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

COUNCIL DECISION

of 3 November 1998

on the implementation of Joint Action 97/288/CFSP on the European Union's contribution to the promotion of transparency in nuclear-related export controls with a view to the financing of the second NSG seminar on nuclear-related export controls

(98/623/CFSP)

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty on European Union, and in particular Articles J.3 and J.11 thereof,

Whereas on 29 April 1997 the Council adopted Joint Action 97/288/CFSP on the European Union's contribution to the promotion of transparency in nuclear-related export controls⁽¹⁾;

Whereas, as part of the further measures to be undertaken by the European Union, in order to support the objectives set out in Article 1 and as provided in Article 3 of that Joint Action, a contribution should be made to the funding of the second NSG seminar on nuclear-related export controls,

HAS DECIDED AS FOLLOWS:

Article 1

1. An amount of up to ECU 75 000 shall be charged to the general budget of the European Communities for 1998 in order to finance the second NSG seminar on

nuclear-related export controls, which is scheduled to take place in New York on 8 and 9 April 1999.

2. The expenditure financed by the amount stipulated in paragraph 1 shall be managed in accordance with the Community procedures and rules applicable to the said budget.

Article 2

This Decision shall enter into force on the date of its adoption.

It shall be published in the Official Journal.

Done at Brussels, 3 November 1998.

For the Council

The President

B. PRAMMER

⁽¹⁾ OJ L 120, 12. 5. 1997, p. 1.

I

(Acts whose publication is obligatory)

COUNCIL REGULATION (EC) No 2386/98**of 3 November 1998****amending Regulation (EC) No 45/98 fixing, for certain fish stocks and groups of fish stocks, the total allowable catches for 1998 and certain conditions under which they may be fished**

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EC) No 3760/92 of 20 December 1992 establishing a Community system for fisheries and aquaculture ⁽¹⁾, and in particular Article 8(4) thereof,

Having regard to the proposal from the Commission,

Whereas Regulation (EC) No 45/98 ⁽²⁾ fixes, for certain fish stocks and groups of fish stocks, the TACs for 1998 and certain conditions under which they may be fished;

Whereas scientific opinion indicates that cod caught in the North Sea (ICES Sub-area IV) and in the eastern Channel (ICES Division VIIId) belong to the same stock;

Whereas quotas of cod which may be taken by Member States are defined separately for the North Sea and for an area which includes the eastern Channel;

Whereas some Member States are experiencing, during 1998, large catches of cod in the eastern Channel, which

may lead to large-scale discarding of this species when national quotas for this area become exhausted;

Whereas small quantities of cod included in the quotas for the North Sea taken in the eastern Channel will have no adverse effects on the stock of cod from which they are taken;

Whereas Regulation (EC) No 45/98 should therefore be amended accordingly,

HAS ADOPTED THIS REGULATION:

Article 1

The Annex to this Regulation shall replace the corresponding elements of Annex I to Regulation (EC) No 45/98.

Article 2

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

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

Done at Brussels, 3 November 1998.

For the Council

The President

B. PRAMMER

⁽¹⁾ OJ L 389, 31. 12. 1992, p. 1. Regulation as amended by the 1994 Act of Accession.

⁽²⁾ OJ L 12, 19. 1. 1998, p. 1. Regulation as last amended by Commission Regulation (EC) No 1957/98 (OJ L 254, 16. 9. 1998, p. 3).

ANNEX

Species: Cod <i>Gadus morhua</i>		Zone: IIa ⁽¹⁾ , North Sea
België/Belgique	4 460 ⁽³⁾	⁽¹⁾ Community waters
Danmark	25 610	⁽²⁾ Of which no more than 60 000 tonnes may be fished in waters under the sovereignty or jurisdiction of Norway
Deutschland	16 240	⁽³⁾ Of which no more than 17 tonnes may be fished in ICES Division VIIId
Ελλάδα		⁽⁴⁾ Of which no more than 21 tonnes may be fished in ICES Division VIIId
España		⁽⁵⁾ Of which no more than 54 tonnes may be fished in ICES Division VIIId
France	5 510 ⁽⁴⁾	⁽⁶⁾ Of which no more than 220 tonnes may be fished in ICES Division VIIId'
Ireland		
Italia		
Luxembourg		
Nederland	14 470 ⁽³⁾	
Österreich		
Portugal		
Suomi/Finland		
Sverige	170	
United Kingdom	58 740 ⁽⁶⁾	
EC	125 200 ⁽³⁾	
TAC	140 000	

COMMISSION REGULATION (EURATOM) No 2387/98
of 3 November 1998

concerning the accession by the European Atomic Energy Community, and the European Community, acting as one party, to an Agreement having established in 1993 a Science and Technology Centre in Ukraine between Canada, Sweden, Ukraine and the United States of America

THE COMMISSION OF THE EUROPEAN COMMUNITIES,
Having regard to the Treaty establishing the European Atomic Energy Community and in particular the second paragraph of Article 101 thereof,

Having regard to the Council's approval,

Whereas the accession by the European Atomic Energy Community and the European Community, acting as one Party, to the Agreement having established in 1993 a Science and Technology Centre in Ukraine between Canada, Sweden, Ukraine and the United States of America, should be approved on behalf of the European Atomic Energy Community,

HAS ADOPTED THIS REGULATION:

Article 1

The accession by the European Atomic Energy Community and the European Community, acting as one Party, to the Agreement having established in 1993 a Science and Technology Centre in Ukraine between Canada, Sweden, Ukraine and the United States of America, as modified by the Protocol of 7 July 1997 (hereinafter referred to as 'the Agreement'), and the

Declaration of the European Communities relating to Article 1 are hereby approved on behalf of the European Atomic Energy Community.

The texts of the Agreement, the Instrument of Accession, and the Declaration are annexed to this Regulation ⁽¹⁾.

Article 2

One Representative of the Community on the Governing Board shall be appointed by each of the Council and the Commission pursuant to Article IV(C) of the Agreement.

Article 3

The Science and Technology Centre in Ukraine has legal personality and will enjoy the most extensive legal capacity accorded to legal persons under laws applicable in the Community and, in particular, may contract, acquire or dispose of movable and immovable property and be a party to legal proceedings.

Article 4

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

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

Done at Brussels, 3 November 1998.

For the Commission

The President

Jacques SANTER

⁽¹⁾ OJ L 225, 12. 8. 1998, p. 4.

COMMISSION REGULATION (EC) No 2388/98
of 4 November 1998
concerning the stopping of fishing for Greenland halibut by vessels flying the
flag of a Member State

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

Having regard to Council Regulation (EEC) No 2847/93 of 12 October 1993 establishing a control system applicable to the common fisheries policy ⁽¹⁾, as last amended by Regulation (EC) No 2635/97 ⁽²⁾, and in particular Article 21(3) thereof,

Whereas Council Regulation (EC) No 47/98 of 20 December 1997 allocating, for 1998, certain catch quotas between Member States for vessels fishing in the Norwegian exclusive economic zone and the fishing zone around Jan Mayen ⁽³⁾, provides for Greenland halibut quotas for 1998;

Whereas, in order to ensure compliance with the provisions relating to the quantitative limitations on catches of stocks subject to quotas, it is necessary for the Commission to fix the date by which catches made by vessels flying the flag of a Member State are deemed to have exhausted the quota allocated;

Whereas, according to the information communicated to the Commission, catches of Greenland halibut in the waters of ICES divisions I, IIa, b (Norwegian waters north of 62° N) by vessels flying the flag of a Member State or

registered in a Member State have reached the quota allocated for 1998,

HAS ADOPTED THIS REGULATION:

Article 1

Catches of Greenland halibut in the waters of ICES divisions I, IIa, b (Norwegian waters north of 62° N) by vessels flying the flag of a Member State or registered in a Member State are deemed to have exhausted the quota allocated to the Community for 1998.

Fishing for Greenland halibut in the waters of ICES divisions I, IIa, b (Norwegian waters north of 62° N) by vessels flying the flag of a Member State or registered in a Member State is prohibited, as well as the retention on board, the transshipment and the landing of such stock captured by the abovementioned vessels after the date of entry into force of this Regulation.

Article 2

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

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

Done at Brussels, 4 November 1998.

For the Commission

Emma BONINO

Member of the Commission

⁽¹⁾ OJ L 261, 20. 10. 1993, p. 1.

⁽²⁾ OJ L 356, 31. 12. 1997, p. 14.

⁽³⁾ OJ L 12, 19. 1. 1998, p. 58.

COMMISSION REGULATION (EC) No 2389/98
of 4 November 1998
concerning the stopping of fishing for common sole by vessels flying the flag of
Belgium

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

Having regard to Council Regulation (EEC) No 2847/93 of 12 October 1993 establishing a control system applicable to the common fisheries policy ⁽¹⁾, as last amended by Regulation (EC) No 2635/97 ⁽²⁾, and in particular Article 21(3) thereof,

Whereas Council Regulation (EC) No 45/98 of 19 December 1997 fixing, for certain fish stocks and groups of fish stocks, the total allowable catches for 1998 and certain conditions under which they may be fished ⁽³⁾, as last amended by Regulation (EC) No 783/98 ⁽⁴⁾, provides for common sole quotas for 1998;

Whereas, in order to ensure compliance with the provisions relating to the quantitative limitations on catches of stocks subject to quotas, it is necessary for the Commission to fix the date by which catches made by vessels flying the flag of a Member State are deemed to have exhausted the quotas allocated;

Whereas, according to the information communicated to the Commission, catches of common sole in the waters of ICES division VIIIf, g by vessels flying the flag of Belgium or registered in Belgium have reached the quota allocated

for 1998; whereas Belgium has prohibited fishing for this stock as from 18 October 1998; whereas it is therefore necessary to abide by that date,

HAS ADOPTED THIS REGULATION:

Article 1

Catches of common sole in the waters of ICES division VIIIf, g by vessels flying the flag of Belgium or registered in Belgium are deemed to have exhausted the quota allocated to Belgium for 1998.

Fishing for common sole in the waters of ICES division VIIIf, g by vessels flying the flag of Belgium or registered in Belgium is prohibited, as well as the retention on board, the transshipment and the landing of such stock captured by the abovementioned vessels after the date of application of this Regulation.

Article 2

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

It shall apply with effect from 18 October 1998.

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

Done at Brussels, 4 November 1998.

For the Commission

Emma BONINO

Member of the Commission

⁽¹⁾ OJ L 261, 20. 10. 1993, p. 1.

⁽²⁾ OJ L 356, 31. 12. 1997, p. 14.

⁽³⁾ OJ L 12, 19. 1. 1998, p. 1.

⁽⁴⁾ OJ L 113, 15. 4. 1998, p. 8.

COMMISSION REGULATION (EC) No 2390/98

of 5 November 1998

laying down detailed rules for the application of Council Regulation (EC) No 1706/98 as regards the arrangements for importing certain cereal substitute products and processed cereal and rice products originating in the African, Caribbean and Pacific States or in the overseas countries and territories and repealing Regulation (EEC) No 2245/90

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EC) No 1706/98 of 20 July 1998 on the arrangements applicable to agricultural products and goods resulting from the processing of agricultural products originating in the African, Caribbean and Pacific States (ACP States) and repealing Regulation (EEC) No 715/90⁽¹⁾, and in particular Article 30(1) thereof,

Whereas pursuant to Article 15 of Regulation (EC) No 1706/98 certain products listed in Annex A to Council Regulation (EEC) No 1766/92 of 30 June 1992 on the common organisation of the market in cereals⁽²⁾, as last amended by Commission Regulation (EC) No 923/96⁽³⁾, are imported into the Community free of customs duties; whereas the other products listed in the above Annex and in Article 1(1)(c) of Council Regulation (EC) No 3072/95 of 22 December 1995 on the common organisation of the market in rice⁽⁴⁾, as last amended by Regulation (EC) No 2072/98⁽⁵⁾, are imported into the Community at a reduced rate of duty provided they originate in the ACP States;

Whereas the detailed rules for the application of such arrangements to products falling within CN codes 0714 10 91 and 0714 90 11 should be limited to imposing an obligation to import the product at zero duty or at the reduced rate from the ACP State indicated in the import licence, and to setting up a regular notification system;

Whereas, pursuant to Article 27(5) of Regulation (EC) No 1706/98, customs duties are not applied to direct imports into the French overseas departments of products falling

within CN codes 0714 10 91 and 0714 90 11 and originating in the ACP States and overseas countries and territories within the limit of an annual quota of 2 000 tonnes; whereas the detailed rules for the application of such arrangements should relate to the lodging of applications for import licences and the issue of such licences and guarantee direct importation into the French overseas departments and observance of the maximum quantity laid down; whereas, in order to comply with the objective of the measure and ensure the management and supervision of the tariff quota, the use of licences for release for free circulation into the above departments should be strictly limited;

Whereas these detailed rules either supplement or derogate from, as the case may be, Commission Regulation (EEC) No 3719/88 of 16 November 1988 laying down common detailed rules for the application of the system of import and export licences and advance fixing certificates for agricultural products⁽⁶⁾, as last amended by Regulation (EC) No 1044/98⁽⁷⁾, or Commission Regulation (EC) No 1162/95 of 23 May 1995 on special detailed rules for the application of the system of import and export licences for cereals and rice⁽⁸⁾, as last amended by Regulation (EC) No 444/98⁽⁹⁾;

Whereas, so that the actual use made of licences can be monitored better, the provision in Regulation (EEC) No 3719/88 on early submission of proof of release for free circulation should apply;

Whereas the partial reimbursement of import duties resulting from the reduction in duties applicable from 1 January 1996 is to be carried out in accordance with Council Regulation (EEC) No 2913/92 of 12 October 1992 establishing the Community Customs Code⁽¹⁰⁾, as last amended by Regulation (EC) No 82/97⁽¹¹⁾, and Commission Regulation (EEC) No 2454/93 of 2 July 1993 laying down provisions for the implementation of Council Regulation (EEC) No 2913/92 establishing the Community Customs Code⁽¹²⁾, as last amended by Regulation (EC) No 1677/98⁽¹³⁾;

⁽¹⁾ OJ L 215, 1. 8. 1998, p. 12.

⁽²⁾ OJ L 181, 1. 7. 1992, p. 21.

⁽³⁾ OJ L 126, 24. 5. 1996, p. 37.

⁽⁴⁾ OJ L 329, 30. 12. 1995, p. 18.

⁽⁵⁾ OJ L 265, 30. 9. 1998, p. 4.

⁽⁶⁾ OJ L 331, 2. 12. 1988, p. 1.

⁽⁷⁾ OJ L 149, 20. 5. 1998, p. 11.

⁽⁸⁾ OJ L 117, 24. 5. 1995, p. 2.

⁽⁹⁾ OJ L 56, 26. 2. 1998, p. 12.

⁽¹⁰⁾ OJ L 302, 19. 10. 1992, p. 1.

⁽¹¹⁾ OJ L 17, 21. 1. 1997, p. 1.

⁽¹²⁾ OJ L 253, 11. 10. 1993, p. 1.

⁽¹³⁾ OJ L 212, 30. 7. 1998, p. 18.

Whereas Commission Regulation (EEC) No 2245/90 of 31 July 1990 laying down detailed rules for the application of the import arrangements applicable to products falling within CN codes 0714 10 91 and 0714 90 11 and originating in the ACP States or in the overseas countries and territories ⁽¹⁾, as last amended by Regulation (EC) No 1431/97 ⁽²⁾, should be repealed;

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

HAS ADOPTED THIS REGULATION:

Article 1

This Regulation lays down the detailed rules for importing:

- products falling within CN codes 0714 10 91 and 0714 90 11 originating in the ACP States and imported into the Community (Title I),
- products falling within CN codes 0714 10 91 and 0714 90 11 originating in the ACP States and the overseas countries and territories and imported into the French overseas departments (Title II).

TITLE I

Article 2

1. With a view to the release for free circulation in the Community pursuant to Article 15(1) of Regulation (EC) No 1706/98 of products falling within CN codes 0714 10 91 and 0714 90 11, Section 8 of licence applications and import licences shall contain the name of the ACP State in which the product originates. Licences shall carry with them an obligation to import from that country.

2. Section 24 of import licences shall contain one of the following entries:

- **Producto ACP:**
 - exención del derecho de aduana
 - apartado 1 del artículo 15 del Reglamento (CE) n° 1706/98
- **AVS-produkt:**
 - toldfritagelse
 - forordning (EF) nr. 1706/98: artikel 15, stk. 1
- **Erzeugnis AKP:**
 - Zollfrei
 - Verordnung (EG) Nr. 1706/98, Artikel 15, Absatz 1
- **Προϊόν ΑΚΕ:**
 - Απαλλαγή από δασμούς
 - Κανονισμός (ΕΚ) αριθ. 1706/98, άρθρο 15 παράγραφος 1

- **ACP product:**
 - exemption from customs duty
 - Regulation (EC) No 1706/98, Article 15(1)
- **produit ACP:**
 - exemption du droit de douane
 - Règlement (CE) n° 1706/98, article 15 paragraphe 1
- **prodotto ACP:**
 - esenzione dal dazio doganale
 - regolamento (CE) n. 1706/98, articolo 15, paragrafo 1
- **Product ACS:**
 - vrijgesteld van douanerecht
 - Verordening (EG) nr. 1706/98: artikel 15, lid 1
- **produto ACP:**
 - isenção do direito aduaneiro
 - Regulamento (CE) n° 1706/98, n° 1 do artigo 15°
- **AKT-maista:**
 - Tullivapaa
 - asetuksen (EY) N:o 1706/98 15 artiklan 1 kohta
- **AVS-produkt:**
 - Tullfri
 - Förordning (EG) nr 1706/98 artikel 15.1.

Article 3

Member States shall notify the Commission before the end of each month of the quantities for which import licences for products originating in the ACP States as referred to in Article 1 have been applied for during the preceding four weeks, broken down by Combined Nomenclature code and country of origin.

TITLE II

Article 4

The following special provisions shall apply to the release for free circulation in the French overseas departments pursuant to Article 27(5) of Regulation (EC) No 1706/98 of products falling within CN codes 0714 10 91 and 0714 90 11:

1. Licence applications shall be for a quantity not exceeding 500 tonnes per individual applicant acting on his own account.
2. Section 8 of licence applications and import licences shall contain the name of the ACP State or the overseas country or territory in which the product originates. The licence shall constitute an obligation to import from that country or territory.

⁽¹⁾ OJ L 203, 1. 8. 1990, p. 47.

⁽²⁾ OJ L 196, 24. 7. 1997, p. 43.

3. Section 24 of import licences shall contain one of the following entries:

- Producto ACP/PTU:
 - exención del derecho de aduana
 - apartado 5 del artículo 27 del Reglamento (CE) n° 1706/98
 - exclusivamente válido para el despacho a libre práctica en los departamentos de Ultramar
- AVS/OLT-produkt:
 - toldfritagelse
 - förordning (EF) nr. 1706/98: artikel 27, stk. 5
 - gælder udelukkende for overgang til fri omsætning I de oversøiske departementer
- Erzeugnis AKP/ÜLG:
 - Zollfrei
 - Verordnung (EG) Nr. 1706/98, Artikel 27, Absatz 5
 - gilt ausschließlich für die Abfertigung zum freien Verkehr in den französischen überseeischen Departements
- Προϊόν ΑΚΕ/ΥΧΕ:
 - Απαλλαγή από δασμούς
 - Κανονισμός (ΕΚ) αριθ. 1706/98, άρθρο 27 παράγραφος 5
 - Ισχύει αποκλειστικά για μία θέση σε ελεύθερη κυκλοφορία στα Υπερπόντια Διαμερίσματα
- ACP/OCT product:
 - exemption from customs duty
 - Regulation (EC) No 1706/98, Article 27(5)
 - valid exclusively for release for free circulation in the overseas departments
- produit ACP/PTOM:
 - exemption du droit de douane
 - Règlement (CE) n° 1706/98, article 27 paragraphe 5
 - exclusivement valable pour une mise en libre pratique dans les départements d'outre-mer
- prodotto ACP/PTOM:
 - esenzione dal dazio doganale
 - regolamento (CE) n. 1706/98, articolo 27, paragrafo 5
 - valido esclusivamente per l'immissione in libera pratica nei DOM
- Product ACS/LGO:
 - vrijgesteld van douanerecht
 - Verordening (EG) nr. 1706/98: artikel 27, lid 5
 - geldt uitsluitend voor het in het vrije verkeer brengen in de Franse overzeese departementen
- produto ACP/PTU:
 - isenção do direito aduaneiro
 - Regulamento (CE) n° 1706/98, n° 5 do artigo 27º
- válido exclusivamente para uma introdução em livre prática nos departamentos ultramarinos
- AKT-maista/Merentakaisista maista ja merentakaisilta alueilta peräisin oleva tuote:
 - Tullivapaa
 - asetuksen (EY) N:o 1706/98 27 artiklan 5 kohta
 - voimassa ainoastaan merentakaisilla alueilla vapaaseen liikkeeseen laskemiseksi
- AVS/ULT-produkt:
 - Tullfri
 - Förordning (EG) nr 1706/98 artikel 27.5
 - Uteslutande avsedd för övergång till fri omsättning I de utomeuropeiska länderna och territorierna.

Article 5

1. Licence applications shall be lodged with the competent authorities of the Member States every Monday before 1 p.m. (Brussels time) or, if that day is not a working day, on the first working day following.
2. Member States shall, by telex or fax not later than 1 p.m. on the working day following the day on which the application is lodged, notify the Commission of the origin of the product, the quantity applied for and the name of the applicant.
3. Not later than the fourth working day following the day on which the applications are lodged, the Commission shall determine and inform the Member States by telex or fax to what extent the licence applications are accepted.
4. Subject to paragraph 3, licences shall be issued on the fifth working day following the day on which the applications were lodged, in the case of applications notified in accordance with paragraph 2.
5. The licences issued shall be valid exclusively for release for free circulation in the French overseas departments from the day of effective issue until the end of the second month following that date. However, they shall not be valid beyond 31 December of the year in which they are issued.

Article 6

Notwithstanding Article 8(4) of Regulation (EEC) No 3719/88, the quantity released for free circulation may not exceed that set out in Sections 17 and 18 of the import licence. The figure 0 shall be entered for this purpose in Section 19 of the licence.

TITLE III

General provisions

Article 7

1. Notwithstanding Article 10 of Regulation (EC) No 1162/95, the amount of the security in respect of the import licence shall be ECU 0,5 per tonne.

2. In cases where, as a result of the application of Article 5(3), the quantity for which the licence is issued is less than that for which it was applied for, the amount of the security corresponding to the difference shall be released.

3. The fourth indent of Article 5(1) of Regulation (EEC) No 3719/88 shall not apply.

Article 8

Regulation (EEC) No 2245/90 is hereby repealed.

Article 9

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

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

Done at Brussels, 5 November 1998.

For the Commission

Franz FISCHLER

Member of the Commission

COMMISSION REGULATION (EC) No 2391/98
of 5 November 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 6 November 1998.

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

Done at Brussels, 5 November 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 5 November 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	052	99,6
	204	62,0
	999	80,8
0709 90 70	052	84,2
	999	84,2
0805 20 10	204	67,4
	999	67,4
0805 20 30, 0805 20 50, 0805 20 70, 0805 20 90	052	63,9
	999	63,9
0805 30 10	052	63,3
	388	41,8
	528	50,0
	999	51,7
0806 10 10	052	138,0
	400	266,9
	999	202,4
0808 10 20, 0808 10 50, 0808 10 90	060	29,5
	064	41,1
	388	30,3
	400	82,2
	404	80,7
	800	143,6
	999	67,9
0808 20 50	052	87,8
	064	58,1
	400	84,2
	720	54,6
	728	126,7
	999	82,3

⁽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 2392/98**of 5 November 1998****fixing the maximum export refund on barley in connection with the invitation to tender issued in Regulation (EC) No 1564/98**

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

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

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

Whereas an invitation to tender for the refund for the export of barley exported from Spain to all third countries was opened pursuant to Commission Regulation (EC) No 1564/98 ⁽⁵⁾, as amended by Regulation (EC) No 2309/98 ⁽⁶⁾;

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

the criteria referred to in Article 1 of Regulation (EC) No 1501/95; whereas in that case a contract is awarded to any tenderer whose bid is equal to or lower than the maximum refund;

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

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

HAS ADOPTED THIS REGULATION:

Article 1

For tenders notified from 30 October to 5 November 1998, pursuant to the invitation to tender issued in Regulation (EC) No 1564/98, the maximum refund on exportation of barley shall be ECU 67,85 per tonne.

Article 2

This Regulation shall enter into force on 6 November 1998.

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

Done at Brussels, 5 November 1998.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ L 181, 1. 7. 1992, p. 21.

⁽²⁾ OJ L 126, 24. 5. 1996, p. 37.

⁽³⁾ OJ L 147, 30. 6. 1995, p. 7.

⁽⁴⁾ OJ L 266, 1. 10. 1998, p. 61.

⁽⁵⁾ OJ L 203, 21. 7. 1998, p. 6.

⁽⁶⁾ OJ L 288, 27. 10. 1998, p. 11.

COMMISSION REGULATION (EC) No 2393/98**of 5 November 1998****fixing the maximum export refund on common wheat in connection with the invitation to tender issued in Regulation (EC) No 1079/98**

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

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

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

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

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

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

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

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

HAS ADOPTED THIS REGULATION:

Article 1

For tenders notified from 30 October to 5 November 1998, pursuant to the invitation to tender issued in Regulation (EC) No 1079/98, the maximum refund on exportation of common wheat shall be ECU 28,59 per tonne.

Article 2

This Regulation shall enter into force on 6 November 1998.

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

Done at Brussels, 5 November 1998.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ L 181, 1. 7. 1992, p. 21.

⁽²⁾ OJ L 126, 24. 5. 1996, p. 37.

⁽³⁾ OJ L 147, 30. 6. 1995, p. 7.

⁽⁴⁾ OJ L 266, 1. 10. 1998, p. 61.

⁽⁵⁾ OJ L 154, 28. 5. 1998, p. 24.

⁽⁶⁾ OJ L 258, 22. 9. 1998, p. 8.

COMMISSION REGULATION (EC) No 2394/98**of 5 November 1998****fixing the maximum export refund on common wheat in connection with the invitation to tender issued in Regulation (EC) No 2004/98**

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

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

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

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

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

tenderer whose bid is equal to or lower than the maximum refund, as well as to any tenderer whose bid relates to an export tax;

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

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

HAS ADOPTED THIS REGULATION:

Article 1

For tenders notified from 30 October to 5 November 1998, pursuant to the invitation to tender issued in Regulation (EC) No 2004/98, the maximum refund on exportation of common wheat shall be ECU 31,75 per tonne.

Article 2

This Regulation shall enter into force on 6 November 1998.

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

Done at Brussels, 5 November 1998.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ L 181, 1. 7. 1992, p. 21.

⁽²⁾ OJ L 126, 24. 5. 1996, p. 37.

⁽³⁾ OJ L 147, 30. 6. 1995, p. 7.

⁽⁴⁾ OJ L 266, 1. 10. 1998, p. 61.

⁽⁵⁾ OJ L 258, 22. 9. 1998, p. 4.

COMMISSION REGULATION (EC) No 2395/98
of 5 November 1998

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

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

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

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

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

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

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

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

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

HAS ADOPTED THIS REGULATION:

Article 1

For tenders notified from 30 October to 5 November 1998, pursuant to the invitation to tender issued in Regulation (EC) No 1078/98, the maximum refund on exportation of barley shall be ECU 61,47 per tonne.

Article 2

This Regulation shall enter into force on 6 November 1998.

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

Done at Brussels, 5 November 1998.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ L 181, 1. 7. 1992, p. 21.

⁽²⁾ OJ L 126, 24. 5. 1996, p. 37.

⁽³⁾ OJ L 147, 30. 6. 1995, p. 7.

⁽⁴⁾ OJ L 266, 1. 10. 1998, p. 61.

⁽⁵⁾ OJ L 154, 28. 5. 1998, p. 20.

COMMISSION REGULATION (EC) No 2396/98
of 5 November 1998

**fixing the maximum export refund on rye in connection with the invitation to
tender issued in Regulation (EC) No 1746/98**

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

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

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

Whereas an invitation to tender for the refund and/or the tax for the export of rye to all third countries was opened pursuant to Commission Regulation (EC) No 1746/98 ⁽⁵⁾; Whereas Article 7 of Regulation (EC) No 1501/95 provides that the Commission may, on the basis of the tenders notified, in accordance with the procedure laid down in Article 23 of Regulation (EEC) No 1766/92, decide to fix a maximum export refund taking account of the criteria referred to in Article 1 of Regulation (EC) No 1501/95; whereas in that case a contract is awarded to any

tenderer whose bid is equal to or lower than the maximum refund, as well as to any tenderer whose bid relates to an export tax;

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

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

HAS ADOPTED THIS REGULATION:

Article 1

For tenders notified from 30 October to 5 November 1998, pursuant to the invitation to tender issued in Regulation (EC) No 1746/98, the maximum refund on exportation of rye shall be ECU 69,74 per tonne.

Article 2

This Regulation shall enter into force on 6 November 1998.

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

Done at Brussels, 5 November 1998.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ L 181, 1. 7. 1992, p. 21.

⁽²⁾ OJ L 126, 24. 5. 1996, p. 37.

⁽³⁾ OJ L 147, 30. 6. 1995, p. 7.

⁽⁴⁾ OJ L 266, 1. 10. 1998, p. 61.

⁽⁵⁾ OJ L 219, 7. 8. 1998, p. 3.

COMMISSION REGULATION (EC) No 2397/98**of 5 November 1998****concerning tenders notified in response to the invitation to tender for the export
of oats issued in Regulation (EC) No 2007/98**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

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

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

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

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

Whereas Article 8 of Regulation (EC) No 2007/98 provides that the Commission may, on the basis of the tenders notified, in accordance with the procedure laid down in Article 23 of Regulation (EEC) No 1766/92, decide to make no award;

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

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

HAS ADOPTED THIS REGULATION:

Article 1

No action shall be taken on the tenders notified from 30 October to 5 November 1998 in response to the invitation to tender for the refund for the export of oats issued in Regulation (EC) No 2007/98.

Article 2

This Regulation shall enter into force on 6 November 1998.

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

Done at Brussels, 5 November 1998.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ L 181, 1. 7. 1992, p. 21.

⁽²⁾ OJ L 126, 24. 5. 1996, p. 37.

⁽³⁾ OJ L 147, 30. 6. 1995, p. 7.

⁽⁴⁾ OJ L 266, 1. 10. 1998, p. 61.

⁽⁵⁾ OJ L 258, 22. 9. 1998, p. 13.

COMMISSION REGULATION (EC) No 2398/98**of 5 November 1998****fixing the rates of the refunds applicable to certain cereal and rice-products
exported in the form of goods not covered by Annex II to the Treaty**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

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

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

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

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

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

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

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

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

HAS ADOPTED THIS REGULATION:

Article 1

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

Article 2

This Regulation shall enter into force on 6 November 1998.

⁽¹⁾ OJ L 181, 1. 7. 1992, p. 21.

⁽²⁾ OJ L 126, 24. 5. 1996, p. 37.

⁽³⁾ OJ L 329, 30. 12. 1995, p. 18.

⁽⁴⁾ OJ L 265, 30. 9. 1998, p. 4.

⁽⁵⁾ OJ L 136, 31. 5. 1994, p. 5.

⁽⁶⁾ OJ L 184, 27. 6. 1998, p. 25.

⁽⁷⁾ OJ L 275, 29. 9. 1987, p. 36.

⁽⁸⁾ OJ L 159, 1. 7. 1993, p. 112.

⁽⁹⁾ OJ L 145, 15. 5. 1998, p. 11.

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

Done at Brussels, 5 November 1998.

For the Commission
Martin BANGEMANN
Member of the Commission

ANNEX

to the Commission Regulation of 5 November 1998 fixing the rates of the refunds applicable to certain cereals and rice products exported in the form of goods not covered by Annex II to the Treaty

CN code	Description of products ⁽¹⁾	Rate of refund per 100 kg of basic product
1001 10 00	Durum wheat:	
	— on exports of goods falling within CN codes 1902 11 and 1902 19 to the United States of America	0,910
	— in other cases	1,400
1001 90 99	Common wheat and meslin:	
	— on exports of goods falling within CN codes 1902 11 and 1902 19 to the United States of America	1,528
	— in other cases:	
	— — where pursuant to Article 4 (5) of Regulation (EC) No 1222/94 ⁽²⁾	—
	— — in other cases	2,350
1002 00 00	Rye	4,906
1003 00 90	Barley	5,944
1004 00 00	Oats	4,294
1005 90 00	Maize (corn) used in the form of:	
	— starch:	
	— — where pursuant to Article 4 (5) of Regulation (EC) No 1222/94 ⁽²⁾	1,451
	— — in other cases	5,090
	— glucose, glucose syrup, maltodextrine, maltodextrine syrup of CN codes 1702 30 51, 1702 30 59, 1702 30 91, 1702 30 99, 1702 40 90, 1702 90 50, 1702 90 75, 1702 90 79, 2106 90 55 ⁽³⁾ :	
	— — where pursuant to Article 4 (5) of Regulation (EC) No 1222/94 ⁽²⁾	0,766
	— — in other cases	4,405
	— other (including unprocessed)	5,090
	Potato starch of CN code 1108 13 00 similar to a product obtained from processed maize:	
	— where pursuant to Article 4 (5) of Regulation (EC) No 1222/94 ⁽²⁾	1,451
	— in other cases	5,090
ex 1006 30	Wholly-milled rice:	
	— round grain	—
	— medium grain	—
	— long grain	—
1006 40 00	Broken rice	3,100
1007 00 90	Sorghum	5,944

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

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

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

COMMISSION REGULATION (EC) No 2399/98
of 5 November 1998
amending representative prices and additional duties for the import of certain
products 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 markets in the sugar sector⁽¹⁾, as last amended by Commission Regulation (EC) No 1148/98⁽²⁾,

Having regard to Commission Regulation (EC) No 1423/95 of 23 June 1995 laying down detailed implementing rules for the import of products in the sugar sector other than molasses⁽³⁾, as last amended by Regulation (EC) No 624/98⁽⁴⁾, and in particular the second subparagraph of Article 1 (2), and Article 3 (1) thereof,

Whereas the amounts of the representative prices and additional duties applicable to the import of white sugar, raw sugar and certain syrups are fixed by Commission Regulation (EC) No 1379/98⁽⁵⁾, as last amended by Regulation (EC) No 2336/98⁽⁶⁾;

Whereas it follows from applying the general and detailed fixing rules contained in Regulation (EC) No 1423/95 to the information known to the Commission that the representative prices and additional duties at present in force should be altered to the amounts set out in the Annex hereto,

HAS ADOPTED THIS REGULATION:

Article 1

The representative prices and additional duties on imports of the products referred to in Article 1 of Regulation (EC) No 1423/95 shall be as set out in the Annex hereto.

Article 2

This Regulation shall enter into force on 6 November 1998.

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

Done at Brussels, 5 November 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 141, 24. 6. 1995, p. 16.

⁽⁴⁾ OJ L 85, 20. 3. 1998, p. 5.

⁽⁵⁾ OJ L 187, 1. 7. 1998, p. 6.

⁽⁶⁾ OJ L 291, 30. 10. 1998, p. 20.

ANNEX

to the Commission Regulation of 5 November 1998 amending representative prices and the amounts of additional duties applicable to imports of white sugar, raw sugar and products covered by CN code 1702 90 99

(ECU)

CN code	Amount of representative prices per 100 kg net of product concerned	Amount of additional duty per 100 kg net of product concerned
1701 11 10 ⁽¹⁾	16,20	8,30
1701 11 90 ⁽¹⁾	16,20	14,61
1701 12 10 ⁽¹⁾	16,20	8,07
1701 12 90 ⁽¹⁾	16,20	14,09
1701 91 00 ⁽²⁾	19,18	16,98
1701 99 10 ⁽²⁾	19,18	11,53
1701 99 90 ⁽²⁾	19,18	11,53
1702 90 99 ⁽³⁾	0,19	0,45

⁽¹⁾ For the standard quality as defined in Article 1 of amended Council Regulation (EEC) No 431/68 (OJ L 89, 10. 4. 1968, p. 3).

⁽²⁾ For the standard quality as defined in Article 1 of Council Regulation (EEC) No 793/72 (OJ L 94, 21. 4. 1972, p. 1).

⁽³⁾ By 1 % sucrose content.

COMMISSION REGULATION (EC) No 2400/98
of 5 November 1998

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

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

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

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

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

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

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

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

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

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

HAS ADOPTED THIS REGULATION:

Article 1

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

Article 2

This Regulation shall enter into force on 6 November 1998.

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

Done at Brussels, 5 November 1998.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ L 181, 1. 7. 1992, p. 21.

⁽²⁾ OJ L 126, 24. 5. 1996, p. 37.

⁽³⁾ OJ L 147, 30. 6. 1995, p. 7.

⁽⁴⁾ OJ L 266, 1. 10. 1998, p. 61.

ANNEX

to the Commission Regulation of 5 November 1998 fixing the export refunds on cereals and on wheat or rye flour, groats and meal

(ECU / tonne)			(ECU / tonne)		
Product code	Destination ⁽¹⁾	Amount of refund	Product code	Destination ⁽¹⁾	Amount of refund
1001 10 00 9200	—	—	1101 00 11 9000	—	—
1001 10 00 9400	01	0	1101 00 15 9100	01	38,00
1001 90 91 9000	—	—	1101 00 15 9130	01	35,50
1001 90 99 9000	03	18,50	1101 00 15 9150	01	32,75
	02	0	1101 00 15 9170	01	30,00
1002 00 00 9000	03	50,00	1101 00 15 9180	01	28,50
	02	0	1101 00 15 9190	—	—
1003 00 10 9000	—	—	1101 00 90 9000	—	—
1003 00 90 9000	03	51,00	1102 10 00 9500	01	82,00
	02	0	1102 10 00 9700	—	—
1004 00 00 9200	—	—	1102 10 00 9900	—	—
1004 00 00 9400	—	—	1103 11 10 9200	01	20,00 ⁽²⁾
1005 10 90 9000	—	—	1103 11 10 9400	—	— ⁽²⁾
1005 90 00 9000	03	35,00	1103 11 10 9900	—	—
	02	0	1103 11 90 9200	01	20,00 ⁽²⁾
1007 00 90 9000	—	—	1103 11 90 9800	—	—
1008 20 00 9000	—	—			

⁽¹⁾ The destinations are identified as follows:

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

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

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

COMMISSION REGULATION (EC) No 2401/98**of 5 November 1998****fixing the export refunds on products processed from cereals and rice**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

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

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

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

Whereas Article 13 of Regulation (EC) No 3072/95 provides that when refunds are being fixed account must be taken of the existing situation and the future trend with regard to prices and availabilities of cereals, rice and broken rice on the Community market on the one hand and prices for cereals, rice, broken rice and cereal products on the world market on the other; whereas the same Articles provide that it is also important to ensure equilibrium and the natural development of prices and trade on the markets in cereals and rice and, furthermore, to take into account the economic aspect of the proposed exports, and the need to avoid disturbances on the Community market;

Whereas Article 4 of Commission Regulation (EC) No 1518/95⁽⁵⁾, as amended by Regulation (EC) No 2993/95⁽⁶⁾, on the import and export system for products processed from cereals and from rice defines the specific criteria to be taken into account when the refund on these products is being calculated;

Whereas the refund to be granted in respect of certain processed products should be graduated on the basis of the ash, crude fibre, tegument, protein, fat and starch content of the individual product concerned, this content being a particularly good indicator of the quantity of basic product actually incorporated in the processed product;

Whereas there is no need at present to fix an export refund for manioc, other tropical roots and tubers or flours obtained therefrom, given the economic aspect of potential exports and in particular the nature and origin of these products; whereas, for certain products processed from cereals, the insignificance of Community participation in world trade makes it unnecessary to fix an export refund at the present time;

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

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

Whereas certain processed maize products may undergo a heat treatment following which a refund might be granted that does not correspond to the quality of the product; whereas it should therefore be specified that on these products, containing pregelatinized starch, no export refund is to be granted;

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

HAS ADOPTED THIS REGULATION:

Article 1

The export refunds on the products listed in Article 1 (1) (d) of Regulation (EEC) No 1766/92 and in Article 1 (1) (c) of Regulation (EC) No 3072/95 and subject to Regulation (EC) No 1518/95 are hereby fixed as shown in the Annex to this Regulation.

⁽¹⁾ OJ L 181, 1. 7. 1992, p. 21.

⁽²⁾ OJ L 126, 24. 5. 1996, p. 37.

⁽³⁾ OJ L 329, 30. 12. 1995, p. 18.

⁽⁴⁾ OJ L 265, 30. 9. 1998, p. 4.

⁽⁵⁾ OJ L 147, 30. 6. 1995, p. 55.

⁽⁶⁾ OJ L 312, 23. 12. 1995, p. 25.

Article 2

This Regulation shall enter into force on 6 November 1998.

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

Done at Brussels, 5 November 1998.

For the Commission

Franz FISCHLER

Member of the Commission

ANNEX

to the Commission Regulation of 5 November 1998 fixing the export refunds on products processed from cereals and rice

<i>(ECU/tonne)</i>		<i>(ECU/tonne)</i>	
Product code	Refund	Product code	Refund
1102 20 10 9200 ⁽¹⁾	71,26	1104 23 10 9100	76,35
1102 20 10 9400 ⁽¹⁾	61,08	1104 23 10 9300	58,54
1102 20 90 9200 ⁽¹⁾	61,08	1104 29 11 9000	23,97
1102 90 10 9100	68,15	1104 29 51 9000	23,50
1102 90 10 9900	46,34	1104 29 55 9000	23,50
1102 90 30 9100	77,29	1104 30 10 9000	5,88
1103 12 00 9100	77,29	1104 30 90 9000	12,73
1103 13 10 9100 ⁽¹⁾	91,62	1107 10 11 9000	41,83
1103 13 10 9300 ⁽¹⁾	71,26	1107 10 91 9000	80,87
1103 13 10 9500 ⁽¹⁾	61,08	1108 11 00 9200	47,00
1103 13 90 9100 ⁽¹⁾	61,08	1108 11 00 9300	47,00
1103 19 10 9000	49,06	1108 12 00 9200	81,44
1103 19 30 9100	70,42	1108 12 00 9300	81,44
1103 21 00 9000	23,97	1108 13 00 9200	81,44
1103 29 20 9000	46,34	1108 13 00 9300	81,44
1104 11 90 9100	68,15	1108 19 10 9200	47,12
1104 12 90 9100	85,88	1108 19 10 9300	47,12
1104 12 90 9300	68,70	1109 00 00 9100	0,00
1104 19 10 9000	23,97	1702 30 51 9000 ⁽²⁾	92,06
1104 19 50 9110	81,44	1702 30 59 9000 ⁽²⁾	70,48
1104 19 50 9130	66,17	1702 30 91 9000	92,06
1104 21 10 9100	68,15	1702 30 99 9000	70,48
1104 21 30 9100	68,15	1702 40 90 9000	70,48
1104 21 50 9100	90,86	1702 90 50 9100	92,06
1104 21 50 9300	72,69	1702 90 50 9900	70,48
1104 22 20 9100	68,70	1702 90 75 9000	96,47
1104 22 30 9100	73,00	1702 90 79 9000	66,96
		2106 90 55 9000	70,48

⁽¹⁾ No refund shall be granted on products given a heat treatment resulting in pregelatinization of the starch.

⁽²⁾ Refunds are granted in accordance with Council Regulation (EEC) No 2730/75 (OJ L 281, 1. 11. 1975, p. 20), amended.

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