and by Member State                                                   | (1, 2, 5, 6)                          |
|         | <b>Data on internationalisation (geographical breakdown of the business written under the right of freedom to provide services)</b> |                                       |
| 34 32 1 | Gross direct premiums written by CPA category (5-digit-level) and by Member State                                                   | (1, 2, 5, 6)                          |

| Code    | Title                                                               | Enterprises/<br>business<br>concerned |
|---------|---------------------------------------------------------------------|---------------------------------------|
|         | <b>Data on employment</b>                                           |                                       |
| 16 11 0 | Number of persons employed                                          | (1, 2, 3, 4)                          |
|         | <b>Data on the balance sheet (assets/liabilities)</b>               |                                       |
| 36 30 0 | Balance sheet total                                                 | (1, 2, 3, 4)                          |
| 37 33 1 | Gross provisions for outstanding claims, related to direct business | (2, 6)                                |
| 37 30 1 | Total net technical provisions                                      | (1, 2, 3, 4)                          |

4. List B includes the following information:

- (i) characteristics listed in Article 34, Part I, of Directive 91/674/EEC concerning non-life and specialist reinsurance enterprises and the non-life business of composite insurance enterprises: items 3, 5, 6, 8;
- (ii) characteristics listed in Article 34, Part II, of Directive 91/674/EEC concerning life insurance enterprises and the life business of composite insurance enterprises: items 4, 6 b, 7, 11;
- (iii) characteristics referred to in Article 63 of Directive 91/674/EEC concerning life and non-life insurance enterprises and life and non-life business of composite insurance enterprises: geographical breakdown of gross direct premiums written in the Member State of the enterprise's head office, other Member States, other EEA countries, Switzerland the USA, Japan or third countries;
- (iv) additional characteristics listed below:

| Code    | Title                                                                                                                                               | Enterprises/<br>business<br>concerned | Comments |
|---------|-----------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------|----------|
|         | <b>Accounting data/technical part of the profit and loss account</b>                                                                                |                                       |          |
| 32 13 2 | Gross payments in respect of claims incurred in the current accounting year                                                                         | (2, 4, 6)                             |          |
|         | <b>International activities (in general)</b>                                                                                                        |                                       |          |
| 34 12 0 | Geographical breakdown of gross reinsurance premiums accepted, premiums written                                                                     | (1, 2, 4, 5, 6)                       |          |
| 34 13 0 | Geographical breakdown of reinsurers' share of gross premiums written                                                                               | (1, 2, 4, 5, 6)                       |          |
|         | <b>Data on the balance sheet (assets/liabilities)</b>                                                                                               |                                       |          |
| 36 11 2 | Land and buildings (current value)                                                                                                                  | (1, 2, 3, 4)                          |          |
| 36 12 3 | Investments in affiliated enterprises and participating interests (current value)                                                                   | (1, 2, 3, 4)                          |          |
| 36 13 8 | Other financial investments (current value)                                                                                                         | (1, 2, 3, 4)                          |          |
| 36 21 0 | Investments for the benefit of life-assurance policyholders who bear the investment risk — land and buildings                                       | (1, 3)                                |          |
| 36 22 0 | Investments for the benefit of life-assurance policyholders who bear the investment risk — other financial investments                              | (1, 3)                                |          |
| 37 10 1 | Total capital and reserves, broken down by legal status                                                                                             | (1, 2, 3, 4)                          |          |
| 37 33 3 | Gross provision for outstanding claims related to direct business, by (sub)category of the CPA (5-digit level) and subcategories 66.03.21, 66.03.22 | (2, 6)                                |          |

| Code    | Title                                                                                                                                                                                                                              | Enterprises/<br>business<br>concerned | Comments |
|---------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------|----------|
|         | <b>Residual data</b>                                                                                                                                                                                                               |                                       |          |
| 39 10 0 | Number of contracts outstanding at the end of the accounting year, relating to direct business for all individual life insurance contracts and for the following (sub)categories of the CPA: 66.01.1, 66.03.1, 66.03.4 and 66.03.5 | (1, 2, 5, 6)                          |          |
| 39 20 0 | Number of insured persons at the end of the accounting year, relating to direct business for all group life insurance contracts and for the following subcategories of the CPA: 66.03.1                                            | (1, 2, 5, 6)                          |          |
| 39 30 0 | Number of insured vehicles at the end of the accounting year, relating to direct business, for the following subcategories of the CPA: 66.03.2                                                                                     | (2, 6)                                | Optional |
| 39 40 0 | Gross insured sum at the end of the accounting year, relating to direct business, for the following subcategories of the CPA: 66.01.1 and 66.01.4                                                                                  | (1, 5)                                | Optional |
| 39 50 0 | Number of claims incurred during the accounting year, relating to direct business, for the following subcategory of the CPA: 66.03.2                                                                                               | (2, 6)                                | Optional |

#### Section 5

##### First reference year

The first reference year for which annual statistics shall be compiled is the 1996 calendar year for the characteristics and statistics of list A and the 2000 calendar year for the characteristics and statistics of list B.

#### Section 6

##### Production of results

The results are to be broken down to the NACE Rev. 1, 4-digit level (classes).

#### Section 7

##### Transmission of results

The results shall be transmitted within 12 months from the end of the reference year for the enterprises referred to in Section 3, except specialist reinsurance enterprises, for which the results shall be transmitted within 18 months from the end of the reference period.

#### Section 8

##### Insurance Committee

The Commission shall inform the Insurance Committee set up under Directive 91/675/EEC<sup>(1)</sup> about the implementation of this module and about all such measures for adjustment to economic and technical developments concerning the collection and statistical processing of data and the processing and the transmission of results, which it adopts in accordance with Article 13 of this Regulation.

#### Section 9

##### Transit period

For the purposes of this detailed module, the transition period shall not exceed three years from the beginning of the first reference years for the compilation of the statistics indicated in Section 5.

<sup>(1)</sup> OJ L 374, 31. 12. 1991, p. 32.

**COUNCIL REGULATION (EC) No 411/98****of 16 February 1998****on additional animal protection standards applicable to road vehicles used for the carriage of livestock on journeys exceeding eight hours**

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to Council Directive 91/628/EEC of 19 November 1991 on the protection of animals during transport<sup>(1)</sup>, and in particular Article 13(1) thereof,

Having regard to the proposal from the Commission,

Whereas under Article 5(A)(1)(c) of Directive 91/628/EEC it is necessary to lay down the requirements applicable to means of transport that will ensure compliance with Community requirements concerning animal welfare and in particular those to be laid down in accordance with Article 13(1);

Whereas it is necessary, when domestic solipeds and domestic animals of the bovine, ovine, caprine and porcine species are transported on journeys exceeding eight hours, to lay down standards applicable to the type of transport covered by this Regulation additional to those laid down in Chapter VII(3) of the Annex to Directive 91/628/EEC for the means of transport used;

Whereas animals of the species concerned are mostly transported by road; whereas it is therefore appropriate in an initial stage to lay down the additional standards with which road vehicles must comply if they are to be used for carriage of animals of the species concerned on journeys exceeding eight hours;

Whereas, however, these additional standards with which road vehicles must comply are laid down without prejudice to measures likely to be adopted subsequently concerning additional standards applicable to the carriage of livestock by other means of transport, in particular transport by train and by sea; whereas pending the adoption of such future measures, the provisions of Chapter VII(3) of the Annex to Directive 91/628/EEC continue to apply to the carriage of livestock by such other means of transport;

Whereas to ensure the welfare of the animals concerned, the additional standards must lay down certain specific obligations with regard notably to access to the vehicle,

separation of animals by moveable partition, detailed arrangements concerning feeding and watering and adequate ventilation based either on a forced ventilation system or on a system which will ensure compliance with a prescribed temperature range;

Whereas the choice of one or the other of the above systems must not prejudice the principle of the free movement of the animals,

HAS ADOPTED THIS REGULATION:

*Article 1*

Where the journey time of eight hours laid down in Chapter VII(2) of the Annex to Directive 91/628/EEC is exceeded, road vehicles used for the transportation of domestic solipeds and animals of the bovine, ovine, caprine and porcine species within the Community must comply with the additional requirements set out in the Annex to this Regulation.

*Article 2*

By 31 December 2003 at the latest, the Commission shall submit to the Council a report drawn up on the basis of the opinion of the Scientific Veterinary Committee on the implementation of this Regulation and more particularly on the application of the different ventilation systems, together with any appropriate proposals which take account of the conclusions of that report.

The Council shall act by a qualified majority on these proposals no later than six months after their submission.

*Article 3*

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

It shall apply as from 1 July 1999.

<sup>(1)</sup> OJ L 340, 11. 12. 1991, p. 1. Directive as last amended by Directive 95/29/EC (OJ L 148, 30. 6. 1995, p. 52).

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

Done at Brussels, 16 February 1998.

*For the Council*

*The President*

J. CUNNINGHAM

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## ANNEX

**ADDITIONAL STANDARDS FOR ROAD VEHICLES USED FOR CARRIAGE OF LIVESTOCK  
ON JOURNEYS EXCEEDING EIGHT HOURS****1. BEDDING**

Without prejudice to the provisions of Chapter I(A)(5), second sentence, of the Annex to Directive 91/628/EEC, animals must be provided with appropriate bedding material which:

- (a) guarantees their comfort; the quantity may vary depending on
  - the species and the number of the animals being transported,
  - the journey time,
  - the weather;
- (b) ensures adequate absorption and dispersal of animal urine and dung.

**2. FEED**

Where, because of the species and categories of animals being transported and the journey times set out in Chapter VII(4) of the Annex to Directive 91/628/EEC, the animals must be fed during the journey, the following provisions apply:

- (a) the vehicle used for the journey must carry a sufficient quantity of appropriate feedingstuff for the feeding requirements of the animals in question during the journey concerned;
- (b) during the journey, the feedingstuffs must be protected from the weather and from contaminants such as, in particular, dust, fuel, exhaust gases and animal urine and dung;
- (c) where specific equipment (troughs, receptacles or any other appropriate means of distributing feedingstuffs) must be used for the feeding of animals, that equipment must be transported in the vehicle, be suitable for the purpose and be cleaned before and after use and disinfected after each journey;
- (d) where feeding equipment such as described above is used, it must be so designed that it does not injure the animals and can, if necessary, be attached to a specific part of the vehicle to prevent its being overturned. When the vehicle is moving and when the equipment is not in use, it must be stored in a part of the vehicle separate from the animals.

**3. ACCESS**

Vehicles used for transport must be equipped so that at all times there can be direct access to all the animals being transported so that they can be inspected and given all appropriate care, including feeding and watering in particular.

**4. VENTILATION**

The vehicle must be equipped with an adequate ventilation system to ensure that the welfare of the animals being transported is permanently guaranteed, taking into account in particular the following criteria:

- the planned journey and its duration,
- the design of the vehicle used (open or closed),
- the inside temperature and the outside temperature resulting from atmospheric conditions which may occur during the planned journey,
- the specific physiological needs of the various species transported,
- the loading densities provided for in Chapter VI of the Annex to Directive 91/628/EEC and the space available above the animals.

The system must also be designed in such a way that:

- it can be used at any time when the animals are in the vehicle whether it is stationary or moving,
- it ensures the efficient circulation of unpolluted air.

To that end, operators must provide:

- either a forced ventilation system, the details of which are to be determined after consultation of the Scientific Veterinary Committee in accordance with the procedure laid down in Article 17 of Directive 91/628/EEC,
- or a ventilation system which ensures that a range of temperatures from 5 °C to 30 °C can be maintained within the vehicle for all animals, with a + 5 °C tolerance depending on the outside temperature. This system must also be equipped with an appropriate monitoring device.

The possibility of choosing between these two systems shall not prejudice the principle of the free movement of the animals.

## 5. PARTITIONS

5.1. The vehicle must be fitted with partitions so that separate compartments may be created.

5.1.1. The partitions must be constructed in such a way that they can be placed in different positions so that the size of compartment can be adapted to specific requirements, and to the type, size and number of animals.

## 6. WATER SUPPLY

6.1. The vehicle must be equipped for connection to a water supply during stops.

6.1.1. The vehicle must be equipped with fixed or movable devices appropriate to the different species, e.g. troughs, bowls or nipples, in order to water the animals on board the vehicle. Those devices must be so designed that the animals cannot injure themselves.

6.2. Without prejudice to the provisions laid down in 6.1 and 6.1.1, vehicles transporting pigs must, depending on their capacity, the number of animals transported and the stops planned during the journey, be fitted with one or more water tanks of sufficient capacity so that the animals may drink at will during the journey.

Such water tanks must be so designed that they can be drained and cleaned after each journey and must be fitted with a system allowing their water level to be checked so that they can be refilled at any convenient moment during the journey. They must be connected to drinking devices within the compartments maintained in good working order so that pigs may have access to water at any time. In addition, a system such as spraying for hydrating pigs may be used in parallel with the above system.

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**COMMISSION REGULATION (EC) No 412/98**  
**of 20 February 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 <sup>(1)</sup>, as last amended by Regulation (EC) No 2375/96 <sup>(2)</sup>, 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 <sup>(3)</sup>, as last amended by Regulation (EC) No 150/95 <sup>(4)</sup>, 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 Commission 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 21 February 1998.

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

Done at Brussels, 20 February 1998.

*For the Commission*

Franz FISCHLER

*Member of the Commission*

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<sup>(1)</sup> OJ L 337, 24. 12. 1994, p. 66.

<sup>(2)</sup> OJ L 325, 14. 12. 1996, p. 5.

<sup>(3)</sup> OJ L 387, 31. 12. 1992, p. 1.

<sup>(4)</sup> OJ L 22, 31. 1. 1995, p. 1.

## ANNEX

to the Commission Regulation of 20 February 1998 establishing the standard import values  
for determining the entry price of certain fruit and vegetables

| (ECU/100 kg)                                      |                           |                          | (ECU/100 kg)                          |                           |                          |
|---------------------------------------------------|---------------------------|--------------------------|---------------------------------------|---------------------------|--------------------------|
| CN code                                           | Third country<br>code (1) | Standard import<br>value | CN code                               | Third country<br>code (1) | Standard import<br>value |
| 0702 00 00                                        | 204                       | 49,1                     | 0805 30 10                            | 624                       | 71,6                     |
|                                                   | 212                       | 106,3                    |                                       | 662                       | 41,0                     |
|                                                   | 999                       | 77,7                     |                                       | 999                       | 63,5                     |
| 0707 00 05                                        | 052                       | 135,8                    |                                       | 052                       | 43,2                     |
|                                                   | 053                       | 168,5                    |                                       | 204                       | 53,5                     |
|                                                   | 068                       | 108,0                    |                                       | 400                       | 53,3                     |
|                                                   | 999                       | 137,4                    |                                       | 600                       | 78,0                     |
| 0709 10 00                                        | 220                       | 159,1                    | 0808 10 20, 0808 10 50,<br>0808 10 90 | 999                       | 57,0                     |
|                                                   | 999                       | 159,1                    |                                       | 060                       | 52,6                     |
| 0709 90 70                                        | 052                       | 146,0                    |                                       | 064                       | 42,6                     |
|                                                   | 204                       | 131,1                    |                                       | 388                       | 107,9                    |
|                                                   | 999                       | 138,6                    |                                       | 400                       | 93,6                     |
|                                                   |                           |                          |                                       | 404                       | 86,6                     |
| 0805 10 10, 0805 10 30,<br>0805 10 50             | 052                       | 53,3                     |                                       | 528                       | 111,5                    |
|                                                   | 204                       | 36,6                     |                                       | 720                       | 79,8                     |
|                                                   | 212                       | 39,4                     |                                       | 728                       | 82,0                     |
|                                                   | 220                       | 45,9                     |                                       | 999                       | 82,1                     |
|                                                   | 600                       | 56,1                     | 0808 20 50                            | 064                       | 97,4                     |
|                                                   | 624                       | 48,5                     |                                       | 388                       | 93,0                     |
|                                                   | 999                       | 46,6                     |                                       | 400                       | 114,5                    |
|                                                   |                           |                          |                                       | 512                       | 67,7                     |
| 0805 20 10                                        | 204                       | 77,4                     |                                       | 528                       | 120,5                    |
|                                                   | 999                       | 77,4                     |                                       | 999                       | 98,6                     |
|                                                   |                           |                          |                                       |                           |                          |
| 0805 20 30, 0805 20 50,<br>0805 20 70, 0805 20 90 | 052                       | 58,5                     |                                       |                           |                          |
|                                                   | 204                       | 71,6                     |                                       |                           |                          |
|                                                   | 600                       | 75,0                     |                                       |                           |                          |

(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 413/98

of 20 February 1998

fixing the maximum export refund on wholly milled long grain rice in connection with the invitation to tender issued in Regulation (EC) No 2097/97

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 <sup>(1)</sup>, as amended by Regulation (EC) No 192/98 <sup>(2)</sup>, and in particular Article 13 (3) thereof,

Whereas an invitation to tender for the export refund on rice was issued pursuant to Commission Regulation (EC) No 2097/97 <sup>(3)</sup>;

Whereas, Article 5 of Commission Regulation (EEC) No 584/75 <sup>(4)</sup>, as last amended by Regulation (EC) No 299/95 <sup>(5)</sup>, allows the Commission to fix, in accordance with the procedure laid down in Article 22 of Regulation (EC) No 3072/95 and on the basis of the tenders submitted, a maximum export refund; whereas in fixing this maximum, the criteria provided for in Article 13 of Regulation (EC) No 3072/95 must be taken into account; whereas a contract is awarded to any tenderer whose tender is equal to or less than the maximum export refund;

Whereas the application of the abovementioned criteria to the current market situation for the rice 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*

The maximum export refund on wholly milled long grain rice falling within CN code 1006 30 67 to be exported to certain third countries pursuant to the invitation to tender issued in Regulation (EC) No 2097/97 is hereby fixed on the basis of the tenders submitted from 16 to 19 February 1998 at ECU 318,00 per tonne.

*Article 2*

This Regulation shall enter into force on 21 February 1998.

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

Done at Brussels, 20 February 1998.

*For the Commission*

Franz FISCHLER

*Member of the Commission*

<sup>(1)</sup> OJ L 329, 30. 12. 1995, p. 18.

<sup>(2)</sup> OJ L 20, 27. 1. 1998, p. 16.

<sup>(3)</sup> OJ L 292, 25. 10. 1997, p. 22.

<sup>(4)</sup> OJ L 61, 7. 3. 1975, p. 25.

<sup>(5)</sup> OJ L 35, 15. 2. 1995, p. 8.

## COMMISSION REGULATION (EC) No 414/98

of 20 February 1998

fixing the maximum export refund on wholly milled round grain rice in connection with the invitation to tender issued in Regulation (EC) No 2098/97

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 <sup>(1)</sup>, as amended by Regulation (EC) No 192/98 <sup>(2)</sup>, and in particular Article 13 (3) thereof,

Whereas an invitation to tender for the export refund on rice was issued pursuant to Commission Regulation (EC) No 2098/97 <sup>(3)</sup>;

Whereas Article 5 of Commission Regulation (EEC) No 584/75 <sup>(4)</sup>, as last amended by Regulation (EC) No 299/95 <sup>(5)</sup>, allows the Commission to fix, in accordance with the procedure laid down in Article 22 of Regulation (EC) No 3072/95 and on the basis of the tenders submitted, a maximum export refund; whereas in fixing this maximum, the criteria provided for in Article 13 of Regulation (EC) No 3072/95 must be taken into account; whereas a contract is awarded to any tenderer whose tender is equal to or less than the maximum export refund;

Whereas the application of the abovementioned criteria to the current market situation for the rice 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*

The maximum export refund on wholly milled round grain rice to be exported to certain third countries pursuant to the invitation to tender issued in Regulation (EC) No 2098/97 is hereby fixed on the basis of the tenders submitted from 16 to 19 February 1998 at ECU 89,00 per tonne.

*Article 2*

This Regulation shall enter into force on 21 February 1998.

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

Done at Brussels, 20 February 1998.

*For the Commission*

Franz FISCHLER

*Member of the Commission*

<sup>(1)</sup> OJ L 329, 30. 12. 1995, p. 18.

<sup>(2)</sup> OJ L 20, 27. 1. 1998, p. 16.

<sup>(3)</sup> OJ L 292, 25. 10. 1997, p. 25.

<sup>(4)</sup> OJ L 61, 7. 3. 1975, p. 25.

<sup>(5)</sup> OJ L 35, 15. 2. 1995, p. 8.

## COMMISSION REGULATION (EC) No 415/98

of 20 February 1998

fixing the maximum export refund on wholly milled medium grain and long grain A rice in connection with the invitation to tender issued in Regulation (EC) No 2095/97

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<sup>(1)</sup>, as amended by Regulation (EC) No 192/98<sup>(2)</sup>, and in particular Article 13 (3) thereof,

Whereas an invitation to tender for the export refund on rice was issued pursuant to Commission Regulation (EC) No 2095/97<sup>(3)</sup>;

Whereas Article 5 of Commission Regulation (EEC) No 584/75<sup>(4)</sup>, as last amended by Regulation (EC) No 299/95<sup>(5)</sup>, allows the Commission to fix, in accordance with the procedure laid down in Article 22 of Regulation (EC) No 3072/95 and on the basis of the tenders submitted, a maximum export refund; whereas in fixing this maximum, the criteria provided for in Article 13 of Regulation (EC) No 3072/95 must be taken into account; whereas a contract is awarded to any tenderer whose tender is equal to or less than the maximum export refund;

Whereas the application of the abovementioned criteria to the current market situation for the rice 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*

The maximum export refund on wholly milled medium grain and long grain A rice to be exported to certain third countries pursuant to the invitation to tender issued in Regulation (EC) No 2095/97 is hereby fixed on the basis of the tenders submitted from 16 to 19 February 1998 at ECU 105,00 per tonne.

*Article 2*

This Regulation shall enter into force on 21 February 1998.

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

Done at Brussels, 20 February 1998.

*For the Commission*

Franz FISCHLER

*Member of the Commission*

<sup>(1)</sup> OJ L 329, 30. 12. 1995, p. 18.

<sup>(2)</sup> OJ L 20, 27. 1. 1998, p. 16.

<sup>(3)</sup> OJ L 292, 25. 10. 1997, p. 16.

<sup>(4)</sup> OJ L 61, 7. 3. 1975, p. 25.

<sup>(5)</sup> OJ L 35, 15. 2. 1995, p. 8.

## COMMISSION REGULATION (EC) No 416/98

of 20 February 1998

fixing the maximum export refund on wholly milled medium grain and long grain A rice in connection with the invitation to tender issued in Regulation (EC) No 2096/97

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<sup>(1)</sup>, as amended by Regulation (EC) No 192/98<sup>(2)</sup>, and in particular Article 13 (3) thereof,

Whereas an invitation to tender for the export refund on rice was issued pursuant to Commission Regulation (EC) No 2096/97<sup>(3)</sup>;

Whereas Article 5 of Commission Regulation (EEC) No 584/75<sup>(4)</sup>, as last amended by Regulation (EC) No 299/95<sup>(5)</sup>, allows the Commission to fix, in accordance with the procedure laid down in Article 22 of Regulation (EC) No 3072/95 and on the basis of the tenders submitted, a maximum export refund; whereas in fixing this maximum, the criteria provided for in Article 13 of Regulation (EC) No 3072/95 must be taken into account; whereas a contract is awarded to any tenderer whose tender is equal to or less than the maximum export refund;

Whereas the application of the abovementioned criteria to the current market situation for the rice 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*

The maximum export refund on wholly milled medium grain and long grain A rice to be exported to certain third countries pursuant to the invitation to tender issued in Regulation (EC) No 2096/97 is hereby fixed on the basis of the tenders submitted from 16 to 19 February 1998 at ECU 95,00 per tonne.

*Article 2*

This Regulation shall enter into force on 21 February 1998.

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

Done at Brussels, 20 February 1998.

*For the Commission*

Franz FISCHLER

*Member of the Commission*

<sup>(1)</sup> OJ L 329, 30. 12. 1995, p. 18.

<sup>(2)</sup> OJ L 20, 27. 1. 1998, p. 16.

<sup>(3)</sup> OJ L 292, 25. 10. 1997, p. 19.

<sup>(4)</sup> OJ L 61, 7. 3. 1975, p. 25.

<sup>(5)</sup> OJ L 35, 15. 2. 1995, p. 8.

## COMMISSION REGULATION (EC) No 417/98

of 20 February 1998

amending Regulation (EEC) No 429/90 on the granting by invitation to tender of an aid for concentrated butter intended for direct consumption in the Community

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

Having regard to Council Regulation (EEC) No 804/68 of 27 June 1968 on the common organisation of the market in milk and milk products <sup>(1)</sup>, as last amended by Regulation (EC) No 1587/96 <sup>(2)</sup>, and in particular Article 7a(3) thereof,

Whereas Commission Regulation (EEC) No 429/90 <sup>(3)</sup>, as last amended by Regulation (EC) No 1802/95 <sup>(4)</sup>, provided, until its suspension by Commission Regulation (EC) No 19/98 <sup>(5)</sup>, for the granting by invitation to tender of an aid for concentrated butter produced from butter or cream from the market and intended for direct consumption in the Community; whereas, in order to be eligible for aid, the manufacture of the concentrated butter, the addition of tracers and packaging must take place within 90 days of the closing date for the submission of tenders;

Whereas fixing of the maximum aid for the 180th invitation to tender, for which the closing date for the submission of tenders was 9 December 1997, was delayed; whereas the Member States were only notified of the Decision on 9 January 1998; whereas the deadline for

manufacture of the concentrated butter concerned should therefore be extended until 31 March 1998;

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

HAS ADOPTED THIS REGULATION:

*Article 1*

The following subparagraph is hereby added to Article 9(1) of Regulation (EEC) No 429/90:

‘However, for the quantities of concentrated butter awarded under the 180th invitation to tender, for which the closing date for the submission of tenders was 9 December 1997, the deadline referred to in the first indent shall be 31 March 1998.’

*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, 20 February 1998.

*For the Commission*

Franz FISCHLER

*Member of the Commission*

<sup>(1)</sup> OJ L 148, 28. 6. 1968, p. 13.

<sup>(2)</sup> OJ L 206, 16. 8. 1996, p. 21.

<sup>(3)</sup> OJ L 45, 21. 2. 1990, p. 8.

<sup>(4)</sup> OJ L 174, 26. 7. 1995, p. 27.

<sup>(5)</sup> OJ L 4, 8. 1. 1998, p. 39.

**COMMISSION REGULATION (EC) No 418/98**  
**of 20 February 1998**  
**amending Regulation (EC) No 454/95 laying down detailed rules for intervention**  
**on the market in butter and cream**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EEC) No 804/68 of 27 June 1968 on the common organisation of the market in milk and milk products <sup>(1)</sup>, as last amended by Commission Regulation (EC) No 1587/96 <sup>(2)</sup>, and in particular Articles 6(6), 28 and 30 thereof,

Whereas Article 12(2) of Commission Regulation (EC) No 454/95 <sup>(3)</sup>, as last amended by Regulation (EC) No 895/96 <sup>(4)</sup>, lays down the period during which entry into store may take place; whereas the situation on the butter market justifies delaying the commencement of entry into store from 15 March to 1 April;

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

HAS ADOPTED THIS REGULATION:

*Article 1*

In Article 12(2) of Regulation (EC) No 454/95, the date '15 March' is hereby replaced by '1 April'.

*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 to products placed under private storage contracts following its entry into force.

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

Done at Brussels, 20 February 1998.

*For the Commission*

Franz FISCHLER

*Member of the Commission*

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<sup>(1)</sup> OJ L 148, 28. 6. 1968, p. 13.

<sup>(2)</sup> OJ L 206, 16. 8. 1996, p. 21.

<sup>(3)</sup> OJ L 46, 1. 3. 1995, p. 1.

<sup>(4)</sup> OJ L 121, 21. 5. 1996, p. 1.

## COMMISSION REGULATION (EC) No 419/98

of 20 February 1998

**amending Regulation (EC) No 454/95 laying down detailed rules for intervention on the market in butter and cream and Regulation (EC) No 322/96 laying down detailed rules of application for the public storage of skimmed-milk powder**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EEC) No 804/68 of 27 June 1968 on the common organisation of the market in milk and milk products <sup>(1)</sup>, as last amended by Regulation (EC) No 1587/96 <sup>(2)</sup>, and in particular Articles 6(6) and 7(5) thereof,

Whereas Article 5(3) of Commission Regulation (EC) No 454/95 <sup>(3)</sup>, as last amended by Regulation (EC) No 418/97 <sup>(4)</sup>, lays down the storage costs to be reimbursed by the seller where the butter offered for intervention does not meet the requirements laid down in Article 2 of that Regulation; whereas, in order to ensure that there is a link between those amounts and the amounts to be reimbursed by the intervention agency to the European Agricultural Guidance and Guarantee Fund (EAGGF), reference should be made to the amounts provided for in Commission Regulation (EEC) No 3597/90 of 12 December 1990 on the accounting rules for intervention measures involving the buying-in, storage and sale of agricultural products by intervention agencies <sup>(5)</sup>, as last amended by Regulation (EC) No 1392/97 <sup>(6)</sup>;

Whereas Article 4(6) of Commission Regulation (EC) No 322/96 <sup>(7)</sup>, as last amended by Regulation (EC) No 94/97 <sup>(8)</sup>, refers to Article 7(2) of Regulation (EEC) No 3597/90 as regards the storage and financing costs to be reimbursed by the seller where the powder offered does

not meet the requirements laid down in Article 1(1); whereas the reference to the financing cost, which is not relevant in this context, should be deleted;

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

HAS ADOPTED THIS REGULATION:

*Article 1*

The second subparagraph of Article 5(3) of Regulation (EEC) No 454/95 and the second subparagraph of Article 4(6) of Regulation (EC) No 322/96 are hereby replaced by the following:

‘The storage costs to be paid shall be the costs to be reimbursed by the intervention agency to the account of the Guarantee Section of the European Agricultural Guidance and Guarantee Fund (EAGGF) in accordance with Article 7(2)(a) and (b) of Commission Regulation (EEC) No 3597/90.’

*Article 2*

This Regulation shall enter into force on the seventh 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, 20 February 1998.

*For the Commission*

Franz FISCHLER

*Member of the Commission*

<sup>(1)</sup> OJ L 148, 28. 6. 1968, p. 13.

<sup>(2)</sup> OJ L 206, 16. 8. 1996, p. 21.

<sup>(3)</sup> OJ L 46, 1. 3. 1995, p. 1.

<sup>(4)</sup> See page 19 of this Official Journal.

<sup>(5)</sup> OJ L 350, 14. 12. 1990, p. 43.

<sup>(6)</sup> OJ L 190, 19. 7. 1997, p. 22.

<sup>(7)</sup> OJ L 45, 23. 2. 1996, p. 5.

<sup>(8)</sup> OJ L 19, 22. 1. 1997, p. 8.

## COMMISSION REGULATION (EC) No 420/98

of 20 February 1998

amending Regulation (EEC) No 1756/93 fixing the operative events for the agricultural conversion rate applicable to milk and milk products

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

1756/93 should be amended to take account of these amendments;

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<sup>(1)</sup>, as last amended by Regulation (EC) No 150/95<sup>(2)</sup>, and in particular Article 6(2) thereof,

Whereas Part B of the Annex to Commission Regulation (EEC) No 1756/93<sup>(3)</sup>, as last amended by Regulation (EC) No 569/96<sup>(4)</sup>, fixes the operative events applicable pursuant to Commission Regulation (EEC) No 570/88 of 16 February 1988 on the sale of butter at reduced prices and the granting of aid for butter and concentrated butter for use in the manufacture of pastry products, ice-cream and other foodstuffs<sup>(5)</sup>, as last amended by Regulation (EC) No 531/96<sup>(6)</sup>; whereas that Regulation was repealed and replaced by Commission Regulation (EC) No 2571/97<sup>(7)</sup> which introduces, *inter alia*, the possibility of using cream to which no tracers have been added under the aid arrangements; whereas Regulation (EEC) No

Whereas Part D of the Annex to Regulation (EEC) No 1756/93 fixes the operative events for storage costs to be paid by the seller where butter or skimmed-milk powder offered for public intervention do not fulfil the requirements laid down in Article 2 of Commission Regulation (EC) No 454/95 of 28 February 1995 laying down detailed rules for intervention on the market in butter and cream<sup>(8)</sup>, as last amended by Regulation (EC) No 419/98<sup>(9)</sup>, and Article 1 of Commission Regulation (EC) No 322/96 of 22 February 1996 laying down detailed rules of application for the public storage of skimmed-milk powder<sup>(10)</sup>, as last amended by Regulation (EC) No 419/98; whereas the said storage costs are fixed with reference to Article 7(2) of Commission Regulation (EEC) No 3597/90 of 12 December 1990 on the accounting rules for intervention measures involving the buying-in, storage and sale of agricultural products by intervention agencies<sup>(11)</sup>, as last amended by Regulation (EC) No 1392/97<sup>(12)</sup>; whereas, in order to ensure consistency, the abovementioned operative events should be replaced by a reference to the operative event provided for in Article 7(2) of Regulation (EEC) No 3597/90;

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

HAS ADOPTED THIS REGULATION:

## Article 1

The Annex to Regulation (EEC) No 1756/93 is hereby amended as follows:

1. in Part B.II, point 6 is replaced by the following:

| Regulation          | Amounts concerned                                                                      | Agricultural conversion rate to be applied                      |
|---------------------|----------------------------------------------------------------------------------------|-----------------------------------------------------------------|
| '6. (EC) No 2571/97 | Tendering price accepted under the tendering procedure referred to in Article 16(2)(d) | Agricultural conversion rate applicable on the date of payment; |

<sup>(1)</sup> OJ L 387, 31. 12. 1992, p. 1.

<sup>(2)</sup> OJ L 22, 31. 1. 1995, p. 1.

<sup>(3)</sup> OJ L 161, 2. 7. 1993, p. 48.

<sup>(4)</sup> OJ L 80, 30. 3. 1996, p. 48.

<sup>(5)</sup> OJ L 55, 1. 3. 1988, p. 31.

<sup>(6)</sup> OJ L 78, 28. 3. 1996, p. 13.

<sup>(7)</sup> OJ L 350, 20. 12. 1997, p. 3.

<sup>(8)</sup> OJ L 46, 1. 3. 1995, p. 1.

<sup>(9)</sup> See page 20 of this Official Journal.

<sup>(10)</sup> OJ L 45, 23. 2. 1996, p. 5.

<sup>(11)</sup> OJ L 350, 14. 12. 1990, p. 43.

<sup>(12)</sup> OJ L 190, 19. 7. 1997, p. 22.

2. in Part B.III, point 4 is replaced by the following:

| Regulation          | Amounts concerned                                                                       | Agricultural conversion rate to be applied                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |
|---------------------|-----------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| '4. (EC) No 2571/97 | A. Amount of aid accepted under the tendering procedure referred to in Article 16(3)(d) | <p>(i) Agricultural conversion rate applicable on the first day of the month in which the tracers referred to in Article 6(1) are added</p> <p>(ii) Agricultural conversion rate applicable on the first day of the month in which the concentrated butter is manufactured in accordance with Article 22(3)(b)(i)</p> <p>(iii) Agricultural conversion rate applicable on the first day of the month in which the butter without tracers is incorporated in the intermediate products referred to in Article 8 or the final products referred to in Article 4(1)</p> <p>(iv) Agricultural conversion rate applicable on the first day of the month in which the cream without tracers is incorporated in the final products referred to in Article 4(1)(B).</p> <p>However, where the deadline referred to in Article 11 is exceeded, the agricultural conversion rate shall be that applicable on the first day of the month in which the deadline expires.</p> |
|                     | B. Amount of aid reduction referred to in the third subparagraph of Article 22(4)       | Agricultural conversion rate applicable on the first day of the month in which the deadline referred to in Article 11 expires.';                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |

3. in point 2.A, Part D, the words 'Agricultural conversion rate applicable on the date of taking over within the meaning of Article 5(1)' are replaced by 'Agricultural conversion rate referred to in Article 7(2)(a) and (b) of Regulation (EEC) No 3597/90';
4. in point 3.A, Part D, the words 'Agricultural conversion rate applicable on the date of taking over of the goods concerned' are replaced by 'Agricultural conversion rate referred to in Article 7(2)(a) and (b) of Regulation (EEC) No 3597/90'.

## Article 2

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

However, Article 1(1) and (2) shall apply to invitations to tender with a deadline for the submission of tenders after 1 January 1998.

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

Done at Brussels, 20 February 1998.

*For the Commission*

Franz FISCHLER

*Member of the Commission*

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## COMMISSION REGULATION (EC) No 421/98

of 20 February 1998

fixing the advance on the aid for lemons for the 1997/98 marketing year

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

Having regard to Council Regulation (EC) No 2202/96 of 28 October 1996 introducing a Community aid scheme for producers of certain citrus fruits<sup>(1)</sup>, and in particular Article 6 thereof,

Whereas Article 14(1) of Commission Regulation (EC) No 1169/97 of 26 June 1997 laying down detailed rules for the application of Council Regulation (EC) No 2202/96 introducing a Community aid scheme for producers of certain citrus fruits<sup>(2)</sup> specifies that producer organisations may submit applications, by product and delivery period, for advances on the aid in respect of oranges, mandarins, clementines, satsumas and lemons delivered for processing under contracts; whereas paragraph 2 of that Article specifies that the advance is to be equal to 70 % of the aid set out in the Annex to Regulation (EC) No 2202/96; whereas paragraph 5 of that Article states that where there is a risk of an overrun in the processing thresholds fixed in Article 5 of Regulation (EC) No 2202/96, that percentage may be reduced;

Whereas, pursuant to Article 22(1) of Regulation (EC) No 1169/97, the Member States have notified the Commission of the quantities, broken down by delivery period, of lemons covered by contracts for the 1997/98 marketing year; whereas, in the light of those data and of processed quantities on which aid was paid during the 1995/96 and

1996/97 marketing years, there is a risk of an overrun in the processing thresholds for those products; whereas the advance on the aid for the 1997/98 marketing year should accordingly be reduced;

Whereas, in accordance with Article 23(2)(c) of the above-mentioned Regulation, the advance on the aid for lemons may not be paid before 1 March 1998; whereas this Regulation should apply from that date;

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*

For the 1997/98 marketing year, the advance on the aid for lemons provided for in Article 14(2) of Regulation (EC) No 1169/97 shall amount to 43 % of the aid fixed in the Annex to Regulation (EC) No 2202/96.

*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 1 March 1998.

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

Done at Brussels, 20 February 1998.

*For the Commission*

Franz FISCHLER

*Member of the Commission*

<sup>(1)</sup> OJ L 297, 21. 11. 1996, p. 49.

<sup>(2)</sup> OJ L 169, 27. 6. 1997, p. 15.

**COMMISSION REGULATION (EC) No 422/98**  
**of 20 February 1998**  
**altering the export refunds on rice and broken rice**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

HAS ADOPTED THIS REGULATION:

Having regard to the Treaty establishing the European Community,

*Article 1*

Having regard to Council Regulation (EC) No 3072/95 of 22 December 1995 on the common organisation of the market in rice <sup>(1)</sup>, as last amended by Regulation (EC) No 192/98 <sup>(2)</sup>, and in particular Article 13 (3) thereof,

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 and fixed in the Annex to Regulation (EC) No 408/98, are hereby altered as shown in the Annex to this Regulation.

Whereas the export refunds on rice and broken rice were fixed by Commission Regulation (EC) No 408/98 <sup>(3)</sup>;

*Article 2*

Whereas it follows from applying the rules, criteria and other provisions contained in Regulation (EC) No 408/98 to the information at present available to the Commission, that the export refunds at present in force should be altered as shown in the Annex to this Regulation,

This Regulation shall enter into force on 21 February 1998.

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

Done at Brussels, 20 February 1998.

*For the Commission*

Franz FISCHLER

*Member of the Commission*

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<sup>(1)</sup> OJ L 329, 30. 12. 1995, p. 18.

<sup>(2)</sup> OJ L 20, 27. 1. 1998, p. 16.

<sup>(3)</sup> OJ L 50, 20. 2. 1998, p. 36.

## ANNEX

## to the Commission Regulation of 20 February 1998 altering 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              | —                 | 1006 30 65 9900 | 01              | —                 |
| 1006 20 13 9000 | 01              | —                 |                 | 04              | —                 |
| 1006 20 15 9000 | 01              | —                 | 1006 30 67 9100 | 05              | —                 |
| 1006 20 17 9000 | —               | —                 | 1006 30 67 9900 | —               | —                 |
| 1006 20 92 9000 | 01              | —                 | 1006 30 92 9100 | 01              | —                 |
| 1006 20 94 9000 | 01              | —                 |                 | 02              | —                 |
| 1006 20 96 9000 | 01              | —                 |                 | 03              | —                 |
| 1006 20 98 9000 | —               | —                 |                 | 04              | —                 |
| 1006 30 21 9000 | 01              | —                 | 1006 30 92 9900 | 01              | —                 |
| 1006 30 23 9000 | 01              | —                 |                 | 04              | —                 |
| 1006 30 25 9000 | 01              | —                 |                 | —               | —                 |
| 1006 30 27 9000 | —               | —                 | 1006 30 94 9100 | 01              | —                 |
| 1006 30 42 9000 | 01              | —                 |                 | 02              | —                 |
| 1006 30 44 9000 | 01              | —                 |                 | 03              | —                 |
| 1006 30 46 9000 | 01              | —                 |                 | 04              | —                 |
| 1006 30 48 9000 | —               | —                 | 1006 30 94 9900 | 01              | —                 |
| 1006 30 61 9100 | 01              | —                 |                 | 04              | —                 |
|                 | 02              | —                 |                 | —               | —                 |
|                 | 03              | —                 | 1006 30 96 9100 | 01              | —                 |
|                 | 04              | —                 |                 | 02              | —                 |
| 1006 30 61 9900 | 01              | —                 |                 | 03              | —                 |
|                 | 04              | —                 |                 | 04              | —                 |
| 1006 30 63 9100 | 01              | —                 | 1006 30 96 9900 | 01              | —                 |
|                 | 02              | —                 |                 | 04              | —                 |
|                 | 03              | —                 |                 | —               | —                 |
|                 | 04              | —                 | 1006 30 98 9100 | 05              | —                 |
| 1006 30 63 9900 | 01              | —                 | 1006 30 98 9900 | —               | —                 |
|                 | 04              | —                 |                 | —               | —                 |
| 1006 30 65 9100 | 01              | —                 | 1006 40 00 9000 | —               | —                 |
|                 | 02              | —                 |                 |                 |                   |
|                 | 03              | —                 |                 |                 |                   |
|                 | 04              | —                 |                 |                 |                   |

(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 Destinations mentioned in Article 34 of amended Commission Regulation (EEC) No 3665/87,
- 05 Ceuta and Melilla.

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

**COMMISSION REGULATION (EC) No 423/98**  
**of 20 February 1998**  
**on the supply of milk products as food aid**

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

Having regard to Council Regulation (EC) No 1292/96 of 27 June 1996 on food-aid policy and food-aid management and special operations in support of food security <sup>(1)</sup>, and in particular Article 24(1)(b) thereof,

Whereas the abovementioned Regulation lays down the list of countries and organisations eligible for Community aid and specifies the general criteria on the transport of food aid beyond the fob stage;

Whereas, following the taking of a number of decisions on the allocation of food aid, the Commission has allocated milk powder to certain beneficiaries;

Whereas it is necessary to make these supplies in accordance with the rules laid down by Commission Regulation (EC) No 2519/97 of 16 December 1997 laying down general rules for the mobilisation of products to be supplied pursuant to Council Regulation (EC) No 1292/96 as Community food aid <sup>(2)</sup>; whereas it is

necessary to specify the time limits and conditions of supply to determine the resultant costs,

HAS ADOPTED THIS REGULATION:

*Article 1*

Milk products shall be mobilised in the Community, as Community food aid for supply to the recipient listed in the Annex, in accordance with Regulation (EC) No 2519/97 and under the conditions set out in the Annex.

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

*Article 2*

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

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

Done at Brussels, 20 February 1998.

*For the Commission*

Franz FISCHLER

*Member of the Commission*

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<sup>(1)</sup> OJ L 166, 5. 7. 1996, p. 1.

<sup>(2)</sup> OJ L 346, 17. 12. 1997, p. 23.

## ANNEX

## LOT A

1. **Action No:** 614/96 (A1); 615/96 (A2); 616/96 (A3)
2. **Beneficiary** <sup>(2)</sup>: Euronaid, PO Box 12, NL-2501 CA Den Haag, (tel.: (31 70) 330 57 57; fax: 364 17 01; telex: 30960 EURON NL)
3. **Beneficiary's representative:** to be designated by the recipient
4. **Country of destination:** A1: Mozambique; A2 + A3: Madagascar
5. **Product to be mobilised:** vitaminised skimmed-milk powder
6. **Total quantity (tonnes net):** 150
7. **Number of lots:** one in three parts (A1: 45 tonnes; A2: 60 tonnes; A3: 45 tonnes)
8. **Characteristics and quality of the product** <sup>(3)</sup> <sup>(5)</sup>: see OJ C 114, 29.4.1991, p. 1 (I.B.(1))
9. **Packaging** <sup>(7)</sup>: see OJ C 267, 13.9.1996, p. 1 (6.3A and B.2)
10. **Labelling or marking** <sup>(6)</sup>: see OJ C 114, 29.4.1991, p. 1 (I.B.(3))
  - Language to be used for the markings: A1: Portuguese; A2 + A3: French
  - Supplementary markings: —
11. **Method of mobilisation of the product:** the Community market  
The manufacture of the skimmed-milk powder, and the incorporation of vitamins, must be carried out after the award of the tender
12. **Specified delivery stage:** free at port of shipment
13. **Alternative delivery stage:** —
14. (a) **Port of shipment:** —  
(b) **Loading address:** —
15. **Port of landing:** —
16. **Place of destination:** —
  - port or warehouse of transit: —
  - overland transport route: —
17. **Period or deadline of supply at the specified stage:**
  - first deadline: 30.3 — 19.4.1998
  - second deadline: 13.4 — 3.5.1998
18. **Period or deadline of supply at the alternative stage:**
  - first deadline: —
  - second deadline: —
19. **Deadline for the submission of tenders (at 12 noon, Brussels time):**
  - first deadline: 9.3.1998
  - second deadline: 23.3.1998
20. **Amount of tendering guarantee:** ECU 20 per tonne
21. **Address for submission of tenders and tendering guarantees** <sup>(1)</sup>: Bureau de l'aide alimentaire, Attn Mr T. Vestergaard, Bâtiment Loi 130, bureau 7/46, Rue de la Loi/Wetstraat 200, B-1049 Bruxelles/Brussel  
telex: 25670 AGREC B; fax: (32 2) 296 70 03 / 296 70 04 (exclusively)
22. **Export refund** <sup>(4)</sup>: refund applicable on 16.2.1998, fixed by Commission Regulation (EC) No 221/98 (OJ L 23, 30.1.1998, p. 3)

*Notes:*

- (<sup>1</sup>) Supplementary information: André Debongnie (Tel.: (32 2) 295 14 65)  
Torben Vestergaard (Tel.: (32 2) 299 30 50).
- (<sup>2</sup>) The supplier shall contact the beneficiary or its representative as soon as possible to establish which consignment documents are required.
- (<sup>3</sup>) The supplier shall deliver to the beneficiary a certificate from an official entity certifying that for the product to be delivered the standards applicable, relative to nuclear radiation, in the Member State concerned, have not been exceeded. The radioactivity certificate must indicate the caesium-134 and -137 and iodine-131 levels.
- (<sup>4</sup>) Commission Regulation (EC) No 259/98 (OJ L 25, 31.1.1998, p. 39), is applicable as regards the export refund. The date referred to in Article 2 of the said Regulation is that referred to in point 22 of this Annex.
- (<sup>5</sup>) The supplier shall supply to the beneficiary or its representative, on delivery, the following documents:
- health certificate issued by an official entity stating that the product was processed under excellent sanitary conditions which are supervised by qualified technical personnel. The certificate must state the temperature and duration of the pasteurisation, the temperature and duration in the spray-drying-tower and the expiry date for consumption,
  - veterinary certificate issued by an official entity stating that the area of production of raw milk had not registered foot-and-mouth disease nor any other notifiable infectious/contagious disease during the 12 months prior to the processing.
- (<sup>6</sup>) Notwithstanding OJ C 114, point I.A (3) (c) is replaced by the following: 'the words "European Community"'.  
(<sup>7</sup>) Shipment to take place in 20-foot containers, condition FCL/FCL.

The supplier shall be responsible for the cost of making the container available in the stack position at the container terminal at the port of shipment. The beneficiary shall be responsible for all subsequent loading costs, including the cost of moving the containers from the container terminal.

The supplier has to submit to the beneficiary's agent a complete packing list of each container, specifying the number of bags belonging to each action number as specified in the invitation to tender.

The supplier has to seal each container with a numbered locktainer (SYSKO locktainer 180 seal), the number of which is to be provided to the beneficiary's representative.

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**COMMISSION REGULATION (EC) No 424/98**  
**of 20 February 1998**  
**on the supply of white sugar as food aid**

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

Having regard to Council Regulation (EC) No 1292/96 of 27 June 1996 on food-aid policy and food-aid management and special operations in support of food security <sup>(1)</sup>, and in particular Article 24(1)(b) thereof,

Whereas the abovementioned Regulation lays down the list of countries and organisations eligible for Community aid and specifies the general criteria on the transport of food aid beyond the fob stage;

Whereas, following the taking of a number of decisions on the allocation of food aid, the Commission has allocated white sugar to certain beneficiaries;

Whereas it is necessary to make these supplies in accordance with the rules laid down by Commission Regulation (EC) No 2519/97 of 16 December 1997 laying down general rules for the mobilisation of products to be supplied pursuant to Council Regulation (EC) No 1292/96 as Community food aid <sup>(2)</sup>; whereas it is

necessary to specify the time limits and conditions of supply to determine the resultant costs,

HAS ADOPTED THIS REGULATION:

*Article 1*

White sugar shall be mobilised in the Community, as Community food aid for supply to the recipient listed in the Annex, in accordance with Regulation (EC) No 2519/97 and under the conditions set out in the Annex.

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

*Article 2*

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

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

Done at Brussels, 20 February 1998.

*For the Commission*

Franz FISCHLER

*Member of the Commission*

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<sup>(1)</sup> OJ L 166, 5. 7. 1996, p. 1.

<sup>(2)</sup> OJ L 346, 17. 12. 1997, p. 23.

## ANNEX

## LOT A

1. **Action No:** 612/96 (A1); 613/96 (A2)
2. **Beneficiary** <sup>(2)</sup>: Euronaid, PO Box 12, NL-2501 CA Den Haag, (tel.: (31 70) 330 57 57; fax: 364 17 01; telex: 30960 EURON NL)
3. **Beneficiary's representative:** to be designated by the recipient
4. **Country of destination:** A1: Mozambique; A2: Madagascar
5. **Product to be mobilised:** white sugar
6. **Total quantity (tonnes net):** 198
7. **Number of lots:** one in two parts (A1: 126 tonnes; A2: 72 tonnes)
8. **Characteristics and quality of the product** <sup>(3)</sup> <sup>(4)</sup> <sup>(5)</sup>: see OJ C 114, 29.4.1991, p. 1 (V.A.(1))
9. **Packaging** <sup>(7)</sup> <sup>(8)</sup>: see OJ C 267, 13.9.1996, p. 1 (11.2 A 1.b, 2.b and B.4)
10. **Labelling or marking** <sup>(6)</sup>: see OJ C 114, 29.4.1991, p. 1 (V.A.(3))
  - Language to be used for the markings: A1: Portuguese; A2: French
  - Supplementary markings: —
11. **Method of mobilisation of the product:** sugar produced in the Community in accordance with the sixth subparagraph of Article 24(1a) of Council Regulation (EEC) No 1785/81 as follows:
  - A or B sugar (points (a) and (b))
12. **Specified delivery stage:** free at port of shipment
13. **Alternative delivery stage:** —
14. (a) **Port of shipment:** —
  - (b) **Loading address:** —
15. **Port of landing:** —
16. **Place of destination:** —
  - port or warehouse of transit: —
  - overland transport route: —
17. **Period or deadline of supply at the specified stage:**
  - first deadline: 30.3 — 19.4.1998
  - second deadline: 13.4 — 3.5.1998
18. **Period or deadline of supply at the alternative stage:**
  - first deadline: —
  - second deadline: —
19. **Deadline for the submission of tenders (at 12 noon, Brussels time):**
  - first deadline: 9.3.1998
  - second deadline: 23.3.1998
20. **Amount of tendering guarantee:** ECU 15 per tonne
21. **Address for submission of tenders and tendering guarantees** <sup>(1)</sup>: Bureau de l'aide alimentaire, Attn Mr T. Vestergaard, Bâtiment Loi 130, bureau 7/46, Rue de la Loi/Wetstraat 200, B-1049 Bruxelles/Brussel
  - telex: 25670 AGREC B; fax: (32 2) 296 70 03 / 296 70 04 (exclusively)
22. **Export refund** <sup>(4)</sup>: periodic refund applicable to white sugar on 16.2.1998, fixed by Commission Regulation (EC) No 336/98 (OJ L 38, 12.2.1998, p. 5)

*Notes:*

- (<sup>1</sup>) Supplementary information: André Debongnie (Tel. (32-2) 295 14 65)  
Torben Vestergaard (Tel. (32-2) 299 30 50).
- (<sup>2</sup>) The supplier shall contact the beneficiary or its representative as soon as possible to establish which consignment documents are required.
- (<sup>3</sup>) The supplier shall deliver to the beneficiary a certificate from an official entity certifying that for the product to be delivered the standards applicable, relative to nuclear radiation, in the Member State concerned, have not been exceeded. The radioactivity certificate must indicate the caesium-134 and -137 and iodine-131 levels.
- (<sup>4</sup>) Commission Regulation (EC) No 259/98 (OJ L 25, 31. 1. 1998, p. 39), is applicable as regards the export refund. The date referred to in Article 2 of the said Regulation is that indicated in point 22 of this Annex.
- (<sup>5</sup>) The supplier shall supply to the beneficiary or its representative, on delivery, the following document:  
— health certificate.
- (<sup>6</sup>) Notwithstanding OJ C 114, point V.A(3)(c) is replaced by the following: 'the words "European Community"'.  
(<sup>7</sup>) Since the goods may be rebagged, the supplier must provide 2 % of empty bags of the same quality as those containing the goods, with the marking followed by a capital 'R'.
- (<sup>8</sup>) Shipment to take place in 20-foot containers, condition FCL/FCL.  
The supplier shall be responsible for the cost of making the container available in the stack position at the container terminal at the port of shipment. The beneficiary shall be responsible for all subsequent loading costs, including the cost of moving the containers from the container terminal.  
The supplier has to submit to the beneficiary's agent a complete packing list of each container, specifying the number of bags belonging to each action number as specified in the invitation to tender.  
The supplier has to seal each container with a numbered locktainer (SYSKO locktainer 180 seal), the number of which is to be provided to the beneficiary's representative.
- (<sup>9</sup>) The rule provided at the second indent of Article 18(2)(a) of Commission Regulation (EEC) No 2103/77 (OJ L 246, 27.9.1977, p. 12), as last amended by Regulation (EC) No 260/96 (OJ L 34, 13.2.1996, p. 16), is binding for determination of the sugar category.
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## II

*(Acts whose publication is not obligatory)*

## COMMISSION

## COMMISSION DECISION

of 13 February 1998

**amending the information contained in the list in the Annex to Regulation (EEC) No 55/87 establishing the list of vessels exceeding eight metres length overall permitted to use beam trawls within certain coastal areas of the Community**

(98/158/EC)

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 <sup>(1)</sup>,

Having regard to Commission Regulation (EEC) No 55/87 of 30 December 1986 establishing the list of vessels exceeding eight metres length overall permitted to use beam trawls within certain coastal areas of the Community <sup>(2)</sup>, as last amended by Regulation (EC) No 3410/93 <sup>(3)</sup>, and in particular Article 3 thereof,

Whereas authorities of the Member States concerned have applied for the information in the list provided for in Article 10(3)(b) of Regulation (EC) No 894/97 to be amended; whereas the said authorities have provided all the information supporting their applications pursuant to Article 3 of Regulation (EEC) No 55/87; whereas it has been found that the information complies with the

requirements and whereas, therefore, the information in the list annexed to the Regulation should be amended,

HAS ADOPTED THIS DECISION:

*Article 1*

The information in the list annexed to Regulation (EEC) No 55/87 is amended as shown in the Annex hereto.

*Article 2*

This Decision is addressed to the Member States.

Done at Brussels, 13 February 1998.

*For the Commission*

Emma BONINO

*Member of the Commission*

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<sup>(1)</sup> OJ L 132, 23. 5. 1997, p. 1.

<sup>(2)</sup> OJ L 8, 10. 1. 1987, p. 1.

<sup>(3)</sup> OJ L 310, 14. 12. 1993, p. 27.

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

A. Datos que se retiran de la lista — Oplysninger, der skal slettes i listen — Aus der Liste herauszunehmende Angaben — Στοιχεία που διαγράφονται από τον κατάλογο — Information to be deleted from the list — Renseignements à retirer de la liste — Dati da togliere dall'elenco — Inlichtingen te schrappen uit de lijst — Informações a retirar da lista — Luettelosta poistettavat tiedot — Uppgifter som skall tas bort från förteckningen

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

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

|     |     |               |      |            |     |
|-----|-----|---------------|------|------------|-----|
| BOU | 7   | De Enige Zoon | OPAG | Boekhoute  | 219 |
| N   | 720 | Andre Jeanine | OQCT | Nieuwpoort | 218 |
| N   | 525 | Golfbreker    | OPUU | Nieuwpoort | 202 |
| O   | 187 | St. Antonius  | OPHE | Oostende   | 211 |
| O   | 211 | Christoph     | OPIC | Oostende   | 158 |
| Z   | 403 | Stern         | OPQC | Zeebrugge  | 110 |
| Z   | 586 | Mermaid       | OPXD | Zeebrugge  | 177 |

ALEMANIA / TYSKLAND / DEUTSCHLAND / ΓΕΡΜΑΝΙΑ / GERMANY / ALLEMAGNE / GERMANIA /  
DUITSLAND / ALEMANHA / SAKSA / TYSKLAND

|     |    |              |      |                |     |
|-----|----|--------------|------|----------------|-----|
| BRA | 8  | Jade         | DDJD | Brake          | 220 |
| FRI | 75 | Luise        | DIJK | Friedrichskoog | 184 |
| GRE | 3  | Horizont     | DCMU | Greetstiel     | 221 |
| SC  | 27 | Butendiek    | DIRZ | Büsum          | 220 |
| SK  | 18 | Frans Willem | DFOL | Büsum          | 220 |

ΠΑΪΣΕΣ ΒΑΪΟΣ / NEDERLANDENE / NIEDERLANDE / ΚΑΤΩ ΧΩΡΕΣ / NETHERLANDS / PAYS-BAS /  
PAESI BASSI / NEDERLAND / PAΪΣΕΣ ΒΑΪΟΣ / ALANKOMAA / NEDERLÄNDERNA

|     |     |                    |      |                   |     |
|-----|-----|--------------------|------|-------------------|-----|
| BR  | 10  | Johanna            | PFDQ | Oostburg-Breskens | 221 |
| EH  | 12  | Dirk Senior        | PDQZ | Enkhuizen         | 140 |
| HD  | 31  | Marsdiep           |      | Den Helder        | 221 |
| OL  | 5   | Jacob Senior       | PEYQ | Oostdongeradeel   | 173 |
| SCH | 65  | Quo Vadis          |      | Scheveningen      | 221 |
| TM  | 8   | Jakomina           | PEYJ | Termunten         | 175 |
| TM  | 16  | Reide              |      | Termunten         | 96  |
| TS  | 6   | Aryanne            |      | Terschelling      | 155 |
| UK  | 137 | Deo Volente        |      | Urk               | 221 |
| UQ  | 2   | Nooitgedacht       |      | Usquert           | 220 |
| WL  | 28  | Jan Harmen         |      | Westdongeradeel   | 221 |
| WR  | 2   | Carla Maria        | PDHV | Wieringen         | 221 |
| WR  | 27  | Visarend           | PIGX | Wieringen         | 177 |
| WR  | 29  | Laurina Arietta    |      | Wieringen         | 221 |
| WR  | 112 | Zwaantje           | PIZE | Wieringen         | 206 |
| WR  | 131 | Twee Gebroeders    | PIPB | Wieringen         | 220 |
| WR  | 189 | Grietje            |      | Wieringen         | 221 |
| WR  | 244 | Margretha Hendrika | PHXZ | Wieringen         | 221 |
| ZK  | 15  | Lamber             |      | Ulrum-Zoutkamp    | 220 |
| ZK  | 17  | Johannes Dirk      | PFFC | Ulrum-Zoutkamp    | 221 |
| ZK  | 36  | Lauwers            |      | Ulrum-Zoutkamp    | 110 |
| ZK  | 48  | Reliquenda         | PGZQ | Ulrum-Zoutkamp    | 206 |
| ZK  | 185 | Noorderlicht       |      | Ulrum-Zoutkamp    | 169 |

| 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 |     |        |      |           |     |
| FD                                                                                                                                                                                                                 | 367 | Willem | ZETU | Fleetwood | 231 |

B. Datos que se añaden a la lista — Oplysninger, der skal anføres i listen — In die Liste hinzuzufügende Angaben — Στοιχεία που προστίθενται στον κατάλογο — Information to be added to the list — Renseignements à ajouter à la liste — Dati da aggiungere all'elenco — Inlichtingen toe te voegen aan de lijst — Informações a aditar à lista — Luetteloon lisättävät tiedot — Uppgifter som skall läggas till i förteckningen

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

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

|     |     |               |      |            |     |
|-----|-----|---------------|------|------------|-----|
| BOU | 7   | De Enige Zoon | OPAG | Boekhout   | 218 |
| N   | 720 | Andre Jeanine | OQCT | Nieuwpoort | 219 |
| O   | 187 | St. Antonius  | OPHE | Oostende   | 221 |
| Z   | 211 | Christoph     | OPIC | Zeebrugge  | 221 |
| Z   | 403 | Stern         | OPQC | Zeebrugge  | 221 |
| Z   | 525 | Sylvia-Mary   | OPUU | Zeebrugge  | 221 |
| Z   | 586 | Mermaid       | OPXD | Zeebrugge  | 221 |

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

|    |    |                |      |             |     |
|----|----|----------------|------|-------------|-----|
| RI | 75 | Connie Vinther | OYFH | Hvide Sande | 220 |
|----|----|----------------|------|-------------|-----|

ALEMANIA / TYSKLAND / DEUTSCHLAND / ΓΕΡΜΑΝΙΑ / GERMANY / ALLEMAGNE / GERMANIA / DUTSLAND / ALEMANHA / SAKSA / TYSKLAND

|     |    |              |      |                |     |
|-----|----|--------------|------|----------------|-----|
| BRA | 2  | Butendiek    | DIRZ | Brake          | 221 |
| BRA | 8  | Jade         | DDJD | Brake          | 220 |
| FRI | 75 | Luisse       | DIYK | Friedrichskoog | 184 |
| GRE | 3  | Horizont     | DCMU | Greetstiel     | 184 |
| SK  | 18 | Frans Willem | DFOL | Kiel           | 220 |

ΠΑΪΣΕΣ ΒΑΪΟΣ / NEDERLANDENE / NIEDERLANDE / ΚΑΤΩ ΧΩΡΕΣ / NETHERLANDS / PAYS-BAS / PAESI BASSI / NEDERLAND / ΠΑΪΣΕΣ ΒΑΪΟΣ / ALANKOMAAT / NEDERLÄNDERNA

|     |     |              |      |                    |     |
|-----|-----|--------------|------|--------------------|-----|
| BR  | 10  | Johanna      | PFDQ | Oostburg-Breskens  | 217 |
| EH  | 12  | Dirk Senior  | PDQZ | Enkhuizen          | 221 |
| HD  | 31  | Marsdiep     | PCES | Den Helder         | 221 |
| OD  | 52  | Jet          | PIBF | Goedereede-Ouddorp | 134 |
| OL  | 5   | Jacob Senior | PIOU | Oostdongeradeel    | 221 |
| SCH | 65  | Quo Vadis    | PGXM | Scheveningen       | 221 |
| TM  | 8   | Jakobina     | PEYJ | Termunten          | 175 |
| TM  | 16  | Reide        |      | Termunten          | 97  |
| TS  | 6   | Aryanne      | PCBA | Terschelling       | 221 |
| UK  | 137 | Deo Volente  | PCEA | Urk                | 221 |
| UQ  | 2   | Nooitgedacht | PGID | Usquert            | 220 |
| WK  | 119 | Froukje      |      | Workum             | 66  |

| 1                                                                                                                                                                                                                        |     | 2                  | 3    | 4               | 5   |
|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----|--------------------|------|-----------------|-----|
| WL                                                                                                                                                                                                                       | 28  | Jan Harmen         | PFAG | Westdongeradeel | 221 |
| WON                                                                                                                                                                                                                      | 43  | Vaya Con Dios      | PDBI | Wonseradeel     | 221 |
| WR                                                                                                                                                                                                                       | 2   | Carla Maria        | PCHV | Wieringen       | 188 |
| WR                                                                                                                                                                                                                       | 27  | Visarend           | PIGX | Wieringen       | 221 |
| WR                                                                                                                                                                                                                       | 29  | Laurina Arietta    | PFMI | Wieringen       | 221 |
| WR                                                                                                                                                                                                                       | 112 | Zwaantje           | PIZE | Wieringen       | 219 |
| WR                                                                                                                                                                                                                       | 131 | Twee Gebroeders    | PIBP | Wieringen       | 220 |
| WR                                                                                                                                                                                                                       | 189 | Grietje            | PIZO | Wieringen       | 221 |
| WR                                                                                                                                                                                                                       | 212 | Rikjelle           | PDNF | Wieringen       | 208 |
| WR                                                                                                                                                                                                                       | 244 | Margretha Hendrika | PEYY | Wieringen       | 221 |
| ZK                                                                                                                                                                                                                       | 4   | Genoat             |      | Ulrum-Zoutkamp  | 188 |
| ZK                                                                                                                                                                                                                       | 15  | Lambert            | PHXZ | Ulrum-Zoutkamp  | 220 |
| ZK                                                                                                                                                                                                                       | 17  | Johannas Dirk      | PFMF | Ulrum-Zoutkamp  | 221 |
| ZK                                                                                                                                                                                                                       | 24  | Soltkamp           |      | Ulrum-Zoutkamp  | 198 |
| ZK                                                                                                                                                                                                                       | 36  | Lauwers            |      | Ulrum-Zoutkamp  | 134 |
| ZK                                                                                                                                                                                                                       | 48  | Relinquenda        | PGZQ | Ulrum-Zoutkamp  | 206 |
| ZK                                                                                                                                                                                                                       | 185 | Noorderlicht       |      | Ulrum-Zoutkamp  | 184 |
| REINO UNIDO / DET FORENEDE KONGERIGE / VEREINIGTES KÖNIGREICH / ΗΝΩΜΕΝΟ<br>ΒΑΣΙΛΕΙΟ / UNITED KINGDOM / ROYAUME-UNI / REGNO UNITO / VERENIGD KONINKRIJK /<br>REINO UNIDO / YHDISTYNYT KUNINGASKUNTA / FÖRENADE KUNGARIKET |     |                    |      |                 |     |
| FD                                                                                                                                                                                                                       | 367 | Willem             | ZETU | Fleetwood       | 221 |

## COMMISSION DECISION

of 16 February 1998

on the carrying out of Community trials and tests on propagating and planting material of certain species under Article 20(2) of Council Directive 91/682/EEC

(98/159/EC)

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

Having regard to Council Directive 91/682/EEC of 19 December 1991 on the marketing of ornamental plant propagating material and ornamental plants<sup>(1)</sup>, as last amended by Commission Decision 97/108/EC<sup>(2)</sup>, and in particular Article 20(2) and (4) thereof,

Whereas under this Directive trials, or, where appropriate, tests shall be carried out in the Member States on samples to check that propagating material or ornamental plants of species listed therein comply with the requirements and conditions of the said Directive;

Whereas to this end, it is essential, in particular in the early stages of the Directive's implementation, to ensure adequate representation of the samples participating in the trials or tests for the different origins of production in the entire Community, at least for certain selected crops;

Whereas it is therefore necessary to carry out Community trials and tests in 1997-99 on propagating and planting material of Pelargonium and Dianthus;

Whereas it is necessary for all Member States to participate in the Community trials and tests, in so far as propagating material of Pelargonium and Dianthus are usually reproduced or marketed on their territory in order to ensure that proper conclusions may be drawn therefrom;

Whereas these Community trials and tests will be used to harmonize, in the first instance, the technical methods of examination of propagating and planting material of these species;

Whereas the measures provided for in this Decision are in accordance with the opinion of the Standing

Committee for Propagating Material and Ornamental Plants,

HAS ADOPTED THIS DECISION:

*Article 1*

1. Community trials and tests shall be carried out during 1997-99 on propagating and planting material of Pelargonium and Dianthus.
2. The samples shall be drawn officially.
3. All Member States shall participate in the Community comparative trials and tests, in so far as propagating material of the species mentioned in paragraph 1 are usually propagated or marketed on their territory.

*Article 2*

The general arrangements for the carrying out of the Community comparative trials and tests and the evaluation of their results shall be made within the Standing Committee for Propagating Material and Ornamental Plants.

*Article 3*

This Decision is addressed to the Member States.

Done at Brussels, 16 February 1998.

*For the Commission*

Franz FISCHLER

*Member of the Commission*

<sup>(1)</sup> OJ L 376, 31. 12. 1991, p. 21.

<sup>(2)</sup> OJ L 39, 8. 2. 1997, p. 20.

**CORRIGENDA****Corrigendum to Commission Regulation (EC) No 2616/97 of 16 December 1997 amending  
Regulation (EC) No 1445/95 on rules of application for import and export licences in the  
beef and veal sector**

*(Official Journal of the European Communities L 353 of 24 December 1997)*

On page 8 in Article 1(1), last line:

*for:* '... export licences with advance fixing of the refund.'

*read:* '... export licence.'

and in Article 1(2)(2), third indent:

*for:* '(Regulation (EC) No 2616/97)',

*read:* '(Regulation (EC) No )'.

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