

Official Journal

of the European Communities

ISSN 0378-6978

L 299

Volume 41

10 November 1998

English edition

Legislation

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I

(Acts whose publication is obligatory)

COUNCIL REGULATION (EC) No 2411/98**of 3 November 1998****on the recognition in intra-Community traffic of the distinguishing sign of the Member State in which motor vehicles and their trailers are registered**

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty establishing the European Community, and in particular Article 75(1)(d) thereof,

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

Having regard to the opinion of the Economic and Social Committee ⁽²⁾,

Acting in accordance with the procedure laid down in Article 189c of the Treaty ⁽³⁾,

- (1) Whereas the Community has adopted a certain number of measures that are intended to ensure the smooth functioning of an internal market comprising an area without frontiers in which the free movement of goods, persons, services and capital is ensured in accordance with the provisions of the Treaty;
- (2) Whereas several Member States are contracting parties to the Vienna Convention of 1968 on road traffic ⁽⁴⁾, hereinafter referred to as the 'Convention', Article 37 of which provides that every motor vehicle in international traffic shall display at the rear, in addition to its registration number, a distinguishing sign of the State in which it is registered;
- (3) Whereas the Community is not a contracting party to the convention and whereas some of its Member States which are parties to it have recourse to the provisions of Article 37 of the Convention; whereas those Member States thus require vehicles from other Member States to display the distinguishing sign provided for by Annex 3 to the Convention;

whereas some of those Member States do not recognise other distinguishing signs such as those displayed on registration plates which, while indicating the Member State in which the vehicle is registered, do not conform to Annex 3 to the Convention;

- (4) Whereas several Member States have introduced a model registration plate which, on the extreme left, displays a blue zone containing the 12 yellow stars representing the European flag plus the distinguishing sign of the Member State of registration; whereas for the purpose of intra-Community transport this distinguishing sign meets the objective of identifying the State of registration as provided for in Article 37 of the Convention;
- (5) Whereas Member States requiring vehicles from other Member States to display the distinguishing sign of the State of registration should also recognise the sign as provided for in the Annex to this Regulation,

HAS ADOPTED THIS REGULATION:

Article 1

This Regulation shall apply to vehicles registered in the Member States that are driven within the Community.

Article 2

For the purposes of this Regulation:

1. 'distinguishing sign of the Member State of registration' shall mean a set composed of one to three letters in Latin capitals indicating the Member State in which the vehicle is registered;

⁽¹⁾ OJ C 290, 24. 9. 1997, p. 25 and OJ C 159, 26. 5. 1998, p. 16.

⁽²⁾ OJ C 95, 30. 3. 1998, p. 32.

⁽³⁾ Opinion of the European Parliament of 19 February 1998 (OJ C 80, 16. 3. 1998, p. 210), Council Common Position of 5 June 1998 (OJ C 227, 20. 7. 1998, p. 31) and Decision of the European Parliament of 7 October 1998 (not yet published in the Official Journal).

⁽⁴⁾ Vienna Convention of 8 November 1968, concluded under the auspices of the United Nations Economic Commission for Europe.

2. 'vehicle' shall mean any motor vehicle and its trailer as defined in:

- Council Directive 70/156/EEC of 6 February 1970 on the approximation of the laws of the Member States relating to the type-approval of motor vehicles and their trailers ⁽¹⁾,
- Council Directive 92/61/EEC of 30 June 1992 relating to the type-approval of two or three-wheel motor vehicles ⁽²⁾.

Article 3

Member States requiring vehicles registered in another Member State to display a distinguishing registration sign

when they are being driven on their territory shall recognise the distinguishing sign of the Member State of registration displayed on the extreme left of the registration plate in accordance with the Annex to this Regulation as being equivalent to any other distinguishing sign that they recognise for the purpose of identifying the State in which the vehicle is registered.

Article 4

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, 3 November 1998.

For the Council

The President

B. PRAMMER

⁽¹⁾ OJ L 42, 23. 2. 1970, p. 1. Directive as last amended by Directive 97/27/EC (OJ L 233, 25. 8. 1997, p. 1).

⁽²⁾ OJ L 225, 10. 8. 1992, p. 72. Directive as amended by the 1994 Act of Accession.

ANNEX

**SPECIFICATIONS FOR THE DISTINGUISHING SIGN OF THE MEMBER STATE OF
REGISTRATION TO BE AFFIXED AT THE EXTREME LEFT OF THE REGISTRATION
PLATE**

MODEL 1 (example)

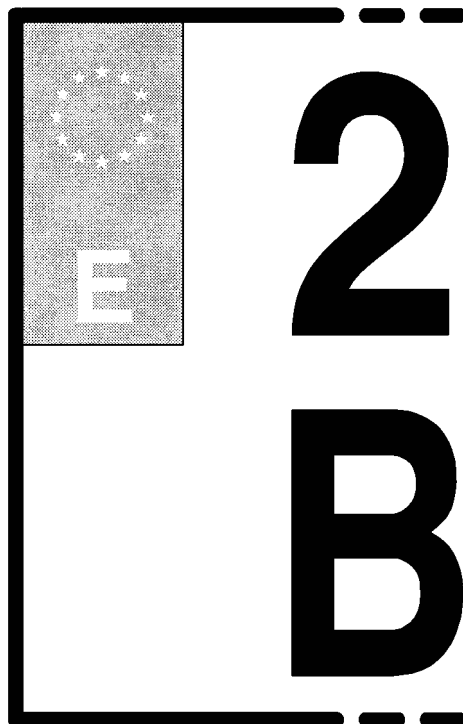
**Colours:**

1. Retro-reflecting blue background (Munsell reference 5,9 pb 3,4/15,1)
2. 12 retro-reflecting yellow stars
3. Retro-reflecting distinguishing sign of the Member State of registration, of a white or yellow colour

Composition and dimensions:

1. Blue background:
height = minimum 98 mm
width = minimum 40 mm, maximum 50 mm
2. The centres of the 12 stars to be arranged in a 15 mm radius circle; distance between two opposing peaks of any star = 4 to 5 mm
3. Distinguishing sign of the Member State of registration:
height = minimum 20 mm
width of character stroke = 4 to 5 mm

MODEL 2 (example)



Where the dimensions of the blue background have been reduced for registration plates taking up two lines (see model 2) and/or for registration plates intended for two or three-wheel motor vehicles, the dimensions of the stars and of the distinguishing sign of the Member State of registration may be proportionately reduced.

COMMISSION REGULATION (EC) No 2412/98
of 9 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 10 November 1998.

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

Done at Brussels, 9 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 9 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	55,8
	999	77,7
0709 90 70	052	66,8
	204	52,2
	999	59,5
0805 20 10	204	59,9
	999	59,9
0805 20 30, 0805 20 50, 0805 20 70, 0805 20 90	052	53,2
	999	53,2
0805 30 10	052	62,0
	388	41,8
	528	49,4
	999	51,1
0806 10 10	052	134,8
	400	261,2
	999	198,0
0808 10 20, 0808 10 50, 0808 10 90	060	31,8
	064	44,6
	400	76,6
	404	60,7
	800	143,6
	999	71,5
0808 20 50	052	85,9
	064	58,5
	400	84,1
	720	54,6
	728	126,7
	999	82,0

⁽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 2413/98

of 9 November 1998

on the rate of interest to be used for calculating the costs of financing intervention measures comprising buying in, storage and disposal

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

Having regard to Council Regulation (EEC) No 1883/78 of 2 August 1978 laying down general rules for the financing of interventions by the European Agricultural Guidance and Guarantee Fund (EAGGF), Guarantee Section ⁽¹⁾, as last amended by Regulation (EC) No 1259/96 ⁽²⁾, and in particular Article 5 thereof,

Whereas Article 3 of Commission Regulation (EEC) No 411/88 ⁽³⁾, as last amended by Regulation (EEC) No 1644/89 ⁽⁴⁾, lays down that the uniform interest rate used for calculating the costs of financing intervention measures is to correspond to the interest rates for the ecu for three months' and 12 months' forward rates recorded by the Statistical Office of the European Communities on the Euromarkets with a weighting of one-third and two-thirds respectively;

Whereas the Commission fixes this rate before the beginning of each EAGGF Guarantee Section accounting year on the basis of the rates recorded in the six months preceding fixing;

Whereas Article 4(1) of Regulation (EEC) No 411/88 lays down that if the rate of interest costs borne by a Member State is lower for at least six months than the uniform interest rate fixed for the Community a specific interest rate is to be fixed for that Member State; whereas the Member State notified these costs to the Commission

before the end of the accounting year; whereas, where no costs are notified by a Member State, the rate to be applied is determined on the basis of the reference interest rates set out in the Annex to the said Regulation;

Whereas the interest rates for the 1999 accounting year must be set, in line with those provisions;

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

HAS ADOPTED THIS REGULATION:

Article 1

For expenditure incurred during the 1999 EAGGF Guarantee Section accounting year:

1. the interest rate referred to in Article 3 of Regulation (EEC) No 411/88 shall be 4,1 %;
2. the specific interest rate referred to in Article 4 of Regulation (EEC) No 411/88 shall be: 3,6 % for France, 3,5 % for Austria, and 3,9 % for Finland.

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 October 1998.

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

Done at Brussels, 9 November 1998.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ L 216, 5. 8. 1978, p. 1.

⁽²⁾ OJ L 163, 2. 7. 1996, p. 10.

⁽³⁾ OJ L 40, 13. 2. 1988, p. 25.

⁽⁴⁾ OJ L 162, 13. 6. 1989, p. 18.

COMMISSION REGULATION (EC) No 2414/98

of 9 November 1998

laying down detailed rules for the application of the arrangements applicable to imports of milk products originating in the African, Caribbean and Pacific States (ACP States) and repealing Regulation (EEC) No 1150/90

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 Regulation (EC) No 1706/98 implements the amendments to the arrangements for imports from the ACP States made as a result of the mid-term review of the fourth Lomé Convention; whereas Article 7 of the said Regulation provides, as regards milk and milk products, for an increase in the tariff quotas for products falling within CN codes 0402 and 0406 and for an additional reduction in the customs duties applicable; whereas there is also provision for a further reduction in the customs duties applicable to certain milk products;

Whereas Commission Regulation (EEC) No 1150/90 ⁽²⁾, as last amended by Regulation (EC) No 1480/98 ⁽³⁾, laid down detailed rules for the application of the arrangements applicable to imports of certain milk products originating in the ACP States or in the overseas countries and territories (OCT); whereas those detailed rules should be adapted in the light of the new provisions referred to in Regulation (EC) No 1706/98; whereas, for the sake of clarity and efficiency, a new Regulation should be adopted and Regulation (EEC) No 1150/90 repealed;

Whereas rules of application are necessary to enable the tariff quotas concerned to be managed; whereas such rules should be either additions or exceptions to the provisions of 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 ⁽⁴⁾, as last amended by Regulation (EC) No 1044/98 ⁽⁵⁾;

Whereas, in order to ensure proper management of the quota, a security should be required for applications for import licences and certain conditions should be laid down as regards applicants themselves; whereas the quota and the period during which licences are valid should be staggered over the year;

Whereas for 1998, licences have already been issued under the arrangements laid down in Regulation (EEC) No 715/90; whereas, therefore, the quantities available for the year should be indicated with regard to the quotas fixed by Regulation (EC) No 1706/98;

Whereas the detailed rules for the issue of import licences for certain milk products qualifying for reduced duties should be laid down;

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

HAS ADOPTED THIS REGULATION:

Article 1

Imports into the Community of milk products originating in the ACP States under the conditions laid down in Article 7(1) and (2) of Regulation (EC) No 1706/98, shall be subject to the detailed rules laid down in this Regulation.

CHAPTER 1

Tariff quotas

Article 2

Licences for imports under Article 7(1) of Regulation (EC) No 1706/98 shall be applied for and issued in accordance with the conditions laid down in this Chapter.

⁽¹⁾ OJ L 215, 1. 8. 1998, p. 12.

⁽²⁾ OJ L 114, 5. 5. 1990, p. 21.

⁽³⁾ OJ L 195, 11. 7. 1998, p. 11.

⁽⁴⁾ OJ L 331, 2. 12. 1988, p. 1.

⁽⁵⁾ OJ L 149, 20. 5. 1998, p. 11.

Article 3

The volume of quotas referred to in Article 7(1) of Regulation (EC) No 1706/98, as set out in Annex I, shall be staggered over the year as follows:

- 50 % in the period 1 January to 30 June,
- 50 % in the period 1 July to 31 December.

However, for 1998, the available quantity shall be 500 tonnes for all products falling within each of the CN codes 0402 and 0406.

Article 4

1. At the time applications are submitted, applicants for import licences must prove to the satisfaction of the competent authorities of the Member State concerned that they have been regularly importing and/or exporting milk or milk products into and/or out of the Community for the last 12 months. However, retail establishments or restaurants selling their products to final consumers shall not qualify for the scheme.

2. Licence applications may relate to only one of the quotas referred to in Article 7(1) of Regulation (EC) No 1706/98. They may relate to more than one of the products falling within CN codes 0402 or 0406 from a single African, Caribbean or Pacific (ACP) State. In such cases, all the CN codes shall be indicated in section 16 and their description in section 15. However, a separate licence shall be issued for each different product code.

3. Licence applications and licences shall include the following:

- (a) in section 8, the country of origin; licences shall carry with them an obligation to import from the country indicated;
- (b) in section 15, a detailed description of the product, and in particular:
 - the raw material used,
 - the fat content by weight (%) of the dry matter,
 - the water content by weight (%) of the non-fat matter,
 - the fat content by weight (%);
- (c) under the heading 'notes' and in section 24 respectively, the serial number of the quota and one of the following entries:
 - Reducción del derecho de aduana en un 65 %, Producto ACP — Apartado 1 del artículo 7 del Reglamento (CE) n° 1706/98, número de contingente 09...

— Nedsættelse af importafgiften med 65 %, AVS-varer — artikel 7, stk. 1: forordning (EF) nr. 1706/98, kontingent nr. 09...

— Zollermäßigung um 65 %, AKP-Erzeugnis — Artikel 7 Absatz 1 der Verordnung (EG) Nr. 1706/98, Kontingent Nr. 09...

— Μειωμένος τελωνειακός δασμός κατά 65 %, προϊόν ΑΚΕ — άρθρο 7 παράγραφος 1 του κανονισμού (ΕΚ) αριθ. 1706/98, αριθμός ποσόστωσης 09...

— Duty rate reduced by 65 %, ACP-Product — Article 7 (1) Regulation (EC) No 1706/98, quota No 09...

— Réduction du taux de droit de douane de 65 %, produit ACP — article 7 paragraphe 1 du règlement (CE) n° 1706/98, numéro de contingent 09...

— Riduzione del dazio doganale del 65 %, prodotto ACP — Articolo 7, paragrafo 1 del regolamento (CE) n. 1706/98, numero di contingente 09...

— Douanerecht verlaagd met 65 %, ACS-product, artikel 7, lid 1, van Verordening (EG) nr. 1706/98, contingentnummer 09...

— Redução da taxa de direito aduaneiro de 65 %, Produto ACP — n° 1 do artigo 7º do Regulamento (CE) n° 1706/98, número de contingente 09...

— Tullinalennus 65 %, asetuksen (EY) N:o 1706/98 7 artiklan 1 kohdan mukainen AKT-tuote, kiintiön numero 09...

— Nedsättning med 65 % av tullsatsen enligt produkt AVS — artikel 7.1 i förordning (EG) nr 1706/98, kvotens löpnummer 9...

4. Licence applications may be lodged only during the first 10 days of each period referred to in Article 3. However, licence applications for 1998 must be lodged during the period from 15 to 25 November 1998.

5. Licence applications shall be admissible only where applicants declare in writing that, for the current period, they undertake not to submit applications in respect of the same quota for total quantities exceeding the quantity available. In the event of non-compliance with the undertaking, all the applications of the applicant concerned shall be inadmissible.

6. Member States shall notify the Commission, on the fifth working day following the end of the application period, of applications lodged for each of the quotas. Such notifications shall comprise the list of applicants, the product codes and the quantities applied for per quota, the countries of origin and a summary table showing the country of origin, the CN code and the total quantity applied for per CN code. All notifications, including

notifications of nil applications, shall be made by telex or fax on the working day stipulated, in accordance with the model set out in Annex III where no applications have been made and with the models set out in Annexes III and IV where applications have been made.

7. The Commission shall decide as soon as possible to what extent quantities may be awarded in respect of applications as referred to in this Article. If the quantities for which licence applications have been submitted exceed the quantities available, the Commission shall fix a single allocation coefficient for the quantities applied for per CN code. If the allocation coefficient is less than 0,80, applicants may decline the issuing of licences for one or more of the CN codes referred to in their applications. In such cases they shall notify the competent authority of their decision within three working days following publication of the decision referred to in the previous subparagraph. The competent authority shall inform the Commission forthwith of the details of this notification. Where the overall quantity for which applications have been submitted is less than the quantity available, the Commission shall calculate the quantity remaining, which shall be added to the quantity available for the following period in the same calendar year.

8. Licences shall be issued to those applicants whose applications have been notified in accordance with paragraph 6 as soon as possible after the Commission has taken its decision.

Article 5

Under Article 21(2) of Regulation (EEC) No 3719/88, import licences are valid for 150 days from the date of actual issue.

However, licences shall not be valid after 31 December of the year for which they are issued, with the exception of licences issued in 1998, which shall be valid until 31 May 1999.

Import licences issued under this Regulation shall not be transferable.

CHAPTER II

Reduction of customs duty

Article 6

Licences for imports under Article 7(2) of Regulation (EC) No 1706/98 of products listed in Annex II shall be applied for and issued in accordance with the conditions laid down in this Chapter.

Article 7

1. Licence applications and licences shall include the following:

- (a) in section 8, the country of origin; licences shall carry with them an obligation to import from the country indicated;
- (b) in section 15, a detailed description of the product and in particular:
 - the raw material used,
 - the fat content by weight (%) of the dry matter,
 - the water content by weight (%) of the non-fat matter,
 - the fat content by weight (%);
- (c) in section 16, the CN code of the product;
- (d) under the heading 'notes' and in section 24 respectively, one of the following entries:
 - Reducción del derecho de aduana en un 16 %, Producto ACP — Apartado 2 del artículo 7 del Reglamento (CE) n° 1706/98
 - Nedsættelse af importafgiften med 16 %, AVS-varer — artikel 7, stk. 2: forordning (EF) nr. 1706/98
 - Zollermäßigung um 16 %, AKP-Erzeugnis — Artikel 7 Absatz 2 der Verordnung (EG) Nr. 1706/98
 - Μειωμένος τελωνειακός δασμός κατά 16 %, προϊόν ΑΚΕ — άρθρο 7 παράγραφος 2 του κανονισμού (ΕΚ) αριθ. 1706/98
 - Duty rate reduced by 16 %, ACP-Product — Article 7 (2) Regulation (EC) No 1706/98
 - Réduction du taux de droit de douane de 16 %, produit ACP — article 7 paragraphe 2 du règlement (CE) n° 1706/98
 - Riduzione del dazio doganale del 16 %, prodotto ACP — Articolo 7, paragrafo 2 del regolamento (CE) n. 1706/98
 - Douanerecht verlaagd met 16 %, ACS-product, artikel 7, lid 2, van Verordening (EG) nr. 1706/98
 - Redução da taxa de direito aduaneiro de 16 %, Produto ACP — n° 2 do artigo 7º do Regulamento (CE) n° 1706/98
 - Vähennetty tullimaksu 16 prosentilla, AKT-tuote — Asetus (EY) N:o 1706/98 7 artiklan 2 kohdan
 - Nedsättning med 16 % av tullsatsen enligt produkt AVS — artikel 7.2 i förordning (EG) nr 1706/98.

2. The provisions of Article 2(3), (4) and (5) of Regulation (EEC) No 1374/88 shall apply.

CHAPTER III

General provisions*Article 8*

A security of ECU 35 per 100 kilograms shall be lodged with import licence applications for all products referred to in Article 1.

Article 9

Importation under the arrangements for reducing import duties laid down in this Regulation may take place only if the origin of the products concerned is certified by the competent authorities of the exporting countries in accordance with the rules of origin applicable to the products in question under Protocol 1 to the fourth ACP-EC Convention signed at Lomé on 15 December 1989.

Article 10

Without prejudice to this Regulation, the provisions of Regulation (EEC) No 3719/88 shall apply.

Article 11

Member States shall notify the Commission by fax in accordance with Annex V before the end of January and July, for the preceding half year:

- (a) with regard to the products referred to in Article 7(1) of Regulation (EC) No 1706/98:
 - of the quantities imported;
- (b) with regard to the products referred to in Article 7(2) of Regulation (EC) No 1706/98:
 - of the quantities for which licences have been issued and
 - of the quantities imported

broken down by CN code and by country of origin.

Article 12

Regulation (EEC) No 1150/90 is hereby repealed. It shall continue to apply to import licences issued thereunder.

Article 13

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, 9 November 1998.

For the Commission

Franz FISCHLER

Member of the Commission

ANNEX I

Tariff quotas referred to in Article 7(1) of Regulation (EC) No 1706/98

Quota No	CN code	Description	Quota (quantity in tonnes)		Customs duty reduction
			annual	half-year	
09.4026	0402	Milk and cream, concentrated or containing added sugar or other sweetening matter	1 000	500	65 %
09.4027	0406	Cheese and curd	1 000	500	65 %

ANNEX II

Tariff quotas referred to in Article 7(2) of Regulation (EC) No 1706/98

CN code	Customs duty reduction (%)
0401	16
0403 10 11 to 0403 10 39	16
0403 90 11 to 0403 90 69	16
0404	16
0405 10	16
0405 20 90	16
0405 90	16
1702 11 00	16
1702 19 00	16
2106 90 51	16
2309 10 15	16
2309 10 19	16
2309 10 39	16
2309 10 59	16
2309 10 70	16
2309 90 35	16
2309 90 39	16
2309 90 49	16
2309 90 59	16
2309 90 70	16

ANNEX III

Application of Article 4(3)

(Page /)

**COMMISSION OF THE EUROPEAN COMMUNITIES
DG VI.D.1 — MILK AND MILK PRODUCTS**

APPLICATION FOR IMPORT LICENCES WITH CUSTOMS DUTY REDUCTION, ... HALF 199 ...

Member State:

Date:

Commission Regulation (EC) No .../98

Sender:

Contact:

Telephone:

Fax:

Number of pages:

Serial number of applications:

Total quantity applied for (tonnes):

Summary table

Country of origin	CN code	Quantity applied for per CN code
Subtotal		

ANNEX IV

Application of Article 4(3)

COMMISSION OF THE EUROPEAN COMMUNITIES

DG VI.D.1 — MILK AND MILK PRODUCTS

APPLICATION FOR IMPORT LICENCES WITH CUSTOMS DUTY REDUCTION, ... HALF 199 ...

(Page /)

Member State

CN code	No	Applicant (name and address)	Quantity (tonnes)	Country of origin
		Total in tonnes per serial number . . .		

ANNEX V

Details required under Article 11(a)

Serial number of quota	CN code	Quantities imported (tonnes)

Details required under Article 11(b)

[illegible]

COMMISSION REGULATION (EC) No 2415/98
of 9 November 1998
on the supply of cereals as food aid

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

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

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

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

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

the time limits and conditions of supply to determine the resultant costs,

HAS ADOPTED THIS REGULATION:

Article 1

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

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

Article 2

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

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

Done at Brussels, 9 November 1998.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ L 166, 5. 7. 1996, p. 1.

⁽²⁾ OJ L 346, 17. 12. 1997, p. 23.

ANNEX

LOTS A and B

1. **Action No:** 762-764/96+285/97 (A); 765-767/96 (B)
2. **Beneficiary** ⁽²⁾: Euronaid, PO Box 12, 2501 CA Den Haag, Nederland
tel.: (31-70) 33 05 757; fax: 364 17 01; telex: 30960 EURON NL
3. **Beneficiary's representative:** to be designated by the recipient
4. **Country of destination:** Ethiopia
5. **Product to be mobilized:** common wheat
6. **Total quantity (tonnes net):** 36 793
7. **Number of lots** ⁽⁸⁾: 2 in 7 parts
8. **Characteristics and quality of the product** ⁽³⁾ ⁽⁵⁾ ⁽⁷⁾: see OJ C 114, 29.4.1991, p. 1 (IIA.1)(a))
9. **Packaging:** see OJ C 267, 13.9.1996, p. 1 (1.0.A 1.a, 2.a and B(2))
10. **Labelling or marking** ⁽⁶⁾: see OJ C 114 du 29. 4. 1991, p. 1 [IIA.(3)]
 - Language to be used for the markings: English
 - Supplementary markings: —
11. **Method of mobilization of the product:** the Community market
12. **Specified delivery stage:** free at port of shipment — fob stowed and trimmed
13. **Alternative delivery stage:** —
14. (a) **Port of shipment:** —
(b) **Loading address:** —
15. **Port of landing:** —
16. **Place of destination:** —
 - port or warehouse of transit: —
 - overland transport route: —
17. **Period or deadline of supply at the specified stage:**
 - first deadline: A: 14.12.1998 — 3.1.1999; B: 11 — 31.1.1999
 - second deadline: A: 28.12.1998 — 17.1.1999; B: 25.1 — 14.2.1999
18. **Period or deadline of supply at the alternative stage:**
 - first deadline: —
 - second deadline: —
19. **Deadline for the submission of tenders (12 noon, Brussels time):**
 - first deadline: 24.11.1998
 - second deadline: 8.12.1998
20. **Amount of tendering guarantee:** ECU 5 per tonne
21. **Address for submission of tenders and tendering guarantees** ⁽¹⁾:
Bureau de l'aide alimentaire, Attn. Mr T. Vestergaard, Bâtiment Loi 130, bureau 7/46, Rue de la Loi/Wetstraat 200, B-1049 Bruxelles/Brussel
telex: 25670 AGREC B; fax: (32-2) 296 70 03/296 70 04 (exclusively)
22. **Export refund** ⁽⁴⁾: refund applicable on 30.10.1998, fixed by Commission Regulation (EC) No 2061/98 (OJ L 264, 29.9.1998, p. 42)

Notes:

- (¹) Supplementary information: André Debongnie (Tel.: (32-2) 295 14 65)
Torben Vestergaard (Tel.: (32-2) 299 30 50).
- (²) The supplier shall contact the beneficiary or its representative as soon as possible to establish which consignment documents are required.
- (³) The supplier shall deliver to the beneficiary a certificate from an official entity certifying that for the product to be delivered the standards applicable, relative to nuclear radiation, in the Member State concerned, have not been exceeded. The radioactivity certificate must indicate the caesium-134 and -137 and iodine -131 levels.
- (⁴) Commission Regulation (EC) No 259/98 (OJ L 25, 31.1.1998, p. 39), is applicable as regards the export refund. The date referred to in Article 2 of the said Regulation is that referred to in point 22 of this Annex.
The supplier's attention is drawn to the last subparagraph of Article 4(1) of the above Regulation. The photocopy of the export licence shall be sent as soon as the export declaration has been accepted (fax: (32 2) 296 20 05)).
- (⁵) The supplier shall supply to the beneficiary or its representative, on delivery, the following document:
— phytosanitary certificate.
- (⁶) Notwithstanding OJ C 114 of 29.4.1991, point IIA(3)(c) is replaced by the following: 'the words "European Community"'.
(⁷) The quantity and quality control will be carried out for every 2 500 tonnes.

(⁸)

Lot	Partial quantities (in tonnes)	Operation No
A	750	762/96
	4 000	763/96
	15 000	764/96
	2 000	285/97
	21 750	
B	2 141	765/96
	4 902	766/96
	8 000	767/96
	15 043	

COMMISSION REGULATION (EC) No 2416/98
of 9 November 1998
on the supply of split peas as food aid

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

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

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

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

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

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

HAS ADOPTED THIS REGULATION:

Article 1

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

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

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

Article 2

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

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

Done at Brussels, 9 November 1998.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ L 166, 5. 7. 1996, p. 1.

⁽²⁾ OJ L 346, 17. 12. 1997, p. 23.

ANNEX

LOTS A, B, C, D

1. **Action Nos:** 59/98 (A); 60/98 (B); 61/98 (C); 62/98 (D)
2. **Beneficiary** ⁽²⁾: WFP (World Food Programme), via Cristoforo Colombo 426, I-100145 Roma
tel.: (39 6) 65 13 29 88; fax: 65 13 28 44/3; telex: 626675 WFP 1
3. **Beneficiary's representative:** to be designated by the recipient
4. **Country of destination:** A + B: Sudan; C: Ethiopia; D: Angola
5. **Product to be mobilized** ⁽⁸⁾: split peas
6. **Total quantity (tonnes net):** 5 029
7. **Number of lots:** 4 (A: 1 000 tonnes; B: 1 325 tonnes; C: 1 204 tonnes; D: 1 500 tonnes)
8. **Characteristics and quality of the product** ⁽³⁾ ⁽⁴⁾ ⁽⁷⁾: —
9. **Packaging** ⁽⁵⁾: see OJ C 267, 13.9.1996. p. 1 (2.1.A(1)(a), (2)(a) and B(4)) or (4.0 A.1.c, 2.c and B.4)
10. **Labelling or marking** ⁽⁶⁾: see OJ C 114, 29.4.1991, p. 1 (IV.A(3))
 - Language to be used for the markings: English
 - Supplementary markings: A + B: 'Expiry date ...'
11. **Method of mobilization of the product:** the Community market
The product must originate from the Community
12. **Specified delivery stage:** free at port of shipment
13. **Alternative delivery stage:** —
14. (a) **Port of shipment:** —
(b) **Loading address:** —
15. **Port of landing:** —
16. **Place of destination:** —
 - port or warehouse of transit: —
 - overland transport route: —
17. **Period or deadline of supply at the specified stage:**
 - first deadline: 21.12.1998 — 10.1.1999
 - second deadline: 4 — 24.1.1999
18. **Period or deadline of supply at the alternative stage:**
 - first deadline: —
 - second deadline: —
19. **Deadline for the submission of tenders (12 noon, Brussels time):**
 - first deadline: 24.11.1998
 - second deadline: 8.12.1998
20. **Amount of tendering guarantee:** ECU 5 per tonne
21. **Address for submission of tenders and tendering guarantees** ⁽¹⁾:
Bureau de l'aide alimentaire, Attn Mr T. Vestergaard, Bâtiment Loi 130, bureau 7/46, Rue de la Loi/
Wetstraat 200, B-1049 Bruxelles/Brussel
telex: 25670 AGREC B; fax: (32 2) 296 70 03 / 296 70 04 (exclusively)
22. **Export refund:** —

Notes:

- (¹) Supplementary information: André Debongnie (tel.: (32 2) 295 14 65)
Torben Vestergaard (tel.: (32 2) 299 30 50).
- (²) The supplier shall contact the beneficiary or its representative as soon as possible to establish which consignment documents are required.
- (³) The supplier shall deliver to the beneficiary a certificate from an official entity certifying that for the product to be delivered the standards applicable, relative to nuclear radiation, in the Member State concerned, have not been exceeded. The radioactivity certificate must indicate the caesium-134 and -137 and iodine-131 levels.
- (⁴) The supplier shall supply to the beneficiary or its representative, on delivery, the following document:
— phytosanitary certificate.
- (⁵) Since the goods may be rebagged, the supplier must provide 2 % of empty bags of the same quality as those containing the goods, with the marking followed by a capital 'R'.
- (⁶) Notwithstanding OJ C 114 of 29.4.1991, point IV.A(3)(c) is replaced by the following: 'the words "European Community"' and point IV.A(3)(b) by the following: 'Split peas'.
- (⁷) Tenders shall be rejected unless they specify the type of peas to which they relate.
- (⁸) Yellow or green peas (*Pisum sativum*) for human consumption of the most recent crop. The peas must not have been coloured artificially. The split peas must be steam-treated for at least two minutes or have been fumigated(*) and meet the following requirements:
- moisture: maximum 15 %,
 - foreign matters: maximum 0,1 %,
 - broken split peas: maximum 10 % (pea fragments passing through a sieve of circular mesh of 5 mm diameter),
 - percentage of discoloured seeds or of different colour: maximum 1,5 % (yellow peas), maximum 15 % (green peas),
 - cooking time: maximum 45 minutes (after soaking for 12 hours).
-

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

COMMISSION REGULATION (EC) No 2417/98
of 9 November 1998
on the supply of vegetable oil as food aid

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

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

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

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

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

Whereas, in order to ensure that the supplies are carried out for a given lot, provision should be made for tenderers to be able to mobilise either rape-seed oil or sunflower oil; whereas the contract for the supply of each such lot is

to be awarded to the tenderer submitting the lowest tender,

HAS ADOPTED THIS REGULATION:

Article 1

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

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

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

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

Article 2

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

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

Done at Brussels, 9 November 1998.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ L 166, 5. 7. 1996, p. 1.

⁽²⁾ OJ L 346, 17. 12. 1997, p. 23.

ANNEX

LOTS A, B, C, D and E

1. **Action Nos:** 63/98 (A); 64/98 (B); 65/98 (C); 66/98 (D); 67/98 (E)
2. **Beneficiary** ⁽²⁾: UNRWA, Supply division, Amman Office, PO Box 140157, Amman, Jordan
telex 21170 UNRWA JC; fax (962-6) 86 41 27
3. **Beneficiary's representative:** UNRWA Field Supply and Transport Officer
A and E: PO Box 19149, Jerusalem, Israel (tel. (972-2) 589 05 55; telex 26194 UNRWA IL; fax 581 65 64)
B: PO Box 947, Beirut, Lebanon (tel. (961-1) 840 46 09; telefax 603 683)
C: PO Box 4313, Damascus, Syria (tel. (963-11) 613 30 35; telex 412006, UNRWA SY; fax 613 30 47)
D: PO Box 484, Amman, Jordan (tel. (962-6) 74 19 14/77 22 26; telex 23402 UNRWA JFO JO; telefax 74 63 61)
4. **Country of destination:** A and E: Israel (A: Gaza; E: West Bank); B: Lebanon; C: Syria; D: Jordan
5. **Product to be mobilised:** vegetable oil: refined rapeseed oil or refined sunflower oil
6. **Total quantity (tonnes net):** 881,6
7. **Number of lots:** 5 (A: 334,4 tonnes; B: 152 tonnes; C: 106,4 tonnes; D: 167,2 tonnes; E: 121,6 tonnes)
8. **Characteristics and quality of the product** ⁽³⁾ ⁽⁴⁾ ⁽⁵⁾ ⁽⁶⁾: see OJ C 114, 29.4.1991, p. 1 (III.A.1)(a) or (b))
9. **Packaging** ⁽⁷⁾: see OJ C 267, 13.9.1996, p. 1 (10.7 A and B.3)
10. **Labelling or marking** ⁽⁸⁾: see OJ C 114 29.4.1991, p. 1 (III.A.3))
 - language to be used for the markings: English
 - supplementary markings: 'FOR FREE DISTRIBUTION'
 - lot D: 'Expiry date: ...' (date of manufacture plus 2 years)
11. **Method of mobilisation of the product:** mobilisation of refined vegetable oil produced in the Community.
Mobilisation may not involve a product manufactured and/or packaged under inward-processing arrangements
12. **Specified delivery stage:** A, C, E: free at port of landing — container terminal ⁽⁸⁾;
B, D: free at destination ⁽⁸⁾
13. **Alternative delivery stage:** free at port of shipment
14. (a) **Port of shipment:** —
(b) **Loading address:** —
15. **Port of landing:** A and E: Ashdod; C: Lattakia
16. **Place of destination:** UNRWA warehouse in Beirut (B) and Amman (D)
 - port or warehouse of transit: —
 - overland transport route: —
17. **Period or deadline of supply at the specified stage:**
 - first deadline: A, C: 17.1.1999; B: 21.2.1999; D, E: 14.2.1999
 - second deadline: A, C: 31.1.1999; B: 7.3.1999; D, E: 28.2.1999
18. **Period or deadline of supply at the alternative stage:**
 - first deadline: A, C: 21.12.1998 — 3.1.1999; B: 18 — 31.1.1999; D, E: 4 — 17.1.1999
 - second deadline: A, C: 4 — 17.1.1999; B: 1 — 14.2.1999; D, E: 18 — 31.1.1999

19. Deadline for the submission of tenders (at 12 noon, Brussels time):

- first deadline: 24.11.1998
- second deadline: 8.12.1998

20. Amount of tendering guarantee: ECU 15 per tonne**21. Address for submission of tenders and tendering guarantees⁽¹⁾:**

Bureau de l'aide alimentaire, Attn Mr T. Vestergaard, Bâtiment Loi 130, bureau 7/46, rue de la Loi/Wetstraat 200, B-1049 Brussels
telex 25670 AGREC B; fax (32 2) 296 70 03/296 70 04 (exclusively)

22. Export refund: —*Notes:*

- (¹) Supplementary information: André Debongnie (tel. (32-2) 295 14 65),
Torben Vestergaard (tel. (32-2) 299 30 50).
- (²) The supplier shall contact the beneficiary or its representative as soon as possible to establish which consignment documents are required.
- (³) The supplier shall deliver to the beneficiary a certificate from an official entity certifying that for the product to be delivered the standards applicable, relative to nuclear radiation, in the Member State concerned, have not been exceeded. The radioactivity certificate must indicate the caesium-134 and -137 and iodine-131 levels.
- (⁴) The supplier shall supply to the beneficiary or its representative, on delivery, the following document:
— health certificate.
- (⁵) Notwithstanding OJ C 114, point III.A(3)(c) is replaced by the following: 'the words "European Community".'
- (⁶) Tenders shall be rejected unless they specify the type of oil to which they relate.
- (⁷) Shipment to take place in 20-foot containers: Lots A, C and E: the contracted shipping terms shall be considered full liner terms (liner in/liner out) free port of landing container yard and is understood to cover 15 days — Saturdays, Sundays and official public and religious holidays excluded — free of container detention charges at the port of discharge taken from the day/time of the arrival of the vessel. The 15 day period should be clearly marked on the bill of lading. Bona fide detention charges levied in respect of container detention(s) in excess of the said 15 days as detailed above will be borne by UNRWA. UNRWA shall not pay/not be charged any container deposit fees.
- After take-over of the goods at the delivery stage, the recipient will bear all costs of shifting the containers for destuffing outside the port area and of returning them to the container yard.
- Ashdod: consignment to be stowed in 20-foot containers containing not more than 17 tonnes each, net.
- (⁸) In addition to the provisions of Article 14(3) of Regulation (EC) No 2519/97, vessels chartered shall not appear on any of the four most recent quarterly lists of detained vessels as published by the Paris Memorandum of Understanding on Port State Control (Council Directive 95/21/EC (OJ L 157, 7.7.1995, p. 1)).
- (⁹) Lot C: the health certificate and the certificate of origin must be signed and stamped by a Syrian Consulate, including the statement that consular fees and charges have been paid.
-

COMMISSION REGULATION (EC) No 2418/98**of 9 November 1998****amending Regulation (EC) No 2246/98 on the supply of cereals as food aid**

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

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

Whereas Commission Regulation (EC) No 2246/98 ⁽²⁾ issued an invitation to tender for the supply, as food aid, of cereals; whereas some of the conditions specified in the Annex to that Regulation should be altered,

HAS ADOPTED THIS REGULATION:

Article 1

For lot C, the Annex to Regulation (EC) No 2246/98 is replaced by the Annex to this Regulation.

Article 2

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

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

Done at Brussels, 9 November 1998.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ L 166, 5. 7. 1996, p. 1.

⁽²⁾ OJ L 282, 20. 10. 1998, p. 7.

ANNEX

ANNEX

LOT A

1. **Action No:** 49/98
2. **Beneficiary** ^(?): WFP (World Food Programme), via Cristoforo Colombo 426, I-00145 Roma
tel.: (39 6) 65 13 29 88; fax: 65 13 28 44/3; telex: 626675 WFP I
3. **Beneficiary's representative:** to be designated by the recipient
4. **Country of destination:** Yemen
5. **Product to be mobilised:** common wheat flour
6. **Total quantity (tonnes net):** 2 500
7. **Number of lots:** 1
8. **Characteristics and quality of the product** ⁽³⁾ ⁽⁵⁾: see OJ C 114, 29.4.1991, p. 1 (II.B(1)(a))
9. **Packaging** ⁽⁷⁾: see OJ C 267, 13.9.1996, p. 1 (2.2.A(1)(d), (2)(d) and B(1))
10. **Labelling or marking** ⁽⁶⁾: see OJ C 114, 29.4.1991, p. 1 (II.B(3))
 - Language to be used for the markings: English
 - Supplementary markings: —
11. **Method of mobilisation of the product:** the Community market
12. **Specified delivery stage** ⁽⁸⁾: free at port of shipment — fob stowed
13. **Alternative delivery stage:** —
14. (a) **Port of shipment:** —
 - (b) **Loading address:** —
15. **Port of landing:** —
16. **Place of destination:** —
 - port or warehouse of transit: —
 - overland transport route: —
17. **Period or deadline of supply at the specified stage:**
 - first deadline: 23.11 — 13.12.1998
 - second deadline: 14.12.1998 — 3.1.1999
18. **Period or deadline of supply at the alternative stage:**
 - first deadline: —
 - second deadline: —
19. **Deadline for the submission of tenders (12 noon, Brussels time):**
 - first deadline: 3.11.1998
 - second deadline: 24.11.1998
20. **Amount of tendering guarantee:** ECU 5 per tonne
21. **Address for submission of tenders and tendering guarantees** ⁽¹⁾:
Bureau de l'aide alimentaire, Attn Mr T. Vestergaard, Bâtiment Loi 130, bureau 7/46, Rue de la Loi/
Wetstraat 200, B-1049 Bruxelles/Brussel
telex: 25670 AGREC B; fax: (32 2) 296 70 03/296 70 04 (exclusively)
22. **Export refund** ⁽⁴⁾: refund applicable on 30.10.1998, fixed by Commission Regulation (EC) No 2061/98 (OJ L 264, 29.9.1998, p. 42)

Notes:

- (¹) Supplementary information: André Debongnie (tel.: (32 2) 295 14 65),
Torben Vestergaard (tel.: (32 2) 299 30 50).
- (²) The supplier shall contact the beneficiary or its representative as soon as possible to establish which consignment documents are required.
- (³) The supplier shall deliver to the beneficiary a certificate from an official entity certifying that for the product to be delivered the standards applicable, relative to nuclear radiation, in the Member State concerned, have not been exceeded. The radioactivity certificate must indicate the caesium-134 and -137 and iodine-131 levels.
- (⁴) Commission Regulation (EC) No 259/98 (OJ L 25, 31.1.1998, p. 39), is applicable as regards the export refund. The date referred to in Article 2 of the said Regulation is that indicated in point 22 of this Annex.
The supplier's attention is drawn to the last subparagraph of Article 4(1) of the above Regulation. The photocopy of the export licence shall be sent as soon as the export declaration has been accepted (fax: (32 2) 296 20 05).
- (⁵) The supplier shall supply to the beneficiary or its representative, on delivery, the following documents:
— phytosanitary certificate.
- (⁶) Notwithstanding OJ C 114 of 29.4.1991, point II.B(3)(c) is replaced by the following: 'the words "European Community"'.
(⁷) Since the goods may be rebagged, the supplier must provide 2 % of empty bags of the same quality as those containing the goods, with the marking followed by a capital 'R'.
- (⁸) The second subparagraph of Article 7(6) of Commission Regulation (EC) No 2519/97 (OJ L 346, 17.12.1997, p. 23) does not apply.'
-

II

(Acts whose publication is not obligatory)

COMMISSION

DECISION No 1/98 OF THE ACP-EC CUSTOMS COOPERATION
COMMITTEE

of 16 October 1998

derogating from the definition of 'originating products' to take account of the special situation of Fiji regarding the production of canned tuna (HS heading ex 16.04)

(notified under document number C(1998) 2708)

(98/624/EC)

THE ACP-EC CUSTOMS COOPERATION COMMITTEE,

ating products used in Fiji is less than 45 % of the value of the finished product;

Having regard to the fourth ACP-EEC Convention signed at Lomé on 15 December 1989 as revised by the Agreement signed in Mauritius on 4 November 1995, and in particular Article 31(1 to 10) of Protocol 1 thereto,

Whereas the said Protocol provides for derogations from the rules of origin to be granted whenever the development of an existing industry or the establishment of a new one warrants it;

Whereas, for the African, Caribbean and Pacific States (ACP States), a derogation has already been granted automatically, within an annual quota of 4 000 tonnes, for canned tuna; whereas the totality of this quota has been allocated, with Fiji being awarded an annual amount of 2 600 tonnes until the year 2000;

Whereas on 23 June 1998 the ACP States submitted a request, on behalf of the Government of Fiji, for a derogation from the rule of origin in the Protocol, in respect of canned tuna produced by this country from 1 May 1998 to 29 February 2000, for 8 250 tonnes;

Whereas the procedure, laid down in paragraphs 1 to 7 of the aforesaid Article 31, shall apply; whereas, according to the request submitted, the value added to the non-origin-

Whereas the Community canning industry is already subject to intense competitive pressure; whereas, in particular, labour-costs are fundamental to the pricing; whereas any additional opening of the market beyond the one granted in this Decision to products from countries with low labour-costs would distort competition and cause serious damage to Community industries producing canned tuna; whereas this is particularly true at present where the Community market is stagnating, with some Member States more badly affected than others;

Whereas the derogation is requested under the relevant provisions of Protocol 1, particularly with regard to Article 31(5) concerning island ACP States;

Whereas the derogation, limited in quantities, would not cause serious injury to an established community industry taking into account the quantities of the imports envisaged; provided that certain conditions relating to quantities, surveillance and duration are respected;

Whereas therefore, pursuant to Article 31(1), a derogation can be granted to Fiji in respect of 950 tonnes for 1998, of 1 700 tonnes for 1999, and 200 tonnes for the period from 1 January 2000 to 29 February 2000,

HAS DECIDED AS FOLLOWS:

Article 1

By way of derogation from the special provisions in the list in Annex II to Protocol 1 of the fourth ACP-EEC Convention, canned tuna of HS heading ex 16.04 manufactured in Fiji from non-originating fish shall be regarded as originating in this country in accordance with the terms of this Decision.

Article 2

The derogation provided for in Article 1 shall apply to the quantities shown in the Annex to this Decision which are exported by Fiji from 1 June 1998 to 29 February 2000.

Article 3

The quantities referred to in Article 2 shall be managed by the Commission, which shall take all administrative action it deems advisable for their efficient management.

Where an importer presents in a Member State a declaration of entry for free circulation including an application for the benefit of this Decision, the Member State shall, if the declaration has been accepted by the customs authorities, notify the Commission of its wish to draw the amount corresponding to its requirements.

Applications to draw showing the date of acceptance of declarations shall be transmitted to the Commission without delay.

Withdrawals shall be granted by the Commission in order of date of acceptance of declarations of entry for free circulation by the Member States' customs authorities provided that the available balance permits.

If a Member State fails to use a withdrawal it shall return it as soon as possible to the appropriate quota.

If requests exceed the available balance of a given quota, quantities shall be allocated on a pro rata basis. The Commission shall inform the Member States of withdrawal on the quotas.

Each Member State shall ensure that importers have continuous and equal access to the amounts available as long as the balance permits.

Article 4

Box 7 of EUR.1 certificates issued under this Decision shall contain the words:

'Derogation — Decision No 1/98'.

Article 5

The customs authorities of Fiji shall take the necessary steps to carry out quantitative checks on exports of the products referred to in Article 1. To that end, all the certificates they issue pursuant to this Decision shall bear a reference to it. The competent authorities of Fiji shall forward to the Commission every three months a statement of the quantities in respect of which movement certificates EUR.1 have been issued pursuant to this Decision, and the serial numbers of those certificates.

Article 6

The African, Caribbean and Pacific States (ACP States), the Member States and the European Community shall take the measures necessary on their part to implement this Decision.

Article 7

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

This Decision shall apply as from 1 June 1998.

Done at Brussels, 16 October 1998.

*For the ACP-EC Customs Cooperation
Committee*

M. VANDEN ABEELE
P. MAINGI MWANZIA

The Chairmen

*ANNEX***FIJI**

Order No	HS heading	Description of goods	Period	Quantities (tonnes)
09.1661	ex 16.04	Canned tuna	1.6.1998 to 31.12.1998	950
			1.1.1999 to 31.12.1999	1 700
			1.1.2000 to 29.2.2000	200

COMMISSION DECISION

of 28 October 1998

concerning the animal health conditions and veterinary certification for imports
of fresh meat from the Falkland Islands

(notified under document number C(1998) 3252)

(Text with EEA relevance)

(98/625/EC)

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

Having regard to the Council Directive 72/462/EEC, of
12 December 1972, on health and veterinary inspection
problems upon importation of bovine, ovine and caprine
animals and swine, fresh meat or meat products from
third countries⁽¹⁾, as last amended by Directive 97/
79/EC⁽²⁾, and in particular Articles 14, and 16,

Whereas, following a Community veterinary mission, it
appears that the animal health situation in the Falkland
Islands compares favourably with that in Community
countries particularly as regards disease transmissible
through meat;

Whereas, in addition, the responsible veterinary author-
ities of the Falkland Islands have confirmed that the
islands have for at least 12 months been free from
foot-and-mouth disease, rinderpest, African swine fever,
swine vesicular disease, contagious porcine paralysis
(Teschen disease);

Whereas vaccinations against the above diseases have not
taken place for at least 12 months;

Whereas the responsible authorities of the Falkland
Islands have undertaken to notify the Commission and
the Member States within 24 hours, by fax, telex or tele-
gram of the confirmation of the occurrence of any of the
abovementioned diseases or an alteration in the vaccina-
tion policy against them;

Whereas animal health conditions and veterinary cer-
tification must be adapted according to the animal health
conditions of the non-member country concerned;

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

HAS ADOPTED THIS DECISION:

Article 1

1. Member States shall authorise the importation from
the Falkland Islands of fresh meat of bovine animals,
sheep, goats and domestic solipeds conforming to the
requirements in the animal health certificate laid down in
the Annex to this Decision.

2. The certificate referred to above must accompany the
consignment and be duly completed and signed.

Article 2

This Decision is addressed to the Member States.

Done at Brussels, 28 October 1998.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ L 302, 31. 12. 1972, p. 28.

⁽²⁾ OJ L 24, 30. 1. 1998, p. 31.

ANNEX

ANIMAL HEALTH CERTIFICATE

for fresh meat ⁽¹⁾ of bovine animals, sheep, goats and domestic solipeds intended for consignment to the European Community

Note for the importer: this certificate is only for veterinary purposes and has to accompany the consignment until it reaches the border inspection post.

Country of destination:

Reference to public health certificate ⁽²⁾:

Exporting country: THE FALKLAND ISLANDS

Ministry:

Department:

References (optional):

I. Identification of meat

Meat of:
(animal species)

Nature of cuts:

Nature of packaging:

Number of cuts or packages:

Net weight:

II. Origin of meat

Address(es) and veterinary approval number(s) of approved slaughterhouse(s) ⁽²⁾:

.....

Address(es) and veterinary approval number(s) of approved cutting plant(s) ⁽²⁾:

.....

Address(es) and veterinary approval number(s) of approved cold store(s) ⁽²⁾:

.....

III. Destination of meat

The meat will be sent

from:
(place of loading)

to:
(country and place of destination)

by the following means of transport ⁽³⁾:

⁽¹⁾ Fresh meat means all parts of domestic animals of the bovine, porcine, ovine and caprine species and of domestic solipeds which are fit for human consumption and which have not undergone any preserving process, chilled and frozen meat being considered as fresh meat.

⁽²⁾ Optional when the country of destination authorizes the importation of fresh meat for uses other than human consumption in application of Article 19(a) of Directive 72/462/EEC and Chapter 10 of Annex I to Council Directive 92/118/EEC.

⁽³⁾ For lorries the registration number should be given. For bulk containers, the container number and the seal number should be included.

Name and address of consignor:
.....
.....

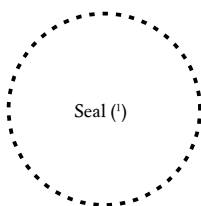
Name and address of consignee:
.....
.....

IV. Attestation of health

I, the undersigned, official veterinarian, certify that the fresh meat described above has been obtained from:

- animals which have remained in the territory of Falkland Islands for at least three months before being slaughtered or since birth in the case of animals less than three months old,
- in the case of fresh meat from sheep and goats, animals which have not come from holdings which for health reasons are subject to prohibition as a result of an outbreak of ovine or caprine brucellosis during the previous six weeks.

Done at on
(place) (date)



.....
(signature of official veterinarian) (!)

.....
(name in capital letters, title and qualification of signatory) (!)

(!) The signature and the seal must be in a colour different to that of the printing.