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I

(Acts whose publication is obligatory)

COUNCIL REGULATION (EC) No 1901/98
of 7 September 1998
concerning a ban on flights of Yugoslav carriers between the Federal Republic of
Yugoslavia and the European Community

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty establishing the European Community, and in particular Article 228A thereof,

Having regard to Common Position 98/426/CFSP 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 ⁽¹⁾,

Having regard to the proposal from the Commission,

Whereas the developments regarding Kosovo have already led the Security Council of the United Nations to impose an arms embargo against the Federal Republic of Yugoslavia (FRY) under Chapter VII of the Charter of the United Nations, and to the consideration of additional measures in case of failure to make constructive progress towards the peaceful resolution of the situation in Kosovo;

Whereas the European Union has already decided on additional measures as envisaged by Common Positions 98/240/CFSP ⁽²⁾, 98/326/CFSP ⁽³⁾ and 98/374/CFSP ⁽⁴⁾ and the ensuing Council Regulations (EC) Nos 926/98 ⁽⁵⁾, 1295/98 ⁽⁶⁾ and 1607/98 ⁽⁷⁾;

Whereas the Government of the FRY has not stopped the use of indiscriminate violence and brutal repression against its own citizens, which constitute serious violations of human rights and international humanitarian law, and has not taken effective steps to find a political solution to the issue of Kosovo through a process of peaceful dialogue with the Kosovar Albanian Community in order to maintain the regional peace and security;

Whereas, therefore, Common Position 98/426/CFSP foresees a ban on flights by Yugoslav carriers between the Federal Republic of Yugoslavia (FRY) and the European

Community as a further measure to obtain from the Government of the FRY the fulfilment of the requirements of UNSC Resolution 1160 (1998) and of the said Common Positions;

Whereas this further measure falls under the scope of the Treaty establishing the European Community;

Whereas, therefore, and notably with a view to avoiding distortion of competition, Community legislation is necessary for the implementation of these measures, as far as the territory of the Community is concerned; whereas such territory is deemed to encompass, for the purposes of this Regulation, the territories of the Member States to which the Treaty establishing the European Community is applicable, under the conditions laid down in that Treaty;

Whereas there is a need to provide for certain specific exemptions;

Whereas there is a need for the Commission and Member States to inform each other of the measures taken under this Regulation and of other relevant information at their disposal in connection with this Regulation,

HAS ADOPTED THIS REGULATION:

Article 1

1. Aircraft operated directly or indirectly by a Yugoslav carrier, that is a carrier having its principal place of business or its registered office in the Federal Republic of Yugoslavia, shall be prohibited from flying between the Federal Republic of Yugoslavia and the European Community.

2. All operating authorisations granted to Yugoslav carriers are hereby revoked.

⁽¹⁾ OJ L 190, 4. 7. 1998, p. 3.

⁽²⁾ OJ L 95, 27. 3. 1998, p. 1.

⁽³⁾ OJ L 143, 14. 5. 1998, p. 1.

⁽⁴⁾ OJ L 165, 10. 6. 1998, p. 1.

⁽⁵⁾ OJ L 130, 1. 5. 1998, p. 1.

⁽⁶⁾ OJ L 178, 23. 6. 1998, p. 33.

⁽⁷⁾ OJ L 209, 25. 7. 1998, p. 16.

Article 2

No new operating authorisations shall be granted or existing ones renewed enabling aircraft registered in the Federal Republic of Yugoslavia to fly to or from airports in the Community.

Article 3

1. Articles 1 and 2 shall not apply to
 - (a) emergency landings on the territory of the Community and ensuing take-offs;
 - (b) authorisations for charter series flights between Leipzig and Tivat by Montenegro Airlines.
2. Nothing in this Regulation shall be construed as limiting any existing rights of Yugoslav carriers and aircraft registered in the FRY other than rights to land in or to take off from the territory of the Community.

Article 4

The participation, knowingly and intentionally, in related activities, the object or effect of which is, directly or indirectly, to circumvent the provisions of Articles 1 and 2 shall be prohibited.

Article 5

Each Member State shall determine the sanctions to be imposed where the provisions of this Regulation are

infringed. Such sanctions must be effective, proportionate and dissuasive.

Article 6

The Commission and the Member States shall inform each other of the measures taken under this Regulation and supply each other with any other relevant information at their disposal in connection with this Regulation, such as breaches and enforcement problems, judgments handed down by national courts or decisions of relevant international fora.

Article 7

This Regulation shall apply:

- within the territory of the Community including its airspace,
- on board any aircraft or any vessel under the jurisdiction of a Member State,
- to any person elsewhere who is a national of a Member State,
- to any body which is incorporated or constituted under the law of a Member State.

Article 8

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, 7 September 1998.

For the Council

The President

W. SCHÜSSEL

COMMISSION REGULATION (EC) No 1902/98
of 7 September 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 1498/98 ⁽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 Commission fixes the standard values for imports from third

countries, in respect of the products and periods stipulated in the Annex thereto;

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

HAS ADOPTED THIS REGULATION:

Article 1

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

Article 2

This Regulation shall enter into force on 8 September 1998.

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

Done at Brussels, 7 September 1998.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ L 337, 24. 12. 1994, p. 66.

⁽²⁾ OJ L 198, 15. 7. 1998, p. 4.

⁽³⁾ OJ L 387, 31. 12. 1992, p. 1.

⁽⁴⁾ OJ L 22, 31. 1. 1995, p. 1.

ANNEX

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

(ECU/100 kg)

CN code	Third country code ⁽¹⁾	Standard import value
0702 00 00	060	43,1
	999	43,1
0805 30 10	388	43,5
	524	68,3
	528	76,9
	999	62,9
	999	62,9
0806 10 10	052	81,7
	064	73,0
	400	215,4
	624	121,3
	999	122,8
0808 10 20, 0808 10 50, 0808 10 90	388	59,5
	400	62,0
	508	43,3
	512	61,4
	524	36,0
	528	90,8
	800	189,2
	804	60,3
	999	75,3
	999	75,3
0808 20 50	052	96,5
	064	59,2
	388	90,3
	528	92,5
	999	84,6
0809 30 10, 0809 30 90	052	99,7
	999	99,7
	999	99,7
0809 40 05	052	52,9
	060	50,8
	064	60,7
	066	72,0
	068	53,1
	093	65,4
	624	140,6
	999	70,8

⁽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 1903/98

of 7 September 1998

fixing the maximum moisture content of cereals offered for intervention in certain Member States during 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 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 Council Regulation (EEC) No 2731/75 of 29 October 1975 fixing standard qualities for common wheat, rye, barley, maize, sorghum and durum wheat⁽³⁾, as last amended by Regulation (EC) No 2594/97⁽⁴⁾, in particular fixes a maximum moisture content of 14 % for cereals other than durum wheat; whereas, under Commission Regulation (EEC) No 689/92 of 19 March 1992 fixing the procedure and conditions for the taking over of cereals by intervention agencies⁽⁵⁾, as last amended by Regulation (EC) No 1612/98⁽⁶⁾, a maximum moisture content of 14,5 % was fixed; whereas Article 2(4) of that Regulation also provides that the Member States may be authorised at their request and under certain conditions to apply a moisture content of 15 % for cereals offered for intervention, with the exception of maize and sorghum;

Whereas certain Member States have submitted requests to that end;

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

HAS ADOPTED THIS REGULATION:

Article 1

The Member States listed in the Annex hereto are hereby authorised to fix a maximum moisture content of 15 % for cereals listed therein and offered for intervention during 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, 7 September 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 281, 1. 11. 1975, p. 22.

⁽⁴⁾ OJ L 351, 23. 12. 1997, p. 10.

⁽⁵⁾ OJ L 74, 20. 3. 1992, p. 18.

⁽⁶⁾ OJ L 209, 25. 7. 1998, p. 25.

*ANNEX***Maximum moisture content of cereals offered for intervention during the 1998/99 marketing year**

Member State	Cereal
Austria	All cereals except durum wheat, maize and sorghum
Belgium	All cereals except durum wheat, maize and sorghum
Denmark	All cereals except durum wheat, maize and sorghum
Federal Republic of Germany	All cereals except durum wheat, maize and sorghum
Ireland	All cereals except durum wheat, maize and sorghum
France	All cereals except maize and sorghum
Netherlands	All cereals except durum wheat, maize and sorghum

COMMISSION REGULATION (EC) No 1904/98
of 7 September 1998
on the supply of cereals as food aid

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EC) No 1292/96 of 27 June 1996 on food-aid policy and food-aid management and special operations in support of food security ⁽¹⁾, and in particular Article 24(1)(b) thereof,

Whereas the abovementioned Regulation lays down the list of countries and organisations eligible for Community aid and specifies the general criteria on the transport of food aid beyond the fob stage;

Whereas, following the taking of a number of decisions on the allocation of food aid, the Commission has allocated cereals to certain beneficiaries;

Whereas it is necessary to make these supplies in accordance with the rules laid down by Commission Regulation (EC) No 2519/97 of 16 December 1997 laying down general rules for the mobilisation of products to be supplied under Council Regulation (EC) No 1292/96 as

Community food aid ⁽²⁾; whereas it is necessary to specify the time limits and conditions of supply to determine the resultant costs,

HAS ADOPTED THIS REGULATION:

Article 1

Cereals shall be mobilised in the Community, as Community food aid for supply to the recipient listed in the Annex, in accordance with Regulation (EC) No 2519/97 and under the conditions set out in the Annex.

The tenderer is deemed to have noted and accepted all the general and specific conditions applicable. Any other condition or reservation included in his tender is deemed unwritten.

Article 2

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

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

Done at Brussels, 7 September 1998.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ L 166, 5. 7. 1996, p. 1.

⁽²⁾ OJ L 346, 17. 12. 1997, p. 23.

ANNEX

LOT A

1. **Action No:** 221/97 (A1); 234/97 (A2)
2. **Beneficiary** (2): Euronaid, PO Box 12, NL-2501 CA Den Haag, Nederland
tel.: (31 70) 33 05 757; fax: 36 41 701; telex: 30960 EURON NL
3. **Beneficiary's representative:** to be designated by the recipient
4. **Country of destination:** A1: Madagascar; A2: Haiti
5. **Product to be mobilised:** common wheat flour
6. **Total quantity (tonnes net):** 280
7. **Number of lots:** 1 in 2 parts (A1: 40 tonnes; A2: 240 tonnes)
8. **Characteristics and quality of the product** (3) (3): see OJ C 114, 29.4.1991, p. 1 (II.B(1)(a))
9. **Packaging** (7) (6): see OJ C 267, 13.9.1996, p. 1 (2.2.A(1)(d), (2)(d) and B(4))
10. **Labelling or marking** (6): see OJ C 114, 29.4.1991, p. 1 (II.B(3))
 - language to be used for the markings: French
 - supplementary markings: —
11. **Method of mobilization of the product:** the Community market
12. **Specified delivery stage:** free at port of shipment
13. **Alternative delivery stage:** —
14. (a) **Port of shipment:** —
(b) **Loading address:** —
15. **Port of landing:** —
16. **Place of destination:** —
 - port or warehouse of transit: —
 - overland transport route: —
17. **Period or deadline of supply at the specified stage:**
 - first deadline: 12.10 — 1.11.1998
 - second deadline: 26.10 — 15.11.1998
18. **Period or deadline of supply at the alternative stage:**
 - first deadline: —
 - second deadline: —
19. **Deadline for the submission of tenders (12 noon, Brussels time):**
 - first deadline: 22.9.1998
 - second deadline: 6.10.1998
20. **Amount of tendering guarantee:** ECU 5 per tonne
21. **Address for submission of tenders and tendering guarantees** (1): Bureau de l'aide alimentaire, Attn Mr T. Vestergaard, Bâtiment Loi 130, bureau 7/46, Rue de la Loi/Wetstraat 200, B-1049 Bruxelles/Brussel
telex: 25670 AGREC B; fax: (32 2) 296 70 03 / 296 70 04 (exclusively)
22. **Export refund** (4): refund applicable on 18.9.1998, fixed by Commission Regulation (EC) No 1851/98 (OJ L 241, 29.8.1998, p. 3)

LOT B

1. **Action Nos:** 222/97 (A1); 223/97 (A2)
2. **Beneficiary** ^(?): Euronaid, PO Box 12, NL-2501 CA Den Haag, Nederland
tel.: (31 70) 330 57 57; fax: 364 17 01; telex: 30960 EURON NL
3. **Beneficiary's representative:** to be designated by the recipient
4. **Country of destination:** Niger
5. **Product to be mobilized:** maize
6. **Total quantity (tonnes net):** 600
7. **Number of lots:** 1 in 2 parts (A1: 348 tonnes; A2: 252 tonnes)
8. **Characteristics and quality of the product** ⁽³⁾ ⁽⁵⁾: see OJ C 114, 29.4.1991, p. 1 (II.A(1)(d))
9. **Packaging** ⁽⁷⁾ ⁽⁸⁾: see OJ C 267, 13.9.1996, p. 1 (1.0.A(1)(c), (2)(c) and B(6))
10. **Labelling or marking** ⁽⁶⁾: see OJ C 114, 29.4.1991, p. 1 (II.A(3))
 - Language to be used for the markings: French
 - Supplementary markings: —
11. **Method of mobilization of the product:** the Community market
12. **Specified delivery stage:** free at port of shipment — fob stowed
13. **Alternative delivery stage:** —
14. (a) **Port of shipment:** —
(b) **Loading address:** —
15. **Port of landing:** —
16. **Place of destination:** —
 - port or warehouse of transit: —
 - overland transport route: —
17. **Period or deadline of supply at the specified stage:**
 - first deadline: 12.10 — 1.11.1998
 - second deadline: 26.10 — 15.11.1998
18. **Period or deadline of supply at the alternative stage:**
 - first deadline: —
 - second deadline: —
19. **Deadline for the submission of tenders (12 noon, Brussels time):**
 - first deadline: 22.9.1998
 - second deadline: 6.10.1998
20. **Amount of tendering guarantee:** ECU 5 per tonne
21. **Address for submission of tenders and tendering guarantees** ⁽¹⁾: Bureau de l'aide alimentaire, Attn Mr T. Vestergaard, Bâtiment Loi 130, bureau 7/46, Rue de la Loi/Wetstraat 200, B-1049 Bruxelles/Brussel
telex: 25670 AGREC B; fax: (32 2) 296 70 03 / 296 70 04 (exclusively)
22. **Export refund** ⁽⁴⁾: refund applicable on 18.9.1998, fixed by Commission Regulation (EC) No 1851/98 (OJ L 241, 29.8.1998, p. 3)

LOT C

1. **Action No:** 233/97
2. **Beneficiary** ^(?): Euronaid, PO Box 12, NL-2501 CA Den Haag, Nederland
tel.: (31 70) 330 57 57; fax: 364 17 01; telex: 30960 EURON NL
3. **Beneficiary's representative:** to be designated by the recipient
4. **Country of destination:** Haiti
5. **Product to be mobilized:** milled rice (product code 1006 30 92 9900, 1006 30 94 9900, 1006 30 96 9900, 1006 30 98 9900)
6. **Total quantity (tonnes net):** 560
7. **Number of lots:** 1
8. **Characteristics and quality of the product** ^(?) ^(?): see OJ C 114, 29.4.1991, p. 1 (II.A(1)(f))
9. **Packaging** ^(?) ^(?): see OJ C 267, 13.9.1996, p. 1 (1.0.A(1)(c), (2)(c) and B(6))
10. **Labelling or marking** ^(?): see OJ C 114, 29.4.1991, p. 1 (II.A(3))
 - Language to be used for the markings: French
 - Supplementary markings: —
11. **Method of mobilization of the product:** the Community market
12. **Specified delivery stage:** free at port of shipment
13. **Alternative delivery stage:** —
14. (a) **Port of shipment:** —
(b) **Loading address:** —
15. **Port of landing:** —
16. **Place of destination:** —
 - port or warehouse of transit: —
 - overland transport route: —
17. **Period or deadline of supply at the specified stage:**
 - first deadline: 12.10 — 1.11.1998
 - second deadline: 26.10 — 15.11.1998
18. **Period or deadline of supply at the alternative stage:**
 - first deadline: —
 - second deadline: —
19. **Deadline for the submission of tenders (12 noon, Brussels time):**
 - first deadline: 22.9.1998
 - second deadline: 6.10.1998
20. **Amount of tendering guarantee:** ECU 5 per tonne
21. **Address for submission of tenders and tendering guarantees** ⁽¹⁾: Bureau de l'aide alimentaire, Attn Mr T. Vestergaard, Bâtiment Loi 130, bureau 7/46, Rue de la Loi/Wetstraat 200, B-1049 Bruxelles/Brussel
telex: 25670 AGREC B; fax: (32 2) 296 70 03 / 296 70 04 (exclusively)
22. **Export refund** ⁽²⁾: refund applicable on 18.9.1998, fixed by Commission Regulation (EC) No 1851/98 (OJ L 241, 29.8.1998, p. 3)

Notes:

- (¹) Supplementary information: André Debongnie (tel. (32 2) 295 14 65).
Torben Vestergaard (tel. (32 2) 299 30 50).
- (²) The supplier shall contact the beneficiary or its representative as soon as possible to establish which consignment documents are required.
- (³) The supplier shall deliver to the beneficiary a certificate from an official entity certifying that for the product to be delivered the standards applicable, relative to nuclear radiation, in the Member State concerned, have not been exceeded. The radioactivity certificate must indicate the caesium-134 and -137 and iodine-131 levels.
- (⁴) Commission Regulation (EC) No 259/98 (OJ L 25, 31.1.1998, p. 39) is applicable as regards the export refund. The date referred to in Article 2 of the said Regulation is that referred to in point 22 of this Annex.
- (⁵) The supplier shall supply to the beneficiary or its representative, on delivery, the following documents:
- phytosanitary certificate,
 - fumigation certificate (cereals/cereals derivatives are to be fumigated prior to shipment by way of magnesium phosphide (min 2 g/m³) for a minimum period of five (5) days between the application of the fumigant and the venting process. The appropriate certification must be made available at the time of shipment).
- (⁶) Notwithstanding OJ C 114 of 29.4.1991, point II.A(3)(c) or II.B(3)(c) is replaced by the following: 'the words "European Community"'.
- (⁷) Since the goods may be rebagged, the supplier must provide 2 % of empty bags of the same quality as those containing the goods, with the marking followed by a capital 'R'.
- (⁸) Shipment to take place in 20-foot containers, condition FCL/FCL.

The supplier shall be responsible for the cost of making the container available in the stack position at the container terminal at the port of shipment. The beneficiary shall be responsible for all subsequent loading costs, including the cost of moving the containers from the container terminal.

The supplier has to submit to the recipient's agent a complete packing list of each container, specifying the number of bags belonging to each action number as specified in the invitation to tender.

The supplier has to seal each container with a numbered locktainer (Oneseal, Sysko, Locktainer 180 or a similar high-security seal), the number of which is to be provided to the beneficiary's representative.

COMMISSION REGULATION (EC) No 1905/98
of 7 September 1998
on the supply of split peas as food aid

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EC) No 1292/96 of 27 June 1996 on food-aid policy and food-aid management and special operations in support of food security⁽¹⁾, and in particular Article 24(1)(b) thereof,

Whereas the abovementioned Regulation lays down the list of countries and organisations eligible for Community aid and specifies the general criteria on the transport of food aid beyond the fob stage;

Whereas, following the taking of a number of decisions on the allocation of food aid, the Commission has allocated split peas to certain beneficiaries;

Whereas it is necessary to make these supplies in accordance with the rules laid down by Commission Regulation (EC) No 2519/97 of 16 December 1997 laying down general rules for the mobilisation of products to be supplied under Council Regulation (EC) No 1292/96 as Community food aid⁽²⁾; whereas it is necessary to specify the time limits and conditions of supply to determine the resultant costs;

Whereas, in order to ensure that the supplies are carried out, provision should be made for tenderers to be able to mobilise either green split peas or yellow split peas,

HAS ADOPTED THIS REGULATION:

Article 1

Split peas shall be mobilised in the Community, as Community food aid for supply to the recipients listed in the Annex, in accordance with Regulation (EC) No 2519/97, and under the conditions set out in the Annex.

Tenders shall cover either green split peas or yellow split peas. Tenders shall be rejected unless they specify the type of peas to which they relate.

The tenderer is deemed to have noted and accepted all the general and specific conditions applicable. Any other condition or reservation included in his tender is deemed unwritten.

Article 2

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

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

Done at Brussels, 7 September 1998.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ L 166, 5. 7. 1996, p. 1.

⁽²⁾ OJ L 346, 17. 12. 1997, p. 23.

ANNEX

LOTS A and B

1. **Action Nos:** 180/97 (A); 181/97 (B)
2. **Beneficiary** ⁽²⁾: WFP (World Food Programme), via Cristoforo Colombo 426, I-00145 Roma
tel.: (39 6) 65 13 29 88; fax: 65 13 28 44/3; telex: 626675 WFP I
3. **Beneficiary's representative:** to be designated by the recipient
4. **Country of destination:** Rwanda
5. **Product to be mobilized** ⁽⁸⁾: split peas
6. **Total quantity (tonnes net):** 4 000
7. **Number of lots:** 2 (A: 2 000 tonnes; B: 2 000 tonnes)
8. **Characteristics and quality of the product** ⁽³⁾ ⁽⁴⁾ ⁽⁷⁾: —
9. **Packaging** ⁽⁵⁾: see OJ C 267, 13.9.1996, p. 1 (2.1.A(1)(a), (2)(a) and B(4)) or (4.0 A 1.c, 2.c and B.4)
10. **Labelling or marking** ⁽⁶⁾: see OJ C 114, 29.4.1991, p. 1 (IV.A(3))
— Language to be used for the markings: English
— Supplementary markings: —
11. **Method of mobilization of the product:** the Community market
The product must originate from the Community
12. **Specified delivery stage:** free at port of shipment
13. **Alternative delivery stage:** —
14. (a) **Port of shipment:** —
(b) **Loading address:** —
15. **Port of landing:** —
16. **Place of destination:** —
— port or warehouse of transit: —
— overland transport route: —
17. **Period or deadline of supply at the specified stage:**
— first deadline: A: 19.10 — 8.11.1998; B: 16.11 — 6.12.1998
— second deadline: A: 2 — 22.11.1998; B: 30.11 — 20.12.1998
18. **Period or deadline of supply at the alternative stage:**
— first deadline: —
— second deadline: —
19. **Deadline for the submission of tenders (12 noon, Brussels time):**
— first deadline: 22.9.1998
— second deadline: 6.10.1998
20. **Amount of tendering guarantee:** ECU 5 per tonne
21. **Address for submission of tenders and tendering guarantees** ⁽¹⁾: Bureau de l'aide alimentaire, Attn Mr T. Vestergaard, Bâtiment Loi 130, bureau 7/46, Rue de la Loi/Wetstraat 200, B-1049 Bruxelles/Brussel
telex: 25670 AGREC B; fax: (32 2) 296 70 03 / 296 70 04 (exclusively)
22. **Export refund:** —

LOT C

1. **Action No:** 232/97
2. **Beneficiary** ⁽²⁾: Euronaid, PO Box 12, NL-2501 CA Den Haag, Nederland
tel.: (31 70) 330 57 57; fax: 364 17 01; telex: 30960 EURON NL
3. **Beneficiary's representative:** to be designated by the recipient
4. **Country of destination:** Haiti
5. **Product to be mobilised** ⁽⁸⁾: split peas
6. **Total quantity (tonnes net):** 360
7. **Number of lots:** 1
8. **Characteristics and quality of the product** ⁽³⁾ ⁽⁴⁾ ⁽⁷⁾: —
9. **Packaging** ⁽⁵⁾ ⁽⁶⁾: see OJ C 267, 13.9.1996, p. 1 (2.1.A(1)(a), (2)(a) and B(4)) or (4.0 A 1.c, 2.c and B.4)
10. **Labelling or marking** ⁽⁹⁾: see OJ C 114, 29.4.1991, p. 1 (IV.A(3))
— Language to be used for the markings: French
— Supplementary markings: —
11. **Method of mobilisation of the product:** the Community market
The product must originate from the Community
12. **Specified delivery stage:** free at port of shipment
13. **Alternative delivery stage:** —
14. (a) **Port of shipment:** —
(b) **Loading address:** —
15. **Port of landing:** —
16. **Place of destination:** —
— port or warehouse of transit: —
— overland transport route: —
17. **Period or deadline of supply at the specified stage:**
— first deadline: 12.10 — 1.11.1998
— second deadline: 26.10 — 15.11.1998
18. **Period or deadline of supply at the alternative stage:**
— first deadline: —
— second deadline: —
19. **Deadline for the submission of tenders (12 noon, Brussels time):**
— first deadline: 22.9.1998
— second deadline: 6.10.1998
20. **Amount of tendering guarantee:** ECU 5 per tonne
21. **Address for submission of tenders and tendering guarantees** ⁽¹⁾: Bureau de l'aide alimentaire, Attn Mr T. Vestergaard, Bâtiment Loi 130, bureau 7/46, Rue de la Loi/Wetstraat 200, B-1049 Bruxelles/Brussel
telex: 25670 AGREC B; fax: (32 2) 296 70 03 / 296 70 04 (exclusively)
22. **Export refund:** —

Notes:

- (¹) Supplementary information: André Debongnie (tel.: (32 2) 295 14 65).
Torben Vestergaard (tel.: (32 2) 299 30 50).
- (²) The supplier shall contact the beneficiary or its representative as soon as possible to establish which consignment documents are required.
- (³) The supplier shall deliver to the beneficiary a certificate from an official entity certifying that for the product to be delivered the standards applicable, relative to nuclear radiation, in the Member State concerned, have not been exceeded. The radioactivity certificate must indicate the caesium-134 and -137 and iodine-131 levels.
- (⁴) The supplier shall supply to the beneficiary or its representative, on delivery, the following document:
— phytosanitary certificate.
- (⁵) Since the goods may be rebagged, the supplier must provide 2 % of empty bags of the same quality as those containing the goods, with the marking followed by a capital 'R'.
- (⁶) Notwithstanding OJ C 114 of 29.4.1991, point IV.A(3)(c) is replaced by the following: 'the words "European Community"' and point IV.A(3)(b) by the following: 'Split peas'.
- (⁷) Tenders shall be rejected unless they specify the type of peas to which they relate.
- (⁸) Yellow or green peas (*Pisum sativum*) for human consumption of the most recent crop. The peas must not have been coloured artificially. The split peas must be steam-treated for at least two minutes or have been fumigated (*) and meet the following requirements:
— moisture: maximum 15 %,
— foreign matters: maximum 0,1 %,
— broken split peas: maximum 10 % (pea fragments passing through a sieve of circular mesh of 5 mm diameter),
— percentage of discoloured seeds or of different colour: maximum 1,5 % (yellow peas), maximum 1,5 % (green peas),
— cooking time: maximum 45 minutes (after soaking for 12 hours).
- (⁹) Shipment to take place in 20-foot containers, condition FCL/FCL.
- The supplier shall be responsible for the cost of making the container available in the stack position at the container terminal at the port of shipment. The beneficiary shall be responsible for all subsequent loading costs, including the cost of moving the containers from the container terminal.
- The supplier has to submit to the recipient's agent a complete packing list of each container, specifying the number of bags belonging to each action number as specified in the invitation to tender.
- The supplier has to seal each container with a numbered locktainer (Oneseal, Sysko, Locktainer 180 or a similar high-security seal), the number of which is to be provided to the beneficiary's representative.

(*) The successful tender shall supply to the beneficiary or its representative, on delivery a fumigation certificate.

COMMISSION REGULATION (EC) No 1906/98
of 7 September 1998
on the supply of vegetable oil as food aid

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EC) No 1292/96 of 27 June 1996 on food-aid policy and food-aid management and special operations in support of food security⁽¹⁾, and in particular Article 24(1)(b) thereof,

Whereas the abovementioned Regulation lays down the list of countries and organisations eligible for Community aid and specifies the general criteria on the transport of food aid beyond the fob stage;

Whereas, following the taking of a number of decisions on the allocation of food aid, the Commission has allocated vegetable oil to certain beneficiaries;

Whereas it is necessary to make these supplies in accordance with the rules laid down by Commission Regulation (EC) No 2519/97 of 16 December 1997 laying down general rules for the mobilisation of products to be supplied under Council Regulation (EC) No 1292/96 as Community food aid⁽²⁾; whereas it is necessary to specify the time limits and conditions of supply to determine the resultant costs;

Whereas, in order to ensure that the supplies are carried out for a given lot, provision should be made for tenderers to be able to mobilise either rape-seed oil or sunflower

oil; whereas the contract for the supply of each such lot is to be awarded to the tenderer submitting the lowest tender,

HAS ADOPTED THIS REGULATION:

Article 1

Vegetable oil shall be mobilised in the Community, as Community food aid for supply to the recipient listed in the Annex, in accordance with Regulation (EC) No 2519/97 and under the conditions set out in the Annex.

The supply shall cover the mobilisation of vegetable oil produced in the Community. Mobilisation may not involve a product manufactured and/or packaged under inward processing arrangements.

Tenders shall cover either rape-seed oil or sunflower oil. Tenders shall be rejected unless they specify the type of oil to which they relate.

The tenderer is deemed to have noted and accepted all the general and specific conditions applicable. Any other condition or reservation included in his tender is deemed unwritten.

Article 2

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

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

Done at Brussels, 7 September 1998.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ L 166, 5. 7. 1996, p. 1.

⁽²⁾ OJ L 346, 17. 12. 1997, p. 23.

ANNEX

LOT A

1. **Action Nos:** 216/97 (A1); 218/97 (A2); 228/97 (A3); 229/97 (A4); 231/97 (A5)
2. **Beneficiary** (²): Euronaid, PO Box 12, NL-2501 CA Den Haag, Nederland
tel.: (31 70) 330 57 57; fax: 364 17 01; telex: 30960 EURON NL
3. **Beneficiary's representative:** to be designated by the recipient
4. **Country of destination:** A1 + A2: Madagascar; A3 + A4: Niger; A5: Haiti
5. **Product to be mobilized:** vegetable oil: refined rape-seed oil or refined sunflower oil
6. **Total quantity (tonnes net):** 190
7. **Number of lots:** 1 in 5 parts (A1: 15 tonnes; A2: 15 tonnes; A3: 45 tonnes; A4: 15 tonnes; A5: 100 tonnes)
8. **Characteristics and quality of the product** (³) (⁴) (⁵): see OJ C 114, 29.4.1991, p. 1 (III.A(1)(a) or (b))
9. **Packaging** (⁶): see OJ C 267, 13.9.1996, p. 1 (10.4.A, B and C.2)
10. **Labelling or marking** (⁷): see OJ C 114, 29.4.1991, p. 1 (III.A(3))
 - Language to be used for the markings: French
 - Supplementary markings: —
11. **Method of mobilization of the product:** mobilisation of refined vegetable oil produced in the Community.
Mobilisation may not involve a product manufactured and/or packaged under inward-processing arrangements
12. **Specified delivery stage:** free at port of shipment
13. **Alternative delivery stage:** —
14. (a) **Port of shipment:** —
(b) **Loading address:** —
15. **Port of landing:** —
16. **Place of destination:** —
 - port or warehouse of transit: —
 - overland transport route: —
17. **Period or deadline of supply at the specified stage:**
 - first deadline: 12.10 — 1.11.1998
 - second deadline: 26.10 — 15.11.1998
18. **Period or deadline of supply at the alternative stage:**
 - first deadline: —
 - second deadline: —
19. **Deadline for the submission of tenders (12 noon, Brussels time):**
 - first deadline: 22.9.1998
 - second deadline: 6.10.1998
20. **Amount of tendering guarantee:** ECU 15 per tonne
21. **Address for submission of tenders and tendering guarantees** (¹): Bureau de l'aide alimentaire, Attn Mr T. Vestergaard, Bâtiment Loi 130, bureau 7/46, rue de la Loi/Wetstraat 200, B-1049 Bruxelles/Brussel
telex: 25670 AGREC B; fax: (32 2) 296 70 03/296 70 04 (exclusively)
22. **Export refund:** —

Notes:

- (¹) Supplementary information: André Debongnie (tel. (32 2) 295 14 65).
Torben Vestergaard (tel. (32 2) 299 30 50).
- (²) The supplier shall contact the beneficiary or its representative as soon as possible to establish which consignment documents are required.
- (³) The supplier shall deliver to the beneficiary a certificate from an official entity certifying that for the product to be delivered the standards applicable, relative to nuclear radiation, in the Member State concerned, have not been exceeded. The radioactivity certificate must indicate the caesium-134 and -137 and iodine-131 levels.
- (⁴) The supplier shall supply to the beneficiary or its representative, on delivery, the following document:
— health certificate.
- (⁵) Notwithstanding OJ C 114 of 29.4.1991, point III. A(3)(c) is replaced by the following: 'the words "European Community"'.
(⁶) Tenders shall be rejected unless they specify the type of oil to which they relate.
- (⁷) Shipment to take place in 20-foot containers, condition FCL/FCL (each containing maximum 15 tonnes net).

The supplier shall be responsible for the cost of making the container available in the stack position at the container terminal at the port of shipment. The beneficiary shall be responsible for all subsequent loading costs, including the cost of moving the containers from the container terminal.

The supplier has to submit to the recipient's agent a complete packing list of each container, specifying the number of metal canisters belonging to each action number as specified in the invitation to tender.

The supplier has to seal each container with a numbered locktainer (Oneseal, Sysko, Locktainer 180 or a similar high-security seal), the number of which is to be provided to the beneficiary's representative.

COMMISSION REGULATION (EC) No 1907/98

of 7 September 1998

opening an invitation to tender for the reduction in the duty on maize imported
into Spain from third countries

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EEC) No 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 12(1) thereof,

Whereas, pursuant to the Agreement on Agriculture concluded during the Uruguay Round of multilateral trade negotiations, the Community has undertaken to import a certain quantity of maize into Spain;

Whereas Commission Regulation (EC) No 1839/95 of 26 July 1995 laying down detailed rules for the application of tariff quotas for imports of maize and sorghum into Spain and imports of maize into Portugal⁽³⁾, as amended by Regulation (EC) No 1963/95⁽⁴⁾, lays down the rules governing the administration of those special arrangements; whereas this Regulation lays down the special additional detailed rules necessary for implementing the invitation to tender, in particular those relating to the lodging and release of the security to be lodged by operators to ensure compliance with their obligations and, in particular, the obligation to process or use the imported product on the Spanish market;

Whereas in the light of current market needs in Spain, an invitation to tender for the reduction in the duty on imports of maize should be opened in the framework of these special arrangements for imports;

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

HAS ADOPTED THIS REGULATION:

Article 1

1. An invitation to tender is hereby opened for the reduction in the import duty referred to in Article 10(2) of Regulation (EEC) No 1766/92 on maize to be imported into Spain.
2. The invitation to tender shall be open until 15 October 1998. During that period, weekly invitations shall be issued with quantities and closing dates as shown in the notice of invitation to tender.
3. Regulation (EC) No 1839/95 shall apply save as otherwise provided for in this Regulation.

Article 2

Import licences issued under these invitations to tender shall be valid from the date they are issued, within the meaning of Article 10(4) of Regulation (EC) No 1839/95, until 30 October 1998.

Article 3

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, 7 September 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 177, 28. 7. 1995, p. 4.

⁽⁴⁾ OJ L 189, 10. 8. 1995, p. 22.

CORRIGENDA

Corrigendum to Directive 98/31/EC of the European Parliament and of the Council of 22 June 1998 amending Council Directive 93/6/EEC on the capital adequacy of investment firms and credit institutions

(Official Journal of the European Communities L 204 of 21 July 1998)

On page 23, Annex VIII, paragraph 3, third line:

for: '... by the institution's value ...',

read: '... by the institution's model for the portfolio's end-of-day positions to the one-day change of the portfolio's value ...'.
