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⁽¹⁾ Text with EEA relevance

I

(Acts whose publication is obligatory)

COMMISSION REGULATION (EC) No 425/98
of 23 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 ⁽¹⁾, as last amended by Regulation (EC) No 2375/96 ⁽²⁾, and in particular Article 4 (1) thereof,

Having regard to Council Regulation (EEC) No 3813/92 of 28 December 1992 on the unit of account and the conversion rates to be applied for the purposes of the common agricultural policy ⁽³⁾, as last amended by Regulation (EC) No 150/95 ⁽⁴⁾, and in particular Article 3 (3) thereof,

Whereas Regulation (EC) No 3223/94 lays down, pursuant to the outcome of the Uruguay Round multilateral trade negotiations, the criteria whereby the 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 24 February 1998.

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

Done at Brussels, 23 February 1998.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ L 337, 24. 12. 1994, p. 66.

⁽²⁾ OJ L 325, 14. 12. 1996, p. 5.

⁽³⁾ OJ L 387, 31. 12. 1992, p. 1.

⁽⁴⁾ OJ L 22, 31. 1. 1995, p. 1.

ANNEX

to the Commission Regulation of 23 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 code (1)	Standard import value	CN code	Third country code (1)	Standard import value
0702 00 00	204	51,7		512	97,7
	212	106,3		600	96,0
	624	192,3		624	74,3
	999	116,8		662	36,2
0707 00 05	052	135,8		999	72,4
	053	170,8		052	43,2
	068	113,6		400	59,4
	999	140,1		600	85,7
0709 10 00	220	159,1		999	62,8
	999	159,1			
0709 90 70	052	124,8	0808 10 20, 0808 10 50, 0808 10 90	060	52,5
	204	144,8		064	42,6
	999	134,8		388	107,9
				400	95,4
0805 10 10, 0805 10 30, 0805 10 50	052	34,8		404	92,3
	204	40,2		528	87,2
	212	38,3		720	79,8
	600	57,4		728	82,0
	624	53,3		999	80,0
	999	44,8			
0805 20 10	204	77,0	0808 20 50	388	90,1
	999	77,0		400	114,2
				512	73,1
0805 20 30, 0805 20 50, 0805 20 70, 0805 20 90	052	62,3		528	75,6
	204	71,5		999	88,2
	400	68,5			

(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 426/98

of 23 February 1998

amending Annexes I, II and III of Council Regulation (EEC) No 2377/90 laying down a Community procedure for the establishment of maximum residue limits of veterinary medicinal products in foodstuffs of animal origin

(Text with EEA relevance)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EEC) No 2377/90 of 26 June 1990 laying down a Community procedure for the establishment of maximum residue limits of veterinary medicinal products in foodstuffs of animal origin⁽¹⁾, as last amended by Commission Regulation (EC) No 121/98⁽²⁾ and in particular Articles 6, 7 and 8 thereof,

Whereas, in accordance with Regulation (EEC) No 2377/90, maximum residue limits must be established progressively for all pharmacologically active substances which are used within the Community in veterinary medicinal products intended for administration to food-producing animals;

Whereas maximum residue limits should be established only after the examination within the Committee for Veterinary Medicinal Products of all the relevant information concerning the safety of residues of the substance concerned for the consumer of foodstuffs of animal origin and the impact of residues on the industrial processing of foodstuffs;

Whereas, in establishing maximum residue limits for residues of veterinary medicinal products in foodstuffs of animal origin, it is necessary to specify the animal species in which residues may be present, the levels which may be present in each of the relevant meat tissues obtained from the treated animal (target tissue) and the nature of the residue which is relevant for the monitoring of residues (marker residue);

Whereas, for the control of residues, as provided for in appropriate Community legislation, maximum residue limits should usually be established for the target tissues of liver or kidney; whereas, however, the liver and kidney are frequently removed from carcasses moving in international trade, and maximum residue limits should therefore also always be established for muscle or fat tissues;

Whereas, in the case of veterinary medicinal products intended for use in laying birds, lactating animals or honey bees, maximum residue limits must also be established for eggs, milk or honey;

Whereas triclabendazole should be inserted into Annex I to Regulation (EEC) No 2377/90;

Whereas isoflurane should be inserted into Annex II to Regulation (EEC) No 2377/90;

Whereas, in order to allow for the completion of scientific studies, teflubenzuron should be inserted into Annex III to Regulation (EEC) No 2377/90;

Whereas a period of 60 days should be allowed before the entry into force of this Regulation in order to allow Member States to make any adjustment which may be necessary to the authorisations to place the veterinary medicinal products concerned on the market which have been granted in accordance with Council Directive 81/851/EEC⁽³⁾, as last amended by Directive 93/40/EEC⁽⁴⁾ to take account of the provisions of this Regulation;

Whereas the measures provided for in this Regulation are in accordance with the opinion of the Standing Committee on Veterinary Medicinal Products,

HAS ADOPTED THE FOLLOWING REGULATION:

Article 1

Annexes I, II and III of Regulation (EEC) No 2377/90 are hereby amended as set out in the Annex hereto.

Article 2

This Regulation shall enter into force on the 60th day following its publication in the *Official Journal of the European Communities*.

⁽¹⁾ OJ L 224, 18. 8. 1990, p. 1.

⁽²⁾ OJ L 11, 17. 1. 1998, p. 11.

⁽³⁾ OJ L 317, 6. 11. 1981, p. 1.

⁽⁴⁾ OJ L 214, 24. 8. 1993, p. 31.

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

Done at Brussels, 23 February 1998.

For the Commission
Martin BANGEMANN
Member of the Commission

ANNEX

A. Annex I is modified as follows:

2. Antiparasitic agents

2.1. Agents acting against endoparasites

2.1.3. Benzimidazoles and pro-benzimidazoles

Pharmacologically active substance	Marker residue	Animal Species	MRLs	Target tissues	Other provisions
'Triclabendazole	Sum of the extractable residues that may be oxidised to ketotriclabendazole	Bovine, ovine	100 µg/kg	Muscle, liver, kidney	Not for use in animals producing milk for human consumption'

B. Annex II is modified as follows:

2. Organic compounds

Pharmacologically active substance(s)	Animal species	Other provisions
'Isoflurane	Equidae	For use as anaesthetic only'

C. Annex III is modified as follows:

2. Antiparasitic agents

2.1. Agents acting against ectoparasites

2.1.2. Acyl urea derivatives

Pharmacologically active substance(s)	Marker residue	Animal Species	MRLs	Target tissues	Other provisions
'Teflubenzuron	Teflubenzuron	Salmonidae	500 µg/kg	Muscle and skin in natural proportions	Provisional MRLs expire on 1.7.1999'

COMMISSION REGULATION (EC) No 427/98

of 23 February 1998

amending Regulation (EEC) No 210/69 on communications between Member States and the Commission with regard to milk and milk products

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 (EEC) No 804/68 of 27 June 1968 on the common organisation of the market in milk and milk products⁽¹⁾, as last amended by Commission Regulation (EC) No 1587/96⁽²⁾, and in particular Article 28 thereof,

Whereas Commission Regulation (EEC) No 210/69⁽³⁾, as last amended by Regulation (EC) No 2283/97⁽⁴⁾, specifies the information on the management of the market in milk products to be notified regularly to the Commission; whereas entry into force of the Agreement on Agriculture reached in the Uruguay Round of multilateral trade negotiations requires, for the purposes of the commitments entered into thereunder, the provision of additional or more detailed information on exports; whereas experience has shown that certain provisions on this information have been interpreted differently from one Member State to another; whereas they should therefore be made more precise; whereas the communications on change of destination may be limited to cases where the refund for the destination fixed in advance and that for the actual destination differ; whereas the provisions concerned should therefore be adjusted;

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

Article 6(3) of Regulation (EEC) No 210/69 is hereby amended as follows:

1. Subparagraph (a) is replaced by the following:

‘(a) the quantities, split up by Combined Nomenclature code and by destination code, for which export formalities have been completed, indicating:

- (i) quantities with refund,
- (ii) quantities without refund.’

2. Subparagraph (c) is replaced by the following:

‘(c) the quantities, split up by export refund nomenclature code for milk products, to which Article 20(3) of Commission Regulation (EEC) No 3665/87^(*) has been applied, where the refund applied differs from that shown on the licence, and the difference between the refund for the destination indicated on the licence and that actually applied.’

Article 2

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

However, Article 1(2) shall apply from 1 July 1998.

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

Done at Brussels, 23 February 1998.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ L 148, 28. 6. 1968, p. 13.

⁽²⁾ OJ L 206, 16. 8. 1996, p. 21.

⁽³⁾ OJ L 28, 5. 2. 1969, p. 1.

⁽⁴⁾ OJ L 314, 18. 11. 1997, p. 13.

COMMISSION REGULATION (EC) No 428/98
of 23 February 1998
on the supply of cereals 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 ⁽¹⁾, 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 cereals 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 under Council Regulation (EC) No 1292/96 as Community food aid ⁽²⁾; whereas it is necessary to specify

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

HAS ADOPTED THIS REGULATION:

Article 1

Cereals 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, 23 February 1998.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ L 166, 5. 7. 1996, p. 1.

⁽²⁾ OJ L 346, 17. 12. 1997, p. 23.

ANNEX

LOT A

1. **Action No:** 619/96
2. **Beneficiary** ⁽²⁾: 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:** Madagascar
5. **Product to be mobilised:** common wheat flour
6. **Total quantity (tonnes net):** 140
7. **Number of lots:** one
8. **Characteristics and quality of the product** ⁽³⁾ ⁽⁷⁾: see OJ C 114, 29.4.1991, p. 1 (II.B.(1)(a))
9. **Packaging** ⁽⁷⁾ ⁽⁸⁾: see OJ C 267, 13.9.1996, p. 1 (2.2.A.(1)(d), (2)(d) and B.(4))
10. **Labelling or marking** ⁽⁹⁾: see OJ C 114, 29.4.1991, p. 1 (II.B.(3))
 - language to be used for the markings: French
 - supplementary markings: —
11. **Method of mobilisation of the product:** the Community market
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 (12 noon, Brussels time):**
 - first deadline: 10.3.1998
 - second deadline: 24.3.1998
20. **Amount of tendering guarantee:** ECU 5 per tonne
21. **Address for submission of tenders and tendering guarantees** ⁽¹⁾: Bureau de l'aide alimentaire, Attn Mr T. Vestergaard, Bâtiment Loi 130, bureau 7/46, rue de la Loi/Wetstraat 200, B-1049 Brussels
telex 25670 AGREC B; fax (32-2) 296 70 03/296 70 04 (exclusively)
22. **Export refund** ⁽⁴⁾: refund applicable on 28.2.1998, fixed by Commission Regulation (EC) No 244/98 (OJ L 25, 31.1.1998, p. 9)

Notes:

- (¹) Supplementary information: André Debongnie (tel. (32-2) 295 14 65).
Torben Vestergaard (tel. (32-2) 299 30 50).
- (²) The supplier shall contact the beneficiary or its representative as soon as possible to establish which consignment documents are required.
- (³) 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.
- (⁴) 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.
- (⁵) The supplier shall supply to the beneficiary or its representative, on delivery, the following document:
— phytosanitary certificate.
- (⁶) Notwithstanding OJ C 114, point IIA (3) (c) is replaced by the following: 'the words "European Community"'.
(⁷) 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'.
(⁸) 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 recipient'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.

COMMISSION REGULATION (EC) No 429/98
of 23 February 1998
on the supply of vegetable oil 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 ⁽¹⁾, 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 vegetable oil 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 under Council Regulation (EC) No 1292/96 as Community food aid ⁽²⁾; whereas it is necessary to specify the time limits and conditions of supply to determine the resultant costs;

Whereas, in order to ensure that the supplies are carried out for a given lot, provision should be made for tenderers to be able to mobilise either rape-seed oil or sunflower

oil; whereas the contract for the supply of each such lot is to be awarded to the tenderer submitting the lowest tender,

HAS ADOPTED THIS REGULATION:

Article 1

Vegetable oil 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 supply shall cover the mobilisation of vegetable oil produced in the Community. Mobilisation may not involve a product manufactured and/or packaged under inward processing arrangements.

Tenders shall cover either rape-seed oil or sunflower oil. Tenders shall be rejected unless they specify the type of oil to which they relate.

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, 23 February 1998.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ L 166, 5. 7. 1996, p. 1.

⁽²⁾ OJ L 346, 17. 12. 1997, p. 23.

ANNEX

LOT A

1. **Action Nos:** 617/96 (A1); 618/96 (A2)
2. **Beneficiary** ⁽²⁾: 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:** Madagascar
5. **Product to be mobilised:** vegetable oil: refined rapeseed oil or refined sunflower oil
6. **Total quantity (tonnes net):** 105
7. **Number of lots:** one in two parts (A1: 75 tonnes; A2: 30 tonnes)
8. **Characteristics and quality of the product** ⁽³⁾ ⁽⁴⁾ ⁽⁶⁾: see OJ C 114, 29.4.1991, p. 1 (III.A(1)(a) or (b))
9. **Packaging** ⁽⁷⁾: see OJ C 267, 13.9.1996, p. 1 (10.4.A, B and C.2)
10. **Labelling or marking** ⁽⁸⁾: see OJ C 114, 29.4.1991, p. 1 (III.A(3))
 - Language to be used for the markings: French
 - Supplementary markings: —
11. **Method of mobilisation of the product:** mobilisation of refined vegetable oil produced in the Community.
Mobilization may not involve a product manufactured and/or packaged under inward-processing arrangements.
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 (12 noon, Brussels time):**
 - first deadline: 10.3.1998
 - second deadline: 24.3.1998
20. **Amount of tendering guarantee:** ECU 15 per tonne
21. **Address for submission of tenders and tendering guarantees** ⁽¹⁾: Bureau de l'aide alimentaire, Attn Mr T. Vestergaard, Bâtiment Loi 130, bureau 7/46, rue de la Loi/Wetstraat 200, B-1049 Brussels
telex 25670 AGREC B; fax (32-2) 296 70 03/296 70 04 (exclusively)
22. **Export refund:** —

LOTS B, C

1. **Action Nos:** 620/96 (B); 106/97 (C)
2. **Beneficiary** ⁽²⁾: WFP (World Food Programme), via Cristoforo Colombo 426, I-00145 Roma tel. (39 6) 65 13 29 88; fax 65 13 28 44/3; telex 626675 WFP
3. **Beneficiary's representative:** to be designated by the recipient
4. **Country of destination:** B: Ethiopia; C: Bangladesh
5. **Product to be mobilised:** vegetable oil: refined rape-seed oil or refined sunflower oil
6. **Total quantity (tonnes net):** 1 707
7. **Number of lots:** 2 (B: 382 tonnes; C: 1 325 tonnes)
8. **Characteristics and quality of the product** ⁽³⁾ ⁽⁴⁾ ⁽⁵⁾: see OJ C 114, 29.4.1991, p. 1 (III.A.(1)(a) or (b))
9. **Packaging:** see OJ C 267, 13.9.1996, p. 1 (10.4.A, B and C.2)
10. **Labelling or marking** ⁽⁷⁾: see OJ C 114, 29.4.1991, p. 1 (III.A.(3))
 - language to be used for the markings: English
 - supplementary markings: —
11. **Method of mobilisation of the product:** mobilisation of refined vegetable oil produced in the Community
Mobilisation may not involve a product manufactured and/or packaged under inward-processing arrangements
12. **Specified delivery stage:** B: free at port of landing — landed ⁽⁸⁾
C: free at port of shipment
13. **Alternative delivery stage:** B: free at port of shipment
14. (a) **Port of shipment:** —
(b) **Loading address:** —
15. **Port of landing:** B: Djibouti
16. **Place of destination:**
 - port or warehouse of transit: —
 - overland transport route: —
17. **Period or deadline of supply at the specified stage:**
 - first deadline: B: 3.5.1998; C: 6 — 26.4.1998
 - second deadline: B: 17.5.1998; C: 20.4 — 10.5.1998
18. **Period or deadline of supply at the alternative stage:**
 - first deadline: B: 30.3 — 12.4.1998
 - second deadline: B: 13 — 26.4.1998
19. **Deadline for the submission of tenders (12 noon, Brussels time):**
 - first deadline: 10.3.1998
 - second deadline: 24.3.1998
20. **Amount of tendering guarantee:** ECU 15 per tonne
21. **Address for submission of tenders and tendering guarantees** ⁽¹⁾: Bureau de l'aide alimentaire, Attn Mr T. Vestergaard, Bâtiment Loi 130, bureau 7/46, rue de la Loi/Wetstraat 200, B-1049 Brussels
telex 25670 AGREC B; fax (32 2) 296 70 03/296 70 04 (exclusively)
22. **Export refund:** —

Notes:

- (¹) Supplementary information: André Debongnie (tel. (32-2) 295 14 65).
Torben Vestergaard (tel. (32-2) 299 30 50).
- (²) The supplier shall contact the beneficiary or its representative as soon as possible to establish which consignment documents are required.
- (³) 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.
- (⁴) The supplier shall supply to the beneficiary or its representative, on delivery, the following document:
— health certificate.
- (⁵) Notwithstanding OJ C 114, point III. A (3) (c) is replaced by the following: ‘the words “European Community”’.
- (⁶) Tenders shall be rejected unless they specify the type of oil to which they relate.
- (⁷) Shipment to take place in 20-foot containers, FCL/FCL. The supplier will be responsible for the cost of making the containers available in the stack position at the container terminal at the port of shipment. The beneficiary will be responsible for all subsequent loading costs, including the cost of moving the container from the container terminal.
- The supplier must submit to the beneficiary’s agent a complete packing list of each container, specifying the number of metal canisters belonging to each action number as specified in the tender notice.
- The supplier must seal each container with a numbered locktainer (sysko locktainer 180 seal), the number of which is to be provided to the beneficiary’s representative.
- (⁸) In addition to the provisions of Article 14(3) of Regulation (EC) No 2519/97, vessels chartered shall not appear on any of the four most recent quarterly lists of detained vessels as published by the Paris Memorandum of Understanding on Port State Control (Council Directive 95/21/EC (OJ L 157, 7.7.1995, p. 1)).
-

COMMISSION REGULATION (EC) No 430/98**of 23 February 1998****on the issue of system B export licences in the fruit and vegetables sector**

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

Having regard to Commission Regulation (EC) No 2190/96 of 14 November 1996 on detailed rules for implementing Council Regulation (EEC) No 1035/72 as regards export refunds on fruit and vegetables ⁽¹⁾, as last amended by Regulation (EC) No 213/98 ⁽²⁾, and in particular Article 5(5) thereof,

Whereas Commission Regulation (EC) No 8/98 ⁽³⁾ fixes the indicative quantities for system B export licences other than those sought in the context of food aid;

Whereas, in the light of the information available to the Commission today, there is a risk that the indicative quantities laid down for the current export period for lemons will shortly be exceeded; whereas this overrun will prejudice the proper working of the export refund scheme in the fruit and vegetables sector;

Whereas, to avoid this situation, applications for system B licences for lemons exported after 23 February 1998 should be rejected until the end of the current export period,

HAS ADOPTED THIS REGULATION:

Article 1

Applications for system B licences for lemons submitted pursuant to Article 1 of Regulation (EC) No 8/98, export declarations for which are accepted after 23 February and before 18 March 1998, are hereby rejected.

Article 2

This Regulation shall enter into force on 24 February 1998.

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

Done at Brussels, 23 February 1998.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ L 292, 15. 11. 1996, p. 12.

⁽²⁾ OJ L 22, 29. 1. 1998, p. 8.

⁽³⁾ OJ L 3, 7. 1. 1998, p. 5.

COMMISSION REGULATION (EC) No 431/98
of 23 February 1998
amending representative prices and additional duties for the import of certain
products in the sugar sector

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

Having regard to Council Regulation (EEC) No 1785/81 of 30 June 1981 on the common organization of the markets in the sugar sector ⁽¹⁾, as last amended by Regulation (EC) No 1599/96 ⁽²⁾,

Having regard to Commission Regulation (EC) No 1423/95 of 23 June 1995 laying down detailed implementing rules for the import of products in the sugar sector other than molasses ⁽³⁾, as last amended by Regulation (EC) No 1143/97 ⁽⁴⁾, and in particular the second subparagraph of Article 1 (2), and Article 3 (1) thereof,

Whereas the amounts of the representative prices and additional duties applicable to the import of white sugar, raw sugar and certain syrups are fixed by Commission Regulation (EC) No 1222/97 ⁽⁵⁾, as last amended by Regulation (EC) No 387/98 ⁽⁶⁾;

Whereas it follows from applying the general and detailed fixing rules contained in Regulation (EC) No 1423/95 to the information known to the Commission that the representative prices and additional duties at present in force should be altered to the amounts set out in the Annex hereto,

HAS ADOPTED THIS REGULATION:

Article 1

The representative prices and additional duties on imports of the products referred to in Article 1 of Regulation (EC) No 1423/95 shall be as set out in the Annex hereto.

Article 2

This Regulation shall enter into force on 24 February 1998.

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

Done at Brussels, 23 February 1998.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ L 177, 1. 7. 1981, p. 4.

⁽²⁾ OJ L 206, 16. 8. 1996, p. 43.

⁽³⁾ OJ L 141, 24. 6. 1995, p. 16.

⁽⁴⁾ OJ L 165, 24. 6. 1997, p. 11.

⁽⁵⁾ OJ L 173, 1. 7. 1997, p. 3.

⁽⁶⁾ OJ L 48, 19. 2. 1998, p. 36.

ANNEX

to the Commission Regulation of 23 February 1998 amending representative prices and the amounts of additional duties applicable to imports of white sugar, raw sugar and products covered by CN code 1702 90 99

(ECU)

CN code	Amount of representative prices per 100 kg net of product concerned	Amount of additional duty per 100 kg net of product concerned
1701 11 10 ⁽¹⁾	23,17	4,71
1701 11 90 ⁽¹⁾	23,17	9,95
1701 12 10 ⁽¹⁾	23,17	4,52
1701 12 90 ⁽¹⁾	23,17	9,52
1701 91 00 ⁽²⁾	24,50	13,26
1701 99 10 ⁽²⁾	24,50	8,46
1701 99 90 ⁽²⁾	24,50	8,46
1702 90 99 ⁽³⁾	0,25	0,40

⁽¹⁾ For the standard quality as defined in Article 1 of amended Council Regulation (EEC) No 431/68 (OJ L 89, 10. 4. 1968, p. 3).

⁽²⁾ For the standard quality as defined in Article 1 of Council Regulation (EEC) No 793/72 (OJ L 94, 21. 4. 1972, p. 1).

⁽³⁾ By 1 % sucrose content.

COMMISSION REGULATION (EC) No 432/98

of 23 February 1998

concerning applications for export licences for rice and broken rice with
advance fixing of the refund

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 organisation of the market in rice⁽¹⁾, as amended by Regulation (EC) No 192/98⁽²⁾, and in particular the second subparagraph of Article 13 (3) thereof,

Having regard to Commission Regulation (EC) No 1162/95⁽³⁾, as last amended by Regulation (EC) No 932/97⁽⁴⁾, and in particular the second subparagraph of Article 7 (4) thereof,

Whereas Article 7 (4) of Regulation (EC) No 1162/95 provides, where this paragraph is specifically referred to when an export refund is fixed, for an interval of three working days between the day of submission of applications and the granting of export licences with advance fixing of the refund and provides that the Commission is to fix a uniform percentage reduction in the quantities if applications for export licences exceed the quantities which may be exported; whereas Commission Regulation (EC) No 408/98⁽⁵⁾, as amended by Regulation (EC) No

422/98⁽⁶⁾, fixes refunds under the procedure provided for in the abovementioned paragraph for 5 000 tonnes;

Whereas the quantities applied for are in excess of the available quantity; whereas it has therefore been decided to reject applications for export licences made from 19 February 1998;

Whereas, in view of its purpose, this Regulation should take effect from the day of its publication in the *Official Journal of the European Communities*,

HAS ADOPTED THIS REGULATION:

Article 1

Applications for export licences for rice and broken rice with advance fixing of the refund submitted under Regulation (EC) No 408/98 as amended from 19 February 1998 shall be rejected.

Article 2

This Regulation shall enter into force on 24 February 1998.

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

Done at Brussels, 23 February 1998.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ L 329, 30. 12. 1995, p. 18.

⁽²⁾ OJ L 20, 21. 1. 1998, p. 16.

⁽³⁾ OJ L 117, 24. 5. 1995, p. 2.

⁽⁴⁾ OJ L 135, 27. 5. 1997, p. 2.

⁽⁵⁾ OJ L 206, 1. 8. 1997, p. 45.

⁽⁶⁾ OJ L 52, 21. 2. 1998, p. 25.

II

(Acts whose publication is not obligatory)

COUNCIL

COUNCIL DECISION

of 12 February 1998

appointing a member of the Economic and Social Committee

(98/160/EC, Euratom)

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty establishing the European Community, and in particular Article 194 thereof,

Having regard to the Treaty establishing the European Atomic Energy Community, and in particular Article 166 thereof,

Having regard to the Council Decision of 26 September 1994 appointing the members of the Economic and Social Committee for the period up to 20 September 1998 ⁽¹⁾,

Whereas a seat as a member of that Committee has fallen vacant following the resignation of Mr Sune Bøgh, of which the Council was notified on 30 April 1997;

Having regard to the nominations submitted by the Danish Government,

Having obtained the opinion of the Commission of the European Communities,

HAS DECIDED AS FOLLOWS:

Sole Article

Mr John Svenningsen is hereby appointed a member of the Economic and Social Committee in place of Mr Sune Bøgh, for the remainder of the latter's term of office, which runs until 20 September 1998.

Done at Brussels, 12 February 1998.

For the Council

The President

J. BATTLE

⁽¹⁾ OJ L 257, 5. 10. 1994, p. 20.

COUNCIL DECISION

of 16 February 1998

authorising the Kingdom of the Netherlands to apply a measure derogating from Articles 2 and 28a(1) of the Sixth Council Directive 77/388/EEC on the harmonisation of the laws of the Member States relating to turnover taxes

(98/161/EC)

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty establishing the European Community,

Having regard to the Sixth Council Directive 77/388/EEC of 17 May 1977 on the harmonisation of the laws of the Member States relating to turnover taxes: common system of value added tax, uniform basis for assessment⁽¹⁾, and in particular Article 27 thereof,

Having regard to the proposal from the Commission,

Whereas, pursuant to Article 27(1) of Directive 77/388/EEC, the Council, acting unanimously on a proposal from the Commission, may authorise any Member State to introduce special measures for derogation from that Directive in order to simplify the procedure for charging the tax or to prevent certain types of tax evasion and avoidance;

Whereas, by letter registered at the Commission on 9 June 1997, the Kingdom of the Netherlands requested authorisation to introduce a measure derogating from Articles 2 and 28a(1) of Directive 77/388/EEC;

Whereas, in accordance with Article 27(3) of Directive 77/388/EEC, the other Member States were informed on 10 September 1997 of the request submitted by the Kingdom of the Netherlands;

Whereas that special measure provides, firstly, for exemption of the supply and intra-Community acquisition of used and waste materials, with the exception of non-ferrous metals, in the case of taxable entities with an annual turnover of less than NLG 2,5 million and, secondly, for exemption of the supply and intra-Community acquisition of non-ferrous metals;

Whereas the taxable persons whose transactions are covered by the above exemptions may, subject to the conditions laid down by the Kingdom of the Netherlands, be authorised not to apply that measure to their transactions;

Whereas the measure both simplifies matters and helps to combat fraud since a category of taxable persons where checks and efforts at collection would be disproportionate to the revenue generated can be excluded from the VAT system;

Whereas, consequently, the special measure satisfies the conditions laid down in Article 27 of Directive 77/388/EEC;

Whereas the Commission adopted on 10 July 1996 a work programme, together with a timetable, for the phased introduction of a common system of VAT for the internal market;

Whereas authorisation is being granted until 31 December 1999 so that an assessment can then be made of the compatibility of the derogation measure with the overall approach adopted for the new common system of VAT;

Whereas this derogation will not have an adverse impact on the Community's own resources accruing from VAT,

HAS ADOPTED THIS DECISION:

Article 1

The Kingdom of the Netherlands is hereby authorised until 31 December 1999 to apply a special measure for the taxation of used and waste materials that contains provisions derogating from Directive 77/388/EEC.

The provisions in question are laid down in Articles 2, 3 and 4 of this Decision.

Article 2

By way of derogation from Article 2 of Directive 77/388/EEC, the following shall be exempt from VAT:

- the supply of used and waste materials by firms with an annual turnover of less than NGL 2,5 million. For the purposes of that threshold, turnover in non-ferrous metals may be disregarded,
- the supply of non-ferrous metals.

⁽¹⁾ OJ L 145, 13. 6. 1977, p. 1. Directive as last amended by Directive 96/95/EC (OJ L 338, 28. 12. 1996, p. 89).

Article 3

By way of derogation from Article 28a(1)(a) of Directive 77/388/EEC, the following shall be exempt from VAT:

- the intra-Community acquisition of used and waste materials by firms with an annual turnover of less than NGL 2,5 million. For the purposes of that threshold, turnover in non-ferrous metals may be disregarded,
- the intra-Community acquisition of non-ferrous metals.

Article 4

Taxable entities carrying out transactions which are exempt pursuant to Articles 2 and 3 above may be authorised not to make supplies and intra-Community

acquisitions of used and waste materials effected by them subject to the special measure provided for by this Decision.

Article 5

This Decision is addressed to the Kingdom of the Netherlands.

Done at Brussels, 16 February 1998.

For the Council

The President

G. BROWN

COUNCIL DECISION

of 16 February 1998

amending Decision 95/514/EC on the equivalence of field inspections carried out in third countries on seed-producing crops and on the equivalence of seed produced in third countries

(98/162/EC)

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty establishing the European Community,

Having regard to Council Directive 66/400/EEC of 14 June 1966 on the marketing of beet seed ⁽¹⁾, and in particular Article 16(1)(b) thereof,

Having regard to Council Directive 66/401/EEC of 14 June 1966 on the marketing of fodder plant seed ⁽²⁾, and in particular Article 16(1)(b) thereof,

Having regard to Council Directive 66/402/EEC of 14 June 1966 on the marketing of cereal seed ⁽³⁾, and in particular Article 16(1)(b) thereof,

Having regard to Council Directive 69/208/EEC of 30 June 1969 on the marketing of seed of oil and fibre plants ⁽⁴⁾, and in particular Article 15(1)(b) thereof,

Having regard to the proposal from the Commission,

Whereas, in Decision 95/514/EC ⁽⁵⁾ it has been determined for a limited period that field inspections carried out in certain third countries on seed-producing crops of certain species satisfies the conditions laid down in Directives 66/400/EEC, 66/401/EEC, 66/402/EEC and 69/208/EEC; whereas in Decision 95/514/EC it has also been determined that seed of certain species produced in certain third countries was equivalent to corresponding seed produced in the Community;

Whereas Decision 95/514/EC expired on 31 December 1997; whereas a new decision is therefore necessary;

Whereas in Decision 95/514/EC, reference to the OECD schemes for the varietal certification of seed moving in international trade was made as one of the bases for Community equivalence;

Whereas in 1995 a system of alternative seed certification was included in these schemes as an experiment;

Whereas, the results of this experiment have not yet been evaluated;

Whereas, in these circumstances, it appears desirable to ensure continuation of the equivalence, but to limit it, under this Decision, to a further two years,

HAS ADOPTED THIS DECISION:

Article 1

In Article 6 of Decision 95/514/EC '31 December 1997' shall be replaced by '31 December 1999'.

Article 2

This Decision is addressed to the Member States.

Done at Brussels, 16 February 1998.

*For the Council**The President*

J. CUNNINGHAM

⁽¹⁾ OJ L 125, 11. 7. 1966, p. 2290/66. Directive as last amended by Directive 96/72/EC (OJ L 304, 27. 11. 1996, p. 10).

⁽²⁾ OJ L 125, 11. 7. 1966, p. 2298/66. Directive as last amended by Directive 96/72/EC (OJ L 304, 27. 11. 1996, p. 10).

⁽³⁾ OJ L 125, 11. 7. 1966, p. 2309/66. Directive as last amended by Directive 96/72/EC (OJ L 304, 27. 11. 1996, p. 10).

⁽⁴⁾ OJ L 169, 10. 7. 1966, p. 3. Directive as last amended by Directive 96/72/EC (OJ L 304, 27. 11. 1996, p. 10).

⁽⁵⁾ OJ L 296, 9. 12. 1995, p. 34. Decision as last amended by Decision 97/33/EC (OJ L 13, 16. 1. 1997, p. 31).

Information relating to the entry into force in the Community of the Agreement of the United Nations Economic Commission for Europe concerning the adoption of uniform technical prescriptions for wheeled vehicles, equipment and parts which can be fitted to and/or used on wheeled vehicles and the conditions for reciprocal recognition of approvals granted on the basis of these prescriptions ('Revised 1958 Agreement')⁽¹⁾

The Agreement of the United Nations Economic Commission for Europe concerning the adoption of uniform technical prescriptions for wheeled vehicles, equipment and parts which can be fitted to and/or used on wheeled vehicles and the conditions for reciprocal recognition of approvals granted on the basis of these prescriptions ('Revised 1958 Agreement') will enter into force for the Community on 24 March 1998, the procedures provided for in Article 7(3) of the Agreement having been completed on 23 January 1998.

⁽¹⁾ OJ L 346, 17. 12. 1997, p. 78.

COMMISSION

COMMISSION DECISION

of 10 February 1998

amending Decision 97/569/EC on drawing up provisional lists of third country establishments from which the Member States authorise imports of meat products

(Text with EEA relevance)

(98/163/EC)

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

Having regard to Council Decision 95/408/EC of 22 June 1995 on the conditions for drawing up, for an interim period, provisional lists of third-country establishments from which Member States are authorised to import certain products of animal origin, fishery products or live bivalve molluscs ⁽¹⁾, as amended by Decision 97/34/EC ⁽²⁾, and in particular Article 2(4) thereof,

Whereas provisional lists of establishments in third countries producing meat products have been drawn up by Commission Decision 97/569/EC ⁽³⁾, as last amended by Decision 98/9/EC ⁽⁴⁾;

Whereas Singapore, Slovenia and Switzerland have sent a list of establishments producing poultry meat products and for which the responsible authorities certify that the establishment is in accordance with the Community rules;

Whereas a provisional list of establishments producing poultry meat products can thus be drawn up for Singapore, Slovenia and Switzerland; whereas Decision 97/569/EC should therefore be amended accordingly;

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

HAS ADOPTED THIS DECISION:

Article 1

The Annex to this Decision is added to the Annex to Decision 97/569/EC.

Article 2

This Decision shall apply from 1 February 1998.

Article 3

This Decision is addressed to the Member States.

Done at Brussels, 10 February 1998.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ L 243, 11. 10. 1995, p. 17.

⁽²⁾ OJ L 13, 16. 1. 1997, p. 33.

⁽³⁾ OJ L 234, 26. 8. 1997, p. 16.

⁽⁴⁾ OJ L 3, 7. 1. 1998, p. 12.

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

**País: SINGAPUR / Land: SINGAPORE / Land: SINGAPUR / Χώρα: ΣΙΓΚΑΠΟΥΡΗ /
Country: SINGAPORE / Pays: SINGAPOUR / Paese: SINGAPORE / Land: SINGAPORE /
País: SINGAPURA / Maa: SINGAPORE / Land: SINGAPORE**

1	2	3	4	5
VPH-ME-001	Effort Holdings Pte Ltd	Singapore		PMP
VPH-ME-002	Yeo Hiap Seng Ltd	Singapore		PMP
VPH-ME-003	Amoy Canning Corporation (Singapore Ltd)	Singapore		PMP
VPH-CS-001	QB Food Trading Pte Ltd	Singapore		PMP
VPH-CS-004	Ben Foods (S) Pte Ltd	Singapore		PMP

**País: ESLOVENIA / Land: SLOVENIEN / Land: SLOWENIEN / Χώρα: ΣΛΟΒΕΝΙΑ /
Country: SLOVENIA / Pays: SLOVÉNIE / Paese: SLOVENIA / Land: SLOVENIË /
País: ESLOVÉNIA / Maa: SLOVENIA / Land: SLOVENIEN**

1	2	3	4	5
47	Droga PC Argo	Izola		PMP
71	Perutnina	Ptuj		PMP

**País: SUIZA / Land: SCHWEIZ / Land: SCHWEIZ / Χώρα: ΕΛΒΕΤΙΑ /
Country: SWITZERLAND / Pays: SUISSE / Paese: SVIZZERA / Land: ZWITSERLAND /
País: SUÍÇA / Maa: SVEITSI / Land: SCHWEIZ**

1	2	3	4	5
25	Hero Konserven	Lenzburg		PMP
38	Frisco-Findus AG	Rorschach		PMP
49	Dyna SA	Fribourg		PMP
61	Knorr AG	Thayngen		PMP
201	Gurtner AG	Trin		PMP
202	Bündner Fleisch Mani AG	Churwalden		PMP
205	Albert Spiess AG	Frauenkirch		PMP
212	SWF Fleischwaren AG	Landquart		PMP
213	Lucul SA	Payerne		PMP
214	Maggi AG	Kemptthal		PMP
215	Fleischtrocknerei Churwalden AG	Churwalden		PMP

1	2	3	4	5
216	Hügli AG	Steinach		PMP
224	Hilcona AG	Schaan		PMP
225	Haco AG	Gümligen		PMP
227	Gustav Spiess AG	Berneck		PMP
228	E. Sutter AG	Gossau		PMP
229	Kocherhans & Schär AG	Churwalden		PMP
239	Gehrig AG	Klus		PMP
242	Sirpig SA	Brusio		PMP
254	H. Ospelt Anstalt	Bendern		PMP
275	Albert Spiess AG	Schiers		PMP
288	Frigemo Produktion Chur, J. Caprez-Danuser AG	Chur		PMP
293	Salumi San Pietro SA	Stabio		PMP
294	Natura Fleischrocknerei	Tinizong		PMP
299	F. + B. Meinen	Bern		PMP
301	Pizoler AG	Sargans		PMP
302	Gautschi AG	Utzenstorf		PMP
303	Oswald AG	Steinhausen		PMP
304	Cambio Fleischwaren AG	St. Gallen		PMP
305	Morgia AG	Lyss		PMP
306	Fleischrocknerei Churwalden AG	Chur		PMP
309	Gemperli AG	St. Gallen		PMP
311	Fredag AG	Root		PMP
312	Konservenfabrik Bischofszell AG	Bischofszell		PMP
315	Möfag Mösli Fleischwaren AG	Zuzwil		PMP'

CORRIGENDA

Corrigendum to Commission Decision 97/221/EC of 28 February 1997 laying down the animal health conditions and model veterinary certificates in respect of imports of meat products from third countries and revoking Decision 91/449/EEC

(Official Journal of the European Communities L 89 of 4 April 1997)

On page 37, in the Annex, point IV(2)(a), first and third indents, last lines:

for: '... Decision 97/222/EC ...',

read: '... Decision .../.../EC ...'.
