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I

(Acts whose publication is obligatory)

COUNCIL REGULATION (EC) No 2262/98**of 19 October 1998**

establishing certain measures concerning imports of processed agricultural products from Switzerland in order to take account of the results of the Uruguay Round negotiations in the agricultural sector

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty establishing the European Community, and in particular Article 113 thereof,

Having regard to the proposal from the Commission,

Whereas, under the preferential agreement between the European Community and Switzerland, concessions regarding certain processed agricultural products have been granted on a reciprocal basis;

Whereas, further to Council Decision 94/800/EC of 22 December 1994 concerning the conclusion on behalf of the European Community, as regards matters within its competence, of the agreements reached in the Uruguay Round multilateral negotiations (1986 to 1994) ⁽¹⁾, certain concessions regarding processed agricultural products have been amended as from 1 July 1995;

Whereas, as a result, certain aspects of the preferential agreement concluded with Switzerland, and in particular the Protocol concerning processed agricultural products annexed to that Agreement, should be adjusted in order to maintain the existing level of reciprocal preferences;

Whereas to that end negotiations are still in progress with Switzerland with a view to the conclusion of amendments to the said Protocol; whereas, however, it was not possible to conclude these negotiations in time in order to implement the necessary adjustments on 1 July 1998;

Whereas, in the circumstances, it is appropriate for the Community to adopt autonomous measures in order to maintain the existing level of reciprocal preferences,

pending the conclusion of negotiations; whereas the duties resulting from those measures may not exceed those applicable under the Common Customs Tariff,

HAS ADOPTED THIS REGULATION:

Article 1

1. From 1 July 1998 to 30 June 1999, the basic amounts to be taken into account in the calculation of the agricultural components and the additional duties applicable on importation into the Community of goods originating in Switzerland shall be those mentioned in the Annex to this Regulation. However, where the result of such calculation exceeds the amount applicable under the Common Customs Tariff, this latter amount shall apply.

2. The Commission may, in accordance with the procedure laid down in Article 16 of Regulation (EC) No 3448/93 ⁽²⁾, suspend application of the measures provided for in paragraph 1 if Switzerland discontinues the application of its reciprocal measures in favour of the Community.

Article 2

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

It shall apply with effect from 1 July 1998.

⁽¹⁾ OJ L 336, 23. 12. 1994, p. 1.

⁽²⁾ OJ L 318, 20. 12. 1993, p. 18.

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

Done at Luxembourg, 19 October 1998.

For the Council

The President

W. MOLTERER

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

Importes de base, considerados para calcular los elementos agrícolas reducidos y derechos adicionales, aplicables a la importación en la Comunidad

Basisbeløb taget i betragtning ved beregningen af de nedsatte landbrugselementer og tillægstold som anvendes ved indførsel i Fællesskabet

Grundbeträge, die bei der Berechnung der ermäßigten Agrarteilbeträge und Zusatzzölle bei der Einfuhr in die Gemeinschaft berücksichtigt worden sind

Βασικά ποσά που ελήφθησαν υπόψη για τον υπολογισμό των μεταβλητών στοιχείων και πρόσθετων δασμών που εφαρμόζονται στα αγροτικά στοιχεία κατά την εισαγωγή στην Κοινότητα

Basic amounts taken into consideration in calculating the reduced agricultural components and additional duties, applicable on importation into the Community

Montants de base pris en considération pour le calcul des éléments agricoles réduits et droits additionnels applicables à l'importation dans la Communauté

Importi di base, presi in considerazione per il calcolo degli elementi agricoli e dei dazi addizionali applicabili all'importazione nella Comunità

Basisbedragen, in aanmerking genomen bij de berekening van de verlaagde agrarische elementen en aanvullende invoerrechten, geldend bij invoer in de Gemeenschap

Montantes de base tomados em consideração aquando do cálculo dos elementos agrícolas reduzidos e dos direitos adicionais aplicáveis à importação na Comunidade

Yhteisöön tulevaan tuontiin sovellettavia alennettuja maatalousosia ja lisätulleja laskettaessa huomioon otettavat perusmäärät

Grundpriser som beaktas vid beräkning av minskade jordbrukskomponenter och tilläggstull som skall utgå på import till gemenskapen

	ecus / ECU / Ecu / ecu / écus / ecua / 100 kg
Trigo blando / Blød hvede / Weichweizen / Μαλακό σιτάρι / Common wheat / Blé tendre / Grano tenero / Zachte tarwe / Trigo mole / Tavallinen vehnä / Vete	9,771
Trigo duro / Hård hvede / Hartweizen / Σκληρό σιτάρι / Durum wheat / Blé dur / Grano duro / Durumtarwe / Trigo duro / Durumvehnä / Durumvete	15,168
Centeno / Rug / Roggen / Σίκαλη / Rye / Seigle / Segala / Rogge / Centeio / Ruis / Råg	12,734
Cebada / Byg / Gerste / Κριθάρι / Barley / Orge / Orzo / Gerst / Cevada / Ohra / Korn	12,734
Maíz / Majs / Mais / Καλαμπόκι / Maize / Maïs / Granturco / Maïs / Milho / Maissi / Majs	11,040
Arroz descascarillado de grano largo / Ris, afskallet, langkornet / Reis, langkörnig, geschält / Αποφλοιωμένο ρύζι μακρόσπερμο / Long-grain husked rice / Riz décortiqué à grains longs / Riso semigreggio a grani lunghi / Langkorrelige gedopte rijst / Arroz em películas de grãos longos / Pitkäjyväinen esikuorittu riisi / Ris, skalat långkornigt	36,33
Leche desnatada en polvo / Skummetmælkspulver / Magermilchpulver / Αποβουτυρωμένο γάλα σε σκόνη / Skimmed-milk powder / Lait écrémé en poudre / Latte scremato in polvere / Magere-melkpoeder / Leite desnatado em pó / Rasvaton maitojauhe / Skummjölkspulver	137,182
Leche entera en polvo / Sædmælkspulver / Vollmilchpulver / Πλήρες γάλα σε σκόνη / Whole-milk powder / Lait entier en poudre / Latte intero in polvere / Volle-melkpoeder / Leite inteiro em pó / Rasvainen maitojauhe / Mjölkpulver	179,3
Mantequilla / Smør / Butter / Βούτυρο / Butter / Beurre / Burro / Boter / Manteiga / Voi / Smör	260,647
Azúcar blanco / Hvidt sukker / Weißzucker / Λευκή ζάχαρη / White sugar / Sucre blanc / Zucchero bianco / Witte suiker / Açúcar branco / Valkoinen sokeri / Vitt socker	48,000

**COMMISSION REGULATION (EC) No 2263/98
of 20 October 1998**

**determining the amounts of the agricultural components and the additional
duties applicable from 1 July 1998 to 30 June 1999 on the importation into the
Community of goods covered by Council Regulation (EC) No 3448/93 from
Switzerland**

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

Having regard to Council Regulation (EC) No 3448/93 of
6 December 1993 laying down the trade arrangements
applicable to certain goods resulting from the processing
of agricultural products⁽¹⁾, as amended by Regulation
(EC) No 1097/98⁽²⁾, and in particular Article 7 thereof,

Whereas Article 1(1) of Council Regulation (EC) No
2262/98 establishing certain measures concerning
imports of processed agricultural products from Switzer-
land in order to take account of the results of the Uruguay
Round negotiations in the agricultural sector⁽³⁾, lays
down the basic amounts taken into consideration in
calculating the agricultural components and the addi-
tional duties applicable to the importation into the
Community of goods originating in Switzerland; whereas

the duties resulting from those measures may not exceed
those applicable under the Common Customs Tariff,

HAS ADOPTED THIS REGULATION:

Article 1

The Annexes to this Regulation lay down the agricultural
components and the corresponding additional duties
applicable from 1 July 1998 to 30 June 1999 to the
importation of goods covered by Regulation (EC) No
3448/93 from Switzerland.

Article 2

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

It shall apply with effect from 1 July 1998.

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

Done at Brussels, 20 October 1998.

For the Commission

Martin BANGEMANN

Member of the Commission

⁽¹⁾ OJ L 318, 20. 12. 1993, p. 18.

⁽²⁾ OJ L 157, 30. 5. 1998, p. 1.

⁽³⁾ See page 1 of this Official Journal.

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

- Elementos agrícolas (por 100 kilogramos de peso neto) aplicables, del 1 de julio de 1998 al 30 de junio de 1999 inclusive, a la importación en la Comunidad procedente de Suiza
- Landbrugselementer (pr. 100 kg nettovægt), der skal anvendes ved indførsel fra Schweiz til Fællesskabet fra 1. juli 1998 til og med 30. juni 1999
- Agrarteilbeträge (für 100 kg Eigengewicht) bei der Einfuhr aus der Schweiz in die Gemeinschaft, anwendbar vom 1. Juli 1998 bis einschließlich 30. Juni 1999
- Γεωργικά στοιχεία (για 100 kg καθαρού βάρους) που εφαρμόζονται από 1ης Ιουλίου 1998 μέχρι 30ής Ιουνίου 1999 κατά την εισαγωγή στην Κοινότητα από την Ελλάδα
- Agricultural components (per 100 kilograms net weight) to be levied from 1 July 1998 to 30 June 1999 inclusive, on importation into the Community from Switzerland
- Éléments agricoles (par 100 kilogrammes poids net) applicables, du 1^{er} juillet 1998 au 30 juin 1999 inclus, à l'importation dans la Communauté en provenance de Suisse
- Elementi agricoli (per 100 kg peso netto) applicabili all'importazione nella Comunità in provenienza dalla Svizzera dal 1° luglio 1998 al 30 giugno 1999 incluso
- Agrarische elementen (per 100 kg nettogewicht) bij invoer in de Gemeenschap vanuit Zwitserland, te heffen van 1 juli 1998 tot en met 30 juni 1999
- Elementos agrícolas (por 100 quilogramas de peso líquido) aplicáveis, de 1 de Julho de 1998 a 30 de Junho de 1999, inclusive, à importação na Comunidade proveniente da Suíça
- Sveitsistä yhteisöön tulevaan tuontiin 1 päivästä heinäkuuta 1998 30 päivään kesäkuuta 1999 sovellettavat maatalousosat (100 nettopainokilolta)
- Jordbruksbeståndsdelar (per 100 kg nettovikt) som skall tillämpas på import från Schweiz till gemenskapen fr.o.m. den 1 juli 1998 t.o.m. den 30 juni 1999

PARTE 1 — DEL 1 — TEIL 1 — ΜΕΡΟΣ 1 — PART 1 — PARTIE 1 — PARTE 1 — DEEL 1 — PARTE 1 — OSA 1 — DEL 1

Código NC KN-kode KN-Code Κωδικός ΣΟ CN code Code NC Codice NC GN-code Código NC CN-koodi KN-nummer	ecus/Ecu/ Ecu/ecu/ écus/ecua/ 100 kg	Código NC KN-kode KN-Code Κωδικός ΣΟ CN code Code NC Codice NC GN-code Código NC CN-koodi KN-nummer	ecus/Ecu/ Ecu/ecu/ écus/ecua/ 100 kg	Código NC KN-kode KN-Code Κωδικός ΣΟ CN code Code NC Codice NC GN-code Código NC CN-koodi KN-nummer	ecus/Ecu/ Ecu/ecu/ écus/ecua/ 100 kg
0403 10 51	112,80	1704 90 30	51,50	1806 32 90	(²)
0403 10 53	154,90	1704 90 51	(¹)	1806 90 11	(¹)
0403 10 59	200,50	1704 90 55	(¹)	1806 90 19	(¹)
0403 10 91	14,70	1704 90 61	(¹)	1806 90 31	(¹)
0403 10 93	20,30	1704 90 65	(¹)	1806 90 39	(¹)
0403 10 99	31,60	1704 90 71	(¹)	1806 90 50	(¹)
0403 90 71	112,80	1704 90 75	(¹)	1806 90 60	(¹)
0403 90 73	154,90	1704 90 81	(¹)	1806 90 70	(¹)
0403 90 79	200,50	1704 90 99	(¹)	1806 90 90	(¹)
0403 90 91	14,70	1806 10 20	27,30	1901 10 00	(¹)
0403 90 93	20,30	1806 10 30	34,00	1901 20 00	(¹)
0403 90 99	31,60	1806 10 90	45,40	1901 90 11	21,40
0405 20 10	(¹)	1806 20 10	(¹)	1901 90 19	17,50
0405 20 30	(¹)	1806 20 30	(¹)	1901 90 99	(¹)
0710 40 00 (¹)	10,58	1806 20 50	(¹)	1902 11 00	25,33
0711 90 30 (¹)	10,58	1806 20 70	(¹)	1902 19 10	25,33
1704 10 11	29,70	1806 20 80	(¹)	1902 19 90	21,72
1704 10 19	29,70	1806 20 95	(¹)	1902 20 91	6,22
1704 10 91	33,60	1806 31 00	(¹)	1902 20 99	17,60
1704 10 99	33,60	1806 32 10	(¹)	1902 30 10	25,33

Código NC KN-kode KN-Code Κωδικός ΣΟ CN code Code NC Codice NC GN-code Código NC CN-koodi KN-nummer	ecus/ECU/ Ecu/ecu/ écus/ecua/ 100 kg	Código NC KN-kode KN-Code Κωδικός ΣΟ CN code Code NC Codice NC GN-code Código NC CN-koodi KN-nummer	ecus/ECU/ Ecu/ecu/ écus/ecua/ 100 kg	Código NC KN-kode KN-Code Κωδικός ΣΟ CN code Code NC Codice NC GN-code Código NC CN-koodi KN-nummer	ecus/ECU/ Ecu/ecu/ écus/ecua/ 100 kg
1902 30 90	10,01	1905 40 90	(*)	2106 90 10	25,00
1902 40 10	25,33	1905 90 10	16,41	2106 90 98	(*)
1902 40 90	10,01	1905 90 20	68,15	2202 90 91	14,80
1903 00 00	17,04	1905 90 30	(*)	2202 90 95	13,90
1904 10 10	22,54	1905 90 40	(*)	2202 90 99	24,70
1904 10 30	54,60	1905 90 45	(*)	2905 43 00	136,30
1904 10 90	38,14	1905 90 55	(*)	2905 44 11	18,20
1904 20 10	(*)	1905 90 60	(*)	2905 44 19	40,90
1904 20 91	22,54	1905 90 90	(*)	2905 44 91	25,93
1904 20 95	54,60	2001 90 30 (1)	10,58	2905 44 99	58,20
1904 20 99	38,14	2004 10 91	(*)	3302 10 29	(*)
1904 90 10	54,60	2004 90 10 (1)	10,58	3505 10 10	20,00
1904 90 90	26,40	2005 20 10	(*)	3505 10 90	20,00
1905 10 00	15,40	2005 80 00 (1)	10,58	3505 20 10	5,08
1905 20 10	20,70	2008 99 85 (1)	10,58	3505 20 30	10,05
1905 20 30	27,30	2101 12 98	(*)	3505 20 50	15,98
1905 20 90	34,30	2101 20 98	(*)	3505 20 90	20,00
1905 30 11	(*)	2101 30 19	15,10	3809 10 10	10,05
1905 30 19	(*)	2101 30 99	27,00	3809 10 30	13,97
1905 30 30	(*)	2102 10 31	0,00	3809 10 50	17,04
1905 30 51	(*)	2102 10 39	0,00	3809 10 90	20,00
1905 30 59	(*)	2105 00 10	22,80	3824 60 11	18,20
1905 30 91	(*)	2105 00 91	44,80	3824 60 19	40,90
1905 30 99	(*)	2105 00 99	63,30	3824 60 91	25,93
1905 40 10	(*)	2106 10 80	(*)	3824 60 99	58,20

(*) Véase la parte 2 / Se del 2 / Siehe Teil 2 / Βλέπε μέρος 2 / See Part 2 / Voir partie 2 / Vedi parte 2 / Zie deel 2 / Ver parte 2 / Katso osa 2 / Se del 2.

(1) Por 100 kg de boniatos, etc., o de maíz escurridos. / Pr. 100 kg afløbne søde kartofler osv. eller majs. / Pro 100 kg Süßkartoffeln usw. oder Mais, abgetropft. / Ανά 100 kg στραγγισμένων γλυκοπατατών κλπ. ή καλαμποκιού στραγγισμένου. / Per 100 kilograms of drained sweet potatoes, etc., or maize. / Par 100 kilogrammes de patates douces, etc., ou de maïs égouttés. / Per 100 kg di patate dolci, ecc. o granturco sgocciolati. / Per 100 kg zoete aardappelen enz. of maïs, uitgedropen. / Por 100 kg de batatas-doces, etc., ou de milho, escorridos. / 100:aa kilogrammaa valutettua bataattia jne. tai maissia kohden. / Per 100 kg torkad sötpotatis etc., eller majs.

(2) Ver Anexo II / Se bilag II / Siehe Anhang II / Βλέπε παράρτημα II / See Annex II / Voir annexe II / Vedi allegato II / Zie bijlage II / Ver anexo II / Katso liite II / Se bilaga II.

PARTE 2 — DEL 2 — TEIL 2 — ΜΕΡΟΣ 2 — PART 2 — PARTIE 2 — PARTE 2 — DEEL 2 — PARTE 2 — OSA 2 — DEL 2

Código adicional Yderligere kodenummer Zusatzcode Πρόσθετος κωδικός Additional code Code additionnel Codice complementare Aanvullende code Código adicional Lisäkoodi Tilläggskod	ecus/ECU/ Ecu/ecu/ écus/ecua/ 100 kg	Código adicional Yderligere kodenummer Zusatzcode Πρόσθετος κωδικός Additional code Code additionnel Codice complementare Aanvullende code Código adicional Lisäkoodi Tilläggskod	ecus/ECU/ Ecu/ecu/ écus/ecua/ 100 kg	Código adicional Yderligere kodenummer Zusatzcode Πρόσθετος κωδικός Additional code Code additionnel Codice complementare Aanvullende code Código adicional Lisäkoodi Tilläggskod	ecus/ECU/ Ecu/ecu/ écus/ecua/ 100 kg
7000	0,00	7056	74,91	7117	43,80
7001	10,90	7057	84,45	7120	24,77
7002	20,44	7060	96,53	7121	35,67
7003	29,52	7061	107,42	7122	45,21
7004	42,24	7062	116,97	7123	52,08
7005	4,58	7063	108,37	7124	64,80
7006	15,84	7064	126,88	7125	29,71
7007	25,38	7065	101,46	7126	40,61
7008	34,46	7066	112,36	7127	50,15
7009	47,18	7067	121,90	7128	57,01
7010	9,78	7068	119,10	7129	69,73
7011	21,11	7069	131,82	7130	35,32
7012	30,99	7070	107,07	7131	46,22
7013	40,08	7071	117,98	7132	55,76
7015	15,40	7072	127,51	7133	62,63
7016	26,73	7073	124,72	7135	39,16
7017	36,64	7075	101,26	7136	50,06
7020	18,02	7076	112,16	7137	59,60
7021	28,92	7077	121,69	7140	60,81
7022	38,46	7080	187,90	7141	71,71
7023	45,33	7081	198,80	7142	81,25
7024	58,04	7082	208,35	7143	83,68
7025	22,96	7083	194,30	7144	96,40
7026	33,86	7084	207,01	7145	65,74
7027	43,40	7085	192,84	7146	76,64
7028	50,26	7086	203,74	7147	86,19
7029	62,98	7087	213,27	7148	88,61
7030	28,50	7088	199,24	7149	101,33
7031	39,47	7090	198,45	7150	71,36
7032	49,00	7091	209,36	7151	82,26
7033	55,87	7092	218,89	7152	94,46
7035	32,41	7095	181,38	7153	94,23
7036	43,31	7096	192,29	7155	70,76
7037	52,85	7100	6,76	7156	81,66
7040	54,06	7101	17,65	7157	91,20
7041	64,96	7102	27,19	7160	103,28
7042	74,49	7103	36,28	7161	114,18
7043	76,93	7104	49,00	7162	123,71
7044	89,64	7105	11,69	7163	120,92
7045	58,99	7106	22,59	7164	133,64
7046	69,90	7107	32,13	7165	108,21
7047	79,43	7108	41,22	7166	119,22
7048	81,86	7109	53,93	7167	128,65
7049	94,58	7110	17,07	7168	125,86
7050	64,60	7111	28,20	7169	138,58
7051	75,50	7112	37,74	7170	113,83
7052	85,04	7113	46,82	7171	124,73
7053	87,47	7115	22,69	7172	134,27
7055	64,01	7116	34,01	7173	131,47

Código adicional Yderligere kodenummer Zusatzcode Πρόσθετος κωδικός Additional code Code additionnel Codice complementare Aanvullende code Código adicional Lisäkoodi Tilläggskod	ecus/Ecu/ Ecu/ecu/ écus/ecua/ 100 kg	Código adicional Yderligere kodenummer Zusatzcode Πρόσθετος κωδικός Additional code Code additionnel Codice complementare Aanvullende code Código adicional Lisäkoodi Tilläggskod	ecus/Ecu/ Ecu/ecu/ écus/ecua/ 100 kg	Código adicional Yderligere kodenummer Zusatzcode Πρόσθετος κωδικός Additional code Code additionnel Codice complementare Aanvullende code Código adicional Lisäkoodi Tilläggskod	ecus/Ecu/ Ecu/ecu/ écus/ecua/ 100 kg
7175	108,00	7276	121,14	7413	116,84
7176	118,90	7300	60,85	7415	93,36
7177	128,44	7301	71,75	7416	104,27
7180	194,65	7302	81,29	7417	113,81
7181	205,55	7303	90,38	7420	99,43
7182	215,09	7304	103,09	7421	110,33
7183	201,05	7305	65,79	7460	110,52
7185	199,58	7306	76,69	7461	121,42
7186	210,49	7307	86,23	7462	130,95
7187	220,03	7308	95,31	7463	140,04
7188	205,99	7309	108,03	7464	152,76
7190	205,21	7310	71,40	7465	115,45
7191	216,10	7311	82,30	7466	126,35
7192	225,64	7312	91,84	7467	135,89
7195	188,14	7313	100,92	7468	144,98
7196	199,04	7315	77,46	7470	121,07
7200	44,52	7316	88,36	7471	131,96
7201	55,42	7317	97,90	7472	141,50
7202	64,96	7320	83,52	7475	127,12
7203	74,04	7321	94,42	7476	138,02
7204	86,76	7360	102,64	7500	91,24
7205	49,46	7361	113,54	7501	102,14
7206	60,36	7362	123,08	7502	111,68
7207	69,90	7363	132,17	7503	120,77
7208	78,98	7364	144,89	7504	133,49
7209	91,70	7365	107,58	7505	96,18
7210	55,07	7366	118,48	7506	107,08
7211	65,97	7367	128,02	7507	116,64
7212	75,51	7368	137,10	7508	125,70
7213	84,59	7369	149,82	7509	138,41
7215	61,13	7370	113,19	7510	101,79
7216	72,03	7371	124,09	7511	112,69
7217	81,57	7372	133,63	7512	122,23
7220	67,19	7373	142,71	7513	131,32
7221	78,09	7375	119,25	7515	107,85
7260	93,63	7376	130,14	7516	118,75
7261	104,53	7378	125,31	7517	128,29
7262	114,08	7400	76,76	7520	113,91
7263	123,16	7401	87,66	7521	124,81
7264	135,88	7402	97,20	7560	118,38
7265	98,57	7403	106,28	7561	129,28
7266	109,48	7404	119,00	7562	138,82
7267	119,02	7405	81,70	7563	147,90
7268	128,09	7406	92,60	7564	160,62
7269	140,81	7407	102,13	7565	123,32
7270	104,19	7408	111,22	7566	134,22
7271	115,09	7409	123,94	7567	143,75
7272	124,62	7410	87,31	7568	152,84
7273	133,71	7411	98,21	7570	128,93
7275	110,25	7412	107,74	7571	139,83

Código adicional Yderligere kodenummer Zusatzcode Πρόσθετος κωδικός Additional code Code additionnel Codice complementare Aanvullende code Código adicional Lisäkoodi Tilläggskod	ecus/ECU/ Ecu/ecu/ écus/ecua/ 100 kg	Código adicional Yderligere kodenummer Zusatzcode Πρόσθετος κωδικός Additional code Code additionnel Codice complementare Aanvullende code Código adicional Lisäkoodi Tilläggskod	ecus/ECU/ Ecu/ecu/ écus/ecua/ 100 kg	Código adicional Yderligere kodenummer Zusatzcode Πρόσθετος κωδικός Additional code Code additionnel Codice complementare Aanvullende code Código adicional Lisäkoodi Tilläggskod	ecus/ECU/ Ecu/ecu/ écus/ecua/ 100 kg
7572	149,37	7746	198,17	7842	33,95
7575	134,98	7747	207,71	7843	43,03
7576	145,89	7750	192,89	7844	55,75
7600	121,71	7751	203,78	7845	18,44
7601	132,61	7758	21,02	7846	29,34
7602	142,15	7759	32,35	7847	38,88
7603	151,24	7760	222,86	7848	47,96
7604	163,96	7761	233,75	7849	60,68
7605	126,65	7762	243,29	7850	24,06
7606	137,55	7765	227,79	7851	34,96
7607	147,09	7766	238,69	7852	44,49
7608	156,17	7768	38,47	7853	53,58
7609	168,89	7769	49,37	7855	29,97
7610	132,26	7770	233,40	7856	41,01
7611	143,16	7771	244,30	7857	50,56
7612	152,69	7778	70,07	7858	35,59
7613	161,78	7779	80,97	7859	46,92
7615	138,32	7780	263,38	7860	22,51
7616	149,22	7781	274,27	7861	33,41
7620	144,38	7785	268,30	7862	42,95
7700	144,19	7786	279,21	7863	52,04
7701	155,08	7788	107,31	7864	64,75
7702	164,63	7789	118,21	7865	27,45
7703	173,70	7798	28,31	7866	38,35
7705	149,13	7799	39,63	7867	47,89
7706	160,03	7800	267,69	7868	56,97
7707	169,56	7801	278,60	7869	69,69
7708	178,64	7802	288,13	7870	33,06
7710	154,73	7805	272,63	7871	43,96
7711	165,63	7806	283,53	7872	53,50
7712	175,18	7807	293,08	7873	62,58
7715	160,79	7808	45,22	7875	39,12
7716	171,69	7809	56,12	7876	50,02
7720	141,81	7810	278,25	7877	59,56
7721	152,72	7811	289,14	7878	45,17
7722	162,25	7818	76,82	7879	56,08
7723	171,34	7819	87,72	7900	31,52
7725	146,75	7820	274,45	7901	42,42
7726	157,65	7821	285,35	7902	51,96
7727	167,20	7822	294,90	7903	61,04
7728	176,27	7825	279,39	7904	73,76
7730	152,37	7826	290,29	7905	36,45
7731	163,27	7827	299,83	7906	47,35
7732	172,80	7828	114,07	7907	56,89
7735	158,42	7829	124,97	7908	65,98
7736	169,32	7830	285,00	7909	78,69
7740	182,33	7831	295,91	7910	42,06
7741	193,23	7838	116,30	7911	52,96
7742	202,77	7840	13,50	7912	62,50
7745	187,27	7841	24,41	7913	71,58

Código adicional Yderligere kodenummer Zusatzcode Πρόσθετος κωδικός Additional code Code additionnel Codice complementare Aanvullende code Código adicional Lisäkoodi Tilläggskod	ecus/ECU/ Ecu/ecu/ écus/ecua/ 100 kg	Código adicional Yderligere kodenummer Zusatzcode Πρόσθετος κωδικός Additional code Code additionnel Codice complementare Aanvullende code Código adicional Lisäkoodi Tilläggskod	ecus/ECU/ Ecu/ecu/ écus/ecua/ 100 kg	Código adicional Yderligere kodenummer Zusatzcode Πρόσθετος κωδικός Additional code Code additionnel Codice complementare Aanvullende code Código adicional Lisäkoodi Tilläggskod	ecus/ECU/ Ecu/ecu/ écus/ecua/ 100 kg
7915	48,12	7955	61,63	7975	81,89
7916	59,03	7956	72,53	7976	92,79
7917	68,56	7957	82,07	7977	102,33
7918	54,18	7958	67,69	7978	87,95
7919	65,08	7959	78,59	7979	98,84
7940	45,02	7960	65,28	7980	101,29
7941	55,93	7961	76,18	7981	112,20
7942	65,46	7962	85,72	7982	121,73
7943	74,55	7963	94,81	7983	130,82
7944	87,26	7964	107,53	7984	143,54
7945	49,96	7965	70,22	7985	106,23
7946	60,86	7966	81,12	7986	117,13
7947	70,40	7967	90,66	7987	126,68
7948	79,48	7968	99,74	7988	135,76
7949	92,20	7969	112,46	7990	111,84
7950	55,57	7970	75,83	7991	122,75
7951	66,47	7971	86,73	7992	132,28
7952	76,01	7972	96,26	7995	117,91
7953	85,09	7973	105,36	7996	128,80

ANNEX II

CN code	Description	ECU/100 kg
1806 32 90	— Containing by weight of milk fat 3 % or more, but less than 6 % — Other	53,69 (^(*))

(^(*)) See part 2 of Annex I.

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

Importes de los derechos adicionales sobre el azúcar (AD S/Z) y sobre la harina (AD F/M) (por 100 kilogramos de peso neto) aplicables a la importación en la Comunidad procedente de Suiza, del 1 de julio de 1998 al 30 de junio de 1999 inclusive

Tillægstold for sukker (AD S/Z) og for mel (AD F/M) (pr. 100 kg nettovægt), der skal anvendes ved indførsel til Fællesskabet fra Schweiz fra 1. juli 1998 til og med 30. juni 1999

Beträge der Zusatzzölle für Zucker (AD S/Z) und für Mehl (AD F/M) (für 100 kg Nettogewicht) bei der Einfuhr aus der Schweiz in die Gemeinschaft für die Zeit vom 1. Juli 1998 bis einschließlich 30. Juni 1999

Ποσά πρόσθετων δασμών στη ζάχαρη (AD S/Z) και στο αλεύρι (AD F/M) (για 100 kg καθαρού δάρους) που εφαρμόζονται από 1ης Ιουλίου 1998 μέχρι 30ής Ιουνίου 1999 κατά την εισαγωγή στην Κοινότητα από την Ελλάδα

Amounts of additional duties on sugar (AD S/Z) and on flour (AD F/M) (per 100 kilograms net weight) applicable on importation into the Community from Switzerland from 1 July 1998 to 30 June 1999 inclusive

Montants des droits additionnels sur le sucre (AD S/Z) et sur la farine (AD F/M) (par 100 kilogrammes poids net) applicables à l'importation dans la Communauté en provenance de Suisse, du 1^{er} juillet 1998 au 30 juin 1999 inclus

Importi dei dazi aggiuntivi sullo zucchero (AD S/Z) e sulla farina (AD F/M) (per 100 kg peso netto) applicabili all'importazione nella Comunità in provenienza dalla Svizzera, dal 1° luglio 1998 al 30 giugno 1999 incluso

Bedragen der aanvullende invoerrechten op suiker (AD S/Z) en op meel (AD F/M) (per 100 kg nettogewicht), geldend bij invoer in de Gemeenschap vanuit Zwitserland, van 1 juli 1998 tot en met 30 juni 1999

Montantes dos direitos adicionais sobre o açúcar (AD S/Z) e sobre a farinha (AD F/M) (por 100 quilogramas de peso líquido) aplicáveis na importação na Comunidade proveniente da Suíça, de 1 de Julho 1998 a 30 de Junho de 1999, inclusive

Sveitsistä yhteisöön tuotavaan sokeriin (AD S/Z) ja jauhoihin (AD F/M) (100 nettopainokilolta) 1 päivästä heinäkuuta 1998 30 päivään kesäkuuta 1999 sovellettavat lisätullit

Tilläggstull för socker (AD S/Z) och för mjöl (AD F/M) (per 100 kg nettovikt) som skall utgå på import till gemenskapen från Schweiz fr.o.m. den 1 juli 1998 t.o.m. den 30 juni 1999

PARTE 1 — DEL 1 — TEIL 1 — ΜΕΡΟΣ 1 — PART 1 — PARTIE 1 — PARTE 1 — DEEL 1 — PARTE 1 — OSA 1 — DEL 1

Código NC KN-kode KN-Code Κωδικός ΣΟ CN code Code NC Codice NC GN-code Código NC CN-koodi KN-nummer	AD S/Z	AD F/M	Código NC KN-kode KN-Code Κωδικός ΣΟ CN code Code NC Codice NC GN-code Código NC CN-koodi KN-nummer	AD S/Z	AD F/M
	ecus/ECU/ Ecu/ecu/ écus/ecua/ 100 kg	ecus/ECU/ Ecu/ecu/ écus/ecua/ 100 kg		ecus/ECU/ Ecu/ecu/ écus/ecua/ 100 kg	ecus/ECU/ Ecu/ecu/ écus/ecua/ 100 kg
1704 90 30	18,90		1806 90 39	(*)	
1704 90 51	(*)		1806 90 50	(*)	
1704 90 55	(*)		1806 90 60	(*)	
1704 90 61	(*)		1806 90 70	(*)	
1704 90 65	(*)		1806 90 90	(*)	
1704 90 71	(*)		1905 30 11	(*)	
1704 90 75	(*)		1905 30 19	(*)	
1704 90 81	(*)		1905 30 30	(*)	
1704 90 99	(*)		1905 30 51	(*)	
1806 20 10	(*)		1905 30 59	(*)	
1806 20 30	(*)		1905 30 91		(*)
1806 20 50	(*)		1905 30 99	(*)	
1806 20 80	(*)		1905 90 40		(*)
1806 20 95	(*)		1905 90 45		(*)
1806 31 00	(*)		1905 90 55		(*)
1806 32 10	(*)		1905 90 60	(*)	
1806 32 90	(*)		1905 90 90		(*)
1806 90 11	(*)		2105 00 10	10,60	
1806 90 19	(*)		2105 00 91	8,20	
1806 90 31	(*)		2105 00 99	8,10	

(*) Véase la parte 2 / Se del 2 / Siehe Teil 2 / Βλέπε μέρος 2 / See Part 2 / Voir partie 2 / Vedi parte 2 / Zie deel 2 / Ver parte 2 / Katso osa 2 / Se del 2.

PARTE 2 — DEL 2 — TEIL 2 — ΜΕΡΟΣ 2 — PART 2 — PARTIE 2 — PARTE 2 — DEEL 2 — PARTE 2 — OSA 2 — DEL 2

Contenido en sacarosa, azúcar invertido y/o isoglucosa Indhold af saccharose, invertsukker og/eller isoglucose Gehalt an Saccharose, Invertzucker und/oder Isoglucose Περιεκτικότητα σε ζαχαρόζη, ιμβερτοποιημένο ζάχαρο ή/και ισογλυκόζη Weight of sucrose, invert sugar and/or isoglucose Teneur en saccharose, sucre interverti et/ou isoglucose Tenore del saccarosio, dello zucchero invertito e/o dell'isoglucosio Gehalte aan saccharose, invertsuiker en/of isoglucose Teor de sacarose, açúcar invertido e/ou isoglicose Sakkarooipitoisuus, inverttisokeri ja/tai isoglukoosi Halt av sackaros, invertsocker och/eller isoglukos	AD S/Z
	ecus/ECU/Ecu/ ecu/écus/ecua/ 100 kg
> = 00 — < 05	0,00
> = 05 — < 30	10,90
> = 30 — < 50	20,44
> = 50 — < 70	29,52
> = 70	42,24

Contenido en almidón o en fécula y/o glucosa Indhold af stivelse og/eller glucose Gehalt an Stärke und/oder Glukose Περιεκτικότητα σε παντός είδους άμυλα ή/και γλυκόζη Weight of starch or glucose Teneur en amidon ou fécule et/ou glucose Tenore dell'amido, della fecola e/o del glucosio Gehalte aan zetmeel en/of glucose Teor de amido ou de fécula e/ou glicose Tärkkelys- ja/tai glukoosipitoisuus Halt av stärkelse och/eller glukos	AD F/M
	ecus/ECU/Ecu/ ecu/écus/ecua/ 100 kg
> = 00 — < 05	0,00
> = 05 — < 25	4,58
> = 25 — < 50	9,78
> = 50 — < 75	15,40
> = 75	21,02

COMMISSION REGULATION (EC) No 2264/98
of 21 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 22 October 1998.

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

Done at Brussels, 21 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 21 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	060	80,7
	204	107,5
	999	94,1
0707 00 05	052	73,5
	999	73,5
0709 90 70	052	86,7
	999	86,7
0805 30 10	052	67,1
	388	88,4
	524	53,5
	528	50,0
0806 10 10	999	64,8
	052	106,7
	064	69,2
	400	220,2
0808 10 20, 0808 10 50, 0808 10 90	999	132,0
	060	41,3
	064	40,6
	388	37,0
	400	80,2
	404	81,8
	512	45,5
	800	156,9
	804	96,2
	999	72,4
0808 20 50	052	93,3
	064	59,3
	720	97,9
	728	126,7
	999	94,3

⁽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 2265/98

of 21 October 1998

fixing the representative prices and the additional import duties for molasses in the sugar sector

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EEC) No 1785/81 of 30 June 1981 on the common organization of the market in sugar⁽¹⁾, as last amended by Regulation (EC) No 1148/98⁽²⁾,

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

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

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

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

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

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

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

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

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

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

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

HAS ADOPTED THIS REGULATION:

Article 1

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

Article 2

This Regulation shall enter into force on 22 October 1998.

⁽¹⁾ OJ L 177, 1. 7. 1981, p. 4.

⁽²⁾ OJ L 159, 3. 6. 1998, p. 38.

⁽³⁾ OJ L 141, 24. 6. 1995, p. 12.

⁽⁴⁾ OJ L 145, 27. 6. 1968, p. 12.

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

Done at Brussels, 21 October 1998.

For the Commission

Franz FISCHLER

Member of the Commission

ANNEX

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

CN code	Amount of the representative price in ECU per 100 kg net of the product in question	Amount of the additional duty in ECU per 100 kg net of the product in question	Amount of the duty to be applied to imports in ECU per 100 kg net of the product in question because of suspension as referred to in Article 5 of Regulation (EC) No 1422/95 ⁽²⁾
1703 10 00 ⁽¹⁾	6,30	0,24	—
1703 90 00 ⁽¹⁾	7,60	0,00	—

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

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

COMMISSION REGULATION (EC) No 2266/98
of 21 October 1998
altering the export refunds on white sugar and raw sugar exported in the natural state

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

Having regard to Council Regulation (EEC) No 1785/81 of 30 June 1981 on the common organization of the markets in the sugar sector ⁽¹⁾, as last amended by Regulation (EC) No 1148/98 ⁽²⁾, and in particular the second subparagraph of Article 19 (4) thereof,

Whereas the refunds on white sugar and raw sugar exported in the natural state were fixed by Commission Regulation (EC) No 2202/98 ⁽³⁾;

Whereas it follows from applying the detailed rules contained in Regulation (EC) No 2202/98 to the information known to the Commission that the export refunds at

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

HAS ADOPTED THIS REGULATION:

Article 1

The export refunds on the products listed in Article 1(1)(a) of Regulation (EEC) No 1785/81, undenatured and exported in the natural state, as fixed in the Annex to Regulation (EC) No 2202/98 are hereby altered to the amounts shown in the Annex hereto.

Article 2

This Regulation shall enter into force on 22 October 1998.

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

Done at Brussels, 21 October 1998.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ L 177, 1. 7. 1981, p. 4.

⁽²⁾ OJ L 159, 3. 6. 1998, p. 38.

⁽³⁾ OJ L 278, 15. 10. 1998, p. 5.

ANNEX

to the Commission Regulation of 21 October 1998 altering the export refunds on white sugar and raw sugar exported in its unaltered state

Product code	Amount of refund
	— ECU/100 kg —
1701 11 90 9100	44,69 ⁽¹⁾
1701 11 90 9910	42,42 ⁽¹⁾
1701 11 90 9950	⁽²⁾
1701 12 90 9100	44,69 ⁽¹⁾
1701 12 90 9910	42,42 ⁽¹⁾
1701 12 90 9950	⁽²⁾
	— ECU/1 % of sucrose × 100 kg —
1701 91 00 9000	0,4858
	— ECU/100 kg —
1701 99 10 9100	48,58
1701 99 10 9910	48,35
1701 99 10 9950	48,35
	— ECU/1 % of sucrose × 100 kg —
1701 99 90 9100	0,4858

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

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

**COMMISSION REGULATION (EC) No 2267/98
of 21 October 1998**

**fixing the maximum export refund for white sugar for the 12th partial invitation
to tender issued within the framework of the standing invitation to tender
provided for in Regulation (EC) No 1574/98**

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

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

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

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

Whereas, following an examination of the tenders submitted in response to the 12th partial invitation to tender, the provisions set out in Article 1 should be adopted;

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

HAS ADOPTED THIS REGULATION:

Article 1

For the 12th partial invitation to tender for white sugar issued pursuant to Regulation (EC) No 1574/98 the maximum amount of the export refund is fixed at ECU 51,600 per 100 kilograms.

Article 2

This Regulation shall enter into force on 22 October 1998.

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

Done at Brussels, 21 October 1998.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ L 177, 1. 7. 1981, p. 4.

⁽²⁾ OJ L 159, 3. 6. 1998, p. 38.

⁽³⁾ OJ L 206, 23. 7. 1998, p. 7.

COMMISSION REGULATION (EC) No 2268/98
of 21 October 1998
amending for the 17th time Regulation (EC) No 913/97 adopting exceptional
support measures for the pigmeat market in Spain

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

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

Whereas, because of the outbreak of classical swine fever in certain production regions in Spain, the Commission adopted Regulation (EC) No 913/97 ⁽³⁾, as last amended by Regulation (EC) No 2141/98 ⁽⁴⁾, to introduce exceptional support measures for the pigmeat market in that Member State;

Whereas, because the veterinary and trade restrictions continue to apply, the number of piglets which may be delivered to the competent authorities should be

increased so that the exceptional measures can continue from 2 October 1998;

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

HAS ADOPTED THIS REGULATION:

Article 1

Annex I to Regulation (EC) No 913/97 is replaced by the Annex hereto.

Article 2

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

It shall apply with effect from 2 October 1998.

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

Done at Brussels, 21 October 1998.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ L 282, 1. 11. 1975, p. 1.

⁽²⁾ OJ L 349, 31. 12. 1994, p. 105.

⁽³⁾ OJ L 131, 23. 5. 1997, p. 14.

⁽⁴⁾ OJ L 270, 7. 10. 1998, p. 10.

*ANNEX**'ANNEX I*

Total maximum number of animals from 6 May 1997:

Pigs for fattening	695 000 head
Piglets	480 000 head
Cull sows	11 000 head
Pigs of the Iberian breed for fattening	9 000 head'

COMMISSION REGULATION (EC) No 2269/98**of 21 October 1998****issuing a standing invitation to tender in order to determine refunds on exports
of olive oil for the 1998/99 marketing year**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation No 136/66/EEC of 22 September 1966 on the establishment of a common organisation of the market in oils and fats⁽¹⁾, as last amended by Regulation (EC) No 1638/98⁽²⁾, and in particular Article 3 thereof,

Whereas the export refunds for olive oil cannot be fixed solely in accordance with the standard procedure, since there is insufficient information available on the world market situation; whereas provision should therefore be made for issuing a standing invitation to tender so that the refunds can, in the coming months, be determined by tender;

Whereas, in view of the demand for olive oil on the world market in certain special cases, provision should be made for amending certain conditions in the standing invitation to tender;

Whereas, in view of the specific nature of the tendering procedure, detailed rules should be laid down which will enable operators in the various Member States to take part on equal terms, while providing certain guarantees regarding the validity of the tenders;

Whereas, in order to ensure the smooth operation of the tendering procedure, the arrangements for determining the refunds and awarding the contract should be specified;

Whereas decisions fixing refunds are to be made in particular on the basis of information on tenders forwarded by the Member States; whereas, in order to ensure the arrangements are administered properly, the possibility that the award may be made to tenderers whose bids have not been duly communicated should be ruled out;

Whereas Commission Regulation (EEC) No 3665/87⁽³⁾, as last amended by Regulation (EC) No 604/98⁽⁴⁾, lays down common detailed rules for the application of the system of export refunds on agricultural products; whereas Commission Regulation (EEC) No 3719/88⁽⁵⁾, as last amended by Regulation (EC) No 1044/98⁽⁶⁾, lays down common detailed rules for the application of the system of import and export licences and advance fixing certificates for agricultural products; whereas those Regulations apply to olive oil; whereas those common provisions should be supplemented by certain specific provisions;

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

HAS ADOPTED THIS REGULATION:

Article 1

1. A standing invitation to tender is hereby issued in order to determine export refunds on olive oil falling within the following CN codes:

- 1509 10 90,
- 1509 90 00,
- 1510 00 90.

2. The standing invitation to tender shall remain open until 31 October 1999. During its period of validity partial invitations to tender shall be issued.

Article 2

Pursuant to this invitation to tender the Commission may, in accordance with the procedure laid down in Article 38 of Regulation No 136/66/EEC:

- (a) issue invitations to tender in respect of specific destinations (specific invitations to tender) in response to demand for olive oil in certain third countries;
- (b) impose restrictions on the quantities and qualities of oil for which offers may be submitted;
- (c) cancel one or more partial invitations to tender before the deadline for submitting tenders;
- (d) exclude certain countries of destination from an invitation to tender or differentiate the refund according to the country of destination.

Article 3

1. The periods during which tenders may be submitted in response to the partial invitations to tender shall be as follows:

- for November: from the third day to 12 noon on the sixth day of the month and from the 18th day to 12 noon on the 22nd day of the month,
- for December: from the 10th day to 12 noon on the 15th day of the month,
- for January, February, March, April, May, June, July, September and October: from the fifth day to 12 noon on the ninth day of each month and from the 19th day to 12 noon on the 23rd day of each month,
- for August: from the 19th day to 12 noon on the 24th day of the month.

⁽¹⁾ OJ 172, 30. 9. 1966, p. 3025/66.

⁽²⁾ OJ L 210, 28. 7. 1998, p. 32.

⁽³⁾ OJ L 351, 14. 12. 1987, p. 1.

⁽⁴⁾ OJ L 80, 18. 3. 1998, p. 19.

⁽⁵⁾ OJ L 331, 2. 12. 1988, p. 1.

⁽⁶⁾ OJ L 149, 20. 5. 1998, p. 11.

That deadline shall be in Belgian time. Where the day on which the deadline expires in a Member State is a holiday for the authority responsible for receiving the tenders, the deadline shall be 12 noon on the last preceding working day.

2. Tenders in response to this invitation to tender must be in writing, and must be either delivered by hand, against a receipt, to the competent authority in a Member State, or addressed to that authority by registered letter, telex, fax or telegram.

Separate tenders must be submitted where they relate to several qualities, presentations or, where applicable, several countries of destination.

3. Tenders must indicate:

- (a) the reference number of the Regulation issuing the invitation to tender, and of the partial or specific invitation to tender in response to which the offer is being made;
- (b) the name and address of the tenderer;
- (c) the quantity, quality and subheadings of the olive oil to be exported and the presentation of the oil, specifying whether it is put up in immediate containers of a net capacity of five litres or less or whether it is otherwise presented;
- (d) the country of destination, where the refund varies with the country of destination;
- (e) the amount of the export refund per 100 kilograms of olive oil, expressed in ecus;
- (f) the minimum amount of the security to be lodged covering the quantity of olive oil indicated in (c), expressed in the currency of the Member State in which the tender is submitted.

4. Tenders shall be valid only if:

- (a) the quantity to be exported is not less than five tonnes of a single quality in the case of olive oil put up in immediate containers of a net capacity of five litres or less, and not less than 20 tonnes of a single quality in the case of olive oil otherwise presented;
- (b) proof is furnished before expiry of the time limit for the submission of tenders that the tenderer has lodged the security indicated in the tender;
- (c) it contains all the information required under paragraph 3.

5. Tenders shall be valid in respect of only one partial invitation to tender or, where applicable, one specific invitation to tender. A tender may stipulate that it is to be regarded as having been submitted only if the quantity

awarded represents all or a specified part of the tendered quantity.

6. Tenders and the proof and declarations referred to in paragraphs 3 and 4 shall be drafted in the official language or one of the official languages of the Member State to whose competent authority the tender is addressed.

7. Tenders which are not submitted in accordance with this Regulation or which contains terms other than those indicated herein shall not be considered.

8. Once submitted, tenders may not be withdrawn.

Article 4

1. A security of ECU 12 per 100 kilograms of olive oil to be exported must be lodged by each tenderer. This security shall in the case of successful tenderers become the security for the export licence.

2. Commission Regulation (EEC) No 2220/85⁽¹⁾ shall apply to the securities referred to in this Regulation. The primary requirements within the meaning of Article 20 of Regulation (EEC) No 2220/85 shall be the obligations set out in paragraph 3(b) and compliance with the time limit set.

3. Except in case of *force majeure*, the security shall be released:

- (a) to tenderers only in respect of the quantity for which no award was made;
- (b) to successful tenderers, only:
 - for the quantity in respect of which they have fulfilled the obligation to export conferred by the licence referred to in Article 9, Article 33 of Regulation (EEC) No 3719/88 remaining applicable,
 - for the quantity relating to applications withdrawn pursuant to Article 8(3),
 - if proof is furnished that the olive oil has reached its destination, in cases where the refund applicable in respect of the invitation to tender is valid for certain third countries only.

Article 5

1. Tenders shall be examined in private by the competent authority of the Member State concerned. Subject to paragraph 2, persons present at the examination shall be under an obligation not to disclose any particulars relating thereto.

2. Tenders shall be communicated by telex or by fax to the Commission not later than 24 hours after expiry of the deadline for submission of tenders and in such a manner that the tenderers remain anonymous.

Article 6

1. In the light, in particular, of the current situation and foreseeable development of the Community and world olive-oil markets and on the basis of the tenders received, a maximum refund shall be fixed, in accordance with the

⁽¹⁾ OJ L 205, 3. 8. 1985, p. 5.

procedure laid down in Article 38 of Regulation No 136/66/EEC, for exports of each of the products falling within the CN codes listed in Article 1. Refunds shall be fixed no later than the eighth working day after the expiry of each deadline for the submission of tenders.

2. It may also be decided, in accordance with that same procedure:

- to fix a maximum quantity in respect of each partial invitation to tender,
- not to award a contract in response to a partial or specific invitation to tender.

3. The refunds shall vary depending on whether the olive oil is put up in immediate containers of a net capacity of five litres or less or is otherwise presented.

4. Where refunds vary with the destination, they shall be fixed in the light of the specific situation in each country of destination.

5. Without prejudice to the first indent of paragraph 2, in cases where a maximum export refund is fixed, a contract shall be awarded to the tenderer or tenderers whose tender has been communicated in accordance with Article 5(2) and quotes a rate of refund equal to or less than such maximum refund for the quantity stated in the tender.

Article 7

1. The competent authority of the Member State concerned shall immediately notify the applicants of the result of their participation in the invitation to tender. In addition, the competent authority shall issue to the successful tenderers, not later than the third working day following publication of the maximum refund in the *Official Journal of the European Communities*, an export licence for the quantity awarded, indicating in box 22 the export refund quoted in the tender and stating the quality, presentation and, where appropriate, destination of the oil.

2. The export licence shall be valid from the actual date of issue until the end of the third month following the month of publication of the maximum refund in the *Official Journal of the European Communities*.

Article 8

1. Where a maximum quantity is fixed in respect of a partial invitation to tender, a contract shall be awarded to the tenderer quoting the lowest export refund and, if necessary, to the tenderer quoting the next lowest refund, and so on until the entire maximum quantity has been accounted for.

2. However, where an award to a particular tenderer in accordance with the provisions of paragraph 1 would result in the maximum quantity being exceeded, that award shall be limited to such quantity as is still available. Where two or more tenders quote the same refund, and awards to all of them would result in the maximum quantity being exceeded, the quantity available shall be allocated to the tenderers concerned:

- either in proportion to the total quantities in each of their tenders, or
- up to a maximum tonnage to be determined for each of them.

3. Notwithstanding Article 7, where the quantity awarded, pursuant to paragraph 2, is less than 80 % of the quantity applied for, the licence shall be issued not later than the 11th working day following publication of the award in the *Official Journal of the European Communities*. Within 10 working days of publication, applicants may:

- either withdraw the application, in which case the security shall be released immediately,
- or request immediate issue of the licence, in which case the competent authority shall issue it immediately.

Article 9

During the term of validity of the export licences awarded to them, successful tenderers shall be under an obligation to export the quantity of olive oil of the quality and presentation specified in the tender, where applicable, to the country indicated in their tenders.

Such rights and obligations are not transferable.

Article 10

1. Within 15 days of publication of the award in the *Official Journal of the European Communities*, Member States shall notify the Commission of the quantities covered by export licence applications withdrawn pursuant to Article 8(3).

2. Each month, following the expiry of the term of validity of export licences, Member States shall notify the Commission of the quantities covered by and the refunds relating to unused export licences.

3. All notifications referred to in paragraphs 1 and 2, including 'nil' notifications, shall be made in accordance with the model set out in the Annex.

Article 11

Additional quantities exported within the tolerance referred to in Article 8(4) of Regulation (EEC) No 3719/88 shall not be eligible for the refund.

At least one of the following shall be entered in box 22:

- Restitución válida por ... toneladas (cantidad por la que se expida el certificado)
- Restitutionen omfatter ... tons (den mængde, licensen vedrører)
- Erstattung gültig für ... Tonnen (Menge, für welche die Lizenz ausgestellt wurde)
- Επιστροφή ισχύουσα για ... τόνους (ποσότητα για την οποία έχει εκδοθεί το πιστοποιητικό)
- Refund valid for ... tonnes (quantity for which the licence is issued)
- Restitution valable pour ... tonnes (quantité pour laquelle le certificat est délivré)
- Restituzione valida per ... t (quantitativo per il quale il titolo è rilasciato)
- Restitutie geldig voor ... ton (hoeveelheid waarvoor het certificaat wordt afgegeven)

- Restituição válida para ... toneladas (quantidade relativamente à qual é emitido o certificado)
- Tuki on voimassa ... tonnille (määrä, jolle todistus on myönnetty)
- Ger rätt till exportbidrag för ... ton (den kvantitet för vilken licensen utfärdats).

This Article shall only apply to licences for the export on which a refund is payable.

Article 12

The provisions of Commission Regulation (EC) 2543/95 ⁽¹⁾ shall apply, except where otherwise indicated in this Regulation.

Article 13

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

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

Done at Brussels, 21 October 1998.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ L 260, 31. 10. 1995, p. 33.

ANNEX

Application of Regulation (EC) No 2269/98

COMMISSION OF THE EUROPEAN COMMUNITIES — DG VI/C.4 — olive oil sector

Export licence applications — olive oil sector

Applicant:

Date:

Member State:

Person to contact:

Telephone:

Fax:

Addressee: DG VI/C.4 — Fax: (32 2) 296 60 09 — Telex: 22037 AGREC B

— Part A: Notification concerning invitation to tender of ...

Category	Total quantities in each category withdrawn pursuant to the first subparagraph of Article 8(3)

— Part B: Monthly notification

Category	Unused quantities	Date of issue of certificate	Refund fixed in advance	Total amount refunds fixed in advance

COMMISSION REGULATION (EC) No 2270/98
of 21 October 1998
amending the import duties in the rice sector

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

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

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

Whereas import duties in the rice sector have been fixed by Commission Regulation (EC) No 2212/98 ⁽⁵⁾;

Whereas Article 4 (1) of Regulation (EC) No 1503/96 provides that if during the period of application, the average import duty calculated differs by ECU 10 per tonne from the duty fixed, a corresponding adjustment is to be made; whereas such a difference has arisen; whereas it is therefore necessary to adjust the import duties fixed in Regulation (EC) No 2212/98,

HAS ADOPTED THIS REGULATION:

Article 1

Annexes I and II to Regulation (EC) No 2212/98 are hereby replaced by Annexes I and II to this Regulation.

Article 2

This Regulation shall enter into force on 22 October 1998.

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

Done at Brussels, 21 October 1998.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ L 329, 30. 12. 1995, p. 18.

⁽²⁾ OJ L 265, 30. 9. 1998, p. 4.

⁽³⁾ OJ L 189, 30. 7. 1996, p. 71.

⁽⁴⁾ OJ L 194, 23. 7. 1997, p. 2.

⁽⁵⁾ OJ L 278, 15. 10. 1998, p. 27.

ANNEX I

Import duties on rice and broken rice

(ECU/tonne)

CN code	Duties ⁽¹⁾				
	Third countries (except ACP and Bangladesh) ⁽²⁾ ⁽⁷⁾	ACP ⁽¹⁾ ⁽²⁾ ⁽³⁾	Bangladesh ⁽⁴⁾	Basmati India and Pakistan ⁽⁵⁾	Egypt ⁽⁶⁾
1006 10 21	(7)	83,41	121,01		188,03
1006 10 23	(7)	83,41	121,01		188,03
1006 10 25	(7)	83,41	121,01		188,03
1006 10 27	(7)	83,41	121,01		188,03
1006 10 92	(7)	83,41	121,01		188,03
1006 10 94	(7)	83,41	121,01		188,03
1006 10 96	(7)	83,41	121,01		188,03
1006 10 98	(7)	83,41	121,01		188,03
1006 20 11	276,59	92,47	133,96		207,44
1006 20 13	276,59	92,47	133,96		207,44
1006 20 15	276,59	92,47	133,96		207,44
1006 20 17	265,45	88,57	128,39	15,45	199,09
1006 20 92	276,59	92,47	133,96		207,44
1006 20 94	276,59	92,47	133,96		207,44
1006 20 96	276,59	92,47	133,96		207,44
1006 20 98	265,45	88,57	128,39	15,45	199,09
1006 30 21	484,4	157,15	227,29		363,30
1006 30 23	484,4	157,15	227,29		363,30
1006 30 25	484,4	157,15	227,29		363,30
1006 30 27	(7)	160,51	232,09		370,50
1006 30 42	484,4	157,15	227,09		363,30
1006 30 44	484,4	157,15	227,09		363,30
1006 30 46	484,4	157,15	227,29		363,30
1006 30 48	(7)	160,51	232,09		370,50
1006 30 61	484,4	157,15	227,29		363,30
1006 30 63	484,4	157,15	227,29		363,30
1006 30 65	484,4	157,15	227,29		363,30
1006 30 67	(7)	160,51	232,09		370,50
1006 30 92	484,4	157,15	227,29		363,30
1006 30 94	484,4	157,15	227,29		363,30
1006 30 96	484,4	157,15	227,29		363,30
1006 30 98	(7)	160,51	232,09		370,50
1006 40 00	(7)	49,58	72,38		114,00

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

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

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

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

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

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

(7) Duties fixed in the Common Customs Tariff.

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

ANNEX II

Calculation of import duties for rice

	Paddy	Indica rice		Japonica rice		Broken rice
		Husked	Milled	Husked	Milled	
1. Import duty (ECU/tonne)	(¹)	265,45	494,00	276,59	484,40	(¹)
2. Elements of calculation:						
(a) Arag cif price (ECU/tonne)	—	301,38	304,96	317,30	359,05	—
(b) fob price (ECU/tonne)	—	—	—	292,25	334,00	—
(c) Sea freight (ECU/tonne)	—	—	—	25,05	25,05	—
(d) Source	—	USDA	USDA	Operators	Operators	—

(¹) Duties fixed in the Common Customs Tariff.

**COMMISSION REGULATION (EC) No 2271/98
of 21 October 1998**

**determining the percentage of quantities which may be allowed in respect of
import licence applications lodged in October 1998 under tariff quotas for beef
and veal provided for in Regulation (EC) No 1279/98 for the Republic of Poland,
the Republic of Hungary, the Czech Republic, Slovakia, Bulgaria and Romania**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

HAS ADOPTED THIS REGULATION:

Having regard to the Treaty establishing the European Community,

Article 1

Having regard to Commission Regulation (EC) No 1279/98 of 19 June 1998, laying down rules for the application of the tariff quotas for beef and veal provided for by Council Regulation (EC) No 3066/95 for the Republic of Poland, the Republic of Hungary, the Czech Republic, the Slovak Republic, the Republic of Bulgaria and Romania⁽¹⁾, and in particular Article 4(4) thereof,

Whereas Articles 1 and 2 of Regulation (EC) No 1279/98 fix the quantities of fresh, chilled or frozen beef and veal originating in Poland, Hungary, the Czech Republic, Slovakia, Romania and Bulgaria, and, in the case of Poland, the equivalent of the quantity of meat expressed as weight of processed products which may be imported on special terms in respect of the period 1 October to 31 December 1998; whereas the quantities of fresh, chilled or frozen beef and veal originating in Hungary, the Czech Republic, Slovakia, Romania and Bulgaria, covered by import licence applications submitted are such that applications may be accepted in full; whereas, however, quantities covered by applications in respect of beef and veal originating in Poland and processed products must be reduced proportionately in accordance with Article 4(4) of that Regulation;

Whereas Article 2 of Regulation (EEC) No 1279/98 states that if for the quota period the quantities for which applications for import licences have been submitted for the first, second or third period specified in the preceding subparagraph are less than the quantities available, the remaining quantities are to be added to the quantities in respect of the second period, the quantities available for the six countries concerned for the third period running from 1 January to 31 March 1999 should accordingly be determined,

1. The following percentages of quantities covered by import licence applications submitted in respect of the period 1 October to 31 December 1998 under the quotas referred to in Regulation (EC) No 1279/98 may be allowed:

- (a) 100 % of quantities covered by applications in respect of products falling within CN codes 0201 and 0202 originating in Hungary, the Czech Republic, Slovakia, Romania and Bulgaria;
- (b) 12,970 % of quantities covered by applications in respect of products falling within CN codes 0201, 0202, 1602 50 31 and 1602 50 39 originating in Poland.

2. The quantities available for the period referred to in Article 2 of Regulation (EC) No 1279/98 running from 1 January to 31 March 1999 shall amount to:

- (a) beef and veal falling within CN codes 0201 and 0202:
 - 5 461,75 tonnes for meat originating in Hungary,
 - 2 231,0 tonnes for meat originating in the Czech Republic,
 - 1 168,5 tonnes for meat originating in Slovakia,
 - 172,5 tonnes for meat originating in Bulgaria,
 - 1 293,75 tonnes for meat originating in Romania;
- (b) 2 760 tonnes for beef and veal falling within CN codes 0201 and 0202 originating in Poland, or 1 289,7 tonnes for processed products falling within CN codes 1602 50 31 and 1602 50 39 originating in Poland.

Article 2

This Regulation shall enter into force on 22 October 1998.

⁽¹⁾ OJ L 176, 20. 6. 1998, p. 12.

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

Done at Brussels, 21 October 1998.

For the Commission

Franz FISCHLER

Member of the Commission

II

(Acts whose publication is not obligatory)

COUNCIL

COUNCIL DECISION

of 13 October 1998

concerning the conclusion of the Agreement for scientific and technological cooperation between the European Community and the Government of the United States of America

(98/591/EC)

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty establishing the European Community, and in particular Article 130m, in conjunction with the first sentence of Article 228(2) and the first subparagraph of Article 228(3) thereof,

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

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

Whereas the European Community and the United States of America are pursuing specific RTD programmes in areas of common interest;

Whereas, on the basis of past experience, both sides have expressed a desire to establish a deeper and broader framework for the conduct of collaboration in science and technology;

Whereas the Agreement for scientific and technological cooperation forms part of the global cooperation between the European Community and the United States of America as reflected, in particular, in the New Transatlantic Agenda, adopted by both sides in December 1995;

Whereas, by its Decision of 25 June 1996, the Council authorised the Commission to negotiate an agreement for scientific and technological cooperation between the European Community and the Government of the United States of America;

Whereas, by its Decision of 1 December 1997, the Council decided that the Agreement for scientific and technological cooperation be signed on behalf of the European Community;

Whereas the said Agreement was signed on 5 December 1997;

Whereas the Agreement for scientific and technological cooperation between the European Community and the Government of the United States of America should be approved,

HAS DECIDED AS FOLLOWS:

Article 1

The Agreement for scientific and technological cooperation between the European Community and the Government of the United States of America is hereby approved on behalf of the Community.

The text of the Agreement is attached to this Decision.

⁽¹⁾ OJ C 162, 28. 5. 1998, p. 10.

⁽²⁾ Opinion delivered on 7 October 1998 (not yet published in the Official Journal).

Article 2

Pursuant to Article 12 of the Agreement, the President of the Council shall give notification that the procedures necessary for the entry into force of the Agreement have been completed on the part of the Community.

Done at Luxembourg, 13 October 1998.

For the Council

The President

C. EINEM

AGREEMENT

for scientific and technological cooperation between the European Community and the Government of the United States of America

THE EUROPEAN COMMUNITY (hereinafter 'the Community'),

of the one part, and

THE GOVERNMENT OF THE UNITED STATES OF AMERICA,

of the other part,

hereinafter referred to as the 'Parties',

CONSIDERING the importance of science and technology for their economic and social development;

RECOGNISING that the Community and the Government of the United States of America are pursuing research and technological activities in a number of areas of common interest, and that participation in each other's research and development activities on a basis of reciprocity will provide mutual benefits;

HAVING REGARD to the Declaration on EC-US relations of 23 November 1990 and the New Transatlantic Agenda and the Joint EU-US Action Plan adopted in Madrid on 3 December 1995;

DESIRING to establish a formal basis for cooperation in scientific and technological research which will extend and strengthen the conduct of cooperative activities in areas of common interest and encourage the application of the results of such cooperation to their economic and social benefit,

HAVE AGREED AS FOLLOWS:

Article 1

Purpose

The Parties shall encourage, develop and facilitate co-operative activities in fields of common interest where they are pursuing research and development activities in science and technology.

Article 2

Definitions

For the purposes of this Agreement:

- (c) 'Intellectual property' shall have the meaning defined in Article 2 of the Convention establishing the World Intellectual Property Organisation, done at Stockholm, 14 July 1967;
- (d) 'Joint research' means research that is implemented with financial support from one or both Parties and that involves collaboration by participants from both the Community and the United States of America, and is designated as joint research in writing by the Parties or their scientific and technological organisations and agencies, or in the case where there is funding by only one Party, by that Party and the participants in that project;
- (a) 'Cooperative activity' means any activity which the Parties undertake, or support, pursuant to this Agreement, and includes joint research;
- (b) 'Information' means scientific or technical data, results or methods of research and development stemming from joint research, and any other data relating to cooperative activities;
- (e) 'Participants' means any individual or entity, including, *inter alia*, the Parties' scientific and technological organisations and agencies, private persons, undertakings, research centres, universities, subsidiaries of European and US entities, or any other form of legal entity involved in cooperative activities.

*Article 3***Principles**

Cooperative activities shall be conducted on the basis of the following principles:

- (a) mutual benefit based on an overall balance of advantages;
- (b) reciprocal opportunities to engage in cooperative activities;
- (c) equitable and fair treatment;
- (d) timely exchange of information which may affect cooperative activities.

*Article 4***Areas of cooperative activities**

- (a) Sectors for cooperative activities are:
 - environment (including climate research),
 - biomedicine and health (including research on AIDS, infectious diseases and drug abuse),
 - agriculture,
 - fisheries science,
 - engineering research,
 - non-nuclear energy,
 - natural resources,
 - materials sciences and metrology,
 - information and communication technologies,
 - telematics,
 - biotechnology,
 - marine sciences and technology,
 - social sciences research,
 - transportation,
 - science and technology policy, management, training and mobility of scientists.
- (b) The Parties may modify this list upon recommendation by the Joint Consultative Group mentioned in Article 6, in accordance with procedures in force for each Party.
- (c) The Parties may jointly pursue cooperative activities with third parties.

*Article 5***Forms of cooperative activities**

- (a) Subject to applicable laws, regulations and policies, the Parties shall foster, to the fullest extent practicable, the involvement of participants in cooperative activities under this Agreement with a view to providing comparable opportunities for participation in their scientific and technological research and development activities.
- (b) Cooperative activities may take the following forms:
 - 1. coordinated research projects and joint research projects;
 - 2. joint task forces;
 - 3. joint studies;
 - 4. joint organisation of scientific seminars, conferences, symposia and workshops;
 - 5. training of scientists and technical experts;
 - 6. exchange or sharing of equipment and materials;
 - 7. visits and exchanges of scientists, engineers or other appropriate personnel;
 - 8. exchanges of scientific and technological information as well as on practices, laws, regulations and programmes relevant to cooperation under this Agreement.

Where appropriate, such cooperative activities shall take place pursuant to implementing arrangements concluded between the Parties' executive agents, or their scientific and technological organisations and agencies. These arrangements may describe the nature and the duration of cooperation for a specific area or purpose, treatment of intellectual property as provided for in the Annex, funding, allocation of costs, and other relevant matters.

*Article 6***Coordination and facilitation of cooperative activities**

- (a) The coordination and facilitation of cooperative activities under this Agreement shall be accomplished on behalf of the Government of the United States of America by the Department of State and on behalf of the Community by the European Commission, acting as Executive Agents.

- (b) The Executive Agents shall establish a Joint Consultative Group (hereinafter referred to as the 'JCG') for the oversight of scientific and technological cooperation under this Agreement. The JCG shall consist of a limited equal number of official representatives of each Party.
- (c) The JCG may hold consultation on general science and technology issues; exchange information; establish task forces and working groups as appropriate; consult experts as appropriate and needed; and otherwise work to increase mutual understanding of the Parties' activities and programmes related to science and technology.
- (d) The functions of the JCG shall include:
1. overseeing and recommending activities under the Agreement;
 2. making recommendations pursuant to Article 4(b);
 3. advising the Parties on ways to enhance cooperation consistent with the principles set out in this Agreement;
 4. annually providing a report on the status and effectiveness of cooperation undertaken under this Agreement;
 5. reviewing the efficient and effective functioning of the Agreement.
- (e) The JCG shall meet annually, unless otherwise agreed by the Parties. Meetings should be held alternately in the Community and the United States of America. The JCG shall establish its own rules of procedure, subject to approval by the Parties.
- (f) Decisions of the JCG shall be reached by consensus. Minutes, comprising a record of the decisions and principal points discussed, shall be taken at each meeting. These minutes shall be agreed upon by those persons selected from each side to jointly chair the meetings.

Article 7

Funding and legal considerations

- (a) Cooperative activities shall be subject to the availability of appropriated funds and to the applicable laws and regulations, policies and programmes of the Community and the United States of America.

- (b) Each Party shall bear the costs of discharging its responsibilities under this Agreement, including costs of participation in meetings of the JCG. However, costs, other than those for travel and accommodation, which are directly associated with meetings of the JCG, shall be borne by the host Party.

Article 8

Entry of personnel and equipment

Each Party shall take all reasonable steps and use its best efforts, within applicable laws and regulations, to facilitate entry to and exit from its territory of persons, material, data and equipment involved in or used in cooperative activities under this Agreement.

Article 9

Treatment of intellectual property

The allocation and protection of intellectual property rights under this Agreement shall be in accordance with the provisions of the Annex, which forms an integral part of this Agreement.

Article 10

Other agreements and transitional provisions

- (a) The Parties shall endeavour, where appropriate, to bring under the terms of this Agreement new arrangements for scientific and technological cooperation between the Community and the Government of the United States of America that fall under the scope of Article 4.
- (b) This Agreement is without prejudice to rights and obligations under other agreements between the Parties and any agreement or arrangement between either of the Parties and non-participant third parties, including agreements of arrangements between their scientific and technological organisations or agencies and a Member State of the Community.

Article 11

Territorial application

This Agreement shall apply, on the one hand to the territories in which the Treaty establishing the European Community is applied and under the conditions laid down in that Treaty, and on the other hand to the territory of the United States of America. This shall not prevent the conduct of cooperative activities on the high seas, outer space, or the territory of third countries, in accordance with international law.

*Article 12***Entry into force, termination and dispute settlement**

- (a) This Agreement shall enter into force on the date on which the Parties have notified each other in writing that their respective internal procedures necessary for its entry into force have been completed.
- (b) This Agreement is concluded for an initial period of five years. Subject to review by the Parties in the final year of each successive period, the Agreement may be extended, with possible amendments, thereafter for additional periods of five years by mutual written agreement between the Parties.
- (c) This Agreement may be terminated at any time by either Party upon six months' written notice. The expiration or termination of this Agreement shall not affect the validity or duration of any arrangements made under it, or any specific rights and obligations that have accrued in compliance with the Annex.

(d) This Agreement may be amended by agreement of the Parties. Amendments shall enter into force on the date on which the Parties have notified each other in writing that their respective internal procedures necessary for amending this Agreement have been completed.

(e) All questions or disputes related to the interpretation or implementation of this Agreement shall be settled by mutual agreement of the Parties.

Article 13

This Agreement is signed in duplicate in the Danish, Dutch, English, Finnish, French, German, Greek, Italian, Portuguese, Spanish, and Swedish languages, each of these texts being equally authentic.

Hecho en Washington DC, el cinco de diciembre de mil novecientos noventa y siete.

Udfærdiget i Washington DC, den femte december nitten hundrede og syvoghalvfems.

Geschehen zu Washington DC am fünften Dezember neunzehnhundertsiebenundneunzig.

Έγινε στην Ουάσιγκτον DC, στις 5 Δεκεμβρίου χίλια εννιακόσια ενενήντα επτά.

Done at Washington DC on the fifth day of December in the year one thousand nine hundred and ninety-seven.

Fait à Washington DC, le cinq décembre mil neuf cent quatre-vingt-dix-sept.

Fatto a Washington DC, addì cinque dicembre millenovecentonovantasette.

Gedaan te Washington DC, de vijfde december negentienhonderd zevenennegentig.

Feito em Washington DC, em cinco de Dezembro de mil novecentos e noventa e sete.

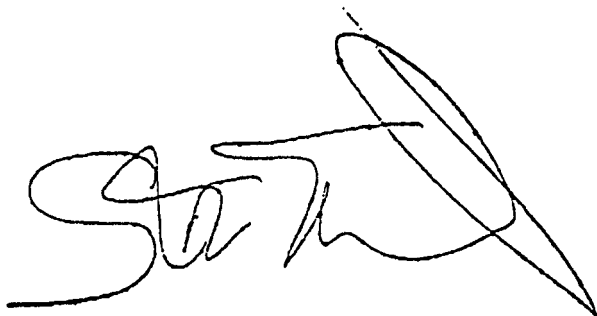
Tehty Washington DC:ssä viidentenä päivänä joulukuuta vuonna tuhatyhdeksänsataayhdeksänkymmmentäseitsemän.

Som skedde i Washington DC den femte december nittonhundranittiosju.

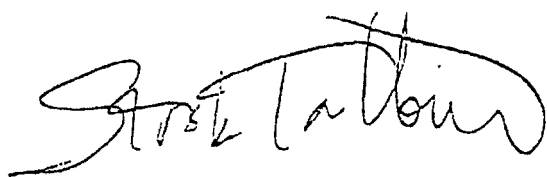
Por la Comunidad Europea
For Det Europæiske Fællesskab
Für die Europäische Gemeinschaft
Για την Ευρωπαϊκή Κοινότητα
For the European Community
Pour la Communauté européenne
Per la Comunità europea
Voor de Europese Gemeenschap
Pela Comunidade Europeia
Euroopan yhteisön puolesta
På Europeiska gemenskapens vägnar

A handwritten signature in black ink, consisting of a stylized 'L' followed by a series of loops and a final flourish.

Por el Gobierno de los Estados Unidos de América
For regeringen for Amerikas Forenede Stater
Für die Regierung der Vereinigten Staaten von Amerika
Για την κυβέρνηση των Ηνωμένων Πολιτειών της Αμερικής
For the Government of the United States of America
Pour le gouvernement des États-Unis d'Amérique
Per il governo degli Stati Uniti d'America
Voor de regering van de Verenigde Staten van Amerika
Pelo Governo dos Estados Unidos da América
Amerikan yhdysvaltojen hallituksen puolesta
På Amerikas förenta staternas regerings vägnar

A handwritten signature in black ink, featuring a large, bold 'S' followed by a series of loops and a final flourish.

For the Government of the United States of America
Por el Gobierno de los Estados Unidos de América
For regeringen for Amerikas Forenede Stater
Für die Regierung der Vereinigten Staaten von Amerika
Για την κυβέρνηση των Ηνωμένων Πολιτειών της Αμερικής
Pour le gouvernement des États-Unis d'Amérique
Per il governo degli Stati Uniti d'America
Voor de regering van de Verenigde Staten van Amerika
Pelo Governo dos Estados Unidos da América
Amerikan yhdysvaltojen hallituksen puolesta
På Amerikas förenta staternas regerings vägnar



For the European Community
Por la Comunidad Europea
For Det Europæiske Fællesskab
Für die Europäische Gemeinschaft
Για την Ευρωπαϊκή Κοινότητα
Pour la Communauté européenne
Per la Comunità europea
Voor de Europese Gemeenschap
Pela Comunidade Europeia
Euroopan yhteisön puolesta
På Europeiska gemenskapens vägnar



*ANNEX***INTELLECTUAL PROPERTY**

Pursuant to Article 9 of this Agreement:

The Parties shall ensure adequate and effective protection of intellectual property created or furnished under this Agreement and relevant implementing arrangements. The Parties agree to notify one another in a timely fashion of any inventions or copyrighted works arising under this Agreement and to seek protection for such intellectual property in a timely fashion. Rights to such intellectual property shall be allocated as provided in this Annex.

I. SCOPE

- A. This Annex is applicable to all cooperative activities undertaken by the Parties or their participants pursuant to this Agreement, except as otherwise specifically agreed by the Parties.
- B. For purposes of this Agreement, 'intellectual property' shall have the meaning found in Article 2 of the Convention Establishing the World Intellectual Property Organisation, done at Stockholm, 14 July 1967.
- C. This Annex addresses the allocation of rights, interests, and royalties between the Parties or their participants. Each Party shall ensure that the other Party or its participants can obtain the rights to intellectual property allocated in accordance with the Annex. This Annex does not otherwise alter or prejudice the allocation between a Party and its nationals, which shall be determined by that Party's laws and practices.
- D. Disputes concerning intellectual property arising under this Agreement should be resolved through discussions between the relevant participants, or, if necessary, the Parties. Upon mutual agreement of the Parties, the participants may submit a dispute to an arbitral tribunal for binding arbitration. Unless the participants agree otherwise in writing, the arbitration rules of Uncitral shall govern.
- E. Termination or expiration of this Agreement shall not affect rights or obligations under this Annex.

II. ALLOCATION OF RIGHTS

- A. Each Party shall be entitled to a non-exclusive, irrevocable, royalty-free licence in all countries to reproduce, publicly distribute and translate scientific and technical journal articles, non-proprietary scientific reports and books directly arising from cooperation under this Agreement. All publicly distributed copies of a copyrighted work prepared under this provision shall indicate the names of the authors of the work unless an author explicitly declines to be named. Each Party or its participants shall have the right to review a translation prior to public distribution.
- B. Rights to all forms of intellectual property, other than those rights described in paragraph II(A) above, shall be allocated as follows:
 - 1. Visiting researches, for example, scientists visiting primarily in furtherance of their education, shall receive intellectual property rights under arrangements with their host institutions. In addition, each visiting researcher named as an inventor shall be entitled to treatment as a national of the host country with regard to awards, bonuses, benefits, or any other rewards, in accordance with the policies of the host institution.
 - 2. (a) For intellectual property which is or may be created during joint research, the Parties or their participants shall jointly develop a technology management plan. The technology management plan shall consider the relative contributions of the Parties and their participants, the benefits of licensing by territory or for fields of use, requirements imposed by the Parties' domestic laws, and other factors deemed appropriate.

- (b) If the parties or their participants did not agree to a joint technology management plan in the initial research cooperation agreement and cannot reach an agreement within a reasonable time, not to exceed six months, from the time a Party becomes aware of the creation or likely creation of the intellectual property in question as a result of the joint research, the Parties or their participants shall resolve the matter in accordance with the provisions of paragraph I(D). Pending resolution of the matter, such intellectual property shall be owned jointly by the Parties or their participants, but shall be commercially exploited (including product development) only by mutual agreement.
- (c) 'Joint research' means research that is implemented with financial support from one or both Parties and that involves collaboration by participants from both the Community and the United States of America and is designated as joint research in writing by the Parties or their scientific and technological organisations and agencies, or in the case where there is funding by only one Party, by that Party and the participants in that project.
- (d) In the event that either Party believes that a particular joint research project under this Agreement has led or will lead to the creation or furnishing of a type of intellectual property that it protects but is not protected throughout the territory of the other Party, the Parties shall immediately hold discussions to determine the allocation of the rights to the said intellectual property. The joint activities in question will be suspended during the discussions, unless otherwise agreed by the Parties thereto. If no agreement can be reached within a three-month period from the date of the request for discussions, cooperation on the project in question will be suspended or terminated at the request of either Party.

III. PROPRIETARY INFORMATION

In the event that information identified in a timely fashion as proprietary is furnished or created under the Agreement, each Party and its participants shall protect such information in accordance with applicable laws, regulations, and administrative practice. Without prior written consent, none of the Parties shall disclose any proprietary information except to employees, government personnel, and prime and subcontractors. Such disclosures shall be for use only within the terms of their permits or licences with the Parties or the scope of work of their contracts with the Parties and in work relating to the subject matter of the information so disseminated. The Parties shall impose, or shall have imposed, through appropriate arrangements such as research contracts, grant documents, technology management plans, etc., an obligation on all participants receiving such information to keep it confidential.

If one of the Parties becomes aware that, under its laws or regulations, it will be, or may reasonably be expected to become unable to meet the non-disclosure provisions, it shall immediately inform the other Party. The Parties shall thereafter consult to define an appropriate course of action. Information may be identified as proprietary if it is secret in the sense that it is not, as a body or in the precise configuration or assembly of its components, generally known or readily accessible by lawful means; has actual or potential commercial value by virtue of its secrecy; has been subject to steps that were reasonable under the circumstances by the person lawfully in control to maintain its secrecy and not already in the possession of the recipient without an obligation concerning its confidentiality.

COUNCIL DECISION
of 15 October 1998
providing supplementary macro-financial assistance for Ukraine

(98/592/EC)

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty establishing the European Community, and in particular Article 235 thereof,

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

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

Whereas the Commission has consulted the Monetary Committee before submitting its proposal;

Whereas Ukraine is undertaking fundamental political and economic reforms and is making substantial efforts to implement a market economy model;

Whereas Ukraine and the European Communities and their Member States have signed a Partnership and Cooperation Agreement which will help the development of a full cooperation relationship;

Whereas the authorities of Ukraine have requested financial assistance from the International Financial Institutions, the Community and other bilateral donors;

Whereas Ukraine has agreed with the International Monetary Fund (IMF) on a macro-economic programme for the period July 1998 to June 2001 supported by an 'Extended Fund Facility' (EFF) of approximately USD 2,3 billion; whereas policy-based loans to Ukraine in the order of USD 2,1 billion are also expected from the World Bank during the programme period;

Whereas, over and above the estimated financing which could be provided by the IMF and the World Bank, and after undisbursed commitments of bilateral donors under previous programmes have been deducted, a residual financing gap of some USD 2,2 billion remains to be covered during the programme period in order to support the policy objectives attached to the government's reform effort; whereas complementary official and private contributions are expected from other bilateral donors;

Whereas by Decisions 94/940/EC ⁽³⁾ and 95/442/EC ⁽⁴⁾, the Council approved macro-financial assistance for Ukraine of up to a total amount of ECU 285 million for support to previous macro-economic programmes; whereas, however, further official support is required in the context of the present programme to support the

balance of payments, consolidate the reserve position and facilitate the necessary structural adjustment of that country;

Whereas an additional Community long-term loan to Ukraine is an appropriate measure to help ease the country's external financial constraints;

Whereas commitments have been given by the Ukrainian authorities, the Group of Seven and the European Union in the context of the Memorandum of Understanding signed on 21 December 1995 aimed at the closure of the Chernobyl nuclear power plant by the year 2000;

Whereas the Community loan should be managed by the Commission;

Whereas the Treaty does not provide, for the adoption of this Decision, powers other than those of Article 235,

HAS DECIDED AS FOLLOWS:

Article 1

1. The Community shall make available to Ukraine a long-term loan facility of a maximum principal amount of ECU 150 million with a maximum maturity of 10 years, with a view to ensuring a sustainable balance-of-payments situation, strengthening the country's reserve position and comforting the implementation of the necessary structural reforms.

2. To this end, the Commission is empowered to borrow, on behalf of the European Community, the necessary resources that will be placed at the disposal of Ukraine in the form of a loan.

3. This loan will be managed by the Commission in close consultation with the Monetary Committee and in a manner consistent with any agreement reached between the IMF and Ukraine.

Article 2

1. The Commission is empowered to agree with the Ukrainian authorities, after consulting the Monetary Committee, the economic policy conditions attached to the loan. These conditions shall be consistent with the agreements referred to in Article 1(3).

⁽¹⁾ OJ C 386, 20. 12. 1997, p. 10.

⁽²⁾ OJ C 80, 16. 3. 1998, p. 29.

⁽³⁾ OJ L 366, 31. 12. 1994, p. 32.

⁽⁴⁾ OJ L 258, 28. 10. 1995, p. 63.

2. The Commission shall verify at regular intervals, in collaboration with the Monetary Committee and in close coordination with the IMF, that the economic policy in Ukraine is in accordance with the objectives of this loan and that its conditions are being fulfilled.

Article 3

1. The loan shall be made available to Ukraine in at least two instalments. Subject to Article 2, the first instalment is to be released on the basis of a satisfactory track record of Ukraine's macro-economic programme agreed with the IMF in the context of the present EFF or of a successor upper credit tranche arrangement.

2. Subject to Article 2, the later instalment(s) shall be released on the basis of a satisfactory continuation of the arrangements referred to in paragraph 1 and not before a period of three months has elapsed after the release of the previous instalment.

3. The funds shall be paid to the National Bank of Ukraine.

Article 4

1. The borrowing and lending operations referred to in Article 1 shall be carried out using the same value date and must not involve the Community in the transformation of maturities, in any exchange or interest rate risk, or in any other commercial risk.

2. The Commission shall take the necessary steps, if Ukraine so requests, to ensure that an early repayment clause is included in the loan terms and conditions and that it may be exercised.

3. At the request of Ukraine, and where circumstances permit an improvement in the interest rate on the loans, the Commission may refinance all or part of its initial borrowings or restructure the corresponding financial conditions. Refinancing or restructuring operations shall be carried out in accordance with the conditions set out in paragraph 1 and shall not have the effect of extending the average maturity of the borrowing concerned or increasing the amount, expressed at the current exchange rate, of capital outstanding at the date of the refinancing or restructuring.

4. All related costs incurred by the Community in concluding and carrying out the operation under this Decision shall be borne by Ukraine.

5. The Monetary Committee shall be kept informed of developments in the operations referred to in paragraphs 2 and 3 at least once a year.

Article 5

At least once a year the Commission shall address to the European Parliament and to the Council a report, which will include an evaluation of the implementation of this Decision.

Done at Brussels, 15 October 1998.

For the Council
The President
W. SCHÜSSEL

DECISION No 2/98 OF THE ASSOCIATION COUNCIL

**between the European Communities and their Member States, of the one
part, and the Slovak Republic, of the other part**

of 9 October 1998

**adopting the terms and conditions for the participation of the Slovak Republic in
the Community programme for energy efficiency, SAVE II**

(98/593/EC)

THE ASSOCIATION COUNCIL,

Having regard to the Europe Agreement establishing an association between the European Communities and their Member States, of the one part, and the Slovak Republic of the other part ⁽¹⁾,

Having regard to the additional Protocol to the Europe Agreement establishing an association between the European Communities and their Member States, of the one part, and the Slovak Republic, of the other part, concerning the Slovak Republic's participation in Community programmes ⁽²⁾, and in particular Articles 1 and 2 thereof,

Whereas, according to Article 1 of the said additional Protocol, the Slovak Republic may participate in Community framework programmes, specific programmes, projects or other actions, including those in the field of energy;

Whereas, according to Article 2 of the said additional Protocol, the terms and conditions for the participation of the Slovak Republic in the activities referred to in the said Article 1 are to be decided by the Association Council,

HAS DECIDED AS FOLLOWS:

Article 1

The Slovak Republic shall participate in the European Community programme SAVE II according to the terms and conditions set out in Annexes I and II which shall form an integral part of this Decision.

Article 2

This Decision shall apply for the duration of the SAVE II programme.

Article 3

This Decision shall enter into force on the first day of the month following the day of its adoption.

Done at Brussels, 9 October 1998.

For the Association Council

The Chairman

Z. KRAMPLOVÁ

⁽¹⁾ OJ L 359, 31. 12. 1994, p. 2.

⁽²⁾ OJ L 115, 9. 5. 1996, p. 43.

*ANNEX I***TERMS AND CONDITIONS FOR THE PARTICIPATION OF THE SLOVAK REPUBLIC IN THE MULTIANNUAL COMMUNITY PROGRAMME FOR ENERGY EFFICIENCY, SAVE II**

1. The Slovak Republic will participate in all actions of the multiannual Community programme for energy efficiency, SAVE II (hereinafter called 'SAVE II') in conformity, unless otherwise provided in this Decision, with the objectives, criteria, procedures and time limits laid down in Council Decision 96/737/EC of 16 December 1996 concerning a multiannual programme for the promotion of energy efficiency in the Community — SAVE II ⁽¹⁾ establishing a five-year programme for the preparation and implementation of measures and actions in a cost-effective manner in order to promote energy efficiency within the Community.
2. The terms and conditions for the submission, assessment and selection of applications related to eligible institutions, organisations and individuals of the Slovak Republic will be the same as those applicable to eligible institutions, organisations and individuals of the Community, set within the limits of the financial contribution of the Slovak Republic less administrative costs as provided in Annex II.
3. Where applicable, to ensure the Community dimension of SAVE II, transnational projects and activities proposed by the Slovak Republic will be required to include a minimum number of partners from the Member States of the Community. This minimum number will be decided in the framework of the implementation of SAVE II, taking into account the nature of the various activities, the number of partners in a given project and the number of countries participating in the activity.
4. The Slovak Republic will take all necessary steps to ensure national coordination and organisation of participation in SAVE II.
5. The Slovak Republic will pay each year a contribution to the general budget of the European Communities to cover the costs resulting from its participation in SAVE II (see Annex II).
The Association Committee is entitled to adapt this contribution whenever necessary.
6. The Member States of the Community and the Slovak Republic will make every effort, within the framework of existing provisions, to facilitate the free movement and residence of persons moving between the Slovak Republic and the Member States of the Community for the purpose of participating in activities covered by this Decision.
7. Without prejudice to the responsibilities of the Commission and the Court of Auditors of the European Communities in relation to the monitoring and evaluation of SAVE II pursuant to Article 5 of Decision 96/737/EC, the participation of the Slovak Republic in the programme will be continuously monitored on a partnership basis involving the Slovak Republic and the Commission of the European Communities. The Slovak Republic will submit the necessary reports to the Commission and take part in other specific activities set out by the Community in that context.
8. Without prejudice to the procedures referred to in Articles 4 and 5 of Decision 96/737/EC, the Slovak Republic will be invited to coordination meetings on any question concerning the implementation of this Decision prior to the regular meetings of the SAVE II Committee. The Commission will inform the Slovak Republic about the results of such regular meetings.
9. The language to be used as regards the application process, contracts, reports to be submitted and other administrative arrangements for the SAVE II programme will be one of the official languages of the Community.

⁽¹⁾ OJ L 335, 24. 12. 1996, p. 50.

ANNEX II

FINANCIAL CONTRIBUTION OF THE SLOVAK REPUBLIC TO SAVE II

1. The financial contribution of the Slovak Republic will cover:
 - subsidies or any other financial support from the programme to Slovak participants,
 - supplementary administrative costs related to the management of the programme by the Commission stemming from the Slovak Republic's participation.

2. For every financial year, the aggregated amount of subsidies or any other financial support received from the programme by Slovak beneficiaries will not exceed the contribution paid by the Slovak Republic, after deduction of the supplementary administrative costs.

Should the contribution paid by the Slovak Republic to the general budget of the European Communities, after deduction of the supplementary administrative costs, be higher than the aggregated amount of the subsidies or other financial support received by the Slovak beneficiaries from the programme, the Commission will transfer the balance to the next budgetary exercise, and it will be deducted from the following year's contribution. Should such a balance be left when the programme comes to an end, the corresponding amount will be reimbursed to the Slovak Republic.

3. The Slovak Republic's annual contribution will be ECU 154 512 from 1998. From this sum, an amount of ECU 10 512 will cover supplementary administrative costs related to the management of the programme by the Commission stemming from the Slovak Republic's participation.

4. The Financial Regulation applicable to the general budget of the European Communities will apply, notably to the management of the contribution of the Slovak Republic.

On the entry into force of this Decision and at the beginning of each year, the Commission will send to the Slovak Republic a call for funds corresponding to its contribution to the costs under this Decision.

This contribution will be expressed in ecus and paid into an ecu bank account of the Commission.

The Slovak Republic will pay its contribution to the annual costs under this Decision according to the call for funds and at the latest three months after the call for funds is sent. Any delay in the payment of the contribution will give rise to the payment of interest by the Slovak Republic on the outstanding amount from the due date. The interest rate corresponds to the rate applied by the European Monetary Cooperation Fund for the month of the due date, for its operations in ecus⁽¹⁾, increased by 1,5 percentage points.

5. The Slovak Republic will pay the supplementary administrative costs referred to in paragraph 3 from its national budget.
6. The Slovak Republic will pay 50 % of the remaining cost of its participation in SAVE II from its national budget.

Subject to regular PHARE programming procedures, the remaining 50 % will be paid from the Slovak Republic's annual PHARE allocation.

⁽¹⁾ Rate published monthly in the *Official Journal of the European Communities*, 'C' series.

CORRIGENDA

Corrigendum to Council Decision 98/319/EC of 27 April 1998 relating to the procedures whereby officials and employees of the General Secretariat of the Council may be allowed access to classified information held by the Council

(Official Journal of the European Communities L 140 of 12 May 1998)

On page 13 in Article 8, second paragraph:

for: '... on the date on which it is adopted',

read: '... on the date on which it takes effect'.
