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Legislation

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I

(Acts whose publication is obligatory)

COUNCIL REGULATION (EC) No 1048/98**of 18 May 1998****amending Regulation (EEC) No 2658/87 on the tariff and statistical nomenclature and on the Common Customs Tariff and autonomously according a temporary partial suspension from customs duties for certain gas turbines**

THE COUNCIL OF THE EUROPEAN UNION,

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

Having regard to the proposal from the Commission,

Whereas Council Regulation (EEC) No 2658/87 of 23 July 1987 on the tariff and statistical nomenclature and on the Common Customs Tariff⁽¹⁾ established a nomenclature for goods known as the 'Combined Nomenclature';

Whereas Council Regulation (EEC) No 2913/92 of 12 October 1992 establishing the Community Customs Code⁽²⁾ sets out provisions on conditions under which certain goods are eligible on import for favourable tariff treatment by reason of their end-use;

Whereas the supply of certain gas turbines to the Community manufacturers of combined heat and power stations is currently to a large extent constituted by imports from outside the Community; whereas the use of such combined heat and power stations is beneficial for the environment; whereas a temporary partial autonomous exemption from customs duties should therefore

be accorded for such turbines under the end-use arrangements for a limited period;

Whereas a subheading accompanied by end-use provisions should be created in the Combined Nomenclature for these products; whereas the Combined Nomenclature should be amended accordingly,

HAS ADOPTED THIS REGULATION:

Article 1

1. Part Two of Annex I to Regulation (EEC) No 2658/87 is hereby amended in accordance with the Annex to this Regulation.

2. The amendments to Combined Nomenclature subheadings provided for in this Regulation shall be applicable as Taric subheadings until their insertion into the Combined Nomenclature in accordance with Article 12 of Regulation (EEC) No 2658/87.

Article 2

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

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

Done at Brussels, 18 May 1998.

For the Council

The President

LORD SIMON of HIGHBURY

⁽¹⁾ OJ L 256, 7. 9. 1987, p. 1. Regulation as last amended by Commission Regulation (EC) No 2509/97 (OJ L 345, 16. 12. 1997, p. 44).

⁽²⁾ OJ L 302, 19. 10. 1992, p. 1. Regulation as last amended by Regulation (EC) No 82/97 of the European Parliament and of the Council (OJ L 17, 21. 1. 1997, p. 1).

ANNEX

CN code	Description	Rate of duty		Supplementary unit
		autonomous (%)	conventional (%)	
1	2	3	4	5
8411 81	— Other gas turbines:			
8411 81 10 to 8411 81 90	— — Of a power not exceeding 5 000 kW (unchanged)			
8411 82	— — Of a power exceeding 5 000 kW:			
8411 82 10	— — — (unchanged)			
	— — — Other:			
	— — — — Of a power exceeding 5 000 kW but not exceeding 20 000 kW:			
8411 82 81 (a)	— — — — — Of a power not exceeding 7 000 kW, for use in combined heat and power stations (*)	14 (z)	5,5	p/st
8411 82 89 (b)	— — — — — Other	14	5,5	p/st
8411 82 93 to 8411 82 99	(unchanged)			

(*) Entry under this subheading is subject to conditions laid down in the relevant Community provisions.

(z) *Ad valorem* duty rate reduced to 2,5 % on an autonomous basis until 30 June 2000.

(a) 1998 Taric code: 8411 82 91*10.

(b) 1998 Taric code: 8411 82 91*90.

COMMISSION REGULATION (EC) No 1049/98
of 20 May 1998
establishing the standard import values for determining the entry price of certain
fruit and vegetables

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

Having regard to Commission Regulation (EC) No 3223/94 of 21 December 1994 on detailed rules for the application of the import arrangements for fruit and vegetables ⁽¹⁾, as last amended by Regulation (EC) No 2375/96 ⁽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 21 May 1998.

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

Done at Brussels, 20 May 1998.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ L 337, 24. 12. 1994, p. 66.

⁽²⁾ OJ L 325, 14. 12. 1996, p. 5.

⁽³⁾ OJ L 387, 31. 12. 1992, p. 1.

⁽⁴⁾ OJ L 22, 31. 1. 1995, p. 1.

ANNEX

to the Commission Regulation of 20 May 1998 establishing the standard import values for determining the entry price of certain fruit and vegetables

(ECU/100 kg)

CN code	Third country code ⁽¹⁾	Standard import value
0702 00 00	204	50,6
	999	50,6
0707 00 05	052	93,6
	068	87,3
	999	90,5
0709 90 70	052	74,6
	999	74,6
0805 10 10, 0805 10 30, 0805 10 50	052	60,0
	204	38,4
	212	60,0
	400	55,4
	600	48,0
	624	45,3
	999	51,2
	382	58,2
0805 30 10	388	58,2
	600	58,7
	999	58,4
	060	37,0
0808 10 20, 0808 10 50, 0808 10 90	388	74,4
	400	95,6
	404	94,0
	508	90,0
	512	78,4
	524	105,3
	528	77,1
	804	106,9
	999	84,3

⁽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 1050/98

of 20 May 1998

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

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EEC) No 1785/81 of 30 June 1981 on the common organization of the market in sugar⁽¹⁾, as last amended by Regulation (EC) No 1599/96⁽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 21 May 1998.

⁽¹⁾ OJ L 177, 1. 7. 1981, p. 4.

⁽²⁾ OJ L 206, 16. 8. 1996, p. 43.

⁽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, 20 May 1998.

For the Commission

Franz FISCHLER

Member of the Commission

ANNEX

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

CN code	Amount of the representative price in ECU per 100 kg net of the product in question	Amount of the additional duty in ECU per 100 kg net of the product in question	Amount of the duty to be applied to imports in ECU per 100 kg net of the product in question because of suspension as referred to in Article 5 of Regulation (EC) No 1422/95 ⁽²⁾
1703 10 00 ⁽¹⁾	7,02	0,03	—
1703 90 00 ⁽¹⁾	8,33	—	0,00

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

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

COMMISSION REGULATION (EC) No 1051/98
of 20 May 1998
altering the export refunds on white sugar and raw sugar exported in the natural state

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

Having regard to Council Regulation (EEC) No 1785/81 of 30 June 1981 on the common organization of the markets in the sugar sector ⁽¹⁾, as last amended by Regulation (EC) No 1599/96 ⁽²⁾, and in particular the second subparagraph of Article 19 (4) thereof,

Whereas the refunds on white sugar and raw sugar exported in the natural state were fixed by Commission Regulation (EC) No 997/98 ⁽³⁾;

Whereas it follows from applying the detailed rules contained in Regulation (EC) No 997/98 to the information known to the Commission that the export refunds at

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

HAS ADOPTED THIS REGULATION:

Article 1

The export refunds on the products listed in Article 1 (1) (a) of Regulation (EEC) No 1785/81, undenatured and exported in the natural state, as fixed in the Annex to Regulation (EC) No 997/98 are hereby altered to the amounts shown in the Annex hereto.

Article 2

This Regulation shall enter into force on 21 May 1998.

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

Done at Brussels, 20 May 1998.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ L 177, 1. 7. 1981, p. 4.

⁽²⁾ OJ L 206, 16. 8. 1996, p. 43.

⁽³⁾ OJ L 142, 14. 5. 1998, p. 9.

ANNEX

to the Commission Regulation of 20 May 1998 altering the export refunds on white sugar and raw sugar exported in its unaltered state

Product code	Amount of refund
	— ECU/100 kg —
1701 11 90 9100	41,05 ⁽¹⁾
1701 11 90 9910	39,01 ⁽¹⁾
1701 11 90 9950	⁽²⁾
1701 12 90 9100	41,05 ⁽¹⁾
1701 12 90 9910	39,01 ⁽¹⁾
1701 12 90 9950	⁽²⁾
	— ECU/1 % of sucrose × 100 kg —
1701 91 00 9000	0,4463
	— ECU/100 kg —
1701 99 10 9100	44,63
1701 99 10 9910	43,92
1701 99 10 9950	43,92
	— ECU/1 % of sucrose × 100 kg —
1701 99 90 9100	0,4463

⁽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 1052/98
of 20 May 1998

fixing the maximum export refund for white sugar for the 39th partial invitation to tender issued within the framework of the standing invitation to tender provided for in Regulation (EC) No 1408/97

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

Having regard to Council Regulation (EEC) No 1785/81 of 30 June 1981 on the common organization of the markets in the sugar sector ⁽¹⁾, as last amended by Regulation (EC) No 1599/96 ⁽²⁾, and in particular the second subparagraph of Article 17 (5)(b) thereof,

Whereas Commission Regulation (EC) No 1408/97 of 22 July 1997 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 1408/97 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 39th 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 39th partial invitation to tender for white sugar issued pursuant to Regulation (EC) No 1408/97 the maximum amount of the export refund is fixed at ECU 46,945 per 100 kilograms.

Article 2

This Regulation shall enter into force on 21 May 1998.

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

Done at Brussels, 20 May 1998.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ L 177, 1. 7. 1981, p. 4.

⁽²⁾ OJ L 206, 16. 8. 1996, p. 43.

⁽³⁾ OJ L 194, 23. 7. 1997, p. 16.

COMMISSION REGULATION (EC) No 1053/98

of 20 May 1998

amending Annexes II, III and IX to Council Regulation (EEC) No 3030/93 on common rules for imports of certain textile products from third countries

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EEC) No 3030/93 of 12 October 1993 on common rules for imports of certain textile products from third countries⁽¹⁾, as last amended by Commission Regulation (EC) No 856/98⁽²⁾, and in particular Article 19 in conjunction with Article 17 thereof,

Whereas the Council has decided by Decision of 11 May 1998 to apply on a provisional basis the Agreement on trade in textile products negotiated with the Russian Federation;

Whereas it is therefore necessary to amend Annexes II, III and IX to Regulation (EEC) No 3030/93 to take account of changes applying to the importation into the Community of certain textile products originating in certain third countries within the meaning of Article 19 of Regulation (EEC) No 3030/93;

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

HAS ADOPTED THIS REGULATION:

Article 1

Regulation (EEC) No 3030/93 is amended as follows:

- Annex II is replaced by Annex I to this Regulation.
- In Annex III, Article 28(6) is replaced by the following text.

‘6. This number shall be composed of the following elements⁽¹⁾:

— two letters identifying the exporting country as follows:

— Argentina	= AR
— Armenia	= AM
— Azerbaijan	= AZ
— Bangladesh	= BD
— Belarus	= BY
— Brazil	= BR
— China	= CN

— Egypt	= EG
— Estonia	= EE
— Former Yugoslav Republic of Macedonia	= 96
— Georgia	= GE
— Hong Kong	= HK
— India	= IN
— Indonesia	= ID
— Kazakhstan	= KZ
— Kyrgyzstan	= KG
— Latvia	= LV
— Lithuania	= LT
— Macao	= MO
— Malaysia	= MY
— Moldova	= MD
— Mongolia	= MN
— Pakistan	= PK
— Peru	= PE
— Philippines	= PH
— Russian Federation	= RU
— Singapore	= SG
— South Korea	= KR
— Sri Lanka	= LK
— Taiwan	= TW
— Tajikistan	= TJ
— Thailand	= TH
— Turkmenistan	= TM
— Ukraine	= UA
— United Arab Emirates	= AE
— Uruguay	= UY
— Uzbekistan	= UZ
— Vietnam	= VN

— two letters identifying the intended Member State of destination as follows:

— AT	= Austria
— BL	= Benelux
— DE	= Federal Republic of Germany
— DK	= Denmark
— EL	= Greece
— ES	= Spain
— FI	= Finland
— FR	= France

⁽¹⁾ OJ L 275, 8. 11. 1993, p. 1.

⁽²⁾ OJ L 122, 24. 4. 1998, p. 11.

- GB = United Kingdom
 - IE = Ireland
 - IT = Italy
 - PT = Portugal
 - SE = Sweden
- a one-digit number identifying the quota year or the year under which exports were recorded, in the case of products listed in Table A of this Annex, corresponding to the last figure in the year in question, for example “5” for 1995. In the case of products originating in the People’s Republic of China listed in Appendix C to Annex V this number should be “1” for the year 1995, “2” for the year 1996, “3” for the year 1997 and so on,
 - a two-digit number identifying the issuing office in the exporting country,
- a five-digit number running consecutively from 00001 to 99999 allocated to the specific Member State of destination.
- (¹) In the case of Peru and Egypt, this provision will enter into force at a later date.’
3. Table A in Annex III is replaced by the table in Annex II to this Regulation.
 4. Annex IX is replaced by Annex III to this Regulation.

Article 2

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

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

Done at Brussels, 20 May 1998.

For the Commission

Leon BRITTAN

Vice-President

*ANNEX I**ANNEX II***Exporting countries referred to in Article 1**

Argentina
Armenia
Azerbaijan
Bangladesh
Belarus
Brazil
China
Egypt
Estonia
Former Yugoslav Republic of Macedonia
Georgia
Hong Kong
India
Indonesia
Kazakhstan
Kyrgyzstan
Latvia
Lithuania
Macao
Malaysia
Moldova
Mongolia
Pakistan
Peru
Philippines
Russian Federation
Singapore
South Korea
Sri Lanka
Taiwan
Tajikistan
Thailand
Turkmenistan
Ukraine
United Arab Emirates
Uzbekistan
Vietnam'

ANNEX II

TABLE A

Countries and categories subject to the system of double-checking surveillance

(The complete description of the categories is shown in Annex I)

Third country	Group	Category	Unit
Armenia	I A	1	tonnes
		2	tonnes
		3	tonnes
	I B	4	1 000 pieces
		5	1 000 pieces
		6	1 000 pieces
		7	1 000 pieces
		8	1 000 pieces
Azerbaijan	I A	1	tonnes
		2	tonnes
		3	tonnes
	I B	4	1 000 pieces
		5	1 000 pieces
		6	1 000 pieces
		7	1 000 pieces
		8	1 000 pieces
	II A	20	tonnes
	II B	12	1 000 pairs
		13	1 000 pieces
	V	136	tonnes
Bangladesh	I B	4 (*)	1 000 pieces
		6 (*)	1 000 pieces
		8 (*)	1 000 pieces
Estonia	I A	1	tonnes
		2	tonnes
		3	tonnes
	I B	4	1 000 pieces
		5	1 000 pieces
		6	1 000 pieces
		7	1 000 pieces
		8	1 000 pieces
	II A	9	tonnes
		20	tonnes
		39	tonnes
	II B	13	1 000 pieces
	IV	117	tonnes
		118	tonnes
Egypt	I A	1	tonnes
		2	tonnes
	I B	4 (*)	1 000 pieces
	II A	20 (*)	tonnes

Third country	Group	Category	Unit
Former Yugoslav Republic of Macedonia	I A	1	tonnes
		2	tonnes
	I B	4	1 000 pieces
		5	1 000 pieces
		6	1 000 pieces
		7	1 000 pieces
		8	1 000 pieces
	II B	15	1 000 pieces
		16	1 000 pieces
	III B	67	tonnes
Georgia	I A	1	tonnes
		2	tonnes
		3	tonnes
	I B	4	1 000 pieces
		5	1 000 pieces
		6	1 000 pieces
		7	1 000 pieces
		8	1 000 pieces
Kazakhstan	I A	1	tonnes
		2	tonnes
		3	tonnes
	I B	4	1 000 pieces
		5	1 000 pieces
		6	1 000 pieces
		7	1 000 pieces
		8	1 000 pieces
Kyrgyzstan	I A	1	tonnes
		2	tonnes
		3	tonnes
	I B	4	1 000 pieces
		5	1 000 pieces
		6	1 000 pieces
		7	1 000 pieces
		8	1 000 pieces
Latvia	I A	1	tonnes
		2	tonnes
	I B	4	1 000 pieces
		5	1 000 pieces
		6	1 000 pieces
		7	1 000 pieces
	II A	9	tonnes
	II B	12	1 000 pairs
		15	1 000 pieces
		26	1 000 pieces
		27	1 000 pieces
		31	1 000 pieces

Third country	Group	Category	Unit
Lithuania	I A	2	tonnes
	I B	4	1 000 pieces
		5	1 000 pieces
		6	1 000 pieces
		7	1 000 pieces
		8	1 000 pieces
	II A	20	tonnes
		39	tonnes
	II B	12	1 000 pairs
		13	1 000 pieces
		28	1 000 pieces
	IV	117	tonnes
		118	tonnes
Moldova	I A	1	tonnes
		2	tonnes
		3	tonnes
	I B	4	1 000 pieces
		5	1 000 pieces
		6	1 000 pieces
		7	1 000 pieces
		8	1 000 pieces
	II A	9	tonnes
		20	tonnes
		39	tonnes
	II B	15	1 000 pieces
	IV	115	tonnes
		117	tonnes
		118	tonnes
Mongolia	I B	5	1 000 pieces
		5 A	1 000 pieces
Russian Federation	I A	1	tonnes
		2	tonnes
		2 A	tonnes
		3	tonnes
	I B	4	1 000 pieces
		5	1 000 pieces
		6	1 000 pieces
		7	1 000 pieces
		8	1 000 pieces
	II A	9	tonnes
		20	tonnes
		22	tonnes
		39	tonnes
	II B	12	1 000 pieces
		13	1 000 pieces
		15	1 000 pieces
		16	1 000 pieces
		21	1 000 pieces
		24	1 000 pieces
		29	1 000 pieces
	III A	83	tonnes
		33	tonnes
		37	tonnes
		50	tonnes
			tonnes

Third country	Group	Category	Unit
Tajikistan	III B	74	1 000 pieces
		90	tonnes
	IV	115	tonnes
		117	tonnes
		118	tonnes
	I A	1	tonnes
		2	tonnes
		3	tonnes
	I B	4	1 000 pieces
		5	1 000 pieces
		6	1 000 pieces
		7	1 000 pieces
		8	1 000 pieces
Turkmenistan	I A	1	tonnes
		2	tonnes
		3	tonnes
	I B	4	1 000 pieces
		5	1 000 pieces
		6	1 000 pieces
		7	1 000 pieces
		8	1 000 pieces
Ukraine	II A	22	tonnes
	II B	73	1 000 pieces
		83	tonnes
	III A	33	tonnes
	III B	74	1 000 pieces
United Arab Emirates	I A	2	tonnes
	I B	4	1 000 pieces
		5	1 000 pieces
		6	1 000 pieces
		7	1 000 pieces
		8	1 000 pieces
	II A	9	tonnes
		20	tonnes
	II B	21	1 000 pieces
		26	1 000 pieces
	V	157	tonnes
		161	tonnes
Uzbekistan	I A	1	tonnes
		3	tonnes
	I B	4	1 000 pieces
		5	1 000 pieces
		6	1 000 pieces
		7	1 000 pieces
		8	1 000 pieces
	II A	20	tonnes
	II B	15	1 000 pieces
		26	1 000 pieces
	V	159	tonnes
		161	tonnes

Third country	Group	Category	Unit
Vietnam	I A	1	tonnes
		2	tonnes
		3	tonnes
	II A	22	tonnes
		23	tonnes
		32	tonnes
	II B	16	1 000 pieces
		17	1 000 pieces
		19	1 000 pieces
		24	1 000 pieces
		27	1 000 pieces
	III A	33	tonnes
		36	tonnes
		37	tonnes
	III B	90	tonnes
	IV	115	tonnes
		117	tonnes
	V	136	tonnes
		156	tonnes
		157	tonnes
		159	tonnes
		160	tonnes

(*) For these categories the provisions of Article 9 do not apply.'

ANNEX III

ANNEX IX

referred to in Article 10

Safeguard measures, basket-exit thresholds

Supplier country	Group I	Group II	Group III	Group IV	Group V
Armenia	0,35 %	1,20 %	4,00 %	4,00 %	4,00 %
Azerbaijan	0,35 %	1,20 %	4,00 %	4,00 %	4,00 %
Belarus		1,20 %	4,00 %	4,00 %	4,00 %
China		5,00 %	10,00 %		
Georgia	0,35 %	1,20 %	4,00 %	4,00 %	4,00 %
Kazakhstan	0,35 %	1,20 %	4,00 %	4,00 %	4,00 %
Kyrgyzstan	0,35 %	1,20 %	4,00 %	4,00 %	4,00 %
Latvia	0,40 %	2,40 %	8,00 %	8,00 %	8,00 %
Lithuania	0,40 %	2,40 %	8,00 %	8,00 %	8,00 %
Former Yugoslav Republic of Macedonia	1,00 %	5,00 %	10,00 %		
Moldova	0,35 %	1,20 %	4,00 %	4,00 %	4,00 %
Uzbekistan	0,35 %	1,20 %	4,00 %	4,00 %	4,00 %
Russian Federation	5,00 % ⁽¹⁾	5,00 % ⁽¹⁾	5,00 % ⁽¹⁾	5,00 % ⁽¹⁾	
Tajikistan	0,35 %	1,20 %	4,00 %	4,00 %	4,00 %
Taiwan	0,40 %	2,00 %	6,00 %		
Turkmenistan	0,35 %	1,20 %	4,00 %	4,00 %	4,00 %
Ukraine		1,20 %	4,00 %	4,00 %	4,00 %

⁽¹⁾ For product categories shown in Table A of Annex III.

Supplier country	Group I	Group II A	Group II B	Group III	Group IV	Group V
Vietnam	1,0 %	5,0 %	2,5 %	10,0 %	10,0 %	10,0 %

China (for the products referred to in Annex I B)	for silk products	for other products
	25,00 %	10,00 %'

**COMMISSION REGULATION (EC) No 1054/98
of 20 May 1998**

amending Regulation (EC) No 1223/94 laying down special detailed rules for the application of the system of advance-fixing certificates for certain agricultural products exported in the form of goods not covered by Annex II to the Treaty, and Regulation (EC) No 1222/94 laying down common detailed rules for the application of the system of granting export refunds on certain agricultural products exported in the form of goods not covered by Annex II to the Treaty, and the criteria for fixing the amount of such refunds

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EC) No 3448/93 of 6 December 1993 laying down the trade arrangements applicable to certain goods resulting from the processing of agricultural products⁽¹⁾, and in particular the first subparagraph of Article 8(3) and Article 20 thereof,

Whereas Commission Regulation (EC) No 1222/94⁽²⁾, as last amended by Regulation (EC) No 1909/97⁽³⁾, stipulates that for eggs exported in any form other than ovalbumin, the rate of the refund cannot be fixed in advance; whereas, for exports of eggs in the natural state, the granting of a refund is now subject to obtaining an export licence comprising advance fixing of the refund; whereas, therefore, advance fixing of refunds for eggs incorporated into goods not covered by Annex II to the Treaty should also be allowed for a period identical to that applicable to these products when exported in the natural state;

Whereas Commission Regulation (EC) No 1223/94 of 30 May 1994 laying down special detailed rules for the application of the system of advance-fixing certificates for certain agricultural products exported in the form of goods not covered by Annex II to the Treaty⁽⁴⁾, as last amended by Regulation (EC) No 2340/96⁽⁵⁾, stipulates that, during the period of reflection referred to in Article 3(3), a number of special measures, listed in the second subparagraph, may be adopted; whereas it is necessary to provide a single measure, namely the rejection of applications; whereas, in the absence of such a measure, which may be applied at the latest on the first day on which the certificates can be issued, the latter should be issued for the quantity and rate of refund requested;

Whereas, in order to improve the management of acceptance or rejection of advance-fixing certificates, the days

on which Member States inform the Commission of applications for certificates should be changed; whereas the time taken to issue certificates should be shortened whenever possible, while still carrying out the checks needed to ensure proper management;

Whereas the current situation regarding exports of milk products in the form of goods not covered by Annex II to the Treaty calls for very close monitoring of the advance fixing of refunds; whereas the present validity period of certificates for milk products exported in the form of goods not covered by Annex II to the Treaty is three months following the month of application for butter, and six months following the month of application for milk powder; whereas the validity period of certificates for milk products exported in the natural state is four months following the month of application; whereas a longer validity period creates increased uncertainty regarding the amounts committed in respect of refunds which have not been paid, and complicates budgetary monitoring; whereas the validity period of certificates for all milk products exported in the form of goods should accordingly be reduced to a period identical to that applicable to milk products exported in the natural state;

Whereas the measures provided for in this Regulation are in accordance with the opinion of the Management Committee on horizontal questions concerning trade in processed agricultural products not listed in Annex II,

HAS ADOPTED THIS REGULATION:

Article 1

In Article 5(2) of Regulation (EC) No 1222/94, the first subparagraph is hereby replaced by the following:

‘However, a system of fixing the rate of the refund in advance shall be applicable for basic products.’

⁽¹⁾ OJ L 318, 20. 12. 1993, p. 18.

⁽²⁾ OJ L 136, 31. 5. 1994, p. 5.

⁽³⁾ OJ L 268, 1. 10. 1997, p. 20.

⁽⁴⁾ OJ L 136, 31. 5. 1994, p. 33.

⁽⁵⁾ OJ L 318, 7. 12. 1996, p. 9.

Article 2

Regulation (EC) No 1223/94 is hereby amended as follows:

1. Article 3(3) is replaced by the following:

‘3. Applications for certificates for each basic product can be lodged every working day. The issue of certificates by the relevant authority is subject to the following conditions:

- (i) certificates applied for from Monday to Wednesday shall be issued on the following Monday;
- (ii) certificates applied for on a Thursday or Friday shall be issued on the following Wednesday.

Certificates shall not be issued if during the period from the Monday to the Friday (for certificates applied for from Monday to Wednesday) or during the period from the Thursday to the following Tuesday (for certificates applied for on a Thursday or Friday) the Commission decides not to accept the applications.’;

2. Article 4(1) is replaced by the following:

‘1. A certificate shall be valid from its day of issue:

- for products covered by the common organisations of the markets in sugar, cereals and rice, until the end of the fifth month following that of application,
- for products covered by the common organisation of the market in milk and milk products, until the end of the fourth month following that of application,
- for products covered by the common organisation of the market in eggs, until the end of the third month following that of application.

By way of derogation from the preceding subparagraph, where goods are exported on the basis of an

invitation to tender, as referred to in Article 44 of Regulation (EEC) No 3719/88, issued in an importing non-member country, the certificate shall be valid from the date of its issue until the date on which the obligations arising from the award must be met, although the period of validity of the certificate may not exceed eight months following the month of issue.’;

3. Article 4(2)(b) is deleted;

4. in Article 8(1) ‘every Tuesday and Friday’ is replaced by ‘every Monday and Thursday before midday (Brussels time)’;

5. the following Article 9a is added:

‘Article 9a

The time frame for issuing certificates shall be extended by one day if the day on which Member States are required to inform the Commission of certificate applications referred to in Article 8 falls on an official public holiday of the Commission in Brussels, irrespective of whether or not that day is a public holiday in the Member State where the application for a certificate was lodged.’

Article 3

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

It shall apply to applications for certificates lodged from 1 June 1998.

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

Done at Brussels, 20 May 1998.

For the Commission

Martin BANGEMANN

Member of the Commission

COMMISSION REGULATION (EC) No 1055/98**of 20 May 1998****amending Regulation (EC) No 2020/97 introducing preventive distillation as provided for in Article 38 of Council Regulation (EEC) No 822/87 for the 1997/98 wine year**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EEC) No 822/87 of 16 March 1987 on the common organisation of the market in wine ⁽¹⁾, as last amended by Regulation (EC) No 2087/97 ⁽²⁾, and in particular Article 38(5) thereof,

Whereas Commission Regulation (EC) No 2020/97 ⁽³⁾ introduces preventive distillation as provided for in Article 38 of Regulation (EEC) No 822/87; whereas Article 1(4) of that Regulation allows the Member States to approve contracts or declarations as soon as they are submitted, for a quantity not exceeding half of the quantity specified in each contract or declaration;

Whereas under Article 8(1) of Council Regulation (EEC) No 2046/89 ⁽⁴⁾, as last amended by Regulation (EC) No 2468/96 ⁽⁵⁾, distillers may apply for an advance payment equal to the amount of the aid provided they have lodged a security; whereas the possibility of distilling not more than half the total quantity of wine specified in contracts and declarations immediately after approval as referred to in Article 1(4) of Regulation (EC) No 2020/97, introduced to speed up preventive distillation for the current wine year, may engender financial difficulties for distillers, who are unable to reclaim the security until the contracts have been fully performed; whereas, therefore, the provision introduced to facilitate preventive distillation could jeopardise the proper functioning of distillation operations because the money for the security, which would normally be released on performance of a contract and which could then be used to perform other contracts, can be tied up throughout the period of performance of the contracts, thereby requiring distillers to invest considerably larger sums; whereas this situation should be remedied by separating the parts of the contracts and declarations approved under Articles 1(4) and 1(6) of Regulation (EC) No 2020/97, respectively, with a view to applying the provisions on the advance of the aid and the security;

Whereas the distillation contracts or declarations had to be signed by 29 January 1998 at the latest;

Whereas the preventive distillation as introduced, while having significant results, has nevertheless missed some wines that are unsuitable for the market and which adversely affect it; whereas, under the circumstances, these wines should be withdrawn from the market by reintroducing preventive distillation for a limited volume restricted to table wine with a view to improving in this manner the quality of the wines that should remain on the market; whereas distillation should be reintroduced only in those regions which have not distilled the quality allocated to them;

Whereas, in the interests of efficiency, preventive distillation should be reintroduced only for wine producers who have already signed distillation contracts or declarations; whereas in addition, in certain regions distillation should be reintroduced only for wine producers who have signed such contracts for a substantial part of the maximum quantity provided for in Article 1(1) of Regulation (EC) No 2020/97 and who wish to distil additional quantities;

Whereas, where the overall quantity applied for by region exceeds the quantities provided for, the Member States must apply a single rate of reduction for all new contracts submitted;

Whereas, with a view to the sound management of the quantities in question, it is necessary to derogate from certain provisions of Commission Regulation (EEC) No 2721/88 of 31 August 1998 laying down detailed rules for voluntary distillation as provided for in Articles 38, 41 and 42 of Regulation (EEC) No 822/87 ⁽⁶⁾, as last amended by Regulation (EEC) No 2181/91 ⁽⁷⁾, and to provide that the quantities applied for in the contracts and declarations may be reduced;

Whereas, to improve the effectiveness of the measure, distillation should take place over a short time scale, and the Member States should be permitted to impose more restrictive measures, in particular the introduction of a security to accompany the submission of the contract or declaration;

⁽¹⁾ OJ L 84, 27. 3. 1987, p. 1.

⁽²⁾ OJ L 292, 25. 10. 1997, p. 1.

⁽³⁾ OJ L 284, 16. 10. 1997, p. 39.

⁽⁴⁾ OJ L 202, 14. 7. 1989, p. 14.

⁽⁵⁾ OJ L 335, 24. 12. 1996, p. 7.

⁽⁶⁾ OJ L 241, 1. 9. 1988, p. 88.

⁽⁷⁾ OJ L 202, 25. 7. 1991, p. 16.

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

HAS ADOPTED THIS REGULATION:

Article 1

Regulation (EC) No 2020/97 is amended as follows:

1. The following paragraph is added to Article 1:

'10. For the purposes of applying Article 8 of Council Regulation (EEC) No 2046/89 (*) and Article 9(2) of Regulation (EEC) No 2721/88, Member States may decide that the two partial approvals of contracts and declarations referred to, respectively, in Article 1(4) and Article 1(6) of this Regulation are to be treated as separate contracts and declarations.

(*) OJ L 202, 14.7.1989, p. 14.'

2. The following Article is inserted after Article 1:

Article 1a

1. Preventive distillation of table wine and wine suitable for yielding table wine as referred to in Article 38 of Regulation (EEC) No 822/87 is hereby reintroduced for the 1997/98 wine year in those regions which have not distilled the full volume allocated to them.

The quantity of table wine or wine suitable for yielding table wine that the producers can have distilled in accordance with Regulation (EEC) No 2721/88 shall be no more than 685 000 hl. This quantity shall be broken down by production region as referred to in Article 4 of Commission Regulation (EEC) No 441/88 (*) as follows:

— region 2 (France):	50 000 hectolitres
— region 4 (Italy):	575 000 hectolitres
— region 5 (Greece):	60 000 hectolitres.

2. All producers who have produced table wine or wine suitable for yielding table wine and who have signed a preventive distillation contract or declaration as referred to in Article 1(3) of this Regulation for a quantity equal to or greater than 18 hl/ha, may, at the latest by 29 May 1998, sign a preventive distillation contract or declaration with the competent authorities of the Member State, specifying in particular:

- (a) the surname, forename and address of the applicant;
- (b) the quantity of wine he has produced and wants to distil in accordance with the Community rules on the quality of the products to be delivered for distillation;
- (c) the name and address or company name of the distillery.

However, in regions 2 and 5 all producers who have signed a preventive distillation contract or declaration as referred to in Article 1(3) of this Regulation may sign contracts or declarations.

The distillation contract or declaration shall be accompanied by a copy of the production declaration submitted to the competent authorities for the 1997/98 wine year.

Applicants shall also provide proof that they hold the wine in question. The Member States may limit the number of distillation contracts that a producer can sign under this Article.

3. The producer Member States shall establish the reduction rate to be applied to the above contracts and declarations if the total quantity of the contracts and declarations exceeds the quantity stipulated for each region. The Member States shall take the administrative measures necessary to approve the above contracts and declarations not later than 25 June 1998, indicating the reduction rate applied and the quantity of wine accepted per contract or declaration. The Member States shall notify the Commission of the quantities contracted for before 15 June 1998.

4. The deliveries to the distilleries must be made before 24 July 1998.

5. The Member States may stipulate that the contract or declaration be accompanied by proof that a security has been lodged as provided for in Article 1(3).

6. Regulation (EEC) No 2721/88 shall apply, except for Article 6(1) and (4).

(*) OJ L 45, 18.2.1988, p. 15.'

Article 2

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

At the request of distillers, Article 1(1) of this Regulation may be applied to contracts and declarations submitted as from the entry into force of Regulation (EC) No 2020/97.

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

Done at Brussels, 20 May 1998.

For the Commission

Franz FISCHLER

Member of the Commission

COMMISSION REGULATION (EC) No 1056/98
of 20 May 1998

**reducing the Community withdrawal compensation for cauliflowers for the 1998/
99 marketing year as a result of the overrun of the intervention threshold fixed
for the 1997/98 marketing year**

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

Having regard to Council Regulation (EC) No 2200/96 of 28 October 1996 on the common organisation of the market in fruit and vegetables⁽¹⁾, as amended by Commission Regulation (EC) No 2520/97⁽²⁾, and in particular Article 27(2) thereof,

Whereas Commission Regulation (EC) No 1109/97⁽³⁾ fixes at 111 300 tonnes the intervention threshold for cauliflowers for the 1997/98 marketing year; whereas under Article 3 of that Regulation, if the quantity of cauliflowers withdrawn in the period between 1 March 1997 and 28 February 1998 exceeds the threshold set, the Community withdrawal compensation indicated in Annex V to Regulation (EC) No 2200/96 for the 1998/99 marketing year will be reduced in proportion to the size of the overrun based on the production used to calculate the relevant threshold;

Whereas the information supplied by the Member States indicates that the withdrawals for the 1997/98 marketing year involved 118 909 tonnes of cauliflowers;

Whereas, as a result of the above, the Community withdrawal compensation set by Regulation (EC) No 2200/96

for the 1998/99 marketing year must be reduced by 0,34 % for cauliflowers;

Whereas Article 3 of Regulation (EC) No 1109/97 lays down that the consequences of the threshold overrun are to apply in the following marketing year; whereas it is therefore necessary to apply the reduced Community withdrawal compensation from 1 May 1998, the date on which the marketing year for cauliflowers begins;

Whereas the measures provided for in this Regulation are in accordance with the opinion of the Management Committee for Fresh Fruit and Vegetables,

HAS ADOPTED THIS REGULATION:

Article 1

The Community withdrawal compensation for cauliflowers for the 1998/99 marketing year is hereby fixed at ECU 8,85 per 100 kilograms net.

Article 2

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

It shall apply with effect from 1 May 1998.

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

Done at Brussels, 20 May 1998.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ L 297, 21. 11. 1996, p. 1.

⁽²⁾ OJ L 346, 17. 12. 1997, p. 41.

⁽³⁾ OJ L 162, 18. 6. 1997, p. 12.

**COMMISSION REGULATION (EC) No 1057/98
of 20 May 1998**

amending Regulation (EC) No 122/98 on managing the ceilings for imports of fresh and processed sour cherries originating in the Republics of Bosnia-Herzegovina and Croatia and Regulation (EC) No 123/98 on managing the ceilings for imports of fresh and processed sour cherries originating in the former Yugoslav Republic of Macedonia

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

HAS ADOPTED THIS REGULATION:

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EC) No 70/97 of 20 December 1996 concerning the arrangements applicable to imports into the Community of products originating in the Republics of Bosnia-Herzegovina and Croatia and to imports of wine originating in the former Yugoslav Republic of Macedonia and the Republic of Slovenia⁽¹⁾, as last amended by Regulation (EC) No 2636/97⁽²⁾, and in particular Article 10 thereof,

Having regard to Council Regulation (EC) No 77/98 of 9 January 1998 on certain detailed rules for the application of the Cooperation Agreement between the European Community and the former Yugoslav Republic of Macedonia⁽³⁾, and in particular Article 1 thereof,

Whereas, Article 3(1)(a) of Commission Regulations (EC) No 122/98⁽⁴⁾ and (EC) No 123/98⁽⁵⁾ refers to Article 5 of Commission Regulation (EC) No 1556/96⁽⁶⁾, as last amended by Regulation (EC) No 947/98⁽⁷⁾, the second subparagraph of which was amended by Regulation (EC) No 855/98⁽⁸⁾; whereas the wording of the abovementioned paragraphs should accordingly be supplemented to indicate clearly the frequency of the notifications; whereas, also, Article 5 of Regulation (EC) No 122/98 and (EC) No 123/98 should be deleted because its transitional provisions have now expired;

Whereas the measures provided for in this Regulation are in accordance with the joint opinion of the Management Committee for Fresh Fruit and Vegetables and the Management Committee for Products Processed from Fruit and Vegetables,

⁽¹⁾ OJ L 16, 18. 1. 1997, p. 1.

⁽²⁾ OJ L 356, 31. 12. 1997, p. 16.

⁽³⁾ OJ L 8, 14. 1. 1998, p. 1.

⁽⁴⁾ OJ L 11, 17. 1. 1998, p. 15.

⁽⁵⁾ OJ L 11, 17. 1. 1998, p. 17.

⁽⁶⁾ OJ L 193, 3. 8. 1996, p. 5.

⁽⁷⁾ OJ L 132, 6. 5. 1998, p. 11.

⁽⁸⁾ OJ L 122, 24. 4. 1998, p. 9.

Article 1

Regulation (EC) No 122/98 is hereby amended as follows:

1. in Article 3(1), the following subparagraph is added:

‘The notifications shall be made by noon (Brussels time) at the latest on the following days:

- each Wednesday for applications submitted on Monday and Tuesday,
- each Friday for applications submitted in Wednesday and Thursday,
- each Monday for applications submitted the previous Friday.’;

2. Article 5 is deleted;

3. Article 6 becomes Article 5.

Article 2

Regulation (EC) No 123/98 is hereby amended as follows:

1. In Article 3(1), the following subparagraph is added:

‘The notifications shall be made by noon (Brussels time) at the latest on the following days:

- each Wednesday for applications submitted on Monday and Tuesday,
- each Friday for applications submitted on Wednesday and Thursday,
- each Monday for applications submitted the previous Friday.’;

2. Article 5 is deleted;

3. Article 6 becomes Article 5.

Article 3

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

It shall apply with effect from 1 May 1998.

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

Done at Brussels, 20 May 1998.

For the Commission

Franz FISCHLER

Member of the Commission

COMMISSION REGULATION (EC) No 1058/98
of 20 May 1998

determining to what extent applications for import rights lodged pursuant to Regulation (EC) No 546/98 can be met as regards the tariff quota for certain beef and veal sector products originating in the former Yugoslav Republic of Macedonia

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

Having regard to Commission Regulation (EC) No 546/98 of 10 March 1998 laying down detailed rules for the application in 1998 of the arrangements applicable to imports laid down in Council Decision 97/831/EC as regards certain beef and veal products ⁽¹⁾, as amended by Regulation (EC) No 853/98 ⁽²⁾, and in particular Article 4 thereof,

Whereas Article 1(1) of Regulation (EC) No 546/98 fixes the quantity of certain beef and veal products originating in the former Yugoslav Republic of Macedonia that can be imported under special terms in 1998;

Whereas Article 4 of Regulation (EC) No 546/98 stipulates that the quantities applied for may be reduced; whereas the quantities applied for exceed the quantities

available; whereas, under the circumstances and with a view to ensuring an equitable shareout of the available quantities, the quantities applied for should be reduced on a proportional basis,

HAS ADOPTED THIS REGULATION:

Article 1

All applications for import rights lodged pursuant to Article 3 of Regulation (EC) No 546/98 shall be met to the extent of 0,4056 % of the quantity applied for.

Article 2

This Regulation shall enter into force on 21 May 1998.

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

Done at Brussels, 20 May 1998.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ L 72, 11. 3. 1998, p. 8.

⁽²⁾ OJ L 122, 24. 4. 1998, p. 6.

COMMISSION REGULATION (EC) No 1059/98
of 20 May 1998
amending the import duties in the rice sector

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EC) No 3072/95 of 22 December 1995 on the common organization of the market in rice ⁽¹⁾, as amended by Regulation (EC) No 192/98 ⁽²⁾,

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

Whereas import duties in the rice sector have been fixed by Commission Regulation (EC) No 1004/98 ⁽⁵⁾;

Whereas Article 4 (1) of Regulation (EC) No 1503/96 provides that if during the period of application, the average import duty calculated differs by ECU 10 per tonne from the duty fixed, a corresponding adjustment is to be made; whereas such a difference has arisen; whereas it is therefore necessary to adjust the import duties fixed in Regulation (EC) No 1004/98,

HAS ADOPTED THIS REGULATION:

Article 1

Annexes I and II to Regulation (EC) No 1004/98 are hereby replaced by Annexes I and II to this Regulation.

Article 2

This Regulation shall enter into force on 21 May 1998.

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

Done at Brussels, 20 May 1998.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ L 329, 30. 12. 1995, p. 18.

⁽²⁾ OJ L 20, 27. 1. 1998, p. 16.

⁽³⁾ OJ L 189, 30. 7. 1996, p. 71.

⁽⁴⁾ OJ L 194, 23. 7. 1997, p. 2.

⁽⁵⁾ OJ L 142, 14. 5. 1998, p. 36.

ANNEX I

Import duties on rice and broken rice

(ECU/tonne)

CN code	Duties ⁽¹⁾			
	Third countries (except ACP and Bangladesh) ⁽²⁾ ⁽⁷⁾	ACP Bangladesh ⁽¹⁾ ⁽²⁾ ⁽³⁾ ⁽⁴⁾	Basmati India and Pakistan ⁽⁵⁾	Egypt ⁽⁶⁾
1006 10 21	(7)	130,91		202,88
1006 10 23	(7)	130,91		202,88
1006 10 25	(7)	130,91		202,88
1006 10 27	(7)	130,91		202,88
1006 10 92	(7)	130,91		202,88
1006 10 94	(7)	130,91		202,88
1006 10 96	(7)	130,91		202,88
1006 10 98	(7)	130,91		202,88
1006 20 11	321,87	156,60		241,40
1006 20 13	321,87	156,60		241,40
1006 20 15	321,87	156,60		241,40
1006 20 17	268,27	129,80	18,27	201,20
1006 20 92	321,87	156,60		241,40
1006 20 94	321,87	156,60		241,40
1006 20 96	321,87	156,60		241,40
1006 20 98	268,27	129,80	18,27	201,20
1006 30 21	(7)	251,59		399,75
1006 30 23	(7)	251,59		399,75
1006 30 25	(7)	251,59		399,75
1006 30 27	(7)	251,59		399,75
1006 30 42	(7)	251,59		399,75
1006 30 44	(7)	251,59		399,75
1006 30 46	(7)	251,59		399,75
1006 30 48	(7)	251,59		399,75
1006 30 61	(7)	251,59		399,75
1006 30 63	(7)	251,59		399,75
1006 30 65	(7)	251,59		399,75
1006 30 67	(7)	251,59		399,75
1006 30 92	(7)	251,59		399,75
1006 30 94	(7)	251,59		399,75
1006 30 96	(7)	251,59		399,75
1006 30 98	(7)	251,59		399,75
1006 40 00	(7)	78,38		123,00

⁽¹⁾ Subject to the application of the provisions of Articles 12 and 13 of amended Council Regulation (EEC) No 715/90 (OJ L 84, 30.3.1990, p. 85).

⁽²⁾ In accordance with Regulation (EEC) No 715/90, the duties are not applied to products originating in the African, Caribbean and Pacific States and imported directly into the overseas department of Réunion.

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

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

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

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

⁽⁷⁾ Duties fixed in the Common Customs Tariff.

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

ANNEX II

Calculation of import duties for rice

	Paddy	Indica rice		Japonica rice		Broken rice
		Husked	Milled	Husked	Milled	
1. Import duty (ECU/tonne)	(¹)	268,27	533,00	321,87	533,00	(¹)
2. Elements of calculation:						
(a) Arag cif price (ECU/tonne)	—	339,14	339,98	312,54	357,84	—
(b) fob price (ECU/tonne)	—	—	—	285,36	330,66	—
(c) Sea freight (ECU/tonne)	—	—	—	27,18	27,18	—
(d) Source	—	USDA	Operators	Operators	Operators	—

(¹) Duties fixed in the Common Customs Tariff.

II

(Acts whose publication is not obligatory)

COUNCIL

Information on the entry into force of the Interim Agreement on trade and trade-related matters with the Republic of Uzbekistan

The Interim Agreement on trade and trade-related matters which the Council decided to conclude on 26 January 1998 with Uzbekistan (see *Official Journal of the European Communities* L 43 of 14 February 1998) will enter into force on 1 June 1998 as the notifications of completion of the procedures provided for in Article 32 of the Agreement were made by both parties on 30 April 1998.

COMMISSION

COMMISSION DECISION

of 12 May 1998

amending Decisions 96/716/EC, 96/717/EC, 96/718/EC, 96/719/EC, 96/720/EC, 96/721/EC and 97/260/EC concerning the presentation of supporting and financial documents linked to Community financial contributions for certain animal and public health measures

(Only the Spanish, Danish, French, Dutch and English texts are authentic)

(Text with EEA relevance)

(98/340/EC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Decision 90/424/EEC of 26 June 1990 on expenditure in the veterinary field⁽¹⁾, as amended by Decision 94/370/EC⁽²⁾, and in particular Article 20 and Article 28(2) thereof,

Whereas by Commission Decision 96/716/EC of 29 November 1996 on financial aid from the Community for the operation of the Community Reference Laboratory for the analysis and testing of milk and milk products (Laboratoire Central d'Hygiène Alimentaire, Paris, France)⁽³⁾, the Community can provide financial assistance to France for the functions and duties to be carried out by the Community Reference Laboratory for the analysis and testing of milk and milk products;

Whereas by Commission Decision 96/717/EC of 29 November 1996 on financial aid from the Community for the operation of the Community Reference Laboratory for fish diseases (Statens Veterinære Serumlaboratorium, Århus, Denmark)⁽⁴⁾, the Community can provide financial assistance to Denmark for the functions and duties to be carried out by the Community Reference Laboratory for fish diseases;

Whereas by Commission Decision 96/718/EC of 29 November 1996 on financial aid from the Community for the operation of the Community Reference Laboratory for Newcastle Disease (Central Veterinary Laboratory, Addlestone, United Kingdom)⁽⁵⁾, the Community can provide financial assistance to the United Kingdom for functions and duties to be carried out by the Community Reference Laboratory for Newcastle Disease;

Whereas by Commission Decision 96/719/EC of 29 November 1996 on financial aid from the Community for the operation of the Community Reference Laboratory for Avian Influenza (Central Veterinary Laboratory, Addlestone, United Kingdom)⁽⁶⁾, the Community can provide financial assistance to the United Kingdom for the functions and duties to be carried out by the Community Reference Laboratory for Avian Influenza;

Whereas by Commission Decision 96/720/EC of 29 November 1996 on financial aid from the Community for the operation of the Community Reference Laboratory for salmonella (Rijksinstituut voor Volksgezondheid en Milieuhygiëne, Bilthoven, Netherlands)⁽⁷⁾, the Community can provide financial assistance to the Netherlands for the functions and duties to be carried out by the Community Reference Laboratory for salmonella;

⁽¹⁾ OJ L 224, 18. 8. 1990, p. 19.

⁽²⁾ OJ L 168, 2. 7. 1994, p. 31.

⁽³⁾ OJ L 327, 18. 12. 1996, p. 38.

⁽⁴⁾ OJ L 327, 18. 12. 1996, p. 40.

⁽⁵⁾ OJ L 327, 18. 12. 1996, p. 41.

⁽⁶⁾ OJ L 327, 18. 12. 1996, p. 42.

⁽⁷⁾ OJ L 327, 18. 12. 1996, p. 43.

Whereas by Commission Decision 96/721/EC of 29 November 1996 on financial aid from the Community for the operation of the Community Reference Laboratory for the monitoring of marine biotoxins (Laboratorio del Ministerio de Sanidad y Consumo, Vigo, Spain)⁽¹⁾, the Community can provide financial assistance to Spain for the functions and duties to be carried out by the Community Reference Laboratory for the monitoring of marine biotoxins;

Whereas by Commission Decision 97/260/EC of 2 April 1997 on financial assistance for the Community Reference Laboratory for bivalve mollusc diseases⁽²⁾, the Community can provide financial assistance to France for the functions and duties to be carried out by the Community Reference Laboratory for bivalve mollusc diseases;

Whereas for budgetary reasons, the Community financial assistance provided for in Decisions 96/716/EC, 96/717/EC, 96/718/EC, 96/719/EC, 96/720/EC, 96/721/EC and 97/260/EC requires presentation of supporting documents; whereas the requirements related to these supporting documents are specified in the said Decisions;

Whereas a request has been made for an extended period for the submission of supporting documents;

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

HAS ADOPTED THIS DECISION:

Article 1

In Article 4, second indent of Commission Decisions 96/716/EC, 96/717/EC, 96/718/EC, 96/719/EC, 96/720/EC, 96/721/EC and 97/260/EC, the word 'March' is replaced by 'July'.

Article 2

This Decision is addressed to the Kingdom of Denmark, the French Republic, the Kingdom of Spain, the Kingdom of the Netherlands and the United Kingdom of Great Britain and Northern Ireland for the aspects where they are concerned.

Done at Brussels, 12 May 1998.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ L 327, 18. 12. 1996, p. 44.

⁽²⁾ OJ L 104, 22. 4. 1997, p. 31.

COMMISSION DECISION

of 13 May 1998

derogating, for the 1997/98 marketing year, from certain provisions of Commission Regulation (EEC) No 1201/89 as regards aid applications and applications for supervised storage of unginned cotton originating in certain Greek prefectures

(Only the Greek text is authentic)

(98/341/EC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to protocol 4 on cotton annexed to the Act of Accession of Greece, as last amended by Regulation (EC) No 1553/95 ⁽¹⁾,

Having regard to Council Regulation (EC) No 1554/95 of 29 June 1995 laying down the general rules for the system of aid for cotton and repealing Regulation (EEC) No 2169/81 ⁽²⁾, as amended by Regulation (EC) No 1584/96 ⁽³⁾, and in particular Article 11(1) thereof,

Whereas Commission Regulation (EEC) No 1201/89 of 3 May 1989 laying down rules implementing the system of aid for cotton ⁽⁴⁾, as last amended by Regulation (EC) No 1740/97 ⁽⁵⁾, lays down 31 March as the time limit for placing unginned cotton in supervised storage but allows the possibility for the Member State to set a later time limit under certain conditions; whereas for the 1997/98 marketing year Greece used that provision by setting the time limit for supervised storage at 31 January 1998; whereas, as a result of exceptional weather conditions, it proved impossible to harvest the unginned cotton until the beginning of March 1998 in certain Greek prefectures; whereas, therefore, the start of supervised storage and the lodging of the corresponding aid applications should be accepted without penalty for the unginned cotton originating in those prefectures up to a date allowing for the other time limits in the rules to be complied with;

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

HAS ADOPTED THIS DECISION:

Article 1

1. By derogation from the first indent of Article 5(3), from Article 7(1) and from the first and second subparagraphs of Article 9(2), the following conditions shall apply for the 1997/98 marketing year to unginned cotton harvested in the Greek prefectures indicated in paragraph 2:

- (a) aid applications lodged by 15 April at the latest may be accepted;
- (b) if the aid applications are lodged between 1 April and 15 April, the aid to be granted shall be that valid on the previous 31 March;
- (c) applications for supervised storage lodged by 15 April at the latest may be accepted.

2. The Greek prefectures referred to in paragraph 1 are:
Kavala, Xanthi, Rodopi and Evros.

Article 2

This Decision is addressed to the Hellenic Republic.

Done at Brussels, 13 May 1998.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ L 148, 30. 6. 1995, p. 45.

⁽²⁾ OJ L 148, 30. 6. 1995, p. 48.

⁽³⁾ OJ L 206, 16. 8. 1996, p. 16.

⁽⁴⁾ OJ L 123, 4. 5. 1989, p. 23.

⁽⁵⁾ OJ L 244, 6. 9. 1997, p. 1.

COMMISSION DECISION

of 14 May 1998

authorising the Member States to permit temporarily the marketing of linseed (*Linum usitatissimum* L.) not satisfying the requirements of Council Directive 69/208/EEC

(98/342/EC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

HAS ADOPTED THIS DECISION:

Having regard to the Treaty establishing the European Community,

Having regard to Council Directive 69/208/EEC of 30 June 1969 on the marketing of seed of oil and fibre plants⁽¹⁾, as last amended by Directive 96/72/EC⁽²⁾, and in particular Article 16 thereof,

Having regard to the request submitted by Finland,

Whereas in Finland the production of seed of linseed (*Linum usitatissimum* L.), variety Helmi, satisfying the requirements of Directive 69/208/EEC in relation to minimum germination capacity has been insufficient in 1997 and is therefore not adequate to meet this country's needs; whereas this is an early variety (growing time in the applicant country 106 days) suitable for northern growing conditions and having grain with a very low chlorophyll content to be used for medicinal purposes;

Whereas it is not possible to cover this demand satisfactorily with seed from other Member States, or from third countries, satisfying all the requirements laid down in the said Directive;

Whereas Finland should therefore be authorised to permit for a period expiring on 30 June 1998 the marketing of seed of the abovementioned species subject to less stringent requirements;

Whereas, moreover, other Member States which are able to supply Finland with such seed not satisfying the requirements of the Directive should be authorised to permit the marketing of such seed;

Whereas the measures provided for in this Decision are in accordance with the opinion of the Standing Committee on Seeds and Propagating Material for Agriculture, Horticulture and Forestry,

Article 1

Finland is authorised to permit, for a period expiring on 30 June 1998 the marketing in its territory of a maximum of 140 tonnes of seed of the categories 'certified seed of the first generation' or 'certified seed of the second generation' of linseed (*Linum usitatissimum* L.), variety Helmi, which do not satisfy the requirements laid down in Annex II to Directive 69/208/EEC with regard to the minimum germination capacity, provided that the germination capacity is at least 70 % of pure seed and the official label bears the endorsement 'minimum germination capacity 70 %'.

Article 2

Member States other than the applicant Member State are also authorised to permit, on the terms set out in Article 1 and for the purposes intended by the applicant Member State, the marketing in their territories of the seed authorised to be marketed under this Decision.

Article 3

Member States shall immediately notify the Commission and the other Member States of the various quantities of seed labelled and permitted to be marketed in their territories pursuant to this Decision.

Article 4

This Decision is addressed to the Member States.

Done at Brussels, 14 May 1998.

For the Commission

Hans VAN DEN BROEK

Member of the Commission

⁽¹⁾ OJ L 169, 10. 7. 1969, p. 3.

⁽²⁾ OJ L 304, 27. 11. 1996, p. 10.

CORRIGENDA**Corrigendum to Commission Regulation (EC) No 886/98 of 24 April 1998 on the supply of white sugar as food aid**

(Official Journal of the European Communities L 124 of 25 April 1998)

On page 55, in the Annex, points 6 and 7:

- for:* '6. **Total quantity (tonnes net):** 1 661
7. **Number of lots:** 5 (A: 620 tonnes; B: 244 tonnes; C: 179 tonnes; D: 384 tonnes; E: 234 tonnes)',
- read:* '6. **Total quantity (tonnes net):** 1 660
7. **Number of lots:** 5 (A: 620 tonnes; B: 244 tonnes; C: 179 tonnes; D: 384 tonnes; E: 233 tonnes)'.
-

Corrigendum to the table of contents of Official Journal of the European Communities L 145 of 15 May 1998

On page 3 of the cover the title of Commission Decision 98/327/EC should read as follows:

'Commission Decision of 11 September 1997 declaring a concentration to be compatible with the common market and the functioning of the EEA Agreement (Case No IV/M.833 — The Coca-Cola Company/Carlsberg A/S)'.

NOTICE TO READERS

Legal acts whose publication is not obligatory are not given an official number forming an integral part of their title but, if published in the Official Journal, are allocated a publication number by the Office for Official Publications.

Since such acts are often notified or transmitted to the addressees bearing the number of the procedure under which they were adopted (number C(1998) . . .), it has been decided to establish a link between the publication numbers.

Accordingly, from 1 June the procedure numbers will be inserted after the title of the relevant acts of the Commission.