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## Legislation

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## I

*(Acts whose publication is obligatory)*

**COMMISSION REGULATION (EC) No 764/98**  
**of 7 April 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 Commis-

sion fixes the standard values for imports from third countries, in respect of the products and periods stipulated in the Annex thereto;

Whereas, in compliance with the above criteria, the standard import values must be fixed at the levels set out in the Annex to this Regulation,

HAS ADOPTED THIS REGULATION:

*Article 1*

The standard import values referred to in Article 4 of Regulation (EC) No 3223/94 shall be fixed as indicated in the Annex hereto.

*Article 2*

This Regulation shall enter into force on 8 April 1998.

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

Done at Brussels, 7 April 1998.

*For the Commission*

Franz FISCHLER

*Member of the Commission*

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

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

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

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

## ANNEX

to the Commission Regulation of 7 April 1998 establishing the standard import values for determining the entry price of certain fruit and vegetables

(ECU/100 kg)

| CN code                            | Third country code <sup>(1)</sup> | Standard import value |
|------------------------------------|-----------------------------------|-----------------------|
| 0702 00 00                         | 204                               | 90,6                  |
|                                    | 212                               | 108,5                 |
|                                    | 624                               | 190,6                 |
|                                    | 999                               | 129,9                 |
| 0707 00 05                         | 052                               | 112,5                 |
|                                    | 999                               | 112,5                 |
| 0709 10 00                         | 220                               | 174,9                 |
|                                    | 999                               | 174,9                 |
| 0709 90 70                         | 052                               | 101,9                 |
|                                    | 204                               | 98,6                  |
|                                    | 999                               | 100,3                 |
| 0805 10 10, 0805 10 30, 0805 10 50 | 052                               | 57,9                  |
|                                    | 204                               | 37,1                  |
|                                    | 212                               | 47,1                  |
|                                    | 600                               | 46,7                  |
|                                    | 624                               | 49,1                  |
|                                    | 999                               | 47,6                  |
| 0805 30 10                         | 600                               | 67,9                  |
|                                    | 999                               | 67,9                  |
| 0808 10 20, 0808 10 50, 0808 10 90 | 052                               | 44,7                  |
|                                    | 060                               | 43,9                  |
|                                    | 388                               | 92,7                  |
|                                    | 400                               | 95,8                  |
|                                    | 404                               | 99,6                  |
|                                    | 508                               | 86,5                  |
|                                    | 512                               | 90,7                  |
|                                    | 524                               | 83,9                  |
|                                    | 528                               | 75,5                  |
|                                    | 720                               | 65,8                  |
|                                    | 804                               | 108,7                 |
|                                    | 999                               | 80,7                  |
| 0808 20 50                         | 388                               | 71,1                  |
|                                    | 508                               | 73,1                  |
|                                    | 512                               | 67,0                  |
|                                    | 528                               | 92,3                  |
|                                    | 999                               | 75,9                  |

<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 765/98

of 7 April 1998

## re-establishing the preferential customs duty on imports of uniflorous (standard) carnations originating in Israel

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EEC) No 4088/87 of 21 December 1987 fixing conditions for the application of preferential customs duties on imports of certain flowers originating in Cyprus, Israel, Jordan and Morocco and the West Bank and the Gaza Strip <sup>(1)</sup>, as last amended by Regulation (EC) No 1300/97 <sup>(2)</sup>, and in particular Article 5 (2) (b) thereof,

Whereas Regulation (EEC) No 4088/87 fixes conditions for the application of a preferential customs duty on large-flowered roses, small-flowered roses, uniflorous (bloom) carnations and multiflorous (spray) carnations within the limit of tariff quotas opened annually for imports of fresh cut flowers into the Community;

Whereas Council Regulation (EC) No 1981/94 <sup>(3)</sup>, as last amended by Commission Regulation (EC) No 650/98 <sup>(4)</sup>, opens and provides for the administration of Community tariff quotas for certain products originating in Algeria, Cyprus, Egypt, Israel, Jordan, Malta, Morocco, the West Bank and the Gaza Strip, Tunisia and Turkey, and providing detailed rules for extending and adapting these tariff quotas;

Whereas Commission Regulation (EC) No 658/98 <sup>(5)</sup> fixed Community producer and import prices for carnations and roses for application of the arrangements for importation from the countries in question;

Whereas Commission Regulation (EEC) No 700/88 <sup>(6)</sup>, as last amended by Regulation (EC) No 2062/97 <sup>(7)</sup>, laid down detailed rules for the application of these arrangements;

Whereas the representative market rates defined in Article 1 of Council Regulation (EEC) No 3813/92 <sup>(8)</sup>, as amended by Regulation (EC) No 150/95 <sup>(9)</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>(10)</sup>, as amended by Regulation (EC) No 1482/96 <sup>(11)</sup>;

Whereas the preferential customs duty fixed for uniflorous (standard) carnations originating in Israel by Regulation (EC) No 1981/94 was suspended by Commission Regulation (EC) No 659/98 <sup>(12)</sup>;

Whereas on the basis of price recordings made as specified in Regulations (EEC) No 4088/87 and (EEC) No 700/88 it must be concluded that the requirement for reintroduction of the preferential customs duty laid down in Article 2 (4) of Regulation (EEC) No 4088/87 is met for uniflorous (standard) carnations originating in Israel; whereas the preferential customs duty should be reintroduced;

Whereas in between meetings of the Management Committee, the Commission must adopt such measures,

HAS ADOPTED THIS REGULATION:

*Article 1*

1. For imports of uniflorous (standard) carnations (CN codes ex 0603 10 13 and ex 0603 10 53) originating in Israel the preferential customs duty set by Regulation (EC) No 1981/94 is reintroduced.

2. Regulation (EC) No 659/98 is hereby repealed.

*Article 2*

This Regulation shall enter into force on 8 April 1998.

<sup>(1)</sup> OJ L 382, 31. 12. 1987, p. 22.

<sup>(2)</sup> OJ L 177, 5. 7. 1997, p. 1.

<sup>(3)</sup> OJ L 199, 2. 8. 1994, p. 1.

<sup>(4)</sup> OJ L 88, 24. 3. 1998, p. 8.

<sup>(5)</sup> OJ L 90, 25. 3. 1998, p. 32.

<sup>(6)</sup> OJ L 72, 18. 3. 1988, p. 16.

<sup>(7)</sup> OJ L 289, 22. 10. 1997, p. 1.

<sup>(8)</sup> OJ L 387, 31. 12. 1992, p. 1.

<sup>(9)</sup> OJ L 22, 31. 1. 1995, p. 1.

<sup>(10)</sup> OJ L 108, 1. 5. 1993, p. 106.

<sup>(11)</sup> OJ L 188, 27. 7. 1996, p. 22.

<sup>(12)</sup> OJ L 90, 25. 3. 1998, p. 34.

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

Done at Brussels, 7 April 1998.

*For the Commission*

Franz FISCHLER

*Member of the Commission*

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**COMMISSION REGULATION (EC) No 766/98**  
**of 7 April 1998**

**fixing Community producer and import prices for carnations and roses with a view to the application of the arrangements governing imports of certain floricultural products originating in Cyprus, Israel, Jordan, Morocco and the West Bank and the Gaza Strip**

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

Having regard to Council Regulation (EEC) No 4088/87 of 21 December 1987 fixing conditions for the application of preferential customs duties on imports of certain flowers originating in Cyprus, Israel, Jordan, Morocco and the West Bank and the Gaza Strip <sup>(1)</sup>, as last amended by Regulation (EC) No 1300/97 <sup>(2)</sup>, and in particular Article 5 (2) (a) thereof,

Whereas, pursuant to Article 2 (2) and Article 3 of above-mentioned Regulation (EEC) No 4088/87, Community import and producer prices are fixed each fortnight for uniflorous (bloom) carnations, multiflorous (spray) carnations, large-flowered roses and small-flowered roses and apply for two-weekly periods; whereas, pursuant to Article 1b of Commission Regulation (EEC) No 700/88 of 17 March 1988 laying down detailed rules for the application of the arrangements for the import into the Community of certain floricultural products originating in Cyprus, Israel, Jordan, Morocco and the West Bank and the Gaza Strip <sup>(3)</sup>, as last amended by Regulation (EC) No 2062/

97 <sup>(4)</sup>, those prices are determined for fortnightly periods on the basis of weighted prices provided by the Member States; whereas those prices should be fixed immediately so the customs duties applicable can be determined; whereas, to that end, provision should be made for this Regulation to enter into force immediately,

HAS ADOPTED THIS REGULATION:

*Article 1*

The Community producer and import prices for uniflorous (bloom) carnations, multiflorous (spray) carnations, large-flowered roses and small-flowered roses as referred to in Article 1b of Regulation (EEC) No 700/88 for a fortnightly period shall be as set out in the Annex.

*Article 2*

This Regulation shall enter into force on 8 April 1998.

It shall apply from 8 to 21 April 1998.

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

Done at Brussels, 7 April 1998.

*For the Commission*

Franz FISCHLER

*Member of the Commission*

<sup>(1)</sup> OJ L 382, 31. 12. 1987, p. 22.

<sup>(2)</sup> OJ L 177, 5. 7. 1997, p. 1.

<sup>(3)</sup> OJ L 72, 18. 3. 1988, p. 16.

<sup>(4)</sup> OJ L 289, 22. 10. 1997, p. 1.

## ANNEX

*(ECU/100 pieces)*

| Period from 8 to 21 April 1998 |                               |                                 |                      |                      |
|--------------------------------|-------------------------------|---------------------------------|----------------------|----------------------|
| Community producer price       | Uniflorous (bloom) carnations | Multiflorous (spray) carnations | Large-flowered roses | Small-flowered roses |
|                                | 11,68                         | 10,23                           | 27,37                | 14,27                |
| Community import prices        | Uniflorous (bloom) carnations | Multiflorous (spray) carnations | Large-flowered roses | Small-flowered roses |
| Israel                         | 10,91                         | 10,94                           | 12,31                | 10,88                |
| Morocco                        | 15,85                         | 14,20                           | —                    | —                    |
| Cyprus                         | —                             | —                               | —                    | —                    |
| Jordan                         | —                             | —                               | —                    | —                    |
| West Bank and Gaza Strip       | —                             | —                               | —                    | —                    |

## COMMISSION REGULATION (EC) No 767/98

of 7 April 1998

amending Regulation (EC) No 939/97 laying down detailed rules concerning the implementation of Council Regulation (EC) No 338/97 on the protection of species of wild fauna and flora by regulating trade therein

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EC) No 338/97 of 9 December 1996 on the protection of species of wild fauna and flora by regulating trade therein<sup>(1)</sup>, as amended by Commission Regulation (EC) No 938/97<sup>(2)</sup>, and in particular Article 19, point 4, thereof,

Whereas the 10th meeting of the Conference of the Parties to the Convention on International Trade in Endangered Species of Wild Fauna and Flora, held in Harare, Zimbabwe, from 9 to 20 June 1997, adopted — with the support of the Member States that are Parties to the Convention — a number of resolutions and decisions that have direct relevance to the implementation of Regulation (EC) No 338/97; whereas it is therefore appropriate to amend certain provisions of Commission Regulation (EC) No 939/97<sup>(3)</sup>;

Whereas recommendation V.c) of Resolution Conf. 10.2, on permits and certificates, makes it necessary to amend Article 8(2) of Regulation (EC) No 939/97 in order to extend from six to 12 months the period during which certificates of origin for species listed in Appendix III to the Convention can be used for introduction of specimens into the Community;

Whereas Resolution Conf. 10.16, which further defines the definitions and conditions applicable to specimens of animal species bred in captivity, necessitates the insertion of certain definitions in Article 1 and the replacement of Article 24 of the said Regulation;

Whereas recommendation g) of Resolution Conf. 10.13, on the implementation of the Convention for timber species, extends the scope of the term ‘artificially propagated’ and necessitates an amendment to Article 26 of the said Regulation;

Whereas recommendation e) of Resolution Conf. 10.12, on the conservation of sturgeons, makes it necessary to amend Articles 27 and 28 of the said Regulation in order

to implement the recommended exemption from controls of a maximum of 250 grams of caviar (re-)exported from or introduced into the Community as personal effects;

Whereas a Conference decision with regard to the use of units of measurement for timber specimens necessitates adaptation of Annex V to the said Regulation;

Whereas Resolution Conf. 10.22 updates the adopted list of standard nomenclatural references, which makes it necessary to replace Annex VI to the said Regulation;

Whereas the measures provided for in this Regulation are in accordance with the opinion of the Committee on Trade in Wild Fauna and Flora,

HAS ADOPTED THIS REGULATION:

*Article 1*

Regulation (EC) No 939/97 is hereby amended as follows:

1. Article 1 is replaced by the following:

*‘Article 1*

For the purposes of this Regulation and in addition to the definitions in Article 2 of Regulation (EC) No 338/97:

- (a) “date of acquisition” shall mean the date on which a specimen was taken from the wild, born in captivity or artificially propagated;
- (b) “first-generation offspring (F1)” shall mean specimens produced in a controlled environment from parents at least one of which was conceived in or taken from the wild;
- (c) “second-generation offspring (F2)” and “subsequent generation offspring (F3, F4, etc.)” shall mean specimens produced in a controlled environment from parents that were also produced in a controlled environment;
- (d) “breeding stock” shall mean all the animals in a breeding operation that are used for reproduction;

<sup>(1)</sup> OJ L 61, 3. 3. 1997, p. 1.

<sup>(2)</sup> OJ L 140, 30. 5. 1997, p. 1.

<sup>(3)</sup> OJ L 140, 30. 5. 1997, p. 9.

(e) "a controlled environment" shall mean an environment that is manipulated for the purpose of producing animals of a particular species, that has boundaries designed to prevent animals, eggs or gametes of the species from entering or leaving the controlled environment, and the general characteristics of which may include but are not limited to: artificial housing, waste removal, health care, protection from predators and the artificial supply of food.;

2. the following subparagraph is added to Article 8(2):

'However, certificates of origin for specimens of species listed in Annex C to Regulation (EC) No 338/97 may be used for introduction into the Community until 12 months from their date of issue.;

3. Article 24 is replaced by the following:

#### *Article 24*

Without prejudice to Article 25, a specimen of an animal species shall only be considered to be born and bred in captivity when a competent scientific authority of the Member State concerned is satisfied that:

- (a) it is, or is derived from, the offspring born or otherwise produced in a controlled environment either of parents that mated or had gametes otherwise transferred in a controlled environment, if reproduction is sexual, or of parents that were in a controlled environment when development of the offspring began, if reproduction is asexual;
- (b) the breeding stock was established in accordance with the legal provisions applicable to it at the time of acquisition and in a manner not detrimental to the survival of the species concerned in the wild;
- (c) the breeding stock is maintained without the introduction of specimens from the wild, except for the occasional addition of animals, eggs or gametes, in accordance with the legal provisions applicable and in a manner not detrimental to the survival of the species concerned in the wild:
  - (i) to prevent or alleviate deleterious inbreeding, with the magnitude of such addition determined by the need for new genetic material;
  - (ii) to dispose of confiscated animals in accordance with Article 16(3) of Regulation (EC) No 338/97; or
  - (iii) exceptionally, for use as breeding stock;
- (d) the breeding stock has itself produced second or subsequent generation offspring in a controlled

environment, or is managed in a manner that has been demonstrated to be capable of reliably producing second-generation offspring in a controlled environment.;

4. the following subparagraph is added to Article 26:

'Timber taken from trees grown in monospecific plantations shall be considered as being artificially propagated in accordance with the first subparagraph.;

5. the following paragraph is added to Article 27:

'4. By way of derogation from paragraphs 2 and 3, the introduction or reintroduction into the Community of a maximum of 250 grams per person of caviar of the sturgeon species (*Acipenseriformes* spp.) listed in Annex B to Regulation (EC) No 338/97 shall not require the presentation of an import permit or a (re-)export document.;

6. the following paragraph is added to Article 28:

'3. By way of derogation from paragraphs 1 and 2, the export or re-export of a maximum of 250 grams per person of caviar of the sturgeon species (*Acipenseriformes* spp.) listed in Annex B to Regulation (EC) No 338/97 shall not require the presentation of an import permit or a (re-)export document.;

7. Annex V is amended as follows:

- (a) the entry in the column 'Preferred units' for saw-logs and sawn wood is replaced by:

'm<sup>3</sup>/kg (use kg only in the case of special purpose timbers traded by weight rather than by volume, e.g. *Guaiacum* spp.);

- (b) the entry in the column 'Preferred units' for veneer is replaced by:

'm<sup>3</sup> for rotary veneer, m<sup>2</sup> for sliced veneer';

8. Annex VI is replaced by the Annex to this Regulation:

#### *Article 2*

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

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

Done at Brussels, 7 April 1998.

*For the Commission*

Ritt BJERREGAARD

*Member of the Commission*

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## ANNEX

## ‘ANNEX VI

**Standard references for nomenclature to be used pursuant to Article 4(3)(c) to indicate scientific names of species in permits and certificates**

- (a) *Mammal species of the world: A taxonomic and geographic reference*, 2nd edition, (edited by D. E. Wilson and D. M. Reeder, 1993, Smithsonian Institution Press) for mammalian nomenclature
- (b) *A reference list of the birds of the world* (J. J. Morony, W. J. Bock and J. Farrand Jr, 1975, American Museum of Natural History) for order and family level names for birds
- (c) *Distribution and taxonomy of birds of the world* (C. G. Sibley and B. L. Monroe Jr, 1990, Yale University Press) and *A supplement to Distribution and taxonomy of birds of the world* (Sibley and Monroe, 1993; Yale University Press) for the genus and species names of birds
- (d) *Reptiles del noroeste, nordeste y este de la Argentina — Herpetofauna de las selvas subtropicales, puna y pampa*, 1993 (Cei, José M. In Monografie XIV, Museo Regionale di Scienze Naturali), for the species names of the genus *Tupinambis* found in Argentina and Paraguay
- (e) *Snake species of the world: A taxonomic and geographic reference: Volume 1* (Campbell, McDiamid and Touré, 1997), published under the auspices of the Herpetologists' League, for the nomenclature of snakes
- (f) *Amphibian species of the world: A taxonomic and geographic reference* (D. R. Frost, 1985, Allen Press and The Association of Systematics Collections) and *Amphibian species of the world: Additions and corrections* (W. E. Duellman, 1993, University of Kansas) for amphibian nomenclature until the second edition of the former reference has been published
- (g) *The plant book*, reprinted edition, (D. J. Mabberley, 1990, Cambridge University Press) for the generic names of all CITES plants, unless they are superseded by standard checklists adopted by the Conference of the Parties as referenced below in paragraphs (i) to (m)
- (h) *A dictionary of flowering plants and ferns*, 8th edition, (J. C. Willis, revised by H. K. Airy Shaw, 1973, Cambridge University Press) for generic synonyms not mentioned in *The Plant Book*, unless they are superseded by standard checklists adopted by the Conference of the Parties as referenced below in paragraphs (i) to (m)
- (i) *A world list of cycads* (D. W. Stevenson, R. Osborne and K. D. Hill, 1995; In: P. Vorster (Ed.), Proceedings of the Third International Conference on Cycad Biology, pp. 55-64, Cycad Society of South Africa, Stellenbosch) and its updates accepted by the Nomenclature Committee, as a guideline when making reference to names of species of Cycadaceae, Stangeriaceae and Zamiaceae
- (j) *The bulb checklist* (1997, compiled by the Royal Botanic Gardens, Kew, United Kingdom) and its updates accepted by the Nomenclature Committee, as a guideline when making reference to the names of species of *Cyclamen* (Primulaceae) and *Galanthus* and *Sternbergia* (Liliaceae)
- (k) *The CITES checklist of succulent euphorbia taxa* (Euphorbiaceae) (1997, published by the German Federal Agency for Nature Conservation) and its updates accepted by the Nomenclature Committee, as a guideline when making reference to the names of species of succulent euphorbias
- (l) *CITES Cactaceae Checklist*, second edition (1997, compiled by D. Hunt, Royal Botanic Gardens, Kew, United Kingdom) and its updates accepted by the Nomenclature Committee, as a guideline when making references to names of species of Cactaceae
- (m) *CITES orchid checklist*, (compiled by the Royal Botanic Gardens, Kew, United Kingdom) and its updates accepted by the Nomenclature Committee, as a guideline when making reference to the names of species of *Cattleya*, *Cypripedium*, *Laelia*, *Paphiopedilum*, *Phalaenopsis*, *Phragmipedium*, *Pleione* and *Sophranitis* (Volume I, 1995) and *Cymbidium*, *Dendrobium*, *Disa*, *Dracula* and *Encyclia* (Volume 2, 1997)

**COMMISSION REGULATION (EC) No 768/98**  
**of 7 April 1998**  
**on the issue of import licences for garlic originating in China**

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

Having regard to Council Regulation (EC) No 2200/96 of 28 October 1996 on the common organisation of the market in fruit and vegetables <sup>(1)</sup>, as amended by Commission Regulation (EC) No 2520/97 <sup>(2)</sup>,

Having regard to Council Regulation (EC) No 903/97 of 21 May 1997 concerning a protective measure applicable to imports of garlic from China <sup>(3)</sup>, and in particular Article 1(3) thereof,

Whereas pursuant to Commission Regulation (EEC) No 1859/93 <sup>(4)</sup>, as amended by Regulation (EC) No 1662/94 <sup>(5)</sup>, the release for free circulation in the Community of garlic imported from third countries is subject to presentation of an import licence;

Whereas Article 1(1) of Regulation (EC) No 903/97, restricts the issue of import licences for garlic originating in China to a maximum monthly quantity in the case of applications lodged from 1 June 1997 to 31 May 1998;

Whereas, given the criteria laid down in Article 1(2) of that Regulation and the import licences already issued, the quantity applied for on 3 April 1998 is in excess of

the maximum monthly quantity given in the Annex to that Regulation for the month of April 1998; whereas it is therefore necessary to determine to what extent import licences may be issued in response to these applications; whereas the issue of licences in response to applications lodged after 3 April 1998 and before 5 May 1998 should be refused,

HAS ADOPTED THIS REGULATION:

*Article 1*

Import licences applied for on 3 April 1998 pursuant to Article 1 of Regulation (EEC) No 1859/93 for garlic falling within CN code 0703 20 00 originating in China shall be issued for 0,04934 % of the quantity applied for, having regard to the information available to the Commission on 7 April 1998.

For the abovementioned products applications for import licences lodged after 3 April 1998 and before 5 May 1998 shall be refused.

*Article 2*

This Regulation shall enter into force on 8 April 1998.

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

Done at Brussels, 7 April 1998.

*For the Commission*

Franz FISCHLER

*Member of the Commission*

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

<sup>(2)</sup> OJ L 346, 17. 12. 1997, p. 41.

<sup>(3)</sup> OJ L 130, 22. 5. 1997, p. 6.

<sup>(4)</sup> OJ L 170, 13. 7. 1993, p. 10.

<sup>(5)</sup> OJ L 176, 9. 7. 1994, p. 1.

**COMMISSION REGULATION (EC) No 769/98****of 7 April 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 <sup>(1)</sup>, as last amended by Regulation (EC) No 213/98 <sup>(2)</sup>, and in particular Article 5 (5) thereof,

Whereas Commission Regulation (EC) No 520/98 <sup>(3)</sup> 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 7 April 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 520/98, export declarations for which are accepted after 7 April and before 20 May 1998, are hereby rejected.

*Article 2*

This Regulation shall enter into force on 8 April 1998.

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

Done at Brussels, 7 April 1998.

*For the Commission*

Franz FISCHLER

*Member of the Commission*

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<sup>(1)</sup> OJ L 292, 15. 11. 1996, p. 12.

<sup>(2)</sup> OJ L 22, 29. 1. 1998, p. 8.

<sup>(3)</sup> OJ L 66, 6. 3. 1998, p. 8.

## COMMISSION REGULATION (EC) No 770/98

of 7 April 1998

temporarily suspending the issuing of export licences for certain milk products and determining what proportion of the amounts covered by pending applications for export licences may be allocated

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

HAS ADOPTED THIS REGULATION:

Having regard to the Treaty establishing the European Community,

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

Having regard to Commission Regulation (EC) No 1466/95 of 27 June 1995 laying down special detailed rules of application for export refunds on milk and milk products <sup>(3)</sup>, as last amended by Regulation (EC) No 705/98 <sup>(4)</sup>, and in particular Article 8 (3) thereof,

Whereas the market in certain milk products is currently subject to uncertainty; whereas licence applications of a speculative nature should be avoided which may lead to distortions of competition between operators and potentially disrupt the continuity of exports of these products for the remainder of the period in question; whereas the issue of export licences for the products involved should be temporarily suspended, and licences for some of these products should not be issued in respect of applications pending,

*Article 1*

1. The issue of export licences for milk products referred to in Annex I is hereby suspended for the period 8 to 14 April 1998, excluding licences for destination '970'.
2. Licences shall be issued for milk products referred to in Annex II for which applications submitted on 1 April 1998 are still pending and against which licences would have been issued from 8 April 1998.
3. Licences shall not be issued for milk products referred to in Annex II for which applications submitted after 2 April 1998 are still pending and against which licences would have been issued from 9 April 1998.
4. No licences shall be issued for milk products referred to in Annex III for which applications submitted after 1 April 1998 are still pending and against which licences would have been issued from 8 April 1998.

*Article 2*

This Regulation shall enter into force on 8 April 1998.

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

Done at Brussels, 7 April 1998.

*For the Commission*

Franz FISCHLER

*Member of the Commission*

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

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

<sup>(3)</sup> OJ L 144, 28. 6. 1995, p. 22.

<sup>(4)</sup> OJ L 98, 31. 3. 1998, p. 6.

## ANNEX I

| Product code    | Product code    | Product code    | Product code    |
|-----------------|-----------------|-----------------|-----------------|
| 0401 10 10 9000 | 0402 21 99 9700 | 0402 99 39 9300 | 0404 90 23 9917 |
| 0401 10 90 9000 | 0402 21 99 9900 | 0402 99 39 9500 | 0404 90 23 9919 |
| 0401 20 11 9100 | 0402 29 15 9200 | 0402 99 91 9000 | 0404 90 23 9931 |
| 0401 20 11 9500 | 0402 29 15 9300 | 0402 99 99 9000 | 0404 90 23 9933 |
| 0401 20 19 9100 | 0402 29 15 9500 | 0403 10 11 9400 | 0404 90 23 9935 |
| 0401 20 19 9500 | 0402 29 15 9900 | 0403 10 11 9800 | 0404 90 23 9937 |
| 0401 20 91 9100 | 0402 29 19 9200 | 0403 10 13 9800 | 0404 90 23 9939 |
| 0401 20 91 9500 | 0402 29 19 9300 | 0403 10 19 9800 | 0404 90 29 9110 |
| 0401 20 99 9100 | 0402 29 19 9500 | 0403 10 31 9400 | 0404 90 29 9115 |
| 0401 20 99 9500 | 0402 29 19 9900 | 0403 10 31 9800 | 0404 90 29 9120 |
| 0401 30 11 9100 | 0402 29 91 9100 | 0403 10 33 9800 | 0404 90 29 9130 |
| 0401 30 11 9400 | 0402 29 91 9500 | 0403 10 39 9800 | 0404 90 29 9135 |
| 0401 30 11 9700 | 0402 29 99 9100 | 0403 90 11 9000 | 0404 90 29 9150 |
| 0401 30 19 9100 | 0402 29 99 9500 | 0403 90 13 9200 | 0404 90 29 9160 |
| 0401 30 19 9400 | 0402 91 11 9110 | 0403 90 13 9300 | 0404 90 29 9180 |
| 0401 30 19 9700 | 0402 91 11 9120 | 0403 90 13 9500 | 0404 90 81 9100 |
| 0401 30 31 9100 | 0402 91 11 9310 | 0403 90 13 9900 | 0404 90 81 9910 |
| 0401 30 31 9400 | 0402 91 11 9350 | 0403 90 19 9000 | 0404 90 81 9950 |
| 0401 30 31 9700 | 0402 91 11 9370 | 0403 90 31 9000 | 0404 90 83 9110 |
| 0401 30 39 9100 | 0402 91 19 9110 | 0403 90 33 9200 | 0404 90 83 9130 |
| 0401 30 39 9400 | 0402 91 19 9120 | 0403 90 33 9300 | 0404 90 83 9150 |
| 0401 30 39 9700 | 0402 91 19 9310 | 0403 90 33 9500 | 0404 90 83 9170 |
| 0401 30 91 9100 | 0402 91 19 9350 | 0403 90 33 9900 | 0404 90 83 9911 |
| 0401 30 91 9400 | 0402 91 19 9370 | 0403 90 39 9000 | 0404 90 83 9913 |
| 0401 30 91 9700 | 0402 91 31 9100 | 0403 90 51 9100 | 0404 90 83 9915 |
| 0401 30 99 9100 | 0402 91 31 9300 | 0403 90 51 9300 | 0404 90 83 9917 |
| 0401 30 99 9400 | 0402 91 39 9100 | 0403 90 53 9000 | 0404 90 83 9919 |
| 0401 30 99 9700 | 0402 91 39 9300 | 0403 90 59 9110 | 0404 90 83 9931 |
| 0402 21 11 9200 | 0402 91 51 9000 | 0403 90 59 9140 | 0404 90 83 9933 |
| 0402 21 11 9300 | 0402 91 59 9000 | 0403 90 59 9170 | 0404 90 83 9935 |
| 0402 21 11 9500 | 0402 91 91 9000 | 0403 90 59 9310 | 0404 90 83 9937 |
| 0402 21 11 9900 | 0402 91 99 9000 | 0403 90 59 9340 | 0404 90 89 9130 |
| 0402 21 17 9000 | 0402 99 11 9110 | 0403 90 59 9370 | 0404 90 89 9150 |
| 0402 21 19 9300 | 0402 99 11 9130 | 0403 90 59 9510 | 0404 90 89 9930 |
| 0402 21 19 9500 | 0402 99 11 9150 | 0403 90 59 9540 | 0404 90 89 9950 |
| 0402 21 19 9900 | 0402 99 11 9310 | 0403 90 59 9570 | 0404 90 89 9990 |
| 0402 21 91 9100 | 0402 99 11 9330 | 0403 90 61 9100 | 2309 10 70 9100 |
| 0402 21 91 9200 | 0402 99 11 9350 | 0403 90 61 9300 | 2309 10 70 9200 |
| 0402 21 91 9300 | 0402 99 19 9110 | 0403 90 63 9000 | 2309 10 70 9300 |
| 0402 21 91 9400 | 0402 99 19 9130 | 0403 90 69 9000 | 2309 10 70 9500 |
| 0402 21 91 9500 | 0402 99 19 9150 | 0404 90 21 9100 | 2309 10 70 9600 |
| 0402 21 91 9600 | 0402 99 19 9310 | 0404 90 21 9910 | 2309 10 70 9700 |
| 0402 21 91 9700 | 0402 99 19 9330 | 0404 90 21 9950 | 2309 10 70 9800 |
| 0402 21 91 9900 | 0402 99 19 9350 | 0404 90 23 9120 | 2309 90 70 9100 |
| 0402 21 99 9100 | 0402 99 31 9110 | 0404 90 23 9130 | 2309 90 70 9200 |
| 0402 21 99 9200 | 0402 99 31 9150 | 0404 90 23 9140 | 2309 90 70 9300 |
| 0402 21 99 9300 | 0402 99 31 9300 | 0404 90 23 9150 | 2309 90 70 9500 |
| 0402 21 99 9400 | 0402 99 31 9500 | 0404 90 23 9911 | 2309 90 70 9600 |
| 0402 21 99 9500 | 0402 99 39 9110 | 0404 90 23 9913 | 2309 90 70 9700 |
| 0402 21 99 9600 | 0402 99 39 9150 | 0404 90 23 9915 | 2309 90 70 9800 |

## ANNEX II

| Product code    | Product code    | Product code    | Product code    |
|-----------------|-----------------|-----------------|-----------------|
| 0401 30 31 9100 | 0402 29 15 9900 | 0403 90 11 9000 | 0404 90 29 9135 |
| 0401 30 31 9400 | 0402 29 19 9200 | 0403 90 13 9200 | 0404 90 29 9150 |
| 0401 30 31 9700 | 0402 29 19 9300 | 0403 90 13 9300 | 0404 90 29 9160 |
| 0401 30 39 9100 | 0402 29 19 9500 | 0403 90 13 9500 | 0404 90 29 9180 |
| 0401 30 39 9400 | 0402 29 19 9900 | 0403 90 13 9900 | 0404 90 81 9100 |
| 0401 30 39 9700 | 0402 29 91 9100 | 0403 90 19 9000 | 0404 90 81 9910 |
| 0401 30 91 9100 | 0402 29 91 9500 | 0403 90 31 9000 | 0404 90 81 9950 |
| 0401 30 91 9400 | 0402 29 99 9100 | 0403 90 33 9200 | 0404 90 83 9110 |
| 0401 30 91 9700 | 0402 29 99 9500 | 0403 90 33 9300 | 0404 90 83 9130 |
| 0401 30 99 9100 | 0402 99 11 9110 | 0403 90 33 9500 | 0404 90 83 9150 |
| 0401 30 99 9400 | 0402 99 11 9130 | 0403 90 33 9900 | 0404 90 83 9170 |
| 0401 30 99 9700 | 0402 99 11 9150 | 0403 90 39 9000 | 0404 90 83 9911 |
| 0402 21 11 9200 | 0402 99 11 9310 | 0403 90 59 9310 | 0404 90 83 9913 |
| 0402 21 11 9300 | 0402 99 11 9330 | 0403 90 59 9340 | 0404 90 83 9915 |
| 0402 21 11 9500 | 0402 99 11 9350 | 0403 90 59 9370 | 0404 90 83 9917 |
| 0402 21 11 9900 | 0402 99 19 9110 | 0403 90 59 9510 | 0404 90 83 9919 |
| 0402 21 17 9000 | 0402 99 19 9130 | 0403 90 59 9540 | 0404 90 83 9931 |
| 0402 21 19 9300 | 0402 99 19 9150 | 0403 90 59 9570 | 0404 90 83 9933 |
| 0402 21 19 9500 | 0402 99 19 9310 | 0404 90 21 9100 | 0404 90 83 9935 |
| 0402 21 19 9900 | 0402 99 19 9330 | 0404 90 21 9910 | 0404 90 83 9937 |
| 0402 21 91 9100 | 0402 99 19 9350 | 0404 90 21 9950 | 0404 90 89 9130 |
| 0402 21 91 9200 | 0402 99 31 9110 | 0404 90 23 9120 | 0404 90 89 9150 |
| 0402 21 91 9300 | 0402 99 31 9150 | 0404 90 23 9130 | 0404 90 89 9930 |
| 0402 21 91 9400 | 0402 99 31 9300 | 0404 90 23 9140 | 0404 90 89 9950 |
| 0402 21 91 9500 | 0402 99 31 9500 | 0404 90 23 9150 | 0404 90 89 9990 |
| 0402 21 91 9600 | 0402 99 39 9110 | 0404 90 23 9911 | 2309 10 70 9100 |
| 0402 21 91 9700 | 0402 99 39 9150 | 0404 90 23 9913 | 2309 10 70 9200 |
| 0402 21 91 9900 | 0402 99 39 9300 | 0404 90 23 9915 | 2309 10 70 9300 |
| 0402 21 99 9100 | 0402 99 39 9500 | 0404 90 23 9917 | 2309 10 70 9500 |
| 0402 21 99 9200 | 0402 99 91 9000 | 0404 90 23 9919 | 2309 10 70 9600 |
| 0402 21 99 9300 | 0402 99 99 9000 | 0404 90 23 9931 | 2309 10 70 9700 |
| 0402 21 99 9400 | 0403 10 11 9400 | 0404 90 23 9933 | 2309 10 70 9800 |
| 0402 21 99 9500 | 0403 10 11 9800 | 0404 90 23 9935 | 2309 90 70 9100 |
| 0402 21 99 9600 | 0403 10 13 9800 | 0404 90 23 9937 | 2309 90 70 9200 |
| 0402 21 99 9700 | 0403 10 19 9800 | 0404 90 23 9939 | 2309 90 70 9300 |
| 0402 21 99 9900 | 0403 10 31 9400 | 0404 90 29 9110 | 2309 90 70 9500 |
| 0402 29 15 9200 | 0403 10 31 9800 | 0404 90 29 9115 | 2309 90 70 9600 |
| 0402 29 15 9300 | 0403 10 33 9800 | 0404 90 29 9120 | 2309 90 70 9700 |
| 0402 29 15 9500 | 0403 10 39 9800 | 0404 90 29 9130 | 2309 90 70 9800 |

*ANNEX III*

| Product code    | Product code    | Product code    | Product code    |
|-----------------|-----------------|-----------------|-----------------|
| 0401 10 10 9000 | 0401 30 11 9400 | 0402 91 19 9120 | 0402 91 99 9000 |
| 0401 10 90 9000 | 0401 30 11 9700 | 0402 91 19 9310 | 0403 90 51 9100 |
| 0401 20 11 9100 | 0401 30 19 9100 | 0402 91 19 9350 | 0403 90 51 9300 |
| 0401 20 11 9500 | 0401 30 19 9400 | 0402 91 19 9370 | 0403 90 53 9000 |
| 0401 20 19 9100 | 0401 30 19 9700 | 0402 91 31 9100 | 0403 90 59 9110 |
| 0401 20 19 9500 | 0402 91 11 9110 | 0402 91 31 9300 | 0403 90 59 9140 |
| 0401 20 91 9100 | 0402 91 11 9120 | 0402 91 39 9100 | 0403 90 59 9170 |
| 0401 20 91 9500 | 0402 91 11 9310 | 0402 91 39 9300 | 0403 90 61 9100 |
| 0401 20 99 9100 | 0402 91 11 9350 | 0402 91 51 9000 | 0403 90 61 9300 |
| 0401 20 99 9500 | 0402 91 11 9370 | 0402 91 59 9000 | 0403 90 63 9000 |
| 0401 30 11 9100 | 0402 91 19 9110 | 0402 91 91 9000 | 0403 90 69 9000 |