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I

(Acts whose publication is obligatory)

COMMISSION REGULATION (EC) No 976/98
of 8 May 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 9 May 1998.

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

Done at Brussels, 8 May 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 8 May 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	143,0
	999	143,0
0709 90 70	052	82,5
	204	87,8
	999	85,2
0805 10 10, 0805 10 30, 0805 10 50	052	73,2
	204	36,7
	212	60,0
	600	64,0
	624	43,6
	999	55,5
0805 30 10	382	58,8
	388	58,8
	999	58,8
0808 10 20, 0808 10 50, 0808 10 90	060	41,9
	388	77,7
	400	92,4
	404	94,7
	508	95,8
	512	86,8
	524	90,1
	528	88,1
	804	110,0
	999	86,4

⁽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 977/98

of 8 May 1998

fixing the refunds applicable to cereal and rice sector products supplied as
Community and national food aid

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 the third subparagraph of Article 13(2) thereof,

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

Whereas Article 2 of Council Regulation (EEC) No 2681/74 of 21 October 1974 on Community financing of expenditure incurred in respect of the supply of agricultural products as food aid⁽⁵⁾ lays down that the portion of the expenditure corresponding to the export refunds on the products in question fixed under Community rules is to be charged to the European Agricultural Guidance and Guarantee Fund, Guarantee Section;

Whereas, in order to make it easier to draw up and manage the budget for Community food aid actions and to enable the Member States to know the extent of Community participation in the financing of national food aid actions, the level of the refunds granted for these actions should be determined;

Whereas the general and implementing rules provided for in Article 13 of Regulation (EEC) No 1766/92 and in Article 13 of Regulation (EC) No 3072/95 on export

refunds are applicable *mutatis mutandis* to the above-mentioned operations;

Whereas the specific criteria to be used for calculating the export refund on rice are set out in Article 13 of Regulation (EC) No 3072/95;

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

HAS ADOPTED THIS REGULATION:

Article 1

For Community and national food aid operations under international agreements or other supplementary programmes, and other Community free supply measures, the refunds applicable to cereals and rice sector products shall be as set out in the Annex.

Article 2

For Community food aid operations for North Korea a refund of ECU 347/tonne is fixed for products falling within CN code 1006 30.

Article 3

This Regulation shall enter into force on 11 May 1998.

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

Done at Brussels, 8 May 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 288, 25. 10. 1974, p. 1.

ANNEX

to the Commission Regulation of 8 May 1998 fixing the refunds applicable to cereal and rice sector products supplied as Community and national food aid

(ECU/tonne)

Product code	Refund
1001 10 00 9400	0
1001 90 99 9000	21,00
1002 00 00 9000	35,00
1003 00 90 9000	54,00
1004 00 00 9400	45,00
1005 90 00 9000	31,00
1006 30 92 9100	137,00
1006 30 92 9900	137,00
1006 30 94 9100	137,00
1006 30 94 9900	137,00
1006 30 96 9100	137,00
1006 30 96 9900	137,00
1006 30 98 9100	137,00
1006 30 98 9900	137,00
1006 40 00 9000	—
1007 00 90 9000	31,00
1101 00 15 9100	23,00
1101 00 15 9130	23,00
1102 20 10 9200	39,51
1102 20 10 9400	33,86
1102 30 00 9000	—
1102 90 10 9100	62,27
1103 11 10 9200	0
1103 11 90 9200	0
1103 13 10 9100	50,80
1103 14 00 9000	—
1104 12 90 9100	44,36
1104 21 50 9100	70,78

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 978/98
of 8 May 1998

**fixing the maximum buying-in price and the quantities of beef to be bought in
under the 202nd partial invitation to tender as a general intervention measure
pursuant to Regulation (EEC) No 1627/89**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EEC) No 805/68 of 27 June 1968 on the common organisation of the market in beef and veal ⁽¹⁾, as last amended by Regulation (EC) No 2634/97 ⁽²⁾, and in particular Article 6(7) thereof,

Whereas, pursuant to Commission Regulation (EEC) No 2456/93 of 1 September 1993 laying down detailed rules for the application of Council Regulation (EEC) No 805/68 as regards the general and special intervention measures for beef ⁽³⁾, as last amended by Regulation (EC) No 2602/97 ⁽⁴⁾, an invitation to tender was opened pursuant to Article 1(1) of Commission Regulation (EEC) No 1627/89 of 9 June 1989 on the buying in of beef by invitation to tender ⁽⁵⁾, as last amended by Regulation (EC) No 896/98 ⁽⁶⁾;

Whereas, in accordance with Article 13(1) of Regulation (EEC) No 2456/93, a maximum buying-in price is to be fixed for quality R3, where appropriate, under each partial invitation to tender in the light of tenders received; whereas, in accordance with Article 13(2) of that Regulation, a decision may be taken not to proceed with the tendering procedure; whereas, in accordance with Article 14 of that Regulation, only tenders quoting prices not exceeding the maximum buying-in price and not exceeding the average national or regional market price, plus the amount referred to in paragraph 1 of that Article, are to be accepted;

Whereas, once tenders submitted in respect of the 202nd partial invitation to tender have been considered and taking account, pursuant to Article 6(1) of Regulation (EEC) No 805/68, of the requirements for reasonable support of the market and the seasonal trend in slaughterings and prices, it has been decided not to proceed with the tendering procedure for category A and to fix the maximum buying-in price and the quantities which may be accepted into intervention for category C;

Whereas the quantities offered at present exceed the quantities which may be bought in; whereas a reducing coefficient or, where appropriate, depending on the differ-

ences in prices and the quantities tendered for, several reducing coefficients should accordingly be applied to the quantities which may be bought in in accordance with Article 13(3) of Regulation (EEC) No 2456/93;

Whereas the scale of the quantities awarded warrants the application of the possibility provided for in Article 16(2) of Regulation (EEC) No 2456/93 of extending the period during which the intervention products are to be delivered;

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

Under the 202nd partial invitation to tender opened pursuant to Regulation (EEC) No 1627/89:

- (a) for category A, it has been decided not to proceed with the tendering procedure;
- (b) for category C:
 - the maximum buying-in price shall be ECU 249 per 100 kg of carcasses or half-carcasses of quality R3,
 - the maximum quantity of carcasses and half-carcasses accepted shall be 978 tonnes,
 - the quantities offered at a price less than or equal to ECU 249 shall be multiplied by a coefficient of 10 %, in accordance with Article 13(3) of Regulation (EEC) No 2456/93.

Article 2

The first sentence of Article 16(2) of Regulation (EEC) No 2456/93 notwithstanding, the time limit for delivery to intervention stores is extended by one week.

Article 3

This Regulation shall enter into force on 11 May 1998.

⁽¹⁾ OJ L 148, 28. 6. 1968, p. 24.

⁽²⁾ OJ L 356, 31. 12. 1997, p. 13.

⁽³⁾ OJ L 225, 4. 9. 1993, p. 4.

⁽⁴⁾ OJ L 351, 23. 12. 1997, p. 20.

⁽⁵⁾ OJ L 159, 10. 6. 1989, p. 36.

⁽⁶⁾ OJ L 126, 28. 4. 1998, p. 20.

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

Done at Brussels, 8 May 1998.

For the Commission

Franz FISCHLER

Member of the Commission

COMMISSION REGULATION (EC) No 979/98**of 8 May 1998****fixing the maximum subsidy on exports of husked long grain rice to Réunion
pursuant to the invitation to tender referred to in Regulation (EC) No 2094/97**

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

Having regard to Council Regulation (EC) No 3072/95 of 22 December 1995 on the common organization of the market in rice⁽¹⁾, as amended by Regulation (EC) No 192/98⁽²⁾, and in particular Article 10 (1) thereof,

Having regard to Commission Regulation (EEC) No 2692/89 of 6 September 1989 laying down detailed rules for exports of rice to Réunion⁽³⁾, and in particular Article 9 (1) thereof,

Whereas Commission Regulation (EC) No 2094/97⁽⁴⁾ opens an invitation to tender for the subsidy on rice exported to Réunion;

Whereas Article 9 of Regulation (EEC) No 2692/89 allows the Commission to fix, in accordance with the procedure laid down in Article 22 of Regulation (EC) No 3072/95 and on the basis of the tenders submitted, a maximum subsidy;

Whereas the criteria laid down in Articles 2 and 3 of Regulation (EEC) No 2692/89 should be taken into account when fixing this maximum subsidy; whereas successful tenderers shall be those whose bids are at or below the level of the maximum subsidy;

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

A maximum subsidy on exports to Réunion of husked long grain rice falling within CN code 1006 20 98 is hereby set on the basis of the tenders lodged from 4 to 7 May 1998 at ECU 298 per tonne pursuant to the invitation to tender referred to in Regulation (EC) No 2094/97.

Article 2

This Regulation shall enter into force on 9 May 1998.

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

Done at Brussels, 8 May 1998.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ L 329, 30. 12. 1995, p. 18.

⁽²⁾ OJ L 20, 27. 1. 1998, p. 16.

⁽³⁾ OJ L 261, 7. 9. 1989, p. 8.

⁽⁴⁾ OJ L 292, 25. 10. 1997, p. 14.

COMMISSION REGULATION (EC) No 980/98
of 8 May 1998

repealing Regulation (EC) No 19/98 suspending the sale of butter from public stocks pursuant to Regulation (EEC) No 3143/85 on the sale at reduced prices of intervention butter intended for direct consumption in the form of concentrated butter and the granting of aid pursuant to Regulation (EEC) No 429/90 on the granting by invitation to tender of an aid for concentrated butter intended for direct consumption in the Community

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

Having regard to Council Regulation (EEC) No 804/68 of 27 June 1968 on the common organisation of the market in milk and milk products ⁽¹⁾, as last amended by Regulation (EC) No 1587/96 ⁽²⁾, and in particular Articles 6(6) and 7a(3) thereof,

Whereas the sale of intervention butter pursuant to Commission Regulation (EEC) No 3143/85 ⁽³⁾, as last amended by Regulation (EC) No 1802/95 ⁽⁴⁾, and the grant of aid pursuant to Commission Regulation (EEC) No 429/90 ⁽⁵⁾, as last amended by Regulation (EC) No 417/98 ⁽⁶⁾, were suspended by Commission Regulation (EC) No 19/98 ⁽⁷⁾; whereas, in view of the way the market for butter has developed over the past few months, the aid arrangements provided for in Regulation (EEC) No 429/90 should be reintroduced; whereas there is no intervention butter available for sale so the suspension of sale

referred to in Regulation (EEC) No 3143/85 need not be maintained; whereas, therefore, Commission Regulation (EC) No 19/98 should be repealed;

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

HAS ADOPTED THIS REGULATION:

Article 1

Regulation (EC) No 19/98 is hereby repealed.

Article 2

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, 8 May 1998.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ L 148, 28. 6. 1968, p. 13.

⁽²⁾ OJ L 206, 16. 8. 1996, p. 21.

⁽³⁾ OJ L 298, 12. 11. 1985, p. 9.

⁽⁴⁾ OJ L 174, 26. 7. 1995, p. 27.

⁽⁵⁾ OJ L 45, 21. 2. 1990, p. 8.

⁽⁶⁾ OJ L 52, 21. 2. 1998, p. 18.

⁽⁷⁾ OJ L 4, 8. 1. 1998, p. 39.

COMMISSION REGULATION (EC) No 981/98**of 7 May 1998****concerning the classification of certain goods in the Combined Nomenclature**

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

Having regard to Council Regulation (EEC) No 2658/87 of 23 July 1987 on the tariff and statistical nomenclature and on the Common Customs Tariff⁽¹⁾, as last amended by Commission Regulation (EC) No 2509/97⁽²⁾, and in particular Article 9 thereof,

Whereas order to ensure uniform application of the Combined Nomenclature annexed to the said Regulation, it is necessary to adopt measures concerning the classification of the goods referred to in the Annex to this Regulation;

Whereas Regulation (EEC) No 2658/87 has set down the general rules for the interpretation of the Combined Nomenclature and those rules also apply to any other nomenclature which is wholly or partly based on it or which adds any additional subdivision to it and which is established by specific Community provisions, with a view to the application of tariff and other measures relating to trade in goods;

Whereas, pursuant to the said general rules, the goods described in column 1 of the table annexed to the present Regulation must be classified under the appropriate CN codes indicated in column 2, by virtue of the reasons set out in column 3;

Whereas it is accepted that binding tariff information issued by the customs authorities of Member States in respect of the classification of goods in the Combined Nomenclature and which do not conform to the rights

established by this Regulation, can continue to be invoked, under the provisions in Article 12(6) of Council Regulation (EEC) No 2913/92 of 12 October 1992 establishing the Community Customs Code⁽³⁾, for a period of three months by the holder;

Whereas the measures provided for in this Regulation are in accordance with the opinion of the Tariff and Statistical Nomenclature Section of the Customs Code Committee,

HAS ADOPTED THIS REGULATION:

Article 1

The goods described in column 1 of the annexed table are now classified within the Combined Nomenclature under the appropriate CN codes indicated in column 2 of the said table.

Article 2

Binding tariff information issued by the customs authorities of Member States which do not conform to the rights established by this Regulation can continue to be invoked under the provisions of Article 12(6) of Regulation (EEC) No 2913/92 for a period of three months.

Article 3

This Regulation shall enter into force on the 21st day following its publication in the *Official Journal of the European Communities*.

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

Done at Brussels, 7 May 1998.

For the Commission

Mario MONTI

Member of the Commission

⁽¹⁾ OJ L 256, 7. 9. 1987, p. 1.

⁽²⁾ OJ L 345, 16. 12. 1997, p. 44.

⁽³⁾ OJ L 302, 19. 10. 1992, p. 1.

ANNEX

Description	Classification (CN code)	Reason
(1)	(2)	(3)
1. Photo album with a binding measuring 12 cm (width) by 16,5 cm (length) by 5,8 cm (thickness), composed of the following materials: — a paperboard base, successively coated with cellular plastic, a layer of thin paperboard, colourfully printed paper and plastic foil, — the 60 inside pages are glued to the binding and consist of plastic leaves with applied transparent plastic pockets.	3926 90 91	Classification is determined by the provisions of General Rules 1, 3b and 6 for the interpretation of the Combined Nomenclature and by the wording of CN codes 3926, 3926 90 and 3926 90 91. The plastic components in this composite product predominate both in volume and in terms of the product's function.
2. A laptop computer-type device in a moulded coloured plastic case, approximately 20 cm long, 23 cm wide and 6 cm thick. The device has the following components: — a loudspeaker, — an electronic processing unit (not freely programmable), — a keyboard with switches under a sturdy plastic film, — an LCD-display, approximately 6 × 3 cm, — switches to regulate the loud-speaker and the contrast. The device has 16 built-in programmes, which perform writing, arithmetic and logic exercises, as well as composing music. The programmes are aimed at children between five and eight years old.	9503 90 32	Classification is determined by the provisions of General Rules 1 and 6 for the interpretation of the Combined Nomenclature and the wording of CN codes 9503, 9503 90 and 9503 90 32. Four of the 16 in-built programmes consist of written exercises, seven test arithmetic and two involve recognising musical notes/tunes etc. Although 15 of the 16 programmes are in two player mode and the correct answers are scored, the product does not have the characteristics of a parlour game of heading 9504. The essential character of the product is that of an educational toy.

COMMISSION REGULATION (EC) No 982/98
of 7 May 1998
concerning the stopping of fishing for common sole by vessels flying the flag of
Belgium

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

Having regard to Council Regulation (EEC) No 2847/93 of 12 October 1993 establishing a control system applicable to the common fisheries policy ⁽¹⁾, as last amended by Regulation (EC) No 2635/97 ⁽²⁾, and in particular Article 21(3) thereof,

Whereas Council Regulation (EC) No 45/98 of 19 December 1997 fixing, for certain fish stocks and groups of fish stocks, the total allowable catches for 1998 and certain conditions under which they may be fished ⁽³⁾, as last amended by Council Regulation (EC) No 783/98 of 7 April 1998 ⁽⁴⁾, provides for common sole quotas for 1998;

Whereas, in order to ensure compliance with the provisions relating to the quantitative limitations on catches of stocks subject to quotas, it is necessary for the Commission to fix the date by which catches made by vessels flying the flag of a Member State are deemed to have exhausted the quota allocated;

Whereas, according to the information communicated to the Commission, catches of common sole in the waters of ICES division VII(e) by vessels flying the flag of Belgium or registered in Belgium have reached the quota allocated

for 1998; whereas Belgium has prohibited fishing for this stock as from 25 April 1998; whereas it is therefore necessary to abide by that date,

HAS ADOPTED THIS REGULATION:

Article 1

Catches of common sole in the waters of ICES division VII(e) by vessels flying the flag of Belgium or registered in Belgium are deemed to have exhausted the quota allocated to Belgium for 1998.

Fishing for common sole in the waters of ICES division VII(e) by vessels flying the flag of Belgium or registered in Belgium is prohibited, as well as the retention on board, the transshipment and the landing of such stock captured by the abovementioned vessels after the date of application of this Regulation.

Article 2

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

It shall apply with effect from 25 April 1998.

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

Done at Brussels, 7 May 1998.

For the Commission

Emma BONINO

Member of the Commission

⁽¹⁾ OJ L 261, 20. 10. 1993, p. 1.

⁽²⁾ OJ L 356, 31. 12. 1997, p. 14.

⁽³⁾ OJ L 12, 19. 1. 1998, p. 1.

⁽⁴⁾ OJ L 113, 15. 4. 1998, p. 8.

COMMISSION REGULATION (EC) No 983/98
of 8 May 1998
fixing export refunds on fruit and vegetables

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 amended by Commission Regulation (EC) No 2520/97⁽²⁾, and in particular Article 35(11) thereof,

Whereas Commission Regulation (EC) No 2190/96⁽³⁾, as last amended by Regulation (EC) No 213/98⁽⁴⁾, lays down detailed rules on export refunds on fruit and vegetables;

Whereas Article 35(1) of Council Regulation (EC) No 2200/96, provides that, to the extent necessary for economically significant quantities of the products listed in that Article to be exported, the difference between the international market prices for those products and their prices in the Community may be covered by export refunds;

Whereas Article 35(4) of Regulation (EC) No 2200/96 provides that refunds must be fixed in the light of the existing situation or the outlook for fruit and vegetable prices on the Community market and supplies available on the one hand, and prices on the international market on the other hand; whereas account must also be taken of the costs referred to in Article 35(4)(b) of that Regulation and of the economic aspect of the exports planned;

Whereas, pursuant to Article 35(1) of Regulation (EC) No 2200/96, refunds are to be set with due regard to the limits resulting from agreements concluded in accordance with Article 228 of the Treaty;

Whereas, in accordance with Article 35(5) of Regulation (EC) No 2200/96, prices on the Community market are to be established in the light of the most favourable prices from the export standpoint; whereas international trade

prices are to be established in the light of the prices referred to in the second subparagraph of that paragraph;

Whereas the international trade situation or the special requirements of certain markets may call for the refund on a given product to vary according to its destination;

Whereas tomatoes, lemons, oranges, apples and peaches and nectarines of classes Extra, I and II of the common quality standards, shelled almonds, hazelnuts and walnuts in shell can currently be exported in economically significant quantities;

Whereas the representative market rates as 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 currencies of third countries and provide the basis for determining the agricultural conversion rates for the Member States' currencies; whereas rules for determining and applying those conversion rates are laid down in Commission Regulation (EEC) No 1068/93⁽⁷⁾, as last amended by Regulation (EC) No 1482/96⁽⁸⁾;

Whereas the application of the abovementioned rules to the present and forecast market situation, and in particular to fruit and vegetable prices in the Community and international trade, gives the refund rates set out in the Annex hereto;

Whereas, pursuant to Article 35(2) of Regulation (EC) No 2200/96, the resources available should be used as efficiently as possible while avoiding discrimination between traders; whereas, therefore, care should be taken not to disturb the trade flows previously induced by the refund arrangements; whereas, for those reasons and because of the seasonal nature of exports of fruit and vegetables, quotas should be fixed for each product;

Whereas Commission Regulation (EEC) No 3846/87⁽⁹⁾, as last amended by Regulation (EC) No 707/98⁽¹⁰⁾, establishes an agricultural product nomenclature for export refunds;

⁽¹⁾ OJ L 297, 21. 11. 1996, p. 1.

⁽²⁾ OJ L 346, 17. 12. 1997, p. 41.

⁽³⁾ OJ L 292, 15. 11. 1996, p. 12.

⁽⁴⁾ OJ L 22, 29. 1. 1998, p. 8.

⁽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.

⁽⁹⁾ OJ L 366, 24. 12. 1987, p. 1.

⁽¹⁰⁾ OJ L 98, 31. 3. 1998, p. 11.

Whereas Commission Regulation (EEC) No 3719/88 ⁽¹⁾, as last amended by Regulation (EC) No 1404/97 ⁽²⁾, lays down common detailed rules for the application of the system of import and export licences and advance fixing certificates for agricultural products;

Whereas, owing to the market situation, in order to make the most efficient use of the resources available and given the structure of Community exports, the most appropriate method should be selected for export refunds on certain products and certain destinations and consequently refunds under the A1 and A2 licence arrangements referred to in Article 1 of Regulation (EC) No 2190/96 should not be fixed simultaneously for the export period in question;

Whereas the quantities laid down for the various products should be distributed in accordance with the different systems for the grant of the refund, taking account in particular of their perishability;

Whereas account should be taken of the definitive rates under the A2 system fixed for the preceding licence application period;

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

HAS ADOPTED THIS REGULATION:

Article 1

1. The export refunds on fruit and vegetables shall be as set out in the Annex hereto.
2. Quantities covered by licences issued for food aid as referred to in Article 14a of Regulation (EEC) No 3719/88 shall not count against the eligible quantities covered by paragraph 1.
3. Without prejudice to the application of Article 4 (5) of Regulation (EC) No 2190/96, the term of validity of A1 and A2 licences shall be two months.

Article 2

This Regulation shall enter into force on 13 May 1998.

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

Done at Brussels, 8 May 1998.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ L 331, 2. 12. 1988, p. 1.

⁽²⁾ OJ L 194, 23. 7. 1997, p. 5.

ANNEX

EXPORT REFUNDS ON FRUIT AND VEGETABLES

Product (Full definitions of eligible products are given in the 'Fruit and vegetables' section of Commission Regulation (EEC) No 3846/87 amended)	Product code	A1 applications from 13. 5 to 23. 6. 1998			A2 applications from 13 to 14. 5. 1998			B applications from 20. 5 to 30. 6. 1998		
		Destination or destination group (1)	Refund rate (ECU/tonnes net weight)	Scheduled quantity (tonnes)	Destination or destination group (1)	Indicative refund rate (ECU/tonnes net weight)	Scheduled quantity (tonnes)	Destination or destination group (1)	Indicative refund rate (ECU/tonnes net weight)	Scheduled quantity (tonnes)
Tomatoes	0702 00 00 9100	F	17		F	17	7 865	F	17	13 107
Shelled almonds	0802 12 90 9000	F	50	377				F	50	234
Hazelnuts in shell	0802 21 00 9000	F	59	21				F	59	11
Shelled hazelnuts	0802 22 00 9000	F	114	594				F	114	601
Walnuts in shell	0802 31 00 9000	F	73	8						
Oranges	0805 10 10 9100 0805 10 30 9100 0805 10 50 9100	XYC	35		XYC	35	12 000	XYC	35	24 000
Lemons	0805 30 10 9100	F	36		F	36	10 089	F	36	6 514
Table grapes	0806 10 10 9100									
Apples	0808 10 20 9100 0808 10 50 9100 0808 10 90 9100	X	25		X	25	3 000	X	25	3 000
	0808 10 20 9100 0808 10 50 9100 0808 10 90 9100	Y	6		Y	6	4 000			
	0808 10 20 9100 0808 10 50 9100 0808 10 90 9100									
Peaches and nectarines	0809 30 10 9100 0809 30 90 9100	E	28		E	28	521	E	28	1 043

(¹) The destination codes are defined as follows:

X: Norway, Iceland, Greenland, Faeroes, Poland, Hungary, Romania, Bulgaria, Albania, Estonia, Latvia, Lithuania, Bosnia-Herzegovina, Croatia, Slovenia, Former Yugoslav Republic of Macedonia, Federal Republic of Yugoslavia (Serbia and Montenegro), Malta.

Y: Armenia, Azerbaijan, Belarus, Georgia, Kazakhstan, Kyrgyzstan, Moldova, Russia, Tajikistan, Turkmenistan, Uzbekistan, Ukraine, destinations referred to in Article 34 of Commission Regulation (EEC) No 3665/87, as amended.

C: Switzerland, Czech Republic, Slovakia.

E: All destinations except Switzerland.

F: All destinations.

COMMISSION REGULATION (EC) No 984/98**of 8 May 1998****on the issuing of export licences for products processed from 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 1429/95 of 23 June 1995 on implementing rules for export refunds on products processed from fruit and vegetables other than those granted for added sugars⁽¹⁾, as last amended by Regulation (EC) No 1007/97⁽²⁾, and in particular Article 4(1) thereof,

Whereas Commission Regulation (EC) No 396/98⁽³⁾ specifies the quantities which may be covered by applications submitted for export licences with advance fixing of the refund other than those applied for in connection with food aid;

Whereas Article 4 of Regulation (EC) No 1429/95 lays down the conditions under which special measures may be taken by the Commission to prevent an overrun in the quantities for which export licence applications may be submitted;

Whereas, in view of the information available to the Commission as of today, the quantity of 389 tonnes of orange juice with a sugar content of not less than 10° Brix but less than 22° Brix in the Annex to Regulation (EC) No 396/98, reduced or increased by the quantities referred to in Article 4(1) of Regulation (EC) No 1429/95,

would be exceeded if licences were issued with advanced fixing of refunds without restriction in response to applications submitted since 6 May 1998; whereas a reducing factor should accordingly be applied to the quantities applied for on 6 May 1998, and applications for export licences with advance fixing of refunds submitted subsequently with a view to such licences being issued during the current period should be rejected,

HAS ADOPTED THIS REGULATION:

Article 1

Export licences with advance fixing of the refund for orange juice with a sugar content of not less than 10° Brix but less than 22° Brix for which applications were submitted on 6 May 1998 pursuant to Article 1 of Regulation (EC) No 396/98 shall be issued for 62,2 % of the quantities applied for.

Applications for export licences with advance fixing of refunds for the above product submitted after 6 May 1998 and before 24 June 1998 shall be rejected.

Article 2

This Regulation shall enter into force on 9 May 1998.

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

Done at Brussels, 8 May 1998.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ L 141, 24. 6. 1995, p. 28.

⁽²⁾ OJ L 145, 5. 6. 1997, p. 16.

⁽³⁾ OJ L 50, 20. 2. 1998, p. 18.

COMMISSION REGULATION (EC) No 985/98
of 8 May 1998
on the issue of import licences for high-quality fresh, chilled or frozen beef and veal

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Commission Regulation (EC) No 936/97 of 27 May 1997 opening and providing for the administration of tariff quotas for high-quality fresh, chilled and frozen beef and for frozen buffalo meat⁽¹⁾, as last amended by Regulation (EC) No 260/98⁽²⁾,

Whereas Regulation (EC) No 936/97 provides in Articles 4 and 5 the conditions for applications and for the issue of import licences for meat referred to in Article 2(f);

Whereas Article 2(f) of Regulation (EC) No 936/97 fixes the amount of high-quality fresh, chilled or frozen beef and veal originating in and imported from the United States of America and Canada which may be imported on special terms for the period 1 July 1997 to 30 June 1998 at 11 500 tonnes;

Whereas it should be recalled that licences issued pursuant to this Regulation will, throughout the period of validity, be open for use only in so far as provisions on health protection in force permit,

HAS ADOPTED THIS REGULATION:

Article 1

1. All applications for import licences from 1 to 5 May 1998 for high-quality fresh, chilled or frozen beef and veal as referred to in Article 2(f) of Regulation (EC) No 936/97 shall be granted in full.

2. Applications for licences may be submitted, in accordance with Article 5 of Regulation (EC) No 936/97, during the first five days of June 1998 for 4 918 tonnes.

Article 2

This Regulation shall enter into force on 11 May 1998.

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

Done at Brussels, 8 May 1998.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ L 137, 28. 5. 1997, p. 10.

⁽²⁾ OJ L 25, 31. 1. 1998, p. 42.

COMMISSION REGULATION (EC) No 986/98
of 8 May 1998
altering the export refunds on white sugar and raw sugar exported in the natural state

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

Having regard to Council Regulation (EEC) No 1785/81 of 30 June 1981 on the common organization of the markets in the sugar sector ⁽¹⁾, as last amended by Regulation (EC) No 1599/96 ⁽²⁾, and in particular the second subparagraph of Article 19 (4) thereof,

Whereas the refunds on white sugar and raw sugar exported in the natural state were fixed by Commission Regulation (EC) No 909/98 ⁽³⁾, as last amended by Regulation (EC) No 951/98 ⁽⁴⁾;

Whereas it follows from applying the detailed rules contained in Regulation (EC) No 909/98 to the information known to the Commission that the export refunds at

present in force should be altered to the amounts set out in the Annex hereto,

HAS ADOPTED THIS REGULATION:

Article 1

The export refunds on the products listed in Article 1 (1) (a) of Regulation (EEC) No 1785/81, undenatured and exported in the natural state, as fixed in the Annex to Regulation (EC) No 909/98 are hereby altered to the amounts shown in the Annex hereto.

Article 2

This Regulation shall enter into force on 9 May 1998.

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

Done at Brussels, 8 May 1998.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ L 177, 1. 7. 1981, p. 4.

⁽²⁾ OJ L 206, 16. 8. 1996, p. 43.

⁽³⁾ OJ L 128, 30. 4. 1998, p. 25.

⁽⁴⁾ OJ L 133, 7. 5. 1998, p. 5.

ANNEX

to the Commission Regulation of 8 May 1998 altering the export refunds on white sugar and raw sugar exported in its unaltered state

Product code	Amount of refund
	— ECU/100 kg —
1701 11 90 9100	41,05 ⁽¹⁾
1701 11 90 9910	38,84 ⁽¹⁾
1701 11 90 9950	⁽²⁾
1701 12 90 9100	41,05 ⁽¹⁾
1701 12 90 9910	38,84 ⁽¹⁾
1701 12 90 9950	⁽²⁾
	— ECU/1 % of sucrose × 100 kg —
1701 91 00 9000	0,4463
	— ECU/100 kg —
1701 99 10 9100	44,63
1701 99 10 9910	43,63
1701 99 10 9950	43,63
	— ECU/1 % of sucrose × 100 kg —
1701 99 90 9100	0,4463

⁽¹⁾ Applicable to raw sugar with a yield of 92 %; if the yield is other than 92 %, the refund applicable is calculated in accordance with the provisions of Article 17a (4) of Regulation (EEC) No 1785/81.

⁽²⁾ Fixing suspended by Commission Regulation (EEC) No 2689/85 (OJ L 255, 26. 9. 1985, p. 12), as amended by Regulation (EEC) No 3251/85 (OJ L 309, 21. 11. 1985, p. 14).