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⁽¹⁾ Text with EEA relevance

I

(Acts whose publication is obligatory)

COMMISSION REGULATION (EC) No 2213/98
of 15 October 1998
establishing the standard import values for determining the entry price of certain
fruit and vegetables

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

Having regard to Commission Regulation (EC) No 3223/94 of 21 December 1994 on detailed rules for the application of the import arrangements for fruit and vegetables ⁽¹⁾, as last amended by Regulation (EC) No 1498/98 ⁽²⁾, and in particular Article 4 (1) thereof,

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

Whereas Regulation (EC) No 3223/94 lays down, pursuant to the outcome of the Uruguay Round multilateral trade negotiations, the criteria whereby the Commission fixes the standard values for imports from third

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

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

HAS ADOPTED THIS REGULATION:

Article 1

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

Article 2

This Regulation shall enter into force on 16 October 1998.

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

Done at Brussels, 15 October 1998.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ L 337, 24. 12. 1994, p. 66.

⁽²⁾ OJ L 198, 15. 7. 1998, p. 4.

⁽³⁾ OJ L 387, 31. 12. 1992, p. 1.

⁽⁴⁾ OJ L 22, 31. 1. 1995, p. 1.

ANNEX

to the Commission Regulation of 15 October 1998 establishing the standard import values for determining the entry price of certain fruit and vegetables

(ECU/100 kg)

CN code	Third country code ⁽¹⁾	Standard import value
0702 00 00	204	98,6
	999	98,6
0709 90 70	052	96,1
	999	96,1
0805 30 10	052	57,1
	388	88,4
	524	51,0
	528	51,3
	999	61,9
0806 10 10	052	99,6
	064	75,1
	400	220,9
	999	131,9
0808 10 20, 0808 10 50, 0808 10 90	052	61,7
	060	36,6
	064	42,5
	388	16,6
	400	72,6
	404	69,8
	512	45,5
	804	96,2
	999	55,2
0808 20 50	052	93,7
	064	47,1
	999	70,4

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

COMMISSION REGULATION (EC) No 2214/98
of 15 October 1998
amending Council Regulation (EC) No 338/97 on the protection of species of wild
fauna and flora by regulating trade therein

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

Having regard to Council Regulation (EC) No 338/97 of 9 December 1996 on the protection of species of wild fauna and flora by regulating trade therein ⁽¹⁾, as last amended by Commission Regulation (EC) No 2307/97 ⁽²⁾, and in particular Article 19, point 3, thereof,

Whereas amendments have been made to Appendix III to the Convention on International Trade in Endangered Species of Wild Fauna and Flora; whereas Annex C to Regulation (EC) No 338/97 should therefore be amended to incorporate these amendments;

Whereas adaptations need to be made to the 'Notes on interpretation of Annexes A, B, C and D' to Regulation (EC) No 338/97;

Whereas the measures provided for in this Regulation are in accordance with the opinion of the Committee on Trade in Wild Fauna and Flora,

HAS ADOPTED THIS REGULATION:

Article 1

Regulation (EC) No 338/97 is amended as follows:

1. the 'Notes on the interpretation of Annexes A, B, C and D' are amended as follows:

- (a) the annotation '+216' is replaced by the following:

'+216 Population of the species in Bolivia.';

- (b) the following annotations are inserted:

'+217 Population of the species in Brazil

+218 All populations of the species in the Americas';

2. in Annex C the entry

'MELIACEAE *Swietenia macrophylla* (III CR)
 +216 #5
 (American mahogany)'

is replaced by:

'MELIACEAE *Swietenia macrophylla* #5
 (III/BO +216/BR +217/CR
 +218)
 (American mahogany)'.

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, 15 October 1998.

For the Commission

Ritt BJERREGAARD

Member of the Commission

⁽¹⁾ OJ L 61, 3. 3. 1997, p. 1.

⁽²⁾ OJ L 325, 27. 11. 1997, p. 1.

COMMISSION REGULATION (EC) No 2215/98

of 15 October 1998

amending Regulation (EC) No 881/98 laying down detailed rules for the protection of the additional traditional terms used to designate certain types of quality wine produced in specified regions (quality wine psr)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EEC) No 823/87 of 16 March 1987 laying down special provisions relating to quality wines produced in specified regions⁽¹⁾, as last amended by Regulation (EC) No 1426/96⁽²⁾, and in particular Article 15(8) thereof,

Whereas Commission Regulation (EC) No 881/98⁽³⁾ lays down detailed rules for the protection of the additional traditional terms used to designate certain types of quality wine psr;

Whereas transitional measures are required for products whose designation and presentation do not comply with the rules in force;

Whereas it is necessary to give more time to interested parties who satisfy the conditions laid down in the Regulation for adding to the list of traditional terms in the Annex to that Regulation; whereas, therefore, the date of application of the Regulation should be put back by six months;

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

HAS ADOPTED THIS REGULATION:

Article 1

Regulation (EC) No 881/98 is hereby amended as follows:

1. the following Article 6a is added:

'Article 6a

Wines designated and presented in accordance with the rules in force at the time they were placed in circulation but whose designation and presentation are no longer in accordance with those rules following an amendment of the latter may be held for sale, placed in circulation or exported until stocks are exhausted.

Labels printed in accordance with the rules in force at the time they were placed in circulation and which are no longer in accordance with those rules following an amendment of the latter may be used for one year from the date of application of that amendment.';

2. in Article 7, '1 October 1998' is replaced by '1 April 1999'.

Article 2

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

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

Done at Brussels, 15 October 1998.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ L 84, 27. 3. 1987, p. 59.

⁽²⁾ OJ L 184, 24. 7. 1996, p. 1.

⁽³⁾ OJ L 124, 25. 4. 1998, p. 22.

**COMMISSION REGULATION (EC) No 2216/98
of 15 October 1998**

**amending Regulation (EEC) No 2219/92 laying down detailed rules for the
application of the specific supply arrangements for Madeira relating to milk
products regarding the amounts of aid**

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

Having regard to Council Regulation (EEC) No 1600/92
of 15 June 1992 concerning specific measures for the
Azores and Madeira relating to certain agricultural prod-
ucts ⁽¹⁾, as last amended by Commission Regulation (EC)
No 562/98 ⁽²⁾, and in particular Article 10 thereof,

Whereas Commission Regulation (EEC) No 1696/92 ⁽³⁾,
as last amended by Regulation (EEC) No 2596/93 ⁽⁴⁾, lays
down in particular the detailed rules for the application of
the specific arrangements for the supply of certain agri-
cultural products to the Azores and Madeira;

Whereas Annex II to Regulation (EEC) No 2219/92 of 30
July 1992 laying down detailed rules for the application
of the specific supply arrangements for Madeira relating
to milk products and establishing the forecast supply
balance ⁽⁵⁾, as last amended by Regulation (EC) No 2025/
98 ⁽⁶⁾, fixes the aid for milk products;

Whereas Commission Regulation (EC) No 2218/98 of 15
October 1998 fixing the export refunds on milk and milk
products ⁽⁷⁾, fixes the refunds on those products; whereas
Annex II to Regulation (EEC) No 2219/92 should be
adapted to take account of those adjustments;

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

Annex II to Regulation (EEC) No 2219/92 is hereby
replaced by the Annex hereto.

Article 2

This Regulation shall enter into force on 16 October
1998.

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

Done at Brussels, 15 October 1998.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ L 173, 27. 6. 1992, p. 1.

⁽²⁾ OJ L 76, 13. 3. 1998, p. 6.

⁽³⁾ OJ L 179, 1. 7. 1992, p. 6.

⁽⁴⁾ OJ L 238, 23. 9. 1993, p. 24.

⁽⁵⁾ OJ L 218, 1. 8. 1992, p. 75.

⁽⁶⁾ OJ L 262, 25. 9. 1998, p. 12.

⁽⁷⁾ See page 21 of this Official Journal.

ANNEX

ANNEX II

(in ECU/100 kg weight, if no other indication)

CN code	Description of goods	Product code	Notes	Amount of aid
0401	Milk and cream, not concentrated nor containing added sugar or other sweetening matter:			
0401 10	— Of a fat content, by weight, not exceeding 1 %:			
0401 10 10	— — In immediate packings of a net content not exceeding 2 litres	0401 10 10 9000		2,327
0401 10 90	— — Other	0401 10 90 9000		2,327
0401 20	— Of a fat content, by weight, exceeding 1 % but not exceeding 6 %:			
	— — Not exceeding 3 %:			
0401 20 11	— — — In immediate packings of a net content not exceeding 2 litres:			
	— — — Of a fat content, by weight, not exceeding 1,5 %	0401 20 11 9100		2,327
	— — — Of a fat content, by weight, exceeding 1,5 %	0401 20 11 9500		3,597
0401 20 19	— — — Other:			
	— — — Of a fat content, by weight, not exceeding 1,5 %	0401 20 19 9100		2,327
	— — — Of a fat content, by weight, exceeding 1,5 %	0401 20 19 9500		3,597
	— — Exceeding 3 %:			
0401 20 91	— — — In immediate packings of a net content not exceeding 2 litres:			
	— — — Of a fat content, by weight, not exceeding 4 %	0401 20 91 9100		4,551
	— — — Of a fat content, by weight, exceeding 4 %	0401 20 91 9500		5,302
0401 20 99	— — — Other:			
	— — — Of a fat content, by weight, not exceeding 4 %	0401 20 99 9100		4,551
	— — — Of a fat content, by weight, exceeding 4 %	0401 20 99 9500		5,302
0401 30	— Of a fat content, by weight, exceeding 6 %:			
	— — Not exceeding 21 %:			
0401 30 11	— — — In immediate packings of a net content not exceeding 2 litres:			
	— — — Of a fat content, by weight:			
	— — — Not exceeding 10 %	0401 30 11 9100		6,803
	— — — Exceeding 10 % but not exceeding 17 %	0401 30 11 9400		10,50
	— — — Exceeding 17 %	0401 30 11 9700		15,77
0401 30 19	— — — Other:			
	— — — Of a fat content, by weight:			
	— — — Not exceeding 10 %	0401 30 19 9100		6,803
	— — — Exceeding 10 % but not exceeding 17 %	0401 30 19 9400		10,50
	— — — Exceeding 17 %	0401 30 19 9700		15,77
	— — Exceeding 21 % but not exceeding 45 %:			

(in ECU/100 kg weight, if no other indication)

CN code	Description of goods	Product code	Notes	Amount of aid
0401 30 31	— — — In immediate packings of a net content not exceeding 2 litres: — Of a fat content, by weight: — Not exceeding 35 % — Exceeding 35 % but not exceeding 39 % — Exceeding 39 %	0401 30 31 9100 0401 30 31 9400 0401 30 31 9700		38,32 59,85 66,00
0401 30 39	— — — Other: — Of a fat content, by weight: — Not exceeding 35 % — Exceeding 35 % but not exceeding 39 % — Exceeding 39 % — — Exceeding 45 %:	0401 30 39 9100 0401 30 39 9400 0401 30 39 9700		38,32 59,85 66,00
0401 30 91	— — — In immediate packings of a net content not exceeding 2 litres: — Of a fat content, by weight: — Not exceeding 68 % — Exceeding 68 % but not exceeding 80 % — Exceeding 80 %	0401 30 91 9100 0401 30 91 9400 0401 30 91 9700		75,22 110,55 129,01
0401 30 99	— — — Other: — Of a fat content, by weight: — Not exceeding 68 % — Exceeding 68 % but not exceeding 80 % — Exceeding 80 %	0401 30 99 9100 0401 30 99 9400 0401 30 99 9700		75,22 110,55 129,01
ex 0402	Skimmed-milk powder of a fat content, by weight, not exceeding 1,5 %	0402 10 11 9000 0402 10 19 9000	(13)	82,50
ex 0402	Whole milk powder of a fat content, by weight, not exceeding 27 %	0402 21 11 9900 0402 21 19 9900	(13)	102,60
0402 21 11	— — — — In immediate packings of a net content not exceeding 2,5 kg: — Of a fat content, by weight: — Not exceeding 11 % — Exceeding 11 % but not exceeding 17 % — Exceeding 17 % but not exceeding 25 % — Exceeding 25 %	0402 21 11 9200 0402 21 11 9300 0402 21 11 9500 0402 21 11 9900	(13) (13) (13) (13)	82,50 90,54 95,38 102,60
0402 21 19	— — — — Other: — — — — Of a fat content, by weight, exceeding 11 % but not exceeding 27 %: — Not exceeding 17 % — Exceeding 17 % but not exceeding 25 % — Exceeding 25 %	0402 21 19 9300 0402 21 19 9500 0402 21 19 9900	(13) (13) (13)	90,54 95,38 102,60

(in ECU/100 kg weight, if no other indication)

CN code	Description of goods	Product code	Notes	Amount of aid
ex 0405	Butter and other fats and oils derived from milk; dairy spreads:			
0405 10	— Butter:			
	— — Of a fat content, by weight, not exceeding 85 %:			
	— — — Natural butter:			
0405 10 11	— — — — In immediate packings of a net content not exceeding 1 kg:			
	— — — — — Of a fat content by weight:			
	— — — — — — Of 80 % or more but less than 82 %	0405 10 11 9500		176,10
	— — — — — — Of 82 % or more	0405 10 11 9700		180,50
0405 10 19	— — — — Other:			
	— — — — — Of a fat content by weight:			
	— — — — — — Of 80 % or more but less than 82 %	0405 10 19 9500		176,10
	— — — — — — Of 82 % or more	0405 10 19 9700		180,50
0405 10 30	— — — Recombined butter:			
	— — — — In immediate packings of a net content not exceeding 1 kg:			
	— — — — — Of a fat content by weight:			
	— — — — — — Of 80 % or more but less than 82 %	0405 10 30 9100		176,10
	— — — — — — Of 82 % or more	0405 10 30 9300		180,50
	— — — — Other:			
	— — — — — Of a fat content by weight:			
	— — — — — — Of 80 % or more but less than 82 %	0405 10 30 9500		176,10
	— — — — — — Of 82 % or more	0405 10 30 9700		180,50
0405 10 50	— — — Whey butter:			
	— — — — In immediate packings of a net content not exceeding 1 kg:			
	— — — — — Of a fat content by weight:			
	— — — — — — Of 80 % or more but less than 82 %	0405 10 50 9100		176,10
	— — — — — — Of 82 % or more	0405 10 50 9300		180,50
	— — — — Other:			
	— — — — — Of a fat content by weight:			
	— — — — — — Of 80 % or more but less than 82 %	0405 10 50 9500		176,10
	— — — — — — Of 82 % or more	0405 10 50 9700		180,50
0405 10 90	— — Other	0405 10 90 9000		187,10
ex 0405 20	— Dairy spreads:			
0405 20 90	— — Of a fat content by weight of more than 75 % but less than 80 %:			
	— — — Of a fat content by weight:			
	— — — — Of more than 75 % but less than 78 %	0405 20 90 9500		165,09
	— — — — Of 78 % or more	0405 20 90 9700		171,69
0405 90	— Other:			
0405 90 10	— — Of a fat content by weight of 99,3 % or more and of a water content by weight not exceeding 0,5 %:	0405 90 10 9000		228,00
0405 90 90	— — Other	0405 90 90 9000		180,50

(in ECU/100 kg weight, if no other indication)

CN code	Description of goods	Additional requirements for using the product code		Product code	Notes	Amount of aid
		Maximum water content in product weight (%)	Minimum fat content in the dry matter (%)			
ex 0406	Cheese and curd ⁽³⁾ :					
ex 0406 90 23	— — — Edam	47	40	0406 90 23 9900	⁽³⁾	90,36
ex 0406 90 25	— — — Tilsit	47	45	0406 90 25 9900	⁽³⁾	89,77
ex 0406 90 76	— — — — — — — Danbo, Fontal, Fontina, Fynbo, Havarti, Maribo, Samsoe:					
	— — — — — — — Of a fat content, by weight, in the dry matter of 45 % or more but less than 55 %:					
	— — — — — — — Of a dry matter content, by weight, of 50 % or more but less than 56 %	50	45	0406 90 76 9300	⁽³⁾	84,68
	— — — — — — — Of a dry matter content, by weight, of 56 % or more	44	45	0406 90 76 9400	⁽³⁾	94,85
	— — — — — — — Of a fat content, by weight, in the dry matter of 55 % or more	46	55	0406 90 76 9500	⁽³⁾	90,24
ex 0406 90 78	— — — — — — — Gouda:					
	— — — — — — — Of a fat content, by weight, in the dry matter of less than 48 %	50	20	0406 90 78 9100	⁽³⁾	87,50
	— — — — — — — Of a fat content by weight, in the dry matter of 48 % or more but less than 55 %	45	48	0406 90 78 9300	⁽³⁾	92,78
	— — — — — — — Other	45	55	0406 90 78 9500	⁽³⁾	91,91
ex 0406 90 79	— — — — — — — Esrom, Italico, Kernhem, Saint-Nectaire, Saint-Paulin, Taleggio	56	40	0406 90 79 9900	⁽³⁾	75,02
ex 0406 90 81	— — — — — — — Cantal, Cheshire, Wensleydale, Lancashire, Double Gloucester, Blarney, Colby, Monterey	44	44	0406 90 81 9900	⁽³⁾	94,85
ex 0406 90 86	— — — — — — — Exceeding 47 % but not exceeding 52 %:					
	— — — — — — — cheeses produced from whey			0406 90 86 9100		—
	— — — — — — — Other, of a fat content, by weight, in the dry matter:					
	— — — — — — — Of less than 5 %	52		0406 90 86 9200	⁽³⁾	86,17
	— — — — — — — Of 5 % or more but less than 19 %	51	5	0406 90 86 9300	⁽³⁾	87,41
	— — — — — — — Of 19 % or more but less than 39 %	47	19	0406 90 86 9400	⁽³⁾	92,87
	— — — — — — — Of 39 % or more	40	39	0406 90 86 9900	⁽³⁾	102,43
ex 0406 90 87	— — — — — — — Exceeding 52 % but not exceeding 62 %:					
	— — — — — — — cheeses produced from whey, except for Manouri			0406 90 87 9100		—
	— — — — — — — Other, of a fat content, by weight, in the dry matter:					
	— — — — — — — Of less than 5 %	60		0406 90 87 9200	⁽³⁾	71,81
	— — — — — — — Of 5 % or more but less than 19 %	55	5	0406 90 87 9300	⁽³⁾	80,27
	— — — — — — — Of 19 % or more but less than 40 %	53	19	0406 90 87 9400	⁽³⁾	82,36

(in ECU/100 kg weight, if no other indication)

CN code	Description of goods	Additional requirements for using the product code		Product code	Notes	Amount of aid
		Maximum water content in product weight (%)	Minimum fat content in the dry matter (%)			
ex 0406 90 87 (cont'd.)	— — — — — — — — — — Of 40 % or more:					
	— — — — — — — — — — Idiazabal, Manchego and Roncal manufactured exclusively from sheep's milk	45	45	0406 90 87 9951	(³)	93,15
	— — — — — — — — — — Maasdam	45	45	0406 90 87 9971	(³)	93,15
	— — — — — — — — — — Manouri	43	53	0406 90 87 9972	(³)	39,68
	— — — — — — — — — — Hushallsost	46	45	0406 90 87 9973	(³)	91,46
	— — — — — — — — — — Murukoloinen	41	50	0406 90 87 9974	(³)	99,26
	— — — — — — — — — — Other:	47	40	0406 90 87 9979	(³)	90,36
ex 0406 90 88	— — — — — — — — — — Exceeding 62 % but not exceeding 72 %:					
	— — — — — — — — — — cheese produced from whey			0406 90 88 9100		—
	— — — — — — — — — — Other:					
	— — — — — — — — — — Other:					
	— — — — — — — — — — Of a fat content, by weight, in the dry matter:					
	— — — — — — — — — — Of 10 % or more but less than 19 %	60	10	0406 90 88 9300	(³)	70,90

(³) In the case of cheese presented in containers which also contain conserving liquid, in particular brine, the aid is granted on the net weight, the weight of the liquid being deducted.

(¹³) Where the product contains non-lactic matter, the non-lactic matter is not to be taken into account for the purposes of calculating the aid.

When completing customs formalities, the applicant must state on the declaration provided for that purpose whether or not non-lactic matter has been added and, where this is the case, the maximum content by weight of the non-lactic matter added per 100 kilograms of finished product.⁷

**COMMISSION REGULATION (EC) No 2217/98
of 15 October 1998**

**amending Regulation (EC) No 2993/94 fixing the aid for the supply of milk
products to the Canary Islands under the arrangements provided for in Articles 2
to 4 of Council Regulation (EEC) No 1601/92**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EEC) No 1601/92 of 15 June 1992 concerning specific measures for the Canary Islands with regard to certain agricultural products ⁽¹⁾, as last amended by Regulation (EC) No 2348/96 ⁽²⁾, and in particular Article 3(4) thereof,

Whereas Commission Regulation (EC) No 2790/94 ⁽³⁾, as last amended by Regulation (EC) No 825/98 ⁽⁴⁾, lays down in particular the detailed rules for the application of the specific arrangements for the supply of certain agricultural products to the Canary Islands;

Whereas Commission Regulation (EC) No 2993/94 ⁽⁵⁾, as last amended by Regulation (EC) No 2026/98 ⁽⁶⁾, fixed the amount of aid for milk products;

Whereas Commission Regulation (EC) No 2218/98 of 15 October 1998 fixing the export refunds on milk and milk products ⁽⁷⁾, fixes the refunds on those products; whereas the Annex to Regulation (EC) No 2993/94 should be adapted to take account of those adjustments;

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

The Annex to Regulation (EC) No 2993/94 is hereby replaced by the Annex hereto.

Article 2

This Regulation shall enter into force on 16 October 1998.

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

Done at Brussels, 15 October 1998.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ L 173, 27. 6. 1992, p. 13.

⁽²⁾ OJ L 320, 11. 12. 1996, p. 1.

⁽³⁾ OJ L 296, 17. 11. 1994, p. 23.

⁽⁴⁾ OJ L 117, 21. 4. 1998, p. 5.

⁽⁵⁾ OJ L 316, 9. 12. 1994, p. 11.

⁽⁶⁾ OJ L 262, 25. 9. 1998, p. 18.

⁽⁷⁾ See page 21 of this Official Journal.

ANNEX

(in ECU/100 kg weight, if no other indication)

CN code	Description of goods	Product code	Notes	Amount of aid
0401	Milk and cream, not concentrated nor containing added sugar or other sweetening matter:			
0401 10	– Of a fat content, by weight, not exceeding 1 %:			
0401 10 10	– – In immediate packings of a net content not exceeding 2 litres	0401 10 10 9000		2,327
0401 10 90	– – Other	0401 10 90 9000		2,327
0401 20	– Of a fat content, by weight, exceeding 1 % but not exceeding 6 %:			
	– – Not exceeding 3 %:			
0401 20 11	– – – In immediate packings of a net content not exceeding 2 litres:			
	– Of a fat content, by weight, not exceeding 1,5 %	0401 20 11 9100		2,327
	– Of a fat content, by weight, exceeding 1,5 %	0401 20 11 9500		3,597
0401 20 19	– – – Other:			
	– Of a fat content, by weight, not exceeding 1,5 %	0401 20 19 9100		2,327
	– Of a fat content, by weight, exceeding 1,5 %	0401 20 19 9500		3,597
	– – Exceeding 3 %:			
0401 20 91	– – – In immediate packings of a net content not exceeding 2 litres:			
	– Of a fat content, by weight, not exceeding 4 %	0401 20 91 9100		4,551
	– Of a fat content, by weight, exceeding 4 %	0401 20 91 9500		5,302
0401 20 99	– – – Other:			
	– Of a fat content, by weight, not exceeding 4 %	0401 20 99 9100		4,551
	– Of a fat content, by weight, exceeding 4 %	0401 20 99 9500		5,302
0401 30	– Of a fat content, by weight, exceeding 6 %:			
	– – Not exceeding 21 %:			
0401 30 11	– – – In immediate packings of a net content not exceeding 2 litres:			
	– Of a fat content, by weight:			
	– Not exceeding 10 %	0401 30 11 9100		6,803
	– Exceeding 10 % but not exceeding 17 %	0401 30 11 9400		10,50
	– Exceeding 17 %	0401 30 11 9700		15,77
0401 30 19	– – – Other:			
	– Of a fat content, by weight:			
	– Not exceeding 10 %	0401 30 19 9100		6,803
	– Exceeding 10 % but not exceeding 17 %	0401 30 19 9400		10,50
	– Exceeding 17 %	0401 30 19 9700		15,77
	– – Exceeding 21 % but not exceeding 45 %:			
0401 30 31	– – – In immediate packings of a net content not exceeding 2 litres:			
	– Of a fat content, by weight:			
	– Not exceeding 35 %	0401 30 31 9100		38,32
	– Exceeding 35 % but not exceeding 39 %	0401 30 31 9400		59,85
	– Exceeding 39 %	0401 30 31 9700		66,00

(in ECU/100 kg weight, if no other indication)

CN code	Description of goods	Product code	Notes	Amount of aid
0401 30 39	— — — Other: — Of a fat content, by weight: — Not exceeding 35 % — Exceeding 35 % but not exceeding 39 % — Exceeding 39 % — — Exceeding 45 %:	0401 30 39 9100 0401 30 39 9400 0401 30 39 9700		38,32 59,85 66,00
0401 30 91	— — — In immediate packings of a net content not exceeding 2 litres: — Of a fat content, by weight: — Not exceeding 68 % — Exceeding 68 % but not exceeding 80 % — Exceeding 80 %	0401 30 91 9100 0401 30 91 9400 0401 30 91 9700		75,22 110,55 129,01
0401 30 99	— — — Other: — Of a fat content, by weight: — Not exceeding 68 % — Exceeding 68 % but not exceeding 80 % — Exceeding 80 %	0401 30 99 9100 0401 30 99 9400 0401 30 99 9700		75,22 110,55 129,01
0402	Milk and cream, concentrated or containing added sugar or other sweetening matter:			
0402 10	— In powder, granules or other solid forms, of a fat content, by weight, not exceeding 1,5 % (?): — — Not containing added sugar or other sweetening matter:			
0402 10 11	— — — In immediate packings of a net content not exceeding 2,5 kg	0402 10 11 9000	(13)	82,50
0402 10 19	— — — Other — — Other:	0402 10 19 9000	(13)	82,50
0402 10 91	— — — In immediate packings of a net content not exceeding 2,5 kg	0402 10 91 9000	(14)	0,8250
0402 10 99	— — — Other — In powder, granules or other solid forms, of a fat content, by weight, exceeding 1,5 % (?):	0402 10 99 9000	(14)	0,8250
0402 21	— — Not containing added sugar or other sweetening matter: — — — Of a fat content, by weight, not exceeding 27 %:			
0402 21 11	— — — — In immediate packings of a net content not exceeding 2,5 kg: — Of a fat content, by weight: — Not exceeding 11 % — Exceeding 11 % but not exceeding 17 % — Exceeding 17 % but not exceeding 25 % — Exceeding 25 % — — — — Other:	0402 21 11 9200 0402 21 11 9300 0402 21 11 9500 0402 21 11 9900	(13) (13) (13) (13)	82,50 90,54 95,38 102,60
0402 21 17	— — — — — Of a fat content, by weight, not exceeding 11 %	0402 21 17 9000	(13)	82,50
0402 21 19	— — — — — Of a fat content, by weight, exceeding 11 % but not exceeding 27 %: — Not exceeding 17 % — Exceeding 17 % but not exceeding 25 % — Exceeding 25 % — — — — Of a fat content, by weight, exceeding 27 %:	0402 21 19 9300 0402 21 19 9500 0402 21 19 9900	(13) (13) (13)	90,54 95,38 102,60

(in ECU/100 kg weight, if no other indication)

CN code	Description of goods	Product code	Notes	Amount of aid
0402 21 91	— — — — In immediate packings of a net content not exceeding 2,5 kg: — Of a fat content, by weight: — Not 28 % — Exceeding 28 % but not exceeding 29 % — Exceeding 29 % but not exceeding 41 % — Exceeding 41 % but not exceeding 45 % — Exceeding 45 % but not exceeding 59 % — Exceeding 59 % but not exceeding 69 % — Exceeding 69 % but not exceeding 79 % — Exceeding 7 %	0402 21 91 9100 0402 21 91 9200 0402 21 91 9300 0402 21 91 9400 0402 21 91 9500 0402 21 91 9600 0402 21 91 9700 0402 21 91 9900	(¹³) (¹³) (¹³) (¹³) (¹³) (¹³) (¹³) (¹³)	103,34 104,05 105,34 112,58 115,09 124,73 130,38 136,76
0402 21 99	— — — — Other: — Of a fat content, by weight: — Not exceeding 28 % — Exceeding 28 % but not exceeding 29 % — Exceeding 29 % but not exceeding 41 % — Exceeding 41 % but not exceeding 45 % — Exceeding 45 % but not exceeding 59 % — Exceeding 59 % but not exceeding 69 % — Exceeding 69 % but not exceeding 79 % — Exceeding 79 %	0402 21 99 9100 0402 21 99 9200 0402 21 99 9300 0402 21 99 9400 0402 21 99 9500 0402 21 99 9600 0402 21 99 9700 0402 21 99 9900	(¹³) (¹³) (¹³) (¹³) (¹³) (¹³) (¹³) (¹³)	103,34 104,05 105,34 112,58 115,09 124,73 130,38 136,76
ex 0402 29	— — Other: — — — Of a fat content, by weight, not exceeding 27 %: — — — — Other:			
0402 29 15	— — — — — In immediate packings of a net content not exceeding 2,5 kg: — Of a fat content, by weight: — Not exceeding 11 % — Exceeding 11 % but not exceeding 17 % — Exceeding 17 % but not exceeding 25 % — Exceeding 25 %	0402 29 15 9200 0402 29 15 9300 0402 29 15 9500 0402 29 15 9900	(¹⁴) (¹⁴) (¹⁴) (¹⁴)	0,8250 0,9054 0,9538 1,0262
0402 29 19	— — — — — Other: — Of a fat content, by weight: — Not exceeding 11 % — Exceeding 11 % but not exceeding 17 % — Exceeding 17 % but not exceeding 25 % — Exceeding 25 % — — — Of a fat content, by weight, exceeding 27 %:	0402 29 19 9200 0402 29 19 9300 0402 29 19 9500 0402 29 19 9900	(¹⁴) (¹⁴) (¹⁴) (¹⁴)	0,8250 0,9054 0,9538 1,0262
0402 29 91	— — — — In immediate packings of a net content not exceeding 2,5 kg: — Of a fat content, by weight: — Not exceeding 41 % — Exceeding 41 %	0402 29 91 9100 0402 29 91 9500	(¹⁴) (¹⁴)	1,0334 1,1258
0402 29 99	— — — — Other: — Of a fat content, by weight: — Not exceeding 41 % — Exceeding 41 %	0402 29 99 9100 0402 29 99 9500	(¹⁴) (¹⁴)	1,0334 1,1258

(in ECU/100 kg weight, if no other indication)

CN code	Description of goods	Product code	Notes	Amount of aid
0402 91	— Other:			
	— — Not containing added sugar or other sweetening matter:			
	— — — Of a fat content, by weight, not exceeding 8 %:			
0402 91 11	— — — — In immediate packings of a net content not exceeding 2,5 kg:			
	— Of a non-fat lactic dry matter content:			
	— Of less than 15 % and of a fat content, by weight:			
	— Not exceeding 3 %	0402 91 11 9110	(13)	2,327
	— Exceeding 3 %	0402 91 11 9120	(13)	4,551
	— Of 15 % or more and of a fat content, by weight:			
	— Not exceeding 3 %	0402 91 11 9310	(13)	13,30
	— Exceeding 3 % but not exceeding 7,4 %	0402 91 11 9350	(13)	16,29
	— Exceeding 7,4 %	0402 91 11 9370	(13)	19,81
0402 91 19	— — — — Other:			
	— Of a non-fat lactic dry matter content:			
	— Of less than 15 % and of a fat content, by weight:			
	— Not exceeding 3 %	0402 91 19 9110	(13)	2,327
	— Exceeding 3 %	0402 91 19 9120	(13)	4,551
	— Of 15 % or more and of a fat content, by weight:			
	— Not exceeding 3 %	0402 91 19 9310	(13)	13,30
	— Exceeding 3 % but not exceeding 7,4 %	0402 91 19 9350	(13)	16,29
	— Exceeding 7,4 %	0402 91 19 9370	(13)	19,81
	— — — Of a fat content, by weight, exceeding 8 % but not exceeding 10 %:			
0402 91 31	— — — — In immediate packings of a net content not exceeding 2,5 kg:			
	— Of a non-fat lactic dry matter content:			
	— Of less than 15 %	0402 91 31 9100	(13)	8,991
	— Of 15 % or more	0402 91 31 9300	(13)	23,42
0402 91 39	— — — — Other:			
	— Of a non-fat lactic dry matter content:			
	— Of less than 15 %	0402 91 39 9100	(13)	8,991
	— Of 15 % or more	0402 91 39 9300	(13)	23,42
	— — — Of a fat content, by weight, exceeding 10 % but not exceeding 45 %:			
0402 91 51	— — — — In immediate packings of a net content not exceeding 2,5 kg	0402 91 51 9000	(13)	10,50
0402 91 59	— — — — Other	0402 91 59 9000	(13)	10,50
	— — — Of a fat content, by weight, exceeding 45 %:			
0402 91 91	— — — — In immediate packings of a net content not exceeding 2,5 kg	0402 91 91 9000	(13)	75,22
0402 91 99	— — — — Other	0402 91 99 9000	(13)	75,22

(in ECU/100 kg weight, if no other indication)

CN code	Description of goods	Product code	Notes	Amount of aid
0402 99	— — Other:			
	— — — Of a fat content, by weight, not exceeding 9,5 %:			
0402 99 11	— — — — In immediate packings of a net content not exceeding 2,5 kg:			
	— Of a non-fat lactic dry matter content of less than 15 % and of a fat content, by weight:			
	— Not exceeding 3 %	0402 99 11 9110	(14)	0,0233
	— Exceeding 3 % but not exceeding 6,9 %	0402 99 11 9130	(14)	0,0456
	— Exceeding 6,9 %	0402 99 11 9150	(14)	0,1269
	— Of a non-fat lactic dry matter content of 15 % or more and of a fat content, by weight:			
	— Not exceeding 3 %	0402 99 11 9310	(14)	0,2689
	— Exceeding 3 % but not exceeding 6,9 %	0402 99 11 9330	(14)	0,3228
	— Exceeding 6,9 %	0402 99 11 9350	(14)	0,4291
0402 99 19	— — — — Other:			
	— Of a non-fat lactic dry matter content of less than 15 % and of a fat content, by weight:			
	— Not exceeding 3 %	0402 99 19 9110	(14)	0,0233
	— Exceeding 3 % but not exceeding 6,9 %	0402 99 19 9130	(14)	0,0456
	— Exceeding 6,9 %	0402 99 19 9150	(14)	0,1269
	— Of a non-fat lactic dry matter content of 15 % or more and of a fat content, by weight:			
	— Not exceeding 3 %	0402 99 19 9310	(14)	0,2689
	— Exceeding 3 % but not exceeding 6,9 %	0402 99 19 9330	(14)	0,3228
	— Exceeding 6,9 %	0402 99 19 9350	(14)	0,4291
	— — — Of a fat content, by weight, exceeding 9,5 % but not exceeding 45 %:			
0402 99 31	— — — — In immediate packings not exceeding 2,5 kg:			
	— Of a fat content, by weight, not exceeding 21 %:			
	— Of a non-fat lactic dry matter content, by weight, of less than 15 %	0402 99 31 9110	(14)	0,0975
	— Of a non-fat lactic dry matter content, by weight, of 15 % or more	0402 99 31 9150	(14)	0,4467
	— Of a fat content, by weight, exceeding 21 % but not exceeding 39 %	0402 99 31 9300	(14)	0,3832
	— Of a fat content, by weight, exceeding 39 %	0402 99 31 9500	(14)	0,6600
0402 99 39	— — — — Other:			
	— Of a fat content, by weight, not exceeding 21 %:			
	— Of a non-fat lactic dry matter content, by weight, of less than 15 %	0402 99 39 9110	(14)	0,0975
	— Of a non-fat lactic dry matter content, by weight, of 15 % or more	0402 99 39 9150	(14)	0,4467
	— Of a fat content, by weight, exceeding 21 % but not exceeding 39 %	0402 99 39 9300	(14)	0,3832
	— Of a fat content, by weight, exceeding 39 %	0402 99 39 9500	(14)	0,6600

(in ECU/100 kg weight, if no other indication)

CN code	Description of goods	Product code	Notes	Amount of aid
	— — — Of a fat content, by weight, exceeding 45 %:			
0402 99 91	— — — — In immediate packings not exceeding 2,5 kg	0402 99 91 9000	(¹⁴)	0,7522
0402 99 99	— — — — Other	0402 99 99 9000	(¹⁴)	0,7522
ex 0405	Butter and other fats and oils derived from milk; dairy spreads:			
0405 10	— Butter:			
	— — Of a fat content, by weight, not exceeding 85 %:			
	— — — Natural butter:			
0405 10 11	— — — — In immediate packings of a net content not exceeding 1 kg:			
	— — — — — Of a fat content by weight:			
	— — — — — — Of 80 % or more but less than 82 %	0405 10 11 9500		176,10
	— — — — — — Of 82 % or more	0405 10 11 9700		180,50
0405 10 19	— — — — Other:			
	— — — — — Of a fat content by weight:			
	— — — — — — Of 80 % or more but less than 82 %	0405 10 19 9500		176,10
	— — — — — — Of 82 % or more	0405 10 19 9700		180,50
0405 10 30	— — — Recombined butter:			
	— — — — In immediate packings of a net content not exceeding 1 kg:			
	— — — — — Of a fat content by weight:			
	— — — — — — Of 80 % or more but less than 82 %	0405 10 30 9100		176,10
	— — — — — — Of 82 % or more	0405 10 30 9300		180,50
	— — — — Other:			
	— — — — — Of a fat content by weight:			
	— — — — — — Of 80 % or more but less than 82 %	0405 10 30 9500		176,10
	— — — — — — Of 82 % or more	0405 10 30 9700		180,50
0405 10 50	— — — Whey butter:			
	— — — — In immediate packings of a net content not exceeding 1 kg:			
	— — — — — Of a fat content by weight:			
	— — — — — — Of 80 % or more but less than 82 %	0405 10 50 9100		176,10
	— — — — — — Of 82 % or more	0405 10 50 9300		180,50
	— — — — Other:			
	— — — — — Of a fat content by weight:			
	— — — — — — Of 80 % or more but less than 82 %	0405 10 50 9500		176,10
	— — — — — — Of 82 % or more	0405 10 50 9700		180,50
0405 10 90	— — Other	0405 10 90 9000		187,10
ex 0405 20	— Dairy spreads:			
0405 20 90	— — Of a fat content by weight of more than 75 % but less than 80 %:			
	— — — Of a fat content by weight:			
	— — — — Of more than 75 % but less than 78 %	0405 20 90 9500		165,09
	— — — — Of 78 % or more	0405 20 90 9700		171,69
0405 90	— Other:			
0405 90 10	— — Of a fat content by weight of 99,3 % or more and of a water content by weight not exceeding 0,5 %:	0405 90 10 9000		228,00
0405 90 90	— — Other	0405 90 90 9000		180,50

(in ECU/100 kg weight, if no other indication)

CN code	Description of goods	Additional requirements for using the product code		Product code	Notes	Amount of aid
		Maximum water content in product weight (%)	Minimum fat content in the dry matter (%)			
ex 0406	Cheese and curd (°):					
ex 0406 30	— Processed cheese, not grated or powdered (°):					
	— — Other:					
	— — — Of a fat content, by weight, not exceeding 36 % and of a fat content, by weight, in the dry matter:					
ex 0406 30 31	— — — — Not exceeding 48 %:					
	— — — — — Of a dry matter content, by weight:					
	— — — — — — Of 40 % or more but less than 43 %, and of a fat content, by weight, in the dry matter:					
	— — — — — — — Of less than 20 %	60		0406 30 31 9710	(°)	17,88
	— — — — — — — Of 20 % or more	60	20	0406 30 31 9730	(°)	26,24
	— — — — — — — Of 43 % or more and with a fat content, by weight, in the dry matter:					
	— — — — — — — Of less than 20 %	57		0406 30 31 9910	(°)	17,88
	— — — — — — — Of 20 % or more but less than 40 %	57	20	0406 30 31 9930	(°)	26,24
	— — — — — — — Of 40 % or more	57	40	0406 30 31 9950	(°)	38,17
ex 0406 30 39	— — — — Exceeding 48 %:					
	— — — — — Of a dry matter, content, by weight:					
	— — — — — — Of 40 % or more but less than 43 %	60	48	0406 30 39 9500	(°)	26,24
	— — — — — — Of 43 % or more but less than 46 %	57	48	0406 30 39 9700	(°)	38,17
	— — — — — — Of 46 % or more and with a fat content, by weight, in the dry matter:					
	— — — — — — — Of less than 55 %	54	48	0406 30 39 9930	(°)	38,17
	— — — — — — — Of 55 % or more	54	55	0406 30 39 9950	(°)	43,16
ex 0406 30 90	— — — Of a list content exceeding 36 %	54	79	0406 30 90 9000	(°)	45,28
ex 0406 90 23	— — — Edam	47	40	0406 90 23 9900	(°)	90,36
ex 0406 90 25	— — — Tilsit	47	45	0406 90 25 9900	(°)	89,77
ex 0406 90 27	— — — Butterkäse	52	45	0406 90 27 9900	(°)	81,30
ex 0406 90 76	— — — — — — Danbo, Fontal, Fontina, Fynbo, Havarti, Maribo, Samsøe:					
	— — — — — — — Of a fat content, by weight, in the dry matter of 45 % or more but less than 55 %:					
	— — — — — — — — Of a dry matter content, by weight, of 50 % or more but less than 56 %	50	45	0406 90 76 9300	(°)	84,68
	— — — — — — — — Of a dry matter content, by weight, of 56 % or more	46	55	0406 90 76 9400	(°)	94,85
	— — — — — — — — Of a fat content, by weight, in the dry matter of 55 % or more	46	55	0406 90 76 9500	(°)	90,24

(in ECU/100 kg weight, if no other indication)

CN code	Description of goods	Additional requirements for using the product code		Product code	Notes	Amount of aid
		Maximum water content in product weight (%)	Minimum fat content in the dry matter (%)			
ex 0406 90 78	— — — — — — — — Gouda:					
	— — — — — — — — Of a fat content, by weight, in the dry matter of less than 48 %	50	20	0406 90 78 9100	(⁵)	87,50
	— — — — — — — — Of a fat content by weight, in the dry matter of 48 % or more but less 55 %	45	48	0406 90 78 9300	(⁵)	92,78
	— — — — — — — — Other	45	55	0406 90 78 9500	(⁵)	91,91
ex 0406 90 79	— — — — — — — — Esrom, Italico, Kernhem, Saint-Nectaire, Saint-Paulin, Taleggio	56	40	0406 90 79 9900	(⁵)	75,02
ex 0406 90 81	— — — — — — — — Cantal, Cheshire, Wensleydale, Lancashire, Double Gloucester, Blarney, Colby, Monterey	44	45	0406 90 81 9900	(⁵)	94,85
ex 0406 90 86	— — — — — — — — Exceeding 47 % but not exceeding 52 %:					
	— — — — — — — — cheeses produced from whey			0406 90 86 9100		—
	— — — — — — — — Other, of a fat content, by weight, in the dry matter:					
	— — — — — — — — — Of less than 5 %	52		0406 90 86 9200	(⁵)	86,17
	— — — — — — — — — Of 5 % or more but less than 19 %	51	5	0406 90 86 9300	(⁵)	87,41
	— — — — — — — — — Of 19 % or more but less than 39 %	47	19	0406 90 86 9400	(⁵)	92,87
	— — — — — — — — — Of 39 % or more	40	39	0406 90 86 9900	(⁵)	102,43
ex 0406 90 87	— — — — — — — — Exceeding 52 % but not exceeding 62 %:					
	— — — — — — — — cheeses produced from whey, except for Manouri			0406 90 87 9100		—
	— — — — — — — — Other, of a fat content, by weight, in the dry matter:					
	— — — — — — — — — Of less than 5 %	60		0406 90 87 9200	(⁵)	71,81
	— — — — — — — — — Of 5 % or more but less than 19 %	55	5	0406 90 87 9300	(⁵)	80,27
	— — — — — — — — — Of 19 % or more but less than 40 %	53	19	0406 90 87 9400	(⁵)	82,36
	— — — — — — — — — Of 40 % or more:					
	— — — — — — — — — Idiazabal, Manchego and Roncal manufactured exclusively from sheep's milk	45	45	0406 90 87 9951	(⁵)	93,15
	— — — — — — — — — Maasdam	45	45	0406 90 87 9971	(⁵)	93,15
	— — — — — — — — — Manouri	43	53	0406 90 87 9972	(⁵)	39,68
	— — — — — — — — — Hushallsost	46	45	0406 90 87 9973	(⁵)	91,46
	— — — — — — — — — Murukoloinen	41	50	0406 90 87 9974	(⁵)	99,26
	— — — — — — — — — Other	47	40	0406 90 87 9979	(⁵)	90,36

- (9) In the case of cheeses presented in containers which also contain conserving liquid, in particular brine, the aid is granted on the net weight, the weight of the liquid being deducted.
- (9) Where the product contains non-lactic matter and/or casein and/or caseinates and/or whey and/or products derived from whey and/or lactose and/or permeate and/or products falling within CN code 3504, the part corresponding to the added non-lactic matter and/or casein and/or caseinates and/or whey and/or products derived from whey and/or lactose and/or permeate and/or products falling within CN code 3504 will not be taken into account for the purpose of calculating the aid.
- When completing customs formalities, the party concerned is to state, on the declaration provided for the purpose, whether or not non-lactic matter and/or casein and/or caseinates and/or whey and/or products derived from whey and/or lactose and/or permeate and/or products falling within CN code 3504 have been added and, if so, the maximum content by weight of added non-lactic matter and/or casein and/or caseinates and/or whey and/or products derived from whey and/or lactose and/or permeate and/or products falling within CN code 3504 per 100 kilograms of finished product.
- (9) The aid on frozen condensed milk is the same as that on products falling within CN codes 0402 91 or 0402 99.
- (13) Where the product contains non-lactic matter, the non-lactic matter is not to be taken into account for the purposes of calculating the aid.
- When completing customs formalities, the applicant must state on the declaration provided for that purpose whether or not non-lactic matter has been added and, where this is the case, the maximum content by weight of the non-lactic matter added per 100 kilograms of finished product.
- (14) Where the product contains non-lactic matter other than sucrose, the non-lactic matter other than sucrose is not to be taken into account for the purposes of calculating the aid.
- The aid on 100 kilograms of product covered by this subheading is equal to the sum of the following components:
- (a) the amount per kilogram shown, multiplied by the weight of the lactic matter per 100 kilograms of product;
- (b) a component calculated in accordance with Article 12(3) of Commission Regulation (EC) No 1466/95 (OJ L 144, 28.6.1995, p. 22).
- When completing customs formalities, the applicant must state on the declaration provided for that purpose the maximum content by weight of sucrose and/or other non-lactic matter added per 100 kilograms of finished product.

COMMISSION REGULATION (EC) No 2218/98
of 15 October 1998
fixing the export refunds on milk and milk products

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

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

Whereas Article 17 of Regulation (EEC) No 804/68 provides that the difference between prices in international trade for the products listed in Article 1 of that Regulation and prices for those products within the Community may be covered by an export refund within the limits resulting from agreements concluded in accordance with Article 228 of the Treaty;

Whereas Regulation (EEC) No 804/68 provides that when the refunds on the products listed in Article 1 of the abovementioned Regulation, exported in the natural state, are being fixed account must be taken of:

- the existing situation and the future trend with regard to prices and availabilities of milk and milk products on the Community market and prices for milk and milk products in international trade,
- marketing costs and the most favourable transport charges from Community markets to ports or other points of export in the Community, as well as costs incurred in placing the goods on the market of the country of destination,
- the aims of the common organisation of the market in milk and milk products which are to ensure equilibrium and the natural development of prices and trade on this market,
- the limits resulting from agreements concluded in accordance with Article 228 of the Treaty, and
- the need to avoid disturbances on the Community market, and
- the economic aspect of the proposed exports;

Whereas Article 17 (5) of Regulation (EEC) No 804/68 provides that when prices within the Community are being determined account should be taken of the ruling prices which are most favourable for exportation, and that

when prices in international trade are being determined particular account should be taken of:

- (a) prices ruling on third country markets;
- (b) the most favourable prices in third countries of destination for third country imports;
- (c) producer prices recorded in exporting third countries, account being taken, where appropriate, of subsidies granted by those countries; and
- (d) free-at-Community-frontier offer prices;

Whereas Article 17 (3) of Regulation (EEC) No 804/68 provides that the world market situation or the specific requirements of certain markets may make it necessary to vary the refund on the products listed in Article 1 of the abovementioned Regulation according to destination;

Whereas Article 17 (3) of Regulation (EEC) No 804/68 provides that the list of products on which export refunds are granted and the amount of such refunds should be fixed at least once every four weeks; whereas the amount of the refund may, however, remain at the same level for more than four weeks;

Whereas, in accordance with Article 12 of Commission Regulation (EC) No 1466/95 of 27 June 1995 on specific detailed rules for the application of export refunds on milk and milk products ⁽³⁾, as last amended by Regulation (EC) No 2184/98 ⁽⁴⁾, the refund granted for milk products containing added sugar is equal to the sum of the two components; whereas one is intended to take account of the quantity of milk products and is calculated by multiplying the basic amount by the milk products content in the product concerned; whereas the other is intended to take account of the quantity of added sucrose and is calculated by multiplying the sucrose content of the entire product by the basic amount of the refund valid on the day of exportation for the products listed in Article 1(1)(d) of Council Regulation (EEC) No 1785/81 of 30 June 1981 on the common organisation of the markets in the sugar sector ⁽⁵⁾, as last amended by Regulation (EC) No 1148/98 ⁽⁶⁾; whereas, however, this second component is applied only if the added sucrose has been produced using sugar beet or cane harvested in the Community;

⁽¹⁾ OJ L 148, 28. 6. 1968, p. 13.

⁽²⁾ OJ L 206, 16. 8. 1996, p. 21.

⁽³⁾ OJ L 144, 28. 6. 1995, p. 22.

⁽⁴⁾ OJ L 275, 10. 10. 1998, p. 21.

⁽⁵⁾ OJ L 177, 1. 7. 1981, p. 4.

⁽⁶⁾ OJ L 159, 3. 6. 1998, p. 38.

Whereas the level of refund for cheeses is calculated for products intended for direct consumption; whereas the cheese rinds and cheese wastes are not products intended for this purpose; whereas, to avoid any confusion in interpretation, it should be specified that there will be no refund for cheeses of a free-at-frontier value less than ECU 230,00 per 100 kilograms;

Whereas Commission Regulation (EEC) No 896/84 ⁽¹⁾, as last amended by Regulation (EEC) No 222/88 ⁽²⁾, laid down additional provisions concerning the granting of refunds on the change from one milk year to another; whereas those provisions provide for the possibility of varying refunds according to the date of manufacture of the products;

Whereas for the calculation of the refund for processed cheese provision must be made where casein or caseinates are added for that quantity not to be taken into account;

Whereas it follows from applying the rules set out above to the present situation on the market in milk and in particular to quotations or prices for milk products within the Community and on the world market that the refund should be 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 Milk and Milk Products,

HAS ADOPTED THIS REGULATION:

Article 1

1. The export refunds referred to in Article 17 of Regulation (EEC) No 804/68 on products exported in the natural state shall be as set out in the Annex.
2. There shall be no refunds for exports to destination No 400 for products falling within CN codes 0401, 0402, 0403, 0404, 0405 and 2309.
3. There shall be no refunds for exports to destinations No 022, 024, 028, 043, 044, 045, 046, 052, 404, 600, 800 and 804 for products falling within CN code 0406.

Article 2

This Regulation shall enter into force on 16 October 1998.

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

Done at Brussels, 15 October 1998.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ L 91, 1. 4. 1984, p. 71.

⁽²⁾ OJ L 28, 1. 2. 1988, p. 1.

ANNEX

to the Commission Regulation of 15 October 1998 fixing the export refunds on milk and milk products

(in ECU/100 kg net weight unless otherwise indicated)

Product code	Destination (*)	Amount of refund	Product code	Destination (*)	Amount of refund
0401 10 10 9000	970	2,327	0402 21 91 9900	+	136,76
	***	—	0402 21 99 9100	+	103,34
0401 10 90 9000	970	2,327	0402 21 99 9200	+	104,05
	***	—	0402 21 99 9300	+	105,34
0401 20 11 9100	970	2,327	0402 21 99 9400	+	112,58
	***	—	0402 21 99 9500	+	115,09
0401 20 11 9500	970	3,597	0402 21 99 9600	+	124,73
	***	—	0402 21 99 9700	+	130,38
0401 20 19 9100	970	2,327	0402 21 99 9900	+	136,76
	***	—	0402 29 15 9200	+	0,8250
0401 20 19 9500	970	3,597	0402 29 15 9300	+	0,9054
	***	—	0402 29 15 9500	+	0,9538
0401 20 91 9100	970	4,551	0402 29 15 9900	+	1,0262
	***	—	0402 29 19 9200	+	0,8250
0401 20 91 9500	+	—	0402 29 19 9300	+	0,9054
0401 20 99 9100	970	4,551	0402 29 19 9500	+	0,9538
	***	—	0402 29 19 9900	+	1,0262
0401 20 99 9500	+	—	0402 29 91 9100	+	1,0334
0401 30 11 9100	+	—	0402 29 91 9500	+	1,1258
0401 30 11 9400	970	10,50	0402 29 99 9100	+	1,0334
	***	—	0402 29 99 9500	+	1,1258
0401 30 11 9700	970	15,77	0402 91 11 9110	+	—
	***	—	0402 91 11 9120	+	—
0401 30 19 9100	+	—	0402 91 11 9310	+	11,31
0401 30 19 9400	+	—	0402 91 11 9350	+	13,85
0401 30 19 9700	970	15,77	0402 91 11 9370	+	16,84
	***	—	0402 91 19 9110	+	—
0401 30 31 9100	+	38,32	0402 91 19 9120	+	—
0401 30 31 9400	+	59,85	0402 91 19 9310	+	11,31
0401 30 31 9700	+	66,00	0402 91 19 9350	+	13,85
0401 30 39 9100	+	38,32	0402 91 19 9370	+	16,84
0401 30 39 9400	+	59,85	0402 91 31 9100	+	—
0401 30 39 9700	+	66,00	0402 91 31 9300	+	19,91
0401 30 91 9100	+	75,22	0402 91 39 9100	+	—
0401 30 91 9400	+	110,55	0402 91 39 9300	+	19,91
0401 30 91 9700	+	129,01	0402 91 51 9000	+	—
0401 30 99 9100	+	75,22	0402 91 59 9000	+	—
0401 30 99 9400	+	110,55	0402 91 91 9000	+	63,94
0401 30 99 9700	+	129,01	0402 91 99 9000	+	63,94
0402 10 11 9000	+	82,50	0402 99 11 9110	+	—
0402 10 19 9000	+	82,50	0402 99 11 9130	+	—
0402 10 91 9000	+	0,8250	0402 99 11 9150	+	—
0402 10 99 9000	+	0,8250	0402 99 11 9310	+	0,2689
0402 21 11 9200	+	82,50	0402 99 11 9330	+	0,3228
0402 21 11 9300	+	90,54	0402 99 11 9350	+	0,4291
0402 21 11 9500	+	95,38	0402 99 19 9110	+	—
0402 21 11 9900	+	102,60	0402 99 19 9130	+	—
0402 21 17 9000	+	82,50	0402 99 19 9150	+	—
0402 21 19 9300	+	90,54	0402 99 19 9310	+	0,2689
0402 21 19 9500	+	95,38	0402 99 19 9330	+	0,3228
0402 21 19 9900	+	102,60	0402 99 19 9350	+	0,4291
0402 21 91 9100	+	103,34	0402 99 31 9110	+	—
0402 21 91 9200	+	104,05	0402 99 31 9150	+	0,4467
0402 21 91 9300	+	105,34	0402 99 31 9300	+	0,3832
0402 21 91 9400	+	112,58	0402 99 31 9500	+	0,6600
0402 21 91 9500	+	115,09	0402 99 39 9110	+	—
0402 21 91 9600	+	124,73	0402 99 39 9150	+	0,4467
0402 21 91 9700	+	130,38	0402 99 39 9300	+	0,3832

Product code	Destination (*)	Amount of refund	Product code	Destination (*)	Amount of refund
0402 99 39 9500	+	0,6600	0404 90 29 9160	+	130,38
0402 99 91 9000	+	0,7522	0404 90 29 9180	+	136,76
0402 99 99 9000	+	0,7522	0404 90 81 9100	+	0,8250
0403 10 11 9400	+	—	0404 90 81 9910	+	—
0403 10 11 9800	+	—	0404 90 81 9950	+	0,2689
0403 10 13 9800	+	—	0404 90 83 9110	+	0,8250
0403 10 19 9800	+	—	0404 90 83 9130	+	0,9054
0403 10 31 9400	+	—	0404 90 83 9150	+	0,9538
0403 10 31 9800	+	—	0404 90 83 9170	+	1,0262
0403 10 33 9800	+	—	0404 90 83 9911	+	—
0403 10 39 9800	+	—	0404 90 83 9913	+	—
0403 90 11 9000	+	81,11	0404 90 83 9915	+	—
0403 90 13 9200	+	81,11	0404 90 83 9917	+	—
0403 90 13 9300	+	89,73	0404 90 83 9919	+	—
0403 90 13 9500	+	94,53	0404 90 83 9931	+	0,2689
0403 90 13 9900	+	101,68	0404 90 83 9933	+	0,3228
0403 90 19 9000	+	102,44	0404 90 83 9935	+	0,4291
0403 90 31 9000	+	0,8111	0404 90 83 9937	+	0,4467
0403 90 33 9200	+	0,8111	0404 90 89 9130	+	1,0334
0403 90 33 9300	+	0,8973	0404 90 89 9150	+	1,1258
0403 90 33 9500	+	0,9453	0404 90 89 9930	+	0,4601
0403 90 33 9900	+	1,0168	0404 90 89 9950	+	0,6600
0403 90 39 9000	+	1,0244	0404 90 89 9990	+	0,7522
0403 90 51 9100	970	2,327	0405 10 11 9500	+	165,85
	***	—	0405 10 11 9700	+	170,00
0403 90 51 9300	+	—	0405 10 19 9500	+	165,85
0403 90 53 9000	+	—	0405 10 19 9700	+	170,00
0403 90 59 9110	+	—	0405 10 30 9100	+	165,85
0403 90 59 9140	+	—	0405 10 30 9300	+	170,00
0403 90 59 9170	970	15,77	0405 10 30 9500	+	165,85
	***	—	0405 10 30 9700	+	170,00
0403 90 59 9310	+	38,32	0405 10 50 9100	+	165,85
0403 90 59 9340	+	59,85	0405 10 50 9300	+	170,00
0403 90 59 9370	+	66,00	0405 10 50 9500	+	165,85
0403 90 59 9510	+	75,22	0405 10 50 9700	+	170,00
0403 90 59 9540	+	110,55	0405 10 90 9000	+	176,22
0403 90 59 9570	+	129,01	0405 20 90 9500	+	155,49
0403 90 61 9100	+	—	0405 20 90 9700	+	161,71
0403 90 61 9300	+	—	0405 90 10 9000	+	216,00
0403 90 63 9000	+	—	0405 90 90 9000	+	170,00
0403 90 69 9000	+	—	0406 10 20 9100	+	—
0404 90 21 9100	+	82,50	0406 10 20 9230	037	—
0404 90 21 9910	+	—		039	—
0404 90 21 9950	+	11,31		099	22,83
0404 90 23 9120	+	82,50		400	22,83
0404 90 23 9130	+	90,54		***	37,68
0404 90 23 9140	+	95,38		037	—
0404 90 23 9150	+	102,60	0406 10 20 9290	039	—
0404 90 23 9911	+	—		099	21,24
0404 90 23 9913	+	—		400	15,29
0404 90 23 9915	+	—		***	35,05
0404 90 23 9917	+	—		037	—
0404 90 23 9919	+	—		039	—
0404 90 23 9931	+	11,31		099	21,24
0404 90 23 9933	+	13,85		400	15,29
0404 90 23 9935	+	16,84		***	35,05
0404 90 23 9937	+	19,91	0406 10 20 9300	037	—
0404 90 23 9939	+	20,81		039	—
0404 90 29 9110	+	103,34		099	9,329
0404 90 29 9115	+	104,05		400	7,834
0404 90 29 9120	+	105,34		***	15,39
0404 90 29 9130	+	112,58			
0404 90 29 9135	+	115,09			
0404 90 29 9150	+	124,73			

Product code	Destination (*)	Amount of refund	Product code	Destination (*)	Amount of refund
0406 10 20 9610	037	—	0406 20 90 9990	+	—
	039	—	0406 30 31 9710	037	—
	099	30,98		039	—
	400	30,98		099	9,536
	***	51,11		400	8,346
0406 10 20 9620	037	—		***	17,88
	039	—	0406 30 31 9730	037	—
	099	31,42		039	—
	400	31,42		099	13,99
	***	51,83		400	12,25
0406 10 20 9630	037	—		***	26,24
	039	—	0406 30 31 9910	037	—
	099	35,06		039	—
	400	35,06		099	9,536
	***	57,86		400	8,346
0406 10 20 9640	037	—		***	17,88
	039	—	0406 30 31 9930	037	—
	099	51,54		039	—
	400	48,35		099	13,99
	***	85,03		400	12,25
0406 10 20 9650	037	—		***	26,24
	039	—	0406 30 31 9950	037	—
	099	42,95		039	—
	400	25,44		099	20,36
	***	70,86		400	17,81
0406 10 20 9660	+	—		***	38,17
0406 10 20 9830	037	—	0406 30 39 9500	037	—
	039	—		039	—
	099	15,93		099	13,99
	400	13,38		400	12,25
	***	26,28		***	26,24
0406 10 20 9850	037	—	0406 30 39 9700	037	—
	039	—		039	—
	099	19,31		099	20,36
	400	16,22		400	17,81
	***	31,87		***	38,17
0406 10 20 9870	+	—	0406 30 39 9930	037	—
0406 10 20 9900	+	—		039	—
0406 20 90 9100	+	—		099	20,36
0406 20 90 9913	037	—		400	17,81
	039	—		***	38,17
	099	35,62	0406 30 39 9950	037	—
	400	31,59		039	—
	***	58,77		099	23,02
0406 20 90 9915	037	—		400	21,14
	039	—		***	43,16
	099	47,01	0406 30 90 9000	037	—
	400	42,12		039	—
	***	77,56		099	24,15
0406 20 90 9917	037	—		400	21,14
	039	—		***	45,28
	099	49,94	0406 40 50 9000	037	—
	400	44,75		039	—
	***	82,41		099	81,00
0406 20 90 9919	037	—		400	32,98
	039	—		***	90,00
	099	55,82			
	400	50,02			
	***	92,10			

Product code	Destination (°)	Amount of refund	Product code	Destination (°)	Amount of refund
0406 40 90 9000	037	—	0406 90 33 9951	037	—
	039	—		039	—
	099	83,18		099	62,08
	400	32,98		400	20,01
	***	92,42		***	68,98
0406 90 13 9000	037	—	0406 90 35 9190	037	28,95
	039	—		039	28,95
	099	91,46		099	95,14
	400	60,16		400	61,40
	***	101,62		***	105,71
0406 90 15 9100	037	—	0406 90 35 9990	037	—
	039	—		039	—
	099	94,51		099	95,14
	400	62,17		400	40,19
	***	105,01		***	105,71
0406 90 17 9100	037	—	0406 90 37 9000	037	—
	039	—		039	—
	099	94,51		099	91,46
	400	62,17		400	60,16
	***	105,01		***	101,62
0406 90 21 9900	037	—	0406 90 61 9000	037	40,61
	039	—		039	40,61
	099	92,61		099	100,80
	400	44,53		400	57,27
	***	102,90		***	112,00
0406 90 23 9900	037	—	0406 90 63 9100	037	37,12
	039	—		039	37,12
	099	81,32		099	100,27
	400	18,57		400	63,89
	***	90,36		***	111,41
0406 90 25 9900	037	—	0406 90 63 9900	037	29,52
	039	—		039	29,52
	099	80,79		099	96,40
	400	21,16		400	48,93
	***	89,77		***	107,11
0406 90 27 9900	037	—	0406 90 69 9100	+	—
	039	—	0406 90 69 9910	037	—
	099	73,17		039	—
	400	18,57		099	96,40
	***	81,30		400	48,93
0406 90 31 9119	037	—		***	107,11
	039	—	0406 90 73 9900	037	—
	099	67,25		039	—
	400	25,56		099	83,95
	***	74,72		400	52,63
0406 90 33 9119	037	—		***	93,28
	039	—	0406 90 75 9900	037	—
	099	67,25		039	—
	400	25,56		099	84,51
	***	74,72		400	22,27
0406 90 33 9919	037	—		***	93,90
	039	—	0406 90 76 9300	037	—
	099	61,46		039	—
	400	20,33		099	76,21
	***	68,29		400	20,12
				***	84,68

Product code	Destination (*)	Amount of refund	Product code	Destination (*)	Amount of refund
0406 90 76 9400	037	—	0406 90 85 9999	+	—
	039	—	0406 90 86 9100	+	—
	099	85,37	0406 90 86 9200	037	—
	400	23,22		039	—
	***	94,85		099	77,55
0406 90 76 9500	037	—		400	27,65
	039	—		***	86,17
	099	81,22	0406 90 86 9300	037	—
	400	23,22		039	—
	***	90,24		099	78,67
0406 90 78 9100	037	—		400	30,30
	039	—		***	87,41
	099	78,75	0406 90 86 9400	037	—
	400	18,14		039	—
	***	87,50		099	83,58
0406 90 78 9300	037	—		400	34,28
	039	—		***	92,87
	099	83,50	0406 90 86 9900	037	—
	400	20,12		039	—
	***	92,78		099	92,19
0406 90 78 9500	037	—		400	40,24
	039	—		***	102,43
	099	82,72	0406 90 87 9100	+	—
	400	23,22	0406 90 87 9200	037	—
	***	91,91		039	—
0406 90 79 9900	037	—		099	64,63
	039	—		400	24,78
	099	67,52		***	71,81
	400	19,23	0406 90 87 9300	037	—
	***	75,02		039	—
0406 90 81 9900	037	—		099	72,24
	039	—		400	28,02
	099	85,37		***	80,27
	400	47,61	0406 90 87 9400	037	—
	***	94,85		039	—
0406 90 85 9910	037	28,95		099	74,12
	039	28,95		400	30,66
	099	92,19		***	82,36
	400	59,27	0406 90 87 9951	037	—
	***	102,43		039	—
0406 90 85 9991	037	—		099	83,84
	039	—		400	42,19
	099	92,19		***	93,15
	400	40,19	0406 90 87 9971	037	—
	***	102,43		039	—
0406 90 85 9995	037	—		099	83,84
	039	—		400	34,41
	099	84,51		***	93,15
	400	21,16	0406 90 87 9972	099	35,72
	***	93,90		400	13,67
				***	39,68

Product code	Destination (*)	Amount of refund	Product code	Destination (*)	Amount of refund
0406 90 87 9973	037	—	2309 10 19 9100	+	—
	039	—	2309 10 19 9200	+	—
	099	82,31	2309 10 19 9300	+	—
	400	24,08	2309 10 19 9400	+	—
	***	91,46	2309 10 19 9500	+	—
0406 90 87 9974	037	—	2309 10 19 9600	+	—
	039	—	2309 10 19 9700	+	—
	099	89,33	2309 10 19 9800	+	—
	400	24,08	2309 10 70 9010	+	—
	***	99,26	2309 10 70 9100	+	13,85
0406 90 87 9979	037	—	2309 10 70 9200	+	18,47
	039	—	2309 10 70 9300	+	23,09
	099	81,32	2309 10 70 9500	+	27,70
	400	24,08	2309 10 70 9600	+	32,32
	***	90,36	2309 10 70 9700	+	36,94
0406 90 88 9100	+	—	2309 10 70 9800	+	40,63
0406 90 88 9105	037	—	2309 90 35 9010	+	—
	039	—	2309 90 35 9100	+	—
	099	86,64	2309 90 35 9200	+	—
	400	30,30	2309 90 35 9300	+	—
	***	96,27	2309 90 35 9400	+	—
0406 90 88 9300	037	—	2309 90 35 9500	+	—
	039	—	2309 90 35 9700	+	—
	099	63,81	2309 90 39 9010	+	—
	400	30,30	2309 90 39 9100	+	—
	***	70,90	2309 90 39 9200	+	—
2309 10 15 9010	+	—	2309 90 39 9300	+	—
2309 10 15 9100	+	—	2309 90 39 9400	+	—
2309 10 15 9200	+	—	2309 90 39 9500	+	—
2309 10 15 9300	+	—	2309 90 39 9600	+	—
2309 10 15 9400	+	—	2309 90 39 9700	+	—
2309 10 15 9500	+	—	2309 90 39 9800	+	—
2309 10 15 9700	+	—	2309 90 70 9010	+	—
2309 10 19 9010	+	—	2309 90 70 9100	+	13,85
			2309 90 70 9200	+	18,47
			2309 90 70 9300	+	23,09
			2309 90 70 9500	+	27,70
			2309 90 70 9600	+	32,32
			2309 90 70 9700	+	36,94
			2309 90 70 9800	+	40,63

(*) The code numbers for the destinations are those set out in the Annex to Commission Regulation (EC) No 2317/97 (OJ L 321, 22.11.1997, p. 19). However:

— '099' covers all destination codes from 053 to 096 inclusive,

— '970' covers the exports referred to in Articles 34(1)(a) and (c) and 42(1)(a) and (b) of Commission Regulation (EEC) No 3665/87 (OJ L 351, 14.12.1987, p. 1).

For destinations other than those indicated for each 'product code', the amount of the refund applying is indicated by ***.

Where no destination ('+') is indicated, the amount of the refund is applicable for exports to any destination other than those referred to in Article 1(2) and (3).

NB: The product codes and the footnotes are defined in Commission Regulation (EEC) No 3846/87 (OJ L 366, 24.12.1987, p. 1), as amended.

COMMISSION REGULATION (EC) No 2219/98**of 15 October 1998****fixing the rates of the refunds applicable to certain cereal and rice-products
exported in the form of goods not covered by Annex II to the Treaty**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

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

Having regard to Council Regulation (EC) No 3072/95 of 22 December 1995 on the common organization of the market in rice⁽³⁾, as last amended by Regulation (EC) No 2072/98⁽⁴⁾, and in particular Article 13 (3) thereof,

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

Whereas Commission Regulation (EC) No 1222/94 of 30 May 1994 laying down common implementing rules for granting export refunds on certain agricultural products exported in the form of goods not covered by Annex II to the Treaty, and the criteria for fixing the amount of such refunds⁽⁵⁾, as last amended by Regulation (EC) No 1352/98⁽⁶⁾, specifies the products for which a rate of refund should be fixed, to be applied where these products are exported in the form of goods listed in Annex B to Regulation (EEC) No 1766/92 or in Annex B to Regulation (EC) No 3072/95 as appropriate;

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

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

Whereas Article 4 (5) (b) of Regulation (EC) No 1222/94 provides that, in the absence of the proof referred to in Article 4 (5) (a) of that Regulation, a reduced rate of export refund has to be fixed, taking account of the amount of the production refund applicable, pursuant to Commission Regulation (EEC) No 1722/93⁽⁸⁾, as last amended by Regulation (EC) No 1011/98⁽⁹⁾, 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 Cereals,

HAS ADOPTED THIS REGULATION:

Article 1

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

Article 2

This Regulation shall enter into force on 16 October 1998.

⁽¹⁾ OJ L 181, 1. 7. 1992, p. 21.

⁽²⁾ OJ L 126, 24. 5. 1996, p. 37.

⁽³⁾ OJ L 329, 30. 12. 1995, p. 18.

⁽⁴⁾ OJ L 265, 30. 9. 1998, p. 4.

⁽⁵⁾ OJ L 136, 31. 5. 1994, p. 5.

⁽⁶⁾ OJ L 184, 27. 6. 1998, p. 25.

⁽⁷⁾ OJ L 275, 29. 9. 1987, p. 36.

⁽⁸⁾ OJ L 159, 1. 7. 1993, p. 112.

⁽⁹⁾ OJ L 145, 15. 5. 1998, p. 11.

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

Done at Brussels, 15 October 1998.

For the Commission
Martin BANGEMANN
Member of the Commission

ANNEX

to the Commission Regulation of 15 October 1998 fixing the rates of the refunds applicable to certain cereals and rice products exported in the form of goods not covered by Annex II to the Treaty

CN code	Description of products ⁽¹⁾	Rate of refund per 100 kg of basic product
1001 10 00	Durum wheat:	
	— on exports of goods falling within CN codes 1902 11 and 1902 19 to the United States of America	0,910
	— in other cases	1,400
1001 90 99	Common wheat and meslin:	
	— on exports of goods falling within CN codes 1902 11 and 1902 19 to the United States of America	1,750
	— in other cases:	
	— — where pursuant to Article 4 (5) of Regulation (EC) No 1222/94 ⁽²⁾	—
	— — in other cases	2,692
1002 00 00	Rye	4,722
1003 00 90	Barley	5,944
1004 00 00	Oats	3,661
1005 90 00	Maize (corn) used in the form of:	
	— starch:	
	— — where pursuant to Article 4 (5) of Regulation (EC) No 1222/94 ⁽²⁾	1,554
	— — in other cases	5,275
	— glucose, glucose syrup, maltodextrine, maltodextrine syrup of CN codes 1702 30 51, 1702 30 59, 1702 30 91, 1702 30 99, 1702 40 90, 1702 90 50, 1702 90 75, 1702 90 79, 2106 90 55 ⁽³⁾ :	
	— — where pursuant to Article 4 (5) of Regulation (EC) No 1222/94 ⁽²⁾	0,908
	— — in other cases	4,629
	— other (including unprocessed)	5,275
	Potato starch of CN code 1108 13 00 similar to a product obtained from processed maize:	
	— where pursuant to Article 4 (5) of Regulation (EC) No 1222/94 ⁽²⁾	1,554
	— in other cases	5,275
ex 1006 30	Wholly-milled rice:	
	— round grain	10,800
	— medium grain	10,800
	— long grain	10,800
1006 40 00	Broken rice	3,100
1007 00 90	Sorghum	5,944

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

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

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

COMMISSION REGULATION (EC) No 2220/98
of 15 October 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⁽¹⁾, as last amended by Commission Regulation (EC) No 923/96⁽²⁾,

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⁽³⁾, as last amended by Regulation (EC) No 2092/97⁽⁴⁾, 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 16 October 1998.

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

Done at Brussels, 15 October 1998.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ L 181, 1. 7. 1992, p. 21.

⁽²⁾ OJ L 126, 24. 5. 1996, p. 37.

⁽³⁾ OJ L 161, 29. 6. 1996, p. 125.

⁽⁴⁾ 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 by land inland waterway or sea from Mediterranean, the Black Sea or Baltic Sea ports (ECU/tonne)	Import duty by air or by sea from other ports ⁽²⁾ (ECU/tonne)
1001 10 00	Durum wheat ⁽¹⁾	48,32	38,32
1001 90 91	Common wheat seed	54,33	44,53
1001 90 99	Common high quality wheat other than for sowing ⁽³⁾	54,53	44,53
	medium quality	79,26	69,26
	low quality	95,40	85,40
1002 00 00	Rye	99,90	89,90
1003 00 10	Barley, seed	99,90	89,90
1003 00 90	Barley, other ⁽³⁾	99,90	89,90
1005 10 90	Maize seed other than hybrid	105,85	95,85
1005 90 00	Maize other than seed ⁽³⁾	105,85	95,85
1007 00 90	Grain sorghum other than hybrids for sowing	99,90	89,90

⁽¹⁾ 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.

⁽²⁾ 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.

⁽³⁾ 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 1 October 1998 to 14 October 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)	109,94	98,03	88,66	71,19	127,32 ⁽¹⁾	75,74 ⁽¹⁾
Gulf premium (ECU/tonne)	—	7,21	0,45	7,46	—	—
Great Lakes premium (ECU/tonne)	11,17	—	—	—	—	—

⁽¹⁾ Fob Duluth.

2. Freight/cost: Gulf of Mexico — Rotterdam: ECU 10,24 per tonne; Great Lakes — Rotterdam: ECU 19,10 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 2221/98
of 15 October 1998**

**fixing the maximum export refund on barley in connection with the invitation to
tender issued in Regulation (EC) No 1564/98**

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

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

Having regard to Commission Regulation (EC) No 1501/95 of 29 June 1995 laying down certain detailed rules for the application of Council Regulation (EEC) No 1766/92 on the granting of export refunds on cereals and the measures to be taken in the event of disturbance on the market for cereals ⁽³⁾, as last amended by Regulation (EC) No 2094/98 ⁽⁴⁾, and in particular Article 7 thereof,

Whereas an invitation to tender for the refund for the export of barley exported from Spain to all third countries was opened pursuant to Commission Regulation (EC) No 1564/98 ⁽⁵⁾;

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

1501/95; whereas in that case a contract is awarded to any tenderer whose bid is equal to or lower than the maximum refund;

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

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

HAS ADOPTED THIS REGULATION:

Article 1

For tenders notified from 9 to 15 October 1998, pursuant to the invitation to tender issued in Regulation (EC) No 1564/98, the maximum refund on exportation of barley shall be ECU 69,86 per tonne.

Article 2

This Regulation shall enter into force on 16 October 1998.

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

Done at Brussels, 15 October 1998.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ L 181, 1. 7. 1992, p. 21.

⁽²⁾ OJ L 126, 24. 5. 1996, p. 37.

⁽³⁾ OJ L 147, 30. 6. 1995, p. 7.

⁽⁴⁾ OJ L 266, 1. 10. 1998, p. 61.

⁽⁵⁾ OJ L 203, 21. 7. 1998, p. 6.

**COMMISSION REGULATION (EC) No 2222/98
of 15 October 1998**

**fixing the maximum export refund on barley in connection with the invitation to
tender issued in Regulation (EC) No 1078/98**

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

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

Having regard to Commission Regulation (EC) No 1501/95 of 29 June 1995 laying down certain detailed rules for the application of Council Regulation (EEC) No 1766/92 on the granting of export refunds on cereals and the measures to be taken in the event of disturbance on the market for cereals ⁽³⁾, as last amended by Regulation (EC) No 2094/98 ⁽⁴⁾, and in particular Article 4 thereof,

Whereas an invitation to tender for the refund and/or the tax for the export of barley to all third countries was opened pursuant to Commission Regulation (EC) No 1078/98 ⁽⁵⁾;

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

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

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

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

HAS ADOPTED THIS REGULATION:

Article 1

For tenders notified from 9 to 15 October 1998, pursuant to the invitation to tender issued in Regulation (EC) No 1078/98, the maximum refund on exportation of barley shall be ECU 63,88 per tonne.

Article 2

This Regulation shall enter into force on 16 October 1998.

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

Done at Brussels, 15 October 1998.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ L 181, 1. 7. 1992, p. 21.

⁽²⁾ OJ L 126, 24. 5. 1996, p. 37.

⁽³⁾ OJ L 147, 30. 6. 1995, p. 7.

⁽⁴⁾ OJ L 266, 1. 10. 1998, p. 61.

⁽⁵⁾ OJ L 154, 28. 5. 1998, p. 20.

**COMMISSION REGULATION (EC) No 2223/98
of 15 October 1998**

**fixing the maximum export refund on common wheat in connection with the
invitation to tender issued in Regulation (EC) No 1079/98**

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

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

Having regard to Commission Regulation (EC) No 1501/95 of 29 June 1995 laying down certain detailed rules for the application of Council Regulation (EEC) No 1766/92 on the granting of export refunds on cereals and the measures to be taken in the event of disturbance on the market for cereals ⁽³⁾, as last amended by Regulation (EC) No 2094/98 ⁽⁴⁾, and in particular Article 4 thereof,

Whereas an invitation to tender for the refund and/or the tax for the export of common wheat to all third countries with the exception of certain ACP States was opened pursuant to Commission Regulation (EC) No 1079/98 ⁽⁵⁾, as amended by Regulation (EC) No 2005/98 ⁽⁶⁾;

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

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

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

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

HAS ADOPTED THIS REGULATION:

Article 1

For tenders notified from 9 to 15 October 1998, pursuant to the invitation to tender issued in Regulation (EC) No 1079/98, the maximum refund on exportation of common wheat shall be ECU 29,97 per tonne.

Article 2

This Regulation shall enter into force on 16 October 1998.

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

Done at Brussels, 15 October 1998.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ L 181, 1. 7. 1992, p. 21.

⁽²⁾ OJ L 126, 24. 5. 1996, p. 37.

⁽³⁾ OJ L 147, 30. 6. 1995, p. 7.

⁽⁴⁾ OJ L 266, 1. 10. 1998, p. 61.

⁽⁵⁾ OJ L 154, 28. 5. 1998, p. 24.

⁽⁶⁾ OJ L 258, 22. 9. 1998, p. 8.

COMMISSION REGULATION (EC) No 2224/98
of 15 October 1998

**fixing the maximum export refund on common wheat in connection with the
invitation to tender issued in Regulation (EC) No 2004/98**

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

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

Having regard to Commission Regulation (EC) No 1501/95 of 29 June 1995 laying down certain detailed rules for the application of Council Regulation (EEC) No 1766/92 on the granting of export refunds on cereals and the measures to be taken in the event of disturbance on the market for cereals ⁽³⁾, as last amended by Regulation (EC) No 2094/98 ⁽⁴⁾, and in particular Article 7 thereof,

Whereas an invitation to tender for the refund and/or the tax for the export of common wheat to certain ACP States was opened pursuant to Commission Regulation (EC) No 2004/98 ⁽⁵⁾;

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

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

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

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

HAS ADOPTED THIS REGULATION:

Article 1

For tenders notified from 9 to 15 October 1998, pursuant to the invitation to tender issued in Regulation (EC) No 2004/98, the maximum refund on exportation of common wheat shall be ECU 36,73 per tonne.

Article 2

This Regulation shall enter into force on 16 October 1998.

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

Done at Brussels, 15 October 1998.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ L 181, 1. 7. 1992, p. 21.

⁽²⁾ OJ L 126, 24. 5. 1996, p. 37.

⁽³⁾ OJ L 147, 30. 6. 1995, p. 7.

⁽⁴⁾ OJ L 266, 1. 10. 1998, p. 61.

⁽⁵⁾ OJ L 258, 22. 9. 1998, p. 4.

COMMISSION REGULATION (EC) No 2225/98
of 15 October 1998

**fixing the maximum export refund on oats in connection with the invitation to
tender issued in Regulation (EC) No 2007/98**

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

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

Having regard to Commission Regulation (EC) No 1501/95 of 29 June 1995 laying down certain detailed rules for the application of Council Regulation (EEC) No 1766/92 on the granting of export refunds on cereals and the measures to be taken in the event of disturbance on the market for cereals ⁽³⁾, as last amended by Regulation (EC) No 2094/98 ⁽⁴⁾,

Having regard to Commission Regulation (EC) No 2007/98 of 21 September 1998 on a special intervention measure for cereals in Finland and Sweden ⁽⁵⁾, and in particular Article 8 thereof,

Whereas an invitation to tender for the refund for the export of oats produced in Finland and Sweden for export from Finland or Sweden to all third countries was opened pursuant to Regulation (EC) No 2007/98;

Whereas Article 8 of Regulation (EC) No 2007/98 provides that the Commission may, on the basis of the tenders notified, in accordance with the procedure laid

down in Article 23 of Regulation (EEC) No 1766/92, decide to fix a maximum export refund taking account of the criteria referred to in Article 1 of Regulation (EC) No 1501/95; whereas in that case a contract is awarded to any tenderer whose bid is equal to or lower than the maximum refund;

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

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

HAS ADOPTED THIS REGULATION:

Article 1

For tenders notified from 9 to 15 October 1998, pursuant to the invitation to tender issued in Regulation (EC) No 2007/98, the maximum refund on exportation of oats shall be ECU 56,95 per tonne.

Article 2

This Regulation shall enter into force on 16 October 1998.

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

Done at Brussels, 15 October 1998.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ L 181, 1. 7. 1992, p. 21.

⁽²⁾ OJ L 126, 24. 5. 1996, p. 37.

⁽³⁾ OJ L 147, 30. 6. 1995, p. 7.

⁽⁴⁾ OJ L 266, 1. 10. 1998, p. 61.

⁽⁵⁾ OJ L 258, 22. 9. 1998, p. 13.

COMMISSION REGULATION (EC) No 2226/98
of 15 October 1998
concerning tenders notified in response to the invitation to tender for the export
of rye issued in Regulation (EC) No 1746/98

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

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

Having regard to Commission Regulation (EC) No 1501/95 of 29 June 1995 laying down certain detailed rules for the application of Council Regulation (EEC) No 1766/92 on the granting of export refunds on cereals and the measures to be taken in the event of disturbance on the market for cereals ⁽³⁾, as last amended by Regulation (EC) No 2094/98 ⁽⁴⁾, and in particular Article 7 thereof,

Whereas an invitation to tender for the refund and/or the tax for the export of rye to all third countries was opened pursuant to Commission Regulation (EC) No 1746/98 ⁽⁵⁾;

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

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

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

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

HAS ADOPTED THIS REGULATION:

Article 1

No action shall be taken on the tenders notified from 9 to 15 October 1998 in response to the invitation to tender for the refund or the tax for the export of rye issued in Regulation (EC) No 1746/98.

Article 2

This Regulation shall enter into force on 16 October 1998.

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

Done at Brussels, 15 October 1998.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ L 181, 1. 7. 1992, p. 21.

⁽²⁾ OJ L 126, 24. 5. 1996, p. 37.

⁽³⁾ OJ L 147, 30. 6. 1995, p. 7.

⁽⁴⁾ OJ L 266, 1. 10. 1998, p. 61.

⁽⁵⁾ OJ L 219, 7. 8. 1998, p. 3.

COMMISSION REGULATION (EC) No 2227/98**of 15 October 1998****fixing the maximum reduction in the duty on maize imported in connection
with the invitation to tender issued in Regulation (EC) No 1907/98**

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

Having regard to Council Regulation (EEC) No 1766/92 of 30 June 1992 on the common organisation of the market in cereals⁽¹⁾, as last amended by Commission Regulation (EC) No 923/96⁽²⁾, and in particular Article 12(1) thereof,

Whereas an invitation to tender for the maximum reduction in the duty on maize imported into Spain was opened pursuant to Commission Regulation (EC) No 1907/98⁽³⁾;

Whereas, pursuant to Article 5 of Commission Regulation (EC) No 1839/95⁽⁴⁾, as amended by Regulation (EC) No 1963/95⁽⁵⁾, the Commission, acting under the procedure laid down in Article 23 of Regulation (EEC) No 1766/92, may decide to fix a maximum reduction in the import duty; whereas in fixing this maximum the criteria provided for in Article 6 and 7 of Regulation (EC) No 1839/95 must be taken into account; whereas a contract is awarded to any tenderer whose tender is equal to or less than the maximum reduction in the duty;

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

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

For tenders notified from 9 to 15 October 1998, pursuant to the invitation to tender issued in Regulation (EC) No 1907/98, the maximum reduction in the duty on maize imported shall be ECU 68,74 per tonne and be valid for a total maximum quantity of 500 tonnes.

Article 2

This Regulation shall enter into force on 16 October 1998.

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

Done at Brussels, 15 October 1998.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ L 181, 1. 7. 1992, p. 21.

⁽²⁾ OJ L 126, 24. 5. 1996, p. 37.

⁽³⁾ OJ L 248, 8. 9. 1998, p. 19.

⁽⁴⁾ OJ L 177, 28. 7. 1995, p. 4.

⁽⁵⁾ OJ L 189, 10. 8. 1995, p. 22.

COMMISSION REGULATION (EC) No 2228/98**of 15 October 1998****on the issue of system B export licences in the fruit and vegetables sector**

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

Having regard to Commission Regulation (EC) No 2190/96 of 14 November 1996 on detailed rules for implementing Council Regulation (EC) No 2200/96 as regards export refunds on fruit and vegetables ⁽¹⁾, as last amended by Regulation (EC) No 1287/98 ⁽²⁾, and in particular Article 5(5) thereof,

Whereas Commission Regulation (EC) No 1875/98 ⁽³⁾, fixes the indicative quantities for system B export licences other than those sought in the context of food aid;

Whereas, in the light of the information available to the Commission today, there is a risk that the indicative quantities laid down for the current export period for apples for destination group ZD will shortly be exceeded; whereas this overrun will prejudice the proper working of the export refund scheme in the fruit and vegetables sector;

Whereas, to avoid this situation, applications for system B licences for apples for destination group ZD exported after 15 October 1998 should be rejected until the end of the current export period,

HAS ADOPTED THIS REGULATION:

Article 1

Applications for system B export licences for apples for destination group ZD submitted pursuant to Article 1 of Regulation (EC) No 1875/98, export declarations for which are accepted after 15 October 1998 and before 16 November 1998, are hereby rejected.

Article 2

This Regulation shall enter into force on 16 October 1998.

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

Done at Brussels, 15 October 1998.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ L 292, 15. 11. 1996, p. 12.

⁽²⁾ OJ L 178, 23. 6. 1998, p. 11.

⁽³⁾ OJ L 243, 2. 9. 1998, p. 3.

COMMISSION REGULATION (EC) No 2229/98

of 15 October 1998

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

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

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

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

Whereas the refunds must be fixed taking into account the factors referred to in Article 1 of Commission Regulation (EC) No 1501/95 of 29 June 1995 laying down certain detailed rules under Council Regulation (EEC) No 1766/92 on the granting of export refunds on cereals and the measures to be taken in the event of disturbance on the market for cereals⁽³⁾, as last amended by Regulation (EC) No 2094/98⁽⁴⁾;

Whereas, as far as wheat and rye flour, groats and meal are concerned, when the refund on these products is being calculated, account must be taken of the quantities of cereals required for their manufacture; whereas these quantities were fixed in Regulation (EC) No 1501/95;

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

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

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

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

HAS ADOPTED THIS REGULATION:

Article 1

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

Article 2

This Regulation shall enter into force on 16 October 1998.

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

Done at Brussels, 15 October 1998.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ L 181, 1. 7. 1992, p. 21.

⁽²⁾ OJ L 126, 24. 5. 1996, p. 37.

⁽³⁾ OJ L 147, 30. 6. 1995, p. 7.

⁽⁴⁾ OJ L 266, 1. 10. 1998, p. 61.

ANNEX

to the Commission Regulation of 15 October 1998 fixing the export refunds on cereals and on wheat or rye flour, groats and meal

(ECU / tonne)			(ECU / tonne)		
Product code	Destination ⁽¹⁾	Amount of refund	Product code	Destination ⁽¹⁾	Amount of refund
1001 10 00 9200	—	—	1101 00 11 9000	—	—
1001 10 00 9400	01	0	1101 00 15 9100	01	41,00
1001 90 91 9000	—	—	1101 00 15 9130	01	38,50
1001 90 99 9000	03	20,00	1101 00 15 9150	01	35,50
	02	0	1101 00 15 9170	01	32,50
1002 00 00 9000	03	50,00	1101 00 15 9180	01	30,50
	02	0	1101 00 15 9190	—	—
1003 00 10 9000	—	—	1101 00 90 9000	—	—
1003 00 90 9000	03	53,50	1102 10 00 9500	01	82,00
	02	0	1102 10 00 9700	—	—
1004 00 00 9200	—	—	1102 10 00 9900	—	—
1004 00 00 9400	—	—	1103 11 10 9200	01	20,00 ⁽²⁾
1005 10 90 9000	—	—	1103 11 10 9400	—	— ⁽²⁾
1005 90 00 9000	03	28,00	1103 11 10 9900	—	—
	02	0	1103 11 90 9200	01	20,00 ⁽²⁾
1007 00 90 9000	—	—	1103 11 90 9800	—	—
1008 20 00 9000	—	—			

⁽¹⁾ The destinations are identified as follows:

- 01 All third countries,
- 02 Other third countries,
- 03 Switzerland, Liechtenstein.

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

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

COMMISSION REGULATION (EC) No 2230/98**of 15 October 1998****fixing the corrective amount applicable to the refund on cereals**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

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

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

Whereas Commission Regulation (EC) No 1501/95 of 29 June 1995 laying down certain detailed rules under Council Regulation (EEC) No 1766/92 on the granting of export refunds on cereals and the cereals and the measures to be taken in the event of disturbance on the market for cereals⁽³⁾, as last amended by Regulation (EC) No 2094/98⁽⁴⁾, allows for the fixing of a corrective amount for the products listed in Article 1 (1) (c) of Regulation (EEC) No 1766/92; whereas that corrective amount must be calculated taking account of the factors referred to in Article 1 of Regulation (EC) No 1501/95;

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

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

Whereas the representative market rates defined in Article 1 of Council Regulation (EEC) No 3813/92⁽⁵⁾, as last amended by Regulation (EC) No 150/95⁽⁶⁾, are used to convert amounts expressed in third country currencies and are used as the basis for determining the agricultural conversion rates of the Member States' currencies; whereas detailed rules on the application and determination of these conversions were set by Commission Regulation (EEC) No 1068/93⁽⁷⁾, as last amended by Regulation (EC) No 961/98⁽⁸⁾;

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

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

HAS ADOPTED THIS REGULATION:

Article 1

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

Article 2

This Regulation shall enter into force on 16 October 1998.

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

Done at Brussels, 15 October 1998.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ L 181, 1. 7. 1992, p. 21.

⁽²⁾ OJ L 126, 24. 5. 1996, p. 37.

⁽³⁾ OJ L 147, 30. 6. 1995, p. 7.

⁽⁴⁾ OJ L 266, 1. 10. 1998, p. 61.

⁽⁵⁾ OJ L 387, 31. 12. 1992, p. 1.

⁽⁶⁾ OJ L 22, 31. 1. 1995, p. 1.

⁽⁷⁾ OJ L 108, 1. 5. 1993, p. 106.

⁽⁸⁾ OJ L 135, 8. 5. 1998, p. 5.

ANNEX

to the Commission Regulation of 15 October 1998 fixing the corrective amount applicable to the refund on cereals

(ECU / tonne)

Product code	Destination ⁽¹⁾	Current 10	1st</> period 11	2nd</> period 12	3rd</> period 1	4th</> period 2	5th</> period 3	6th</> period 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	0	0	0	0	—	—
1103 11 10 9400	—	—	—	—	—	—	—	—
1103 11 10 9900	—	—	—	—	—	—	—	—
1103 11 90 9200	01	0	0	0	0	0	—	—
1103 11 90 9800	—	—	—	—	—	—	—	—

⁽¹⁾ The destinations are identified as follows:

01 all third countries

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 7 October 1998

concerning an application submitted by DIP Electronics Ltd for the refund of anti-dumping duties due on certain imports of DRAMs originating in Japan

(notified under document number C(1998) 2966)

(Only the English text is authentic)

(98/579/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⁽¹⁾, as last amended by Regulation (EC) No 905/98⁽²⁾, and in particular Article 11(8) thereof,

After consulting the Advisory Committee,

A. PROCEDURE

- (1) Council Regulation (EEC) No 2112/90⁽³⁾ imposed a definitive anti-dumping duty on imports of certain types of electronic micro-circuits known as DRAMs (dynamic random access memories) originating in Japan. The rate of the residual duty was 60 %.
- (2) DIP Electronics Ltd (hereafter referred to as 'the applicant') lodged on 13 July 1995 an application for the refund of GBP [...] ⁽⁴⁾ of anti-dumping duties due on importation of DRAMs of Japanese origin.

The applicant claimed that the dumping margins in respect of the DRAMs for which anti-dumping duties were due, were significantly lower than the level of 60 % of the residual duty set by Regulation (EEC) No 2112/90. The application, however, did not contain any evidence that the duties for which a refund was claimed had been paid.

The applicant was informed that, in accordance with Article 11(8) of Regulation 384/96 which contains the provisions concerning refund investigations, the application would have to be considered as inadmissible since it did not contain evidence of payment of the anti-dumping duties for which a refund was claimed.

The applicant indicated in reply that it was not in a financial position to make payment of the anti-dumping duties due. The applicant was given further opportunity to pay the anti-dumping duties but failed to do so.

- (3) On 13 August 1997 the applicant informed the Commission that DIP Electronics Ltd intended to put its affairs in the hands of an insolvency practitioner. The Commission was subsequently informed that the applicant had proceeded into a creditors voluntary liquidation on 19 August 1997.

⁽¹⁾ OJ L 56, 6. 3. 1996, p. 1.

⁽²⁾ OJ L 128, 30. 4. 1998, p. 18.

⁽³⁾ OJ L 193, 25. 7. 1990, p. 1.

⁽⁴⁾ Business secret.

- (4) The liquidator, representing the applicant, received disclosure of the essential facts and considerations on the basis of which it was intended to reject the application as inadmissible. The liquidator made no comment.

B. ADMISSIBILITY

- (5) It has been established that the anti-dumping duties for which a refund is claimed have not been paid by the applicant. Since the prior payment of the anti-dumping duties is one of the basic requirements for the admissibility of a refund application, the application should be rejected as inadmissible.

HAS ADOPTED THIS DECISION:

Article 1

The refund application for the amount of GBP [...] in total submitted by DIP Electronics Ltd is rejected as inadmissible.

Article 2

This Decision is addressed to the United Kingdom, and to DIP Electronics Ltd, Sheraton House, Castle Park, Cambridge, CB3 0AX.

Done at Brussels, 7 October 1998.

For the Commission

Leon BRITTAN

Vice-President

COMMISSION DECISION

of 9 October 1998

**approving the programme for the eradication of infectious bovine rhinotracheitis
in Italy***(notified under document number C(1998) 2999)*

(Text with EEA relevance)

(98/580/EC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

HAS ADOPTED THIS DECISION:

Having regard to the Treaty establishing the European Community,

Having regard to Council Directive 64/432/EEC of 26 June 1964, on animal health problems affecting intra-Community trade in bovine animals and swine ⁽¹⁾, as last amended by Directive 98/46/EC ⁽²⁾ and in particular Article 9 thereof,

Whereas an eradication programme was commenced in Bolzano (Italy) for infectious bovine rhinotracheitis in 1991;

Whereas the eradication programme is still in progress; whereas the programme should allow infectious bovine rhinotracheitis to be eradicated from Bolzano (Italy) in the future;

Whereas it is therefore appropriate to approve the programme for a period of three years;

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

Article 1

The programme for the eradication of infectious bovine rhinotracheitis from Bolzano (Italy) is hereby approved for a further period of three years.

Article 2

Italy shall bring into force by 1 November 1998 the laws, regulations and administrative provisions for implementing the programme referred to in Article 1.

Article 3

This Decision shall enter into force on 1 November 1998.

Article 4

This Decision is addressed to the Member States.

Done at Brussels, 9 October 1998.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ 121, 29. 7. 1964, p. 1977/64.

⁽²⁾ OJ L 198, 15. 7. 1998, p. 22.