

# Official Journal

## of the European Communities

ISSN 0378-6978

L 56

Volume 41

26 February 1998

English edition

## Legislation

### Contents

#### I Acts whose publication is obligatory

|                                                                                                                                                                                                                                                                         |    |
|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----|
| Commission Regulation (EC) No 438/98 of 25 February 1998 establishing the standard import values for determining the entry price of certain fruit and vegetables                                                                                                        | 1  |
| Commission Regulation (EC) No 439/98 of 25 February 1998 fixing the representative prices and the additional import duties for molasses in the sugar sector.....                                                                                                        | 3  |
| Commission Regulation (EC) No 440/98 of 25 February 1998 fixing the maximum export refunds for olive oil for the seventh partial invitation to tender under the standing invitation to tender issued by Regulation (EC) No 1978/97 .....                                | 5  |
| Commission Regulation (EC) No 441/98 of 25 February 1998 on a decision to make no award in respect of the 28th partial invitation to tender for white sugar issued in connection with the standing invitation to tender referred to in Regulation (EC) No 1408/97 ..... | 7  |
| ★ Commission Regulation (EC) No 442/98 of 25 February 1998 fixing certain indicative quantities for imports of bananas into the Community for the second quarter of 1998 <sup>(1)</sup> .....                                                                           | 8  |
| ★ Commission Regulation (EC) No 443/98 of 25 February 1998 on payment for certain quantities of rice taken over by the Greek intervention agency in respect of the 1996/97 marketing year .....                                                                         | 10 |
| ★ Commission Regulation (EC) No 444/98 of 25 February 1998 amending Regulation (EC) No 1162/95 laying down special detailed rules for the application of the system of import and export licences for cereals and rice                                                  | 12 |
| ★ Commission Regulation (EC) No 445/98 of 25 February 1998 on the sale, at prices fixed in advance, of beef held by certain intervention agencies, with a view to their processing in the Community .....                                                               | 15 |
| Commission Regulation (EC) No 446/98 of 25 February 1998 fixing the export refunds on olive oil .....                                                                                                                                                                   | 22 |

<sup>(1)</sup> Text with EEA relevance

## I

*(Acts whose publication is obligatory)*

**COMMISSION REGULATION (EC) No 438/98**  
**of 25 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 26 February 1998.

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

Done at Brussels, 25 February 1998.

*For the Commission*

Franz FISCHLER

*Member of the Commission*

---

<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 25 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 <sup>(1)</sup> | Standard import value | CN code                               | Third country code <sup>(1)</sup> | Standard import value |
| 0702 00 00                                        | 204                               | 57,2                  |                                       | 464                               | 115,4                 |
|                                                   | 212                               | 106,3                 |                                       | 512                               | 97,7                  |
|                                                   | 624                               | 192,3                 |                                       | 600                               | 103,0                 |
|                                                   | 999                               | 118,6                 |                                       | 624                               | 76,5                  |
| 0707 00 05                                        | 052                               | 107,4                 |                                       | 662                               | 36,2                  |
|                                                   | 053                               | 170,8                 |                                       | 999                               | 77,7                  |
|                                                   | 068                               | 103,4                 |                                       | 052                               | 47,3                  |
|                                                   | 999                               | 127,2                 |                                       | 400                               | 59,4                  |
| 0709 10 00                                        | 220                               | 159,1                 | 0805 30 10                            | 600                               | 86,6                  |
|                                                   | 999                               | 159,1                 |                                       | 999                               | 64,4                  |
| 0709 90 70                                        | 052                               | 135,9                 | 0808 10 20, 0808 10 50,<br>0808 10 90 | 060                               | 52,1                  |
|                                                   | 204                               | 129,4                 |                                       | 064                               | 42,6                  |
|                                                   | 999                               | 132,6                 |                                       | 388                               | 107,9                 |
| 0805 10 10, 0805 10 30,<br>0805 10 50             | 052                               | 58,1                  |                                       | 400                               | 92,7                  |
|                                                   | 204                               | 37,4                  |                                       | 404                               | 92,4                  |
|                                                   | 212                               | 37,9                  |                                       | 528                               | 121,3                 |
|                                                   | 600                               | 51,1                  |                                       | 720                               | 64,5                  |
|                                                   | 624                               | 48,9                  |                                       | 728                               | 96,0                  |
|                                                   | 999                               | 46,7                  |                                       | 999                               | 83,7                  |
| 0805 20 10                                        | 204                               | 78,5                  | 0808 20 50                            | 388                               | 91,9                  |
|                                                   | 999                               | 78,5                  |                                       | 400                               | 111,6                 |
|                                                   | 052                               | 62,1                  |                                       | 512                               | 73,5                  |
| 0805 20 30, 0805 20 50,<br>0805 20 70, 0805 20 90 | 204                               | 62,5                  |                                       | 528                               | 77,2                  |
|                                                   | 400                               | 68,5                  |                                       | 999                               | 88,5                  |
|                                                   |                                   |                       |                                       |                                   |                       |

<sup>(1)</sup> 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 439/98

of 25 February 1998

fixing the representative prices and the additional import duties for molasses 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 market in sugar<sup>(1)</sup>, as last amended by Regulation (EC) No 1599/96<sup>(2)</sup>,

Having regard to Commission Regulation (EC) No 1422/95 of 23 June 1995 laying down detailed rules of application for imports of molasses in the sugar sector and amending Regulation (EEC) No 785/68<sup>(3)</sup>, and in particular Articles 1 (2) and 3 (1) thereof,

Whereas Regulation (EC) No 1422/95 stipulates that the cif import price for molasses, hereinafter referred to as the 'representative price', should be set in accordance with Commission Regulation (EEC) No 785/68<sup>(4)</sup>; whereas that price should be fixed for the standard quality defined in Article 1 of the above Regulation;

Whereas the representative price for molasses is calculated at the frontier crossing point into the Community, in this case Amsterdam; whereas that price must be based on the most favourable purchasing opportunities on the world market established on the basis of the quotations or prices on that market adjusted for any deviations from the standard quality; whereas the standard quality for molasses is defined in Regulation (EEC) No 785/68;

Whereas, when the most favourable purchasing opportunities on the world market are being established, account must be taken of all available information on offers on the world market, on the prices recorded on important third-country markets and on sales concluded in international trade of which the Commission is aware, either directly or through the Member States; whereas, under Article 7 of Regulation (EEC) No 785/68, the Commission may for this purpose take an average of several prices as a basis, provided that this average is representative of actual market trends;

Whereas the information must be disregarded if the goods concerned are not of sound and fair marketable quality or if the price quoted in the offer relates only to a small quantity that is not representative of the market;

whereas offer prices which can be regarded as not representative of actual market trends must also be disregarded;

Whereas, if information on molasses of the standard quality is to be comparable, prices must, depending on the quality of the molasses offered, be increased or reduced in the light of the results achieved by applying Article 6 of Regulation (EEC) No 785/68;

Whereas a representative price may be left unchanged by way of exception for a limited period if the offer price which served as a basis for the previous calculation of the representative price is not available to the Commission and if the offer prices which are available and which appear not to be sufficiently representative of actual market trends would entail sudden and considerable changes in the representative price;

Whereas where there is a difference between the trigger price for the product in question and the representative price, additional import duties should be fixed under the conditions set out in Article 3 of Regulation (EC) No 1422/95; whereas should the import duties be suspended pursuant to Article 5 of Regulation (EC) No 1422/95, specific amounts for these duties should be fixed;

Whereas application of these provisions will have the effect of fixing the representative prices and the additional import duties for the products in question as set out in the Annex to this Regulation;

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

HAS ADOPTED THIS REGULATION:

*Article 1*

The representative prices and the additional duties applying to imports of the products referred to in Article 1 of Regulation (EC) No 1422/95 are fixed in the Annex hereto.

*Article 2*

This Regulation shall enter into force on 26 February 1998.

<sup>(1)</sup> OJ L 177, 1. 7. 1981, p. 4.

<sup>(2)</sup> OJ L 206, 16. 8. 1996, p. 43.

<sup>(3)</sup> OJ L 141, 24. 6. 1995, p. 12.

<sup>(4)</sup> OJ L 145, 27. 6. 1968, p. 12.

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

Done at Brussels, 25 February 1998.

*For the Commission*

Franz FISCHLER

*Member of the Commission*

---

*ANNEX*

**fixing the representative prices and additional import duties applying to imports of molasses in the sugar sector**

| CN code                   | Amount of the representative price in ECU per 100 kg net of the product in question | Amount of the additional duty in ECU per 100 kg net of the product in question | Amount of the duty to be applied to imports in ECU per 100 kg net of the product in question because of suspension as referred to in Article 5 of Regulation (EC) No 1422/95 <sup>(2)</sup> |
|---------------------------|-------------------------------------------------------------------------------------|--------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 1703 10 00 <sup>(1)</sup> | 7,40                                                                                | 0,00                                                                           | —                                                                                                                                                                                           |
| 1703 90 00 <sup>(1)</sup> | 9,21                                                                                | —                                                                              | 0,00                                                                                                                                                                                        |

<sup>(1)</sup> For the standard quality as defined in Article 1 of amended Regulation (EEC) No 785/68.

<sup>(2)</sup> This amount replaces, in accordance with Article 5 of Regulation (EC) No 1422/95, the rate of the Common Customs Tariff duty fixed for these products.

---

**COMMISSION REGULATION (EC) No 440/98****of 25 February 1998****fixing the maximum export refunds for olive oil for the seventh partial invitation to tender under the standing invitation to tender issued by Regulation (EC) No 1978/97**

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

Having regard to Council Regulation No 136/66/EEC of 22 September 1966 on the establishment of a common organisation of the market in oils and fats<sup>(1)</sup>, as last amended by Regulation (EC) No 1581/96<sup>(2)</sup>, and in particular Article 3 thereof,

Whereas Commission Regulation (EC) No 1978/97<sup>(3)</sup> issued a standing invitation to tender with a view to determining the export refunds on olive oil;

Whereas Article 6 of Regulation (EC) No 1978/97 provides that maximum amounts are to be fixed for the export refunds in the light in particular of the current situation and foreseeable developments on the Community and world olive-oil markets and on the basis of the tenders received; whereas contracts are awarded to any tenderer who submits a tender at the level of the maximum refund or at a lower level;

Whereas, for the purposes of applying the abovementioned provisions, the maximum export refunds should be set at the levels specified in the Annex;

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

HAS ADOPTED THIS REGULATION:

*Article 1*

The maximum export refunds for olive oil for the seventh partial invitation to tender under the standing invitation to tender issued by Regulation (EC) No 1978/97 are hereby fixed in the Annex, on the basis of the tenders submitted by 23 February 1998.

*Article 2*

This Regulation shall enter into force on 26 February 1998.

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

Done at Brussels, 25 February 1998.

*For the Commission*

Franz FISCHLER

*Member of the Commission*

<sup>(1)</sup> OJ 172, 30. 9. 1966, p. 3025/66.

<sup>(2)</sup> OJ L 206, 16. 8. 1996, p. 11.

<sup>(3)</sup> OJ L 278, 11. 10. 1997, p. 7.

*ANNEX*

to the Commission Regulation of 25 February 1998 fixing the maximum export refunds for olive oil for the seventh partial invitation to tender under the standing invitation to tender issued by Regulation (EC) No 1978/97

*(ECU/100 kg)*

| Product code    | Amount of refund |
|-----------------|------------------|
| 1509 10 90 9100 | 8,80             |
| 1509 10 90 9900 | —                |
| 1509 90 00 9100 | 7,80             |
| 1509 90 00 9900 | —                |
| 1510 00 90 9100 | —                |
| 1510 00 90 9900 | —                |

*NB:* The product codes and the footnotes are defined in amended Commission Regulation (EEC) No 3846/87.

---

## COMMISSION REGULATION (EC) No 441/98

of 25 February 1998

on a decision to make no award in respect of the 28th partial invitation to tender for white sugar issued in connection with the standing invitation to tender referred to in Regulation (EC) No 1408/97

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 organisation of the markets in the sugar sector <sup>(1)</sup>, as last amended by Regulation (EC) No 1599/96 <sup>(2)</sup>, and in particular point (b) of the second subparagraph of Article 17(5) thereof,

Whereas Commission Regulation (EC) No 1408/97 of 22 July 1997 on a standing invitation to tender in order to determine levies and/or refunds on exports of white sugar <sup>(3)</sup> requires that partial invitations to tender be issued for the export of the sugar in question; whereas, pursuant to Article 8(2) of Regulation (EC) No 1408/97 a decision may be taken to make no award in respect of a specific partial invitation to tender;

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

HAS ADOPTED THIS REGULATION:

*Article 1*

No award shall be made in respect of the 28th partial invitation to tender for white sugar issued pursuant to Regulation (EC) No 1408/97 for which the time limit for the submission of tenders expired on 25 February 1998.

*Article 2*

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

It shall apply as from 26 February 1998.

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

Done at Brussels, 25 February 1998.

*For the Commission*

Franz FISCHLER

*Member of the Commission*

<sup>(1)</sup> OJ L 177, 1. 7. 1981, p. 4.

<sup>(2)</sup> OJ L 206, 16. 8. 1996, p. 43.

<sup>(3)</sup> OJ L 194, 23. 7. 1997, p. 16.

## COMMISSION REGULATION (EC) No 442/98

of 25 February 1998

fixing certain indicative quantities for imports of bananas into the Community  
for the second quarter of 1998

(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 404/93 of 13 February 1993 on the common organisation of the market in bananas <sup>(1)</sup>, as last amended by Regulation (EC) No 3290/94 <sup>(2)</sup>, and in particular Article 20 thereof,

Whereas Article 9(1) of Commission Regulation (EEC) No 1442/93 of 10 June 1993 laying down detailed rules for the application of the arrangements for importing bananas into the Community <sup>(3)</sup>, as last amended by Regulation (EC) No 1409/96 <sup>(4)</sup>, provides for the fixing of indicative quantities expressed as a percentage of the quantities allocated to the various countries or groups of countries mentioned in Annex I to Commission Regulation (EC) No 478/95 <sup>(5)</sup>, as amended by Regulation (EC) No 702/95 <sup>(6)</sup>, for the purpose of issuing import licences for each quarter using data and forecasts relating to the Community market;

Whereas, on the basis of an analysis of the data relating on the one hand to the quantities of bananas marketed in the Community in 1997 and in particular to actual imports in particular during the second quarter, and on the other hand to the outlook for supply of the market and consumption within the Community during the second quarter of 1998, an indicative quantity should be fixed for each country of origin at 34 % of the quantity allocated to it in the tariff quota to ensure adequate supplies to the Community as a whole;

Whereas, on the basis of the same data, the authorised quantity referred to in Article 9(2) of Regulation (EEC) No 1442/93 which operators in Categories A and B can apply for in respect of the second quarter of 1998 should be fixed;

Whereas the indicative quantities provided for in Article 14(1) of Regulation (EEC) No 1442/93 for the purposes of issuing import licences for traditional imports from ACP States should also be fixed;

Whereas this Regulation must enter into force prior to the period for the submission of licence applications in respect of the second quarter of 1998;

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

HAS ADOPTED THIS REGULATION:

*Article 1*

For the Community as a whole for the second quarter of 1998, the indicative quantities provided for in Article 9(1) of Regulation (EEC) No 1442/93 for imports of bananas under the tariff quota provided for in Articles 18 and 19 of Regulation (EEC) No 404/93 shall be 34 % of the quantities laid down for each country or group of countries mentioned in Annex I to Regulation (EC) No 478/95.

The indicative quantities shall apply to import licence applications in respect of imports of bananas originating in Costa Rica, Colombia and Nicaragua from operators in Categories A and C as well as Category B.

*Article 2*

The authorised quantities for Category A and B operators for the second quarter of 1998 as provided for in Article 9(2) of Regulation (EEC) No 1442/93 shall amount to 36 % of the quantity allocated to each operator pursuant to the second paragraph of Article 6 of that Regulation.

*Article 3*

The indicative quantities provided for in Article 14(1) of Regulation (EEC) No 1442/93 for traditional ACP imports of bananas for the second quarter of 1998 shall be 31 % of the traditional quantities laid down in respect of each country in the Annex to Regulation (EEC) No 404/93.

*Article 4*

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

<sup>(1)</sup> OJ L 47, 25. 2. 1993, p. 1.

<sup>(2)</sup> OJ L 349, 31. 12. 1994, p. 105.

<sup>(3)</sup> OJ L 142, 12. 6. 1993, p. 6.

<sup>(4)</sup> OJ L 181, 20. 7. 1996, p. 13.

<sup>(5)</sup> OJ L 49, 4. 3. 1995, p. 13.

<sup>(6)</sup> OJ L 71, 31. 3. 1995, p. 84.

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

Done at Brussels, 25 February 1998.

*For the Commission*

Franz FISCHLER

*Member of the Commission*

---

**COMMISSION REGULATION (EC) No 443/98****of 25 February 1998****on payment for certain quantities of rice taken over by the Greek intervention agency in respect of the 1996/97 marketing year**

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<sup>(1)</sup>, as amended by Regulation (EC) No 192/98<sup>(2)</sup>, and in particular Article 8(b) thereof,

Whereas Article 6(2) of Regulation (EC) No 1528/96 of 30 July 1996 on the taking over of paddy rice by the intervention agencies and fixing the corrective amounts, price increases and reductions to be applied<sup>(3)</sup>, provides that the intervention agency may take over the paddy rice not at the marketing centre specified by the seller but at the place where the goods are located;

Whereas, pursuant to that provision, paddy rice was taken over and stored in Greece in the seller's warehouses; whereas in a large number of cases those goods had already been stored for several months before being taken over; whereas, for the sake of sound administration, it is justified, prior to final payment for the quantities taken over, to check the quantities in question by means of the volumetric method of measurement; whereas, on the basis of experience, a difference of the order of 6 % is admissible between the weight established during weighing and the result obtained by that method of measurement taking account of natural settling of the goods;

Whereas, as a result, payment should be made on the basis of the results obtained by the aforementioned method plus the tolerance margin; whereas, however, the seller should be given the opportunity to request payment for the weight established following weighing; whereas, in such cases, the costs arising from weighing must continue to be at the seller's expense where the weight established is lower than the quantity indicated in the written offer previously submitted to the intervention agency, taking account of the percentage loss permitted during storage; whereas additional technical measures should be adopted;

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

HAS ADOPTED THIS REGULATION:

*Article 1*

The Greek intervention agency shall make payments for the quantities of rice taken over at the seller's warehouses pursuant to Article 6(2) of Regulation (EC) No 1528/96 during the period 1 April to 30 September 1997 under the conditions laid down in this Regulation.

Prior to any payment, that agency shall assess, in accordance with the volumetric method of measurement, the quantities for which a written offer was submitted by the seller in accordance with Article 4 of Regulation (EC) No 1528/96.

*Article 2*

1. Payment shall be made for the quantity indicated in the written offer referred to in Article 1 and entered in the stock records of the storer, provided it does not exceed by more than 6 % the quantity established by the volumetric measurement method.

2. Whereas the quantity indicated in the offer and entered in the stock records of the storer is greater by more than 6 % than the quantity established by the volumetric measurement method, payment shall be made for the quantity established in accordance with that method plus 6 %.

3. However, at the request of the seller, payment shall be made for the quantity established by weighing carried out by the intervention agency.

The costs of weighing shall be borne by the seller where the weight established during this operation is less than the quantity indicated in the written offer referred to in Article 1 less the percentage of normal loss permitted

<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 190, 31. 7. 1996, p. 25.

during storage laid down in Article 2 of Regulation (EEC) No 147/91. They shall be borne by the intervention agency where the weight established is equal to the quantity indicated in the offer less than aforementioned percentage.

*Article 3*

The storer shall reimburse to the intervention agency the value of the goods and bear all costs of entry into storage, removal from storage and storage, and financing for the

shortfall in quantities in relation to the quantity purchased by the intervention agency established during subsequent weighing.

This Article shall not apply where Article 2(3) is applied.

*Article 4*

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, 25 February 1998.

*For the Commission*

Franz FISCHLER

*Member of the Commission*

---

## COMMISSION REGULATION (EC) No 444/98

of 25 February 1998

**amending Regulation (EC) No 1162/95 laying down special detailed rules for the application of the system of import and export licences for cereals and rice**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EEC) No 1766/92 of 30 June 1992 on the common organisation of the market in cereals<sup>(1)</sup>, as last amended by Commission Regulation (EC) No 923/96<sup>(2)</sup>, and in particular Articles 9(2) and 13(11) thereof,

Having regard to Council Regulation (EC) No 3072/95 of 22 December 1995 on the common organisation of the market in rice<sup>(3)</sup>, as amended by Regulation (EC) No 192/98<sup>(4)</sup>, and in particular Articles 9(2) and 13(15) thereof,

Having regard to Commission Regulation (EEC) No 3719/88 of 16 November 1988 laying down common detailed rules for the application of the system of import and export licences and advance-fixing certificates for agricultural products<sup>(5)</sup>, as last amended by Regulation (EC) No 1404/97<sup>(6)</sup>,

Whereas Article 7(1) of Commission Regulation (EC) No 1162/95 of 23 May 1995 laying down special detailed rules for the application of the system of import and export licences for cereals and rice<sup>(7)</sup>, as last amended by Regulation (EC) No 932/97<sup>(8)</sup>, fixes the period of validity of export licences *inter alia* for products falling within CN codes 1702 30, 1702 40, 1702 90 and 2106 90; whereas licences are valid until the end of the fourth month following their issue; whereas the period of validity is fixed in accordance with market needs and the requirements of efficient management;

Whereas, given the special situation on the market for certain products processed from cereals at the end of the marketing year, rules should be laid down for the issue of licences between the old and the new marketing years so as not to commit large quantities during the period prior

to the new potato and maize harvests; whereas, in order to ensure sound management of the market, it should be laid down that customs export formalities for certain export licences for certain products processed from cereals at the end of the marketing year must be completed by 30 June, either for direct export or for export under the arrangements laid down by Articles 4 and 5 of Council Regulation (EEC) No 565/80 of 4 March 1980 on the advance payment of export refunds in respect of agricultural products<sup>(9)</sup>, as amended by Regulation (EEC) No 2026/83<sup>(10)</sup>; whereas that restriction derogates from Articles 27(5) and 28(5) of Commission Regulation (EEC) No 3665/87<sup>(11)</sup>, as last amended by Regulation (EC) No 2114/97<sup>(12)</sup>; whereas the period of validity of licences during the final days of a marketing year and the first months of a new marketing year should similarly be restricted by providing for a period of validity of 30 days from the date of issue;

Whereas Article 13a of Regulation (EEC) No 3719/88 provides for the possibility of issuing licences for several products falling within the same product category provided that such a category has been established; whereas Article 4(1) and (2) of Regulation (EC) No 1162/95 provides for the issue of licences for two or more contiguous 12-digit subdivisions for certain products; whereas the Article 4 concerned should be clarified in the light of the horizontal provisions of Regulation (EEC) No 3719/88, as amended by Regulation (EC) No 1199/95<sup>(13)</sup>, by defining the categories of products referred to in Article 13a for which an identical refund is paid;

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*

Regulation (EC) No 1162/95 is hereby amended as follows:

<sup>(1)</sup> OJ L 181, 1. 7. 1992, p. 21.  
<sup>(2)</sup> OJ L 126, 24. 5. 1996, p. 37.  
<sup>(3)</sup> OJ L 329, 30. 12. 1995, p. 18.  
<sup>(4)</sup> OJ L 20, 27. 1. 1998, p. 16.  
<sup>(5)</sup> OJ L 331, 2. 12. 1988, p. 1.  
<sup>(6)</sup> OJ L 194, 23. 7. 1997, p. 5.  
<sup>(7)</sup> OJ L 117, 24. 5. 1995, p. 2.  
<sup>(8)</sup> OJ L 135, 27. 5. 1997, p. 2.

<sup>(9)</sup> OJ L 62, 7. 3. 1980, p. 5.  
<sup>(10)</sup> OJ L 199, 22. 7. 1983, p. 12.  
<sup>(11)</sup> OJ L 351, 14. 12. 1987, p. 1.  
<sup>(12)</sup> OJ L 295, 29. 10. 1997, p. 2.  
<sup>(13)</sup> OJ L 119, 30. 5. 1995, p. 4.

1. Article 4(1) is replaced by the following:

'1. Notwithstanding Article 13a of Regulation (EEC) No 3719/88, for products falling within CN codes 1101 00 15, 1102 20, 1103 11 10 and 1103 13, applications for export licences may indicate products falling within two contiguous 12-digit subdivisions of the abovementioned subheadings.

The following product categories within the meaning of Article 13a of Regulation (EEC) No 3719/88 shall apply:

category 1: 1108 11 00 9200, 1108 11 00 9300

category 2: 1108 12 00 9200, 1108 12 9300

category 3: 1108 13 00 9200, 1108 13 00 9300

category 4: 1108 19 10 9200, 1108 19 10 9300

category 5: 1702 30 51 9000, 1702 30 91 9000,  
1702 90 50 9100

category 6: 1702 30 59 9000, 1702 30 99 9000,  
1702 40 90 9000, 1702 90 50 9900,  
2106 90 55 9000.

The 12-digit subdivisions shown in applications shall appear on the export licences';

2. in the first indent of Article 4(2), 'eleven-digit code' is replaced by '12-digit code' and the following is added: 'in which case the following shall be indicated in Section 15: preparations used for animal feed covered by Regulation (EC) No 1517/95';

3. the following paragraph 1a is added to Article 7:

'1a. However, notwithstanding paragraph 1, the validity of export licences for products falling within CN codes 1702 30, 1702 40, 1702 90 and 2106 90 for which applications are submitted up until 25 June of each marketing year shall expire on 30 June. For applications submitted from 26 June of a marketing year until 30 September of the following marketing year, export licences for the abovementioned products shall be valid for 30 days from their date of issue within the meaning of Article 21(1) of Regulation (EEC) No 3719/88.

Customs export formalities for the abovementioned licences must be completed by 30 June of each marketing year for licences applied for up until 25 June. For such licences applied for between 26 June and 30 September of the following marketing year,

customs export formalities must be completed no later than 30 days following their date of issue.

Those deadlines shall also apply to the formalities referred to in Article 30 of Regulation (EEC) No 3665/87 for products placed under the arrangements laid down by Regulation (EEC) No 565/80 under those licences.

In Section 22 of those licences shall be entered one of the following:

- Limitación establecida en el apartado 1 *bis* del artículo 7 del Reglamento (CE) n° 1162/95
- Begränsning, jf. artikel 7, stk. 1a, i förordning (EF) nr. 1162/95
- Kürzung der Gültigkeitsdauer nach Artikel 7 Absatz 1a der Verordnung (EG) Nr. 1162/95
- Περιορισμός που προβλέπεται στο άρθρο 7 παράγραφος 1α του κανονισμού (ΕΚ) αριθ. 1162/95
- Limitation provided for in Article 7(1a) of Regulation (EC) No 1162/95
- Limitation prévue à l'article 7 paragraphe 1 *bis* du règlement (CE) n° 1162/95
- Limitazione prevista all'articolo 7, paragrafo 1 bis, del regolamento (CE) n. 1162/95
- Beperking als bepaald in artikel 7, lid 1 bis, van Verordening (EG) nr. 1162/95
- Limitação estabelecida no n° 1A do artigo 7º do Regulamento (CE) n° 1162/95
- Asetuksen (EY) N:o 1162/95 7 artiklan 1 a kohdassa säädetty rajoitus
- Begränsning enligt artikel 7.1a i förordning (EG) nr 1162/95.'

## Article 2

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

It shall apply to exports for which the formalities referred to in Article 3 or 25 of Regulation (EEC) No 3665/87 are completed from the date of entry into force of this Regulation.

On application from the parties concerned, to be submitted not later than 26 March 1998, Article 1(1) shall apply to exports for which the abovementioned formalities were completed from 1 July 1995.

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

Done at Brussels, 25 February 1998.

*For the Commission*

Franz FISCHLER

*Member of the Commission*

---

**COMMISSION REGULATION (EC) No 445/98****of 25 February 1998****on the sale, at prices fixed in advance, of beef held by certain intervention agencies, with a view to their processing 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 805/68 of 27 June 1968 on the common organisation of the market in beef and veal<sup>(1)</sup>, as last amended by Regulation (EC) No 2634/97<sup>(2)</sup>, and in particular Article 7(3) thereof,

Whereas the introduction of intervention in beef has resulted in a build-up of stocks in several Member states; whereas, in order to prevent storage being prolonged excessively, part of these stocks should be sold by tendering procedure for processing in the Community;

Whereas this sale should be subject to the rules laid down in Commission Regulations (EEC) No 2173/79<sup>(3)</sup>, as last amended by Regulation (EC) No 2417/95<sup>(4)</sup>, (EEC) No 3002/92<sup>(5)</sup>, as last amended by Regulation (EC) No 770/96<sup>(6)</sup>, and (EEC) No 2182/77<sup>(7)</sup>, as last amended by Regulation (EC) No 2417/95, subject to certain special exceptions on account of the particular use to which the products in question are to be put;

Whereas, in order to ensure consistent and permanent sales, Title I of Regulation (EEC) No 2173/79, in particular, should be applied;

Whereas, to ensure economic management of stocks, the intervention agencies should give priority to selling the meat which has been stored the longest;

Whereas provision should be made for derogations from the second subparagraph of Article 2(2) of Regulation (EEC) No 2173/79 in view of the administrative difficulties which the application of this rule is creating in certain Member States;

Whereas, to ensure optimum monitoring of the destination of beef from intervention stocks, control measures should be taken, in addition to the measures provided for

in Regulation (EEC) No 3002/92, which are based on physical inspection of quantities and qualities;

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

HAS ADOPTED THIS REGULATION:

*Article 1*

1. The sale shall take place of approximately:

- 400 tonnes of bone-in forequarters held by the Portuguese intervention agency,
- 3 000 tonnes of bone-in forequarters held by the German intervention agency,
- 1 000 tonnes of bone-in forequarters held by the Austrian intervention agency,
- 450 tonnes of bone-in forequarters held by the Danish intervention agency,
- 2 000 tonnes of bone-in forequarters held by the French intervention agency,
- 3 000 tonnes of bone-in forequarters held by the Italian intervention agency,
- 2 000 tonnes of bone-in forequarters held by the Spanish intervention agency,
- 400 tonnes of bone-in forequarters held by the Irish intervention agency,
- 3 000 tonnes of boneless beef held by the Irish intervention agency,
- 850 tonnes of boneless beef held by the Danish intervention agency,
- 3 000 tonnes of boneless beef held by the French intervention agency,
- 3 000 tonnes of boneless beef held by the United Kingdom intervention agency.

Detailed information concerning the products and their selling prices is given in Annex I.

2. Subject to the provisions of this Regulation the products referred to in paragraph 1 shall be sold in accordance with Regulations (EEC) No 2173/79, in particular Titles I and III, (EEC) No 2182/77 and (EEC) No 3002/92.

<sup>(1)</sup> OJ L 148, 28. 6. 1968, p. 24.

<sup>(2)</sup> OJ L 356, 31. 12. 1997, p. 13.

<sup>(3)</sup> OJ L 251, 5. 10. 1979, p. 12.

<sup>(4)</sup> OJ L 248, 14. 10. 1995, p. 39.

<sup>(5)</sup> OJ L 301, 17. 10. 1992, p. 17.

<sup>(6)</sup> OJ L 104, 27. 4. 1996, p. 13.

<sup>(7)</sup> OJ L 251, 1. 10. 1977, p. 60.

3. Particulars of the quantities and the place where the products are stored may be obtained by interested parties at the addresses given in Annex II.

4. For each product mentioned in Annex I, the intervention agencies shall sell first the meat which has been stored the longest.

5. Notwithstanding the second subparagraph of Article 2(2) of Regulation (EEC) No 2173/79, purchase applications shall not indicate in which store or stores the meat is held.

#### Article 2

1. Purchase applications shall be valid only if presented by or on behalf of a person or legal entity who, for the 12 months prior to the entry into force of this Regulation, has been engaged in the processing of products containing beef and who is entered in a national VAT register. In addition, applications must be presented by or on behalf of a processing establishment approved in accordance with Article 8 of Council Directive 77/99/EEC<sup>(1)</sup>.

For the purposes of the preceding subparagraph, a retail or catering establishment or an establishment attached to a retail sales outlet where meat is processed and put up for sale to the final consumer shall not be taken into consideration.

2. Notwithstanding Article 3(1) and (2) of Regulation (EEC) No 2182/77, applications shall be accompanied by:

— a written undertaking by the purchaser to process the meat into the products specified in Article 3 within the period referred to in Article 5(1) of Regulation (EEC) No 2182/77,

— precise details of the establishment or establishments where the meat purchased is to be processed.

3. The purchasers referred to in paragraph 1 may instruct an agent in writing to take delivery, on their behalf, of the products which they purchase. In this case agents shall submit the purchase applications of the purchaser whom they represent together with the written instruction referred to above.

4. The purchasers and agents referred to in the preceding paragraphs shall maintain and keep up-to-date an accounting system which permits the destination and use of the products to be ascertained with a view in particular to ensuring that the quantities of products purchased and processed tally.

<sup>(1)</sup> OJ L 26, 31. 1. 1977, p. 85.

#### Article 3

1. Meat purchased in accordance with this Regulation shall be processed into products which comply with the definitions for A products and B products set out in paragraphs 2 and 3 below.

2. An 'A' product means a processed product falling within CN code 1602 10 00, 1602 50 31, 1602 50 39 or 1602 50 80, not containing meat other than that of animals of the bovine species, with a collagen/protein ratio of no more than 0,45 % <sup>(2)</sup> and containing by weight at least 20 % <sup>(3)</sup> of lean meat excluding offal <sup>(4)</sup> and fat with meat and jelly accounting for at least 85 % of the total net weight.

The product must be subjected to a heat treatment sufficient to ensure the coagulation of meat proteins in the whole of the product which may not show any traces of a pinkish liquid on the cut surface when the product is cut along a line passing through its thickest part.

3. A 'B' product means a processed product containing beef, other than:

— one specified in Article 1(1)(a) of Regulation (EEC) No 805/68, or

— one referred to in paragraph 2.

However, a processed product falling within CN code 0210 20 90 which has been dried or smoked so that the colour and consistency of the fresh meat has totally disappeared and with a water/protein ratio not exceeding 3,2 shall be considered to be a B product.

#### Article 4

1. Member States shall set up a system of physical and documentary supervision to ensure that all meat is processed in accordance with Article 3.

The system must include physical checks of quantity and quality at the start of the processing, during the processing and after the processing operation is completed. To this end, processors shall at any time be able to demonstrate the identity and use of the meat through appropriate production records.

<sup>(2)</sup> Determination of collagen content: the collagen content shall be taken to mean the hydroxyproline content multiplied by the factor 8. The hydroxyproline content must be determined according to ISO method 3496-1978.

<sup>(3)</sup> The lean bovine meat content excluding fat is determined in accordance with the procedure described in the Annex to Commission Regulation (EEC) No 2429/86 (OJ L 210, 1. 8. 1986, p. 39).

<sup>(4)</sup> Offal includes the following: heads and cuts thereof (including ears), feet, tails, hearts, udders, livers, kidneys, sweetbreads (thymus gland with pancreas), brains, lungs, throats, thick skirts, spleens, tongues, caul, spinal cords, edible skin, reproductive organs (i.e. uteri, ovaries and testes), thyroid glands, pituitary glands.

Technical verification of the production method by the competent authority may, to the extent necessary, make allowance for drip losses and trimmings.

In order to verify the quality of the finished product and establish its conformity with the processor's recipe Member States shall undertake representative sampling and analysis of the product. The costs of such operations shall be borne by the processor concerned.

2. Member States may, at the request of the processor, authorise the deboning of bone-in forequarters in an establishment other than that provided for in respect of processing provided the relevant operations take place in the same Member State under appropriate supervision.

3. Article 1 of Regulation (EEC) No 2182/77 shall not apply.

#### Article 5

1. The security provided for in Article 15(1) of Regulation (EEC) No 2173/79 shall be ECU 12 per 100 kilograms.

2. The security provided for in Article 4(1) of Regulation (EEC) No 2182/77 shall be:

- ECU 1 000 for bone-in forequarters,
- ECU 1 500 for boneless beef.

3. Notwithstanding Article 5(3) of Regulation (EEC) No 2182/77, the processing of all beef purchased into finished products as referred to in Article 3 shall constitute a principal requirement.

#### Article 6

Notwithstanding Article 9 of Regulation (EEC) No 2182/77, in addition to the entries provided for in Regulation (EEC) No 3002/92:

— Section 104 of T5 control copies must be completed with one or more of the following:

- Para transformación [Reglamentos (CEE) n° 2182/77 y (CE) n° 445/98]
- Til forarbejdning (forordning (EØF) nr. 2182/77 og (EF) nr. 445/98)
- Zur Verarbeitung bestimmt (Verordnungen (EWG) Nr. 2182/77 und (EG) Nr. 445/98)
- Για μεταποίηση [κανονισμοί (ΕΟΚ) αριθ. 2182/77 και (ΕΚ) αριθ. 445/98]
- For processing (Regulations (EEC) No 2182/77 and (EC) No 445/98)
- Destinés à la transformation [règlements (CEE) n° 2182/77 et (CE) n° 445/98]
- Destinate alla trasformazione [regolamenti (CEE) n. 2182/77 e (CE) n. 445/98]
- Bestemd om te worden verwerkt (Verordeningen (EEG) nr. 2182/77 en (EG) nr. 445/98)
- Para transformação [Regulamentos (CEE) n° 2182/77 e (CE) n° 445/98]
- Jalostettavaksi (Asetukset (ETY) N:o 2182/77 ja (EY) N:o 445/98)
- För bearbetning (Förordningarna (EEG) nr 2182/77 och (EG) nr 445/98),

— Section 106 of T 5 control copies must be completed with the date of conclusion of the contract of sale.

#### Article 7

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, 25 February 1998.

*For the Commission*

Franz FISCHLER

*Member of the Commission*

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

|                |                 |                                      |                                                  |
|----------------|-----------------|--------------------------------------|--------------------------------------------------|
| Estado miembro | Productos (1)   | Cantidad aproximada (toneladas)      | Precio de venta expresado en ecus por tonelada   |
| Medlemsstat    | Produkter (1)   | Tilnærmet mængde (tons)              | Salgspriser i ECU/ton                            |
| Mitgliedstaat  | Erzeugnisse (1) | Ungefähre Mengen (Tonnen)            | Verkaufspreise, ausgedrückt in ECU/Tonne         |
| Κράτος μέλος   | Προϊόντα (1)    | Κατά προσέγγιση ποσότητα (τόνοι)     | Τιμές πώλησας εκφραζόμενες σε Ecu ανά τόνο       |
| Member State   | Products (1)    | Approximate quantity (tonnes)        | Selling prices expressed in ecus per tonne       |
| État membre    | Produits (1)    | Quantité approximative (tonnes)      | Prix de vente exprimés en écus par tonne         |
| Stato membro   | Prodotti (1)    | Quantità approssimativa (tonnellate) | Prezzi di vendita espressi in ecu per tonnellata |
| Lidstaat       | Producten (1)   | Hoeveelheid bij benadering (ton)     | Verkoopprijzen uitgedrukt in ECU per ton         |
| Estado-membro  | Produtos (1)    | Quantidade aproximada (toneladas)    | Preço de venda expresso em ecus por tonelada     |
| Jäsenvaltio    | Tuotteet (1)    | Arvioitu määrä (tonneina)            | Myyntihinta ecuina tonnilta                      |
| Medlemsstat    | Produkter (1)   | Ungefärlig kvantitet (ton)           | Försäljningspris i ecu per ton                   |

a) **Carne con hueso — Kød, ikke udbenet — Fleisch mit Knochen — Κρέατα με κόκαλα — Bone-in-beef — Viande avec os — Carni non disossate — Vlees met been — Carne com osso — Luullinen naudanliha — Kött med ben**

|             |                      |       |       |
|-------------|----------------------|-------|-------|
| DEUTSCHLAND | — Vorderviertel      | 3 000 | 1 000 |
| DANMARK     | — Forfjerdinger (A)  | 450   | 1 000 |
| ITALIA      | — Quarti anteriori   | 3 000 | 1 000 |
| IRELAND     | — Forequarters       | 400   | 1 000 |
| FRANCE      | — Quartiers avant    | 2 000 | 1 000 |
| ÖSTERREICH  | — Vorderviertel      | 1 000 | 1 000 |
| PORTUGAL    | — Quartos dianteiros | 400   | 1 000 |
| ESPAÑA      | — Cuartos delanteros | 2 000 | 1 000 |

b) **Carne deshuesada — Udbenet kød — Fleisch ohne Knochen — Κρέατα χωρίς κόκαλα — Boneless beef — Viande désossée — Carni senza osso — Vlees zonder been — Carne desossada — Luuton naudanliha — Benfritt kött**

|                |                                        |     |       |
|----------------|----------------------------------------|-----|-------|
| DANMARK        | Interventionsslag (INT 18)             | 50  | 1 300 |
|                | Interventionsbryst (INT 23)            | 800 | 1 300 |
| FRANCE         | Jarret arrière d'intervention (INT 11) | 500 | 1 450 |
|                | Flanchet d'intervention (INT 18)       | 500 | 1 300 |
|                | Jarret avant d'intervention (INT 21)   | 500 | 1 450 |
|                | Épaulé d'intervention (INT 22)         | 500 | 1 700 |
|                | Poitrine d'intervention (INT 23)       | 500 | 1 400 |
|                | Avant d'intervention (INT 24)          | 500 | 1 550 |
| UNITED KINGDOM | Intervention shank (INT 11)            | 500 | 1 200 |
|                | Intervention flank (INT 18)            | 500 | 1 000 |
|                | Intervention shin (INT 21)             | 500 | 1 200 |
|                | Intervention shoulder (INT 22)         | 500 | 1 800 |
|                | Intervention brisket (INT 23)          | 500 | 1 100 |
|                | Intervention forequarter (INT 24)      | 500 | 1 600 |
| IRELAND        | Intervention shank (INT 11)            | 500 | 1 300 |
|                | Intervention flank (INT 18)            | 500 | 1 100 |
|                | Intervention shin (INT 21)             | 500 | 1 300 |
|                | Intervention shoulder (INT 22)         | 500 | 1 500 |
|                | Intervention brisket (INT 23)          | 500 | 1 200 |
|                | Intervention forequarter (INT 24)      | 500 | 1 450 |

- 
- (<sup>1</sup>) Véanse los anexos V y VII del Reglamento (CEE) n° 2456/93 de la Comisión (DO L 225 de 4. 9. 1993, p. 4), cuya última modificación la constituye el Reglamento (CE) n° 2602/97 (DO L 351 de 23. 12. 1997, p. 20).
- (<sup>2</sup>) Se bilag V og VII til Kommissionens forordning (EØF) nr. 2456/93 (EFT L 225 af 4. 9. 1993, s. 4), senest ændret ved forordning (EF) nr. 2602/97 (EFT L 351 af 23. 12. 1997, s. 20).
- (<sup>3</sup>) Vgl. Anhänge V und VII der Verordnung (EWG) Nr. 2456/93 der Kommission (ABl. L 225 vom 4. 9. 1993, S. 4), zuletzt geändert durch die Verordnung (EG) Nr. 2602/97 (ABl. L 351 vom 23. 12. 1997, S. 20).
- (<sup>4</sup>) Βλέπε παραρτήματα V και VII του κανονισμού (ΕΟΚ) αριθ. 2456/93 της Επιτροπής (ΕΕ L 225 της 4. 9. 1993, σ. 4), όπως τροποποιήθηκε τελευταία από τον κανονισμό (ΕΚ) αριθ. 2602/97 (ΕΕ L 351 της 23. 12. 1997, σ. 20).
- (<sup>5</sup>) See Annexes V and VII to Commission Regulation (EEC) No 2456/93 (OJ L 225, 4. 9. 1993, p. 4), as last amended by Regulation (EC) No 2602/97 (OJ L 351, 23. 12. 1997, p. 20).
- (<sup>6</sup>) Voir annexes V et VII du règlement (CEE) n° 2456/93 de la Commission (JO L 225 du 4. 9. 1993, p. 4). Règlement modifié en dernier lieu par le règlement (CE) n° 2602/97 (JO L 351 du 23. 12. 1997, p. 20).
- (<sup>7</sup>) Cfr. allegati V e VII del regolamento (CEE) n. 2456/93 della Commissione (GU L 225 del 4. 9. 1993, pag. 4), modificato da ultimo dal regolamento (CE) n. 2602/97 (GU L 351 del 23. 12. 1997, pag. 20).
- (<sup>8</sup>) Zie bijlagen V en VII van Verordening (EEG) nr. 2456/93 van de Commissie (PB L 225 van 4. 9. 1993, blz. 4); laatstelijk gewijzigd bij Verordening (EG) nr. 2602/97 (PB L 351 van 23. 12. 1997, blz. 20).
- (<sup>9</sup>) Ver anexos V e VII do Regulamento (CEE) n° 2456/93 da Comissão (JO L 225 de 4. 9. 1993, p. 4). Regulamento com a última redacção que lhe foi dada pelo Regulamento (CE) n° 2602/97 (JO L 351 de 23. 12. 1997, p. 20).
- (<sup>10</sup>) Katso komission asetuksen (ETY) N:o 2456/93 (EYVL L 225, 4. 9. 1993, s. 4), sellaisena kuin se on viimeksi muutettuna asetuksella (EY) N:o 2602/97 (EYVL L 351, 23.12.1997, s. 20) liite V ja VII.
- (<sup>11</sup>) Se bilaga V och VII i kommissionens förordning (EEG) nr 2456/93 (EGT L 225, 4.9.1993, s. 4), senast ändrad genom förordning (EG) nr 2602/97 (EGT L 351, 23.12.1997, s. 20).
-

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

Direcciones de los organismos de intervención — Interventionsorganernes adresser —  
Anschriften der Interventionsstellen — Διευθύνσεις των οργανισμών παρεμβάσεως — Addresses  
of the intervention agencies — Adresses des organismes d'intervention — Indirizzi degli  
organismi d'intervento — Adressen van de interventiebureaus — Endereços dos organismos de  
intervenção — Interventioelinten osoitteet — Interventionsorganens adresser

BUNDESREPUBLIK DEUTSCHLAND

Bundesanstalt für Landwirtschaft und Ernährung (BLE)  
Postfach 180203, D-60083 Frankfurt am Main  
Adickesallee 40  
D-60322 Frankfurt am Main  
Tel.: (49) 69 1564-704/772; Telex: 411727; Telefax: (49) 69 15 64-790/791

DANMARK

Ministeriet for Fødevarer, Landbrug og Fiskeri  
EU-direktoratet  
Kampmannsgade 3  
DK-1780 København V  
Tlf. (45) 33 92 70 00; telex 151317 DK; fax (45) 33 92 69 48, (45) 33 92 69 23

ESPAÑA

FEGA (Fondo Español de Garantía Agraria)  
Beneficencia, 8  
E-28005 Madrid  
Tel.: (34 1) 347 65 00, 347 63 10; télex: FEGA 23427 E, FEGA 41818 E; fax: (34 1) 521 98 32, 522 43 87

FRANCE

OFIVAL  
80, avenue des Terroirs-de-France  
F-75607 Paris Cedex 12  
Téléphone: (33 1) 44 68 50 00; télex: 215330; télécopieur: (33 1) 44 68 52 33

ITALIA

AIMA (Azienda di Stato per gli interventi nel mercato agricolo)  
Via Palestro 81  
I-00185 Roma  
Tel. 49 49 91; telex: 61 30 03; telefax: 445 39 40/445 19 58

IRELAND

Department of Agriculture, Food and Forestry  
Agriculture House  
Kildare Street  
IRL-Dublin 2  
Tel. (01) 678 90 11, ext. 2278 and 3806  
Telex 93292 and 93607, telefax (01) 661 62 63, (01) 678 52 14 and (01) 662 01 98

ÖSTERREICH

AMA-Agrarmarkt Austria  
Dresdner Straße 70  
A-1201 Wien  
Tel.: (431) 33 15 12 20; Telefax: (431) 33 15 12 97

## PORTUGAL

Instituto Nacional de Intervenção e Garantia Agrícola  
Rua Fernando Curado Ribeiro, nº 4-G  
P-1600 Lisboa  
Tel.: (351-1) 751 85 00; telefax: (351-1) 751 86 15

## UNITED KINGDOM

Intervention Board Executive Agency  
Kings House  
33 Kings Road  
Reading RG1 3BU  
Berkshire  
Tel. (01189) 58 36 26  
Fax (01189) 56 67 50

---

**COMMISSION REGULATION (EC) No 446/98**  
**of 25 February 1998**  
**fixing the export refunds on olive oil**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation No 136/66/EEC of 22 September 1966 on the establishment of a common organization of the market in oils and fats<sup>(1)</sup>, as last amended by Regulation (EC) No 1581/96<sup>(2)</sup>, and in particular Article 3 (3) thereof,

Whereas Article 3 of Regulation No 136/66/EEC provides that, where prices within the Community are higher than world market prices, the difference between these prices may be covered by a refund when olive oil is exported to third countries;

Whereas the detailed rules for fixing and granting export refunds on olive oil are contained in Commission Regulation (EEC) No 616/72<sup>(3)</sup>, as last amended by Regulation (EEC) No 2962/77<sup>(4)</sup>;

Whereas Article 3 (3) of Regulation No 136/66/EEC provides that the refund must be the same for the whole Community;

Whereas, in accordance with Article 3 (4) of Regulation No 136/66/EEC, the refund for olive oil must be fixed in the light of the existing situation and outlook in relation to olive oil prices and availability on the Community market and olive oil prices on the world market; whereas, however, where the world market situation is such that the most favourable olive oil prices cannot be determined, account may be taken of the price of the main competing vegetable oils on the world market and the difference recorded between that price and the price of olive oil during a representative period; whereas the amount of the refund may not exceed the difference between the price of olive oil in the Community and that on the world market, adjusted, where appropriate, to take account of export costs for the products on the world market;

Whereas, in accordance with Article 3 (3) third indent, point (b) of Regulation No 136/66/EEC, it may be decided that the refund shall be fixed by tender; whereas the tendering procedure should cover the amount of the

refund and may be limited to certain countries of destination, quantities, qualities and presentations;

Whereas the second indent of Article 3 (3) of Regulation No 136/66/EEC provides that the refund on olive oil may be varied according to destination where the world market situation or the specific requirements of certain markets make this necessary;

Whereas the refund must be fixed at least once every month; whereas it may, if necessary, be altered in the intervening period;

Whereas it follows from applying these detailed rules to the present situation on the market in olive oil and in particular to olive oil prices within the Community and on the markets of third countries that the refund should be as set out in the Annex hereto;

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

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

HAS ADOPTED THIS REGULATION:

*Article 1*

The export refunds on the products listed in Article 1 (2) (c) of Regulation No 136/66/EEC shall be as set out in the Annex hereto.

*Article 2*

This Regulation shall enter into force on 26 February 1998.

<sup>(1)</sup> OJ 172, 30. 9. 1966, p. 3025/66.

<sup>(2)</sup> OJ L 206, 16. 8. 1996, p. 11.

<sup>(3)</sup> OJ L 78, 31. 3. 1972, p. 1.

<sup>(4)</sup> OJ L 348, 30. 12. 1977, p. 53.

<sup>(5)</sup> OJ L 387, 31. 12. 1992, p. 1.

<sup>(6)</sup> OJ L 22, 31. 1. 1995, p. 1.

<sup>(7)</sup> OJ L 108, 1. 5. 1993, p. 106.

<sup>(8)</sup> OJ L 188, 27. 7. 1996, p. 22.

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

Done at Brussels, 25 February 1998.

*For the Commission*  
Franz FISCHLER  
*Member of the Commission*

---

*ANNEX*

**to the Commission Regulation of 25 February 1998 fixing the export refunds on olive oil**  
(*ECU/100 kg*)

| Product code    | Amount of refund <sup>(1)</sup> |
|-----------------|---------------------------------|
| 1509 10 90 9100 | 5,50                            |
| 1509 10 90 9900 | 0,00                            |
| 1509 90 00 9100 | 4,00                            |
| 1509 90 00 9900 | 0,00                            |
| 1510 00 90 9100 | 0,00                            |
| 1510 00 90 9900 | 0,00                            |

<sup>(1)</sup> For destinations mentioned in Article 34 of amended Commission Regulation (EEC) No 3665/87 (OJ L 351, 14. 12. 1987, p 1), as well as for exports to third countries.

*NB:* The product codes and the footnotes are defined in amended Commission Regulation (EEC) No 3846/87.

---