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I

(Acts whose publication is obligatory)

COMMISSION REGULATION (EC) No 251/1999
of 3 February 1999
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 Commis-

sion 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 4 February 1999.

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

Done at Brussels, 3 February 1999.

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 3 February 1999 establishing the standard import values for determining the entry price of certain fruit and vegetables

(EUR/100 kg)

CN code	Third country code ⁽¹⁾	Standard import value
0702 00 00	052	106,3
	204	46,5
	999	76,4
0709 10 00	220	213,2
	999	213,2
0709 90 70	052	139,7
	204	188,4
	999	164,0
0805 10 10, 0805 10 30, 0805 10 50	052	67,9
	204	45,2
	212	43,6
	600	49,2
	624	52,8
	999	51,7
0805 20 10	204	71,0
	999	71,0
0805 20 30, 0805 20 50, 0805 20 70, 0805 20 90	052	58,2
	204	64,0
	464	94,1
	600	72,6
	624	78,3
	999	73,4
0805 30 10	052	55,1
	600	64,4
	999	59,8
0808 10 20, 0808 10 50, 0808 10 90	039	76,4
	060	45,2
	400	83,4
	404	79,4
	728	78,5
	999	72,6
0808 20 50	052	135,4
	388	76,9
	400	86,7
	624	54,1
	999	88,3

⁽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 252/1999**of 3 February 1999****fixing the maximum export refund for white sugar for the 25th partial invitation to tender issued within the framework of the standing invitation to tender provided for in Regulation (EC) No 1574/98**

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

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

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

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

Whereas, following an examination of the tenders submitted in response to the 25th partial invitation to tender, the provisions set out in Article 1 should be adopted;

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

HAS ADOPTED THIS REGULATION:

Article 1

For the 25th partial invitation to tender for white sugar issued pursuant to Regulation (EC) No 1574/98 the maximum amount of the export refund is fixed at EUR 50,485 per 100 kilograms.

Article 2

This Regulation shall enter into force on 4 February 1999.

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

Done at Brussels, 3 February 1999.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ L 177, 1. 7. 1981, p. 4.

⁽²⁾ OJ L 159, 3. 6. 1998, p. 38.

⁽³⁾ OJ L 206, 23. 7. 1998, p. 7.

COMMISSION REGULATION (EC) No 253/1999

of 3 February 1999

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

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

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

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

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

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

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

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

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

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

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

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

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

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

HAS ADOPTED THIS REGULATION:

Article 1

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

Article 2

This Regulation shall enter into force on 4 February 1999.

⁽¹⁾ OJ L 177, 1. 7. 1981, p. 4.

⁽²⁾ OJ L 159, 3. 6. 1998, p. 38.

⁽³⁾ OJ L 141, 24. 6. 1995, p. 12.

⁽⁴⁾ OJ L 145, 27. 6. 1968, p. 12.

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

Done at Brussels, 3 February 1999.

For the Commission

Franz FISCHLER

Member of the Commission

ANNEX

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

CN code	Amount of the representative price in EUR per 100 kg net of the product in question	Amount of the additional duty in EUR per 100 kg net of the product in question	Amount of the duty to be applied to imports in EUR per 100 kg net of the product in question because of suspension as referred to in Article 5 of Regulation (EC) No 1422/95 ⁽²⁾
1703 10 00 ⁽¹⁾	6,17	0,28	—
1703 90 00 ⁽¹⁾	7,32	0,02	—

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

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

COMMISSION REGULATION (EC) No 254/1999
of 2 February 1999
establishing unit values for the determination of the customs value of certain
perishable goods

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

Having regard to Council Regulation (EEC) No 2913/92 of 12 October 1992 establishing the Community Customs Code ⁽¹⁾, as last amended by Regulation (EC) No 82/97 ⁽²⁾,

Having regard to Commission Regulation (EEC) No 2454/93 of 2 July 1993 laying down provisions for the implementation of Council Regulation (EEC) No 2913/92 establishing the Community Customs Code ⁽³⁾, as last amended by Regulation (EC) No 46/1999 ⁽⁴⁾, and in particular Article 173 (1) thereof,

Whereas Articles 173 to 177 of Regulation (EEC) No 2454/93 provide that the Commission shall periodically establish unit values for the products referred to in the classification in Annex 26 to that Regulation;

Whereas the result of applying the rules and criteria laid down in the abovementioned Articles to the elements communicated to the Commission in accordance with Article 173 (2) of Regulation (EEC) No 2454/93 is that unit values set out in the Annex to this Regulation should be established in regard to the products in question,

HAS ADOPTED THIS REGULATION:

Article 1

The unit values provided for in Article 173 (1) of Regulation (EEC) No 2454/93 are hereby established as set out in the table in the Annex hereto.

Article 2

This Regulation shall enter into force on 5 February 1999.

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

Done at Brussels, 2 February 1999.

For the Commission

Martin BANGEMANN

Member of the Commission

⁽¹⁾ OJ L 302, 19. 10. 1992, p. 1.

⁽²⁾ OJ L 17, 21. 1. 1997, p. 1.

⁽³⁾ OJ L 253, 11. 10. 1993, p. 1.

⁽⁴⁾ OJ L 10, 15. 1. 1999, p. 1.

ANNEX

Code	Description	Amount of unit values per 100 kg						
	Species, varieties, CN code	a) b) c)	EUR FIM SEK	ATS FRF BEF/LUF	DEM IEP GBP	DKK ITL	GRD NLG	ESP PTE
1.10	New potatoes 0701 90 51 0701 90 59	a) b) c)	50,08 297,76 444,71	689,12 328,50 2 020,22	97,95 39,44 34,61	372,39 96 968,40	16 074,68 110,36	8 332,61 10 040,14
1.30	Onions (other than seed) 0703 10 19	a) b) c)	16,29 96,86 144,66	224,16 106,86 657,14	31,86 12,83 11,26	121,13 31 541,84	5 228,76 35,90	2 710,43 3 265,85
1.40	Garlic 0703 20 00	a) b) c)	166,87 992,16 1 481,81	2 296,18 1 094,60 6 731,52	326,37 131,42 115,31	1 240,83 323 105,37	53 561,93 367,73	27 764,83 33 454,43
1.50	Leeks ex 0703 90 00	a) b) c)	46,76 278,02 415,23	643,43 306,73 1 886,29	91,45 36,83 32,31	347,70 90 539,99	15 009,02 103,05	7 780,21 9 374,54
1.60	Cauliflowers 0704 10 10 0704 10 05 0704 10 80	a) b) c)	75,84 450,92 673,46	1 043,58 497,48 3 059,38	148,33 59,73 52,41	563,94 146 846,72	24 343,12 167,13	12 618,71 15 204,55
1.70	Brussels sprouts 0704 20 00	a) b) c)	59,69 354,90 530,05	821,35 391,54 2 407,89	116,74 47,01 41,25	443,85 115 575,96	19 159,30 131,54	9 931,58 11 966,77
1.80	White cabbages and red cabbages 0704 90 10	a) b) c)	41,60 247,34 369,41	572,43 272,88 1 678,14	81,36 32,76 28,75	309,33 80 548,83	13 352,77 91,67	6 921,66 8 340,05
1.90	Sprouting broccoli or calabrese (<i>Brassica oleracea</i> L. <i>convar. botrytis</i> (L.) Alef var. <i>italica</i> Plenck) ex 0704 90 90	a) b) c)	105,95 629,95 940,84	1 457,90 694,99 4 274,01	207,22 83,44 73,21	787,83 205 147,81	34 007,83 233,48	17 628,60 21 241,07
1.100	Chinese cabbage ex 0704 90 90	a) b) c)	101,91 605,93 904,96	1 402,31 668,49 4 111,04	199,32 80,26 70,42	757,79 197 325,28	32 711,07 224,58	16 956,40 20 431,12
1.110	Cabbage lettuce (head lettuce) 0705 11 10 0705 11 05 0705 11 80	a) b) c)	152,67 907,73 1 355,71	2 100,79 1 001,45 6 158,69	298,60 120,24 105,49	1 135,24 295 610,34	49 004,02 336,44	25 402,15 30 607,59
1.120	Endives ex 0705 29 00	a) b) c)	21,82 129,74 193,76	300,25 143,13 880,22	42,68 17,18 15,08	162,25 42 249,41	7 003,78 48,08	3 630,54 4 374,52
1.130	Carrots ex 0706 10 00	a) b) c)	48,40 287,77 429,79	666,00 317,48 1 952,45	94,66 38,12 33,44	359,90 93 715,47	15 535,43 106,66	8 053,08 9 703,33
1.140	Radishes ex 0706 90 90	a) b) c)	116,57 693,09 1 035,14	1 604,04 764,65 4 702,42	227,99 91,81 80,55	866,80 225 710,99	37 416,64 256,89	19 395,62 23 370,19
1.160	Peas (<i>Pisum sativum</i>) 0708 10 90 0708 10 20 0708 10 95	a) b) c)	301,92 1 795,13 2 681,05	4 154,51 1 980,47 12 179,42	590,50 237,78 208,63	2 245,05 584 598,64	96 910,28 665,34	50 235,26 60 529,53

Code	Description	Amount of unit values per 100 kg						
	Species, varieties, CN code	a) b) c)	EUR FIM SEK	ATS FRF BEF/LUF	DEM IEP GBP	DKK ITL	GRD NLG	ESP PTE
1.170	Beans:							
1.170.1	Beans (<i>Vigna</i> spp., <i>Phaseolus</i> spp.) ex 0708 20 90 ex 0708 20 20 ex 0708 20 95	a) b) c)	114,96 683,52 1 020,84	1 581,88 754,09 4 637,47	224,84 90,54 79,44	854,83 222 593,60	36 899,86 253,34	19 127,73 23 047,41
1.170.2	Beans (<i>Phaseolus</i> spp., <i>vulgaris</i> var. <i>Compressus</i> Savi) ex 0708 20 90 ex 0708 20 20 ex 0708 20 95	a) b) c)	125,44 745,83 1 113,91	1 726,09 822,83 5 060,24	245,34 98,79 86,68	932,76 242 885,71	40 263,73 276,43	20 871,46 25 148,46
1.180	Broad beans ex 0708 90 00	a) b) c)	157,74 937,88 1 400,73	2 170,55 1 034,71 6 363,22	308,51 124,23 109,00	1 172,94 305 427,23	50 631,39 347,61	26 245,73 31 624,03
1.190	Globe artichokes 0709 10 00	a) b) c)	— — —	— — —	— — —	— — —	— — —	— — —
1.200	Asparagus:							
1.200.1	— green ex 0709 20 00	a) b) c)	419,49 2 494,17 3 725,07	5 772,31 2 751,67 16 922,18	820,45 330,38 289,87	3 119,29 812 245,90	134 647,90 924,43	69 797,26 84 100,19
1.200.2	— other ex 0709 20 00	a) b) c)	341,06 2 027,85 3 028,61	4 693,09 2 237,21 13 758,33	667,06 268,61 235,67	2 536,09 660 384,25	109 473,44 751,60	56 747,61 68 376,39
1.210	Aubergines (eggplants) 0709 30 00	a) b) c)	165,66 984,97 1 471,06	2 279,53 1 086,66 6 682,71	324,00 130,47 114,47	1 231,83 320 762,49	53 173,55 365,07	27 563,50 33 211,85
1.220	Ribbed celery (<i>Apium graveolens</i> L., var. <i>dulce</i> (Mill.) Pers.) ex 0709 40 00	a) b) c)	90,20 536,30 800,98	1 241,18 591,67 3 638,66	176,42 71,04 62,33	670,72 174 651,55	28 952,40 198,77	15 008,02 18 083,48
1.230	Chantarelles 0709 51 30	a) b) c)	1 893,73 11 259,61 16 816,32	26 058,29 12 422,05 76 392,88	3 703,81 1 491,43 1 308,57	14 081,59 3 666 772,59	607 849,46 4 173,23	315 090,16 379 658,78
1.240	Sweet peppers 0709 60 10	a) b) c)	129,34 769,02 1 148,54	1 779,76 848,41 5 217,56	252,97 101,86 89,37	961,76 250 437,16	41 515,55 285,03	21 520,37 25 930,34
1.250	Fennel 0709 90 50	a) b) c)	73,55 437,31 653,12	1 012,07 482,46 2 967,00	143,85 57,93 50,82	546,91 142 412,66	23 608,08 162,08	12 237,69 14 745,45
1.270	Sweet potatoes, whole, fresh (intended for human consumption) 0714 20 10	a) b) c)	47,50 282,42 421,80	653,61 311,58 1 916,15	92,90 37,41 32,82	353,21 91 972,82	15 246,55 104,68	7 903,34 9 522,90
2.10	Chestnuts (<i>Castanea</i> spp.), fresh ex 0802 40 00	a) b) c)	176,48 1 049,30 1 567,14	2 428,42 1 157,63 7 119,19	345,16 138,99 121,95	1 312,29 341 712,93	56 646,55 388,91	29 363,80 35 381,06
2.30	Pineapples, fresh ex 0804 30 00	a) b) c)	65,56 389,80 582,17	902,13 430,05 2 644,68	128,22 51,63 45,30	487,50 126 941,86	21 043,45 144,48	10 908,27 13 143,60

Code	Description	Amount of unit values per 100 kg						
	Species, varieties, CN code	a) b) c)	EUR FIM SEK	ATS FRF BEF/LUF	DEM IEP GBP	DKK ITL	GRD NLG	ESP PTE
2.40	Avocados, fresh ex 0804 40 90 ex 0804 40 20 ex 0804 40 95	a) b) c)	133,28 792,45 1 183,53	1 833,97 874,26 5 376,50	260,67 104,97 92,10	991,06 258 066,07	42 780,21 293,71	22 175,93 26 720,24
2.50	Guavas and mangoes, fresh ex 0804 50 00	a) b) c)	82,25 489,04 730,38	1 131,78 539,52 3 317,96	160,87 64,78 56,83	611,60 159 258,21	26 400,61 181,26	13 685,25 16 489,64
2.60	Sweet oranges, fresh:							
2.60.1	— Sanguines and semi-sanguines 0805 10 10	a) b) c)	— — —	— — —	— — —	— — —	— — —	— — —
2.60.2	— Navels, navelines, navelates, salustianas, vernas, Valencia lates, Maltese, shamou- tis, ovalis, trovita and hamlins 0805 10 30	a) b) c)	— — —	— — —	— — —	— — —	— — —	— — —
2.60.3	— Others 0805 10 50	a) b) c)	— — —	— — —	— — —	— — —	— — —	— — —
2.70	Mandarins (including tangerines and satsu- mas), fresh; clementines, wilkings and simi- lar citrus hybrids, fresh:							
2.70.1	— Clementines 0805 20 10	a) b) c)	— — —	— — —	— — —	— — —	— — —	— — —
2.70.2	— Monreales and satsumas 0805 20 30	a) b) c)	— — —	— — —	— — —	— — —	— — —	— — —
2.70.3	— Mandarines and wilkings 0805 20 50	a) b) c)	— — —	— — —	— — —	— — —	— — —	— — —
2.70.4	— Tangerines and others ex 0805 20 70 ex 0805 20 90	a) b) c)	— — —	— — —	— — —	— — —	— — —	— — —
2.85	Limes (<i>Citrus aurantifolia</i>), fresh ex 0805 30 90	a) b) c)	153,78 914,33 1 365,57	2 116,06 1 008,73 6 203,47	300,77 121,11 106,26	1 143,49 297 759,60	49 360,30 338,89	25 586,84 30 830,12
2.90	Grapefruit, fresh:							
2.90.1	— white ex 0805 40 90 ex 0805 40 20 ex 0805 40 95	a) b) c)	46,06 273,86 409,01	633,80 302,13 1 858,06	90,09 36,28 31,83	342,50 89 184,60	14 784,34 101,50	7 663,74 9 234,20
2.90.2	— pink ex 0805 40 90 ex 0805 40 20 ex 0805 40 95	a) b) c)	45,56 270,89 404,57	626,92 298,85 1 837,89	89,11 35,88 31,48	338,78 88 216,46	14 623,85 100,40	7 580,55 9 133,96
2.100	Table grapes ex 0806 10 10	a) b) c)	152,73 908,09 1 356,24	2 101,61 1 001,84 6 161,11	298,71 120,28 105,54	1 135,69 295 726,52	49 023,28 336,57	25 412,13 30 619,62

Code	Description	Amount of unit values per 100 kg						
	Species, varieties, CN code	a) b) c)	EUR FIM SEK	ATS FRF BEF/LUF	DEM IEP GBP	DKK ITL	GRD NLG	ESP PTE
2.110	Water melons 0807 11 00	a) b) c)	57,64 342,71 511,84	793,14 378,09 2 325,19	112,73 45,40 39,83	428,61 111 606,60	18 501,29 127,02	9 590,49 11 555,78
2.120	Melons (other than water melons):							
2.120.1	— Amarillo, cuper, honey dew (including cantalene), onteniente, piel de sapo (including verde liso), rochet, tendral, futuro ex 0807 19 00	a) b) c)	40,95 243,48 363,64	563,48 268,61 1 651,92	80,09 32,25 28,30	304,50 79 290,26	13 144,13 90,24	6 813,51 8 209,74
2.120.2	— other ex 0807 19 00	a) b) c)	169,77 1 009,41 1 507,56	2 336,09 1 113,62 6 848,50	332,04 133,70 117,31	1 262,39 328 720,56	54 492,77 374,12	28 247,35 34 035,83
2.140	Pears							
2.140.1	Pears — nashi (<i>Pyrus pyrifolia</i>) ex 0808 20 50	a) b) c)	— — —	— — —	— — —	— — —	— — —	— — —
2.140.2	Other ex 0808 20 50	a) b) c)	— — —	— — —	— — —	— — —	— — —	— — —
2.150	Apricots 0809 10 00	a) b) c)	110,91 659,44 984,88	1 526,15 727,52 4 474,10	216,92 87,35 76,64	824,72 214 751,71	35 599,89 244,41	18 453,87 22 235,46
2.160	Cherries 0809 20 05 0809 20 95	a) b) c)	472,23 2 807,75 4 193,40	6 498,03 3 097,63 19 049,71	923,60 371,91 326,31	3 511,46 914 364,78	151 576,39 1 040,66	78 572,46 94 673,61
2.170	Peaches 0809 30 90	a) b) c)	83,68 497,54 743,08	1 151,46 548,90 3 375,64	163,66 65,90 57,82	622,24 162 027,07	26 859,61 184,41	13 923,18 16 776,33
2.180	Nectarines ex 0809 30 10	a) b) c)	124,48 740,12 1 105,38	1 712,88 816,54 5 021,51	243,46 98,04 86,02	925,62 241 026,89	39 955,59 274,32	20 711,73 24 956,00
2.190	Plums 0809 40 05	a) b) c)	115,98 689,59 1 029,90	1 595,92 760,78 4 678,62	226,84 91,34 80,14	862,42 224 568,59	37 227,26 255,59	19 297,45 23 251,90
2.200	Strawberries 0810 10 10 0810 10 05 0810 10 80	a) b) c)	455,28 2 706,97 4 042,89	6 264,79 2 986,44 18 365,95	890,45 358,56 314,60	3 385,42 881 545,01	146 135,77 1 003,31	75 752,22 91 275,44
2.205	Raspberries 0810 20 10	a) b) c)	1 573,36 9 354,77 13 971,44	21 649,91 10 320,57 63 469,19	3 077,22 1 239,12 1 087,19	11 699,35 3 046 449,77	505 017,09 3 467,23	261 785,08 315 430,36
2.210	Fruit of the species <i>Vaccinium myrtillus</i> 0810 40 30	a) b) c)	892,08 5 304,07 7 921,67	12 275,29 5 851,66 35 986,42	1 744,76 702,57 616,43	6 633,42 1 727 307,74	286 339,84 1 965,89	148 429,62 178 845,98
2.220	Kiwi fruit (<i>Actinidia chinensis</i> Planch.) 0810 50 10 0810 50 20 0810 50 30	a) b) c)	163,15 970,05 1 448,77	2 244,99 1 070,19 6 581,45	319,09 128,49 112,74	1 213,17 315 902,45	52 367,89 359,54	27 145,88 32 708,64

Code	Description	Amount of unit values per 100 kg						
	Species, varieties, CN code	a) b) c)	EUR FIM SEK	ATS FRF BEF/LUF	DEM IEP GBP	DKK ITL	GRD NLG	ESP PTE
2.230	Pomegranates ex 0810 90 85	a)	131,69	1 812,09	257,56	979,23	42 269,86	21 911,37
		b)	782,99	863,83	103,71	254 987,40	290,21	26 401,47
		c)	1 169,41	5 312,36	91,00			
2.240	Khakis (including sharon fruit) ex 0810 90 85	a)	144,27	1 985,20	282,17	1 072,78	46 307,78	24 004,51
		b)	857,79	946,35	113,62	279 345,67	317,93	28 923,54
		c)	1 281,12	5 819,84	99,69			
2.250	Lychees ex 0810 90 30	a)	142,19	1 956,58	278,10	1 057,31	45 640,15	23 658,43
		b)	845,42	932,71	111,98	275 318,23	313,35	28 506,54
		c)	1 262,65	5 735,93	98,25			

COMMISSION REGULATION (EC) No 255/1999

of 3 February 1999

on the sale by tender of beef held by certain intervention agencies and intended for the production of minced meat

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 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 application of intervention measures in respect of beef has created stocks in several Member States; whereas, in order to prevent an excessive prolongation of storage, part of these stocks should be sold by tender for the production of minced meat in the Community;

Whereas to ensure efficient management of the markets, sales of intervention stocks should be extended to producers of minced meat approved in accordance with Article 8 of Council Directive 94/65/EC of 14 December 1994 laying down the requirements for the production and placing on the market of minced meat and meat preparations ⁽³⁾;

Whereas the sale should be made subject to the rules laid down by Commission Regulation (EEC) No 2173/79 ⁽⁴⁾, as last amended by Regulation (EC) No 2417/95 ⁽⁵⁾, in particular Titles II and III thereof, subject to certain special exceptions on account of the particular use to which the products in question are to be put;

Whereas, with a view to ensuring a regular and uniform tendering procedure, measures should be taken in addition to those laid down in Article 8(1) of Regulation (EEC) No 2173/79;

Whereas provision should be made for derogations from Article 8(2)(b) of Regulation (EEC) No 2173/79, in view of the administrative difficulties which application of this point creates in the Member States concerned;

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

1. The sale shall take place of:

- approximately 650 tonnes of boneless beef held by the Irish intervention agency, brought into intervention pursuant to Article 6 of Regulation (EEC) No 805/68 between December 1997 and March 1998 inclusive,
- approximately 1 000 tonnes of boneless beef held by the United Kingdom intervention agency, brought into intervention pursuant to Article 6 of Regulation (EEC) No 805/68 between February 1998 and December 1999 inclusive.

Detailed information concerning quantities 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 Regulation (EEC) No 2173/79, in particular Titles II and III thereof.

Article 2

1. Notwithstanding Articles 6 and 7 of Regulation (EEC) No 2173/79, the provisions of and Annexes to this Regulation shall serve as a general notice of invitation to tender.

The intervention agencies concerned shall draw up a notice of invitation to tender which shall include the following:

- (a) the quantities of beef offered for sale;
and
- (b) the deadline and place for submitting tenders.

2. Interested parties may obtain the details of the quantities available and the places where the products are stored from the addresses listed in Annex II to this Regulation. The intervention agencies shall, in addition, display the notice referred to in paragraph 1 at their head offices and may publish it in other ways.

3. For each product mentioned in Annex I the intervention agencies concerned shall sell first the meat which has been stored the longest. However, with a view to better stock management and after notifying the Commission, the Member States may designate only certain cold stores or parts thereof for deliveries of meat sold under this Regulation.

⁽¹⁾ OJ L 148, 28. 6. 1968, p. 24.

⁽²⁾ OJ L 210, 28. 7. 1998, p. 17.

⁽³⁾ OJ L 368, 31. 12. 1994, p. 10.

⁽⁴⁾ OJ L 251, 5. 10. 1979, p. 12.

⁽⁵⁾ OJ L 248, 14. 10. 1995, p. 39.

4. Only tenders which reach the intervention agencies concerned by 12 noon on 8 February 1999 shall be considered.

5. Notwithstanding Article 8(1) of Regulation (EEC) No 2173/79, a tender shall be submitted to the intervention agency concerned in a closed envelope, bearing the reference to the Regulation concerned. The closed envelope shall not be opened by the intervention agency before the expiry of the tender deadline referred to in paragraph 4.

6. Notwithstanding Article 8(2)(b) of Regulation (EEC) No 2173/79, tenders shall not indicate in which cold store or stores the products are held.

Article 3

1. Member States shall provide the Commission with information concerning the tenders received not later than the working day following the deadline set for the submission of tenders.

2. After the tenders received have been examined a minimum selling price shall be set for each product or the sale will not proceed.

Article 4

1. A tender shall be valid only if presented by or on behalf of an establishment approved in accordance with Article 8(1) of Directive 94/65/EC as a producer of minced meat or minced meat preparations. Member States shall consult with each other where necessary for the application of this paragraph.

2. Tenders shall be accompanied by:

- a written undertaking by the tenderer to use all the meat concerned for the production of minced meat as defined by Article 2(2)(a) and (b) of Directive 94/65/EC within three months of the date of conclusion of the contract of sale with the intervention agency,
- details of the exact location of the establishment or establishments of the tenderer in which the minced meat is to be produced.

3. The tenderers 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 the agent shall submit the bids of the tenderers whom he represents with the written instruction referred to above.

4. 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 the quantities of minced meat produced correspond. For the purposes of administrative supervision, where appropriate the intervention agency holding the products concerned shall send the competent

authority of the Member State in which the minced meat is to be produced a certified copy of the sales contract.

Article 5

1. The mincing of meat purchased under this Regulation shall be carried out within three months of the date of conclusion of the contract of sale.

2. Documentation to prove compliance with the requirement referred to in paragraph 1 shall be provided to the competent authority of the Member State in which the minced meat is produced within five months of the date of conclusion of the contract of sale.

Article 6

Member States shall set up a system of physical and documentary supervision to ensure that all meat is minced in accordance with Article 5(1).

To this end, processors shall at any time be able to demonstrate the identity and use of the meat through appropriate production records.

Article 7

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

2. A security intended to cover the mincing of the products shall be lodged with the competent authority of the Member State in which the mincing is to take place, prior to taking over the meat.

The amount shall be the difference in euros between the tender price per tonne and EUR 2 700.

The mincing of all meat purchased shall constitute a primary requirement within the meaning of Article 20 of Commission Regulation (EEC) No 2220/85⁽¹⁾.

Article 8

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

⁽¹⁾ OJ L 205, 3. 8. 1985, p. 5.

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

Done at Brussels, 3 February 1999.

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)
Medlemsstat	Produkter ⁽¹⁾	Tilnærmet mængde (tons)
Mitgliedstaat	Erzeugnisse ⁽¹⁾	Ungefähre Mengen (Tonnen)
Κράτος μέλος	Προϊόντα ⁽¹⁾	Κατά προσέγγιση ποσότητα (τόνοι)
Member State	Products ⁽¹⁾	Approximate quantity (tonnes)
État membre	Produits ⁽¹⁾	Quantité approximative (tonnes)
Stato membro	Prodotti ⁽¹⁾	Quantità approssimativa (tonnellate)
Lidstaat	Producten ⁽¹⁾	Hoeveelheid bij benadering (ton)
Estado-membro	Produtos ⁽¹⁾	Quantidade aproximada (toneladas)
Jäsenvaltio	Tuotteet ⁽¹⁾	Arvioitu määrä (tonneina)
Medlemsstat	Produkter ⁽¹⁾	Ungefärlig kvantitet (ton)

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

IRELAND	— Intervention flank (INT 18)	400
	— Intervention forequarter (INT 24)	250
UNITED KINGDOM	— Intervention flank (INT 18)	500
	— Intervention forequarter (INT 24)	500

⁽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), cuya última modificación la constituye el Reglamento (CE) n° 2812/98 (DO L 349 de 24. 12. 1998, p. 47).

⁽¹⁾ Se bilag V og VII til Kommissionens forordning (EØF) nr. 2456/93 (EFT L 225 af 4. 9. 1993, s. 4), senest ændret ved forordning (EF) nr. 2812/98 (EFT L 349 af 24. 12. 1998, s. 47).

⁽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. 2812/98 (ABl. L 349 vom 24. 12. 1998, S. 47).

⁽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. 2812/98 (ΕΕ L 349 της 24. 12. 1998, σ. 47).

⁽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 2812/98 (OJ L 349, 24.12.1998, p. 47).

⁽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° 2812/98 (JO L 349 du 24. 12. 1998, p. 47).

⁽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. 2812/98 (GU L 349 del 24. 12. 1998, pag. 47).

⁽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. 2812/98 (PB L 349 van 24. 12. 1998, blz. 47).

⁽¹⁾ Ver anexos V e VII do Regulamento (CEE) n.º 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.º 2812/98 (JO L 349 de 24. 12. 1998, p. 47).

⁽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 2812/98 (EYVL L 349, 24.12.1998, s. 47) liitteet V ja VII.

⁽¹⁾ Se bilaga V och VII i förordning (EEG) nr 2456/93 (EGT L 225, 4.9.1993, s. 4), senast ändrad genom förordning (EG) nr 2812/98 (EGT L 349, 24.12.1998, s. 47).

*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**

IRELAND

Department of Agriculture, Food and Forestry
Agriculture House
Kildare Street
Dublin 2
Ireland
Tel. (01) 678 90 11, ext. 2278 and 3806;
telex 93292 and 93607, telefax (01) 661 62 63, (01) 678 52 14 and (01) 662 01 98

UNITED KINGDOM

Intervention Board Executive Agency
Kings House
33, Kings Road
Reading RG1 3BU
Berkshire
United Kingdom
Tel. (01 189) 58 36 26
Fax (01 189) 56 67 50

COMMISSION REGULATION (EC) No 256/1999**of 3 February 1999****fixing the minimum selling prices for beef put up for sale under the invitation to
tender referred to in Regulation (EC) No 123/1999**

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 tenders have been invited for certain quantities of beef fixed by Commission Regulation (EC) No 123/1999 ⁽³⁾;

Whereas, pursuant to Article 9 of Commission Regulation (EEC) No 2173/79 ⁽⁴⁾, as last amended by Regulation (EC) No 2417/95 ⁽⁵⁾, the minimum selling prices for meat put up for sale by tender should be fixed, taking into account tenders submitted;

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

The minimum selling prices for beef for the invitation to tender held in accordance with Regulation (EC) No 123/1999 for which the time limit for the submission of tenders was 25 January 1999 are as set out in the Annex hereto.

Article 2

This Regulation shall enter into force on 4 February 1999.

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

Done at Brussels, 3 February 1999.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ L 148, 28. 6. 1968, p. 24.

⁽²⁾ OJ L 210, 28. 7. 1998, p. 17.

⁽³⁾ OJ L 16, 21. 1. 1999, p. 14.

⁽⁴⁾ OJ L 251, 5. 10. 1979, p. 12.

⁽⁵⁾ OJ L 248, 14. 10. 1995, p. 39.

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

Estado miembro	Productos	Precio mínimo expresado en euros por tonelada
Medlemsstat	Produkter	Mindestpreiser i EUR/ton
Mitgliedstaat	Erzeugnisse	Mindestpreise, ausgedrückt in EUR/Tonne
Κράτος μέλος	Προϊόντα	Ελάχιστες πωλήσεις εκφραζόμενες σε Ευρώ ανά τόνο
Member State	Products	Minimum prices expressed in EUR per tonne
État membre	Produits	Prix minimaux exprimés en euros par tonne
Stato membro	Prodotti	Prezzi minimi espressi in euro per tonnellata
Lidstaat	Producten	Minimumprijzen uitgedrukt in euro per ton
Estado-membro	Produtos	Preço mínimo expresso em euros por tonelada
Jäsenvaltio	Tuotteet	Vähimmäishinnat euroina tonnina kohden ilmaistuna
Medlemsstat	Produkter	Minimipriser i euro per ton

**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**

IRELAND	— Intervention flank (INT 18)	—
	— Intervention forequarter (INT 24)	1 235
UNITED KINGDOM	— Intervention flank (INT 18)	851
	— Intervention forequarter (INT 24)	1 216

COMMISSION REGULATION (EC) No 257/1999
of 3 February 1999
amending Regulation (EEC) No 2921/90 on aid for the production of casein and
caseinates from skimmed milk

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

Having regard to Council Regulation (EEC) No 804/68 of 27 June 1968 on the common organisation of the market in milk and milk products ⁽¹⁾, as last amended by Regulation (EC) No 1587/96 ⁽²⁾, and in particular Article 11(3) thereof,

Whereas Article 2(1) of Commission Regulation (EEC) No 2921/90 ⁽³⁾, as last amended by Regulation (EC) No 2547/95 ⁽⁴⁾, sets the aid for skimmed milk processed into casein or caseinates; whereas given the market trend for these products and that for skimmed milk powder the aid should be increased;

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

HAS ADOPTED THIS REGULATION:

Article 1

In Article 2(1) of Regulation (EEC) No 2921/90 'ECU 6,5' is replaced by 'EUR 6,90'.

Article 2

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

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

Done at Brussels, 3 February 1999.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ L 148, 28. 6. 1968, p. 13.

⁽²⁾ OJ L 206, 16. 8. 1996, p. 21.

⁽³⁾ OJ L 279, 11. 10. 1990, p. 22.

⁽⁴⁾ OJ L 260, 31. 10. 1995, p. 47.

COMMISSION REGULATION (EC) No 258/1999
of 3 February 1999
repealing Regulation (EC) No 913/97 adopting exceptional support measures for
the market in pigmeat in Spain

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

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

Whereas, because of the outbreak of classical swine fever in certain production regions in Spain, animal health measures were adopted by the Spanish authorities pursuant to Article 9 of Council Directive 80/217/EEC of 22 January 1980 introducing Community measures for the control of classical swine fever ⁽³⁾, as last amended by Decision 93/384/EEC ⁽⁴⁾; whereas exceptional support measures for the market in pigmeat were adopted for this Member State by Commission Regulation (EC) No 913/97 ⁽⁵⁾, as last amended by Regulation (EC) No 2691/98 ⁽⁶⁾;

Whereas, in view of the progress achieved on the animal health side, the exceptional market support measures can now be closed down; whereas, therefore, Regulation (EC) No 913/97 needs to be repealed;

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

HAS ADOPTED THIS REGULATION:

Article 1

Regulation (EC) No 913/97 is hereby repealed.

Article 2

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

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

Done at Brussels, 3 February 1999.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ L 282, 1. 11. 1975, p. 1.

⁽²⁾ OJ L 349, 31. 12. 1994, p. 105.

⁽³⁾ OJ L 47, 21. 2. 1980, p. 11.

⁽⁴⁾ OJ L 166, 8. 7. 1993, p. 34.

⁽⁵⁾ OJ L 131, 23. 5. 1997, p. 14.

⁽⁶⁾ OJ L 338, 15. 12. 1998, p. 3.

COMMISSION REGULATION (EC) No 259/1999**of 3 February 1999****on the issue of system B export licences in the fruit and vegetables sector**

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

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

Whereas Commission Regulation (EC) No 2776/98 ⁽³⁾, fixes the indicative quantities for system B export licences other than those sought in the context of food aid;

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

Whereas, to avoid this situation, applications for system B licences for tomatoes exported after 3 February 1999 should be rejected until the end of the current export period,

HAS ADOPTED THIS REGULATION:

Article 1

Applications for system B export licences for tomatoes submitted pursuant to Article 1 of Regulation (EC) No 2776/98, export declarations for which are accepted after 3 February 1999 and before 17 March 1999, are hereby rejected.

Article 2

This Regulation shall enter into force on 4 February 1999.

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

Done at Brussels, 3 February 1999.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ L 292, 15. 11. 1996, p. 12.

⁽²⁾ OJ L 178, 23. 6. 1998, p. 11.

⁽³⁾ OJ L 346, 22. 12. 1998, p. 44.

COMMISSION REGULATION (EC) No 260/1999
of 3 February 1999
fixing the import duties in the rice sector

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

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

Having regard to Commission Regulation (EC) No 1503/96 of 29 July 1996 laying down detailed rules for the application of Council Regulation (EC) No 3072/95 as regards import duties in the rice sector ⁽³⁾, as last amended by Regulation (EC) No 2831/98 ⁽⁴⁾, and in particular Article 4(1) thereof,

Whereas Article 11 of Regulation (EC) No 3072/95 provides that the rates of duty in the Common Customs Tariff are to be charged on import of the products referred to in Article 1 of that Regulation; whereas, however, in the case of the products referred to in paragraph 2 of that Article, the import duty is to be equal to the intervention price valid for such products on importation and increased by a certain percentage according to whether it is husked or milled rice, minus the cif import price provided that duty does not exceed the rate of the Common Customs Tariff duties;

Whereas, pursuant to Article 12(3) of Regulation (EC) No 3072/95, the cif import prices are calculated on the basis of the representative prices for the product in question on the world market or on the Community import market for the product;

Whereas Regulation (EC) No 1503/96 lays down detailed rules for the application of Regulation (EC) No 3072/95 as regards import duties in the rice sector;

Whereas the import duties are applicable until new duties are fixed and enter into force; whereas they also remain in force in cases where no quotation is available from the source referred to in Article 5 of Regulation (EC) No 1503/96 during the two weeks preceding the next periodical fixing;

Whereas, in order to allow the import duty system to function normally, the market rates recorded during a reference period should be used for calculating the duties;

Whereas application of Regulation (EC) No 1503/96 results in import duties being fixed as set out in the Annexes to this Regulation,

HAS ADOPTED THIS REGULATION:

Article 1

The import duties in the rice sector referred to in Article 11(1) and (2) of Regulation (EC) No 3072/95 shall be those fixed in Annex I to this Regulation on the basis of the information given in Annex II.

Article 2

This Regulation shall enter into force on 4 February 1999.

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

Done at Brussels, 3 February 1999.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ L 329, 30. 12. 1995, p. 18.

⁽²⁾ OJ L 265, 30. 9. 1998, p. 4.

⁽³⁾ OJ L 189, 30. 7. 1996, p. 71.

⁽⁴⁾ OJ L 351, 29. 12. 1998, p. 25.

ANNEX I

Import duties on rice and broken rice

(EUR/tonne)

CN code	Duties ⁽¹⁾				
	Third countries (except ACP and Bangladesh) ⁽²⁾ ⁽⁷⁾	ACP ⁽¹⁾ ⁽²⁾ ⁽³⁾	Bangladesh ⁽⁴⁾	Basmati India and Pakistan ⁽⁵⁾	Egypt ⁽⁶⁾
1006 10 21	(7)	83,41	121,01		188,03
1006 10 23	(7)	83,41	121,01		188,03
1006 10 25	(7)	83,41	121,01		188,03
1006 10 27	(7)	83,41	121,01		188,03
1006 10 92	(7)	83,41	121,01		188,03
1006 10 94	(7)	83,41	121,01		188,03
1006 10 96	(7)	83,41	121,01		188,03
1006 10 98	(7)	83,41	121,01		188,03
1006 20 11	227,83	75,40	109,58		170,87
1006 20 13	227,83	75,40	109,58		170,87
1006 20 15	227,83	75,40	109,58		170,87
1006 20 17	221,63	73,23	106,48	0,00	166,22
1006 20 92	227,83	75,40	109,58		170,87
1006 20 94	227,83	75,40	109,58		170,87
1006 20 96	227,83	75,40	109,58		170,87
1006 20 98	221,63	73,23	106,48	0,00	166,22
1006 30 21	433,29	139,26	201,74		324,97
1006 30 23	433,29	139,26	201,74		324,97
1006 30 25	433,29	139,26	201,74		324,97
1006 30 27	(7)	160,51	232,09		370,50
1006 30 42	433,29	139,26	201,74		324,97
1006 30 44	433,29	139,26	201,74		324,97
1006 30 46	433,29	139,26	201,74		324,97
1006 30 48	(7)	160,51	232,09		370,50
1006 30 61	433,29	139,26	201,74		324,97
1006 30 63	433,29	139,26	201,74		324,97
1006 30 65	433,29	139,26	201,74		324,97
1006 30 67	(7)	160,51	232,09		370,50
1006 30 92	433,29	139,26	201,74		324,97
1006 30 94	433,29	139,26	201,74		324,97
1006 30 96	433,29	139,26	201,74		324,97
1006 30 98	(7)	160,51	232,09		370,50
1006 40 00	(7)	49,58	(7)		114,00

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

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

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

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

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

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

(7) Duties fixed in the Common Customs Tariff.

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

*ANNEX II***Calculation of import duties for rice**

	Paddy	Indica rice		Japonica rice		Broken rice
		Husked	Milled	Husked	Milled	
1. Import duty (EUR/tonne)	(¹)	221,63	494,00	227,83	433,29	(¹)
2. Elements of calculation:						
(a) Arag cif price (EUR/tonne)	—	346,99	319,93	366,06	410,16	—
(b) fob price (EUR/tonne)	—	—	—	339,60	383,70	—
(c) Sea freight (EUR/tonne)	—	—	—	26,46	26,46	—
(d) Source	—	USDA	USDA	Operators	Operators	—

(¹) Duties fixed in the Common Customs Tariff.

COMMISSION REGULATION (EC) No 261/1999

of 3 February 1999

fixing the export refunds on white sugar and raw sugar exported in its unaltered state

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

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

Whereas Article 19 of Regulation (EEC) No 1785/81 provides that the difference between quotations or prices on the world market for the products listed in Article 1 (1) (a) of that Regulation and prices for those products within the Community may be covered by an export refund;

Whereas Regulation (EEC) No 1785/81 provides that when refunds on white and raw sugar, undenatured and exported in its unaltered state, are being fixed account must be taken of the situation on the Community and world markets in sugar and in particular of the price and cost factors set out in Article 17a of that Regulation; whereas the same Article provides that the economic aspect of the proposed exports should also be taken into account;

Whereas the refund on raw sugar must be fixed in respect of the standard quality; whereas the latter is defined in Article 1 of Council Regulation (EEC) No 431/68 of 9 April 1968 determining the standard quality for raw sugar and fixing the Community frontier crossing point for calculating cif prices for sugar ⁽³⁾, as amended by Regulation (EC) No 3290/94 ⁽⁴⁾; whereas, furthermore, this refund should be fixed in accordance with Article 17a (4) of Regulation (EEC) No 1785/81; whereas candy sugar is defined in Commission Regulation (EC) No 2135/95 of 7 September 1995 laying down detailed rules of application

for the grant of export refunds in the sugar sector ⁽⁵⁾; whereas the refund thus calculated for sugar containing added flavouring or colouring matter must apply to their sucrose content and, accordingly, be fixed per 1 % of the said content;

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

Whereas, in special cases, the amount of the refund may be fixed by other legal instruments;

Whereas the refund must be fixed every two weeks; whereas it may be altered in the intervening period;

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

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

HAS ADOPTED THIS REGULATION:

Article 1

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

Article 2

This Regulation shall enter into force on 4 February 1999.

⁽¹⁾ OJ L 177, 1. 7. 1981, p. 4.

⁽²⁾ OJ L 159, 3. 6. 1998, p. 38.

⁽³⁾ OJ L 89, 10. 4. 1968, p. 3.

⁽⁴⁾ OJ L 349, 31. 12. 1994, p. 105.

⁽⁵⁾ OJ L 214, 8. 9. 1995, p. 16.

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

Done at Brussels, 3 February 1999.

For the Commission
 Franz FISCHLER
Member of the Commission

ANNEX

to the Commission Regulation of 3 February 1999 fixing the export refunds on white sugar and raw sugar exported in its unaltered state

Product code	Amount of refund
	— EUR/100 kg —
1701 11 90 9100	43,13 ⁽¹⁾
1701 11 90 9910	43,23 ⁽¹⁾
1701 11 90 9950	⁽²⁾
1701 12 90 9100	43,13 ⁽¹⁾
1701 12 90 9910	43,23 ⁽¹⁾
1701 12 90 9950	⁽²⁾
	— EUR/1 % of sucrose × 100 kg —
1701 91 00 9000	0,4689
	— EUR/100 kg —
1701 99 10 9100	46,89
1701 99 10 9910	47,34
1701 99 10 9950	47,34
	— EUR/1 % of sucrose × 100 kg —
1701 99 90 9100	0,4689

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

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

COMMISSION REGULATION (EC) No 262/1999
of 3 February 1999
determining the world market price for unginned cotton and the rate for the aid

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to the Act of Accession of Greece, and in particular paragraphs 3 and 10 of Protocol 4 on cotton, as last amended by Council Regulation (EC) No 1553/95 ⁽¹⁾,

Having regard to Council Regulation (EC) No 1554/95 of 29 June 1995 ⁽²⁾ laying down general rules for the system of aid for cotton and repealing Regulation (EEC) No 2169/81, as last amended by Regulation (EC) No 1419/98 ⁽³⁾, and in particular Articles 3, 4 and 5 thereof,

Whereas Article 3 of Regulation (EC) No 1554/95 requires a world market price for unginned cotton to be periodically determined from the world market price determined for ginned cotton, using the historical relationship between the two prices as specified in Article 1 (2) of Commission Regulation (EEC) No 1201/89 of 3 May 1989 laying down rules for implementing the system of aid for cotton ⁽⁴⁾, as last amended by Regulation (EC) No 1664/98 ⁽⁵⁾; whereas if it cannot be determined in this way it is to be based on the last price determined;

Whereas Article 4 of Regulation (EC) No 1554/95 requires the world market price for ginned cotton to be determined for a product of specific characteristics using the most favourable offers and quotations on the world market of those considered representative of the real market trend; whereas to this end an average is to be calculated of offers and quotations on one or more European exchanges for a cif product to a North European port from the supplier countries considered most representative as regards international trade; whereas these rules for determination of the world market price for ginned cotton provide for adjustments to reflect differences in product quality and the nature of offers and quotations;

whereas these adjustments are specified in Article 2 of Regulation (EEC) No 1201/89;

Whereas application of the above rules gives the world market price for unginned cotton indicated hereunder;

Whereas the second subparagraph of Article 5(3a) of Regulation (EC) No 1554/95 stipulates that the advance payment rate for the aid is to be the guide price less the world market price and less a further amount calculated by the formula applicable when the guaranteed maximum quantity is overrun but with a minimum 7,5 % increase in the revised estimate for unginned cotton production; whereas Commission Regulation (EC) No 2591/98 ⁽⁶⁾ fixes the revised estimate of production of unginned cotton for the 1998/99 marketing year and the relevant percentage increase; whereas application of these rules gives the advance payment rates for each Member State indicated hereunder,

HAS ADOPTED THIS REGULATION:

Article 1

1. The world market price for unginned cotton as indicated in Article 3 of Regulation (EC) No 1554/95 is set at EUR 25,427 per 100 kilograms.

2. Advance payment of the aid as indicated in Article 5 (3a), second sentence, of Regulation (EC) No 1554/95 shall be at the rate of:

- EUR 58,763 per 100 kilograms in Spain,
- EUR 48,558 per 100 kilograms in Greece,
- EUR 80,873 per 100 kilograms in other Member States.

Article 2

This Regulation shall enter into force on 4 February 1999.

⁽¹⁾ OJ L 148, 30. 6. 1995, p. 45.

⁽²⁾ OJ L 148, 30. 6. 1995, p. 48.

⁽³⁾ OJ L 190, 4. 7. 1998, p. 4.

⁽⁴⁾ OJ L 123, 4. 5. 1989, p. 23.

⁽⁵⁾ OJ L 211, 29. 7. 1998, p. 9.

⁽⁶⁾ OJ L 324, 2. 12. 1998, p. 25.

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

Done at Brussels, 3 February 1999.

For the Commission

Franz FISCHLER

Member of the Commission

II

(Acts whose publication is not obligatory)

COUNCIL

COUNCIL DECISION

of 31 December 1998

concerning the monetary arrangements in the French territorial communities of Saint-Pierre-et-Miquelon and Mayotte

(1999/95/EC)

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty establishing the European Community, and in particular Article 109l(4), third sentence thereof,

Having regard to the proposal from the Commission,

Having regard to the opinion of the European Central Bank,

- (1) Whereas according to Council Regulation (EC) No 974/98 of 3 May 1998 on the introduction of the euro⁽¹⁾, the euro will be substituted as from 1 January 1999 for the currency of each participating Member State at the conversion rate;
- (2) Whereas the Community will have competence for monetary and exchange rate matters in the Member States adopting the euro as from that date;
- (3) Whereas the euro will be substituted for the French franc on 1 January 1999;
- (4) Whereas the French territorial communities (*collectivités territoriales*) Saint-Pierre-et-Miquelon and Mayotte are an integral part of France; whereas they do not form part of the Community; whereas the monetary regime of Saint-Pierre-et-Miquelon and Mayotte is not specified in the Treaty; whereas it is necessary to clarify their monetary regime; whereas these territorial communities should have the same currency as metropolitan France;
- (5) Whereas banknotes and coins denominated in French francs are put into circulation by the *Institut d'Emission des Départements d'Outre Mer*

(IEDOM) in Saint-Pierre-et-Miquelon and, from 1 January 1999, in Mayotte; whereas financial institutions located in these communities have access to refinancing facilities in French francs with IEDOM; whereas France intends to reform in time the status and role of the IEDOM in order to achieve compatibility with the tasks assigned to the European System of Central Banks (ESCB) by the Treaty and Protocol No 3;

- (6) Whereas the euro should be the currency of these communities; whereas France should grant legal tender status to French franc banknotes and coins and to euro banknotes and coins issued by the ESCB and the Member States which have adopted the euro;
- (7) Whereas as from 1 January 1999 the ESCB defines and implements the monetary policy of the Community; whereas the European Central Bank (ECB) and the national central banks may engage in all types of banking transactions in relation to financial institutions located in third countries; whereas they may also engage in these transactions in territories of a Member State which are not part of the Community; whereas they should make use of this competence with respect to these communities; whereas in order to ensure the singleness of the monetary policy of the ESCB and a level playing field for financial institutions located in the euro area, it is appropriate that those parts of present and future Community law which are necessary for the functioning of Economic and Monetary Union be made applicable in Saint-Pierre-et-Miquelon and Mayotte;

⁽¹⁾ OJ L 139, 11. 5. 1998, p. 1.

- (8) Whereas the monetary arrangements in Saint-Pierre-et-Miquelon and Mayotte need to be defined by France by way of national legislation,

HAS ADOPTED THIS DECISION:

Article 1

The euro shall be the currency of Saint-Pierre-et-Miquelon and Mayotte.

Article 2

1. France shall continue to grant the legal tender status to banknotes and coins denominated in French francs in Saint-Pierre-et-Miquelon and Mayotte until 30 June 2002 at the latest.

2. From 1 January 2002 France shall grant legal tender status to banknotes and coins denominated in euro in Saint-Pierre-et-Miquelon and Mayotte.

Article 3

The ECB and the national central banks may carry out the functions and operations of the ESCB in Saint-Pierre-et-Miquelon and Mayotte as laid down in Chapter

IV and Article 16 of the Statute of the ESCB and the ECB.

Article 4

France in agreement with the Commission and the ECB shall ensure that those parts of Community law which are or will be necessary for the functioning of Economic and Monetary Union are applied in Saint-Pierre-et-Miquelon and Mayotte.

Article 5

This Decision shall apply as from 1 January 1999.

Article 6

This Decision is addressed to the French Republic.

Done at Brussels, 31 December 1998.

For the Council

The President

R. EDLINGER

COUNCIL DECISION

of 31 December 1998

on the position to be taken by the Community regarding an agreement
concerning the monetary relations with the Principality of Monaco

(1999/96/EC)

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty establishing the European
Community, and in particular Article 109(3) thereof,

Having regard to the recommendation from the Commis-
sion,

Having regard to the opinion of the European Central
Bank,

- (1) Whereas according to Council Regulation (EC) No 974/98 of 3 May 1998 on the introduction of the euro⁽¹⁾ the euro will be substituted as from 1 January 1999 for the currency of each participating Member State at the conversion rate;
- (2) Whereas the Community will have competence for monetary and exchange rate matters in the Member States adopting the euro as from that date;
- (3) Whereas the Council is to determine the arrangements for the negotiation and conclusion of agreements concerning monetary or foreign exchange regime matters;
- (4) Whereas France has particular monetary links with the Principality of Monaco which are based on various legal instruments⁽²⁾; whereas financial institutions located in the Principality of Monaco have the potential right to access the refinancing facilities of the Banque de France and whereas they participate in some French payment systems under the same conditions as French banks;
- (5) Whereas the euro will be substituted for the French Franc on 1 January 1999;
- (6) Whereas according to Declaration (No 6) annexed to the Final Act of the Treaty on European Union, the Community undertakes to facilitate the renegotiations of existing arrangements with the Principality of Monaco as might become necessary as a result of the introduction of the single currency;
- (7) Whereas the arrangements between France and the Principality of Monaco in their present form need to be amended or, as the case may be, replaced at

the earliest possible date, taking into account the allocation of competence to the Community for monetary and exchange rate matters as laid down in the Treaty;

- (8) Whereas, given the close economic relations between the Principality of Monaco and the Community, it is appropriate that an agreement concerning banknotes and coins, the access to payment systems and the legal status of the euro in the Principality of Monaco is concluded between the Community and the Principality of Monaco; whereas, given the historical links between France and the Principality of Monaco, it is appropriate that France negotiates and may conclude the new agreement on behalf of the Community;
- (9) Whereas, in order to allow the Principality of Monaco to have the same currency as France, it is appropriate to agree that the Principality of Monaco uses the euro as its official currency and grants legal tender status to euro banknotes and coins issued by the European System of Central Banks and the Member States which have adopted the euro;
- (10) Whereas it is important that the Principality of Monaco ensures that Community rules on banknotes and coins denominated in euro are applicable in the Principality of Monaco; whereas euro banknotes and coins need appropriate protection against counterfeiting; whereas it is important that the Principality of Monaco takes all the necessary measures to combat counterfeiting and to co-operate with the Community in this area;
- (11) Whereas the European Central Bank (ECB) and the national central banks may engage in all types of banking transactions in relation to financial institutions located in third countries; whereas the ECB and the national central banks may, under appropriate conditions, allow financial institutions in third countries access to their payment systems; whereas the agreement between the Community and the Principality of Monaco shall not impose any obligations on the ECB or on any national central bank;

⁽¹⁾ OJ L 139, 11. 5. 1998, p. 1.

⁽²⁾ *Ordonnance monégasque fixant le cours légal et le cours forcé des monnaies et billets du 2 janvier 1925; Convention franco-monégasque relative au contrôle des changes, 14 avril 1945; Echange de lettres entre la France et Monaco du 18 mai 1963 relatif à la réglementation bancaire dans la Principauté*, as amended by the *Echange de lettres du 27 novembre 1987*.

- (12) Whereas the Commission and the ECB in its field of competence will have to be fully associated with these negotiations; whereas it is appropriate that France submits the draft agreement to the Economic and Financial Committee for its opinion; whereas the draft agreement will have to be submitted to the Council in the case that the Commission or the ECB or the Economic and Financial Committee are of the opinion that this is necessary;
- (13) Whereas existing arrangements between France and the Principality of Monaco should be amended or, as the case may be, replaced so as to avoid any inconsistencies between such arrangements and the agreement between the Community and the Principality of Monaco concerning their monetary relations,

HAS ADOPTED THIS DECISION:

Article 1

France shall notify the Principality of Monaco of the need to amend the existing arrangements between France and the Principality of Monaco at the earliest possible date as far as monetary matters are concerned and offer negotiations for a new agreement.

Article 2

The position to be taken by the Community in the negotiations with the Principality of Monaco for an agreement concerning matters referred to below shall be based on the principles laid down in Articles 3 to 6.

Article 3

1. The Principality of Monaco shall be entitled to use the euro as its official currency.
2. The Principality of Monaco shall be entitled to grant legal tender status to euro banknotes and coins.

Article 4

The Principality of Monaco shall undertake not to issue any banknotes, coins or monetary surrogates of any kind unless the conditions for such issuance have been agreed with the Community.

Article 5

1. The Principality of Monaco shall undertake to make Community rules on euro banknotes and coins applicable in the Principality of Monaco.
2. The Principality of Monaco shall undertake to co-operate closely with the Community with regard to measures against counterfeiting of euro banknotes and coins.

Article 6

Financial institutions located in the Principality of Monaco may have access to the payment systems within the euro area under appropriate conditions to be determined with the agreement of the ECB.

They may be subject to minimum reserve and statistical reporting obligations of the ECB.

Article 7

France shall conduct the negotiations with the Principality of Monaco on the matters referred to in Articles 3 to 6 on behalf of the Community. The Commission shall be fully associated with the negotiations. The ECB shall be fully associated with the negotiations in its field of competence. France shall submit the draft agreement to the Economic and Financial Committee for opinion.

Article 8

France shall be entitled to conclude the agreement on behalf of the Community unless the Commission or the ECB or the Economic and Financial Committee are of the opinion that the agreement should be submitted to the Council.

Article 9

France shall review its existing arrangements with the Principality of Monaco in order to make them compatible with the agreement between the Community and the Principality of Monaco concerning their monetary relations.

Article 10

This Decision is addressed to the French Republic.

Done at Brussels, 31 December 1998.

For the Council

The President

R. EDLINGER

COUNCIL DECISION

of 31 December 1998

on the position to be taken by the Community regarding an agreement concerning the monetary relations with the Republic of San Marino

(1999/97/EC)

THE COUNCIL OF THE EUROPEAN UNION,

monetary and exchange rate matters as laid down in the Treaty;

Having regard to the Treaty establishing the European Community, and in particular Article 109(3) thereof,

Having regard to the recommendation from the Commission,

Having regard to the opinion of the European Central Bank,

- (1) Whereas according to Council Regulation (EC) No 974/98 of 3 May 1998 on the introduction of the euro⁽¹⁾, the euro will be substituted as from 1 January 1999 for the currency of each participating Member State at the conversion rate;
- (2) Whereas the Community will have competence for monetary and exchange rate matters in the Member States adopting the euro as from that date;
- (3) Whereas the Council is to determine the arrangements for the negotiation and conclusion of agreements concerning monetary or foreign exchange regime matters;
- (4) Whereas Italy has concluded several agreements with the Republic of San Marino which include provisions on monetary matters⁽²⁾;
- (5) Whereas the euro will be substituted for the Italian Lira on 1 January 1999;
- (6) Whereas according to Declaration (No 6) annexed to the Final Act of the Treaty on European Union, the Community undertakes to facilitate the renegotiations of existing arrangements with the Republic of San Marino as might become necessary as a result of the introduction of the single currency;
- (7) Whereas the agreements between Italy and the Republic of San Marino in their present form need to be amended or, as the case may be, replaced at the earliest possible date, taking into account the allocation of competence to the Community for
- (8) Whereas given the close economic relations between the Republic of San Marino and the Community, it is appropriate that an agreement concerning banknotes and coins, the access to payment systems and the legal status of the euro in the Republic of San Marino is concluded between the Community and the Republic of San Marino; whereas given the historical links between Italy and the Republic of San Marino, it is appropriate that Italy negotiates and may conclude the new agreement on behalf of the Community;
- (9) Whereas in order to allow the Republic of San Marino to have the same currency as Italy, it is appropriate to agree that the Republic of San Marino uses the euro as its official currency and grants legal tender status to euro banknotes and coins issued by the European System of Central Banks and the Member States which have adopted the euro;
- (10) Whereas it is important that the Republic of San Marino ensures that Community rules on banknotes and coins denominated in euro are applicable in the Republic of San Marino; whereas euro banknotes and coins need appropriate protection against counterfeiting; whereas it is important that the Republic of San Marino takes all the necessary measures to combat counterfeiting and to co-operate with the Community in this area;
- (11) Whereas the European Central Bank (ECB) and the national central banks may engage in all types of banking transactions in relation to financial institutions located in third countries; whereas the ECB and the national central banks may, under appropriate conditions, allow financial institutions in third countries access to their payment systems; whereas the agreement between the Community and the Republic of San Marino shall not impose any obligations on the ECB or on any national central bank;

⁽¹⁾ OJ L 139, 11. 5. 1998, p. 1.

⁽²⁾ *Convenzione di amicizia e di buon vicinato fra San Marino e l'Italia del 31 marzo 1939*, as amended, *Convenzione monetaria tra la Repubblica Italiana e la Repubblica di San Marino*, 21-XII-1991; *Convenzione in materia di rapporti finanziari e valutari tra la Repubblica Italiana e la Repubblica di San Marino con atto aggiuntivo corredato da Processo Verbale firmato a Roma il 4 marzo 1994*.

- (12) Whereas the Commission and the ECB in its field of competence will have to be fully associated with these negotiations; whereas it is appropriate that Italy submits the draft agreement to the Economic and Financial Committee for its opinion; whereas the draft agreement will have to be submitted to the Council in the case that the Commission or the ECB or the Economic and Financial Committee are of the opinion that this is necessary;
- (13) Whereas existing agreements between Italy and the Republic of San Marino should be amended or, as the case may be, replaced so as to avoid any inconsistencies between such agreements and the agreement between the Community and the Republic of San Marino concerning their monetary relations,

HAS ADOPTED THIS DECISION:

Article 1

Italy shall notify the Republic of San Marino of the need to amend the existing agreements between Italy and the Republic of San Marino at the earliest possible date as far as monetary matters are concerned and offer negotiations for a new agreement.

Article 2

The position to be taken by the Community in the negotiations with the Republic of San Marino for an agreement concerning matters referred to below shall be based on the principles laid down in Articles 3 to 6.

Article 3

1. The Republic of San Marino shall be entitled to use the euro as its official currency.
2. The Republic of San Marino shall be entitled to grant legal tender status to euro banknotes and coins.

Article 4

The Republic of San Marino shall undertake not to issue any banknotes, coins or monetary surrogates of any kind unless the conditions for such issuance have been agreed with the Community. This does not prejudice the right of the Republic of San Marino to continue issuing gold coins denominated in scudi.

Article 5

1. The Republic of San Marino shall undertake to make Community rules on euro banknotes and coins applicable in the Republic of San Marino.
2. The Republic of San Marino shall undertake to cooperate closely with the Community with regard to measures against counterfeiting of euro banknotes and coins.

Article 6

Financial institutions located in the Republic of San Marino may have access to payment systems within the euro area under appropriate conditions to be determined with the agreement of the ECB.

Article 7

Italy shall conduct the negotiations with the Republic of San Marino on the matters referred to in Articles 3 to 6 on behalf of the Community. The Commission shall be fully associated with the negotiations. The ECB shall be fully associated with the negotiations in its field of competence. Italy shall submit the draft agreement to the Economic and Financial Committee for opinion.

Article 8

Italy shall be entitled to conclude the agreement on behalf of the Community unless the Commission or the ECB or the Economic and Financial Committee are of the opinion that the agreement should be submitted to the Council.

Article 9

Italy shall ensure that its existing agreements with the Republic of San Marino are compatible with the agreement between the Community and the Republic of San Marino concerning their monetary relations.

Article 10

This Decision is addressed to the Italian Republic.

Done at Brussels, 31 December 1998.

For the Council

The President

R. EDLINGER

COUNCIL DECISION

of 31 December 1998

on the position to be taken by the Community regarding an agreement
concerning the monetary relations with Vatican City

(1999/98/EC)

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty establishing the European
Community, and in particular Article 109(3) thereof,

Having regard to the recommendation from the Commis-
sion,

Having regard to the opinion of the European Central
Bank,

- (1) Whereas according to Council Regulation (EC) No 974/98 of 3 May 1998 on the introduction of the euro⁽¹⁾ the euro will be substituted as from 1 January 1999 for the currency of each participating Member State at the conversion rate;
- (2) Whereas the Community will have competence for monetary and exchange rate matters in the Member States adopting the euro as from that date;
- (3) Whereas the Council is to determine the arrangements for the negotiation and conclusion of agreements concerning monetary or foreign exchange regime matters;
- (4) Whereas Italy has concluded an agreement with Vatican City which includes provisions on monetary matters⁽²⁾;
- (5) Whereas the euro will be substituted for the Italian Lira on 1 January 1999;
- (6) Whereas according to Declaration (No 6) annexed to the Final Act of the Treaty on European Union, the Community undertakes to facilitate the renegotiations of existing arrangements with Vatican City as might become necessary as a result of the introduction of the single currency;
- (7) Whereas the agreement between Italy and Vatican City in its present form needs to be amended or, as the case may be, replaced at the earliest possible date, taking into account the allocation of competence to the Community for monetary and exchange rate matters as laid down in the Treaty;
- (8) Whereas given the close economic relations between Vatican City and the Community, it is appropriate that an agreement concerning banknotes and coins, the access to payment systems and the legal status of the euro in Vatican City is concluded between the Community and Vatican City; whereas given the historical links between Italy and Vatican City, it is appropriate that Italy negotiates and may conclude the new agreement on behalf of the Community;
- (9) Whereas in order to allow Vatican City to have the same currency as Italy, it is appropriate to agree that Vatican City uses the euro as its official currency and grants legal tender status to euro banknotes and coins issued by the European System of Central Banks and the Member States which have adopted the euro;
- (10) Whereas it is important that Vatican City ensures that Community rules on banknotes and coins denominated in euro are applicable in Vatican City; whereas euro banknotes and coins need appropriate protection against counterfeiting; whereas it is important that Vatican City takes all the necessary measures to combat counterfeiting and to co-operate with the Community in this area;
- (11) Whereas the European Central Bank (ECB) and the national central banks may engage in all types of banking transactions in relation to financial institutions located in third countries; whereas the ECB and the national central banks may, under appropriate conditions, allow financial institutions in third countries access to their payment systems; whereas the agreement between the Community and Vatican City shall not impose any obligations on the ECB or on any national central bank;
- (12) Whereas the Commission and the ECB in its field of competence will have to be fully associated with these negotiations; whereas it is appropriate that Italy submits the draft agreement to the Economic and Financial Committee for its opinion; whereas the draft agreement will have to be submitted to the Council in the case that the Commission or the ECB or the Economic and Financial Committee are of the opinion that this is necessary;

⁽¹⁾ OJ L 139, 11. 5. 1998, p. 1.

⁽²⁾ *Convenzione monetaria tra la Repubblica Italiana e lo Stato della Città del Vaticano il 3 dicembre 1991.*

- (13) Whereas the existing agreement between Italy and Vatican City should be amended or, as the case may be, replaced so as to avoid any inconsistencies between such agreement and the agreement between the Community and Vatican City concerning their monetary relations,

HAS ADOPTED THIS DECISION:

Article 1

Italy shall notify Vatican City of the need to amend the existing agreement between Italy and Vatican City at the earliest possible date as far as monetary matters are concerned and offer negotiations for a new agreement.

Article 2

The position to be taken by the Community in the negotiations with Vatican City for an agreement concerning matters referred to below shall be based on the principles laid down in Articles 3 to 6.

Article 3

1. Vatican City shall be entitled to use the euro as its official currency.
2. Vatican City shall be entitled to grant legal tender status to euro banknotes and coins.

Article 4

Vatican City shall undertake not to issue any banknotes, coins or monetary surrogates of any kind unless the conditions for such issuance have been agreed with the Community. This does not prejudice the right of Vatican City to continue issuing collector coins.

Article 5

1. Vatican City shall undertake to make Community rules on euro banknotes and coins applicable in Vatican City.

2. Vatican City shall undertake to cooperate closely with the Community with regard to measures against counterfeiting of euro banknotes and coins.

Article 6

Financial institutions located in Vatican City may have access to payment systems within the euro area under appropriate conditions to be determined with the agreement of the European Central Bank.

Article 7

Italy shall conduct the negotiations with Vatican City on the matters referred to in Articles 3 to 6 on behalf of the Community. The Commission shall be fully associated with the negotiations. The ECB shall be fully associated with the negotiations in its field of competence. Italy shall submit the draft agreement to the Economic and Financial Committee for opinion.

Article 8

Italy shall be entitled to conclude the agreement on behalf of the Community unless the Commission or the ECB or the Economic and Financial Committee are of the opinion that the agreement should be submitted to the Council.

Article 9

Italy shall ensure that its existing agreement with Vatican City is compatible with the agreement between the Community and Vatican City concerning their monetary relations.

Article 10

This Decision is addressed to the Italian Republic.

Done at Brussels, 31 December 1998.

For the Council

The President

R. EDLINGER

EUROPEAN ECONOMIC AREA

THE EEA JOINT COMMITTEE

DECISION OF THE EEA JOINT COMMITTEE

No 39/98

of 29 May 1998

amending Annex II (technical regulations, standards, testing and certification) to the EEA Agreement

THE EEA JOINT COMMITTEE,

Having regard to the Agreement on the European Economic Area, as adjusted by the Protocol adjusting the Agreement on the European Economic Area, hereinafter referred to as 'the Agreement', and in particular Article 98 thereof,

Whereas Annex II to the Agreement was amended by Decision of the EEA Joint Committee No 29/98 ⁽¹⁾;

Whereas Commission Directive 97/19/EC of 18 April 1997 adapting to technical progress Council Directive 70/221/EEC on the approximation of the laws of the Member States relating to liquid fuel tanks and rear underrun protection of motor vehicles and their trailers ⁽²⁾ is to be incorporated into the Agreement,

HAS DECIDED AS FOLLOWS:

Article 1

The following indent shall be added in point 4 (Council Directive 70/221/EEC) in Chapter I of Annex II to the Agreement:

‘— **397 L 0019:** Commission Directive 97/19/EC of 18 April 1997 (OJ L 125, 16.5.1997, p. 1).’

Article 2

The texts of Directive 97/19/EC in the Icelandic and Norwegian languages, which are annexed to the respective language versions of this Decision, are authentic.

Article 3

This Decision shall enter into force on 26 June 1998, provided that all the notifications under Article 103(1) of the Agreement have been made to the EEA Joint Committee.

⁽¹⁾ OJ L 310, 19. 11. 1998, p. 13.

⁽²⁾ OJ L 125, 16. 5. 1997, p. 1.

Article 4

This Decision shall be published in the EEA Section of, and in the EEA Supplement to, the *Official Journal of the European Communities*.

Done at Brussels, 29 May 1998.

For the EEA Joint Committee

The President

F. BARBASO

DECISION OF THE EEA JOINT COMMITTEE**No 40/98****of 29 May 1998****amending Annex II (technical regulations, standards, testing and certification) to the EEA Agreement**

THE EEA JOINT COMMITTEE,

Having regard to the Agreement on the European Economic Area, as adjusted by the Protocol adjusting the Agreement on the European Economic Area, hereinafter referred to as 'the Agreement', and in particular Article 98 thereof,

Whereas Annex II to the Agreement was amended by Decision of the EEA Joint Committee No 29/98 ⁽¹⁾;

Whereas Commission Directive 97/30/EC of 11 June 1997 adapting to technical progress Council Directive 76/758/EEC relating to the end-outline marker lamps, front position (side) lamps, rear position (side) lamps and stop lamps for motor vehicles and their trailers ⁽²⁾ is to be incorporated into the Agreement,

HAS DECIDED AS FOLLOWS:

Article 1

The following indent shall be added in point 23 (Council Directive 76/758/EEC) in Chapter I of Annex II to the Agreement:

— **397 L 0030:** Commission Directive 97/30/EC of 11 June 1997 (OJ L 171, 30.6.1997, p. 25).'

Article 2

The texts of Directive 97/30/EC in the Icelandic and Norwegian languages, which are annexed to the respective language versions of this Decision, are authentic.

Article 3

This Decision shall enter into force on 26 June 1998, provided that all the notifications under Article 103(1) of the Agreement have been made to the EEA Joint Committee.

Article 4

This Decision shall be published in the EEA Section of, and in the EEA Supplement to, the *Official Journal of the European Communities*.

Done at Brussels, 29 May 1998.

For the EEA Joint Committee

The President

F. BARBASO

⁽¹⁾ OJ L 310, 19. 11. 1998, p. 13.

⁽²⁾ OJ L 171, 30. 6. 1997, p. 25.

DECISION OF THE EEA JOINT COMMITTEE**No 41/98****of 29 May 1998****amending Annex II (technical regulations, standards, testing and certification) to the EEA Agreement**

THE EEA JOINT COMMITTEE,

Having regard to the Agreement on the European Economic Area, as adjusted by the Protocol adjusting the Agreement on the European Economic Area, hereinafter referred to as 'the Agreement', and in particular Article 98 thereof,

Whereas Annex II to the Agreement was amended by Decision of the EEA Joint Committee No 29/98 ⁽¹⁾;

Whereas Commission Directive 97/31/EC of 11 June 1997 adapting to technical progress Council Directive 76/760/EEC relating to the rear registration plate lamps for motor vehicles and their trailers ⁽²⁾ is to be incorporated into the Agreement,

HAS DECIDED AS FOLLOWS:

Article 1

The following indent shall be added in point 25 (Council Directive 76/760/EEC) in Chapter I of Annex II to the Agreement:

‘— **397 L 0031**: Commission Directive 97/31/EC of 11 June 1997 (OJ L 171, 30.6.1997, p. 49).’

Article 2

The texts of Directive 97/31/EC in the Icelandic and Norwegian languages, which are annexed to the respective language versions of this Decision, are authentic.

Article 3

This Decision shall enter into force on 26 June 1998, provided that all the notifications under Article 103(1) of the Agreement have been made to the EEA Joint Committee.

Article 4

This Decision shall be published in the EEA Section of, and in the EEA Supplement to, the *Official Journal of the European Communities*.

Done at Brussels, 29 May 1998.

For the EEA Joint Committee

The President

F. BARBASO

⁽¹⁾ OJ L 310, 19. 11. 1998, p. 13.

⁽²⁾ OJ L 171, 30. 6. 1997, p. 49.

DECISION OF THE EEA JOINT COMMITTEE**No 42/98****of 29 May 1998****amending Annex II (technical regulations, standards, testing and certification) to the EEA Agreement**

THE EEA JOINT COMMITTEE,

Having regard to the Agreement on the European Economic Area, as adjusted by the Protocol adjusting the Agreement on the European Economic Area, hereinafter referred to as 'the Agreement', and in particular Article 98 thereof,

Whereas Annex II to the Agreement was amended by Decision of the EEA Joint Committee No 29/98 ⁽¹⁾;

Whereas Commission Directive 97/32/EC of 11 June 1997 adapting to technical progress Council Directive 77/539/EEC relating to the reversing lamps for motor vehicles and their trailers ⁽²⁾ is to be incorporated into the Agreement,

HAS DECIDED AS FOLLOWS:

Article 1

The following indent shall be added in point 30 (Council Directive 77/539/EEC) in Chapter I of Annex II to the Agreement:

‘— **397 L 0032:** Commission Directive 97/32/EC of 11 June 1997 (OJ L 171, 30.6.1997, p. 63).’

Article 2

The texts of Directive 97/32/EC in the Icelandic and Norwegian languages, which are annexed to the respective language versions of this Decision, are authentic.

Article 3

This Decision shall enter into force on 26 June 1998, provided that all the notifications under Article 103(1) of the Agreement have been made to the EEA Joint Committee.

Article 4

This Decision shall be published in the EEA Section of, and in the EEA Supplement to, the *Official Journal of the European Communities*.

Done at Brussels, 29 May 1998.

For the EEA Joint Committee

The President

F. BARBASO

⁽¹⁾ OJ L 310, 19. 11. 1998, p. 13.

⁽²⁾ OJ L 171, 30. 6. 1997, p. 63.

DECISION OF THE EEA JOINT COMMITTEE**No 43/98****of 29 May 1998****amending Annex II (technical regulations, standards, testing and certification) to the EEA Agreement**

THE EEA JOINT COMMITTEE,

Having regard to the Agreement on the European Economic Area, as adjusted by the Protocol adjusting the Agreement on the European Economic Area, hereinafter referred to as 'the Agreement', and in particular Article 98 thereof,

Whereas Annex II to the Agreement was amended by Decision of the EEA Joint Committee No 29/98 ⁽¹⁾;

Whereas Commission Directive 97/21/EC of 18 April 1997 adapting to technical progress Council Directive 80/1269/EEC on the approximation of the laws of the Member States relating to the engine power of motor vehicles ⁽²⁾ is to be incorporated into the Agreement,

HAS DECIDED AS FOLLOWS:

Article 1

The following indent shall be added in point 43 (Council Directive 80/1269/EEC) in Chapter I of Annex II to the Agreement:

— **397 L 0021:** Commission Directive 97/21/EC of 18 April 1997 (OJ L 125, 16.5.1997, p. 31).'

Article 2

The texts of Directive 97/21/EC in the Icelandic and Norwegian languages, which are annexed to the respective language versions of this Decision, are authentic.

Article 3

This Decision shall enter into force on 26 June 1998, provided that all the notifications under Article 103(1) of the Agreement have been made to the EEA Joint Committee.

Article 4

This Decision shall be published in the EEA Section of, and in the EEA Supplement to, the *Official Journal of the European Communities*.

Done at Brussels, 29 May 1998.

For the EEA Joint Committee

The President

F. BARBASO

⁽¹⁾ OJ L 310, 19. 11. 1998, p. 13.

⁽²⁾ OJ L 125, 16. 5. 1997, p. 31.

DECISION OF THE EEA JOINT COMMITTEE

No 44/98

of 29 May 1998

amending Annex II (technical regulations, standards, testing and certification) to the EEA Agreement

THE EEA JOINT COMMITTEE,

Having regard to the Agreement on the European Economic Area, as adjusted by the Protocol adjusting the Agreement on the European Economic Area, hereinafter referred to as 'the Agreement', and in particular Article 98 thereof,

Whereas Annex II to the Agreement was amended by Decision of the EEA Joint Committee No 29/98 ⁽¹⁾;

Whereas Directive 96/79/EC of the European Parliament and of the Council of 16 December 1996 on the protection of occupants of motor vehicles in the event of a frontal impact and amending Directive 70/156/EEC ⁽²⁾ is to be incorporated into the Agreement,

HAS DECIDED AS FOLLOWS:

Article 1

The following point shall be inserted after point 45u. (Directive 96/27/EC of the European Parliament and of the Council) in Chapter I of Annex II to the Agreement:

'45v. **396 L 0079:** Directive 96/79/EC of the European Parliament and of the Council of 16 December 1996 on the protection of occupants of motor vehicles in the event of a frontal impact and amending Directive 70/156/EEC (OJ L 18, 21.1.1997, p. 7).'

Article 2

The following indent shall be added in point 1 (Council Directive 70/156/EEC) in Chapter I of Annex II to the Agreement:

'— **396 L 0079:** Directive 96/79/EC of the European Parliament and of the Council of 16 December 1996 (OJ L 18, 21.1.1997, p. 7).'

Article 3

The texts of Directive 96/79/EC of the European Parliament and of the Council in the Icelandic and Norwegian languages, which are annexed to the respective language versions of this Decision, are authentic.

Article 4

This Decision shall enter into force on 26 June 1998, provided that all the notifications under Article 103(1) of the Agreement have been made to the EEA Joint Committee.

Article 5

This Decision shall be published in the EEA Section of, and in the EEA Supplement to, the *Official Journal of the European Communities*.

Done at Brussels, 29 May 1998.

For the EEA Joint Committee

The President

F. BARBASO

⁽¹⁾ OJ L 310, 19. 11. 1998, p. 13.

⁽²⁾ OJ L 18, 21. 1. 1997, p. 7.

DECISION OF THE EEA JOINT COMMITTEE**No 45/98****of 29 May 1998****amending Annex II (technical regulations, standards, testing and certification) to the EEA Agreement**

THE EEA JOINT COMMITTEE,

Having regard to the Agreement on the European Economic Area, as adjusted by the Protocol adjusting the Agreement on the European Economic Area, hereinafter referred to as 'the Agreement', and in particular Article 98 thereof,

Whereas Directive 96/73/EC of the European Parliament and of the Council of 16 December 1996 on certain methods for the quantitative analysis of binary textile fibre mixtures ⁽¹⁾, is to be incorporated into the Agreement;

Whereas Directive 96/74/EC of the European Parliament and of the Council of 16 December 1996 on textile names ⁽²⁾ is to be incorporated into the Agreement;

Whereas Commission Directive 97/37/EC of 19 June 1997 adapting to technical progress Annexes I and II to Directive 96/74/EC of the European Parliament and of the Council on textile names ⁽³⁾ is to be incorporated into the Agreement,

HAS DECIDED AS FOLLOWS:

Article 1

The following points shall be inserted after point 4 (Council Directive 75/36/EEC) in Chapter XI of Annex II to the Agreement:

‘4a **396 L 0073**: Directive 96/73/EC of the European Parliament and of the Council of 16 December 1996 on certain methods for the quantitative analysis of binary textile fibre mixtures (OJ L 32, 3.2.1997, p. 1).

4b **396 L 0074**: Directive 96/74/EC of the European Parliament and of the Council of 16 December 1996 on textile names (OJ L 32, 3.2.1997, p. 38) as amended by:

— **397 L 0037**: Commission Directive 97/37/EC of 19 June 1997 (OJ L 169, 27.6.1997, p. 74).’

Article 2

The texts of Directives 96/73/EC, 96/74/EC and 97/37/EC in the Icelandic and Norwegian languages, which are annexed to the respective language versions of this Decision, are authentic.

Article 3

This Decision shall enter into force on 1 June 1998, provided that all the notifications under Article 103(1) of the Agreement have been made to the EEA Joint Committee.

⁽¹⁾ OJ L 32, 3. 2. 1997, p. 1.

⁽²⁾ OJ L 32, 3. 2. 1997, p. 38.

⁽³⁾ OJ L 169, 27. 6. 1997, p. 74.

Article 4

This Decision shall be published in the EEA Section of, and in the EEA Supplement to, the *Official Journal of the European Communities*.

Done at Brussels, 29 May 1998.

For the EEA Joint Committee

The President

F. BARBASO

DECISION OF THE EEA JOINT COMMITTEE**No 46/98****of 29 May 1998****amending Annex II (technical regulations, standards, testing and certification) to the EEA Agreement**

THE EEA JOINT COMMITTEE,

Having regard to the Agreement on the European Economic Area, as adjusted by the Protocol adjusting the Agreement on the European Economic Area, hereinafter referred to as 'the Agreement', and in particular Article 98 thereof,

Whereas Annex II to the Agreement was amended by Decision of the EEA Joint Committee No 90/97⁽¹⁾;

Whereas Directive 97/4/EC of the European Parliament and of the Council of 27 January 1997 amending Directive 79/112/EEC on the approximation of the laws of the Member States relating to the labelling, presentation and advertising of foodstuffs⁽²⁾ is to be incorporated into the Agreement,

HAS DECIDED AS FOLLOWS:

Article 1

The following indent shall be added in point 18 (Council Directive 79/112/EEC) in Chapter XII of Annex II to the Agreement:

— **397 L 0004:** Directive 97/4/EC of the European Parliament and of the Council of 27 January 1997 (OJ L 43, 14.2.1997, p. 21).'

Article 2

The texts of Directive 97/4/EC in the Icelandic and Norwegian languages, which are annexed to the respective language versions of this Decision, are authentic.

Article 3

This Decision shall enter into force on 1 June 1998, provided that all the notifications under Article 103(1) of the Agreement have been made to the EEA Joint Committee.

Article 4

This Decision shall be published in the EEA Section of, and in the EEA Supplement to, the *Official Journal of the European Communities*.

Done at Brussels, 29 May 1998.

For the EEA Joint Committee

The President

F. BARBASO

⁽¹⁾ OJ L 193, 9. 7. 1998, p. 45.

⁽²⁾ OJ L 43, 14. 2. 1997, p. 21.

DECISION OF THE EEA JOINT COMMITTEE**No 47/98****of 29 May 1998****amending Annex II (technical regulations, standards, testing and certification) to the EEA Agreement**

THE EEA JOINT COMMITTEE,

Having regard to the Agreement on the European Economic Area, as adjusted by the Protocol adjusting the Agreement on the European Economic Area, hereinafter referred to as 'the Agreement', and in particular Article 98 thereof,

Whereas Annex II to the Agreement was amended by Decision of the EEA Joint Committee No 90/97 ⁽¹⁾;

Whereas Commission Regulation (EC) No 194/97 of 31 January 1997 setting maximum levels for certain contaminants in foodstuffs ⁽²⁾ is to be incorporated into the Agreement,

HAS DECIDED AS FOLLOWS:

Article 1

The following point shall be inserted after point 54q. (Regulation (EC) No 2232/96 of the European Parliament and of the Council) in Chapter XII of Annex II to the Agreement:

'54r. **397 R 0194:** Commission Regulation (EC) No 194/97 of 31 January 1997 setting maximum levels for certain contaminants in foodstuffs (OJ L 31, 1.2.1997, p. 48).'

Article 2

The texts of Regulation (EC) No 194/97 in the Icelandic and Norwegian languages, which are annexed to the respective language versions of this Decision, are authentic.

Article 3

This Decision shall enter into force on 1 June 1998, provided that all the notifications under Article 103(1) of the Agreement have been made to the EEA Joint Committee.

Article 4

This Decision shall be published in the EEA Section of, and in the EEA Supplement to, the *Official Journal of the European Communities*.

Done at Brussels, 29 May 1998.

For the EEA Joint Committee

The President

F. BARBASO

⁽¹⁾ OJ L 193, 9. 7. 1998, p. 45.

⁽²⁾ OJ L 31, 1. 2. 1997, p. 48.

DECISION OF THE EEA JOINT COMMITTEE

No 48/98

of 29 May 1998

amending Annex II (technical regulations, standards, testing and certification) to the EEA Agreement

THE EEA JOINT COMMITTEE,

Having regard to the Agreement on the European Economic Area, as adjusted by the Protocol adjusting the Agreement on the European Economic Area, hereinafter referred to as 'the Agreement', and in particular Article 98 thereof,

Whereas Annex II to the Agreement was amended by Decision of the EEA Joint Committee No 91/97⁽¹⁾;

Whereas Council Regulation (EC) No 434/97 of 3 March 1997 amending Regulation (EEC) No 2377/90 laying down a Community procedure for the establishment of maximum residue limits of veterinary medicinal products in foodstuffs of animal origin⁽²⁾ is to be incorporated into the Agreement;

Whereas Commission Regulation (EC) No 716/97 of 23 April 1997 amending Annexes II and III to Council Regulation (EEC) No 2377/90 laying down a Community procedure for the establishment of maximum residue limits of veterinary medicinal products in foodstuffs of animal origin⁽³⁾ is to be incorporated into the Agreement;

Whereas Commission Regulation (EC) No 748/97 of 25 April 1997 amending Annexes I and II to Council Regulation (EEC) No 2377/90 laying down a Community procedure for the establishment of maximum residue limits of veterinary medicinal products in foodstuffs of animal origin⁽⁴⁾ is to be incorporated into the Agreement;

Whereas Commission Regulation (EC) No 749/97 of 25 April 1997 amending Annexes I, II and III to Council Regulation (EEC) No 2377/90 laying down a Community procedure for the establishment of maximum residue limits of veterinary medicinal products in foodstuffs of animal origin⁽⁵⁾ is to be incorporated into the Agreement,

HAS DECIDED AS FOLLOWS:

Article 1

The following indents shall be added in point 14 (Council Regulation (EEC) No 2377/90) in Chapter XIII of Annex II to the Agreement:

- **397 R 0434:** Council Regulation (EC) No 434/97 of 3 March 1997 (OJ L 67, 7.3.1997, p. 1);
- **397 R 0716:** Commission Regulation (EC) No 716/97 of 23 April 1997 (OJ L 106, 24.4.1997, p. 10);
- **397 R 0748:** Commission Regulation (EC) No 748/97 of 25 April 1997 (OJ L 110, 26.4.1997, p. 21);
- **397 R 0749:** Commission Regulation (EC) No 749/97 of 25 April 1997 (OJ L 110, 26.4.1997, p. 24).'

⁽¹⁾ OJ L 193, 9. 7. 1998, p. 46.

⁽²⁾ OJ L 67, 7. 3. 1997, p. 1.

⁽³⁾ OJ L 106, 24. 4. 1997, p. 10.

⁽⁴⁾ OJ L 110, 26. 4. 1997, p. 21.

⁽⁵⁾ OJ L 110, 26. 4. 1997, p. 24.

Article 2

The texts of Regulations (EC) No 434/97, (EC) No 716/97, (EC) No 748/97 and (EC) No 749/97 in the Icelandic and Norwegian languages, which are annexed to the respective language versions of this Decision, are authentic.

Article 3

This Decision shall enter into force on 1 June 1998, provided that all the notifications under Article 103(1) of the Agreement have been made to the EEA Joint Committee.

Article 4

This Decision shall be published in the EEA Section of, and in the EEA Supplement to, the *Official Journal of the European Communities*.

Done at Brussels, 29 May 1998.

For the EEA Joint Committee

The President

F. BARBASO

DECISION OF THE EEA JOINT COMMITTEE**No 49/98****of 29 May 1998****amending Annex II (technical regulations, standards, testing and certification) to the EEA Agreement**

THE EEA JOINT COMMITTEE,

Having regard to the Agreement on the European Economic Area, as adjusted by the Protocol adjusting the Agreement on the European Economic Area, hereinafter referred to as 'the Agreement', and in particular Article 98 thereof,

Whereas Annex II to the Agreement was amended by Decision of the EEA Joint Committee No 11/98 ⁽¹⁾;

Whereas Directive 97/16/EC of the European Parliament and of the Council of 10 April 1997 amending for the 15th time Directive 76/769/EEC on restrictions on the marketing and use of certain dangerous substances and preparations ⁽²⁾ is to be incorporated into the Agreement,

HAS DECIDED AS FOLLOWS:

Article 1

The following indent shall be added in point 4 (Council Directive 76/769/EEC) in Chapter XV of Annex II to the Agreement:

— **397 L 0016:** Directive 97/16/EC of the European Parliament and of the Council of 10 April 1997 (OJ L 116, 6.5.1997, p. 31).'

Article 2

The texts of Directive 97/16/EC in the Icelandic and Norwegian languages, which are annexed to the respective language versions of this Decision, are authentic.

Article 3

This Decision shall enter into force on 1 June 1998, provided that all the notifications under Article 103(1) of the Agreement have been made to the EEA Joint Committee.

Article 4

This Decision shall be published in the EEA Section of, and in the EEA Supplement to, the *Official Journal of the European Communities*.

Done at Brussels, 29 May 1998.

For the EEA Joint Committee

The President

F. BARBASO

⁽¹⁾ OJ L 272, 8. 10. 1998, p. 16.

⁽²⁾ OJ L 116, 6. 5. 1997, p. 31.

DECISION OF THE EEA JOINT COMMITTEE**No 50/98****of 29 May 1998****amending Annex II (technical regulations, standards, testing and certification) to the EEA Agreement**

THE EEA JOINT COMMITTEE,

Having regard to the Agreement on the European Economic Area, as adjusted by the Protocol adjusting the Agreement on the European Economic Area, hereinafter referred to as 'the Agreement', and in particular Article 98 thereof,

Whereas Annex II to the Agreement was amended by Decision of the EEA Joint Committee No 30/98 ⁽¹⁾;

Whereas the 20th Commission Directive 97/1/EC of 10 January 1997 adapting to technical progress Annexes II, III, VI and VII of Council Directive 76/768/EEC on the approximation of the laws of the Member States relating to cosmetic products ⁽²⁾ is to be incorporated into the Agreement;

Whereas Commission Directive 97/18/EC of 17 April 1997 postponing the date after which animal tests are prohibited for ingredients or combinations of ingredients of cosmetic products ⁽³⁾ is to be incorporated into the Agreement,

HAS DECIDED AS FOLLOWS:

Article 1

The following indents shall be added in point 1 (Council Directive 76/768/EEC) in Chapter XVI of Annex II to the Agreement:

- **397 L 0001:** 20th Commission Directive 97/1/EC of 10 January 1997 (OJ L 16, 18.1.1997, p. 85),
- **397 L 0018:** Commission Directive 97/18/EC of 17 April 1997 (OJ L 114, 1.5.1997, p. 43)¹.

Article 2

The texts of Directives 97/1/EC and 97/18/EC in the Icelandic and Norwegian languages, which are annexed to the respective language versions of this Decision, are authentic.

Article 3

This Decision shall enter into force on 1 June 1998, provided that all the notifications under Article 103(1) of the Agreement have been made to the EEA Joint Committee.

Article 4

This Decision shall be published in the EEA Section of, and in the EEA Supplement to, the *Official Journal of the European Communities*.

Done at Brussels, 29 May 1998.

For the EEA Joint Committee

The President

F. BARBASO

⁽¹⁾ OJ L 310, 19. 11. 1998, p. 14.

⁽²⁾ OJ L 16, 18. 1. 1997, p. 85.

⁽³⁾ OJ L 114, 1. 5. 1997, p. 43.

DECISION OF THE EEA JOINT COMMITTEE**No 51/98****of 29 May 1998****amending Annex II (technical regulations, standards, testing and certification) to the EEA Agreement**

THE EEA JOINT COMMITTEE,

Having regard to the Agreement on the European Economic Area, as adjusted by the Protocol adjusting the Agreement on the European Economic Area, hereinafter referred to as 'the Agreement', and in particular Article 98 thereof,

Whereas Annex II to the Agreement was amended by Decision of the EEA Joint Committee No 67/97 of 4 October 1997⁽¹⁾;

Whereas Commission Decision 95/467/EC of 24 October 1995 implementing Article 20(2) of Council Directive 89/106/EEC on construction products⁽²⁾, Commission Decision 96/603/EC of 4 October 1996 establishing a list of products belonging to Classes A 'no contribution to fire' provided for in Decision 94/611/EC implementing Article 20 of Council Directive 89/106/EEC on construction products⁽³⁾, Commission Decision 97/161/EC of 17 February 1997 on the procedure for attesting the conformity of construction products pursuant to Article 20(2) of Council Directive 89/106/EEC as regards metal anchors for use in concrete for fixing lightweight systems⁽⁴⁾, Commission Decision 97/176/EC of 17 February 1997 on the procedure for attesting the conformity of construction products pursuant to Article 20(2) of Council Directive 89/106/EEC as regards structural timber products and ancillaries⁽⁵⁾ and Commission Decision 97/177/EC of 17 February 1997 on the procedure for attesting the conformity of construction products pursuant to Article 20(2) of Council Directive 89/106/EEC as regards metal injection anchors for use in masonry⁽⁶⁾ are to be incorporated into the Agreement,

HAS DECIDED AS FOLLOWS:

Article 1

The following indents shall be added in point 1 (Council Directive 89/106/EEC) in Chapter XXI of Annex II to the Agreement:

- **395 D 0467:** Commission Decision 95/467/EC of 24 October 1995 (OJ L 268, 10.11.1995, p. 29),
- **396 D 0603:** Commission Decision 96/603/EC of 4 October 1996 (OJ L 267, 19.10.1996, p. 23),
- **397 D 0161:** Commission Decision 97/161/EC of 17 February 1997 (OJ L 62, 4.3.1997, p. 41),
- **397 D 0176:** Commission Decision 97/176/EC of 17 February 1997 (OJ L 73, 14.3.1997, p. 19),
- **397 D 0177:** Commission Decision 97/177/EC of 17 February 1997 (OJ L 73, 14.3.1997, p. 24).⁷

⁽¹⁾ OJ L 30, 5. 2. 1998, p. 38.

⁽²⁾ OJ L 268, 10. 11. 1995, p. 29.

⁽³⁾ OJ L 267, 19. 10. 1996, p. 23.

⁽⁴⁾ OJ L 62, 4. 3. 1997, p. 41.

⁽⁵⁾ OJ L 73, 14. 3. 1997, p. 19.

⁽⁶⁾ OJ L 73, 14. 3. 1997, p. 24.

Article 2

The texts of Decisions 95/467/EC, 96/603/EC, 97/161/EC, 97/176/EC and 97/177/EC in the Icelandic and Norwegian languages, which are annexed to the respective language versions of this Decision, are authentic.

Article 3

This Decision shall enter into force on 1 June 1998, provided that all the notifications under Article 103(1) of the Agreement have been made to the EEA Joint Committee.

Article 4

This Decision shall be published in the EEA Section of, and in the EEA Supplement to, the *Official Journal of the European Communities*.

Done at Brussels, 29 May 1998.

For the EEA Joint Committee

The President

F. BARBASO

DECISION OF THE EEA JOINT COMMITTEE**No 52/98****of 29 May 1998****amending Annex II (technical regulations, standards, testing and certification) to the EEA Agreement**

THE EEA JOINT COMMITTEE,

Having regard to the Agreement on the European Economic Area, as adjusted by the Protocol adjusting the Agreement on the European Economic Area, hereinafter referred to as 'the Agreement', and in particular Article 98 thereof,

Whereas Annex II to the Agreement was amended by Decision of the EEA Joint Committee No 67/97 ⁽¹⁾;

Whereas Commission Decision 97/462/EC of 27 June 1997 on the procedure for attesting the conformity of construction products pursuant to Article 20(2) of Council Directive 89/106/EEC as regards wood-based panels ⁽²⁾ is to be incorporated into the Agreement;

Whereas Commission Decision 97/463/EC of 27 June 1997 on the procedure for attesting the conformity of construction products pursuant to Article 20(2) of Council Directive 89/106/EEC as regards plastic anchors for use in concrete and masonry ⁽³⁾ is to be incorporated into the Agreement;

Whereas Commission Decision 97/464/EC of 27 June 1997 on the procedure for attesting the conformity of construction products pursuant to Article 20(2) of Council Directive 89/106/EEC as regards waste water engineering products ⁽⁴⁾ is to be incorporated into the Agreement;

Whereas Commission Decision 97/555/EC of 14 July 1997 on the procedure for attesting the conformity of construction products pursuant to Article 20(2) of Council Directive 89/106/EEC as regards cements, limes and other hydraulic binders ⁽⁵⁾ is to be incorporated into the Agreement;

Whereas Commission Decision 97/556/EC of 14 July 1997 on the procedure for attesting the conformity of construction products pursuant to Article 20(2) of Council Directive 89/106/EEC as regards external thermal insulation composite systems/kits with rendering (ETICS) ⁽⁶⁾ is to be incorporated into the Agreement;

Whereas Commission Decision 97/638/EC of 19 September 1997 on the procedure for attesting the conformity of construction products pursuant to Article 20(2) of Council Directive 89/106/EEC as regards fasteners for structural timber ⁽⁷⁾ is to be incorporated into the Agreement,

HAS DECIDED AS FOLLOWS:

Article 1

The following indents shall be added in point 1 (Council Directive 89/106/EEC) in Chapter XXI of Annex II to the Agreement:

— **397 D 0462:** Commission Decision 97/462/EC of 27 June 1997 (OJ L 198, 25.7.1997, p. 27),

⁽¹⁾ OJ L 30, 5. 2. 1998, p. 38.

⁽²⁾ OJ L 198, 25. 7. 1997, p. 27.

⁽³⁾ OJ L 198, 25. 7. 1997, p. 31.

⁽⁴⁾ OJ L 198, 25. 7. 1997, p. 33.

⁽⁵⁾ OJ L 229, 20. 8. 1997, p. 9.

⁽⁶⁾ OJ L 229, 20. 8. 1997, p. 14.

⁽⁷⁾ OJ L 268, 1. 10. 1997, p. 36.

- **397 D 0463:** Commission Decision 97/463/EC of 27 June 1997 (OJ L 198, 25.7.1997, p. 31),
- **397 D 0464:** Commission Decision 97/464/EC of 27 June 1997 (OJ L 198, 25.7.1997, p. 33),
- **397 D 0555:** Commission Decision 97/555/EC of 14 July 1997 (OJ L 229, 20.8.1997, p. 9),
- **397 D 0556:** Commission Decision 97/556/EC of 14 July 1997 (OJ L 229, 20.8.1997, p. 14),
- **397 D 0638:** Commission Decision 97/638/EC of 19 September 1997 (OJ L 268, 1.10.1997, p. 36).'

Article 2

The texts of Decisions 97/462/EC, 97/463/EC, 97/464/EC, 97/555/EC, 97/556/EC and 97/638/EC in the Icelandic and Norwegian languages, which are annexed to the respective language versions of this Decision, are authentic.

Article 3

This Decision shall enter into force on 1 June 1998, provided that all the notifications under Article 103(1) of the Agreement have been made to the EEA Joint Committee.

Article 4

This Decision shall be published in the EEA Section of, and in the EEA Supplement to, the *Official Journal of the European Communities*.

Done at Brussels, 29 May 1998.

For the EEA Joint Committee
The President
F. BARBASO

DECISION OF THE EEA JOINT COMMITTEE**No 53/98****of 29 May 1998****amending Annex XIX (consumer protection) to the EEA Agreement**

THE EEA JOINT COMMITTEE,

Having regard to the Agreement on the European Economic Area, as adjusted by the Protocol adjusting the Agreement on the European Economic Area, hereinafter referred to as 'the Agreement', and in particular Article 98 thereof,

Whereas Annex XIX to the Agreement was amended by Decision of the EEA Joint Committee No 15/98 ⁽¹⁾;

Whereas Directive 97/55/EC of the European Parliament and of the Council of 6 October 1997 amending Directive 84/450/EEC concerning misleading advertising so as to include comparative advertising ⁽²⁾ is to be incorporated into the Agreement,

HAS DECIDED AS FOLLOWS:

Article 1

The following shall be added in point 2 (Council Directive 84/450/EEC) in Annex XIX to the Agreement:

‘, as amended by:

— **397 L 0055:** Directive 97/55/EC of the European Parliament and of the Council of 6 October 1997 (OJ L 290, 23.10.1997, p. 18).’

Article 2

The texts of Directive 97/55/EC in the Icelandic and Norwegian languages, which are annexed to the respective language versions of this Decision, are authentic.

Article 3

This Decision shall enter into force on 1 June 1998, provided that all the notifications under Article 103(1) of the Agreement have been made to the EEA Joint Committee.

Article 4

This Decision shall be published in the EEA Section of, and in the EEA Supplement to, the *Official Journal of the European Communities*.

Done at Brussels, 29 May 1998.

For the EEA Joint Committee

The President

F. BARBASO

⁽¹⁾ OJ L 272, 8. 10. 1998, p. 22.

⁽²⁾ OJ L 290, 23. 10. 1997, p. 18.

DECISION OF THE EEA JOINT COMMITTEE

No 54/98

of 3 June 1998

amending Protocol 31 to the EEA Agreement, on cooperation in specific fields outside the four freedoms

THE EEA JOINT COMMITTEE,

Having regard to the Agreement on the European Economic Area, as adjusted by the Protocol adjusting the Agreement on the European Economic Area, hereinafter referred to as 'the Agreement', and in particular Articles 86 and 98 thereof,

Whereas Protocol 31 to the Agreement was amended by Decision of the EEA Joint Committee No 10/94⁽¹⁾;

Whereas Decision No 616/96/EC of the European Parliament and of the Council of 25 March 1996 adapting Decision No 1110/94/EC concerning the fourth framework programme of the European Community activities in the field of research and technological development and demonstration (1994 to 1998) following the accession of the Republic of Austria, the Republic of Finland and the Kingdom of Sweden to the European Union⁽²⁾ and Decision No 2535/97/EC of the European Parliament and of the Council of 1 December 1997 adapting for the second time Decision No 1110/94/EC concerning the fourth framework programme of the European Community activities in the field of research and technological development and demonstration (1994 to 1998)⁽³⁾ are to be incorporated into the Agreement,

HAS DECIDED AS FOLLOWS:

Article 1

In Protocol 31 to the Agreement, the following shall be added in Article 1(5) in the second indent:

‘, as amended by:

- **396 D 0616**: Decision No 616/96/EC of the European Parliament and of the Council of 25 March 1996 (OJ L 86, 4.4.1996, p. 69),
- **397 D 2535**: Decision No 2535/97/EC of the European Parliament and of the Council of 1 December 1997 (OJ L 347, 18.12.1997, p. 1).’

Article 2

This Decision shall enter into force on 4 June 1998, provided that all the notifications under Article 103(1) of the Agreement have been made to the EEA Joint Committee.

Article 3

This Decision shall be published in the EEA Section of, and in the EEA Supplement to, the *Official Journal of the European Communities*.

Done at Brussels, 3 June 1998.

For the EEA Joint Committee

The President

F. BARBASO

⁽¹⁾ OJ L 253, 29. 9. 1994, p. 32.

⁽²⁾ OJ L 86, 4. 4. 1996, p. 69.

⁽³⁾ OJ L 347, 18. 12. 1997, p. 1.