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## Legislation

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<sup>(1)</sup> Text with EEA relevance

## I

*(Acts whose publication is obligatory)*

**COUNCIL REGULATION (EC) No 2079/98****of 24 September 1998****amending Regulation (EC) No 2334/97 imposing a definitive anti-dumping duty on certain imports of flat pallets of wood originating in the Republic of Poland and collecting definitively the provisional duty imposed**

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EC) No 384/96 of 22 December 1995 on protection against dumped imports from countries not members of the European Community<sup>(1)</sup>, and in particular Article 9(4) thereof,

Having regard to Regulation (EC) No 2334/97<sup>(2)</sup>, and in particular Article 4(1) and (2) thereof,

Having regard to the proposal submitted by the Commission after consulting the Advisory Committee,

Whereas:

**A. PREVIOUS PROCEDURE**

- (1) The Council, by Regulation (EC) No 2334/97, imposed definitive anti-dumping duties on certain imports of flat pallets of wood falling within CN code ex 4415 20 20 originating in the Republic of Poland and accepted undertakings offered from certain producers in connection with these imports. Sampling was applied to Polish producers/exporters and individual duties ranging from 4,0 % to 10,6 % were imposed on the companies in the sample, while other cooperating companies not included in the sample received a weighted average duty of 6,3 %. A duty of 10,6 % was imposed on companies which either did not make themselves known or did not cooperate in the investigation. The producers from which undertakings were accepted were exempted from anti-dumping duties with regard to imports of one specific pallet type,

the EUR-pallet, which is the only pallet type covered by the undertakings.

- (2) Article 4(1) of Regulation (EC) No 2334/97 stipulates that any party which provides sufficient evidence to the Commission that:

- it did not export to the Community or produce wooden pallets described in Article 1(1) of that Regulation during the investigation period,
- it is not related to any of the producers or exporters in Poland which are subject to the anti-dumping duties imposed by that Regulation,
- it has actually exported to the Community the goods concerned after the investigation period, or it has entered into an irrevocable contractual obligation to export a significant quantity to the Community;

then that Regulation can be amended by granting that party the duty rate applicable to cooperating producers which were not in the sample, i.e. 6,3 %.

Article 4(2) of Regulation (EC) No 2334/97 provided that any party which met the criteria set out in Article 4(1) thereof can also be exempted from the payment of the anti-dumping duty if an undertaking with regard to the so-called EUR-pallet had been accepted from such party.

**B. NEW EXPORTERS' REQUEST**

- (3) Eighteen new Polish exporting producers having requested the same treatment as the companies which cooperated in the original investigation but were not included in the sample, have provided, on request, evidence showing that they meet the requirements set out in Article 4(1) of Regulation (EC) No 2334/97. The evidence provided by these

<sup>(1)</sup> OJ L 56, 6. 3. 1996, p. 1, Regulation as last amended by Regulation (EC) No 905/98 (OJ L 128, 30. 4. 1998, p. 18).

<sup>(2)</sup> OJ L 324, 27. 11. 1997, p. 1.

applicant companies is considered sufficient to allow Regulation (EC) No 2334/97 to be amended by adding these eighteen exporting producers to Annex I of the said Regulation. Annex I specifies the exporting producers which are to be subject to the weighted average duty of 6,3 %.

- (4) Ten of the eighteen Polish exporting producers which will receive the weighted average duty of 6,3 %, have also offered undertakings with regard to the EUR-pallet which were accepted by Commission Decision 98/554/EC<sup>(1)</sup>. Consequently, these ten companies should be added to Annex II of Regulation (EC) No 2334/97 which contains a list of companies from which the Commission has accepted undertakings with regard to imports of the EUR-pallet and to which the duty does not, therefore, apply in this respect,

HAS ADOPTED THIS REGULATION:

*Article 1*

Annex I to Regulation (EC) No 2334/97 is hereby replaced by Annex I to this Regulation.

*Article 2*

Annex II to Regulation (EC) No 2334/97 is hereby replaced by Annex II to this Regulation.

*Article 3*

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, 24 September 1998.

*For the Council*

*The President*

N. MICHAŁEK

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<sup>(1)</sup> See page 82 of this Official Journal.

## ANNEX I

## Manufacturer

1. 'Baum-Holz' Sp.zo.o., Olsztyn
2. 'DAST' GmbH, Poznan
3. Drew-Pol Export-Import, Wodarz Norbert, Murow
4. E. Dziurny — C. Nowak S.C., Snietnica
5. F.P.H. 'Tina', Katowice
6. F.P.H. Tadeusz Fischer, Maly Gleboczek
7. F.P.U.H. 'Rol-Mar', Adam Piatek, Kłodzko
8. Z.P.H.U. Mirosław Przybytek, Klonowa
9. Internationale Paletten Company Sp., Leborg
10. 'Kross-Pol' Sp.zo.o., Kolobrzeg
11. P.P.U.H. 'Drewmax' Sp.zo.o. (formerly P.P.H. 'Drewnex'), Krakow
12. P.P.H. 'GKT' S.C., Majdan Mowy
13. P.P.H. 'Pamadex', Ligota
14. P.P.H. 'Unikat', Aleksandrow IV 697
15. P.P.H.U. 'Adapol' S.C., Wolomin
16. P.P.U.H. 'Alwa' Sp.zo.o., Tychowo
17. P.P.U.H. 'SMS' — St. Mrozowicz, Suleczyno
18. P.T.H. 'Mirex', Kolobrzeg
19. P.W. 'Peteco' Sp.zo.o., Warszawa
20. Parafia Rzymsko-Katolicka, B. Niepokalaneg Dzialalnose Gospodaroza, Nowy Sacz
21. Produkcja Palet 'A. Adamus', Kuznia Grabowska
22. Produkcja Skup Palet Drewnianych, Stanislaw Lachowicz, Majdan Sieniawski 170
23. Przedsiębiorstwo 'Amesko', Andrzej Skora, Trzebnica
24. P.H.U. 'Justyna', Gubin
25. P.H.U. 'Akropol', Krakow
26. P.H.U. Produkcyjne 'Lech', Lech Szwez, Zary
27. Przedsiębiorstwo Obrobki Drewna 'Palet-Pol' Sp.zo.o., Dabrowka WLKP
28. P.P.H. Zygmunt Skibinski, Kowal
29. P.P.H.U. 'AWA' Sp.zo.o., Nowy Sacz
30. Przedsiębiorstwo Wielobranzowe, Zdzislaw Milocki, Ostroda
31. 'Scanproduct' SA., Czarny Dunajec
32. SC 'Bed', Dariusz Zuk, Krasienin
33. S.U.T.R. 'Rol Trak', Prochowice
34. Stolarstwo Export-Import, Tadeusz Swirski, Dlugopole Zdroj
35. Torunskie Przedsiębiorstwo Przemyslu Drzewnego w Toruniu, Adam Wisniewski, Torun
36. 'Transdrewneks' Sp.zo.o., Grudziadz-Owczarki
37. W.Z.P.U.M. 'Euro-Tech', Rakszawa
38. Wytwarzanie Skrzyn i Opakowan Drewnianych, Malgorzata i Ryszard Nowak, Piaszyna
39. Zaklad Produkcyjno Bohuszko, Ryszard Bohuszko, Osno
40. Z.P.H. 'Maw' SC., Andrzej Kulej, Lubomierz
41. Zaklad Uslugowo-Handlowy 'Rolmex', E. Cackowski, Lipno
42. Zaklad Wielobranzowy Produkcyjno Uslugowy, Ryszard Potoniec, Muszyna
43. Zaklad Przerobu Drewna S.C., Drawsko Pomorskie
44. Z.P.H.U. 'Drewex' S.C., Asnieszka Pawlaczyk, Skwierzyna
45. Z.P.H.U. 'Sek-Pol' Sp.zo.o., Tarnobrzeg

46. 'Euro-Mega-Plus' Sp.zo.o., Kielce
  47. 'C.M.C.', Sp.zo.o., Andrychów
  48. Wyrob, Sprzedaz, Skup Palet, Josef Kolodziejczyk, Aleksandrow IV 704
  49. Firma Produkcyjno Transportowa Marian Gierka, Brodnica
  50. Z.P.H.U. 'Drewnex' S.C., Żelazków 45 b
  51. Import-Export 'Elko' Sp.zo.o., Kalisz
  52. P.P.H.U. 'Probox', Import-Export, Kalisz
  53. Drewpal S.C., Stawiszyn
  54. Zaman S.C., Radom
  55. 'Marimpex', Puławy
  56. 'AVEN' Sp.zo.o., Kostrzyn
  57. P.P.H.U. 'Eurex' S.C., Godynice
  58. P.H. 'Drewex' S.C., Lebork
  59. MACED Skład Palet, J. Macionga, Miastko
  60. ENKEL S.C., Puławy
  61. PAL-PACK Sp.zo.o., Wierzchowo
  62. Produkcja Stolarska Posrednictwo Export-Import, W.i.T. HENSOLDT, Lebork
  63. Biuro Usługowo-Handlowe, Wiesław Rzeźniczek, Lebork
  64. P.P.U.H. 'DREWPOL', Braszewice
  65. PTN Krukłanki Sp.zo.o., Krukłanki
  66. WEDAM S.C., Steżycza
  67. Import-Export Jan Sibinski, Czajków
  68. Zakład Produkcyjny 'Tarta', Lubsko
  69. Firma 'Krausdrew', Cewice
  70. 'Lidal' S.C., Miastko
  71. Zakład Przerobu Drewna Import-Export, Stanisław Kociolek, Ładek Zdrój
  72. P.P.H.U. 'Alk', Bierzwnik
  73. 'Empol' S.C., Jastrzebniki 37
  74. Zakład Produkcji Drzewnej Nr. 1, Export-Import, Julian Bartkowski, Sanok
  75. P.P.H. 'Drewex', Czarnków
  76. 'ZAP' Przedsiębiorstwo Handlowe-Usługowe Sp.C, Wschowa
  77. P.P.H.U. 'Opal', Zygmunt Podgórski, Bukowsko 41
  78. 'Algepa-Pol', Sp.zo.o., Lubsko
  79. P.P.H. 'A-Produkt' S.C., Resko
  80. PPH 'Paletex' Sibinski Jarosław, Klonowa
  81. Euro-Handels Sp.zo.o., Szczecin
  82. Firma 'KIKO' S.C., Poznań
  83. 'Enkel' Waldemar Wnuk, Puławy
  84. Sliwka Lucyna, Kłodzko
  85. Firma Borkowski S.C. Export-Import, Grabów n. Prosną
  86. Produkcja — Skup Elementów i Palet, Stanisław Gorecki, Czajków
  87. 'Prodpalet' Handel, Bolesławiec
  88. Z.P.H.U. 'Drexpert' S.C., Olecko, Osiedle Lesk
  89. 'Bilusa' Sp.zo.o., Kłodawa
  90. Paweł Bilko 'Pablo', Kłodawa
  91. ZPW 'Gober' Sp.zo.o., Gorzów Wlkp.
  92. Kisiel Małgorzata 'Drew-Pal', Dobra Nowa
  93. P.W. 'Remag', Złocieniec
  94. PPUH PAL-POL S.C., Prabuty
  95. Firma 'A.C.S.' S.C., Kamień
  96. Zakład Produkcji Skrzyn i Opakowań Drewnianych Szuta Marian, Kawcze
-

## ANNEX II

| Manufacturer                                                       | Taric additional code |
|--------------------------------------------------------------------|-----------------------|
| 1. 'Baum-Holz' Sp.zo.o., Olsztyn                                   | 8570                  |
| 2. E. Dziurny — C. Nowak S.C., Snietnica                           | 8571                  |
| 3. F.P.H. 'Tina' S.C., Katowice                                    | 8572                  |
| 4. Firma 'Sabelmar' S.C., Konczyce Male                            | 8573                  |
| 5. Z.P.H.U. Mirosław Przybyłek, Klonowa                            | 8574                  |
| 6. Internationale Paletten Company Sp., Lebork                     | 8575                  |
| 7. 'Kross-Pol' Sp.zo.o., Kolobrzeg                                 | 8576                  |
| 8. P.P.U.H. 'Drewmax' Sp.zo.o. (formerly P.P.H. 'Drewnex'), Krakow | 8577                  |
| 9. P.P.H. 'GKT' SC., Majdan Nowy                                   | 8584                  |
| 10. P.P.H. 'Pamadex', Ligota                                       | 8585                  |
| 11. P.P.H. 'Unikat', Aleksandrow IV 697                            | 8586                  |
| 12. P.P.H.U. 'Adapol' SC., Wolomin                                 | 8587                  |
| 13. P.P.H.U. 'Alpa' Sp.zo.o., Dobrzyca                             | 8588                  |
| 14. P.P.U.H. 'Alwa' Sp.zo.o., Tychowo                              | 8589                  |
| 15. P.P.H.U. 'Palimex' Sp.zo.o., Włoszakowice                      | 8590                  |
| 16. P.P.U.H. 'SMS' — St. Mrozowicz, Suleczyno                      | 8591                  |
| 17. P.T.H. 'Mirex', Kolobrzeg                                      | 8597                  |
| 18. P.W. 'Intur-KFS' Sp.zo.o., Inowroclaw                          | 8662                  |
| 19. P.W. 'Peteco' Sp.zo.o., Warszawa                               | 8690                  |
| 20. 'Paletex' Produkcja Palet, Roman Panasiuk, Warszawa            | 8691                  |
| 21. Produkcja Palet 'A. Adamus', Kuznia Grabowska                  | 8692                  |
| 22. P.H.U. 'Akropol', Krakow                                       | 8713                  |
| 23. P.P.H. Zygmunt Skibinski, Kowal                                | 8693                  |
| 24. 'Scanproduct' SA., Czarny Dunajec                              | 8715                  |
| 25. S.U.T.R. 'Rol Trak', Prochowice                                | 8714                  |
| 26. 'Transdrewnex' Sp.zo.o., Grudziadz-Owczarki                    | 8716                  |
| 27. W.Z.P.U.M. 'Euro-Tech', Rakszawa                               | 8725                  |
| 28. Z.P.H. 'Palettenwerk' — K. Kozik, Bystra Podhalanska           | 8726                  |
| 29. Zaklad Przerobu Drewna S.C., Drawsko Pomorskie                 | 8745                  |
| 30. Z.P.H.U. 'Sek-Pol' Sp.zo.o., Tarnobrzeg                        | 8526                  |

| Manufacturer                                                                | Taric additional code |
|-----------------------------------------------------------------------------|-----------------------|
| 31. 'Euro-Mega-Plus' Sp.zo.o., Kielce                                       | 8527                  |
| 32. 'C.M.C.' Sp.zo.o., Krakow                                               | 8528                  |
| 33. Wyrob, Sprzedaz, Skup Palet, Josef Kolodziejczyk, Aleksandrow IV 704    | 8529                  |
| 34. Firma Produkcyjno Transportowa Marian Gierka, Brodnica                  | 8530                  |
| 35. Z.P.H.U. 'Drewnex' S.C., Zelazkow 45 b                                  | 8531                  |
| 36. Import-Export 'Elko' Sp.zo.o., Kalisz                                   | 8532                  |
| 37. P.P.H.U. 'Probox', Import-Export, Kalisz                                | 8533                  |
| 38. Drewpal S.C., Stawiszyn                                                 | 8534                  |
| 39. Zaman S.C., Radom                                                       | 8535                  |
| 40. 'Marimpex', Pulawy                                                      | 8537                  |
| 41. 'AVEN' Sp.zo.o., Kostrzyn                                               | 8558                  |
| 42. P.P.H.U. 'Eurex' S.C., Godynice                                         | 8538                  |
| 43. MACED Sklad Palet, J. Macionga, Miastko                                 | 8539                  |
| 44. ENKEL S.C., Pulawy                                                      | 8540                  |
| 45. Produkcja Stolarska Posrednictwo Export-Import, W.i.T. HENSOLDT, Lebork | 8541                  |
| 46. P.P.U.H. 'DREWPOL', Braszewice                                          | 8834                  |
| 47. PTN Kruklanki Sp.zo.o., Kruklanki                                       | 8556                  |
| 48. WEDAM S.C., Stezyca                                                     | 8557                  |
| 49. Import-Export Jan Sibinski, Czajkow                                     | 8559                  |
| 50. P.P.H.U. 'Alk', Bierzwnik                                               | 8561                  |
| 51. 'Empol' S.C., Jastrzebniki 37                                           | 8560                  |
| 52. Euro-Handels Sp.zo.o., Szczecin                                         | 8440                  |
| 53. PPH 'Paletex' Sibinski Jaroslaw, Klonowa                                | 8441                  |
| 54. Firma 'KIKO' S.C., Poznan                                               | 8443                  |
| 55. 'Enkel' Waldemar Wnuk, Pulawy                                           | 8444                  |
| 56. Sliwka Lucyna, Klodzko                                                  | 8445                  |
| 57. Firma Borkowski S.C. Export-Import, Grabow n. Prosna                    | 8446                  |
| 58. Produkcja — Skup Elementow i Palet, Stanislaw Gorecki, Czajkow          | 8483                  |
| 59. 'Bilusa' Sp.zo.o., Klodawa                                              | 8484                  |
| 60. PPUH PAL-POL C.S., Prabuty                                              | 8485                  |
| 61. Firma 'A.C.S.' S.C., Kamien                                             | 8486                  |

**COMMISSION REGULATION (EC) No 2080/98**  
**of 30 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 <sup>(1)</sup>, as last amended by Regulation (EC) No 1498/98 <sup>(2)</sup>, and in particular Article 4 (1) thereof,

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

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

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

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

HAS ADOPTED THIS REGULATION:

*Article 1*

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

*Article 2*

This Regulation shall enter into force on 1 October 1998.

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

Done at Brussels, 30 September 1998.

*For the Commission*

Franz FISCHLER

*Member of the Commission*

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

<sup>(2)</sup> OJ L 198, 15. 7. 1998, p. 4.

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

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

## ANNEX

to the Commission Regulation of 30 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 <sup>(1)</sup> | Standard import value |
|------------------------------------|-----------------------------------|-----------------------|
| 0707 00 05                         | 052                               | 149,2                 |
|                                    | 999                               | 149,2                 |
| 0709 90 70                         | 052                               | 84,7                  |
|                                    | 999                               | 84,7                  |
| 0805 30 10                         | 052                               | 74,7                  |
|                                    | 388                               | 81,8                  |
|                                    | 512                               | 60,3                  |
|                                    | 524                               | 71,3                  |
|                                    | 528                               | 65,6                  |
|                                    | 999                               | 70,7                  |
|                                    |                                   |                       |
| 0806 10 10                         | 052                               | 92,4                  |
|                                    | 064                               | 41,0                  |
|                                    | 400                               | 210,1                 |
|                                    | 999                               | 114,5                 |
| 0808 10 20, 0808 10 50, 0808 10 90 | 060                               | 41,4                  |
|                                    | 064                               | 41,4                  |
|                                    | 388                               | 43,8                  |
|                                    | 400                               | 56,1                  |
|                                    | 442                               | 43,2                  |
|                                    | 512                               | 68,4                  |
|                                    | 528                               | 82,0                  |
|                                    | 800                               | 216,4                 |
|                                    | 804                               | 77,5                  |
|                                    | 999                               | 74,5                  |
| 0808 20 50                         | 052                               | 87,4                  |
|                                    | 064                               | 57,7                  |
|                                    | 528                               | 81,6                  |
|                                    | 999                               | 75,6                  |

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

**COMMISSION REGULATION (EC) No 2081/98****of 30 September 1998****fixing the export refunds on white sugar and raw sugar exported in its unaltered state**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EEC) No 1785/81 of 1 June 1981 on the common organization of the markets in the sugar sector <sup>(1)</sup>, as last amended by Regulation (EC) No 1148/98 <sup>(2)</sup>, and in particular point (a) of the first subparagraph of Article 19 (4) thereof,

Whereas Article 19 of Regulation (EEC) No 1785/81 provides that the difference between quotations or prices on the world market for the products listed in Article 1 (1) (a) of that Regulation and prices for those products within the Community may be covered by an export refund;

Whereas Regulation (EEC) No 1785/81 provides that when refunds on white and raw sugar, undenatured and exported in its unaltered state, are being fixed account must be taken of the situation on the Community and world markets in sugar and in particular of the price and cost factors set out in Article 17a of that Regulation; whereas the same Article provides that the economic aspect of the proposed exports should also be taken into account;

Whereas the refund on raw sugar must be fixed in respect of the standard quality; whereas the latter is defined in Article 1 of Council Regulation (EEC) No 431/68 of 9 April 1968 determining the standard quality for raw sugar and fixing the Community frontier crossing point for calculating cif prices for sugar <sup>(3)</sup>, as amended by Regulation (EC) No 3290/94 <sup>(4)</sup>; whereas, furthermore, this refund should be fixed in accordance with Article 17a (4) of Regulation (EEC) No 1785/81; whereas candy sugar is defined in Commission Regulation (EC) No 2135/95 of 7 September 1995 laying down detailed rules of application for the grant of export refunds in the sugar sector <sup>(5)</sup>; whereas the refund thus calculated for sugar containing added flavouring or colouring matter must apply to their

sucrose content and, accordingly, be fixed per 1 % of the said content;

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

Whereas, in special cases, the amount of the refund may be fixed by other legal instruments;

Whereas the representative market rates defined in Article 1 of Council Regulation (EEC) No 3813/92 <sup>(6)</sup>, as last amended by Regulation (EC) No 150/95 <sup>(7)</sup>, are used to convert amounts expressed in third country currencies and are used as the basis for determining the agricultural conversion rates of the Member States' currencies; whereas detailed rules on the application and determination of these conversions were set by Commission Regulation (EEC) No 1068/93 <sup>(8)</sup>, as last amended by Regulation (EC) No 961/98 <sup>(9)</sup>;

Whereas the refund must be fixed every two weeks; whereas it may be altered in the intervening period;

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

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

HAS ADOPTED THIS REGULATION:

*Article 1*

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

*Article 2*

This Regulation shall enter into force on 1 October 1998.

<sup>(1)</sup> OJ L 177, 1. 7. 1981, p. 4.

<sup>(2)</sup> OJ L 159, 3. 6. 1998, p. 38.

<sup>(3)</sup> OJ L 89, 10. 4. 1968, p. 3.

<sup>(4)</sup> OJ L 349, 31. 12. 1994, p. 105.

<sup>(5)</sup> OJ L 214, 8. 9. 1995, p. 16.

<sup>(6)</sup> OJ L 387, 31. 12. 1992, p. 1.

<sup>(7)</sup> OJ L 22, 31. 1. 1995, p. 1.

<sup>(8)</sup> OJ L 108, 1. 5. 1993, p. 106.

<sup>(9)</sup> OJ L 135, 8. 5. 1998, p. 5.

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

Done at Brussels, 30 September 1998.

*For the Commission*  
 Franz FISCHLER  
*Member of the Commission*

#### ANNEX

to the Commission Regulation of 30 September 1998 fixing the export refunds on white sugar and raw sugar exported in its unaltered state

| Product code    | Amount of refund                |
|-----------------|---------------------------------|
|                 | — ECU/100 kg —                  |
| 1701 11 90 9100 | 44,69 <sup>(1)</sup>            |
| 1701 11 90 9910 | 43,46 <sup>(1)</sup>            |
| 1701 11 90 9950 | <sup>(2)</sup>                  |
| 1701 12 90 9100 | 44,69 <sup>(1)</sup>            |
| 1701 12 90 9910 | 43,46 <sup>(1)</sup>            |
| 1701 12 90 9950 | <sup>(2)</sup>                  |
|                 | — ECU/1 % of sucrose × 100 kg — |
| 1701 91 00 9000 | 0,4858                          |
|                 | — ECU/100 kg —                  |
| 1701 99 10 9100 | 48,58                           |
| 1701 99 10 9910 | 48,58                           |
| 1701 99 10 9950 | 48,58                           |
|                 | — ECU/1 % of sucrose × 100 kg — |
| 1701 99 90 9100 | 0,4858                          |

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

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

**COMMISSION REGULATION (EC) No 2082/98**  
**of 30 September 1998**

**fixing the maximum export refund for white sugar for the ninth partial invitation to tender issued within the framework of the standing invitation to tender provided for in Regulation (EC) No 1574/98**

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

Having regard to Council Regulation (EEC) No 1785/81 of 30 June 1981 on the common organization of the markets in the sugar sector <sup>(1)</sup>, as last amended by Regulation (EC) No 1148/98 <sup>(2)</sup>, and in particular the second subparagraph of Article 17 (5)(b) thereof,

Whereas Commission Regulation (EC) No 1574/98 of 22 July 1998 on a standing invitation to tender to determine levies and/or refunds on exports of white sugar <sup>(3)</sup>, requires partial invitations to tender to be issued for the export of this sugar;

Whereas, pursuant to Article 9 (1) of Regulation (EC) No 1574/98 a maximum export refund shall be fixed, as the case may be, account being taken in particular of the state and foreseeable development of the Community and world markets in sugar, for the partial invitation to tender in question;

Whereas, following an examination of the tenders submitted in response to the ninth partial invitation to tender, the provisions set out in Article 1 should be adopted;

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*

For the ninth partial invitation to tender for white sugar issued pursuant to Regulation (EC) No 1574/98 the maximum amount of the export refund is fixed at ECU 51,623 per 100 kilograms.

*Article 2*

This Regulation shall enter into force on 1 October 1998.

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

Done at Brussels, 30 September 1998.

*For the Commission*

Franz FISCHLER

*Member of the Commission*

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<sup>(1)</sup> OJ L 177, 1. 7. 1981, p. 4.

<sup>(2)</sup> OJ L 159, 3. 6. 1998, p. 38.

<sup>(3)</sup> OJ L 206, 23. 7. 1998, p. 7.

**COMMISSION REGULATION (EC) No 2083/98****of 30 September 1998****fixing the representative prices and the additional import duties for molasses 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 organization of the market in sugar<sup>(1)</sup>, as last amended by Regulation (EC) No 1148/98<sup>(2)</sup>,

Having regard to Commission Regulation (EC) No 1422/95 of 23 June 1995 laying down detailed rules of application for imports of molasses in the sugar sector and amending Regulation (EEC) No 785/68<sup>(3)</sup>, and in particular Articles 1 (2) and 3 (1) thereof,

Whereas Regulation (EC) No 1422/95 stipulates that the cif import price for molasses, hereinafter referred to as the 'representative price', should be set in accordance with Commission Regulation (EEC) No 785/68<sup>(4)</sup>; whereas that price should be fixed for the standard quality defined in Article 1 of the above Regulation;

Whereas the representative price for molasses is calculated at the frontier crossing point into the Community, in this case Amsterdam; whereas that price must be based on the most favourable purchasing opportunities on the world market established on the basis of the quotations or prices on that market adjusted for any deviations from the standard quality; whereas the standard quality for molasses is defined in Regulation (EEC) No 785/68;

Whereas, when the most favourable purchasing opportunities on the world market are being established, account must be taken of all available information on offers on the world market, on the prices recorded on important third-country markets and on sales concluded in international trade of which the Commission is aware, either directly or through the Member States; whereas, under Article 7 of Regulation (EEC) No 785/68, the Commission may for this purpose take an average of several prices as a basis, provided that this average is representative of actual market trends;

Whereas the information must be disregarded if the goods concerned are not of sound and fair marketable quality or if the price quoted in the offer relates only to a small quantity that is not representative of the market;

whereas offer prices which can be regarded as not representative of actual market trends must also be disregarded;

Whereas, if information on molasses of the standard quality is to be comparable, prices must, depending on the quality of the molasses offered, be increased or reduced in the light of the results achieved by applying Article 6 of Regulation (EEC) No 785/68;

Whereas a representative price may be left unchanged by way of exception for a limited period if the offer price which served as a basis for the previous calculation of the representative price is not available to the Commission and if the offer prices which are available and which appear not to be sufficiently representative of actual market trends would entail sudden and considerable changes in the representative price;

Whereas where there is a difference between the trigger price for the product in question and the representative price, additional import duties should be fixed under the conditions set out in Article 3 of Regulation (EC) No 1422/95; whereas should the import duties be suspended pursuant to Article 5 of Regulation (EC) No 1422/95, specific amounts for these duties should be fixed;

Whereas application of these provisions will have the effect of fixing the representative prices and the additional import duties for the products in question as set out in the Annex to this Regulation;

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 representative prices and the additional duties applying to imports of the products referred to in Article 1 of Regulation (EC) No 1422/95 are fixed in the Annex hereto.

*Article 2*

This Regulation shall enter into force on 1 October 1998.

<sup>(1)</sup> OJ L 177, 1. 7. 1981, p. 4.

<sup>(2)</sup> OJ L 159, 3. 6. 1998, p. 38.

<sup>(3)</sup> OJ L 141, 24. 6. 1995, p. 12.

<sup>(4)</sup> OJ L 145, 27. 6. 1968, p. 12.

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

Done at Brussels, 30 September 1998.

*For the Commission*  
Franz FISCHLER  
*Member of the Commission*

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*ANNEX*

**fixing the representative prices and additional import duties applying to imports of molasses in the sugar sector**

| CN code                   | Amount of the representative price in ECU per 100 kg net of the product in question | Amount of the additional duty in ECU per 100 kg net of the product in question | Amount of the duty to be applied to imports in ECU per 100 kg net of the product in question because of suspension as referred to in Article 5 of Regulation (EC) No 1422/95 <sup>(2)</sup> |
|---------------------------|-------------------------------------------------------------------------------------|--------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 1703 10 00 <sup>(1)</sup> | 6,44                                                                                | 0,20                                                                           | —                                                                                                                                                                                           |
| 1703 90 00 <sup>(1)</sup> | 7,76                                                                                | 0,00                                                                           | —                                                                                                                                                                                           |

<sup>(1)</sup> For the standard quality as defined in Article 1 of amended Regulation (EEC) No 785/68.

<sup>(2)</sup> This amount replaces, in accordance with Article 5 of Regulation (EC) No 1422/95, the rate of the Common Customs Tariff duty fixed for these products.

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**COMMISSION REGULATION (EC) No 2084/98**  
**of 30 September 1998**  
**fixing the import duties in the cereals sector**

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

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

Having regard to Commission Regulation (EC) No 1249/96 of 28 June 1996 laying down detailed rules for the application of Council Regulation (EEC) No 1766/92 as regards import duties in the cereals sector<sup>(3)</sup>, as last amended by Regulation (EC) No 2092/97<sup>(4)</sup>, and in particular Article 2 (1) thereof,

Whereas Article 10 of Regulation (EEC) No 1766/92 provides that the rates of duty in the Common Customs Tariff are to be charged on import of the products referred to in Article 1 of that Regulation; whereas, however, in the case of the products referred to in paragraph 2 of that Article, the import duty is to be equal to the intervention price valid for such products on importation and increased by 55 %, minus the cif import price applicable to the consignment in question; however, that duty may not exceed the rate of duty in the Common Customs Tariff;

Whereas, pursuant to Article 10 (3) of Regulation (EEC) No 1766/92, the cif import prices are calculated on the basis of the representative prices for the product in question on the world market;

Whereas Regulation (EC) No 1249/96 lays down detailed rules for the application of Council Regulation (EEC) No 1766/92 as regards import duties in the cereals sector;

Whereas the import duties are applicable until new duties are fixed and enter into force; whereas they also remain in force in cases where no quotation is available for the reference exchange referred to in Annex II to Regulation (EC) No 1249/96 during the two weeks preceding the next periodical fixing;

Whereas, in order to allow the import duty system to function normally, the representative market rates recorded during a reference period should be used for calculating the duties;

Whereas application of Regulation (EC) No 1249/96 results in import duties being fixed as set out in the Annex to this Regulation,

HAS ADOPTED THIS REGULATION:

*Article 1*

The import duties in the cereals sector referred to in Article 10 (2) of Regulation (EEC) No 1766/92 shall be those fixed in Annex I to this Regulation on the basis of the information given in Annex II.

*Article 2*

This Regulation shall enter into force on 1 October 1998.

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

Done at Brussels, 30 September 1998.

*For the Commission*

Franz FISCHLER

*Member of the Commission*

<sup>(1)</sup> OJ L 181, 1. 7. 1992, p. 21.

<sup>(2)</sup> OJ L 126, 24. 5. 1996, p. 37.

<sup>(3)</sup> OJ L 161, 29. 6. 1996, p. 125.

<sup>(4)</sup> OJ L 292, 25. 10. 1997, p. 10.

## ANNEX I

## Import duties for the products covered by Article 10(2) of Regulation (EEC) No 1766/92

| CN code    | Description                                                    | Import duty<br>by land inland waterway<br>or sea from<br>Mediterranean,<br>the Black Sea or<br>Baltic Sea ports (ECU/tonne) | Import duty by air or<br>by sea from other<br>ports <sup>(2)</sup><br>(ECU/tonne) |
|------------|----------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------|
| 1001 10 00 | Durum wheat <sup>(1)</sup>                                     | 45,58                                                                                                                       | 35,58                                                                             |
| 1001 90 91 | Common wheat seed                                              | 57,22                                                                                                                       | 47,22                                                                             |
| 1001 90 99 | Common high quality wheat other than for sowing <sup>(3)</sup> | 57,22                                                                                                                       | 47,22                                                                             |
|            | medium quality                                                 | 85,46                                                                                                                       | 75,46                                                                             |
|            | low quality                                                    | 99,22                                                                                                                       | 89,22                                                                             |
| 1002 00 00 | Rye                                                            | 110,30                                                                                                                      | 101,24                                                                            |
| 1003 00 10 | Barley, seed                                                   | 110,30                                                                                                                      | 101,24                                                                            |
| 1003 00 90 | Barley, other <sup>(3)</sup>                                   | 110,30                                                                                                                      | 101,24                                                                            |
| 1005 10 90 | Maize seed other than hybrid                                   | 108,69                                                                                                                      | 98,69                                                                             |
| 1005 90 00 | Maize other than seed <sup>(3)</sup>                           | 108,69                                                                                                                      | 98,69                                                                             |
| 1007 00 90 | Grain sorghum other than hybrids for sowing                    | 111,24                                                                                                                      | 101,24                                                                            |

<sup>(1)</sup> In the case of durum wheat not meeting the minimum quality requirements referred to in Annex I to Regulation (EC) No 1249/96, the duty applicable is that fixed for low-quality common wheat.

<sup>(2)</sup> For goods arriving in the Community via the Atlantic Ocean or via the Suez Canal (Article 2(4) of Regulation (EC) No 1249/96), the importer may benefit from a reduction in the duty of:

— ECU 3 per tonne, where the port of unloading is on the Mediterranean Sea, or

— ECU 2 per tonne, where the port of unloading is in Ireland, the United Kingdom, Denmark, Sweden, Finland or the Atlantic Coasts of the Iberian Peninsula.

<sup>(3)</sup> The importer may benefit from a flat-rate reduction of ECU 14 or 8 per tonne, where the conditions laid down in Article 2(5) of Regulation (EC) No 1249/96 are met.

## ANNEX II

## Factors for calculating duties

(period from 16 September 1998 to 29 September 1998)

## 1. Averages over the two-week period preceding the day of fixing:

| Exchange quotations                   | Minneapolis | Kansas-City  | Chicago | Chicago | Minneapolis           | Minneapolis          |
|---------------------------------------|-------------|--------------|---------|---------|-----------------------|----------------------|
| Product (% proteins at 12 % humidity) | HRS2. 14 %  | HRW2. 11,5 % | SRW2    | YC3     | HAD2                  | US barley 2          |
| Quotation (ECU/tonne)                 | 107,73      | 95,16        | 85,82   | 70,29   | 130,07 <sup>(1)</sup> | 64,42 <sup>(1)</sup> |
| Gulf premium (ECU/tonne)              | —           | 3,62         | —0,81   | 5,25    | —                     | —                    |
| Great Lakes premium (ECU/tonne)       | 10,71       | —            | —       | —       | —                     | —                    |

<sup>(1)</sup> Fob Duluth.

2. Freight/cost: Gulf of Mexico — Rotterdam: ECU 10,51 per tonne; Great Lakes — Rotterdam: ECU 19,09 per tonne.

3. Subsidy within the meaning of the third paragraph of Article 4 (2) of Regulation (EC) No 1249/96 : ECU 0,00 per tonne (HRW2)  
: ECU 0,00 per tonne (SRW2).

**COMMISSION REGULATION (EC) No 2085/98****of 30 September 1998****fixing the export refunds on syrups and certain other sugar products exported in the natural state**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EEC) No 1785/81 of 30 June 1981 on the common organization of the markets in the sugar sector <sup>(1)</sup>, as last amended by Regulation (EC) No 1148/98 <sup>(2)</sup>, and in particular Article 17 (5) thereof,

Whereas Article 17 of Regulation (EEC) No 1785/81 provides that the difference between quotations or prices on the world market for the products listed in Article 1 (1) (d) of that Regulation and prices for those products within the Community may be covered by an export refund;

Whereas Article 3 of Commission Regulation (EC) No 2135/95 of 7 September 1995 laying down detailed rules of application for the grant of export refunds in the sugar sector <sup>(3)</sup>, provides that the export refund on 100 kilograms of the products listed in Article 1 (1) (d) of Regulation (EEC) No 1785/81 is equal to the basic amount multiplied by the sucrose content, including, where appropriate, other sugars expressed as sucrose; whereas the sucrose content of the product in question is determined in accordance with Article 3 of Commission Regulation (EC) No 2135/95;

Whereas Article 17 (6) of Regulation (EEC) No 1785/81 provides that the basic amount of the refund on sorbose exported in the natural state must be equal to the basic amount of the refund less one-hundredth of the production refund applicable, pursuant to Council Regulation (EEC) No 1010/86 of 25 March 1986 laying down general rules for the production refund on sugar used in the chemical industry <sup>(4)</sup>, last amended by Commission Regulation (EC) No 1126/96 <sup>(5)</sup>, to the products listed in the Annex to the last mentioned Regulation;

Whereas the basic amount of the refund on the other products listed in Article 1 (1) (d) of Regulation (EEC) No 1785/81 exported in the natural state must be equal to

one-hundredth of an amount which takes account, on the one hand, of the difference between the intervention price for white sugar for the Community areas without deficit for the month for which the basic amount is fixed and quotations or prices for white sugar on the world market and, on the other, of the need to establish a balance between the use of Community basic products in the manufacture of processed goods for export to third countries and the use of third country products brought in under inward processing arrangements;

Whereas the application of the basic amount may be limited to some of the products listed in Article 1 (1) (d) of Regulation (EEC) No 1785/81;

Whereas Article 17 of Regulation (EEC) No 1785/81 makes provision for setting refunds for export in the natural state of products referred to in Article 1 (1) (f) and (g) and (h) of that Regulation; whereas the refund must be fixed per 100 kilograms of dry matter, taking account of the export refund for products falling within CN code 1702 30 91 and for products referred to in Article 1 (1) (d) of Regulation (EEC) No 1785/81 and of the economic aspects of the intended exports; whereas, in the case of the products referred to in the said Article 1 (1) (f) and (g), the refund is to be granted only for products complying with the conditions in Article 5 of Regulation (EC) No 2135/95; whereas, for the products referred to in Article 1 (1) (h), the refund shall be granted only for products complying with the conditions in Article 6 of Regulation (EC) No 2135/95;

Whereas the refunds referred to above must be fixed every month; whereas they may be altered in the intervening period;

Whereas application of these quotas results in fixing refunds for the products in question at the levels given in the Annex to this Regulation;

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

<sup>(1)</sup> OJ L 177, 1. 7. 1981, p. 4.

<sup>(2)</sup> OJ L 159, 3. 6. 1998, p. 38.

<sup>(3)</sup> OJ L 214, 8. 9. 1995, p. 16.

<sup>(4)</sup> OJ L 94, 9. 4. 1986, p. 9.

<sup>(5)</sup> OJ L 150, 25. 6. 1996, p. 3.

HAS ADOPTED THIS REGULATION:

exported in the natural state, shall be set out in the Annex hereto.

*Article 1*

The export refunds on the products listed in Article 1 (1) (d), (f), (g) and (h) of Regulation (EEC) No 1785/81,

*Article 2*

This Regulation shall enter into force on 1 October 1998.

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

Done at Brussels, 30 September 1998.

*For the Commission*

Franz FISCHLER

*Member of the Commission*

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## ANNEX

to the Commission Regulation of 30 September 1998 fixing the export refunds on syrups and certain other sugar products exported in the natural state

| Product code    | Amount of refund                     |
|-----------------|--------------------------------------|
|                 | — ECU/100 kg dry matter —            |
| 1702 40 10 9100 | 48,58 <sup>(2)</sup>                 |
| 1702 60 10 9000 | 48,58 <sup>(2)</sup>                 |
| 1702 60 80 9100 | 92,30 <sup>(4)</sup>                 |
|                 | — ECU/1 % sucrose × 100 kg —         |
| 1702 60 95 9000 | 0,4858 <sup>(1)</sup>                |
|                 | — ECU/100 kg dry matter —            |
| 1702 90 30 9000 | 48,58 <sup>(2)</sup>                 |
|                 | — ECU/1 % sucrose × 100 kg —         |
| 1702 90 60 9000 | 0,4858 <sup>(1)</sup>                |
| 1702 90 71 9000 | 0,4858 <sup>(1)</sup>                |
| 1702 90 99 9900 | 0,4858 <sup>(1)</sup> <sup>(3)</sup> |
|                 | — ECU/100 kg dry matter —            |
| 2106 90 30 9000 | 48,58 <sup>(2)</sup>                 |
|                 | — ECU/1 % sucrose × 100 kg —         |
| 2106 90 59 9000 | 0,4858 <sup>(1)</sup>                |

<sup>(1)</sup> The basic amount is not applicable to syrups which are less than 85 % pure (Regulation (EC) No 2135/95). Sucrose content is determined in accordance with Article 3 of Regulation (EC) No 2135/95.

<sup>(2)</sup> Applicable only to products referred to in Article 5 of Regulation (EC) No 2135/95.

<sup>(3)</sup> The basic amount is not applicable to the product defined under point 2 of the Annex to Regulation (EEC) No 3513/92 (OJ L 355, 5. 12. 1992, p. 12).

<sup>(4)</sup> Applicable only to products defined under Article 6 of Regulation (EC) No 2135/95.

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

**COMMISSION REGULATION (EC) No 2086/98**  
**of 30 September 1998**

**amending Regulation (EC) No 1672/98 determining the extent to which applications lodged in July 1998 for licences for certain egg and poultrymeat products under the regime provided for by the Interim Agreements concluded by the Community with the Republic of Poland, the Republic of Hungary, the Czech Republic, the Slovak Republic, Romania and Bulgaria can be accepted**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EEC) No 2771/75 of 29 October 1975 on the common organisation of the market in eggs <sup>(1)</sup>, as last amended by Commission Regulation (EC) No 1516/96 <sup>(2)</sup>,

Having regard to Council Regulation (EEC) No 2777/75 of 29 October 1975 on the common organisation of the market in poultrymeat <sup>(3)</sup>, as last amended by Commission Regulation (EC) No 2916/95 <sup>(4)</sup>,

Having regard to Council Regulation (EEC) No 2783/75 of 29 October 1975 on the common system of trade for ovalbumin and lactalbumin <sup>(5)</sup>, as last amended by Regulation (EEC) No 2916/95,

Having regard to Council Regulation (EC) No 3066/95 of 22 December 1995 establishing certain concessions in the form of Community tariff quotas for certain agricultural products and providing for the adjustment, as an autonomous and transitional measure, of certain agricultural concessions provided for in the Europe Agreements to take account of the Agreement on Agriculture concluded during the Uruguay Round Multilateral Trade Negotiations <sup>(6)</sup>, as last amended by Regulation (EC) No 1595/97 <sup>(7)</sup>,

Having regard to Commission Regulation (EC) No 1899/97 of 29 September 1997 setting rules of application in the poultrymeat and egg sectors for the arrangements covered by Council Regulation (EC) No 3066/95 and repealing Regulation (EEC) No 2699/93 and (EC) No 1559/94 <sup>(8)</sup>, and in particular Article 4(5) thereof,

Whereas Commission Regulation (EC) No 1672/98 <sup>(9)</sup> determines the percentages of acceptance of applications for import licences submitted during the first ten days of July and the quantities available for applications to be submitted during the first ten days of October 1998;

Whereas as the result of an error in the information received by the Commission on group 9 the quantities allocated to operators were too high; whereas the quantities available for applications to be submitted during the first ten days of October 1998 should therefore be reduced,

HAS ADOPTED THIS REGULATION:

*Article 1*

In Annex II to Regulation (EC) No 1672/98, the quantity available for group 9 is replaced by '1 330,78'.

*Article 2*

This Regulation shall enter into force on 1 October 1998.

<sup>(1)</sup> OJ L 282, 1. 11. 1975, p. 49.

<sup>(2)</sup> OJ L 189, 30. 7. 1996, p. 99.

<sup>(3)</sup> OJ L 282, 1. 11. 1975, p. 77.

<sup>(4)</sup> OJ L 305, 19. 12. 1995, p. 49.

<sup>(5)</sup> OJ L 282, 1. 11. 1975, p. 104.

<sup>(6)</sup> OJ L 328, 30. 12. 1995, p. 31.

<sup>(7)</sup> OJ L 216, 8. 8. 1997, p. 1.

<sup>(8)</sup> OJ L 267, 30. 9. 1997, p. 67.

<sup>(9)</sup> OJ L 212, 30. 7. 1998, p. 8.

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

Done at Brussels, 30 September 1998.

*For the Commission*

Franz FISCHLER

*Member of the Commission*

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**COMMISSION REGULATION (EC) No 2087/98**  
**of 30 September 1998**  
**determining the world market price for unginned cotton and the rate for the aid**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to the Act of Accession of Greece, and in particular paragraphs 3 and 10 of Protocol 4 on cotton, as last amended by Council Regulation (EC) No 1553/95 <sup>(1)</sup>,

Having regard to Council Regulation (EC) No 1554/95 of 29 June 1995 <sup>(2)</sup> laying down general rules for the system of aid for cotton and repealing Regulation (EEC) No 2169/81, as last amended by Regulation (EC) No 1419/98 <sup>(3)</sup>, and in particular Articles 3, 4 and 5 thereof,

Whereas Article 3 of Regulation (EC) No 1554/95 requires a world market price for unginned cotton to be periodically determined from the world market price determined for ginned cotton, using the historical relationship between the two prices as specified in Article 1 (2) of Commission Regulation (EEC) No 1201/89 of 3 May 1989 laying down rules for implementing the system of aid for cotton <sup>(4)</sup>, as last amended by Regulation (EC) No 1664/98 <sup>(5)</sup>; whereas if it cannot be determined in this way it is to be based on the last price determined;

Whereas Article 4 of Regulation (EC) No 1554/95 requires the world market price for ginned cotton to be determined for a product of specific characteristics using the most favourable offers and quotations on the world market of those considered representative of the real market trend; whereas to this end an average is to be calculated of offers and quotations on one or more European exchanges for a cif product to a North European port from the supplier countries considered most representative as regards international trade; whereas these rules for determination of the world market price for ginned cotton provide for adjustments to reflect differences in product quality and the nature of offers and quotations;

whereas these adjustments are specified in Article 2 of Regulation (EEC) No 1201/89;

Whereas application of the above rules gives the world market price for unginned cotton indicated hereunder;

Whereas Article 5 (3a), first sentence, of Regulation (EC) No 1554/95 stipulates that the advance payment rate for the aid is to be the guide price less the world market price and less a further amount calculated by the formula applicable when the guaranteed maximum quantity is overrun but with a 15 % increase in the estimate for unginned cotton production; whereas Commission Regulation (EC) No 1844/98 <sup>(6)</sup> determined estimated production for the 1998/99 marketing year; whereas application of these rules gives the advance payment rates for each Member State indicated hereunder,

HAS ADOPTED THIS REGULATION:

*Article 1*

1. The world market price for unginned cotton as indicated in Article 3 of Regulation (EC) No 1554/95 is set at ECU 27,767 per 100 kilograms.

2. Advance payment of the aid as indicated in Article 5 (3a), first sentence, of Regulation (EC) No 1554/95 shall be at the rate of:

- ECU 42,816 per 100 kilograms in Spain,
- ECU 41,753 per 100 kilograms in Greece,
- ECU 78,533 per 100 kilograms in other Member States.

*Article 2*

This Regulation shall enter into force on 1 October 1998.

<sup>(1)</sup> OJ L 148, 30. 6. 1995, p. 45.

<sup>(2)</sup> OJ L 148, 30. 6. 1995, p. 48.

<sup>(3)</sup> OJ L 190, 4. 7. 1998, p. 4.

<sup>(4)</sup> OJ L 123, 4. 5. 1989, p. 23.

<sup>(5)</sup> OJ L 211, 29. 7. 1998, p. 9.

<sup>(6)</sup> OJ L 240, 28. 8. 1998, p. 3.

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

Done at Brussels, 30 September 1998.

*For the Commission*

Franz FISCHLER

*Member of the Commission*

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**COMMISSION REGULATION (EC) No 2088/98**  
**of 30 September 1998**

**supplementing the Annex to Regulation (EC) No 2400/96 on the entry of certain names in the 'Register of protected designation of origin and protected geographical indications' provided for in Council Regulation (EEC) No 2081/92 on the protection of geographical indications and designations of origin for agricultural products and foodstuffs**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EEC) No 2081/92 of 14 July 1992 on the protection of geographical indications and designations of origin for agricultural products and foodstuffs <sup>(1)</sup>, as last amended by Commission Regulation (EC) No 1068/97 <sup>(2)</sup>, and in particular Article 6(3) and (4) thereof,

Whereas, pursuant to Article 5 of Regulation (EEC) No 2081/92, the United Kingdom sent the Commission an application for the registration of a name as a designation of origin;

Whereas, pursuant to Article 6(1) of that Regulation, the application was found to meet all the requirements laid down therein, and in particular to contain all the information required pursuant to Article 4 thereof;

Whereas, for the name in the Annex hereto, one statement of objection within the meaning of Article 7 of Regulation (EEC) No 2081/92 was sent to the Commission following its publication in the *Official Journal of the European Communities* <sup>(3)</sup>; whereas the objection was deemed admissible;

Whereas, in accordance with Article 7(4) of Regulation (EEC) No 2081/92, the Commission invited the Member States concerned to reach agreement on registration of the name 'Cornish Clotted Cream'; whereas such agreement was reached; whereas the agreement complies with Regu-

lation (EEC) No 2081/92 and does not involve changing the information initially received pursuant to Article 5 of that Regulation; whereas it has been stated that the word 'Cornouaille' in French registered trademarks is not and will not be used for cream;

Whereas the name should therefore be entered in the 'Register of protected designation of origin and protected geographical indications' and hence be protected throughout the Community as a protected designation of origin;

Whereas the Annex hereto supplements the Annex to Commission Regulation (EC) No 2400/96 <sup>(4)</sup>, as last amended by Regulation (EC) No 1576/98 <sup>(5)</sup>,

HAS ADOPTED THIS REGULATION:

*Article 1*

The name in the Annex hereto is hereby added to the Annex to Regulation (EC) No 2400/96 and entered in the 'Register of protected designation of origin and protected geographical indications' provided for in Article 6(3) of Regulation (EEC) No 2081/92 as a protected designation of origin (PDO).

*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, 30 September 1998.

*For the Commission*

Franz FISCHLER

*Member of the Commission*

<sup>(1)</sup> OJ L 208, 24. 7. 1992, p. 1.

<sup>(2)</sup> OJ L 156, 13. 6. 1997, p. 10.

<sup>(3)</sup> OJ C 140, 7. 5. 1997, p. 4.

<sup>(4)</sup> OJ L 327, 18. 12. 1996, p. 11.

<sup>(5)</sup> OJ L 206, 23. 7. 1998, p. 15.

*ANNEX***PRODUCTS LISTED IN ANNEX II TO THE EC TREATY AND INTENDED FOR  
HUMAN CONSUMPTION****Other products of animal origin (eggs, honey, milk products excluding butter, etc.)**

UNITED KINGDOM

— Cornish Clotted Cream (PDO)

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**COMMISSION REGULATION (EC) No 2089/98  
of 30 September 1998**

**derogating from Regulation (EC) No 708/98 on the taking over of paddy rice by  
the intervention agencies and fixing the corrective amounts and the price  
increases and reductions to be applied for the 1997/98 marketing year**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EC) No 3072/95 of 22 December 1995 on the common organisation of the market in rice <sup>(1)</sup>, as amended by Regulation (EC) No 192/98 <sup>(2)</sup>, and in particular Article 8(b) thereof,

Whereas the conditions for the taking over of paddy rice by the intervention agencies are laid down in Commission Regulation (EC) No 708/98 <sup>(3)</sup>, as amended by Regulation (EC) No 1307/98 <sup>(4)</sup>; whereas Article 6(1) of that Regulation provides that delivery must be effected no later than 31 August of the current marketing year;

Whereas during the 1997/98 marketing year the intervention agencies encountered difficulties in setting up a good system for the storage, checking and reception of goods; whereas these difficulties delayed the acceptance of offers made and the taking over of deliveries; whereas, for the 1997/98 marketing year, these difficulties justify a deroga-

tion from the time limit set in the abovementioned provisions for delivery to the intervention agency;

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*

Notwithstanding Article 6(1) of Regulation (EC) No 708/98, delivery of paddy rice for taking over by the intervention agency in respect of the 1997/98 marketing year must be effected no later than 30 September 1998.

*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 September 1998.

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

Done at Brussels, 30 September 1998.

*For the Commission*

Franz FISCHLER

*Member of the Commission*

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<sup>(1)</sup> OJ L 329, 30. 12. 1995, p. 18.

<sup>(2)</sup> OJ L 20, 27. 1. 1998, p. 16.

<sup>(3)</sup> OJ L 98, 31. 3. 1998, p. 21.

<sup>(4)</sup> OJ L 182, 25. 6. 1998, p. 8.

**COMMISSION REGULATION (EC) No 2090/98**  
**of 30 September 1998**  
**concerning the fishing vessel register of the Community**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EEC) No 3760/92 of 20 December 1992, establishing a Community system of fisheries and aquaculture <sup>(1)</sup>, as amended by Regulation (EC) No 1181/98 <sup>(2)</sup>, and in particular Article 13 thereof,

Whereas the procedures for communicating information about the characteristics and identification features of EU fishing vessels to be used in connection with Community legislation should be harmonised and rationalised;

Whereas for the application of the Common Fisheries Policy it is appropriate to create a single reference database on the characteristics of vessels in the Community fishing fleet; whereas this database should be maintained independently of other applications;

Whereas the characteristics and external markings that are recorded in the database should be in accordance with Council Regulation (EEC) 2930/86 of 22 September 1986 defining characteristics for fishing vessels <sup>(3)</sup>, as amended by Regulation (EC) No 3259/94 <sup>(4)</sup>, and with Commission Regulation (EEC) No 1381/87 of 20 May 1987 establishing detailed rules concerning the marking and documentation of fishing vessels <sup>(5)</sup>;

Whereas it is therefore necessary to repeal Regulation (EC) No 109/94 of 19 January 1994 concerning the fishing vessel register of the Community <sup>(6)</sup>, as amended by Regulation (EC) No 493/96 <sup>(7)</sup>;

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

HAS ADOPTED THIS REGULATION:

*Article 1*

The fishing vessel register of the Community, hereafter referred to as 'the register', concerns all Community

fishing vessels as defined by Article 3 of Regulation (EEC) No 3760/92.

*Article 2*

The register shall contain:

- the data to be communicated for each Community fishing vessel resulting from censuses undertaken by each Member State on its fleet, from 1 January 1989, or in special cases and with the agreement of the Commission, from a later date,
- all the changes which have occurred since the censuses where they affect the data.

*Article 3*

Each Member State shall communicate information relating to events required by Annexes I to V by digital transfer over a telecommunications network at the same time as the event is recorded by the authorities of the Member State concerned. The Commission shall acknowledge receipt of messages as soon as they have been validated in the database.

Any registration of new data or correction of erroneous data concerning the characteristics and/or identification features of a vessel must be in accordance with the procedures laid down in this Regulation.

*Article 4*

Corrections to erroneous information contained in the register shall be forwarded to the Commission in accordance with the detailed rules set out in Annexes I to V within 30 days of the date on which the error is detected.

*Article 5*

The data communicated pursuant to this Regulation shall be used as reference data in connection with Community legislation, subject to the verification of their accuracy by the services of the Commission.

The link between such uses and the database on the Community register of fishing vessels shall be the internal number referred to in Annex I.

A Member State shall have access to the data held in the Community register of fishing vessels that concern its own fleet.

<sup>(1)</sup> OJ L 389, 31. 12. 1992, p. 1.

<sup>(2)</sup> OJ L 164, 9. 6. 1998, p. 1.

<sup>(3)</sup> OJ L 274, 25. 9. 1986, p. 1.

<sup>(4)</sup> OJ L 339, 29. 12. 1994, p. 11.

<sup>(5)</sup> OJ L 132, 21. 5. 1987, p. 9.

<sup>(6)</sup> OJ L 19, 22. 1. 1994, p. 5.

<sup>(7)</sup> OJ L 72, 21. 3. 1996, p. 12.

*Article 6*

Regulation (EC) No 109/94 is repealed.

References to Articles 1, 2, 3 and 9(a) of Regulation (EC) No 109/94 shall be construed as references to Articles 1, 2, 3 and 5 respectively of present Regulation. References to Article 8 of Regulation (EC) No 109/94 concerning events relating to Annexes I to V to Regulation (EC) No 109/94 shall be construed as references to Article 4 of the present Regulation.

References to Article 4 and to Articles 5 and 6 of Regulation (EC) No 109/94 shall be construed as references to Articles 2 and 3 respectively of Commission Regulation (EC) No 2091/98 of 30 September 1998 concerning the segmentation of the Community fishing fleet and fishing effort in relation to the multiannual guidance programmes <sup>(1)</sup>. References to Article 8 of Regulation (EC) No 109/94 concerning events relating to tables A and B of Annex VI to Regulation (EC) No 109/94 shall be

construed as references to Article 5 of Regulation (EC) No 2091/98.

References to Articles 3(a), 5(a), 8(a) and 9 of Regulation (EC) No 109/94 shall be construed as references to Articles 1, 2, 4 and 5 respectively of Commission Regulation (EC) No 2092/98 of 30 September 1998 concerning the declaration of fishing effort relating to certain Community fishing areas and resources <sup>(2)</sup>. References to Article 8 of Regulation (EC) No 109/94 concerning events relating to tables C and 2 of Annex VI to Regulation (EC) No 109/94 or relating to Annex VII to Regulation (EC) No 109/94 shall be construed as references to Article 3 of Regulation (EC) No 2092/98.

*Article 7*

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, 30 September 1998.

*For the Commission*

Emma BONINO

*Member of the Commission*

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<sup>(1)</sup> See page 36 of this Official Journal.

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<sup>(2)</sup> See page 47 of this Official Journal.

## ANNEX I

## DEFINITION OF THE DATA TO BE COMMUNICATED AND DESCRIPTION OF A RECORD

| Name of the zone                          | Width | Alignment | Definition and remarks                                                                                                             |
|-------------------------------------------|-------|-----------|------------------------------------------------------------------------------------------------------------------------------------|
| Updating indicator                        | 3     | —         | Code identifying the type of declaration (see Table 1)                                                                             |
| Internal number <sup>(1)</sup>            | 12    | L         | Member State (Alpha-3 ISO code) followed by unique identification (1 to 9 characters)                                              |
| Country of registration                   | 3     | —         | Member State (Alpha-3 ISO code) where vessel is registered for fishing (Regulation (EEC) No 3760/92); always the declaring country |
| Flag                                      | 3     | —         | Member State (Alpha-3 ISO code) whose flag the vessel is flying (Regulation (EEC) No 3760/92)                                      |
| Registration number                       | 14    | L         |                                                                                                                                    |
| Name of vessel                            | 40    | L         |                                                                                                                                    |
| Port of registration                      | 5     | L         | Coded using national code system <sup>(2)</sup>                                                                                    |
| International radio call sign             | 7     | L         | i.e. the IRCS.                                                                                                                     |
| External marking                          | 14    | L         | In accordance with Regulation (EEC) No 1381/87                                                                                     |
| Type of fishing gear 1                    | 3     | L         | Gear used, FAO international code system (see Table 2)                                                                             |
| Type of fishing gear 2                    | 3     | L         | Any second gear used, FAO international code system (see Table 2)                                                                  |
| Type of fishing gear 3                    | 3     | L         | Any third gear used, FAO international code system (see Table 2)                                                                   |
| Length overall                            | 5     | R         | In centimetres, as defined in Regulation (EEC) No 2930/86                                                                          |
| Length between perpendiculars             | 5     | R         | In centimetres, as defined in Regulation (EEC) No 2930/86                                                                          |
| Tonnage 2930/86                           | 7     | R         | To hundredths of a tonne, as defined in Regulation (EEC) No 2930/86 <sup>(3)</sup>                                                 |
| Tonnage Oslo Convention                   | 7     | R         | To hundredths of a tonne                                                                                                           |
| Tonnage, other standard                   | 7     | R         | To hundredths of a tonne, standard to be indicated by the Member State                                                             |
| Main engine power                         | 7     | R         | To hundredths of a kW — as defined on Regulation (EEC) No 2930/86                                                                  |
| Auxiliary engine power                    | 7     | R         | To hundredths of a kW — all installed power not included under 'main engine power'                                                 |
| Hull material                             | 1     | —         | Material used for the hull (see Table 3)                                                                                           |
| Date of entry into service <sup>(4)</sup> | 8     | —         | Date (YYYYMMDD) determining the age of the vessel, as defined in Regulation (EEC) No 2930/86                                       |
| Year of construction <sup>(4)</sup>       | 4     | —         | Determines by default the age of the vessel; the value 1850 signifies 1850 or earlier                                              |
| Segment                                   | 3     | L         | Segment of the fleet (Regulation (EC) No 2091/98)                                                                                  |

| Name of the zone            | Width | Alignment | Definition and remarks                                 |
|-----------------------------|-------|-----------|--------------------------------------------------------|
| Importing/exporting country | 3     | —         | Alpha-3 ISO code of importing or exporting country     |
| Date of event               | 8     | —         | Date (YYYYMMDD) when the event occurred <sup>(5)</sup> |
| Assisted withdrawal scheme  | 1     | —         | See Table 4                                            |

<sup>(1)</sup> Member States should give a unique identification number to each fishing vessel registered on the Member State's census date, and to vessels registered for the first time in the Member State after that date. This number may not subsequently be changed, even for vessels exported to another Member State, nor given to another vessel even where the first one to be given the number is scrapped or withdrawn from fishing.

<sup>(2)</sup> Any changes to the national code system will require the approval of the Commission.

<sup>(3)</sup> As last amended by Council Regulation (EC) No 3259/94 of 22 December 1994 as well as Commission Decision 95/84/EC of 20 March 1995.

<sup>(4)</sup> The date of entry into service or failing that the last day of the year of construction will be used to determine the age of the vessel.

<sup>(5)</sup> In the case of a census of the fleet, this should be the date of the census in the Member State making the declaration; in the case of new construction, the date of entry into service; where a correction or deletion of a declaration is involved, it should be the date of the event corrected or deleted.

**Table 1 — Codes for updating indicator**

|                                                                          |     |
|--------------------------------------------------------------------------|-----|
| Census                                                                   | XXX |
| Entry into fishing (new construction)                                    | CST |
| Entry into fishing (change of activity)                                  | CHA |
| Modification of a vessel                                                 | MOD |
| Entry into fishing by importation                                        | IMP |
| Withdrawal from fishing by exportation                                   | EXP |
| Withdrawal from fishing by cessation of fishing activity in Member State | RET |
| Withdrawal from fishing by destruction                                   | DES |
| Correction of previously declared event                                  | COR |
| Deletion of previously declared event                                    | DEL |

**Table 2 — Codes for type of fishing gear**

*Towed gear*

|                                |     |
|--------------------------------|-----|
| Bottom otter trawls            | OTB |
| Beam trawls                    | TBB |
| Bottom pair trawls             | PTB |
| Danish seines (anchor)         | SDN |
| Scottish seines (fly-dragging) | SSC |
| Beach seines                   | SB  |
| Dredges                        | DRB |
| Bottom trawls for crustaceans  | CTB |
| Mid-water otter trawls         | OTM |
| Mid-water pair trawls          | PTM |
| Other towed gear               | OTG |

*Static and other gear*

|                              |     |
|------------------------------|-----|
| Purse seines                 | PS  |
| Gillnets (set)               | GNS |
| Gillnets (drift)             | GND |
| Trammel nets                 | GTR |
| Longlines (set)              | LLS |
| Longlines (drifting)         | LLD |
| Pots                         | FPO |
| Towed lines                  | LH  |
| Live-bait gear               | BTF |
| Other static and other gears | OFG |

All vessels that have been declared as using static gears and towed gears are considered as polyvalent vessels.

**Table 3 — Codes for hull material**

|                    |   |
|--------------------|---|
| Wood               | 1 |
| Metal              | 2 |
| Fibreglass/plastic | 3 |
| Other              | 4 |

**Table 4 — Codes for type of withdrawal**

|                                                                 |   |
|-----------------------------------------------------------------|---|
| Publicly assisted                                               | 1 |
| Not publicly assisted, not related to the entry of new capacity | 2 |
| Not publicly assisted, related to the entry of new capacity     | 3 |

## ANNEX II

## DATA TO BE COMMUNICATED ACCORDING TO DECLARATION TYPE

|                               | Deletion of an event (DEL)                 |   |   |   |   |   |   |   |                  |   |
|-------------------------------|--------------------------------------------|---|---|---|---|---|---|---|------------------|---|
|                               | Correction of an event (COR)               |   |   |   |   |   |   |   |                  |   |
|                               | Destruction of a fishing vessel (DES)      |   |   |   |   |   |   |   |                  |   |
|                               | Retirement of a vessel from fishing (RET)  |   |   |   |   |   |   |   |                  |   |
|                               | Export of a fishing vessel (EXP)           |   |   |   |   |   |   |   |                  |   |
|                               | Modification of a fishing vessel (MOD)     |   |   |   |   |   |   |   |                  |   |
|                               | Import of a fishing vessel (IMP)           |   |   |   |   |   |   |   |                  |   |
|                               | Change of activity to fishing (CHA)        |   |   |   |   |   |   |   |                  |   |
|                               | New construction of a fishing vessel (CST) |   |   |   |   |   |   |   |                  |   |
|                               | Census of a fishing vessel (XXX)           |   |   |   |   |   |   |   |                  |   |
| Updating indicator            | x                                          | x | x | x | x | x | x | x | x                | x |
| Internal number               | x                                          | x | x | x | x | x | x | x | x                | x |
| Date of event                 | x                                          | x | x | x | x | x | x | x | x                | x |
| Category of programme         | x                                          | x | x | x | x | — | — | — | ( <sup>1</sup> ) | — |
| Country of registration       | x                                          | x | x | x | x | — | — | — | ( <sup>1</sup> ) | — |
| Flag                          | x                                          | x | x | x | x | — | — | — | ( <sup>1</sup> ) | — |
| Registration number           | x                                          | x | x | x | x | — | — | — | ( <sup>1</sup> ) | — |
| Name of vessel                | x                                          | x | x | x | x | — | — | — | ( <sup>1</sup> ) | — |
| Port of registration          | x                                          | x | x | x | x | — | — | — | ( <sup>1</sup> ) | — |
| International radio call sign | x                                          | x | x | x | x | — | — | — | ( <sup>1</sup> ) | — |
| External marking              | x                                          | x | x | x | x | — | — | — | ( <sup>1</sup> ) | — |
| Type of fishing gear 1        | x                                          | x | x | x | x | — | — | — | ( <sup>1</sup> ) | — |
| Type of fishing gear 2        | x                                          | x | x | x | x | — | — | — | ( <sup>1</sup> ) | — |
| Type of fishing gear 3        | x                                          | x | x | x | x | — | — | — | ( <sup>1</sup> ) | — |
| Length overall                | x                                          | x | x | x | x | — | — | — | ( <sup>1</sup> ) | — |
| Length between perpendiculars | x                                          | x | x | x | x | — | — | — | ( <sup>1</sup> ) | — |
| Tonnage 2930/86               | x                                          | x | x | x | x | — | — | — | ( <sup>1</sup> ) | — |
| Tonnage Oslo Convention       | x                                          | x | x | x | x | — | — | — | ( <sup>1</sup> ) | — |
| Tonnage, other standard       | x                                          | x | x | x | x | — | — | — | ( <sup>1</sup> ) | — |
| Main engine power             | x                                          | x | x | x | x | — | — | — | ( <sup>1</sup> ) | — |
| Other engine power            | x                                          | x | x | x | x | — | — | — | ( <sup>1</sup> ) | — |
| Hull material                 | x                                          | x | x | x | — | — | — | — | ( <sup>1</sup> ) | — |
| Date of entry into service    | x                                          | x | x | x | — | — | — | — | ( <sup>1</sup> ) | — |
| Year of construction          | x                                          | x | x | x | — | — | — | — | ( <sup>1</sup> ) | — |
| Importing/exporting country   | —                                          | — | — | x | — | x | — | — | ( <sup>1</sup> ) | — |
| Assisted withdrawal scheme    | —                                          | — | — | — | — | x | x | x | ( <sup>1</sup> ) | — |

x: to be communicated.

—: leave blank.

(<sup>1</sup>) communication of the same data as originally given for the event being corrected.

## ANNEX III

## SPECIAL VALUES ACCORDING TO DECLARATION TYPE

|                               | Deletion of an event (DEL)                 |        |        |        |         |    |    |    |         |    |
|-------------------------------|--------------------------------------------|--------|--------|--------|---------|----|----|----|---------|----|
|                               | Correction of an event (COR)               |        |        |        |         |    |    |    |         |    |
|                               | Destruction of a fishing vessel (DES)      |        |        |        |         |    |    |    |         |    |
|                               | Retirement of a vessel from fishing (RET)  |        |        |        |         |    |    |    |         |    |
|                               | Export of a fishing vessel (EXP)           |        |        |        |         |    |    |    |         |    |
|                               | Modification of a fishing vessel (MOD)     |        |        |        |         |    |    |    |         |    |
|                               | Import of a fishing vessel (IMP)           |        |        |        |         |    |    |    |         |    |
|                               | Change of activity to fishing (CHA)        |        |        |        |         |    |    |    |         |    |
|                               | New construction of a fishing vessel (CST) |        |        |        |         |    |    |    |         |    |
|                               | Census of a fishing vessel (XXX)           |        |        |        |         |    |    |    |         |    |
| Updating indicator            | vu                                         | vu     | vu     | vu     | vu      | vu | vu | vu | vu      | vu |
| Internal number               | vu                                         | vu     | vu     | vu     | vu      | vu | vu | vu | vu      | vu |
| Date of event                 | vu                                         | vu     | vu     | vu     | vu      | vu | vu | vu | vu      | vu |
| Category of programme         | vu                                         | vu     | vu     | vu     | =       | so | so | so | npc (1) | so |
| Country of registration       | vu                                         | vu     | vu     | vu     | =       | so | so | so | npc (1) | so |
| Flag                          | vu                                         | vu     | vu     | vu     | =       | so | so | so | npc (1) | so |
| Registration number           | vu                                         | vu     | vu     | vu     | =       | so | so | so | npc (1) | so |
| Name of vessel                | vu                                         | vu     | vu     | vu     | =       | so | so | so | npc (1) | so |
| Port of registration          | vu                                         | vu     | vu     | vu     | =       | so | so | so | npc (1) | so |
| International radio call sign | —                                          | —      | —      | —      | —,=     | so | so | so | npc (1) | so |
| External marking              | vu                                         | vu     | vu     | vu     | =       | so | so | so | npc (1) | so |
| Type of fishing gear 1        | vu                                         | vu     | vu     | vu     | =       | so | so | so | npc (1) | so |
| Type of fishing gear 2        | —                                          | —      | —      | —      | —,=     | so | so | so | npc (1) | so |
| Type of fishing gear 3        | —                                          | —      | —      | —      | —,=     | so | so | so | npc (1) | so |
| Length overall                | ? (3)                                      | ? (3)  | ? (3)  | ? (3)  | ? (3),= | so | so | so | npc (1) | so |
| Length between perpendiculars | ? (3)                                      | ? (3)  | ? (3)  | ? (3)  | ? (3),= | so | so | so | npc (1) | so |
| Tonnage 2930/86               | ? (4)                                      | ? (4)  | ? (4)  | ? (4)  | ? (4),= | so | so | so | npc (1) | so |
| Tonnage Oslo Convention       | ? (4)                                      | ? (4)  | ? (4)  | ? (4)  | ? (4),= | so | so | so | npc (1) | so |
| Tonnage, other standard       | ? (4)                                      | ? (4)  | ? (4)  | ? (4)  | ? (4),= | so | so | so | npc (1) | so |
| Main engine power             | vu                                         | vu     | vu     | vu     | =       | so | so | so | npc (1) | so |
| Other engine power            | ?,—                                        | ?,—    | ?,—    | ?,—    | ?,—,=   | so | so | so | npc (1) | so |
| Hull material                 | vu                                         | vu     | vu     | vu     | so      | so | so | so | npc (1) | so |
| Date of entry into service    | vu (2)                                     | vu (2) | vu (2) | vu (2) | so      | so | so | so | npc (1) | so |
| Year of construction          | vu                                         | vu     | vu     | vu     | so      | so | so | so | npc (1) | so |
| Importing/exporting country   | so                                         | so     | so     | vu     | so      | vu | so | so | npc (1) | so |
| Assisted withdrawal scheme    | so                                         | so     | so     | so     | so      | vu | vu | vu | npc (1) | so |

?: unknown.

—: does not exist.

=: unchanged.

npc: not to be corrected.

so: not applicable (leave blank).

vu: customary values only.

(1) Include all particular values entered for the event being corrected.

(2) The month and the month and day may be unknown.

(3) At least one of the two lengths must be communicated.

(4) At least one of the three tonnage measurements must be communicated.

## ANNEX IV

## REPRESENTATION OF THE SPECIAL VALUES

|                               | Unknown          | Does not exist | Unchanged | Do not correct |
|-------------------------------|------------------|----------------|-----------|----------------|
| Updating indicator            | —                | —              | —         | —              |
| Internal number               | —                | —              | —         | —              |
| Date of event                 | —                | —              | —         | —              |
| Category of programme         | —                | —              | 997       | 990            |
| Country of registration       | —                | —              | 997       | 990            |
| Flag                          | —                | —              | 997       | 990            |
| Registration number           | —                | —              | 9 ... 97  | 9 ... 90       |
| Name of vessel                | —                | —              | 9 ... 97  | 9 ... 90       |
| Port of registration          | —                | —              | 99997     | 99990          |
| International radio call sign | —                | 9 ... 95       | 9 ... 97  | 9 ... 90       |
| External marking              | —                | —              | 9 ... 97  | 9 ... 90       |
| Type of fishing gear 1        | —                | —              | 997       | 990            |
| Type of fishing gear 2        | —                | 995            | 997       | 990            |
| Type of fishing gear 3        | —                | 995            | 997       | 990            |
| Length overall                | 99999            | —              | 99997     | 99990          |
| Length between perpendiculars | 99999            | —              | 99997     | 99990          |
| Tonnage London                | 9 ... 99         | —              | 9 ... 97  | 9 ... 90       |
| Tonnage Oslo Convention       | 9 ... 99         | —              | 9 ... 97  | 9 ... 90       |
| Tonnage, other standard       | 9 ... 99         | —              | 9 ... 97  | 9 ... 90       |
| Main engine power             | —                | —              | 9 ... 97  | 9 ... 90       |
| Other engine power            | 9 ... 99         | 9 ... 95       | 9 ... 97  | 9 ... 90       |
| Hull material                 | —                | —              | —         | 0              |
| Date of entry into service    | — <sup>(1)</sup> | —              | —         | 9 ... 90       |
| Year of construction          | —                | —              | —         | 9990           |
| Importing/exporting country   | —                | —              | —         | 990            |
| Assisted withdrawal scheme    | —                | —              | —         | 0              |

<sup>(1)</sup> Use YYYYMM99 for dates where the day of the month is not known and YYYY9999 for dates where the month and day are unknown

## ANNEX V

## DEFAULT VALUES ACCORDING TO DECLARATION TYPE

|                               | Deletion of an event (DEL)                 |                  |                  |                  |       |       |       |       |                  |       |
|-------------------------------|--------------------------------------------|------------------|------------------|------------------|-------|-------|-------|-------|------------------|-------|
|                               | Correction of an event (COR)               |                  |                  |                  |       |       |       |       |                  |       |
|                               | Destruction of a fishing vessel (DES)      |                  |                  |                  |       |       |       |       |                  |       |
|                               | Retirement of a vessel from fishing (RET)  |                  |                  |                  |       |       |       |       |                  |       |
|                               | Export of a fishing vessel (EXP)           |                  |                  |                  |       |       |       |       |                  |       |
|                               | Modification of a fishing vessel (MOD)     |                  |                  |                  |       |       |       |       |                  |       |
|                               | Import of a fishing vessel (IMP)           |                  |                  |                  |       |       |       |       |                  |       |
|                               | Change of activity to fishing (CHA)        |                  |                  |                  |       |       |       |       |                  |       |
|                               | New construction of a fishing vessel (CST) |                  |                  |                  |       |       |       |       |                  |       |
|                               | Census of a fishing vessel (XXX)           |                  |                  |                  |       |       |       |       |                  |       |
| Updating indicator            | nihil                                      | nihil            | nihil            | nihil            | nihil | nihil | nihil | nihil | nihil            | nihil |
| Internal number               | nihil                                      | nihil            | nihil            | nihil            | nihil | nihil | nihil | nihil | nihil            | nihil |
| Date of event                 | ( <sup>1</sup> )                           | nihil            | nihil            | nihil            | nihil | nihil | nihil | nihil | nihil            | nihil |
| Category of programme         | nihil                                      | nihil            | nihil            | nihil            | =     | so    | so    | so    | npc              | so    |
| Country of registration       | ( <sup>2</sup> )                           | ( <sup>2</sup> ) | ( <sup>2</sup> ) | ( <sup>2</sup> ) | =     | so    | so    | so    | ( <sup>2</sup> ) | so    |
| Flag                          | ( <sup>2</sup> )                           | ( <sup>2</sup> ) | ( <sup>2</sup> ) | ( <sup>2</sup> ) | =     | so    | so    | so    | npc              | so    |
| Registration number           | nihil                                      | nihil            | nihil            | nihil            | =     | so    | so    | so    | npc              | so    |
| Name of vessel                | nihil                                      | nihil            | nihil            | nihil            | =     | so    | so    | so    | npc              | so    |
| Port of registration          | nihil                                      | nihil            | nihil            | nihil            | =     | so    | so    | so    | npc              | so    |
| International radio call sign | nihil                                      | nihil            | nihil            | nihil            | =     | so    | so    | so    | npc              | so    |
| External marking              | nihil                                      | nihil            | nihil            | nihil            | =     | so    | so    | so    | npc              | so    |
| Type of fishing gear 1        | nihil                                      | nihil            | nihil            | nihil            | =     | so    | so    | so    | npc              | so    |
| Type of fishing gear 2        | —                                          | —                | —                | —                | =     | so    | so    | so    | npc              | so    |
| Type of fishing gear 3        | —                                          | —                | —                | —                | =     | so    | so    | so    | npc              | so    |
| Length overall                | ?                                          | ?                | ?                | ?                | =     | so    | so    | so    | npc              | so    |
| Length between perpendiculars | ?                                          | ?                | ?                | ?                | =     | so    | so    | so    | npc              | so    |
| Tonnage 2930/86               | ?                                          | ?                | ?                | ?                | =     | so    | so    | so    | npc              | so    |
| Tonnage Oslo Convention       | ?                                          | ?                | ?                | ?                | =     | so    | so    | so    | npc              | so    |
| Tonnage, other standard       | ?                                          | ?                | ?                | ?                | =     | so    | so    | so    | npc              | so    |
| Main engine power             | nihil                                      | nihil            | nihil            | nihil            | =     | so    | so    | so    | npc              | so    |
| Other engine power            | ?                                          | ?                | ?                | ?                | =     | so    | so    | so    | npc              | so    |
| Hull material                 | nihil                                      | nihil            | nihil            | nihil            | so    | so    | so    | so    | npc              | so    |
| Date of entry into service    | nihil                                      | nihil            | nihil            | nihil            | so    | so    | so    | so    | npc              | so    |
| Year of construction          | nihil                                      | nihil            | nihil            | nihil            | so    | so    | so    | so    | npc              | so    |
| Importing/exporting country   | so                                         | so               | so               | nihil            | so    | nihil | so    | so    | npc              | so    |
| Assisted withdrawal scheme    | so                                         | so               | so               | so               | so    | nihil | nihil | nihil | npc              | so    |

?: unknown

—: does not exist

=: unchanged

npc: do not correct

so: not applicable (leave blank)

nihil: no default value

(<sup>1</sup>) date of the census in the declaring country.(<sup>2</sup>) code of the declaring country.

**COMMISSION REGULATION (EC) No 2091/98**  
**of 30 September 1998**  
**concerning the segmentation of the Community fishing fleet and fishing effort**  
**in relation to the multiannual guidance programmes**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EEC) No 3760/92 of 20 December 1992, establishing a Community system of fisheries and aquaculture <sup>(1)</sup>, as amended by Regulation (EC) No 1181/98 <sup>(2)</sup>, and in particular Article 13 thereof,

Whereas in accordance with Article 5 of Council Regulation (EC) No 3699/93 of 21 December 1993 laying down the criteria and arrangements regarding Community structural assistance in the fisheries and aquaculture sector and the processing and marketing of its products <sup>(3)</sup>, as last amended by Council Regulation (EC) No 25/97 <sup>(4)</sup>, multiannual guidance programmes for the period 1997/2001 were adopted by Commission Decisions 98/119/EC to 98/131/EC <sup>(5)</sup>; whereas the data necessary in order to follow these programmes must be forwarded to the Commission, including fishing effort data for individual vessels or aggregated by segments of the fleet or by fisheries, depending on the particular cases;

Whereas Commission Regulation (EC) No 2090/98 <sup>(6)</sup>, establishes the basis for the transmission of data to the fishing vessel register of the Community;

Whereas the communication of data on the segmentation of the fishing fleet and on the fishing effort by fishery should refer to the data contained in the fishing vessel register of the Community;

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

HAS ADOPTED THIS REGULATION:

*Article 1*

The segment to which each vessel entering the fishing fleet belongs or any change to segment to which an existing vessel belongs must be communicated to the fishing vessel register of the Community by the Member

State in accordance with the provisions of Regulation (EC) No 2090/98.

The segment codes to be used are those shown in Annex I.

The vessels concerned shall be identified by the internal number recorded in the Community register of fishing vessels, as referred to in Annex I of Regulation (EC) No 2090/98.

*Article 2*

For each segment for which a Member State submits to the Commission a programme of fishing effort limitation, either by fishery in accordance with Article 6 of Council Decision 97/413/EC <sup>(7)</sup>, or by segment in order to make up any backlog from the previous multiannual guidance programme partly by reductions in activity, the following procedures shall be adopted:

- the Member State shall collect the individual data on the fishing effort of the vessels in the segment or fishery,
- the processing of these data by a computer programme shall be effected by the Member State,
- the transmission to the Commission of the individual data or data aggregated by segment or fishery shall be effected annually by 31 March at the latest for the preceding calendar year in accordance with tables A and B in Annex II to this Regulation.

*Article 3*

For the segments using active gear not covered by the programmes referred to in Article 2, Member States shall collect and process the minimum data provided for in Annex II needed to ascertain that the level of activity for these do not increase, or, if they increase, to evaluate the increase. To this end, the following procedures shall be applied:

- the minimum data provided for in Annex II permitting the evolution of fishing activity for the segments concerned to be monitored shall be collected and processed by the Member State. Details of the sampling methods selected for each segment of the fleet, together with the values of the statistical para-

<sup>(1)</sup> OJ L 389, 31. 12. 1992, p. 1.

<sup>(2)</sup> OJ L 164, 9. 6. 1998, p. 1.

<sup>(3)</sup> OJ L 346, 31. 12. 1993, p. 1.

<sup>(4)</sup> OJ L 6, 10. 1. 1997, p. 7.

<sup>(5)</sup> OJ L 39, 12. 2. 1998, p. 1, 9, 15, 21, 27, 34, 41, 47, 53, 59, 65, 73 and 79.

<sup>(6)</sup> See page 27 of this Official Journal.

<sup>(7)</sup> OJ L 175, 3. 7. 1997, p. 27.

meters describing the precision of the estimates of fishing effort, shall be communicated to the Commission at the time of their application. Any other procedure giving results of comparable precision shall be acceptable provided it has been approved by the Commission,

- the results shall be forwarded to the Commission annually by 31 March at the latest for the preceding calendar year in accordance with table B in Annex II to this Regulation,
- if a Member State establishes an increase in activity for a given segment, it shall calculate the effect of this increase on the fishing effort for this segment and shall inform the Commission of the results in accordance with Article 2.

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

Done at Brussels, 30 September 1998.

#### *Article 4*

Member States shall communicate to the Commission the data referred to in this regulation by digital transfer over a telecommunications network in accordance with the detailed rules and codes set out in Annexes I and II. The Commission shall acknowledge receipt of messages as soon as they have been validated in the data base.

#### *Article 5*

Corrections to erroneous information shall be forwarded to the Commission within 30 days of the date on which the error is detected.

#### *Article 6*

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

*For the Commission*

Emma BONINO

*Member of the Commission*

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## ANNEX I

Table 1: Codes of the MAGP IV segments and fisheries to be used for events occurring on or after 1 January 1997

| Country | Area                                   | Stocks                                    | Segment                             | Segment code | Fishery            | Fishery code |
|---------|----------------------------------------|-------------------------------------------|-------------------------------------|--------------|--------------------|--------------|
| BEL     | EU Waters                              | Demersal and Flatfish                     | Beam trawlers                       | 4A1          |                    |              |
| BEL     | EU Waters                              | Demersal and Flatfish                     | Demersal trawlers                   | 4A2          |                    |              |
| BEL     |                                        |                                           | Not covered by the MAGP             | 4AZ          |                    |              |
| DNK     | Coastal waters                         |                                           | Small scale coastal < 12 m          | 4B1          |                    |              |
| DNK     | EU waters                              | Demersal and flatfish                     | Netters                             | 4B2          |                    |              |
| DNK     | EU and international waters            | Demersal, flatfish, crustacea and pelagic | Trawlers and seiners (Danish seine) | 4B3          |                    |              |
| DNK     | EU and international waters            | Pelagic                                   | Purse seiners and pelagic trawlers  | 4B4          |                    |              |
| DNK     |                                        |                                           | Not covered by the MAGP             | 4BZ          |                    |              |
| DEU     | Baltic and North Sea                   | Demersal and herring                      | Small scale coastal < 12 m          | 4C1          |                    |              |
| DEU     | Baltic and North Sea                   | Demersal                                  | Passive gear > 12 m                 | 4C2          |                    |              |
| DEU     | Baltic and North Sea                   | Demersal                                  | Trawlers                            | 4C3          |                    |              |
| DEU     | North Sea                              | Flatfish                                  | Beam trawlers                       | 4C4          | Flatfish North Sea | F1           |
| DEU     | North Sea                              | Flatfish and crustacea                    | Beam trawlers (list I and II)       | 4C5          |                    |              |
| DEU     | EU Waters                              | Pelagic                                   | Trawlers                            | 4C6          | Pelagic EU waters  | F1           |
| DEU     | Third country, NAFO, NEAFC, EU Waters  | Demersal                                  | Trawlers                            | 4C7          |                    |              |
| DEU     |                                        |                                           | Not covered by the MAGP             | 4CZ          |                    |              |
| GRC     | Coastal waters                         |                                           | Small scale coastal < 12 m          | 4D1          |                    |              |
| GRC     | Mediterranean                          | Demersal                                  |                                     | 4D2          |                    |              |
| GRC     | Mediterranean                          | Pelagic                                   | Gri-gri                             | 4D3          |                    |              |
| GRC     | Mediterranean                          | Sponges                                   |                                     | 4D4          |                    |              |
| GRC     | Mediterranean                          | Pelagic and demersal                      | > 12 metres                         | 4D5          |                    |              |
| GRC     | International waters                   | Demersal                                  |                                     | 4D6          |                    |              |
| GRC     |                                        |                                           | Not covered by the MAGP             | 4DZ          |                    |              |
| ESP     | EU waters                              | Demersal and pelagic                      | Artisanal < 12 m                    | 4E1          |                    |              |
| ESP     | EU waters                              | Demersal                                  | Trawlers                            | 4E2          |                    |              |
| ESP     | EU waters                              | Demersal, pelagic and tuna-like fish      | Fixed gear                          | 4E3          |                    |              |
| ESP     | EU waters                              | Pelagic                                   | Purse seiners                       | 4E4          |                    |              |
| ESP     | International and third country waters | Demersal and pelagic                      | Trawl and mobile gear               | 4E5          |                    |              |
| ESP     | International and third country waters |                                           | Fixed gear                          | 4E6          |                    |              |

| Country | Area                                   | Stocks                               | Segment                        | Segment code | Fishery                                            | Fishery code |
|---------|----------------------------------------|--------------------------------------|--------------------------------|--------------|----------------------------------------------------|--------------|
| ESP     | International and third country waters | Demersal, pelagic and tuna-like fish | Tuna fleet                     | 4E7          |                                                    |              |
| ESP     |                                        |                                      | Not covered by the MAGP        | 4EZ          |                                                    |              |
| FRA     | EU waters                              | Demersal and pelagic                 | Small scale coastal < 12 m     | 4F1          | Atlantic, Channel, North Sea, Demersal and pelagic | F1           |
| FRA     | Atlantic, Channel, North Sea           |                                      | Trawlers 0-30 m                | 4F2          |                                                    |              |
| FRA     | Atlantic, Channel, North Sea           | Demersal and pelagic                 | Trawlers > 30 m                | 4F3          |                                                    |              |
| FRA     | Atlantic, Channel, North Sea           | Demersal and pelagic                 | Non trawlers 12-25 m           | 4F4          |                                                    |              |
| FRA     | Atlantic, Channel, North Sea           | Demersal and pelagic                 | Non trawlers > 25 m            | 4F5          |                                                    |              |
| FRA     | Atlantic, Channel, North Sea           | Pelagic                              | Pelagic trawlers > 50 m        | 4F6          | Community waters                                   | F1           |
|         |                                        |                                      |                                |              | International waters                               | F2           |
| FRA     | Mediterranean                          | Demersal and small pelagic           | Small scale specialised        | 4F7          | Mediterranean, demersal and small pelagic          | F1           |
| FRA     | Mediterranean                          | Demersal and small pelagic           | Trawlers                       | 4F8          |                                                    |              |
| FRA     | Mediterranean                          | Pelagic                              | Seiners                        | 4F9          | Tuna                                               | F1           |
|         |                                        |                                      |                                |              | Small pelagics                                     | F2           |
| FRA     | International waters                   | Pelagic                              | Dakar pole & line vessels      | 4FA          |                                                    |              |
| FRA     | International waters                   | Large pelagic (Tuna)                 | Seiners                        | 4FB          |                                                    |              |
| FRA     | Réunion                                | Demersal and pelagic                 | < 12 metres                    | 4FC          |                                                    |              |
| FRA     | Réunion                                | Pelagic                              | Tuna vessels                   | 4FD          |                                                    |              |
| FRA     | Réunion                                | Pelagic                              | Others > 12 metres             | 4FE          |                                                    |              |
| FRA     | Guyane                                 | Demersal and pelagic                 | < 12 metres                    | 4FF          |                                                    |              |
| FRA     | Guyane                                 | Crustacea                            | Shrimp vessels                 | 4FG          |                                                    |              |
| FRA     | Guyane                                 | Pelagic                              | Offshore vessels               | 4FH          |                                                    |              |
| FRA     | Martinique                             | Demersal and pelagic                 | < 12 metres                    | 4FJ          |                                                    |              |
| FRA     | Martinique                             | Pelagic                              | > 12 metres                    | 4FK          |                                                    |              |
| FRA     | Guadeloupe                             | Demersal and pelagic                 | < 12 metres                    | 4FL          |                                                    |              |
| FRA     | Guadeloupe                             | Pelagic                              | > 12 metres                    | 4FM          |                                                    |              |
| FRA     |                                        |                                      | Not covered by the MAGP        | 4FZ          |                                                    |              |
| IRL     | EU waters                              | Demersal and pelagic                 | Polyvalent                     | 4G1          |                                                    |              |
| IRL     | EU waters                              | Pelagic                              | Pelagic trawl and purse seines | 4G2          |                                                    |              |
| IRL     | EU waters                              | Flatfish and demersal                | Beam trawl                     | 4G3          |                                                    |              |
| IRL     |                                        |                                      | Not covered by the MAGP        | 4GZ          |                                                    |              |
| ITA     | Coastal                                | Demersal and pelagic                 | Small scale coastal < 12 m     | 4H1          |                                                    |              |
| ITA     | Coastal                                | Demersal and pelagic                 | Bottom trawlers                | 4H2          |                                                    |              |
| ITA     | Coastal                                | Demersal and pelagic                 | Pelagic pair trawlers          | 4H3          |                                                    |              |

| Country | Area                                       | Stocks                         | Segment                                                  | Segment code | Fishery                                                          | Fishery code |
|---------|--------------------------------------------|--------------------------------|----------------------------------------------------------|--------------|------------------------------------------------------------------|--------------|
| ITA     | Coastal                                    | Demersal and pelagic           | Small purse seiners                                      | 4H4          |                                                                  |              |
| ITA     | Coastal                                    | Demersal                       | Hydraulic dredgers                                       | 4H5          |                                                                  |              |
| ITA     | Coastal                                    | Demersal and pelagic           | Polyvalents                                              | 4H6          |                                                                  |              |
| ITA     | Mediterranean                              | Demersal                       | Bottom trawlers                                          | 4H7          |                                                                  |              |
| ITA     | Mediterranean                              | Demersal                       | Polyvalents non trawlers                                 | 4H8          |                                                                  |              |
| ITA     | Mediterranean                              | Pelagic                        | Tuna purse seiners                                       | 4H9          |                                                                  |              |
| ITA     | Mediterranean                              | Demersal and pelagic           | Swordfish fleet                                          | 4HA          |                                                                  |              |
| ITA     | Oceans                                     | Demersal and pelagic           | Trawlers and purse seiners                               | 4HB          |                                                                  |              |
| ITA     |                                            |                                | Not covered by the MAGP                                  | 4HZ          |                                                                  |              |
| NLD     | Coastal waters                             |                                | Small scale coastal < 12 m                               | 4J1          |                                                                  |              |
| NLD     | EU, third country and international waters | Pelagic and demersal           | Pelagic trawlers                                         | 4J2          | EU, third country and international waters, pelagic and demersal | F1           |
| NLD     | EU waters                                  | Flatfish, pelagic and demersal | Cutters > 221 kW                                         | 4J3          | Flatfish, pelagic and demersal, EU waters                        | F1           |
| NLD     | EU waters                                  | Flatfish, pelagic and demersal | Eurocutters < 221 kW                                     | 4J4          | Flatfish, pelagic and demersal, EU waters                        | F1           |
| NLD     | EU waters                                  |                                | Small vessels                                            | 4J5          |                                                                  |              |
| NLD     |                                            |                                | Not covered by the MAGP                                  | 4JZ          |                                                                  |              |
| PRT     | ICES IXa                                   | Demersal                       | Small scale coastal < 12 m                               | 4K1          |                                                                  |              |
| PRT     | ICES IXa, IXb, X and CECAF                 | Demersal                       | Fixed gear > = 12 m                                      | 4K2          |                                                                  |              |
| PRT     | ICES VIIIc, IXa and IXb                    | Demersal and horse mackerel    | Trawl                                                    | 4K3          |                                                                  |              |
| PRT     | ICES IXa                                   | Small pelagics                 | Seine                                                    | 4K4          |                                                                  |              |
| PRT     | International waters                       | Demersal and pelagic           | Polyvalent trawl and longline small scale coastal < 12 m | 4K5          |                                                                  |              |
| PRT     | CECAF                                      | Demersal                       |                                                          | 4K6          |                                                                  |              |
| PRT     | CECAF and international waters             | Demersal and pelagic           | Fixed gear > = 12 m                                      | 4K7          |                                                                  |              |
| PRT     | CECAF and international waters             | Pelagic                        | Seine                                                    | 4K8          |                                                                  |              |
| PRT     | ICES X                                     | Demersal                       | Small scale coastal < 12 m                               | 4K9          |                                                                  |              |
| PRT     | ICES X and international waters            | Demersal and pelagic           | Fixed gear > = 12 m                                      | 4KA          |                                                                  |              |
| PRT     |                                            |                                | Not covered by the MAGP                                  | 4KZ          |                                                                  |              |

| Country | Area                                                     | Stocks                   | Segment                          | Segment code | Fishery                                                                | Fishery code |
|---------|----------------------------------------------------------|--------------------------|----------------------------------|--------------|------------------------------------------------------------------------|--------------|
| FIN     | Baltic, ICES IIIbcd                                      | Pelagic, salmon          | Small scale coastal < 12 m       | 4L1          |                                                                        |              |
| FIN     | Baltic, ICES IIIbcd                                      | Pelagic                  | Trawlers                         | 4L2          |                                                                        |              |
| FIN     | Baltic, ICES IIIbcd                                      | Demersal                 | Trawlers                         | 4L3          |                                                                        |              |
| FIN     | Baltic, ICES IIIbcd                                      | Salmon, demersal         | Passive gear                     | 4L4          |                                                                        |              |
| FIN     |                                                          |                          | Not covered by the MAGP          | 4LZ          |                                                                        |              |
| SWE     | Baltic, Kattegat and Skagerrak                           |                          | Small scale coastal < 12 m       | 4M1          |                                                                        |              |
| SWE     | Kattegat, Skagerrak and North Sea                        | Shrimp and demersal      | Trawlers                         | 4M2          |                                                                        |              |
| SWE     | Baltic, Kattegat, Skagerrak, North Sea and Norwegian Sea | Pelagic                  | Trawlers, purse seiners          | 4M3          |                                                                        |              |
| SWE     | Baltic, Kattegat, Skagerrak and North Sea                | Cod and Nephrops         | Bottom trawlers                  | 4M4          | Baltic, Kattegat, Skagerrak and North Sea, Cod and Nephrops            | F1           |
| SWE     | Baltic                                                   | Cod                      | Passive gear vessels > 12 m      | 4M5          |                                                                        |              |
| SWE     | Baltic                                                   | Salmon                   | Passive gear vessels > 12 m      | 4M6          |                                                                        |              |
| SWE     |                                                          |                          | Not covered by the MAGP          | 4MZ          |                                                                        |              |
| GBR     |                                                          |                          | Small scale coastal < 10 m       | 4N1          |                                                                        |              |
| GBR     | EU waters                                                | Pelagic                  | Pelagic trawl and purse seines   | 4N2          | North Sea, herring IV, VIId, Western pelagic Vb, VI, VII ex VIId, VIII | F1<br>F2     |
|         |                                                          |                          |                                  |              | External waters (Atlanto-Scandian herring)                             | F3           |
|         |                                                          |                          |                                  |              | Blue whiting IV, VI, VII, VIII                                         | F4           |
| GBR     | EU waters                                                | Flatfish                 | Beam trawl                       | 4N3          | Flatfish IV                                                            | F1           |
|         |                                                          |                          |                                  |              | Flatfish VII, VI                                                       | F2           |
| GBR     | EU waters                                                | Demersal                 | Demersal trawl, seines, Nephrops | 4N4          | Demersal IV, Vb, VI, VII, VIII                                         | F1           |
| GBR     | EU waters                                                | Demersal and pelagic     | Lines and nets                   | 4N5          |                                                                        |              |
| GBR     | EU waters                                                | Shellfish (and demersal) | Shellfish fixed                  | 4N6          |                                                                        |              |
| GBR     | EU waters                                                | Shellfish (and demersal) | Shellfish mobile                 | 4N7          |                                                                        |              |
| GBR     | EU waters and international waters                       | Demersal                 | Distant water                    | 4N8          | EU waters                                                              | F1           |
|         |                                                          |                          |                                  |              | External waters                                                        | F2           |
| GBR     |                                                          |                          | Not covered by the MGAP          | 4NZ          |                                                                        |              |

**Table 2: Codes of the MAGP III segments to be used for events occurring between 1 January 1992 and 1 January 1997**

| Country | Zone                                         | Type of fishing ('segment') | ICES area                   | Code |
|---------|----------------------------------------------|-----------------------------|-----------------------------|------|
| BEL     | Coastal and Community waters                 | Netters and beam trawlers   | IIIa, IV, VII, VIIIa, VIIIb | E10  |
| BEL     | Community/third country/international waters | Bottom trawlers             | IV, V, VI, VII              | G14  |

| Country | Zone                                         | Type of fishing ('segment')                                     | ICES area                                    | Code |
|---------|----------------------------------------------|-----------------------------------------------------------------|----------------------------------------------|------|
| DNK     | Coastal/Community/international waters       | Vessels under 5 grt                                             | —                                            | B08  |
| DNK     | Coastal/Community/international waters       | Pelagic fishing                                                 | —                                            | B09  |
| DNK     | Coastal/Community/international waters       | Greenland trawlers                                              | Greenland                                    | B10  |
| DNK     | Coastal/Community/international waters       | Trawlers and Danish seiners                                     | ICES + Agreements with Norway, Sweden, Faroe | B12  |
| DNK     | Coastal/Community/international waters       | Netters etc.                                                    | ICES + Agreements with Norway, Sweden, Faroe | B13  |
| DNK     | Coastal/Community/international waters       | Seiners                                                         | ICES + Agreements with Norway, Sweden, Faroe | B17  |
| DEU     | Coastal waters                               | Mussel fishery                                                  | —                                            | C10  |
| DEU     | Coastal waters                               | Beam trawlers (crustaceans)                                     | —                                            | C11  |
| DEU     | Coastal waters                               | Beam trawlers (flatfish)                                        | —                                            | C12  |
| DEU     | Coastal waters                               | Netters                                                         | —                                            | C19  |
| DEU     | Community/third country/international waters | Beam trawlers (flatfish)                                        | —                                            | G13  |
| DEU     | Community/third country/international waters | Bottom trawlers (cutters)                                       | —                                            | G17  |
| DEU     | Community/third country/international waters | Pelagic trawlers                                                | —                                            | G19  |
| DEU     | Community/third country/international waters | Pelagic cutter trawlers                                         | EC and third countries                       | G20  |
| DEU     | Community/third country/international waters | Longlining cutters                                              | —                                            | G21  |
| DEU     | Community/third country/international waters | Large freezer trawlers                                          | EC + NAFO + third countries                  | G22  |
| GRC     | Coastal waters + Mediterranean open sea      | Bottom trawlers                                                 | —                                            | E14  |
| GRC     | Coastal waters + Mediterranean open sea      | Fixed gear and seiners and sponge fishery                       | —                                            | E20  |
| GRC     | Third country/international waters           | Trawlers (oceanic)                                              | —                                            | G18  |
| ESP     | Coastal/Community/Mediterranean waters       | Trawlers + multipurpose vessels + dredgers (except Article 158) | VIIIc, IXa, Med                              | D10  |
| ESP     | Coastal/Community/Mediterranean waters       | Pelagic seiners + netters etc. + Canaries (+ Article 160)       | VIIIc, IXa, Med                              | D11  |
| ESP     | Third country/international waters           | Trawlers + multipurpose vessels                                 | —                                            | G12  |
| ESP     | Third country/international waters           | Pelagic seiners + netters, etc.                                 | —                                            | G26  |
| ESP     | Third country/international waters           | Tuna vessels                                                    | —                                            | G28  |
| FRA     | Coastal/Community/third country waters       | Multipurpose vessels, passive gear and pelagic + rod-and-line   | —                                            | A10  |
| FRA     | Coastal/Community/third country waters       | Multipurpose trawlers                                           | —                                            | A11  |
| FRA     | Coastal/Community/third country waters       | Multipurpose vessels, non-trawlers + dredgers                   | —                                            | A12  |
| FRA     | Tropical tuna freezer fleet                  | Seiners                                                         | —                                            | H10  |
| FRA     | Overseas departments                         | Overseas departments                                            | —                                            | I10  |
| FRA     | Overseas departments                         | Tuna vessels                                                    | —                                            | I11  |
| FRA     | Mediterranean                                | Multipurpose trawlers                                           | —                                            | M11  |
| FRA     | Mediterranean                                | Multipurpose vessels, non-trawlers except pelagic               | —                                            | M13  |

| Country | Zone                                   | Type of fishing ('segment')                            | ICES area | Code |
|---------|----------------------------------------|--------------------------------------------------------|-----------|------|
| IRL     | Coastal waters                         | Shellfish fishery                                      | —         | C24  |
| IRL     | Coastal and Community waters           | Beam trawlers                                          | VI, VII   | E11  |
| IRL     | Coastal and Community waters           | Pelagic trawlers                                       | VI, VII   | E15  |
| IRL     | Coastal and Community waters           | Multipurpose vessels                                   | VI, VII   | E19  |
| ITA     | Coastal waters                         | Pelagic pair trawlers                                  | —         | C13  |
| ITA     | Coastal waters                         | Bottom and midwater trawlers                           | —         | C14  |
| ITA     | Coastal waters                         | Manual dredgers                                        | —         | C15  |
| ITA     | Coastal waters                         | Suction dredgers                                       | —         | C16  |
| ITA     | Coastal waters                         | Netters                                                | —         | C18  |
| ITA     | Coastal waters                         | Longliners and liners                                  | —         | C20  |
| ITA     | Coastal waters                         | Multipurpose trawlers                                  | —         | C21  |
| ITA     | Coastal waters                         | Multipurpose vessels, non-trawlers                     | —         | C22  |
| ITA     | Coastal waters                         | Seiners                                                | —         | C23  |
| ITA     | Third country/international waters     | Bottom trawlers                                        | —         | G15  |
| ITA     | Third country/international waters     | Multipurpose vessels, non-trawlers                     | —         | G29  |
| ITA     | Mediterranean                          | Bottom trawlers                                        | —         | M10  |
| ITA     | Mediterranean                          | Multipurpose vessels, non-trawlers                     | —         | M12  |
| NLD     | Coastal waters                         | Non trawlers including mollusc fishery                 | —         | C17  |
| NLD     | Community waters                       | Beam trawlers (crustaceans and molluscs)               | —         | E12  |
| NLD     | Community waters                       | Pelagic trawlers                                       | —         | E16  |
| NLD     | Community waters                       | Beam cutter trawlers (except crustaceans and molluscs) | —         | E17  |
| PRT     | Coastal and Community waters           | Trawlers (mainland)                                    | —         | B11  |
| PRT     | Coastal and Community waters           | Multipurpose vessels [Azores]                          | —         | B14  |
| PRT     | Coastal and Community waters           | Multipurpose vessels, non-trawlers (mainland)          | —         | B15  |
| PRT     | Coastal and Community waters           | Multipurpose vessels, non-trawlers (Madeira)           | —         | B16  |
| PRT     | Coastal and Community waters           | Seiners (Madeira)                                      | —         | B18  |
| PRT     | Coastal and Community waters           | Sardine seiners (mainland)                             | —         | B19  |
| PRT     | Third country/international waters     | Multipurpose vessels (Azores)                          | —         | G23  |
| PRT     | Third country/international waters     | Multipurpose vessels + tuna vessels (Madeira)          | —         | G25  |
| PRT     | Third country/international waters     | Multipurpose + trawlers + tuna seiners (mainland)      | —         | G27  |
| FIN     | Coastal/Community/third country waters | Trawlers (Baltic herring) (mainland)                   | —         | F21  |
| FIN     | Coastal/Community/third country waters | Netters + longliners (salmon) (mainland)               | —         | F22  |
| FIN     | Coastal/Community/third country waters | Other vessels (mainland)                               | —         | F23  |
| FIN     | Gulf of Finland                        | Specialised vessels (salmon) (mainland)                | —         | F24  |

| Country | Zone                                                 | Type of fishing ('segment')                    | ICES area | Code |
|---------|------------------------------------------------------|------------------------------------------------|-----------|------|
| FIN     | Coastal/Community/third country waters               | Trawlers (Baltic herring) (Aaland islands)     | —         | F25  |
| FIN     | Coastal/Community/third country waters               | Netters + longliners (salmon) (Aaland islands) | —         | F26  |
| FIN     | Coastal/Community/third country waters               | Other vessels (Aaland islands)                 | —         | F27  |
| SWE     | Coastal/Community/third country waters               | Trawlers (crustaceans)                         | —         | F28  |
| SWE     | Coastal/Community/third country waters               | Pelagic trawlers + seiners > 30 m              | —         | F29  |
| SWE     | Coastal/Community/third country waters               | Multipurpose vessels                           | —         | F30  |
| SWE     | Coastal/Community/third country waters               | Netters + Baltic longliners (cod and salmon)   | —         | F31  |
| SWE     | Coastal/Community/third country waters               | Other vessels                                  | —         | F32  |
| GBR     | Coastal/Community/third country/international waters | Beam trawlers                                  | —         | F10  |
| GBR     | Coastal/Community/third country/international waters | Bottom trawlers and seiners                    | —         | F11  |
| GBR     | Coastal/Community/third country/international waters | Pelagic trawlers                               | —         | F12  |
| GBR     | Coastal/Community/third country/international waters | Fixed gear for crustaceans and molluscs        | —         | F13  |
| GBR     | Coastal/Community/third country/international waters | Mobile gear for crustaceans and molluscs       | —         | F14  |
| GBR     | Coastal/Community/third country/international waters | Netters + liners + other demersal              | —         | F15  |
| GBR     | Coastal/Community/third country/international waters | Nephrops vessels                               | —         | F16  |
| GBR     | Coastal/Community/third country/international waters | Distant-water vessels                          | II, XIV   | F17  |
| GBR     | Coastal/Community/third country/international waters | Other > 10 m                                   | —         | F18  |
| GBR     | Coastal/Community/third country/international waters | Multipurpose vessels, non trawlers < 10 m      | —         | F19  |

## ANNEX II

## FISHING EFFORT

## DEFINITION OF DATA TO BE COMMUNICATED AND DESCRIPTION OF A RECORD

## A. Individual declarations by segment or fishery

| Name of the zone    | Width | Alignment | Definition and remarks                                                                                    |
|---------------------|-------|-----------|-----------------------------------------------------------------------------------------------------------|
| Updating indicator  | 3     | —         | Code identifying type of declaration (see Table 1)                                                        |
| Declaring entity    | 3     | —         | Member State (Alpha-3 ISO code) making the declaration                                                    |
| Segment code        | 3     | —         | Code of segment (see Annex I) in which activity has taken place                                           |
| Fishery code        | 2     | —         | Code of fishery (see Annex I) in which activity has taken place                                           |
| Year of observation | 4     | —         | Year or part of year (YYYY) during which the vessel is observed                                           |
| First month         | 2     | —         | First month (MM) of observation period                                                                    |
| Last month          | 2     | —         | Last month (MM) of observation period                                                                     |
| Activity            | 3     | R         | Number of days at sea (as a whole number) spent by vessel in the segment during the period of observation |
| Vessel observed     | 12    | L         | Internal number (see Annex I of Regulation (EC) No 2090/98) of vessel whose activity is being declared    |
| Name of vessel      | 40    | L         | Vessel whose activity is being declared                                                                   |

## B. Aggregated declarations by segment or fishery

| Name of the zone    | Width | Alignment | Definition and remarks                                                                                                                                                                    |
|---------------------|-------|-----------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Updating indicator  | 3     | —         | Code identifying type of declaration (see Table 1)                                                                                                                                        |
| Declaring entity    | 3     | —         | Member State (Alpha-3 ISO code) making the declaration                                                                                                                                    |
| Segment code        | 3     | —         | Code of segment (see Annex I) in which activity has taken place                                                                                                                           |
| Fishery code        | 2     | —         | Code of fishery (see Annex I) in which activity has taken place                                                                                                                           |
| Year of observation | 4     | —         | Year or part of year (YYYY) during which the vessel is observed                                                                                                                           |
| First month         | 2     | —         | First month (MM) of observation period                                                                                                                                                    |
| Last month          | 2     | —         | Last month (MM) of observation period                                                                                                                                                     |
| Effort/power        | 14    | R         | Number of kW (as a whole number) multiplied by the number of days at sea (as a whole number) to express fishing effort in the segment during the period of observation <sup>(1)</sup>     |
| Effort/tonnage      | 14    | R         | Number of tonnes (as a whole number) multiplied by the number of days at sea (as a whole number) to express fishing effort in the segment during the period of observation <sup>(2)</sup> |

<sup>(1)</sup> Calculated as  $\sum_{i=1}^n a_i P_i$  where n is the number of vessels in the segment,  $a_i$  the number of days spent at sea by the vessel in the segment during the period of observation and  $P_i$  is the average power of the vessel in the segment during the period of observation.

<sup>(2)</sup> Calculated as  $\sum_{i=1}^n a_i J_i$  where n is the number of vessels in the segment,  $a_i$  the number of days spent at sea by the vessel in the segment during the observation period and  $J_i$  is the average tonnage of the vessel in the segment during the period of observation.

**Table 1 — Codes for the updating indicator**

|                                               |     |
|-----------------------------------------------|-----|
| Declaration by segment or fishery             | SEG |
| Deletion of declaration by segment or fishery | DSG |

**COMMISSION REGULATION (EC) No 2092/98**  
**of 30 September 1998**  
**concerning the declaration of fishing effort relating to certain Community**  
**fishing areas and resources**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

HAS ADOPTED THIS REGULATION:

Having regard to the Treaty establishing the European Community,

*Article 1*

Having regard to Council Regulation (EEC) No 3760/92 of 20 December 1992, establishing a Community system of fisheries and aquaculture <sup>(1)</sup>, as amended by Regulation (EC) No 1181/98 <sup>(2)</sup>, and in particular Article 13 thereof,

Whereas Council Regulation (EEC) No 2847/93 of 12 October 1993 establishing a control system applicable to the common fisheries policy <sup>(3)</sup>, as last amended by Regulation (EC) No 2635/97 <sup>(4)</sup>, and in particular Article 19(f)(3) thereof, which provides that the Commission shall ensure that the Member States responsible for control have available the data concerning the identification of vessels having access to their waters;

Whereas the implementation of arrangements for the management of fishing effort in accordance with Council Regulation (EC) No 685/95 of 27 March 1995 on the management of the fishing effort relating to certain Community fishing areas and resources <sup>(5)</sup>, and of Council Regulation (EC) No 779/97 of 24 April 1997 introducing arrangements for the management of fishing effort in the Baltic Sea <sup>(6)</sup>, highlights the need to adopt provisions to ensure that the data relating to lists of named fishing vessels are communicated without delay;

Whereas Commission Regulation (EC) No 2090/98 <sup>(7)</sup> establishes the basis for the transmission of data to the fishing vessel register of the Community;

Whereas the communication of data on the fishing effort by fishery should refer to the data contained in the fishing vessel register of the Community;

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

Member States shall transmit to the Commission the data referred to in Article 19(f)(1) of Regulation (EEC) No 2847/93 as well as the list of vessels authorised to fish in the fisheries listed in Annex I to Regulation (EC) No 685/95 and those listed in the Annex to Regulation (EC) No 779/97 in accordance with the procedures laid down in Annex III hereto. Amendments to the lists of vessels shall be reported to the Commission in accordance with the same procedures at the latest four working days before the entry of vessels into the fishing area. The Commission shall acknowledge receipt of amendments to lists by digital transfer over a telecommunications network not later than two days before the entry of vessels into the fishing area.

*Article 2*

Member States shall transmit to the Commission the aggregated data on fishing effort referred to in Article 19I of Regulation (EEC) No 2847/93 in accordance with Annex I to this Regulation:

- for each area referred to in Article 19(a)(1) of Regulation (EEC) No 2847/93, before the 15th of each month for the previous month in the case of demersal species,
- for each area referred to in Article 19(a)(1)(a) of Regulation (EEC) No 2847/93, in the case of demersal species, salmon, sea trout and freshwater fish, before 15 April, 15 July, 15 October and 15 January for the previous quarter, and before 15 February of each calendar year for each month of the previous year,
- for each area referred to in Article 19(a) of Regulation (EEC) No 2847/93 for the previous quarter before the end of the first month of each calendar quarter in the case of pelagic species.

*Article 3*

Corrections to erroneous information contained in the register shall be forwarded to the Commission within 30 days of the date on which the error is detected.

<sup>(1)</sup> OJ L 389, 31. 12. 1992, p. 1.

<sup>(2)</sup> OJ L 164, 9. 6. 1998, p. 1.

<sup>(3)</sup> OJ L 261, 20. 10. 1993, p. 1.

<sup>(4)</sup> OJ L 356, 31. 12. 1997, p. 14.

<sup>(5)</sup> OJ L 71, 31. 3. 1995, p. 5.

<sup>(6)</sup> OJ L 113, 30. 4. 1997, p. 1.

<sup>(7)</sup> See page 27 of this Official Journal.

*Article 4*

Member States shall have access without delay to data concerning the identification of vessels engaged in fishing activity in the fisheries listed in Annex I to Regulation (EC) No 685/95 and those listed in the Annex to Regulation (EC) No 779/97 under their jurisdiction or sovereignty in accordance with the procedures laid down in Annex IV hereto.

*Article 5*

Member States shall communicate the information referred to in this Regulation to the Commission by digital transfer over a telecommunications network in accordance with the detailed rules and codes set out in Annexes I to IV. The Commission shall acknowledge

receipt of messages as soon as they have been validated in the data base.

*Article 6*

The vessels concerned by this Regulation shall be identified by the internal number recorded in the Community register of fishing vessels, as referred to in Annex I of Regulation (EC) No 2090/98.

*Article 7*

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, 30 September 1998.

*For the Commission*

Emma BONINO

*Member of the Commission*

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## ANNEX I

## FISHING EFFORT

## DEFINITION OF DATA TO BE COMMUNICATED AND DESCRIPTION OF A RECORD

## Aggregated declarations by fishery

| Name of the zone    | Width | Alignment | Definition and remarks                                                                                                                                                           |
|---------------------|-------|-----------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Updating indicator  | 3     | —         | Code identifying type of declaration (see Table 1)                                                                                                                               |
| Declaring entity    | 3     | —         | Member State (Alpha-3 ISO code) making the declaration                                                                                                                           |
| Fishery             | 5     | L         | Code of fishery (see Annex II) in which activity has taken place                                                                                                                 |
| Year of observation | 4     | —         | Year (YYYY) during which the vessel is observed                                                                                                                                  |
| First month         | 2     | —         | First month (MM) of observation period                                                                                                                                           |
| Last month          | 2     | —         | Last month (MM) of observation period                                                                                                                                            |
| Effort/power        | 14    | R         | Number of kW (as a whole number) multiplied by the number of days present in the area (as a whole number) to express fishing effort during the observation period <sup>(1)</sup> |
| Filler              | 14    | —         |                                                                                                                                                                                  |

<sup>(1)</sup> Calculated as  $\sum_{i=1}^n a_i P_i$  where n is the number of vessels in the area,  $a_i$  is the number of days spent at sea by the vessel in the area during the observation period and  $P_i$  is the average power of the vessel in the area during the period of observation.

Table 1 — Codes for the updating indicator

|                                    |     |
|------------------------------------|-----|
| Declaration by fishery             | FIS |
| Deletion of declaration by fishery | DFI |

## ANNEX II

Table 1 — Codes for fisheries in western waters — Regulation (EC) No 685/95

| Gear        | Target species   | Effort areas                                                              |                                                      |                                        | Code                |
|-------------|------------------|---------------------------------------------------------------------------|------------------------------------------------------|----------------------------------------|---------------------|
| Towed gear  | Demersal species | Vb <sup>(1)</sup> , VI, VII, VIII, IX, X and CECAF 34.1.1, 34.1.2, 34.2.0 |                                                      |                                        | TGD0 <sup>(6)</sup> |
|             |                  | of which                                                                  | Vb <sup>(1)</sup> , VI                               |                                        | TGD1                |
|             |                  |                                                                           | of which                                             | Irish Box <sup>(3)</sup>               | TGD19               |
|             |                  |                                                                           | VII                                                  |                                        | TGD2                |
|             |                  |                                                                           | of which                                             | VIIa                                   | TGD21               |
|             |                  |                                                                           |                                                      | VIIIf <sup>(2)</sup>                   | TGD22               |
|             |                  |                                                                           |                                                      | Irish Box <sup>(3)</sup>               | TGD29               |
|             |                  |                                                                           | VIIIa, VIIIb, VIIIId                                 |                                        | TGD3                |
|             |                  |                                                                           | VIIIc, VIIIe, IX, X and CECAF 34.1.1, 34.1.2, 34.2.0 |                                        | TGD4 <sup>(6)</sup> |
|             |                  |                                                                           | of which                                             | IX, X and CECAF 34.1.1, 34.1.2, 34.2.0 | TGD40               |
|             |                  |                                                                           | except                                               | VIIIc, VIIIe, IX <sup>(3)</sup>        | TGD41               |
|             |                  |                                                                           |                                                      | IX <sup>(4)</sup>                      | TGD42               |
|             |                  |                                                                           |                                                      | X <sup>(4)</sup>                       | TGD43               |
|             |                  |                                                                           |                                                      | CECAF 34.1.1 <sup>(3)</sup>            | TGD44               |
|             |                  |                                                                           |                                                      | CECAF 34.1.2 <sup>(3)</sup>            | TGD45               |
|             |                  |                                                                           |                                                      | CECAF 34.2.0 <sup>(3)</sup>            | TGD46               |
|             |                  |                                                                           |                                                      | CECAF 34.1.1 <sup>(4)</sup>            | TGD47               |
|             |                  |                                                                           |                                                      | CECAF 34.1.2 <sup>(4)</sup>            | TGD48               |
|             |                  |                                                                           |                                                      | CECAF 34.2.0 <sup>(4)</sup>            | TGD49               |
| Static gear | Demersal species | Vb <sup>(1)</sup> , VI, VII, VIII, IX, X and CECAF 34.1.1, 34.1.2, 34.2.0 |                                                      |                                        | SGD0 <sup>(6)</sup> |
|             |                  | of which                                                                  | Vb <sup>(1)</sup> , VI                               |                                        | SGD1                |
|             |                  |                                                                           | of which                                             | Irish Box <sup>(3)</sup>               | SGD19               |
|             |                  |                                                                           | VII                                                  |                                        | SGD2                |
|             |                  |                                                                           | of which                                             | VIIa                                   | SGD21               |
|             |                  |                                                                           |                                                      | VIIIf <sup>(2)</sup>                   | SGD22               |
|             |                  |                                                                           |                                                      | Irish Box <sup>(3)</sup>               | SGD29               |
|             |                  |                                                                           | VIIIa, VIIIb, VIIIId                                 |                                        | SGD3                |
|             |                  |                                                                           | VIIIc, VIIIe, IX, X and CECAF 34.1.1, 34.1.2, 34.2.0 |                                        | SGD4 <sup>(6)</sup> |
|             |                  |                                                                           | of which                                             | IX, X and CECAF 34.1.1, 34.1.2, 34.2.0 | SGD40               |
|             |                  |                                                                           | except                                               | VIIIc, VIIIe, IX <sup>(3)</sup>        | SGD41               |
|             |                  |                                                                           |                                                      | IX <sup>(4)</sup>                      | SGD42               |
|             |                  |                                                                           |                                                      | X <sup>(4)</sup>                       | SGD43               |
|             |                  |                                                                           |                                                      | CECAF 34.1.1 <sup>(3)</sup>            | SGD44               |
|             |                  |                                                                           |                                                      | CECAF 34.1.2 <sup>(3)</sup>            | SGD45               |
|             |                  |                                                                           |                                                      | CECAF 34.2.0 <sup>(3)</sup>            | SGD46               |
|             |                  |                                                                           |                                                      | CECAF 34.1.1 <sup>(4)</sup>            | SGD47               |
|             |                  |                                                                           |                                                      | CECAF 34.1.2 <sup>(4)</sup>            | SGD48               |
|             |                  |                                                                           |                                                      | CECAF 34.2.0 <sup>(4)</sup>            | SGD49               |

| Gear                        | Target species  | Effort areas                                                              |                                                      |                                        | Code                            |                     |       |
|-----------------------------|-----------------|---------------------------------------------------------------------------|------------------------------------------------------|----------------------------------------|---------------------------------|---------------------|-------|
| Towed and static gear       | Benthic species | Vb <sup>(1)</sup> , VI, VII, VIII, IX, X and CECAF 34.1.1, 34.1.2, 34.2.0 |                                                      |                                        | TSB0 <sup>(6)</sup>             |                     |       |
|                             |                 | of which                                                                  | Vb <sup>(1)</sup> , VI                               |                                        | TSB1                            |                     |       |
|                             |                 |                                                                           | of which                                             | Irish Box <sup>(5)</sup>               |                                 | TSB19               |       |
|                             |                 |                                                                           |                                                      | VII                                    |                                 | TSB2                |       |
|                             |                 |                                                                           | of which                                             | VIIa                                   |                                 | TSB21               |       |
|                             |                 |                                                                           |                                                      | VIIIf <sup>(2)</sup>                   |                                 | TSB22               |       |
|                             |                 |                                                                           |                                                      | Irish Box <sup>(5)</sup>               |                                 | TSB29               |       |
|                             |                 |                                                                           | VIIIa, VIIIb, VIIIId                                 |                                        |                                 | TSB3                |       |
|                             |                 |                                                                           | VIIIc, VIIIe, IX, X and CECAF 34.1.1, 34.1.2, 34.2.0 |                                        |                                 | TSB4 <sup>(6)</sup> |       |
|                             |                 |                                                                           | of which                                             | IX, X and CECAF 34.1.1, 34.1.2, 34.2.0 |                                 | TSB40               |       |
|                             |                 |                                                                           |                                                      | except                                 | VIIIc, VIIIe, IX <sup>(3)</sup> |                     | TSB41 |
|                             |                 |                                                                           |                                                      |                                        | IX <sup>(4)</sup>               |                     | TSB42 |
|                             |                 |                                                                           |                                                      |                                        | X <sup>(4)</sup>                |                     | TSB43 |
|                             |                 |                                                                           |                                                      |                                        | CECAF 34.1.1 <sup>(3)</sup>     |                     | TSB44 |
|                             |                 |                                                                           |                                                      |                                        | CECAF 34.1.2 <sup>(3)</sup>     |                     | TSB45 |
|                             |                 |                                                                           |                                                      |                                        | CECAF 34.2.0 <sup>(3)</sup>     |                     | TSB46 |
| CECAF 34.1.1 <sup>(4)</sup> |                 | TSB47                                                                     |                                                      |                                        |                                 |                     |       |
| CECAF 34.1.2 <sup>(4)</sup> |                 | TSB48                                                                     |                                                      |                                        |                                 |                     |       |
| CECAF 34.2.0 <sup>(4)</sup> |                 | TSB49                                                                     |                                                      |                                        |                                 |                     |       |
| Towed gear                  | Scallops        | Vb <sup>(1)</sup> , VI, VII, VIII, IX, X and CECAF 34.1.1, 34.1.2, 34.2.0 |                                                      |                                        | TGJ0 <sup>(6)</sup>             |                     |       |
|                             |                 | of which                                                                  | Vb <sup>(1)</sup> , VI                               |                                        | TGJ1                            |                     |       |
|                             |                 |                                                                           | of which                                             | Irish Box <sup>(5)</sup>               |                                 | TGJ19               |       |
|                             |                 |                                                                           |                                                      | VII                                    |                                 | TGJ2                |       |
|                             |                 |                                                                           | of which                                             | VIIa                                   |                                 | TGJ21               |       |
|                             |                 |                                                                           |                                                      | VIIIf <sup>(2)</sup>                   |                                 | TGJ22               |       |
|                             |                 |                                                                           |                                                      | Irish Box <sup>(5)</sup>               |                                 | TGJ29               |       |
|                             |                 |                                                                           | VIIIa, VIIIb, VIIIId                                 |                                        |                                 | TGJ3                |       |
|                             |                 |                                                                           | VIIIc, VIIIe, IX, X and CECAF 34.1.1, 34.1.2, 34.2.0 |                                        |                                 | TGJ4 <sup>(6)</sup> |       |
|                             |                 |                                                                           | of which                                             | IX, X and CECAF 34.1.1, 34.1.2, 34.2.0 |                                 | TGJ40               |       |
|                             |                 |                                                                           |                                                      | except                                 | VIIIc, VIIIe, IX <sup>(3)</sup> |                     | TGJ41 |
|                             |                 |                                                                           |                                                      |                                        | IX <sup>(4)</sup>               |                     | TGJ42 |
|                             |                 |                                                                           |                                                      |                                        | X <sup>(4)</sup>                |                     | TGJ43 |
|                             |                 |                                                                           |                                                      |                                        | CECAF 34.1.1 <sup>(3)</sup>     |                     | TGJ44 |
|                             |                 |                                                                           |                                                      |                                        | CECAF 34.1.2 <sup>(3)</sup>     |                     | TGJ45 |
|                             |                 |                                                                           |                                                      |                                        | CECAF 34.2.0 <sup>(3)</sup>     |                     | TGJ46 |
| CECAF 34.1.1 <sup>(4)</sup> |                 | TGJ47                                                                     |                                                      |                                        |                                 |                     |       |
| CECAF 34.1.2 <sup>(4)</sup> |                 | TGJ48                                                                     |                                                      |                                        |                                 |                     |       |
| CECAF 34.2.0 <sup>(4)</sup> |                 | TGJ49                                                                     |                                                      |                                        |                                 |                     |       |

| Gear                                                 | Target species                                                          | Effort areas                                                              |                                                      |                                        | Code                            |                     |       |
|------------------------------------------------------|-------------------------------------------------------------------------|---------------------------------------------------------------------------|------------------------------------------------------|----------------------------------------|---------------------------------|---------------------|-------|
| Static gears                                         | Edible crabs and spider crabs                                           | Vb <sup>(1)</sup> , VI, VII, VIII, IX, X and CECAF 34.1.1, 34.1.2, 34.2.0 |                                                      |                                        | SGC0 <sup>(6)</sup>             |                     |       |
|                                                      |                                                                         | of which                                                                  | Vb <sup>(1)</sup> , VI                               |                                        | SGC1                            |                     |       |
|                                                      |                                                                         |                                                                           | of which                                             | Irish Box <sup>(2)</sup>               | SGC19                           |                     |       |
|                                                      |                                                                         |                                                                           |                                                      | VII                                    |                                 | SGC2                |       |
|                                                      |                                                                         |                                                                           | of which                                             | VIIa                                   | SGC21                           |                     |       |
|                                                      |                                                                         |                                                                           |                                                      | VII f <sup>(2)</sup>                   | SGC22                           |                     |       |
|                                                      |                                                                         |                                                                           |                                                      | Irish Box <sup>(2)</sup>               | SGC29                           |                     |       |
|                                                      |                                                                         |                                                                           | VIIIa, VIIIb, VIII d                                 |                                        |                                 | SGC3                |       |
|                                                      |                                                                         |                                                                           | VIIIc, VIIIe, IX, X and CECAF 34.1.1, 34.1.2, 34.2.0 |                                        |                                 | SGC4 <sup>(6)</sup> |       |
|                                                      |                                                                         |                                                                           | of which                                             | IX, X and CECAF 34.1.1, 34.1.2, 34.2.0 |                                 | SGC40               |       |
|                                                      |                                                                         |                                                                           |                                                      | except                                 | VIIIc, VIIIe, IX <sup>(3)</sup> |                     | SGC41 |
|                                                      |                                                                         |                                                                           |                                                      |                                        | IX <sup>(4)</sup>               |                     | SGC42 |
|                                                      |                                                                         |                                                                           |                                                      |                                        | X <sup>(4)</sup>                |                     | SGC43 |
|                                                      |                                                                         |                                                                           |                                                      |                                        | CECAF 34.1.1 <sup>(3)</sup>     |                     | SGC44 |
| CECAF 34.1.2 <sup>(3)</sup>                          |                                                                         |                                                                           |                                                      |                                        | SGC45                           |                     |       |
| CECAF 34.2.0 <sup>(3)</sup>                          |                                                                         |                                                                           |                                                      |                                        | SGC46                           |                     |       |
| CECAF 34.1.1 <sup>(4)</sup>                          |                                                                         |                                                                           |                                                      |                                        | SGC47                           |                     |       |
| CECAF 34.1.2 <sup>(4)</sup>                          |                                                                         |                                                                           |                                                      |                                        | SGC48                           |                     |       |
| CECAF 34.2.0 <sup>(4)</sup>                          |                                                                         |                                                                           | SGC49                                                |                                        |                                 |                     |       |
| Purse seines, pelagic trawls and small-mesh gillnets | Pelagic species except: bream, shark, tuna and highly migratory species | Vb <sup>(1)</sup> , VI, VII, VIII, IX, X and CECAF 34.1.1, 34.1.2, 34.2.0 |                                                      |                                        | PSP0 <sup>(6)</sup>             |                     |       |
|                                                      |                                                                         | of which                                                                  | Vb <sup>(1)</sup> , VI                               |                                        | PSP1                            |                     |       |
|                                                      |                                                                         |                                                                           | of which                                             | Irish Box <sup>(2)</sup>               | PSP19                           |                     |       |
|                                                      |                                                                         |                                                                           |                                                      | VII                                    |                                 | PSP2                |       |
|                                                      |                                                                         |                                                                           | of which                                             | VIIa                                   | PSP21                           |                     |       |
|                                                      |                                                                         |                                                                           |                                                      | VII f <sup>(2)</sup>                   | PSP22                           |                     |       |
|                                                      |                                                                         |                                                                           |                                                      | Irish Box <sup>(2)</sup>               | PSP29                           |                     |       |
|                                                      |                                                                         |                                                                           | VIIIa, VIIIb, VIII d                                 |                                        |                                 | PSP3                |       |
|                                                      |                                                                         |                                                                           | VIIIc, VIIIe, IX, X and CECAF 34.1.1, 34.1.2, 34.2.0 |                                        |                                 | PSP4 <sup>(6)</sup> |       |
|                                                      |                                                                         |                                                                           | of which                                             | IX, X and CECAF 34.1.1, 34.1.2, 34.2.0 |                                 | PSP40               |       |
|                                                      |                                                                         |                                                                           |                                                      | except                                 | VIIIc, VIIIe, IX <sup>(3)</sup> |                     | PSP41 |
|                                                      |                                                                         |                                                                           |                                                      |                                        | IX <sup>(4)</sup>               |                     | PSP42 |
|                                                      |                                                                         |                                                                           |                                                      |                                        | X <sup>(4)</sup>                |                     | PSP43 |
|                                                      |                                                                         |                                                                           |                                                      |                                        | CECAF 34.1.1 <sup>(3)</sup>     |                     | PSP44 |
| CECAF 34.1.2 <sup>(3)</sup>                          |                                                                         |                                                                           |                                                      |                                        | PSP45                           |                     |       |
| CECAF 34.2.0 <sup>(3)</sup>                          |                                                                         |                                                                           |                                                      |                                        | PSP46                           |                     |       |
| CECAF 34.1.1 <sup>(4)</sup>                          |                                                                         |                                                                           |                                                      |                                        | PSP47                           |                     |       |
| CECAF 34.1.2 <sup>(4)</sup>                          |                                                                         |                                                                           |                                                      |                                        | PSP48                           |                     |       |
| CECAF 34.2.0 <sup>(4)</sup>                          |                                                                         |                                                                           | PSP49                                                |                                        |                                 |                     |       |

| Gear                  | Target species                                  | Effort areas                                                              |                                                      |                                        | Code                |
|-----------------------|-------------------------------------------------|---------------------------------------------------------------------------|------------------------------------------------------|----------------------------------------|---------------------|
| Surface longliners    | Bream, shark, tuna and highly migratory species | Vb <sup>(1)</sup> , VI, VII, VIII, IX, X and CECAF 34.1.1, 34.1.2, 34.2.0 |                                                      |                                        | LLM0 <sup>(6)</sup> |
|                       |                                                 | of which                                                                  | Vb <sup>(1)</sup> , VI                               |                                        | LLM1                |
|                       |                                                 |                                                                           | of which                                             | Irish Box <sup>(5)</sup>               | LLM19               |
|                       |                                                 |                                                                           | VII                                                  |                                        | LLM2                |
|                       |                                                 |                                                                           | of which                                             | VIIa                                   | LLM21               |
|                       |                                                 |                                                                           |                                                      | VIIIf <sup>(2)</sup>                   | LLM22               |
|                       |                                                 |                                                                           |                                                      | Irish Box <sup>(5)</sup>               | LLM29               |
|                       |                                                 |                                                                           | VIIIa, VIIIb, VIIIId                                 |                                        | LLM3                |
|                       |                                                 |                                                                           | VIIIc, VIIIe, IX, X and CECAF 34.1.1, 34.1.2, 34.2.0 |                                        | LLM4 <sup>(6)</sup> |
|                       |                                                 |                                                                           | of which                                             | IX, X and CECAF 34.1.1, 34.1.2, 34.2.0 | LLM40               |
|                       |                                                 |                                                                           | except                                               | VIIIc, VIIIe, IX <sup>(3)</sup>        | LLM41               |
|                       |                                                 |                                                                           |                                                      | IX <sup>(4)</sup>                      | LLM42               |
|                       |                                                 |                                                                           |                                                      | X <sup>(4)</sup>                       | LLM43               |
|                       |                                                 |                                                                           |                                                      | CECAF 34.1.1 <sup>(3)</sup>            | LLM44               |
|                       |                                                 |                                                                           |                                                      | CECAF 34.1.2 <sup>(3)</sup>            | LLM45               |
|                       |                                                 |                                                                           |                                                      | CECAF 34.2.0 <sup>(3)</sup>            | LLM46               |
|                       |                                                 |                                                                           |                                                      | CECAF 34.1.1 <sup>(4)</sup>            | LLM47               |
|                       |                                                 |                                                                           |                                                      | CECAF 34.1.2 <sup>(4)</sup>            | LLM48               |
|                       |                                                 |                                                                           |                                                      | CECAF 34.2.0 <sup>(4)</sup>            | LLM49               |
| Gear for tuna fishing | Tuna                                            | Vb <sup>(1)</sup> , VI, VII, VIII, IX, X and CECAF 34.1.1, 34.1.2, 34.2.0 |                                                      |                                        | MIT0 <sup>(6)</sup> |
|                       |                                                 | of which                                                                  | Vb <sup>(1)</sup> , VI                               |                                        | MIT1                |
|                       |                                                 |                                                                           | of which                                             | Irish Box <sup>(5)</sup>               | MIT19               |
|                       |                                                 |                                                                           | VII                                                  |                                        | MIT2                |
|                       |                                                 |                                                                           | of which                                             | VIIa                                   | MIT21               |
|                       |                                                 |                                                                           |                                                      | VIIIf <sup>(2)</sup>                   | MIT22               |
|                       |                                                 |                                                                           |                                                      | Irish Box <sup>(5)</sup>               | MIT29               |
|                       |                                                 |                                                                           | VIIIa, VIIIb, VIIIId                                 |                                        | MIT3                |
|                       |                                                 |                                                                           | VIIIc, VIIIe, IX, X and CECAF 34.1.1, 34.1.2, 34.2.0 |                                        | MIT4 <sup>(6)</sup> |
|                       |                                                 |                                                                           | of which                                             | IX, X and CECAF 34.1.1, 34.1.2, 34.2.0 | MIT40               |
|                       |                                                 |                                                                           | except                                               | VIIIc, VIIIe, IX <sup>(3)</sup>        | MIT41               |
|                       |                                                 |                                                                           |                                                      | IX <sup>(4)</sup>                      | MIT42               |
|                       |                                                 |                                                                           |                                                      | X <sup>(4)</sup>                       | MIT43               |
|                       |                                                 |                                                                           |                                                      | CECAF 34.1.1 <sup>(3)</sup>            | MIT44               |
|                       |                                                 |                                                                           |                                                      | CECAF 34.1.2 <sup>(3)</sup>            | MIT45               |
|                       |                                                 |                                                                           |                                                      | CECAF 34.2.0 <sup>(3)</sup>            | MIT46               |
|                       |                                                 |                                                                           |                                                      | CECAF 34.1.1 <sup>(4)</sup>            | MIT47               |
|                       |                                                 |                                                                           |                                                      | CECAF 34.1.2 <sup>(4)</sup>            | MIT48               |
|                       |                                                 |                                                                           |                                                      | CECAF 34.2.0 <sup>(4)</sup>            | MIT49               |

<sup>(1)</sup> Except in waters under the sovereignty and/or jurisdiction of the Faeroes or Iceland.

<sup>(2)</sup> North of 50° 30' N.

<sup>(3)</sup> Only in waters under the sovereignty and/or jurisdiction of Spain.

<sup>(4)</sup> Only in waters under the sovereignty and/or jurisdiction of Portugal.

<sup>(5)</sup> Part of the zone included in the zone defined in Article 3(5) of Regulation (EC) No 685/95.

<sup>(6)</sup> These areas are reserved for the compilation of data and may not be used for the declarations of fishing effort.

Table 2 — Codes for fisheries in the Baltic sea — Regulation (EC) No 779/97

| Gear                      | Target species                        | Effort areas       |                        | Code  |
|---------------------------|---------------------------------------|--------------------|------------------------|-------|
| Towed gear                | Demersal species                      | Subdivisions 22-32 |                        | TGD5  |
| Static gear and driftnets | Demersal species                      | Subdivisions 22-32 |                        | DGD5  |
| All gears                 | Pelagic species<br>(herring, sprat)   | Subdivisions 22-32 |                        | AGH5  |
|                           |                                       | of which           | Management units 3 (¹) | AGH51 |
| All gears                 | Salmon, sea trout and freshwater fish | Subdivisions 22-32 |                        | AGS5  |

(¹) Comprising subdivisions 29, 30 and 31 north of latitude 59° 30' N.

## ANNEX III

## LIST OF VESSELS BY FISHERY

## DEFINITION OF THE DATA TO BE COMMUNICATED AND DESCRIPTION OF A RECORD

| Name of the zone   | Width | Alignment | Definition and remarks                                                                                                                                                                                                                 |
|--------------------|-------|-----------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Updating indicator | 3     | —         | Code identifying type of declaration (see Table 1)                                                                                                                                                                                     |
| Declaring entity   | 3     | —         | Member State (Alpha-3 ISO code) making the declaration                                                                                                                                                                                 |
| Fishery            | 5     | L         | Code of fishery (see Annex II) made up of three components:<br>— type of gear (see Table 2) — two characters<br>— type of target species (see Table 3) — one character<br>— code of ICES area (see Table 3, Annex IV) — two characters |
| Internal number    | 12    | L         | Internal number of vessels (see Annex I of Regulation (EG) No 2090/98)                                                                                                                                                                 |
| Name of vessel     | 40    | L         |                                                                                                                                                                                                                                        |
| Date of event      | 8     | —         | Date (YYYYMMDD) when event occurred                                                                                                                                                                                                    |

Table 1 — Codes for updating indicator

|                                       |     |
|---------------------------------------|-----|
| Addition of vessel to list            | ADD |
| Deletion of vessel from list          | SUP |
| Cancellation of incorrect declaration | CAN |

Table 2 — Codes for groups of fishing gear by fishery

| Type of gear                                     | Code | Area (1) |
|--------------------------------------------------|------|----------|
| Towed gear                                       | TG   | W + B    |
| Static gear                                      | SG   | W        |
| Towed and static gear                            | TS   | W        |
| Purse seines, pelagic trawls and small-mesh nets | PS   | W        |
| Surface longlines                                | LL   | W        |
| Miscellaneous gear                               | MI   | W        |
| Static gear and driftnets                        | DG   | B        |
| All gears                                        | AG   | B        |

(1) B for the Baltic sea and W for western waters

**Table 3 — Codes for target species or groups of target species**

| Species                                         | Code | Area (1) |
|-------------------------------------------------|------|----------|
| Demersal species                                | D    | W + B    |
| Pelagic species                                 | P    | W + B    |
| Benthic species                                 | B    | W        |
| Bream, shark, tuna and highly migratory species | M    | W        |
| Scallops                                        | J    | W        |
| Edible crabs and spider crabs                   | C    | W        |
| Tuna                                            | T    | W        |
| Pelagic species (herring and sprat)             | H    | B        |
| Salmon, sea trout and fresh water fish          | S    | B        |

(1) B for the Baltic sea and W for western waters

## ANNEX IV

## RULES ON ACCESS TO DATA FOR COASTAL STATES

Table 1 — Identification features of the vessel observed or the vessels of a given fishery (when querying the register)

| Identification feature        | Width | Definition and remarks                                                                                                                                            |
|-------------------------------|-------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Fishing zone                  | 2     | Number of fishing zone (ICES area) as given by the last two characters of the code identifying the fishery (see Annex II) in which the vessel observed is located |
| External marking              | 14    | In accordance with Regulation (EEC) No 1381/87.                                                                                                                   |
| Name of vessel                | 40    |                                                                                                                                                                   |
| International radio call sign | 7     | i.e. the IRCS.                                                                                                                                                    |
| Flag                          | 3     | Member State (Alpha-3 ISO code) whose flag the vessel is flying (Regulation (EEC) No 3760/92).                                                                    |

Table 2 — Data accessible to coastal states from the features in Table 1 (reply from the register)

| Identification feature                      | Width | Definition and remarks                                                                             |
|---------------------------------------------|-------|----------------------------------------------------------------------------------------------------|
| Fishery                                     | 5     | Code identifying the fishery (see Annex II) in which the vessel observed is located                |
| External marking                            | 14    | In accordance with Regulation (EEC) No 1381/87                                                     |
| Name of vessel                              | 40    |                                                                                                    |
| International radio call sign               | 7     | i.e. the IRCS.                                                                                     |
| Flag                                        | 3     | Member State (Alpha-3 ISO code) whose flag the vessel is flying (Regulation (EEC) No 3760/92).     |
| Internal number                             | 12    | Member State (Alpha-3 ISO code) followed by unique identification number (one to nine characters). |
| Registration number                         | 14    |                                                                                                    |
| Vessel > 15 m between pp and > 18 m overall | 1     | 'Y' = yes; 'N' = no                                                                                |
| Declaring entity                            | 3     | Member State (Alpha-3 ISO code) making the declaration on the vessel in the fishery concerned.     |

**Table 3 — Rules for access to data on fisheries of the states responsible for controls in western waters <sup>(1)</sup> Regulation (EC) No 685/95**

| Effort area                                                     | Area No <sup>(2)</sup> | Country |     |     |     |     |
|-----------------------------------------------------------------|------------------------|---------|-----|-----|-----|-----|
| Vb <sup>(3)</sup> , VI                                          | 1                      | IRL     | GBR | —   | —   | —   |
| Irish box (VI) <sup>(4)</sup>                                   | 19                     | IRL     | GBR | —   | —   | —   |
| VII                                                             | 2                      | IRL     | GBR | FRA | —   | —   |
| VII a                                                           | 21                     | IRL     | GBR | —   | —   | —   |
| VII f <sup>(5)</sup>                                            | 22                     | —       | GBR | —   | —   | —   |
| Irish box (VII) <sup>(4)</sup>                                  | 29                     | IRL     | GBR | —   | —   | —   |
| VIII a, VIII b, VIII d                                          | 3                      | —       | GBR | FRA | —   | —   |
| IX, X and CECAF 34.1.1, 34.1.2, 34.2.0 (excluding other waters) | 40                     | —       | —   | —   | ESP | PRT |
| VIII c, VIII e, IX <sup>(6)</sup>                               | 41                     | —       | —   | —   | ESP | —   |
| IX <sup>(4)</sup>                                               | 42                     | —       | —   | —   | —   | PRT |
| X <sup>(4)</sup>                                                | 43                     | —       | —   | —   | —   | PRT |
| CECAF 34.1.1 <sup>(6)</sup>                                     | 44                     | —       | —   | —   | ESP | —   |
| CECAF 34.1.2 <sup>(6)</sup>                                     | 45                     | —       | —   | —   | ESP | —   |
| CECAF 34.2.0 <sup>(6)</sup>                                     | 46                     | —       | —   | —   | ESP | —   |
| CECAF 34.1.1 <sup>(7)</sup>                                     | 47                     | —       | —   | —   | —   | PRT |
| CECAF 34.1.2 <sup>(7)</sup>                                     | 48                     | —       | —   | —   | —   | PRT |
| CECAF 34.2.0 <sup>(7)</sup>                                     | 49                     | —       | —   | —   | —   | PRT |

<sup>(1)</sup> The declaring state has access to data on its own vessels on all fishery lists.

<sup>(2)</sup> Number of fishing zone as given in the fishery code (see Table 1, Annex II).

<sup>(3)</sup> With the exception of waters under the sovereignty and/or jurisdiction of the Faeroes or Iceland.

<sup>(4)</sup> Part of the area included in the area defined in Article 3, par. 5 of Regulation (EC) No 685/95.

<sup>(5)</sup> North of latitude 50° 30' north

<sup>(6)</sup> Only in waters under the sovereignty and/or jurisdiction of Spain.

<sup>(7)</sup> Only in waters under the sovereignty and/or jurisdiction of Portugal.

**Table 4 — Rules for access to data on fisheries of the states responsible for controls in Baltic sea <sup>(1)</sup> Regulation (EC) No 779/97**

| Effort area         | Area No <sup>(2)</sup> | Country               |
|---------------------|------------------------|-----------------------|
| Subdivisions 22-32  | 5                      | DNK - DEU - FIN - SWE |
| Managements units 3 | 51                     | FIN - SWE             |

<sup>(1)</sup> The declaring state has access to data on its own vessels on all fishery lists.

<sup>(2)</sup> Number of fishing zone as given in the fishery code (see Table 2, Annex II).

**COMMISSION REGULATION (EC) No 2093/98  
of 30 September 1998**

**amending Regulation (EEC) No 1609/88 setting the latest time of entry into  
storage for butter sold pursuant to Regulations (EEC) No 3143/85 and (EEC) No  
570/88**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

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

Whereas pursuant to Article 1 of Commission Regulation (EEC) No 3143/85 of 11 November 1985 on the sale at reduced prices of intervention butter intended for direct consumption in the form of concentrated butter <sup>(3)</sup>, as last amended by Regulation (EC) No 1802/95 <sup>(4)</sup>, the butter put up for sale must have been taken into storage before a date to be determined; whereas the same procedure is followed for the sale of butter under the arrangements laid down in Commission Regulation (EC) No 2571/97 of 15 December 1997 on the sale of butter at reduced prices and the granting of aid for cream, butter and concentrated butter for use in the manufacture of pastry products, icecream and other foodstuffs <sup>(5)</sup>, as last amended by Regulation (EC) No 1982/98 <sup>(6)</sup>;

Whereas Commission Regulation (EEC) No 1609/88 <sup>(7)</sup>, as last amended by Regulation (EC) No 2408/97 <sup>(8)</sup>, sets the latest time of entry into storage for butter sold pursuant to Regulation (EEC) No 3143/85 and Commission Regulation (EEC) No 570/88 <sup>(9)</sup>, as last amended by Regulation (EC) No 531/96 <sup>(10)</sup>; whereas that Regulation has been amended several times to change that time of entry; whereas it has been found that, in the last two amendments made by Commission Regulations (EC) No 2224/97 <sup>(11)</sup> and (EC) No 2408/97, the first paragraph of

Article 1 of Regulation (EEC) No 1609/88 was amended in error instead of the second paragraph; whereas, therefore, the correct form of Article 1 should be re-established;

Whereas Regulation (EEC) No 570/88 was repealed and replaced by Regulation (EC) No 2571/97; whereas the references should be adjusted accordingly;

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

HAS ADOPTED THIS REGULATION:

*Article 1*

Regulation (EEC) No 1609/88 is hereby amended as follows:

1. in the title, '(EEC) No 570/88' is replaced by '(EC) No 2571/97';
2. in Article 1, the first and second paragraphs are replaced by the following:

'The butter referred to in Article 1(1) of Regulation (EEC) No 3143/85 must have been taken into storage before 1 January 1993.

The butter referred to in Article 1(1)(a) of Regulation (EC) No 2571/97 must have been taken into storage before 1 July 1997.'

*Article 2*

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

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

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

<sup>(3)</sup> OJ L 298, 12. 11. 1985, p. 9.

<sup>(4)</sup> OJ L 174, 26. 7. 1995, p. 27.

<sup>(5)</sup> OJ L 350, 20. 12. 1997, p. 3.

<sup>(6)</sup> OJ L 256, 18. 9. 1998, p. 9.

<sup>(7)</sup> OJ L 143, 10. 6. 1988, p. 23.

<sup>(8)</sup> OJ L 332, 4. 12. 1997, p. 39.

<sup>(9)</sup> OJ L 55, 1. 3. 1988, p. 31.

<sup>(10)</sup> OJ L 78, 28. 3. 1996, p. 13.

<sup>(11)</sup> OJ L 305, 24. 11. 1997, p. 24.

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

Done at Brussels, 30 September 1998.

*For the Commission*

Franz FISCHLER

*Member of the Commission*

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**COMMISSION REGULATION (EC) No 2094/98**  
**of 30 September 1998**

**amending Regulation (EC) No 1501/95 laying down certain detailed rules for the application of Council Regulation (EEC) No 1766/92 on the granting of export refunds on cereals and the measures to be taken in the event of disturbance on the market for cereals**

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<sup>(1)</sup>, as last amended by Commission Regulation (EC) No 923/96<sup>(2)</sup>, and in particular Article 13(11) thereof,

Whereas, pursuant to Commission Regulation (EC) No 1501/95<sup>(3)</sup>, as last amended by Regulation (EC) No 2052/97<sup>(4)</sup>, in order to calculate the export refunds on processed products, the processing coefficients applicable must be known; whereas those coefficients are in fact the figures set out in Annex I to that Regulation; whereas, in view of technical progress in the sector, the figures laid down for unroasted and roasted malt need to be adjusted; whereas that Annex should accordingly be updated;

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*

In the last column of Annex I to Regulation (EC) No 1501/95 for malt, not roasted, falling within CN codes 1107 10 19 and 1107 10 99 and malt, roasted, falling within CN code 1107 20 00, '1 300' and '1 520' are replaced by '1 270' and '1 490' respectively.

*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 September 1998.

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

Done at Brussels, 30 September 1998.

*For the Commission*

Franz FISCHLER

*Member of the Commission*

<sup>(1)</sup> OJ L 181, 1. 7. 1992, p. 21.

<sup>(2)</sup> OJ L 126, 24. 5. 1996, p. 37.

<sup>(3)</sup> OJ L 147, 30. 6. 1995, p. 7.

<sup>(4)</sup> OJ L 287, 21. 10. 1997, p. 14.

**COMMISSION REGULATION (EC) No 2095/98**  
**of 30 September 1998**

**fixing the estimated production of olive oil and the amount of the unit production aid that may be paid in advance for the 1997/98 marketing year**

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

Having regard to Council Regulation No 136/66/EEC of 22 September 1966 on the establishment of a common organisation of the market in oils and fats<sup>(1)</sup>, as last amended by Regulation (EC) No 1638/98<sup>(2)</sup>,

Having regard to Council Regulation (EEC) No 2261/84 of 17 July 1984 laying down general rules on the granting of aid for the production of olive oil and of aid to olive oil producer organisations<sup>(3)</sup>, as last amended by Regulation (EC) No 1639/98<sup>(4)</sup>, and in particular Article 17a(2) thereof,

Whereas Article 5 of Regulation No 136/66/EEC provides that the unit production aid must be reduced where the actual production in a given marketing year exceeds the guaranteed maximum quantity fixed for that marketing year; whereas, however, producers whose average production does not amount to 500 kilograms of olive oil per marketing year are not affected by such a reduction;

Whereas Article 17a of Regulation (EEC) No 2261/84 provides that in order to determine the unit amount of the production aid for olive oil that can be paid in advance, the estimated production for the marketing year concerned should be determined; whereas that amount must be fixed at a level avoiding any risk of unwarranted payment to olive growers;

Whereas, in order to establish the estimated production, the Member States must forward to the Commission the data for the olive oil production estimates for each marketing year; whereas the Commission may avail itself of other sources of information;

Whereas the amount of the advance withheld for the establishment of the register of olive cultivation provided for in Council Regulation (EEC) No 2159/92<sup>(5)</sup> and the amount withheld for measures to improve the quality of olive oil provided for in Council Regulation (EC) No 1414/97<sup>(6)</sup> must be taken into account;

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

HAS ADOPTED THIS REGULATION:

*Article 1*

For the 1997/98 marketing year the estimated production shall be 2 290 600 tonnes, and the unit amount of the production aid that may be paid in advance shall be ECU 72,53 per 100 kilograms.

*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, 30 September 1998.

*For the Commission*

Franz FISCHLER

*Member of the Commission*

<sup>(1)</sup> OJ 172, 30. 9. 1966, p. 3025/66.

<sup>(2)</sup> OJ L 210, 28. 7. 1998, p. 32.

<sup>(3)</sup> OJ L 208, 3. 8. 1984, p. 3.

<sup>(4)</sup> OJ L 210, 28. 7. 1998, p. 38.

<sup>(5)</sup> OJ L 217, 31. 7. 1992, p. 8.

<sup>(6)</sup> OJ L 196, 24. 7. 1997, p. 4.

**COMMISSION REGULATION (EC) No 2096/98**  
**of 29 September 1998**  
**establishing unit values for the determination of the customs value of certain**  
**perishable goods**

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

Having regard to Council Regulation (EEC) No 2913/92 of 12 October 1992 establishing the Community Customs Code <sup>(1)</sup>, as last amended by Regulation (EC) No 82/97 <sup>(2)</sup>,

Having regard to Commission Regulation (EEC) No 2454/93 of 2 July 1993 laying down provisions for the implementation of Council Regulation (EEC) No 2913/92 establishing the Community Customs Code <sup>(3)</sup>, as last amended by Regulation (EC) No 1677/98 <sup>(4)</sup>, and in particular Article 173 (1) thereof,

Whereas Articles 173 to 177 of Regulation (EEC) No 2454/93 provide that the Commission shall periodically establish unit values for the products referred to in the classification in Annex 26 to that Regulation;

Whereas the result of applying the rules and criteria laid down in the abovementioned Articles to the elements communicated to the Commission in accordance with Article 173 (2) of Regulation (EEC) No 2454/93 is that unit values set out in the Annex to this Regulation should be established in regard to the products in question,

HAS ADOPTED THIS REGULATION:

*Article 1*

The unit values provided for in Article 173 (1) of Regulation (EEC) No 2454/93 are hereby established as set out in the table in the Annex hereto.

*Article 2*

This Regulation shall enter into force on 2 October 1998.

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

Done at Brussels, 29 September 1998.

*For the Commission*

Martin BANGEMANN

*Member of the Commission*

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<sup>(1)</sup> OJ L 302, 19. 10. 1992, p. 1.

<sup>(2)</sup> OJ L 17, 21. 1. 1997, p. 1.

<sup>(3)</sup> OJ L 253, 11. 10. 1993, p. 1.

<sup>(4)</sup> OJ L 212, 30. 7. 1998, p. 18.

## ANNEX

| Code  | Description                                                                                                                                  | Amount of unit values per 100 kg |                                |                                   |                            |                        |                      |                        |
|-------|----------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------|--------------------------------|-----------------------------------|----------------------------|------------------------|----------------------|------------------------|
|       | Species, varieties, CN code                                                                                                                  | a)<br>b)<br>c)                   | ECU<br>FIM<br>SEK              | ATS<br>FRF<br>BEF/LUF             | DEM<br>IEP<br>GBP          | DKK<br>ITL             | GRD<br>NLG           | ESP<br>PTE             |
| 1.10  | New potatoes<br>0701 90 51<br>0701 90 59                                                                                                     | a)<br>b)<br>c)                   | 31,78<br>189,82<br>294,57      | 438,67<br>209,07<br>1 286,20      | 62,35<br>24,94<br>21,96    | 237,23<br>61 648,43    | 10 820,36<br>70,31   | 5 296,14<br>6 394,01   |
| 1.30  | Onions (other than seed)<br>0703 10 19                                                                                                       | a)<br>b)<br>c)                   | 13,63<br>81,41<br>126,34       | 188,14<br>89,67<br>551,63         | 26,74<br>10,70<br>9,42     | 101,75<br>26 440,16    | 4 640,70<br>30,15    | 2 271,44<br>2 742,30   |
| 1.40  | Garlic<br>0703 20 00                                                                                                                         | a)<br>b)<br>c)                   | 92,96<br>555,24<br>861,64      | 1 283,15<br>611,54<br>3 762,28    | 182,38<br>72,95<br>64,22   | 693,94<br>180 328,46   | 31 650,74<br>205,66  | 15 491,78<br>18 703,18 |
| 1.50  | Leeks<br>ex 0703 90 00                                                                                                                       | a)<br>b)<br>c)                   | 39,59<br>236,47<br>366,96      | 546,47<br>260,44<br>1 602,29      | 77,67<br>31,07<br>27,35    | 295,53<br>76 798,66    | 13 479,48<br>87,59   | 6 597,67<br>7 965,35   |
| 1.60  | Cauliflowers<br>0704 10 10<br>0704 10 05<br>0704 10 80                                                                                       | a)<br>b)<br>c)                   | 75,84<br>452,99<br>702,95      | 1 046,83<br>498,92<br>3 069,40    | 148,79<br>59,52<br>52,40   | 566,14<br>147 118,22   | 25 821,78<br>167,78  | 12 638,74<br>15 258,70 |
| 1.70  | Brussels sprouts<br>0704 20 00                                                                                                               | a)<br>b)<br>c)                   | 59,69<br>356,52<br>553,26      | 823,91<br>392,67<br>2 415,77      | 117,10<br>46,84<br>41,24   | 445,58<br>115 789,65   | 20 323,07<br>132,05  | 9 947,34<br>12 009,39  |
| 1.80  | White cabbages and red cabbages<br>0704 90 10                                                                                                | a)<br>b)<br>c)                   | 142,62<br>851,86<br>1 321,93   | 1 968,61<br>938,23<br>5 772,12    | 279,80<br>111,92<br>98,53  | 1 064,64<br>276 661,41 | 48 558,83<br>315,52  | 23 767,62<br>28 694,57 |
| 1.90  | Sprouting broccoli or calabrese ( <i>Brassica oleracea</i> L. <i>convar. botrytis</i> (L.) Alef var. <i>italica</i> Plenck)<br>ex 0704 90 90 | a)<br>b)<br>c)                   | 105,95<br>632,83<br>982,04     | 1 462,45<br>697,00<br>4 288,01    | 207,86<br>83,15<br>73,20   | 790,90<br>205 527,11   | 36 073,54<br>234,40  | 17 656,57<br>21 316,72 |
| 1.100 | Chinese cabbage<br>ex 0704 90 90                                                                                                             | a)<br>b)<br>c)                   | 57,59<br>343,98<br>533,80      | 794,93<br>378,86<br>2 330,78      | 112,98<br>45,20<br>39,79   | 429,90<br>111 715,96   | 19 608,07<br>127,41  | 9 597,37<br>11 586,88  |
| 1.110 | Cabbage lettuce (head lettuce)<br>0705 11 10<br>0705 11 05<br>0705 11 80                                                                     | a)<br>b)<br>c)                   | 152,67<br>911,89<br>1 415,09   | 2 107,33<br>1 004,34<br>6 178,86  | 299,52<br>119,81<br>105,48 | 1 139,66<br>296 156,90 | 51 980,62<br>337,76  | 25 442,46<br>30 716,59 |
| 1.120 | Endives<br>ex 0705 29 00                                                                                                                     | a)<br>b)<br>c)                   | 21,82<br>130,33<br>202,25      | 301,19<br>143,54<br>883,10        | 42,81<br>17,12<br>15,08    | 162,88<br>42 327,53    | 7 429,21<br>48,27    | 3 636,30<br>4 390,10   |
| 1.130 | Carrots<br>ex 0706 10 00                                                                                                                     | a)<br>b)<br>c)                   | 42,68<br>254,93<br>395,60      | 589,12<br>280,77<br>1 727,34      | 83,73<br>33,49<br>29,49    | 318,60<br>82 792,80    | 14 531,56<br>94,42   | 7 112,62<br>8 587,05   |
| 1.140 | Radishes<br>ex 0706 90 90                                                                                                                    | a)<br>b)<br>c)                   | 173,89<br>1 038,63<br>1 611,77 | 2 400,24<br>1 143,94<br>7 037,68  | 341,15<br>136,46<br>120,14 | 1 298,07<br>337 320,52 | 59 205,55<br>384,70  | 28 978,77<br>34 985,97 |
| 1.160 | Peas ( <i>Pisum sativum</i> )<br>0708 10 90<br>0708 10 20<br>0708 10 95                                                                      | a)<br>b)<br>c)                   | 375,60<br>2 243,44<br>3 481,41 | 5 184,48<br>2 470,90<br>15 201,28 | 736,88<br>294,76<br>259,50 | 2 803,81<br>728 607,66 | 127 883,16<br>830,95 | 62 593,74<br>75 569,22 |

| Code    | Description                                                                                                                    | Amount of unit values per 100 kg |                                |                                   |                            |                        |                      |                        |
|---------|--------------------------------------------------------------------------------------------------------------------------------|----------------------------------|--------------------------------|-----------------------------------|----------------------------|------------------------|----------------------|------------------------|
|         | Species, varieties, CN code                                                                                                    | a)<br>b)<br>c)                   | ECU<br>FIM<br>SEK              | ATS<br>FRF<br>BEF/LUF             | DEM<br>IEP<br>GBP          | DKK<br>ITL             | GRD<br>NLG           | ESP<br>PTE             |
| 1.170   | Beans:                                                                                                                         |                                  |                                |                                   |                            |                        |                      |                        |
| 1.170.1 | Beans ( <i>Vigna</i> spp., <i>Phaseolus</i> spp.)<br>ex 0708 20 90<br>ex 0708 20 20<br>ex 0708 20 95                           | a)<br>b)<br>c)                   | 97,80<br>584,15<br>906,50      | 1 349,95<br>643,38<br>3 958,16    | 191,87<br>76,75<br>67,57   | 730,07<br>189 717,33   | 33 298,65<br>216,37  | 16 298,37<br>19 676,97 |
| 1.170.2 | Beans ( <i>Phaseolus</i> spp., <i>vulgaris</i> var. <i>Compressus</i> Savi)<br>ex 0708 20 90<br>ex 0708 20 20<br>ex 0708 20 95 | a)<br>b)<br>c)                   | 81,22<br>485,12<br>752,82      | 1 121,10<br>534,31<br>3 287,14    | 159,34<br>63,74<br>56,11   | 606,30<br>157 554,62   | 27 653,54<br>179,69  | 13 535,31<br>16 341,14 |
| 1.180   | Broad beans<br>ex 0708 90 00                                                                                                   | a)<br>b)<br>c)                   | 157,74<br>942,17<br>1 462,08   | 2 177,32<br>1 037,70<br>6 384,05  | 309,47<br>123,79<br>108,98 | 1 177,51<br>305 991,94 | 53 706,84<br>348,97  | 26 287,37<br>31 736,66 |
| 1.190   | Globe artichokes<br>0709 10 00                                                                                                 | a)<br>b)<br>c)                   | —<br>—<br>—                    | —<br>—<br>—                       | —<br>—<br>—                | —<br>—<br>—            | —<br>—<br>—          | —<br>—<br>—            |
| 1.200   | Asparagus:                                                                                                                     |                                  |                                |                                   |                            |                        |                      |                        |
| 1.200.1 | — green<br>ex 0709 20 00                                                                                                       | a)<br>b)<br>c)                   | 430,16<br>2 569,32<br>3 987,12 | 5 937,58<br>2 829,82<br>17 409,44 | 843,92<br>337,58<br>297,19 | 3 211,09<br>834 445,88 | 146 459,59<br>951,66 | 71 686,16<br>86 546,47 |
| 1.200.2 | — other<br>ex 0709 20 00                                                                                                       | a)<br>b)<br>c)                   | 208,81<br>1 247,21<br>1 935,44 | 2 882,25<br>1 373,66<br>8 450,96  | 409,66<br>163,87<br>144,26 | 1 558,74<br>405 060,08 | 71 095,00<br>461,96  | 34 798,19<br>42 011,74 |
| 1.210   | Aubergines (eggplants)<br>0709 30 00                                                                                           | a)<br>b)<br>c)                   | 69,48<br>415,00<br>644,00      | 959,05<br>457,08<br>2 811,99      | 136,31<br>54,53<br>48,00   | 518,66<br>134 780,78   | 23 656,34<br>153,71  | 11 578,84<br>13 979,10 |
| 1.220   | Ribbed celery ( <i>Apium graveolens</i> L., var. <i>dulce</i> (Mill.) Pers.)<br>ex 0709 40 00                                  | a)<br>b)<br>c)                   | 38,40<br>229,36<br>355,93      | 530,04<br>252,62<br>1 554,12      | 75,34<br>30,14<br>26,53    | 286,65<br>74 490,24    | 13 074,32<br>84,95   | 6 399,36<br>7 725,93   |
| 1.230   | Chantarelles<br>0709 51 30                                                                                                     | a)<br>b)<br>c)                   | 438,71<br>2 620,39<br>4 066,37 | 6 055,60<br>2 886,07<br>17 755,47 | 860,69<br>344,29<br>303,10 | 3 274,92<br>851 031,59 | 149 370,66<br>970,57 | 73 111,02<br>88 266,70 |
| 1.240   | Sweet peppers<br>0709 60 10                                                                                                    | a)<br>b)<br>c)                   | 79,05<br>472,16<br>732,71      | 1 091,14<br>520,03<br>3 199,31    | 155,09<br>62,04<br>54,61   | 590,10<br>153 345,14   | 26 914,71<br>174,88  | 13 173,68<br>15 904,54 |
| 1.250   | Fennel<br>0709 90 50                                                                                                           | a)<br>b)<br>c)                   | 73,55<br>439,31<br>681,73      | 1 015,23<br>483,85<br>2 976,72    | 144,30<br>57,72<br>50,81   | 549,04<br>142 675,97   | 25 042,08<br>162,72  | 12 257,11<br>14 797,97 |
| 1.270   | Sweet potatoes, whole, fresh (intended for human consumption)<br>0714 20 10                                                    | a)<br>b)<br>c)                   | 72,45<br>432,74<br>671,53      | 1 000,04<br>476,61<br>2 932,20    | 142,14<br>56,86<br>50,05   | 540,83<br>140 542,13   | 24 667,56<br>160,28  | 12 073,79<br>14 576,65 |
| 2.10    | Chestnuts ( <i>Castanea</i> spp.), fresh<br>ex 0802 40 00                                                                      | a)<br>b)<br>c)                   | 140,29<br>837,94<br>1 300,34   | 1 936,45<br>922,90<br>5 677,82    | 275,23<br>110,10<br>96,92  | 1 047,25<br>272 141,56 | 47 765,52<br>310,37  | 23 379,33<br>28 225,79 |
| 2.30    | Pineapples, fresh<br>ex 0804 30 00                                                                                             | a)<br>b)<br>c)                   | 80,53<br>481,00<br>746,43      | 1 111,57<br>529,77<br>3 259,21    | 157,99<br>63,20<br>55,64   | 601,15<br>156 216,12   | 27 418,61<br>178,16  | 13 420,32<br>16 202,31 |

| Code   | Description                                                                                                                                | Amount of unit values per 100 kg |                              |                                |                            |                        |                     |                        |
|--------|--------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------|------------------------------|--------------------------------|----------------------------|------------------------|---------------------|------------------------|
|        | Species, varieties, CN code                                                                                                                | a)<br>b)<br>c)                   | ECU<br>FIM<br>SEK            | ATS<br>FRF<br>BEF/LUF          | DEM<br>IEP<br>GBP          | DKK<br>ITL             | GRD<br>NLG          | ESP<br>PTE             |
| 2.40   | Avocados, fresh<br>ex 0804 40 90<br>ex 0804 40 20<br>ex 0804 40 95                                                                         | a)<br>b)<br>c)                   | 127,85<br>763,64<br>1 185,03 | 1 764,74<br>841,07<br>5 174,35 | 250,83<br>100,33<br>88,33  | 954,38<br>248 009,82   | 43 529,98<br>282,85 | 21 306,20<br>25 722,91 |
| 2.50   | Guavas and mangoes, fresh<br>ex 0804 50 00                                                                                                 | a)<br>b)<br>c)                   | 82,52<br>492,89<br>764,87    | 1 139,04<br>542,86<br>3 339,75 | 161,89<br>64,76<br>57,01   | 616,00<br>160 076,42   | 28 096,16<br>182,56 | 13 751,96<br>16 602,69 |
| 2.60   | Sweet oranges, fresh:                                                                                                                      |                                  |                              |                                |                            |                        |                     |                        |
| 2.60.1 | — Sanguines and semi-sanguines<br>0805 10 10                                                                                               | a)<br>b)<br>c)                   | 32,89<br>196,45<br>304,85    | 453,99<br>216,37<br>1 331,12   | 64,53<br>25,81<br>22,72    | 245,52<br>63 801,67    | 11 198,29<br>72,76  | 5 481,12<br>6 617,34   |
| 2.60.2 | — Navels, navelines, navelates, salustianas,<br>vernas, Valencia lates, Maltese, shamou-<br>tis, ovalis, trovita and hamlins<br>0805 10 30 | a)<br>b)<br>c)                   | 37,33<br>222,97<br>346,01    | 515,27<br>245,58<br>1 510,82   | 73,24<br>29,30<br>25,79    | 278,66<br>72 414,60    | 12 710,01<br>82,59  | 6 221,04<br>7 510,65   |
| 2.60.3 | — Others<br>0805 10 50                                                                                                                     | a)<br>b)<br>c)                   | 46,21<br>276,01<br>428,32    | 637,85<br>303,99<br>1 870,21   | 90,66<br>36,26<br>31,93    | 344,95<br>89 640,47    | 15 733,44<br>102,23 | 7 700,90<br>9 297,27   |
| 2.70   | Mandarins (including tangerines and satsu-<br>mas), fresh; clementines, wilkings and simi-<br>lar citrus hybrids, fresh:                   |                                  |                              |                                |                            |                        |                     |                        |
| 2.70.1 | — Clementines<br>0805 20 10                                                                                                                | a)<br>b)<br>c)                   | 41,44<br>247,52<br>384,10    | 572,00<br>272,61<br>1 677,16   | 81,30<br>32,52<br>28,63    | 309,34<br>80 387,38    | 14 109,37<br>91,68  | 6 905,98<br>8 337,56   |
| 2.70.2 | — Monreales and satsumas<br>0805 20 30                                                                                                     | a)<br>b)<br>c)                   | 44,72<br>267,11<br>414,51    | 617,28<br>294,19<br>1 809,91   | 87,73<br>35,10<br>30,90    | 333,83<br>86 750,09    | 15 226,13<br>98,94  | 7 452,59<br>8 997,49   |
| 2.70.3 | — Mandarines and wilkings<br>0805 20 50                                                                                                    | a)<br>b)<br>c)                   | 64,52<br>385,37<br>598,03    | 890,58<br>424,45<br>2 611,25   | 126,58<br>50,63<br>44,58   | 481,63<br>125 159,12   | 21 967,58<br>142,74 | 10 752,26<br>12 981,17 |
| 2.70.4 | — Tangerines and others<br>ex 0805 20 70<br>ex 0805 20 90                                                                                  | a)<br>b)<br>c)                   | 50,03<br>298,83<br>463,72    | 690,57<br>329,12<br>2 024,81   | 98,15<br>39,26<br>34,57    | 373,47<br>97 050,70    | 17 034,06<br>110,68 | 8 337,50<br>10 065,84  |
| 2.85   | Limes ( <i>Citrus aurantifolia</i> ), fresh<br>ex 0805 30 90                                                                               | a)<br>b)<br>c)                   | 147,14<br>878,86<br>1 363,83 | 2 031,00<br>967,96<br>5 955,05 | 288,67<br>115,47<br>101,66 | 1 098,38<br>285 429,53 | 50 097,79<br>325,52 | 24 520,88<br>29 603,98 |
| 2.90   | Grapefruit, fresh:                                                                                                                         |                                  |                              |                                |                            |                        |                     |                        |
| 2.90.1 | — white<br>ex 0805 40 90<br>ex 0805 40 20<br>ex 0805 40 95                                                                                 | a)<br>b)<br>c)                   | 14,58<br>87,09<br>135,14     | 201,25<br>95,91<br>590,08      | 28,60<br>11,44<br>10,07    | 108,84<br>28 283,01    | 4 964,15<br>32,26   | 2 429,76<br>2 933,44   |
| 2.90.2 | — pink<br>ex 0805 40 90<br>ex 0805 40 20<br>ex 0805 40 95                                                                                  | a)<br>b)<br>c)                   | 50,20<br>299,84<br>465,30    | 692,92<br>330,24<br>2 031,69   | 98,49<br>39,40<br>34,68    | 374,74<br>97 380,47    | 17 091,95<br>111,06 | 8 365,83<br>10 100,04  |
| 2.100  | Table grapes<br>ex 0806 10 10                                                                                                              | a)<br>b)<br>c)                   | —<br>—<br>—                  | —<br>—<br>—                    | —<br>—<br>—                | —<br>—<br>—            | —<br>—<br>—         | —<br>—<br>—            |

| Code    | Description                                                                                                                                | Amount of unit values per 100 kg |                                |                                   |                            |                        |                      |                        |
|---------|--------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------|--------------------------------|-----------------------------------|----------------------------|------------------------|----------------------|------------------------|
|         | Species, varieties, CN code                                                                                                                | a)<br>b)<br>c)                   | ECU<br>FIM<br>SEK              | ATS<br>FRF<br>BEF/LUF             | DEM<br>IEP<br>GBP          | DKK<br>ITL             | GRD<br>NLG           | ESP<br>PTE             |
| 2.110   | Water melons<br>0807 11 00                                                                                                                 | a)<br>b)<br>c)                   | 20,54<br>122,68<br>190,38      | 283,52<br>135,12<br>831,29        | 40,30<br>16,12<br>14,19    | 153,33<br>39 844,52    | 6 993,40<br>45,44    | 3 422,99<br>4 132,57   |
| 2.120   | Melons (other than water melons):                                                                                                          |                                  |                                |                                   |                            |                        |                      |                        |
| 2.120.1 | — Amarillo, cuper, honey dew (including cantalene), onteniente, piel de sapo (including verde liso), rochet, tendral, futuro ex 0807 19 00 | a)<br>b)<br>c)                   | 49,79<br>297,39<br>461,50      | 687,26<br>327,55<br>2 015,10      | 97,68<br>39,07<br>34,40    | 371,68<br>96 585,13    | 16 952,35<br>110,15  | 8 297,50<br>10 017,55  |
| 2.120.2 | — other ex 0807 19 00                                                                                                                      | a)<br>b)<br>c)                   | 103,36<br>617,36<br>958,04     | 1 426,70<br>679,96<br>4 183,19    | 202,78<br>81,11<br>71,41   | 771,57<br>200 502,90   | 35 191,70<br>228,67  | 17 224,94<br>20 795,62 |
| 2.140   | Pears                                                                                                                                      |                                  |                                |                                   |                            |                        |                      |                        |
| 2.140.1 | Pears — nashi ( <i>Pyrus pyrifolia</i> ) ex 0808 20 50                                                                                     | a)<br>b)<br>c)                   | —<br>—<br>—                    | —<br>—<br>—                       | —<br>—<br>—                | —<br>—<br>—            | —<br>—<br>—          | —<br>—<br>—            |
| 2.140.2 | Other ex 0808 20 50                                                                                                                        | a)<br>b)<br>c)                   | —<br>—<br>—                    | —<br>—<br>—                       | —<br>—<br>—                | —<br>—<br>—            | —<br>—<br>—          | —<br>—<br>—            |
| 2.150   | Apricots<br>0809 10 00                                                                                                                     | a)<br>b)<br>c)                   | —<br>—<br>—                    | —<br>—<br>—                       | —<br>—<br>—                | —<br>—<br>—            | —<br>—<br>—          | —<br>—<br>—            |
| 2.160   | Cherries<br>0809 20 05<br>0809 20 95                                                                                                       | a)<br>b)<br>c)                   | —<br>—<br>—                    | —<br>—<br>—                       | —<br>—<br>—                | —<br>—<br>—            | —<br>—<br>—          | —<br>—<br>—            |
| 2.170   | Peaches<br>0809 30 90                                                                                                                      | a)<br>b)<br>c)                   | —<br>—<br>—                    | —<br>—<br>—                       | —<br>—<br>—                | —<br>—<br>—            | —<br>—<br>—          | —<br>—<br>—            |
| 2.180   | Nectarines<br>ex 0809 30 10                                                                                                                | a)<br>b)<br>c)                   | —<br>—<br>—                    | —<br>—<br>—                       | —<br>—<br>—                | —<br>—<br>—            | —<br>—<br>—          | —<br>—<br>—            |
| 2.190   | Plums<br>0809 40 05                                                                                                                        | a)<br>b)<br>c)                   | 71,21<br>425,33<br>660,04      | 982,93<br>468,46<br>2 882,01      | 139,70<br>55,88<br>49,20   | 531,57<br>138 136,72   | 24 245,37<br>157,54  | 11 867,15<br>14 327,17 |
| 2.200   | Strawberries<br>0810 10 10<br>0810 10 05<br>0810 10 80                                                                                     | a)<br>b)<br>c)                   | 152,83<br>912,84<br>1 416,57   | 2 109,54<br>1 005,40<br>6 185,34  | 299,83<br>119,94<br>105,59 | 1 140,86<br>296 467,28 | 52 035,10<br>338,11  | 25 469,12<br>30 748,78 |
| 2.205   | Raspberries<br>0810 20 10                                                                                                                  | a)<br>b)<br>c)                   | 341,59<br>2 040,30<br>3 166,17 | 4 715,04<br>2 247,16<br>13 824,83 | 670,16<br>268,07<br>236,00 | 2 549,93<br>662 633,36 | 116 303,54<br>755,71 | 56 925,97<br>68 726,54 |
| 2.210   | Fruit of the species <i>Vaccinium myrtillus</i><br>0810 40 30                                                                              | a)<br>b)<br>c)                   | 218,02<br>1 302,22<br>2 020,81 | 3 009,37<br>1 434,25<br>8 823,71  | 427,73<br>171,10<br>150,63 | 1 627,49<br>422 926,10 | 74 230,80<br>482,33  | 36 333,03<br>43 864,75 |
| 2.220   | Kiwi fruit ( <i>Actinidia chinensis Planch.</i> )<br>0810 50 10<br>0810 50 20<br>0810 50 30                                                | a)<br>b)<br>c)                   | 133,47<br>797,21<br>1 237,12   | 1 842,31<br>878,04<br>5 401,80    | 261,85<br>104,74<br>92,21  | 996,34<br>258 911,78   | 45 443,47<br>295,28  | 22 242,78<br>26 853,63 |

| Code  | Description                                      | Amount of unit values per 100 kg |                   |                       |                   |            |            |            |
|-------|--------------------------------------------------|----------------------------------|-------------------|-----------------------|-------------------|------------|------------|------------|
|       | Species, varieties, CN code                      | a)<br>b)<br>c)                   | ECU<br>FIM<br>SEK | ATS<br>FRF<br>BEF/LUF | DEM<br>IEP<br>GBP | DKK<br>ITL | GRD<br>NLG | ESP<br>PTE |
| 2.230 | Pomegranates<br>ex 0810 90 85                    | a)                               | 117,70            | 1 624,64              | 230,91            | 878,62     | 40 074,14  | 19 614,71  |
|       |                                                  | b)                               | 703,02            | 774,29                | 92,37             | 228 320,35 | 260,39     | 23 680,77  |
|       |                                                  | c)                               | 1 090,95          | 4 763,55              | 81,32             |            |            |            |
| 2.240 | Khakis (including sharon fruit)<br>ex 0810 90 85 | a)                               | 307,49            | 4 244,35              | 603,26            | 2 295,38   | 104 693,27 | 51 243,21  |
|       |                                                  | b)                               | 1 836,62          | 2 022,83              | 241,31            | 596 484,48 | 680,27     | 61 865,76  |
|       |                                                  | c)                               | 2 850,10          | 12 444,74             | 212,44            |            |            |            |
| 2.250 | Lychees<br>ex 0810 90 30                         | a)                               | 346,48            | 4 782,53              | 679,75            | 2 586,43   | 117 968,47 | 57 740,89  |
|       |                                                  | b)                               | 2 069,50          | 2 279,33              | 271,91            | 672 119,23 | 766,53     | 69 710,39  |
|       |                                                  | c)                               | 3 211,50          | 14 022,74             | 239,38            |            |            |            |

**COMMISSION REGULATION (EC) No 2097/98**  
**of 30 September 1998**  
**fixing the agricultural conversion rates**

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

Having regard to Council Regulation (EEC) No 3813/92 of 28 December 1992 on the unit of account and the conversion rates to be applied for the purposes of the common agricultural policy <sup>(1)</sup>, as last amended by Regulation (EC) No 150/95 <sup>(2)</sup>, and in particular Article 3 (1) thereof,

Whereas the agricultural conversion rates were fixed by Commission Regulation (EC) No 1869/98 <sup>(3)</sup>;

Whereas Article 4 of Regulation (EEC) No 3813/92 provides that, subject to confirmation periods being triggered, the agricultural conversion rate for a currency is to be adjusted where the monetary gap between it and the representative market rate exceeds certain levels;

Whereas the representative market rates are determined on the basis of basic reference periods or, where applicable, confirmation periods, established in accordance with Article 2 of Commission Regulation (EEC) No 1068/93 of 30 April 1993 on detailed rules for determining and applying the agricultural conversion rates <sup>(4)</sup>, as last amended by Regulation (EC) No 961/98 <sup>(5)</sup>; whereas paragraph 2 of that Article provides that, in cases where the absolute value of the difference between the monetary gaps in two Member States, calculated from the average of the ecu rates for three consecutive quotation days, exceeds six points, the representative market rates are to be adjusted on the basis of the three quotation days in question;

Whereas, as a consequence of the exchange rates recorded from 21 to 30 September 1998, it is necessary to fix a new agricultural conversion rate for the Swedish krona;

Whereas Article 15(2) of Regulation (EEC) No 1068/93 provides that an agricultural conversion rate fixed in advance is to be adjusted if the gap between that rate and the agricultural conversion rate in force at the time of the operative event applicable for the amount concerned exceeds four points; whereas, in that event, the agricultural conversion rate fixed in advance is brought more closely into line with the rate in force, up to the level of a gap of four points with that rate; whereas the rate which replaces the agricultural conversion rate fixed in advance should be specified,

HAS ADOPTED THIS REGULATION:

*Article 1*

The agricultural conversion rates are fixed in Annex I hereto.

*Article 2*

In the case referred to in Article 15(2) of Regulation (EEC) No 1068/93, the agricultural conversion rate fixed in advance shall be replaced by the ecu rate for the currency concerned, shown in Annex II:

- Table A, where the latter rate is higher than the rate fixed in advance,
- Table B, where the latter rate is lower than the rate fixed in advance.

*Article 3*

Regulation (EC) No 1869/98 is hereby repealed.

*Article 4*

This Regulation shall enter into force on 1 October 1998.

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

Done at Brussels, 30 September 1998.

*For the Commission*

Franz FISCHLER

*Member of the Commission*

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

<sup>(2)</sup> OJ L 22, 31. 1. 1995, p. 1.

<sup>(3)</sup> OJ L 242, 1. 9. 1998, p. 13.

<sup>(4)</sup> OJ L 108, 1. 5. 1993, p. 106.

<sup>(5)</sup> OJ L 135, 8. 5. 1998, p. 5.

## ANNEX I

## Agricultural conversion rates

|         |          |                                  |
|---------|----------|----------------------------------|
| ECU 1 = | 40,9321  | Belgian and<br>Luxembourg francs |
|         | 7,56225  | Danish kroner                    |
|         | 1,98391  | German marks                     |
|         | 338,319  | Greek drachmas                   |
|         | 203,183  | Portuguese escudos               |
|         | 6,68769  | French francs                    |
|         | 6,02811  | Finnish marks                    |
|         | 2,23593  | Dutch guilders                   |
|         | 0,796521 | Irish punt                       |
| 1       | 973,93   | Italian lire                     |
|         | 13,9576  | Austrian schillings              |
|         | 168,336  | Spanish pesetas                  |
|         | 9,06874  | Swedish kroner                   |
|         | 0,677353 | Pound sterling                   |

## ANNEX II

## Agricultural conversion rates fixed in advance and adjusted

| Table A |          |                                  | Table B |          |                                  |
|---------|----------|----------------------------------|---------|----------|----------------------------------|
| ECU 1 = | 39,3578  | Belgian and<br>Luxembourg francs | ECU 1 = | 42,6376  | Belgian and<br>Luxembourg francs |
|         | 7,27139  | Danish kroner                    |         | 7,87734  | Danish kroner                    |
|         | 1,90761  | German marks                     |         | 2,06657  | German marks                     |
|         | 325,307  | Greek drachmas                   |         | 352,416  | Greek drachmas                   |
|         | 195,368  | Portuguese escudos               |         | 211,649  | Portuguese escudos               |
|         | 6,43047  | French francs                    |         | 6,96634  | French francs                    |
|         | 5,79626  | Finnish marks                    |         | 6,27928  | Finnish marks                    |
|         | 2,14993  | Dutch guilders                   |         | 2,32909  | Dutch guilders                   |
|         | 0,765886 | Irish punt                       |         | 0,829709 | Irish punt                       |
| 1       | 898,01   | Italian lire                     | 2       | 056,18   | Italian lire                     |
|         | 13,4208  | Austrian schillings              |         | 14,5392  | Austrian schillings              |
|         | 161,862  | Spanish pesetas                  |         | 175,350  | Spanish pesetas                  |
|         | 8,71994  | Swedish kroner                   |         | 9,44660  | Swedish kroner                   |
|         | 0,651301 | Pound sterling                   |         | 0,705576 | Pound sterling                   |

**COMMISSION REGULATION (EC) No 2098/98****of 30 September 1998****fixing the rates of the refunds applicable to certain milk products exported in the form of goods not covered by Annex II to the Treaty**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EEC) No 804/68 of 27 June 1968 on the common organization of the market in milk and milk products <sup>(1)</sup>, as last amended by Regulation (EC) No 1587/96 <sup>(2)</sup>, and in particular Article 17 (3) thereof,

Whereas Article 17 (1) of Regulation (EEC) No 804/68 provides that the difference between prices in international trade for the products listed in Article 1 (a), (b), (c), (d), (e), and (g) of that Regulation and prices within the Community may be covered by an export refund; whereas Commission Regulation (EC) No 1222/94 of 30 May 1994 laying down common implementing rules for granting export refunds on certain agricultural products exported in the form of goods not covered by Annex II to the Treaty, and criteria for fixing the amount of such refunds <sup>(3)</sup>, as last amended by Regulation (EC) No 1352/98 <sup>(4)</sup>, specifies the products for which a rate of refund should be fixed, to be applied where these products are exported in the form of goods listed in the Annex to Regulation (EEC) No 804/68;

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

Whereas Article 4 (3) of Regulation (EC) No 1222/94 provides that, when the rate of the refund is being fixed, account should be taken, where necessary, of production refunds, aids or other measures having equivalent effect applicable in all Member States in accordance with the Regulation on the common organization of the market in the product in question to the basic products listed in Annex A to that Regulation or to assimilated products;

Whereas Article 11 (1) of Regulation (EEC) No 804/68 provides for the payment of aid for Community-produced skimmed milk processed into casein if such milk and the casein manufactured from it fulfil certain conditions set out in Article 1 of Council Regulation (EEC) No 987/68 of 15 July 1968 laying down general rules for granting aid for skimmed milk processed into casein or caseinates <sup>(5)</sup>, as last amended by Regulation (EEC) No 1435/90 <sup>(6)</sup>;

Whereas Commission Regulation (EC) No 2571/97 of 15 December 1997 on the sale of butter at reduced prices and the granting of aid for cream, butter and concentrated butter for use in the manufacture of pastry products, ice-cream and other foodstuffs <sup>(7)</sup>, as last amended by Regulation (EC) No 1982/98 <sup>(8)</sup>, lays down that butter and cream at reduced prices should be made available to industries which manufacture certain goods;

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

HAS ADOPTED THIS REGULATION:

*Article 1*

1. The rates of the refunds applicable to the basic products appearing in Annex A to Regulation (EC) No 1222/94 and listed in Article 1 of Regulation (EEC) No 804/68, exported in the form of goods listed in the Annex to Regulation (EEC) No 804/68, are hereby fixed as shown in the Annex to this Regulation.

2. No rates of refund are fixed for any of the products referred to in the preceding paragraph which are not listed in the Annex to this Regulation.

*Article 2*

This Regulation shall enter into force on 1 October 1998.

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

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

<sup>(3)</sup> OJ L 136, 31. 5. 1994, p. 5.

<sup>(4)</sup> OJ L 184, 27. 6. 1998, p. 25.

<sup>(5)</sup> OJ L 169, 18. 7. 1968, p. 6.

<sup>(6)</sup> OJ L 138, 31. 5. 1990, p. 8.

<sup>(7)</sup> OJ L 350, 20. 12. 1997, p. 3.

<sup>(8)</sup> OJ L 256, 18. 9. 1998, p. 9.

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

Done at Brussels, 30 September 1998.

*For the Commission*  
Martin BANGEMANN  
*Member of the Commission*

# ANNEX

to the Commission Regulation of 30 September 1998 fixing the rates of the refunds applicable to certain milk products exported in the form of goods not covered by Annex II to the Treaty

(ECU/100 kg)

| CN code       | Description                                                                                                                                                                                                                                                                                                                                                                      | Rate of refund            |
|---------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------|
| ex 0402 10 19 | Powdered milk, in granules or other solid forms, not containing added sugar or other sweetening matter, with a fat content not exceeding 1,5 % by weight (PG 2):<br>(a) On exportation of goods of CN code 3501<br>(b) On exportation of other goods                                                                                                                             | —<br>82,50                |
| ex 0402 21 19 | Powdered milk, in granules or other solid forms, not containing added sugar or other sweetening matter, with a fat content of 26 % by weight (PG 3):<br>(a) Where goods incorporating, in the form of products assimilated to PG 3, reduced-price butter or cream obtained pursuant to Regulation (EEC) No 2571/97 are exported<br>(b) On exportation of other goods             | 80,39<br>102,60           |
| ex 0405 10    | Butter, with a fat content by weight of 82 % (PG 6):<br>(a) Where goods containing reduced-price butter or cream which have been manufactured in accordance with the conditions provided for in Regulation (EEC) No 2571/97 are exported<br>(b) On exportation of goods of CN code 2106 90 98 containing 40 % or more by weight of milk fat<br>(c) On exportation of other goods | 61,00<br>177,25<br>170,00 |

**COMMISSION REGULATION (EC) No 2099/98****of 30 September 1998****fixing the rates of refunds applicable to certain products from the sugar sector  
exported in the form of goods not covered by Annex II to the Treaty**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EEC) No 1785/81 of 30 June 1981 on the common organization of the market in sugar <sup>(1)</sup>, as last amended by Commission Regulation (EC) No 1148/98 <sup>(2)</sup> and in particular Article 17 (5) (a) and (15),

Whereas Article 17 (1) and (2) of Regulation (EEC) No 1785/81 provides that the differences between the prices in international trade for the products listed in Article 1 (1) (a), (c), (d), (f), (g) and (h) of that Regulation and prices within the Community may be covered by an export refund where these products are exported in the form of goods listed in the Annex to that Regulation; whereas Commission Regulation (EC) No 1222/94 of 30 May 1994 laying down common implementing rules for granting export refunds on certain agricultural products exported in the form of goods not covered by Annex II to the Treaty and the criteria for fixing the amount of such refunds <sup>(3)</sup> as last amended by Regulation (EC) No 1352/98 <sup>(4)</sup> specifies the products for which a rate of refund should be fixed, to be applied where these products are exported in the form of goods listed in Annex I to Regulation (EEC) No 1785/81;

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

Whereas Article 17 (3) of Regulation (EEC) No 1785/81 and Article 11 of the Agreement on Agriculture concluded under the Uruguay Round lay down that the export refund for a product contained in a good may not exceed the refund applicable to that product when exported without further processing;

Whereas the refunds fixed under this Regulation may be fixed in advance; whereas the market situation over the next few months cannot be established at the moment;

Whereas the commitments entered into with regard to refunds which may be granted for the export of agricultural products contained in goods not covered by Annex II to the Treaty may be jeopardized by the fixing in advance of high refund rates; whereas it is therefore necessary to take precautionary measures in such situations without, however, preventing the conclusion of long-term contracts; whereas the fixing of a specific refund rate for the advance fixing of refunds is a measure which enables these various objectives to be met;

Whereas Article 4 (5) (b) of Regulation (EC) No 1222/94 provides that in the absence of the proof referred to in Article 4 (5) (a) of that Regulation, a reduced rate of export refund has to be fixed, taking account of the amount of the production refund applicable, pursuant to Council Regulation (EEC) No 1010/86 <sup>(5)</sup>, as last amended by Commission Regulation (EC) No 1126/96 <sup>(6)</sup>, for the basic product in question, used during the assumed period of manufacture of the goods;

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 rates of the refunds applicable to the basic products appearing in Annex A to Regulation (EC) No 1222/94 and listed in Article 1 (1) and (2) of Regulation (EEC) No 1785/81, exported in the form of goods listed in Annex I to Regulation (EEC) No 1785/81, are fixed as shown in the Annex hereto.

*Article 2*

This Regulation shall enter into force on 1 October 1998.

<sup>(1)</sup> OJ L 177, 1. 7. 1981, p. 4.

<sup>(2)</sup> OJ L 159, 3. 6. 1998, p. 38.

<sup>(3)</sup> OJ L 136, 31. 5. 1994, p. 5.

<sup>(4)</sup> OJ L 184, 27. 6. 1998, p. 25.

<sup>(5)</sup> OJ L 94, 9. 4. 1986, p. 9.

<sup>(6)</sup> OJ L 150, 25. 6. 1996, p. 3.

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

Done at Brussels, 30 September 1998.

*For the Commission*  
Martin BANGEMANN  
*Member of the Commission*

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*ANNEX*

to the Commission Regulation of 30 September 1998 fixing the rates of the refunds applicable to certain products in the sugar sector exported in the form of goods not covered by Annex II to the Treaty

| Product                                                       | Rate of refund in ECU/100 kg         |       |
|---------------------------------------------------------------|--------------------------------------|-------|
|                                                               | In case of advance fixing of refunds | Other |
| White sugar:                                                  |                                      |       |
| — pursuant to Article 4 (5) (b) of Regulation (EC) No 1222/94 | 1,84                                 | 6,62  |
| — in all other cases                                          | 43,80                                | 48,58 |

**COMMISSION REGULATION (EC) No 2100/98**  
**of 30 September 1998**  
**fixing the import duties in the rice sector**

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

Having regard to Council Regulation (EC) No 3072/95 of 22 December 1995 on the common organisation of the market in rice <sup>(1)</sup>, as last amended by Regulation (EC) No 2072/98 <sup>(2)</sup>,

Having regard to Commission Regulation (EC) No 1503/96 of 29 July 1996 laying down detailed rules for the application of Council Regulation (EC) No 3072/95 as regards import duties in the rice sector <sup>(3)</sup>, as last amended by Regulation (EC) No 1403/97 <sup>(4)</sup>, and in particular Article 4(1) thereof,

Whereas Article 11 of Regulation (EC) No 3072/95 provides that the rates of duty in the Common Customs Tariff are to be charged on import of the products referred to in Article 1 of that Regulation; whereas, however, in the case of the products referred to in paragraph 2 of that Article, the import duty is to be equal to the intervention price valid for such products on importation and increased by a certain percentage according to whether it is husked or milled rice, minus the cif import price provided that duty does not exceed the rate of the Common Customs Tariff duties;

Whereas, pursuant to Article 12(3) of Regulation (EC) No 3072/95, the cif import prices are calculated on the basis of the representative prices for the product in question on the world market or on the Community import market for the product;

Whereas Regulation (EC) No 1503/96 lays down detailed rules for the application of Regulation (EC) No 3072/95 as regards import duties in the rice sector;

Whereas the import duties are applicable until new duties are fixed and enter into force; whereas they also remain in force in cases where no quotation is available from the source referred to in Article 5 of Regulation (EC) No 1503/96 during the two weeks preceding the next periodical fixing;

Whereas, in order to allow the import duty system to function normally, the market rates recorded during a reference period should be used for calculating the duties;

Whereas application of Regulation (EC) No 1503/96 results in import duties being fixed as set out in the Annexes to this Regulation,

HAS ADOPTED THIS REGULATION:

*Article 1*

The import duties in the rice sector referred to in Article 11(1) and (2) of Regulation (EC) No 3072/95 shall be those fixed in Annex I to this Regulation on the basis of the information given in Annex II.

*Article 2*

This Regulation shall enter into force on 1 October 1998.

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

Done at Brussels, 30 September 1998.

*For the Commission*

Franz FISCHLER

*Member of the Commission*

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<sup>(1)</sup> OJ L 329, 30. 12. 1995, p. 18.

<sup>(2)</sup> OJ L 265, 30. 9. 1998, p. 4.

<sup>(3)</sup> OJ L 189, 30. 7. 1996, p. 71.

<sup>(4)</sup> OJ L 194, 23. 7. 1997, p. 2.

## ANNEX I

## Import duties on rice and broken rice

(ECU/tonne)

| CN code    | Duties <sup>(1)</sup>                                                           |                                                     |                              |                                                 |                      |
|------------|---------------------------------------------------------------------------------|-----------------------------------------------------|------------------------------|-------------------------------------------------|----------------------|
|            | Third countries<br>(except ACP and<br>Bangladesh) <sup>(2)</sup> <sup>(7)</sup> | ACP<br><sup>(1)</sup> <sup>(2)</sup> <sup>(3)</sup> | Bangladesh<br><sup>(4)</sup> | Basmati<br>India<br>and Pakistan <sup>(6)</sup> | Egypt <sup>(8)</sup> |
| 1006 10 21 | (7)                                                                             | 83,41                                               | 121,01                       |                                                 | 188,03               |
| 1006 10 23 | (7)                                                                             | 83,41                                               | 121,01                       |                                                 | 188,03               |
| 1006 10 25 | (7)                                                                             | 83,41                                               | 121,01                       |                                                 | 188,03               |
| 1006 10 27 | (7)                                                                             | 83,41                                               | 121,01                       |                                                 | 188,03               |
| 1006 10 92 | (7)                                                                             | 83,41                                               | 121,01                       |                                                 | 188,03               |
| 1006 10 94 | (7)                                                                             | 83,41                                               | 121,01                       |                                                 | 188,03               |
| 1006 10 96 | (7)                                                                             | 83,41                                               | 121,01                       |                                                 | 188,03               |
| 1006 10 98 | (7)                                                                             | 83,41                                               | 121,01                       |                                                 | 188,03               |
| 1006 20 11 | 248,62                                                                          | 82,68                                               | 119,97                       |                                                 | 186,47               |
| 1006 20 13 | 248,62                                                                          | 82,68                                               | 119,97                       |                                                 | 186,47               |
| 1006 20 15 | 248,62                                                                          | 82,68                                               | 119,97                       |                                                 | 186,47               |
| 1006 20 17 | 259,26                                                                          | 86,40                                               | 125,29                       | 9,26                                            | 194,45               |
| 1006 20 92 | 248,62                                                                          | 82,68                                               | 119,97                       |                                                 | 186,47               |
| 1006 20 94 | 248,62                                                                          | 82,68                                               | 119,97                       |                                                 | 186,47               |
| 1006 20 96 | 248,62                                                                          | 82,68                                               | 119,97                       |                                                 | 186,47               |
| 1006 20 98 | 259,26                                                                          | 86,40                                               | 125,29                       | 9,26                                            | 194,45               |
| 1006 30 21 | 455,55                                                                          | 147,05                                              | 212,87                       |                                                 | 341,66               |
| 1006 30 23 | 455,55                                                                          | 147,05                                              | 212,87                       |                                                 | 341,66               |
| 1006 30 25 | 455,55                                                                          | 147,05                                              | 212,87                       |                                                 | 341,66               |
| 1006 30 27 | (7)                                                                             | 160,51                                              | 232,09                       |                                                 | 370,50               |
| 1006 30 42 | 455,55                                                                          | 147,05                                              | 212,87                       |                                                 | 341,66               |
| 1006 30 44 | 455,55                                                                          | 147,05                                              | 212,87                       |                                                 | 341,66               |
| 1006 30 46 | 455,55                                                                          | 147,05                                              | 212,87                       |                                                 | 341,66               |
| 1006 30 48 | (7)                                                                             | 160,51                                              | 232,09                       |                                                 | 370,50               |
| 1006 30 61 | 455,55                                                                          | 147,05                                              | 212,87                       |                                                 | 341,66               |
| 1006 30 63 | 455,55                                                                          | 147,05                                              | 212,87                       |                                                 | 341,66               |
| 1006 30 65 | 455,55                                                                          | 147,05                                              | 212,87                       |                                                 | 341,66               |
| 1006 30 67 | (7)                                                                             | 160,51                                              | 232,09                       |                                                 | 370,50               |
| 1006 30 92 | 455,55                                                                          | 147,05                                              | 212,87                       |                                                 | 341,66               |
| 1006 30 94 | 455,55                                                                          | 147,05                                              | 212,87                       |                                                 | 341,66               |
| 1006 30 96 | 455,55                                                                          | 147,05                                              | 212,87                       |                                                 | 341,66               |
| 1006 30 98 | (7)                                                                             | 160,51                                              | 232,09                       |                                                 | 370,50               |
| 1006 40 00 | (7)                                                                             | 49,58                                               | 72,38                        |                                                 | 114,00               |

(1) The duty on imports of rice originating in the ACP States is applicable, under the arrangements laid down in Council Regulation (EC) No 1706/98 (OJ L 215, 1.8.1998, p. 12) and amended Commission Regulation (EC) No 2603/97 (OJ L 351, 23.12.1997, p. 22).

(2) In accordance with Regulation (EC) No 1706/98, the duties are not applied to products originating in the African, Caribbean and Pacific States and imported directly into the overseas department of Réunion.

(3) The import levy on rice entering the overseas department of Réunion is specified in Article 11(3) of Regulation (EC) No 3072/95.

(4) The duty on imports of rice not including broken rice (CN code 1006 40 00), originating in Bangladesh is applicable under the arrangements laid down in Council Regulation (EEC) No 3491/90 (OJ L 337, 4.12.1990, p. 1) and amended Commission Regulation (EEC) No 862/91 (OJ L 88, 9.4.1991, p. 7).

(5) No import duty applies to products originating in the OCT pursuant to Article 101(1) of amended Council Decision 91/482/EEC (OJ L 263, 19.9.1991, p. 1).

(6) For husked rice of the Basmati variety originating in India and Pakistan, a reduction of ECU 250 per tonne applies (Article 4a of amended Regulation (EC) No 1503/96).

(7) Duties fixed in the Common Customs Tariff.

(8) The duty on imports of rice originating in and coming from Egypt is applicable under the arrangements laid down in Council Regulation (EC) No 2184/96 (OJ L 292, 15.11.1996, p. 1) and Commission Regulation (EC) No 196/97 (OJ L 31, 1.2.1997, p. 53).

## ANNEX II

## Calculation of import duties for rice

|                                | Paddy            | Indica rice |                  | Japonica rice |           | Broken rice      |
|--------------------------------|------------------|-------------|------------------|---------------|-----------|------------------|
|                                |                  | Husked      | Milled           | Husked        | Milled    |                  |
| 1. Import duty (ECU/tonne)     | ( <sup>1</sup> ) | 259,26      | ( <sup>1</sup> ) | 248,62        | 455,55    | ( <sup>1</sup> ) |
| 2. Elements of calculation:    |                  |             |                  |               |           |                  |
| (a) Arag cif price (ECU/tonne) | —                | 309,36      | 333,26           | 345,27        | 387,90    | —                |
| (b) fob price (ECU/tonne)      | —                | —           | —                | 319,69        | 362,32    | —                |
| (c) Sea freight (ECU/tonne)    | —                | —           | —                | 25,58         | 25,58     | —                |
| (d) Source                     | —                | USDA        | USDA             | Operators     | Operators | —                |

(<sup>1</sup>) Duties fixed in the Common Customs Tariff.

**COMMISSION REGULATION (EC) No 2101/98**  
**of 30 September 1998**

**amending Regulation (EC) No 1352/98 amending Regulation (EC) No 1222/94  
laying down common detailed rules for the application of the system of granting  
export refunds on certain agricultural products exported in the form of goods  
not covered by Annex II to the Treaty, and the criteria for fixing the amount of  
such refunds**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EC) No 3448/93 of 6 December 1993 laying down the trade arrangements applicable to certain goods resulting from the processing of agricultural products<sup>(1)</sup>, as amended by Regulation (EC) No 1097/98<sup>(2)</sup>, and in particular the first indent of Article 8(3) thereof,

Whereas Commission Regulation (EC) No 1352/98 of 26 June 1998 amending Regulation (EC) No 1222/94 laying down common detailed rules for the application of the system of granting export refunds on certain agricultural products exported in the form of goods not covered by Annex II to the Treaty, and the criteria for fixing the amount of such refunds<sup>(3)</sup>, amended the provisions of that Regulation relating to sugar products other than white sugar by assimilating those other sugar products to white sugar;

Whereas the Community's commitments in relation to the granting of export refunds for agricultural products incorporated in certain goods not covered by Annex II to the Treaty cover only basic products listed in the Community tender to GATT as well as assimilated products and products resulting from the processing of those products; whereas at the time of the Community tender inulin syrups were not assimilated to a basic product and do not result from the processing of a basic or assimilated product; whereas inulin syrups, although covered by the common organisation of the market in sugar under 'other

sugar syrups' and therefore subject to a levy, could not be granted an export refund at the time of the tender;

Whereas the granting of export refunds should be strictly limited to agricultural products which could be granted a refund for export in the form of certain goods not covered by Annex II to the Treaty at the time of the Community tender in relation to commitments to the export of agricultural products in the form of such goods; whereas the rule assimilating inulin syrups to white sugar and the conversion of quantities of inulin syrup into equivalent quantities of white sugar should therefore be abolished;

Whereas the measures provided for in this Regulation are in accordance with the opinion of the Management Committee on Horizontal Questions concerning Trade in Processed Agricultural Products not listed in Annex II,

HAS ADOPTED THIS REGULATION:

*Article 1*

Regulation (EC) No 1352/98 is hereby amended as follows:

1. in Article 1, point 2 amending Article 1(2) of Regulation (EC) No 1222/94, the fifth indent of Article 1(2)(h) of Regulation (EC) No 1222/94 shall be deleted;
2. in Article 1, point 4 amending Article 3(1)(a) of Regulation (EC) No 1222/94, the final indent shall be deleted.

*Article 2*

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

<sup>(1)</sup> OJ L 318, 20. 12. 1993, p. 18.

<sup>(2)</sup> OJ L 157, 30. 5. 1998, p. 1.

<sup>(3)</sup> OJ L 184, 27. 6. 1998, p. 25.

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

Done at Brussels, 30 September 1998.

*For the Commission*  
Martin BANGEMANN  
*Member of the Commission*

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**COMMISSION REGULATION (EC) No 2102/98****of 30 September 1998****altering the corrective amount applicable to the refund on cereals**

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

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

Whereas the corrective amount applicable to the refund on cereals was fixed by Commission Regulation (EC) No 1989/98 <sup>(3)</sup>;

Whereas, on the basis of today's cif prices and cif forward delivery prices, taking foreseeable developments on the market into account, the corrective amount at present applicable to the refund on cereals should be altered;

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

Whereas the representative market rates defined in Article 1 of Council Regulation (EEC) No 3813/92 <sup>(4)</sup>, as last amended by Regulation (EC) No 150/95 <sup>(5)</sup>, are used to

convert amounts expressed in third country currencies and are used as the basis for determining the agricultural conversion rates of the Member States' currencies; whereas detailed rules on the application and determination of these conversions were set by Commission Regulation (EEC) No 1068/93 <sup>(6)</sup>, as last amended by Regulation (EC) No 961/98 <sup>(7)</sup>,

HAS ADOPTED THIS REGULATION:

*Article 1*

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

*Article 2*

This Regulation shall enter into force on 1 October 1998.

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

Done at Brussels, 30 September 1998.

*For the Commission*

Franz FISCHLER

*Member of the Commission*

<sup>(1)</sup> OJ L 181, 1. 7. 1992, p. 21.

<sup>(2)</sup> OJ L 126, 24. 5. 1996, p. 37.

<sup>(3)</sup> OJ L 256, 18. 9. 1998, p. 23.

<sup>(4)</sup> OJ L 387, 31. 12. 1992, p. 1.

<sup>(5)</sup> OJ L 22, 31. 1. 1995, p. 1.

<sup>(6)</sup> OJ L 108, 1. 5. 1993, p. 106.

<sup>(7)</sup> OJ L 135, 8. 5. 1998, p. 5.

## ANNEX

to the Commission Regulation of 30 September 1998 altering the corrective amount applicable to the refund on cereals

(ECU/tonne)

| Product code    | Destination <sup>(1)</sup> | Current<br>10 | 1st period<br>11 | 2nd period<br>12 | 3rd period<br>1 | 4th period<br>2 | 5th period<br>3 | 6th period<br>4 |
|-----------------|----------------------------|---------------|------------------|------------------|-----------------|-----------------|-----------------|-----------------|
| 1001 10 00 9200 | —                          | —             | —                | —                | —               | —               | —               | —               |
| 1001 10 00 9400 | 01                         | 0             | -1,00            | -2,00            | -3,00           | -4,00           | —               | —               |
| 1001 90 91 9000 | —                          | —             | —                | —                | —               | —               | —               | —               |
| 1001 90 99 9000 | 01                         | 0             | 0                | 0                | 0               | 0               | —               | —               |
| 1002 00 00 9000 | 01                         | 0             | 0                | 0                | 0               | 0               | —               | —               |
| 1003 00 10 9000 | —                          | —             | —                | —                | —               | —               | —               | —               |
| 1003 00 90 9000 | 03                         | 0             | -25,00           | -25,00           | -25,00          | -25,00          | —               | —               |
|                 | 02                         | 0             | 0                | 0                | 0               | 0               | —               | —               |
| 1004 00 00 9200 | —                          | —             | —                | —                | —               | —               | —               | —               |
| 1004 00 00 9400 | 01                         | 0             | 0                | 0                | 0               | 0               | —               | —               |
| 1005 10 90 9000 | —                          | —             | —                | —                | —               | —               | —               | —               |
| 1005 90 00 9000 | 01                         | 0             | 0                | 0                | 0               | 0               | —               | —               |
| 1007 00 90 9000 | —                          | —             | —                | —                | —               | —               | —               | —               |
| 1008 20 00 9000 | —                          | —             | —                | —                | —               | —               | —               | —               |
| 1101 00 11 9000 | —                          | —             | —                | —                | —               | —               | —               | —               |
| 1101 00 15 9100 | 01                         | 0             | 0                | 0                | 0               | 0               | —               | —               |
| 1101 00 15 9130 | 01                         | 0             | 0                | 0                | 0               | 0               | —               | —               |
| 1101 00 15 9150 | 01                         | 0             | 0                | 0                | 0               | 0               | —               | —               |
| 1101 00 15 9170 | 01                         | 0             | 0                | 0                | 0               | 0               | —               | —               |
| 1101 00 15 9180 | 01                         | 0             | 0                | 0                | 0               | 0               | —               | —               |
| 1101 00 15 9190 | —                          | —             | —                | —                | —               | —               | —               | —               |
| 1101 00 90 9000 | —                          | —             | —                | —                | —               | —               | —               | —               |
| 1102 10 00 9500 | 01                         | 0             | 0                | 0                | 0               | 0               | —               | —               |
| 1102 10 00 9700 | —                          | —             | —                | —                | —               | —               | —               | —               |
| 1102 10 00 9900 | —                          | —             | —                | —                | —               | —               | —               | —               |
| 1103 11 10 9200 | 01                         | 0             | -1,50            | -3,00            | -4,50           | -6,00           | —               | —               |
| 1103 11 10 9400 | —                          | —             | —                | —                | —               | —               | —               | —               |
| 1103 11 10 9900 | —                          | —             | —                | —                | —               | —               | —               | —               |
| 1103 11 90 9200 | 01                         | 0             | 0                | 0                | 0               | 0               | —               | —               |
| 1103 11 90 9800 | —                          | —             | —                | —                | —               | —               | —               | —               |

<sup>(1)</sup> The destinations are identified as follows:

01 all third countries

02 other third countries

03 United States of America, Canada and Mexico.

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

## II

*(Acts whose publication is not obligatory)*

## COMMISSION

## COMMISSION DECISION

of 3 September 1998

**accepting undertakings in connection with the anti-dumping proceeding concerning imports of flat pallets of wood originating in the Republic of Poland**

*(notified under document number C(1998) 2553)*

(98/554/EC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EC) No 384/96 of 22 December 1995 on protection against dumped imports from countries not members of the European Community<sup>(1)</sup>, as amended by Regulation (EC) No 905/98<sup>(2)</sup>, and in particular Article 8(1) thereof,

Having regard to Commission Regulation (EC) No 1023/97<sup>(3)</sup>, as amended by Regulations (EC) No 1632/97<sup>(4)</sup> and 1633/97<sup>(5)</sup>, and in particular Article 2 thereof,

After consulting the Advisory Committee,

Whereas:

certain exporting producers. These undertakings concerned only one pallet type, i.e. the EUR pallet.

(2) Since sampling was used in the investigation, requests for reviews under Article 11(4) could not be accepted. However, in order to ensure equal treatment between new exporters and the co-operating companies not included in the sample during the original investigation, by Regulation (EC) No 1632/97, the provisional Regulation was amended. Article 2 of Regulation (EC) No 1632/97 stipulated that new Polish exporting producers could have undertakings accepted with regard to exports of EUR pallets, provided they satisfied the criteria set out therein.

(3) By Regulation (EC) No 2334/97<sup>(6)</sup>, the Council imposed a definitive anti-dumping duty on certain imports of flat pallets of wood originating in the Republic of Poland.

**A. PREVIOUS PROCEDURE**

(1) The Commission, by Regulation (EC) No 1023/97 (hereinafter referred to as 'the provisional Regulation'), imposed provisional anti-dumping duties on certain imports of flat pallets of wood falling within CN code ex 4415 20 20 originating in the Republic of Poland and accepted undertakings offered from

**B. NEW EXPORTERS' REQUEST**

(4) Following the adoption of Regulation (EC) No 2334/97, 10 further new Polish exporting producers have requested that Article 2 of Regulation (EC) No 1023/97 be applied to them and they have offered

<sup>(1)</sup> OJ L 56, 6. 3. 1996, p. 1.

<sup>(2)</sup> OJ L 128, 30. 4. 1998, p. 18.

<sup>(3)</sup> OJ L 150, 7. 6. 1997, p. 4.

<sup>(4)</sup> OJ L 225, 15. 8. 1997, p. 11.

<sup>(5)</sup> OJ L 225, 15. 8. 1997, p. 13.

<sup>(6)</sup> OJ L 324, 27. 11. 1997, p. 1.

undertakings with regard to the EUR pallet. They have also provided sufficient evidence pursuant to Article 2 of Regulation (EC) No 1023/97 showing that they are genuine new exporting producers. In application of Article 2 of Regulation (EC) No 1023/97, the undertakings offered by these 10 Polish exporting producers with regard to the EUR pallet should therefore be accepted,

HAS ADOPTED THIS DECISION:

*Article 1*

The undertakings offered with regard to the EUR-pallet by:

- Euro-Handels Sp.zo.o, Szczecin,
- PPH 'Paletex' Sibinski Jaroslaw, Klonowa,
- Firma 'KIKO' S.C., Poznan,
- 'Enkel' Waldemar Wnuk, Pulawy,
- Sliwka Lucyna, Klodzko,
- Firma Borkowski S.C. Export-Import, Grabow n. Prosna,

- Produkcja-Skup Elementow I Palet, Stanislaw Gorecki, Czajkow,
  - 'Bilusa' Sp.zo.o, Klodawa,
  - P.P.U.H PAL-POL S.C., Prabuty,
  - Firma 'A.C.S.' S.C., Kamien,
- in connection with the anti-dumping proceeding concerning import of flat pallets of wood originating in Poland and falling within CN code ex 4415 20 20 10 are hereby accepted.

*Article 2*

This acceptance shall take effect on the day following publication of this Decision in the *Official Journal of the European Communities*.

Done at Brussels, 3 September 1998.

*For the Commission*

Leon BRITTAN

*Vice-President*

## COMMISSION DECISION

of 30 September 1998

**amending for the second time Decision 98/339/EC concerning certain protective measures relating to classical swine fever in Spain***(notified under document number C(1998) 2871)***(Text with EEA relevance)**

(98/555/EC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Directive 90/425/EEC of 26 June 1990 concerning veterinary and zootechnical checks applicable in intra-Community trade in certain live animals and products with a view to the completion of the internal market <sup>(1)</sup>, as last amended by Directive 92/118/EEC <sup>(2)</sup>, and in particular Article 10(4) thereof,

Whereas a number of outbreaks of Classical Swine Fever have occurred in Spain;

Whereas Spain has taken measures within the framework of Council Directive 80/217/EEC of 22 January 1980 introducing Community measures for the control of classical swine fever <sup>(3)</sup>, as last amended by the Act of Accession of Austria, Finland and Sweden;Whereas as a result of disease situation it was necessary to adopt Commission Decision 97/285/EC of 30 April 1997 <sup>(4)</sup> concerning certain protection measures relating to classical swine fever in Spain, to amend it by Decisions 97/446/EC <sup>(5)</sup>, 98/93/EC <sup>(6)</sup> and 98/271/EC <sup>(7)</sup>, to repeal it by Decision 98/339/EC of 14 May 1998 <sup>(8)</sup> and to amend Decision 98/339/EC by Decision 98/411/EC <sup>(9)</sup>;Whereas Spain has adopted the national serosurveillance programme for classical swine fever approved with Commission 98/176/EC <sup>(10)</sup>;

Whereas due to Classical swine fever favourable evolution it is necessary to modify adopted measures concerning

the movement of pigs and the trade of boar semen from some areas of Spain;

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*

1. Annex I of Commission Decision 98/339/EC is replaced by the Annex to this Decision.

2. Article 3 and Annex II of Commission Decision 98/339/EC are hereby repealed.

*Article 2*

The Member States shall amend the measures they apply to trade so as to bring them into compliance with this Decision. They shall immediately inform the Commission thereof.

*Article 3*

This Decision is addressed to the Member States.

Done at Brussels, 30 September 1998.

*For the Commission*

Franz FISCHLER

*Member of the Commission*<sup>(1)</sup> OJ L 224, 18. 8. 1990, p. 29.<sup>(2)</sup> OJ L 62, 15. 3. 1993, p. 49.<sup>(3)</sup> OJ L 47, 21. 2. 1980, p. 11.<sup>(4)</sup> OJ L 114, 1. 5. 1997, p. 47.<sup>(5)</sup> OJ L 190, 19. 7. 1997, p. 48.<sup>(6)</sup> OJ L 18, 23. 1. 1998, p. 35.<sup>(7)</sup> OJ L 120, 23. 4. 1998, p. 23.<sup>(8)</sup> OJ L 148, 19. 5. 1998, p. 43.<sup>(9)</sup> OJ L 188, 2. 7. 1998, p. 40.<sup>(10)</sup> OJ L 65, 5. 3. 1998, p. 26.

*ANNEX***Comarcas veterinarias in the province of Zaragoza**

Alagón

Borja

Tauste

Zaragoza

Illueco

La Almunia de Doña Godina

**Comarcas veterinarias in the province of Sevilla**

Los Alcores

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## COMMISSION DECISION

of 30 September 1998

**amending Commission Decision 97/467/EC drawing up provisional lists of third country establishments from which the Member States authorise imports of rabbit meat and farmed game meat**

*(notified under document number C(1998) 2941)*

(Text with EEA relevance)

(98/556/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 and live bivalve molluscs<sup>(1)</sup>, as amended by Decision 97/34/EC<sup>(2)</sup> and in particular Article 2(1) and Article 7 thereof,

Whereas Commission Decision 97/467/EC<sup>(3)</sup>, as last amended by Decision 98/219/EC<sup>(4)</sup>, drew up provisional lists of third country establishments from which Member States authorise imports of rabbit meat and farmed game meat; whereas the list of establishments drawn up by the aforementioned Decision does not include establishments producing ratite meat;

Whereas the list of third countries from which Member States are authorised to import ratite meat, the animal health conditions and the veterinary certification required for import of this meat in the Community are not established yet;

Whereas Member States in accordance with the provisions of Decision 97/467/EC may until 1 October 1998 authorise establishments for import or ratite meat;

Whereas the date of 1 October 1998 shall be replaced by 1 October 1999 to allow for adoption of harmonised legislation proposed for presentation to the World Trade Organisation (WTO) for observations;

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

HAS ADOPTED THIS DECISION:

*Article 1*

In Article 1(2)(a) of Decision 97/467/EC the words '1 October 1998' are replaced by '1 October 1999'.

*Article 2*

This Decision is addressed to the Member States.

Done at Brussels, 30 September 1998.

*For the Commission*

Franz FISCHLER

*Member of the Commission*

<sup>(1)</sup> OJ L 243, 11. 10. 1995, p. 17.

<sup>(2)</sup> OJ L 13, 16. 1. 1997, p. 33.

<sup>(3)</sup> OJ L 199, 26. 7. 1997, p. 57.

<sup>(4)</sup> OJ L 82, 19. 3. 1998, p. 44.