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I

(Acts whose publication is obligatory)

COUNCIL REGULATION (EC) No 851/98**of 20 April 1998****amending Regulation (EC) No 1628/96 relating to aid for Bosnia and Herzegovina, Croatia, the Federal Republic of Yugoslavia and the former Yugoslav Republic of Macedonia**

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty establishing the European Community, and in particular Article 235 thereof,

Having regard to the proposal from the Commission ⁽¹⁾,

Having regard to the opinion of the European Parliament ⁽²⁾,

Whereas Regulation (EC) No 1628/96 ⁽³⁾ deals with economic development, the restoration of civil society and cooperation between the Republics of former Yugoslavia in accordance with the regional approach, as well as with repair work and the renovation of infrastructure whilst pressing ahead with political and economic reforms;

Whereas, given the exceptional circumstances in the countries covered by this Regulation, the need for more flexible procedures is recognized in order for the Commission to accelerate implementation of projects under Regulation (EC) No 1628/96, in order thereby to deliver more efficiently the assistance of the Community to this region; whereas the Commission has declared its intention to increase the effectiveness of reconstruction aid in Bosnia and Herzegovina and to speed up implementation of aid programmes for the return of refugees and displaced persons, by appointing a delegate with special authority who would assume responsibility locally for all Commission activities in this field, enjoy largely autonomous powers to act and take decisions and be assisted by a strong management team and supported by specially recruited technical assistance and monitoring teams;

Whereas a disparity persists between the amount of appropriations made available by the budgetary authority and the unsatisfactory level of implementation owing to an inadequate legislative framework, which results in a lack of visibility for the European Union, the biggest donor;

Whereas Article 9 of Regulation (EC) No 1628/96 provides that service contracts not exceeding ECU 200 000 may be awarded by private treaty, and it is considered that the circumstances in the region justify specific provisions for the award of technical assistance contracts not exceeding ECU 400 000 by private treaty, especially for technical support and monitoring of projects;

Whereas, according to Article 116 of the Financial Regulation, works and supply contracts may be awarded by geographically or otherwise restricted tendering procedures in certain exceptional situations and subject to certain conditions;

Whereas most of the infrastructure projects by their very nature have a strong local component justifying, for reasons of speed and efficiency, award procedures limited to one of the beneficiary countries;

Whereas the particular characteristics of the local market may not allow recourse to this procedure or if this procedure does not lead to the award of a contract, a private treaty with international contractors could be justified;

Whereas projects facilitating the return of refugees should benefit from restricted tendering procedures in order to shorten the delays to a strict minimum;

Whereas in these circumstances and in the context of this Regulation, Article 116 of the Financial Regulation may in particular be applied by the Commission to the above cases;

⁽¹⁾ OJ C 100, 2. 4. 1998, p. 21.

⁽²⁾ Opinion delivered on 2 April 1998 (not yet published in Official Journal).

⁽³⁾ OJ L 204, 14. 8. 1996, p. 1. Regulation as amended by Regulation (EC) No 2240/97 (OJ L 307, 12. 11. 1997, p. 1).

Whereas Article 10 of Regulation (EC) No 1628/96 provides that financing decisions exceeding ECU 2 million need approval of the Committee provided for in Article 12 of the said Regulation; whereas this amount has to be increased to ECU 5 million in order to increase expediency;

Whereas there should be coherence between the approach of the Council and that of the Commission, and therefore, Community assistance should be implemented in close cooperation between the Council and the Commission, and in this respect, close coordination between the Council and the Commission, and when appropriate with the High Representative, is desirable to establish a common view on the fulfilment of commitments under the peace agreements and/or towards regional stability;

Whereas it is of particular importance that, when the Commission provides assistance, after consultation with the Central Government and the High Representative, by way of financial agreements and in the form of programmes and cooperation schemes, to regional and local government bodies including municipalities, the Commission is also assisted by the Committee referred to in Article 12 of Regulation (EC) No 1628/96;

Whereas, insofar as the High Representative exercises the functions of the Central Government in accordance with the powers accorded to him, he shall be eligible for such assistance;

Whereas, in order to increase transparency of Community aid and to ensure that the greatest possible synergies are achieved between the Community's projects and those of the Member States in the context of the objective of decentralization, regular meetings should be held locally between the Commission and representatives of the Member States, to consult, exchange information and coordinate activities,

HAS ADOPTED THIS REGULATION:

Article 1

Regulation (EC) No 1628/96 is amended as follows:

1. the following sentence shall be added to Article 9:

'When service contracts take the form of technical assistance, they may be awarded by private treaty for operations not exceeding ECU 400 000 especially to prepare, monitor or evaluate Community aid.'

2. the following Article shall be inserted:

Article 9a

In the context of this Regulation, Article 116 of the Financial Regulation may in particular be applied by the Commission in the following cases:

- works contracts not exceeding ECU 3 million, as well as supply contracts not exceeding ECU 1 million, may be awarded by procedures limited to one of the beneficiary countries covered by this Regulation, and in cases of contracts exceeding ECU 400 000, subject to prior publication or information on a local basis,
- in extraordinary circumstances, where the particular characteristics of the local market do not allow recourse to the procedures referred to in the first indent or where these procedures do not lead to the award of a contract, works contracts not exceeding ECU 3 million and supply contracts not exceeding ECU 1 million may be awarded by private treaty to natural or legal persons in accordance with Article 9 of this Regulation,
- works contracts, aimed at facilitating the return of refugees, rebuilding infrastructure and other individual or collective facilities damaged in the fighting, or the integration or reintegration of refugees, displaced persons and former soldiers into working life, exceeding ECU 3 million and not exceeding ECU 10 million, may be awarded by restricted invitations to tender.'

3. Article 10 shall be amended as follows:

(a) paragraph 1 shall be replaced by the following:

'1. Financing decisions exceeding ECU 5 million shall be adopted in accordance with the procedure provided for in Article 12(2). The Committee provided for in Article 12 shall be informed of projects involving financing of ECU 5 million or less; as far as projects between ECU 2 million and 5 million are concerned, the Committee provided for in Article 12 shall be informed in advance. It should, in particular, receive prior information and be fully informed as regards contracts awarded under the procedures referred to in the second indent of Article 9a. The Commission shall provide, on a monthly basis, a list of all legal and natural persons having benefited from contracts awarded by the Commission under this Regulation.

The Commission shall provide information and consult regularly, at a monthly conference held locally with representatives of the Member States in the recipient countries, on proposed projects and shall coordinate them with the relevant programmes of the Member States.'

(b) the following paragraph shall be added:

'3. The procedures referred to in the first paragraph of this Article, as well as in Article 12(2), shall also apply when the Commission provides assistance to regional and local government bodies directly eligible for Community assistance by way

of financial agreements and in the form of contributions to programmes and cooperation schemes as referred to in Article 4. The Commission should do so after consultation with the Central Government as well as, in the case of Bosnia, the High Representative. Such assistance may also be provided to the High Representative, insofar as he exercises the functions of the Central Government in Bosnia in accordance with the powers accorded to him.';

4. in Article 13 the following paragraph shall be added:

'4. The Commission will invite once per year, and for the first time not later than one month after the adoption of this Regulation, by publication in the Official Journal and via the Internet, expressions of interest from eligible natural or legal persons wishing to

participate in the implementation of Community assistance under this Regulation. Expressions of interest shall be registered in a database which shall be kept up to date and which shall form part of the information resources which the Commission shall consult before awarding contracts.'

Article 2

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

It shall apply until 31 December 1999.

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

Done at Luxembourg, 20 April 1998.

For the Council

The President

J. CUNNINGHAM

COMMISSION REGULATION (EC) No 852/98
of 23 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 ⁽¹⁾, as last amended by Regulation (EC) No 2375/96 ⁽²⁾, and in particular Article 4 (1) thereof,

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

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

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

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

HAS ADOPTED THIS REGULATION:

Article 1

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

Article 2

This Regulation shall enter into force on 24 April 1998.

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

Done at Brussels, 23 April 1998.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ L 337, 24. 12. 1994, p. 66.

⁽²⁾ OJ L 325, 14. 12. 1996, p. 5.

⁽³⁾ OJ L 387, 31. 12. 1992, p. 1.

⁽⁴⁾ OJ L 22, 31. 1. 1995, p. 1.

ANNEX

to the Commission Regulation of 23 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 ⁽¹⁾	Standard import value
0702 00 00	204	142,0
	212	108,8
	999	125,4
0709 90 70	052	99,6
	999	99,6
0805 10 10, 0805 10 30, 0805 10 50	052	72,9
	204	33,0
	212	59,7
	400	58,2
	600	47,9
	624	47,3
	999	53,2
	600	67,7
	999	67,7
0808 10 20, 0808 10 50, 0808 10 90	060	45,1
	388	90,5
	400	96,7
	404	101,6
	504	83,1
	508	84,3
	512	80,4
	524	71,7
	528	82,8
	616	97,8
	720	146,0
	804	110,5
	999	90,9
	388	70,8
	512	72,8
0808 20 50	528	91,1
	804	137,2
	999	93,0

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

**COMMISSION REGULATION (EC) No 853/98
of 23 April 1998**

**amending and correcting Regulation (EC) No 546/98 laying down detailed rules
for the application in 1998 of the arrangements applicable to imports laid down
in Council Decision 97/831/EC as regards certain beef and veal products**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Decision 97/831/EC of 27 November 1997 concerning the conclusion of a Cooperation Agreement between the European Community and the former Yugoslav Republic of Macedonia ⁽¹⁾,

Having regard to Council Regulation (EC) No 77/98 of 9 January 1998 on certain procedures for applying the Cooperation Agreement between the European Community and the former Yugoslav Republic of Macedonia ⁽²⁾, and in particular Article 1 thereof,

Whereas Commission Regulation (EC) No 546/98 ⁽³⁾ provides for imports of certain live animals of the bovine species and of certain beef and veal products; whereas Article 2 of that Regulation lays down active trade in beef and veal as the only criterion for access to that quota; whereas that criterion should accordingly be extended to trade in live animals of the bovine species;

Whereas Article 3(3) of Regulation (EC) No 546/98 provides that applications for import rights can be lodged until 13 March 1998 only; whereas Regulation (EC) No 546/98 came into force on 14 March 1998 only, i.e. after the deadline for the submission of applications; whereas new dates should be set for the submission of applications for import rights and their notification to the Commission;

Whereas Regulation (EC) No 546/98 provides for the awarding of import rights expressed in carcase weight; whereas those rights can be used to import live animals and beef or veal; whereas, as far as imports of live animals are concerned, for reasons of controls live animals must be expressed in head and in liveweight on licence applications and licences and Article 5(4) of that Regulation should be adapted accordingly;

Whereas the German and Danish language versions of Regulation (EC) No 546/98 diverge significantly on a

series of points from those in the other official languages of the Community; whereas the necessary corrections should accordingly be made to the German and Danish language versions of the Regulation;

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

Regulation (EC) No 546/98 is hereby amended as follows:

1. In Article 2, the words 'and/or live animals of the bovine species' are added after 'in trade in beef and veal'.
2. In Article 3:
 - (a) paragraph 3 is replaced by the following:

'3. Applications for import rights may be submitted until 27 April 1998.'
 - (b) the first subparagraph of paragraph 5 is replaced by the following:

'5. The Member States shall notify the Commission of applications submitted for imported rights by the fifth working day following the deadline for submission. Notification shall consist of a list of applicants and the quantities applied for.'
3. In Article 5:
 - (a) the following point is added to paragraph 3:

'(c) in Section 17, in addition to the number of animals, the relevant liveweight, which must correspond to part or all of the import rights allocated to the operator.'
 - (b) paragraph 4 is replaced by the following:

'4. Notwithstanding Article 8(4) of Regulation (EEC) No 3719/88, the total duties laid down in the Common Customs Tariff applicable on the date of release for free circulation shall be collected on that part of the weight exceeding that indicated in the import licence.'

⁽¹⁾ OJ L 348, 18. 12. 1997, p. 1.

⁽²⁾ OJ L 8, 14. 1. 1998, p. 1.

⁽³⁾ OJ L 72, 11. 3. 1998, p. 8.

Article 2

Concerns the German version only.

Article 3

Concerns the Danish version only.

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, 23 April 1998.

For the Commission

Franz FISCHLER

Member of the Commission

COMMISSION REGULATION (EC) No 854/98**of 23 April 1998****fixing the advance on the aid for oranges for the 1997/98 marketing year**

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

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

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

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

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

Whereas, in accordance with Article 23(2)(c) of the above-mentioned Regulation, the advance on the aid for oranges may not be paid before 15 April 1998; whereas this Regulation should apply from that date;

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

HAS ADOPTED THIS REGULATION:

Article 1

For the 1997/98 marketing year, the advance on the aid for oranges provided for in Article 14(2) of Regulation (EC) No 1169/97 shall amount to 37 % of the aid fixed in the Annex to Regulation (EC) No 2202/96.

Article 2

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

It shall apply from 15 April 1998.

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

Done at Brussels, 23 April 1998.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ L 297, 21. 11. 1996, p. 49.

⁽²⁾ OJ L 169, 27. 6. 1997, p. 15.

COMMISSION REGULATION (EC) No 855/98
of 23 April 1998
amending Regulation (EC) No 1556/96 introducing a system of import licences
for certain fruit and vegetables imported from third countries

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⁽¹⁾, as last amended by Commission Regulation (EC) No 2520/97⁽²⁾, and in particular Article 31(2) and Article 48 thereof,

Whereas, in order to obtain more detailed knowledge of trade in certain sensitive products, Commission Regulation (EC) No 1556/96⁽³⁾, as last amended by Regulation (EC) No 1064/97⁽⁴⁾, introduces a system of import licences, without prejudice to its replacement by a rapid computerised procedure for recording imports; whereas a trial of such a procedure has shown that the period for comparing the two systems must be extended;

Whereas the procedure must include notification by the Member States at fixed intervals of the quantities of sensitive products in question released for free circulation; whereas current legislation, i.e. Article 308(d) of Commission Regulation (EEC) No 2454/93 of 2 July 1993 laying down provisions for the implementation of Council Regulation (EEC) No 2913/92 establishing the Community Customs Code⁽⁵⁾, as last amended by Regulation (EC) No 75/98⁽⁶⁾, only provides for such notification for the purposes of the surveillance of preferential imports; whereas those provisions must be extended to the sensitive products in question; whereas such an extension will ensure the reliability of the trial and permit its results to be assessed;

Whereas, for the purposes of the trial, data may be notified on a weekly basis; whereas, for the sake of simplification, the same frequency can be applied to the current import licence arrangements;

Whereas an analysis of the trial is to be conducted no later than six months after this Regulation is implemented so as to allow a final decision to be taken regarding the replacement of the import licence arrangements by the abovementioned rapid computerised procedure for recording imports;

Whereas the measures provided for in this Regulation are in accordance with the opinion of the Management Committee for Fresh Fruit and Vegetables,

HAS ADOPTED THIS REGULATION:

Article 1

Regulation (EC) No 1556/96 is hereby amended as follows:

1. The second subparagraph of Article 5(1) is replaced by the following:

‘That information shall be sent not later than 12 noon (Brussels time) every Wednesday in respect of applications lodged during the preceding week.’

2. The following Article is inserted after Article 5:

‘Article 5(a)

The Member States shall notify the Commission of the quantities of the products referred to in the Annex hereto released for free circulation during the periods referred to in that Annex in accordance with the provisions of Article 308(d) of Regulation (EEC) No 2454/93 relating to the surveillance of preferential imports.

That information shall be sent not later than 12 noon (Brussels time) every Wednesday in respect of quantities released for free circulation during the preceding week.’

Article 2

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

It shall apply from 1 May 1998.

⁽¹⁾ OJ L 297, 21. 11. 1996, p. 1.

⁽²⁾ OJ L 346, 17. 12. 1997, p. 41.

⁽³⁾ OJ L 193, 3. 8. 1996, p. 5.

⁽⁴⁾ OJ L 156, 13. 6. 1997, p. 3.

⁽⁵⁾ OJ L 253, 11. 10. 1993, p. 1.

⁽⁶⁾ OJ L 7, 13. 1. 1998, p. 3.

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

Done at Brussels, 23 April 1998.

For the Commission

Franz FISCHLER

Member of the Commission

COMMISSION REGULATION (EC) No 856/98

of 23 April 1998

amending Annexes I, II, III, V, VII, VIII and IX of Council Regulation (EEC) No 3030/93 on common rules for imports of certain textile products from third countries

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EEC) No 3030/93 of 12 October 1993 on common rules for imports of certain textile products from third countries⁽¹⁾, as last amended by Commission Regulation (EC) No 339/98⁽²⁾, and in particular Article 19 in conjunction with Article 17 thereof,

Whereas, some errors in the Customs Nomenclature for category 76 have occurred in the last updating of Annex I (list of textile products), which need to be corrected;

Whereas the Council has decided by Decision of 18 December 1997⁽³⁾ to apply on a provisional basis additional protocols to the Free Trade and Europe Agreements with the Republic of Latvia and the Republic of Lithuania concerning trade in textiles;

Whereas the Council has decided by Decision of 18 December 1997⁽⁴⁾ to apply on a provisional basis the agreement in the form of an exchange of letters amending the agreement between the European Community and the Socialist Republic of Vietnam on trade in textile and clothing products initialled on 15 December 1992, as last amended by the agreement in the form of an exchange of letters initialled on 1 August 1995;

Whereas the Council has decided by Decision of 18 December 1997⁽⁵⁾ to apply on a provisional basis the Memorandum of Understanding between the European Community and the Arab Republic of Egypt on trade in textile products;

Whereas, following Mongolia's accession to the WTO and the termination of application of quantitative restrictions on one category of products originating in that country, it is necessary to establish provisions reflecting the maintenance of double-checking arrangements on that category of products;

Whereas, following a request from European industry, it is appropriate to establish quantitative limits for 1998 on re-importation into the Community of certain textile

products (categories 159 and 161) originating in the People's Republic of China after outward processing operations in that country; whereas direct imports of textile products falling within categories 159 and 161 are subject to the quantitative limits laid down in Article 2 of Regulation (EEC) No 3030/93;

Whereas all the above elements make it necessary to amend the relevant portions of Annexes I, II, III, V, VII, VIII and IX to Regulation (EEC) No 3030/93 to take into account the changes introduced applicable on the importation into the Community of certain textile products originating in certain third countries within the meaning of Article 19 of Regulation (EEC) No 3030/93;

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

HAS ADOPTED THIS REGULATION:

Article 1

Regulation (EEC) No 3030/93 is amended as follows:

1. Annex I is amended as indicated in Annex I to this Regulation.
2. Annex II is replaced by Annex II to this Regulation.
3. In Annex III, Article 28 is replaced by the following text:

'Article 28

1. The export licence referred to in Articles 11 and 19 and the certificate of origin may include additional copies duly indicated as such. They shall be made out in English, French or Spanish.
2. If the documents referred to above are completed by hand, entries must be in ink and in block letters.
3. In the export licences or equivalent documents and certificates of origin shall measure 210 × 297 mm. The paper shall be white writing paper, sized, not containing mechanical pulp⁽⁶⁾ and weighing not less than 25 g/m². Each part shall have a printed guilloché pattern background making any falsification by mechanical or chemical means apparent to the eye⁽⁷⁾.

⁽¹⁾ OJ L 275, 8. 11. 1993, p. 1.

⁽²⁾ OJ L 45, 16. 2. 1998, p. 1.

⁽³⁾ OJ L 41, 13. 2. 1998, p. 81.

⁽⁴⁾ OJ L 41, 13. 2. 1998, p. 12.

⁽⁵⁾ OJ L 41, 13. 2. 1998, p. 1.

⁽⁶⁾ This is not obligatory for Hong Kong.

⁽⁷⁾ This is not obligatory for Hong Kong and Egypt.

4. Only the original shall be accepted by the competent authorities in the Community as being valid for import purposes in accordance with the provisions of this Regulation.

5. Each export licence or equivalent document and the certificate of origin shall bear a standardised serial number, whether or not printed, by which it can be identified⁽¹⁾.

6. This number shall be composed of the following elements⁽²⁾:

— two letters identifying the exporting country as follows:

— Argentina	= AR
— Armenia	= AM
— Azerbaijan	= AZ
— Bangladesh	= BD
— Belarus	= BY
— Brazil	= BR
— China	= CN
— Egypt	= EG
— Estonia	= EE
— Former Yugoslav Republic of Macedonia	= 96
— Georgia	= GE
— Hong Kong	= HK
— India	= IN
— Indonesia	= ID
— Kazakhstan	= KZ
— Kyrgyzstan	= KG
— Latvia	= LV
— Lithuania	= LT
— Macao	= MO
— Malaysia	= MY
— Moldova	= MD
— Mongolia	= MN
— Pakistan	= PK
— Peru	= PE
— Philippines	= PH
— Singapore	= SG
— South Korea	= KR
— Sri Lanka	= LK
— Taiwan	= TW
— Tajikistan	= TJ
— Thailand	= TH
— Turkmenistan	= TM
— Ukraine	= UA
— United Arab Emirates	= AE
— Uruguay	= UY

— Uzbekistan = UZ

— Vietnam = VN

— two letters identifying the intended Member State of destination as follows:

— AT	= Austria
— BL	= Benelux
— DE	= Federal Republic of Germany
— DK	= Denmark
— EL	= Greece
— ES	= Spain
— FI	= Finland
— FR	= France
— GB	= United Kingdom
— IE	= Ireland
— IT	= Italy
— PT	= Portugal
— SE	= Sweden

— a one-digit number identifying the quota year or the year under which exports were recorded, in the case of products listed in Table A of this Annex, corresponding to the last figure in the year in question, e.g. "5" for 1995. In the case of products originating in the People's Republic of China listed in Appendix C to Annex V this number should be "1" for the year 1995, "2" for the year 1996, "3" for the year 1997 and so on,

— a two-digit number identifying the issuing office in the exporting country,

— a five-digit number running consecutively from 00001 to 99999 allocated to the specific Member State of destination.'

4. Table A to Annex III is replaced by Annex III to this Regulation.

5. The specimen of the certificate of Hong Kong origin appended to Annex III is replaced by the specimen in Annex IV to this Regulation.

6. The specimen of the Hong Kong export licence appended to Annex III is replaced by the specimen in Annex V to this Regulation.

7. In Annex V, the table at Annex VI to this Regulation is added at the end.

8. In Annex VII, the table for China is replaced by the table at Annex VII to this Regulation and the table for Vietnam at Annex VII is added at the end.

9. Annex VIII is replaced by Annex VIII to this Regulation.

10. Annex IX is replaced by Annex IX to this Regulation.

Article 2

⁽¹⁾ In the case of Hong Kong, this is obligatory only for the export licence.

⁽²⁾ In the case of Peru and Egypt, this provision will enter into force at a later date.

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

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

Done at Brussels, 23 April 1998.

For the Commission

Leon BRITTAN

Vice-President

ANNEX I

In Annex I to Regulation (EEC) No 3030/93 the section concerning category 76 is replaced by the following text:

'76	Men's or boys' industrial or occupational clothing, other than knitted or crocheted					
	6203 22 10	6203 33 10	6203 43 11	6211 32 10		
	6203 23 10	6203 39 11	6203 43 31	6211 33 10		
	6203 29 11	6203 42 11	6203 49 11			
	6203 32 10	6203 42 51	6203 49 31			
	Women's or girls' aprons, smock overalls and other industrial or occupational clothing, other than knitted or crocheted					
	6204 22 10	6204 33 10	6204 63 11	6211 42 10		
	6204 23 10	6204 39 11	6204 63 31	6211 43 10'		
	6204 29 11	6204 62 11	6204 69 11			
	6204 32 10	6204 62 51	6204 69 31			

*ANNEX II**'ANNEX II***Exporting countries referred to in Article 1**

Argentina
Armenia
Azerbaijan
Bangladesh
Belarus
Brazil
China
Egypt
Estonia
Former Yugoslav Republic of Macedonia
Georgia
Hong Kong
India
Indonesia
Kazakhstan
Kyrgyzstan
Latvia
Lithuania
Macao
Malaysia
Moldova
Mongolia
Pakistan
Peru
Philippines
Singapore
South Korea
Sri Lanka
Taiwan
Tajikistan
Thailand
Turkmenistan
Ukraine
United Arab Emirates
Uzbekistan
Vietnam'

ANNEX III

TABLE A

Countries and categories subject to the system of double-checking surveillance

(The complete description of the categories is shown in Annex I)

Third country	Group	Category	Unit
Armenia	I A	1	tonnes
		2	tonnes
		3	tonnes
	I B	4	1 000 pieces
		5	1 000 pieces
		6	1 000 pieces
		7	1 000 pieces
		8	1 000 pieces
Azerbaijan	I A	1	tonnes
		2	tonnes
		3	tonnes
	I B	4	1 000 pieces
		5	1 000 pieces
		6	1 000 pieces
		7	1 000 pieces
		8	1 000 pieces
	II A	20	tonnes
	II B	12	1 000 pairs
		13	1 000 pieces
	V	136	tonnes
Bangladesh	I B	4 (*)	1 000 pieces
		6 (*)	1 000 pieces
		8 (*)	1 000 pieces
Estonia	I A	1	tonnes
		2	tonnes
		3	tonnes
	I B	4	1 000 pieces
		5	1 000 pieces
		6	1 000 pieces
		7	1 000 pieces
		8	1 000 pieces
	II A	9	tonnes
		20	tonnes
		39	tonnes
	II B	13	1 000 pieces
	IV	117	tonnes
		118	tonnes
Egypt	I A	1	tonnes
		2	tonnes
	I B	4 (*)	1 000 pieces
	II A	20 (*)	tonnes

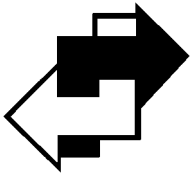
Third country	Group	Category	Unit
Former Yugoslav Republic of Macedonia	I A	1	tonnes
		2	tonnes
	I B	4	1 000 pieces
		5	1 000 pieces
		6	1 000 pieces
		7	1 000 pieces
		8	1 000 pieces
	II B	15	1 000 pieces
		16	1 000 pieces
	III B	67	tonnes
Georgia	I A	1	tonnes
		2	tonnes
		3	tonnes
	I B	4	1 000 pieces
		5	1 000 pieces
		6	1 000 pieces
		7	1 000 pieces
		8	1 000 pieces
Kazakhstan	I A	1	tonnes
		2	tonnes
		3	tonnes
	I B	4	1 000 pieces
		5	1 000 pieces
		6	1 000 pieces
		7	1 000 pieces
		8	1 000 pieces
Kyrgyzstan	I A	1	tonnes
		2	tonnes
		3	tonnes
	I B	4	1 000 pieces
		5	1 000 pieces
		6	1 000 pieces
		7	1 000 pieces
		8	1 000 pieces
Latvia	I A	1	tonnes
		2	tonnes
	I B	4	1 000 pieces
		5	1 000 pieces
		6	1 000 pieces
		7	1 000 pieces
	II A	9	tonnes
	II B	12	1 000 pairs
		15	1 000 pieces
		26	1 000 pieces
		27	1 000 pieces
		31	1 000 pieces

Third country	Group	Category	Unit
Lithuania	I A	2	tonnes
	I B	4	1 000 pieces
		5	1 000 pieces
		6	1 000 pieces
		7	1 000 pieces
		8	1 000 pieces
	II A	20	tonnes
		39	tonnes
	II B	12	1 000 pairs
		13	1 000 pieces
		28	1 000 pieces
	IV	117	tonnes
		118	tonnes
Moldova	I A	1	tonnes
		2	tonnes
		3	tonnes
	I B	4	1 000 pieces
		5	1 000 pieces
		6	1 000 pieces
		7	1 000 pieces
		8	1 000 pieces
	II A	9	tonnes
		20	tonnes
		39	tonnes
	II B	15	1 000 pieces
	IV	115	tonnes
		117	tonnes
		118	tonnes
Mongolia	I B	5	1 000 pieces
		5 A	1 000 pieces
Tajikistan	I A	1	tonnes
		2	tonnes
		3	tonnes
	I B	4	1 000 pieces
		5	1 000 pieces
		6	1 000 pieces
		7	1 000 pieces
		8	1 000 pieces
Turkmenistan	I A	1	tonnes
		2	tonnes
		3	tonnes
	I B	4	1 000 pieces
		5	1 000 pieces
		6	1 000 pieces
		7	1 000 pieces
		8	1 000 pieces
Ukraine	II A	22	tonnes
	II B	73	1 000 pieces
		83	tonnes
	III A	33	tonnes
	III B	74	1 000 pieces

Third country	Group	Category	Unit
United Arab Emirates	I A	2	tonnes
	I B	4	1 000 pieces
		5	1 000 pieces
		6	1 000 pieces
		7	1 000 pieces
		8	1 000 pieces
	II A	9	tonnes
		20	tonnes
	II B	21	1 000 pieces
		26	1 000 pieces
	V	157	tonnes
		161	tonnes
Uzbekistan	I A	1	tonnes
		3	tonnes
	I B	4	1 000 pieces
		5	1 000 pieces
		6	1 000 pieces
		7	1 000 pieces
		8	1 000 pieces
	II A	20	tonnes
	II B	15	1 000 pieces
		26	1 000 pieces
	V	159	tonnes
		161	tonnes
Vietnam	I A	1	tonnes
		2	tonnes
		3	tonnes
	II A	22	tonnes
		23	tonnes
		32	tonnes
	II B	16	1 000 pieces
		17	1 000 pieces
		19	1 000 pieces
		24	1 000 pieces
		27	1 000 pieces
	III A	33	tonnes
		36	tonnes
		37	tonnes
	III B	90	tonnes
	IV	115	tonnes
		117	tonnes
	V	136	tonnes
		156	tonnes
		157	tonnes
		159	tonnes
		160	tonnes

(⁹) For these categories the provisions of Article 9 do not apply.'

ANNEX IV
Specimen of certificate of origin referred to in Article 28 of Annex III for Hong Kong

Exporter (full name and address)		CERTIFICATE NO. CERTIFICATE OF HONG KONG ORIGIN  TRADE DEPARTMENT GOVERNMENT OF THE HONG KONG SPECIAL ADMINISTRATIVE REGION	
Consignee (if required)			
Departure Date (on or about)	Factory Number		
Vessel/Flight/Vehicle No.	Place of Loading		
Port of Discharge	Final Destn. if on Carriage		
Marks, Nos. and Container No.; No. and Kind of Packages; Description of Goods		Quantity or Weight (in words and figures)	Brand Names or Labels (if any)
Destn. Country			
I HEREBY CERTIFY THAT THE GOODS DESCRIBED ABOVE ORIGINATE IN HONG KONG ORIGINAL—WHITE DUPLICATE—YELLOW TRIPLICATE—LIGHT BLUE COPYRIGHT RESERVED Signature for Director-General of Trade			

ANNEX V

Specimen of export licence referred to in Article 12(2) of Annex III for Hong Kong

EXPORT LICENCE (TEXTILES) FORM 5

ORIGINAL



Audit No.

Import and Export Ordinance (Cap. 60) Import and Export (General) Regulations		Date of Receipt and Receipt No.		Date of Issue & Licence No. Issue of this licence is approved.			Stamps		
Exporter (Name & Address) T.C.R. No. (if any) Fax No. B.R. No. Tel. No. (See Explanatory Note (6) Overleaf)				 for Director-General of Trade					
Consignee (Name & Address)									
Manufacturer (Name & Address)									
T.C.R. No. (if any) F.R. No. (if any) B.R. No. Fax No. (See Explanatory Note (6) Overleaf) Tel. No.				Visa Chop					
Departure Date		Country of Final Destination		Item No.	Category/Sub-Category No.	T.C.R. No. of Quota/Permit Holder		Quota Reference	Quantity in Quota Units
Mode of Transport		C.O./Form A No.		1					
				2					
FOR CONDITIONS OF THIS LICENCE PLEASE SEE OVERLEAF		WARNING: Heavy penalties are provided for false declaration and information, unauthorised alterations, and misuse of this licence		3					
Mark(s) and Number(s), Origin marking (if any) on packages		No. of Packages		Full Description of Goods, Origin marking (if any) on goods (State Country of Origin of raw materials)		No. of Units		Value f.o.b. HK\$	
								Total value f.o.b. HK\$	

MANUFACTURER'S DECLARATION Date I, acting for and on behalf of (Name of Signatory) (See Condition (5) Overleaf) (Trading Name of Manufacturer) make the following declaration:- I hereby declare that I have read and understood the conditions overleaf, that the manufacturer named herein is the manufacturer of the goods described in this application, that the goods are of Hong Kong origin in accordance with condition (2) overleaf, that the manufacturer named herein undertakes to abide by the conditions overleaf, and that the particulars given herein are true. " I further declare that the manufacturer named herein is supplying the quotas for the goods covered by this application in accordance with condition (3) overleaf. " I further declare that the quota utilisation conditions for free quotas as stipulated in the relevant Notices to Exporters are complied with. (" Delete if not applicable) Signature Company/Business Chop		EXPORTER'S DECLARATION Date I, acting for and on behalf of (Name of Signatory) (See Condition (6) Overleaf) (Trading Name of Exporter) make the following declaration:- I hereby declare that I have read and understood the conditions overleaf, that the exporter named herein is the exporter of the goods described in this application, that the exporter named herein undertakes to abide by the conditions overleaf, and that the particulars given herein are true. " I further declare that the exporter named herein is supplying the quotas for the goods covered by this application in accordance with condition (3) overleaf. " I further declare that the quota utilisation conditions for free quotas as stipulated in the relevant Notices to Exporters are complied with. (" Delete if not applicable) Signature Company/Business Chop	
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For Chinese translation of this form, please refer to the inside cover of the pad containing the forms.
 本表格的中譯本已印在每本表格的封面內頁。

This licence is valid for 28 days from the date of issue unless endorsed otherwise.

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ANNEX VI

Third country	Category	Unit	Community quantitative limits		
			1998	1999	2000
'Vietnam	GROUP I B				
	4	1 000 pieces	6 600	6 798	7 002
	5	1 000 pieces	2 555	2 632	2 711
	6	1 000 pieces	4 175	4 300	4 429
	7	1 000 pieces	2 200	2 266	2 334
	8	1 000 pieces	9 600	9 888	10 185
	GROUP II A				
	9	tonnes	847	868	890
	20	tonnes	215	221	227
	39	tonnes	205	211	217
	GROUP II B				
	12	1 000 pairs	2 750	2 805	2 861
	13	1 000 pieces	7 750	7 983	8 222
	14	1 000 pieces	400	414	428
	15	1 000 pieces	300	315	331
	18	tonnes	810	834	859
	21	1 000 pieces	14 300	15 015	15 766
	26	1 000 pieces	750	773	796
	28	1 000 pieces	3 250	3 348	3 448
	29	1 000 pieces	250	258	265
	31	1 000 pieces	2 700	2 781	2 864
	68	tonnes	300	311	321
	73	1 000 pieces	535	562	590
	76	tonnes	940	987	1 036
	78	tonnes	660	680	700
	83	tonnes	200	206	212
	GROUP III A				
	35	tonnes	500	525	551
	41	tonnes	620	648	677
	GROUP III B				
	10	1 000 pairs	4 596	4 826	5 067
	97	tonnes	100	104	107
	GROUP IV				
	118	tonnes	80	82	85
	GROUP V				
	161	tonnes	206	212	219'

ANNEX VII

Third country	Category	Unit	Community quantitative limits		
			1998	1999	2000
'China	GROUP I B				
	4	1 000 pieces	287		
	5	1 000 pieces	636		
	6	1 000 pieces	2 235		
	7	1 000 pieces	611		
	8	1 000 pieces	1 402		
	GROUP II B				
	13	1 000 pieces	827		
	14	1 000 pieces	583		
	15	1 000 pieces	496		
	16	1 000 pieces	954		
	17	1 000 pieces	765		
	18	tonnes	128		
	21	1 000 pieces	2 030		
	24	1 000 pieces	129		
	26	1 000 pieces	1 094		
	29	1 000 pieces	114		
	31	1 000 pieces	6 231		
	73	1 000 pieces	247		
	76	tonnes	1 149		
	78	tonnes	62		
	83	tonnes	62		
	GROUP V				
	159	tonnes	8		
	161	tonnes	15'		

Third country	Category	Unit	Community quantitative limits		
			1998	1999	2000
'Vietnam	GROUP I B				
	4	1 000 pieces	707	749	794
	5	1 000 pieces	539	571	605
	6	1 000 pieces	504	534	566
	7	1 000 pieces	944	1 000	1 060
	8	1 000 pieces	2 186	2 318	2 457
	GROUP II B				
	12	1 000 pairs	2 312	2 405	2 501
	13	1 000 pieces	680	721	764
	15	1 000 pieces	204	224	247
	18	tonnes	255	270	286
	21	1 000 pieces	1 380	1 518	1 669
	26	1 000 pieces	138	146	155
	31	1 000 pieces	1 243	1 318	1 397
	68	tonnes	102	110	117
	76	tonnes	328	361	397
	78	tonnes	246	261	276'

*ANNEX VIII**'ANNEX VIII*

referred to in Article 7

Flexibility provisions

The attached table indicates for each of the supplier countries listed in column 1 the maximum amounts which, after advance notification to the Commission, it may transfer between the corresponding quantitative limits indicated in Annex V in accordance with the following provisions:

- advance utilisation of the quantitative limit for the particular category established for the following quota year shall be authorised up to the percentage of the quantitative limit for the current year indicated in column 2; the amounts in question shall be deducted from the corresponding quantitative limits for the following year,
- carry-over of amounts not utilised in a given year to the corresponding quantitative limit for the following year shall be authorised up to the percentage of the quantitative limit for the year of actual utilisation indicated in column 3,
- transfers from categories 1 to categories 2 and 3 shall be authorised up to the percentages of the quantitative limit to which the transfer is made indicated in column 4,
- transfers between categories 2 and 3 shall be authorised up to the percentages of the quantitative limit to which the transfer is made indicated in column 5,
- transfers between categories 4, 5, 6, 7 and 8 shall be authorised up to the percentages of the quantitative limit to which the transfer is made indicated in column 6,
- transfers into any of the categories in Groups II or III (and where applicable Group IV) from any of the categories in Groups I, II or III shall be authorised up to the percentages of the quantitative limit to which the transfer is made indicated in column 7.

The cumulative application of the flexibility provisions referred to above shall not result in an increase in any Community quantitative limit for a given year above the percentage indicated in column 8.

The table of equivalence applicable to the abovementioned transfers is given in Annex I.

Additional conditions, possibilities for transfers and notes are given in column 9 of the table.

Country	Advance utilisation	Carry-over	Transfers from category 1 to categories 2 and 3	Transfers between categories 2 and 3	Transfers between categories 4, 5, 6, 7 and 8	Transfers from Groups I, II, III to Groups II, III, IV	Maximum increase in any category	Additional conditions
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)
Argentina	5 %	7 %	7 %	7 %	7 %	7 %	n.a.	Transfers may be made from categories 2 and 3 to category 1 up to 4 %
Armenia	5 %	7 %	4 %	4 %	4 %	5 %	13,5 %	Imports are currently not subject to quantitative limits. With regard to column 7, transfers can also be made from and to Group V. For Group I categories the limit in column 8 is 13 %
Azerbaijan	5 %	7 %	4 %	4 %	4 %	5 %	13,5 %	Imports are currently not subject to quantitative limits. With regard to column 7, transfers can also be made from and to Group V. For Group I categories the limit in column 8 is 13 %
Bangladesh	5 %	10 %	12 %	12 %	12 %	12 %	n.a.	<i>Note:</i> imports are currently not subject to quantitative limits
Belarus	5 %	7 %	4 %	4 %	4 %	5 %	13,5 %	With regard to column 7, transfers can also be made from and to Group V. For Group I categories the limit in column 8 is 13 %
Brazil	5 %	7 %	7 %	7 %	7 %	7 %	n.a.	A transfer of 2 % from categories 2 and 3 to category 1 shall also be authorised
China	1 %	3 %	1 %	4 %	4 %	6 %	17 %	Further amounts may be authorised following consultations in accordance with Article 16 up to: column 2: 5 % column 3: 7 %. With regard to column 7, transfers from Groups I, II, and III may only be made into Groups II and III

(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)
Estonia	5 %	7 %	4 %	4 %	4 %	5 %	13,5 %	Imports are currently not subject to quantitative limits. With regard to column 7, transfers can also be made from and to Group V. For Group I categories the limit in column 8 is 13 %
Former Yugoslav Republic of Macedonia	5 %	9 %	7 %	7 %	7 %	10 %	17 %	With regard to column 7, transfers from any category in Groups I, II, III to any category only in Groups II and III
Georgia	5 %	7 %	4 %	4 %	4 %	5 %	13,5 %	Imports are currently not subject to quantitative limits. With regard to column 7, transfers can also be made from and to Group V. For Group I categories the limit in column 8 is 13 %
Hong Kong	*	*	0 %	4 %	4 %	5 %	n.a.	See appendix to Annex VIII
India	5 %	7 %	7 %	7 %	7 %	7 %	n.a.	Further amounts may be authorised following consultations in accordance with Article 16 up to 7 000 tonnes (up to 2 500 tonnes for any particular textiles category and up to 3 000 tonnes for any particular clothing category)
Indonesia	5 %	7 %	7 %	7 %	7 %	7 %	n.a.	
Kazakhstan	5 %	7 %	4 %	4 %	4 %	5 %	13,5 %	Imports are currently not subject to quantitative limits. With regard to column 7, transfers can also be made from and to Group V. For Group I categories the limit in column 8 is 13 %
Kyrgyzstan	5 %	7 %	4 %	4 %	4 %	5 %	13,5 %	Imports are currently not subject to quantitative limits. With regard to column 7, transfers can also be made from and to Group V. For Group I categories the limit in column 8 is 13 %
Latvia	5 %	7 %	4 %	4 %	4 %	5 %	13,5 %	Imports are currently not subject to quantitative limits. With regard to column 7, transfers can also be made from and to Group V. For Group I categories the limit in column 8 is 13 %
Lithuania	5 %	7 %	4 %	4 %	4 %	5 %	13,5 %	Imports are currently not subject to quantitative limits. With regard to column 7, transfers can also be made from and to Group V. For Group I categories the limit in column 8 is 13 %

(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)
Macao	1 %	2 %	0 %	4 %	4 %	5 %	n.a.	Further amounts may be authorised following consultations in accordance with Article 16 up to: column 2: 5 % column 3: 7 %
Malaysia	5 %	7 %	7 %	7 %	7 %	7 %	n.a.	
Moldova	5 %	7 %	4 %	4 %	4 %	5 %	13,5 %	Imports are currently not subject to quantitative limits. With regard to column 7, transfers can also be made from and to Group V. For Group I categories the limit in column 8 is 13 %
Mongolia	5 %	7 %	4 %	4 %	4 %	5 %	n.a.	Imports are currently not subject to quantitative limits. With regard to column 7, transfers can also be made from and to Group V. With regard to column 4, transfers may also be made between categories 1, 2 and 3
Pakistan	5 %	7 %	7 %	7 %	7 %	7 %	n.a.	With regard to column 4 transfers may be made between categories 1, 2 and 3. Further amounts may be authorised following consultations in accordance with Article 16 up to 3 000 tonnes (up to 2 000 tonnes for any particular category)
Peru	5 %	9 %	11 %	11 %	11 %	11 %	n.a.	Transfers may be made between categories 1, 2 and 3 up to 11 %
Philippines	5 %	7 %	7 %	7 %	7 %	7 %	n.a.	
Singapore	5 %	7 %	7 %	7 %	7 %	7 %	n.a.	
South Korea	1 %	2 %	0 %	4 %	4 %	5 %	n.a.	Further amounts may be authorised following consultations in accordance with Article 16 up to: column 2: 5 % column 3: 7 %
Sri Lanka	5 %	9 %	11 %	11 %	11 %	11 %	n.a.	
Tajikistan	5 %	7 %	4 %	4 %	4 %	5 %	13,5 %	Imports are currently not subject to quantitative limits. With regard to column 7, transfers can also be made from and to Group V. For Group I categories the limit in column 8 is 13 %

(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)
Taiwan	5 %	7 %	0 %	4 %	4 %	5 %	12 %	
Thailand	5 %	7 %	7 %	7 %	7 %	7 %	n.a.	
Turkmenistan	5 %	7 %	4 %	4 %	4 %	5 %	13,5 %	Imports are currently not subject to quantitative limits. With regard to column 7, transfers can also be made from and to Group V. For Group I categories the limit in column 8 is 13 %
Ukraine	5 %	7 %	4 %	4 %	4 %	5 %	13,5 %	With regard to column 7, transfers can also be made from and to Group V. For Group I categories the limit in column 8 is 13 %
United Arab Emirates	5 %	6 %	5 %	5 %	5 %	6 %	n.a.	Imports are currently not subject to quantitative limits. With regard to column 7, transfers can also be made from and to Group V
Uzbekistan	5 %	7 %	4 %	4 %	4 %	5 %	13,5 %	With regard to column 7, transfers can also be made from and to Group V. For Group I categories the limit in column 8 is 13 %
Vietnam	5 %	7 %	0 %	0 %	7 %	7 %	17 %	With regard to column 7 transfers can be made from any category in Groups I, II, III, IV and V to Groups II, III, IV and V

n.a. = not applicable.

Flexibility provisions for quantitative restrictions referred to in Appendix C to Annex V

Country	Advance utilisation	Carry-over	Transfers between categories 156, 157, 159 and 161	Transfers between other categories	Maximum increase in any category	Additional conditions
(1)	(2)	(3)	(4)	(5)	(6)	(7)
China	1 %	3 %	1,5 %	6 %	14 %	Further amounts may be authorised following consultations in accordance with Article 16 up to: column 2: 5 % column 3: 7 %

*Appendix to Annex VIII***Flexibility provisions Hong Kong**

Country	Group	Category	Advance utilisation
(1)			(2)
Hong Kong	GROUP I	2, 2A	3,25 %
		3, 3A, 4, 7, 8	3,00 %
		5	3,75 %
		6, 6A	2,75 %
	GROUP II	13, 21, 68, 73	3,50 %
		12, 16, 18, 24, 26, 32, 39, 77	4,25 %
		13S, 31, 68S, 83	4,50 %
		27, 29, 78	5,00 %
	GROUP III	All categories	5,00 %

Country	Group	Category	Carry-over
(1)			(3)
Hong Kong	GROUP I	2, 2A, 3, 3A	3,75 %
		4	3,25 %
		5	3,00 %
		6, 6A, 7, 8	2,50 %
	GROUP II	13, 13S, 21, 73	3,00 %
		18, 68, 68S	3,50 %
		12, 31	4,50 %
		24, 26, 27, 32, 39, 78	5,00 %
		16, 29, 77, 83	5,50 %
	GROUP III	All categories	5,50 %'

ANNEX IX

ANNEX IX

referred to in Article 10

Safeguard clauses; basket exit thresholds

Supplier country	Group I	Group II	Group III	Group IV	Group V
Armenia	0,35 %	1,20 %	4,00 %	4,00 %	4,00 %
Azerbaijan	0,35 %	1,20 %	4,00 %	4,00 %	4,00 %
Belarus		1,20 %	4,00 %	4,00 %	4,00 %
China		5,00 %	10,00 %		
Former Yugoslav Republic of Macedonia	1,00 %	5,00 %	10,00 %		
Georgia	0,35 %	1,20 %	4,00 %	4,00 %	4,00 %
Kazakhstan	0,35 %	1,20 %	4,00 %	4,00 %	4,00 %
Kyrgyzstan	0,35 %	1,20 %	4,00 %	4,00 %	4,00 %
Latvia	0,40 %	2,40 %	8,00 %	8,00 %	8,00 %
Lithuania	0,40 %	2,40 %	8,00 %	8,00 %	8,00 %
Moldova	0,35 %	1,20 %	4,00 %	4,00 %	4,00 %
Taiwan	0,40 %	2,00 %	6,00 %		
Tajikistan	0,35 %	1,20 %	4,00 %	4,00 %	4,00 %
Turkmenistan	0,35 %	1,20 %	4,00 %	4,00 %	4,00 %
Ukraine		1,20 %	4,00 %	4,00 %	4,00 %
Uzbekistan	0,35 %	1,20 %	4,00 %	4,00 %	4,00 %

Supplier country	Group I	Group II A	Group II B	Group III	Group IV	Group V
Vietnam	1,0 %	5,0 %	2,5 %	10,0 %	10,0 %	10,0 %

China (for products referred to in Annex I B)	For silk products	For other products
	25,00 %	10,00 %

**COMMISSION REGULATION (EC) No 857/98
of 23 April 1998**

**determining the extent to which applications lodged in April 1998 for import
licences for certain pigmeat products under the regime provided for by the
Agreement concluded by the Community with Slovenia can be accepted**

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

Having regard to Commission Regulation (EC) No 571/97 of 26 March 1997 laying down detailed rules for the application in the pigmeat sector of the arrangements provided for in the Interim Agreement between the Community and Slovenia⁽¹⁾, and in particular Article 4(4) thereof,

Whereas the applications for import licences lodged for the second quarter of 1998 are for quantities less than the quantities available and can therefore be met in full;

Whereas the surplus to be added to the quantity available for the following period should be determined;

Whereas it is appropriate to draw the attention of operators to the fact that licences may only be used for products which comply with all veterinary rules currently in force in the Community,

HAS ADOPTED THIS REGULATION:

Article 1

1. Applications for import licences for the period 1 April to 30 June 1998 submitted pursuant to Regulation (EC) No 571/97 shall be met as referred to in Annex 1.
2. During the first 10 days of the period 1 July to 30 September 1998 applications may be lodged pursuant to Regulation (EC) No 571/97 for import licences for a total quantity as referred to in Annex II of this Regulation.
3. Licences may only be used for products which comply with all veterinary rules currently in force in the Community.

Article 2

This Regulation shall enter into force on 24 April 1998.

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

Done at Brussels, 23 April 1998.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ L 85, 27. 3. 1997, p. 56.

ANNEX I

Group No	Percentage of acceptance of import licences submitted for the period 1 April to 30 June 1998
23	100,00
24	100,00

*ANNEX II**(tonnes)*

Group No	Total quantity available for the period 1 July to 30 September 1998
23	34,7
24	83,0

**COMMISSION REGULATION (EC) No 858/98
of 23 April 1998**

determining the extent to which applications lodged in April 1998 for import licences for certain pigmeat products under the regime provided for by the Agreements concluded by the Community with the Republic of Poland, the Republic of Hungary, the Czech Republic, the Slovak Republic, Bulgaria and Romania can be accepted

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

Having regard to Commission Regulation (EC) No 1898/97 ⁽¹⁾ laying down detailed rules for the application in the pigmeat sector of the arrangements provided for by Council Regulation (EC) No 3066/95 and repealing Regulations (EEC) No 2698/93 and (EC) No 1590/94, as amended by Regulation (EC) No 618/98 ⁽²⁾, and in particular Article 4(5) thereof,

Whereas the applications for import licences lodged for the second quarter of 1998 are for quantities less than the quantities available and can therefore be met in full;

Whereas, it is appropriate to draw the attention of operators to the fact that licences may only be used for prod-

ucts which comply with all veterinary rules currently in force in the Community,

HAS ADOPTED THIS REGULATION:

Article 1

1. Applications for import licences for the period 1 April to 30 June 1998 submitted pursuant to Regulation (EC) No 1898/97 shall be met as referred to in Annex I.
2. Licences may only be used for products which comply with all veterinary rules currently in force in the Community.

Article 2

This Regulation shall enter into force on 24 April 1998.

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

Done at Brussels, 23 April 1998.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ L 267, 30. 9. 1997, p. 58.

⁽²⁾ OJ L 82, 19. 3. 1998, p. 35.

ANNEX

Group No	Percentage of acceptance of import licences submitted for the period 1 April to 30 June 1998
1	100,0
2	100,0
3	100,0
4	100,0
H1	100,0
H2	100,0
5	100,0
6	100,0
7	100,0
8	100,0
9	100,0
10/11	—
12/13	100,0
14	100,0
15	100,0
16	100,0
17	100,0

**COMMISSION REGULATION (EC) No 859/98
of 23 April 1998**

determining the extent to which applications lodged in April 1998 for import licences for certain pigmeat sector products under the regime provided for by Council Regulation (EC) No 774/94 opening and providing for the administration of certain Community tariff quotas for pigmeat and certain other agricultural products can be accepted

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

Having regard to Commission Regulation (EC) No 1432/94 of 22 June 1994 laying down detailed rules for the application in the pigmeat sector of the import arrangements provided for in Council Regulation (EC) No 774/94 opening and providing for the administration of certain Community tariff quotas for pigmeat and certain other agricultural products ⁽¹⁾, as last amended by Regulation (EC) No 2068/96 ⁽²⁾, and in particular Article 4(4) thereof,

Whereas the applications for import licences lodged for the second quarter of 1998 are for quantities less than the quantities available and can therefore be met in full;

Whereas the quantity available for the following period should be determined;

Whereas it is appropriate to draw the attention of operators to the fact that licences may only be used for prod-

ucts which comply with all veterinary rules currently in force in the Community,

HAS ADOPTED THIS REGULATION:

Article 1

1. Applications for import licences for the period 1 April to 30 June 1998 submitted pursuant to Regulation (EC) No 1432/94 shall be met as referred to in Annex I.
2. During the first 10 days of the period 1 July to 30 September 1998 applications may be lodged pursuant to Regulation (EC) No 1432/94 for import licences for a total quantity as referred to in Annex II.
3. Licences may only be used for products which comply with all veterinary rules currently in force in the Community.

Article 2

This Regulation shall enter into force on 24 April 1998.

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

Done at Brussels, 23 April 1998.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ L 156, 23. 6. 1994, p. 14.

⁽²⁾ OJ L 277, 30. 10. 1996, p. 12.

ANNEX I

Group No	Percentage of acceptance of import licences submitted for the period 1 April to 30 June 1998
1	100,00

*ANNEX II**(tonnes)*

Group No	Total quantity available for the period 1 July to 30 September 1998
1	2 564

**COMMISSION REGULATION (EC) No 860/98
of 23 April 1998**

**determining the extent to which applications lodged in April 1998 for import
licences under the regime provided for by tariff quotas for certain products in the
pigmeat sector for the period 1 April 1998 to 30 June 1998**

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

Having regard to Commission Regulation (EC) No 1486/
95 of 28 June 1995 opening and providing for the admin-
istration of tariff quotas for certain products in the
pigmeat sector⁽¹⁾, as amended by Regulation (EC) No
1244/97⁽²⁾, and in particular Article 5(5) thereof,

Whereas the applications for import licences lodged for
the second quarter of 1998 are for quantities less than the
quantities available and can therefore be met in full,

HAS ADOPTED THIS REGULATION:

Article 1

Applications for import licences for the period 1 April to
30 June 1998 submitted under Regulation (EC) No 1486/
95 shall be met as referred to in the Annex.

Article 2

This Regulation shall enter into force on 24 April 1998.

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

Done at Brussels, 23 April 1998.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ L 145, 29. 6. 1995, p. 58.

⁽²⁾ OJ L 173, 1. 7. 1997, p. 80.

ANNEX

Group No	Percentage of acceptance of import licences submitted for the period 1 April to 30 June 1998
G2	100
G3	100
G4	100
G5	100
G6	100
G7	100

**COMMISSION REGULATION (EC) No 861/98
of 23 April 1998**

**determining the extent to which the applications for import licences submitted
in April 1998 for certain dairy products under certain tariff quotas opened by
Regulation (EC) No 1600/95 can be accepted**

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

Having regard to Commission Regulation (EC) No 1600/
95 of 30 June 1995 laying down detailed rules for the
application of the import arrangements and opening tariff
quotas for milk and milk products ⁽¹⁾, as last amended by
Regulation (EC) No 2432/97 ⁽²⁾, and in particular Article
14 (4) thereof,

Whereas applications lodged for the products referred to
in Annex II of Regulation (EC) No 1600/95 concern
quantities greater than those available; whereas, therefore,
the allocation factors should be fixed for the quantities
applied for the period 1 April to 30 June 1998,

HAS ADOPTED THIS REGULATION:

Article 1

Import licences applied for for products falling within the
order numbers in Annex II to Regulation (EC) No 1600/
95 listed in the Annex hereto, lodged under Regulation
(EC) No 1600/95 for the period 1 April to 30 June 1998,
shall be awarded in accordance with the allocation factors
indicated.

Article 2

This Regulation shall enter into force on 24 April 1998.

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

Done at Brussels, 23 April 1998.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ L 151, 1. 7. 1995, p. 12.

⁽²⁾ OJ L 337, 9. 12. 1997, p. 9.

ANNEX

Order number in Annex II to Regulation (EC) No 1600/95	Allocation factor
37	0,0094
38	0,0035
40	0,0481
41	0,0158
42	0,0654
43	0,0113
45	0,0063
48	0,0034

COMMISSION REGULATION (EC) No 862/98
of 23 April 1998

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

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

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

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

Whereas an invitation to tender for the refund and/or the tax for the export of common wheat to all third countries was opened pursuant to Commission Regulation (EC) No 1339/97 ⁽⁵⁾, as amended by Regulation (EC) No 507/98 ⁽⁶⁾;

Whereas Article 7 of Regulation (EC) No 1501/95 provides that the Commission may, on the basis of the tenders notified, in accordance with the procedure laid down in Article 23 of Regulation (EEC) No 1766/92, decide to fix a maximum export refund taking account of the criteria referred to in Article 1 of Regulation (EC) No

1501/95; whereas in that case a contract is awarded to any tenderer whose bid is equal to or lower than the maximum refund, as well as to any tenderer whose bid relates to an export tax;

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

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

HAS ADOPTED THIS REGULATION:

Article 1

For tenders notified from 17 to 23 April 1998, pursuant to the invitation to tender issued in Regulation (EC) No 1339/97, the maximum refund on exportation of common wheat shall be ECU 21,97 per tonne.

Article 2

This Regulation shall enter into force on 24 April 1998.

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

Done at Brussels, 23 April 1998.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ L 181, 1. 7. 1992, p. 21.

⁽²⁾ OJ L 126, 24. 5. 1996, p. 37.

⁽³⁾ OJ L 147, 30. 6. 1995, p. 7.

⁽⁴⁾ OJ L 287, 21. 10. 1997, p. 14.

⁽⁵⁾ OJ L 184, 12. 7. 1997, p. 7.

⁽⁶⁾ OJ L 63, 4. 3. 1998, p. 20.

COMMISSION REGULATION (EC) No 863/98
of 23 April 1998
concerning tenders notified in response to the invitation to tender for the export
of barley issued in Regulation (EC) No 1337/97

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

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

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

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

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

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

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

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

HAS ADOPTED THIS REGULATION:

Article 1

No action shall be taken on the tenders notified from 17 to 23 April 1998 in response to the invitation to tender for the refund or the tax for the export of barley issued in Regulation (EC) No 1337/97.

Article 2

This Regulation shall enter into force on 24 April 1998.

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

Done at Brussels, 23 April 1998.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ L 181, 1. 7. 1992, p. 21.

⁽²⁾ OJ L 126, 24. 5. 1996, p. 37.

⁽³⁾ OJ L 147, 30. 6. 1995, p. 7.

⁽⁴⁾ OJ L 287, 21. 10. 1997, p. 14.

⁽⁵⁾ OJ L 184, 12. 7. 1997, p. 1.

COMMISSION REGULATION (EC) No 864/98
of 23 April 1998
concerning tenders notified in response to the invitation to tender for the export
of oats issued in Regulation (EC) No 1773/97

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

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

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

Having regard to Commission Regulation (EC) No 1773/97 of 12 September 1997 on a special intervention measure for cereals in Finland and Sweden ⁽⁵⁾, as last amended by Regulation (EC) No 837/98 ⁽⁶⁾, and in particular Article 8 thereof,

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

Whereas Article 8 of Regulation (EC) No 1773/97 provides that the Commission may, on the basis of the tenders notified, in accordance with the procedure laid down in Article 23 of Regulation (EEC) No 1766/92, decide to make no award;

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

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

HAS ADOPTED THIS REGULATION:

Article 1

No action shall be taken on the tenders notified from 17 to 23 April 1998 in response to the invitation to tender for the refund for the export of oats issued in Regulation (EC) No 1773/97.

Article 2

This Regulation shall enter into force on 24 April 1998.

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

Done at Brussels, 23 April 1998.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ L 181, 1. 7. 1992, p. 21.

⁽²⁾ OJ L 126, 24. 5. 1996, p. 37.

⁽³⁾ OJ L 147, 30. 6. 1995, p. 7.

⁽⁴⁾ OJ L 287, 21. 10. 1997, p. 14.

⁽⁵⁾ OJ L 250, 13. 9. 1997, p. 1.

⁽⁶⁾ OJ L 119, 22. 4. 1998, p. 14.

COMMISSION REGULATION (EC) No 865/98

of 23 April 1998

fixing the export refunds on cereals and on wheat or rye flour, groats and meal

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

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

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

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

Whereas possibilities exist for a quantity of 100 000 tonnes of maize to be exported to certain destinations under invitations to tender issued by the World Food Programme; whereas the procedure laid down in Article 7 (4) of Commission Regulation (EC) No 1162/95⁽⁵⁾, as last amended by Regulation (EC) No 444/98⁽⁶⁾, should be used; whereas account should be taken of this when the refunds are fixed;

Whereas, as far as wheat and rye flour, groats and meal are concerned, when the refund on these products is being calculated, account must be taken of the quantities of

cereals required for their manufacture; whereas these quantities were fixed in Regulation (EC) No 1501/95;

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

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

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

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

HAS ADOPTED THIS REGULATION:

Article 1

The export refunds on the products listed in Article 1 (a), (b) and (c) of Regulation (EEC) No 1766/92, excluding malt, exported in the natural state, shall be as set out in the Annex hereto.

Article 2

This Regulation shall enter into force on 24 April 1998.

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

Done at Brussels, 23 April 1998.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ L 181, 1. 7. 1992, p. 21.

⁽²⁾ OJ L 126, 24. 5. 1996, p. 37.

⁽³⁾ OJ L 147, 30. 6. 1995, p. 7.

⁽⁴⁾ OJ L 287, 21. 10. 1997, p. 14.

⁽⁵⁾ OJ L 117, 24. 5. 1995, p. 2.

⁽⁶⁾ OJ L 56, 26. 2. 1998, p. 12.

ANNEX

to the Commission Regulation of 23 April 1998 fixing the export refunds on cereals and on wheat or rye flour, groats and meal

(ECU / tonne)			(ECU / tonne)		
Product code	Destination ⁽¹⁾	Amount of refund	Product code	Destination ⁽¹⁾	Amount of refund
1001 10 00 9200	—	—	1101 00 11 9000	—	—
1001 10 00 9400	—	—	1101 00 15 9100	01	23,00
1001 90 91 9000	—	—	1101 00 15 9130	01	21,75
1001 90 99 9000	03	12,00	1101 00 15 9150	01	20,00
	02	0	1101 00 15 9170	01	18,50
1002 00 00 9000	03	25,00	1101 00 15 9180	01	17,25
	02	35,00	1101 00 15 9190	—	—
1003 00 10 9000	—	—	1101 00 90 9000	—	—
1003 00 90 9000	03	28,00	1102 10 00 9500	01	47,50
	02	0	1102 10 00 9700	—	—
1004 00 00 9200	—	—	1102 10 00 9900	—	—
1004 00 00 9400	—	—	1103 11 10 9200	—	— ⁽²⁾
1005 10 90 9000	—	—	1103 11 10 9400	—	— ⁽²⁾
1005 90 00 9000	04	31,00 ⁽³⁾	1103 11 10 9900	—	—
	03	21,00	1103 11 90 9200	01	0 ⁽²⁾
	02	—	1103 11 90 9800	—	—
1007 00 90 9000	—	—			
1008 20 00 9000	—	—			

⁽¹⁾ The destinations are identified as follows:

- 01 All third countries,
- 02 Other third countries,
- 03 Switzerland, Liechtenstein,
- 04 Tanzania, Burundi, Republic of Congo (Brazzaville), Democratic Republic of Congo.

⁽²⁾ No refund is granted when this product contains compressed meal.

⁽³⁾ Refund fixed under the procedure laid down in Article 7 (4) of amended Regulation (EC) No 1162/95 in respect of a quantity of 100 000 tonnes of maize to be exported to Tanzania, Burundi, the Republic of Congo (Brazzaville) and the Democratic Republic of Congo, under invitations to tender issued by the World Food Programme.

NB: The zones are those defined in amended Commission Regulation (EEC) No 2145/92 (OJ L 214, 30. 7. 1992, p. 20).

COMMISSION REGULATION (EC) No 866/98

of 23 April 1998

fixing the corrective amount applicable to the refund on cereals

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EEC) No 1766/92 of 30 June 1992 on the common organization of the market in cereals⁽¹⁾, as last amended by Commission Regulation (EC) No 923/96⁽²⁾, and in particular Article 13 (8) thereof,

Whereas Article 13 (8) of Regulation (EEC) No 1766/92 provides that the export refund applicable to cereals on the day on which application for an export licence is made must be applied on request to exports to be effected during the period of validity of the export licence; whereas, in this case, a corrective amount may be applied to the refund;

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

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

Whereas the corrective amount must be fixed at the same time as the refund and according to the same procedure; whereas it may be altered in the period between fixings;

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

Whereas it follows from applying the provisions set out above that the corrective amount must be as set out in the Annex hereto;

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

HAS ADOPTED THIS REGULATION:

Article 1

The corrective amount referred to in Article 1 (1) (a), (b) and (c) of Regulation (EEC) No 1766/92 which is applicable to export refunds fixed in advance in respect of malt shall be as set out in the Annex hereto.

Article 2

This Regulation shall enter into force on 24 April 1998.

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

Done at Brussels, 23 April 1998.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ L 181, 1. 7. 1992, p. 21.

⁽²⁾ OJ L 126, 24. 5. 1996, p. 37.

⁽³⁾ OJ L 147, 30. 6. 1995, p. 7.

⁽⁴⁾ OJ L 287, 21. 10. 1997, p. 14.

⁽⁵⁾ OJ L 387, 31. 12. 1992, p. 1.

⁽⁶⁾ OJ L 22, 31. 1. 1995, p. 1.

⁽⁷⁾ OJ L 108, 1. 5. 1993, p. 106.

⁽⁸⁾ OJ L 188, 27. 7. 1996, p. 22.

ANNEX

to the Commission Regulation of 23 April 1998 fixing the corrective amount applicable to the refund on cereals

(ECU/tonne)

Product code	Destination ⁽¹⁾	Current 4	1st period 5	2nd period 6	3rd period 7	4th period 8	5th period 9	6th period 10
1001 10 00 9200	—	—	—	—	—	—	—	—
1001 10 00 9400	—	—	—	—	—	—	—	—
1001 90 91 9000	—	—	—	—	—	—	—	—
1001 90 99 9000	01	0	0	0	-5,00	-5,00	—	—
1002 00 00 9000	01	0	0	0	-5,00	-5,00	—	—
1003 00 10 9000	—	—	—	—	—	—	—	—
1003 00 90 9000	01	0	0	-15,00	-15,00	-15,00	—	—
1004 00 00 9200	—	—	—	—	—	—	—	—
1004 00 00 9400	01	0	0	0	0	0	—	—
1005 10 90 9000	—	—	—	—	—	—	—	—
1005 90 00 9000	01	0	0	0	0	0	—	—
1007 00 90 9000	—	—	—	—	—	—	—	—
1008 20 00 9000	—	—	—	—	—	—	—	—
1101 00 11 9000	—	—	—	—	—	—	—	—
1101 00 15 9100	01	0	0	0	-7,00	-7,00	—	—
1101 00 15 9130	01	0	0	0	-7,00	-7,00	—	—
1101 00 15 9150	01	0	0	0	-7,00	-7,00	—	—
1101 00 15 9170	01	0	0	0	-7,00	-7,00	—	—
1101 00 15 9180	01	0	0	0	-7,00	-7,00	—	—
1101 00 15 9190	—	—	—	—	—	—	—	—
1101 00 90 9000	—	—	—	—	—	—	—	—
1102 10 00 9500	01	0	0	0	-7,00	-7,00	—	—
1102 10 00 9700	—	—	—	—	—	—	—	—
1102 10 00 9900	—	—	—	—	—	—	—	—
1103 11 10 9200	—	—	—	—	—	—	—	—
1103 11 10 9400	—	—	—	—	—	—	—	—
1103 11 10 9900	—	—	—	—	—	—	—	—
1103 11 90 9200	01	0	0	0	0	0	—	—
1103 11 90 9800	—	—	—	—	—	—	—	—

⁽¹⁾ The destinations are identified as follows:
01 all third countries.

NB: The zones are those defined in amended Commission Regulation (EEC) No 2145/92 (OJ L 214, 30. 7. 1992, p. 20).

COMMISSION REGULATION (EC) No 867/98

of 23 April 1998

fixing the export refunds on products processed from cereals and rice

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

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

Having regard to Council Regulation (EC) No 3072/95 of 22 December 1995 on the common organization of the market in rice⁽³⁾, as amended by Regulation (EC) No 192/98⁽⁴⁾, and in particular Article 13 (3) thereof,

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

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

Whereas Article 4 of Commission Regulation (EC) No 1518/95⁽⁵⁾, as amended by Regulation (EC) No 2993/95⁽⁶⁾, on the import and export system for products processed from cereals and from rice defines the specific criteria to be taken into account when the refund on these products is being calculated;

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

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

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

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

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

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

HAS ADOPTED THIS REGULATION:

Article 1

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

⁽¹⁾ OJ L 181, 1. 7. 1992, p. 21.

⁽²⁾ OJ L 126, 24. 5. 1996, p. 37.

⁽³⁾ OJ L 329, 30. 12. 1995, p. 18.

⁽⁴⁾ OJ L 20, 27. 1. 1998, p. 16.

⁽⁵⁾ OJ L 147, 30. 6. 1995, p. 55.

⁽⁶⁾ OJ L 312, 23. 12. 1995, p. 25.

Article 2

This Regulation shall enter into force on 24 April 1998.

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

Done at Brussels, 23 April 1998.

For the Commission

Franz FISCHLER

Member of the Commission

ANNEX

to the Commission Regulation of 23 April 1998 fixing the export refunds on products processed from cereals and rice

<i>(ECU/tonne)</i>		<i>(ECU/tonne)</i>	
Product code	Refund	Product code	Refund
1102 20 10 9200 ⁽¹⁾	39,51	1104 23 10 9100	42,33
1102 20 10 9400 ⁽¹⁾	33,86	1104 23 10 9300	32,45
1102 20 90 9200 ⁽¹⁾	33,86	1104 29 11 9000	17,55
1102 90 10 9100	53,09	1104 29 51 9000	17,21
1102 90 10 9900	36,10	1104 29 55 9000	17,21
1102 90 30 9100	39,92	1104 30 10 9000	4,30
1103 12 00 9100	39,92	1104 30 90 9000	7,06
1103 13 10 9100 ⁽¹⁾	50,80	1107 10 11 9000	30,63
1103 13 10 9300 ⁽¹⁾	39,51	1107 10 91 9000	62,99
1103 13 10 9500 ⁽¹⁾	33,86	1108 11 00 9200	34,42
1103 13 90 9100 ⁽¹⁾	33,86	1108 11 00 9300	34,42
1103 19 10 9000	39,83	1108 12 00 9200	45,15
1103 19 30 9100	54,85	1108 12 00 9300	45,15
1103 21 00 9000	17,55	1108 13 00 9200	45,15
1103 29 20 9000	36,10	1108 13 00 9300	45,15
1104 11 90 9100	53,09	1108 19 10 9200	33,44
1104 12 90 9100	44,36	1108 19 10 9300	33,44
1104 12 90 9300	35,49	1109 00 00 9100	0,00
1104 19 10 9000	17,55	1702 30 51 9000 ⁽²⁾	53,23
1104 19 50 9110	45,15	1702 30 59 9000 ⁽²⁾	40,75
1104 19 50 9130	36,69	1702 30 91 9000	53,23
1104 21 10 9100	53,09	1702 30 99 9000	40,75
1104 21 30 9100	53,09	1702 40 90 9000	40,75
1104 21 50 9100	70,78	1702 90 50 9100	53,23
1104 21 50 9300	56,62	1702 90 50 9900	40,75
1104 22 20 9100	35,49	1702 90 75 9000	55,77
1104 22 30 9100	37,71	1702 90 79 9000	38,71
		2106 90 55 9000	40,75

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

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

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

COMMISSION REGULATION (EC) No 868/98
of 23 April 1998
fixing the export refunds on cereal-based compound feedingstuffs

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

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

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

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

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

the quantity of cereal products present in the compound feedingstuff;

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

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

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

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

HAS ADOPTED THIS REGULATION:

Article 1

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

Article 2

This Regulation shall enter into force on 24 April 1998.

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

Done at Brussels, 23 April 1998.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ L 181, 1. 7. 1992, p. 21.

⁽²⁾ OJ L 126, 24. 5. 1996, p. 37.

⁽³⁾ OJ L 147, 30. 6. 1995, p. 51.

ANNEX

to the Commission Regulation of 23 April 1998 fixing the export refunds on cereal-based compound feedingstuffs

Product code benefitting from export refund ⁽¹⁾:

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

(ECU/tonne)

Cereal products ⁽²⁾	Amount of refund ⁽²⁾
Maize and maize products: CN codes 0709 90 60, 0712 90 19, 1005, 1102 20, 1103 13, 1103 29 40, 1104 19 50, 1104 23, 1904 10 10	28,22
Cereal products ⁽²⁾ excluding maize and maize products	26,30

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

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

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

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

COMMISSION REGULATION (EC) No 869/98
of 23 April 1998
fixing production refunds on cereals and rice

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

Having regard to Council Regulation (EEC) No 1766/92 of 30 June 1992, on the common organization of the market in cereals⁽¹⁾, as last amended by Commission Regulation (EC) No 923/96⁽²⁾, and in particular Article 7 (3) thereof,

Having regard to Council Regulation (EC) No 3072/95 of 22 December 1995 on the common organization of the market in rice⁽³⁾, as amended by Regulation (EC) No 192/98⁽⁴⁾, and in particular Article 7 (2) thereof,

Having regard to Commission Regulation (EEC) No 1722/93 of 30 June 1993 laying down detailed rules for the arrangements concerning production refunds in the cereals and rice sectors⁽⁵⁾, as last amended by Regulation (EC) No 1516/95⁽⁶⁾, and in particular Article 3 thereof,

Whereas Regulation (EEC) No 1722/93 establishes the conditions for granting the production refund; whereas the basis for the calculation is established in Article 3 of the said Regulation; whereas the refund thus calculated must be fixed once a month and may be altered if the price of maize and/or wheat and/or barley changes significantly;

Whereas the production refunds to be fixed in this Regulation should be adjusted by the coefficients listed in the Annex II to Regulation (EEC) No 1722/93 to establish the exact amount payable;

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

1. The refund referred to in Article 3 (2) of Regulation (EEC) No 1722/93, expressed per tonne of starch extracted from maize, wheat, potatoes, rice or broken rice, shall be ECU 18,58 per tonne.

2. The refund referred to in Article 3 (3) of Regulation (EEC) No 1722/93, expressed per tonne of starch extracted from barley and oats, shall be ECU 18,58 per tonne.

Article 2

This Regulation shall enter into force on 24 April 1998.

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

Done at Brussels, 23 April 1998.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ L 181, 1. 7. 1992, p. 21.

⁽²⁾ OJ L 126, 24. 5. 1996, p. 37.

⁽³⁾ OJ L 329, 30. 12. 1995, p. 18.

⁽⁴⁾ OJ L 20, 27. 1. 1998, p. 16.

⁽⁵⁾ OJ L 159, 1. 7. 1993, p. 112.

⁽⁶⁾ OJ L 147, 30. 6. 1995, p. 49.

COMMISSION REGULATION (EC) No 870/98**of 23 April 1998****fixing the rates of the refunds applicable to certain cereal and rice-products
exported in the form of goods not covered by Annex II to the Treaty**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

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

Having regard to Council Regulation (EC) No 3072/95 of 22 December 1995 on the common organization of the market in rice⁽³⁾, as amended by Regulation (EC) No 192/98⁽⁴⁾, and in particular Article 13 (3) thereof,

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

Whereas Commission Regulation (EC) No 1222/94 of 30 May 1994 laying down common implementing rules for granting export refunds on certain agricultural products exported in the form of goods not covered by Annex II to the Treaty, and the criteria for fixing the amount of such refunds⁽⁵⁾, as last amended by Regulation (EC) No 1909/97⁽⁶⁾, specifies the products for which a rate of refund should be fixed, to be applied where these products are exported in the form of goods listed in Annex B to Regulation (EEC) No 1766/92 or in Annex B to Regulation (EC) No 3072/95 as appropriate;

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

Whereas, now that a settlement has been reached between the European Community and the United States of America on Community exports of pasta products to the United States and has been approved by Council Decision 87/482/EEC⁽⁷⁾, it is necessary to differentiate the refund on goods falling within CN codes 1902 11 00 and 1902 19 according to their destination;

Whereas Article 4 (5) (b) of Regulation (EC) No 1222/94 provides that, in the absence of the proof referred to in Article 4 (5) (a) of that Regulation, a reduced rate of export refund has to be fixed, taking account of the amount of the production refund applicable, pursuant to Commission Regulation (EEC) No 1722/93⁽⁸⁾, as last amended by Regulation (EC) No 1516/95⁽⁹⁾, for the basic product in question, used during the assumed period of manufacture of the goods;

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

HAS ADOPTED THIS REGULATION:

Article 1

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

Article 2

This Regulation shall enter into force on 24 April 1998.

⁽¹⁾ OJ L 181, 1. 7. 1992, p. 21.

⁽²⁾ OJ L 126, 24. 5. 1996, p. 37.

⁽³⁾ OJ L 329, 30. 12. 1995, p. 18.

⁽⁴⁾ OJ L 20, 27. 1. 1998, p. 16.

⁽⁵⁾ OJ L 136, 31. 5. 1994, p. 5.

⁽⁶⁾ OJ L 268, 1. 10. 1997, p. 20.

⁽⁷⁾ OJ L 275, 29. 9. 1987, p. 36.

⁽⁸⁾ OJ L 159, 1. 7. 1993, p. 112.

⁽⁹⁾ OJ L 147, 30. 6. 1995, p. 49.

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

Done at Brussels, 23 April 1998.

For the Commission
Martin BANGEMANN
Member of the Commission

ANNEX

to the Commission Regulation of 23 April 1998 fixing the rates of the refunds applicable to certain cereals and rice products exported in the form of goods not covered by Annex II to the Treaty

CN code	Description of products (1)	Rate of refund per 100 kg of basic product
1001 10 00	Durum wheat: — on exports of goods falling within CN codes 1902 11 and 1902 19 to the United States of America — in other cases	— —
1001 90 99	Common wheat and meslin: — on exports of goods falling within CN codes 1902 11 and 1902 19 to the United States of America — in other cases: — — where pursuant to Article 4 (5) of Regulation (EC) No 1222/94 (2) — — in other cases	1,119 1,221 1,721
1002 00 00	Rye	3,983
1003 00 90	Barley	3,539
1004 00 00	Oats	2,218
1005 90 00	Maize (corn) used in the form of: — starch: — — where pursuant to Article 4 (5) of Regulation (EC) No 1222/94 (2) — — in other cases — glucose, glucose syrup, maltodextrine, maltodextrine syrup of CN codes 1702 30 51, 1702 30 59, 1702 30 91, 1702 30 99, 1702 40 90, 1702 90 50, 1702 90 75, 1702 90 79, 2106 90 55 (3): — — where pursuant to Article 4 (5) of Regulation (EC) No 1222/94 (2) — — in other cases — other (including unprocessed) Potato starch of CN code 1108 13 00 similar to a product obtained from processed maize: — where pursuant to Article 4 (5) of Regulation (EC) No 1222/94 (2) — in other cases	2,197 2,822 1,922 2,547 2,822 2,197 2,822
1006 20	Husked rice: — round grain — medium grain — long grain	3,178 2,829 2,829
ex 1006 30	Wholly-milled rice: — round grain — medium grain — long grain	4,100 4,100 4,100
1006 40 00	Broken rice used in the form of: — starch of CN code 1108 19 10: — — where pursuant to Article 4 (5) of Regulation (EC) No 1222/94 (2) — — in other cases — other (including unprocessed)	1,542 2,200 2,200

CN code	Description of products ⁽¹⁾	Rate of refund per 100 kg of basic product
1007 00 90	Sorghum	3,539
1101 00	Wheat or meslin flour:	
	— on exports of goods falling within CN codes 1902 11 and 1902 19 to the United States of America	1,376
	— in other cases	2,117
1102 10 00	Rye flour	4,750
1103 11 10	Groats and durum wheat meal:	
	— on exports of goods falling within CN codes 1902 11 and 1902 19 to the United States of America	—
	— in other cases	—
1103 11 90	Common wheat groats and spelt:	
	— on exports of goods falling within CN codes 1902 11 and 1902 19 to the United States of America	1,376
	— in other cases	2,117

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

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

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

COMMISSION REGULATION (EC) No 871/98
of 23 April 1998

determining the percentage of quantities which may be allowed in respect of import licence applications lodged in April 1998 under tariff quotas for beef and veal provided for in Regulation (EC) No 1939/97 for the Republic of Poland, the Republic of Hungary, the Czech Republic, Slovakia, Bulgaria and Romania

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

Having regard to Commission Regulation (EC) No 1939/97 of 3 October 1997, laying down for the period 1 July 1977 to 30 June 1998, rules for the application of the tariff quotas for beef and veal provided for by Council Regulation (EC) No 3066/95 for the Republic of Poland, the Republic of Hungary, the Czech Republic, the Slovak Republic, the Republic of Bulgaria and Romania and amending Regulations (EC) No 2512/96 and (EC) No 1441/97⁽¹⁾, and in particular Article 3(4) thereof,

Whereas Article 1(1) and (3) of Regulation (EC) No 1939/97 fixes the quantities of fresh, chilled or frozen beef and veal originating in Poland, Hungary, the Czech Republic, Slovakia, Romania and Bulgaria, and, in the case of Poland, the equivalent of the quantity of meat expressed as weight of processed products which may be imported on special terms in respect of the period 1 April to 30 June 1998; whereas the quantities of fresh, chilled or frozen beef and veal originating in Hungary, the Czech Republic, Slovakia, Romania and Bulgaria, covered by import licence applications submitted are such that applications may be accepted in full; whereas, however, quantities covered by applications in respect of beef and

veal originating in Poland and processed products must be reduced proportionately in accordance with Article 3(4) of that Regulation,

HAS ADOPTED THIS REGULATION:

Article 1

The following percentages of quantities covered by import licence applications submitted in respect of the period 1 April to 30 June 1998 under the quotas referred to in Regulation (EC) No 1939/97 may be allowed:

- (a) 100 % of quantities covered by applications in respect of products falling within CN codes 0201 and 0202 originating in Hungary, the Czech Republic, Slovakia, Romania and Bulgaria;
- (b) 66,322 % of quantities covered by applications in respect of products falling within CN codes 0201, 0202, 1602 50 31 and 1602 50 39 originating in Poland.

Article 2

This Regulation shall enter into force on 24 April 1998.

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

Done at Brussels, 23 April 1998.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ L 272, 4. 10. 1997, p. 23.

II

(Acts whose publication is not obligatory)

COMMISSION

COMMISSION DECISION

of 23 April 1998

on epidemio-surveillance for transmissible spongiform encephalopathies and amending Decision 94/474/EC

(Text with EEA relevance)

(98/272/EC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Directive 89/662/EEC of 11 December 1989 concerning veterinary checks in intra-Community trade with a view to the completion of the internal market⁽¹⁾, as last amended by Directive 92/118/EEC⁽²⁾, and in particular Article 9(4) thereof,

Having regard to Council Directive 90/425/EEC of 26 June 1990 concerning veterinary and zootechnical checks applicable in intra-Community trade in certain live animals and products with a view to the completion of the internal market⁽³⁾, as last amended by Directive 92/118/EEC, and in particular Article 10(4) thereof,

(1) Whereas new information has been published in the United Kingdom further supporting the hypothesis that exposure to the bovine spongiform encephalopathy (BSE) agent is linked to the new variant of Creutzfeldt Jacob Disease (CJD) in humans; whereas on 16 September 1997 the Spongiform Encephalopathy Advisory Committee (SEAC) of the United Kingdom concluded that recent research provided compelling new evidence

that the agent which causes BSE is identical to the agent which causes the new variant of CJD in humans; whereas on 18 September 1997 the Advisory Committee on Dangerous Pathogens (ACDP) concluded that the BSE agent should now be classified as a human pathogen under Directive 90/425/EEC, the Member State of origin or dispatch is required to implement on its territory the appropriate measures to prevent all situations likely to constitute a serious hazard to animals or to human health;

(2) Whereas, pursuant to Council Directive 82/894/EEC⁽⁴⁾, as last amended by Commission Decision 98/12/EC⁽⁵⁾, Member States have since 1990 been obliged to notify all cases of BSE to the Commission and to the other Member States;

(3) Whereas pursuant to Council Directive 91/68/EEC⁽⁶⁾, as last amended by Commission Decision 94/953/EC⁽⁷⁾, since 1993 scrapie must be an officially notifiable disease in all Member States;

(4) Whereas the Scientific Veterinary Committee has stated on the basis of its risk assessment that several Member States including the United Kingdom

⁽¹⁾ OJ L 395, 30. 12. 1989, p. 13.

⁽²⁾ OJ L 62, 15. 3. 1993, p. 49.

⁽³⁾ OJ L 224, 18. 8. 1990, p. 29.

⁽⁴⁾ OJ L 378, 31. 12. 1982, p. 58.

⁽⁵⁾ OJ L 4, 8. 1. 1998, p. 63.

⁽⁶⁾ OJ L 46, 19. 2. 1991, p. 19.

⁽⁷⁾ OJ L 371, 31. 12. 1994, p. 14.

have reported scrapie in native-born sheep, that the presence of scrapie cannot be excluded in any Member State where sheep are present and that only a thorough epidemiological investigation conducted to common standards will give the necessary information about the scrapie status of each country;

(5) Whereas inspections were carried out in Member States in 1996 and 1997 to check the implementation of Community measures on BSE; whereas the results of those inspections have revealed certain deficiencies, in particular in surveillance and implementation of the prohibition on use of mammalian protein in ruminant feed;

(6) Whereas in view of previous trade in certain products, in particular meat and bone meal and live animals, the possible presence of transmissible spongiform encephalopathy (TSE) agents cannot be ruled out in any of the Member States, subject to further scientific evaluation;

(7) Whereas the World Organisation for Animal Health (Office International des Epizooties (OIE)) in its international animal health code on bovine spongiform encephalopathy of May 1997 has recommended minimum requirements for effective surveillance; whereas the OIE has adopted guidelines for continuous surveillance and monitoring of bovine spongiform encephalopathy in its Code of January 1997;

(8) Whereas the Scientific Veterinary Committee in its report on surveillance of transmissible spongiform encephalopathies of 11 June 1997 has laid down guidelines taking account of the recommendations of the OIE;

(9) Whereas the measures provided for in this Decision are in accordance with that opinion and represent a harmonised approach towards effective TSE surveillance in the Member States; whereas more detailed rules will be laid down in Council legislation based on Article 100a of the Treaty;

(10) Whereas the measures provided for in this Decision will be applied in conjunction with Commission Decision 97/534/EC of 30 July 1997 on the prohibition of the use of material presenting risks as regards transmissible spongiform encephalopathies⁽¹⁾, as last amended by Council Decision 98/248/EC⁽²⁾;

(11) Whereas investigation requirements for ante-mortem inspection in slaughterhouses of bovine animals were laid down in Commission Decision 94/474/EC⁽³⁾, as last amended by Council Decision 98/256/EC⁽⁴⁾; whereas those requirements are now set out in this Decision; whereas, therefore, the corresponding provisions of Decision 94/474/EEC should be deleted;

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

HAS ADOPTED THIS DECISION:

Article 1

Member States shall ensure that staff of the competent authority, of diagnostic laboratories and colleges of agriculture and veterinary medicine, official veterinarians, veterinary practitioners, slaughterhouse personnel and animal breeders, keepers and handler have the knowledge of the clinical signs, epidemiology and, as appropriate, laboratory findings relating to TSEs.

Article 2

1. Member States shall ensure that it is compulsory for the suspected presence of any TSE in any animal to be notified immediately to the competent veterinary authority.

2. BSE shall be suspected in bovine animals aged over 20 months displaying behavioural or neurological signs where the disease cannot be ruled out either on the basis of response to treatment or following laboratory examination.

3. Scrapie shall be suspected in ovine and caprine animals aged over 12 months displaying behavioural or neurological signs where the disease cannot be ruled out either on the basis of response to treatment or following laboratory examination.

Article 3

1. Any animal which shows clinical signs giving rise to the suspicion of a TSE shall be placed under official movement restrictions pending the outcome of a clinical and epidemiological investigation by the competent authority.

⁽¹⁾ OJ L 216, 8. 8. 1997, p. 95.

⁽²⁾ OJ L 102, 2. 4. 1998, p. 26.

⁽³⁾ OJ L 194, 29. 7. 1994, p. 96.

⁽⁴⁾ OJ L 113, 15. 4. 1998, p. 32.

2. Where the competent authority decides that the possibility of infection with a TSE cannot be ruled out, the animal shall be killed and its brain and such other tissues as the competent authority may determine shall be removed and sent to an approved laboratory for testing for the presence of TSE using the methods set out in Article 5. The carcase and remaining internal organs of the animal shall be retained under official supervision until a diagnosis has been made or until it has been destroyed in accordance with Article 4 of Decision 97/534/EC.

Article 4

1. In order to give early warning of the emergence or occurrence of BSE or scrapie, each Member State shall carry out an annual programme of monitoring in accordance with the conditions laid down in the Annex.

2. Member States shall inform the Commission and the Member States, within the Standing Veterinary Committee, of the results obtained from the monitoring programme and of the emergence of TSEs other than BSE or scrapie. The information shall be presented by way of an annual report, submitted to the Commission within three months after the end of each year. It shall at least cover the information referred to in the Annex.

Article 5

1. Sampling and laboratory testing for the presence of a TSE shall be carried out using the methods and protocols laid down in the Manual of Standards for Diagnostic Tests and Vaccines of the World Organisation for Animal Health (Office International des Epizooties), May 1997 edition. The tests performed shall at least comprise histo-

pathology examination of brain tissue. The competent authority may also require the use of other laboratory tests such as immunocytochemic and immunodiagnostic tests for the detection of scrapie associated fibrils (SAFs), where their use is considered appropriate.

2. The competent authority shall ensure coordination of diagnostic methods and protocols between the laboratories approved for testing for the presence of TSEs and verify the use of those diagnostic methods and protocols.

Article 6

Community inspections may be carried out, in particular where the annual report is not submitted in accordance with Article 4(2).

Article 7

Article 2 of Decision 94/474/EC is hereby deleted.

Article 8

This Decision shall apply from 1 May 1998.

Article 9

This Decision is addressed to the Member States.

Done at Brussels, 23 April 1998.

For the Commission

Franz FISCHLER

Member of the Commission

ANNEX

A. MINIMAL REQUIREMENTS FOR A PROGRAMME FOR MONITORING BSE AND SCRAPIE**Selection of subpopulations**

Selection must be by means of a risk assessment of subpopulations of native-born animals displaying clinical signs compatible with TSEs and, in a decreasing order of relevance, of higher-risk animals. Within each subpopulation and age group, selection must be random.

1. The following shall be the criteria for the selection of *native-born animals displaying clinical signs compatible with TSEs*:
 - animals displaying behavioural or neurological signs lasting for at least 15 days and resistant to treatment,
 - moribund animals without signs of infectious or traumatic illness,
 - animals displaying other progressive disease conditions.
2. The following risks must be taken into account for the selection of *higher risk animals*:
 - animals originating from countries with indigenous TSE,
 - animals which have consumed potentially contaminated feedstuffs,
 - animals born or derived from TSE infected dams, and/or sires.

Animal species and type of TSE

1. Bovine animals must be examined for the presence of BSE.
2. Ovine and caprine animals must be examined for the presence of scrapie.

Age of the targeted animals

The sample must target the oldest animals in the subpopulation. However, all targeted bovine animals must be over 20 months of age and all targeted ovine and caprine animals must be over 12 months of age. Targeted bovine animals displaying progressive disease conditions without showing neurological signs must be over 4 years of age.

Sample size

The minimum number of animals to be examined on an annual basis must comply with the sample sizes referred to in the table for animals in subpopulations of native-born animals displaying clinical signs compatible with TSEs. Animals in which infection with a TSE cannot be ruled out and as such have to be examined in accordance with Article 3 may be included within the minimum sample size. Samples from the subpopulations of higher-risk animals must be collected at the time when the animals are slaughtered or killed.

*Table***Minimum number of annual neurohistological investigations of animals showing clinical signs compatible with TSE**

Native-born cattle population 20 months of age or older or native-born ovine and caprine population 12 months of age or older	Minimum number of brains to be examined
100 000	10
300 000	30
500 000	50
700 000	69
1 000 000	99
2 500 000	195
5 000 000	300
7 000 000	336
10 000 000	367
20 000 000	409
30 000 000	425
40 000 000	433

B. ANNUAL REPORT

The annual report must contain data on:

1. the total number of animals and age structure examined within the different groups of the respective populations of bovine, ovine and caprine animals categorised according to epidemiological criteria;
 2. the overall mortality and mortality due to neurological diseases per animal species;
 3. records of the competent authority on the number and types of animals or carcasses placed under movement restrictions in accordance with Article 3;
 4. the number and outcome of the clinical and epidemiological investigations carried out in accordance with Article 3; these records must be kept for seven years;
 5. TSEs in animals other than bovine, ovine and caprine animals;
 6. training with respect to knowledge referred to in Article 1.
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