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

COMMON POSITION

of 14 December 1998

defined by the Council on the basis of Article J.2 of the Treaty on European Union on restrictive measures to be taken against persons in the Federal Republic of Yugoslavia acting against the independent media

(98/725/CFSP)

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty on European Union, and in particular Article J.2 thereof,

Whereas, in its conclusions of 26 October 1998, the Council condemned the action by the Federal Republic of Yugoslavia's (FRY) authorities against the independent media;

Whereas the adoption by the Serbian Parliament of a law on public information which targets primarily non State-controlled media, is in breach of internationally accepted standards and is yet another step in the repression of democratic principles;

Whereas, in its conclusions of 9 November 1998, the Council reiterated the European Union's determination to maintain its support for democracy and freedom of expression in the FRY and urged the FRY and Serb authorities to bring their legislation on media into conformity with the standards of the Council of Europe;

Whereas, in its conclusions of 7 December 1998, the Council agreed to impose a visa ban on FRY and Serb authorities responsible for the repression of independent media in the FRY, and agreed that this measure should be matched by support for the independent media;

Whereas this visa ban would be lifted on abolition by the FRY of repressive measures against the independent media,

HAS DEFINED THIS COMMON POSITION:

Article 1

1. The persons listed in the Annex, who have been identified as being responsible for drafting, implementing, advocating or taking political advantage of the

Serbian law on public information, shall be reported for the purpose of non-admission in the territories of the Member States.

2. Other senior FRY and Serbian representatives responsible for repressive action against the independent media shall be added to the list in the Annex should the FRY authorities fail to respond to the demands of the European Union. The Council shall update the list in the light of developments in the FRY.

Article 2

The Council shall repeal this common position on abolition of the repressive measures taken against the independent media in the FRY.

Article 3

This common position shall take effect on the date of its adoption.

Article 4

This common position shall be published in the Official Journal.

Done at Brussels, 14 December 1998.

For the Council

The President

W. MOLTERER

ANNEX

Vojislav Seselj, Serbian Deputy Prime Minister

Aleksandar Vucic, Serbian Minister for Information

Miljkan Karlicic, Assistant to the Serbian Minister for Information

Dusanka Djogo-Antonovic, Assistant to the Serbian Minister for Information

Miodrag Popovic, Assistant to the Serbian Minister for Information

Dragolljub Jankovic, Serbian Minister for Justice

Gorica Gajevic, SPS, Secretary-General

Zeljko Simic, SPS

Zivota Zvetkovic, SPS

Ivica Dacic, SPS, Spokesman

Slavko Veselinovic, SPS, Head of Council for information and propaganda in the SPS-Board

Stevo Dragisic, SRS

Tomislav Nikolic, SRS, Serbian Deputy PM

Natasa Jovanovic, SRS Regional Head Sumadija

Milovan Bojic, JUL, Serbian Deputy PM

Zivorad Djordjevic, JUL, Editor of daily *Borba*

Ivan Markovic, JUL, Spokesman

Milorad Radevic, Head of the Patriotic Federation Belgrade, Head of Serbian Archive, plaintiff on 23 October 1998

Bratislava Buba-Morina, JUL, Serbian Commissioner for Refugees, Head of Yugoslavian Women's League, plaintiff on 7 November 1998

I

(Acts whose publication is obligatory)

COUNCIL REGULATION (EC) No 2743/98
of 14 December 1998
amending Regulation (EC) No 297/95 on fees payable to the European Agency for
the Evaluation of Medicinal Products

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EC) No 297/95 of 10 February 1995 on fees payable to the European Agency for the Evaluation of Medicinal Products ⁽¹⁾ (hereinafter referred to as the 'Agency'), and in particular Article 10 thereof,

Having regard to the proposal from the Commission,

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

Whereas under Article 57(1) of Council Regulation (EEC) No 2309/93 of 22 July 1993 laying down Community procedures for the authorisation and supervision of medicinal products for human and veterinary use and establishing a European Agency for the Evaluation of Medicinal Products ⁽³⁾, the revenues of the Agency consist of a contribution and the fees paid by undertakings for obtaining and maintaining a Community marketing authorisation and for other services provided by the Agency;

Whereas the amounts and structure of the fees established by Regulation (EC) No 297/95 must be reviewed by 31 December 1997;

Whereas, in view of the experience gained since 1995, it is appropriate to maintain the general principles and overall structure of the fees as well as the main operational and procedural provisions established by the above-mentioned Regulation;

Whereas for certain fees, however, the services to which they relate should be specified so as to facilitate their collection and improve the transparency and practical implementation of this Regulation;

Whereas new fees must also be established to cover all the services now provided by the Agency;

Whereas an annual fee must be introduced to ensure coverage of the costs connected with the supervision of authorised medicinal products; whereas a given part of this fee will have to be allocated to the competent national authorities required under the terms of Regulation (EEC) No 2309/93 to supervise the market on behalf of the Community; whereas, moreover, the rules for distribution amongst those authorities will have to be adopted by the Agency's Management Board in accordance with the procedure laid down in this Regulation;

Whereas in certain exceptional cases and for imperative reasons of public or animal health it must be possible to reduce the abovementioned fees; whereas, therefore, without prejudice to more specific provisions of Community law, any decision to reduce fees will have to be taken by the Executive Director on the basis of a critical examination of the situation specific to each case after consultation of the competent scientific committee,

HAS ADOPTED THIS REGULATION:

Article 1

Regulation (EC) No 297/95 is hereby amended as follows:

1. Article 1 shall be replaced by the following:

'Article 1

Scope

Fees for obtaining and maintaining a Community authorisation to market medicinal products for human and veterinary use and for other services supplied by the Agency shall be levied in accordance with this Regulation.

The amounts of these fees shall be laid down in ecus.'

⁽¹⁾ OJ L 35, 15. 2. 1995, p. 1.

⁽²⁾ OJ C 328, 26. 10. 1998.

⁽³⁾ OJ L 214, 24. 8. 1993, p. 1. Regulation as amended by Commission Regulation (EC) No 649/98 (OJ L 88, 24. 3. 1998, p. 7).

2. Articles 3 to 10 shall be replaced by the following:

'Article 3

Medicinal products for human use covered by the procedures laid down in Regulation (EEC) No 2309/93

1. *Authorisation to market a medicinal product*

(a) Full fee

The fee for an application for authorisation to market a medicinal product supported by a full dossier is ECU 200 000. This fee covers a single strength associated with one pharmaceutical form.

The fee shall be increased by ECU 20 000 for each additional strength and/or pharmaceutical form submitted at the same time as the initial application for authorisation. This increase covers one additional strength and/or pharmaceutical form.

The fee shall be increased by ECU 5 000 for each additional presentation of the same strength and pharmaceutical form, submitted at the same time as the initial application for authorisation.

(b) Reduced fee

A reduced fee of ECU 100 000 shall apply to applications for authorisation to market a medicinal product for which a full dossier need not be presented, as provided for in Article 4 of the third paragraph of point 8(a)(i) and (iii) of Directive 65/65/EEC or when recourse is had to point 8(a)(ii) of the third paragraph of Article 4 of the same Directive. This fee covers a single strength associated with one pharmaceutical form.

The fee shall be increased by ECU 20 000 for each additional strength and/or pharmaceutical form submitted at the same time as the initial application for authorisation. This increase covers one additional strength and/or pharmaceutical form.

The fee shall be increased by ECU 5 000 for each additional presentation of the same strength and pharmaceutical form submitted at the same time as the initial application for authorisation.

(c) Extension fee

This is the fee for each extension of a marketing authorisation which has already been granted:

— where the extension is for a new strength, a new pharmaceutical form, a new indication or a new method of administration, the fee shall be ECU 50 000,

— where the extension is for a new presentation of a strength, a pharmaceutical form or of a method of administration which are already authorised, the fee shall be ECU 10 000.

2. *Variation*

(a) Type I variation fee

The fee for a variation of minor importance to a marketing authorisation according to the classification established by the Commission Regulation applicable to the matter shall be ECU 5 000.

In the event of the same variation being introduced, this fee shall cover all authorised strengths, pharmaceutical forms and presentations.

(b) Type II variation fee

The fee for a variation of major importance to a marketing authorisation according to the classification established by the Commission Regulation applicable to the matter shall be ECU 60 000. It may be halved for certain Type II variations which do not involve detailed scientific evaluation, a list of which shall be drawn up in accordance with the procedure laid down in Article 11(2).

In the event of the same variation being introduced, this fee shall cover all authorised strengths, pharmaceutical forms and presentations.

3. *Renewal fee*

The fee for examining information available at the time of the five-yearly renewal of an authorisation to market a medicinal product shall be ECU 10 000. It shall be charged for each strength associated with a pharmaceutical form.

4. *Inspection fee*

The flat-rate fee for any inspection within or outside the Community is ECU 15 000. For inspections outside the Community, travel expenses shall be charged extra on the basis of actual cost.

5. *Transfer fee*

The fee for a change in the holder of the marketing authorisations to which the transfer relates shall be ECU 5 000. This covers all authorised presentations of a given medicinal product.

6. *Annual fee*

The annual fee for each medicinal product which has been granted a marketing authorisation shall be ECU 60 000. This covers all authorised presentations of a given medicinal product.

Article 4

Medicinal products for human use covered by the procedures laid down in Directive 75/319/EEC (*)

Arbitration fee

A fee of ECU 10 000 shall be payable where the procedures laid down in Articles 10(2), 11, 12 and 15 of Directive 75/319/EEC are initiated.

The fee shall be increased by ECU 40 000 where the procedures laid down in Articles 11 and 12 of Directive 75/319/EEC are initiated at the instigation of the applicant for or holder of the marketing authorisation.

Article 5

Medicinal products for veterinary use covered by the procedures laid down in Regulation (EEC) No 2309/93

1. *Authorisation to market a medicinal product*

(a) *Full fee*

The fee for an application for authorisation to market a medicinal product supported by a full dossier shall be ECU 100 000. It covers a single strength associated with one pharmaceutical form.

The fee shall be increased by ECU 10 000 for each additional strength and/or pharmaceutical form submitted at the same time as the initial application for authorisation. This increase covers one additional strength and/or pharmaceutical form.

The fee shall be increased by ECU 5 000 for each additional presentation of the same strength and pharmaceutical form, submitted at the same time as the initial application for authorisation.

In the case of vaccines, the full fee shall be reduced to ECU 50 000, with each additional strength and/or pharmaceutical form and/or presentation entailing an increase of ECU 5 000.

For the purposes of this point (a), the number of target species is irrelevant.

(b) *Reduced fee*

A reduced fee of ECU 50 000 shall apply to applications for authorisation to market a medicinal product for which a full dossier need not be presented, as provided for in point 10(a)(i) and (iii) of the third paragraph of Article 5 of Directive 81/851/EEC or when recourse is had to point (ii) of the third paragraph of Article 5 of the same Directive. This fee covers a single strength associated with one pharmaceutical form of the medicinal product.

The fee shall be increased by ECU 10 000 for each additional strength and/or pharmaceutical form submitted at the same time as the initial application for authorisation. This increase covers one additional strength and/or pharmaceutical form.

The fee shall be increased by ECU 5 000 for each additional presentation of the same strength and pharmaceutical form submitted at the same time as the initial application for authorisation.

In the case of vaccines, the fee shall be reduced to ECU 25 000, with each additional strength and/or pharmaceutical form and/or presentation entailing an increase of ECU 5 000.

For the purposes of this paragraph (b), the number of target species is irrelevant.

(c) *Extension fee*

This is the fee for each extension of a marketing authorisation which has already been granted:

- where the extension is for a new strength, a new pharmaceutical form, a new species, a new indication or a new method of administration, the fee shall be ECU 25 000,
- where the extension is for a new presentation of a strength, of a pharmaceutical form or of a method of administration which are already authorised, the fee shall be ECU 5 000,

- in the case of vaccines, where the extension is for a new strength, a new pharmaceutical form, a new presentation or a new method of administration, the fee shall be ECU 5 000.

2. *Variation*

(a) Type I variation fee

The fee for a variation of minor importance to a marketing authorisation according to the classification established by the Commission Regulation applicable to the matter shall be ECU 5 000. The same fee shall be charged in respect of vaccines.

In the event of the same variation being introduced, this fee shall cover all authorised strengths, pharmaceutical forms and presentations.

(b) Type II variation fee

The fee for a variation of major importance to a marketing authorisation according to the classification established by the Commission Regulation applicable to the matter shall be ECU 30 000. It may be halved for certain Type II variations which do not involve detailed scientific evaluation, a list of which shall be drawn up in accordance with the procedure laid down in Article 11(2).

In the case of vaccines, the fee shall be ECU 5 000.

In the event of the same variation being introduced, this fee shall cover all authorised strengths, pharmaceutical forms and presentations.

3. *Renewal fee*

The fee for examining information available at the time of the five-yearly renewal of an authorisation to market a medicinal product shall be ECU 5 000. It shall be charged for each strength associated with a pharmaceutical form.

4. *Inspection fee*

The flat-rate fee for any inspection within or outside the Community shall be ECU 15 000. For inspections outside the Community, travel expenses shall be charged extra on the basis of actual cost.

5. *Transfer fee*

The fee for a change in the holder of the marketing authorisations to which the transfer

relates shall be ECU 5 000. This covers all authorised presentations of a given medicinal product.

6. *Annual fee*

The annual fee for each medicinal product which has been granted a marketing authorisation shall be ECU 20 000. This covers all authorised presentations of a given medicinal product.

Article 6

Medicinal products for veterinary use covered by the procedures laid down in Directive 81/851/EEC

Arbitration fee

An arbitration fee of ECU 10 000 shall be payable where the procedures laid down in Articles 18(2), 19, 20 and 23 of Directive 81/851/EEC are initiated.

The fee shall be increased by ECU 20 000 where the procedures laid down in Articles 19 and 20 of Directive 81/851/EEC are initiated at the instigation of the applicant for or holder of the marketing authorisation.

Article 7

Establishment of maximum residue limits (MRL) for veterinary medicinal products

1. *Fees for establishing MRL*

A full MRL fee of ECU 50 000 shall be charged for an application to set an initial MRL for a given substance.

An additional MRL fee of ECU 15 000 shall be payable for each application to amend or extend an existing MRL, or to cover new species.

MRL fees shall be deducted from the fee payable for an application for marketing authorisation or an application to extend a marketing authorisation for the medicinal product containing the substance for which an MRL has been set where such applications are submitted by the same applicant. However, this deduction may total no more than one half of the fee to which it applies.

2. *MRL fee*

A fee of ECU 15 000 shall be charged for any application to set an MRL with a view to clinical trials.

The fee shall be deducted from the amount of the full MRL fee laid down in point 1.

*Article 8***Various fees***1. Fee for scientific advice*

This fee shall be charged where an application is made for scientific or technical advice concerning the research and development of a medicinal product with a view to the possible submission of an application for marketing authorisation or an application to extend a marketing authorisation.

- For medicinal products for human use the maximum fee is set at ECU 60 000.
- For medicinal products for veterinary use the maximum fee is set at ECU 30 000.

The detailed procedures for applying this point shall be adopted in accordance with the procedure laid down in Article 11(2).

2. Fees for administrative charges

Fees shall be payable for administrative charges when documents or certificates are issued outside the framework of services covered by another fee provided for in this Regulation or upon conclusion of the administrative validation of a dossier resulting in rejection of the application for which the dossier was submitted. The unit amount of such fees may not exceed ECU 5 000. In accordance with Article 11(2) of this Regulation, a classification shall be established and specified by the Management Board of the Agency.

*Article 9***Possible fee reductions**

Without prejudice to more specific provisions of Community law, in exceptional circumstances and for imperative reasons of public or animal health, fee reductions may be granted case by case by the Executive Director after consultation of the competent scientific committee. Any decision taken pursuant to this Article shall state the reasons on which it is based.

A total or partial exemption may be granted, in particular for medicinal products for treating rare diseases or diseases affecting minor species.

*Article 10***Due date and belated payment**

1. Fees shall be payable on the date of receipt of the relevant application unless specific provisions stipulate otherwise.

The arbitration fee shall be payable within 30 days following referral to the Agency; the annual fee shall be payable within 30 days of the first and each subsequent anniversary of the notification of the marketing authorisation decision.

The inspection fee shall be payable within 30 days of the date on which the inspection was carried out.

2. Where any fee payable under this Regulation remains unpaid at its due date, and without prejudice to the Agency's capacity to institute legal proceedings conferred on it by Article 59 of Regulation (EEC) No 2309/93, the Executive Director of the Agency may decide either not to provide the requested services or to suspend all the services and procedures under way until the whole of the relevant fee has been paid.
3. Fees shall be paid in ecus or in the national currency of one of the Member States according to the exchange rates in force, which are fixed daily by the Commission. However, monthly conversion rates based on the earlier rates may be fixed according to a calculation established by the Agency's Management Board.

*Article 11***Implementing rules**

1. On a proposal from the Executive Director and following a favourable opinion from the Commission, the Agency's Management Board shall fix the rules for repaying a part of the resources deriving from the annual fees to the competent national authorities involved in Community market supervision.
2. Without prejudice to the provisions of this Regulation or of Regulation (EEC) No 2309/93, the Agency's Management Board may, on a proposal from the Executive Director, specify any other provision proving necessary for the application of this Regulation.
3. In the event of disagreement as to the classification of an application in one of the fee categories laid down in this Regulation, the Executive Director shall give a ruling after consultation of the competent scientific committee.

*Article 12***Amendment**

Any amendment to this Regulation shall be adopted by the Council acting by a qualified majority after consulting the European Parliament, on a proposal from the Commission.

However, amendments to the amounts of the fees established by this Regulation shall be adopted in accordance with the procedure laid down in Article 73 of Regulation (EEC) No 2309/93.

Within three years of the entry into force of this Regulation, the Commission will present a report on its implementation, after consultation of the Agency's Management Board.

Future reviews of fees shall be based on a comprehensive evaluation of the Agency's costs, including expenditure relating to Member States' rapporteurs.

(*) OJ L 147, 9.6.1975, p. 13. Directive as last amended by Directive 93/39/EEC (OJ L 214, 24.8.1993, p. 22).'

3. The existing Article 11 shall become Article 13.

Article 2

This Regulation shall enter into force on the 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, 14 December 1998.

For the Council
The President
W. MOLTERER

COUNCIL REGULATION (EC) No 2744/98**of 14 December 1998****amending Regulation (EC) No 355/94 and extending the temporary derogation applicable to Germany and Austria**

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty establishing the European Community, and in particular Article 28 thereof,

Having regard to the Commission proposal ⁽¹⁾,

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

Having regard to the opinion of the Economic and Social Committee ⁽³⁾,

Whereas the second subparagraph of Article 2 of Council Regulation (EC) No 355/94 of 14 February 1994 amending Regulation (EEC) No 918/83 setting up a Community system of reliefs from customs duty ⁽⁴⁾ provided for the application until 31 December 1997 of a temporary derogation to the Federal Republic of Germany and the Republic of Austria concerning the application of a threshold of ECU 75 for the allowance applicable to goods imported by travellers entering German or Austrian territory by a land frontier linking the two Member States to countries other than Member States and EFTA members or, where appropriate, by means of coastal navigation from those countries;

Whereas these provisions take account of the economic difficulties likely to be caused by the amount of the allowances applicable to travellers importing goods into the Community in the situations described above;

Whereas, by letters of 24 June and 23 July 1997, the Federal Republic of Germany and the Republic of Austria requested an extension of the derogation provided for in the second subparagraph of Article 2 of Regulation (EC) No 355/94; whereas their request is based on the fact that the economic difficulties that had prompted adoption of Regulations (EC) No 355/94 and (EC) No 3316/94 had persisted and, in some cases, worsened;

Whereas account should be taken of the situation described by the two Member States;

Whereas an extension of the derogation should, however, be accompanied by the fixing of a deadline for bringing the threshold of the allowance applied by Germany and Austria into line with that in force on that date in the other Member States, the immediate raising of the threshold applicable to the two Member States in order to contribute towards limiting distortions of competition and an undertaking by the Member States that they will gradually and jointly raise the threshold in order to bring it into line with the Community threshold by 1 January 2003,

HAS ADOPTED THIS REGULATION:

Article 1

The second subparagraph of Article 2 of Regulation (EC) No 355/94 shall be replaced by the following:

‘However, with regard to the Federal Republic of Germany and the Republic of Austria, this Regulation shall apply as from 1 January 2003 for goods imported by travellers entering German or Austrian territory by a land frontier linking these two Member States to countries other than Member States and the EFTA members or, where applicable, by means of coastal navigation coming from the said countries.

However, those Member States shall apply an allowance of not less than ECU 100 from 1 January 1999 to imports by the travellers referred to in the preceding subparagraph. They shall jointly increase that amount gradually, with a view to applying the threshold in force in the Community to the said imports by 1 January 2003 at the latest.’

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 applicable from 1 January 1998.

⁽¹⁾ OJ C 273, 2. 9. 1998, p. 10.

⁽²⁾ Opinion delivered on 3 December 1998 (not yet published in the Official Journal).

⁽³⁾ Opinion delivered on 15 October 1998 (not yet published in the Official Journal).

⁽⁴⁾ OJ L 46, 18. 2. 1994, p. 5. Regulation as amended by Regulation (EC) No 3316/94 (OJ L 350, 31. 12. 1994, p. 12).

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

Done at Brussels, 14 December 1998.

For the Council

The President

W. MOLTERER

COMMISSION REGULATION (EC) No 2745/98
of 18 December 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 19 December 1998.

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

Done at Brussels, 18 December 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 18 December 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	119,9
	204	105,5
	220	242,0
	624	242,1
	999	177,4
0707 00 05	052	80,8
	999	80,8
0709 90 70	052	90,1
	204	106,3
	999	98,2
0805 10 10, 0805 10 30, 0805 10 50	052	35,1
	204	40,1
	999	37,6
0805 20 10	052	76,4
	204	63,0
	999	69,7
0805 20 30, 0805 20 50, 0805 20 70, 0805 20 90	052	46,7
	464	294,2
	999	170,5
0805 30 10	052	58,6
	600	84,4
	999	71,5
0808 10 20, 0808 10 50, 0808 10 90	052	60,6
	060	16,5
	064	45,1
	400	66,2
	404	80,8
	728	85,7
	999	59,1
0808 20 50	064	61,7
	400	92,3
	720	63,0
	999	72,3

⁽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 2746/98
of 18 December 1998**

**concerning tenders submitted in response to the invitation to tender for the
export of husked long grain rice to the island of Réunion referred to in Regula-
tion (EC) No 2563/98**

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

Having regard to Council Regulation (EC) No 3072/95 of
22 December 1995 on the common organization of the
market in rice ⁽¹⁾, as last amended by Regulation (EC) No
2072/98 ⁽²⁾, and in particular Article 10 (1) thereof,

Having regard to Commission Regulation (EEC) No
2692/89 of 6 September 1989 laying down detailed rules
for exports of rice to Réunion ⁽³⁾, and in particular Article
9 (1) thereof,

Whereas Commission Regulation (EC) No 2563/98 ⁽⁴⁾
opens an invitation to tender for the subsidy on rice
exported to Réunion;

Whereas Article 9 of Regulation (EEC) No 2692/89 allows
the Commission to decide, in accordance with the proce-
dure laid down in Article 22 of Regulation (EC) No
3072/95 and on the basis of the tenders submitted, to
make no award;

Whereas on the basis of the criteria laid down in Articles
2 and 3 of Regulation (EEC) No 2692/89, a maximum
subsidy 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 submitted from
14 to 17 December 1998 in response to the invitation to
tender referred to in Regulation (EC) No 2563/98 for the
subsidy on exports to Réunion of husked long grain rice
falling within CN code 1 006 20 98.

Article 2

This Regulation shall enter into force on 19 December
1998.

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

Done at Brussels, 18 December 1998.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ L 329, 30. 12. 1995, p. 18.

⁽²⁾ OJ L 265, 30. 9. 1998, p. 4.

⁽³⁾ OJ L 29, 7. 9. 1989, p. 8.

⁽⁴⁾ OJ L 320, 28. 11. 1998, p. 40.

**COMMISSION REGULATION (EC) No 2747/98
of 18 December 1998**

**fixing the maximum export refund on wholly milled round grain, medium grain
and long grain A rice in connection with the invitation to tender issued in
Regulation (EC) No 2564/98**

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

Having regard to Council Regulation (EC) No 3072/95 of 22 December 1995 on the common organisation of the market in rice ⁽¹⁾, as last amended by Regulation (EC) No 2072/98 ⁽²⁾, and in particular Article 13(3) thereof,

Whereas an invitation to tender for the export refund on rice was issued pursuant to Commission Regulation (EC) No 2564/98 ⁽³⁾;

Whereas Article 5 of Commission Regulation (EEC) No 584/75 ⁽⁴⁾, as last amended by Regulation (EC) No 299/95 ⁽⁵⁾, allows the Commission to fix, in accordance with the procedure laid down in Article 22 of Regulation (EC) No 3072/95 and on the basis of the tenders submitted, a maximum export refund; whereas in fixing this maximum, the criteria provided for in Article 13 of Regulation (EC) No 3072/95 must be taken into account; whereas a contract is awarded to any tenderer whose tender is equal to or less than the maximum export refund;

Whereas the application of the abovementioned criteria to the current market situation for the rice 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

The maximum export refund on wholly milled round grain, medium grain and long grain A rice to be exported to certain third countries pursuant to the invitation to tender issued in Regulation (EC) No 2564/98 is hereby fixed on the basis of the tenders submitted from 14 to 17 December 1998 at ECU 109,00 per tonne.

Article 2

This Regulation shall enter into force on 19 December 1998.

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

Done at Brussels, 18 December 1998.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ L 329, 30. 12. 1995, p. 18.

⁽²⁾ OJ L 265, 30. 9. 1998, p. 4.

⁽³⁾ OJ L 320, 28. 11. 1998, p. 43.

⁽⁴⁾ OJ L 61, 7. 3. 1975, p. 25.

⁽⁵⁾ OJ L 35, 15. 2. 1995, p. 8.

COMMISSION REGULATION (EC) No 2748/98
of 18 December 1998

fixing the maximum export refund on wholly milled medium round grain and long grain A rice in connection with the invitation to tender issued in Regulation (EC) No 2565/98

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

Having regard to Council Regulation (EC) No 3072/95 of 22 December 1995 on the common organisation of the market in rice ⁽¹⁾, as last amended by Regulation (EC) No 2072/98 ⁽²⁾, and in particular Article 13(3) thereof,

Whereas an invitation to tender for the export refund on rice was issued pursuant to Commission Regulation (EC) No 2565/98 ⁽³⁾;

Whereas Article 5 of Commission Regulation (EEC) No 584/75 ⁽⁴⁾, as last amended by Regulation (EC) No 299/95 ⁽⁵⁾, allows the Commission to fix, in accordance with the procedure laid down in Article 22 of Regulation (EC) No 3072/95 and on the basis of the tenders submitted, a maximum export refund; whereas in fixing this maximum, the criteria provided for in Article 13 of Regulation (EC) No 3072/95 must be taken into account; whereas a contract is awarded to any tenderer whose tender is equal to or less than the maximum export refund;

Whereas the application of the abovementioned criteria to the current market situation for the rice 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

The maximum export refund on wholly milled medium round grain and long grain A rice to be exported to certain third countries of Europe pursuant to the invitation to tender issued in Regulation (EC) No 2565/98 is hereby fixed on the basis of the tenders submitted from 14 to 17 December 1998 at ECU 104,00 per tonne.

Article 2

This Regulation shall enter into force on 19 December 1998.

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

Done at Brussels, 18 December 1998.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ L 329, 30. 12. 1995, p. 18.

⁽²⁾ OJ L 265, 30. 9. 1998, p. 4.

⁽³⁾ OJ L 320, 28. 11. 1998, p. 46.

⁽⁴⁾ OJ L 61, 7. 3. 1975, p. 25.

⁽⁵⁾ OJ L 35, 15. 2. 1995, p. 8.

COMMISSION REGULATION (EC) No 2749/98
of 18 December 1998

fixing the maximum export refund on wholly milled long grain rice in connection with the invitation to tender issued in Regulation (EC) No 2566/98

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EC) No 3072/95 of 22 December 1995 on the common organization of the market in rice ⁽¹⁾, as amended by Regulation (EC) No 2072/98 ⁽²⁾, and in particular Article 13 (3) thereof,

Whereas an invitation to tender for the export refund on rice was issued pursuant to Commission Regulation (EC) No 2566/98 ⁽³⁾;

Whereas, Article 5 of Commission Regulation (EEC) No 584/75 ⁽⁴⁾, as last amended by Regulation (EC) No 299/95 ⁽⁵⁾, allows the Commission to fix, in accordance with the procedure laid down in Article 22 of Regulation (EC) No 3072/95 and on the basis of the tenders submitted, a maximum export refund; whereas in fixing this maximum, the criteria provided for in Article 13 of Regulation (EC) No 3072/95 must be taken into account; whereas a contract is awarded to any tenderer whose tender is equal to or less than the maximum export refund;

Whereas the application of the abovementioned criteria to the current market situation for the rice 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

The maximum export refund on wholly milled long grain rice falling within CN code 1006 30 67 to be exported to certain third countries pursuant to the invitation to tender issued in Regulation (EC) No 2566/98 is hereby fixed on the basis of the tenders submitted from 14 to 17 December 1998 at ECU 293,00 per tonne.

Article 2

This Regulation shall enter into force on 19 December 1998.

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

Done at Brussels, 18 December 1998.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ L 329, 30. 12. 1995, p. 18.

⁽²⁾ OJ L 265, 30. 9. 1998, p. 4.

⁽³⁾ OJ L 320, 28. 11. 1998, p. 49.

⁽⁴⁾ OJ L 61, 7. 3. 1975, p. 25.

⁽⁵⁾ OJ L 35, 15. 2. 1995, p. 8.

COMMISSION REGULATION (EC) No 2750/98**of 18 December 1998****amending Regulation (EEC) No 1833/92 setting the amounts of aid for the supply of cereals products from the Community to the Azores and Madeira**

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

Having regard to Council Regulation (EEC) No 1600/92 of 15 June 1992 introducing specific measures in respect of certain agricultural products for the benefit of the Azores and Madeira ⁽¹⁾, as last amended by Regulation (EC) No 2348/96 ⁽²⁾, and in particular Article 10 thereof,

Whereas the amounts of aid for the supply of cereals products to the Azores and Madeira has been settled by Commission Regulation (EEC) No 1833/92 ⁽³⁾, as last amended by Regulation (EC) No 2551/98 ⁽⁴⁾; whereas, as a consequence of the changes of the rates and prices for cereals products in the European part of the Community and on the world market, the aid for supply to the Azores and Madeira should be set at the amounts given in the Annex;

Whereas Article 2 of Council Regulation (EC) No 1103/97 of 17 June 1997 on certain provisions relating to the introduction of the euro ⁽⁵⁾ provides that, as from 1

January 1999, all references to the ecu in legal instruments are to be replaced by references to the euro at the rate of EUR 1 to ECU 1; whereas, for the sake of clarity, the denomination 'euro' should be used in this Regulation since it is to apply from 1 January 1999;

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 Annex of amended Regulation (EEC) No 1833/92 is replaced by the Annex to the present Regulation.

Article 2

This Regulation shall enter into force on 1 January 1999.

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

Done at Brussels, 18 December 1998.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ L 173, 27. 6. 1992, p. 1.

⁽²⁾ OJ L 320, 11. 12. 1996, p. 1.

⁽³⁾ OJ L 185, 4. 7. 1992, p. 28.

⁽⁴⁾ OJ L 320, 28. 11. 1998, p. 10.

⁽⁵⁾ OJ L 162, 19. 6. 1997, p. 1.

ANNEX

to the Commission Regulation of 18 December 1998 amending Regulation (EEC)
No 1833/92 setting the amounts of aid for the supply of cereals products from the
Community to the Azores and Madeira

(EUR/tonne)

Product (CN code)	Amount of aid	
	Destination	
	Azores	Madeira
Common wheat (1001 90 99)	34,00	34,00
Barley (1003 00 90)	59,00	59,00
Maize (1005 90 00)	52,00	52,00
Durum wheat (1001 10 00)	8,00	8,00

COMMISSION REGULATION (EC) No 2751/98
of 18 December 1998

**amending Regulation (EEC) No 391/92 setting the amounts of aid for the supply
of cereals products from the Community to the French overseas departments**

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

Having regard to Council Regulation (EEC) No 3763/91 of 16 December 1991 introducing specific measures in respect of certain agricultural products for the benefit of the French overseas departments ⁽¹⁾, as last amended by Regulation (EC) No 2598/95 ⁽²⁾, and in particular Article 2 (6) thereof,

Whereas the amounts of aid for the supply of cereals products to the French overseas departments (FOD) has been settled by Commission Regulation (EEC) No 391/92 ⁽³⁾, as last amended by Regulation (EC) No 2553/98 ⁽⁴⁾; whereas, as a consequence of the changes of the rates and prices for cereals products in the European part of the Community and on the world market, the aid for supply to the FOD should be set at the amounts given in the Annex;

Whereas Article 2 of Council Regulation (EC) No 1103/97 of 17 June 1997 on certain provisions relating to the introduction of the euro ⁽⁵⁾ provides that, as from 1

January 1999, all references to the ecu in legal instruments are to be replaced by references to the euro at the rate of EUR 1 to ECU 1; whereas, for the sake of clarity, the denomination 'euro' should be used in this Regulation since it is to apply from 1 January 1999;

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 Annex of amended Regulation (EEC) No 391/92 is replaced by the Annex to the present Regulation.

Article 2

This Regulation shall enter into force on 1 January 1999.

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

Done at Brussels, 18 December 1998.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ L 356, 24. 12. 1991, p. 1.

⁽²⁾ OJ L 267, 9. 11. 1995, p. 1.

⁽³⁾ OJ L 43, 19. 2. 1992, p. 23.

⁽⁴⁾ OJ L 320, 28. 11. 1998, p. 14.

⁽⁵⁾ OJ L 162, 19. 6. 1997, p. 1.

ANNEX

to the Commission Regulation of 18 December 1998 amending Regulation (EEC) No 391/92 setting the amounts of aid for the supply of cereals products from the Community to the French overseas departments

(EUR/tonne)

Product (CN code)	Amount of aid			
	Destination			
	Guadeloupe	Martinique	French Guiana	Réunion
Common wheat (1001 90 99)	37,00	37,00	37,00	40,00
Barley (1003 00 90)	62,00	62,00	62,00	65,00
Maize (1005 90 00)	55,00	55,00	55,00	58,00
Durum wheat (1001 10 00)	12,00	12,00	12,00	16,00

COMMISSION REGULATION (EC) No 2752/98**of 18 December 1998****amending Regulation (EEC) No 1832/92 setting the amounts of aid for the supply
of cereals products from the Community to the Canary Islands**

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

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

Whereas the amounts of aid for the supply of cereals products to the Canary Islands has been settled by Commission Regulation (EEC) No 1832/92 ⁽³⁾, as last amended by Regulation (EC) No 2552/98 ⁽⁴⁾; whereas, as a consequence of the changes of the rates and prices for cereals products in the European part of the Community and on the world market, the aid for supply to the Canary Islands should be set at the amounts given in the Annex;

Whereas Article 2 of Council Regulation (EC) No 1103/97 of 17 June 1997 on certain provisions relating to the introduction of the euro ⁽⁵⁾ provides that, as from 1

January 1999, all references to the ecu in legal instruments are to be replaced by references to the euro at the rate of EUR 1 to ECU 1; whereas, for the sake of clarity, the denomination 'euro' should be used in this Regulation since it is to apply from 1 January 1999;

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 Annex of amended Regulation (EEC) No 1832/92 is replaced by the Annex to the present Regulation.

Article 2

This Regulation shall enter into force on 1 January 1999.

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

Done at Brussels, 18 December 1998.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ L 173, 27. 6. 1992, p. 13.

⁽²⁾ OJ L 320, 11. 12. 1996, p. 1.

⁽³⁾ OJ L 185, 4. 7. 1992, p. 26.

⁽⁴⁾ OJ L 320, 28. 11. 1998, p. 12.

⁽⁵⁾ OJ L 162, 19. 6. 1997, p. 1.

ANNEX

to the Commission Regulation of 18 December 1998 amending Regulation (EEC)
No 1832/92 setting the amounts of aid for the supply of cereals products from the
Community to the Canary Islands

(EUR/tonne)

Product (CN code)		Amount of aid
Common wheat	(1001 90 99)	34,00
Barley	(1003 00 90)	59,00
Maize	(1005 90 00)	52,00
Durum wheat	(1001 10 00)	8,00
Oats	(1004 00 00)	60,00

COMMISSION REGULATION (EC) No 2753/98

of 18 December 1998

fixing the refunds applicable to cereal and rice sector products supplied as
Community and national food aid

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 2547/98⁽²⁾, and in particular the third subparagraph of Article 13(2) thereof,Having regard to Council Regulation (EC) No 3072/95 of 22 December 1995 on the common organisation of the market in rice⁽³⁾, as amended by Regulation (EC) No 2072/98⁽⁴⁾, and in particular Article 13(3) thereof,Whereas Article 2 of Council Regulation (EEC) No 2681/74 of 21 October 1974 on Community financing of expenditure incurred in respect of the supply of agricultural products as food aid⁽⁵⁾ lays down that the portion of the expenditure corresponding to the export refunds on the products in question fixed under Community rules is to be charged to the European Agricultural Guidance and Guarantee Fund, Guarantee Section;

Whereas, in order to make it easier to draw up and manage the budget for Community food aid actions and to enable the Member States to know the extent of Community participation in the financing of national food aid actions, the level of the refunds granted for these actions should be determined;

Whereas the general and implementing rules provided for in Article 13 of Regulation (EEC) No 1766/92 and in Article 13 of Regulation (EC) No 3072/95 on export

refunds are applicable *mutatis mutandis* to the above-mentioned operations;

Whereas the specific criteria to be used for calculating the export refund on rice are set out in Article 13 of Regulation (EC) No 3072/95;

Whereas Article 2 of Council Regulation (EEC) No 1103/97 of 17 June 1997 on certain provisions relating to the introduction of the euro⁽⁶⁾ provides that as from 1 January 1999, all references to the ecu in legal instruments are to be replaced by references to the euro at the rate of EUR 1 to ECU 1; whereas, for the sake of clarity, the denomination 'euro' should be used in this Regulation since it is to apply from 1 January 1999;

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

HAS ADOPTED THIS REGULATION:

Article 1

For Community and national food aid operations under international agreements or other supplementary programmes, and other Community free supply measures, the refunds applicable to cereals and rice sector products shall be as set out in the Annex.

Article 2

This Regulation shall enter into force on 1 January 1999.

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

Done at Brussels, 18 December 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 329, 30. 12. 1995, p. 18.⁽⁴⁾ OJ L 265, 30. 9. 1998, p. 4.⁽⁵⁾ OJ L 288, 25. 10. 1974, p. 1.⁽⁶⁾ OJ L 162, 19. 6. 1997, p. 1.

ANNEX

to the Commission Regulation of 18 December 1998 fixing the refunds applicable to cereal
and rice sector products supplied as Community and national food aid

(EUR/tonne)

Product code	Refund
1001 10 00 9400	0,00
1001 90 99 9000	31,00
1002 00 00 9000	70,00
1003 00 90 9000	56,00
1004 00 00 9400	57,00
1005 90 00 9000	49,00
1006 30 92 9100	142,00
1006 30 92 9900	142,00
1006 30 94 9100	142,00
1006 30 94 9900	142,00
1006 30 96 9100	142,00
1006 30 96 9900	142,00
1006 30 98 9100	142,00
1006 30 98 9900	142,00
1006 30 65 9900	142,00
1006 40 00 9000	—
1007 00 90 9000	49,00
1101 00 15 9100	42,50
1101 00 15 9130	42,50
1102 20 10 9200	77,66
1102 20 10 9400	66,56
1102 30 00 9000	—
1102 90 10 9100	73,35
1103 11 10 9200	21,00
1103 11 90 9200	21,00
1103 13 10 9100	99,85
1103 14 00 9000	—
1104 12 90 9100	86,56
1104 21 50 9100	97,80

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.

COMMISSION REGULATION (EC) No 2754/98

of 18 December 1998

amending Regulation (EC) No 1772/96 laying down detailed rules for implementation of the specific measures for the supply of seed potatoes to the French overseas departments

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

HAS ADOPTED THIS REGULATION:

Having regard to the Treaty establishing the European Community,

Article 1

Having regard to Council Regulation (EEC) No 3763/91 of 16 December 1991 introducing specific measures in respect of certain agricultural products for the benefit of the French overseas departments⁽¹⁾, as last amended by Regulation (EC) No 2598/95⁽²⁾, and in particular Article 2(6) thereof,

Whereas, pursuant to Article 2 of Regulation (EEC) No 3763/91, Commission Regulation (EC) No 1772/96⁽³⁾, as last amended by Regulation (EC) No 1395/98⁽⁴⁾, fixes the forecast supply balance for seed potatoes and the level of aid for their supply from the rest of the Community to the French overseas departments for the second half of 1998; whereas the forecast supply balance should be fixed for the 1999 calendar year; whereas the balance must be fixed on the basis of the needs of the departments;

Whereas, for the purpose of applying Article 2(4) of Regulation (EEC) No 3763/91, the level of aid for the supply of seed potatoes from the rest of the Community to the French overseas departments should be fixed to ensure that potatoes are supplied under conditions equivalent for the end user to exemption from import duties on seed potatoes from third countries; whereas that aid should be fixed taking account, *inter alia*, of the cost of supply from the world market;

Whereas Article 2 of Council Regulation (EC) No 1103/97 of 17 June 1997 on certain provisions relating to the introduction of the euro⁽⁵⁾ provides that as from 1 January 1999, all references to the ecu in legal instruments are to be replaced by references to the euro at the rate of EUR 1 to ECU 1; whereas, for the sake of clarity, the denomination 'euro' should be used in this Regulation since it is to apply from 1 January 1999;

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

⁽¹⁾ OJ L 356, 24. 12. 1991, p. 1.

⁽²⁾ OJ L 267, 9. 11. 1995, p. 1.

⁽³⁾ OJ L 232, 13. 9. 1996, p. 13.

⁽⁴⁾ OJ L 187, 1. 7. 1998, p. 39.

⁽⁵⁾ OJ L 162, 19. 6. 1997, p. 1.

Regulation (EC) No 1772/96 is hereby amended as follows:

1. Article 1 is replaced by the following:

'Article 1

For the purpose of applying Article 2 of Regulation (EEC) No 3763/91, the forecast supply balance for seed potatoes falling within CN code 0701 10 00 exempt from duty on importation into the French overseas departments or, for products from the rest of the Community, eligible for Community aid is hereby set at 750 tonnes for the 1999 calendar year. This quantity is allocated as laid down in the Annex.

The French authorities may adjust the allocation within the overall limit set. They shall inform the Commission of any such adjustment.'

2. Article 2 is replaced by the following:

'Article 2

For the purpose of applying Article 2(4) of Regulation (EEC) No 3763/91, aid for supplying the French overseas departments with seed potatoes from the rest of the Community is hereby set, having regard to the forecast supply balance, at euro 4,830 per 100 kg for exports to Guadeloupe and euro 5,430 per 100 kg for exports to Réunion.'

3. the Annex is replaced by the Annex hereto.

Article 2

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

It shall apply from 1 January 1999.

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

Done at Brussels, 18 December 1998.

For the Commission
Franz FISCHLER
Member of the Commission

ANNEX

'ANNEX

		(tonnes)
Seed potatoes falling within CN code 0701 10 00		
Guadeloupe		50
Réunion		700'

**COMMISSION REGULATION (EC) No 2755/98
of 18 December 1998**

**laying down detailed rules for the implementation of the specific arrangements
for the supply of sheepmeat and goatmeat to the French overseas departments
for 1999**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EEC) No 3763/91 of 16 December 1991 introducing specific measures in respect of certain agricultural products for the benefit of the French overseas departments⁽¹⁾, as last amended by Regulation (EC) No 2598/95⁽²⁾, and in particular Article 4(5) 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 12 thereof,

Whereas, pursuant to Article 4 of Regulation (EEC) No 3763/91, the number of pure-bred breeding sheep and goats originating in the Community and qualifying for aid with a view to developing production potential in the French overseas departments should be determined for each annual period of application;

Whereas the aid referred to above for the supply of pure-bred breeding sheep and goats originating in the rest of the Community to the French overseas departments should be fixed; whereas that aid must be fixed in the light, in particular, of the costs of supply from the Community market and the conditions resulting from the geographical situation of the French overseas departments;

Whereas special needs may arise during the course of different marketing years for the supply to the French overseas departments of pure-bred breeding sheep and goats; whereas, therefore, the French authorities should be granted a degree of flexibility in administering the supply arrangements, in that they should be allowed to issue aid certificates for animals intended for certain overseas departments in excess of the maximum quantities available to those departments, provided that the maximum quantities available to the four departments of both male and female animals are respected; whereas, so as to take account of those special needs, the French authorities

should notify the Commission of the cases where that facility was used for the issue of certificates;

Whereas common detailed rules for the application of the arrangements for the supply of certain agricultural products to the French overseas departments are laid down in Commission Regulation (EEC) No 131/92⁽⁵⁾, as last amended by Regulation (EC) No 1736/96⁽⁶⁾; whereas additional detailed rules should be laid down in line with current commercial practice in the sheepmeat and goatmeat sector, in particular as regards the term of validity of aid certificates and the securities ensuring operators' compliance with their obligations;

Whereas, with a view to sound administration of the supply arrangements, a timetable should be laid down for the lodging of certificate applications and for a period of reflection for their issue;

Whereas, with a view to bringing the administration of the aid more closely into line with the requirements of the French overseas departments, the aid and the quantities to which the latter may apply should be fixed annually per calendar year;

Whereas Article 2 of Council Regulation (EC) No 1103/97 of 17 June 1997 on certain provisions relating to the introduction of the euro⁽⁷⁾ provides that as from 1 January 1999, all references to the ecu in legal instruments are to be replaced by references to the euro at the rate of EUR 1 to ECU 1; whereas, for the sake of clarity, the denomination 'euro' should be used in this Regulation since it is to apply from 1 January 1999;

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

HAS ADOPTED THIS REGULATION:

Article 1

The aid provided for in Article 4(1) of Regulation (EEC) No 3763/91 for the supply to the French overseas departments of pure-bred breeding sheep and goats originating in the Community and the number of animals in respect of which that aid is granted shall be as fixed in the Annex hereto.

⁽¹⁾ OJ L 356, 24. 12. 1991, p. 1.

⁽²⁾ OJ L 267, 9. 11. 1995, p. 1.

⁽³⁾ OJ L 387, 31. 12. 1992, p. 1.

⁽⁴⁾ OJ L 22, 31. 1. 1995, p. 1.

⁽⁵⁾ OJ L 15, 22. 1. 1992, p. 13.

⁽⁶⁾ OJ L 225, 6. 9. 1996, p. 3.

⁽⁷⁾ OJ L 162, 19. 6. 1997, p. 1.

Article 2

Regulation (EEC) No 131/92 shall apply, with the exception of Article 3(4) thereof.

Article 3

France shall designate the competent authority for:

- (a) issuing the aid certificate provided for in Article 3(1) of Regulation (EEC) No 131/92;
- (b) paying the aid to the operators concerned.

Article 4

1. Applications for certificates shall be submitted to the competent authority in the first five working days of each month. Certificate applications shall be admissible only where:

- (a) they relate to not more than the maximum number of animals available as published by France prior to the period for the submission of applications;
- (b) before the period for the submission of certificate applications expires, proof is provided that the party concerned has lodged a security of EUR 40 per animal.

2. However, the competent authority may, in order to meet special needs arising under the supply arrangements, issue aid certificates for a quantity of animals in excess of the maximum quantity available to each over-

seas department, without the total number of animals eligible for the aid in the four departments being exceeded; that facility being applied separately to male and to female animals.

France shall notify the Commission of the cases in which certificates are issued in accordance with the previous subparagraph.

3. The certificates shall be issued by the 10th working day of each month at the latest.

Article 5

Aid certificates shall be valid for three months.

Article 6

The aid provided for in Article 1 shall be paid in respect of the quantities actually supplied.

Article 7

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

It shall apply from 1 January to 31 December 1999.

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

Done at Brussels, 18 December 1998.

For the Commission

Franz FISCHLER

Member of the Commission

ANNEX

PART 1

Supply to French Guiana of pure-bred breeding sheep and goats originating in the Community for the calendar year 1999

<i>(EUR/head)</i>			
CN code	Description	Number of animals to be supplied	Aid
0104 10 10	Pure-bred breeding sheep ⁽¹⁾ :		
	— males	8	530
	— females	8	205
0104 20 10	Pure-bred breeding goats ⁽¹⁾ :		
	— males	2	530
	— females	14	205

PART 2

Supply to Martinique of pure-bred breeding sheep and goats originating in the Community for the calendar year 1999

<i>(EUR/head)</i>			
CN code	Description	Number of animals to be supplied	Aid
0104 10 10	Pure-bred breeding sheep ⁽¹⁾ :		
	— males	2	530
	— females	5	205
0104 20 10	Pure-bred breeding goats ⁽¹⁾ :		
	— males	3	530
	— females	5	205

⁽¹⁾ Inclusion in this subposition is subject to the conditions provided for in Council Directive 89/361/EEC of 30 May 1989 concerning pure-bred breeding sheep and goats (OJ L 153, 6. 6. 1989, p. 30).

PART 3**Supply to Réunion of pure-bred breeding sheep and goats originating in the Community for the calendar year 1999***(EUR/head)*

CN code	Description	Number of animals to be supplied	Aid
0104 10 10	Pure-bred breeding sheep ⁽¹⁾ :		
	— males	15	530
	— females	48	205
0104 20 10	Pure-bred breeding goats ⁽¹⁾ :		
	— males	13	530
	— females	297	205

PART 4**Supply to Guadeloupe of pure-bred breeding sheep and goats originating in the Community for the calendar year 1999***(EUR/head)*

CN code	Description	Number of animals to be supplied	Aid
0104 20 10	Pure-bred breeding sheep ⁽¹⁾ :		
	— males	2	530
	— females	2	205

⁽¹⁾ Inclusion in this subposition is subject to the conditions provided for in Council Directive 89/361/EEC of 30 May 1989 concerning pure-bred breeding sheep and goats (OJ L 153, 6. 6. 1989, p. 30).

COMMISSION REGULATION (EC) No 2756/98
of 18 December 1998

opening Community tariff quotas for 1999 for sheep, goats, sheepmeat and goatmeat falling within CN codes 0104 10 30, 0104 10 80, 0104 20 10, 0104 20 90 and 0204 and derogating from Regulation (EC) No 1439/95 laying down detailed rules for the application of Council Regulation (EC) No 2467/98 as regards the import and export of products in the sheepmeat and goatmeat sector

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EC) No 3066/95 of 22 December 1995 establishing certain concessions in the form of Community tariff quotas for certain agricultural products and providing for the adjustment, as an autonomous and transitional measure, of certain agricultural concessions provided for in the Europe Agreements to take account of the Agreement on Agriculture concluded during the Uruguay Round Multilateral Trade Negotiations ⁽¹⁾, as last amended by Regulation (EC) No 2435/98 ⁽²⁾, and in particular Article 8 thereof,

Having regard to Council Regulation (EC) No 2467/98 of 3 November 1998 on the common organisation of the market in sheepmeat and goatmeat ⁽³⁾, and in particular Article 17(1) thereof,

Having regard to Council Regulation (EC) No 3491/93 of 13 December 1993 on certain procedures for applying the Europe Agreement establishing an association between the European Communities and their Member States, of the one part, and the Republic of Hungary, of the other part ⁽⁴⁾, and in particular Article 1 thereof,

Having regard to Council Regulation (EC) No 3492/93 of 13 December 1993 on certain procedures for applying the Europe Agreement establishing an association between the European Communities and their Member States, of the one part, and the Republic of Poland, of the other part ⁽⁵⁾, and in particular Article 1 thereof,

Having regard to Council Regulation (EC) No 3296/94 of 19 December 1994 on certain procedures for applying the Europe Agreement establishing an association between the European Communities and their Member States, of the one part, and the Czech Republic, of the other part ⁽⁶⁾, and in particular Article 1 thereof,

Having regard to Council Regulation (EC) No 3297/94 of 19 December 1994 on certain procedures for applying the Europe Agreement establishing an association between

the European Communities and their Member States, of the one part, and the Slovak Republic, of the other part ⁽⁷⁾, and in particular Article 1 thereof,

Having regard to Council Regulation (EC) No 3382/94 of 19 December 1994 on certain procedures for applying the Europe Agreement establishing an association between the European Communities and their Member States, of the one part, and Romania, of the other part ⁽⁸⁾, and in particular Article 1 thereof,

Having regard to Council Regulation (EC) No 3383/94 of 19 December 1994 on certain procedures for applying the Europe Agreement establishing an association between the European Communities and their Member States, of the one part, and the Republic of Bulgaria, of the other part ⁽⁹⁾, and in particular Article 1 thereof,

Having regard to Council Regulation (EC) No 1926/96 of 7 October 1996 establishing certain concessions in the form of Community tariff quotas for certain agricultural products and providing for the adjustment, as an autonomous and transitional measure, of certain agricultural concessions provided for in the Agreements on free trade and trade-related matters with Estonia, Latvia and Lithuania, to take account of the Agreement on Agriculture concluded during the Uruguay Round Multilateral Trade Negotiations ⁽¹⁰⁾, and in particular Article 5 thereof,

Whereas under the Agreement on Agriculture concluded in the framework of the Uruguay Round of multilateral trade negotiations ⁽¹¹⁾, the Community has undertaken to open a non-country-specific tariff quota; whereas the Europe Agreements concluded between the Community and the countries of Central Europe allow additional preferential access to the Community market;

Whereas, moreover, the Community has established a tariff quota for imports of sheepmeat and goatmeat from Estonia, Latvia and Lithuania by virtue of Regulation (EC) No 1926/96;

⁽¹⁾ OJ L 328, 30. 12. 1995, p. 31.

⁽²⁾ OJ L 303, 13. 11. 1998, p. 1.

⁽³⁾ OJ L 312, 20. 11. 1998, p. 1.

⁽⁴⁾ OJ L 319, 21. 12. 1993, p. 1.

⁽⁵⁾ OJ L 319, 21. 12. 1993, p. 4.

⁽⁶⁾ OJ L 341, 30. 12. 1994, p. 14.

⁽⁷⁾ OJ L 341, 30. 12. 1994, p. 17.

⁽⁸⁾ OJ L 368, 31. 12. 1994, p. 1.

⁽⁹⁾ OJ L 368, 31. 12. 1994, p. 5.

⁽¹⁰⁾ OJ L 254, 8. 10. 1996, p. 1.

⁽¹¹⁾ OJ L 336, 23. 12. 1994, p. 22.

Whereas the tariff quotas have to be opened for 1999 by the Commission and be managed according to the rules laid down in Commission Regulation (EC) No 1439/95⁽¹⁾, as last amended by Regulation (EC) No 1764/98⁽²⁾;

Whereas a carcase-weight equivalent needs to be fixed in order to ensure a proper functioning of the tariff quotas; whereas, furthermore, certain tariff quotas provide the option of importing either the live animals or their meat; whereas a conversion factor is therefore required;

Whereas Regulation (EC) No 3066/95 provided in particular, as an autonomous transitional measure, for a reduction in duty and increases in certain import quotas from the Associated Countries of Eastern Europe; whereas it also provided for the importation of pure-bred breeding goats falling within CN code 0104 20 10 within the tariff quotas for Hungary, Poland, Slovakia, the Czech Republic and Bulgaria; whereas it is necessary to derogate for 1999 from some of the implementing provisions laid down by Regulation (EC) No 1439/95;

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

HAS ADOPTED THIS REGULATION:

Article 1

This Regulation opens Community tariff quotas for the sheepmeat and goatmeat sectors and provides for certain derogations from Regulation (EC) No 1439/95 for the period 1 January to 31 December 1999.

Article 2

The customs duties applicable to imports into the Community of sheepmeat and goatmeat falling within CN codes 0104 10 30, 0104 10 80, 0104 20 90 and 0204 originating in the countries indicated in the Annexes and of live pure-bred breeding goats falling within CN code 0104 20 10 for Hungary, Poland, Slovakia, the Czech Republic and Bulgaria shall be suspended or reduced during the periods, at the levels and within the limits of the tariff quotas laid down in this Regulation.

Article 3

1. The quantities of meat, expressed in carcase weight equivalent, falling within CN code 0204 for which the customs duty, applicable to imports originating in specific supplying countries, is suspended for the period between 1 January and 31 December 1999, shall be those laid down in Annex I.

⁽¹⁾ OJ L 143, 27. 6. 1995, p. 7.

⁽²⁾ OJ L 223, 11. 8. 1998, p. 4.

2. The quantities of live animals and meat expressed as carcase weight equivalent, falling within CN codes 0104 10 30, 0104 10 80, 0104 20 90 and 0204 and, in addition, for Hungary, Poland, Slovakia, the Czech Republic and Bulgaria falling within CN code 0104 20 10, for which the customs duty, applicable to imports originating in specific supplying countries, is reduced to zero for the period between 1 January and 31 December 1999, shall be those laid down in Annex II.

3. The quantities of live animals, expressed in live weight, falling within CN codes 0104 10 30, 0104 10 80 and 0104 20 90 for which the customs duty, applicable to imports originating in specific supplying countries, is reduced to 10 % *ad valorem* for the period between 1 January and 31 December 1999, shall be those laid down in Annex III.

4. The quantities of live animals, expressed in live weight, falling within CN codes 0104 10 30, 0104 10 80 and 0104 20 90 for which the customs duty, applicable to imports, is reduced to 10 % *ad valorem* for the period between 1 January and 31 December 1999, shall be those laid down in Annex IV, Part A.

5. The quantities of meat, expressed in carcase weight equivalent, falling within CN code 0204 for which the customs duty, applicable to imports, is suspended for the period between 1 January and 31 December 1999, shall be those laid down in Annex IV, Part B.

Article 4

1. The tariff quotas provided for in Article 3(1), (2) and (3) shall be managed in accordance with the rules laid down in Title II A of Regulation (EC) No 1439/95.

2. The tariff quotas provided for in Article 3(4) and (5) shall be managed in accordance with the rules laid down in Title II B of Regulation (EC) No 1439/95.

Article 5

1. The term 'carcase weight equivalent' referred to in Article 3 shall be taken to mean the weight of bone-in meat presented as such, and also boned meat converted by a coefficient into bone-in weight. For this purpose 55 kilograms of boned mutton or goatmeat other than kid corresponds to 100 kilograms of bone-in mutton or goatmeat other than kid and 60 kilograms of boned lamb or kid corresponds to 100 kilograms of bone-in lamb or kid.

2. Where the option is available under the Association Agreements between the Community and certain supplier countries, of allowing imports in the form of live animals or as meat, 100 kilograms of live animals shall be considered to be equivalent to 47 kilograms of meat.

Article 6

The derogations from Regulation (EC) No 1439/95 are as follows:

1. Title IIA shall apply *mutatis mutandis* in respect of the import of products falling within CN code 0104 20 10 for Hungary, Poland, Slovakia, the Czech Republic and Bulgaria;
2. in Article 14(1) the following phrase is inserted after 0104 20 90, 'and for Hungary, Poland, Slovakia, the Czech Republic and Bulgaria CN code 0104 20 10';
3. Article 14(4) is replaced by the following:

'4. Import licences issued in respect of the quantities referred to in Annex II to Regulation (EC) No 1440/95 and in subsequent annual tariff quota regulations shall bear in box 24 at least one of the following entries:

- Derecho limitado a 0 [aplicación del Anexo II del Reglamento (CE) n° 1440/95 y de posteriores Reglamentos por los que se establecen contingentes arancelarios anuales]
- Told nedsat til 0 (jf. bilag II til forordning (EF) nr. 1440/95 og efterfølgende forordninger om årlige toldkontingenter)
- Beschränkung des Zollsatzes auf Null (Anwendung von Anhang II der Verordnung (EG) Nr. 1440/95 und der späteren jährlichen Verordnungen über die Zollkontingente)
- Δασμός περιοριζόμενος στο μηδέν [εφαρμογή του παραρτήματος II του κανονισμού (ΕΚ) αριθ. 1440/95 και των μεταγενέστερων κανονισμών σχετικά με την ετήσια δασμολογική ποσόστωση]

- Duty limited to zero (application of Annex II of Regulation (EC) No 1440/95 and subsequent annual tariff quota regulations)
- Droit de douane nul [application de l'annexe II du règlement (CE) n° 1440/95 et des règlements ultérieurs sur les contingents tarifaires]
- Dazio limitato a zero [applicazione dell'allegato II del regolamento (CE) n. 1440/95 e dei successivi regolamenti relativi ai contingenti tariffari annuali]
- Invoerrecht beperkt tot nul (toepassing van bijlage II bij Verordening (EG) nr. 1440/95 en van de latere verordeningen tot vaststelling van de jaarlijkse tariefcontingenten)
- Direito limitado a zero [aplicação do anexo II do Regulamento (CE) n° 1440/95 e regulamentos subsequentes relativos aos contingentes pautais anuais]
- Tulli rajoitettu 0 prosenttiin [asetuksen (EY) N:o 1440/95 liitteeseen II ja sen jälkeen annettujen vuotuisia tariffikiintiöitä koskevien asetusten soveltaminen]
- Tull begränsad till noll procent (tillämpning av bilaga II i förordning (EG) nr 1440/95 i senare förordningar om årliga tullkvoter)'.

Article 7

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

It shall apply from 1 January to 31 December 1999.

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

Done at Brussels, 18 December 1998.

For the Commission

Franz FISCHLER

Member of the Commission

ANNEX I

QUANTITIES FOR 1999 REFERRED TO IN ARTICLE 3(1)

Order No 09.4033

Sheepmeat and goatmeat (tonnes in CWE) at zero duty

	(in tonnes)
Argentina	23 000
Australia	18 650
Chile	3 000
New Zealand	226 700
Uruguay	5 800
Iceland	1 350
Bosnia-Herzegovina	850
Croatia	450
Slovenia	50
Former Yugoslav Republic of Macedonia	1 750

ANNEX II

QUANTITIES FOR 1999 REFERRED TO IN ARTICLE 3(2)

(tonnes cwe)

Duty rate zero

	(in tonnes)		
	Live animals	Meat	Live animals and/or meat
Poland	—	—	9 200 ⁽²⁾
Romania ⁽¹⁾	2 245 ⁽²⁾	352,5 ⁽³⁾	—
Hungary	—	—	13 967,5 ⁽²⁾
Bulgaria	—	—	5 469 ⁽²⁾
Czech Republic	—	—	2 075 ⁽²⁾
Slovakia	—	—	4 150 ⁽²⁾

⁽¹⁾ Possibility of converting limited quantities between live animals and meat.⁽²⁾ Order No 09.4575.⁽³⁾ Order No 09.4576.

*ANNEX III***QUANTITIES FOR 1999 REFERRED TO IN ARTICLE 3(3)***Order No 09.4035***Live sheep and goats (tonnes live weight) — Duty rate 10 %**

Former Yugoslav Republic of Macedonia

215 tonnes

*ANNEX IV***A. QUANTITIES FOR 1999 REFERRED TO IN ARTICLE 3(4)***Order No 09.4036***Live sheep and goats (tonnes live weight) — Duty rate 10 %**

Others:

105 tonnes

B. QUANTITIES FOR 1999 REFERRED TO IN ARTICLE 3(5)*Order No 09.4037***Sheepmeat and goatmeat (tonnes CWE) — Duty rate zero**

Others:

637,5 tonnes

(of which Greenland 100 tonnes, Faeroes 20 tonnes, Estonia, Latvia and Lithuania 117,5 tonnes and Turkey 200 tonnes).

COMMISSION REGULATION (EC) No 2757/98
of 18 December 1998

**laying down detailed rules for the implementation of the specific arrangements
for the supply of sheepmeat and goatmeat to the Azores and Madeira for 1999**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EEC) No 1600/92 of 15 June 1992 concerning specific measures for the Azores and Madeira relating to certain agricultural products ⁽¹⁾, as last amended by Commission Regulation (EC) No 562/98 ⁽²⁾, and in particular Article 10 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 12 thereof,

Whereas, pursuant to Article 4 of Regulation (EEC) No 1600/92, the number of pure-bred breeding sheep and goats originating in the Community and qualifying for aid with a view to developing production potential in the Azores and Madeira should be determined for each annual period of application;

Whereas the aid referred to above for the supply of pure-bred breeding sheep and goats originating in the rest of the Community to the Azores and Madeira should be fixed; whereas that aid must be fixed in the light in particular of the costs of supply from the Community market and the conditions resulting from the geographical situation of the Azores and Madeira;

Whereas common detailed rules for the application of the arrangements for the supply of certain agricultural products to the Azores and Madeira are laid down in Commission Regulation (EEC) No 1696/92 ⁽⁵⁾, as last amended by Regulation (EEC) No 2596/93 ⁽⁶⁾; whereas additional detailed rules should be laid down in line with current commercial practice in the sheepmeat and goatmeat sector, in particular as regards the term of validity of aid certificates and the securities ensuring operators' compliance with their obligations;

Whereas, with a view to sound administration of the supply arrangements, a timetable should be laid down for

the lodging of certificate applications and for a period of reflection for their issue;

Whereas, with a view to bringing the administration of the aid more closely into line with the requirements of the Azores and Madeira, the aid and the quantities to which the latter may apply should be fixed annually per calendar year;

Whereas Article 2 of Council Regulation (EC) No 1103/97 of 17 June 1997 on certain provisions relating to the introduction of the euro ⁽⁷⁾ provides that as from 1 January 1999, all references to the ecu in legal instruments are to be replaced by references to the euro at the rate of EUR 1 to ECU 1; whereas, for the sake of clarity, the denomination 'euro' should be used in this Regulation since it is to apply from 1 January 1999;

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

HAS ADOPTED THIS REGULATION:

Article 1

The aid provided for in Article 4(1)(c) of Regulation (EEC) No 1600/92 for the supply to the Azores and Madeira of pure-bred breeding sheep and goats originating in the Community and the number of animals in respect of which that aid is granted shall be as fixed in the Annex hereto.

Article 2

Regulation (EEC) No 1696/92 shall apply, with the exception of Article 4(5) thereof.

Article 3

Portugal shall designate the competent authority for:

- (a) issuing the aid certificate provided for in Article 4(1) of Regulation (EEC) No 1696/92;
- (b) paying the aid to the operators concerned.

⁽¹⁾ OJ L 173, 27. 6. 1992, p. 1.

⁽²⁾ OJ L 76, 13. 3. 1998, p. 6.

⁽³⁾ OJ L 387, 31. 12. 1992, p. 1.

⁽⁴⁾ OJ L 22, 31. 1. 1995, p. 1.

⁽⁵⁾ OJ L 179, 1. 7. 1992, p. 6.

⁽⁶⁾ OJ L 238, 23. 9. 1993, p. 24.

⁽⁷⁾ OJ L 162, 19. 6. 1997, p. 1.

Article 4

1. Applications for certificates shall be submitted to the competent authority in the first five working days of each month. Certificate applications shall be admissible only where:

- (a) they relate to not more than the maximum number of animals available as published by Portugal prior to the period for the submission of applications;
- (b) before the period for the submission of certificate applications expires, proof is provided that the party concerned has lodged a security of EUR 40 per animal.

2. Aid certificates shall be issued by the 10th working day of each month at the latest.

Article 5

Aid certificates shall be valid for three months.

Article 6

The aid provided for in Article 1 shall be paid in respect of the quantities actually supplied.

Article 7

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

It shall apply from 1 January to 31 December 1999.

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

Done at Brussels, 18 December 1998.

For the Commission

Franz FISCHLER

Member of the Commission

ANNEX

SECTION 1

Pure-bred breeding sheep and goats originating in the Community for supply to the Azores for the 1999 calendar year

CN code	Description	Number of animals to be supplied	Aid (EUR/head)
0104 10 10	Pure-bred breeding sheep ⁽¹⁾ :		
	— Males	100	380
	— Females	2 500	110
0104 20 10	Pure-bred breeding goats:		
	— Males		
	— Females		

⁽¹⁾ Entry under this subheading is subject to the conditions laid down in Council Directive 89/361/EEC of 30 May 1989 concerning pure-bred breeding sheep and goats (OJ L 153, 6. 6. 1989, p. 30).

SECTION 2

Pure-bred breeding sheep and goats originating in the Community for supply to Madeira for the 1999 calendar year

CN code	Description	Number of animals to be supplied	Aid (EUR/head)
0104 10 10	Pure-bred breeding sheep ⁽¹⁾ :		
	— Males	15	380
	— Females	150	110
0104 20 10	Pure-bred breeding goats:		
	— Males	5	380
	— Females	50	110

⁽¹⁾ Entry under this subheading is subject to the conditions laid down in Council Directive 89/361/EEC of 30 May 1989 concerning pure-bred breeding sheep and goats (OJ L 153, 6. 6. 1989, p. 30).

COMMISSION REGULATION (EC) No 2758/98
of 18 December 1998

amending Regulation (EC) No 1667/98 increasing to 333 224 tonnes the quantity of barley held by the Swedish intervention agency for which a standing invitation to tender for export has been opened

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 5 thereof,

Whereas Commission Regulation (EEC) No 2131/93⁽³⁾, as last amended by Regulation (EC) No 2193/96⁽⁴⁾, lays down the procedures and conditions for the disposal of cereals held by the intervention agencies;

Whereas Commission Regulation (EC) No 1667/98⁽⁵⁾, as last amended by Regulation (EC) No 2590/98⁽⁶⁾, opened a standing invitation to tender for the export of 189 714 tonnes of barley held by the Swedish intervention agency; whereas, Sweden informed the Commission of the intention of its intervention agency to increase by 143 510 tonnes the quantity for which a standing invitation to tender for export has been opened; whereas the total quantity of barley held by the Swedish intervention agency for which a standing invitation to tender for export has been opened should be increased to 333 224 tonnes;

Whereas this increase in the quantity put out to tender makes it necessary to alter the list of regions and quantities in store; whereas Annex I to Regulation (EC) No 1667/98 must therefore be amended;

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

Regulation (EC) No 1667/98 is hereby amended as follows:

1. Article 2 is replaced by the following:

'Article 2

1. The invitation to tender shall cover a maximum of 333 224 tonnes of barley to be exported to all third countries, with the exception of the United States, Canada and Mexico.

2. The regions in which the 333 224 tonnes of barley are stored are stated in Annex I to this Regulation.'

2. Annex I is replaced by the Annex hereto.

Article 2

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

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

Done at Brussels, 18 December 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 191, 31. 7. 1993, p. 76.

⁽⁴⁾ OJ L 293, 16. 11. 1996, p. 1.

⁽⁵⁾ OJ L 211, 29. 7. 1998, p. 17.

⁽⁶⁾ OJ L 324, 2. 12. 1998, p. 23.

ANNEX

ANNEX I

(tonnes)

Place of storage	Quantity
Stallarholmen	2 062
Motala	2 807
Rök	4 994
Gamleby	2 835
Ättersta	7 584
Broddbo 1	5 997
Velanda	7 645
Hova	12 981
Brännarp	2 624
Helsingborg	37 526
Djurön	39 504
Söråker	13 053
Gävle	10 847
Kalmar	15 738
Halmstad (Engströms)	4 659
Ormesta	5 077
Ervalla	934
Hästholmen	5 089
Vimmerby	3 997
Gistad	3 761
Broddbo 2	6 076
Falun	878
Fammarp	19 046
Funbo-Lövsta	6 579
Gullspång	2 391
Gårdsjö	2 565
Karlshamn	42 356
Laholm	2 737
Mariestad	1 956
Moraby	1 637
Norrtälje	10 014
Otterbäcken	7 210
Signestorp	2 672
Skivarp	9 415
Stavreviken	1 479
Värnamo	5 742
Tjustorp	9 879
Österbybruk	10 878'

COMMISSION REGULATION (EC) No 2759/98**of 18 December 1998****on the sale, at prices fixed in advance, of beef held by certain intervention agencies, with a view to its processing in the Community and repealing Regulation (EC) No 2144/98**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EEC) No 805/68 of 27 June 1968 on the common organisation of the market in beef and veal⁽¹⁾, as last amended by Regulation (EC) No 1633/98⁽²⁾, and in particular Article 7(3) thereof,

Whereas the introduction of intervention in beef has resulted in a build-up of stocks in several Member States; whereas, in order to prevent storage being prolonged excessively, part of these stocks should be sold for processing in the Community;

Whereas this sale should be subject to the rules laid down in Commission Regulations (EEC) No 2173/79⁽³⁾, as last amended by Regulation (EC) No 2417/95⁽⁴⁾, (EEC) No 3002/92⁽⁵⁾, as last amended by Regulation (EC) No 770/96⁽⁶⁾, and (EEC) No 2182/77⁽⁷⁾, as last amended by Regulation (EC) No 2417/95, subject to certain special exceptions on account of the particular use to which the products in question are to be put;

Whereas, in order to ensure regular and continuous sales, Title I of Regulation (EEC) No 2173/79, in particular, should be applied;

Whereas, to ensure economic management of stocks, the intervention agencies should give priority to selling the meat which has been stored the longest;

Whereas provision should be made for derogations from the second subparagraph of Article 2(2) of Regulation (EEC) No 2173/79 in view of the administrative difficulties which the application of this rule is creating in certain Member States;

Whereas, to ensure optimum monitoring of the destination of beef from intervention stocks, control measures should be taken, in addition to the measures provided for

in Regulation (EEC) No 3002/92, based on physical inspection of quantities and qualities;

Whereas Commission Regulation (EC) No 2144/98⁽⁸⁾, as last amended by Regulation (EC) No 2511/98⁽⁹⁾, should be repealed;

Whereas Article 2 of Council Regulation (EC) No 1103/97 of 17 June 1997 on certain provisions relating to the introduction of the euro⁽¹⁰⁾ provides that, as from 1 January 1999, all references to the ecu in legal instruments are to be replaced by references to the euro at the rate of EUR 1 to ECU 1;

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

HAS ADOPTED THIS REGULATION:

Article 1

1. The sale shall take place, for processing in the Community, of products bought into intervention under Article 6 of Regulation (EEC) No 805/68 amounting to approximately:

- 34 tonnes of bone-in forequarters held by the Dutch intervention agency,
- 400 tonnes of bone-in forequarters held by the Portuguese intervention agency,
- 1 000 tonnes of bone-in forequarters held by the Austrian intervention agency,
- 500 tonnes of bone-in forequarters held by the Danish intervention agency,
- 1 000 tonnes of bone-in forequarters held by the French intervention agency,
- 500 tonnes of bone-in forequarters held by the Italian intervention agency,
- 1 000 tonnes of bone-in forequarters held by the Spanish intervention agency,

⁽¹⁾ OJ L 148, 28. 6. 1968, p. 24.

⁽²⁾ OJ L 210, 28. 7. 1997, p. 17.

⁽³⁾ OJ L 251, 5. 10. 1979, p. 12.

⁽⁴⁾ OJ L 248, 14. 10. 1995, p. 39.

⁽⁵⁾ OJ L 301, 17. 10. 1992, p. 17.

⁽⁶⁾ OJ L 104, 27. 4. 1996, p. 13.

⁽⁷⁾ OJ L 251, 1. 10. 1977, p. 60.

⁽⁸⁾ OJ L 270, 7. 10. 1998, p. 31.

⁽⁹⁾ OJ L 313, 21. 11. 1998, p. 12.

⁽¹⁰⁾ OJ L 162, 19. 6. 1997, p. 1.

- 380 tonnes of bone-in forequarters held by the Irish intervention agency,
- 5 000 tonnes of deboned beef held by the Irish intervention agency,
- 30 tonnes of deboned beef held by the Spanish intervention agency,
- 1 790 tonnes of deboned beef held by the French intervention agency,
- 8 000 tonnes of deboned beef held by the United Kingdom intervention agency.

Detailed information concerning the products and their selling prices is given in Annex I.

2. Subject to the provisions of this Regulation the products referred to in paragraph 1 shall be sold in accordance with Regulations (EEC) No 2173/79, and in particular Titles I and III thereof, (EEC) No 2182/77 and (EEC) No 3002/92.

3. Particulars of the quantities and the places where the products are stored may be obtained by interested parties at the addresses given in Annex II hereto.

4. For each product listed in Annex I hereto, the intervention agencies shall sell first the meat which has been stored the longest.

5. Notwithstanding the second subparagraph of Article 2(2) of Regulation (EEC) No 2173/79, purchase applications shall not indicate in which store or stores the meat is held.

Article 2

1. Purchase applications shall be valid only if presented by or on behalf of a natural or legal person who, for the 12 months prior to the entry into force of this Regulation, has been engaged in the processing of products containing beef and who is entered in a national VAT register. In addition, applications must be presented by or on behalf of a processing establishment approved in accordance with Article 8 of Council Directive 77/99/EEC⁽¹⁾.

2. Notwithstanding Article 3(1) and (2) of Regulation (EEC) No 2182/77, applications shall be accompanied by:

- an indication of the product covered, as referred to in either Article 3(2) or (3),
- a written undertaking by the purchaser to process the meat into the product as specified above within the period referred to in Article 5(1) of Regulation (EEC) No 2182/77,
- precise details of the establishment or establishments where the meat purchased is to be processed.

3. The purchasers referred to in paragraph 1 may instruct an agent in writing to take delivery, on their behalf, of the products which they purchase. In this case agents shall submit the purchase application of the purchaser whom they represent together with the written instruction referred to above.

4. Notwithstanding Article 18(1) of Regulation (EEC) No 2173/79, taking over must be completed within two months.

5. The purchasers and agents referred to in the preceding paragraphs shall maintain and keep up to date an accounting system which permits the destination and use of the products to be ascertained with a view in particular to ensuring that the quantities of products purchased and processed tally with each other.

Article 3

1. Meat purchased in accordance with this Regulation shall be processed into products which comply with the definitions for A products and B products set out in paragraphs 2 and 3 below.

2. An 'A' product means a processed product falling within CN code 1602 10 00, 1602 50 31, 1602 50 39 or 1602 50 80, not containing meat other than that of animals of the bovine species, with a collagen/protein ratio of no more than 0,45 %⁽²⁾ and containing by weight at least 20 %⁽³⁾ of lean meat excluding offal⁽⁴⁾ and fat, with meat and jelly accounting for at least 85 % of the total net weight.

The product must be subjected to a heat treatment sufficient to ensure the coagulation of meat proteins in the whole of the product, which may not show any traces of a pinkish liquid on the cut surface when the product is cut along a line passing through its thickest part.

⁽²⁾ Determination of collagen content: the collagen content shall be taken to mean the hydroxyproline content multiplied by the factor 8. The hydroxyproline content must be determined according to ISO method 3496-1994.

⁽³⁾ The lean bovine meat content excluding fat is determined in accordance with the procedure described in the Annex to Commission Regulation (EEC) No 2429/86 (OJ L 210, 1. 8. 1986, p. 39).

⁽⁴⁾ Offal includes the following: heads and cuts thereof (including ears), feet, tails, hearts, udders, livers, kidneys, sweetbreads (thymus gland with pancreas), brains, lungs, throats, thick skirts, spleens, tongues, caul, spinal cords, edible skin, reproductive organs (i.e. uteri, ovaries and testes), thyroid glands, pituitary glands.

⁽¹⁾ OJ L 26, 31. 1. 1977, p. 85.

3. A 'B' product means a processed product containing beef, other than:

- one specified in Article 1(1)(a) of Regulation (EEC) No 805/68, or
- one referred to in paragraph 2.

However, a processed product falling within CN code 0210 20 90 which has been dried or smoked so that the colour and consistency of the fresh meat has totally disappeared and with a water/protein ratio not exceeding 3,2 shall be considered to be a B product.

Article 4

1. Member States shall set up a system of physical and documentary supervision to ensure that all meat is processed in accordance with Articles 2 and 3.

The system must include physical checks of quantity and quality at the start of the processing, during the processing and after the processing operation is completed. To this end, processors must at any time be able to demonstrate the identity and use of the meat through appropriate production records.

Technical verification of the production method by the competent authority may, to the extent necessary, make allowance for drip losses and trimmings.

In order to verify the quality of the finished product and establish its conformity with the processor's recipe, Member States shall undertake representative sampling and analysis of the product. The costs of such operations shall be borne by the processor concerned.

2. Member States may, at the request of the processor, authorise the deboning of bone-in quarters in an establishment other than that provided for in respect of processing provided the relevant operations take place in the same Member State under appropriate supervision.

3. Article 1 of Regulation (EEC) No 2182/77 shall not apply.

Article 5

1. The security provided for in Article 15(1) of Regulation (EEC) No 2173/79 shall be ECU 12 per 100 kilograms.

2. The security provided for in Article 4(1) of Regulation (EEC) No 2182/77 shall be:

- ECU 1 300 for bone-in forequarters processed into A products,
- ECU 1 150 for bone-in forequarters processed into B products or a mixture of A and B products,

— ECU 1 750 for deboned beef processed into A products,

— ECU 1 600 for deboned beef processed into B products or a mixture of A and B products.

3. Notwithstanding Article 5(3) of Regulation (EEC) No 2182/77, the processing of all beef purchased into finished products as indicated in the purchase application shall constitute a principal requirement.

Article 6

Notwithstanding Article 9 of Regulation (EEC) No 2182/77, in addition to the entries provided for in Regulation (EEC) No 3002/92:

— Section 104 of T5 control copies must be completed with one or more of the following:

— Para transformación [Reglamentos (CEE) n° 2182/77 y (CE) n° 2759/98]

— Til forarbejdning (forordning (EØF) nr. 2182/77 og (EF) nr. 2759/98)

— Zur Verarbeitung bestimmt (Verordnungen (EWG) Nr. 2182/77 und (EG) Nr. 2759/98)

— Για μεταποίηση [κανονισμοί (ΕΟΚ) αριθ. 2182/77 και (ΕΚ) αριθ. 2759/98]

— For processing (Regulations (EEC) No 2182/77 and (EC) No 2759/98)

— Destinés à la transformation [règlements (CEE) n° 2182/77 et (CE) n° 2759/98]

— Destinate alla trasformazione [regolamenti (CEE) n. 2182/77 e (CE) n. 2759/98]

— Bestemd om te worden verwerkt (Verordeningen (EEG) nr. 2182/77 en (EG) nr. 2759/98)

— Para transformação [Regulamentos (CEE) n° 2182/77 e (CE) n° 2759/98]

— Jalostettavaksi (Asetukset (ETY) N:o 2182/77 ja (EY) N:o 2759/98)

— För bearbetning (Förordningarna (EEG) nr 2182/77 och (EG) nr 2759/98).

— Section 106 of T5 control copies must be completed with the date of conclusion of the contract of sale.

Article 7

Regulation (EC) No 2144/98 is hereby repealed.

Article 8

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, 18 December 1998.

For the Commission

Franz FISCHLER

Member of the Commission

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

Estado miembro	Productos ⁽¹⁾	Cantidad aproximada (toneladas)	Precio de venta expresado en ecus por tonelada
Medlemsstat	Produkter ⁽¹⁾	Tilnærmet mængde (tons)	Salgspriser i ECU/ton
Mitgliedstaat	Erzeugnisse ⁽¹⁾	Ungefähre Mengen (Tonnen)	Verkaufspreise, ausgedrückt in ECU/Tonne
Κράτος μέλος	Προϊόντα ⁽¹⁾	Κατά προσέγγιση ποσότητα (τόνοι)	Τιμές πώλησης εκφραζόμενες σε Ecu ανά τόνο
Member State	Products ⁽¹⁾	Approximate quantity (tonnes)	Selling prices expressed in ecus per tonne
État membre	Produits ⁽¹⁾	Quantité approximative (tonnes)	Prix de vente exprimés en écus par tonne
Stato membro	Prodotti ⁽¹⁾	Quantità approssimativa (tonnellate)	Prezzi di vendita espressi in ecu per tonnellata
Lidstaat	Producten ⁽¹⁾	Hoeveelheid bij benadering (ton)	Verkoopprijen uitgedrukt in ECU per ton
Estado-membro	Produtos ⁽¹⁾	Quantidade aproximada (toneladas)	Preço de venda expresso em ecus por tonelada
Jäsenvaltio	Tuotteet ⁽¹⁾	Arvioitu määrä (tonneina)	Myyntihinta euina tonnilla
Medlemsstat	Produkter ⁽¹⁾	Ungefärlig kvantitet (ton)	Försäljningspris i ecu per ton

a) Carne con hueso — Kød, ikke udbenet — Fleisch mit Knochen — Κρέατα με κόκαλα — Bone-in beef — Viande avec os — Carni non disossate — Vlees met been — Carne com osso — Luullinen naudanliha — Kött med ben

			(a) ⁽²⁾	(b) ⁽³⁾
DANMARK	— Forfjerdinger	500	650	800
ITALIA	— Quarti anteriori	500	650	800
IRELAND	— Forequarters	380	650	800
FRANCE	— Quartiers avant	1 000	650	800
ÖSTERREICH	— Vorderviertel	1 000	650	800
PORTUGAL	— Quartos dianteiros	400	650	800
ESPAÑA	— Cuartos delanteros	1 000	650	800
NEDERLAND	— Voorvoeten	34	650	800

b) Carne deshuesada — Udbenet kød — Fleisch ohne Knochen — Κρέατα χωρίς κόκαλα — Boneless beef — Viande désossée — Carni senza osso — Vlees zonder been — Carne desossada — Luuton naudanliha — Benfritt kött

FRANCE	Flanchet d'intervention (INT 18)	1 000	600	750
	Jarret avant d'intervention (INT 21)	113	800	950
	Épaule d'intervention (INT 22)	677	1 100	1 250
UNITED KINGDOM	Intervention shank (INT 11)	1 000	700	850
	Intervention thick flank (INT 12)	1 000	1 200	1 350
	Intervention topside (INT 13)	500	1 450	1 600
	Intervention silverside (INT 14)	500	1 400	1 550
	Intervention flank (INT 18)	1 000	600	750
	Intervention forerib (INT 19)	500	1 000	1 150
	Intervention shin (INT 21)	1 000	700	850
	Intervention shoulder (INT 22)	1 000	1 000	1 100
	Intervention brisket (INT 23)	500	700	850
	Intervention forequarter (INT 24)	1 000	1 000	1 150
IRELAND	Intervention shank (INT 11)	500	800	950
	Intervention flank (INT 18)	500	700	850
	Intervention shin (INT 21)	500	800	950
	Intervention shoulder (INT 22)	1 000	1 100	1 250
	Intervention brisket (INT 23)	500	800	950
	Intervention forequarter (INT 24)	1 000	1 100	1 250
	Intervention thick flank (INT 12)	200	1 300	1 450
	Intervention topside (INT 13)	200	1 550	1 700
	Intervention silverside (INT 14)	200	1 500	1 650
	Intervention rump (INT 16)	200	1 500	1 650
	Intervention forerib (INT 19)	200	1 100	1 250
ESPAÑA	Falda (INT 18)	30	600	750

- (¹) Véanse los anexos V y VII del Reglamento (CEE) n° 2456/93 de la Comisión (DO L 225 de 4.9.1993, p. 4); Reglamento cuya última modificación la constituye el Reglamento (CE) n° 2304/98 (DO L 288 de 27.10.1998, p. 3).
- (¹) Se bilag V og VII til Kommissionens forordning (EØF) nr. 2456/93 (EFT L 225 af 4. 9. 1993, s. 4); forordningen er senest ændret ved forordning (EF) nr. 2304/98 (EFT L 288 af 27. 10. 1998, s. 3).
- (¹) Vgl. Anhänge V und VII der Verordnung (EWG) Nr. 2456/93 der Kommission (ABl. L 225 vom 4.9.1993, S. 4), zuletzt geändert durch die Verordnung (EG) Nr. 2304/98 (ABl. L 288 vom 27.10.1998, S. 3).
- (¹) Βλέπε παραρτήματα V και VII του κανονισμού (ΕΟΚ) αριθ. 2456/93 της Επιτροπής (ΕΕ L 225 της 4.9.1993, σ. 4), όπως τροποποιήθηκε τελευταία από τον κανονισμό (ΕΚ) αριθ. 2304/98 (ΕΕ L 288 της 27.10.1998, σ. 3).
- (¹) See Annexes V and VII to Commission Regulation (EEC) No 2456/93 (OJ L 225, 4.9.1993, p. 4), as last amended by Regulation (EC) No 2304/98 (OJ L 288, 27.10.1998, p. 3).
- (¹) Voir annexes V et VII du règlement (CEE) n° 2456/93 de la Commission (JO L 225 du 4.9.1993, p. 4). Règlement modifié en dernier lieu par le règlement (CE) n° 2304/98 (JO L 288 du 27. 10. 1998, p. 3).
- (¹) Cfr. allegati V e VII del regolamento (CEE) n. 2456/93 della Commissione (GU L 225 del 4. 9. 1993, pag. 4), modificato da ultimo dal regolamento (CE) n. 2304/98 (GU L 288 del 27.10.1998, pag. 3).
- (¹) Zie de bijlagen V en VII van Verordening (EEG) nr. 2456/93 van de Commissie (PB L 225 van 4.9.1993, blz. 4), laatstelijk gewijzigd bij Verordening (EG) nr. 2304/98 (PB L 288 van 27. 10. 1998, blz. 3).
- (¹) Ver anexos V e VII do Regulamento (CEE) n° 2456/93 da Comissão (JO L 225 de 4.9.1993, p. 4). Regulamento com a última redacção que lhe foi dada pelo Regulamento (CE) n° 2304/98 (JO L 288 de 27.10.1998, p. 3).
- (¹) Katso komission asetuksen (ETY) N:o 2456/93 (EYVL L 225, 4.9.1993, s. 4), sellaisena kuin se on viimeksi muutettuna asetuksella (EY) N:o 2304/98 (EYVL L 288, 27.10.1998, s. 3), liitteet V ja VII.
- (¹) Se bilagorna V och VII i kommissionens förordning (EEG) nr 2456/93 (EGT L 225, 4.9.1993, s. 4), senast ändrad genom förordning (EG) nr 2304/98 (EGT L 288, 27.10.1998, s. 3).
- (²) Precio aplicable a la transformación exclusivamente en los productos «A» contemplados en el apartado 2 del artículo 3.
- (²) Pris udelukkende for forarbejdning til A-produkter som omhandlet i artikel 3, stk. 2.
- (²) Geltender Preis nur für die Verarbeitung zu A-Erzeugnissen gemäß Artikel 3 Absatz 2.
- (²) Τιμή που εφαρμόζεται για τη μεταποίηση, μόνο σε προϊόντα «Α» που αναφέρονται στο άρθρο 3 παράγραφος 2.
- (²) Price applying for processing solely into A products as referred to in Article 3(2).
- (²) Prix applicable uniquement pour la transformation en produits «A» visés à l'article 3, paragraphe 2.
- (²) Prezzo applicabile unicamente per la trasformazione in prodotti «A» di cui all'articolo 3, paragrafo 2.
- (²) Prijs uitsluitend voor verwerking tot de in artikel 3, lid 2, bedoelde A-producten.
- (²) Preço aplicável para a transformação apenas em produtos «A» referidos no n° 2 do artigo 3º.
- (²) Hintajota sovelletaan jalostettaessa ainoastaan 3 artiklan 2 kohdassa tarkoitetuiksi A-luokan tuotteiksi.
- (²) Pris för bearbetning endast till A-produkter i enlighet med artikel 3.2.
- (³) Precio aplicable a la transformación en los productos «B» contemplados en el apartado 3 del artículo 3, o en una mezcla de productos «A» y productos «B».
- (³) Pris for forarbejdning til B-produkter som omhandlet i artikel 3, stk. 3, eller en blanding af A- og B-produkter.
- (³) Geltender Preis für die Verarbeitung zu B-Erzeugnissen gemäß Artikel 3 Absatz 3 oder eine Mischung aus A- und B-Erzeugnissen.
- (³) Τιμή που εφαρμόζεται για τη μεταποίηση σε προϊόντα «Β» που αναφέρονται στο άρθρο 3 παράγραφος 3, ή σε μείγμα προϊόντων Α και προϊόντων Β.
- (³) Price applying for processing into B products as referred to in Article 3(3) or a mix of A products and B products.
- (³) Prix applicable pour la transformation en produits «B» visés à l'article 3, paragraphe 3, ou pour un mélange de produits «A» et de produits «B».
- (³) Prezzo applicabile per la trasformazione in prodotti «B» di cui all'articolo 3, paragrafo 3, o per un miscuglio di prodotti «A» e di prodotti «B».
- (³) Prijs voor verwerking tot de in artikel 3, lid 3, bedoelde B-producten of tot een mengeling van A-producten en B-producten.
- (³) Preço aplicável para a transformação em produtos «B» referidos no n° 3 do artigo 3º, ou uma mistura de produtos «A» e produtos «B».
- (³) Hintajota sovelletaan jalostettaessa 3 artiklan 3 kohdassa tarkoitetuiksi B-luokan tuotteiksi, tai A- ja B-luokan tuotteiden seokseksi.
- (³) Pris för bearbetning till B-produkter i enlighet med artikel 3.3 eller en blandning av A- och B-produkter.

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

**Direcciones de los organismos de intervención — Interventionsorganernes adresser —
Anschriften der Interventionsstellen — Διευθύνσεις των οργανισμών παρεμβάσεως — Addresses
of the intervention agencies — Adresses des organismes d'intervention — Indirizzi degli
organismi d'intervento — Adressen van de interventiebureaus — Endereços dos organismos
de intervenção — Interventioelinten osoitteet — Interventionsorganens adresser**

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COMMISSION REGULATION (EC) No 2760/98**of 18 December 1998****concerning the implementation of a programme for cross-border cooperation in the framework of the PHARE programme**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EEC) No 3906/89 of 18 December 1989 on economic aid to certain countries of central and eastern Europe ⁽¹⁾, as last amended by Regulation (EC) No 753/96 ⁽²⁾, and in particular Article 8 thereof,

Whereas the European Council, meeting in Luxembourg in December 1997, set out the enhanced pre-accession strategy which is intended to enable all applicant countries of central and eastern Europe eventually to become members of the European Union and, to that end, to align themselves as far as possible on the Union *acquis* prior to accession;

Whereas the accession partnerships, the key feature of enhanced pre-accession strategy, have defined priorities for further work towards accession and must be taken into account in the context of cross-border cooperation;

Whereas the first years of implementation of Commission Regulation (EC) No 1628/94 ⁽³⁾, establishing the PHARE cross-border programme in conjunction with Interreg, have already produced a number of positive results, notably through establishing a dialogue and cooperation between European Union border regions and adjacent regions in countries in central and eastern Europe, contributing to economic development in the border regions of these countries and to greater convergence with the level of development on the European Union side, and offering the opportunity to these regions to familiarise themselves with Interreg practices and procedures, including the design of regional development strategies for border regions;

Whereas further improvements should be aimed at, in particular through increasing the number of projects of a real cross-border nature, and through improving their pace of implementation;

Whereas Romania, as only applicant country without a common border with the Union, should also become eligible for the PHARE cross-border cooperation programme;

Whereas the PHARE cross-border cooperation programme will gradually become part of a wider regional development policy in the context of the pre-accession strategy which would correct present imbalances between budgetary resources allocated for cross-border cooperation and the other pre-accession priorities and between different regions inside the applicant States;

Whereas the Council has repeatedly stressed the need to reinforce cooperation and stimulate integration of the countries of central and eastern Europe and the European Community, as well as the need to support stability and security in the region;

Whereas, in view of the future participation of accession states in the structural policy of the Union, further alignment of the PHARE cross-border cooperation programme with Interreg is required, notably through setting up common cross-border programmes and common programming structures;

Whereas, for applicant countries of central and eastern Europe, the present geographic definition of the PHARE cross-border cooperation programme needs to be gradually extended in order to comprise, in addition to regions adjacent to the European Union, borders with other applicant countries which are PHARE beneficiaries; whereas, in a later stage, borders with other neighbouring countries benefiting from PHARE or other Community assistance programmes may also become eligible;

Whereas eligible actions should be similar to Interreg within the overall framework of the accession partnerships;

Whereas it is necessary to strengthen the involvement of local and regional actors in cross-border cooperation, to enhance the bottom-up approach, to bolster their capacities for programming, implementation and monitoring, and to allow local authorities in border regions to take decisions on small projects of a real cross-border nature through setting up small project funds;

⁽¹⁾ OJ L 375, 23. 12. 1989, p. 11.

⁽²⁾ OJ L 103, 26. 4. 1996, p. 5.

⁽³⁾ OJ L 171, 6. 7. 1994, p. 14.

Whereas it is necessary to replace Regulation (EC) No 1628/94;

Whereas the present Regulation is in accordance with the opinion of the Committee for Economic Restructuring in certain countries of central and eastern Europe,

HAS ADOPTED THIS REGULATION:

Article 1

Within the overall framework of the PHARE programme as defined by Regulation (EEC) No 3906/89, the following rules shall apply for financing actions of a structural nature in border regions of countries of central and eastern Europe, which are PHARE beneficiaries.

These actions will be implemented taking into account the Community structural policies, and Interreg in particular.

Article 2

1. The eligible borders are those between the countries of central and eastern Europe and the Community, and those between the following applicant countries: Bulgaria, Czech Republic, Estonia, Hungary, Latvia, Lithuania, Poland, Romania, Slovakia and Slovenia.

2. The border regions concerned will be fixed by each country concerned in agreement with the Commission, taking into account the methodology adopted for Interreg.

3. Allocations between beneficiary countries shall be made taking into account criteria of population, GDP per capita and surface of the border regions concerned.

Article 3

Community grants under this programme will primarily finance the participation of the country of central and eastern Europe concerned in joint projects with each State with which it shares a border as defined in Article 2.

The aims of these projects are:

- (i) to promote cooperation of border regions in countries in central and eastern Europe with adjacent regions in a neighbouring country as defined in Article 1 and thus to help the border regions in central and eastern Europe to overcome the specific development problems which may arise, *inter alia*, from their position within the national economies, in the interest of the local population and in a manner compatible with the protection of the environment;

- (ii) to promote the creation and the development of cooperation networks on either side of the border, and the establishment of links between these networks and wider Community networks.

Article 4

1. In the border regions selected according to Article 2, the projects to be included in the cross-border cooperation programme can take the form of:

- (i) projects linked with measures that are supported by Interreg or by other Community external assistance programmes;
- (ii) projects agreed by the countries concerned, that have a cross-border impact, contribute to the development of structures in border regions and facilitate cooperation between the countries as a whole.

2. Special attention will be given to projects in relation to which co-financing by, or on behalf of, the local authorities or economic operators in the countries of central and eastern Europe is provided.

3. Financing may include resources from other Member States of the European Union and countries of central and eastern Europe, from international financial institutions, and from other private and public sources.

Article 5

1. The actions that can be financed under this programme could include:

- (a) alleviation of the administrative and institutional obstacles to the free flow of persons, products or services across the border while taking into account the security aspects of such flows;
- (b) improving infrastructures, in particular communication facilities and the provision of local water, gas and electricity supplies, providing benefits across border areas;
- (c) environmental protection, for instance waste management, environmental management and pollution prevention dealing with problems exacerbated by the proximity to external borders;
- (d) agricultural and rural development measures with particular attention for facilitating cross-border cooperation projects;
- (e) measures in the fields of energy and transport, aimed at complementing the development of trans-European networks in accordance with the orientations adopted by the Commission;

- (f) actions related to justice and home affairs Community policy;
- (g) promotion of business cooperation, enterprise development, financial cooperation and cooperation between institutions representing the business sector (e.g. chambers of commerce);
- (h) aid to investment and provision of supporting services and facilities, in particular for technology transfer and for marketing for small and medium-sized enterprises;
- (i) training and employment measures;
- (j) local economic development, including tourism;
- (k) measures to promote cooperation in health, particularly the sharing of resources and facilities on a cross-border basis;
- (l) the development or establishment of facilities and resources to improve the flow of information and communications between border regions, including support for cross-border radio, television, newspapers and other media;
- (m) cultural exchanges;
- (n) local employment, education and training initiatives.

However, actions mentioned under (j) to (n) may only be financed under the terms of Article 5(2) below.

2. With a view to encouraging joint small scale actions involving local actors from the border regions and to enhancing their capabilities to identify, develop and implement such actions, a joint small project fund may be established in each border region, for which a limited percentage of the appropriations for the relevant programmes and initiatives for cross-border cooperation may be used.

3. Special attention will be given to measures with a strong cross-border cooperation character which are planned in close cooperation with the regional and local authorities in border areas and which include the establishment or development of shared management structures intended to widen and deepen cross-border cooperation between public and para-public agencies as well as non-profit organisations.

4. The establishment of plans for the development of border regions, project identification and programme formulation, feasibility studies, assistance for the implementation of the programmes and monitoring and/or evaluation studies, may also be financed.

Article 6

1. The Community contribution is provided in principle as a grant. However, whenever the Community grant contributes to the financing of revenue-generating activities, the Commission shall determine, in consultation with the authorities involved, the rules for financing which may include co-financing by the project's revenues or reimbursement of the initial grants.

2. The aid may cover expenditures on imports and local expenditure needed to carry out the projects and programmes.

Tax duties and charges and the purchase of property shall be excluded from the Community financing.

3. Costs covered may include technical assistance, studies, training and other institution-building measures; supply programmes for essential equipment or inputs; investment operations, including work programmes.

4. Maintenance and operating costs in central and eastern European countries may be covered in the start-up phase and in a digressive manner.

Article 7

1. For each of the border regions, a Joint Cooperation Committee will be set up consisting of representatives of the countries concerned including regional or local representatives, and of representatives of the Commission.

2. The Joint Cooperation Committee will prepare a joint cross-border programming document in a multi-annual perspective; this document will include common development strategies and priorities for the region, seen as one single socio-economic and geographical entity, and provisions concerning joint implementation. This document will guide the programming and implementation of the actions to be undertaken in the framework of the relevant programmes and initiatives for cross-border cooperation, assisted by the European Community.

3. The Joint Cooperation Committee will define a common set of projects once per year, taking into account the joint cross-border programming document provided under paragraph 2. Recommendations for projects will be transmitted to the Commission by the Government of the country of central and eastern Europe concerned on the basis of the proposals submitted by the relevant authorities.

Article 8

1. The Commission will formulate a programme proposal per border taking into account the joint cross-border programming document referred to under Article 7(1) and further recommendations of the Joint Cooperation Committees for projects to be financed under this programme, as transmitted by the government of the central and eastern European country concerned.

2. The grant constituting the full or partial contribution of the country of central and eastern Europe to the joint project will be approved following the procedure defined in Article 9 of Regulation (EEC) No 3906/89 and agreed with the recipient country concerned by means of a financing memorandum.

Article 9

1. The Commission shall administer this assistance in accordance with the normal practice applied to the assistance to central and eastern Europe, as defined in Regulation (EEC) No 3906/89.

2. Wherever possible, joint monitoring structures should be set up to facilitate the implementation of the programmes.

Article 10

In implementing the objectives referred to pursuant to Article 3, the Commission shall ensure coordination and consistency between assistance from PHARE, other external assistance programmes, and assistance provided by the Structural Funds.

Article 11

This Regulation shall enter into force on the third day following its publication in the *Official Journal of the European Communities*, and shall replace Regulation (EC) No 1628/94 on that day.

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

Done at Brussels, 18 December 1998.

For the Commission

Hans VAN DEN BROEK

Member of the Commission

COMMISSION REGULATION (EC) No 2761/98**of 18 December 1998****providing for an increasing of a Community tariff quota bound in GATT for
newsprint coming from Canada (1998)**

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

Having regard to Council Regulation (EC) No 1808/95 of 24 July 1995 opening and providing for the administration of Community tariff quotas bound in GATT and certain other Community quotas for certain agricultural, industrial and fisheries products and establishing the detailed provisions for adapting these quotas⁽¹⁾, as last amended by Regulation (EC) No 1401/98⁽²⁾, and in particular Articles 9 and 10 thereof,

Whereas, for newsprint, the Community has reached an agreement which provides in particular for the opening of a Community tariff quota of 650 000 tonnes, of which 600 000 tonnes are reserved, until 30 November of each year, exclusively for products from Canada, in accordance with Article XIII of the GATT; whereas this agreement provides equally for the obligation to increase, by 5 %, that part of the quota reserved for imports from Canada, in the event of that share being exhausted before the end of a given year;

Whereas the tariff quota for newsprint from Canada has been exhausted; whereas the volume of that part of quota reserved for these imports should be increased, therefore, by 30 000 tonnes;

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

HAS ADOPTED THIS REGULATION:

Article 1

The quota volume for order No 09.0015 is increased by 30 000 tonnes for the year 1998.

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 1 January 1998.

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

Done at Brussels, 18 December 1998.

For the Commission

Mario MONTI

Member of the Commission

⁽¹⁾ OJ L 176, 27. 7. 1995, p. 1.

⁽²⁾ OJ L 188, 2. 7. 1998, p. 1.

II

(Acts whose publication is not obligatory)

COMMISSION

COMMISSION DECISION

of 24 November 1998

on a derogation from Decision 71/128/EEC on the Advisory Committee on Fisheries

(notified under document number C(1998) 3591)

(98/726/EC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Whereas an Advisory Committee on Fisheries was set up by Commission Decision 71/128/EEC ⁽¹⁾, as last amended by Decision 97/246/EC ⁽²⁾;

Whereas by Decision 97/246/EC a limit of 18 months was set on the terms of office of the members of the Committee so that the Committee's role and the way it functions could be adjusted to take account of changes which have occurred since it was set up, by improving the consultation process and the conditions under which the Committee operates;

Whereas the Commission has not completed work on drawing up suitable provisions on the structure of the Committee and its working procedures in time for a new Decision to be adopted before the expiry of the present Committee's terms of office;

Whereas the Committee should continue to function until a new Decision can be adopted,

HAS DECIDED AS FOLLOWS:

Article 1

By way of derogation from Articles 4 and 5 of Decision 71/128/EEC, the members of the Advisory Committee on Fisheries as well as the Chairman and the two Vice-Chairmen, shall remain in office until the date of the appointment of the new Committee or until 31 July 1999 at the latest.

Article 2

This Decision shall apply with effect from 15 November 1998.

Done at Brussels, 24 November 1998.

For the Commission

Emma BONINO

Member of the Commission

⁽¹⁾ OJ L 68, 22. 3. 1971, p. 18.

⁽²⁾ OJ L 97, 12. 4. 1997, p. 27.

COMMISSION DECISION

of 9 December 1998

amending Decision 98/439/EC on the eligibility of expenditure to be incurred by certain Member States in 1998 for the purpose of introducing monitoring and control systems applicable to the common fisheries policy

(notified under document number C(1998) 3938)

(98/727/EC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

HAS ADOPTED THIS DECISION:

Having regard to the Treaty establishing the European Community,

Having regard to Council Decision 95/527/EC of 8 December 1995 on a Community financial contribution towards certain expenditure incurred by the Member States implementing the monitoring and control systems applicable to the common fisheries policy⁽¹⁾, and in particular Article 6 thereof,

Whereas Commission Decision 98/439/EC⁽²⁾ relates to the eligibility of expenditure to be incurred by certain Member States in 1998 for the purpose of introducing monitoring and control systems applicable to the common fisheries policy;

Whereas the United Kingdom has provided further information on its application for a financial contribution towards expenditure covered by Article 2 of Decision 95/527/EC to be incurred in 1998;

Whereas that information affects the amount of expenditure eligible for a contribution within the meaning of Decision 95/527/EC;

Whereas Decision 98/439/EC should consequently be amended to take into account the relevant amount;

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

Article 1

Decision 98/439/EC is amended as follows:

1. in the first sentence of Article 1, the amount of ECU 71 867 026, is replaced by ECU 77 788 171,
2. in the third sentence of Article 1, the amount of ECU 20 570 152, is replaced by ECU 23 530 725,
3. in Annex I, the amounts of UKL 8 866 957, ECU 13 425 954, and ECU 3 449 817, for the United Kingdom are replaced respectively by UKL 12 777 483, ECU 19 347 099, and ECU 6 410 390,
4. in Annex I, the total amounts of ECU 71 867 026, and ECU 20 570 152, are replaced respectively by ECU 77 788 171, and ECU 23 530 725.

Article 2

This Decision is addressed to the Kingdom of Belgium, the Kingdom of Denmark, the Federal Republic of Germany, the Hellenic Republic, the Kingdom of Spain, the French Republic, Ireland, the Italian Republic, the Kingdom of the Netherlands, the Portuguese Republic, the Republic of Finland, the Kingdom of Sweden and the United Kingdom of Great Britain and Northern Ireland.

Done at Brussels, 9 December 1998.

For the Commission

Emma BONINO

Member of the Commission

⁽¹⁾ OJ L 301, 14. 12. 1995, p. 30. OJ L 302, 15. 12. 1995, p. 45 (corrigendum).

⁽²⁾ OJ L 194, 10. 7. 1998, p. 50.

CORRIGENDA

Corrigendum to Council Regulation (EC) No 1401/98 of 22 June 1998 amending Regulation (EC) No 1808/95 opening and providing for the administration of Community tariff quotas bound in GATT and certain other Community tariff quotas for certain agricultural, industrial and fisheries products and establishing the detailed provisions for adapting these quotas, and amending Regulation (EC) No 764/96

(Official Journal of the European Communities L 188 of 2 July 1998)

On page 3, Article 1, subparagraph 6:

for: '6. Annex IV shall be replaced by Annex I to this Regulation,'

read: '6. In Annex IV, sections A and B shall be replaced by Annex I to this Regulation,'
