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(Acts adopted pursuant to Title V of the Treaty on European Union)

COMMON POSITION

of 3 July 1998

defined by the Council on the basis of Article J.2 of the Treaty on European Union concerning restrictive measures against the União Nacional para a Independência Total de Angola (UNITA)

(98/425/CFSP)

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty on European Union and in particular Article J.2 thereof,

Whereas on 30 October 1997 the Council adopted Common Position 97/759/CFSP⁽¹⁾ with regard to Angola and aimed at including the 'União Nacional para a Independência Total de Angola' (UNITA) to fulfil its obligations in the peace process;

Whereas, on 12 June 1998, the United Nations Security Council (UNSC) adopted Resolution 1173 (1998) in which it expressed its grave concern at the critical situation in the peace process in Angola, as a result of the failure by UNITA to implement its obligation in the said process;

Whereas, in the said Resolution the UNSC condemned UNITA and requested the adoption of further restrictive measures against it;

Whereas on 24 June 1998 the UNSC adopted Resolution 1176 (1998) which provides for the restrictive measures to enter into force on 1 July 1998,

HAS DEFINED THIS COMMON POSITION:

Article 1

Insofar as they constitute restrictive measures against UNITA, economic and financial relations with Angola will be reduced in accordance with UNSC Resolution 1173 (1998)⁽²⁾.

⁽¹⁾ OJ L 309, 12. 11. 1997, p. 8.

⁽²⁾ Paragraph 11 of UNSC Resolution 1173 (1998) provides for the freezing of funds and financial resources attributable to UNITA and its senior officials or adult members of their immediate families.

Paragraph 12(b) provides for the prohibition of import of diamonds which are not accompanied by a certificate of origin of the government of Unity and National Reconciliation.

Paragraph 12(c) provides for the prohibition of sale or supply of mining equipment and mining services to persons or entities in areas of Angola to which State administration has not been extended, upon notification of guidelines.

Paragraph 12(d) provides for the prohibition of the sale or supply of motorised vehicles, watercraft and spare parts and ground or waterborne transportation services to persons or entities in areas of Angola to which State administration has not been extended, upon notification of guidelines.

Paragraph 13 provides that, on a case-by-case basis, exemption to these measures may be authorised.

Article 2

Official contacts with UNITA leadership in areas of Angola to which State administration has not been extended, except for those by representatives of the Government of Unity and National Reconciliation (GURN), of the United Nations and of the Observer States to the Lusaka Protocol, shall be prohibited.

Article 3

This Common Position shall take effect on 1 July 1998.

Article 4

This Common Position shall be published in the Official Journal.

Done at Brussels, 3 July 1998.

For the Council

The President

W. SCHÜSSEL

COMMON POSITION**of 29 June 1998****defined by the Council on the basis of Article J.2 of the Treaty on European Union concerning a ban on flights by Yugoslav carriers between the Federal Republic of Yugoslavia and the European Community**

(98/426/CFSP)

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty on European Union and, in particular, Article J.2 thereof,

Whereas, on 19 March 1998 the Council adopted Common Position 98/240/CFSP⁽¹⁾ on restrictive measures against the Federal Republic of Yugoslavia;

Whereas further measures were contemplated in Common Position 98/240/CFSP should the conditions set out therein not be met and repression continue in Kosovo;

Whereas neither the said conditions nor those called for by the European Council at its meeting in Cardiff on 15 June 1998 have been met and therefore a further reduction of economic relations with the Federal Republic of Yugoslavia should be foreseen;

Whereas the restrictive measures set out in Article 1 hereto will be reconsidered immediately if the Federal Republic of Yugoslavia and Serbian Governments move to adopt and implement a framework for dialogue and a stabilisation package,

HAS DEFINED THIS COMMON POSITION:

Article 1

Flights by Yugoslav carriers between the Federal Republic of Yugoslavia and the European Community will be banned.

Article 2

This Common Position shall take effect from the date of its adoption.

Article 3

This Common Position shall be published in the Official Journal.

Done at Luxembourg, 29 June 1998.

*For the Council**The President*

R. COOK

⁽¹⁾ OJ L 95, 27. 3. 1998, p. 1.

I

(Acts whose publication is obligatory)

COUNCIL REGULATION (EC) No 1419/98
of 22 June 1998
amending Regulation (EC) No 1554/95 laying down the general rules for the
system of aid for cotton

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty establishing the European Community,

Having regard to the Act of Accession of Greece, and in particular paragraph 9 of Protocol 4 on cotton annexed to the Act of Accession of Greece ⁽¹⁾,

Having regard to the proposal from the Commission,

Whereas paragraph 3 of Protocol 4 provides for production aid to be granted through cotton ginning undertakings; whereas, when such undertakings buy unginced cotton, they pass the aid on to producers by paying a price at least equal to the minimum price referred to in paragraph 8a of Protocol 4; whereas these undertakings may also gin cotton for third parties;

Whereas Article 7(1)(b) of Regulation (EC) No 1554/95 ⁽²⁾ provides that where a ginning undertaking gins cotton on behalf of an individual producer or a producer associated with that undertaking, a statement must be submitted giving details of how the aid is passed on to the producers; whereas the concept of associated producers should be replaced by that of producer groups, and the conditions to be met by groups in such cases should be laid down to ensure that the aid is passed on, particularly through payment of the minimum price to its members;

Whereas Article 8 of Regulation (EC) No 1554/95 provides for the estimated production of unginced cotton to be fixed before 1 October for the purpose of calculating the amount of the advance; whereas, in order to

improve initial harvest forecasts and ensure that the amount paid in advance is as close as possible to the final amount of aid due, the production estimate should be revised at a date by which a large proportion of the unginced cotton harvest has already been placed in supervised storage; whereas the increased reliability of such a revised estimate would require application of a percentage increase of less than 15 % when calculating the resulting advance, without this causing any risks for the budget; whereas the advances paid prior to the revised estimate should be adjusted, taking account of the administrative costs of applying the new mechanism,

HAS ADOPTED THIS REGULATION:

Article 1

Regulation (EC) No 1554/95 is hereby amended as follows:

1. Article 5(3) shall be replaced by the following:

‘3. Entitlement to the aid shall be acquired when the cotton is ginned. However, aid may be paid in advance from 16 October following the start of the marketing year when the unginced cotton enters the cotton ginning undertaking, provided that an adequate security has been lodged. The amount of the advance shall be calculated in accordance with paragraph 3a.

Any aid balance outstanding shall be paid once the actual quantity produced has been determined and any adjustment to the aid referred to in Article 2 of Regulation (EEC) No 1964/87 ^(*) has been made. It shall be paid before the end of the marketing year, at the latest.

⁽¹⁾ OJ L 291, 19. 11. 1979, p. 174. Protocol as last amended by Regulation (EC) No 1553/95 (OJ L 148, 30. 6. 1995, p. 45).

⁽²⁾ OJ L 148, 30. 6. 1995, p. 48. Regulation as amended by Regulation (EC) No 1584/96 (OJ L 206, 16. 8. 1996, p. 16).

^(*) OJ L 184, 3. 7. 1987, p. 14. Regulation as last amended by Regulation (EC) No 1553/95 (OJ L 148, 30. 6. 1995, p. 45).’

2. The following paragraph shall be inserted in Article 5:

'3a. The level of the advance per 100 kg of unginned cotton shall be equal to the guide price minus the world price and reduced further by an amount calculated using the method provided for in Article 6, but replacing actual production by the estimated production of unginned cotton fixed in accordance with Article 8(1) plus 15 %.

From 16 December following the start of the marketing year, the amount of the aid referred to in the first subparagraph shall be replaced by a revised amount calculated using the same method but based on the revised production estimate for unginned cotton fixed in accordance with Article 8(2), plus at least 7,5 %. Advances paid between 16 October and 15 December shall be increased accordingly, except where the difference between the two amounts is less than ECU 1/100 kg.'

3. Article 7 shall be replaced by the following:

'Article 7

1. Without prejudice to paragraph 2, aid shall be granted only to those cotton ginning undertakings which apply for it and which:

(a) have submitted a contract stipulating payment to the producer of a price at least equal to the minimum price referred to in Article 8a of Protocol 4 and containing a clause specifying that:

— where Article(s) 2(3) and/or 2(4) of Regulation (EEC) No 1964/87 is applied, the agreed price will be adjusted in consequence of the effect of the application of that Article upon the aid,

— where there is a difference between the quality of the cotton delivered and the standard quality, as referred to in paragraph 8 of Protocol 4, the price agreed will be adjusted proportionally by common consent between the contracting parties;

(b) keep stock amounts on ginned and unginned cotton that satisfy requirements to be laid down, so that entitlement to the aid can be checked;

(c) provide the other supporting documents needed for checking entitlement to the aid;

(d) furnish proof that the cotton delivered under the contract is the subject of the declaration of area sown referred to in Article 8.

2. Aid shall be granted to those cotton ginning undertakings which apply for it and which gin cotton

on behalf of an individual producer or a producer group meeting the criteria laid down in the third subparagraph of paragraph 4 of Protocol 4, provided such undertakings:

(a) satisfy the conditions referred to in paragraphs 1(b) and (c);

(b) have submitted a statement giving details of the conditions under which the ginning is carried out and how the aid is administered;

(c) undertake to pass on the aid to the individual producers or, where applicable, the producer groups concerned;

(d) furnish proof that the cotton referred to in the statement referred to in (b) has been the subject of the declaration of area sown referred to in Article 8;

(e) furnish proof that producer groups are obliged to provide for and comply with a clause equivalent to that in paragraph 1(a) and an undertaking by such groups to keep and produce supporting documents concerning payment of the minimum price.

3. Failure to comply with the clause or undertaking referred to in paragraph 2(e) by a producer group having ginning carried out on its behalf shall be considered a failure to meet the criteria referred to in the third subparagraph of paragraph 4 of Protocol 4.'

4. Article 8 shall be replaced by the following:

'Article 8

1. Before 1 October, the estimated production of unginned cotton referred to in the first subparagraph of Article 5(3a) shall be drawn up using the procedure referred to in Article 11(1), account being taken of crop estimates.

In order to draw up these estimates, a system of declarations of the areas sown shall be established.

2. Before 1 December, the revised estimate of production of unginned cotton and the percentage increase referred to in the second subparagraph of Article 5(3a) shall be drawn up using the procedure referred to in Article 11(1), account being taken of the progress of the harvest.'

Article 2

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

It shall apply from 1 September 1998.

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

Done at Luxembourg, 22 June 1998.

For the Council

The President

J. CUNNINGHAM

COUNCIL REGULATION (EC) No 1420/98

of 26 June 1998

amending Regulation (EEC) No 619/71 laying down general rules for granting aid for flax and hemp

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EEC) No 1308/70 of 29 June 1970 on the common organisation of the market in flax and hemp ⁽¹⁾, and in particular Article 4(4) thereof,

Having regard to the proposal from the Commission,

Whereas the second subparagraph of Article 4(1) of Regulation (EEC) No 1308/70 stipulates that aid is granted only for hemp grown from seed of varieties providing certain safeguards to be determined in respect of the content of intoxicating substances in the harvested product; whereas Article 3(1) of Regulation (EEC) No 619/71 ⁽²⁾ lays down a maximum limit for the average content of tetrahydrocannabinol (THC) to determine the varieties of seeds which may be accepted; whereas in order to strengthen the measures ensuring that land eligible for production aid may not be used for illegal cultivation the maximum limit currently laid down should be reduced; whereas, for the same purpose, the grant of aid should be made conditional upon harvesting after seed formation;

Whereas Article 3(2) of Regulation (EEC) No 619/71 lays down, for the grant of aid for fibre flax, a system of compulsory contracts between producers and primary processors containing a processing undertaking; whereas a similar system of compulsory contracts should be introduced in the hemp sector so as to improve control of the final use of the crop and to guarantee that the crop is actually processed; whereas provision should also be made for the case where the producer processes the hemp into straw or has it processed on this behalf by a processor;

Whereas Article 4 of Regulation (EEC) No 619/71 provides for a system of administrative supervision guaranteeing that the product of which aid has been requested qualifies for that aid; whereas provision should be made for the possibility of strengthening that supervi-

sion system in the hemp sector by a system of prior authorisation for sowing;

Whereas the measures provided for in this Regulation must be implemented under the best possible conditions; whereas, therefore, transitional measures may be needed to facilitate the changeover to the new system,

HAS ADOPTED THIS REGULATION:

Article 1

Regulation (EEC) No 619/71 is hereby amended as follows:

1. Article 3(1) shall be replaced by the following:

‘1. For hemp, aid shall be granted only to growers, who have concluded, before a date to be specified, a contract with a primary processor approved by the competent authority in the Member State on whose territory his establishments are situated, under which the primary processor obtains ownership of the hemp and undertakes to process it.

However, aid shall also be granted to the producer if he undertakes to process the hemp into straw and is approved for that purpose by the competent authority or if he undertakes to have the hemp processed on his behalf into straw by an approved primary processor.

Aid shall be granted only for hemp harvested after seed formation and grown from certified seed of varieties contained in a list to be drawn up in accordance with the procedure laid down in Article 12 of Regulation (EEC) No 1308/70. This list shall include only varieties for which a Member State has found by analysis that the weight of THC (tetrahydrocannabinol) in the weight of a sample maintained at constant weight is no more than:

- 0,3 % for the purposes of the grant of aid for the marketing years 1998/99 to 2000/2001,
- 0,2 % for the purposes of the grant of aid for subsequent marketing.

The sample referred to above shall consist of the upper third of a representative number of plants selected at random at the end of their flowering period and with stalks and seeds removed.’

⁽¹⁾ OJ L 146, 4. 7. 1970, p. 1. Regulation as last amended by Regulation (EC) No 3290/94 (OJ L 349, 31. 12. 1994, p. 105).

⁽²⁾ OJ L 72, 26. 3. 1971, p. 2. Regulation as last amended by Regulation (EC) No 154/97 (OJ L 27, 30. 1. 1997, p. 1).

2. In Article 4(1), the following subparagraph shall be added:

‘For hemp, if the Member State considers it appropriate, the arrangements shall comprise a system for the prior authorisation of sowing on land eligible for production aid.’

3. Article 6a shall be replaced by the following:

‘Article 6a

Should transitional measures be strictly necessary to facilitate the implementation of the adjustments to the arrangements laid down in Regulation (EC) No 1420/98 (*) with effect from the 1998/99 marketing

year, such measures shall be adopted in accordance with the procedure laid down in Article 12 of Regulation (EEC) No 1308/70. They shall apply until the end of the 1999/2000 marketing year at the latest.

(*) OJ L 190, 4. 7. 1998, p. 7.’

Article 2

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

It shall apply from the 1998/99 marketing year. However, Article 1(3) shall apply from the date of the entry into force of this Regulation.

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

Done at Luxembourg, 26 June 1998.

For the Council

The President

J. CUNNINGHAM

COUNCIL REGULATION (EC) No 1421/98
of 29 June 1998

amending Regulation (EC) No 2505/96 opening and providing for the administration of autonomous Community tariff quotas for certain agricultural and industrial products

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty establishing the European Community, and in particular Article 28 thereof,

Having regard to the proposal from the Commission,

Whereas, by virtue of Regulation (EC) No 2505/96 ⁽¹⁾, the Council opened autonomous Community tariff quotas for certain agricultural and industrial products; whereas Community demand for the products in question should be met under the most favourable conditions; whereas Community tariff quotas should therefore be opened at reduced or zero rates of duty for appropriate volumes, and increased or extended in the case of certain existing tariff quotas, avoiding any disturbance to the markets for these products;

Whereas Regulation (EC) No 2505/96 should therefore be amended,

HAS ADOPTED THIS REGULATION:

Article 1

Annex I to Regulation (EC) No 2505/96 shall be amended as follows:

1. for the quota period from 1 January to 30 June 1998:
 - order number 09.2935: the amount of the tariff quota shall be 70 000 tonnes,

- order number 09.2967: the amount of the tariff quota shall be 3 000 000 units;

2. for the quota period from 1 January to 31 December 1998:

- order number 09.2799: the amount of the tariff quota shall be 30 000 tonnes,
- order number 09.2943: the amount of the tariff quota shall be 30 000 000 units,
- order number 09.2947: the amount of the tariff quota shall be 1 300 tonnes,
- order number 09.2959: the amount of the tariff quota shall be 45 000 tonnes,
- order number 09.2963: the amount of the tariff quota shall be 500 000 000 units;

3. the quota period for tariff quota with order number 09.2965 shall be replaced by: 1.1-31.12.1998;

4. the tariff quotas shown in the Annex to this Regulation shall be added.

Article 2

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

It shall apply from 1 January 1998 as regards points 1, 2 and 3 of Article 1 and as from 1 July 1998 as concerns point 4 thereof.

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

Done at Luxembourg, 29 June 1998.

For the Council

The President

R. COOK

⁽¹⁾ OJ L 345, 31. 12. 1996, p. 1. Regulation as last amended by Regulation (EC) No 2631/97 (OJ L 356, 31. 12. 1997, p. 1).

ANNEX

Order No	CN code	Taric code	Description	Amount of quota	Quota duty (%)	Quota period
09.2967	ex 8518 29 20 ex 8518 29 80	20 30	Loudspeaker, having a diameter of less than 23 mm, for use in the manufacture of products falling within subheading 8525 20 91 (a)	3 000 000 units	0	1.7-31.12.1998
09.2968	ex 2825 30 00	20	Vanadium oxides and hydroxides, in the form of powder, only for the production of alloys (a)	300 tonnes	0	1.7-31.12.1998
09.2969	ex 3920 62 19 ex 3920 91 00	82 93	Film of polyethylene terephthalate metallized on one or both sides, or laminate of such films metallized on the outer surfaces and having the following characteristics: — a visible light transmission of not less than 50 % — not coated with an adhesive or any other non-plastic material — whether or not covered on both sides with a layer of polyvinyl butyral — a total thickness not exceeding 0,2 mm without taking into account any presence of layers of polyvinyl butyral, for use in the manufacture of heat-reflecting laminated glass (a)	52 500 m ²	0	1.7-31.12.1998
09.2970	2933 61 00	—	Melamine	5 000 tonnes	0	1.7-31.12.1998
09.2971	ex 3818 00 10	45	Doped silicon wafers having a diameter of 300 mm ($\pm$ 0,25 mm), for use in the manufacture of products falling within heading 8542 (a)	15 000 units	0	1.7-31.12.1998
09.2972	ex 5603 92 90	50	Non-woven of staple fibres having a tensile strength (in the machine direction) of 3,8 kg/5 cm or more, in rolls with: — a width of 78 mm or more but not exceeding 252 mm and — a length of 980 m or more, for use in the manufacture of floppy discs (a)	7 600 000 m ²	0	1.7-31.12.1998
09.2973	ex 8540 91 00	95	Dot mask with a diagonal measurement of 39 cm ($\pm$ 0,5 cm)	250 000 units	0	1.7-31.12.1998

(a) Control of the use for this special purpose shall be carried out pursuant to the relevant Community provisions.

COMMISSION REGULATION (EC) No 1422/98
of 3 July 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 4 July 1998.

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

Done at Brussels, 3 July 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 3 July 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
0709 90 70	052	79,0
	999	79,0
0805 30 10	382	61,1
	388	62,9
	524	54,5
	528	60,1
	999	59,6
0808 10 20, 0808 10 50, 0808 10 90	388	71,9
	400	81,6
	404	90,5
	508	91,8
	512	69,0
	524	55,2
	528	66,1
	804	105,7
	999	79,0
	999	79,0
0808 20 50	388	118,1
	512	104,4
	528	90,8
	999	104,4
0809 10 00	052	258,7
	064	152,3
	999	205,5
0809 20 95	052	345,4
	060	167,4
	064	201,7
	068	158,8
	400	291,6
	616	211,1
	999	229,3
0809 30 10, 0809 30 90	052	151,9
	999	151,9
0809 40 05	624	272,0
	999	272,0

⁽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 1423/98
of 2 July 1998
concerning the stopping of fishing for industrial species by vessels flying the flag
of Sweden

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 2637/97⁽²⁾, and in particular Article 21(3) thereof,

Whereas Council Regulation (EC) No 47/98 of 19 December 1997 allocating, for 1998, certain catch quotas between Member States for vessels fishing in the Norwegian exclusive economic zone and the fishing zone around Jan Mayen⁽³⁾, provides for industrial species 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 industrial species in the waters of ICES division IV (Norwegian waters south of 62° N) by vessels flying the flag of Sweden or registered in Sweden have reached the quota allocated for 1998; whereas Sweden has prohibited fishing for this stock as

from 9 June 1998; whereas it is therefore necessary to abide by that date,

HAS ADOPTED THIS REGULATION:

Article 1

Catches of industrial species in the waters of ICES division IV (Norwegian waters south of 62° N) by vessels flying the flag of Sweden or registered in Sweden are deemed to have exhausted the quota allocated to Sweden for 1998.

Fishing for industrial species in the waters of ICES division IV (Norwegian waters south of 62° N) by vessels flying the flag of Sweden or registered in Sweden 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 9 June 1998.

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

Done at Brussels, 2 July 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. 58.

COMMISSION REGULATION (EC) No 1424/98
of 3 July 1998
amending Regulation (EEC) No 689/92 fixing the procedures and conditions for
the taking-over of cereals by intervention agencies

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 5 thereof,

Whereas, when verifying the weight by volumetric measuring, account should also be taken of any differences in the rates of various impurities compared with the rate observed during weighing;

Whereas the minimum criteria for intervention are important instruments for conducting policy to improve the quality of Community production; whereas production quality will become more and more important in a market increasingly open and competitive;

Whereas, in the case of durum wheat, the rate of loss of vitreous aspect is determined for the yield in groats and meal, the main products processed from this cereal; whereas to facilitate the disposal of the intervention product to processing industries in cases of resale on the internal market, this rate of loss of vitreous aspect should be adjusted;

Whereas in the case of rye, there has been an appreciable increase in production and disproportionate deliveries to intervention, given the share of rye production in cereal production as a whole;

Whereas it is recognised that the deliveries to intervention involve primarily fodder rye; whereas this trend should be counteracted by setting the minimum criteria at a level closer to bread-making quality;

Whereas, with a view to balance, the minimum quality for common wheat should also be adjusted;

Whereas Commission Regulation (EEC) No 689/92⁽³⁾, as last amended by Regulation (EC) No 23/98⁽⁴⁾, fixes the conditions for the taking over of cereals into intervention; whereas it is therefore necessary to amend this Regulation;

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

HAS ADOPTED THIS REGULATION:

Article 1

Regulation (EEC) No 689/92 is amended as follows:

1. the first indent in the second subparagraph of Article 3(6)(b) is replaced by:
 - ‘— the rate to be recorded shall be that entered in the stock records, adjusted, where appropriate, to take account of any difference between the moisture content and the rate of various impurities (*Schwarzbetatz*) recorded at the moment of weighing and those determined on the basis of the representative sample;’;
2. the Annex is replaced by the Annex hereto.

Article 2

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

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

Done at Brussels, 3 July 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 74, 20. 3. 1992, p. 18.

⁽⁴⁾ OJ L 4, 8. 1. 1998, p. 48.

ANNEX

ANNEX

	Durum wheat	Common wheat	Rye	Barley	Maize	Sorghum
A. Maximum moisture content	14,5 %	14,5 %	14,5 %	14,5 %	14,5 %	14,5 %
B. Maximum percentage of matter which is not basic cereal of unimpaired quality	12 %	12 %	12 %	12 %	12 %	12 %
Of which:						
1. Broken grains	6 %	5 %	5 %	5 %	10 %	10 %
2. Impurities consisting of grains (other than indicated at 3)	5 %	7 %	5 %	12 %	5 %	5 %
Of which:						
(a) shrivelled grains					—	—
(b) other cereals	3 %			} 5 %		
(c) grains damaged by pests						
(d) grains in which the germ is discoloured			—	—	—	—
(e) grains overheated during drying	0,50 %	0,50 %	1,5 %	3 %	3 %	3 %
3. Mottled grains and/or grains affected with fusariosis	5 %	—	—	—	—	—
Of which:						
— grains affected with fusariosis	1,5 %	—	—	—	—	—
4. Sprouted grains	4 %	4 %	4 %	6 %	6 %	6 %
5. Miscellaneous impurities (<i>Schwarzbesatz</i>)	3 %	3 %	3 %	3 %	3 %	3 %
Of which:						
(a) extraneous seeds:						
— noxious	0,10 %	0,10 %	0,10 %	0,10 %	0,10 %	0,10 %
— other						
(b) damaged grains:						
— grains damaged by spontaneous heating or too extreme heating during drying	0,05 %	0,05 %				
— other						
(c) extraneous matter						
(d) husks						
(e) ergot	0,05 %	0,05 %	0,05 %	—	—	—
(f) decayed grains			—	—	—	—
(g) dead insects and fragments of insects						
C. Maximum percentage of wholly or partially mitadine grains	27 %	—	—	—	—	—
D. Maximum tannin content	—	—	—	—	—	1 % ⁽¹⁾
E. Minimum specific weight	78 kg/hl	72 kg/hl	68 kg/hl	62 kg/hl	—	—
F. Protein content	11,5 % ⁽¹⁾	—	—	—	—	—
G. Hagberg falling number	220	220	100	—	—	—
H. Zeleny index	—	20	—	—	—	—

⁽¹⁾ Percentage calculated on the dry matter.

COMMISSION REGULATION (EC) No 1425/98
of 3 July 1998
amending Regulation (EC) No 805/97 laying down detailed rules for compensa-
tion relating to appreciable revaluations

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

Having regard to Council Regulation (EC) No 724/97 of 22 April 1997 determining measures and compensation relating to appreciable revaluations that affect farm incomes ⁽¹⁾, as last amended by Regulation (EC) No 942/98 ⁽²⁾, and in particular Article 7 thereof,

Having regard to Commission Regulation (EC) No 805/97 of 2 May 1997 laying down detailed rules for compensation in relation to appreciable revaluations ⁽³⁾,

Whereas the period of application of Regulation (EC) No 724/97 has been extended until 31 December 1998; whereas the period of application of Regulation (EC) No 805/97 should accordingly be aligned with that of Regulation (EC) No 724/97;

Whereas the measures provided for in this Regulation are in accordance with the opinion of the relevant management committees,

HAS ADOPTED THIS REGULATION:

Article 1

In Article 1(2) of Regulation (EC) No 805/97, '30 April 1998' is replaced by '31 December 1998'.

Article 2

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

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

Done at Brussels, 3 July 1998.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ L 108, 25. 4. 1997, p. 9.

⁽²⁾ OJ L 132, 6. 6. 1998, p. 1.

⁽³⁾ OJ L 115, 3. 5. 1997, p. 13.

COMMISSION REGULATION (EC) No 1426/98

of 3 July 1998

fixing the maximum amount of compensatory aid for the appreciable revaluation
of the pound sterling on 3 May 1998

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EC) No 724/97 of 22 April 1997 determining measures and compensation relating to appreciable revaluations that affect farm incomes ⁽¹⁾, as last amended by Regulation (EC) No 942/98 ⁽²⁾, and in particular Article 7 thereof,

Whereas Regulation (EC) No 724/97 lays down that the Member States may grant aid to farmers to compensate for an appreciable revaluation; whereas such compensatory aid is to be granted under the conditions indicated in that Regulation and in Commission Regulation (EC) No 805/97 of 2 May 1997 laying down detailed rules for compensation relating to appreciable revaluations ⁽³⁾;

Whereas the amount of compensatory aid is calculated in accordance with Articles 4, 5 and 6 of Regulation (EC) No 724/97 and includes a principal amount and, where appropriate, supplementary amounts under the second subparagraph of Article 3(2) of that Regulation;

Whereas, to facilitate the preparations for granting this compensatory aid, the maximum principal amount of the first instalment thereof should be fixed on the basis of the latest data available on the sterling pound revaluation that occurred on 3 May 1998; whereas this maximum amount is established without prejudice to a reduction or cancellation in case of an increase in the agricultural conversion rate in the observation period referred to in Article 4(3) of Regulation (EC) No 724/97, without prejudice to account being taken of the situation on the market in the same observation period and without prejudice to the pos-

sibility of granting supplementary amounts under the second subparagraph of Article 3(2) of that Regulation;

Whereas, to apply Regulation (EC) No 805/97, the period referred to in Article 3(1) of that Regulation must be specified so that the aid is linked to previous production;

Whereas the measures provided for in this Regulation are in accordance with the opinion of the relevant management committees,

HAS ADOPTED THIS REGULATION:

Article 1

For the United Kingdom, the principal amount of the first instalment of compensatory aid within the meaning of Article 1(2) of Regulation (EC) No 805/97 shall be a maximum of ECU 2,1 million in the case of the appreciable revaluation that occurred on 3 May 1998.

Article 2

1. The amount fixed by this Regulation is established without prejudice to the effects of Article 4(3) of Regulation (EC) No 724/97.

2. To grant the compensatory aid the maximum amount of which is fixed by this Regulation, the period referred to in Article 3(1) of Regulation (EC) No 805/97 shall end on 30 April 1998 at the latest.

Article 3

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

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

Done at Brussels, 3 July 1998.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ L 108, 25. 4. 1997, p. 9.

⁽²⁾ OJ L 132, 6. 6. 1998, p. 1.

⁽³⁾ OJ L 115, 3. 5. 1997, p. 13.

COMMISSION REGULATION (EC) No 1427/98
of 3 July 1998
amending for the fourth time Regulation (EC) No 370/98 adopting exceptional
support measures for the market in pigmeat in Germany

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EEC) No 2759/75 of 29 October 1975 on the common organisation of the market in pigmeat ⁽¹⁾, as last amended by Regulation (EC) No 3290/94 ⁽²⁾, and in particular Article 20 thereof,

Whereas, because of the outbreak of classical swine fever in certain production regions in Germany, the Commission adopted Regulation (EC) No 370/98 ⁽³⁾, as last amended by Regulation (EC) No 1192/98 ⁽⁴⁾, which introduces exceptional support measures for the pigmeat market in that Member State;

Whereas, because the veterinary and trade restrictions continue to apply in the regions concerned, the number of piglets and young piglets which may be delivered to

the competent authorities should be increased, so that the exceptional measures can continue from 17 June 1998;

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

HAS ADOPTED THIS REGULATION:

Article 1

Annex I to Regulation (EC) No 370/98 is replaced by the Annex to this Regulation.

Article 2

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

It shall apply with effect from 17 June 1998.

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

Done at Brussels, 3 July 1998.

For the Commission

Franz FISCHLER

Member of the Commission

ANNEX

‘ANNEX I

Total maximum number of animals from 31 January 1998:

Piglets and young piglets	110 000 head’
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⁽¹⁾ OJ L 282, 1. 11. 1975, p. 1.

⁽²⁾ OJ L 349, 31. 12. 1994, p. 105.

⁽³⁾ OJ L 47, 18. 2. 1998, p. 10.

⁽⁴⁾ OJ L 165, 10. 6. 1998, p. 9.

COMMISSION REGULATION (EC) No 1428/98

of 3 July 1998

altering, for the 1998/99 marketing year, the adjustment aid and additional aid to the sugar refining industry

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

Having regard to Council Regulation (EEC) No 1785/81 of 30 June 1981 on the common organisation of the markets in the sugar sector ⁽¹⁾, as last amended by Regulation (EC) No 1599/96 ⁽²⁾, and in particular Article 36(6) thereof,

Whereas Article 36 of Regulation (EEC) No 1785/81 provides that during the 1995/96 to 2000/01 marketing years adjustment aid of ECU 0,10 per 100 kilograms of sugar expressed as white sugar is to be granted as an intervention measure to the Community's imported preferential raw cane sugar refining industry; whereas, as provided for in those provisions, additional aid equal to that amount is to be granted during the same period for the refining of raw cane sugar produced in the French overseas departments;

Whereas Article 36(4) of Regulation (EEC) No 1785/81 provides that the adjustment aid and the additional aid referred to above shall be altered in respect of a given marketing year in the light of the storage levy fixed for that year and previous adjustments; whereas the storage levy for the 1998/99 marketing year was fixed by Commission Regulation (EC) No 1389/98 ⁽³⁾ at ECU 2,00 per 100 kilograms of white sugar; whereas that amount is

equal to that applicable for the 1997/98 marketing year; whereas, after taking into account previous adjustments, the amount of these aids should consequently be fixed for the 1998/99 marketing year at ECU 2,92 per 100 kilograms of sugar exported as white sugar;

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

HAS ADOPTED THIS REGULATION:

Article 1

The amounts of the adjustment aid and of the additional aid provided for respectively in paragraphs 1 and 3 of Article 36 of Regulation (EEC) No 1785/81 shall be fixed at ECU 2,92 per 100 kilograms of sugar expressed as white sugar for the 1998/99 marketing year.

Article 2

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

It shall apply with effect from 1 July 1998.

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

Done at Brussels, 3 July 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 187, 1. 7. 1998, p. 27.

COMMISSION REGULATION (EC) No 1429/98
of 3 July 1998
deferring the final date for sowing certain arable crops in certain regions in the
1998/99 marketing year

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

Having regard to Council Regulation (EEC) No 1765/92 of 30 June 1992 establishing a support system for producers of certain arable crops ⁽¹⁾, as last amended by Regulation (EC) No 2309/97 ⁽²⁾, and in particular Article 12 thereof,

Whereas Article 10(2) of Regulation (EEC) No 1765/92 stipulates that, to qualify for the compensatory payments for cereals, protein crops and linseed under the support system for certain arable crops, producers must have sown the seed at the latest by 15 May preceding the relevant harvest;

Whereas Article 9 of Commission Regulation (EC) No 658/96 of 9 April 1996 on certain conditions for granting compensatory payments under the support system for producers of certain arable crops ⁽³⁾, as last amended by Regulation (EC) No 1282/98 ⁽⁴⁾, fixes 31 May or 22 June as the final date for oil seeds;

Whereas, because of the particular weather conditions this year, the final dates for sowing seeds fixed for Finland, Italy and Sweden cannot be complied with in all cases; whereas, in consequence, the time limit for sowing cereals

and/or oil seeds, and/or protein crops and/or linseed for the 1998/99 marketing year should, where necessary, be deferred for certain specific regions; whereas to do so Regulations (EEC) No 1765/92 and (EC) No 658/96 should be waived as permitted by the seventh indent of Article 12 of Regulation (EEC) No 1765/92;

Whereas the measures provided for in this Regulation are in accordance with the opinion of the Joint Management Committee for Cereals, Oils and Fats and Dried Fodder,

HAS ADOPTED THIS REGULATION:

Article 1

The final dates for crop sowings in Finland, Italy and Sweden for the 1998/99 marketing year are fixed in the Annex hereto for the crops and regions indicated therein.

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 with effect from 1 June 1998.

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

Done at Brussels, 3 July 1998.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ L 181, 1. 7. 1992, p. 12.

⁽²⁾ OJ L 321, 22. 11. 1997, p. 3.

⁽³⁾ OJ L 91, 12. 4. 1996, p. 46.

⁽⁴⁾ OJ L 176, 20. 6. 1998, p. 23.

*ANNEX***Final date for sowing crops for the 1998/99 marketing year**

Crops	Member State	Region	Final date
Cereals, oil seeds, protein crops and linseed	Sweden	Gävleborg Uppsala	30 June 1998
Cereals, oil seeds, protein crops and linseed	Finland	C1 — C4	30 June 1998
Maize, soya	Italy	Torino	22 June 1998
Cereals, protein crops and linseed	Sweden	Västernorrland Jämtland Västerbotten Norrbotten	30 June 1998

COMMISSION REGULATION (EC) No 1430/98
of 3 July 1998
repealing Regulation (EC) No 413/97 adopting exceptional support measures for
the market in pigmeat in the Netherlands

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EEC) No 2759/75 of 29 October 1975 on the common organisation of the market in pigmeat ⁽¹⁾, as last amended by Regulation (EC) No 3290/94 ⁽²⁾, and in particular Article 20 thereof,

Whereas, because of the outbreak of classical swine fever in certain production regions in the Netherlands, animal health measures were adopted by the Dutch authorities pursuant to Article 9 of Council Directive 80/217/EEC of 22 January 1980 introducing Community measures for the control of classical swine fever ⁽³⁾, as last amended by Decision 93/384/EEC ⁽⁴⁾; whereas exceptional support measures for the market in pigmeat were adopted for this Member State by Commission Regulation (EC) No 413/97 ⁽⁵⁾, as last amended by Regulation (EC) No 541/98 ⁽⁶⁾;

Whereas, in view of the progress achieved on the animal health side, the exceptional market support measures can now be closed down; whereas, therefore, Regulation (EC) No 413/97 needs to be repealed;

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

HAS ADOPTED THIS REGULATION:

Article 1

Regulation (EC) No 413/97 is hereby repealed.

Article 2

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

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

Done at Brussels, 3 July 1998.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ L 282, 1. 11. 1975, p. 1.

⁽²⁾ OJ L 349, 31. 12. 1994, p. 105.

⁽³⁾ OJ L 47, 21. 2. 1980, p. 11.

⁽⁴⁾ OJ L 166, 8. 7. 1993, p. 34.

⁽⁵⁾ OJ L 62, 4. 3. 1997, p. 26.

⁽⁶⁾ OJ L 70, 10. 3. 1998, p. 8.

COMMISSION REGULATION (EC) No 1431/98

of 3 July 1998

fixing, for June 1998, the specific agricultural conversion rate for the amount of the reimbursement of storage costs in the sugar sector

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

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

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⁾,

Having regard to Commission Regulation (EEC) No 1713/93 of 30 June 1993 establishing special detailed rules for applying the agricultural conversion rate in the sugar sector ⁽⁵⁾, as last amended by Regulation (EC) No 59/97 ⁽⁶⁾, and in particular Article 1(3) thereof,

Whereas Article 1(2) of Regulation (EEC) No 1713/93 provides that the amount of the reimbursement of storage costs referred to in Article 8 of Regulation (EEC) No 1785/81 is to be converted into national currency using a specific agricultural conversion rate equal to the average, calculated *pro rata temporis*, of the agricultural conver-

sion rates applicable during the month of storage; whereas that specific rate must be fixed each month for the previous month;

Whereas application of these provisions will lead to the fixing, for June 1998, of the specific agricultural conversion rate for the amount of the reimbursement of storage costs in the various national currencies as indicated in the Annex to this Regulation,

HAS ADOPTED THIS REGULATION:

Article 1

The specific agricultural conversion rate to be used to convert the amount of the reimbursement of storage costs referred to in Article 8 of Regulation (EEC) No 1785/81 into each of the national currencies for June 1998 shall be as indicated in the Annex hereto.

Article 2

This Regulation shall enter into force on 4 July 1998.

It shall apply with effect from 1 June 1998.

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

Done at Brussels, 3 July 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 387, 31. 12. 1992, p. 1.

⁽⁴⁾ OJ L 22, 31. 1. 1995, p. 1.

⁽⁵⁾ OJ L 159, 1. 7. 1993, p. 94.

⁽⁶⁾ OJ L 14, 17. 1. 1997, p. 25.

ANNEX

to the Commission Regulation of 3 July 1998 fixing, for May 1998, the specific agricultural conversion rate for the amount of the reimbursement of storage costs in the sugar sector

Agricultural conversion rates		
ECU 1 =	40,9321	Belgian and Luxembourg francs
	7,56225	Danish kroner
	1,98391	German marks
	349,703	Greek drachmas
	168,336	Spanish pesetas
	6,68769	French francs
	0,796521	Irish pound
	1 973,93	Italian lire
	2,23593	Dutch guilders
	13,9576	Austrian schillings
	203,183	Portuguese escudos
	6,02811	Finnish marks
	8,79309	Swedish kroner
	0,677353	Pound sterling

COMMISSION REGULATION (EC) No 1432/98**of 3 July 1998****fixing the minimum selling prices for beef put up for sale under the invitation to tender referred to in Regulation (EC) No 1268/98**

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 7(3) thereof,

Whereas tenders have been invited for certain quantities of beef fixed by Commission Regulation (EC) No 1268/98 ⁽³⁾;

Whereas, pursuant to Article 9 of Commission Regulation (EEC) No 2173/79 ⁽⁴⁾, as last amended by Regulation (EC) No 2417/95 ⁽⁵⁾, the minimum selling prices for meat put up for sale by tender should be fixed, taking into account tenders submitted;

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

The minimum selling prices for beef for the invitation to tender held in accordance with Regulation (EC) No 1268/98 for which the time limit for the submission of tenders was 22 June 1998 are as set out in the Annex hereto.

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, 3 July 1998.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ L 148, 28. 6. 1968, p. 24.

⁽²⁾ OJ L 356, 31. 12. 1997, p. 13.

⁽³⁾ OJ L 175, 19. 6. 1998, p. 15.

⁽⁴⁾ OJ L 251, 5. 10. 1979, p. 12.

⁽⁵⁾ OJ L 248, 14. 10. 1995, p. 39.

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

Estado miembro	Productos	Precio mínimo expresado en ecus por tonelada
Medlemsstat	Produkter	Mindstepriser i ECU/ton
Mitgliedstaat	Erzeugnisse	Mindestpreise, ausgedrückt in ECU/Tonne
Κράτος μέλος	Προϊόντα	Ελάχιστες πωλήσεις εκφραζόμενες σε Ecu ανά τόνο
Member State	Products	Minimum prices expressed in ECU per tonne
État membre	Produits	Prix minimaux exprimés en écus par tonne
Stato membro	Prodotti	Prezzi minimi espressi in ecu per tonnellata
Lidstaat	Producten	Minimumprijzen uitgedrukt in ecu per ton
Estado-membro	Produtos	Preço mínimo expresso em ecus por tonelada
Jäsenvaltio	Tuotteet	Vähimmäishinnat ecuina tonnia kohden ilmaistuna
Medlemsstat	Produkter	Minimipriser i ecu per ton

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

BELGIQUE/BELGIË	— Quartiers arrière/Achtervoeten	1 801
DANMARK	— Bagfjerdinger	1 825
DEUTSCHLAND	— Hinterviertel	2 250
ESPAÑA	— Cuartos traseros	1 990
FRANCE	— Quartiers arrière	—
IRELAND	— Hindquarters	—
ITALIA	— Quarti posteriori	1 870
NEDERLAND	— Achtervoeten	—
ÖSTERREICH	— Hinterviertel	1 920

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

DANMARK	— Tyksteg (INT 15)	—
FRANCE	— Semelle (INT 14)	—
	— Rumsteak (INT 16)	2 617
	— Faux-filet (INT 17)	4 206
	— Entrecôte (INT 19)	2 967
IRELAND	— Intervention topside (INT 13)	3 100
	— Intervention silverside (INT 14)	2 491
	— Intervention fillet (INT 15)	8 707
	— Intervention rump (INT 16)	3 144
	— Intervention striploin (INT 17)	5 201
	— Intervention forerib (INT 19)	2 928
UNITED KINGDOM	— Intervention thick flank (INT 12)	2 767
	— Intervention topside (INT 13)	3 337
	— Intervention silverside (INT 14)	2 603
	— Intervention fillet (INT 15)	7 093
	— Intervention rump (INT 16)	4 102
	— Intervention striploin (INT 17)	4 784
	— Intervention forerib (INT 19)	2 931

Estado miembro	Productos	Precio mínimo expresado en ecus por tonelada
Medlemsstat	Produkter	Mindestpreis i ECU/ton
Mitgliedstaat	Erzeugnisse	Mindestpreise, ausgedrückt in ECU/Tonne
Κράτος μέλος	Προϊόντα	Ελάχιστες πωλήσεις εκφραζόμενες σε Ecu ανά τόνο
Member State	Products	Minimum prices expressed in ECU per tonne
État membre	Produits	Prix minimaux exprimés en écus par tonne
Stato membro	Prodotti	Prezzi minimi espressi in ecu per tonnellata
Lidstaat	Producten	Minimumprijzen uitgedrukt in ecu per ton
Estado-membro	Produtos	Preço mínimo expresso em ecus por tonelada
Jäsenvaltio	Tuotteet	Vähimmäishinnat ecuina tonnia kohden ilmaistuna
Medlemsstat	Produkter	Minimipriser i ecu per ton

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

UNITED KINGDOM	— Intervention shank (INT 11)	1 302
	— Intervention thick flank (INT 12)	2 114
	— Intervention topside (INT 13)	2 604
	— Intervention silverside (INT 14)	2 116
	— Intervention fillet (INT 15)	5 540
	— Intervention rump (INT 16)	3 260
	— Intervention striploin (INT 17)	4 000
	— Intervention flank (INT 18)	1 000
	— Intervention forerib (INT 19)	1 953
	— Intervention shin (INT 21)	1 302
	— Intervention shoulder (INT 22)	1 302
	— Intervention brisket (INT 23)	1 250
	— Intervention forequarter (INT 24)	1 302

COMMISSION REGULATION (EC) No 1433/98

of 3 July 1998

on the sale by tender of beef held by certain intervention agencies

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 7(3) thereof,

Whereas the application of intervention measures in respect of beef has created stocks in several Member States; whereas, in order to prevent an excessive prolongation of storage, part of these stocks should be sold by tender;

Whereas the sale should be made subject to the rules laid down by Commission Regulation (EEC) No 2173/79⁽³⁾, as last amended by Regulation (EC) No 2417/95⁽⁴⁾, subject to certain special exceptions which are necessary;

Whereas, with a view to ensuring a regular and uniform tendering procedure, measures should be taken in addition to those laid down in Article 8(1) of Regulation (EEC) No 2173/79;

Whereas provision should be made for derogations from Article 8(2)(b) of Regulation (EEC) No 2173/79, in view of the administrative difficulties which application of this point creates in the Member States concerned;

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

HAS ADOPTED THIS REGULATION:

Article 1

1. The sale shall take place of:

- approximately 100 tonnes of bone-in hindquarters held by the Belgian intervention agency,
- approximately 100 tonnes of bone-in hindquarters held by the Danish intervention agency,

⁽¹⁾ OJ L 148, 28. 6. 1968, p. 24.

⁽²⁾ OJ L 356, 31. 12. 1997, p. 13.

⁽³⁾ OJ L 251, 5. 10. 1979, p. 12.

⁽⁴⁾ OJ L 248, 14. 10. 1995, p. 39.

- approximately 100 tonnes of bone-in hindquarters held by the German intervention agency,
- approximately 300 tonnes of bone-in hindquarters held by the Spanish intervention agency,
- approximately 100 tonnes of bone-in hindquarters held by the French intervention agency,
- approximately 300 tonnes of bone-in hindquarters held by the Italian intervention agency,
- approximately 100 tonnes of bone-in hindquarters held by the Irish intervention agency,
- approximately 100 tonnes of bone-in hindquarters held by the Dutch intervention agency,
- approximately 100 tonnes of bone-in hindquarters held by the Austrian intervention agency,
- approximately 600 tonnes of boneless beef held by the French intervention agency,
- approximately 1 400 tonnes of boneless beef held by the Irish intervention agency,
- approximately 1 400 tonnes of boneless beef held by the United Kingdom intervention agency,
- approximately 1 tonne of boneless beef held by the Danish intervention agency.

Detailed information concerning quantities is given in Annex I.

2. Subject to the provisions of this Regulation the products referred to in paragraph 1 shall be sold in accordance with Regulation (EEC) No 2173/79, in particular Titles II and III thereof.

Article 2

1. Notwithstanding Articles 6 and 7 of Regulation (EEC) No 2173/79, the provisions of and Annexes to this Regulation shall serve as a general notice of invitation to tender.

The intervention agencies concerned shall draw up a notice of invitation to tender which shall include the following:

- (a) the quantities of beef offered for sale; and
- (b) the deadline and place for submitting tenders.

2. Interested parties may obtain the details of the quantities available and the places where the products are stored from the addresses listed in Annex II to this Regulation. The intervention agencies shall, in addition, display the notice referred to in paragraph 1 at their head offices and may publish it in other ways.

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

4. Only tenders which reach the intervention agencies concerned by 12 noon on 13 July 1998 shall be considered.

5. Notwithstanding Article 8(1) of Regulation (EEC) No 2173/79, a tender must be submitted to the intervention agency concerned in a closed envelope, bearing the reference to the Regulation concerned. The closed envelope must not be opened by the intervention agency before the expiry of the tender deadline referred to in paragraph 4.

6. Notwithstanding Article 8(2)(b) of Regulation (EEC) No 2173/79, tenders shall not indicate in which cold store or stores the products are held.

Article 3

1. Member States shall provide the Commission with information concerning the tenders received not later than the working day following the deadline set for the submission of tenders.

2. After the tenders received have been examined a minimum selling price shall be set for each product or the sale will not proceed.

Article 4

The security provided for in Article 15(1) of Regulation (EEC) No 2173/79 shall be ECU 120 per tonne.

Article 5

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, 3 July 1998.

For the Commission

Franz FISCHLER

Member of the Commission

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

Estado miembro	Productos (1)	Cantidad aproximada (toneladas)
Medlemsstat	Produkter (1)	Tilnærmet mængde (tons)
Mitgliedstaat	Erzeugnisse (1)	Ungefähre Mengen (Tonnen)
Κράτος μέλος	Προϊόντα (1)	Κατά προσέγγιση ποσότητα (τόνοι)
Member State	Products (1)	Approximate quantity (tonnes)
État membre	Produits (1)	Quantité approximative (tonnes)
Stato membro	Prodotti (1)	Quantità approssimativa (tonnellate)
Lidstaat	Producten (1)	Hoeveelheid bij benadering (ton)
Estado-membro	Produtos (1)	Quantidade aproximada (toneladas)
Jäsenvaltio	Tuotteet (1)	Arvioitu määrä (tonneina)
Medlemsstat	Produkter (1)	Ungefärlig kvantitet (ton)

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

BELGIQUE/BELGIË	— Quartiers arrière/Achtersvoeten	100
DANMARK	— Bagfjerdinger	100
DEUTSCHLAND	— Hinterviertel	100
ESPAÑA	— Cuartos traseros	300
FRANCE	— Quartiers arrière	100
IRELAND	— Hindquarters	100
ITALIA	— Quarti posteriori	300
NEDERLAND	— Achtersvoeten	100
ÖSTERREICH	— Hinterviertel	100

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

DANMARK	— Tyksteg (INT 15)	1
FRANCE	— Semelle (INT 14)	200
	— Rumsteak (INT 16)	270
	— Faux-filet (INT 17)	20
	— Entrecôte (INT 19)	110
IRELAND	— Intervention thick flank (INT 12)	200
	— Intervention topside (INT 13)	200
	— Intervention silverside (INT 14)	200
	— Intervention fillet (INT 15)	200
	— Intervention rump (INT 16)	200
	— Intervention striploin (INT 17)	200
	— Intervention forerib (INT 19)	200
UNITED KINGDOM	— Intervention thick flank (INT 12)	200
	— Intervention topside (INT 13)	200
	— Intervention silverside (INT 14)	200
	— Intervention fillet (INT 15)	200
	— Intervention rump (INT 16)	200
	— Intervention striploin (INT 17)	200
	— Intervention forerib (INT 19)	200

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

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

BELGIQUE/BELGIË

Bureau d'intervention et de restitution belge
Rue de Trèves 82
B-1040 Bruxelles
Belgisch Interventie- en Restitutiebureau
Trierstraat 82
B-1040 Brussel
Téléphone/Tel.: (32-2) 287 24 11; télex/telex: BIRB. BRUB/24076-65567; télécopieur/telefax: (32-2)
230 25 33/280 03 07

BUNDESREPUBLIK DEUTSCHLAND

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

DANMARK

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

ESPAÑA

FEGA (Fondo Español de Garantía Agraria)
Beneficencia, 8
E-28005 Madrid
Teléfono: (34) 913 47 65 00, 913 47 63 10; télex: FEGA 23427 E, FEGA 41818 E; fax: (34) 915 21 98 32,
915 22 43 87

FRANCE

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

ITALIA

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

IRELAND

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

NEDERLAND

Ministerie van Landbouw, Natuurbeheer en Visserij, Voedselvoorzieningsin- en verkoopbureau
p/a LASER, Zuidoost
Slachthuisstraat 71
Postbus 965
6040 AZ Roermond
Tel.: (31-475) 35 54 44; telex: 56396 VIBNL; telefax: (31-475) 31 89 39.

ÖSTERREICH

AMA-Agrarmarkt Austria
Dresdner Straße 70
A-1201 Wien
Tel.: (431) 33 15 12 20; Telefax: (431) 33 15 1297

UNITED KINGDOM

Intervention Board Executive Agency
Kings House
33 Kings Road
Reading RG1 3BU
Berkshire
United Kingdom
Tel. (01-189) 58 36 26
Fax (01-189) 56 67 50

II

(Acts whose publication is not obligatory)

COUNCIL

COUNCIL DECISION

of 16 June 1998

on the accession of the European Community to the General Fisheries
Commission for the Mediterranean

(98/416/EC)

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty establishing the European Community, and in particular Article 43 thereof in conjunction with the first sentence of Article 228(2) and the second subparagraph of Article 228(3) thereof,

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

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

Whereas the European Community is a signatory to the United Nations Convention on the Law of the Sea, which obliges all members of the international community to cooperate in the conservation and management of the biological resources of the sea;

Whereas, as regards sea fisheries, the European Community is responsible for adopting measures for the conservation and management of fishery resources and in that connection for entering into commitments with non-member countries or international organisations;

Whereas the management and conservation of the living resources of the Mediterranean Sea requires international regulation;

Whereas, to that end, the Agreement establishing the General Fisheries Commission for the Mediterranean (hereinafter referred to as the 'GFCM Agreement') was concluded in Rome on 24 September 1949;

Whereas, to contribute to the conservation of living marine resources in the area covered by the GFCM Agreement in which Community fishermen operate, it is necessary for the European Community to accede to the GFCM;

Whereas the European Community became a member of the United Nations Food and Agriculture Organisation (FAO) on 26 November 1991;

Whereas the accession of the European Community to the GFCM is possible under Article I(2) of the GFCM Agreement, read in conjunction with Article XIV of the revised FAO Constitution;

Whereas the Agreement and Rules of Procedure of the GFCM have been adapted to permit the accession of the European Community,

HAS DECIDED AS FOLLOWS:

Sole Article

1. The European Community shall accede to the General Fisheries Commission for the Mediterranean by means of the declaration of acceptance of the Agreement and the Rules of Procedure of the organisation, in accordance with the instrument contained in Annex I.

The European Community shall also deposit a single declaration on the exercise of competence and voting rights agreed between the Council and the Commission.

2. The texts of the Agreement and the Rules of Procedure of the General Fisheries Commission for the Mediterranean are contained in Annexes II and III.

Done at Luxembourg, 16 June 1998.

For the Council

The President

M. MEACHER

⁽¹⁾ OJ C 124, 21. 4. 1997, p. 61.

⁽²⁾ OJ C 195, 22. 6. 1998.

ANNEX I

Instrument of accession to the General Fisheries Commission for the Mediterranean

Sir,

I have the honour to inform you that the European Community has decided to accede to the General Fisheries Commission for the Mediterranean. I therefore ask you accept this instrument, by which the European Community accepts the Agreement and Rules of Procedure of the General Fisheries Commission for the Mediterranean, in accordance with Articles I and XI thereof, and the single declaration by the European Community on the exercise of competence and voting rights, in accordance with the second sentence of Article II(6) of the Agreement.

The European Community formally and without reservation accepts the obligations arising from its membership of the General Fisheries Commission for the Mediterranean, as set out in the Agreement and Rules of Procedure, and formally undertakes to fulfil the obligations upon it at the time of its accession.

I have the honour to be, Sir, yours faithfully,

*President of the Council
of the European Union*

Mr Diouf
Director-General
United Nations Food and Agriculture Organisation
Via delle Terme di Caracalla
I-00100 Roma

*Appendix***Single declaration by the European Community on the exercise of the competence and voting rights according to Article II(6) of the GFCM Agreement**

This declaration specifies the competence of the European Community and of its Member States in matters covered by the Agreement establishing the GFCM.

1. EUROPEAN COMMUNITY'S EXCLUSIVE COMPETENCE

For agenda items dealing with conservation and management of living marine resources, the European Community has exclusive competence and voting rights.

2. MEMBER STATES' COMPETENCE

For agenda items dealing with organisational matters (legal, budgetary and procedural issues), the Member States of the European Community have competence and voting rights.

3. SHARED COMPETENCE

- (a) For agenda items dealing with statistics and aquaculture, the competence is shared between the European Community and its Member States. The European Community has voting rights.
- (b) For agenda items dealing with research and development aid, the competence is shared between the European Community and its Member States. Member States have voting rights.
- (c) For agenda items dealing with consideration of reports and cooperation with other organisations, the competence is shared between the European Community and its Member States, in accordance with the same principles of distribution of competence as those set out above.

This declaration on the exercise of competence and voting rights applies to all GFCM meetings unless a specific statement is made by the European Community in respect of any meeting or agenda item.

Should the scope of the competence shared between the European Community and its Member States change, this declaration will be supplemented or modified.

ANNEX II

AGREEMENT

establishing the General Fisheries Commission for the Mediterranean

PREAMBLE

The Contracting Parties,

Taking account of the relevant provisions of the United Nations Convention on the Law of the Sea which entered into force on 16 November 1994 (hereafter referred to as the United Nations Convention) and which requires all members of the international community to cooperate in the conservation and management of the living marine resources,

Noting also the objectives and purposes stated in Chapter 17 of Agenda 21 adopted by the United Nations Conference on Environment and Development, 1992 and the Code of Conduct for Responsible Fisheries adopted by the FAO Conference in 1995,

Noting also that other international instruments have been negotiated concerning the conservation and management of certain fish stocks,

Having a mutual interest in the development and proper utilisation of the living marine resources in the Mediterranean and the Black Sea and connecting waters (hereafter referred to as the 'Region') and desiring to further the attainment of their objectives through international cooperation which would be furthered by the establishment of a General Fisheries Commission for the Mediterranean,

Recognising the importance of fisheries conservation and management in the Region and of promoting cooperation to that effect, agree as follows:

Article I

- (ii) States or associate members whose vessels engage in fishing in the Region for stocks covered by this Agreement, or

The Commission

1. The Contracting Parties hereby establish within the framework of the Food and Agriculture Organisation of the United Nations (hereinafter referred to as 'the Organisation') a Commission to be known as the General Fisheries Commission for the Mediterranean (hereinafter referred to as 'the Commission'), for the purpose of exercising the functions and discharging the responsibilities set forth in Article III below.

2. The members of the Commission shall be such members and associate members of the Organisation and such non-member States as are members of the United Nations, any of its Specialised Agencies or the International Atomic Energy Agency, that are:

- (i) coastal States or associate members situated wholly or partly within the Region,

- (iii) regional economic integration organisations of which any State referred to in subparagraphs (i), or (ii) is a member and to which that State has transferred competence over matters within the purview of this Agreement,

and which accept this Agreement in accordance with the provisions of Article XI, it being understood that these provisions shall not affect the membership status in the Commission of such States that are not members of the United Nations, any of its Specialised Agencies or the International Atomic Energy Agency as may have become parties to this Agreement prior to 22 May 1963. As regards associate members, this Agreement shall, in accordance with the provisions of Article XIV.5 of the Constitution and Rule XXI.3 of the General Rules of the Organisation, be submitted by the Organisation to the authority having responsibility for the international relations of such associate members.

Article II

Organisation

1. Each member shall be represented at sessions of the Commission by one delegate, who may be accompanied by an alternate and by experts and advisers. Participation in meetings of the Commission by alternates, experts and advisers shall not entail the right to vote, except in the case of an alternate who is acting in the place of a delegate during his absence.

2. Subject to paragraph 3, each member shall have one vote. Decisions of the Commission shall be taken by a majority of the votes cast, except as otherwise provided by this Agreement. A majority of the total membership of the Commission shall constitute a quorum.

3. A Regional Economic Integration Organisation that is a member of the Commission shall be entitled to exercise in any meeting of the Commission or of any subsidiary body of the Commission a number of votes equal to the number of its member States that are entitled to vote in such meeting.

4. A Regional Economic Integration Organisation that is a member of the Commission shall exercise its membership rights on an alternative basis with its member States that are members of the Commission in the areas of their respective competence. Whenever a Regional Economic Integration Organisation that is a member of the Commission exercises its right to vote, its member States shall not exercise theirs, and conversely.

5. Any member of the Commission may request a Regional Economic Integration Organisation that is a member of the Commission or its member States that are members of the Commission to provide information as to which, as between the member Organisation and its member States, has competence in respect of any specific question. The Regional Economic Integration Organisation or the member States concerned shall provide this information on such request.

6. Before any meeting of the Commission or a subsidiary body of the Commission, a Regional Economic Integration Organisation that is a member of the Commission or its member States that are members of the Commission shall indicate which, as between the Regional Economic Integration Organisation and its member States, has competence in respect to any specific question to be considered in the meeting and which, as between the Regional Economic Integration Organisation and its member States, shall exercise the right to vote in respect of each particular agenda item. Nothing in this paragraph shall prevent a Regional Economic Integration Organisation that is a member of the Commission or its member States that are members of the Commission from making a single declaration for the purposes of this paragraph, which declaration shall remain in force for questions and agenda items to be considered at all subsequent meetings subject to such exceptions or modifications as may be indicated before any individual meeting.

7. In cases where an agenda item covers both matters in respect of which competence has been transferred to the Regional Economic Integration Organisation and

matters which lie within the competence of its member States, both the Regional Economic Integration Organisation and its member States may participate in the discussions. In such cases the meeting, in arriving at its decisions, shall take into account only the intervention of the member which has the right to vote.

8. For the purpose of determining a quorum of any meeting of the Commission, the delegation of a Regional Economic Integration Organisation that is a member of the Commission shall be counted to the extent that it is entitled to vote in the meeting in respect of which the quorum is sought.

9. The Commission shall elect a chairman and two vice-chairmen.

10. The chairman of the Commission shall normally convene a regular session of the Commission every year unless otherwise directed by a majority of the members. The site and date of all sessions shall be determined by the Commission in consultation with the Director-General of the Organisation.

11. The seat of the Commission shall be at the headquarters of the Organisation in Rome, or such other location as may be determined by the Commission.

12. The Organisation shall provide the Secretariat for the Commission and the Director-General shall appoint its Secretary, who shall be administratively responsible to him.

13. The Commission may, by a two-thirds majority of its membership, adopt and amend its own Rules of Procedure provided that such Rules of Procedure or the amendments thereto are not inconsistent with this Agreement or with the Constitution of the Organisation.

14. The Commission may, by a two-thirds majority of its membership, adopt and amend its own Financial Regulations, provided that such Regulations shall be consistent with the principles embodied in the Financial Regulations of the Organisation. Such Regulations shall be reported to the Finance Committee which shall have the power to disallow such Financial Regulations or amendment if it finds that they are inconsistent with the principles embodied in the Financial Regulations of the Organisation.

Article III

Functions

1. The purpose of the Commission shall be to promote the development, conservation, rational management and best utilisation of living marine resources, as well as the sustainable development of aquaculture in the Region, and to these ends it shall have the following functions and responsibilities:

(a) to keep under review the state of these resources, including their abundance and the level of their exploitation, as well as the state of the fisheries based thereon;

- (b) to formulate and recommend, in accordance with the provisions of Article V, appropriate measures:
 - (i) for the conservation and rational management of living marine resources, including measures:
 - regulating fishing methods and fishing gear,
 - prescribing the minimum size for individuals of specified species,
 - establishing open and close fishing seasons and areas,
 - regulating the amount of total catch and fishing effort and their allocation among members,
 - (ii) for the implementation of these recommendations;
- (c) to keep under review the economic and and social aspects of the fishing industry and recommend any measures aimed at its development;
- (d) to encourage, recommend, coordinate and, as appropriate, undertake training and extension activities in all aspects of fisheries;
- (e) to encourage, recommend, coordinate and, as appropriate, undertake research and development activities, including cooperative projects in the areas of fisheries and the protection of living marine resources;
- (f) to assemble, publish or disseminate information regarding exploitable living marine resources and fisheries based on these resources;
- (g) to promote programmes for marine and brackish water aquaculture and coastal fisheries enhancement;
- (h) to carry out such other activities as may be necessary for the Commission to achieve its purpose as defined above.

2. In formulating and recommending measures under paragraph 1(b), the Commission shall apply the precautionary approach to conservation and management decisions, and take into account also the best scientific evidence available and the need to promote the development and proper utilisation of the marine living resources.

Article IV

Region

The Commission shall carry out the functions and responsibilities set forth in Article III in the Region as referred to in the Preamble.

Article V

Recommendations on management measures

1. The recommendations referred to in Article III(1)(b), shall be adopted by a two-thirds majority of members of

the Commission present and voting. The text of such recommendations shall be communicated by the chairman of the Commission to each member.

2. Subject to the provisions of this Article, the members of the Commission undertake to give effect to any recommendations made by the Commission under Article III(1)(b), from the date determined by the Commission, which shall not be before the period for objection provided for in this Article has elapsed.

3. Any member of the Commission may within 120 days of the date of notification of a recommendation object to it and in that event shall not be under obligation to give effect to that recommendation. In the event of an objection being made within the 120 days period any other member may similarly object at any time within a further period of 60 days. A Member may also at any time withdraw its objection and give effect to a recommendation.

4. If objections to a recommendation are made by more than one third of the members of the Commission, the other members shall be relieved forthwith of any obligation to give effect to that recommendation; nevertheless any or all of them may agree among themselves to give effect to it.

5. The chairman of the Commission shall notify each member immediately on receipt of each objection or withdrawal of objection.

Article VI

Reports

The Commission shall transmit, after each session, to the Director-General of the Organisation, a report embodying its views, recommendations and decisions, and make such other reports to the Director-General of the Organisation as may seem to it necessary or desirable. Reports of the committees and working parties of the Commission provided for in Article VII of the Agreement shall be transmitted to the Director-General of the Organisation through the Commission.

Article VII

Committees, working parties and specialists

1. The Commission may establish temporary, special or standing committees to study and report on matters pertaining to the purposes of the Commission and working parties to study and recommend on specific technical problems.

2. The committees and working parties referred to in paragraph 1 shall be convened by the chairman of the Commission at such times and places as are determined by the chairman in consultation with the Director-General of the Organisation.

3. The Commission may suggest to the organisation the recruitment or appointment of specialists at the expense of the Organisation, for the consideration of specific questions or problems.

4. The establishment of committees and working parties referred to in paragraph 1 and the recruitment or appointment of specialists referred to in paragraph 3, shall be subject to the availability of the necessary funds in the relevant chapter of the approved budget of the Organisation; the determination of such availability shall be made by the Director-General of the Organisation. Before taking any decision involving expenditures in connection with the establishment of committees and working parties and the recruitment or appointment of specialists, the Commission shall have before it a report from the Director-General of the organisation on the administrative and financial implications thereof.

Article VIII

Cooperation with international organisations

The Commission shall cooperate closely with other international organisations in matters of mutual interest.

Article IX

Expenses

1. The expenses of delegates and their alternates, experts and advisers occasioned by attendance at sessions of the Commission and the expenses of representatives sent to committees or working parties established in accordance with Article VII of this Agreement shall be determined and paid by respective members.

2. The expenses of the secretariat, including publications and communications and the expenses incurred by the chairman and vice-chairman of the Commission, when performing duties on behalf of the Commission between Commission sessions, shall be determined and paid by the organisation within the limits of the relevant appropriations provided for in the budget of the Organisation.

3. The expenses of research and development projects undertaken by individual members of the Commission, whether independently or on recommendation of the Commission, shall be determined and paid by the members concerned.

4. The expenses incurred in connection with co-operative research or development projects undertaken in accordance with the provisions of Article III(1)(e), unless

otherwise available shall be determined and paid by the members in the form and proportion to which they shall mutually agree. Cooperative projects shall be submitted to the Council of the Organisation prior to implementation. Contributions for cooperative projects shall be paid into a trust fund to be established by the Organisation and shall be administered by the Organisation in accordance with the Financial Regulations and Rules of the Organisation.

5. The expenses of experts invited, with the concurrence of the Director-General, to attend meetings of the Commission, committees or working parties in their individual capacity shall be borne by the budget of the Organisation.

6. The Commission may accept voluntary contributions generally or in connection with specific projects or activities of the Commission. Such contributions shall be paid into a trust fund to be established by the Organisation. The acceptance of such voluntary contributions and the administration of the trust fund shall be in accordance with the Financial Regulations and Rules of the Organisation.

Article X

Amendments

1. The General Fisheries Commission for the Mediterranean may amend this Agreement by a two-thirds majority of all the members of the Commission. Subject to paragraph 2, amendments shall come into force as from the date of their adoption by the Commission.

2. Amendments involving new obligations for members shall come into force after acceptance by two thirds of the members of the Commission and with respect to each member only on acceptance of it by that member. The instruments of acceptance of amendments involving new obligations shall be deposited with the Director-General of the Organisation who shall inform all the members of the General Fisheries Commission for the Mediterranean, as well as the Secretary-General of the United Nations, of the receipt of acceptance and the entry into force of such amendments. The rights and obligations of any member of the General Fisheries Commission for the Mediterranean that has not accepted an amendment involving additional obligations shall continue to be governed by the provisions of this Agreement as they stood prior to the amendment.

3. Amendments to this Agreement shall be reported to the Council of the Organisation which shall have the power to disallow any amendment which it finds to be inconsistent with the objective and purposes of the Organisation or the provisions of the Constitution of the Organisation. If the Council of the organisation considers it desirable, it may refer the amendment to the Conference of the Organisation which shall have the same power.

*Article XI***Acceptance**

1. This Agreement shall be open to acceptance by members of associate members of the organisation.
2. The Commission may, by a two-thirds majority of its membership, admit to membership such other States that are Members of the United Nations, any of its Specialised Agencies or the International Atomic Energy Agency as have submitted an application for membership and a declaration made in a formal instrument that they accept this Agreement as in force at the time of admission.
3. Participation in the activities of the Commission by members of the Commission which are not members of associate members of the organisation shall be contingent on the assumption of such proportionate share in the expenses of the secretariat as may be determined in the light of the relevant provisions of the Financial Regulations of the organisation.
4. Acceptance of this Agreement by any member of associate member of the organisation shall be effected by the deposit of an instrument of acceptance with the Director-General of the Organisation and shall take effect on receipt of such instrument by the Director-General.
5. Acceptance of this Agreement by non-members of the Organisation shall be effected by the deposit of an instrument of acceptance with the Director-General of the Organisation. Membership shall become effective on the date on which the Commission approves the application for membership, in conformity with the provisions of paragraph 2 of this Article.
6. The Director-General of the Organisation shall inform all members of the Commission, all members of the Organisation and the Secretary-General of the United Nations of all acceptances that have become effective.
7. Acceptances of this Agreement may be made subject to reservations which shall become effective only on unanimous approval by the members of the Commission. Members of the Commission not having replied within three months from the date of the notification shall be deemed to have accepted the reservation. Failing such approval, the nation or regional economic integration organisation making the reservation shall not become a party to this Agreement. The Director-General of the organisation shall notify forthwith all members of the Commission of any reservations.
8. References in this Agreement to the United Nations Convention on the Law of the Sea, 1982, or to other international agreements do not prejudice the position of any State with respect to signature, ratification, or accession to the 1982 United Nations Convention or with respect to other agreements.

*Article XII***Entry into force**

This Agreement shall enter into force as from the date of receipt of the fifth instrument of acceptance.

*Article XIII***Territorial application**

The members of the Commission shall, when accepting this Agreement, state explicitly to which territories their participation shall extend. In the absence of such a declaration, participation shall be deemed to apply to all the territories for the international relations of which the member is responsible. Subject to the provisions of Article XIV, the scope of the territorial application may be modified by a subsequent declaration.

*Article XIV***Withdrawal**

1. Any Member may withdraw from this Agreement at any time after the expiration of two years from the date on which the Agreement entered into force with respect to that member, by giving written notice of such withdrawal to the Director-General of the Organisation who shall immediately inform all the members of the Commission and the members of the organisation of such withdrawal. Notice of withdrawal shall become effective three months from the date of its receipt by the Director-General.
2. A member of the Commission may give notice of withdrawal with respect to one or more of the territories for the international relations of which it is responsible. when a member gives notice of its own withdrawal from the Commission it shall state to which territory or territories the withdrawal is to apply. In the absence of such a declaration, the withdrawal shall be deemed to apply to all the territories for the international relations of which the member of the Commission is responsible, with the exception on associate members.
3. Any member of the Commission that gives notice of withdrawal from the Organisation shall be deemed to have simultaneously withdrawn from the Commission, and this withdrawal shall be deemed to apply to all the territories for the international relations of which the member concerned is responsible, except that such withdrawal shall not be deemed to apply to an associate member.

*Article XV***Interpretation and settlement of disputes**

Any dispute regarding the interpretation or application of this Agreement, if not settled by the Commission, shall be referred to a committee composed of one member appointed by each of the parties to the dispute, and in addition an independent chairman chosen by the

members of the committee. The recommendations of such a committee, while not binding in character, shall become the basis for renewed consideration by the parties concerned of the matter out of which the disagreement arose. If as the result of this procedure the dispute is not settled, it shall be referred to the International Court of Justice in accordance with the Statute of the Court, or, in the case of a Regional Economic Integration Organisation that is a member of the Commission, it shall be submitted to arbitration unless the parties to the dispute agree to another method of settlement.

Article XVI

Termination

This Agreement shall be automatically terminated if and when, as the result of withdrawals, the number of

members of the Commission drops below five, unless the remaining members unanimously decide otherwise.

Article XVII

Certification and registration

The text of this Agreement was originally formulated at Rome on 24 September 1949 in the French language. Two copies in the English, French and Spanish languages of this Agreement and of any amendments to this Agreement shall be certified by the chairman of the Commission and by the Director-General of the Organisation. One of these copies shall be deposited in the archives of the Organisation. The other copy shall be transmitted to the Secretary-General of the United Nations for registration. In addition, the Director-General shall certify copies of this Agreement and transmit one copy to each member of the Organisation and to such non-member nations of the Organisation that are, or may become parties to this Agreement.

ANNEX III

RULES OF PROCEDURE OF THE GENERAL FISHERIES COMMISSION FOR THE MEDITERRANEAN

Rule I

For the purpose of these Rules, the following definitions apply:

Agreement:

The Agreement for the establishment of the General Fisheries Commission for the Mediterranean formulated at Rome (Italy), 24 September 1949 as amended in conformity with Article X thereof.

Commission:

The General Fisheries Commission for the Mediterranean.

Chairman:

The Chairman of the Commission.

Vice-Chairman:

The vice-chairman of the Commission.

Delegate:

The representative of a member as specified in Article II(1) of the Agreement.

Delegation:

The delegate and his alternate, experts, and advisers.

Member:

Members and associate members of the Organisation, and non-members of the Organisation, as may be members of the Commission.

Secretary:

The secretary of the Commission.

Organisation:

The Food and Agriculture Organisation of the United Nations.

Conference:

The Conference of the Organisation.

Observer Nation, Associate Member, or Organisation:

A nation that is not a member of the Commission or of the Organisation, or an international organisation invited to attend a session of the Commission, or a member or associate member of the Organisation attending a session

of the Commission while not a member of the Commission.

Observer:

The representative of an observer nation or organisation.

Rule II

Sessions of the Commission

1. Pursuant to and in accordance with, Article II(10) of the Agreement, the Commission, in consultation with the Director-General, shall at each regular session decide the time and place for the next session in accordance with the requirements of the Commission's programmes and the terms of the invitation of the country in which the session is to be held. The chairman, accordingly, shall issue the announcement of the session.

2. The chairman may convene a special session of the Commission at the request or with the approval of the majority of the members.

3. Invitations to a regular session of the Commission shall be issued by the secretary on behalf of the chairman not less than 60 days in advance of the date fixed for the opinion of the session. Invitations to special sessions shall be issued not less than forty days in advance of the date fixed for the opening of the session.

4. In order that a proposal to hold a session of the Commission or any of its organs, in a given country, may be considered, such country must have (a) ratified without reservation the Convention on the Privileges and Immunities of the Specialised Agencies of the United Nations, or (b) given the assurance that all delegates, representatives, experts, observers, or other persons entitled to attend such session in accordance with the terms of the Agreement or these Rules, will enjoy the privileges and immunities necessary for the independent exercise of their function in connection with the session.

Rule III

Credentials

At each session the secretary shall receive the credentials of delegations and observers. Such credentials shall conform to the standard form set by the secretariat. On examination thereof the secretariat shall report to the Commission for the necessary action.

*Rule IV***Agenda**

1. The agenda of each regular session shall include:
 - (a) as appropriate, election of the chairman and of two vice-chairman as provided under Article II(9) of the Agreement;
 - (b) adoption of the agenda;
 - (c) a report by the secretary on the financial affairs and activities of the Commission;
 - (d) consideration of the proposed budget;
 - (e) reports of committees;
 - (f) consideration of the time and place of the next session;
 - (g) proposals for amendments to the Agreement and the present Rules of Procedure;
 - (h) applications for membership, in accordance with Article XI(2) of the Agreement, from States which, while not members of the Organisation, are Members of the United Nations, any of its Specialised Agencies or the International Atomic Energy Agency;
 - (i) items referred to the General Fisheries Commission for the Mediterranean by the Conference, the Council or the Director-General of the Organisation.
2. The agenda shall also include, on approval by the Commission:
 - (a) items approved at the previous session;
 - (b) items proposed by a member.
3. The provisional agenda shall be sent by the secretary to members and observer nations and organisations not less than 60 days before the date of the session, together with reports and documents available in connection therewith.
4. The agenda of a special session shall consist only of items relating to the purpose for which the session was called.

*Rule V***The secretariat**

1. The secretariat shall consist of the secretary and such staff responsible to him as may be determined by the Director-General.
2. The duties of the secretary shall include the receipt, collation, and circulation of documents, reports, and resolutions of the sessions of the Commission and its committees, the record of their proceedings, the certification of expenditures and financial commitments, and the

performance of such other duties as the Commission may direct.

3. Copies of all communications concerning the affairs of the Commission shall be sent to the secretary for purposes of information and record.

*Article VI***Plenary meetings of the Commission**

Plenary meetings of the Commission shall be held in public unless otherwise decided by the Commission. When the Commission decides to hold a private meeting, it shall at the same time determine the scope of such a decision with respect to observers.

*Article VII***Election of chairman and vice-chairmen**

1. The Commission shall elect the chairman and first and second vice-chairmen of the Commission who shall assume office immediately following the regular session at which they were elected and who shall be elected for two regular sessions.
2. Nominees must be delegates or alternates present at the regular session at which they are to be elected. They shall be eligible for re-election for a further two regular sessions.

*Article VIII***Functions of the chairman and vice-chairmen**

1. The chairman shall exercise the functions conferred on him elsewhere in these Rules and, in particular, shall:
 - (a) declare the opening and closing of each plenary meeting of the Commission;
 - (b) direct the discussions at such meetings and ensure observance of these Rules, accord the right to speak, put questions and announce decisions;
 - (c) rule on points of order;
 - (d) subject to these Rules, have complete control over the proceedings of the session;
 - (e) appoint such committees of the session as the Commission may direct.
2. In the absence of the chairman, or at his request, his functions shall be exercised by the first vice-chairman, or in the absence of the latter, by the second vice-chairman.
3. The chairman or vice-chairmen, when acting as chairman shall not vote and another member of their delegations shall represent their governments.
4. The secretary shall temporarily exercise the functions of the chairman in the event the chairman and vice-chairmen are unable to serve.

*Rule IX***Voting Arrangements and Procedures**

1. Except as provided in paragraph 4 of this Rule, voting in plenary meetings shall be oral or by show of hands, except that a vote by roll-call shall be taken if a special majority is required by the Agreement or these Rules, or if a request for a vote by roll-call is made by any delegation.
2. A vote by roll-call shall be conducted by calling on delegations in French alphabetical order.
3. The record of any roll-call vote shall show the votes cast by each delegate and any abstention.
4. Voting on matters relating to individuals, except the election of officers of the Commission and its committees, shall be by secret ballot.
5. When no nominee for an office obtains on the first ballot a majority of the votes cast, there shall be taken a second ballot confined to the two candidates obtaining the largest number of votes. If, on the second ballot, the votes are equally divided, the chairman shall decide between the candidates by drawing lots.
6. If the Commission is equally divided when a vote is taken on a question other than election, a second vote shall be taken at the next meeting of the current session. If the Commission is then again equally divided, the proposal shall be regarded as rejected.
7. Voting arrangements and other related matters not specifically provided for by the Agreement, or by these Rules, shall be governed *mutatis mutandis* by the provisions of the General Rules of the Organisation.

*Rule X***Committees**

1. There shall be established a Committee on Aquaculture which shall be open to all members of the Commission and which shall:
 - (a) monitor development and trends of aquaculture practices in the region;
 - (b) monitor the interaction between aquaculture development and the environment;
 - (c) oversee and guide work of the four networks created as a result of the activities of Medrap II and in particular by monitoring the progress, evaluating the proposed programmes of the various networks, and directing the work of the SIPAM network through the FAO Secretariat;
 - (d) seek additional support to complement the contribution of the institutions, which support the established

networks, namely, CIHEAM, MAP-PAP/RAC and FAO, and to enhance the work of the four networks;

- (e) carry out other duties related to aquaculture promotion and development that may be referred to it by the Commission.
2. (a) There shall be established a Scientific Advisory Committee which shall provide scientific, social and economic information, data, or advice relating to the work of the Commission.
 - (b) The Committee shall be open to all members of the Commission. Each member of the Commission may designate a member of the Committee, and a member may be accompanied by experts.
 - (c) The Committee may establish working groups to analyse data and to advise the Committee on the state of shared and straddling resources.
 - (d) The Committee shall provide independent advice on the technical and scientific bases for decisions concerning fisheries conservation and management, including biological, social and economic aspects, and in particular, it shall:
 - (1) assess information provided by members and relevant fisheries organisations or programmes on catches, fishing effort, and other data relevant to the conservation and management of fisheries;
 - (2) formulate advice to the Commission on the conservation and management of fisheries;
 - (3) identify cooperative research programmes and coordinate their implementation;
 - (4) undertake such other functions or responsibilities as may be conferred on it by the Commission.
 - (e) Members have an obligation to provide information on catches and other data relevant to the functions of the committee in such a way as to enable the Committee to fulfil its responsibilities under this paragraph.

3. The Commission may establish such other committees and working parties as it considers desirable.

4. The establishment of committees and working parties under this Rule shall be subject to the provisions of Article VII(4) of the Agreement.

5. The procedures of such committees and working parties shall be governed *mutatis mutandis* by the Rules of Procedure of the Commission.

*Rule XI***Budget and finance**

1. Except as otherwise provided in these Rules, the Financial Regulations of the Organisation, as amplified by

the Administrative Manual and memoranda and the procedures based thereon, shall apply to the Commission.

2. A proposed budget of the Commission for the next succeeding financial period consisting of proposed expenses of the secretariat, including publications and communications, the proposed travelling expenses of the chairman and vice-chairmen, when engaged in the work of the Commission between its sessions, and the expense, if any, of the committees, shall after approval by the Commission be submitted to the Director-General for consideration in the preparation on the general budget estimates of the Organisation.

3. When adopted by the Conference as part of the general budget of the Organisation, the budget of the Commission shall constitute the limits within which funds may be committed for purposes approved by the Conference.

4. All cooperative projects shall be submitted to the Council or the Conference of the Organisation prior to implementation.

Rule XII

Participation by observers

1. Participation of international organisations in the work of the Commission and the relations between the Commission and such organisations shall be governed by the relevant provisions of the Organisation, as well as by the rules on relations with international organisations adopted by the Conference or Council of the Organisation.

2. Members and associate members of the Organisation that are not members of the Commission may, on request, be represented by an observer at sessions of the Commission and its subsidiary bodies.

3. States that are not members of the Commission, nor members or associate members of the Organisation, but are Members of the United Nations, any of its Specialised Agencies or the International Atomic Energy Agency may, on request, and with the approval of the Council of the Organisation and of the General Fisheries Commission for the Mediterranean, attend sessions of the Commission and its subsidiary bodies in an observer capacity, in accordance with the Statement of Principles adopted by the Conference relating to the granting of observer status to nations.

4. Unless the Commission expressly determines otherwise, observers may attend the plenary meetings of the Commission and participate in the discussions at any technical committee sessions which they may be invited to attend. In no case will they be entitled to vote.

Rule XIII

Cooperative projects

In the furtherance of cooperative projects provided for in Article III(1)(e) of the Agreement, and of studies undertaken outside the region referred to in the Preamble to the Agreement, arrangements may be made with governments that are not members of the Commission. All such arrangements shall be made by the Director-General of the Organisation.

Rule XIV

Records, reports and recommendations

1. Summary records shall be made of each plenary meeting of the Commission and each committee meeting, and shall be distributed as soon as possible to the participants.

2. A summary shall be prepared of the proceedings of each session of the Commission and shall be published together with such reports of committees, technical papers and other documents as the Commission may consider advisable.

3. At each session the Commission shall approve a report embodying its views, recommendations, resolutions and decisions, including, when requested, a statement of minority views.

4. Subject to the provisions of Article V of the Agreement, the conclusions and recommendations of the Commission shall be transmitted to the Director-General of the Organisation at the close of each session, who shall circulate them to members of the Commission, nations and international organisations that were represented at the session and make them available to other members and associate members of the Organisation for their information.

5. Recommendations having policy, programme or financial implications for the Organisation shall be brought by the Director-General to the attention of the Conference through the Council of the Organisation for action.

6. Subject to the provisions of the preceding paragraph, the Chairman may request members of the Commission to supply the Commission or the Director-General with information on action taken on the basis of recommendations made by the Commission.

Rule XV

Recommendations to Members

1. The Commission may take recommendations for action by members on any matter pertaining to the functions described in Article III of the Agreement.

2. The secretary shall receive on behalf of the Commission the replies of the members in respect of such recommendations and shall prepare a summary and an analysis of such communications for presentation at the next session.

Rule XVI

Amendments to the Agreement

1. Proposals for the amendment of the Agreement as provided by Article X of the Agreement may be made by any member in a communication addressed to the secretary. The secretary shall transmit to all members and to the Director-General a copy of such proposals for amendment immediately on receipt.

2. No action on a proposal for the amendment of the Agreement shall be taken by the Commission at any session unless it has been included in the provisional agenda of the session.

Rule XVII

Suspension and amendment of Rules

1. Subject to the provisions of the Agreement any of the foregoing Rules, other than Rules IV, V, X(3) and (4), XI, XII, XIV(4) and XVI, may be suspended on the motion of any delegation by a majority of the votes cast at any plenary meeting of the Commission, provided that announcement is made at a plenary meeting of the Commission and copies of the proposal for suspension

have been distributed to the delegations not less than 48 hours before the meeting at which action is to be taken.

2. Amendments of, or addition to, these Rules may be adopted on the motion of any delegation by a two-thirds majority of the members of the Commission, at any plenary meeting of the Commission, provided an announcement is made at a plenary meeting and copies of the proposal for the amendment or addition have been distributed to delegations not less than 24 hours before the meeting at which action is to be taken.

3. Any amendment to Rules XVI which may be adopted in accordance with the provisions of paragraph 2 of this Rule, shall not become effective until the next session of the Commission.

Rule XVIII

Official languages

1. The official languages of the Commission shall be such languages of the Organisation as the Commission itself may decide. The delegations may use any one of these languages at sessions and for their reports and communications. A delegation using a non-official language shall provide for interpretation into one of the official languages.

2. During the meetings, interpretation in one or more of the official languages will be provided by the secretariat when requested by one of the delegates present.

3. Publications of reports and communications shall be in the language in which they are submitted and, when required by the Commission, abstracts in translation may be published.

**DECISION No 1/98 OF THE EUROPEAN COMMUNITY-FORMER
YUGOSLAV REPUBLIC OF MACEDONIA COOPERATION COUNCIL**

of 20 March 1998

concerning the Rules of Procedure of the Cooperation Council established by the
Cooperation Agreement between the European Community and the former
Yugoslav Republic of Macedonia

(98/417/EC)

THE COOPERATION COUNCIL,

Having regard to the Cooperation Agreement between the European Community of the one part, and the former Yugoslav Republic of Macedonia ⁽¹⁾, of the other part, and in particular Articles 33 and 36 thereof,

Whereas that Agreement entered into force on 1 January 1998,

HAS DECIDED TO ADOPT THE FOLLOWING RULES OF PROCEDURE AND TO ESTABLISH THE WORKING PARTIES PROVIDED FOR UNDER THESE RULES:

Article 1

Chairmanship

The office of Chairman of the Cooperation Council shall be held alternately for periods of twelve months by a representative of the former Yugoslav Republic of Macedonia and a representative of the European Community, hereinafter referred to as the 'Community'. However, the first period shall begin on the date of the first Cooperation Council and end on 31 December of the same year.

Article 2

Meetings

1. The Cooperation Council shall meet once a year. Additional meetings may be held if both Parties so agree, at the request of either Party.
2. Each session of the Cooperation Council shall be held at a time and place agreed by both Parties.
3. Unless otherwise agreed the sessions of the Cooperation Council shall not be public.

Article 3

Delegations

Prior to each session, the Community and the former Yugoslav Republic of Macedonia shall agree on the level of representation of the Cooperation Council. They shall also inform the Chairman of the intended composition of their respective delegations.

⁽¹⁾ OJ L 348, 18. 12. 1997, p. 2.

Article 4

Secretariat, communications

An official of the former Yugoslav Republic of Macedonia and an official of the Commission of the European Communities shall act jointly as Secretaries of the Cooperation Council.

All communications to and from the Chairman shall be forwarded to both Secretaries. The two Secretaries shall ensure that communications are forwarded, where appropriate, to their respective representatives in the Cooperation Council.

Article 5

Agenda

1. The Chairman and the Secretaries shall draw up the provisional agenda for each session.

The provisional agenda shall consist of those items in respect of which a request for inclusion has reached the Secretaries not less than 21 days before the beginning of the session.

The only items which may appear on the provisional agenda shall be those in respect of which the relevant documentation has been forwarded to the Secretaries referred to in Article 4 not later than the date of dispatch of such agenda.

The agenda shall be adopted by the Cooperation Council at the beginning of each session. Where both Parties agree, items which do not appear on the provisional agenda may be included.

2. The Chairman may, in agreement with the two Parties, shorten the time limits laid down in paragraph 1 to take account of the requirements of a particular case.

Article 6

Minutes

Minutes shall be taken for each session and shall include the summing up of the proceedings by the Chairman. Upon adoption by the Cooperation Council, the minutes shall be signed by the Chairman and the Secretaries and one original copy filed by each of the Parties.

*Article 7***Working parties**

1. The working parties established in accordance with Article 36 of the Cooperation Agreement, including their respective terms of reference, are listed in the Annex to these Rules of Procedure. They shall be composed of representatives of both Parties. They shall meet at the request of either Party without prejudice to more specific provisions laid down in their respective terms of reference as annexed to these Rules.

2. The working parties shall work under the authority of the Cooperation Council which shall determine their objectives and the scope of their activities. They shall not take decisions but can make recommendations to the Cooperation Council to which they shall report after each one of their meetings.

3. The Cooperation Council can at any time modify the terms of reference of the working parties and terminate their existence, or establish new working parties.

*Article 8***Acts**

Decisions adopted by the Cooperation Council within the meaning of Article 33(1) of the Cooperation Agreement shall be signed by the Chairman and the Secretaries.

These Decisions, as well as Resolutions, Recommendations or Opinions of the Cooperation Council formulated within the meaning of Article 33(2) of the Cooperation Agreement, shall be followed by a serial number, by the place and date of their adoption and by a description of their subject.

Decisions taken by the Cooperation Council shall be published by the Parties in their respective official publications. Each Party may decide, in agreement with the

other Party, on the publication of any other act adopted by the Cooperation Council.

*Article 9***Languages**

The official languages of the Cooperation Council shall be the official languages of the Parties.

The Cooperation Council shall normally base its deliberations on documentation prepared in these languages.

*Article 10***Expenses**

The Community, on the one hand, and the former Yugoslav Republic of Macedonia on the other, shall defray the expenses that they incur as a result of their participation in meetings of the Cooperation Council and of working parties in respect of staff, travelling and subsistence expenses and also of postal and telecommunications costs.

Expenditure in connection with interpretation at meetings, translation and reproduction of documents shall be borne by the Community, with the exception of expenditure in connection with interpretation or translation into or from the official language of the former Yugoslav Republic of Macedonia, which shall be borne by the former Yugoslav Republic of Macedonia.

Other expenditure relating to the material organisation of meetings shall be borne by the Party which hosts the meetings.

Article 11

This Decision shall enter into force on the day on which it is adopted.

*ANNEX***WORKING PARTY ON ECONOMIC AND FINANCIAL MATTERS****TERMS OF REFERENCE**

1. The general objectives of the working party are the review of economic developments and policies as well as the monitoring and joint analysis of economic, technical and financial cooperation in accordance with Articles 4, 10 and 11 of the Cooperation Agreement between the European Community and the former Yugoslav Republic of Macedonia, with a view to contributing to the economic development of the former Yugoslav Republic of Macedonia and strengthening the economic links between the former Yugoslav Republic of Macedonia and the European Community.
2. The working party shall deal in particular with the following specific subjects:
 - review of macro-economic developments and policies in the European Community and the former Yugoslav Republic of Macedonia,
 - review of progress made by the authorities towards the implementation of the principle of a free market economy, in particular with a view to promoting private sector development, direct foreign investment and the establishment of a sound banking and financial sector in the former Yugoslav Republic of Macedonia,
 - monitoring and joint analysis of the development of craft industries and small and medium-sized enterprises (SMEs) including craft industries, and their organisations in the former Yugoslav Republic of Macedonia, as well as cooperation between SMEs and craft industries in the European Community and in the former Yugoslav Republic of Macedonia. Implementation review of PHARE assistance in that field,
 - review of Community assistance in support of the economic development of the former Yugoslav Republic of Macedonia, in particular PHARE.
3. The working party shall report after each of its meetings and may address recommendations to the Cooperation Council.

WORKING PARTY ON AGRICULTURE**TERMS OF REFERENCE**

1. The working party shall deal with primary agricultural and processed agricultural products. The general objectives of the working party are the implementation, monitoring and joint analysis of cooperation in agriculture in accordance with Articles 6 and 9 of the Cooperation Agreement between the European Community and the former Yugoslav Republic of Macedonia, including matters in relation to agricultural and processed agricultural products which fall under Title II of the Cooperation Agreement.
 2. The working party shall deal in particular with the following specific subjects:
 - examination of problems related to the development of the agricultural sector and agricultural policy, as well as rural development in the former Yugoslav Republic of Macedonia and in the European Community,
 - examination of Community assistance in support of agriculture in the former Yugoslav Republic of Macedonia, in particular PHARE,
 - veterinary and phyto-sanitary matters, and the examination of the possibilities of developing cooperation in this area.
 3. The working party shall report after each of its meetings and may address recommendations to the Cooperation Council.
-

CONTACT GROUP FOR THE IMPLEMENTATION OF THE PROTOCOL ON ADDITIONAL TRADE
ARRANGEMENTS FOR CERTAIN IRON AND STEEL PRODUCTS

TERMS OF REFERENCE

1. The objective of the contact group is to discuss issues related to the implementation of Protocol 1 to the Cooperation Agreement on additional trade arrangements for certain iron and steel products.
 2. The contact group shall deal in particular with the following subjects:
 - monitoring and review of the double-checking system for the export of certain iron and steel products from the former Yugoslav Republic of Macedonia to the European Community and discussion of any problems arising from its operation,
 - monitoring of the progressive liberalisation of export restrictions relating to waste and scrap of ferrous metals originating in the former Yugoslav Republic of Macedonia,
 - exchange of information on the situation of the steel industry in both territories and on trade between them, particularly with the purpose of identifying such problems as might arise,
 - examination of the situation of the steel industry at world level, including developments in international trade,
 - exchange of all useful information on the structure of the industries concerned, the development of their production capacities, scientific and research progress in the relevant field, and the evolution of employment,
 - exchange of information on policy in areas such as competition, public aid, restructuring, and pollution and environmental problems,
 - examination of progress in the framework of the technical assistance between the Parties, including assistance to financial, commercial, and technical management,
 - exchange of all relevant information as to attitudes taken, or to be taken, in the appropriate international organisations or fora.
 3. If both Parties agree that it would be appropriate, representatives of the industries shall be invited to meet in parallel to the Contact Group and to report to it on the result of their discussions.
 4. The Contact Group shall meet at least once a year, alternately on the territories of each Party.
 5. The Chairmanship of the Contact Group shall be held alternately by a representative of the Commission of the European Communities and a representative of the former Yugoslav Republic of Macedonia.
 6. The Contact Group shall report after each of its meetings and may address recommendations to the Cooperation Council.
-

WORKING PARTY ON CUSTOMS AND TAXATION

TERMS OF REFERENCE

1. The general objective of the working party is to monitor the implementation of the customs and taxation provisions of the Cooperation Agreement between the European Community and the former Yugoslav Republic of Macedonia in accordance with Articles 11 and 23 of this Agreement.
 2. The working party shall deal in particular with the following specific subjects:
 - discussion of any difficulties which might arise in the implementation of the Agreement,
 - exchange of information on the compatibility of the legislation and organisational developments of both parties in the customs and taxation fields and coordination whenever necessary in order to define common positions to be presented in the framework of international fora,
 - identification of opportunities for further cooperation in areas which the parties consider of mutual interest,
 - review of relevant Community assistance in the fields of customs and taxation, in particular PHARE.
 3. As and when both Parties agree that presence and/or participation of special experts is appropriate to provide expert information, the working party may invite such experts for such purposes as it defines.
 4. The working party shall report after each of its meetings and may address recommendations to the Cooperation Council.
-

WORKING PARTY ON REFORM AND APPROXIMATION OF LEGISLATION

TERMS OF REFERENCE

1. The general objectives of the Working Party are the review of legislative reform as well as the monitoring and joint analysis of the approximation of legislation in the former Yugoslav Republic of Macedonia in accordance with Article 11(2) of the Cooperation Agreement between the European Community and the former Yugoslav Republic of Macedonia.
 2. The Working Party shall deal in particular with the following specific subjects:
 - identification of the policies to be followed in this sector, establishment of priorities within these policies and of guidelines for the implementation thereof,
 - regular monitoring of the implementation of the said policies and guidelines,
 - review of relevant Community assistance in the fields of public administration reform, approximation of economic legislation and law enforcement, in particular PHARE.
 3. As and when both Parties agree that the presence and/or participation of special experts is appropriate to provide expert information, the Working Party may invite such experts for such purposes as it defines.
 4. The Working Party shall report after each of its meetings and may address recommendations to the Cooperation Council.
-

COMMISSION

COMMISSION DECISION

of 30 June 1998

repealing Decision 98/84/EC on protective measures with regard to fishery products from or originating in Uganda, Kenya, Tanzania and Mozambique and amending the health certification for fishery products originating or proceeding from Uganda, Kenya and Mozambique

(notified under document number C(1998) 1848)

(Text with EEA relevance)

(98/418/EC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Directive 90/675/EEC of 10 December 1990 laying down the principles governing the organisation of veterinary checks on products entering the Community from third countries ⁽¹⁾, as last amended by Directive 96/43/EC ⁽²⁾, and in particular Article 19 thereof,

Whereas Commission Decision 98/84/EEC of 16 January 1998 on protective measures with regard to fishery products from or originating in Uganda, Kenya, Tanzania and Mozambique, and repealing Decision 97/878/EC ⁽³⁾, was adopted because of the development of a cholera epidemic in those countries;

Whereas Commission Decision 95/328/EEC ⁽⁴⁾ establishes health certification for fishery products from third countries which are not yet covered by a specific decision;

Whereas the official authorities in Uganda, Kenya, Tanzania and Mozambique have provided the appropriate guarantees; whereas, therefore, Decision 98/84/EC should be repealed;

Whereas the importation of fishery products from Uganda, Kenya, Tanzania and Mozambique must be subject to the provisions of Council Directive 91/493/EEC of 22 July 1991 laying down the health conditions for the production and the placing on the market of

fishery products ⁽⁵⁾, as last amended by the Act of Accession of Austria, Finland and Sweden;

Whereas special attention must be paid to the medical checks of workers handling fishery products intended for human consumption, as laid out in Chapter III, point II(B) of the Annex of Directive 91/493/EEC; whereas, therefore, it is necessary to add a specific mention in the health certification accompanying the imports of fishery products from Uganda, Kenya and Mozambique;

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

Decision 98/84/EEC is hereby repealed with effect from 1 July 1998.

Article 2

Point IV of the health certification laid down in the Annex to Commission Decision 95/328/EC and accompanying the consignments of fishery products originating or proceeding from Uganda, Kenya and Mozambique, must be completed by the following point:

'(3) any person working on and/or handling the fishery or aquaculture products described above have satisfactorily undergone the medical supervision laid down in Chapter III, point II(B) of the Annex to Directive 91/493/EEC.'

⁽¹⁾ OJ L 373, 31. 12. 1990, p. 1.

⁽²⁾ OJ L 162, 1. 7. 1996, p. 1.

⁽³⁾ OJ L 15, 21. 1. 1998, p. 43.

⁽⁴⁾ OJ L 191, 12. 8. 1995, p. 32.

⁽⁵⁾ OJ L 268, 24. 9. 1991, p. 15.

Article 3

This Decision is addressed to the Member States.

Done at Brussels, 30 June 1998.

For the Commission

Franz FISCHLER

Member of the Commission

COMMISSION DECISION

of 30 June 1998

**amending Decision 97/296/EC drawing up the list of third countries from which
the import of fishery products is authorised for human consumption**

(notified under document number C(1998) 1849)

(Text with EEA relevance)

(98/419/EC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Decision 95/408/EC of 22 June 1995 on the conditions for drawing up, for an interim period, provisional lists of third country establishments from which Member States are authorised to import certain products of animal origin, fishery products or live bivalve molluscs ⁽¹⁾, as amended by Decision 97/34/EC ⁽²⁾, and in particular Article 2(2) and Article 7 thereof,

Whereas Commission Decision 97/296/EC ⁽³⁾, as amended by Decision 98/148/EC ⁽⁴⁾, lists the third countries from which importation of fishery products for human consumption is authorised; part I of the list names the third countries covered by a specific decision and part II names those qualifying under Article 2(2) of Decision 95/408/EC;

Whereas Commission Decisions 98/420/EC ⁽⁵⁾, 98/421/EC ⁽⁶⁾, 98/422/EC ⁽⁷⁾, 98/423/EC ⁽⁸⁾, 98/424/EC ⁽⁹⁾, set specific import conditions for fishery and aquaculture products originating, respectively, in Nigeria, Ghana, Tanzania, Falkland Islands and Maldives; whereas Nigeria, Ghana, Tanzania, Falkland Islands and Maldives should therefore be added to part I of the list in Annex I of countries and territories from which importation of fishery products for human consumption is authorised;

Whereas Cape Verde, Latvia, Lithuania, Nicaragua, Benin, Kazakhstan, Guinea Conakri, Papua New Guinea, Malta, Mauritius, Jamaica, Cameroon, Czech Republic, Israel, Hong Kong and Uganda have shown that they satisfy the equivalent conditions referred to in Article 2(2) of Decision 95/408/EC; whereas it is therefore necessary to modify the list to include those countries in part II of the list in Annex I;

Whereas certain countries and territories not yet included in the list, but currently exporting to the EC, have provided information that they fulfil conditions at least equivalent to those of the Community; whereas since more information is required from them, these countries and territories are listed in a new Annex II;

Whereas, in order to avoid any disruption of imports from the third countries included in the new Annex II, Article 11(7) of Council Directive 91/493/EC ⁽¹⁰⁾ shall continue to apply, for a transitional period to fishery products imported from countries and territories included in Annex II;

Whereas, for those countries and territories not yet included in the Annexes to this Decision, it will be necessary for the Commission to evaluate whether they applied to the export of fishery products to the Community conditions at least equivalent to those governing the production and placing on the market of Community products;

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

Decision 97/296/EC is amended as follows:

1. In Articles 1 and 2, the reference to 'Annex' shall be replaced by 'Annex I'.
2. Point 1 of Article 3 shall be replaced by the following point:

'1. Notwithstanding Article 2, Member States may continue to import, up to 31 January 1999, fishery products coming from the countries and territories included in Annex II, in accordance with Article 11(7) of Directive 91/493/EEC.'

⁽¹⁾ OJ L 243, 11. 10. 1995, p. 17.

⁽²⁾ OJ L 13, 16. 1. 1997, p. 33.

⁽³⁾ OJ L 122, 14. 5. 1997, p. 21.

⁽⁴⁾ OJ L 46, 17. 2. 1998, p. 18.

⁽⁵⁾ See page 59 of this Official Journal.

⁽⁶⁾ See page 66 of this Official Journal.

⁽⁷⁾ See page 71 of this Official Journal.

⁽⁸⁾ See page 76 of this Official Journal.

⁽⁹⁾ See page 81 of this Official Journal.

⁽¹⁰⁾ OJ L 268, 24. 9. 1991, p. 15.

3. The Annex to Decision 97/296/EC is replaced by Annexes I and II to the present Decision.

Article 3

This Decision is addressed to the Member States.

Done at Brussels, 30 June 1998.

Article 2

For the Commission

Franz FISCHLER

Member of the Commission

This Decision shall apply from 1 July 1998.

ANNEX I

List of countries and territories from which importation of fishery products in any form intended for human consumption is authorised

I. Countries and territories covered by a specific decision under Council Directive 91/493/EC

ALBANIA	GHANA	PERU
ARGENTINA	INDIA	PHILIPPINES
AUSTRALIA	INDONESIA	RUSSIA
BANGLADESH	IVORY COAST	SENEGAL
BRAZIL	JAPAN	SINGAPORE
CANADA	MADAGASCAR	SOUTH AFRICA
CHILE	MALAYSIA	SOUTH KOREA
COLOMBIA	MALDIVES	TAIWAN
ECUADOR	MAURITANIA	TANZANIA
FALKLAND ISLANDS	MOROCCO	THAILAND
FAROEES	NEW ZEALAND	URUGUAY
GAMBIA	NIGERIA	

II. Countries and territories meeting the terms of Article 2(2) of Council Decision 95/408/EC

BELIZE	HONG KONG	POLAND
BENIN	HUNGARY ⁽¹⁾	SEYCHELLES
CHINA	ISRAEL	SLOVENIA
CAMEROON	JAMAICA	SURINAME
CAPE VERDE	KAZAKHSTAN ⁽²⁾	SWITZERLAND
COSTA RICA	LATVIA	TOGO
CROATIA	LITHUANIA	TUNISIA
CUBA	MALTA	TURKEY
CZECH REPUBLIC	MAURITIUS	UGANDA
FIJI	MEXICO	UNITED STATES OF AMERICA
GREENLAND	NAMIBIA	VENEZUELA
GUATEMALA	NICARAGUA	VIETNAM
GUINEA-CONAKRI	PAPUA NEW GUINEA	
HONDURAS	PANAMA	

⁽¹⁾ Authorised only for import of live animals intended for human consumption.

⁽²⁾ Authorised only for import of caviar.

ANNEX II

List of countries and territories from which importation of fishery products intended for human consumption is authorised until 31 January 1999 pursuant to Article 11(7) of Directive 91/493/EEC

ALGERIA
ANGOLA
AZERBAIJAN ⁽¹⁾
BAHAMAS
BULGARIA
CONGO-BRAZZAVILLE
EGYPT
ERITREA
ESTONIA
FORMER YUGOSLAV REPUBLIC OF MACEDONIA
GABON
GUINEA-BISSAU
IRAN
KENYA
MOZAMBIQUE
MYANMAR
ROMANIA
SAINT HELENA
SOLOMON ISLANDS ⁽²⁾
SRI LANKA
SAINT LUCIA
ZIMBABWE

⁽¹⁾ Only authorised for imports of caviar.

⁽²⁾ Only authorised for imports from Solomon Taiyo Limited.

COMMISSION DECISION

of 30 June 1998

laying down special conditions governing imports of fishery and aquaculture products originating in Nigeria

(notified under document number C(1998) 1851)

(Text with EEA relevance)

(98/420/EC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Directive 91/493/EEC of 22 July 1991 laying down the health conditions for the production and the placing on the market of fishery products⁽¹⁾, as last amended by the Act of Accession of Austria, Finland and Sweden, and in particular Article 11 thereof,

Whereas a Commission expert has conducted an inspection visit to Nigeria to verify the conditions under which fishery products are produced, stored and dispatched to the Community;

Whereas the provisions of legislation of Nigeria on health inspection and monitoring of fishery products may be considered equivalent to those laid down in Directive 91/493/EEC;

Whereas, in Nigeria the Nigeria Federal Department of Fisheries (FDF) of the Federal Ministry of Agriculture and Natural Resources is capable of effectively verifying the application of the laws in force;

Whereas the procedure for obtaining the health certificate referred to in Article 11(4)(a) of Directive 91/493/EEC must also cover the definition of a model certificate, the minimum requirements regarding the language(s) in which it must be drafted and the grade of the person empowered to sign it;

Whereas, pursuant to Article 11(4)(b) of Directive 91/493/EEC, a mark should be affixed to packages of fishery products giving the name of the third country and the approval/registration number of the establishment, factory vessel, cold store or freezer vessel of origin;

Whereas, pursuant to Article 11(4)(c) of Directive 91/493/EEC, a list of approved establishments, factory vessels or cold stores must be drawn up; whereas a list of freezer vessels registered in the sense of Council Directive 92/48/EEC⁽²⁾ must be drawn up; whereas this list must be drawn up on the basis of a communication from the FDF

to the Commission; whereas it is therefore for the FDF to ensure compliance with the provisions laid down to that end in Article 11(4) of Directive 91/493/EEC;

Whereas the FDF has provided official assurances regarding compliance with the rules set out in Chapter V of the Annex to Directive 91/493/EEC and regarding the fulfilment of requirements equivalent to those laid down by that Directive for the approval or registration of establishments, factory vessels, cold stores or freezer vessels;

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

HAS ADOPTED THIS DECISION:

Article 1

The Federal Department of Fisheries (FDF) of the Federal Ministry of Agriculture and Natural Resources shall be the competent authority in Nigeria for verifying and certifying compliance of fishery and aquaculture products with the requirements of Directive 91/493/EEC.

Article 2

Fishery and aquaculture products originating in Nigeria must meet the following conditions:

1. each consignment must be accompanied by a numbered original health certificate, duly completed, signed, dated and comprising a single sheet in accordance with the model in Annex A hereto;
2. the products must come from approved establishments, factory vessels, cold stores or registered freezer vessels listed in Annex B hereto;
3. except in the case of frozen fishery products in bulk and intended for the manufacture of preserved foods, all packages must bear the word 'NIGERIA' and the approval/registration number of the establishment, factory vessel, cold store or freezer vessel of origin in indelible letters.

⁽¹⁾ OJ L 268, 24. 9. 1991, p. 15.

⁽²⁾ OJ L 187, 7. 7. 1992, p. 41.

Article 3

1. Certificates as referred to in Article 2(1) must be drawn up in at least one official language of the Member State where the checks are carried out.
2. Certificates must bear the name, capacity and signature of the representative of the FDF and the latter's official stamp in a colour different from that of other endorsements.

Article 4

This Decision is addressed to the Member States.

Done at Brussels, 30 June 1998.

For the Commission

Franz FISCHLER

Member of the Commission

ANNEX A

HEALTH CERTIFICATE

for fishery and aquaculture products originating in Nigeria and intended for export to the European Community, excluding bivalve molluscs, echinoderms, tunicates and marine gastropods in whatever form

Reference No:

Country/Territory of dispatch: NIGERIA

Competent authority: Federal Department of Fisheries (FDF) of the Federal Ministry of Agriculture and Natural Resources

I. Details identifying the fishery products

- Description of Fishery — Aquaculture products ⁽¹⁾:
 - Species (scientific name):
 - Presentation of product and type of treatment ⁽²⁾:
- Code number (where available):
- Type of packaging:
- Number of packages:
- Net weight:
- Requisite storage and transport temperature:

II. Origin of products

Name(s) and official approval number(s) of establishment(s), factory vessel(s) or cold store(s) approved or freezer vessel(s) registered by the FDF for export to the EC:

.....

III. Destination of products

The products are dispatched

from:
 (place of dispatch)

to:
 (country and place of destination)

by the following means of transport:

Name and address of dispatcher:

.....

Name of consignee and address at place of destination:

.....

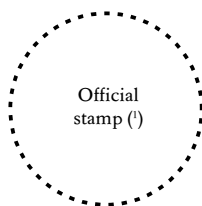
⁽¹⁾ Delete where applicable.

⁽²⁾ Live, refrigerated, frozen, salted, smoked, preserved, etc.

IV. Health attestation

- The official inspector hereby certifies that the fishery or aquaculture products specified above:
1. were caught and handled on board vessels in accordance with the health rules laid down by Directive 92/48/EEC;
 2. were landed, handled and where appropriate packaged, prepared, processed, frozen, thawed and stored hygienically in compliance with the requirements laid down in Chapters II, III and IV of the Annex to Directive 91/493/EEC;
 3. have undergone health controls in accordance with Chapter V of the Annex to Directive 91/493/EEC;
 4. are packaged, marked, stored and transported in accordance with Chapters VI, VII and VIII of the Annex to Directive 91/493/EEC;
 5. do not come from toxic species or species containing biotoxins;
 6. have satisfactorily undergone the organoleptic, parasitological, chemical and microbiological checks laid down for certain categories of fishery products by Directive 91/493/EEC and in the implementing decisions thereto.
- The undersigned official inspector hereby declares that he is aware of the provisions of Directive 91/493/EEC, Directive 92/48/EEC and Decision 98/420/EC.

Done at, on
(Place) (Date)



.....
Signature of official inspector (°)

.....
(Name in capital letters, capacity and qualifications of person signing)

(°) The colour of the stamp and signature must be different from that of the other particulars in the certificate.

ANNEX B

I. LIST OF ESTABLISHMENTS

Number	Name	Address
FDF/E/01	OCEAN FISHERIES LTD	IKORODU
FDF/E/02	UNIVERSAL ASSOCIATES COMPANY LTD	LAGOS
FDF/E/03	ORC FISHING AND FOOD PROCESSING LTD	LAGOS
FDF/E/04	OLOKUN (PISCES) LTD	LAGOS

II. LIST OF COLD STORES

Number	Name	Address
FDF/E/01	OCEAN FISHERIES LTD	IKORODU
FDF/E/02	SAVANNAH SHIPPING COMPANY NIG. LTD	LAGOS
FDF/E/03	ORC FISHING AND FOOD PROCESSING LTD	LAGOS
FDF/E/04	BANARLY NIG. LTD	LAGOS
FDF/E/06	TARABAROZ FISHERIES LTD	LAGOS
FDF/E/07	BENGUELA FISHING INDUSTRIES LTD	LAGOS
FDF/E/08	UNITED FISHERIES LTD	LAGOS
FDF/E/09	OBELAWO FARCHA INDUSTRIES LTD	LAGOS

III. LIST OF FREEZING VESSELS

Number	Name (owner)	Port
FDF/V/02-01 FDF/V/02-02 FDF/V/02-03 FDF/V/02-04 FDF/V/02-05 FDF/V/02-06 FDF/V/02-07	ORC 1 Freedom Silver Streak Petunia Robin Magnolia Dahlia (ORC Fishing and Food Processing Ltd)	Olodi, Apapa
FDF/V/03-01 FDF/V/03-02 FDF/V/03-03	Susiah Ti Oluwani Oluwi (Honeywell Fisheries Ltd)	Apapa, Lagos
FDF/V/04-01 FDF/V/04-02 FDF/V/04-03	Banarly I Banarly II Banarly III (Banarly Nigeria Ltd)	Apapa, Lagos
FDF/V/05-01 FDF/V/05-02 FDF/V/05-03	HRV I HRV II HRV III (HR Ventures Ltd)	Ibafon, Apapa
FDF/V/06-01 FDF/V/06-02 FDF/V/06-03 FDF/V/06-04	Vaneesha Sonia Shiv Sea Princess (Ocean Fisheries Nig. Ltd)	Apapa, Lagos

Number	Name (owner)	Port
FDF/V/07-01 FDF/V/07-02 FDF/V/07-03 FDF/V/07-04 FDF/V/07-05	Lecon I Gloria Theo Taraba I Hanatu (Tarabaroz Fisheries Ltd)	Island, Apapa, Lagos
FDF/V/08-01 FDF/V/08-02 FDF/V/08-03 FDF/V/08-04 FDF/V/08-05 FDF/V/08-06	Kulak I Kulak II Kulak III Kulak IV Kulak V Kulak VI (Kulak Trades and Ind. plc)	Apapa, Lagos
FDF/V/09-01 FDF/V/09-02	Magami I Magami II (Magami Trawlers Ltd)	Tincan Wharf, Lagos
FDF/V/10-01 FDF/V/10-02	Oke-Oghene I Oke-Oghene II (Emosin General Ent. Ltd)	Apapa, Lagos
FDF/V/11-01 FDF/V/11-02	Mountaha Mustapha (Dalia Farms Nig. Ltd)	Apapa, Lagos
FDF/V/12A-01 FDF/V/12A-02 FDF/V/12A-03 FDF/V/12A-04 FDF/V/12A-05 FDF/V/12A-06 FDF/V/12A-07 FDF/V/12A-08 FDF/V/12A-09 FDF/V/12A-10	Madam Tinubu Bisola M/Emotan Awele Dada Fatu Lady Anne Binta Omolara M/Asiya (Intercontinental Fishing Nig. Ltd)	Apapa, Lagos
FDF/V/12B-11 FDF/V/12B-12 FDF/V/12B-13	Tulip Chenny Pearl (Savannah Shipping Company Nig. Ltd)	Apapa, Lagos
FDF/V/12C-14 FDF/V/12C-15	Lily I Lily II (Intra Fisheries Nig. Ltd)	Apapa, Lagos
FDF/V/12D-16 FDF/V/12D-17 FDF/V/12D-18 FDF/V/12D-19 FDF/V/12D-20 FDF/V/12D-21 FDF/V/12D-22 FDF/V/12D-23 FDF/V/12D-24 FDF/V/12D-25	Lily III Lily IV Universal IV Universal V Queen Amina Silvermaid I Silvermaid II Lotus I Lotus II (Atlantic Shrimpers Ltd)	Apapa, Lagos

Number	Name (owner)	Port
FDF/V/12E-26	Universal I (Universal Fishing Company Nig. Ltd)	Apapa, Lagos
FDF/V/12F-27 FDF/V/12F-28	Lotus III Lotus IV (Paramount Frozen Food Ltd)	Apapa, Lagos
FDF/V/12G-29 FDF/V/12G-30 FDF/V/12G-31 FDF/V/12G-32 FDF/V/12G-33 FDF/V/12G-34 FDF/V/12G-35 FDF/V/12G-36	Cosmos I Cosmos II Cosmos III Cosmos IV Cosmos V Cosmos VI Cosmos VII Cosmos VIII (Cosmos Fishing Company Ltd)	Apapa, Lagos
FDF/V/12G-37 FDF/V/12G-38	Silvermaid III Silvermaid IV (Nigeria Fishing Company Nig. Ltd)	Apapa, Lagos
FDF/V/12H-39	Sea Queen (Primlaks Frozen Food Products Ltd)	Apapa, Lagos
FDF/V/12J-40 FDF/V/12J-41 FDF/V/12J-42 FDF/V/12J-43	Rose I Rose II Rose III Rose IV (Universal Associate Company Ltd)	Apapa, Lagos
FDF/V/13-01 FDF/V/13-02	Benguela I Benguela II (Benguela Fishing Company Ltd)	Apapa, Lagos
FDF/V/14-01 FDF/V/14-02 FDF/V/14-03 FDF/V/14-04 FDF/V/14-05 FDF/V/14-06	Unicorn I Unicorn II Unicorn III Unicorn IV Unicorn V Kingfisher VII (Offshore Trawlers Ltd)	Port Harcourt

COMMISSION DECISION

of 30 June 1998

laying down special conditions governing imports of fishery and aquaculture products originating in Ghana

(notified under document number C(1998) 1854)

(Text with EEA relevance)

(98/421/EC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Directive 91/493/EEC of 22 July 1991 laying down the health conditions for the production and the placing on the market of fishery products⁽¹⁾, as last amended by the Act of Accession of Austria, Finland and Sweden, and in particular Article 11 thereof,

Whereas a Commission expert has conducted an inspection visit to Ghana to verify the conditions under which fishery products are produced, stored and dispatched to the Community;

Whereas the provisions of legislation of Ghana on health inspection and monitoring of fishery products may be considered equivalent to those laid down in Directive 91/493/EEC;

Whereas, in Ghana the Ghana Standards Board (GSB) of the Ministry of Trade is capable of effectively verifying the application of the laws in force;

Whereas the procedure for obtaining the health certificate referred to in Article 11(4)(a) of Directive 91/493/EEC must also cover the definition of a model certificate, the minimum requirements regarding the language(s) in which it must be drafted and the grade of the person empowered to sign it;

Whereas, pursuant to Article 11(4)(b) of Directive 91/493/EEC, a mark should be affixed to packages of fishery products giving the name of the third country and the approval/registration number of the establishment, factory vessel, cold store or freezer vessel of origin;

Whereas, pursuant to Article 11(4)(c) of Directive 91/493/EEC, a list of approved establishments, factory vessels or cold stores must be drawn up; whereas a list of freezer vessels registered in the sense of Council Directive 92/48/EEC⁽²⁾ must be drawn up; whereas this list must be drawn up on the basis of a communication from the GSB

to the Commission; whereas it is therefore for the GSB to ensure compliance with the provisions laid down to that end in Article 11(4) of Directive 91/493/EEC;

Whereas the GSB has provided official assurances regarding compliance with the rules set out in Chapter V of the Annex to Directive 91/493/EEC and regarding the fulfilment of requirements equivalent to those laid down by that Directive for the approval or registration of establishments, factory vessels, cold stores or freezer vessels;

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

HAS ADOPTED THIS DECISION:

Article 1

The Ghana Standards Board (GSB) of the Ministry of Trade shall be the competent authority in Ghana for verifying and certifying compliance of fishery and aquaculture products with the requirements of Directive 91/493/EEC.

Article 2

Fishery and aquaculture products originating in Ghana must meet the following conditions:

1. each consignment must be accompanied by a numbered original health certificate, duly completed, signed, dated and comprising a single sheet in accordance with the model in Annex A hereto;
2. the products must come from approved establishments, factory vessels, cold stores or registered freezer vessels listed in Annex B hereto;
3. except in the case of frozen fishery products in bulk and intended for the manufacture of preserved foods, all packages must bear the word 'GHANA' and the approval/registration number of the establishment, factory vessel, cold store or freezer vessel of origin in indelible letters.

⁽¹⁾ OJ L 268, 24. 9. 1991, p. 15.

⁽²⁾ OJ L 187, 7. 7. 1992, p. 41.

Article 3

1. Certificates as referred to in Article 2(1) must be drawn up in at least one official language of the Member State where the checks are carried out.
2. Certificates must bear the name, capacity and signature of the representative of the GSB and the latter's official stamp in a colour different from that of other endorsements.

Article 4

This Decision is addressed to the Member States.

Done at Brussels, 30 June 1998.

For the Commission

Franz FISCHLER

Member of the Commission

ANNEX A

HEALTH CERTIFICATE

for fishery and aquaculture products originating in Ghana and intended for export to the European Community, excluding bivalve molluscs, echinoderms, tunicates and marine gastropods in whatever form

Reference No:

Country/Territory of dispatch: GHANA

Competent authority: Ghana Standards Board (GSB) of the Ministry of Trade

I. Details identifying the fishery products

- Description of Fishery — Aquaculture products ⁽¹⁾:
 - Species (scientific name):
 - Presentation of product and type of treatment ⁽²⁾:
- Code number (where available):
- Type of packaging:
- Number of packages:
- Net weight:
- Requisite storage and transport temperature:

II. Origin of products

Name(s) and official approval number(s) of establishment(s), factory vessel(s) or cold store(s) approved or freezer vessel(s) registered by the GSB for export to the EC:

.....
.....
.....

III. Destination of products

The products are dispatched

from:
(place of dispatch)

to:
(country and place of destination)

by the following means of transport:

Name and address of dispatcher:

.....
.....

Name of consignee and address at place of destination:

.....
.....

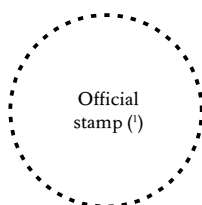
⁽¹⁾ Delete where applicable.

⁽²⁾ Live, refrigerated, frozen, salted, smoked, preserved, etc.

IV. Health attestation

- The official inspector hereby certifies that the fishery or aquaculture products specified above:
1. were caught and handled on board vessels in accordance with the health rules laid down by Directive 92/48/EEC;
 2. were landed, handled and where appropriate packaged, prepared, processed, frozen, thawed and stored hygienically in compliance with the requirements laid down in Chapters II, III and IV of the Annex to Directive 91/493/EEC;
 3. have undergone health controls in accordance with Chapter V of the Annex to Directive 91/493/EEC;
 4. are packaged, marked, stored and transported in accordance with Chapters VI, VII and VIII of the Annex to Directive 91/493/EEC;
 5. do not come from toxic species or species containing biotoxins;
 6. have satisfactorily undergone the organoleptic, parasitological, chemical and microbiological checks laid down for certain categories of fishery products by Directive 91/493/EEC and in the implementing decisions thereto.
- The undersigned official inspector hereby declares that he is aware of the provisions of Directive 91/493/EEC, Directive 92/48/EEC and Decision 98/421/EC.

Done at, on
(Place) (Date)



.....
Signature of official inspector (°)

.....
(Name in capital letters, capacity and qualifications of person signing)

(°) The colour of the stamp and signature must be different from that of the other particulars in the certificate.

ANNEX B

I. LIST OF APPROVED ESTABLISHMENTS

Number	Name	Address
GS/SF/E052	Skippy's Seafood Co., Ltd	Accra
GS/SF/E002	Société Nouvelle Cap Langouste	Accra
GS/SF/E001	Vivier Du Nord	Accra
GS/SF/E128	Green Gold	Takoradi
GS/SF/E009	Compass Dive and Salvage (Gh) Ltd	Axim
GS/SF/E007	Pako Bay Seafood	Apam
GS/SF/E006	Kpone Lobsters	Kpone-Tema
GS/SF/E015	Divine Seafood	Tema
GS/SF/EF038	Pioneer Food Cannery	Tema
GS/SF/EF039	Ghana Agro-Food Co., Ltd	Tema
GS/SF/E855	Liwon Enterprise	Tema

II. LIST OF FREEZER VESSELS

Number	Name	Port
GS/SF/E003	M. V. Lima	Tema
GS/SF/E004	Filikos 1	Tema
GS/SF/E005	Mihalis N.	Tema
GS/SF/E008	Zhonglu-706	Tema
GS/SF/E010	Toman 3	Tema
GS/SF/E011	Alabanzas	Tema
GS/SF/E012	M. V. Shabda	Tema
GS/SF/E013	Afko 306	Tema
GS/SF/E014	Afko 803	Tema

COMMISSION DECISION

of 30 June 1998

laying down special conditions governing imports of fishery and aquaculture products originating in Tanzania

(notified under document number C(1998) 1855)

(Text with EEA relevance)

(98/422/EC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Directive 91/493/EEC of 22 July 1991 laying down the health conditions for the production and the placing on the market of fishery products⁽¹⁾, as last amended by the Act of Accession of Austria, Finland and Sweden, and in particular Article 11 thereof,

Whereas a Commission expert has conducted an inspection visit to Tanzania to verify the conditions under which fishery products are produced, stored and dispatched to the Community;

Whereas the provisions of legislation of Tanzania on health inspection and monitoring of fishery products may be considered equivalent to those laid down in Directive 91/493/EEC;

Whereas, in Tanzania the Fisheries Division (FD) of the Ministry of Natural Resources and Tourism is capable of effectively verifying the application of the laws in force;

Whereas the procedure for obtaining the health certificate referred to in Article 11(4)(a) of Directive 91/493/EEC must also cover the definition of a model certificate, the minimum requirements regarding the language(s) in which it must be drafted and the grade of the person empowered to sign it;

Whereas, pursuant to Article 11(4)(b) of Directive 91/493/EEC, a mark should be affixed to packages of fishery products giving the name of the third country and the approval/registration number of the establishment, factory vessel, cold store or freezer vessel of origin;

Whereas, pursuant to Article 11(4)(c) of Directive 91/493/EEC, a list of approved establishments, factory vessels or cold stores must be drawn up; whereas a list of freezer vessels registered in the sense of Council Directive 92/48/EEC⁽²⁾ must be drawn up; whereas this list must be drawn up on the basis of a communication from the FD

to the Commission; whereas it is therefore for the FD to ensure compliance with the provisions laid down to that end in Article 11(4) of Directive 91/493/EEC;

Whereas the FD has provided official assurances regarding compliance with the rules set out in Chapter V of the Annex to Directive 91/493/EEC and regarding the fulfilment of requirements equivalent to those laid down by that Directive for the approval or registration of establishments, factory vessels, cold stores or freezer vessels;

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

HAS ADOPTED THIS DECISION:

Article 1

The Fisheries Division (FD) of the Ministry of Natural Resources and Tourism shall be the competent authority in Tanzania for verifying and certifying compliance of fishery and aquaculture products with the requirements of Directive 91/493/EEC.

Article 2

Fishery and aquaculture products originating in Tanzania must meet the following conditions:

1. Each consignment must be accompanied by a numbered original health certificate, duly completed, signed, dated and comprising a single sheet in accordance with the model in Annex A hereto;
2. The products must come from approved establishments, factory vessels, cold stores or registered freezer vessels listed in Annex B hereto;
3. Except in the case of frozen fishery products in bulk and intended for the manufacture of preserved foods, all packages must bear the word 'TANZANIA' and the approval/registration number of the establishment, factory vessel, cold store or freezer vessel of origin in indelible letters.

⁽¹⁾ OJ L 268, 24. 9. 1991, p. 15.

⁽²⁾ OJ L 187, 7. 7. 1992, p. 41.

Article 3

1. Certificates as referred to in Article 2(1) must be drawn up in at least one official language of the Member State where the checks are carried out.
2. Certificates must bear the name, capacity and signature of the representative of the FD and the latter's official stamp in a colour different from that of other endorsements.

Article 4

This Decision is addressed to the Member States.

Done at Brussels, 30 June 1998.

For the Commission

Franz FISCHLER

Member of the Commission

ANNEX A

HEALTH CERTIFICATE

for fishery and aquaculture products originating in Tanzania and intended for export to the European Community, excluding bivalve molluscs, echinoderms, tunicates and marine gastropods in whatever form

Reference No:

Country of dispatch: TANZANIA

Competent authority: Fisheries Division (FD) of the Ministry of Natural Resources and Tourism

I. Details identifying the fishery products

- Description of Fishery - Aquaculture products ⁽¹⁾:
 - Species (scientific name):
 - Presentation of product and type of treatment ⁽²⁾:
- Code number (where available):
- Type of packaging:
- Number of packages:
- Net weight:
- Requisite storage and transport temperature:

II. Origin of products

Name(s) and official approval number(s) of establishment(s), factory vessel(s) or cold store(s) approved or freezer vessel(s) registered by the FD for export to the EC:

.....

III. Destination of products

The products are dispatched

from:
 (place of dispatch)

to:
 (country and place of destination)

by the following means of transport:

Name and address of dispatcher:

.....

Name of consignee and address at place of destination:

.....

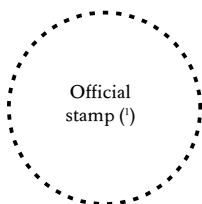
⁽¹⁾ Delete where applicable.

⁽²⁾ Live, refrigerated, frozen, salted, smoked, preserved, etc.

IV. Health attestation

- The official inspector hereby certifies that the fishery or aquaculture products specified above:
1. were caught and handled on board vessels in accordance with the health rules laid down by Directive 92/48/EEC;
 2. were landed, handled and where appropriate packaged, prepared, processed, frozen, thawed and stored hygienically in compliance with the requirements laid down in Chapters II, III and IV of the Annex to Directive 91/493/EEC;
 3. have undergone health controls in accordance with Chapter V of the Annex to Directive 91/493/EEC;
 4. are packaged, marked, stored and transported in accordance with Chapters VI, VII and VIII of the Annex to Directive 91/493/EEC;
 5. do not come from toxic species or species containing biotoxins;
 6. have satisfactorily undergone the organoleptic, parasitological, chemical and microbiological checks laid down for certain categories of fishery products by Directive 91/493/EEC and in the implementing decisions thereto.
- The official inspector hereby certifies that any person working on and/or handling the fishery or aquaculture products above described have satisfactorily undergone the medical supervision laid down in Chapter III, point II B of the Annex to Directive 91/493/EEC.
- The undersigned official inspector hereby declares that he is aware of the provisions of Directives 91/493/EEC, Directive 92/48/EEC and Decision 98/422/EC.

Done at, on
(Place) (Date)



.....
Signature of official inspector (¹)

.....
(Name in capital letters, capacity and qualifications of person signing)

.....
(¹) The colour of the stamp and signature must be different from that of the other particulars in the certificate.

ANNEX B

I. LIST OF APPROVED ESTABLISHMENTS

Number	Name	Address
A-PP-200	Hellas Tanzania Mafia Fish. Processing Plant Ltd	Mafia Island
A-PP-203	Fruits De la Mer Ltd	Dar es Salaam
A-PP-205	Vickfish Ltd	Mwanza
A-PP-206	Fish Pak Tanzania Ltd	Musoma
A-PP-207	Tan Perch Ltd	Mwanza
A-PP-208	Nile Perch Fisheries Ltd	Mwanza
A-PP-209	Tanzania Fish Processors Ltd	Mwanza
A-PP-210	Mwanza Fishing Industries Ltd	Mwanza
A-PP-211	Victoria Fisheries Ltd	Mwanza
A-PP-214	Selthmar Ocean Products Ltd	Kilwa Masoko
A-PP-215	Omega Fish Ltd	Mwanza
A-PP-217	M/S Lucia Abdulle Omari	Dar es Salaam

II. LIST OF FREEZER VESSELS

Number	Name (owner)	Port
A-102	MFV ARUSHA (Heltanco Ltd)	Dar es Salaam
A-103	MFV ODYSSEAS (Heltanco Ltd)	Dar es Salaam
A-106	MFV BANUSO II (Den-Tan Resources Ltd)	Dar es Salaam
A-110	MFV MAMA LEDA (Tramico Investment Company Ltd)	Dar es Salaam
A-111	MFV MARIETTA (African Fishing Co. Ltd)	Dar es Salaam
A-112	MFV MTONI (Ocean Fisheries (T) Ltd)	Dar es Salaam
A-113	MFV MAENDELBE0 (African Fishing Company Ltd)	Dar es Salaam
A-114	MFV CONNIE (African Fishing Company Ltd)	Dar es Salaam
A-115	MFV CANADA (African Fishing Company Ltd)	Dar es Salaam
A-116	MFV DEBBIE (African Fishing Company Ltd)	Dar es Salaam
B-110	MFV ALWALY	Dar es Salaam
B-111	MFV SEASHORE I	Dar es Salaam
B-112	MFV SEASHORE II	Dar es Salaam

COMMISSION DECISION

of 30 June 1998

laying down special conditions governing imports of fishery and aquaculture products originating in Falkland Islands

(notified under document number C(1998) 1850)

(Text with EEA relevance)

(98/423/EC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Directive 91/493/EEC of 22 July 1991 laying down the health conditions for the production and the placing on the market of fishery products⁽¹⁾, as last amended by the Act of Accession of Austria, Finland and Sweden, and in particular Article 11 thereof,

Whereas a Commission expert has conducted an inspection visit to Falkland Islands to verify the conditions under which fishery products are produced, stored and dispatched to the Community;

Whereas the provisions of legislation of Falkland Islands on health inspection and monitoring of fishery products may be considered equivalent to those laid down in Directive 91/493/EEC;

Whereas, in Falkland Islands the Veterinary Service (VS) of Department of Agriculture is capable of effectively verifying the application of the laws in force;

Whereas the procedure for obtaining the health certificate referred to in Article 11(4)(a) of Directive 91/493/EEC must also cover the definition of a model certificate, the minimum requirements regarding the language(s) in which it must be drafted and the grade of the person empowered to sign it;

Whereas, pursuant to Article 11(4)(b) of Directive 91/493/EEC, a mark should be affixed to packages of fishery products giving the name of the third country and the approval/registration number of the establishment, factory vessel, cold store or freezer vessel of origin;

Whereas, pursuant to Article 11(4)(c) of Directive 91/493/EEC, a list of approved establishments, factory vessels or cold stores must be drawn up; whereas a list of freezer vessels registered in the sense of Council Directive 92/48/EEC⁽²⁾ must be drawn up; whereas this list must be drawn up on the basis of a communication from the VS

to the Commission; whereas it is therefore for the VS to ensure compliance with the provisions laid down to that end in Article 11(4) of Directive 91/493/EEC;

Whereas the VS has provided official assurances regarding compliance with the rules set out in Chapter V of the Annex to Directive 91/493/EEC and regarding the fulfilment of requirements equivalent to those laid down by that Directive for the approval or registration of establishments, factory vessels, cold stores or freezer vessels;

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

HAS ADOPTED THIS DECISION:

Article 1

The Veterinary Service of the Department of Agriculture shall be the competent authority in Falkland Islands for verifying and certifying compliance of fishery and aquaculture products with the requirements of Directive 91/493/EEC.

Article 2

Fishery and aquaculture products originating in Falkland Islands must meet the following conditions:

1. each consignment must be accompanied by a numbered original health certificate, duly completed, signed, dated and comprising a single sheet in accordance with the model in Annex A hereto;
2. the products must come from approved establishments, factory vessels, cold stores or registered freezer vessels listed in Annex B hereto;
3. except in the case of frozen fishery products in bulk and intended for the manufacture of preserved foods, all packages must bear the words 'FALKLAND ISLANDS' and the approval/registration number of the establishment, factory vessel, cold store or freezer vessel of origin in indelible letters.

⁽¹⁾ OJ L 268, 24. 9. 1991, p. 15.

⁽²⁾ OJ L 187, 7. 7. 1992, p. 41.

Article 3

1. Certificates as referred to in Article 2(1) must be drawn up in at least one official language of the Member State where the checks are carried out.
2. Certificates must bear the name, capacity and signature of the representative of the VS and the latter's official stamp in a colour different from that of other endorsements.

Article 4

This Decision is addressed to the Member States.

Done at Brussels, 30 June 1998.

For the Commission

Franz FISCHLER

Member of the Commission

ANNEX A

HEALTH CERTIFICATE

for fishery and aquaculture products originating in Falkland Islands and intended for export to the European Community, excluding bivalve molluscs, echinoderms, tunicates and marine gastropods in whatever form

Reference No:

Country/Territory of dispatch: FALKLAND ISLANDS

Competent authority: Veterinary Service (VS) of the Department of Agriculture

I. Details identifying the fishery products

- Description of Fishery - Aquaculture products ⁽¹⁾:
 - Species (scientific name):
 - Presentation of product and type of treatment ⁽²⁾:
- Code number (where available):
- Type of packaging:
- Number of packages:
- Net weight:
- Requisite storage and transport temperature:

II. Origin of products

Name(s) and official approval number(s) of establishment(s), factory vessel(s) or cold store(s) approved or freezer vessel(s) registered by the VS for export to the EC:

.....
.....
.....

III. Destination of products

The products are dispatched

from:
(place of dispatch)

to:
(country and place of destination)

by the following means of transport:

Name and address of dispatcher:

.....
.....

Name of consignee and address at place of destination:

.....
.....

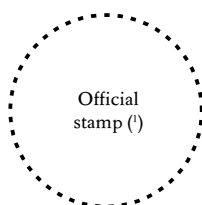
⁽¹⁾ Delete where applicable.

⁽²⁾ Live, refrigerated, frozen, salted, smoked, preserved, etc.

IV. Health attestation

- The official inspector hereby certifies that the fishery or aquaculture products specified above:
1. were caught and handled on board vessels in accordance with the health rules laid down by Directive 92/48/EEC;
 2. were landed, handled and where appropriate packaged, prepared, processed, frozen, thawed and stored hygienically in compliance with the requirements laid down in Chapters II, III and IV of the Annex to Directive 91/493/EEC;
 3. have undergone health controls in accordance with Chapter V of the Annex to Directive 91/493/EEC;
 4. are packaged, marked, stored and transported in accordance with Chapters VI, VII and VIII of the Annex to Directive 91/493/EEC;
 5. do not come from toxic species or species containing biotoxins;
 6. have satisfactorily undergone the organoleptic, parasitological, chemical and microbiological checks laid down for certain categories of fishery products by Directive 91/493/EEC and in the implementing decisions thereto.
- The undersigned official inspector hereby declares that he is aware of the provisions of Directive 91/493/EEC, Directive 92/48/EEC and Decision 98/423/EC.

Done at, on
(Place) (Date)



.....
Signature of official inspector (°)

.....
(Name in capital letters, capacity and qualifications of person signing)

(°) The colour of the stamp and signature must be different from that of the other particulars in the certificate.

ANNEX B

LIST OF APPROVED FACTORY VESSELS

Number	Name	Port
1001	Petrel	Stanley
1002	Argos Pereira	Stanley
1004	De Giosa T	Stanley
1005	Capricorn	Stanley
1006	Beagle FI	Stanley
1007	Argos Galicia	Stanley
1008	Igueldo	Stanley
1009	Golden Touza	Stanley
1010	Golden Chicha	Stanley
1011	Polar Fury	Stanley
1012	John Cheek	Stanley
1013	Heroya Primero	Stanley
1014	Sil	Stanley
1016	Jacqueline (Quark Fishing Stanley Company)	Stanley

COMMISSION DECISION

of 30 June 1998

laying down special conditions governing imports of fishery and aquaculture products originating in Maldives

(notified under document number C(1998) 1857)

(Text with EEA relevance)

(98/424/EC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Directive 91/493/EEC of 22 July 1991 laying down the health conditions for the production and the placing on the market of fishery products⁽¹⁾, as last amended by the Act of Accession of Austria, Finland and Sweden, and in particular Article 11 thereof,

Whereas a Commission expert has conducted an inspection visit to Maldives to verify the conditions under which fishery products are produced, stored and dispatched to the Community;

Whereas the provisions of legislation of Maldives on health inspection and monitoring of fishery products may be considered equivalent to those laid down in Directive 91/493/EEC;

Whereas, in Maldives the Department of Public Health (DPH) of the Ministry of Health is capable of effectively verifying the application of the laws in force;

Whereas the procedure for obtaining the health certificate referred to in Article 11(4)(a) of Directive 91/493/EEC must also cover the definition of a model certificate, the minimum requirements regarding the language(s) in which it must be drafted and the grade of the person empowered to sign it;

Whereas, pursuant to Article 11(4)(b) of Directive 91/493/EEC, a mark should be affixed to packages of fishery products giving the name of the third country and the approval/registration number of the establishment, factory vessel, cold store or freezer vessel of origin;

Whereas, pursuant to Article 11(4)(c) of Directive 91/493/EEC, a list of approved establishments, factory vessels or cold stores must be drawn up; whereas a list of freezer vessels registered in the sense of Council Directive 92/48/EEC⁽²⁾ must be drawn up; whereas this list must be drawn up on the basis of a communication from the DPH

to the Commission; whereas it is therefore for the DPH to ensure compliance with the provisions laid down to that end in Article 11(4) of Directive 91/493/EEC;

Whereas the DPH has provided official assurances regarding compliance with the rules set out in Chapter V of the Annex to Directive 91/493/EEC and regarding the fulfilment of requirements equivalent to those laid down by that Directive for the approval or registration of establishments, factory vessels, cold stores or freezer vessels;

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

HAS ADOPTED THIS DECISION:

Article 1

The Department of Public Health (DPH) of the Ministry of Health shall be the competent authority in Maldives for verifying and certifying compliance of fishery and aquaculture products with the requirements of Directive 91/493/EEC.

Article 2

Fishery and aquaculture products originating in Maldives must meet the following conditions:

1. Each consignment must be accompanied by a numbered original health certificate, duly completed, signed, dated and comprising a single sheet in accordance with the model in Annex A hereto;
2. The products must come from approved establishments, factory vessels, cold stores or registered freezer vessels listed in Annex B hereto;
3. Except in the case of frozen fishery products in bulk and intended for the manufacture of preserved foods, all packages must bear the word 'MALDIVES' and the approval/registration number of the establishment, factory vessel, cold store or freezer vessel of origin in indelible letters.

⁽¹⁾ OJ L 268, 24. 9. 1991, p. 15.

⁽²⁾ OJ L 187, 7. 7. 1992, p. 41.

Article 3

1. Certificates as referred to in Article 2(1) must be drawn up in at least one official language of the Member State where the checks are carried out.
2. Certificates must bear the name, capacity and signature of the representative of the DPH and the latter's official stamp in a colour different from that of other endorsements.

Article 4

This Decision is addressed to the Member States.

Done at Brussels, 30 June 1998.

For the Commission

Franz FISCHLER

Member of the Commission

ANNEX A

HEALTH CERTIFICATE

for fishery and aquaculture products originating in Maldives and intended for export to the European Community, excluding bivalve molluscs, echinoderms, tunicates and marine gastropods in whatever form

Reference No:

Country of dispatch: MALDIVES

Competent authority: Department of Public Health (DPH) of the Ministry of Health

I. Details identifying the fishery products

- Description of Fishery - Aquaculture products ⁽¹⁾:
 - Species (scientific name):
 - Presentation of product and type of treatment ⁽²⁾:
- Code number (where available):
- Type of packaging:
- Number of packages:
- Net weight:
- Requisite storage and transport temperature:

II. Origin of products

Name(s) and official approval number(s) of establishment(s), factory vessel(s) or cold store(s) approved or freezer vessel(s) registered by the DPH for export to the EC:

.....
.....
.....

III. Destination of products

The products are dispatched

from:
(place of dispatch)

to:
(country and place of destination)

by the following means of transport:

Name and address of dispatcher:

.....
.....

Name of consignee and address at place of destination:

.....
.....

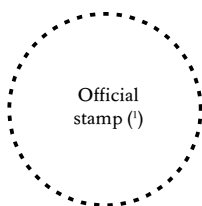
⁽¹⁾ Delete where applicable.

⁽²⁾ Live, refrigerated, frozen, salted, smoked, preserved, etc.

IV. Health attestation

- The official inspector hereby certifies that the fishery or aquaculture products specified above:
1. were caught and handled on board vessels in accordance with the health rules laid down by Directive 92/48/EEC;
 2. were landed, handled and where appropriate packaged, prepared, processed, frozen, thawed and stored hygienically in compliance with the requirements laid down in Chapters II, III and IV of the Annex to Directive 91/493/EEC;
 3. have undergone health controls in accordance with Chapter V of the Annex to Directive 91/493/EEC;
 4. are packaged, marked, stored and transported in accordance with Chapters VI, VII and VIII of the Annex to Directive 91/493/EEC;
 5. do not come from toxic species or species containing biotoxins;
 6. have satisfactorily undergone the organoleptic, parasitological, chemical and microbiological checks laid down for certain categories of fishery products by Directive 91/493/EEC and in the implementing decisions thereto.
- The undersigned official inspector hereby declares that he is aware of the provisions of Directives 91/493/EEC, Directive 92/48/EEC and Decision 98/424/EC.

Done at, on
(Place) (Date)



.....
Signature of official inspector (°)

.....
(Name in capital letters, capacity and qualifications of person signing)

(°) The colour of the stamp and signature must be different from that of the other particulars in the certificate.

*ANNEX B***LIST OF APPROVED ESTABLISHMENTS**

Number	Name	Address
MDV 001	Maldives Industrial Fisheries Company Ltd (MIFCO)	Felivaru

CORRIGENDA

Corrigendum to Council Regulation (EC) No 1139/98 of 26 May 1998 concerning the compulsory indication of the labelling of certain foodstuffs produced from genetically modified organisms of particulars other than those provided for in Directive 79/112/EEC

(Official Journal of the European Communities L 159 of 3 June 1998)

On page 4 and in the table of contents the title should read as follows:

‘Council Regulation (EC) No 1139/98 of 26 May 1998 concerning the compulsory indication, on the labelling of certain foodstuffs produced from genetically modified organisms, of particulars other than those provided for in Directive 79/112/EEC’.
