

Official Journal

of the European Communities

ISSN 0378-6978

L 247

Volume 41

5 September 1998

English edition

Legislation

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⁽¹⁾ Text with EEA relevance

I

(Acts whose publication is obligatory)

COMMISSION REGULATION (EC) No 1897/98
of 4 September 1998
establishing the standard import values for determining the entry price of certain
fruit and vegetables

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

Having regard to Commission Regulation (EC) No 3223/94 of 21 December 1994 on detailed rules for the application of the import arrangements for fruit and vegetables ⁽¹⁾, as last amended by Regulation (EC) No 1498/98 ⁽²⁾, and in particular Article 4 (1) thereof,

Having regard to Council Regulation (EEC) No 3813/92 of 28 December 1992 on the unit of account and the conversion rates to be applied for the purposes of the common agricultural policy ⁽³⁾, as last amended by Regulation (EC) No 150/95 ⁽⁴⁾, and in particular Article 3 (3) thereof,

Whereas Regulation (EC) No 3223/94 lays down, pursuant to the outcome of the Uruguay Round multilateral trade negotiations, the criteria whereby the Commission fixes the standard values for imports from third

countries, in respect of the products and periods stipulated in the Annex thereto;

Whereas, in compliance with the above criteria, the standard import values must be fixed at the levels set out in the Annex to this Regulation,

HAS ADOPTED THIS REGULATION:

Article 1

The standard import values referred to in Article 4 of Regulation (EC) No 3223/94 shall be fixed as indicated in the Annex hereto.

Article 2

This Regulation shall enter into force on 5 September 1998.

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

Done at Brussels, 4 September 1998.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ L 337, 24. 12. 1994, p. 66.

⁽²⁾ OJ L 198, 15. 7. 1998, p. 4.

⁽³⁾ OJ L 387, 31. 12. 1992, p. 1.

⁽⁴⁾ OJ L 22, 31. 1. 1995, p. 1.

ANNEX

to the Commission Regulation of 4 September 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	060	46,4
	999	46,4
0805 30 10	388	49,8
	524	71,4
	528	76,5
	999	65,9
	999	65,9
0806 10 10	052	81,1
	064	81,1
	400	215,4
	624	121,3
	999	124,7
0808 10 20, 0808 10 50, 0808 10 90	388	56,3
	400	63,3
	508	43,3
	512	63,5
	524	36,0
	528	90,8
	800	189,2
	804	60,3
	999	75,3
	999	75,3
0808 20 50	052	94,3
	064	61,5
	388	90,2
	528	92,5
	999	84,6
0809 30 10, 0809 30 90	052	111,6
	999	111,6
	999	111,6
0809 40 05	052	56,3
	060	50,8
	064	55,7
	066	72,0
	068	55,4
	093	65,4
	624	143,3
	999	71,3

⁽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 1898/98
of 4 September 1998
amending Regulation (EEC) No 1627/89 on the buying in of beef by invitation to
tender

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 organization of the market in beef and veal ⁽¹⁾, as last amended by Regulation (EC) No 1633/98 ⁽²⁾, and in particular Article 6 (7) thereof,

Whereas Commission Regulation (EEC) No 1627/89 of 9 June 1989 on the buying in of beef by invitation to tender ⁽³⁾, as last amended by Regulation (EC) No 1473/98 ⁽⁴⁾, opened buying in by invitation to tender in certain Member States or regions of a Member State for certain quality groups;

Whereas the application of Article 6 (2), (3) and (4) of Regulation (EEC) No 805/68 and the need to limit intervention to the buying in of the quantities necessary to ensure reasonable support for the market result, on the basis of the prices of which the Commission is aware, in

an amendment, in accordance with the Annex hereto, to the list of Member States or regions of a Member State where buying in is open by invitation to tender, and the list of the quality groups which may be bought in;

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 Annex to Regulation (EEC) No 1627/89 is hereby replaced by the Annex hereto.

Article 2

This Regulation shall enter into force on 7 September 1998.

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

Done at Brussels, 4 September 1998.

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 159, 10. 6. 1989, p. 36.

⁽⁴⁾ OJ L 194, 10. 7. 1998, p. 9.

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

Estados miembros o regiones de Estados miembros y grupos de calidades previstos en el apartado 1 del artículo 1 del Reglamento (CEE) n° 1627/89

Medlemsstater eller regioner og kvalitetsgrupper, jf. artikel 1, stk. 1, i forordning (EØF) nr. 1627/89

Mitgliedstaaten oder Gebiete eines Mitgliedstaats sowie die in Artikel 1 Absatz 1 der Verordnung (EWG) Nr. 1627/89 genannten Qualitätsgruppen

Κράτη μέλη ή περιοχές κρατών μελών και ομάδες ποιότητας που αναφέρονται στο άρθρο 1 παράγραφος 1 του κανονισμού (ΕΟΚ) αριθ. 1627/89

Member States or regions of a Member State and quality groups referred to in Article 1 (1) of Regulation (EEC) No 1627/89

États membres ou régions d'États membres et groupes de qualités visés à l'article 1^{er} paragraphe 1 du règlement (CEE) n° 1627/89

Stati membri o regioni di Stati membri e gruppi di qualità di cui all'articolo 1, paragrafo 1 del regolamento (CEE) n. 1627/89

In artikel 1, lid 1, van Verordening (EEG) nr. 1627/89 bedoelde lidstaten of gebieden van een lidstaat en kwaliteitsgroepen

Estados-membros ou regiões de Estados-membros e grupos de qualidades referidos no n° 1 do artigo 1º do Regulamento (CEE) n° 1627/89

Jäsenvaltiot tai alueet ja asetuksen (ETY) N:o 1627/89 1 artiklan 1 kohdan tarkoittamat laaturyhmät

Medlemsstater eller regioner och kvalitetsgrupper som avses i artikel 1.1 i förordning (EEG) nr 1627/89

Estados miembros o regiones de Estados miembros	Categoría A			Categoría C		
Medlemsstat eller region	Kategori A			Kategori C		
Mitgliedstaaten oder Gebiete eines Mitgliedstaats	Kategorie A			Kategorie C		
Κράτος μέλος ή περιοχή κράτους μέλους	Κατηγορία Α			Κατηγορία Γ		
Member States or regions of a Member State	Category A			Category C		
États membres ou régions d'États membres	Catégorie A			Catégorie C		
Stati membri o regioni di Stati membri	Categoria A			Categoria C		
Lidstaat of gebied van een lidstaat	Categorie A			Categorie C		
Estados-membros ou regiões de Estados-membros	Categoria A			Categoria C		
Jäsenvaltiot tai alueet	Luokka A			Luokka C		
Medlemsstater eller regioner	Kategori A			Kategori C		
	U	R	O	U	R	O
België/Belgique		×				
Deutschland		×				
Ireland				×	×	×
Portugal		×				
Great Britain					×	
Northern Ireland				×	×	×

COMMISSION REGULATION (EC) No 1899/98**of 4 September 1998****amending Regulation (EEC) No 3886/92 laying down detailed rules for the application of the premium schemes in the beef sector with regard to the use of suckler cow premium rights**

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 4f(4) thereof,
Whereas Article 33(4) of Commission Regulation (EEC) No 3886/92 of 23 December 1992 laying down detailed rules for the application of the premium schemes provided for in Council Regulation (EEC) No 805/68 on the common organisation of the market in beef and repealing Regulations (EEC) No 1244/82 and (EEC) No 714/89 ⁽³⁾, as last amended by Regulation (EC) No 2502/97 ⁽⁴⁾, lays down a minimum rate of 90 % for the use of suckler cow premium rights, with the part not used to be transferred to the national reserve, and stipulates that the rights transferred to the national reserve in 1997 and 1998 may not be reallocated for 1998 or 1999; whereas Article 4f(4) of Regulation (EEC) No 805/68 has been amended in its latest version to extend to 1999 the authorisation for the Commission to take measures with respect to suckler

cow premium rights not used by producers; whereas the market situation makes it expedient to maintain the measures to control output; whereas the measure concerned should accordingly be extended by one year;

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

In Article 33(4) of Regulation (EEC) No 3886/92, 'In respect of 1997 and 1998' is replaced by 'In respect of 1997, 1998 and 1999'.

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, 4 September 1998.

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 391, 31. 12. 1992, p. 20.

⁽⁴⁾ OJ L 345, 16. 12. 1997, p. 21.

COMMISSION REGULATION (EC) No 1900/98**of 4 September 1998****amending Annex I to Council Regulation (EEC) No 2092/91 on organic production of agricultural products and indications referring thereto on agricultural products and foodstuffs**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EEC) No 2092/91 of 24 June 1991 on organic production of agricultural products and indications referring thereto on agricultural products and foodstuffs⁽¹⁾, as last amended by Commission Regulation (EC) No 1488/97⁽²⁾, and in particular Article 13, first and second indent,

Whereas provisions regulating the characteristics of substrates for mushroom production should be included in Annex I, in order to permit organic production of mushrooms in the Member States under the same production conditions;

Whereas the agricultural components of these substrates should come, in principle, from holdings producing according to the organic production method;

Whereas however certain components, in particular straw and manure, can currently not be obtained in sufficient quantities from organic production; whereas therefore it is appropriate to foresee an appropriate transitional period to permit producers to adapt to the new requirements;

Whereas Article 7(2), third indent, establishes the possibility to define particular labelling requirements for products obtained with the aid of certain products referred to in Annex II to Regulation (EEC) No 2092/91; whereas in this particular production, it is appropriate to foresee an informative labelling with regard to the non-organic origin of the components of the substrate during the transitional period;

Whereas further refinement of the requirements as laid down in this Regulation should be considered, in particular with regard to the conditions of use including the maximum percentage of manure not from holdings producing according to the organic production method, the characteristics and the origin of the mycelium; whereas the preparatory works in this respect should be started in due time in order to be finalised before the end of the transitional period;

Whereas the length of the transitional period may be reviewed in view of any developments with regard to the availability of straw and manure from organic production;

Whereas the measures provided for in this Regulation are in accordance with the opinion of the Committee referred to in Article 14 of Regulation (EEC) No 2092/91,

HAS ADOPTED THIS REGULATION:

Article 1

Annex I to Regulation (EEC) No 2092/91 is amended as shown in the Annex to the present Regulation.

Article 2

1. This Regulation shall enter into force on 1 December 1998.

2. By derogation to the provisions under points 5.1 and 5.2 of Annex I, may be used during a transitional period expiring on 1 December 2001:

- products referred to in point 5.1(a) of the Annex, not from holdings producing according to the organic production method but satisfying the requirements referred to in Annex II, Part A, indents 1 to 4 of Regulation (EEC) No 2092/91,
- and/or products referred to in point 5.2 of the Annex, not from holdings producing according to the organic production method, but satisfying, where relevant, the requirements referred to in Annex II, Part A of Regulation (EEC) No 2092/91,

if the products referred to in points 5.1(a) and 5.2 are not available from holdings producing according to the organic production method and the need is recognised by the inspection authority or body.

In such cases, the labelling and advertising shall contain a statement, with the wording 'Mushrooms cultivated on a substrate from extensive agriculture which is permitted in organic farming during a transitional period'. The word 'organic' in this statement, elsewhere on the label and/or on the advertising, shall not be more prominent than the other words of the statement.

⁽¹⁾ OJ L 198, 22. 7. 1991, p. 1.

⁽²⁾ OJ L 202, 30. 7. 1997, p. 12.

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

Done at Brussels, 4 September 1998.

For the Commission

Franz FISCHLER

Member of the Commission

ANNEX

The following point 5 is added to Annex I to Regulation (EEC) No 2092/91:

- ‘5. For production of mushrooms, substrates may be used, if they are composed only of the following components:
- 5.1. farmyard manure and animal excrements (including the products referred to in indents 1 to 4 of Annex II, Part A to Regulation (EEC) No 2092/91):
 - (a) either from holdings producing according to the organic production method;
 - (b) or satisfying the requirements referred to in Annex II, Part A, indents 1 to 4, of Regulation (EEC) No 2092/91, only up to 25 % (*), and only when the product under 5.1(a) is not available;
 - 5.2. products of agricultural origin, other than those covered under point 5.1 (e.g. straw), from holdings producing according to organic production method;
 - 5.3. peat not chemically treated;
 - 5.4. wood, not treated with chemical products after felling;
 - 5.5. mineral products of Annex II, Part A to Regulation (EEC) No 2092/91, water and soil.

(*) This percentage is calculated on weight of total components of the substrate (excluding the covering material and any added water) before composting.

II

(Acts whose publication is not obligatory)

COMMISSION

COMMISSION DECISION

of 8 July 1998

concerning certain measures necessary for carrying out activities related to communication and information exchange systems and to linguistic training tools under the Fiscalis programme (European Parliament and Council Decision No 888/98/EC establishing a programme of Community action to improve the functioning of the indirect taxation systems of the internal market)

(notified under document number C(1998) 1866)

(98/532/EC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to European Parliament and Council Decision No 888/98/EC of 30 March 1998 establishing a programme of Community action to improve the functioning of the indirect taxation systems of the internal market (Fiscalis programme)⁽¹⁾, and in particular Article 10 thereof,

Whereas the Commission and the Member States are required to ensure the functioning of such existing communication and information-exchange systems that they consider necessary in accordance with Article 4(1) of Decision No 888/98/EC;

Whereas the Commission and the Member States are required to establish and maintain the functioning of such new communication and information-exchange systems that they consider necessary in accordance with Article 4(1) of Decision No 888/98/EC;

Whereas the Member States, in cooperation with the Commission, are required to develop the necessary common linguistic training tools in accordance with Article 6 of Decision No 888/98/EC;

Whereas it is necessary to identify the necessary existing and new communication and information exchange systems and common linguistic training tools;

Whereas it is necessary to make the arrangements for the Community to meet its obligations with regard to these necessary systems and tools in accordance with Articles 4(1), 4(2), 6(1)(c) and 8(2)(b) and (c) of Decision No 888/98/EC;

Whereas it is necessary, in order to ensure the effective and efficient establishment and functioning of these necessary systems and tools, to specify the obligations of the Member States with regard to these necessary systems and tools in accordance with Articles 4(2), 4(3), 6(1) and 8(3)(b);

Whereas each individual Member State shall ensure that none of their actions will jeopardise the establishment and functioning of these necessary systems or harm the interests of the Community and the other Member States;

Whereas it is necessary, in order to ensure the effective and efficient establishment and functioning of these necessary systems and tools, to coordinate the actions of the Community and the Member States in fulfilling their obligations with regard to these systems and tools; whereas it is appropriate for the Commission to ensure this coordination through the drawing up of management plans for the establishment and functioning of each system and tool;

⁽¹⁾ OJ L 126, 28. 4. 1998, p. 1.

Whereas the measures provided for in this decision are in accordance with the opinion of the Committee referred to in Article 11 of European Parliament and Council Decision No 888/98/EC,

HAS ADOPTED THIS DECISION:

Article 1

Work programme

1. The functioning of the following existing communication and information exchange systems and infrastructure shall be ensured:

- the VAT information exchange system (VIES),
- Common Communication Network/Common System Interface (CCN/CSI) to the extent necessary to support the functioning of the systems set out in this paragraph and in paragraph two,
- the system for exchange of excise data (SEED),
- the excise movement verification system,
- the excise duty tables system,
- FiscalSCENT (System Customs Enforcement NeTwork).

2. The functioning of the following new communication and information exchange system shall be ensured:

- the excise early warning system.

3. Feasibility studies and pilot projects into the establishment of the following new communication and information exchange systems and common linguistic training tools shall be carried out:

- excise movement and control system,
- indirect taxation communication system,
- multi-language support and training tools.

Article 2

Community obligations

1. To execute the Community's obligations, as set down in Article 4(1) and (2), Article 6(1)(c) and Article 8(2)(b) and (c) of Decision No 888/98/EC, for the systems referred to above in Article 1, the Commission shall conclude the necessary contracts in the name of the Community.

2. The Commission shall co-ordinate those aspects of the establishment and functioning of the Community and non-Community elements of the systems, infrastructure and tools referred to in Article 1 necessary to ensure the overall interconnection and interoperability of the systems. To this end, the Commission shall in co-opera-

tion with the Member States draw up management plans for the proper establishment and subsequent functioning of these systems and tools.

These management plan shall specify the initial and ongoing tasks to be completed both by the Commission and each Member State; the deadlines for completion of these tasks and any proof required of their completion.

Article 3

Member State obligations

1. Member States shall ensure that they complete within the deadline set the initial and ongoing tasks attributed to them in the management plans referred to in Article 2. They shall report to the Commission on their completion of these tasks, providing the required proof of their completion.

2. The Member States shall not take any action in relation to the establishment or functioning of the systems referred to in Article 1 that may have an effect either on the overall interconnection and interoperability of the systems or on their overall functioning. Any action that a Member State wishes to take which may affect the overall interconnection and interoperability of the systems or their overall functioning may only be taken with the Commission's prior agreement.

3. The Member States shall regularly inform the Commission of any action they have taken in accordance with Article 4(3) of Decision No 888/98/EC as appropriate for the full exploitation of these systems throughout their administration.

Article 4

Entry into force

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

It shall apply from 1 January 1998.

Article 5

Addressees

This Decision is addressed to the Member States.

Done at Brussels, 8 July 1998.

For the Commission

Mario MONTI

Member of the Commission

COMMISSION DECISION

of 3 September 1998

on a common technical Regulation for Satellite Personal Communications Networks (S-PCN) Mobile Earth Stations (MESs), including handheld earth stations, for S-PCN operating in the 1,6/2,4 GHz frequency bands under the Mobile Satellite Service (MSS)

(notified under document number C(1998) 2375)

(Text with EEA relevance)

(98/533/EC)

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

Having regard to Directive 98/13/EC of the European Parliament and of the Council of 12 February 1998 relating to telecommunications terminal equipment and satellite earth station equipment, including the mutual recognition of their conformity⁽¹⁾, and in particular Article 7(2), second indent, thereof,

Whereas the Commission has adopted the measure identifying the type of satellite earth station equipment for which a common technical regulation is required, as well as the associated scope statement according to Article 7(2), first indent;

Whereas the corresponding harmonised standards, or parts thereof, implementing the essential requirements which are to be transformed into common technical regulations should be adopted;

Whereas the proposal has been submitted to the committee (ACTE), according to Article 29(2);

Whereas the common technical regulation to be adopted in this Decision is in accordance with the opinion of ACTE,

HAS ADOPTED THIS DECISION:

Article 1

1. This Decision shall apply to satellite earth station equipment falling within the scope of the harmonised standard referred to in Article 2(1).

2. This Decision establishes a common technical Regulation covering Satellite Personal Communications Networks (S-PCN), Mobile Earth Stations (MESs), including handheld earth stations, for S-PCN operating in

the 1,6/2,4 GHz frequency bands under the Mobile Satellite Service (MSS).

Article 2

1. The common technical Regulation shall include the harmonised standard prepared by the relevant standardisation body implementing to the extent applicable the essential requirements referred to in Article 17 of Directive 98/13/EC. The reference to the standard is set out in the Annex.

2. Satellite earth station equipment covered by this Decision shall comply with the common technical regulation referred to in paragraph 1, shall meet the essential requirements referred to in Article 5(a) of Directive 98/13/EC, and shall meet the requirements of any other applicable Directives, in particular Council Directives 73/23/EEC⁽²⁾ and 89/336/EEC⁽³⁾.

Article 3

Notified bodies designated for carrying out the procedures referred to in Article 10 of Directive 98/13/EC shall, as regards satellite earth station equipment covered by Article 1(1) of this Decision, use or ensure the use of the harmonised standard referred to in the Annex after the coming into force of this Decision.

Article 4

This Decision is addressed to the Member States.

Done at Brussels, 3 September 1998.

For the Commission

Martin BANGEMANN

Member of the Commission

⁽¹⁾ OJ L 74, 12. 3. 1998, p. 1.

⁽²⁾ OJ L 77, 26. 3. 1973, p. 29.

⁽³⁾ OJ L 139, 23. 5. 1989, p. 19.

*ANNEX***Reference to the harmonised standard applicable**

The harmonised standard referred to in Article 2 of the Decision is:

Satellite Personal Communications Networks (S-PCN); Mobile Earth Stations (MESs), including handheld earth stations, for S-PCN in the 1,6/2,4 GHz bands under the Mobile Satellite Service (MSS)

Terminal essential requirements

(in language versions other than the English version a translation of this title should be placed here within brackets)

ETSI

European Telecommunications Standards Institute

ETSI Secretariat

TBR 41 — February 1998

(excluding the foreword)

Additional information

The European Telecommunications Standards Institute is recognised according to Council Directive 83/189/EEC ⁽¹⁾.

The harmonised standard referred to above has been produced according to a mandate issued in accordance with the relevant procedures of Directive 83/189/EEC.

The full text of the harmonised standard referenced above can be obtained from:

European Telecommunications Standards Institute
650 route des Lucioles
F-06921 Sophia Antipolis Cedex

European Commission
DG XIII/A/2 — (BU 31, 1/7)
Rue de la Loi/Wetstraat 200
B-1049 Brussels

or from any other organisation responsible for making ETSI standards available, of which a list can be found on the Internet under address www.ispo.cec.be.

⁽¹⁾ OJ L 109, 26. 4. 1983, p. 8.

COMMISSION DECISION

of 3 September 1998

on a common technical Regulation for Satellite Personal Communications Networks (S-PCN) Mobile Earth Stations (MESs), including handheld earth stations, for S-PCN operating in the 2,0 GHz frequency bands under the Mobile Satellite Service (MSS)

(notified under document number C(1998) 2376)

(Text with EEA relevance)

(98/534/EC)

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

Having regard to Directive 98/13/EC of the European Parliament and of the Council of 12 February 1998 relating to telecommunications terminal equipment and satellite earth station equipment, including the mutual recognition of their conformity⁽¹⁾, and in particular Article 7(2), second indent, thereof,

Whereas the Commission has adopted the measure identifying the type of satellite earth station equipment for which a common technical regulation is required, as well as the associated scope statement according to Article 7(2), first indent;

Whereas the corresponding harmonised standards, or parts thereof, implementing the essential requirements which are to be transformed into common technical regulations should be adopted;

Whereas the proposal has been submitted to the Committee (ACTE), according to Article 29(2);

Whereas the common technical regulation to be adopted in this Decision is in accordance with the opinion of ACTE,

HAS ADOPTED THIS DECISION:

Article 1

1. This Decision shall apply to satellite earth station equipment falling within the scope of the harmonised standard referred to in Article 2(1).

2. This Decision establishes a common technical Regulation covering Satellite Personal Communications Networks (S-PCN), Mobile Earth Stations (MESs), including handheld earth stations, for S-PCN operating in

the 2,0 GHz frequency bands under the Mobile Satellite Service (MSS).

Article 2

1. The common technical Regulation shall include the harmonised standard prepared by the relevant standardisation body implementing to the extent applicable the essential requirements referred to in Article 17 of Directive 98/13/EC. The reference to the standard is set out in the Annex.

2. Satellite earth station equipment covered by this Decision shall comply with the common technical regulation referred to in paragraph 1, shall meet the essential requirements referred to in Article 5(a) of Directive 98/13/EC, and shall meet the requirements of any other applicable Directives, in particular Council Directives 73/23/EEC⁽²⁾ and 89/336/EEC⁽³⁾.

Article 3

Notified Bodies designated for carrying out the procedures referred to in Article 10 of Directive 98/13/EC shall, as regards satellite earth station equipment covered by Article 1(1) of this Decision, use or ensure the use of the harmonised standard referred to in the Annex after the coming into force of this Decision.

Article 4

This Decision is addressed to the Member States.

Done at Brussels, 3 September 1998.

For the Commission

Martin BANGEMANN

Member of the Commission

⁽¹⁾ OJ L 74, 12. 3. 1998, p. 1.

⁽²⁾ OJ L 77, 26. 3. 1973, p. 29.

⁽³⁾ OJ L 139, 23. 5. 1989, p. 19.

*ANNEX***Reference to the harmonised standard applicable**

The harmonised standard referred to in Article 2 of the Decision is:

Satellite Personal Communications Networks (S-PCN); Mobile Earth Stations (MESs), including handheld earth stations, for S-PCN in the 2,0 GHz bands under the Mobile Satellite Service (MSS)

Terminal essential requirements

(in language versions other than the English version a translation of this title should be placed here within brackets)

ETSI

European Telecommunications Standards Institute

ETSI Secretariat

TBR 42 — February 1998

(excluding the foreword)

Additional information

The European Telecommunications Standards Institute is recognised according to Council Directive 83/189/EEC ⁽¹⁾.

The harmonised standard referred to above has been produced according to a mandate issued in accordance with the relevant procedures of Directive 83/189/EEC.

The full text of the harmonised standard referenced above can be obtained from:

European Telecommunications Standards Institute
650, route des Lucioles
F-06921 Sophia Antipolis Cedex

European Commission
DG XIII/A/2 — (BU 31, 1/7)
Rue de la Loi/Wetstraat 200
B-1049 Brussels

or from any other organisation responsible for making ETSI standards available, of which a list can be found on the Internet under address www.ispo.cec.be.

⁽¹⁾ OJ L 109, 26. 4. 1983, p. 8.