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I

(Acts whose publication is obligatory)

COMMISSION REGULATION (EC) No 2272/98
of 22 October 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 23 October 1998.

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

Done at Brussels, 22 October 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 22 October 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	80,7
	204	99,2
	999	89,9
0707 00 05	052	73,5
	999	73,5
0709 90 70	052	99,7
	999	99,7
0805 30 10	052	66,4
	388	88,4
	524	53,5
	528	52,1
	999	65,1
0806 10 10	052	116,2
	064	69,2
	400	203,2
	999	129,5
0808 10 20, 0808 10 50, 0808 10 90	060	39,1
	064	45,9
	388	32,8
	400	75,5
	404	81,8
	512	45,5
	800	156,9
	804	96,2
	999	71,7
0808 20 50	052	96,2
	064	60,1
	400	84,2
	720	97,9
	728	126,7
	999	93,0

⁽¹⁾ Country nomenclature as fixed by Commission Regulation (EC) No 2317/97 (OJ L 321, 22. 11. 1997, p. 19). Code '999' stands for 'of other origin'.

**COMMISSION REGULATION (EC) No 2273/98
of 22 October 1998**

**determining the extent to which the applications for import licences submitted
in October 1998 for certain dairy products under certain tariff quotas opened by
Regulation (EC) No 1374/98 can be accepted**

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

Having regard to Commission Regulation (EC) No 1374/98 of 29 June 1998 laying down detailed rules for the application of the import arrangements and opening tariff quotas for milk and milk products ⁽¹⁾, and in particular Article 14(4) thereof,

Whereas applications lodged for the products referred to in Annex II to Regulation (EC) No 1374/98 concern quantities greater than those available; whereas, therefore, the allocation factors should be fixed for the quantities applied for the period 1 October to 31 December 1998,

HAS ADOPTED THIS REGULATION:

Article 1

Import licences applied for for products falling within the order numbers in Annex II to Regulation (EC) No 1374/98 listed in the Annex lodged pursuant to Regulation (EC) No 1374/98 for the period 1 October to 31 December 1998, shall be awarded in accordance with the allocation factors indicated.

Article 2

This Regulation shall enter into force on 23 October 1998.

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

Done at Brussels, 22 October 1998.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ L 185, 30. 6. 1998, p. 21.

ANNEX

Order number in Annex II to Regulation (EC) No 1374/98	TARIC order number	Period: October to December 1998 Allocation factor
36	09.4590	0,0061
37	09.4599	0,0031
39	09.4591	0,0606
40	09.4592	0,0256
41	09.4593	0,0357
42	09.4594	0,0090
44	09.4595	0,0056
47	09.4596	0,0025

**COMMISSION REGULATION (EC) No 2274/98
of 22 October 1998**

**determining the extent to which applications lodged in October 1998 for import
licences under the regime provided for by tariff quotas for certain products in the
pigmeat sector for the period 1 October to 31 December 1998**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

HAS ADOPTED THIS REGULATION:

Having regard to the Treaty establishing the European Community,

Having regard to Commission Regulation (EC) No 1486/95 of 28 June 1995 opening and providing for the administration of tariff quotas for certain products in the pigmeat sector ⁽¹⁾, as last amended by Regulation (EC) No 1390/98 ⁽²⁾, and in particular Article 5 (5) thereof,

Whereas the applications for import licences lodged for the fourth quarter of 1998 are for quantities less than the quantities available and can therefore be met in full;

Whereas the surplus to be added to the quantity available for the following period should be determined,

Article 1

1. Applications for import licences for the period 1 October to 31 December 1998 submitted pursuant to Regulation (EC) No 1486/95 shall be met as referred to in Annex I.
2. During the first 10 days of the period 1 January to 31 March 1999 applications may be lodged pursuant to Regulation (EC) No 1486/95 for import licences for a total quantity as referred to in Annex II.

Article 2

This Regulation shall enter into force on 23 October 1998.

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

Done at Brussels, 22 October 1998.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ L 145, 29. 6. 1995, p. 58.

⁽²⁾ OJ L 187, 1. 7. 1998, p. 28.

ANNEX I

Group No	Percentage of acceptance of import licences submitted for the period 1 October to 31 December 1998
G2	100
G3	100
G4	100
G5	100
G6	100
G7	100

*ANNEX II**(tonnes)*

Group No	Total quantity available for the period 1 January to 31 March 1999
G2	14 824,4
G3	2 097,8
G4	1 238,5
G5	2 675,0
G6	6 750,0
G7	2 392,5

**COMMISSION REGULATION (EC) No 2275/98
of 22 October 1998**

establishing the quantity of certain pigmeat products available for the first quarter of 1999 under the arrangements provided for by the free trade agreements between the Community, of the one part, and Latvia, Lithuania and Estonia of the other part

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

Having regard to Commission Regulation (EC) No 2305/95 of 29 September 1995 laying down detailed rules for the application in the pigmeat sector of the arrangements provided for in the free trade agreements between the Community, of the one part and Latvia, Lithuania and Estonia, of the other part ⁽¹⁾, as last amended by Regulation (EC) No 691/97 ⁽²⁾, and in particular Article 4(4) thereof,

Whereas in order to ensure distribution of the quantities available, the quantities carried forward from the period 1 January to 31 March 1999 should be added to the quantities

available for the period 1 October to 31 December 1998,

HAS ADOPTED THIS REGULATION:

Article 1

The quantity available for the period 1 January to 31 March 1999 pursuant to Regulation (EC) No 2305/95 is set out in the Annex hereto.

Article 2

This Regulation shall enter into force on 23 October 1998.

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

Done at Brussels, 22 October 1998.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ L 233, 30. 9. 1995, p. 45.

⁽²⁾ OJ L 102, 19. 4. 1997, p. 12.

*ANNEX**(tonnes)*

Group	Total quantity available for the period 1 January to 31 March 1999
18	862,5
19	862,5
20	172,5
21	862,5
22	431,25

COMMISSION REGULATION (EC) No 2276/98
of 22 October 1998

**determining the extent to which applications lodged in October 1998 for import
licences for certain pigmeat products under the regime provided for by the
Agreement concluded by the Community with Slovenia can be accepted**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Commission Regulation (EC) No 571/97 of 26 March 1997 laying down detailed rules for the application in the pigmeat sector of the arrangements provided for in the Interim Agreement between the Community and Slovenia ⁽¹⁾, and in particular Article 4(4) thereof,

Whereas the applications for import licences lodged for the fourth quarter of 1998 are for quantities less than the quantities available and can therefore be met in full;

Whereas it is appropriate to draw the attention of operators to the fact that licences may only be used for products which comply with all veterinary rules currently in force in the Community,

HAS ADOPTED THIS REGULATION:

Article 1

1. Applications for import licences for the period 1 October to 31 December 1998 submitted pursuant to Regulation (EC) No 571/97 shall be met as referred to in the Annex.

2. Licences may only be used for products which comply with all veterinary rules currently in force in the Community.

Article 2

This Regulation shall enter into force on 23 October 1998.

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

Done at Brussels, 22 October 1998.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ L 85, 27. 3. 1997, p. 56.

ANNEX

Group No	Percentage of acceptance of import licences submitted for the period 1 October to 31 December 1998
23	100,00
24	100,00

COMMISSION REGULATION (EC) No 2277/98
of 22 October 1998

determining the extent to which applications lodged in October 1998 for import licences for certain pigmeat products under the regime provided for by the Agreements concluded by the Community with the Republic of Poland, the Republic of Hungary, the Czech Republic, Slovakia, Bulgaria and Romania can be accepted

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

Having regard to Commission Regulation (EC) No 1898/97 of 29 September 1997 laying down detailed rules for the application in the pigmeat sector of the arrangements provided for by Council Regulation (EC) No 3066/95 and repealing Regulations (EEC) No 2698/93 and (EC) No 1590/94 ⁽¹⁾, as amended by Regulation (EC) No 618/98 ⁽²⁾, and in particular Article 4(5) thereof,

Whereas the applications for import licences lodged for the fourth quarter of 1998 are for quantities less than the quantities available and can therefore be met in full;

Whereas the surplus to be added to the quantity available for the following period should be determined;

Whereas, it is appropriate to draw the attention of operators to the fact that licences may only be used for products which comply with all veterinary rules currently in force in the Community,

HAS ADOPTED THIS REGULATION:

Article 1

1. Applications for import licences for the period 1 October to 31 December 1998 submitted pursuant to Regulation (EC) No 1898/97 shall be met as referred to in Annex I.
2. During the first 10 days of the period 1 January to 31 March 1999 applications may be lodged pursuant to Regulation (EC) No 1898/97 for import licences for a total quantity as referred to in Annex II.
3. Licences may only be used for products which comply with all veterinary rules currently in force in the Community.

Article 2

This Regulation shall enter into force on 23 October 1998.

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

Done at Brussels, 22 October 1998.

For the Commission
Franz FISCHLER
Member of the Commission

⁽¹⁾ OJ L 267, 30. 9. 1997, p. 58.

⁽²⁾ OJ L 82, 19. 3. 1998, p. 35.

ANNEX I

Group No	Percentage of acceptance of import licences submitted for the period 1 October to 31 December 1998
1	100,0
2	100,0
3	100,0
4	100,0
H1	100,0
H2	100,0
5	100,0
6	100,0
7	100,0
8	100,0
9	100,0
10/11	100,0
12/13	100,0
14	100,0
15	100,0
16	100,0
17	100,0

*ANNEX II**(tonnes)*

Group No	Total quantity available for the period 1 January to 31 March 1999
1	3 592,5
2	501,8
3	1 380
4	15 373,2
H1	1 800
H2	375
5	2 587,5
6	1 627,9
7	7 330,8
8	1 207,5
9	8 797,5
10/11	4 551,3
12/13	1 983,8
14	258,8
15	776,3
16	1 386,2
17	10 781,3

**COMMISSION REGULATION (EC) No 2278/98
of 22 October 1998**

determining the extent to which applications lodged in October 1998 for import licences for certain pigmeat sector products under the regime provided for by Council Regulation (EC) No 774/94 opening and providing for the administration of certain Community tariff quotas for pigmeat and certain other agricultural products can be accepted

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

Having regard to Commission Regulation (EC) No 1432/94 of 22 June 1994 laying down detailed rules for the application in the pigmeat sector of the import arrangements provided for in Council Regulation (EC) No 774/94 opening and providing for the administration of certain Community tariff quotas for pigmeat and certain other agricultural products ⁽¹⁾, as last amended by Regulation (EC) No 2068/96 ⁽²⁾, and in particular Article 4(4) thereof,

Whereas the applications for import licences lodged for the fourth quarter of 1998 are for quantities less than the quantities available and can therefore be met in full;

Whereas it is appropriate to draw the attention of operators to the fact that licences may only be used for prod-

ucts which comply with all veterinary rules currently in force in the Community,

HAS ADOPTED THIS REGULATION:

Article 1

1. Applications for import licences for the period 1 October to 31 December 1998 submitted pursuant to Regulation (EC) No 1432/94 shall be met as referred to in the Annex.
2. Licences may only be used for products which comply with all veterinary rules currently in force in the Community.

Article 2

This Regulation shall enter into force on 23 October 1998.

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

Done at Brussels, 22 October 1998.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ L 156, 23. 6. 1994, p. 14.

⁽²⁾ OJ L 277, 30. 10. 1996, p. 12.

ANNEX

Group No	Percentage of acceptance of import licences submitted for the period 1 October to 31 December 1998
1	100,00

**COMMISSION REGULATION (EC) No 2279/98
of 22 October 1998**

amending Regulation (EC) No 1615/98 as regards the countervailing charges to be imposed where the minimum import price for dried grapes is not observed

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

Having regard to Council Regulation (EC) No 2201/96 of 28 October 1996 on the common organisation of the markets in processed fruit and vegetable products⁽¹⁾, as amended by Regulation (EC) No 2199/97⁽²⁾, and in particular Article 13(8) thereof,

Whereas Annex II to Commission Regulation (EC) No 1615/98 of 24 July 1998 fixing the minimum import price applicable to dried grapes during the 1998/99 marketing year as well as the countervailing charges to be imposed where that price is not observed⁽³⁾, in accordance with Article 13(6) of Regulation (EC) No 2201/96, lays down the countervailing charges by reference to a scale of import prices and the maximum countervailing charge on the basis of the most favourable prices applied on the world market for significant quantities by the most representative non-member countries; whereas, in view of

the prices currently prevailing on the world market, the countervailing charges in force should be altered;

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

HAS ADOPTED THIS REGULATION:

Article 1

Annex II to Regulation (EC) No 1615/98 is replaced by the Annex to this Regulation

Article 2

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

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

Done at Brussels, 22 October 1998.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ L 297, 21. 11. 1996, p. 29.

⁽²⁾ OJ L 303, 6. 11. 1997, p. 1.

⁽³⁾ OJ L 209, 25. 7. 1998, p. 28.

ANNEX

ANNEX II

COUNTERVAILING CHARGES

1. Currants falling within CN code 0806 20 11:

(ECU per tonne)

Import price applied		Countervailing charge to be levied
less than	but not less than	
1 038,18	1 027,80	10,38
1 027,80	1 007,03	31,15
1 007,03	975,89	62,29
975,89	944,74	93,44
944,74		213,51

2. Currants falling within CN code 0806 20 91:

(ECU per tonne)

Import price applied		Countervailing charge to be levied
less than	but not less than	
870,57	861,86	8,71
861,86	844,45	26,12
844,45	818,34	45,90
818,34	792,22	45,90
792,22		45,90

3. Dried grapes falling within CN codes 0806 20 12 and 0806 20 18:

(ECU per tonne)

Import price applied		Countervailing charge to be levied
less than	but not less than	
1 086,10	1 075,24	10,86
1 075,24	1 053,52	32,58
1 053,52	1 020,93	65,17
1 020,93	988,35	97,75
988,35		261,43

4. Dried grapes falling within CN codes 0806 20 92 and 0806 20 98:

(ECU per tonne)

Import price applied		Countervailing charge to be levied
less than	but not less than	
910,75	901,64	9,11
901,64	883,43	27,32
883,43	856,10	54,65
856,10	828,78	81,97
828,78		86,08'

COMMISSION REGULATION (EC) No 2280/98**of 22 October 1998****fixing the rates of the refunds applicable to certain cereal and rice-products
exported in the form of goods not covered by Annex II to the Treaty**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EEC) No 1766/92 of 30 June 1992 on the common organization of the market in cereals⁽¹⁾, as last amended by Commission Regulation (EC) No 923/96⁽²⁾, and in particular Article 13 (3) thereof,

Having regard to Council Regulation (EC) No 3072/95 of 22 December 1995 on the common organization of the market in rice⁽³⁾, as last amended by Regulation (EC) No 2072/98⁽⁴⁾, and in particular Article 13 (3) thereof,

Whereas Article 13 (1) of Regulation (EEC) No 1766/92 and Article 13 (1) of Regulation (EC) No 3072/95 provide that the difference between quotations of prices on the world market for the products listed in Article 1 of each of those Regulations and the prices within the Community may be covered by an export refund;

Whereas Commission Regulation (EC) No 1222/94 of 30 May 1994 laying down common implementing rules for 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⁽⁵⁾, as last amended by Regulation (EC) No 1352/98⁽⁶⁾, specifies the products for which a rate of refund should be fixed, to be applied where these products are exported in the form of goods listed in Annex B to Regulation (EEC) No 1766/92 or in Annex B to Regulation (EC) No 3072/95 as appropriate;

Whereas, in accordance with the first subparagraph of Article 4 (1) of Regulation (EC) No 1222/94, the rate of the refund per 100 kilograms for each of the basic products in question must be fixed for each month;

Whereas, now that a settlement has been reached between the European Community and the United States of America on Community exports of pasta products to the United States and has been approved by Council Decision 87/482/EEC⁽⁷⁾, it is necessary to differentiate the refund on goods falling within CN codes 1902 11 00 and 1902 19 according to their destination;

Whereas Article 4 (5) (b) of Regulation (EC) No 1222/94 provides that, in the absence of the proof referred to in Article 4 (5) (a) of that Regulation, a reduced rate of export refund has to be fixed, taking account of the amount of the production refund applicable, pursuant to Commission Regulation (EEC) No 1722/93⁽⁸⁾, as last amended by Regulation (EC) No 1011/98⁽⁹⁾, for the basic product in question, used during the assumed period of manufacture of the goods;

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

HAS ADOPTED THIS REGULATION:

Article 1

The rates of the refunds applicable to the basic products appearing in Annex A to Regulation (EC) No 1222/94 and listed either in Article 1 of Regulation (EEC) No 1766/92 or in Article 1 (1) of Regulation (EC) No 3072/95, exported in the form of goods listed in Annex B to Regulation (EEC) No 1766/92 or in Annex B to amended Regulation (EC) No 3072/95 respectively, are hereby fixed as shown in the Annex to this Regulation.

Article 2

This Regulation shall enter into force on 23 October 1998.

⁽¹⁾ OJ L 181, 1. 7. 1992, p. 21.

⁽²⁾ OJ L 126, 24. 5. 1996, p. 37.

⁽³⁾ OJ L 329, 30. 12. 1995, p. 18.

⁽⁴⁾ OJ L 265, 30. 9. 1998, p. 4.

⁽⁵⁾ OJ L 136, 31. 5. 1994, p. 5.

⁽⁶⁾ OJ L 184, 27. 6. 1998, p. 25.

⁽⁷⁾ OJ L 275, 29. 9. 1987, p. 36.

⁽⁸⁾ OJ L 159, 1. 7. 1993, p. 112.

⁽⁹⁾ OJ L 145, 15. 5. 1998, p. 11.

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

Done at Brussels, 22 October 1998.

For the Commission
Martin BANGEMANN
Member of the Commission

ANNEX

to the Commission Regulation of 22 October 1998 fixing the rates of the refunds applicable to certain cereals and rice products exported in the form of goods not covered by Annex II to the Treaty

CN code	Description of products ⁽¹⁾	Rate of refund per 100 kg of basic product
1001 10 00	Durum wheat:	
	— on exports of goods falling within CN codes 1902 11 and 1902 19 to the United States of America	0,910
	— in other cases	1,400
1001 90 99	Common wheat and meslin:	
	— on exports of goods falling within CN codes 1902 11 and 1902 19 to the United States of America	1,750
	— in other cases:	
	— — where pursuant to Article 4 (5) of Regulation (EC) No 1222/94 ⁽²⁾	—
	— — in other cases	2,692
1002 00 00	Rye	4,722
1003 00 90	Barley	5,944
1004 00 00	Oats	3,661
1005 90 00	Maize (corn) used in the form of:	
	— starch:	
	— — where pursuant to Article 4 (5) of Regulation (EC) No 1222/94 ⁽²⁾	1,006
	— — in other cases	4,727
	— glucose, glucose syrup, maltodextrine, maltodextrine syrup of CN codes 1702 30 51, 1702 30 59, 1702 30 91, 1702 30 99, 1702 40 90, 1702 90 50, 1702 90 75, 1702 90 79, 2106 90 55 ⁽³⁾ :	
	— — where pursuant to Article 4 (5) of Regulation (EC) No 1222/94 ⁽²⁾	0,497
	— — in other cases	4,218
	— other (including unprocessed)	4,727
	Potato starch of CN code 1108 13 00 similar to a product obtained from processed maize:	
	— where pursuant to Article 4 (5) of Regulation (EC) No 1222/94 ⁽²⁾	1,006
	— in other cases	4,727
ex 1006 30	Wholly-milled rice:	
	— round grain	10,800
	— medium grain	10,800
	— long grain	10,800
1006 40 00	Broken rice	3,100
1007 00 90	Sorghum	5,944

⁽¹⁾ As far as agricultural products obtained from the processing of a basic product or/and assimilated products are concerned, the coefficients shown in Annex E of amended Commission Regulation (EC) No 1222/94 shall be applied (OJ L 136, 31. 5. 1994, p. 5).

⁽²⁾ The goods concerned are listed in Annex I of amended Regulation (EEC) No 1722/93 (OJ L 159, 1. 7. 1993, p. 112).

⁽³⁾ For syrups of CN codes NC 1702 30 99, 1702 40 90 and 1702 60 90, obtained from mixing glucose and fructose syrup, the export refund may be granted only for the glucose syrup.

COMMISSION REGULATION (EC) No 2281/98**of 22 October 1998****on the issue of system B export licences in the fruit and vegetables sector**

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

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

Whereas Commission Regulation (EC) No 1875/98 ⁽³⁾, fixes the indicative quantities for system B export licences other than those sought in the context of food aid;

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

Whereas, to avoid this situation, applications for system B licences for hazelnuts in shell exported after 22 October 1998 should be rejected until the end of the current export period,

HAS ADOPTED THIS REGULATION:

Article 1

Applications for system B export licences for hazelnuts in shell submitted pursuant to Article 1 of Regulation (EC) No 1875/98, export declarations for which are accepted after 22 October 1998 and before 16 November 1998, are hereby rejected.

Article 2

This Regulation shall enter into force on 23 October 1998.

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

Done at Brussels, 22 October 1998.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ L 292, 15. 11. 1996, p. 12.

⁽²⁾ OJ L 178, 23. 6. 1998, p. 11.

⁽³⁾ OJ L 243, 2. 9. 1998, p. 3.

COMMISSION REGULATION (EC) No 2282/98**of 22 October 1998****fixing the export refunds on products processed from cereals and rice**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EEC) No 1766/92 of 30 June 1992 on the common organization of the market in cereals⁽¹⁾, as last amended by Commission Regulation (EC) No 923/96⁽²⁾, and in particular Article 13 (3) thereof,

Having regard to Council Regulation (EC) No 3072/95 of 22 December 1995 on the common organization of the market in rice⁽³⁾, as last amended by Regulation (EC) No 2072/98⁽⁴⁾, and in particular Article 13 (3) thereof,

Whereas Article 13 of Regulation (EEC) No 1766/92 and Article 13 of Regulation (EC) No 3072/95 provide that the difference between quotations or prices on the world market for the products listed in Article 1 of those Regulations and prices for those products within the Community may be covered by an export refund;

Whereas Article 13 of Regulation (EC) No 3072/95 provides that when refunds are being fixed account must be taken of the existing situation and the future trend with regard to prices and availabilities of cereals, rice and broken rice on the Community market on the one hand and prices for cereals, rice, broken rice and cereal products on the world market on the other; whereas the same Articles provide that it is also important to ensure equilibrium and the natural development of prices and trade on the markets in cereals and rice and, furthermore, to take into account the economic aspect of the proposed exports, and the need to avoid disturbances on the Community market;

Whereas Article 4 of Commission Regulation (EC) No 1518/95⁽⁵⁾, as amended by Regulation (EC) No 2993/95⁽⁶⁾, on the import and export system for products processed from cereals and from rice defines the specific criteria to be taken into account when the refund on these products is being calculated;

Whereas the refund to be granted in respect of certain processed products should be graduated on the basis of the ash, crude fibre, tegument, protein, fat and starch content of the individual product concerned, this content being a particularly good indicator of the quantity of basic product actually incorporated in the processed product;

Whereas there is no need at present to fix an export refund for manioc, other tropical roots and tubers or flours obtained therefrom, given the economic aspect of potential exports and in particular the nature and origin of these products; whereas, for certain products processed from cereals, the insignificance of Community participation in world trade makes it unnecessary to fix an export refund at the present time;

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

Whereas the refund must be fixed once a month; whereas it may be altered in the intervening period;

Whereas certain processed maize products may undergo a heat treatment following which a refund might be granted that does not correspond to the quality of the product; whereas it should therefore be specified that on these products, containing pregelatinized starch, no export refund is to be granted;

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

HAS ADOPTED THIS REGULATION:

Article 1

The export refunds on the products listed in Article 1 (1) (d) of Regulation (EEC) No 1766/92 and in Article 1 (1) (c) of Regulation (EC) No 3072/95 and subject to Regulation (EC) No 1518/95 are hereby fixed as shown in the Annex to this Regulation.

⁽¹⁾ OJ L 181, 1. 7. 1992, p. 21.

⁽²⁾ OJ L 126, 24. 5. 1996, p. 37.

⁽³⁾ OJ L 329, 30. 12. 1995, p. 18.

⁽⁴⁾ OJ L 265, 30. 9. 1998, p. 4.

⁽⁵⁾ OJ L 147, 30. 6. 1995, p. 55.

⁽⁶⁾ OJ L 312, 23. 12. 1995, p. 25.

Article 2

This Regulation shall enter into force on 23 October 1998.

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

Done at Brussels, 22 October 1998.

For the Commission

Franz FISCHLER

Member of the Commission

ANNEX

to the Commission Regulation of 22 October 1998 fixing the export refunds on products processed from cereals and rice

<i>(ECU/tonne)</i>		<i>(ECU/tonne)</i>	
Product code	Refund	Product code	Refund
1102 20 10 9200 ⁽¹⁾	66,18	1104 23 10 9100	70,91
1102 20 10 9400 ⁽¹⁾	56,72	1104 23 10 9300	54,36
1102 20 90 9200 ⁽¹⁾	56,72	1104 29 11 9000	27,46
1102 90 10 9100	68,15	1104 29 51 9000	26,92
1102 90 10 9900	46,34	1104 29 55 9000	26,92
1102 90 30 9100	65,90	1104 30 10 9000	6,73
1103 12 00 9100	65,90	1104 30 90 9000	11,82
1103 13 10 9100 ⁽¹⁾	85,09	1107 10 11 9000	47,92
1103 13 10 9300 ⁽¹⁾	66,18	1107 10 91 9000	80,87
1103 13 10 9500 ⁽¹⁾	56,72	1108 11 00 9200	53,84
1103 13 90 9100 ⁽¹⁾	56,72	1108 11 00 9300	53,84
1103 19 10 9000	47,22	1108 12 00 9200	75,63
1103 19 30 9100	70,42	1108 12 00 9300	75,63
1103 21 00 9000	27,46	1108 13 00 9200	75,63
1103 29 20 9000	46,34	1108 13 00 9300	75,63
1104 11 90 9100	68,15	1108 19 10 9200	47,12
1104 12 90 9100	73,22	1108 19 10 9300	47,12
1104 12 90 9300	58,58	1109 00 00 9100	0,00
1104 19 10 9000	27,46	1702 30 51 9000 ⁽²⁾	88,16
1104 19 50 9110	75,63	1702 30 59 9000 ⁽²⁾	67,49
1104 19 50 9130	61,45	1702 30 91 9000	88,16
1104 21 10 9100	68,15	1702 30 99 9000	67,49
1104 21 30 9100	68,15	1702 40 90 9000	67,49
1104 21 50 9100	90,86	1702 90 50 9100	88,16
1104 21 50 9300	72,69	1702 90 50 9900	67,49
1104 22 20 9100	58,58	1702 90 75 9000	92,38
1104 22 30 9100	62,24	1702 90 79 9000	64,12
		2106 90 55 9000	67,49

⁽¹⁾ No refund shall be granted on products given a heat treatment resulting in pregelatinization of the starch.

⁽²⁾ Refunds are granted in accordance with Council Regulation (EEC) No 2730/75 (OJ L 281, 1. 11. 1975, p. 20), amended.

NB: The product codes and the footnotes are defined in Commission Regulation (EEC) No 3846/87 (OJ L 366, 24. 12. 1987, p. 1), amended.

COMMISSION REGULATION (EC) No 2283/98

of 22 October 1998

fixing the export refunds on cereal-based compound feedingstuffs

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EEC) No 1766/92 of 30 June 1992 on the common organization of the market in cereals⁽¹⁾, as last amended by Commission Regulation (EC) No 923/96⁽²⁾, and in particular Article 13 (3) thereof,

Whereas Article 13 of Regulation (EEC) No 1766/92 provides that the difference between quotations or prices on the world market for the products listed in Article 1 of that Regulation and prices for those products within the Community may be covered by an export refund;

Whereas Regulation (EC) No 1517/95 of 29 June 1995 laying down detailed rules for the application of Regulation (EEC) No 1766/92 as regards the arrangements for the export and import of compound feedingstuffs based on cereals and amending Regulation (EC) No 1162/95 laying down special detailed rules for the application of the system of import and export licences for cereals and rice⁽³⁾ in Article 2 lays down general rules for fixing the amount of such refunds;

Whereas that calculation must also take account of the cereal products content; whereas in the interest of simplification, the refund should be paid in respect of two categories of 'cereal products', namely for maize, the most commonly used cereal in exported compound feeds and maize products, and for 'other cereals', these being eligible cereal products excluding maize and maize products; whereas a refund should be granted in respect of the

quantity of cereal products present in the compound feedingstuff;

Whereas furthermore, the amount of the refund must also take into account the possibilities and conditions for the sale of those products on the world market, the need to avoid disturbances on the Community market and the economic aspect of the export;

Whereas, however, in fixing the rate of refund it would seem advisable to base it at this time on the difference in the cost of raw inputs widely used in compound feedingstuffs as the Community and world markets, allowing more accurate account to be taken of the commercial conditions under which such products are exported;

Whereas the refund must be fixed once a month; whereas it may be altered in the intervening period;

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

HAS ADOPTED THIS REGULATION:

Article 1

The export refunds on the compound feedingstuffs covered by Regulation (EEC) No 1766/92 and subject to Regulation (EC) No 1517/95 are hereby fixed as shown in the Annex to this Regulation.

Article 2

This Regulation shall enter into force on 23 October 1998.

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

Done at Brussels, 22 October 1998.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ L 181, 1. 7. 1992, p. 21.

⁽²⁾ OJ L 126, 24. 5. 1996, p. 37.

⁽³⁾ OJ L 147, 30. 6. 1995, p. 51.

ANNEX

to the Commission Regulation of 22 October 1998 fixing the export refunds on cereal-based compound feedingstuffs

Product code benefiting from export refund⁽¹⁾:

2309 10 11 9000, 2309 10 13 9000, 2309 10 31 9000,
2309 10 33 9000, 2309 10 51 9000, 2309 10 53 9000,
2309 90 31 9000, 2309 90 33 9000, 2309 90 41 9000,
2309 90 43 9000, 2309 90 51 9000, 2309 90 53 9000.

(ECU/tonne)

Cereal products ⁽²⁾	Amount of refund ⁽²⁾
Maize and maize products: CN codes 0709 90 60, 0712 90 19, 1005, 1102 20, 1103 13, 1103 29 40, 1104 19 50, 1104 23, 1904 10 10	47,27
Cereal products ⁽²⁾ excluding maize and maize products	36,18

⁽¹⁾ The product codes are defined in Sector 5 of the Annex to Commission Regulation (EEC) No 3846/87 (OJ L 366, 24. 12. 1987, p 1), amended.

⁽²⁾ For the purposes of the refund only the starch coming from cereal products is taken into account.

Cereal products means the products falling within subheadings 0709 90 60 and 0712 90 19, Chapter 10, and headings Nos 1101, 1102, 1103 and 1104 (excluding subheading 1104 30) and the cereals content of the products falling within subheadings 1904 10 10 and 1904 10 90 of the combined nomenclature. The cereals content in products under subheadings 1904 10 10 and 1904 10 90 of the combined nomenclature is considered to be equal to the weight of this final product.

No refund is paid for cereals where the origin of the starch cannot be clearly established by analysis.

**COMMISSION REGULATION (EC) No 2284/98
of 22 October 1998**

**fixing the maximum export refund on oats in connection with the invitation to
tender issued in Regulation (EC) No 2007/98**

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

Having regard to Council Regulation (EEC) No 1766/92 of 30 June 1992 on the common organisation of the market in cereals ⁽¹⁾, as last amended by Regulation (EC) No 923/96 ⁽²⁾,

Having regard to Commission Regulation (EC) No 1501/95 of 29 June 1995 laying down certain detailed rules for the application of Council Regulation (EEC) No 1766/92 on the granting of export refunds on cereals and the measures to be taken in the event of disturbance on the market for cereals ⁽³⁾, as last amended by Regulation (EC) No 2094/98 ⁽⁴⁾,

Having regard to Commission Regulation (EC) No 2007/98 of 21 September 1998 on a special intervention measure for cereals in Finland and Sweden ⁽⁵⁾, and in particular Article 8 thereof,

Whereas an invitation to tender for the refund for the export of oats produced in Finland and Sweden for export from Finland or Sweden to all third countries was opened pursuant to Regulation (EC) No 2007/98;

Whereas Article 8 of Regulation (EC) No 2007/98 provides that the Commission may, on the basis of the tenders notified, in accordance with the procedure laid

down in Article 23 of Regulation (EEC) No 1766/92, decide to fix a maximum export refund taking account of the criteria referred to in Article 1 of Regulation (EC) No 1501/95; whereas in that case a contract is awarded to any tenderer whose bid is equal to or lower than the maximum refund;

Whereas the application of the abovementioned criteria to the current market situation for the cereal in question results in the maximum export refund being fixed at the amount specified in Article 1;

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

HAS ADOPTED THIS REGULATION:

Article 1

For tenders notified from 16 to 22 October 1998, pursuant to the invitation to tender issued in Regulation (EC) No 2007/98, the maximum refund on exportation of oats shall be ECU 56,25 per tonne.

Article 2

This Regulation shall enter into force on 23 October 1998.

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

Done at Brussels, 22 October 1998.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ L 181, 1. 7. 1992, p. 21.

⁽²⁾ OJ L 126, 24. 5. 1996, p. 37.

⁽³⁾ OJ L 147, 30. 6. 1995, p. 7.

⁽⁴⁾ OJ L 266, 1. 10. 1998, p. 61.

⁽⁵⁾ OJ L 258, 22. 9. 1998, p. 13.

COMMISSION REGULATION (EC) No 2285/98
of 22 October 1998
concerning tenders notified in response to the invitation to tender for the export
of rye issued in Regulation (EC) No 1746/98

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EEC) No 1766/92 of 30 June 1992 on the common organisation of the market in cereals ⁽¹⁾, as last amended by Regulation (EC) No 923/96 ⁽²⁾,

Having regard to Commission Regulation (EC) No 1501/95 of 29 June 1995 laying down certain detailed rules for the application of Council Regulation (EEC) No 1766/92 on the granting of export refunds on cereals and the measures to be taken in the event of disturbance on the market for cereals ⁽³⁾, as last amended by Regulation (EC) No 2094/98 ⁽⁴⁾, and in particular Article 7 thereof,

Whereas an invitation to tender for the refund and/or the tax for the export of rye to all third countries was opened pursuant to Commission Regulation (EC) No 1746/98 ⁽⁵⁾;

Whereas Article 7 of Regulation (EC) No 1501/95 allows the Commission to decide, in accordance with the procedure laid down in Article 23 of Regulation (EEC) No

1766/92 and on the basis of the tenders notified, to make no award;

Whereas on the basis of the criteria laid down in Article 1 of Regulation (EC) No 1501/95 a maximum refund or minimum tax should not be fixed;

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

HAS ADOPTED THIS REGULATION:

Article 1

No action shall be taken on the tenders notified from 16 to 22 October 1998 in response to the invitation to tender for the refund or the tax for the export of rye issued in Regulation (EC) No 1746/98.

Article 2

This Regulation shall enter into force on 23 October 1998.

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

Done at Brussels, 22 October 1998.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ L 181, 1. 7. 1992, p. 21.

⁽²⁾ OJ L 126, 24. 5. 1996, p. 37.

⁽³⁾ OJ L 147, 30. 6. 1995, p. 7.

⁽⁴⁾ OJ L 266, 1. 10. 1998, p. 61.

⁽⁵⁾ OJ L 219, 7. 8. 1998, p. 3.

COMMISSION REGULATION (EC) No 2286/98
of 22 October 1998
concerning tenders notified in response to the invitation to tender for the export
of barley issued in Regulation (EC) No 1078/98

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

Having regard to Council Regulation (EEC) No 1766/92 of 30 June 1992 on the common organisation of the market in cereals ⁽¹⁾, as last amended by Regulation (EC) No 923/96 ⁽²⁾,

Having regard to Commission Regulation (EC) No 1501/95 of 29 June 1995 laying down certain detailed rules for the application of Council Regulation (EEC) No 1766/92 on the granting of export refunds on cereals and the measures to be taken in the event of disturbance on the market for cereals ⁽³⁾, as last amended by Regulation (EC) No 2094/98 ⁽⁴⁾, and in particular Article 4 thereof,

Whereas an invitation to tender for the refund and or the tax for the export of barley to all third countries was opened pursuant to Commission Regulation (EC) No 1078/98 ⁽⁵⁾;

Whereas Article 7 of Regulation (EC) No 1501/95, allows the Commission to decide, in accordance with the procedure laid down in Article 23 of Regulation (EEC)

No 1766/92 and on the basis of the tenders notified, to make no award;

Whereas on the basis of the criteria laid down in Article 1 of Regulation (EC) No 1501/95 a maximum refund or a minimum tax should not be fixed;

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

HAS ADOPTED THIS REGULATION:

Article 1

No action shall be taken on the tenders notified from 16 to 22 October 1998 in response to the invitation to tender for the refund or the tax for the export of barley issued in Regulation (EC) No 1078/98.

Article 2

This Regulation shall enter into force on 23 October 1998.

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

Done at Brussels, 22 October 1998.

For the Commission
Martin BANGEMANN
Member of the Commission

⁽¹⁾ OJ L 181, 1. 7. 1992, p. 21.

⁽²⁾ OJ L 126, 24. 5. 1996, p. 37.

⁽³⁾ OJ L 147, 30. 6. 1995, p. 7.

⁽⁴⁾ OJ L 266, 1. 10. 1998, p. 61.

⁽⁵⁾ OJ L 154, 28. 5. 1998, p. 20.

COMMISSION REGULATION (EC) No 2287/98
of 22 October 1998
concerning tenders notified in response to the invitation to tender for the export
of barley issued in Regulation (EC) No 1564/98

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

Having regard to Council Regulation (EEC) No 1766/92 of 30 June 1992 on the common organisation of the market in cereals ⁽¹⁾, as last amended by Regulation (EC) No 923/96 ⁽²⁾,

Having regard to Commission Regulation (EC) No 1501/95 of 29 June 1995 laying down certain detailed rules for the application of Council Regulation (EEC) No 1766/92 on the granting of export refunds on cereals and the measures to be taken in the event of disturbance on the market for cereals ⁽³⁾, as last amended by Regulation (EC) No 2094/98 ⁽⁴⁾, and in particular Article 7 thereof,

Whereas an invitation to tender for the refund for the export of barley exported by Spain to all third countries was opened pursuant to Commission Regulation (EC) No 1564/98 ⁽⁵⁾;

Whereas Article 7 of Regulation (EC) No 1501/95, allows the Commission to decide, in accordance with the procedure laid down in Article 23 of Regulation (EEC)

No 1766/92 and on the basis of the tenders notified, to make no award;

Whereas on the basis of the criteria laid down in Article 1 of Regulation (EC) No 1501/95 a maximum refund should not be fixed;

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

HAS ADOPTED THIS REGULATION:

Article 1

No action shall be taken on the tenders notified from 16 to 22 October 1998 in response to the invitation to tender for the refund for the export of barley issued in Regulation (EC) No 1564/98.

Article 2

This Regulation shall enter into force on 23 October 1998.

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

Done at Brussels, 22 October 1998.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ L 181, 1. 7. 1992, p. 21.

⁽²⁾ OJ L 126, 24. 5. 1996, p. 37.

⁽³⁾ OJ L 147, 30. 6. 1995, p. 7.

⁽⁴⁾ OJ L 266, 1. 10. 1998, p. 61.

⁽⁵⁾ OJ L 203, 21. 7. 1998, p. 6.

COMMISSION REGULATION (EC) No 2288/98
of 22 October 1998
concerning tenders notified in response to the invitation to tender for the export
of common wheat issued in Regulation (EC) No 2004/98

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

Having regard to Council Regulation (EEC) No 1766/92 of 30 June 1992 on the common organisation of the market in cereals ⁽¹⁾, as last amended by Regulation (EC) No 923/96 ⁽²⁾,

Having regard to Commission Regulation (EC) No 1501/95 of 29 June 1995 laying down certain detailed rules for the application of Council Regulation (EEC) No 1766/92 on the granting of export refunds on cereals and the measures to be taken in the event of disturbance on the market for cereals ⁽³⁾, as last amended by Regulation (EC) No 2094/98 ⁽⁴⁾, and in particular Article 7 thereof,

Whereas an invitation to tender for the refund and/or the tax for the export of common wheat to certain ACP States was opened pursuant to Commission Regulation (EC) No 2004/98 ⁽⁵⁾;

Whereas Article 7 of Regulation (EC) No 1501/95 allows the Commission to decide, in accordance with the procedure laid down in Article 23 of Regulation (EEC)

No 1766/92 and on the basis of the tenders notified, to make no award;

Whereas on the basis of the criteria laid down in Article 1 of Regulation (EC) No 1501/95 a maximum refund or minimum tax should not be fixed;

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

HAS ADOPTED THIS REGULATION:

Article 1

No action shall be taken on the tenders notified from 16 to 22 October 1998 in response to the invitation to tender for the refund or the tax for the export of common wheat issued in Regulation (EC) No 2004/98.

Article 2

This Regulation shall enter into force on 23 October 1998.

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

Done at Brussels, 22 October 1998.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ L 181, 1. 7. 1992, p. 21.

⁽²⁾ OJ L 126, 24. 5. 1996, p. 37.

⁽³⁾ OJ L 147, 30. 6. 1995, p. 7.

⁽⁴⁾ OJ L 266, 1. 10. 1998, p. 61.

⁽⁵⁾ OJ L 258, 22. 9. 1998, p. 4.

COMMISSION REGULATION (EC) No 2289/98
of 22 October 1998
concerning tenders notified in response to the invitation to tender for the export
of common wheat issued in Regulation (EC) No 1079/98

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

Having regard to Council Regulation (EEC) No 1766/92 of 30 June 1992 on the common organisation of the market in cereals ⁽¹⁾, as last amended by Regulation (EC) No 923/96 ⁽²⁾,

Having regard to Commission Regulation (EC) No 1501/95 of 29 June 1995 laying down certain detailed rules for the application of Council Regulation (EEC) No 1766/92 on the granting of export refunds on cereals and the measures to be taken in the event of disturbance on the market for cereals ⁽³⁾, as last amended by Regulation (EC) No 2094/98 ⁽⁴⁾, and in particular Article 4 thereof,

Whereas an invitation to tender for the refund and/or the tax for the export of common wheat to all third countries was opened pursuant to Commission Regulation (EC) No 1079/98 ⁽⁵⁾, as amended by Regulation (EC) No 2005/98 ⁽⁶⁾;

Whereas Article 7 of Regulation (EC) No 1501/95 allows the Commission to decide, in accordance with the procedure laid down in Article 23 of Regulation (EEC) No

1766/92 and on the basis of the tenders notified, to make no award;

Whereas on the basis of the criteria laid down in Article 1 of Regulation (EC) No 1501/95 a maximum refund or minimum tax should not be fixed;

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

HAS ADOPTED THIS REGULATION:

Article 1

No action shall be taken on the tenders notified from 16 to 22 October 1998 in response to the invitation to tender for the refund or the tax for the export of common wheat issued in Regulation (EC) No 1079/98.

Article 2

This Regulation shall enter into force on 23 October 1998.

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

Done at Brussels, 22 October 1998.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ L 181, 1. 7. 1992, p. 21.

⁽²⁾ OJ L 126, 24. 5. 1996, p. 37.

⁽³⁾ OJ L 147, 30. 6. 1995, p. 7.

⁽⁴⁾ OJ L 266, 1. 10. 1998, p. 61.

⁽⁵⁾ OJ L 154, 28. 5. 1998, p. 24.

⁽⁶⁾ OJ L 258, 22. 9. 1998, p. 8.

COMMISSION REGULATION (EC) No 2290/98**of 22 October 1998****fixing the export refunds on rice and broken rice**

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⁾, and in particular the second subparagraph of Article 13 (3) thereof,

Whereas Article 13 of Regulation (EC) No 3072/95 provides that the difference between quotations or prices on the world market for the products listed in Article 1 of that Regulation and prices for those products within the Community may be covered by an export refund;

Whereas Article 13 (4) of Regulation (EC) No 3072/95, provides that when refunds are being fixed account must be taken of the existing situation and the future trend with regard to prices and availabilities of rice and broken rice on the Community market on the one hand and prices for rice and broken rice on the world market on the other; whereas the same Article provides that it is also important to ensure equilibrium and the natural development of prices and trade on the rice market and, furthermore, to take into account the economic aspect of the proposed exports and the need to avoid disturbances of the Community market with limits resulting from agreements concluded in accordance with Article 228 of the Treaty;

Whereas Commission Regulation (EEC) No 1361/76 ⁽³⁾ lays down the maximum percentage of broken rice allowed in rice for which an export refund is fixed and specifies the percentage by which that refund is to be reduced where the proportion of broken rice in the rice exported exceeds that maximum;

Whereas export possibilities exist for a quantity of 8 000 tonnes of rice to certain destinations; whereas the procedure laid down in Article 7 (4) of Commission Regulation (EC) No 1162/95 ⁽⁴⁾, as last amended by Regulation

(EC) No 444/98 ⁽⁵⁾ should be used; whereas account should be taken of this when the refunds are fixed;

Whereas Article 13 (5) of Regulation (EC) No 3072/95 defines the specific criteria to be taken into account when the export refund on rice and broken rice is being calculated;

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

Whereas a separate refund should be fixed for packaged long grain rice to accommodate current demand for the product on certain markets;

Whereas the refund must be fixed at least once a month; whereas it may be altered in the intervening period;

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

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

HAS ADOPTED THIS REGULATION:

Article 1

The export refunds on the products listed in Article 1 of Regulation (EC) No 3072/95 with the exception of those listed in paragraph 1 (c) of that Article, exported in the natural state, shall be as set out in the Annex hereto.

Article 2

This Regulation shall enter into force on 23 October 1998.

⁽¹⁾ OJ L 329, 30. 12. 1995, p. 18.

⁽²⁾ OJ L 20, 27. 1. 1998, p. 16.

⁽³⁾ OJ L 154, 15. 6. 1976, p. 11.

⁽⁴⁾ OJ L 117, 24. 5. 1995, p. 2.

⁽⁵⁾ OJ L 56, 26. 2. 1998, p. 12.

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

Done at Brussels, 22 October 1998.

For the Commission
 Franz FISCHLER
Member of the Commission

ANNEX

to the Commission Regulation of 22 October 1998 fixing the export refunds on rice and broken rice

(ECU/tonne)			(ECU/tonne)		
Product code	Destination ⁽¹⁾	Amount of refunds	Product code	Destination ⁽¹⁾	Amount of refunds
1006 20 11 9000	01	82,00	1006 30 65 9900	01	102,00
1006 20 13 9000	01	82,00		04	—
1006 20 15 9000	01	82,00	1006 30 67 9100	05	108,00 ⁽²⁾
1006 20 17 9000	—	—	1006 30 67 9900	—	—
1006 20 92 9000	01	82,00	1006 30 92 9100	01	102,00
1006 20 94 9000	01	82,00		02	108,00 ⁽²⁾
1006 20 96 9000	01	82,00		03	113,00 ⁽²⁾
1006 20 98 9000	—	—		04	—
1006 30 21 9000	01	82,00	1006 30 92 9900	01	102,00
1006 30 23 9000	01	82,00		04	—
1006 30 25 9000	01	82,00	1006 30 94 9100	01	102,00
1006 30 27 9000	—	—		02	108,00 ⁽²⁾
1006 30 42 9000	01	82,00		03	113,00 ⁽²⁾
1006 30 44 9000	01	82,00		04	—
1006 30 46 9000	01	82,00	1006 30 94 9900	01	102,00
1006 30 48 9000	—	—		04	—
1006 30 61 9100	01	102,00		—	—
	02	108,00 ⁽²⁾	1006 30 96 9100	01	102,00
	03	113,00 ⁽²⁾		02	108,00 ⁽²⁾
	04	—		03	113,00 ⁽²⁾
1006 30 61 9900	01	102,00		04	—
	04	—	1006 30 96 9900	01	102,00
1006 30 63 9100	01	102,00		04	—
	02	108,00 ⁽²⁾		—	—
	03	113,00 ⁽²⁾	1006 30 98 9100	05	108,00 ⁽²⁾
	04	—	1006 30 98 9900	—	—
1006 30 63 9900	01	102,00	1006 40 00 9000	—	—
	04	—			
1006 30 65 9100	01	102,00			
	02	108,00 ⁽²⁾			
	03	113,00 ⁽²⁾			
	04	—			

⁽¹⁾ The destinations are identified as follows:

01 Liechtenstein, Switzerland, the communes of Livigno and Campione d'Italia; refunds fixed under the procedure laid down in Article 7(4) of Regulation (EC) No 1162/95 in respect of a quantity of 5 000 tonnes of milled rice equivalent,

02 Zones I, II, III, VI, Ceuta and Melilla,

03 Zones IV, V, VII (c), Canada and Zone VIII excluding Suriname, Guyana and Madagascar,

04 Destinations mentioned in Article 34 of amended Commission Regulation (EEC) No 3665/87,

05 Ceuta and Melilla.

⁽²⁾ For rice for destinations 02, 03 and 05; refunds fixed under the procedure laid down in Article 7(4) of Regulation (EC) No 1162/95 in respect of a quantity of 3 000 tonnes.

NB: The zones are those defined in the Annex to amended Commission Regulation (EEC) No 2145/92.

COMMISSION REGULATION (EC) No 2291/98
of 22 October 1998
fixing production refunds on cereals and rice

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

Having regard to Council Regulation (EEC) No 1766/92 of 30 June 1992, on the common organisation of the market in cereals ⁽¹⁾, as last amended by Commission Regulation (EC) No 923/96 ⁽²⁾, and in particular Article 7 (3) thereof,

Having regard to Council Regulation (EC) No 3072/95 of 22 December 1995 on the common organisation of the market in rice ⁽³⁾, as last amended by Regulation (EC) No 3072/98 ⁽⁴⁾, and in particular Article 7 (2) thereof,

Having regard to Commission Regulation (EEC) No 1722/93 of 30 June 1993 laying down detailed rules for the arrangements concerning production refunds in the cereals and rice sectors ⁽⁵⁾, as last amended by Regulation (EC) No 1011/98 ⁽⁶⁾, and in particular Article 3 thereof,

Whereas Regulation (EEC) No 1722/93 establishes the conditions for granting the production refund; whereas the basis for the calculation is established in Article 3 of the said Regulation; whereas the refund thus calculated

must be fixed once a month and may be altered if the price of maize and/or wheat changes significantly;

Whereas the production refunds to be fixed in this Regulation should be adjusted by the coefficients listed in the Annex II to Regulation (EEC) No 1722/93 to establish the exact amount payable;

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

HAS ADOPTED THIS REGULATION:

Article 1

The refund referred to in Article 3 (2) of Regulation (EEC) No 1722/93, expressed per tonne of starch extracted from maize, wheat, barley, oats, potatoes, rice or broken rice, shall be ECU 51,31 per tonne.

Article 2

This Regulation shall enter into force on 23 October 1998.

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

Done at Brussels, 22 October 1998.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ L 181, 1. 7. 1992, p. 21.

⁽²⁾ OJ L 126, 24. 5. 1996, p. 37.

⁽³⁾ OJ L 329, 30. 12. 1995, p. 18.

⁽⁴⁾ OJ L 265, 30. 9. 1998, p. 4.

⁽⁵⁾ OJ L 159, 1. 7. 1993, p. 112.

⁽⁶⁾ OJ L 145, 15. 5. 1998, p. 11.

COMMISSION DIRECTIVE 98/77/EC**of 2 October 1998****adapting to technical progress Council Directive 70/220/EEC on the approximation of the laws of the Member States relating to measures to be taken against air pollution by emissions from motor vehicles****(Text with EEA relevance)**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Directive 70/220/EEC of 20 March 1970 on the approximation of the laws of the Member States relating to measures to be taken against air pollution by emissions from motor vehicles⁽¹⁾, as last amended by Directive 96/69/EC of the European Parliament and of the Council⁽²⁾,

Whereas Directive 70/220/EEC is one of the separate directives under the type-approval procedure laid down by Council Directive 70/156/EEC of 6 February 1970 on the approximation of the laws of the Member States relating to the type-approval of motor vehicles and their trailers⁽³⁾, as amended by Commission Directive 98/14/EC⁽⁴⁾;

Whereas Article 13(2) of Directive 70/156/EEC lays down that the procedure of Article 13 shall also apply to the introduction of provisions on the type-approval of separate technical units into the separate directives;

Whereas to provide a harmonised basis to guarantee that replacement catalytic converters, intended to be fitted on vehicles of category M₁ and N₁ not equipped with on-board diagnostic systems, are of sufficient quality, it is appropriate to introduce into Directive 70/220/EEC new technical requirements for the EC type-approval of replacement catalytic converters as a separate technical unit; whereas these technical requirements are in accordance with the technical requirements adopted by the United Nations Economic Commission for Europe in its Regulation No 103 relating to the approval of replacement catalytic converters for power-driven vehicles⁽⁵⁾;

Whereas in the light of technical progress it is appropriate to introduce into Directive 70/220/EEC new technical requirements for the EC type-approval of vehicles which can be fuelled with liquefied petroleum gas (LPG) or natural gas (NG); whereas the use of LPG and NG for

the propulsion of vehicles permit to achieve very low levels of noxious emissions and should then benefit by the EC type-approval system; whereas these technical requirements are in accordance with the technical requirements adopted by the United Nations Economic Commission for Europe in its Regulation No 83 relating to the approval of vehicles with regard to their emission of pollutants⁽⁶⁾;

Whereas it is appropriate to clarify the methods regarding the measurement of vehicle rolling resistance;

Whereas the measures provided for in this Directive are in accordance with the opinion of the Committee for Adaptation to Technical Progress established by Directive 70/156/EEC,

HAS ADOPTED THIS DIRECTIVE:

Article 1

Article 1 of Directive 70/220/EEC is replaced by the following Article:

‘Article 1

For the purposes of this Directive:

- “vehicle” means any vehicle as defined in Annex II Section A to Directive 70/156/EEC,
- “automotive LPG or NG equipment” means any assembly of automotive LPG or NG components designed to be fitted on one or more given types of motor vehicle, which can be approved as a separate technical unit as defined in Article 4(1)(d) of Directive 70/156/EEC,
- “replacement catalytic converter” means a catalytic converter or an assembly of catalytic converters intended to replace an original equipment catalytic converter on a vehicle approved according to Directive 70/220/EEC, which can be approved as a separate technical unit as defined in Article 4(1)(d) of Directive 70/156/EEC.’

⁽¹⁾ OJ L 76, 6. 4. 1970, p. 1.

⁽²⁾ OJ L 282, 1. 11. 1996, p. 64.

⁽³⁾ OJ L 42, 23. 2. 1970, p. 1.

⁽⁴⁾ OJ L 91, 25. 3. 1998, p. 1.

⁽⁵⁾ Economic Commission for Europe Regulation No 103 (E/CE/324-E/CE/TRANS/505/Rev.2/Add.102).

⁽⁶⁾ Economic Commission for Europe Regulation No 83 (E/CE/324-E/CE/TRANS/505/Rev.1/Add.82 as amended).

Article 2

The Annexes to Directive 70/220/EEC are amended in accordance with the Annex to this Directive.

Article 3

1. With regards to new replacement catalytic converters intended to be fitted on EC-approved vehicles which are not equipped with on-board diagnostic systems (OBD), Member States:

(1) with effect from 1 January 1999, may not:

- refuse to grant EC type-approval pursuant to Article 4(1) of Directive 70/156/EEC, or
- prohibit their sale or installation on a vehicle, if they comply with the requirements of Directive 70/220/EEC as amended by this Directive;

(2) with effect from 1 October 1999 subject to the provision of Article 7(2) of Directive 70/156/EEC shall refuse the sale or installation on a vehicle of a replacement catalytic converter(s), if it is not of a type in respect of which a type-approval has been granted in compliance with Directive 70/220/EEC, as amended by this Directive.

2. With regard to new vehicles fuelled with LPG or NG or which can be fuelled with either petrol or LPG, or NG on grounds relating to air pollution by emissions, Member States:

(1) with effect from 1 January 1999 may not:

- refuse to grant EC type-approval pursuant to Article 4(1) of Directive 70/156/EEC, or
- refuse to grant national type-approval, or
- prohibit the registration, sale or entry into service if they comply with the requirements of Directive 70/220/EEC as amended by this Directive;

(2) with effect from 1 October 1999, shall refuse the registration, sale or entry into service of new vehicles which do not comply with the provision of Directive 70/220/EEC as amended by this Directive.

Article 4

1. Member States shall bring into force the laws, regulations and administrative provisions necessary to comply with this Directive before 31 December 1998 they shall forthwith inform the Commission thereof.

When Member States adopt these provisions, they shall contain a reference to this Directive or shall be accompanied by such reference at the occasion of their official publication. The procedure for such reference shall be adopted by the Member States.

2. Member States shall communicate to the Commission the texts of the main procedure of the national law that they adopt in the field governed by this Directive.

Article 5

This Directive shall enter into force on the 20th day following its publication in the *Official Journal of the European Communities*.

Article 6

This Directive is addressed to the Member States.

Done at Brussels, 2 October 1998.

For the Commission

Martin BANGEMANN

Member of the Commission

ANNEX

AMENDMENTS TO THE ANNEXES TO DIRECTIVE 70/220/EEC

List of Annexes

1. The list of Annexes is amended as follows:

‘ANNEX IX a: Specifications of gaseous reference fuels’

‘ANNEX XII: EC type-approval for a vehicle fuelled by LPG or natural gas with regards to its emissions’

‘ANNEX XIII: EC type-approval of replacement catalytic converter as separate technical unit

Appendix 1: Information document

Appendix 2: EC type-approval certificate

Appendix 3: EC type-approval mark’.

Annex I

2. The following paragraphs are inserted at the end of Section 1:

‘This Directive also applies to:

- the EC type-approval procedure for replacement catalytic converters as separate technical units intended to be fitted on vehicles of category M₁ and N₁,
- the EC type-approval procedure of automotive LPG or NG equipment as a separate technical unit intended to be fitted on vehicles of category M₁ and N₁, with regard to its emissions.’

3. Point 2.4 shall be read as follows:

‘2.4. “Gaseous pollutants” means the exhaust gas emissions of carbon monoxide, oxides of nitrogen, expressed in nitrogen dioxide (NO₂) equivalent, and hydrocarbons assuming ratio of:

- C₁H_{1.85} for petrol,
- C₁H_{1.86} for diesel,
- C₁H_{2.525} for LPG,
- CH₄ for NG.’

4. Points 2.17 to 2.21 are added to read as follows:

‘2.17. “original equipment catalytic converter” means a catalytic converter or an assembly of catalytic converters covered by the type-approval delivered for the vehicle and whose types are indicated in the document in Annex II to this Directive.

2.18. “replacement catalytic converter” means a catalytic converter or an assembly of catalytic converters for which approval can be obtained according to Annex XIII to this Directive, other than those defined in point 2.17.

2.19. “automotive LPG or NG equipment” means any assembly of automotive LPG or NG components designed to be fitted on one or more given types of motor vehicles, which can be approved as a separate technical unit.

2.20. “family of vehicles” means a group of vehicle types identified by a parent vehicle for the purpose of Annex XII.

2.21. “fuel requirement by the engine” means the type of fuel normally used by the engine:

- petrol,
- LPG (liquefied petroleum gas),
- NG (natural gas),
- both petrol and LPG,
- both petrol and NG,
- diesel fuel.’

5. Point 5.1.2 is modified to read as follows:

‘5.1.2. Inlet orifices of petrol tanks.’

6. A new point 5.2.2 is added as follows:

‘5.2.2. Positive-ignition engine powered vehicles fuelled with LPG or NG only shall be subjected to the following tests:

- type I (simulating the average tailpipe emissions after a cold start),
- type II (carbon monoxide emissions at idling speed),
- type III (emissions of crankcase),
- type V (durability of pollution control devices).’

7. Points 5.3.1.2.1.1 and 5.3.1.2.1.2 are added as follows:

‘5.3.1.2.1.1. Vehicles that are fuelled with LPG or NG shall be tested in the type I test for variations in the composition of LPG or NG, as set out in Annex XII. Vehicles that can be fuelled either with petrol or with LPG or NG shall be tested in the type I test on both fuels, of which the fuelling on LPG or NG has to be performed for variation in the composition of LPG or NG, as set out in Annex XII.

5.3.1.2.1.2. Notwithstanding the requirement of point 5.3.1.2.1.1, vehicles that can be fuelled with both petrol and a gaseous fuel, but where the petrol system is fitted for emergency purposes or starting only and of which the petrol tank cannot contain more than 15 litres of petrol will be regarded for the test type I as vehicles that can only run on a gaseous fuel.’

8. A new point 5.3.1.4.2 is added as follows:

‘5.3.1.4.2. When the tests are performed with gaseous fuels, the resulting mass of gaseous emissions shall be less than the limits for petrol-engined vehicles in the above table.’

9. New points 5.3.2.1.1 and 5.3.2.1.2 are added as follows:

‘5.3.2.1.1. Vehicles which can be fuelled either with petrol or with LPG or NG shall be tested in the test type II on both fuels.

5.3.2.1.2. Notwithstanding the requirement of point 5.3.2.1.1 above, vehicles that can be fuelled with both petrol and a gaseous fuel, but where the petrol system is fitted for emergency purposes or starting only and of which the petrol tank cannot contain more than 15 litres of petrol will be regarded for the type II test as vehicles that can only run on a gaseous fuel.’

10. New points 5.3.3.1.1 and 5.3.3.1.2. are added as follows:

‘5.3.3.1.1. Vehicles that can be fuelled either with petrol or with LPG or NG should be tested in the type III test on petrol only.

5.3.3.1.2. Notwithstanding the requirement of point 5.3.3.1.1, vehicles that can be fuelled with both petrol and a gaseous fuel, but where the petrol system is fitted for emergency purposes or starting only and of which the petrol tank cannot contain more than 15 litres of petrol will be regarded for the type III test as vehicles that can only run on a gaseous fuel.’

11. Point 5.3.4.1 is amended to read:

‘5.3.4.1. ...having a compression-ignition engine, and the vehicles fuelled with LPG or NG.

5.3.4.1.1. Vehicles that can be fuelled either with petrol or with LPG or NG should be tested in the type IV test on petrol only.’

12. A new point 5.3.5.1.1 is added as follows:

‘5.3.5.1.1. Vehicles that can be fuelled either with petrol or with LPG or NG should be tested in the type V test on petrol only.’

13. A new point 5.3.8 is inserted:

‘5.3.8. Approval of a replacement catalytic converter.

5.3.8.1. The test must be carried out only for replacement catalytic converter intended to be fitted on EC type-approved vehicles which are not equipped with on OBD, according to Annex XIII.’

Annex II (information document)

14. Point 3.2.2 shall read as follows:

‘3.2.2. Fuel: Diesel oil/Petrol/LPG/NG (‘)

15. Points 3.2.15 and 3.2.16 are added as follows:

‘3.2.15. LPG fuelling system: yes/no (‘)

3.2.15.1. Approval number according to Directive 70/221/EEC (‘):

3.2.15.2. Electronic engine management control unit for LPG fuelling:

3.2.15.2.1. Make(s):

3.2.15.2.2. Type(s):

3.2.15.2.3. Emission-related adjustment possibilities:

3.2.15.3. Further documentation:

3.2.15.3.1. Description of the safeguarding of the catalyst at switch-over from petrol to LPG or back:

3.2.15.3.2. System lay-out (electrical connections, vacuum connections compensation hoses, etc.):

3.2.15.3.3. Drawing of the symbol:

3.2.16. NG fuelling system: yes/no (‘)

3.2.16.1. Approval number according to Directive 70/221/EEC (‘):

3.2.16.2. Electronic engine management control unit for NG fuelling:

3.2.16.2.1. Make(s):

3.2.16.2.2. Type(s):

3.2.16.2.3. Emission-related adjustment possibilities:

3.2.16.3. Further documentations:

3.2.16.3.1. Description of the safeguarding of the catalyst at switch-over from petrol to NG or back:

3.2.16.3.2. System lay-out (electrical connections, vacuum connections compensation hoses, etc.):

3.2.16.3.3. Drawing of the symbol:

(‘) Delete where not applicable.

(‘) When this Directive will be amended to cover tanks for gaseous fuels.’

Annex III (type I test)

16. Point 1 shall read as follows:

‘1. Introduction

This Annex describes the procedure for the type I test defined in 5.3.1 of Annex I. When the reference fuel to be used is LPG or NG, the provisions of Annex XII shall apply additionally.’

17. A new point 3.2.1 is added as follows:

‘3.2.1. Vehicles that are fuelled either with petrol or with LPG or NG shall be tested according to Annex XII with the appropriate reference fuel(s) as defined in Annex IX a.’

18. Point 5.3.1.1 is added as follows:

‘5.3.1.1. For positive-ignition engined vehicles fuelled with LPG or NG or so equipped that they can be fuelled with either petrol or LPG or NG, between the tests on the first gaseous reference fuel and the second gaseous reference fuel, the vehicle shall be preconditioned before the test on the second reference fuel. This preconditioning is done on the second reference fuel by driving a preconditioning cycle consisting of one part one (urban part) and two times part two (extra-urban part) of the test cycle described in Appendix 1 to this Annex. On the manufacturer's request and with the agreement of the technical service this preconditioning cycle may be extended. The dynamometer setting shall be the one indicated in points 5.1 and 5.2 of this Annex.’

19. Point 6.2.3 is added as follows:

‘6.2.3. In the case of the use of LPG or NG as a fuel it is permissible that the engine is started on petrol and switched to LPG or NG after a predetermined period of time which cannot be changed by the driver.’

20. Point 8.2 is amended to read as follows:

‘In the case of carbon monoxide (CO): $d = 1.25 \text{ g/l}$

In the case of hydrocarbons:

for petrol ($\text{CH}_{1.85}$) $d = 0.619 \text{ g/l}$

for diesel ($\text{CH}_{1.86}$) $d = 0.619 \text{ g/l}$

for LPG ($\text{CH}_{2.525}$) $d = 0.649 \text{ g/l}$

for NG (CH_4) $d = 0.714 \text{ g/l}$

In the case of nitrogen oxides (NO_x): $d = 2.05 \text{ g/l}$ ’.

21. In Annex III, Appendix 3, point 5.1.1.2.8, the definition of the factor K_R and the table are amended to read as follows:

— ‘... K_R = temperature correction factor of rolling resistance, taken to be equal to: $8,64 \times 10^{-3}/^\circ\text{C}$ or the manufacturer's correction factor that is approved by the authority’

— ‘... and for each speed the coefficients a and b are shown in the following table:

V (km/h)	a	b
20	$7,24 \times 10^{-5}$	0,82
40	$1,59 \times 10^{-4}$	0,54
60	$1,96 \times 10^{-4}$	0,33
80	$1,85 \times 10^{-4}$	0,23
100	$1,63 \times 10^{-4}$	0,18
120	$1,57 \times 10^{-4}$	0,14’

22. In Annex III, Appendix 5, point 3.1.3.5.2 is amended to read as follows:

‘3.1.3.5.2. ... less than 3 % by volume for petrol and diesel, less than 2,2 % by volume for LPG and less than 1,5 % by volume for NG.’

23. In Annex III, Appendix 6, point 2.3 is amended to read as follows:

‘2.3. ...

— methane and purified air $1,00 < R_f < 1,15$

or

$1,00 < R_f < 1,05$ for NG-fuelled vehicles

...’

24. In Annex III, Appendix 8, point 1.3 shall read as follows:

‘.....

The dilution factor is calculated as follows:

$$DF = \frac{13,4}{C_{CO_2} + (C_{HC} + C_{CO}) 10^{-4}} \quad \text{for petrol and diesel fuel (5a)}$$

$$DF = \frac{11,9}{C_{CO_2} + (C_{HC} + C_{CO}) 10^{-4}} \quad \text{for LPG (5b)}$$

$$DF = \frac{9,5}{C_{CO_2} + (C_{HC} + C_{CO}) 10^{-4}} \quad \text{for natural gas (5c)}$$

.....’

25. In Annex III, Appendix 8, point 1.5.2.3, the value of Q_{HC} is amended to read as follows:

‘ $Q_{HC} = 0.619$ in the case of petrol or diesel

$Q_{HC} = 0.649$ in the case of LPG

$Q_{HC} = 0.714$ in the case of NG’

Annex IV (type II test)

26. A new point 2.2.1 is added as follows:

‘2.2.1. Vehicles that are fuelled either with petrol or with LPG or NG shall be tested with the reference fuel(s) used for the type I test.’

Annex VII (type V test)

27. Point 3 shall read as follows:

‘3. FUEL

The durability test is conducted with a suitable commercially available fuel.’

Annex IX a

28. A new Annex IXa is added as follows:

*ANNEX IX a***SPECIFICATIONS OF GASEOUS REFERENCE FUELS****1. Technical data of the LPG reference fuels**

		Fuel A	Fuel B	Test method
Composition	% vol.			ISO 7941
C3	% vol.	30 ± 2	85 ± 2	
C4	% vol.	balance	balance	
< C3, > C4	% vol.	max. 2 %	max. 2 %	
Olefins	% vol.	9 ± 3	12 ± 3	
Evaporative residue	ppm	max. 50	max. 50	NFM 41-015
Water content		none	none	visual inspection
Sulphur content	ppm mass (*)	max. 50	max. 50	EN 24260
Hydrogen sulphide		none	none	
Copper corrosion	rating	class 1	class 1	ISO 625 1 (**)
odour		characteristic	characteristic	
MON		min. 89	min. 89	EN 589 Annex B

(*) Value to be determined at standard conditions (293,2 K (20 °C) and 101,3 kPa).

(**) This method may not accurately determine the presence of corrosive materials if the sample contains corrosion inhibitors or other chemicals which diminish the corrosivity of the sample to the copper strip. Therefore, the addition of such compounds for the sole purpose of biasing the test method is prohibited.

2. Technical data of NG reference fuels

Reference fuel G ₂₀					
Characteristics	Units	Basis	Limits		Test Method
			Minimum	Maximum	
Composition:					
Methane		100	99	100	
Balance	% mole	—	—	1	ISO 6974
[Inerts + C ₂ /C ₂ +]					
N ₂					
Sulphur content	mg/m ³ (*)	—	—	50	ISO 6326-5

Reference fuel G₂₅

Characteristics	Units	Basis	Limits		Test method
			Minimum	Maximum	
Composition:					
Methane		86	84	88	
Balance	% mole	—	—	1	ISO 6974
[Inerts + C ₂ /C ₂ +]					
N ₂		14	12	16	
Sulphur content	mg/m ³ (*)	—	—	50	ISO 6326-5

(*) Value to be determined as standard conditions (293,2 K (20 °C) and 101,3 kPa).

The Wobbe Index is the ratio of the calorific value of gas per unit volume and the square root of its relative density under the same reference conditions:

$$\text{Wobbe Index} = H_{\text{gas}} \sqrt{\rho_{\text{air}}} / \sqrt{\rho_{\text{gas}}}$$

with

H_{gas} = calorific value of the fuel in MJ/m³ at 0°C

ρ_{air} = density of air at 0°C

ρ_{gas} = density of fuel at 0°C

The Wobbe Index is said to be gross or net according to whether the calorific value is the gross or net calorific value.'

Annex IX

29. A new point 1.8.1 is added to the appendix of Annex IX:

'1.8.1. In the case of vehicles fuelled with LPG or NG:

1.8.1.1. Repeat the table for all reference gases of LPG or NG, showing if results are measured or calculated. In the case of vehicles designed to run either on petrol or on LPG or NG: repeat for petrol and all reference gases of LPG or NG.

1.8.1.2. Approval number of the parent vehicle, if the vehicle is a member of a family:

1.8.1.3. Ratios "r" of emission results for the family in the case of gaseous fuel, for each pollutant.'

Annex XII

30. A new Annex XII is added to read as follows:

ANNEX XII

EC TYPE-APPROVAL FOR A VEHICLE FUELLED BY LPG OR NATURAL GAS WITH REGARD TO ITS EMISSIONS

1. INTRODUCTION

This Annex describes the special requirements that apply in the case of an approval of a vehicle that runs on LPG or natural gas, or that can run either on unleaded petrol or LPG or natural gas, in so far as the testing on LPG or natural gas is concerned.

In the case of LPG and natural gas there is on the market a large variation in fuel composition, requiring the fuelling system to adapt its fuelling rates to these compositions. To demonstrate this capability, the vehicle has to be tested in the test type I on two extreme reference fuels and demonstrate the self-adaptability of the fuelling system. Whenever the self adaptability of a fuelling system has been demonstrated on a vehicle, such a vehicle may be considered as a parent of a family. Vehicles that comply with the requirements of members of that family, if fitted with the same fuelling system, need to be tested on only one fuel.

2. DEFINITIONS

For the purpose of this Annex:

- 2.1. A parent vehicle means a vehicle that is selected to act as the vehicle on which the self adaptability of a fuelling system is going to be demonstrated, and to which the members of a family refer. It is possible to have more than one parent vehicle in a family.
- 2.2. A member of the family is a vehicle that shares the following essential characteristics with its parent(s):
 - 2.2.1. (a) It is produced by the same vehicle manufacturer.
 - (b) It is subject to the same emission limits.
 - (c) If the gas fuelling system has a central metering for the whole engine:

It has a certified power output between 0,7 and 1,15 times that of the engine of the parent vehicle.

If the gas fuelling system has an individual metering per cylinder:

It has a certified power output per cylinder between 0,7 and 1,15 times that of the engine of the parent vehicle.
 - (d) If fitted with a catalyst system, it has the same type of catalyst i.e. three-way, oxidation, de NOx.
 - (e) It has a gas fuelling system (including the pressure regulator) from the same system manufacturer and of the same type: induction, vapour injection (single point, multipoint), liquid injection (single point, multipoint).
 - (f) This gas fuelling system is controlled by an ECU of the same type and technical specification, containing the same software principles and control strategy.
- 2.2.2. With regard to requirement (c): in the case where a demonstration shows two gas fuelled vehicles could be members of the same family with the exception of their certified power output, respectively P1 and P2 ($P1 < P2$), and both are tested as if they were parent vehicles, the family relation will be considered valid for any vehicle with a certified power output between $0,7 * P1$ and $1,15 * P2$.

3. GRANTING OF AN EC TYPE-APPROVAL

EC type-approval is granted subject to the following requirements:

- 3.1. Exhaust emissions approval of a parent vehicle:

The parent vehicle should demonstrate its capability to adapt to any fuel composition that may occur across the market. In the case of LPG there are variations in C3/C4 composition. In the case of natural gas there are generally two types of fuel, high calorific fuel (H-gas) and low calorific fuel (L-gas), but with a significant spread within both ranges; they differ significantly in Wobbe index. These variations are reflected in the reference fuels.

- 3.1.1. The parent vehicle(s) shall be tested in the test type I on the two extreme reference fuels of Annex IXa.

3.1.1.1. If the transition from one fuel to another is in practice aided through the use of a switch, this switch shall not be used during type approval. In such a case on the manufacturer's request and with the agreement of the technical service the pre-conditioning cycle referred to in point 5.3.1 of Annex III may be extended.

3.1.2. The vehicle(s) is (are) considered to conform if, with both reference fuels, the vehicle complies with the emission limits.

3.1.3. The ratio of emission results "r" should be determined for each pollutant as follows:

$$r = \frac{\{\text{emission result on one reference fuel}\}}{\{\text{emission result on the other reference fuel}\}}$$

3.2. Exhaust emissions approval of a member of the family:

For a member of the family a test of type I shall be performed with one reference fuel. This reference fuel may be either reference fuel. The vehicle is considered to comply if the following requirements are met:

3.2.1. The vehicle complies with the definition of a family member as defined under point 2.2.

3.2.2. The test results for each pollutant will be multiplied with its factor "r" (see point 3.1.3), if r is greater than 1,0. If r is smaller than 1,0, its value will be taken as 1. The results of these multiplications shall be taken as the final emission result. On the manufacturer's request the test type I may be performed on reference fuel 2 or on both reference fuels, so that no correction is needed.

3.2.3. The vehicle shall comply with the emission limits valid for the relevant category for both measured and calculated emissions.

4. GENERAL CONDITIONS

4.1. Tests for conformity of production may be performed with a commercial fuel of which the C3/C4 ratio lies between those of the reference fuels in the case of LPG, or of which the Wobbe index lies between those of the extreme reference fuels in the case of NG. In that case a fuel analysis needs to be present.¹

Annex XIII

31. A new Annex XIII is added to read as follows:

ANNEX XIII

EC TYPE-APPROVAL OF REPLACEMENT CATALYTIC CONVERTER AS SEPARATE TECHNICAL UNIT

1. SCOPE

This Annex applies to the EC type-approval, as separate technical units within the meaning of Article 4(1)(d) of Directive 70/156/EEC, of catalytic converters to be fitted on one or more given types of motor vehicles of categories M₁ and N₁ ⁽¹⁾ as replacement parts ⁽²⁾.

2. DEFINITIONS

For the purpose of this Annex:

2.1. "Original equipment catalytic converter", see point 2.17 of Annex I.

⁽¹⁾ As defined in Annex II Section A to Directive 70/156/EEC.

⁽²⁾ This Annex does not apply to replacement catalytic converters intended to be fitted on vehicles of categories M₁ and N₁ equipped with an on-board diagnostic (OBD) system.

- 2.2. "Replacement catalytic converter", see point 2.18 of Annex I.
- 2.3. "Type of catalytic converter" means catalytic converters which do not differ in such essential aspects as:
 - 2.3.1. number of coated substrates, structure and material;
 - 2.3.2. type of catalytic activity (oxidising, three-way, etc.);
 - 2.3.3. volume, ratio of frontal area and substrate length;
 - 2.3.4. catalyst material content;
 - 2.3.5. catalyst material ratio;
 - 2.3.6. cell density;
 - 2.3.7. dimensions and shape;
 - 2.3.8. thermal protection.
- 2.4. "Vehicle type", see point 2.1 of Annex I.
- 2.5. "Approval of a replacement catalytic converter" means the approval of a converter intended to be fitted as a replacement part on one or more specific types of vehicles with regard to the limitation of pollutant emissions, noise level and effect on vehicle performance.

3. APPLICATION FOR EC TYPE-APPROVAL

- 3.1. An application for EC type-approval pursuant to Article 3(4) of Directive 70/156/EEC of a type of replacement catalytic converter shall be submitted by the manufacturer.
- 3.2. A model for the information document is given in Appendix 1 to this Annex.
- 3.3. The following must be submitted to the technical service responsible for the type-approval test:
 - 3.3.1. Vehicle(s) of a type approved in accordance with Directive 70/220/EEC equipped with a new original catalytic converter. This (these) vehicle(s) shall be selected by the applicant with the agreement of the technical service. It (they) shall comply with the requirements of Section 3 of Annex III to this Directive.

The test vehicle(s) shall have no emission control system defects; any excessively worn out or malfunctioning emission-related original part shall be repaired or replaced. The test vehicle(s) shall be tuned properly and set to manufacturer's specification prior to emission testing.

- 3.3.2. One sample of the type of the replacement catalytic converter. This sample shall be clearly and indelibly marked with the applicant's trade name or mark and its commercial designation.

4. GRANTING OF EC TYPE-APPROVAL

- 4.1. If the relevant requirements are satisfied, EC type-approval pursuant to Article 4(3) of Directive 70/156/EEC shall be granted.
- 4.2. A model for the EC type-approval certificate is given in Appendix 2 to this Annex.
- 4.3. An approval number in accordance with Annex VII to Directive 70/156/EEC shall be assigned to each type of replacement catalytic converter approved. The same Member State shall not assign the same number to another replacement catalytic converter type. The same type-approval number may cover the use of that replacement catalytic converter type on a number of different vehicle types.

5. EC TYPE-APPROVAL MARKING

- 5.1. Every replacement catalytic converter conforming to the type approved under this Directive as a separate technical unit shall bear an EC type-approval mark.

- 5.2. This mark shall consist of a rectangle surrounding the letter "e" followed by the distinguishing number or letters of the Member State which has granted the EC type-approval:

1	for Germany	12	for Austria
2	for France	13	for Luxembourg
3	for Italy	17	for Finland
4	for the Netherlands	18	for Denmark
5	for Sweden	21	for Portugal
6	for Belgium	23	for Greece
9	for Spain	IRL	for Ireland
11	for the United Kingdom		

It must also include in the vicinity of the rectangle the "base approval number" contained in point 4 of the type-approval number referred to in Annex VII to Directive 70/156/EEC, preceded by the two figures indicating the sequence number assigned to the most recent major technical amendment to Directive 70/220/EEC on the date EC component type-approval was granted. In this Directive, the sequence number is 00.

- 5.3. The approval mark referred to in point 5.2 shall be clearly legible and indelible.
- 5.4. Appendix 3 to this Annex gives examples of arrangements of the approval mark and approval data referred to above.

6. REQUIREMENTS

6.1. General requirements

- 6.1.1. The replacement catalytic converter shall be designed, constructed and capable of being mounted so as to enable the vehicle to comply with the provisions of this Directive which it was originally in compliance with and that pollutant emissions are effectively limited throughout the normal life of the vehicle under normal conditions of use.
- 6.1.2. The installation of the replacement catalytic converter shall be at the exact position of the original equipment catalytic converter, and the position on the exhaust line of the oxygen probe(s), if applicable, shall not be modified.
- 6.1.3. If the original equipment catalytic converter includes thermal protection, the replacement catalytic converter shall include equivalent protection.
- 6.1.4. The replacement catalytic converter shall be durable, that is, designed, constructed and capable of being mounted so that reasonable resistance to the corrosion and oxidation phenomena to which it is exposed is obtained, having regard to the conditions of use of the vehicle.

6.2. Requirements regarding emissions

The vehicle(s) indicated in point 3.3.1 of this Annex, equipped with a replacement converter of the type for which approval is requested, shall be subjected to a Type I test under the conditions described in the corresponding Annex to this Directive in order to compare its performance with the original catalytic converter according to the procedure described below.

6.2.1. Determination of the basis for comparison

The vehicle(s) shall be fitted with a new original catalytic converter (see point 3.3.1) which shall be run in with 12 extra urban cycles (type I test part 2).

After this preconditioning, the vehicle(s) shall be kept in a room in which the temperature remains relatively constant between 293 and 303 K (20 and 30 °C). This conditioning shall be carried out for at least six hours and continue until the engine oil and coolant temperature are within ± 2 K of the temperature of the room. Subsequently three type I tests shall be made.

6.2.2. Exhaust gas test with replacement catalytic converter

The original equipment catalytic converter of the test vehicle(s) shall be replaced by the replacement catalytic converter (see point 3.3.2) which shall be run in with 12 extra urban cycles (type I test part 2).

After this preconditioning, the vehicle(s) shall be kept in a room in which the temperature remains relatively constant between 293 and 303 K (20 and 30 °C). This conditioning shall be carried out for at least six hours and continue until the engine oil and coolant temperature are within ± 2 K of the temperature of the room. Subsequently three type I tests shall be made.

6.2.3. Evaluation of the emission of pollutants of vehicles equipped with replacement catalytic converters

The test vehicle(s) with the original equipment catalytic converter shall comply with the limit values according to the type-approval of the vehicle(s) including, if applicable, the deterioration factors applied during the type-approval of the vehicle(s).

The requirements regarding emissions of the vehicle(s) equipped with the replacement catalytic converter shall be deemed to be fulfilled if the results meet for each regulated pollutant (CO, HC+NO_x and particulates) the following conditions:

$$M \leq 0,85 S + 0,4 G \quad (1)$$

$$M \leq G \quad (2)$$

where:

M mean value of the emissions of one pollutant (CO or particulates) or the sum of two pollutants (HC + NO_x) obtained from the three type I tests with the replacement catalytic converter.

S mean value of the emissions of one pollutant (CO or particulates) or the sum of two pollutants (HC + NO_x) obtained from the three type I tests with the original catalytic converter.

G limit value of the emissions of one pollutant (CO or particulates) or of the sum of two pollutants (HC + NO_x) according to the type-approval of the vehicle(s) divided by, if applicable, the deterioration factors determined in accordance with point 6.4.

Where approval is applied for different types of vehicles from the same car manufacturer, and provided that these different types of vehicle are fitted with the same type of original equipment catalytic converter, the type I test may be limited to at least two vehicles selected after agreement with the technical service responsible for approval.

6.3. Requirements regarding noise and exhaust back-pressure

The replacement catalytic converter shall satisfy the technical requirements of Annex II to Directive 70/157/EEC.

6.4. Requirements regarding durability

The replacement catalytic converter shall comply with the requirements of point 5.3.5 of Annex I to this Directive, i.e. type V test or deterioration factors from the following table for the results of the type I tests.

Table XIII.6.4

Engine category	Deterioration factors		
	CO	HC + NO _x	Particulates
Positive ignition	1,2	1,2	—
Compression ignition	1,1	1,0	1,2

7. MODIFICATION OF THE TYPE AND AMENDMENTS TO APPROVALS

In the case of modification of the type approved pursuant to this Directive, the provisions of Article 5 of Directive 70/156/EEC shall apply.

8. CONFORMITY OF PRODUCTION

Measures to ensure the conformity of production shall be taken in accordance with the provisions laid down in Article 10 of Directive 70/156/EEC.

8.2. Special provisions

8.2.1. The checks referred to in point 2.2 of Annex X to Directive 70/156/EEC shall include compliance with the characteristics as defined under point 2.3 to this Annex.

8.2.2. For the application of point 2.4.4 of Annex X to Directive 70/156/EEC, the tests described in point 6.2 of this Annex (requirements regarding emissions) may be carried out. In this case, the holder of the approval may ask, as an alternative, to use as a basis for comparison not the original equipment catalytic converter, but the replacement catalytic converter which was used during the type-approval tests (or another sample that has been proven to conform to the approved type). Emissions values measured with the sample under verification shall then on average not exceed by more than 15 % the mean values measured with the sample used for reference.

*Appendix 1***Information document No... relating to the EC type-approval of replacement catalytic converters (Directive 70/220/EEC as last amended by Directive ...)**

The following information, if applicable, must be supplied in triplicate and include a list of contents. Any drawings must be supplied in appropriate scale and sufficient detail on size A4 or on a folder of A4 format. Photographs, if any, must show sufficient detail.

If the system, components or separate technical units have electronic controls, information concerning their performance must be supplied.

0. GENERAL

- 0.1. Make (trade name of manufacturer):
- 0.2. Type:
- 0.5. Name and address of manufacturer:
- 0.7. In the case of components and separate technical units, location and method of affixing of the EC approval mark:
- 0.8. Address(es) of assembly plant(s):

1. DESCRIPTION OF THE DEVICE

- 1.1. Make and type of the replacement catalytic converter:
- 1.2. Drawings of the replacement catalytic converter, identifying in particular all the characteristics referred to in Section 2.3 of this Annex:
- 1.3. Description of the vehicle type or types for which the replacement catalytic converter is intended:
- 1.3.1. Number(s) and/or symbol(s) characterising the engine and vehicle type(s):
- 1.4. Description and drawings showing the position of the replacement catalytic converter relative to the engine exhaust manifold(s):

*Appendix 2***Model**

(Maximum format: A4 (210 mm × 297 mm))

EC TYPE-APPROVAL CERTIFICATE

STAMP OF ADMINISTRATION

Communication concerning the

- type-approval ⁽¹⁾,
- extension of type-approval ⁽¹⁾,
- refusal of type-approval ⁽¹⁾,
- withdrawal of type-approval ⁽¹⁾,

of a type of vehicle/component/separate technical unit ⁽¹⁾ with regard to Directive,
as last amended by Directive

Type-approval number:

Reason for extension:

SECTION I

- 0.1. Make (trade name of manufacturer):
- 0.2. Type:
- 0.3. Means of identification of type if marked on the vehicle/component/separate technical unit ⁽¹⁾ ⁽²⁾:
- 0.3.1. Location of that marking:
- 0.4. Category of vehicle ⁽¹⁾ ⁽³⁾:
- 0.5. Name and address of manufacturer:
- 0.7. In the case of components and separate technical units, location and method of affixing of the EC approval mark:
- 0.8. Address(es) of assembly plant(s):

⁽¹⁾ Delete where not applicable.

⁽²⁾ If the means of identification of type contains characters not relevant to describe the vehicle, component or separate technical unit types covered by this type-approval certificate such characters shall be represented in the document by the symbol: "2" (e.g. ABC??123??).

⁽³⁾ As defined in Annex II Section A to Directive 70/156/EEC.

SECTION II

1. Additional information (where applicable): See addendum
2. Technical service responsible for carrying out the tests:
3. Date of test report:
4. Number of test report:
5. Remarks (if any): See addendum
6. Place:
7. Date:
8. Signature:
9. The index to the information package lodged with the approval authority, which may be obtained on request, is attached.

Addendum

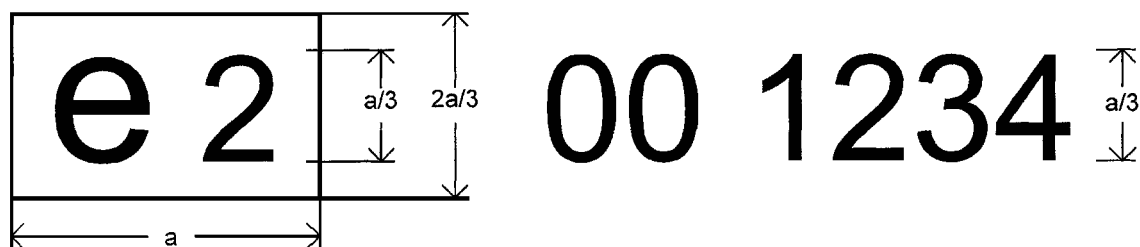
to EC type-approval certificate No ...

concerning the separate technical unit type-approval of replacement catalytic converters for motor vehicles with regard to Directive 70/220/EEC as last amended by Directive ...

1. Additional information
 - 1.1. Make and type of the replacement catalytic converter:
 - 1.2. Vehicle type(s) for which the catalytic converter type qualifies as replacement part:
 - 1.3. Type(s) of vehicle(s) on which the replacement catalytic converter has been tested:
 5. Remarks:
-

*Appendix 3***Model for the EC type-approval marks**

(see point 5.2 of this Annex)

 $a \geq 8 \text{ mm}$ 

The above approval mark affixed to a component of a replacement catalytic converter shows that the type concerned has been approved in France (e 2), pursuant to this Directive. The first two digits of the approval number (00) refer to the sequence number assigned to the most recent amendments made to Directive 70/220/EEC. The following four digits (1234) are those allocated by the approval authority to the replacement catalytic converter as the base approval number.'

II

(Acts whose publication is not obligatory)

COMMISSION

COMMISSION DECISION

of 6 October 1998

amending Council Decisions 79/542/EEC, 92/260/EEC, 93/195/EEC and 93/197/EEC, with regard to the animal health conditions for importation, temporary admission and re-entry of registered horses from Thailand

(notified under document number C(1998) 2962)

(Text with EEA relevance)

(98/594/EC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Directive 90/426/EEC of 26 June 1990 on animal health conditions governing the movement and import from third countries of *equidae*⁽¹⁾, as last amended by the Act of Accession of Austria, Finland and Sweden, and in particular Articles 12, 13, 15 and 16 and point (ii) of Article 19 thereof,

Whereas by Council Decision 79/542/EEC⁽²⁾, as last amended by Commission Decision 98/146/EC⁽³⁾, a list of third countries from which Member States authorise imports of bovine animals, swine, *equidae*, sheep and goat, fresh meat and meat products has been established;

Whereas the health conditions and veterinary certification for the temporary admission of registered horses, the re-entry thereof after temporary export, and imports thereof are laid down respectively in Commission Decisions 92/

260/EEC⁽⁴⁾, 93/195/EEC⁽⁵⁾ and 93/197/EEC⁽⁶⁾, all as last amended by Decision 98/360/EC⁽⁷⁾;

Whereas, following a Community veterinary mission to Thailand it appears that the animal health situation in this country is satisfactory as regards diseases in *equidae* and controlled by well-structured and organised services;

Whereas the responsible veterinary authorities of Thailand have undertaken to notify the Commission and the Member States by telex, fax or telegram within 24 hours of confirmation of the occurrence of any disease mentioned in Annex A to Directive 90/426/EEC or the adoption of a vaccination policy against them or change in such policy and within an appropriate time of changes in import policy with respect to *equidae*;

Whereas the animal health conditions and veterinary certification must be adopted according to the animal health situation of the countries concerned; whereas the present case relates only to registered horses;

Whereas Decisions 79/542/EEC, 92/260/EEC, 93/195/EEC and 93/197/EEC must be amended accordingly;

⁽¹⁾ OJ L 224, 18. 8. 1990, p. 42.

⁽²⁾ OJ L 146, 14. 6. 1979, p. 15.

⁽³⁾ OJ L 46, 17. 2. 1998, p. 8.

⁽⁴⁾ OJ L 130, 15. 5. 1992, p. 67.

⁽⁵⁾ OJ L 86, 6. 4. 1993, p. 1.

⁽⁶⁾ OJ L 86, 6. 4. 1993, p. 16.

⁽⁷⁾ OJ L 163, 6. 6. 1998, p. 44.

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 part 2 of the Annex to Decision 79/542/EEC, special column for *equidae*, the following line is inserted in accordance with the alphabetic order of the ISO code:

'TH	Thailand	x'
-----	----------	----

Article 2

Decision 92/260/EEC is amended as follows:

1. 'Thailand' is added to the list of third countries in Group C of Annex I.
2. 'Thailand' is added to the list of third countries in the title of the health certificate set out in Annex II C.
3. At point III of Annex II C, the following paragraph is added:
'(l) If the *equidae* comes from Thailand, it was subjected to a complement fixation test for glanders on ...⁽³⁾ and for dourine on ...⁽³⁾, this within 10 days of export with negative results at 1 in 10⁽⁴⁾'.
4. In footnote ⁽⁶⁾ of Annex II C, 'Hong Kong, Japan, Macau, Malaysia (peninsula) and Singapore' is replaced by 'Hong Kong, Japan, Macau, Malaysia (peninsula), Singapore and Thailand'.
5. 'Thailand (TH)' is added to the third indent of Chapter III point (d) of Annex II A, B, C, D and E.

Article 3

Decision 93/195/EEC is amended as follows:

1. 'Thailand (TH)' is added to the list of third countries in Group C of Annex I.
2. 'Thailand' is added to the list of third countries in the title of the health certificate set out in Annex II C.

Article 4

Decision 93/197/EEC is amended as follows:

1. 'Thailand (TH)' is added to the list of third countries in Group C of Annex I.
2. In the title of the health certificate set out in Annex II C, 'Hong Kong, Japan, Macau, Malaysia (peninsula) and Singapore' is replaced by 'Hong Kong, Japan, Macau, Malaysia (peninsula), Singapore and Thailand'.
3. At point III of Annex II C, the following paragraph is added:
'(m) If the *equidae* comes from Thailand, it was subjected to a complement fixation test for glanders on ...⁽⁴⁾ and for dourine on ...⁽⁴⁾, this within 21 days of export with negative results at 1 in 10⁽⁴⁾'.
4. In footnote ⁽⁵⁾ of Annex II C, 'Hong Kong, Japan, Macau, Malaysia (peninsula) and Singapore' is replaced by 'Hong Kong, Japan, Macau, Malaysia (peninsula), Singapore and Thailand'.

Article 5

This Decision is addressed to the Member States.

Done at Brussels, 6 October 1998.

For the Commission

Franz FISCHLER

Member of the Commission

COMMISSION DECISION
of 13 October 1998
concerning the application for a compulsory beef labelling system in France and
Belgium

(notified under document number C(1998) 3050)

(Only the French and Dutch texts are authentic)

(98/595/EC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EC) No 820/97 of 21 April 1997 establishing a system for the identification and registration of bovine animals and regarding the labelling of beef and beef products ⁽¹⁾, and in particular Article 19(5) thereof,

Whereas Article 19(4) of Regulation (EC) No 820/97 provides for the possibility for Member States where there is a sufficiently developed identification and registration system for bovine animals to impose, before 1 January 2000, a compulsory labelling system for beef from animals born, fattened and slaughtered on their territory;

Whereas France and Belgium have applied to the Commission for approval for a compulsory beef labelling system in accordance with paragraph 5 of this provision;

Whereas they have demonstrated that they have a sufficiently developed identification and registration system for bovine animals,

HAS ADOPTED THIS DECISION:

Article 1

The French and Belgian requests, for the introduction of a compulsory labelling system for beef from animals born, fattened and slaughtered on their territory, are approved in accordance with Article 19(5) of Regulation (EC) No 820/97.

Article 2

This Decision is addressed to the French Republic and the Kingdom of Belgium.

Done at Brussels, 13 October 1998.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ L 117, 7. 5. 1997, p. 1.

COMMISSION DECISION

of 14 October 1998

amending Council Decision 97/602/EC concerning the list referred to in the second subparagraph of Article 3(1) of Regulation (EEC) No 3254/91 and in Article 1(1)(a) of Commission Regulation (EC) No 35/97

(notified under document number C(1998) 3064)

(98/596/EC)

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

Having regard to Council Regulation (EEC) No 3254/91 of 4 November 1991 prohibiting the use of leghold traps in the Community and the introduction into the Community of pelts and manufactured goods of certain wild animals species originating in countries which catch them by means of leghold traps or trapping methods which do not meet international humane trapping standards⁽¹⁾, and in particular the second subparagraph of Article 3(1) thereof,

Whereas Commission Regulation (EC) No 35/97 of 10 January 1997 laying down provisions on the certification of pelts and goods covered by Council Regulation (EEC) No 3254/91⁽²⁾, and in particular Article 1(1)(a) thereof, is applicable only with respect to the importation of pelts of animals not born and bred in captivity from countries appearing on the list referred to in the second subparagraph of Article 3(1) of Regulation (EEC) No 3254/91;

Whereas the list established by Council Decision 97/602/EC⁽³⁾, as amended by Commission Decision 98/188/EC⁽⁴⁾, can only be of a transitional nature; whereas it should be amended immediately as the situation evolves, in particular in circumstances covered by Article 3(1) of Regulation (EEC) No 3254/91, so as not to hinder trade in furs and fur-related products;

Whereas information the Commission has received from the Republic of Croatia indicates that that country prohibits the use of leghold traps;

Whereas, with effect from 1 June 1997, Council Regulation (EC) No 338/97 of 9 December 1996 on the protection of species of wild fauna and flora by regulating trade

therein⁽⁵⁾ repealed and replaced Council Regulation (EEC) No 3626/82⁽⁶⁾; whereas, therefore, the committee provided for in Article 19 of Regulation (EEC) No 3626/82 has been replaced by the committee provided for in Article 18 of Regulation (EC) No 338/97;

Whereas the measures provided for in this Decision are in accordance with the opinion of the committee referred to in Article 5 of Regulation (EEC) No 3254/91,

HAS ADOPTED THIS DECISION:

Article 1

The Annex to Council Decision 97/602/EC is hereby replaced by the Annex to this Decision.

Article 2

This Decision shall enter into force on the 20th day following its publication in the *Official Journal of the European Communities*.

Article 3

This Decision is addressed to the Member States.

Done at Brussels, 14 October 1998.

For the Commission

Ritt BJERREGAARD

Member of the Commission

⁽¹⁾ OJ L 308, 9. 11. 1991, p. 1.

⁽²⁾ OJ L 8, 11. 1. 1997, p. 2.

⁽³⁾ OJ L 242, 4. 9. 1997, p. 64.

⁽⁴⁾ OJ L 70, 10. 3. 1998, p. 28.

⁽⁵⁾ OJ L 61, 3. 3. 1997, p. 1.

⁽⁶⁾ OJ L 384, 31. 12. 1982, p. 1.

ANNEX

Country	Species
Belize	<i>Procyon lotor</i>
Bulgaria	<i>Canis lupus</i>
Canada	<i>Canis latrans</i> <i>Canis lupus</i> <i>Castor canadensis</i> <i>Felis rufus</i> <i>Lutra canadensis</i> <i>Lynx canadensis</i> <i>Martes americana</i> <i>Martes pennanti</i> <i>Mustela erminea</i> <i>Ondatra zibethicus</i> <i>Procyon lotor</i> <i>Taxidea taxus</i>
People's Republic of China	<i>Canis lupus</i> <i>Martes zibellina</i> <i>Mustela erminea</i> <i>Ondatra zibethicus</i>
Republic of Croatia	<i>Martes zibellina</i> <i>Mustela erminea</i> <i>Ondatra zibethicus</i>
Czech Republic	<i>Canis lupus</i> <i>Mustela erminea</i> <i>Ondatra zibethicus</i>
El Salvador	<i>Procyon lotor</i>
Greenland	<i>Canis lupus</i>
Hungary	<i>Mustela erminea</i> <i>Ondatra zibethicus</i>
Jordan	<i>Canis lupus</i>
Republic of Korea	<i>Martes zibellina</i> <i>Canis lupus</i>
Lebanon	<i>Canis lupus</i>
Mexico	<i>Canis lupus</i> <i>Castor latrans</i> <i>Castor canadensis</i> <i>Felis rufus</i> <i>Ondatra zibethicus</i> <i>Procyon lotor</i> <i>Taxidea taxus</i>
Moldova	<i>Canis lupus</i> <i>Mustela erminea</i>

Country	Species
Nicaragua	<i>Procyon lotor</i>
Norway	<i>Canis lupus</i> <i>Mustela erminea</i> <i>Ondatra zibethicus</i>
Pakistan	<i>Canis lupus</i> <i>Mustela erminea</i>
Panama	<i>Procyon lotor</i>
Poland	<i>Canis lupus</i> <i>Martes zibellina</i> <i>Mustela erminea</i> <i>Ondatra zibethicus</i>
Romania	<i>Canis lupus</i>
Russian Federation	<i>Canis lupus</i> <i>Martes zibellina</i> <i>Mustela erminea</i> <i>Ondatra zibethicus</i> <i>Procyon lotor</i>
Slovak Republic	<i>Canis lupus</i> <i>Martes zibellina</i> <i>Mustela erminea</i>
Republic of Slovenia	<i>Canis lupus</i> <i>Ondatra zibethicus</i>
Turkey	<i>Canis lupus</i>
United States of America	<i>Canis latrans</i> <i>Canis lupus</i> <i>Castor canadensis</i> <i>Felis rufus</i> <i>Lutra canadensis</i> <i>Lynx canadensis</i> <i>Martes americana</i> <i>Martes pennanti</i> <i>Mustela erminea</i> <i>Ondatra zibethicus</i> <i>Procyon lotor</i> <i>Taxidea taxus</i>

COMMISSION DECISION

of 15 October 1998

amending Commission Decision 94/278/EC, drawing up a list of third countries from which Member States authorise imports of certain products subject to Council Directive 92/118/EEC

(notified under document number C(1998) 3115)

(Text with EEA relevance)

(98/597/EC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Directive 92/118/EEC of 17 December 1992 laying down animal health and public health requirements governing trade in and imports into the Community of products not subject to the said requirements laid down in specific Community rules referred to in Annex A(I) to Directive 89/662/EEC and, as regards pathogens, to Directive 90/425/EEC ⁽¹⁾, as last amended by Directive 97/79/EC ⁽²⁾, and in particular Article 10(2)(a) thereof,

Whereas Commission Decision 94/278/EC ⁽³⁾, as last amended by Decision 97/752/EC ⁽⁴⁾, establishes a list of third countries from which Member States authorise imports of certain products referred to by Directive 92/118/EEC; whereas Part II(B) of the Annex to this Decision includes the lists of third countries from which Member States authorise imports of fish meal and other meals derived from sea animals except mammals;

Whereas Commission Decision 97/296/EC ⁽⁵⁾, as last amended by Decision 98/419/EC ⁽⁶⁾, lists the third countries from which the importation of fishery products is authorised for human consumption;

Whereas Commission Decision 94/344/EC ⁽⁷⁾, as last amended by Decision 97/198/EC ⁽⁸⁾, lays down the animal health requirements and the veterinary certification for the importation from third countries of fish meal and other meals derived from sea animals except mammals;

Whereas it is therefore appropriate to add the countries listed in Annex I to Decision 97/296/EC to Part II(B) of the Annex to Decision 94/278/EC;

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

The Annex to Decision 94/278/EC, Part II(B) is amended as follows:

'B. List of third countries from which Member States authorise imports of fish meal and other meal derived from sea animals except mammals

Third countries listed in Part I and Part II of Annex I to Decision 97/296/EC, and the following countries:

(EE) Estonia

(PR) Puerto Rico

(UA) Ukraine'.

Article 2

This Decision is addressed to the Member States.

Done at Brussels, 15 October 1998.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ L 62, 15. 3. 1993, p. 49.

⁽²⁾ OJ L 24, 30. 1. 1998, p. 31.

⁽³⁾ OJ L 120, 11. 5. 1994, p. 44.

⁽⁴⁾ OJ L 305, 8. 11. 1997, p. 69.

⁽⁵⁾ OJ L 122, 14. 5. 1997, p. 21.

⁽⁶⁾ OJ L 190, 4. 7. 1998, p. 55.

⁽⁷⁾ OJ L 154, 21. 6. 1994, p. 45.

⁽⁸⁾ OJ L 84, 26. 3. 1997, p. 36.