

COUNCIL OF THE EUROPEAN UNION

COMPILATION OF TEXTS

XXII

ASSOCIATION
OF THE OVERSEAS COUNTRIES AND TERRITORIES
FRENCH OVERSEAS DEPARTMENTS

1 January 1998 to 31 December 1998



COUNCIL OF THE EUROPEAN UNION

COMPILATION OF TEXTS

XXII

**ASSOCIATION
OF THE OVERSEAS COUNTRIES AND TERRITORIES**

FRENCH OVERSEAS DEPARTMENTS

1 January 1998 to 31 December 1998

A great deal of additional information on the European Union is available on the Internet. It can be accessed through the Europa server (<http://europa.eu.int>).

Cataloguing data can be found at the end of this publication.

Luxembourg: Office for Official Publications of the European Communities, 2000

ISBN 92-824-1721-2

© European Communities, 2000

Reproduction is authorised provided the source is acknowledged.

Printed in Belgium

PRINTED ON WHITE CHLORINE-FREE PAPER

Contents

Part 1: OCTs

I — Basic texts

Page

Council recommendation of 9 March 1998 concerning the discharge to be given to the Commission in respect of the implementation of the operations of the European Development Fund (1984) (sixth EDF) for the financial year 1996 (98/217/EC)	3
Council recommendation of 9 March 1998 concerning the discharge to be given to the Commission in respect of the implementation of the operations of the European Development Fund (1989) (seventh EDF) for the financial year 1996 (98/218/EC)	4
European Parliament decision of 31 March 1998 giving discharge to the Commission in respect of the financial management of the sixth European Development Fund for the financial year 1996 (98/329/EC)	5
European Parliament decision of 31 March 1998 giving discharge to the Commission in respect of the financial management of the seventh European Development Fund for the financial year 1996 (98/330/EC)	7
Council decision of 13 July 1998 on financing the fixed costs of the system of managing technical assistance for the African, Caribbean and Pacific (ACP) States and the overseas countries and territories (OCT) (98/461/EC)	9

II — Implementing texts

A. Trade

(a) Agricultural products

Commission Regulation (EC) No 163/98 of 22 January 1998 on applications for import licences for rice originating in the ACP States and the overseas countries and territories submitted in the first five working days of January 1998 pursuant to Regulation (EC) No 2603/97	13
Commission Regulation (EC) No 1063/98 of 25 May 1998 on the issue of import licences for rice originating in the ACP States and the overseas countries and territories against applications submitted in the first five working days of May 1998 pursuant to Regulation (EC) No 2603/97	15

Commission Regulation (EC) No 1575/98 of 22 July 1998 amending Regulation (EEC) No 865/90 laying down detailed rules for the application of the special arrangements for imports of grain sorghum and millet originating in the African, Caribbean and Pacific States (ACP) or in the overseas countries and territories (OCT) in order to implement the agreement on agriculture concluded during the Uruguay Round of negotiations	17
Commission Regulation (EC) No 1595/98 of 23 July 1998 amending Regulation (EC) No 2603/97 laying down detailed implementing rules for imports of rice originating in the ACP countries or the overseas countries and territories (OCT) and laying down specific detailed rules on the partial reimbursement of import duties levied on rice originating in the ACP countries	19
Commission Regulation (EC) No 1996/98 of 18 September 1998 on the issue of import licences for rice originating in the ACP States and the overseas countries and territories against applications submitted in the first five working days of September 1998 pursuant to Regulation (EC) No 2603/97	23
Corrigendum to Commission Regulation (EC) No 1996/98 of 18 September 1998 on the issue of import licences for rice originating in the ACP States and the overseas countries and territories against applications submitted in the first five working days of September 1998 pursuant to Regulation (EC) No 2603/97	25
Commission Regulation (EC) No 2390/98 of 5 November 1998 laying down detailed rules for the application of Council Regulation (EC) No 1706/98 as regards the arrangements for importing certain cereal substitute products and processed cereal and rice products originating in the African, Caribbean and Pacific States or in the overseas countries and territories and repealing Regulation (EEC) No 2245/90	26
 <i>(b) Beef and veal</i>	
Commission decision of 28 October 1998 concerning the animal health conditions and veterinary certification for imports of fresh meat from the Falkland Islands (98/625/EC)	33
 <i>(c) Pigmeat</i>	
Commission Regulation (EC) No 1369/98 of 29 June 1998 amending Regulation (EEC) No 904/90 laying down detailed rules for the application of the arrangements applicable to imports of certain pigmeat products originating in the African, Caribbean and Pacific States (ACP) or in the overseas countries and territories (OCT), in order to implement the agricultural agreement concluded during the Uruguay Round of negotiations	39

(d) Poultrymeat

Commission Regulation (EC) No 1388/98 of 30 June 1998 amending Regulation (EEC) No 903/90 laying down detailed rules for the application of the arrangements applicable to imports of certain poultrymeat products originating in the African, Caribbean and Pacific States (ACP) or in the overseas countries and territories (OCT), in order to implement the agricultural agreement concluded during the Uruguay Round of negotiations	43
---	----

(e) Milk products

Commission Regulation (EC) No 1314/98 of 25 June 1998 on import licences for milk and milk products originating in the African, Caribbean and Pacific States (ACP States) or in the overseas countries and territories (OCT)	47
--	----

Commission Regulation (EC) No 1480/98 of 10 July 1998 amending Regulation (EEC) No 1150/90 as regards the transitional adjustment of certain provisions relating to imports into the Community of certain milk products originating in the African, Caribbean and Pacific States (ACP) or in the overseas countries and territories (OCT) in order to implement the agreement on agriculture concluded during the Uruguay Round of negotiations	48
---	----

(f) Fisheries

Commission decision of 30 June 1998 amending Decision 97/296/EC drawing up the list of third countries from which the import of fishery products is authorised for human consumption (98/419/EC)	53
--	----

Commission decision of 30 June 1998 laying down special conditions governing imports of fishery and aquaculture products originating in Maldives (98/424/EC)	57
--	----

Council Regulation (EC) No 2480/98 of 16 November 1998 amending Regulation (EC) No 50/98 allocating, for 1998, Community catch quotas in Greenland waters	62
---	----

Part 2: FODs

A. Agricultural products

Commission Regulation (EC) No 96/98 of 14 January 1998 amending Regulation (EC) No 28/97 and assessing requirements for the supply of certain vegetable oils (other than olive oil) for the processing industry in the French overseas departments	67
--	----

	<i>Page</i>
Commission Regulation (EC) No 170/98 of 23 January 1998 concerning tenders submitted in response to the invitation to tender for the export of husked long grain rice to the island of Réunion referred to in Regulation (EC) No 2094/97	69
Commission Regulation (EC) No 252/98 of 30 January 1998 fixing the maximum subsidy on exports of husked long grain rice to Réunion pursuant to the invitation to tender referred to in Regulation (EC) No 2094/97	70
Commission Regulation (EC) No 311/98 of 6 February 1998 fixing the maximum subsidy on exports of husked long grain rice to Réunion pursuant to the invitation to tender referred to in Regulation (EC) No 2094/97	71
Commission Regulation (EC) No 535/98 of 6 March 1998 concerning tenders submitted in response to the invitation to tender for the export of husked long grain rice to the island of Réunion referred to in Regulation (EC) No 2094/97	72
Commission Regulation (EC) No 625/98 of 19 March 1998 amending Regulation (EEC) No 980/92 laying down detailed rules for applying the aid scheme for the marketing in Martinique and Guadeloupe of rice produced in French Guiana as regards the destination of the rice in respect of which aid is paid	73
Commission Regulation (EC) No 643/98 of 20 March 1998 concerning tenders submitted in response to the invitation to tender for the export of husked long grain rice to the island of Réunion referred to in Regulation (EC) No 2094/97	77
Commission Regulation (EC) No 756/98 of 3 April 1998 concerning tenders submitted in response to the invitation to tender for the export of husked long grain rice to the island of Réunion referred to in Regulation (EC) No 2094/97	78
Commission Regulation (EC) No 878/98 of 24 April 1998 fixing the maximum subsidy on exports of husked long grain rice to Réunion pursuant to the invitation to tender referred to in Regulation (EC) No 2094/97	79
Commission Regulation (EC) No 1524/98 of 16 July 1998 laying down detailed rules for the application of the specific measures adopted in respect of fruit and vegetables, plants and flowers for the benefit of the French overseas departments	80
Commission Regulation (EC) No 2296/98 of 23 October 1998 amending Regulation (EC) No 28/97 and assessing requirements for the supply of certain vegetable oils (other than olive oil) for the processing industry in the French overseas departments	94

VII

	<i>Page</i>
Commission Regulation (EC) No 2563/98 of 27 November 1998 on a tendering procedure for the subsidy on consignments of husked long grain rice to Réunion	96
Commission Decision of 3 December 1998 on the Community's financial contribution to a programme for the control of organisms harmful to plants and plant products in the French overseas departments for 1998 (98/717/EC)	99
Commission Regulation (EC) No 2718/98 of 16 December 1998 amending Regulation (EC) No 1771/96 laying down detailed rules for the implementation of the specific measures for the supply of hops to the French overseas departments	106
Commission Regulation (EC) No 2754/98 of 18 December 1998 amending Regulation (EC) No 1772/96 laying down detailed rules for implementation of the specific measures for the supply of seed potatoes to the French overseas departments	108
Commission Regulation (EC) No 2772/98 of 21 December 1998 establishing the forecast supply balance and Community aid for the supply to French Guiana of products falling within CN codes 2309 90 31, 2309 90 33, 2309 90 41, 2309 90 43, 2309 90 51 and 2309 90 53 used in feedingstuffs for 1999	110
Commission Regulation (EC) No 2783/98 of 22 December 1998 amending Regulation (EC) No 1524/98 laying down detailed rules for the application of the specific measures adopted in respect of fruit and vegetables, plants and flowers for the benefit of the French overseas departments and determining the forecast supply balance for 1999	113
B. Cereals	
Commission Regulation (EC) No 876/98 of 24 April 1998 amending Regulation (EEC) No 391/92 setting the amounts of aid for the supply of cereals products from the Community to the French overseas departments	117
Commission Regulation (EC) No 1344/98 of 26 June 1998 amending Regulation (EEC) No 391/92 setting the amounts of aid for the supply of cereals products from the Community to the French overseas departments	119
Commission Regulation (EC) No 1711/98 of 31 July 1998 amending Regulation (EEC) No 391/92 setting the amounts of aid for the supply of cereals products from the Community to the French overseas departments	121

Commission Regulation (EC) No 1854/98 of 28 August 1998 amending Regulation (EEC) No 391/92 setting the amounts of aid for the supply of cereals products from the Community to the French overseas departments	123
Commission Regulation (EC) No 1959/98 of 15 September 1998 amending Regulation (EEC) No 388/92 laying down detailed rules for implementation of the specific arrangements for the supply of cereal products to the French overseas departments (FOD) and establishing a forecast supply balance	125
Commission Regulation (EC) No 2054/98 of 28 September 1998 amending Regulation (EEC) No 391/92 setting the amounts of aid for the supply of cereals products from the Community to the French overseas departments	127
Commission Regulation (EC) No 2353/98 of 30 October 1998 amending Regulation (EEC) No 391/92 setting the amounts of aid for the supply of cereals products from the Community to the French overseas departments	129
Commission Regulation (EC) No 2621/98 of 4 December 1998 amending Regulation (EEC) No 388/92 laying down detailed rules for implementation of the specific arrangements for the supply of cereal products to the French overseas departments (FOD) and establishing a forecast supply balance	131
Commission Regulation (EC) No 2751/98 of 18 December 1998 amending Regulation (EEC) No 391/92 setting the amounts of aid for the supply of cereals products from the Community to the French overseas departments	133

C. Beef and veal

Commission Regulation (EC) No 1318/98 of 25 June 1998 amending Regulations (EEC) No 2312/92 and (EEC) No 1148/93 laying down detailed rules for implementing the specific measures for supplying the French overseas departments with breeding bovines and horses	137
Commission Regulation (EC) No 2727/98 of 17 December 1998 amending Regulations (EEC) No 2312/92 and (EEC) No 1148/93 laying down detailed rules for implementing the specific measures for supplying the French overseas departments with breeding bovines and horses	141

D. Sheepmeat and goatmeat

Commission Regulation (EC) No 21/98 of 7 January 1998 laying down detailed rules for the implementation of the specific arrangements for the supply of sheepmeat and goatmeat to the French overseas departments for 1998	147
---	-----

IX

	<i>Page</i>
Commission Regulation (EC) No 24/98 of 7 January 1998 laying down detailed rules for granting the aid provided for in Article 3 (1) of Regulation (EEC) No 3763/91 for the supply of products for animal feed to French Guiana for the period 1 July 1994 to 30 April 1996	150
Commission Regulation (EC) No 2755/98 of 18 December 1998 laying down detailed rules for the implementation of the specific arrangements for the supply of sheepmeat and goatmeat to the French overseas departments for 1999	152
E. Rum	
Commission Regulation (EC) No 30/98 of 8 January 1998 supplementing the restructuring plan referred to in Regulation (EEC) No 1487/92 concerning flat-rate aid for sugar cane cultivation in the French overseas departments	159
F. Fisheries	
Council Regulation (EC) No 64/98 of 19 December 1997 laying down for 1998 certain measures for the conservation and management of fishery resources applicable in vessels flying the flag of certain non-member countries in the 200-nautical-mile zone off the coast of the French department of Guiana	163
Council Regulation (EC) No 1587/98 of 17 July 1998 introducing a scheme to compensate for the additional costs incurred in the marketing of certain fishery products from the Azores, Madeira, the Canary Islands and the French departments of Guiana and Réunion as a result of those regions' remoteness	170
Commission Regulation (EC) No 2844/98 of 22 December 1998 laying down detailed rules for the application of Council Regulation (EC) No 1587/98 introducing a scheme to compensate for the additional costs incurred in the marketing of certain fishery products from the Azores, Madeira, the Canary Islands and the French departments of Guiana and Réunion as a result of those regions' remoteness	176

Part 1 : OCTs

I. Basic texts

II

(Acts whose publication is not obligatory)

COUNCIL

COUNCIL RECOMMENDATION

of 9 March 1998

concerning the discharge to be given to the Commission in respect of the implementation of the operations of the European Development Fund (1984) (Sixth EDF) for the financial year 1996

(98/217/EC)

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty establishing the European Community, and in particular Article 206 thereof,

Having regard to the Third ACP-EEC Convention, signed at Lomé on 8 December 1984,

Having regard to Council Decision 86/283/EEC of 30 June 1986 on the association of the overseas countries and territories with the European Economic Community⁽¹⁾,

Having regard to the Internal Agreement on the financing and administration of Community aid⁽²⁾, signed in Brussels on 19 February 1985, as amended by Decision 86/281/EEC⁽³⁾, and in particular Article 29(3) thereof,

Having regard to the Financial Regulation of 11 November 1986 applicable to the Sixth European Development Fund⁽⁴⁾, and in particular Articles 66 to 73 thereof,

Having examined the revenue and expenditure account and the balance sheet relating to the operations of the European Development Fund (1984) (Sixth EDF) as at 31 December 1996 and the Court of Auditors' report re-

lating to the financial year 1996 together with the Commission's replies⁽⁵⁾,

Whereas, pursuant to Article 29(3) of the Internal Agreement, the discharge for the management of the European Development Fund (1984) (Sixth EDF) must be given to the Commission by the European Parliament on a recommendation from the Council;

Whereas the overall implementation by the Commission of the operations of the European Development Fund (1984) (Sixth EDF) during the financial year 1996 has been satisfactory,

HEREBY RECOMMENDS that the European Parliament give the Commission a discharge in respect of the implementation of the operations of the European Development Fund (1984) (Sixth EDF) for the financial year 1996.

Done at Brussels, 9 March 1998.

For the Council

The President

G. BROWN

⁽¹⁾ OJ L 175, 1. 7. 1986, p. 1.

⁽²⁾ OJ L 86, 31. 3. 1986, p. 210.

⁽³⁾ OJ L 178, 2. 7. 1986, p. 13.

⁽⁴⁾ OJ L 325, 20. 11. 1986, p. 42.

⁽⁵⁾ OJ C 348, 18. 11. 1997, Volume I.

COUNCIL RECOMMENDATION

of 9 March 1998

concerning the discharge to be given to the Commission in respect of the implementation of the operations of the European Development Fund (1989) (Seventh EDF) for the financial year 1996

(98/218/EC)

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty establishing the European Community, and in particular Article 206 thereof,

Having regard to the Fourth ACP-EEC Convention, signed at Lomé on 15 December 1989,

Having regard to Council Decision 91/482/EEC of 25 July 1991 on the association of the overseas countries and territories with the European Economic Community⁽¹⁾,

Having regard to the Internal Agreement on the financing and administration of Community aid⁽²⁾, signed in Brussels on 16 July 1990, and in particular Article 33(3) thereof,

Having regard to the Financial Regulation of 29 July 1991 applicable to the Seventh European Development Fund⁽³⁾, and in particular Articles 69 to 77 thereof,

Having examined the revenue and expenditure account and the balance sheet relating to the operations of the European Development Fund (1989) (Seventh EDF) as at 31 December 1996 and the Court of Auditors' report relating to the financial year 1996 together with the Commission's replies⁽⁴⁾,

Whereas, pursuant to Article 33(3) of the Internal Agreement, the discharge for the management of the European Development Fund (1989) (Seventh EDF) must be given to the Commission by the European Parliament on a recommendation from the Council;

Whereas the overall implementation by the Commission of the operations of the European Development Fund (1989) (Seventh EDF) during the financial year 1996 has been satisfactory,

HEREBY RECOMMENDS that the European Parliament give the Commission a discharge in respect of the implementation of the operations of the European Development Fund (1989) (Seventh EDF) for the financial year 1996.

Done at Brussels, 9 March 1998.

For the Council

The President

G. BROWN

⁽¹⁾ OJ L 263, 19. 9. 1991, p. 1.

⁽²⁾ OJ L 229, 17. 8. 1991, p. 288.

⁽³⁾ OJ L 266, 21. 9. 1991, p. 1.

⁽⁴⁾ OJ C 348, 18. 11. 1997, Volume I.

EUROPEAN PARLIAMENT DECISION

of 31 March 1998

giving discharge to the Commission in respect of the financial management of the sixth European Development Fund for the financial year 1996

(98/329/EC)

THE EUROPEAN PARLIAMENT,

- Having regard to the EC Treaty,
 - Having regard to the third ACP-EEC Convention ⁽¹⁾,
 - Having regard to the balance sheets and revenue and expenditure accounts of the sixth and seventh European Development Funds for the 1996 financial year (SEC(97) 0938 — C4-0274/97),
 - Having regard to the report and the Statement of Assurance of the Court of Auditors concerning the financial year 1996 and the replies of the institutions ⁽²⁾,
 - Having regard to the Recommendation of the Council of 9 March 1998 (C4-0167/98),
 - Having regard to the report of the Committee on Budgetary Control and the opinion of the Committee on Development and Cooperation (A4-0091/98),
1. Gives discharge to the Commission in respect of the financial management of the sixth European Development Fund for the financial year 1996 on the basis of the following amounts:

BALANCE SHEET OF THE SIXTH EDF AT 31 DECEMBER 1996

(ECU 1 000)

ASSETS	SITUATION AS AT 31 DECEMBER 1996
Grants	4 130 078
Loans	924 402
Stabex	1 451 123
Sysmin	95 855
Administrative costs	2 340
SUBTOTAL	6 603 798
Liquid assets	402 493
Other current assets	879 573
Items under verification	33 816
TOTAL	7 919 680
LIABILITIES	
Contributions called up	7 560 000
Other income	539 838
Transfers to the seventh EDF	- 180 158
Amount due to the sixth EDF	---
Other debtors (interest under verification)	---
TOTAL	7 919 680

⁽¹⁾ OJ L 86, 31. 3. 1986.

⁽²⁾ JO C 348, 18. 11. 1997 (Volume I, Chapter 12 and Volume II, Part II).

USE OF RESOURCES — SIXTH EDF AT 31 DECEMBER 1996

Breakdown of funds

	Initial appropriation	Resources or reductions at 31 December 1996	Resources or reductions during 1996	New situation
Total ACP	7 400 000 000,00	380 554 371,58	35 599 450,38	7 816 153 821,96
Total OCT	100 000 000,00	3 526 646,39	0,00	103 526 646,39
Total	7 500 000 000,00	384 081 017,97	35 599 450,38	7 919 680 468,35

2. Records its observations in the resolution which forms part of this Decision;
3. Instructs its President to forward this Decision and the resolution containing its observations to the Commission, the Council, the Court of Auditors and the European Investment Bank and to have them published in the *Official Journal of the European Communities* (L series).

The Secretary-General
Julian PRIESTLEY

The President
José María GIL-ROBLES

EUROPEAN PARLIAMENT DECISION

of 31 March 1998

giving discharge to the Commission in respect of the financial management of the seventh European Development Fund for the financial year 1996

(98/330/EC)

THE EUROPEAN PARLIAMENT,

- Having regard to the EC Treaty,
 - Having regard to the fourth ACP-EEC Convention (1),
 - Having regard to the balance sheets and revenue and expenditure accounts of the sixth and seventh European Development Funds for the 1996 financial year (SEC(97) 0938 — C4-0274/97),
 - Having regard to the report and the Statement of Assurance of the Court of Auditors concerning the financial year 1996 and the replies of the institutions (2),
 - Having regard to the Recommendation of the Council of 9 March 1998 (C4-0166/98),
 - Having regard to the report of the Committee on Budgetary Control and the opinion of the Committee on Development and Cooperation (A4-0091/98),
1. Gives discharge to the Commission in respect of the financial management of the seventh European Development Fund for the financial year 1996 on the basis of the following amounts:

BALANCE SHEET OF THE SEVENTH EDF AT 31 DECEMBER 1996

(ECU 1 000)

ASSETS	SITUATION AS AT 31 DECEMBER 1996
Grants	3 503 978
Loans	320 531
Stabex	1 610 561
Sysmin	101 067
SUBTOTAL	5 536 137
Liquid assets	—
Other current assets	—
Items under verification	—
TOTAL	5 536 137
LIABILITIES	
Contributions called up	3 799 888
Other income	876 289
Transfers to the seventh EDF	—
Amount due to the sixth EDF	859 960
TOTAL	5 536 137

(1) OJ L 229, 17. 8. 1991.

(2) JO C 348, 18. 11. 1997 (Volume I, Chapter 12 and Volume II, Part II).

USE OF RESOURCES — SEVENTH EDF AT 31 DECEMBER 1996

Breakdown of funds

	Initial appropriation	Resources or reductions at 31 December 1996	Resources or reductions during 1996	New situation
Total ACP	10 800 000 000,00	828 011 277,33	- 18 204 535,14	11 609 806 742,19
Total OCT	140 000 000,00	14 800 730,06	23 404,00	154 800 964,10
Sundry revenue	0,00	41 341 598,08	10 339 649,67	51 681 247,75
Total	10 940 000 000,00	884 153 605,47	- 7 864 651,43	11 816 288 954,04

2. Records its observations in the resolution which forms part of this Decision;
3. Instructs its President to forward this Decision and the resolution containing its observations to the Commission, the Council, the Court of Auditors and the European Investment Bank and to have them published in the *Official Journal of the European Communities* (L series).

The Secretary-General
Julian PRIESTLEY

The President
José María GIL-ROBLES

II

(Acts whose publication is not obligatory)

COUNCIL

COUNCIL DECISION

of 13 July 1998

on financing the fixed costs of the system of managing technical assistance for the African, Caribbean and Pacific (ACP) States and the overseas countries and territories (OCT)

(98/461/EC)

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the fourth ACP-EC Convention, signed at Lomé on 15 December 1989 and amended by the agreement signed in Mauritius on 4 November 1995,

Having regard to Council Decision 91/482/EEC of 25 July 1991 on the association of the overseas countries and territories with the European Economic Community (1),

Having regard to the Internal Agreement on the financing and administration of Community aid under the second financial protocol of the fourth ACP-EC Convention, hereafter called the 'Internal Agreement', and in particular Article 9 thereof,

Having regard to the proposal from the Commission,

Whereas it is necessary to cover, for a period of four years, the fixed costs arising from the replacement of the European Association for Cooperation for the Management of Technical Assistance for the ACP States and the OCT;

Whereas the revenue accruing from the interest on the deposited funds referred to in Article 9(2) of the Internal Agreement would cover these fixed costs,

HAS DECIDED AS FOLLOWS:

Article 1

The sum of ECU 5,5 million shall be deducted from the revenue accruing from the interest on the funds deposited with paying agents in Europe referred to in Article 319(4) of the fourth ACP-EC Convention, to finance the fixed costs arising from the replacement of the European Association for Cooperation for the management of technical assistance for the ACP States and the OCT.

Article 2

This Decision shall enter into force on the day of its adoption.

Done at Brussels, 13 July 1998.

For the Council

The President

W. SCHUSSEL

(1) OJ L 263, 19. 9. 1991, p. 1. Decision as last amended by Decision 97/803/EC (OJ L 329, 29. 11. 1997, p. 50).

Part 1 : OCTs

II. Implementing texts

A. Trade

a) Agricultural products

COMMISSION REGULATION (EC) No 163/98

of 22 January 1998

on applications for import licences for rice originating in the ACP States and the overseas countries and territories submitted in the first five working days of January 1998 pursuant to Regulation (EC) No 2603/97

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

Having regard to Commission Regulation (EC) No 2603/97 of 16 December 1997 laying down the detailed rules of application for the import of rice from the ACP States and for the import of rice from the overseas countries and territories (OCT)⁽¹⁾, and in particular Article 9(2) thereof,

Whereas, pursuant to Article 9(2) of Regulation (EC) No 2603/97, the Commission must decide within 10 days of the final date for notification by the Member States the extent to which applications can be granted and must fix the available quantities for the following tranche and, where necessary, for the additional tranche for October;

Whereas an examination of the quantities covered by applications submitted during the first five working days of January 1998, as compared with the quantities available, has shown that licences can be issued subject to

application of percentage reductions to be laid down in this Regulation,

HAS ADOPTED THIS REGULATION:

Article 1

1. In response to applications for licences to import rice originating in the ACP States and the OCT in respect of the tranche for January 1998, licences shall be issued for the quantities applied for, reduced in accordance with the percentages set out in the Annex to this Regulation.

2. The quantities available under the tranche for May 1998 shall be as laid down in the Annex hereto.

Article 2

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

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

Done at Brussels, 22 January 1998.

For the Commission
Franz FISCHLER
Member of the Commission

⁽¹⁾ OJ L 351, 23. 12. 1997, p. 22.

ANNEX

Regulation (EC) No 2603/97

Reduction percentages to be applied to quantities applied for under the tranche for January 1998 and quantities available for the following tranche:

Origin	Reduction (%)	Quantity available for the tranche for May 1998 (tonnes)
OCT (Article 6) — CN code 1006	40,27	—
ACP (Article 2(1)) — CN codes 1006 10 21 to 1006 10 98, 1006 20 and 1006 30	0	41 666
ACP (Article 3) — CN code 1006 40 00	3,79	10 000
ACP + OCT (Article 7) — ACP: CN codes 1006 10 21 to 1006 10 98, 1006 20 and 1006 30 — OCT: CN code 1006	—	2 321

COMMISSION REGULATION (EC) No 1063/98
of 25 May 1998

on the issue of import licences for rice originating in the ACP States and the overseas countries and territories against applications submitted in the first five working days of May 1998 pursuant to Regulation (EC) No 2603/97

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Commission Regulation (EC) No 2603/97 of 16 December 1997 laying down the detailed rules of application for the import of rice from the ACP States and for the import of rice from the overseas countries and territories (OCT) ⁽¹⁾, and in particular Article 9(2) thereof,

Whereas, pursuant to Article 9(2) of Regulation (EC) No 2603/97, the Commission must decide within 10 days of the final date for notification by the Member States the extent to which applications can be granted and must fix the available quantities for the following tranche and, where necessary, for the additional tranche for October;

Whereas examination of the quantities for which applications have been submitted shows that licences should be issued for the quantities applied for reduced, where

appropriate, by the percentages set out in the Annex hereto,

HAS ADOPTED THIS REGULATION:

Article 1

1. Import licences for rice against applications submitted during the first five working days of May 1998 pursuant to Regulation (EC) No 2603/97 and notified to the Commission shall be issued for the quantities applied for reduced, where appropriate, by the percentages set out in the Annex hereto.

2. The quantities available under the following tranche shall be as set out in the Annex hereto.

Article 2

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

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

Done at Brussels, 25 May 1998.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ L 351, 23. 12. 1997, p. 22.

ANNEX

Regulation (EC) No 2603/97

Reduction percentages to be applied to quantities applied for under the tranche for May 1998 and quantities available for the following tranche:

Origin	Reduction (%)	Quantity available for the tranche for September 1998 (tonnes)
ACP (Article 2(1)) — CN codes 1006 10 21 to 1006 10 98, 1006 20 and 1006 30	0 (*)	41 666
ACP (Article 3) — CN code 1006 40 00	84,4363	—
ACP + OCT (Article 7) — ACP: CN codes 1006 10 21 to 1006 10 98, 1006 20 and 1006 30 — OCT: CN code 1006	90,0737	8 683

(*) Issue for the quantity applied for.

COMMISSION REGULATION (EC) No 1575/98
of 22 July 1998

amending Regulation (EEC) No 865/90 laying down detailed rules for the application of the special arrangements for imports of grain sorghum and millet originating in the African, Caribbean and Pacific States (ACP) or in the overseas countries and territories (OCT) in order to implement the agreement on agriculture concluded during the Uruguay Round of negotiations

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EC) No 3290/94 of 22 December 1994 on the adjustments and transitional arrangements required in the agriculture sector in order to implement the Agreements concluded during the Uruguay Round of multilateral trade negotiations⁽¹⁾, as last amended by Regulation (EC) No 1340/98⁽²⁾, and in particular Article 3(1) thereof,

Whereas in order to take account of the existing import arrangements in the cereals sector and those resulting from the Agreement on Agriculture concluded during the Uruguay Round of multilateral trade negotiations, transitional measures are needed to adjust the preferential concessions in the form of exemption from the import levy on certain cereal products from the ACP States and the OCT;

Whereas the period for the adoption of transitional measures was extended until 30 June 1999 by Regulation (EC) No 1340/98; whereas, pending the adoption by the Council of definitive measures, application of the measures provided for by Commission Regulation (EEC) No 865/90⁽³⁾, as last amended by Regulation (EC) No 1247/97⁽⁴⁾, should be extended until 30 June 1999;

Whereas Regulation (EEC) No 865/90 lays down detailed rules for the application of the preferential conditions reducing the import levy for quotas of sorghum and millet; whereas, given that the levies were replaced by customs duties and the advance fixing of the import

charge was abolished on 1 July 1995, the transitional adjustment of those provisions should be extended;

Whereas the rates of duties of the customs tariff within the abovementioned quotas are those applicable on the day that the declaration of release for free circulation of the import is accepted;

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

HAS ADOPTED THIS REGULATION:

Article 1

Regulation (EEC) No 865/90 is hereby amended as follows for the marketing year 1998/99:

1. 'levy' is replaced by 'duty' each time that it appears;
2. the last sentence of Article 2(b) and the last sentence of Article 4(b) are deleted;
3. Article 3(b) is replaced by the following:

'(b) the letters "ACP" or "OCT" as the case may be in Section 8.

The licence shall oblige to import from the countries specified. The import duty shall not be increased or adjusted.'

Article 2

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

It shall apply from 1 July 1998 to 30 June 1999.

⁽¹⁾ OJ L 349, 31. 12. 1994, p. 105.

⁽²⁾ OJ L 184, 27. 6. 1998, p. 1.

⁽³⁾ OJ L 90, 5. 4. 1990, p. 16.

⁽⁴⁾ OJ L 173, 1. 7. 1997, p. 86.

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

Done at Brussels, 22 July 1998.

For the Commission
Franz FISCHLER
Member of the Commission

COMMISSION REGULATION (EC) No 1595/98
of 23 July 1998

amending Regulation (EC) No 2603/97 laying down the detailed implementing rules for imports of rice originating in the ACP countries or the overseas countries and territories (OCT) and laying down specific detailed rules on the partial reimbursement of import duties levied on rice originating in the ACP countries

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to the Council Regulation of 20 July 1998 on the arrangements applicable to agricultural products and goods resulting from the processing of agricultural products originating in the African, Caribbean and Pacific States (ACP States)⁽¹⁾, and in particular Article 30(1) thereof,

Whereas Commission Regulation (EC) No 2603/97⁽²⁾ lays down the detailed implementing rules for imports of rice originating in the ACP countries or in overseas countries and territories (OCT); whereas, following the Council's adoption of the Regulation, which implements the amendments to the arrangements governing imports from the ACP countries as a result of the mid-term review of the Fourth Lomé Convention, Regulation (EC) No 2603/97 should be amended accordingly;

Whereas Article 13 of the Regulation provides for a further reduction in the customs duty applicable to rice originating in the ACP countries; whereas that reduction is subject to the levying by the exporting ACP country of an export charge equal to the amount of the reduction in the customs duty; whereas, pursuant to Article 34 of that Regulation, the reduction is to apply from 1 January 1996;

Whereas the partial reimbursement of import duties resulting from the reduction in duties applicable from 1 January 1996 is to be carried out in accordance with Council Regulation (EEC) No 2913/92 of 12 October 1992 establishing the Community Customs Code⁽³⁾, as last amended by Regulation (EC) No 82/97⁽⁴⁾, and Commission Regulation (EEC) No 2454/93 of 2 July 1993 laying down provisions for the implementation of Council Regulation (EEC) No 2913/92 establishing the Community Customs Code⁽⁵⁾, as last amended by Regulation (EC) No 75/98⁽⁶⁾;

Whereas, in the interests of clarity and administrative convenience, the method for calculating the amount of the reimbursement should be specified; whereas the certificate to be presented to establish that the export charge of the country of origin has been levied, for the purpose of applying Article 880 of Regulation (EEC) No 2454/93, should also be specified;

Whereas experience shows that the intervals at which the Member States forward information on the quantities released for free circulation under these import arrangements should be adapted;

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

HAS ADOPTED THIS REGULATION:

Article 1

Regulation (EC) No 2603/97 is hereby amended as follows:

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

'1. As regards the quantity of 125 000 tonnes of rice, in husked rice equivalent, falling within CN codes 1006 10 21 to 1006 10 98, 1006 20 and 1006 30 laid down in Article 14(1) of the Council Regulation of 20 July 1998, licences for imports at a reduced rate of customs duty shall be issued each year under the following tranches:

- January: 41 668 tonnes,
- May: 41 666 tonnes,
- September: 41 666 tonnes.;

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

'1. As regards the quantity of 20 000 tonnes of broken rice falling within CN code 1006 40 00 laid down in Article 14(1) of the Council Regulation of 20 July 1998, licences for imports at a reduced rate of customs duty shall be issued each year under the following tranches:

- January: 10 000 tonnes,
- May: 10 000 tonnes,
- September: —.;

⁽¹⁾ Not yet published in the Official Journal.

⁽²⁾ OJ L 351, 23. 12. 1997, p. 22.

⁽³⁾ OJ L 302, 19. 10. 1992, p. 1.

⁽⁴⁾ OJ L 17, 21. 1. 1997, p. 1.

⁽⁵⁾ OJ L 253, 11. 10. 1993, p. 1.

⁽⁶⁾ OJ L 7, 13. 1. 1998, p. 3.

3. Article 4 is replaced by the following:

Article 4

For the purposes of applying Article 13(1) of the Council Regulation of 20 July 1998, the amounts of the customs duties shall be calculated each week but fixed every two weeks by the Commission.;

4. Article 5(5) is replaced by the following:

'5. The customs duty shall be that applying on the day the licence application is lodged.;

5. Article 7 is replaced by the following:

Article 7

1. Quantities carried over referred to in Article 2(2) may be the subject of licence applications for the import of rice originating in the ACP States falling within CN codes 1006 10 21 to 1006 10 98, 1006 20 and 1006 30 and rice originating in the OCTs falling within CN code 1006.

2. Quantities as referred to in paragraph 1 that are not covered by import licences issued under a tranche shall be carried over to the following tranche.;

6. Article 12 is replaced by the following:

Article 12

The Member States shall notify the Commission by telex or fax in the form set out in Annex I:

— within two working days of their issue, of the quantities, broken down by eight-digit CN code and country of origin, covered by the import licences issued, the date of issue, the number of the licence and the name and address of the holder,

— not later than two months after expiry of the validity of each licence, of the quantities, broken down by eight-digit CN code and country of origin, actually released for free circulation, the date of release, the number of the licence and the name and address of the holder.

Such notifications must also be made where no licence has been issued and no imports have taken place.;

Article 2

1. Pursuant to Article 236 of Regulation (EEC) No 2913/92, for rice originating in the ACP countries and released for free circulation between 1 January 1996 and the entry into force of this Regulation, an amount per tonne shall be reimbursed equal:

— to 15 % of the full customs duty applicable to third countries on the date on which the import licence

application was lodged, in the case of broken rice falling within CN code 1006 40 00, paddy rice falling within CN codes 1006 10 21 to 1006 10 98 and husked rice falling within CN code 1006 20,

— to 15 % of the difference between the full customs duty applicable to third countries on the date on which the import licence application was lodged and the amount of ECU 16,78, in the case of wholly milled and semi-milled rice falling within CN code 1006 30.

2. Applications for reimbursement shall be presented in accordance with Article 236(2) of Regulation (EEC) No 2913/92 and Articles 878, 879 *et seq.* of Regulation (EEC) No 2454/93.

3. Applications for reimbursement shall be accompanied by:

(a) the import licence or a certified copy thereof;

(b) the declaration of release for free circulation, or a certified copy thereof, for the import consignment concerned;

and

(c) a certificate drawn up by the Member State that issued the import licence, as provided for in Article 880 of Regulation (EEC) No 2454/93, presented in accordance with the specimen in the Annex.

Such certificates shall be issued only on presentation of proof that the customs authorities of the exporting ACP country have received payment of a complementary export charge equal to the amount determined in accordance with paragraph 1 for the quantities actually released for free circulation in the Community.

This proof shall be provided where the original of an EUR 1 movement certificate is presented, showing one of the following entries in Box 7:

Amount in national currency:

— Tasa complementaria percibida a la exportación del arroz;

Certificado utilizado para la importación: EUR 1 n°

— Særavgift, der opkræves ved eksport af ris;

Certificat, der anvendes ved import: EUR.1 nr.

— Bei der Ausfuhr von Reis erhobene ergänzende Abgabe;

Für die Einfuhr verwendete Bescheinigung: EUR 1

— Συμπληρωματικός φόρος που εισπράττεται κατά την εξαγωγή του ρυζιού;

Πιστοποιητικό που χρησιμοποιείται για την εισαγωγή: EUR 1 αριθ.

- Complementary charge collected on export of rice;
Certificate used for the import: EUR 1 No
 - Taxe complémentaire perçue à l'exportation du riz;
Certificat utilisé pour l'importation: EUR 1 n°
 - Tassa complementare riscossa all'esportazione del riso;
Certificato usato per l'importazione: EUR 1 n.
 - Bij uitvoer van de rijst opgelegde bijzondere heffing;
Voor de invoer gebruikt certificaat: EUR 1 nr.
 - Imposição complementar cobrada na exportação do arroz;
Certificado utilizado para a importação: EUR 1 n.º
 - Riisin viennin yhteydessä perittävä täydentävä maksu.
Tuonnissa käytettävä todistus: EUR-1 No
 - Särskild avgift för risexport;
Certifikat som använts för importen: EUR 1 nr
- (Signature and official stamp).

4. If the complementary charge collected by the exporting country is less than the amount referred to in

paragraph 1, the amount reimbursed shall be that actually collected.

5. If the export charge collected is in a currency other than that of the importing Member State, the exchange rate to be used to calculate the amount of charge actually collected shall be the rate registered on the most representative currency exchange or exchanges in that Member State on the date the customs duty was fixed in advance.

Article 3

The quantities for which import licence applications were lodged before the entry into force of this Regulation and which are released after that date shall benefit from customs duties determined pursuant to Article 4 of Regulation (EC) No 2603/97 provided importers present to the customs authorities of the Member State of release for free circulation the proof that the complementary export charge referred to in Article 2(3)(c) of this Regulation has been paid.

Article 4

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, 23 July 1998.

For the Commission

Franz FISCHLER

Member of the Commission

ANNEX

Application for a certificate and certificate concerning the partial reimbursement of import duties levied on rice originating in the ACP countries — Council Regulation of 20 July 1998

Body issuing the certificate (name and address):

Holder (name, full address and Member State):

Reference import licence number	Customs office of release for free circulation	Date of release for free circulation	Quantity released for free circulation (tonnes)	CN code	Amount reimbursed (ECU/t)

.....
(date, signature and stamp)

COMMISSION REGULATION (EC) No 1996/98
of 18 September 1998

on the issue of import licences for rice originating in the ACP States and the overseas countries and territories against applications submitted in the first five working days of September 1998 pursuant to Regulation (EC) No 2603/97

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

Having regard to Commission Regulation (EC) No 2603/97 of 16 December 1997 laying down the detailed rules of application for the import of rice from the ACP States and for the import of rice from the overseas countries and territories (OCT) ⁽¹⁾, as amended by Regulation (EC) No 1595/98 ⁽²⁾, and in particular Article 9(2) thereof,

Whereas, pursuant to Article 9(2) of Regulation (EC) No 2603/97, the Commission must decide within 10 days of the final date for notification by the Member States the extent to which applications can be granted and must fix the available quantities for the following tranche and, where necessary, for the additional tranche for October;

Whereas examination of the quantities for which applications have been submitted shows that licences should be issued for the quantities applied for reduced, where

appropriate, by the percentages set out in the Annex hereto,

HAS ADOPTED THIS REGULATION:

Article 1

Import licences for rice against applications submitted during the first five working days of September 1998 pursuant to Regulation (EC) No 2603/97 and notified to the Commission shall be issued for the quantities applied for reduced, where appropriate, by the percentages set out in the Annex hereto.

Article 2

This Regulation shall enter into force on 19 September 1998.

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

Done at Brussels, 18 September 1998.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ L 351, 23. 12. 1997, p. 22.

⁽²⁾ OJ L 208, 24. 7. 1998, p. 21.

ANNEX

Regulation (EC) No 2603/97

Reduction percentages to be applied to quantities applied for under the tranche for September 1998:

Origin	Reduction (%)
ACP (Article 2(1)) — CN codes 1006 10 21 to 1006 10 98, 1006 20 and 1006 30	32,4212 (*)
ACP + OCT (Article 7) — ACP: CN codes 1006 10 21 to 1006 10 98, 1006 20 and 1006 30 — OCT: CN code 1006	84,3306

(*) Issue for the quantity applied for.

Corrigendum to Commission Regulation (EC) No 1996/98 of 18 September 1998 on the issue of import licences for rice originating in the ACP States and the overseas countries and territories against applications submitted in the first five working days of September 1998 pursuant to Regulation (EC) No 2603/97

(Official Journal of the European Communities L 257 of 19 September 1998)

On page 4, in the table in the Annex, second column 'Reduction' against 'ACP (Article 2(1))':

for: '32,4212 (')',

read: '32,4212',

and at the foot of the table delete the footnote.

COMMISSION REGULATION (EC) No 2390/98
of 5 November 1998

laying down detailed rules for the application of Council Regulation (EC) No 1706/98 as regards the arrangements for importing certain cereal substitute products and processed cereal and rice products originating in the African, Caribbean and Pacific States or in the overseas countries and territories and repealing Regulation (EEC) No 2245/90

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EC) No 1706/98 of 20 July 1998 on the arrangements applicable to agricultural products and goods resulting from the processing of agricultural products originating in the African, Caribbean and Pacific States (ACP States) and repealing Regulation (EEC) No 715/90 (¹), and in particular Article 30(1) thereof,

Whereas pursuant to Article 15 of Regulation (EC) No 1706/98 certain products listed in Annex A to Council Regulation (EEC) No 1766/92 of 30 June 1992 on the common organisation of the market in cereals (²), as last amended by Commission Regulation (EC) No 923/96 (³), are imported into the Community free of customs duties; whereas the other products listed in the above Annex and in Article 1(1)(c) of Council Regulation (EC) No 3072/95 of 22 December 1995 on the common organisation of the market in rice (⁴), as last amended by Regulation (EC) No 2072/98 (⁵), are imported into the Community at a reduced rate of duty provided they originate in the ACP States;

Whereas the detailed rules for the application of such arrangements to products falling within CN codes 0714 10 91 and 0714 90 11 should be limited to imposing an obligation to import the product at zero duty or at the reduced rate from the ACP State indicated in the import licence, and to setting up a regular notification system;

Whereas, pursuant to Article 27(5) of Regulation (EC) No 1706/98, customs duties are not applied to direct imports into the French overseas departments of products falling

within CN codes 0714 10 91 and 0714 90 11 and originating in the ACP States and overseas countries and territories within the limit of an annual quota of 2 000 tonnes; whereas the detailed rules for the application of such arrangements should relate to the lodging of applications for import licences and the issue of such licences and guarantee direct importation into the French overseas departments and observance of the maximum quantity laid down; whereas, in order to comply with the objective of the measure and ensure the management and supervision of the tariff quota, the use of licences for release for free circulation into the above departments should be strictly limited;

Whereas these detailed rules either supplement or derogate from, as the case may be, Commission Regulation (EEC) No 3719/88 of 16 November 1988 laying down common detailed rules for the application of the system of import and export licences and advance fixing certificates for agricultural products (⁶), as last amended by Regulation (EC) No 1044/98 (⁷), or Commission Regulation (EC) No 1162/95 of 23 May 1995 on special detailed rules for the application of the system of import and export licences for cereals and rice (⁸), as last amended by Regulation (EC) No 444/98 (⁹);

Whereas, so that the actual use made of licences can be monitored better, the provision in Regulation (EEC) No 3719/88 on early submission of proof of release for free circulation should apply;

Whereas the partial reimbursement of import duties resulting from the reduction in duties applicable from 1 January 1996 is to be carried out in accordance with Council Regulation (EEC) No 2913/92 of 12 October 1992 establishing the Community Customs Code (¹⁰), as last amended by Regulation (EC) No 82/97 (¹¹), and Commission Regulation (EEC) No 2454/93 of 2 July 1993 laying down provisions for the implementation of Council Regulation (EEC) No 2913/92 establishing the Community Customs Code (¹²), as last amended by Regulation (EC) No 1677/98 (¹³);

(¹) OJ L 215, 1. 8. 1998, p. 12.

(²) OJ L 181, 1. 7. 1992, p. 21.

(³) OJ L 126, 24. 5. 1996, p. 37.

(⁴) OJ L 329, 30. 12. 1995, p. 18.

(⁵) OJ L 265, 30. 9. 1998, p. 4.

(⁶) OJ L 331, 2. 12. 1988, p. 1.

(⁷) OJ L 149, 20. 5. 1998, p. 11.

(⁸) OJ L 117, 24. 5. 1995, p. 2.

(⁹) OJ L 56, 26. 2. 1998, p. 12.

(¹⁰) OJ L 302, 19. 10. 1992, p. 1.

(¹¹) OJ L 17, 21. 1. 1997, p. 1.

(¹²) OJ L 253, 11. 10. 1993, p. 1.

(¹³) OJ L 212, 30. 7. 1998, p. 18.

Whereas Commission Regulation (EEC) No 2245/90 of 31 July 1990 laying down detailed rules for the application of the import arrangements applicable to products falling within CN codes 0714 10 91 and 0714 90 11 and originating in the ACP States or in the overseas countries and territories⁽¹⁾, as last amended by Regulation (EC) No 1431/97⁽²⁾, should be repealed;

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

This Regulation lays down the detailed rules for importing:

- products falling within CN codes 0714 10 91 and 0714 90 11 originating in the ACP States and imported into the Community (Title I),
- products falling within CN codes 0714 10 91 and 0714 90 11 originating in the ACP States and the overseas countries and territories and imported into the French overseas departments (Title II).

TITLE I

Article 2

1. With a view to the release for free circulation in the Community pursuant to Article 15(1) of Regulation (EC) No 1706/98 of products falling within CN codes 0714 10 91 and 0714 90 11, Section 8 of licence applications and import licences shall contain the name of the ACP State in which the product originates. Licences shall carry with them an obligation to import from that country.

2. Section 24 of import licences shall contain one of the following entries:

- Producto ACP:
 - exención del derecho de aduana
 - apartado 1 del artículo 15 del Reglamento (CE) nº 1706/98
- AVS-produkt:
 - toldfritagelse
 - forordning (EF) nr. 1706/98: artikel 15, stk. 1
- Erzeugnis AKP:
 - Zollfrei
 - Verordnung (EG) Nr. 1706/98, Artikel 15, Absatz 1
- Προϊόν ΑΚΕ:
 - Απαλλαγή από δασμούς
 - Κανονισμός (ΕΚ) αριθ. 1706/98, άρθρο 15 παράγραφος 1

- ACP product:
 - exemption from customs duty
 - Regulation (EC) No 1706/98, Article 15(1)
- produit ACP:
 - exemption du droit de douane
 - Règlement (CE) n° 1706/98, article 15 paragraphe 1
- prodotto ACP:
 - esenzione dal dazio doganale
 - regolamento (CE) n. 1706/98, articolo 15, paragrafo 1
- Product ACS:
 - vrijgesteld van douanerecht
 - Verordening (EG) nr. 1706/98: artikel 15, lid 1
- produto ACP:
 - isenção do direito aduaneiro
 - Regulamento (CE) nº 1706/98, nº 1 do artigo 15º
- AKT-maista:
 - Tullivapaa
 - asetuksen (EY) N:o 1706/98 15 artiklan 1 kohta
- AVS-produkt:
 - Tullfri
 - Förordning (EG) nr 1706/98 artikel 15.1.

Article 3

Member States shall notify the Commission before the end of each month of the quantities for which import licences for products originating in the ACP States as referred to in Article 1 have been applied for during the preceding four weeks, broken down by Combined Nomenclature code and country of origin.

TITLE II

Article 4

The following special provisions shall apply to the release for free circulation in the French overseas departments pursuant to Article 27(5) of Regulation (EC) No 1706/98 of products falling within CN codes 0714 10 91 and 0714 90 11:

1. Licence applications shall be for a quantity not exceeding 500 tonnes per individual applicant acting on his own account.
2. Section 8 of licence applications and import licences shall contain the name of the ACP State or the overseas country or territory in which the product originates. The licence shall constitute an obligation to import from that country or territory.

⁽¹⁾ OJ L 203, 1. 8. 1990, p. 47.

⁽²⁾ OJ L 196, 24. 7. 1997, p. 43.

3. Section 24 of import licences shall contain one of the following entries:

- Producto ACP/PTU:
 - exención del derecho de aduana
 - apartado 5 del artículo 27 del Reglamento (CE) n° 1706/98
 - exclusivamente válido para el despacho a libre práctica en los departamentos de Ultramar
- AVS/OLT-produkt:
 - toldfritagelse
 - forordning (EF) nr. 1706/98: artikel 27, stk. 5
 - gælder udelukkende for overgang til fri omsætning 1 de oversøiske departementer
- Erzeugnis AKP/ÜLG:
 - Zollfrei
 - Verordnung (EG) Nr. 1706/98, Artikel 27, Absatz 5
 - gilt ausschließlich für die Abfertigung zum freien Verkehr in den französischen überseeischen Departements
- Προϊόν ΑΚΕ/ΥΧΕ:
 - Απαλλαγή από δασμούς
 - Κανονισμός (ΕΚ) αριθ. 1706/98, άρθρο 27 παράγραφος 5
 - Ισχύει αποκλειστικά για μία θέση σε ελεύθερη κυκλοφορία στα Υπερήθνια Διαμερίσματα
- ACP/OCT product:
 - exemption from customs duty
 - Regulation (EC) No 1706/98, Article 27(5)
 - valid exclusively for release for free circulation in the overseas departments
- produit ACP/PTOM:
 - exemption du droit de douane
 - Règlement (CE) n° 1706/98, article 27 paragraphe 5
 - exclusivement valable pour une mise en libre pratique dans les départements d'outre-mer
- prodotto ACP/PTOM:
 - esenzione dal dazio doganale
 - regolamento (CE) n. 1706/98, articolo 27, paragrafo 5
 - valido esclusivamente per l'immissione in libera pratica nei DOM
- Product ACS/LGO:
 - vrijgesteld van douanerecht
 - Verordening (EG) nr. 1706/98: artikel 27, lid 5
 - geldt uitsluitend voor het in het vrije verkeer brengen in de Franse overzeese departementen
- produto ACP/PTU:
 - isenção do direito aduaneiro
 - Regulamento (CE) n° 1706/98, n° 5 do artigo 27°

- válido exclusivamente para uma introdução em livre prática nos departamentos ultramarinos
- AKT-maista/Merentakaisista maista ja merentakaisilta alucilta peräisin oleva tuote:
 - Tullivapaa
 - astuksen (EY) N:o 1706/98 27 artiklan 5 kohta
 - voimassa ainoastaan merentakaisilla alucilla vapaaseen liikkeeseen laskemiseksi
- AVS/ULT-produkt:
 - Tullfri
 - Förordning (EG) nr 1706/98 artikel 27.5
 - Uteslutande avsedd för övergång till fri omsättning 1 de utomeuropeiska länderna och territorierna.

Article 5

1. Licence applications shall be lodged with the competent authorities of the Member States every Monday before 1 p.m. (Brussels time) or, if that day is not a working day, on the first working day following.

2. Member States shall, by telex or fax not later than 1 p.m. on the working day following the day on which the application is lodged, notify the Commission of the origin of the product, the quantity applied for and the name of the applicant.

3. Not later than the fourth working day following the day on which the applications are lodged, the Commission shall determine and inform the Member States by telex or fax to what extent the licence applications are accepted.

4. Subject to paragraph 3, licences shall be issued on the fifth working day following the day on which the applications were lodged, in the case of applications notified in accordance with paragraph 2.

5. The licences issued shall be valid exclusively for release for free circulation in the French overseas departments from the day of effective issue until the end of the second month following that date. However, they shall not be valid beyond 31 December of the year in which they are issued.

Article 6

Notwithstanding Article 8(4) of Regulation (EEC) No 3719/88, the quantity released for free circulation may not exceed that set out in Sections 17 and 18 of the import licence. The figure 0 shall be entered for this purpose in Section 19 of the licence.

TITLE III

General provisions

Article 7

1. Notwithstanding Article 10 of Regulation (EC) No 1162/95, the amount of the security in respect of the import licence shall be ECU 0,5 per tonne.

2. In cases where, as a result of the application of Article 5(3), the quantity for which the licence is issued is less than that for which it was applied for, the amount of the security corresponding to the difference shall be released.

3. The fourth indent of Article 5(1) of Regulation (EEC) No 3719/88 shall not apply.

Article 8

Regulation (EEC) No 2245/90 is hereby repealed.

Article 9

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

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

Done at Brussels, 5 November 1998.

For the Commission

FRANZ FISCHLER

Member of the Commission

Part 1 : OCTs

II. Implementing texts

A. Trade

b) Beef and Veal

COMMISSION DECISION

of 28 October 1998

concerning the animal health conditions and veterinary certification for imports
of fresh meat from the Falkland Islands

(notified under document number C(1998) 3252)

(Text with EEA relevance)

(98/625/EC)

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

Having regard to the Council Directive 72/462/EEC, of
12 December 1972, on health and veterinary inspection
problems upon importation of bovine, ovine and caprine
animals and swine, fresh meat or meat products from
third countries⁽¹⁾, as last amended by Directive 97/
79/EC⁽²⁾, and in particular Articles 14, and 16,

Whereas, following a Community veterinary mission, it
appears that the animal health situation in the Falkland
Islands compares favourably with that in Community
countries particularly as regards disease transmissible
through meat;

Whereas, in addition, the responsible veterinary author-
ities of the Falkland Islands have confirmed that the
islands have for at least 12 months been free from
foot-and-mouth disease, rinderpest, African swine fever,
swine vesicular disease, contagious porcine paralysis
(Teschen disease);

Whereas vaccinations against the above diseases have not
taken place for at least 12 months;

Whereas the responsible authorities of the Falkland
Islands have undertaken to notify the Commission and
the Member States within 24 hours, by fax, telex or tele-
gram of the confirmation of the occurrence of any of the
abovementioned diseases or an alteration in the vaccina-
tion policy against them;

Whereas animal health conditions and veterinary cer-
tification must be adapted according to the animal health
conditions of the non-member country concerned;

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

1. Member States shall authorise the importation from
the Falkland Islands of fresh meat of bovine animals,
sheep, goats and domestic solipeds conforming to the
requirements in the animal health certificate laid down in
the Annex to this Decision.
2. The certificate referred to above must accompany the
consignment and be duly completed and signed.

Article 2

This Decision is addressed to the Member States.

Done at Brussels, 28 October 1998.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ L 302, 31. 12. 1972, p. 28.

⁽²⁾ OJ L 24, 30. 1. 1998, p. 31.

ANNEX

ANIMAL HEALTH CERTIFICATE

for fresh meat (*) of bovine animals, sheep, goats and domestic solipeds intended for consignment to the European Community

Note for the importer: this certificate is only for veterinary purposes and has to accompany the consignment until it reaches the border inspection post.

Country of destination:

Reference to public health certificate (?):

Exporting country: THE FALKLAND ISLANDS

Ministry:

Department:

References (optional):

I. Identification of meat

Meat of:
(animal species)

Nature of cuts:

Nature of packaging:

Number of cuts or packages:

Net weight:

II. Origin of meat

Address(es) and veterinary approval number(s) of approved slaughterhouse(s) (?):

...

Address(es) and veterinary approval number(s) of approved cutting plant(s) (?):

...

Address(es) and veterinary approval number(s) of approved cold store(s) (?):

...

III. Destination of meat

The meat will be sent

from:
(place of loading)

(country and place of destination)

by the following means of transport (?):

(*) Fresh meat means all parts of domestic animals of the bovine, porcine, ovine and caprine species and of domestic solipeds which are fit for human consumption and which have not undergone any preserving process, chilled and frozen meat being considered as fresh meat.

(?) Optional when the country of destination authorizes the importation of fresh meat for uses other than human consumption in application of Article 19(a) of Directive 72/462/EEC and Chapter 10 of Annex I to Council Directive 92/118/EEC.

(*) For lorries the registration number should be given. For bulk containers, the container number and the seal number should be included.

Name and address of consignor:

...

...

Name and address of consignee:

...

...

IV. Attestation of health

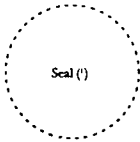
I, the undersigned, official veterinarian, certify that the fresh meat described above has been obtained from:

- animals which have remained in the territory of Falkland Islands for at least three months before being slaughtered or since birth in the case of animals less than three months old,
- in the case of fresh meat from sheep and goats, animals which have not come from holdings which for health reasons are subject to prohibition as a result of an outbreak of ovine or caprine brucellosis during the previous six weeks.

Done at on

(place)

(date)



Seal (1)

.....
(signature of official veterinarian) (1)

.....
(name in capital letters, title and qualification of signatory) (1)

(1) The signature and the seal must be in a colour different to that of the printing.

Part 1 : OCTs

II. Implementing texts

A. Trade

c) Pigmear

COMMISSION REGULATION (EC) No 1369/98

of 29 June 1998

amending Regulation (EEC) No 904/90 laying down detailed rules for the application of the arrangements applicable to imports of certain pigmeat products originating in the African, Caribbean and Pacific States (ACP) or in the overseas countries and territories (OCT), in order to implement the Agricultural Agreement concluded during the Uruguay Round of negotiations

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EC) No 3290/94 of 22 December 1994 on the adjustments and transitional arrangements required in the agriculture sector in order to implement agreements concluded during the Uruguay Round of multilateral trade negotiations⁽¹⁾, as last amended by Regulation (EC) No 1340/98⁽²⁾, and in particular Article 3(1) thereof,

Whereas, in order to take account of existing import arrangements in the pigmeat sector and those resulting from the Agricultural Agreement concluded during the Uruguay Round of multilateral trade negotiations, transitional measures are needed to adjust the preferential concessions in the form of exemption from the import duty for certain pigmeat products from the ACP States;

Whereas Commission Regulation (EEC) No 904/90⁽³⁾, as last amended by Regulation (EEC) No 1207/97⁽⁴⁾, lays down detailed rules for the application of preferential conditions in the form of a reduction in the import levy for pigmeat quotas; whereas, since the levies are being replaced by customs duties from 1 July 1995, transitional adjustments to these rules have been made;

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

Done at Brussels, 29 June 1998.

Whereas the period for the adoption of transitional measures was extended until 30 June 1999 by Regulation (EC) No 3290/94; whereas the adjustments should be extended over the period concerned;

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

HAS ADOPTED THIS REGULATION:

Article 1

In Regulation (EEC) No 904/90 the word 'levy' is replaced by the words 'customs duty' each time that it appears.

Article 2

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

It shall apply from 1 July 1998 to 30 June 1999.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ L 349, 31. 12. 1994, p. 105.

⁽²⁾ OJ L 184, 27. 6. 1998, p. 1.

⁽³⁾ OJ L 93, 10. 4. 1990, p. 23.

⁽⁴⁾ OJ L 170, 28. 6. 1997, p. 33.

Part 1 : OCTs

II. Implementing texts

A. Trade

d) Poultrymeat

COMMISSION REGULATION (EC) No 1388/98
of 30 June 1998

amending Regulation (EEC) No 903/90 laying down detailed rules for the application of the arrangements applicable to imports of certain poultrymeat products originating in the African, Caribbean and Pacific States (ACP) or in the overseas countries and territories (OCT), in order to implement the Agricultural Agreement concluded during the Uruguay Round of negotiations

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EC) No 3290/94 of 22 December 1994 on the adjustments and transitional arrangements required in the agriculture sector in order to implement agreements concluded during the Uruguay Round of multilateral trade negotiations⁽¹⁾, as last amended by Regulation (EC) No 1340/98⁽²⁾, and in particular Article 3(1) thereof,

Whereas in order to take account of existing import arrangements in the poultrymeat sector and those resulting from the Agricultural Agreement concluded during the Uruguay Round of multilateral trade negotiations, transitional measures are needed to adjust the preferential concessions in the form of exemption from the import duty for certain poultrymeat products from the ACP States;

Whereas Commission Regulation (EEC) No 903/90⁽³⁾, as last amended by Regulation (EC) No 1514/97⁽⁴⁾, lays down detailed rules for the application of preferential conditions in the form of a reduction in the import levy for poultrymeat quotas; whereas, since the levies have been replaced by customs duties from 1 July 1995, transitional adjustments to these rules have been made;

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

Done at Brussels, 30 June 1998.

Whereas the period for the adoption of transitional measures was extended until 30 June 1999 by Regulation (EC) No 3290/94; whereas the adjustments should be extended over the period concerned;

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

HAS ADOPTED THIS REGULATION:

Article 1

Regulation (EEC) No 903/90 is hereby amended as follows:

The word 'levy' is replaced by the words 'customs duty laid down in the Common Customs Tariff' each time that it appears.

Article 2

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

It shall apply from 1 July 1998 to 30 June 1999.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ L 349, 31. 12. 1994, p. 105.

⁽²⁾ OJ L 184, 27. 6. 1998, p. 1.

⁽³⁾ OJ L 93, 10. 4. 1990, p. 20.

⁽⁴⁾ OJ L 204, 31. 7. 1997, p. 16.

Part 1 : OCTs

II. Implementing texts

A. Trade

e) Milk products

COMMISSION REGULATION (EC) No 1314/98
of 25 June 1998

on import licences for milk and milk products originating in the African, Caribbean and Pacific States (ACP States) or in the overseas countries and territories (OCT)

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

Having regard to Council Regulation (EEC) No 715/90 of 5 March 1990 on the arrangements applicable to agricultural products and certain goods resulting from the processing of agricultural goods originating in the ACP States or in the overseas countries and territories (OCT) ⁽¹⁾, as last amended by Regulation (EC) No 619/96 ⁽²⁾, and in particular Article 27 thereof,

Whereas Article 4 (4) of Commission Regulation (EEC) No 1150/90 ⁽³⁾, as last amended by Regulation (EC) No 1246/97 ⁽⁴⁾, provides that if the total quantity for which applications have been submitted is less than that available the Commission is to calculate the quantity remaining, which is to be added to that available for the following half year, whereas under these circumstances

the quantity available for the second half of 1998 of the products referred to in Article 7 of Regulation (EEC) No 715/90 should be determined,

HAS ADOPTED THIS REGULATION:

Article 1

Further licence applications may be lodged during the first 10 days of July 1998 for the following quantities:

- 500 tonnes of products falling within CN code 0402,
- 500 tonnes of products falling within CN code 0406.

Article 2

This Regulation shall enter into force on 26 June 1998.

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

Done at Brussels, 25 June 1998.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ L 84, 30. 3. 1990, p. 85.

⁽²⁾ OJ L 89, 10. 4. 1996, p. 1.

⁽³⁾ OJ L 114, 5. 5. 1990, p. 21.

⁽⁴⁾ OJ L 173, 1. 7. 1997, p. 84.

COMMISSION REGULATION (EC) No 1480/98
of 10 July 1998

amending Regulation (EEC) No 1150/90 as regards the transitional adjustment of certain provisions relating to imports into the Community of certain milk products originating in the African, Caribbean and Pacific States (ACP) or in the overseas countries and territories (OCT) in order to implement the Agreement on Agriculture concluded during the Uruguay Round of negotiations

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EC) No 3290/94 of 22 December 1994 on the adjustments and transitional arrangements required in the agriculture sector in order to implement the agreements concluded during the Uruguay Round of multilateral trade negotiations⁽¹⁾, as last amended by Regulation (EC) No 1340/98⁽²⁾, and in particular Article 3(1) thereof,

Whereas Commission Regulation (EC) No 1246/97⁽³⁾ lays down transitional measures until 30 June 1998 to facilitate the move from the arrangements provided for by Commission Regulation (EEC) No 1150/90 of 4 May 1990 laying down detailed rules for the application of the arrangements applicable to imports of certain milk products originating in the African, Caribbean and Pacific States (ACP States) or in the overseas countries and territories (OCT)⁽⁴⁾, as last amended by Regulation (EC) No 1246/97, to those introduced by the agreements concluded during the Uruguay Round of multilateral trade negotiations;

Whereas the period for the application of the transitional measures was extended until 30 June 1999 by Regulation (EC) No 1340/98; whereas, pending the adoption by the Council of definitive measures, the measures provided for by Regulation (EC) No 1246/97 should be extended until 30 June 1999;

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

HAS ADOPTED THIS REGULATION:

Article 1

Article 3(d) of Regulation (EEC) No 1150/90 is hereby replaced by the following:

⁽¹⁾ OJ L 349, 31. 12. 1994, p. 105.
⁽²⁾ OJ L 184, 27. 6. 1998, p. 1.
⁽³⁾ OJ L 123, 1. 7. 1997, p. 84.
⁽⁴⁾ OJ L 114, 5. 5. 1990, p. 21.

'(d) the heading "notes" and Section 24 of licence applications and licences shall show respectively one of the following:

- Derecho de aduana reducido en un 50 %, Producto ACP Reglamento (CEE) n° 715/90
- Told nedsat med 50 %, AVS-varer Forordning (EØF) nr. 715/90
- Zoll, ermäßigt um 50 %, AKP-Erzeugnis Verordnung (EWG) Nr. 715/90
- Δασμός μειωμένος κατά 50 %, προϊόν ΑΚΕ Κανονισμός (ΕΟΚ) αριθ. 715/90
- Customs duty reduced by 50 %, ACP-Product Regulation (EEC) No 715/90
- Droit de douane réduit de 50 %, produit ACP Règlement (CEE) n° 715/90
- Dazio doganale ridotto del 50 %, prodotto ACP Regolamento (CEE) n. 715/90
- Douanerecht verminderd met 50 %, ACS-product Verordening (EEG) nr. 715/90
- Direito aduaneiro reduzido de 50 %, produto ACP Regulamento (CEE) n° 715/90
- Tullia alennettu viidelläkymmenellä prosentilla, AKT-tuote Asetus (ETY) N:o 715/90
- Nedsättning med 50 % av tullsatsen, produkt AVS Förordning (EEG) nr 715/90.'

Article 2

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

It shall apply from 1 July 1998 to 30 June 1999.

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

Done at Brussels, 10 July 1998.

For the Commission
Franz FISCHLER
Member of the Commission

Part 1 : OCTs

II. Implementing texts

A. Trade

f) Fisheries

COMMISSION DECISION

of 30 June 1998

amending Decision 97/296/EC drawing up the list of third countries from which the import of fishery products is authorised for human consumption

(notified under document number C(1998) 1849)

(Text with EEA relevance)

(98/419/EC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Decision 95/408/EC of 22 June 1995 on the conditions for drawing up, for an interim period, provisional lists of third country establishments from which Member States are authorised to import certain products of animal origin, fishery products or live bivalve molluscs⁽¹⁾, as amended by Decision 97/34/EC⁽²⁾, and in particular Article 2(2) and Article 7 thereof,

Whereas Commission Decision 97/296/EC⁽³⁾, as amended by Decision 98/148/EC⁽⁴⁾, lists the third countries from which importation of fishery products for human consumption is authorised; part I of the list names the third countries covered by a specific decision and part II names those qualifying under Article 2(2) of Decision 95/408/EC;

Whereas Commission Decisions 98/420/EC⁽⁵⁾, 98/421/EC⁽⁶⁾, 98/422/EC⁽⁷⁾, 98/423/EC⁽⁸⁾, 98/424/EC⁽⁹⁾, set specific import conditions for fishery and aquaculture products originating, respectively, in Nigeria, Ghana, Tanzania, Falkland Islands and Maldives; whereas Nigeria, Ghana, Tanzania, Falkland Islands and Maldives should therefore be added to part I of the list in Annex I of countries and territories from which importation of fishery products for human consumption is authorised;

Whereas Cape Verde, Latvia, Lithuania, Nicaragua, Benin, Kazakhstan, Guinea Conakri, Papua New Guinea, Malta, Mauritius, Jamaica, Cameroon, Czech Republic, Israel, Hong Kong and Uganda have shown that they satisfy the equivalent conditions referred to in Article 2(2) of Decision 95/408/EC; whereas it is therefore necessary to modify the list to include those countries in part II of the list in Annex I;

Whereas certain countries and territories not yet included in the list, but currently exporting to the EC, have provided information that they fulfil conditions at least equivalent to those of the Community; whereas since more information is required from them, these countries and territories are listed in a new Annex II;

Whereas, in order to avoid any disruption of imports from the third countries included in the new Annex II, Article 11(7) of Council Directive 91/493/EC⁽¹⁰⁾ shall continue to apply, for a transitional period to fishery products imported from countries and territories included in Annex II;

Whereas, for those countries and territories not yet included in the Annexes to this Decision, it will be necessary for the Commission to evaluate whether they applied to the export of fishery products to the Community conditions at least equivalent to those governing the production and placing on the market of Community products;

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

Decision 97/296/EC is amended as follows:

1. In Articles 1 and 2, the reference to 'Annex' shall be replaced by 'Annex I'.
2. Point 1 of Article 3 shall be replaced by the following point:

'1. Notwithstanding Article 2, Member States may continue to import, up to 31 January 1999, fishery products coming from the countries and territories included in Annex II, in accordance with Article 11(7) of Directive 91/493/EEC.'

⁽¹⁾ OJ L 243, 11. 10. 1995, p. 17.

⁽²⁾ OJ L 13, 16. 1. 1997, p. 33.

⁽³⁾ OJ L 122, 14. 5. 1997, p. 21.

⁽⁴⁾ OJ L 46, 17. 2. 1998, p. 18.

⁽⁵⁾ See page 59 of this Official Journal.

⁽⁶⁾ See page 66 of this Official Journal.

⁽⁷⁾ See page 71 of this Official Journal.

⁽⁸⁾ See page 76 of this Official Journal.

⁽⁹⁾ See page 81 of this Official Journal.

⁽¹⁰⁾ OJ L 268, 24. 9. 1991, p. 15.

3. The Annex to Decision 97/296/EC is replaced by Annexes I and II to the present Decision.

Article 2

This Decision shall apply from 1 July 1998.

Article 3

This Decision is addressed to the Member States.

Done at Brussels, 30 June 1998.

For the Commission
FRANZ FISCHLER
Member of the Commission

ANNEX I

List of countries and territories from which importation of fishery products in any form intended for human consumption is authorised

I. Countries and territories covered by a specific decision under Council Directive 91/493/EC

ALBANIA	GHANA	PERU
ARGENTINA	INDIA	PHILIPPINES
AUSTRALIA	INDONESIA	RUSSIA
BANGLADESH	IVORY COAST ⁽¹⁾	SENEGAL
BRAZIL	JAPAN	SINGAPORE
CANADA	MADAGASCAR	SOUTH AFRICA
CHILE	MALAYSIA	SOUTH KOREA
COLOMBIA	MALDIVES	TAIWAN
ECUADOR	MAURITANIA	TANZANIA
FALKLAND ISLANDS	MOROCCO	THAILAND
FAROES	NEW ZEALAND	URUGUAY
GAMBIA	NIGERIA	

II. Countries and territories meeting the terms of Article 2(2) of Council Decision 95/408/EC

BELIZE	HONG KONG	POLAND
BENIN	HUNGARY ⁽¹⁾	SEYCHELLES
CHINA	ISRAEL	SLOVENIA
CAMEROON	JAMAICA	SURINAME
CAPE VERDE	KAZAKHSTAN ⁽²⁾	SWITZERLAND
COSTA RICA	LATVIA	TOGO
CROATIA	LITHUANIA	TUNISIA
CUBA	MALTA	TURKEY
CZECH REPUBLIC	MAURITIUS	UGANDA
FJI	MEXICO	UNITED STATES OF AMERICA
GREENLAND	NAMIBIA	VENEZUELA
GUATEMALA	NICARAGUA	VIETNAM
GUINEA-CONAKRI	PAPUA NEW GUINEA	
HONDURAS	PANAMA	

⁽¹⁾ Authorised only for import of live animals intended for human consumption.

⁽²⁾ Authorised only for import of caviar.

ANNEX II

List of countries and territories from which importation of fishery products intended for human consumption is authorised until 31 January 1999 pursuant to Article 11(7) of Directive 91/493/EEC.

ALGERIA
ANGOLA
AZERBAIJAN (1)
BAHAMAS
BULGARIA
CONGO-BRAZZAVILLE
EGYPT
ERITREA
ESTONIA
FORMER YUGOSLAV REPUBLIC OF MACEDONIA
GABON
GUINEA-BISSAU
IRAN
KENYA
MOZAMBIQUE
MYANMAR
ROMANIA
SAINT HELENA
SOLOMON ISLANDS (2)
SRI LANKA
SAINT LUCIA
ZIMBABWE

(1) Only authorised for imports of caviar.

(2) Only authorised for imports from Solomon Tasio Limited.

COMMISSION DECISION
of 30 June 1998
laying down special conditions governing imports of fishery and aquaculture
products originating in Maldives
(notified under document number C(1998) 1857)

(Text with EEA relevance)

(98/424/EC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Directive 91/493/EEC of 22 July 1991 laying down the health conditions for the production and the placing on the market of fishery products⁽¹⁾, as last amended by the Act of Accession of Austria, Finland and Sweden, and in particular Article 11 thereof,

Whereas a Commission expert has conducted an inspection visit to Maldives to verify the conditions under which fishery products are produced, stored and dispatched to the Community;

Whereas the provisions of legislation of Maldives on health inspection and monitoring of fishery products may be considered equivalent to those laid down in Directive 91/493/EEC;

Whereas, in Maldives the Department of Public Health (DPH) of the Ministry of Health is capable of effectively verifying the application of the laws in force;

Whereas the procedure for obtaining the health certificate referred to in Article 11(4)(a) of Directive 91/493/EEC must also cover the definition of a model certificate, the minimum requirements regarding the language(s) in which it must be drafted and the grade of the person empowered to sign it;

Whereas, pursuant to Article 11(4)(b) of Directive 91/493/EEC, a mark should be affixed to packages of fishery products giving the name of the third country and the approval/registration number of the establishment, factory vessel, cold store or freezer vessel of origin;

Whereas, pursuant to Article 11(4)(c) of Directive 91/493/EEC, a list of approved establishments, factory vessels or cold stores must be drawn up; whereas a list of freezer vessels registered in the sense of Council Directive 92/48/EEC⁽²⁾ must be drawn up; whereas this list must be drawn up on the basis of a communication from the DPH

to the Commission; whereas it is therefore for the DPH to ensure compliance with the provisions laid down to that end in Article 11(4) of Directive 91/493/EEC;

Whereas the DPH has provided official assurances regarding compliance with the rules set out in Chapter V of the Annex to Directive 91/493/EEC and regarding the fulfilment of requirements equivalent to those laid down by that Directive for the approval or registration of establishments, factory vessels, cold stores or freezer vessels;

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 Department of Public Health (DPH) of the Ministry of Health shall be the competent authority in Maldives for verifying and certifying compliance of fishery and aquaculture products with the requirements of Directive 91/493/EEC.

Article 2

Fishery and aquaculture products originating in Maldives must meet the following conditions:

1. Each consignment must be accompanied by a numbered original health certificate, duly completed, signed, dated and comprising a single sheet in accordance with the model in Annex A hereto;
2. The products must come from approved establishments, factory vessels, cold stores or registered freezer vessels listed in Annex B hereto;
3. Except in the case of frozen fishery products in bulk and intended for the manufacture of preserved foods, all packages must bear the word 'MALDIVES' and the approval/registration number of the establishment, factory vessel, cold store or freezer vessel of origin in indelible letters.

⁽¹⁾ OJ L 268, 24. 9. 1991, p. 15.

⁽²⁾ OJ L 187, 7. 7. 1992, p. 41.

Article 3

1. Certificates as referred to in Article 2(1) must be drawn up in at least one official language of the Member State where the checks are carried out.

2. Certificates must bear the name, capacity and signature of the representative of the DPH and the latter's official stamp in a colour different from that of other endorsements.

Article 4

This Decision is addressed to the Member States.

Done at Brussels, 30 June 1998.

For the Commission

Franz FISCHLER

Member of the Commission

ANNEX A

HEALTH CERTIFICATE

for fishery and aquaculture products originating in Maldives and intended for export to the European Community, excluding bivalve molluscs, echinoderms, tunicates and marine gastropods in whatever form

Reference No:.....

Country of dispatch: MALDIVES

Competent authority: Department of Public Health (DPH) of the Ministry of Health

I. Details identifying the fishery products

- Description of Fishery - Aquaculture products⁽¹⁾:
 - Species (scientific name):.....
 - Presentation of product and type of treatment⁽²⁾:.....
- Code number (where available):.....
- Type of packaging:.....
- Number of packages:.....
- Net weight:.....
- Requisite storage and transport temperature:.....

II. Origin of products

Name(s) and official approval number(s) of establishment(s), factory vessel(s) or cold store(s) approved or freezer vessel(s) registered by the DPH for export to the EC:

.....
.....
.....

III. Destination of products

The products are dispatched

from:
(place of dispatch)
.....
(country and place of destination)

by the following means of transport:.....

Name and address of dispatcher:
.....
.....

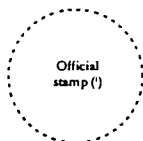
Name of consignee and address at place of destination:
.....
.....

⁽¹⁾ Delete where applicable.
⁽²⁾ Live, refrigerated, frozen, salted, smoked, preserved, etc.

IV. Health attestation

- The official inspector hereby certifies that the fishery or aquaculture products specified above:
1. were caught and handled on board vessels in accordance with the health rules laid down by Directive 92/48/EEC;
 2. were landed, handled and where appropriate packaged, prepared, processed, frozen, thawed and stored hygienically in compliance with the requirements laid down in Chapters II, III and IV of the Annex to Directive 91/493/EEC;
 3. have undergone health controls in accordance with Chapter V of the Annex to Directive 91/493/EEC;
 4. are packaged, marked, stored and transported in accordance with Chapters VI, VII and VIII of the Annex to Directive 91/493/EEC;
 5. do not come from toxic species or species containing biotoxins;
 6. have satisfactorily undergone the organoleptic, parasitological, chemical and microbiological checks laid down for certain categories of fishery products by Directive 91/493/EEC and in the implementing decisions thereto.
- The undersigned official inspector hereby declares that he is aware of the provisions of Directives 91/493/EEC, Directive 92/48/EEC and Decision 98/424/EC.

Done at on
(Place) (Date)



.....
Signature of official inspector (!)

.....
(Name in capital letters, capacity and qualifications of person signing)

.....
(!) The colour of the stamp and signature must be different from that of the other particulars in the certificate.

ANNEX B

LIST OF APPROVED ESTABLISHMENTS

Number	Name	Address
MDV 001	Maldives Industrial Fisheries Company Ltd (MIFCO)	Felivaru

COUNCIL REGULATION (EC) No 2480/98
of 16 November 1998
amending Regulation (EC) No 50/98 allocating, for 1998, Community catch
quotas in Greenland waters

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EEC) No 3760/92 of 20 December 1992 establishing a Community system for fisheries and aquaculture ⁽¹⁾, and in particular Article 8(4) thereof,

Having regard to the proposal from the Commission,

Whereas Regulation (EC) No 50/98 ⁽²⁾, established, for 1998, the Community catch quota for capelin in Greenland waters on the basis of the TAC for 1997/98;

Whereas a revision of the relevant TAC in the meantime has resulted in a change in the share available to the Community;

Whereas Regulation (EC) No 50/98 should be amended accordingly,

HAS ADOPTED THIS REGULATION:

Article 1

In the Annex to Regulation (EC) No 50/98, the entry and footnote referring to capelin shall be replaced by the text set out in the Annex to this Regulation.

Article 2

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

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

Done at Brussels, 16 November 1998.

For the Council
The President
J. FARNLEITNER

⁽¹⁾ OJ L 389, 31. 12. 1992, p. 1. Regulation as amended by the 1994 Act of Accession.

⁽²⁾ OJ L 12, 19. 1. 1998, p. 72.

ANNEX

Allocation of Community catch quotas in Greenland waters for 1998

Species	Geographical area	Community catch quotas (in tonnes)	Quotas allocated to Member States	Quantities allocated to Norway	Quantities allocated to Iceland	Faroese quotas under EC/Greenland
Capelin	ICES XIV/V	109 340 (*)	Community: 53 340	16 000	30 000	10 000

(*) 70 % of the Greenland share of the TAC for capelin minus 10 000 tonnes to the Faroe Islands. Upon any further revision of the relevant TAC in the course of 1998, the Community quota shall be revised accordingly.

Part 2 : FODs

A. Agricultural products

COMMISSION REGULATION (EC) No 96/98
of 14 January 1998
amending Regulation (EC) No 28/97 and assessing requirements for the supply
of certain vegetable oils (other than olive oil) for the processing industry in the
French overseas departments

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

HAS ADOPTED THIS REGULATION:

Having regard to the Treaty establishing the European Community,

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

Whereas Commission Regulation (EC) No 28/97 of 9 January 1997 laying down detailed rules for implementation of the specific measures for the supply of certain vegetable oils for the processing industry in the French overseas departments and assessing supply requirements⁽³⁾ establishes the supply requirements of those products for 1997;

Whereas Article 2 of Regulation (EEC) No 3763/91 requires that supply requirements for agricultural products essential for consumption and processing be established each year; whereas, therefore, the supply requirements of vegetable oils intended for the processing industry in the French overseas departments should be established for 1998;

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

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

Done at Brussels, 14 January 1998.

For the Commission

Franz FISCHLER

Member of the Commission

Article 1

Regulation (EC) No 28/97 is hereby amended as follows:

1. Article 1 is replaced by the following:

Article 1

For the purposes of Article 2 of Regulation (EEC) No 3763/91, the quantity of the assessment of supply requirements of vegetable oils (other than olive oil) for the processing industry falling within CN codes 1507 to 1516 (except 1509 and 1510) exempt from customs duty when imported into the French overseas departments or entitled to aid when brought in from elsewhere in the Community is hereby fixed and allocated as indicated in the Annex hereto.

The French authorities may adjust this allocation by an amount not exceeding 20 % of the quantity for each department. They shall inform the Commission thereof;

2. the Annex is replaced by the Annex hereto.

Article 2

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

It shall apply with effect from 1 January 1998.

⁽¹⁾ OJ L 356, 24. 12. 1991, p. 1.

⁽²⁾ OJ L 267, 9. 11. 1995, p. 1.

⁽³⁾ OJ L 6, 10. 1. 1997, p. 15.

ANNEX

ANNEX

Assessment of supply requirements of vegetable oils (other than olive oil) for the processing industry falling within CN codes 1507 to 1516 (except 1509 and 1510) for the French overseas departments for 1998

Department	Quantity (in tonnes)
French Guiana	400
Martinique	2 000
Réunion	8 000
Guadeloupe	300
Total	10 700'

COMMISSION REGULATION (EC) No 170/98
of 23 January 1998
concerning tenders submitted in response to the invitation to tender for the
export of husked long grain rice to the island of Réunion referred to in Regula-
tion (EC) No 2094/97

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⁾, and in particular Article 10 (1) thereof,

Having regard to Commission Regulation (EEC) No 2692/89 of 6 September 1989 laying down detailed rules for exports of rice to Réunion ⁽²⁾, and in particular Article 9 (1) thereof,

Whereas Commission Regulation (EC) No 2094/97 ⁽³⁾ opens an invitation to tender for the subsidy on rice exported to Réunion;

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

Whereas on the basis of the criteria laid down in Articles 2 and 3 of Regulation (EEC) No 2692/89, a maximum subsidy should not be fixed;

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

HAS ADOPTED THIS REGULATION:

Article 1

No action shall be taken on the tenders submitted from 19 to 22 January 1998 in response to the invitation to tender referred to in Regulation (EC) No 2094/97 for the subsidy on exports to Réunion of husked long grain rice falling within CN code 1 006 20 98.

Article 2

This Regulation shall enter into force on 24 January 1998.

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

Done at Brussels, 23 January 1998.

For the Commission
Franz FISCHLER
Member of the Commission

⁽¹⁾ OJ L 329, 30. 12. 1995, p. 18.

⁽²⁾ OJ L 29, 7. 9. 1989, p. 8.

⁽³⁾ OJ L 292, 25. 10. 1997, p. 14.

COMMISSION REGULATION (EC) No 252/98
of 30 January 1998

fixing the maximum subsidy on exports of husked long grain rice to Réunion
pursuant to the invitation to tender referred to in Regulation (EC) No 2094/97

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 Article 10 (1) thereof,

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

Whereas Commission Regulation (EC) No 2094/97 (⁽⁴⁾)
opens an invitation to tender for the subsidy on rice
exported to Réunion;

Whereas Article 9 of Regulation (EEC) No 2692/89
allows the Commission to fix, in accordance with the
procedure laid down in Article 22 of Regulation (EC) No
3072/95 and on the basis of the tenders submitted, a
maximum subsidy;

Whereas the criteria laid down in Articles 2 and 3 of
Regulation (EEC) No 2692/89 should be taken into
account when fixing this maximum subsidy; whereas

successful tenderers shall be those whose bids are at or
below the level of the maximum subsidy;

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

A maximum subsidy on exports to Réunion of husked
long grain rice falling within CN code 1006 20 98 is
hereby set on the basis of the tenders lodged from 26 to
29 January 1998 at ECU 297 per tonne pursuant to the
invitation to tender referred to in Regulation (EC) No
2094/97.

Article 2

This Regulation shall enter into force on 31 January
1998.

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

Done at Brussels, 30 January 1998.

For the Commission
Franz FISCHLER
Member of the Commission

(¹) OJ L 329, 30. 12. 1995, p. 18.

(²) OJ L 20, 27. 1. 1998, p. 16.

(³) OJ L 261, 7. 9. 1989, p. 8.

(⁴) OJ L 292, 25. 10. 1997, p. 14.

COMMISSION REGULATION (EC) No 311/98
of 6 February 1998

fixing the maximum subsidy on exports of husked long grain rice to Réunion
pursuant to the invitation to tender referred to in Regulation (EC) No 2094/97

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 Article 10 (1) thereof,

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

Whereas Commission Regulation (EC) No 2094/97 (4)
opens an invitation to tender for the subsidy on rice
exported to Réunion;

Whereas Article 9 of Regulation (EEC) No 2692/89
allows the Commission to fix, in accordance with the
procedure laid down in Article 22 of Regulation (EC) No
3072/95 and on the basis of the tenders submitted, a
maximum subsidy;

Whereas the criteria laid down in Articles 2 and 3 of
Regulation (EEC) No 2692/89 should be taken into
account when fixing this maximum subsidy; whereas

successful tenderers shall be those whose bids are at or
below the level of the maximum subsidy;

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

A maximum subsidy on exports to Réunion of husked
long grain rice falling within CN code 1006 20 98 is
hereby set on the basis of the tenders lodged from 2 to 5
February 1998 at ECU 290 per tonne pursuant to the
invitation to tender referred to in Regulation (EC) No
2094/97.

Article 2

This Regulation shall enter into force on 7 February
1998.

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

Done at Brussels, 6 February 1998.

For the Commission
Franz FISCHLER
Member of the Commission

(1) OJ L 329, 30. 12. 1995, p. 18.

(2) OJ L 20, 27. 1. 1998, p. 16.

(3) OJ L 261, 7. 9. 1989, p. 8.

(4) OJ L 292, 25. 10. 1997, p. 14.

COMMISSION REGULATION (EC) No 535/98
of 6 March 1998

concerning tenders submitted in response to the invitation to tender for the export of husked long grain rice to the island of Réunion referred to in Regulation (EC) No 2094/97

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 Article 10 (1) thereof,

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

Whereas Commission Regulation (EC) No 2094/97⁽⁴⁾ opens an invitation to tender for the subsidy on rice exported to Réunion;

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

Whereas on the basis of the criteria laid down in Articles 2 and 3 of Regulation (EEC) No 2692/89, a maximum subsidy should not be fixed;

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

HAS ADOPTED THIS REGULATION:

Article 1

No action shall be taken on the tenders submitted from 2 to 5 March 1998 in response to the invitation to tender referred to in Regulation (EC) No 2094/97 for the subsidy on exports to Réunion of husked long grain rice falling within CN code 1 006 20 98.

Article 2

This Regulation shall enter into force on 7 March 1998.

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

Done at Brussels, 6 March 1998.

For the Commission
Franz FISCHLER
Member of the Commission

⁽¹⁾ OJ L 329, 30. 12. 1995, p. 18.

⁽²⁾ OJ L 20, 27. 1. 1998, p. 16.

⁽³⁾ OJ L 29, 7. 9. 1989, p. 8.

⁽⁴⁾ OJ L 292, 25. 10. 1997, p. 14.

COMMISSION REGULATION (EC) No 625/98
of 19 March 1998

amending Regulation (EEC) No 980/92 laying down detailed rules for applying the aid scheme for the marketing in Martinique and Guadeloupe of rice produced in French Guiana as regards the destination of the rice in respect of which aid is paid

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

reconsigned from the rest of the Community to the overseas departments;

Having regard to the Treaty establishing the European Community,

Whereas, to ensure effective application of the aid arrangements, this Regulation should apply from the date of entry into force of Regulation (EC) No 2598/95; whereas, however, the effects of reconsignments and exports from Guadeloupe and Martinique to the rest of the Community and to non-member countries carried out in accordance with the provisions replaced by this Regulation should be considered definitive; whereas accordingly the new text of Article 6 of Regulation (EC) No 980/92 should apply to reconsignments and exports from Guadeloupe and Martinique with effect from the date of entry into force of this Regulation;

Having regard to Council Regulation (EEC) No 3763/91 of 16 December 1991 introducing specific measures in respect of certain agricultural products for the benefit of the French overseas departments⁽¹⁾, as last amended by Regulation (EC) No 2598/95⁽²⁾, and in particular Article 3(5) thereof,

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

Whereas point 3(d) of Article 1 of Regulation (EC) No 2598/95 provides that the volume of rice produced locally in French Guiana which may benefit from aid for disposal and marketing shall be increased to take account of profitability requirements; whereas, in particular, under Regulation (EC) No 2598/95 a limited quantity of that production up to 4 000 tonnes may benefit from aid so that it can be disposed of or marketed elsewhere in the Community;

HAS ADOPTED THIS REGULATION:

Whereas the provisions required to implement Regulation (EC) No 2598/95 and so amend Commission Regulation (EEC) No 980/92 of 21 April 1992 laying down detailed rules for applying the aid scheme for the marketing in Martinique and Guadeloupe of rice produced in French Guiana⁽³⁾ should be adopted; whereas these technical adaptations should cover in particular the arrangements for granting the aid for contracts for disposal or marketing concluded between the entry into force of Regulation (EC) No 2598/95 and the entry into force of this Regulation, the definition of the parties to the contract for the disposal or marketing of rice produced in French Guiana, the measures to be taken to ensure that the maximum quantities which may benefit from aid are not exceeded and appropriate checks to ensure compliance with the aim of the scheme;

Article 1

Regulation (EEC) No 980/92 is amended as follows:

1. The title is replaced by the following:

'Commission Regulation (EEC) No 980/92 of 21 April 1992 laying down detailed rules for applying the aid scheme for the marketing of rice produced in French Guiana'.

2. Article 1(1) is replaced by:

'1. For the purposes of applying the aid scheme provided for in Article 3(3) of Regulation (EEC) No 3763/91, "annual contract" means a contract by which an operator, either a natural or a legal person established elsewhere in the Community other than in French Guiana, undertakes, before the beginning of the marketing period, to dispose of or market in Guadeloupe, Martinique or elsewhere in the Community all or part of the rice production of a producer or a producers' association or union in French Guiana'.

⁽¹⁾ OJ L 356, 24. 12. 1991, p. 1.

⁽²⁾ OJ L 267, 9. 11. 1995, p. 1.

⁽³⁾ OJ L 104, 22. 4. 1992, p. 31.

3. The following paragraph is added to Article 2:

'4. For the purposes of Article 3(3) of Regulation (EEC) No 3763/91, applications for aid concerning the period between 12 November 1995 and 20 March 1998 shall be submitted to the competent departments of the French administration in accordance with conditions to be laid down by those departments.

Aid shall be paid on submission of proof satisfactory to the competent departments that the products conferring entitlement to aid have in fact been disposed of or marketed in Guadeloupe, Martinique or elsewhere in the Community.

The competent departments shall make appropriate checks on the truthfulness and accuracy of the applications for aid and supporting documents.'

4. Article 5 is replaced by the following:

Article 5

1. If necessary, the competent French authorities shall lay down a uniform coefficient of reduction to be applied to the applications in question to ensure that, each year, aid is not granted for a quantity, expressed in terms of milled rice equivalent, exceeding 12 000 tonnes for all the quantities for which applications have been submitted and, within that ceiling, exceeding 4 000 tonnes in respect of the quantities disposed of or marketed elsewhere in the Community other than in Guadeloupe and Martinique.

2. The uniform coefficient of reduction shall be calculated as follows:

(a) where the quantities in respect of which the applications for aid submitted total less than 12 000 tonnes but, as regards rice disposed of or marketed elsewhere in the Community other than in Guadeloupe and Martinique, more than the maximum volume of 4 000 tonnes, the coefficient *i* obtained from the formula:

$$i = \frac{4\,000}{x}$$

where *x* is the quantity of rice from French Guiana actually disposed of and marketed elsewhere in the Community other than in Martinique and Guadeloupe

shall be applied to that latter quantity;

(b) where the quantities in respect of which the applications for aid submitted total more than 12 000 tonnes but, as regards rice disposed of or marketed elsewhere in the Community other than in Guadeloupe and Martinique, less than the maximum volume of 4 000 tonnes, the coefficient *j* obtained from the formula:

$$j = \frac{12\,000}{y}$$

where *y* is the total quantity of rice from French Guiana in respect of which applications for aid were submitted

shall be applied to all the quantities of rice;

(c) where the quantities in respect of which the applications for aid submitted total more than 12 000 tonnes and, as regards rice disposed of or marketed elsewhere in the Community other than in Guadeloupe and Martinique, more than the maximum volume of 4 000 tonnes, the coefficient *z* obtained from the formula:

$$z = \frac{12\,000}{(i \cdot x) + k}$$

where:

x is the quantity of rice from French Guiana actually disposed of and marketed elsewhere in the Community other than in Martinique and Guadeloupe,

i is the coefficient of reduction for applications for aid in respect of the quantity of rice from French Guiana actually disposed of and marketed elsewhere in the Community other than in Martinique and Guadeloupe referred to at (a),

k is the quantity of rice from French Guiana actually disposed of and marketed in Martinique and Guadeloupe,

shall be applied.

The competent French authorities shall immediately notify the Commission of the application of this paragraph and of the quantities involved.

3. Aid shall be paid in respect of quantities actually disposed of and marketed under an annual contract or contracts and in accordance with the applicable provisions.

4. For the purposes of this Article, the coefficient for the processing of:

- paddy rice into wholly milled rice is fixed at 0,45,
- husked rice into wholly milled rice is fixed at 0,69,
- semi-milled rice into wholly milled rice is fixed at 0,93'.

5. Article 6 is replaced by the following:

Article 6

1. Products receiving aid under Article 3(3) of Regulation (EEC) No 3763/91 may not be exported; products disposed of and marketed in Guadeloupe and Martinique may not be reconsigned to the rest of the Community.

Products disposed of and marketed elsewhere in the Community which have benefited from the aid referred to in the first subparagraph may not be re-consigned to Guadeloupe, Martinique or French Guiana.

2. The competent authorities shall take all the necessary inspection measures to ensure compliance with paragraph 1. Such measures shall include, in particular, unannounced physical checks. The Member State concerned shall notify the Commission of the measures taken to this effect.

6. The following paragraph is added to Article 9:

'No later than 30 June and 31 December of each year, the competent French authorities shall send the Commission full information concerning implementa-

tion of the aid scheme, and in particular the quantities concerned, the amount of aid granted and the destination of the consignments'.

7. The Annex is replaced by the Annex to this Regulation.

Article 2

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

It shall apply from 12 November 1995. However, in the case of reassignments from Guadeloupe and Martinique to the rest of the Community and exports from those islands to non-member countries, Article 1(5) shall apply only from the date of entry into force of this Regulation.

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

Done at Brussels, 19 March 1998.

For the Commission

Franz FISCHLER

Member of the Commission

ANNEX

ANNEX

APPLICATION FOR AID

- Product:
- Marketing period: from to
- Business name of producer or producer's organisation:
- Address for administrative purposes:
(street, number, locality, telephone, telex):
- Business name of the natural or legal person established in Martinique/Guadeloupe:
- Address for administrative purposes:
- Bank and account number to which the aid is to be paid:
- Legal relationship between the operators (association contract):

To be completed by the Member State (by product and by marketing period)

Application received on:	Amount (in national currency)
ELIGIBLE EXPENDITURE	
1. Quantities marketed:	
2. Value of the production disposed of/ marketed, delivered at port of unloading, unloaded onto means of transport:	
3. Expenditure to be taken into consideration after assessment of the value indicated at 2 on the basis of supporting documents:	
4. Destination of the consignment:	
5. Coefficient of reduction (Quantity actually marketed) x i, j or z (1):	
6. Eligible expenditure (4 x 3):	
7. Aid percentage (10 % or 13 %):	
8. Amount payable (5 x 6):	

(1) See Article 3(2)

COMMISSION REGULATION (EC) No 643/98

of 20 March 1998

concerning tenders submitted in response to the invitation to tender for the export of husked long grain rice to the island of Réunion referred to in Regulation (EC) No 2094/97

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 Article 10 (1) thereof,

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

Whereas Commission Regulation (EC) No 2094/97 (⁴) opens an invitation to tender for the subsidy on rice exported to Réunion;

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

Whereas on the basis of the criteria laid down in Articles 2 and 3 of Regulation (EEC) No 2692/89, a maximum subsidy should not be fixed;

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

HAS ADOPTED THIS REGULATION:

Article 1

No action shall be taken on the tenders submitted from 16 to 19 March 1998 in response to the invitation to tender referred to in Regulation (EC) No 2094/97 for the subsidy on exports to Réunion of husked long grain rice falling within CN code 1 006 20 98.

Article 2

This Regulation shall enter into force on 21 March 1998.

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

Done at Brussels, 20 March 1998.

For the Commission

Franz FISCHLER

Member of the Commission

(¹) OJ L 329, 30. 12. 1995, p. 18.

(²) OJ L 20, 27. 1. 1998, p. 16.

(³) OJ L 29, 7. 9. 1989, p. 8.

(⁴) OJ L 292, 25. 10. 1997, p. 14.

COMMISSION REGULATION (EC) No 756/98

of 3 April 1998

concerning tenders submitted in response to the invitation to tender for the export of husked long grain rice to the island of Réunion referred to in Regulation (EC) No 2094/97

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 Article 10 (1) thereof,

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

Whereas Commission Regulation (EC) No 2094/97⁽⁴⁾ opens an invitation to tender for the subsidy on rice exported to Réunion;

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

Whereas on the basis of the criteria laid down in Articles 2 and 3 of Regulation (EEC) No 2692/89, a maximum subsidy should not be fixed;

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

HAS ADOPTED THIS REGULATION:

Article 1

No action shall be taken on the tenders submitted from 30 March to 2 April 1998 in response to the invitation to tender referred to in Regulation (EC) No 2094/97 for the subsidy on exports to Réunion of husked long grain rice falling within CN code 1 006 20 98.

Article 2

This Regulation shall enter into force on 4 April 1998.

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

Done at Brussels, 3 April 1998.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ L 329, 30. 12. 1995, p. 18.

⁽²⁾ OJ L 20, 27. 1. 1998, p. 16.

⁽³⁾ OJ L 29, 7. 9. 1989, p. 8.

⁽⁴⁾ OJ L 292, 25. 10. 1997, p. 14.

COMMISSION REGULATION (EC) No 878/98
of 24 April 1998

fixing the maximum subsidy on exports of husked long grain rice to Réunion
pursuant to the invitation to tender referred to in Regulation (EC) No 2094/97

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 Article 10 (1) thereof,

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

Whereas Commission Regulation (EC) No 2094/97⁽⁴⁾ opens an invitation to tender for the subsidy on rice exported to Réunion;

Whereas Article 9 of Regulation (EEC) No 2692/89 allows the Commission to fix, in accordance with the procedure laid down in Article 22 of Regulation (EC) No 3072/95 and on the basis of the tenders submitted, a maximum subsidy;

Whereas the criteria laid down in Articles 2 and 3 of Regulation (EEC) No 2692/89 should be taken into account when fixing this maximum subsidy; whereas successful tenderers shall be those whose bids are at or below the level of the maximum subsidy;

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

A maximum subsidy on exports to Réunion of husked long grain rice falling within CN code 1006 20 98 is hereby set on the basis of the tenders lodged from 20 to 23 April 1998 at ECU 298 per tonne pursuant to the invitation to tender referred to in Regulation (EC) No 2094/97.

Article 2

This Regulation shall enter into force on 25 April 1998.

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

Done at Brussels, 24 April 1998.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ L 329, 30. 12. 1995, p. 18.

⁽²⁾ OJ L 20, 27. 1. 1998, p. 16.

⁽³⁾ OJ L 261, 7. 9. 1989, p. 8.

⁽⁴⁾ OJ L 292, 25. 10. 1997, p. 14.

COMMISSION REGULATION (EC) No 1524/98
of 16 July 1998

laying down detailed rules for the application of the specific measures adopted in respect of fruit and vegetables, plants and flowers for the benefit of the French overseas departments

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EEC) No 3763/91 of 16 December 1991 introducing specific measures in respect of certain agricultural products for the benefit of the French overseas departments (*), as last amended by Regulation (EC) No 2598/95 (**), and in particular Articles 2(6), 14(4) and Article 16 thereof,

Whereas detailed rules for the application of Regulation (EEC) No 3763/91, as amended by Regulation (EC) No 2598/95, should be adopted as regards Article 2 thereof which provides for the extension to certain processed fruit of the measures to promote the supply of the French overseas departments (hereinafter referred to as 'the FOD'), and Article 14 thereof introducing aid for the production of processed fruit and vegetables;

Whereas common detailed rules for implementation of the specific measures for the supply of certain agricultural products to the FOD are laid down in Commission Regulation (EEC) No 131/92 (†), as last amended by Regulation (EC) No 1736/96 (††), and whereas detailed rules for the application of the system of import licences for products processed from fruit and vegetables are laid down in Commission Regulation (EC) No 1921/95 (†††), as amended by Regulation (EC) No 2427/95 (††††);

Whereas, pursuant to Article 2 of Regulation (EEC) No 3763/91, additional detailed rules should be laid down which are adapted to commercial practices as regards in particular the period of validity of licences and certificates and the amount of the security; whereas, in addition, the forecast supply balance for processed fruit for the FOD should be established, and the amount of aid should be set, taking account of the advantage resulting from customs duty exemption for products imported from third countries;

Whereas, in order to simplify the legislation, the body of this Regulation should include the provisions adopted in Commission Regulation (EC) No 489/97 of 17 March 1997 laying down detailed rules for the application of the specific measures adopted in respect of fresh fruit and vegetables, plants and flowers for the benefit of the

French overseas departments (FOD) (‡) for implementing the marketing and production aid schemes referred to in Articles 13 and 15 of Regulation (EEC) No 3763/91, and Regulation (EC) No 489/97 should be repealed;

Whereas, pursuant to the aforementioned Article 13, the marketing aid is to be set on a flat rate basis for each of the product categories to be determined, based on the average value of the products, and within the limits of annual quantities for each product category; whereas firstly a list of products eligible for the aid should be drawn up based on the supply needs of the regional markets, and secondly the categories should be established on the basis of the average value of the products so covered, and finally a maximum quantity for all the FOD should be set, providing for distribution of the quantities to be performed by the national authorities to enable the quantities available to be more closely matched to regional needs; whereas this requirement will allow products to be supplied to an FOD other than the one in which the product was harvested;

Whereas specific detailed rules should be laid down to ensure that the quantities set are monitored and the conditions for the grant of the aid are met; whereas, to that end, a system of approval of operators in the distribution and catering sectors and mass caterers, who undertake to meet certain requirements, will ensure satisfactory administration of the supply system;

Whereas, as regards the aid for the production of green vanilla and the aid for the production of essential geranium and vetiver oils, an approval mechanism, firstly for preparers of dried vanilla or vanilla extracts, and secondly for local collecting and marketing bodies, which undertake in particular to pay the aid in full to the recipient producers and meet the control requirements, will make it possible, within the framework of existing marketing structures, to apply these measures satisfactorily; whereas the quantities laid down in Article 13(3) of Regulation (EC) No 3763/91 are ceilings which, according to the most recent estimates communicated by the French authorities, will not be reached in the medium term; whereas for the sake of sound administration, and taking account of the needs of the most remote regions in question, the corresponding quantities available should be used for implementing the marketing scheme referred to above;

(*) OJ L 356, 24. 12. 1991, p. 1.
(**) OJ L 267, 9. 11. 1995, p. 5.
(†) OJ L 15, 22. 1. 1992, p. 13.
(††) OJ L 225, 6. 9. 1996, p. 3.
(†††) OJ L 185, 4. 8. 1995, p. 10.
(††††) OJ L 249, 17. 10. 1995, p. 12.

(‡) OJ L 76, 18. 3. 1997, p. 6.

Whereas, pursuant to Article 14 of Regulation (EEC) No 3763/91, firstly a list of products eligible for the aid should be drawn up, within the limits of annual quantities established for each category and in line with the scope for the development of local production and processing, and the amounts of the aid should be set on the basis of the prices of local or imported raw materials, and secondly special detailed rules should be adopted to ensure that the system is monitored and the conditions for granting the aid are met, in particular as regards contracts and the minimum price guaranteed to producers, and whereas to that end it is appropriate to incorporate certain provisions of Commission Regulation (EC) No 504/97⁽¹⁾, as amended by Regulation (EC) No 1491/97⁽²⁾, laying down detailed rules for the application of Council Regulation (EC) No 2201/96⁽³⁾, as amended by Regulation (EC) No 2199/97⁽⁴⁾, as regards the system of production aid for products processed from fruit and vegetables;

Whereas, as regards the marketing aid under the annual contracts referred to in Article 15 of Regulation (EEC) No 3763/91, it is necessary to define the concept of annual contract and specify the basis to be used for calculating the amount of aid, fixed at 10 % of the value of the production marketed, free at destination, and 13 % where Article 15(4) is applied; whereas, finally, the mechanism for distributing the quantities benefiting from the aid should be laid down for cases in which the ceilings fixed in that Article are exceeded;

Whereas general provisions applicable to these measures as a whole, especially those concerning control and notification, should be set out in a final chapter;

Whereas, in order to ensure optimum implementation of the new measures, the date of application of this Regulation should be 1 July 1998;

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

HAS ADOPTED THIS REGULATION:

CHAPTER I

Aid for supply

Article 1

1. For the purposes of Article 2(1) of Regulation (EEC) No 3763/91, the fruit and vegetable products exempt from duty on import from third countries or receiving

⁽¹⁾ OJ L 78, 20. 3. 1997, p. 4.

⁽²⁾ OJ L 202, 30. 7. 1997, p. 27.

⁽³⁾ OJ L 297, 21. 11. 1996, p. 29.

⁽⁴⁾ OJ L 303, 6. 11. 1997, p. 1.

Community aid shall be as set out in the forecast supply balance given in Part A of Annex I to this Regulation.

2. The aid provided for in Article 2(4) of Regulation (EEC) No 3763/91 for products for which a forecast supply balance is established shall be as set out in Part B of Annex I to this Regulation.

Article 2

Subject to the specific provisions of this Regulation, Regulation (EEC) No 131/92 shall apply.

Article 3

1. France shall designate the competent authorities responsible for issuing the import licences, exemption certificates and aid certificates provided for in Articles 2, 2a and 3 respectively of Regulation (EEC) No 131/92 and for payment of the aid and administration of securities.

2. Licence and certificate applications shall be submitted to the competent authority during the first five working days of any month. Applications shall be admissible only where they do not exceed the quantity available under the forecast balance and where the operator has lodged a security of ECU 3 per 100 kg.

3. Licences and certificates shall be issued on the 10th working day of the month at the latest.

4. Licences and certificates shall expire on the last day of the second month following the month in which they were issued.

5. Where, pursuant to Article 4(1) of Regulation (EEC) No 131/92, a licence or certificate is issued for a quantity which is less than the quantity applied for, the operator may withdraw his application within three working days of the date on which the licence or certificate is issued. The security relating to the licence or certificate shall then be released.

CHAPTER II

Aid for marketing on the regional market

Article 4

The aid provided for in Article 13 of Regulation (EEC) No 3763/91 shall be granted in respect of fresh fruit and vegetables with the exception of bananas other than plantains falling within CN code 0803 00 11, flowers and live plants listed in Chapters 6, 7 and 8 of the Combined Nomenclature, pepper and fruits of the genera *Capiscum* and *Pimenta* falling within CN code 0904 and the spices falling within CN code 0910, for supply to the FOD market, under the conditions laid down in this Chapter.

Article 5

1. The aid shall be granted to the producers referred to in Article 6 in respect of the products listed in column II of Part A of Annex II under three categories A, B and C:

(a) which comply with the standards established pursuant to Title I of Commission Regulation (EC) No 2200/96⁽¹⁾ as regards fruit and vegetables or, where such standards have not been established for the products concerned, with the quality specifications in the supply contracts referred to below; however, products presenting special characteristics linked to tropical production conditions shall not be excluded; and

(b) which are covered by supply contracts between the types of operator referred to in Article 6 for one or more marketing periods, concluded before the commencement of the relevant period, or before a date fixed by the competent authorities.

2. The amounts of aid applicable to each category of product shall be those set out in column IV of Part A of Annex II.

3. The aid shall be granted up to the annual quantities for each category of product set out in column III of Part A of Annex II.

The competent authorities shall determine for each FOD the products and quantities thereof in respect of which aid may be granted. They shall adjust the apportionment in the light of specific needs and available quantities.

4. Where justified by the supply needs for one or more products, the competent authorities may grant the aid for supply to a FOD other than the one in which the product concerned was harvested.

Article 6

1. Supply contracts shall be concluded between individual producers or producer groups on the one hand and, on the other, operators in the distribution sector, enterprises in the catering sector or mass caterers established in the production region and approved by the national authorities, without prejudice to Article 5(4).

The increase in aid provided for in the sixth subparagraph of Article 13(1) of Regulation (EEC) No 3763/91 and shown in column V of Part A of Annex II shall apply to contracts concluded by producer organisations recognised in accordance with Article 11 of Council Regulation (EC) No 2200/96 or producer groups recognised under Council Regulation (EEC) No 1360/78⁽²⁾ with operators in the distribution sector, enterprises in the catering sector or mass caterers.

(1) OJ L 297, 21. 11. 1996, p. 1.

(2) OJ L 166, 23. 6. 1978, p. 1.

2. The national authorities shall grant approval, upon application, to the distributors, enterprises and mass caterers referred to in paragraph 1 which undertake in writing to:

(a) supply the regional market with the products covered by the supply contracts;

(b) keep separate accounts for the supply contracts;

(c) provide the competent authorities, when the latter so request, with all supporting documentation concerning the implementation of the contracts and fulfilment of the undertakings made pursuant to this Regulation.

Article 7

1. Producers wishing to benefit from the aid arrangements shall send to the administration designated by the competent authorities, not later than the deadline set by those authorities, a declaration accompanied by a copy of a supply contract or a preliminary supply contract as referred to in Article 6(1), giving at least the following information:

— the business names of the parties to the contract,

— a precise description of the product(s) covered by the contract,

— an indication of the quantities to be supplied during the marketing period(s) and the forecast supply schedule.

2. The competent authorities may set a minimum quantity for each aid application.

Article 8

1. Where the information referred to in Article 7(1) indicates that there is a likelihood of the quantity set for a category of products shown in column III of Part A of Annex II being exceeded, the competent authorities shall set a provisional reduction coefficient to be applied to all aid applications in respect of that category of products.

The coefficient, which shall be equivalent to the ratio between the quantities referred to in column III of Part A of Annex II and those set by contract plus any additional quantities agreed, shall be calculated before any decision is taken to grant the aid and not later than one month after the date referred to in Article 7(1).

2. Where paragraph 1 is applied, the competent authorities shall establish at the end of the marketing year the definitive reduction coefficient to be applied to all aid applications in respect of the category of products concerned submitted during the marketing year.

CHAPTER III

Aid for the production of green vanilla and essential oils of geranium and vetiver

Article 9

1. Production aid for green vanilla falling within CN code ex 0905 intended for the production of dried (black) vanilla or vanilla extracts as provided for in Article 13(2) of Regulation (EEC) No 3763/91 shall be paid to the green vanilla producer via the processors approved by the competent authorities.

Where necessary for the proper application of the measure, the authorities shall specify the technical characteristics of the green vanilla which is eligible for production aid.

2. The competent authorities shall grant approval to processors established in the production region:

- (a) whose plant and equipment is suitable for the preparation of dried (black) vanilla or vanilla extracts; and
- (b) who undertake in writing:
 - to transfer the full amount of ECU 6,04 per kg to the green vanilla producer pursuant to one or more supply contracts not later than one month from the date of payment of the aid by the competent authorities,
 - to keep separate accounts for transactions connected with the application of this Article,
 - to allow any checks or inspections required by the competent administrations and to notify all information relating to the application of this Article.

Article 10

1. Production aid for essential oils of geranium and vetiver falling within CN codes 3301 21 and 3301 26 as provided for in Article 13(3) of Regulation (EEC) No 3763/91 shall be paid to producers through local collection and marketing bodies approved by the competent authorities.

The aid shall be paid for finished products obtained in accordance with recognised manufacturing procedures and having the technical characteristics published by the competent authorities.

2. The competent authorities shall grant approval to the bodies referred to in paragraph 1 established in the production region which undertake in writing:

- (a) to transfer to the producers the full amount of ECU 44,68 per kg of essential oils of geranium and vetiver pursuant to one or more supply contracts not later than one month from the date of payment of the aid by the competent administration;

- (b) to keep separate accounts for transactions connected with the application of this Article;

- (c) to allow any checks or inspections required by the competent administration and to notify all information relating to the application of this Article.

Article 11

1. Where the quantities for which aid applications are made under Article 9 or 10 exceed the annual quantities laid down in Part B of Annex II, the competent authorities shall set a percentage reduction to be applied to all applications.

2. The competent authorities shall adopt the necessary additional administrative provisions for the application of Articles 9 and 10, in particular as regards the submission of aid applications, and shall carry out the necessary checks on green vanilla producers, dried vanilla and vanilla extract processors, producers of geranium and vetiver oils and the collection and marketing bodies for these products.

They may make payment of the aid conditional upon the presentation of delivery notes jointly signed by the producer and, as the case may be, the processors or the approved collection and marketing bodies.

CHAPTER IV

Aid for the processing of fruit and vegetables

Article 12

The production aid provided for in Article 14 of Regulation (EEC) No 3763/91 shall be paid to the processors approved by France under the conditions laid down in this Chapter.

Article 13

1. The aid shall be paid for the processing of fruit and vegetables harvested in the FOD for which processors have paid a price at least equal to the minimum price under processing contracts covering the manufacture of products listed in Part B of Annex III.

2. The aid shall be paid up to the annual quantities for each of the three categories A, B and C set out in column II of Part A of Annex III.

The amounts of aid applicable to each category of products shall be as set out in column IV of Part A of Annex III. However, the aid shall not be payable for pineapples falling within CN code 0804 30 used in the manufacture of preserved products qualifying for the aid scheme provided for in Council Regulation (EEC) No 525/77⁽¹⁾.

⁽¹⁾ OJ L 73, 21. 3. 1977, p. 43.

3. The marketing year shall run from 1 January to 31 December.

Article 14

1. Processors wishing to qualify for the aid arrangements shall submit an application for approval to the administration designated by the competent authorities, not later than the deadline set by those authorities, giving all information required by France with a view to the administration and monitoring of the system of aid.

2. The French authorities shall grant approval, upon application, to processors or legally constituted processor associations or groups which:

- (a) have equipment suitable for processing fruit and vegetables; and
- (b) undertake in writing to:
 - keep separate accounts for implementation of the contracts referred to in Article 15,
 - provide the competent administration, when the latter so requests, with all supporting documentation concerning the implementation of the contracts and fulfilment of the undertakings made pursuant to this Regulation.

Article 15

1. Contracts as referred to in Article 14(1) of Regulation (EEC) No 3763/91, hereinafter referred to as 'processing contracts', shall be concluded in writing before the beginning of each marketing year. They shall take one of the following forms:

- (a) a contract between a producer or a producer organisation recognised pursuant to Article 11 of Regulation (EC) No 2200/96, on the one hand, and a processor or an association or group of processors approved by the national authorities, on the other;
- (b) an undertaking covering supplies, where the producer organisation referred to in (a) above acts as processor.

2. Processing contracts must specify:

- (a) the business names of the parties to the contract;
- (b) a precise description of the product(s) covered by the contract;
- (c) the quantities of raw materials to be supplied;
- (d) the timetable for deliveries to the processor;
- (e) the price to be paid for the raw materials, excluding in particular costs connected with packing, transport, and the payment of taxes, which shall, where applicable, be indicated separately. The price shall not be lower than the minimum price referred to in Article 13(1);

(f) the finished products to be produced.

3. On terms laid down for each product by the French authorities, the parties may decide, by written amendments to processing contracts, to increase the quantities originally stipulated therein.

Such amendments shall relate overall to no more than 30 % of the quantities originally stipulated in the contracts.

4. Where producer organisations act also as processors, the processing contracts covering their own production shall be deemed to have been concluded after the following particulars are forwarded to the competent authority within the time limit laid down in paragraph 5:

- (a) the total area on which the raw material is grown, together with cadastral reference numbers or a reference recognised as equivalent by the inspection agency,
- (b) an estimate of the total harvest,
- (c) the quantity intended to be processed,
- (d) the forecast processing schedule.

5. The processor or association of processors shall forward a copy of each processing contract and of any amendments thereto to the body designated by France. Such copies must be forwarded to the competent authorities within 10 working days following the conclusion of the contract or of any amendment thereto and reach them five working days before the start of deliveries.

6. For the 1998 marketing year, the final date for signing the contracts referred to in paragraph 1 shall be deferred to 30 September 1998.

Article 16

1. Without prejudice to cases covered by Article 15(1)(b), processors shall pay the price of the raw materials to the producer organisation or individual producer exclusively by bank or post-office transfer order or by crossed cheque.

Producer organisations shall pay producers the amount referred to in the first subparagraph in full within 15 working days of receipt, by bank or post-office transfer order or by crossed cheque. In cases as referred to in Article 15(1)(b), payment may be made by opening a credit. France shall adopt the measures necessary to check compliance with the provisions of this paragraph and shall provide in particular for penalties to be imposed on the administrators of the producer organisation in relation to the seriousness of the failure to comply.

2. France may adopt additional provisions relating to processing contracts, covering in particular time limits, terms and methods of payment of the minimum price and damages payable by processors, producer organisations or producers where they do not fulfil their obligations under contracts.

Article 17

Without prejudice to minimum quality criteria laid down or to be laid down in accordance with the procedure provided for in Article 46 of Regulation (EC) No 2200/96, raw materials delivered to processors under processing contracts shall be of sound and fair merchantable quality and suitable for processing.

Article 18

1. Processors shall submit two aid applications in respect of each marketing year to the agency designated by France:

- (a) the first relating to products processed from 1 January to 31 May;
- (b) the second relating to products processed from 1 June to 31 December.

2. Aid applications shall indicate in particular the net weight of the raw materials used and of the finished products obtained, described in accordance with Parts A and B of Annex II respectively. They shall be accompanied by copies of the transfer orders or crossed cheques provided for in the first subparagraph of Article 16(1). In the case of undertakings covering supplies, such copies may be replaced by a declaration by the producer to the effect that the processor has credited him with a price at least equal to the minimum price. Such copies or declarations shall quote the references of the relevant contracts.

Article 19

1. Where the information referred to in Article 15(5) indicates that there is a likelihood of the quantity set for a category of products shown in column III of Part A of Annex III being exceeded, the competent authorities shall set a provisional reduction coefficient to be applied to all aid applications in respect of that category submitted under Article 18(1)(a) above.

The coefficient, which shall be equivalent to the ratio between the quantities referred to in Column III of Part A of Annex III and those set by contract plus any additional quantities agreed, shall be calculated not later than 31 March.

2. Where paragraph 1 is applied, the competent authorities shall establish at the end of the marketing year the definitive reduction coefficient to be applied to all aid applications in respect of the category of products concerned submitted under Article 18(1)(a) and (b).

Article 20

1. Processors shall keep records showing at least the following:

- (a) consignments of raw materials purchased and entering their premises each day and covered by processing contracts or amendments thereto, together with the numbers of any receipts in respect of such consignments;
- (b) the weight of each consignment brought into their premises and the name and address of the other party to the contract;
- (c) the quantities of finished products obtained each day from processing of the raw materials on which the aid is payable;
- (d) the quantities and prices of products leaving the processor's premises, consignment by consignment, with details of the consignee. Such data may be recorded by reference to supporting documents, provided the latter contain the abovementioned particulars.

2. Processors shall retain proof of payment in respect of all raw materials purchased under processing contracts or amendments thereto.

3. Processors shall undergo any inspections or checks deemed necessary and shall keep such additional records as the French authorities require to conduct any checks they deem necessary. Where an inspection or checks cannot be conducted for reasons attributable to the processor, despite the latter having been formally notified thereof, no aid shall be paid in respect of the marketing years in question.

CHAPTER V

Aid for marketing under annual contracts

Article 21

1. For the purposes of Article 15 of Regulation (EEC) No 3763/91, 'annual contract' means a contract by which an operator, either a natural or a legal person established elsewhere in the Community, outside the FOD, undertakes, before the beginning of the marketing period for the product or products in question, to purchase all or part of the production of an individual producer, producers' association or group in the FOD, with a view to marketing it elsewhere.

2. Operators who intend to submit an application for aid shall send the annual contract to the competent French administration before the start of the marketing period for the product or products in question.

The contract shall at the very least include the following information:

- (a) the business names of the contracting parties and their places of establishment;
- (b) the description of the product or products;
- (c) the quantities concerned;

- (d) the duration of the commitment;
- (e) the marketing schedule;
- (f) the packaging and presentation method and information relating to transport (conditions and costs);
- (g) the exact delivery stage.

3. The competent administration shall assess the contracts for conformity with Article 15 of Regulation (EEC) No 3763/91 and with this Regulation. It shall verify that the contracts contain all the information specified in paragraph 2 above.

It shall inform the operator whether paragraph 6 is likely to be applied.

4. For the purpose of calculating the aid, the value of marketed production, delivered to destination zone, shall be evaluated on the basis of the annual contract, the particular transport documents and any other supporting documents submitted to justify the application for payment.

The value of the marketed production to be taken into account shall be equivalent to that of a delivery at the first port or airport of unloading.

The competent administration may request any information or additional supporting documentation required to calculate the aid.

5. Applications for aid shall be submitted by the buyer who entered into the commitment to market the product.

Where the management of the aid scheme so requires, the competent administration may specify marketing periods or years for each product.

6. Where, for a given product and for a given overseas department, the quantities for which aid is requested exceed the volume of 3 000 tonnes laid down in Article 15 of Regulation (EEC) No 3763/91 or, in the case of melons falling within CN code ex 0807 10 90, the limit laid down in paragraph 5 of that Article, the national authorities shall determine a uniform percentage reduction to be applied to all aid applications.

7. The increase in aid provided for in Article 15(4) of Regulation (EEC) No 3763/91 shall be paid on presentation of the commitments entered into by the partners to pool, for a period of not less than three years, the knowledge and know-how required to achieve the objective of the joint venture. These commitments shall include a clause prohibiting cancellation before the end of the aforementioned three-year period.

Where the aforementioned commitments are broken, the buyer may not submit an application for aid for the marketing year concerned.

CHAPTER VI

General provisions

Article 22

1. Applications for aid shall be submitted to the administration designated by the French authorities in accordance with the models established by the latter and, for the aids under Chapters II, III, IV and V, within the periods prescribed by them.

2. The applications shall be accompanied by invoices and all other supporting documents relating to the measures undertaken, in particular the reference of the supply contracts, delivery contracts, processing contracts or annual contracts for the aid referred to in, respectively, Chapters II, III, IV and V.

3. The competent administration, having verified the applications for aid and the relative supporting documents, shall pay out, in the two months following the end of the period for lodging applications, the aid determined in accordance with this Regulation.

Article 23

1. France shall communicate to the Commission:

(a) before the beginning of each marketing year, the minimum prices referred to in Chapter IV, set in accordance with Article 14 of Regulation (EEC) No 3763/91 in respect of each category of products set out in Annex III;

(b) no later than 31 May, broken down by category or product, the quantities covered by contract for the current marketing year pursuant to Chapters II, IV and V;

(c) no later than 31 May, a report on the implementation of the measures referred to in this Regulation in the preceding marketing year showing in particular:

— broken down by group of products set out in Part A of Annex I, the quantities in the forecast supply balance referred to in Chapter I for which exemption from import duty was granted or for which Community aid was paid,

— broken down by groups of products set out in Part A of Annex I, the quantities exported to third countries or to the rest of the Community,

— broken down by product set out in Part A of Annex II, the quantities which qualified for the aid and the increased aid referred to in Chapter II,

— the quantities of green vanilla and oil of geranium and vetiver which qualified for the aid referred to in Chapter III,

- the quantities of raw material which qualified for the aid referred to in Chapter IV, broken down by product set out in Part A of Annex III, and the quantities, expressed in net weight, of finished products broken down in accordance with Part B of Annex III,
 - the quantities which qualified for the aid and the increased aid referred to in Chapter V, broken down by product, and their average value within the meaning of Article 21(4);
- (d) no more than a month following their publication, the additional detailed rules adopted for the application of this Regulation.
2. For the 1998 marketing year the deadline referred to in paragraph 1(a) shall be 31 August 1998.

Article 24

1. The national authorities shall take all the necessary measures to guarantee compliance with the conditions to which the grant of the aid provided for in Articles 2, 13, 14 and 15 of Regulation (EEC) No 3763/91 is subject.

To that end, they shall carry out random on-the-spot checks on aid applications representing at least 20 % of the quantities and 10 % of the beneficiaries.

They shall withdraw the approvals referred to in Articles 6(2), 9(2), 10(2) and Article 14 where the commitments to which they are subject are not fulfilled.

They may suspend the payment of aid according to the seriousness of the irregularities discovered.

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

Done at Brussels, 16 July 1998.

2. Where aid has been paid out unduly, the competent administration shall recover the sums paid out, with interest from the date on which the aid was paid out to the date on which it was repaid by the beneficiary.

Where the undue payment has been made because of a false declaration, false documents or serious negligence on the part of the recipient, a penalty equal to the amount paid out unduly, with interest calculated in accordance with the above subparagraph, shall be imposed.

The interest rate shall be that applied by the European Monetary Cooperation Fund to its transactions in ecus as published in the C series of the *Official Journal of the European Communities*, in force on the date of the undue payment and increased by three percentage points.

3. The aid recovered shall be paid to the paying authorities or agencies and deducted by them from the expenditure financed by the European Agricultural Guidance and Guarantee Fund.

Article 25

Regulation (EEC) No 489/97 is hereby repealed.

References to the Regulation repealed shall be construed as references to this Regulation in accordance with the table of equivalence in Annex IV.

Article 26

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

It shall apply from 1 July 1998.

For the Commission

Franz FISCHLER

Member of the Commission

ANNEX 1

Part A: Forecast supply balance for processed fruit and vegetables for the FOD for the period 1 July to 31 December 1998

Product group	CN code	Product	Quantity (tonnes)
A	ex 2007 91 ex 2007 99	Fruit purées, being cooked preparations, whether or not containing added sugar or other sweetening matter, for processing citrus fruit other, not including tropical fruit	50
B	ex 2008 30 ex 2008 40 ex 2008 50 ex 2008 60 ex 2008 70 ex 2008 80 ex 2008 92 ex 2008 99	Fruit pulps, otherwise prepared or preserved, whether or not containing added sugar or other sweetening matter or spirit not elsewhere specified or included, for processing citrus fruit pears apricots cherries peaches strawberries mixtures, not including tropical fruit other, not including tropical fruit	750
C	ex 2009 11 11 ex 2009 11 19 ex 2009 19 11 ex 2009 19 19	Concentrated fruit juices (including grape must), unfermented and not containing added spirit, whether or not containing added sugar or other sweetening matter, for processing orange juice	500
D	ex 2009 20 11 ex 2009 20 19	grapefruit or pomelo juice	650
	ex 2009 60 11 ex 2009 60 19 ex 2009 60 51 ex 2009 60 71	grape juice	
	ex 2009 70 11 ex 2009 70 19	apple juice	
	ex 2009 80 11 ex 2009 80 19	pear juice	
	ex 2009 80 35 ex 2009 80 38	juice of any other fruit, not including tropical fruit	
	ex 2009 90 11 ex 2009 90 19	mixtures of apple and pear juice	
	ex 2009 90 21 ex 2009 90 29	other mixtures, not including tropical fruit	
Total			1 950

Part B: Amounts of aid referred to in Article 1(2):

Product groups defined in Part A	ECU/100 kg
A	39,69
B	21,66
C	37,12
D	43,29

ANNEX II

Part A: Products referred to in Article 5(1)

Maximum quantities referred to in Article 5(3) for each period from 1 January to 31 December
Amounts of aid referred to in Article 5(2) and increased aid referred to in the second subparagraph of Article 6(1)

Column I	Column II		Column III	Column IV	Column V	
Product category	CN code	Product	Maximum quantity	Aid	Increased aid	
A	0701 ex 0706 10 ex 0707 00 05 0709 90 90 0803 00 11 0804 30 00 0807 11 00	potatoes carrots cucumbers christophines, breadfruit plantains pineapples watermelons	6 800 tonnes	15,00 ECU/100 kg	15,75 ECU/100 kg	
	ex 0603 10	tropical flowers (standard anthurium, alpinas, heliconias, porcelain rose, bird-of-paradise flower)	3 640 000 units	15,00 ECU/100 units	15,75 ECU/100 units	
B	0702 00 00 ex 0703 10 ex 0704 ex 0705 11 0709 90 10 0709 30 00 0714 20 10 ex 0714 90 11 ex 0709 60 10 ex 0709 60 99 ex 0709 90 90 0804 40 ex 0804 50 00 ex 0805 ex 0807 ex 0810 90 30 ex 0810 90 85	tomatoes onions cabbages cabbage lettuce salad vegetables other than lettuce and chicory aubergines sweet potatoes yams, dachines or taro sweet peppers other peppers turban squash avocados mangoes citrus fruit (oranges, mandarins, lemons and limes, grapefruit and pomelos) melons and papayas lychees strawberry guavas	13 000 tonnes	23,00 ECU/100 kg	24,15 ECU/100 kg	
	C	0703 20 0708 20 0810 10 ex 0810 90 40 ex 0810 90 85 ex 0910 10 ex 0910 30 00	garlic green beans strawberries passion fruit maracuja, granadilla, rambutan ginger turmeric	700 tonnes	30,00 ECU/100 kg	31,50 ECU/100 kg
		ex 0603 90 00 ex 0603 10 0603 10 11 0603 10 51	tropical flowers (hybrid anthurium, Canna indica) orchids roses roses	2 500 000 units	30,00 ECU/100 units	31,50 ECU/100 units

Part B: Maximum quantities referred to in Article 12 for each period from 1 January to 31 December

CN code	Product	Quantity (kg)
ex 0905 00 00 3301 21	green vanilla essential oil of geranium	75 000 12 500
3301 26	essential oil of vetiver	2 500

ANNEX III

Part A: Products referred to in Article 13(1)
 Maximum quantities per marketing year referred to in Article 13(2)
 Amounts of aid referred to in Article 14(3)

Column I	Column II		Column III	Column IV
			Amount of aid	
Product category	CN code	Product	Quantity (tonnes)	Aid ECU/100 kg
A	ex 0703 10	onions for rougail and achards	8 320	21,56
	ex 0706 10 00	carrots for rougail and achards		
	ex 0714 90	christophines, breadfruit		
	0803 00 11	plantains		
	ex 0804 30 00	pineapples		
	ex 0804 50 00	guavas		
	0810 10	strawberries		
	ex 0810 90 85	strawberry guavas		
	ex 0810 90 85	ambarellas		
B	ex 0704 90	cabbage for rougail and achards	1 550	35,44
	0714 10	manioc		
	0714 20 10	sweet potatoes		
	ex 0714 90	dachines		
	ex 0709 90 90	turban squash		
	ex 0805 20	tangor mandarins		
	0805 30 90	limes		
	0807 20 00	papaws (papayas)		
	ex 0810 90 30	jackfruit, lychees		
	ex 0810 90 40	carambolas		
	ex 0810 90 85	Antilles apricots, rambutans, Surinam cherries, soursops		
C	0703 20 00	garlic for rougail and achards	560	41,21
	0709 60 99	peppers		
	ex 0703 20	beans for rougail and achards		
	ex 0714 90	yams		
	ex 0804 50 00	mangoes		
	ex 0805 90 00	combava		
	ex 0810 90 40	passion fruit		

Part B: Finished products referred to in Article 14(1)

CN code	Product
ex 0710	vegetables, frozen, uncooked
ex 0712	dried vegetables
ex 0714	dried vegetables
2001	fruit and vegetables preserved by vinegar or acetic acid
2004 90 98	frozen vegetables
ex 2005 90	vegetable preserves and vegetables, vacuum sterilised
ex 2006 00	fruit preserved in sugar
2007	jams, fruit jellies, marmalades, fruit or nut purée and pastes
ex 2008	fruit pulps
2009	fruit juices

ANNEX IV

TABLE OF EQUIVALENCE

Regulation (EC) No 489/97	This Regulation
<i>Chapter I</i> Article 1 Article 2 Article 3 Article 4 Article 5	<i>Chapter II</i> Article 4 Article 5 Article 6 Article 7 Article 8
<i>Chapter II</i> Article 6 Article 7 Article 8	<i>Chapter III</i> Article 9 Article 10 Article 11
<i>Chapter III</i> Article 10 Article 11	<i>Chapter V</i> Article 22 Article 24

COMMISSION REGULATION (EC) No 2296/98
of 23 October 1998

amending Regulation (EC) No 28/97 and assessing requirements for the supply of
certain vegetable oils (other than olive oil) for the processing industry in the
French overseas departments

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

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

Whereas Commission Regulation (EC) No 28/97 of 9
January 1997 laying down detailed rules for implementa-
tion of the specific measures for the supply of certain
vegetable oils for the processing industry in the French
overseas departments and assessing supply require-
ments (*), as amended by Regulation (EC) No 96/98 (**),
establishes the supply requirements for those products for
1998;

Whereas for 1998 the supply requirements of the depart-
ment of Réunion are assessed at 8 000 tonnes in the case
of vegetable oils (other than olive oil); whereas the infor-
mation supplied by the French authorities indicates that

this quantity will be insufficient to cover the require-
ments of Réunion's processing industry; whereas it should
therefore be increased to 9 200 tonnes; whereas the
Annex to Regulation (EC) No 28/97 should therefore be
amended;

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

HAS ADOPTED THIS REGULATION:

Article 1

The Annex to Regulation (EC) No 28/97 is replaced by
the Annex to this Regulation.

Article 2

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

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

Done at Brussels, 23 October 1998.

For the Commission
Franz FISCHLER
Member of the Commission

(*) O J L 356, 24. 12. 1991, p. 1.
(**) O J L 267, 9. 11. 1995, p. 1
(*) O J L 6, 10. 1. 1997, p. 15.
(**) O J L 9, 15. 1. 1998, p. 29.

ANNEX

ANNEX

Assessment of supply requirements for vegetable oils (other than olive oil) for the processing industry falling within CN codes 1507 to 1516 (except 1509 and 1510) for the French overseas departments for 1998.

Department	Quantity (in tonnes)
French Guiana	400
Martinique	2 000
Réunion	9 200
Guadeloupe	300
Total	11 900

COMMISSION REGULATION (EC) No 2563/98
of 27 November 1998
on a tendering procedure for the subsidy on consignments of husked long grain rice to Réunion

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

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

Whereas Commission Regulation (EEC) No 2692/89 ⁽³⁾ lays down detailed rules for exports of rice to Réunion;

Whereas examination of the supply situation on the island of Réunion shows a shortage of rice; whereas, in view of the availability of rice on the Community market, Réunion should be allowed to obtain supplies on that market; whereas, because of the special situation of Réunion, it is appropriate to limit the quantities to be delivered and, therefore, to fix the amount of the subsidy by tendering procedure;

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

1. A tendering procedure is hereby opened for the subsidy for consignments of husked long grain rice falling within CN code 1006 20 98, referred to in Article 10(1) of Regulation (EC) No 3072/95, to Réunion.

2. The tendering procedure referred to in paragraph 1 shall be open until 24 June 1999. During that period, weekly invitations to tender shall be made for which the date for submission of tenders shall be set out in the notice of invitation to tender.

3. The tendering procedure shall take place in accordance with the provisions of Regulation (EEC) No 2692/87 and this Regulation.

Article 2

A tender shall be admissible only if it covers a quantity of at least 50 tonnes but not more than 3 000 tonnes.

Article 3

The security referred to in Article 7(3)(a) of Regulation (EEC) No 2692/89 shall be ECU 30 per tonne.

Article 4

The subsidy documents issued in the context of this tendering procedure shall, for the purposes of determining their period of validity, be considered as having been issued on the final day of the period for the submission of tenders.

Article 5

Tenders must reach the Commission via the Member States not later than one and a half hours after expiry of the deadline for weekly submission of tenders as laid down in the notice of invitation to tender. They must be transmitted in accordance with the table given in the Annex.

If no tenders are submitted, Member States shall inform the Commission accordingly within the same deadline as that given in the preceding paragraph.

Article 6

The time laid down for submitting tenders shall be Belgian time.

Article 7

1. On the basis of tenders submitted, the Commission shall decide in accordance with the procedure laid down in Article 22 of Regulation (EC) No 3072/95:

- either to fix a maximum subsidy,
- or not to take any action on the tenders.

2. Where a maximum subsidy is fixed, an award shall be made to the tenderer or tenderers whose tenders are at or below the maximum subsidy level.

Article 8

The deadline for submission of tenders for the first partial invitation to tender shall expire on 10 December 1998 at 10 a.m.

The final date for submission of tenders shall be 24 June 1999.

Article 9

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

⁽¹⁾ OJ L 329, 30. 12. 1995, p. 18.

⁽²⁾ OJ L 265, 30. 9. 1998, p. 4.

⁽³⁾ OJ L 261, 7. 9. 1989, p. 8.

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

Done at Brussels, 27 November 1998.

For the Commission
FRANZ FISCHLER
Member of the Commission

ANNEX

Weekly invitation to tender for the subsidy for consignments of husked long grain rice to Réunion

Deadline for the submission of tenders (date/time)

1	2	3
Serial numbers of tenders	Quantities (tonnes)	Amount of subsidy in ecu per tonne
1		
2		
3		
4		
5		
etc.		

COMMISSION DECISION

of 3 December 1998

on the Community's financial contribution to a programme for the control of organisms harmful to plants and plant products in the French overseas departments for 1998

(notified under document number C(1998) 3788)

(Only the French text is authentic)

(98/717/EC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EEC) No 3763/91 of 16 December 1991 introducing specific measures in respect of certain agricultural products for the benefit of the French overseas departments⁽¹⁾, as last amended by Regulation (EC) No 2598/95⁽²⁾, and in particular the first subparagraph of Article 11(3) thereof,

Whereas Commission Decision 93/522/EEC⁽³⁾, as last amended by Decision 96/633/EC⁽⁴⁾, defines the measures eligible for Community financing under programmes for the control of organisms harmful to plants and plant products in the French overseas departments, the Azores and Madeira;

Whereas specific growing conditions in the French overseas departments call for particular attention; whereas measures concerning crop production, in particular plant health measures, must be adopted or strengthened in those regions;

Whereas the plant health measures to be adopted or strengthened are particularly costly;

Whereas a programme of measures has been presented to the Commission by the competent French authorities; whereas this programme specifies the objectives to be achieved, the operations to be carried out, their duration and their cost with a view to a possible Community financial contribution;

Whereas the Community's financial contribution may cover up to 60 % of eligible expenditure, protective measures for bananas being excluded;

Whereas the plant protection operations in the French overseas departments provided for in the single programme documents for the period 1994/99 and financed from the Structural Funds cannot be the same as those contained in this programme;

Whereas the operations provided for in the European Community framework programme for research and technological development cannot be the same as those contained in this programme;

Whereas the technical information provided by France has enabled the Standing Committee on Plant Health to analyse the situation accurately and comprehensively;

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

HAS ADOPTED THIS DECISION:

Article 1

A Community financial contribution to the official programme for the control of organisms harmful to plants and plant products in the French overseas departments presented by France for 1998 is hereby approved.

Article 2

The official programme shall consist of four sub-programmes:

1. a sub-programme drawn up for the department of Guadeloupe in three parts:
 - evaluation structures, analysis and diagnostics of phytosanitary risks,
 - control of main harmful organisms,
 - control of scales;
2. a sub-programme drawn up for the department of Guyana in three parts:
 - evaluation structures, analysis and diagnostics of phytosanitary risks,
 - development of control methods for main harmful organisms,
 - agricultural pest warning system for rice producers;

⁽¹⁾ OJ L 356, 24. 12. 1991, p. 1.

⁽²⁾ OJ L 267, 30. 10. 1995, p. 1.

⁽³⁾ OJ L 251, 8. 10. 1993, p. 35.

⁽⁴⁾ OJ L 283, 5. 11. 1996, p. 58.

3. a sub-programme drawn up for the department of Réunion in three parts:
 - evaluation structures, analysis and diagnostics of phytosanitary risks,
 - development of control methods for main harmful organisms,
 - applied research on harmful organisms;
4. a sub-programme drawn up for the department of Martinique in three parts:
 - evaluation structures, analysis and diagnostics of phytosanitary risks,
 - control of main harmful organisms,
 - biological and integrated crop control.

Article 3

The Community's financial contribution to the programme in 1998 presented by France shall be 60 % of expenditure related to eligible measures as defined by Decision 93/522/EEC, with a maximum of ECU 750 000 (VAT excluded).

The Community shall reimburse expenditure up to the amount given in the first paragraph, at the accounting rate for the ecu on 1 September 1998, namely ECU 1 = FRF 6,611350.

Article 4

An advance of ECU 300 000 shall be paid to France.

Article 5

The Community assistance shall relate to expenditure on eligible measures associated with the operations covered by the programme for which provisions are adopted by

France and for which the necessary financial resources are committed between 1 October and 31 December 1998. The final date for payments in connection with the operations shall be 30 September 1999; unjustified delay shall entail loss of entitlement to Community financing.

Should any extension of the deadline for payment become necessary, the competent official authorities shall submit a request along with the necessary justification, before the final date laid down.

Article 6

Provisions on the financing of the programme, compliance with Community policies and the information to be supplied to the Commission by France shall be as set out in Annex II.

Article 7

Any public contracts connected with investments covered by this Decision shall be subject to Community law.

Article 8

This Decision is addressed to the French Republic.

Done at Brussels, 3 December 1998.

For the Commission

Franz FISCHLER

Member of the Commission

ANNEX I

FINANCIAL TABLE FOR 1998

(in ecus)(¹)

	Eligible expenses 1998		
	EC	National	Total
Guadeloupe	168 000	112 000	280 000
Guyana	124 800	83 200	208 000
Martinique	222 000	148 000	370 000
Réunion	235 200	156 800	392 000
Total	750 000	500 000	1 250 000

(¹) ECU 1 = FRF 6,611350 (1 September 1998).

ANNEX II

I. PROVISIONS ON THE IMPLEMENTATION OF THE PROGRAMME

A. Provisions on financial implementation

1. The Commission's intention is to establish real cooperation with the authorities responsible for the implementation of the programme. In line with the programme these authorities are those indicated below.

Commitments and payments

2. France shall guarantee that all public and private bodies involved in the management and implementation of all operations part-financed by the Community shall keep suitable accounting records of all transactions in order to facilitate the verification of expenditure by the Community and the national inspection authorities.
3. The initial budgetary commitment shall be based on an indicative financial plan; this commitment shall be made for one year.
4. The commitment will be made when the decision approving assistance is adopted by the Commission under the procedure provided for in Article 16a of Council Directive 77/93/EEC⁽¹⁾, as last amended by Commission Directive 98/2/EC⁽²⁾.
5. Following commitment, an initial advance of ECU 300 000 shall be paid.
6. The balance of the amount committed shall be paid as two equal payments, each of ECU 225 000. The first instalment of the balance shall be paid upon presentation to and approval by the Commission of an interim activity report. The second and final instalment of the balance shall be paid upon presentation to and approval by the Commission of a final activity report and a detailed breakdown of the total expenditure incurred.

Authorities responsible for the implementation of the programme

— Central administration:

Ministère de l'agriculture et de la pêche
Direction générale de l'alimentation
Sous-direction de la protection des végétaux
175, rue du Chevaleret
75646 PARIS CEDEX 13

— Local administration:

— Guadeloupe:

Ministère de l'agriculture et de la pêche
Direction de l'agriculture et de la forêt
Jardin Botanique
97109 BASSE TERRE CEDEX

— Martinique:

Ministère de l'agriculture et de la pêche
Direction de l'agriculture et de la forêt
Jardin Desclieux
BP 642
97262 FORT DE FRANCE CEDEX

— Guyana:

Ministère de l'agriculture et de la pêche
Direction de l'agriculture et de la forêt
Cité Rebard
Route de Baduel
BP 746
97305 CAYENNE CEDEX

— Réunion:

Ministère de l'agriculture et de la pêche
Direction de l'agriculture et de la forêt
Parc de la Providence
97489 SAINT DENIS DE LA RÉUNION

⁽¹⁾ OJ L 26, 31. 1. 1977, p. 20.

⁽²⁾ OJ L 15, 21. 1. 1998, p. 34.

7. The actual expenditure incurred shall be notified to the Commission broken down by type of action or sub-programme in a way demonstrating the link between the indicative financial plan and expenditure actually incurred. If France keeps suitable computerised accounts this will be acceptable.
8. All payments of aid granted by the Community under this Decision shall be made to the authority designated by France, which will also be responsible for repayment to the Community of any excess amount.
9. All commitments and payments shall be made in ecus.

Financial schedules for Community support frameworks and amounts of Community aid shall be expressed in ecus at the rate fixed by this Decision. Payment shall be made to the following account:

Ministère du budget
Direction de la comptabilité publique
Agence comptable centrale du Trésor
139, rue de Bercy
75572 PARIS CEDEX 12
N° E 478 98 Divers

Financial control

10. Inspections may be carried out by the Commission or the Court of Auditors should it so request. France and the Commission shall immediately exchange all relevant information in regard to the outcome of an inspection.
11. For three years following the last payment relating to the assistance the authority responsible for implementation shall keep available to the Commission all documentary evidence of expenditure incurred.
12. When it submits applications for payment France shall make available to the Commission all official reports relating to supervision of the measures in question.

Reduction, suspension and withdrawal of aid

13. France shall declare that Community funds are used for the intended purposes. If implementation of a measure appears to require only part of the financial assistance allotted the Commission shall immediately recover the amount due. In cases of dispute the Commission shall examine the case, asking France or the other authorities designated by France for implementation of the measure to submit their comments within two months.
14. The Commission may reduce or suspend aid for a measure if the examination confirms the existence of an irregularity, in particular of a substantial modification affecting the nature or conditions of implementation of the measure for which approval by the Commission has not been sought.

Recovery of undue payments

15. All sums unduly paid must be reimbursed to the Community by the designated authority indicated in point 8. Interest may be levied on sums not reimbursed. If for any reason the designated authority indicated in point 8 does not reimburse the Community, France shall pay the amount to the Commission.

Prevention and detection of irregularities

16. The partners shall observe a code of conduct drawn up by France in order to ensure that any irregularity in the provision of assistance programme is detected. France shall ensure that:
 - suitable action is taken in this area,
 - any amount unduly paid as a result of an irregularity is recovered,
 - action is taken to prevent irregularities.

B. Monitoring and assessment

1. Monitoring Committee

1. Establishment

Independent of the financing of this action, a Monitoring Committee for the programme shall be set up, composed of representatives of France and the Commission. It shall review implementation of the programme regularly and, in appropriate cases, propose any adjustments required.

2. The committee shall establish its own internal procedures within one month of the notification of the present decision to France.

3. Competence of Monitoring Committee

The committee:

- shall have as its general responsibility the satisfactory progress of the programme towards attainment of the objectives set. Its competence shall embrace the programme measures within the limits of the Community aid granted. It shall keep watch with respect to the regulatory provisions, including those on eligibility of operations and projects,
- shall, on the basis of information on the selection of projects already approved and implemented, reach an opinion on application of the selection criteria set out in the programme,
- shall propose any action required to accelerate implementation of the programme should the information furnished periodically by the interim monitoring and assessment indicators reveal a delay,
- may, in agreement with the Commission representative(s), adjust the financing plans within a limit of 15 % of the Community contribution to a sub-programme or measure for the entire period, and 20 % for any financial year, provided that the total amount scheduled in the programme is not exceeded. Care must be taken to see that the main objectives of the programme are not thereby compromised,
- shall give its opinion on the adjustments proposed to the Commission,
- shall issue an opinion on technical assistance projects scheduled in the programme,
- shall give its opinion on the final draft report,
- shall report regularly, and at least twice during the relevant period, to the Standing Committee on Plant Health on the progress of the programme and expenditure incurred.

II. *Monitoring and assessment of the programme during the implementation period (continuous monitoring and assessment)*

1. The national agency responsible for implementation shall also be responsible for continuous monitoring and assessment of the programme.
2. By continuous monitoring is meant an information system on the state of progress of the programme. Continuous monitoring will cover the measures contained in the programme. It involves reference to the financial and physical indicators structured so as to permit assessment of the correspondence between expenditure on each measure and predefined physical indicators showing the degree of realisation.
3. Continuous assessment of a programme will involve analysis of the quantitative results of implementation on the basis of operational, legal and procedural considerations. The purpose is to guarantee correspondence between measures and programme objectives.

Implementation report and scrutiny of programme

4. France shall notify to the Commission, within one month of adoption of the programme, the name of the authority responsible for compilation and presentation of the final implementation report.

The final report shall contain a concise evaluation of the entire programme (degree of achievement of physical and qualitative objectives and of progress accomplished) and an assessment of the immediate phytosanitary and economic impact.

The final report on the present programme will be presented by the competent authority to the Commission on 31 December 1998 at the latest and shall thereafter be presented to the Standing Committee on Plant Health as soon as possible after that date.

5. The Commission may jointly with France call in an independent assessor who shall, on the basis of the continuous monitoring, carry out the continuous assessment referred to in point 3. He/she may submit proposals for adjustment of the sub-programmes and/or measures, and amending the selection criteria for projects, etc., in the light of difficulties encountered in the course of implementation. On the basis of monitoring of management he/she shall give an opinion on the administrative measures to be taken.

C. Information and publicity

In the framework of this action, the agency appointed as responsible for the programme shall ensure that it is adequately publicised.

It shall in particular take action to:

- make potential recipients and professional organisations aware of the possibilities offered under the programme measures,
- make the general public aware of the Community's role in the programme.

France and the agency responsible for implementation shall consult the Commission on initiatives envisaged in this area, possibly through the Monitoring Committee. They shall regularly notify the Commission of information and publicity measures adopted, either by a final report or through the Monitoring Committee.

The national legal provisions on confidentiality of information shall be complied with.

II. COMPLIANCE WITH COMMUNITY POLICIES

Community policies applying in this field must be complied with.

The programme shall be implemented in accordance with the provisions on coordination of and compliance with Community policies. The following information must be supplied by France.

1. Award of public contracts

The 'public contracts' (*) questionnaire must be completed for:

- public contracts above the ceilings set by the 'supplies' and 'works' Directives that are awarded by contract-awarding authorities as defined in these Directives and are not covered by the exemptions specified therein,
- public contracts below these ceilings where they constitute components of a single piece of work or of uniform supplies of a value above the ceiling. By 'a single piece of work' is meant a product of building or civil engineering works intended in itself to fulfil an economic or technical function.

The ceilings will be those in force on the date of notification of this Decision.

2. Protection of the environment

(a) General information

- description of the main environmental features and problems of the region concerned, giving, *inter alia*, a description of the important conservation areas (sensitive zones),
- a comprehensive description of the major beneficial and harmful effects that the programme, given the investments planned, is likely to have on the environment,
- a description of the action planned to prevent, reduce or offset any serious harmful effects on the environment,
- a report on consultations with the responsible environmental authorities (opinion of the Ministry for the Environment or its equivalent) and, if there were any such consultations, with the public concerned.

(b) Description of planned activities

For programme measures liable to have a significantly harmful effect on the environment:

- the procedures which will be applied for assessing individual projects during implementation of the programme,
- the mechanisms planned for monitoring environmental impact during implementation, assessing results and eliminating, reducing or offsetting harmful effects.

(*) Notice C(88) 2510 to the Member States on monitoring compliance with public procurement rules in the case of projects and programmes financed by the Structural Funds and financial instruments (OJ C 22, 28. 1. 1989, p. 3).

COMMISSION REGULATION (EC) No 2718/98
of 16 December 1998

amending Regulation (EC) No 1771/96 laying down detailed rules for the implementation of the specific measures for the supply of hops to the French overseas departments

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

HAS ADOPTED THIS REGULATION:

Having regard to the Treaty establishing the European Community,

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

Whereas Commission Regulation (EC) No 1771/96⁽³⁾, as amended by Regulation (EC) No 1240/97⁽⁴⁾, establishes the quantities of the forecast supply balance for the French overseas departments of hops eligible for exemption from import duties or for Community aid from the rest of the Community as well as the amount of that aid; whereas the above quantities should be established for the period 1 January to 31 December 1999;

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

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

Done at Brussels, 16 December 1998.

Article 1

Article 1 of Regulation (EC) No 1771/96 is hereby replaced by the following:

Article 1

For the purposes of Article 2 of Regulation (EEC) No 3763/91, the quantity of the forecast supply balance for hops falling within CN codes 1210 and 1302 13 00 eligible for exemption from duty on importation into the French overseas departments or, for products from the rest of the Community, eligible for Community aid is hereby set at 15 tonnes for the period 1 January to 31 December 1999. This quantity shall be allocated as laid down in the Annex.

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

Article 2

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

It shall apply from 1 January 1999.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ L 356, 24. 12. 1991, p. 1.

⁽²⁾ OJ L 267, 9. 11. 1995, p. 1.

⁽³⁾ OJ L 232, 13. 9. 1996, p. 11.

⁽⁴⁾ OJ L 173, 1. 7. 1997, p. 74.

ANNEX

<i>(tonnes)</i>	
Hops falling within CN codes 1210 and 1302 13 00	
Guadeloupe	1
Martinique	3
Réunion	11

COMMISSION REGULATION (EC) No 2754/98
of 18 December 1998

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

THE COMMISSION OF THE EUROPEAN COMMUNITIES, HAS ADOPTED THIS REGULATION:

Having regard to the Treaty establishing the European Community,

Article 1

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

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

1. Article 1 is replaced by the following:

Article 1

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

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

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

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

2. Article 2 is replaced by the following:

Article 2

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

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

3. the Annex is replaced by the Annex hereto.

Article 2

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

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

It shall apply from 1 January 1999.

(*) OJ L 356, 24. 12. 1991, p. 1.

(**) OJ L 267, 9. 11. 1995, p. 1.

(*) OJ L 232, 13. 9. 1996, p. 13.

(*) OJ L 187, 1. 7. 1998, p. 39.

(*) OJ L 162, 19. 6. 1997, p. 1.

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

Done at Brussels, 18 December 1998.

For the Commission
Franz FISCHLER
Member of the Commission

ANNEX

ANNEX

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

COMMISSION REGULATION (EC) No 2772/98

of 21 December 1998

establishing the forecast supply balance and Community aid for the supply to French Guiana of products falling within CN codes 2309 90 31, 2309 90 33, 2309 90 41, 2309 90 43, 2309 90 51 and 2309 90 53 used in feedingstuffs for 1999

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EEC) No 3763/91 of 16 December 1991 introducing specific measures in respect of certain agricultural products for the benefit of the French overseas departments (¹), as last amended by Regulation (EC) No 2598/95 (²), and in particular Article 3(5) thereof,

Whereas Article 3(1) of Regulation (EEC) No 3763/91 introduces an exemption scheme for duties on imports into French Guiana and aid for the supply by the rest of the Community of certain cereal products used in feedingstuffs;

Whereas the supply balance for these products for the department of Guiana should be drawn up on the basis of feedingstuffs requirements based on the notifications sent by the competent authorities for the year 1999;

Whereas Commission Regulation (EEC) No 388/92 (³), as last amended by Regulation (EC) No 2621/98 (⁴), lays down detailed rules for the implementation of the specific arrangements for the supply of cereal products to the French overseas departments; whereas those provisions, which supplement Commission Regulation (EEC) No 131/92 (⁵) for the cereals sector, as last amended by Regulation (EC) No 1736/96 (⁶), apply to cereals used in feedingstuffs as referred to in this Regulation;

Whereas, in accordance with Regulation (EEC) No 3763/91, the amount of the aid for the supply of Community products must be determined in such a way that users are supplied on terms equivalent to exemption from levies on imports from the world market; whereas fixing the aid at an amount equal to the export refund plus a fixed component to take account of conditions for deliveries of small quantities will satisfy this aim;

Whereas this Regulation should apply from 1 January 1999;

(¹) OJ L 356, 24. 12. 1991, p. 1.

(²) OJ L 267, 9. 11. 1995, p. 1.

(³) OJ L 43, 19. 2. 1992, p. 16.

(⁴) OJ L 329, 5. 12. 1998, p. 14.

(⁵) OJ L 15, 22. 1. 1992, p. 13.

(⁶) OJ L 225, 6. 9. 1996, p. 3.

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

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

HAS ADOPTED THIS REGULATION:

Article 1

Pursuant to Article 3(1) and (2) of Regulation (EEC) No 3763/91, the forecast supply balance quantities of products falling within CN codes 2309 90 31, 2309 90 33, 2309 90 41, 2309 90 43, 2309 90 51 and 2309 90 53 used in feedingstuffs eligible for exemption from import duties or for Community aid shall be as specified in the Annex.

Article 2

The amount of the aid for the supply of feedingstuffs referred to in Article 1 and manufactured from cereals processed in the rest of the Community shall be equal to the export refunds for those products, plus EUR 20 per tonne.

Article 3

Article 1(2) and Articles 2 to 7 of Regulation (EEC) No 388/92 shall apply to the supply to French Guiana of the products referred to in Article 1 of this Regulation.

Article 4

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

It shall apply from 1 January 1999.

(⁷) OJ L 162, 19. 6. 1997, p. 1.

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

Done at Brussels, 21 December 1998.

For the Commission
Franz FISCHLER
Member of the Commission

ANNEX

Supply balance for French Guiana of certain products used in feedingstuffs

(tonnes)

CN code	Quantity for 1999
2309 90 31 2309 90 41 2309 90 51	6 225
2309 90 33 2309 90 43 2309 90 53	300
Total	6 525

COMMISSION REGULATION (EC) No 2783/98
of 22 December 1998

amending Regulation (EC) No 1524/98 laying down detailed rules for the application of the specific measures adopted in respect of fruit and vegetables, plants and flowers for the benefit of the French overseas departments and determining the forecast supply balance for 1999

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

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

Whereas common detailed rules for implementation of the specific measures for the supply of certain agricultural products to the French overseas departments are laid down in Commission Regulation (EEC) No 131/92⁽³⁾, as last amended by Regulation (EC) No 1736/96⁽⁴⁾, and whereas Commission Regulation (EC) No 1524/98⁽⁵⁾ lays down additional detailed rules for the application of the arrangements for the supply of processed fruit and vegetables and the forecast balance determining the quantities eligible for the specific supply arrangements for the period 1 July to 31 December 1998;

Whereas the quantities of products eligible for the specific supply arrangements are determined by means of forecast balances established periodically and subject to

revision on the basis of essential market requirements and taking account of local production and traditional trade flows; whereas the forecast balance based on the French overseas departments' market requirements for 1999 is established in the Annex hereto;

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

HAS ADOPTED THIS REGULATION:

Article 1

Part A of Annex I to Regulation (EC) No 1524/98 is replaced by the Annex to this Regulation.

Article 2

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

It shall apply from 1 January 1999.

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

Done at Brussels, 22 December 1998.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ L 356, 24. 2. 1991, p. 1.

⁽²⁾ OJ L 267, 9. 11. 1995, p. 1.

⁽³⁾ OJ L 15, 22. 1. 1992, p. 13.

⁽⁴⁾ OJ L 225, 6. 9. 1996, p. 3.

⁽⁵⁾ OJ L 201, 17. 7. 1998, p. 29.

ANNEX

'Part A: Forecast supply balance for processed fruit and vegetables for the FOD for the period 1 January to 31 December 1999

Product group	CN code	Product	Quantity (tonnes)
A	ex 2007 91 ex 2007 99	Fruit purées, being cooked preparations, whether or not containing added sugar or other sweetening matter, for processing citrus fruit other, not including tropical fruit	100
B	ex 2008 30 ex 2008 40 ex 2008 50 ex 2008 60 ex 2008 70 ex 2008 80 ex 2008 92 ex 2008 99	Fruit pulps, otherwise prepared or preserved, whether or not containing added sugar or other sweetening matter or spirit not elsewhere specified or included, for processing citrus fruit pears apricots cherries peaches strawberries mixtures, not including tropical fruit other, not including tropical fruit	1 500
C	ex 2009 11 11 ex 2009 11 19 ex 2009 19 11 ex 2009 19 19	Concentrated fruit juices (including grape must), unfermented and not containing added spirit, whether or not containing added sugar or other sweetening matter, for processing orange juice	1 000
D	ex 2009 20 11 ex 2009 20 19	Grapefruit or pomelo juice	1 300
	ex 2009 60 11 ex 2009 60 19 ex 2009 60 51 ex 2009 60 71	Grape juice	
	ex 2009 70 11 ex 2009 70 19	Apple juice	
	ex 2009 80 11 ex 2009 80 19	Pear juice	
	ex 2009 80 35 ex 2009 80 38	Juice of any other fruit, not including tropical fruit	
	ex 2009 90 11 ex 2009 90 19	Mixtures of apple and pear juice	
	ex 2009 90 21 ex 2009 90 29	Other mixtures, not including tropical fruit	
Total			3 900

Part 2 : FODs

B. Cereals

COMMISSION REGULATION (EC) No 876/98

of 24 April 1998

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

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

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

Whereas the amounts of aid for the supply of cereals products to the French overseas departments (FOD) has been settled by Commission Regulation (EEC) No 391/92⁽³⁾, as last amended by Regulation (EC) No 700/98⁽⁴⁾; whereas, as a consequence of the changes of the rates and prices for cereals products in the European part of the Community and on the world market, the aid for supply

to the FOD should be set at the amounts given in the Annex;

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

HAS ADOPTED THIS REGULATION:

Article 1

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

Article 2

This Regulation shall enter into force on 1 May 1998.

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

Done at Brussels, 24 April 1998.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ L 356, 24. 12. 1991, p. 1.

⁽²⁾ OJ L 267, 9. 11. 1995, p. 1.

⁽³⁾ OJ L 43, 19. 2. 1992, p. 23.

⁽⁴⁾ OJ L 96, 28. 3. 1998, p. 33.

ANNEX

to the Commission Regulation of 24 April 1998 amending Regulation (EEC) No 391/92 setting the amounts of aid for the supply of cereals products from the Community to the French overseas departments

(Ecu/tonne)

Product (CN code)	Amount of aid			
	Destination			
	Guadeloupe	Martinique	French Guiana	Réunion
Common wheat (1001 90 99)	28,00	28,00	28,00	31,00
Barley (1003 00 90)	54,00	54,00	54,00	57,00
Maize (1005 90 00)	37,00	37,00	37,00	40,00
Durum wheat (1001 10 00)	12,00	12,00	12,00	16,00

COMMISSION REGULATION (EC) No 1344/98

of 26 June 1998

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

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

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

Whereas the amounts of aid for the supply of cereals products to the French overseas departments (FOD) has been settled by Commission Regulation (EEC) No 391/92⁽³⁾, as last amended by Regulation (EC) No 1109/98⁽⁴⁾; whereas, as a consequence of the changes of the rates and prices for cereals products in the European part of the Community and on the world market, the aid for supply

to the FOD should be set at the amounts given in the Annex;

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

HAS ADOPTED THIS REGULATION:

Article 1

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

Article 2

This Regulation shall enter into force on 1 July 1998.

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

Done at Brussels, 26 June 1998.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ L 356, 24. 12. 1991, p. 1.

⁽²⁾ OJ L 267, 9. 11. 1995, p. 1.

⁽³⁾ OJ L 43, 19. 2. 1992, p. 23.

⁽⁴⁾ OJ L 157, 30. 5. 1998, p. 31.

ANNEX

to the Commission Regulation of 26 June 1998 amending Regulation (EEC) No 391/92 setting the amounts of aid for the supply of cereals products from the Community to the French overseas departments

(Ecu/tonne)

Product (CN code)	Amount of aid			
	Destination			
	Guadeloupe	Martinique	French Guiana	Réunion
Common wheat (1001 90 99)	26,00	26,00	26,00	29,00
Barley (1003 00 90)	51,00	51,00	51,00	54,00
Maize (1005 90 00)	38,00	38,00	38,00	41,00
Durum wheat (1001 10 00)	12,00	12,00	12,00	16,00

COMMISSION REGULATION (EC) No 1711/98
of 31 July 1998
amending Regulation (EEC) No 391/92 setting the amounts of aid for the supply
of cereals products from the Community to the French overseas departments

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

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

Whereas the amounts of aid for the supply of cereals
products to the French overseas departments (FOD) has
been settled by Commission Regulation (EEC) No 391/
92 ⁽³⁾, as last amended by Regulation (EC) No 1344/98 ⁽⁴⁾;
whereas, as a consequence of the changes of the rates and
prices for cereals products in the European part of the
Community and on the world market, the aid for supply

to the FOD should be set at the amounts given in the
Annex;

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

HAS ADOPTED THIS REGULATION:

Article 1

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

Article 2

This Regulation shall enter into force on 1 August 1998.

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

Done at Brussels, 31 July 1998.

For the Commission
Franz FISCHLER
Member of the Commission

⁽¹⁾ OJ L 356, 24. 12. 1991, p. 1.

⁽²⁾ OJ L 267, 9. 11. 1995, p. 1.

⁽³⁾ OJ L 43, 19. 2. 1992, p. 23.

⁽⁴⁾ OJ L 184, 27. 6. 1998, p. 8.

ANNEX

to the Commission Regulation of 31 July 1998 amending Regulation (EEC) No 391/92 setting the amounts of aid for the supply of cereals products from the Community to the French overseas departments

(Ecu/tonne)

Product (CN code)	Amount of aid			
	Destination			
	Guadeloupe	Martinique	French Guiana	Réunion
Common wheat (1001 90 99)	38,00	38,00	38,00	41,00
Barley (1003 00 90)	52,00	52,00	52,00	55,00
Maize (1005 90 00)	52,00	52,00	52,00	55,00
Durum wheat (1001 10 00)	12,00	12,00	12,00	16,00

COMMISSION REGULATION (EC) No 1854/98
of 28 August 1998
amending Regulation (EEC) No 391/92 setting the amounts of aid for the supply
of cereals products from the Community to the French overseas departments

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

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

Whereas the amounts of aid for the supply of cereals products to the French overseas departments (FOD) has been settled by Commission Regulation (EEC) No 391/92 ⁽³⁾, as last amended by Regulation (EC) No 1711/98 ⁽⁴⁾; whereas, as a consequence of the changes of the rates and prices for cereals products in the European part of the Community and on the world market, the aid for supply

to the FOD should be set at the amounts given in the Annex;

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

HAS ADOPTED THIS REGULATION:

Article 1

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

Article 2

This Regulation shall enter into force on 1 September 1998.

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

Done at Brussels, 28 August 1998.

For the Commission

Karel VAN MIERT

Member of the Commission

⁽¹⁾ OJ L 356, 24. 12. 1991, p. 1.

⁽²⁾ OJ L 267, 9. 11. 1995, p. 1.

⁽³⁾ OJ L 43, 19. 2. 1992, p. 23.

⁽⁴⁾ OJ L 215, 1. 8. 1998, p. 41.

ANNEX

to the Commission Regulation of 28 August 1998 amending Regulation (EEC) No 391/92 setting the amounts of aid for the supply of cereals products from the Community to the French overseas departments

(Euros/tonne)

Product (CN code)	Amount of aid			
	Destination			
	Guadeloupe	Martinique	French Guiana	Réunion
Common wheat (1001 90 99)	41,50	41,50	41,50	44,50
Barley (1003 00 90)	60,00	60,00	60,00	63,00
Maize (1005 90 00)	57,50	57,50	57,50	60,50
Durum wheat (1001 10 00)	12,00	12,00	12,00	16,00

COMMISSION REGULATION (EC) No 1959/98
of 15 September 1998
amending Regulation (EEC) No 388/92 laying down detailed rules for implementation of the specific arrangements for the supply of cereal products to the French overseas departments (FOD) and establishing a forecast supply balance

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

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

Whereas the quantities of products eligible for the specific supply arrangements are determined by means of periodic forecast balances which may be revised according to the essential requirements of the market taking into account local production and traditional trade flows;

Whereas, pursuant to Article 2 of Regulation (EEC) No 3763/91, the forecast supply balance of cereal products to the FOD for 1998 was established by Commission Regulation (EEC) No 388/92⁽³⁾, as last amended by Regulation (EC) No 2521/97⁽⁴⁾; whereas to meet the needs of this region, amendments must be made to this forecast supply

balance; whereas, subsequently, Regulation (EEC) No 388/92 should be amended;

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

HAS ADOPTED THIS REGULATION:

Article 1

The Annex to Regulation (EEC) No 388/92 is replaced by the Annex to this Regulation.

Article 2

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

It shall apply with effect from 1 January 1998.

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

Done at Brussels, 15 September 1998.

For the Commission
Franz FISCHLER
Member of the Commission

⁽¹⁾ OJ L 356, 24. 12. 1991, p. 1.
⁽²⁾ OJ L 267, 9. 11. 1995, p. 1.
⁽³⁾ OJ L 43, 19. 2. 1992, p. 16.
⁽⁴⁾ OJ L 346, 17. 12. 1997, p. 42.

ANNEX

ANNEX

Cereals supply balance for the French overseas departments (1998)

(tonnes)

Cereals originating in third countries (ACP/developing countries) or EC	Common wheat	Durum wheat	Barley	Maize	Durum wheat meal and groats	Malt
Guadeloupe	60 000	—	—	16 000	—	100
Martinique	1 500	—	—	22 000	1 000	500
French Guiana	200	—	300	1 500	—	—
Réunion	28 000	—	24 000	100 000	—	3 000
Total	89 700	—	24 300	139 500	1 000	3 600
Total	258 100'					

COMMISSION REGULATION (EC) No 2054/98
of 28 September 1998

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

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

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

Whereas the amounts of aid for the supply of cereals
products to the French overseas departments (FOD) has
been settled by Commission Regulation (EEC) No 391/
92⁽³⁾, as last amended by Regulation (EC) No 1854/98⁽⁴⁾;
whereas, as a consequence of the changes of the rates and
prices for cereals products in the European part of the
Community and on the world market, the aid for supply

to the FOD should be set at the amounts given in the
Annex;

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

HAS ADOPTED THIS REGULATION:

Article 1

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

Article 2

This Regulation shall enter into force on 1 October 1998.

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

Done at Brussels, 28 September 1998.

For the Commission
Franz FISCHLER
Member of the Commission

⁽¹⁾ OJ L 356, 24. 12. 1991, p. 1.

⁽²⁾ OJ L 267, 9. 11. 1995, p. 1.

⁽³⁾ OJ L 43, 19. 2. 1992, p. 23.

⁽⁴⁾ OJ L 241, 29. 8. 1998, p. 9.

ANNEX

to the Commission Regulation of 28 September 1998 amending Regulation (EEC) No 391/92 setting the amounts of aid for the supply of cereals products from the Community to the French overseas departments

(Ecu/tonne)

Product (CN code)	Amount of aid			
	Destination			
	Guadeloupe	Martinique	French Guiana	Réunion
Common wheat (1001 90 99)	38,50	38,50	38,50	41,50
Barley (1003 00 90)	70,00	70,00	70,00	73,00
Maize (1005 90 00)	63,00	63,00	63,00	66,00
Durum wheat (1001 10 00)	12,00	12,00	12,00	16,00

COMMISSION REGULATION (EC) No 2353/98
of 30 October 1998

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

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

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

Whereas the amounts of aid for the supply of cereals
products to the French overseas departments (FOD) has
been settled by Commission Regulation (EEC) No 391/
92⁽³⁾, as last amended by Regulation (EC) No 1854/98⁽⁴⁾;
whereas, as a consequence of the changes of the rates and
prices for cereals products in the European part of the
Community and on the world market, the aid for supply

to the FOD should be set at the amounts given in the
Annex;

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

HAS ADOPTED THIS REGULATION:

Article 1

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

Article 2

This Regulation shall enter into force on 1 November
1998.

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

Done at Brussels, 30 October 1998.

For the Commission
Franz FISCHLER
Member of the Commission

⁽¹⁾ OJ L 356, 24. 12. 1991, p. 1.

⁽²⁾ OJ L 267, 9. 11. 1995, p. 1.

⁽³⁾ OJ L 43, 19. 2. 1992, p. 23.

⁽⁴⁾ OJ L 241, 29. 8. 1998, p. 9.

ANNEX

to the Commission Regulation of 30 October 1998 amending Regulation (EEC) No 391/92 setting the amounts of aid for the supply of cereals products from the Community to the French overseas departments

(Ecu/tonne)

Product (CN code)	Amount of aid			
	Destination			
	Guadeloupe	Martinique	French Guiana	Réunion
Common wheat (1001 90 99)	31,00	31,00	31,00	34,00
Barley (1003 00 90)	66,00	66,00	66,00	69,00
Maize (1005 90 00)	50,00	50,00	50,00	53,00
Durum wheat (1001 10 00)	12,00	12,00	12,00	16,00

COMMISSION REGULATION (EC) No 2621/98

of 4 December 1998

amending Regulation (EEC) No 388/92 laying down detailed rules for implementation of the specific arrangements for the supply of cereal products to the French overseas departments (FOD) and establishing a forecast supply balance

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

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

Whereas the quantities of products eligible for the specific supply arrangements are determined by means of periodic forecast balances which may be revised according to the essential requirements of the market taking into account local production and traditional trade flows;

Whereas, pursuant to Article 2 of Regulation (EEC) No 3763/91, the forecast supply balance of cereal products to the FOD for 1998 was established by Commission Regulation (EEC) No 388/92⁽³⁾, as last amended by Regulation (EC) No 1959/98⁽⁴⁾; whereas this forecast supply balance

for 1999 should be drawn up; whereas, subsequently, Regulation (EEC) No 388/92 should be amended;

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

HAS ADOPTED THIS REGULATION:

Article 1

The Annex to Regulation (EEC) No 388/92 is replaced by the Annex to this Regulation.

Article 2

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

It shall apply from 1 January 1999.

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

Done at Brussels, 4 December 1998.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ L 356, 24. 12. 1991, p. 1.
⁽²⁾ OJ L 267, 9. 11. 1995, p. 1.
⁽³⁾ OJ L 43, 19. 2. 1992, p. 16.
⁽⁴⁾ OJ L 254, 16. 9. 1998, p. 11.

ANNEX

ANNEX

Cereals supply balance for the French overseas departments (1999)

(tonnes)

Cereals originating in third countries (ACP/developing countries) or EC	Common wheat	Durum wheat	Barley	Maize	Durum wheat meal and groats	Malt
Guadeloupe	60 000	—	1 000	16 000	—	100
Martinique	1 500	—	1 000	22 000	1 000	500
French Guiana	200	—	300	1 500	—	—
Réunion	28 000	—	15 000	100 000	—	3 000
Total	89 700	—	17 300	139 500	1 000	3 600
Total	251 100'					

COMMISSION REGULATION (EC) No 2751/98
of 18 December 1998
amending Regulation (EEC) No 391/92 setting the amounts of aid for the supply
of cereals products from the Community to the French overseas departments

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

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

Whereas the amounts of aid for the supply of cereals products to the French overseas departments (FOD) has been settled by Commission Regulation (EEC) No 391/92⁽¹⁾, as last amended by Regulation (EC) No 2553/98⁽⁴⁾; whereas, as a consequence of the changes of the rates and prices for cereals products in the European part of the Community and on the world market, the aid for supply to the FOD should be set at the amounts given in the Annex;

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

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

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

HAS ADOPTED THIS REGULATION:

Article 1

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

Article 2

This Regulation shall enter into force on 1 January 1999.

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

Done at Brussels, 18 December 1998.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ L 356, 24. 12. 1991, p. 1.

⁽²⁾ OJ L 267, 9. 11. 1995, p. 1.

⁽³⁾ OJ L 43, 19. 2. 1992, p. 23.

⁽⁴⁾ OJ L 320, 28. 11. 1998, p. 14.

⁽⁵⁾ OJ L 162, 19. 6. 1997, p. 1.

ANNEX

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

(EUR/tonne)

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

Part 2 : FODs

C. Beef and Veal

COMMISSION REGULATION (EC) No 1318/98

of 25 June 1998

amending Regulations (EEC) No 2312/92 and (EEC) No 1148/93 laying down detailed rules for implementing the specific measures for supplying the French overseas departments with breeding bovines and horses

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

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

Whereas, pursuant to Article 4 of Regulation (EEC) No 3763/91, it is necessary to determine the number of pure-bred breeding bovines and horses originating in the Community which are eligible for aid with a view to encouraging the development of those sectors in the French overseas departments (FOD);

Whereas the quantities of the forecast supply balance and the level of aid for those products are fixed by Commission Regulations (EEC) No 2312/92⁽³⁾ and (EEC) No 1148/93⁽⁴⁾, as last amended by Regulation (EC) No 2517/97⁽⁵⁾; whereas the Annexes to those Regulations should therefore be amended;

Whereas the need might arise in the French overseas departments for additional supplies of pure-bred breeding bovines and horses in particular marketing years; whereas, therefore, the French authorities should be granted some leeway in their management of the scheme so they can issue aid certificates for animals intended for certain overseas departments in excess of the maximum quantities available to those departments, on condition that the overall maximum quantity available for all four overseas departments is complied with; whereas, in order to take proper account of such additional supply requirements for subsequent marketing years, the French authorities should

inform the Commission of cases in which certificates have been issued using this discretionary power;

Whereas, as a result of the presentation by the French authorities of information on the needs of the French overseas departments, it has not been possible to establish the forecast balance for the entire 1998/99 marketing year; whereas the Annexes to Regulations (EC) No 2312/92 and (EC) No 1148/93 should therefore be replaced by the Annexes to this Regulation for the period 1 July to 31 December 1998; whereas, for future campaigns the balances shall be fixed on the basis of the calendar year;

Whereas application of the criteria for fixing the amount of Community aid to the current market situation in the sector in question and, in particular, to the exchange rates and prices for those products in the European part of the Community and on the world market, gives rise to aid for the supply of the FODs with pure-bred breeding animals at the levels fixed in the Annex hereto;

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

HAS ADOPTED THIS REGULATION:

Article 1

Annex III to Regulation (EC) No 2312/92 is replaced by Annex I to this Regulation.

Article 2

The Annex to Regulation (EC) No 1148/93 is replaced by Annex II to this Regulation.

Article 3

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

It shall apply from 1 July 1998.

(¹) OJ L 356, 24. 12. 1991, p. 1.

(²) OJ L 267, 9. 11. 1995, p. 1.

(³) OJ L 222, 7. 8. 1992, p. 32.

(⁴) OJ L 116, 12. 5. 1993, p. 15.

(⁵) OJ L 346, 17. 12. 1997, p. 17.

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

Done at Brussels, 25 June 1998.

For the Commission
Franz FISCHLER
Member of the Commission

ANNEX I

ANNEX III

PART 1

Supply to Réunion of pure-bred breeding bovines originating in the Community for the period 1 July 1998 to 31 December 1998

(ECU/head)

CN code	Description	Number of animals to be supplied	Aid
0102 10 00	Pure-bred breeding bovines (*)	175	930

PART 2

Supply to French Guiana of pure-bred breeding bovines originating in the Community for the period 1 July 1998 to 31 December 1998

(ECU/head)

CN code	Description	Number of animals to be supplied	Aid
0102 10 00	Pure-bred breeding bovines (*)	150	930

PART 3

Supply to Martinique of pure-bred breeding bovines originating in the Community for the period 1 July 1998 to 31 December 1998

(ECU/head)

CN code	Description	Number of animals to be supplied	Aid
0102 10 00	Pure-bred breeding bovines (*)	12	930

PART 4

Supply to Guadeloupe of pure-bred breeding bovines originating in the Community for the period 1 July 1998 to 31 December 1998

(ECU/head)

CN code	Description	Number of animals to be supplied	Aid
0102 10 00	Pure-bred breeding bovines (*)	12	930

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

ANNEX II

ANNEX

PART 1

Supply to French Guiana of pure-bred breeding horses originating in the Community for the period 1 July 1998 to 31 December 1998

(ECU/head)

CN code	Description of the goods	Number of animals to be supplied	Aid
0101 11 00	Pure-bred breeding horses (*)	8	930

PART 2

Supply to Martinique of pure-bred breeding horses originating in the Community for the period 1 July 1998 to 31 December 1998

(ECU/head)

CN code	Description of the goods	Number of animals to be supplied	Aid
0101 11 00	Pure-bred breeding horses (*)	8	930

PART 3

Supply to Guadeloupe of pure-bred breeding horses originating in the Community for the period 1 July 1998 to 31 December 1998

(ECU/head)

CN code	Description of the goods	Number of animals to be supplied	Aid
0101 11 00	Pure-bred breeding horses (*)	4	930

(*) Entry under in this subheading is subject to the conditions laid down in Council Directive 90/427/EEC of 26 June 1990 on the zootechnical and genealogical conditions governing intra-Community trade in equidae (OJ L 224, 18. 8. 1990, p. 55).⁷

COMMISSION REGULATION (EC) No 2727/98

of 17 December 1998

amending Regulations (EEC) No 2312/92 and (EEC) No 1148/93 laying down detailed rules for implementing the specific measures for supplying the French overseas departments with breeding bovines and horses

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

No 2312/92 and (EEC) No 1148/93 should be replaced by the Annexes to this Regulation;

Having regard to the Treaty establishing the European Community,

Whereas the balances should be fixed on the basis of the calendar year;

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

Whereas application of the criteria for fixing the amount of Community aid to the current market situation in the sector in question and, in particular, to the exchange rates and prices for those products in the European part of the Community and on the world market, gives rise to aid for the supply of the FODs with pure-bred breeding animals at the levels fixed in the Annex hereto;

Whereas, pursuant to Article 4 of Regulation (EEC) No 3763/91, it is necessary to determine the number of pure-bred breeding bovines and horses originating in the Community which are eligible for aid with a view to encouraging the development of those sectors in the French overseas departments (FOD);

Whereas Article 2 of Council Regulation (EC) No 1103/97 of 17 June 1997 on certain provisions relating to the introduction of the euro⁽³⁾ provides that as from 1 January 1999, all references to the ecu in legal instruments are to be replaced by references to the euro at the rate of EUR 1 to ECU 1; whereas, for the sake of clarity, the denomination 'euro' should be used in this Regulation since it is to apply from 1 January 1999;

Whereas the quantities of the forecast supply balance and the level of aid for those products are fixed by Commission Regulations (EEC) No 2312/92⁽⁴⁾ and (EEC) No 1148/93⁽⁵⁾, both as last amended by Regulation (EC) No 1318/98⁽⁶⁾; whereas the Annexes to those Regulations should therefore be amended;

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

HAS ADOPTED THIS REGULATION:

Whereas the need might arise in the French overseas departments for additional supplies of pure-bred breeding bovines and horses in particular marketing years; whereas, therefore, the French authorities should be granted some leeway in their management of the scheme so they can issue aid certificates for animals intended for certain overseas departments in excess of the maximum quantities available to those departments, on condition that the overall maximum quantity available for all four overseas departments is complied with; whereas, in order to take proper account of such additional supply requirements for subsequent years, the French authorities should inform the Commission of cases in which certificates have been issued using this discretionary power;

Article 1

Annex III to Regulation (EEC) No 2312/92 is replaced by Annex I to this Regulation.

Article 2

The Annex to Regulation (EEC) No 1148/93 is replaced by Annex II to this Regulation.

Article 3

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

Whereas, as a result of the presentation by the French authorities of information on the needs of the French overseas departments, the Annexes to Regulations (EEC)

It shall apply from 1 January 1999.

⁽¹⁾ OJ L 356, 24. 12. 1991, p. 1.

⁽²⁾ OJ L 267, 9. 11. 1993, p. 1.

⁽³⁾ OJ L 222, 7. 8. 1992, p. 32.

⁽⁴⁾ OJ L 116, 12. 5. 1993, p. 15.

⁽⁵⁾ OJ L 183, 26. 6. 1998, p. 18.

⁽⁶⁾ OJ L 162, 19. 6. 1997, p. 1.

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

Done at Brussels, 17 December 1998.

For the Commission
Franz FISCHLER
Member of the Commission

ANNEX I

ANNEX III

PART 1

Supply to Réunion of pure-bred breeding bovines originating in the Community for 1999

(euro/head)

CN code	Description	Number of animals to be supplied	Aid
0102 10 00	Pure-bred breeding bovines (1)	350	930

PART 2

Supply to French Guiana of pure-bred breeding bovines originating in the Community for 1999

(euro/head)

CN code	Description	Number of animals to be supplied	Aid
0102 10 00	Pure-bred breeding bovines (1)	300	930

PART 3

Supply to Martinique of pure-bred breeding bovines originating in the Community for 1999

(euro/head)

CN code	Description	Number of animals to be supplied	Aid
0102 10 00	Pure-bred breeding bovines (1)	25	930

PART 4

Supply to Guadeloupe of pure-bred breeding bovines originating in the Community for 1999

(euro/head)

CN code	Description	Number of animals to be supplied	Aid
0102 10 00	Pure-bred breeding bovines (1)	25	930

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

ANNEX II

ANNEX

PART 1

Supply to French Guiana of pure-bred breeding horses originating in the Community for 1999

(euro/head)

CN code	Description of the goods	Number of animals to be supplied	Aid
0101 11 00	Pure-bred breeding horses ⁽¹⁾	16	930

PART 2

Supply to Martinique of pure-bred breeding horses originating in the Community for 1999

(euro/head)

CN code	Description of the goods	Number of animals to be supplied	Aid
0101 11 00	Pure-bred breeding horse ⁽¹⁾	16	930

PART 3

Supply to Guadeloupe of pure-bred breeding horses originating in the Community for 1999

(euro/head)

CN code	Description of the goods	Number of animals to be supplied	Aid
0101 11 00	Pure-bred breeding horses ⁽¹⁾	8	930

⁽¹⁾ Entry under this subheading is subject to the conditions laid down in Council Directive 90/427/EEC of 26 June 1990 on the zootechnical and genealogical conditions governing intra-Community trade in equidae (OJ L 224, 18.8.1990, p. 55).⁷

Part 2 : FODs

D. Sheepmeat and goatmeat

COMMISSION REGULATION (EC) No 21/98
of 7 January 1998

laying down detailed rules for the implementation of the specific arrangements
for the supply of sheepmeat and goatmeat to the French overseas departments
for 1998

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

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

Having regard to Council Regulation (EEC) No 3813/92 of 28 December 1992 on the unit of account and the conversion rates to be applied for the purposes of the common agricultural policy⁽³⁾, and in particular Article 12 thereof,

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

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

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

Whereas common detailed rules for the application of the arrangements for the supply of certain agricultural products to the French overseas departments are laid down in Commission Regulation (EEC) No 131/92⁽⁴⁾, as last amended by Regulation (EC) No 1736/96⁽⁵⁾; whereas additional detailed rules should be laid down in line with current commercial practice in the sheepmeat and goatmeat sector, in particular as regards the term of validity of aid certificates and the securities ensuring operators' compliance with their obligations;

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

Whereas the operative event for converting the aid into national currency should be the day the aid certificate is lodged with the competent authorities at the destination pursuant to Article 3 (6) of Regulation (EEC) No 131/92, without prejudice to the possibility of advance fixing as provided for in Articles 8 to 12 of Commission Regulation (EEC) No 3819/92 of 28 December 1992 on detailed rules for determining and applying the agricultural conversion rates⁽⁶⁾;

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

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

HAS ADOPTED THIS REGULATION:

Article 1

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

⁽¹⁾ OJ L 356, 24. 12. 1991, p. 1.

⁽²⁾ OJ L 267, 9. 11. 1995, p. 1.

⁽³⁾ OJ L 387, 31. 12. 1992, p. 1.

⁽⁴⁾ OJ L 15, 22. 1. 1992, p. 13.

⁽⁵⁾ OJ L 225, 6. 9. 1996, p. 3.

⁽⁶⁾ OJ L 387, 31. 12. 1992, p. 17.

Article 2

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

Article 3

France shall designate the competent authority for:

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

Article 4

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

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

2. However, the competent authority may, in order to meet special needs arising under the supply arrangements, issue aid certificates for a quantity of animals in excess of the maximum quantity available to each overseas department, without the total number of animals eligible for the

aid in the four departments being exceeded; that facility being applied separately to male and to female animals.

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

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

Article 5

Aid certificates shall be valid for three months.

Article 6

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

Notwithstanding Article 3 (4) of Regulation (EEC) No 131/92, the rate to be applied for converting the aid into national currency shall be the agricultural conversion rate in force on the day of presentation of the aid certificate to the competent authorities at the destination.

Article 7

Regulation (EEC) No 1123/93 is hereby repealed.

Article 8

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

It shall apply from 1 January to 31 December 1998.

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

Done at Brussels, 7 January 1998.

For the Commission

Franz FISCHLER

Member of the Commission

ANNEX

PART 1

Supply to French Guiana of pure-bred breeding sheep and goats originating in the Community for the calendar year 1998

(ECU/head)

CN code	Description	Number of animals to be supplied	Aid
0104 10 10	Pure-bred breeding sheep (!):		
	— males	15	530
	— females	15	205
0104 20 10	Pure-bred breeding goats (!):		
	— males	2	530
	— females	28	205

PART 2

Supply to Martinique of pure-bred breeding sheep originating in the Community for the calendar year 1998

(ECU/head)

CN code	Description	Number of animals to be supplied	Aid
0104 10 10	Pure-bred breeding sheep (!):		
	— males	5	530
	— females	10	205

PART 3

Supply to Réunion of pure-bred breeding sheep originating in the Community for the calendar year 1998

(ECU/head)

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

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

COMMISSION REGULATION (EC) No 24/98

of 7 January 1998

laying down detailed rules for granting the aid provided for in Article 3 (1) of Regulation (EEC) No 3763/91 for the supply of products for animal feed to French Guiana for the period 1 July 1994 to 30 April 1996

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EEC) No 3763/91 of 16 December 1991 introducing specific measures in respect of certain agricultural products for the benefit of the French overseas departments (⁽¹⁾), as last amended by Regulation (EC) No 2598/95 (⁽²⁾), and in particular Article 3 (5) thereof,

Whereas Regulation (EC) No 2598/95 provides that, from 1 July 1994 and until such time as the corresponding manufacturing plants in the department of French Guiana actually commence production, products falling within CN codes 2309 90 31, 2309 90 33, 2309 90 41, 2309 90 43, 2309 90 51 and 2309 90 53 which are used there for animal feed are to be covered by the supply arrangements under the conditions laid down in Articles 3 (1) and 2 (1) and (3) to (6) of Regulation (EEC) No 3763/91; whereas, in view of the retroactive application of those provisions, the quantities of the products concerned supplied to the department of French Guiana and likely to qualify for aid for supply and the amount of such aid must be determined;

Whereas Commission Regulation (EC) No 795/96 of 30 April 1996 establishing the forecast supply balance and Community aid for the supply to French Guiana of products falling within CN codes 2309 90 31, 2309 90 33, 2309 90 41, 2309 90 43, 2309 90 51 and 2309 90 53 used in feedingstuffs for the period 1 May to 31 December 1996 (⁽³⁾) lays down the quantities likely to qualify for supply aid and the amount of such aid during that period; whereas, as from 1 January 1997, the same measures were adopted for 1997 by Commission Regulation (EC) No 2415/96 (⁽⁴⁾); whereas the supply situation regarding the products concerned during the period 1 July 1994 to 30 April 1996 should accordingly be settled;

Whereas, at the Commission's request, the French authorities have communicated the quantities of products as referred to in Article 3 of Regulation (EEC) No 3763/91

sent to French Guiana and eligible for the aid for the period 1 July 1994 to 30 April 1996 and the delivery periods and supporting documents required for the quantities declared; whereas those authorities have also declared that the selling price, as a precautionary measure, reflects an amount equivalent to the aid and have communicated the types of checks and controls conducted; whereas the quantities eligible for the aid communicated by the French authorities for the period in question amounted to 6 692,36 tonnes as regards products covered by CN codes 2309 90 31, 2309 90 41 and 2309 90 51 and 56,70 tonnes as regards products covered by CN codes 2309 90 33, 2309 90 43 and 2309 90 53;

Whereas, in accordance with Regulation (EEC) No 3763/91 and until 30 June 1994, the method for calculating the aid for the supply of the products concerned was set out in Article 2 of Commission Regulation (EEC) No 646/92 (⁽⁵⁾), as amended by Regulation (EEC) No 1670/93 (⁽⁶⁾); whereas, in accordance with those provisions, the aid is equal in amount to the export refund applicable on the products in question on the day of application for the aid certificate, plus ECU 20/tonne; whereas, according to the French authorities, pending the adoption by the Council of the Commission proposal extending those aid arrangements, importers have actually passed on an amount equal to the aid thus calculated during the period 1 July 1994 to 30 April 1996; whereas Regulation (EC) No 795/96 re-established that calculation method with effect from 1 May 1996;

Whereas, since the relevant provisions were lacking, no aid certificate could be applied for in respect of the period 1 July 1994 to 30 April 1996 with a view to the supply of the products in question; whereas, as a consequence, the aid should be maintained as laid down in Article 2 of Regulation (EEC) No 646/92 for supplies during the period in question, by replacing the date of application of the licence by that of supply, for the purposes of calculating the aid applicable;

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

(⁽¹⁾) OJ L 356, 24. 12. 1991, p. 1.

(⁽²⁾) OJ L 267, 9. 11. 1995, p. 1.

(⁽³⁾) OJ L 108, 1. 5. 1996, p. 35.

(⁽⁴⁾) OJ L 329, 19. 12. 1996, p. 25.

(⁽⁵⁾) OJ L 69, 14. 3. 1992, p. 29.

(⁽⁶⁾) OJ L 158, 30. 6. 1993, p. 30.

HAS ADOPTED THIS REGULATION:

Article 1

Products used for animal feed and supplied to the department of French Guiana in the period 1 July 1994 to 30 April 1996 shall be eligible for the aid pursuant to Article 3 (1) and (2) of Regulation (EEC) No 3763/91 subject to the following limits:

- (a) 6 692,36 tonnes as regards products covered by CN codes 2309 90 31, 2309 90 41 and 2309 90 51;
- (b) 56,70 tonnes as regards products covered by CN codes 2309 90 33, 2309 90 43 and 2309 90 53.

Article 2

- 1. The aid for the supply of animal feed as referred to in Article 1 and manufactured from cereals processed in

the rest of the Community shall be equal to the export refund applicable to such products on the day they are actually delivered to French Guiana, plus ECU 20 per tonne.

- 2. The competent French authorities shall pay the aid, on application from the operators, up to the limits laid down in Article 1; they shall pay the aid only in respect of the quantities covered by proof provided to their satisfaction to the effect that they been delivered in the department of French Guiana and that an amount equivalent to the aid has been passed on, as a precaution, in the selling price.

Article 3

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

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

Done at Brussels, 7 January 1998.

For the Commission

Franz FISCHLER

Member of the Commission

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

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

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

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

Having regard to Council Regulation (EEC) No 3813/92 of 28 December 1992 on the unit of account and the conversion rates to be applied for the purposes of the common agricultural policy⁽³⁾, as last amended by Regulation (EC) No 150/95⁽⁴⁾, and in particular Article 12 thereof,

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

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

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

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

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

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

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

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

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

HAS ADOPTED THIS REGULATION:

Article 1

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

⁽¹⁾ OJ L 356, 24. 12. 1991, p. 1.

⁽²⁾ OJ L 267, 9. 11. 1995, p. 1.

⁽³⁾ OJ L 387, 31. 12. 1992, p. 1.

⁽⁴⁾ OJ L 22, 31. 1. 1995, p. 1.

⁽⁵⁾ OJ L 15, 22. 1. 1992, p. 13.

⁽⁶⁾ OJ L 225, 6. 9. 1996, p. 3.

⁽⁷⁾ OJ L 162, 19. 6. 1997, p. 1.

Article 2

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

Article 3

France shall designate the competent authority for:

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

Article 4

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

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

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

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

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

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

Article 5

Aid certificates shall be valid for three months.

Article 6

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

Article 7

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

It shall apply from 1 January to 31 December 1999.

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

Done at Brussels, 18 December 1998.

For the Commission
Franz FISCHLER
Member of the Commission

ANNEX

PART 1

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

(EUR/head)

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

PART 2

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

(EUR/head)

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

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

PART 3

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

(EUR/head)

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

PART 4

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

(EUR/head)

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

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

Part 2 : FODs

E. Rum

I

(Acts whose publication is obligatory)

COMMISSION REGULATION (EC) No 30/98

of 8 January 1998

supplementing the restructuring plan referred to in Regulation (EEC) No 1487/92 concerning flat-rate aid for sugar cane cultivation in the French overseas departments

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EEC) No 3763/91 of 16 December 1991 introducing specific measures in respect of certain agricultural products for the benefit of the French overseas departments⁽¹⁾, as last amended by Regulation (EC) No 2598/95⁽²⁾, and in particular Article 19 thereof,

Whereas aid for the planting of sugar cane and for land-improvement works referred to in Article 17 of Regulation (EEC) No 3763/91 has been granted by Commission Regulation (EEC) No 1487/92⁽³⁾, as last amended by Regulation (EC) No 260/96⁽⁴⁾, for a given area on the basis of a restructuring plan presented by the French authorities;

Whereas these measures, to be implemented by 31 December 1998, have already been fully carried out; whereas, however, the measures for the improvement of plantations have not completely achieved their economic objectives, namely an optimal replantation rate; whereas, one of the reasons for this outcome is that a part of the plantations, having benefited or not from replanting aid, has been affected on a catastrophic scale by bad weather and plant health problems and, as a result, has been or will be replanted ahead of schedule; whereas another reason for this outcome has been the time required for carrying out the measures which has been in excess of what was initially anticipated under the plan, with the effect that the eligible areas have increased in number; whereas the impact on rejuvenating the plantations generally has consequently been lessened;

Whereas, on the basis of the additional plan presented by the French authorities, aid for replanting and for land

improvement should be granted for the areas affected by the natural and plant disasters and for those affected by delays in the rejuvenation exercise;

Whereas if the general objective of strengthening the sugar cane — sugar — rum sector is to be achieved, the land improvement works must be carried out in parallel with replanting;

Whereas for these measures to be brought to a successful conclusion, the plan must be administered more rigorously and action must be well targeted; whereas the additional plan cannot be implemented within the period initially specified in the Regulation; whereas, therefore, a period of time should be fixed for its implementation; whereas the end of that period should be fixed in this Regulation;

Whereas the additional plan relies, for its implementation, on the same technical support as the main plan and its continuity should be ensured; whereas, therefore, this Regulation should apply retroactively from 1 April 1997 in respect of eligible measures started in 1997 and not covered by Regulation (EEC) No 1487/92;

Whereas the Management Committee for Sugar has not delivered an opinion within the time limit set by its chairman,

HAS ADOPTED THIS REGULATION:

Article 1

1. As a supplement to the restructuring plan referred to in Article 1 of Regulation (EEC) No 1487/92, France shall pay out aid for the replanting of sugar cane and aid for land improvement to individual planters, planter groups and associations of planters.

Community aid shall be limited as regards replanting to 16 423 ha, of which 8 568 ha in Réunion, 6 895 ha in Guadeloupe and 960 ha in Martinique and, as regards land improvement to 8 875 ha, of which 7 500 ha in Réunion, 1 165 ha in Guadeloupe and 210 ha in Martinique.

⁽¹⁾ OJ L 356, 24. 12. 1991, p. 1.

⁽²⁾ OJ L 267, 9. 11. 1995, p. 1.

⁽³⁾ OJ L 156, 10. 6. 1992, p. 7.

⁽⁴⁾ OJ L 34, 13. 2. 1996, p. 16.

2. Aid for replanting shall be paid by the French authorities for plots:

— which on 1 April 1997 were planted with sugar cane aged over:

(a) seven years in Réunion;

(b) five years in Martinique and Guadeloupe,

— for which replanting aid has not been granted pursuant to Regulation (EEC) No 1487/92.

3. Plots shall, however, be eligible for the aid referred to in the second subparagraph which are situated in Réunion and Guadeloupe and, regardless of whether or not they have received replanting aid pursuant to Regulation (EEC) No 1487/92, have been affected in whole or in part by recognised natural disasters due to bad weather or infestations deleterious to plant health.

In the cases referred to in the first subparagraph, only those plots on which the sugar cane has actually been affected may receive replanting aid up to a limit, as regards Réunion, of 3 500 ha and, as regards Guadeloupe, of 4 200 ha.

4. Aid for the land-improvement works referred to in the additional plan may be granted by the French authorities only in respect of areas under cane which have received no aid pursuant to Regulation (EEC) No 1487/92.

Plots shall, however, be eligible for the aid if they have received aid pursuant to Regulation (EEC) No 1487/92 for removal of large stones and aid applications have been submitted for removal of small stones.

Article 2

The additional restructuring plan shall be implemented before 31 December 1999, in accordance with the rules and conditions laid down in Regulation (EEC) No 1487/92 and in this Regulation.

Article 3

France shall notify to the Commission, as a supplement to the notification referred to in Article 5 of Regulation (EEC) No 1487/92, the method of administration including, in particular, the conditions of eligibility and the inspection measures to be adopted within one month following the entry into force of this Regulation as well as, every six months, the progress reports on the additional plan.

Article 4

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

It shall apply with effect from 1 April 1997.

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

Done at Brussels, 8 January 1998.

For the Commission

Franz FISCHLER

Member of the Commission

Part 2 : FODs

F. Fisheries

COUNCIL REGULATION (EC) No 64/98
of 19 December 1997

laying down for 1998 certain measures for the conservation and management of fishery resources applicable in vessels flying the flag of certain non-member countries in the 200-nautical-mile zone off the coast of the French department of Guiana

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EEC) No 3760/92 of 20 December 1992 establishing a Community system for fisheries and aquaculture ⁽¹⁾, and in particular Article 8(4) thereof,

Having regard to the proposal from the Commission,

Whereas, in accordance with Article 8 of Regulation (EEC) No 3760/92, the Council determines for each fishery or group of fisheries on a case-by-case basis, the total allowable catch and/or the total allowable fishing effort in order to ensure a rational and responsible exploitation on a durable basis;

Whereas, since 1977, the Community has operated a system of conservation and management of fishery resources applicable to vessels flying the flag of certain non-member countries in the 200-nautical-mile-zone off the coast of the French department of Guiana most recently laid down by Regulation (EC) No 405/97 ⁽²⁾; whereas the latter Regulation expires on 31 December 1997;

Whereas the continuity of the system should be assured, in particular by maintaining the restriction on some fish stocks in the zone in order to conserve the stock and ensure adequate profitability for the fishermen concerned;

Whereas the processing industry based in the French department of Guiana depends on landings from vessels of non-member countries operating in the fishing zone off that department;

Whereas therefore, it is necessary to ensure that those vessels which are under contract to land their catches in the French department of Guiana can continue to fish;

Whereas shrimp fishing licences calculated on the basis of scientific advice have been issued to non-member countries whose vessels fish in the zone of the said department;

Whereas the fishing activities covered by this Regulation are subject to the control measures provided for by Council Regulation (EEC) No 2847/93 of 12 October 1993 establishing a control system applicable to the common fisheries policy ⁽³⁾;

Whereas, for imperative reasons of common interest, this Regulation will apply from 1 January 1998,

HAS ADOPTED THIS REGULATION:

Article 1

Vessels flying the flag of one of the countries listed in Annex I shall be authorized, during the period 1 January to 31 December 1998 to fish for the species listed in the said Annex in the part of the 200-nautical-mile fishing zone off the coast of the French department of Guiana that lies more than 12 nautical miles from the base lines, in conformity with the conditions laid down in this Regulation.

Article 2

1. Fishing in the fishery zone referred to in Article 1 shall be subject to the possession on board of a licence, issued by the Commission on behalf of the Community, and to the observance of the conditions set out in that licence and the control measures and other provisions regulating fishing activities in that zone.

2. Applications for licences shall be submitted by the authorities of the non-member countries concerned to the Commission's services at least 15 working days before the desired date of commencement of validity. Licences will be issued to the authorities of the third countries concerned.

⁽¹⁾ OJ No L 389, 31. 12. 1992, p. 1. Regulation as amended by the 1994 Act of Accession.

⁽²⁾ OJ L 66, 6. 3. 1997, p. 112.

⁽³⁾ OJ L 261, 20. 10. 1993, p. 1. Regulation as last amended by Regulation (EC) No 2205/97 (OJ L 304, 7. 11. 1997, p. 1).

3. The registration letters and numbers of a vessel in possession of a licence must be clearly marked on both sides of the prow and on both sides of the superstructure at the most visible point. The letters and numbers must be painted in a colour that contrasts with the colour of the hull or superstructure and must not be obliterated, altered, covered or masked in any other way.

Article 3

1. Licences may be issued for shrimp fishing to vessels which fly the flag of one of the countries listed in point 1 of Annex I. The catch quantities authorized under such licences, the maximum number of licences and the maximum number of days at sea during which such licences are valid shall be as specified for each country in point 1 of Annex I.

2. The licences referred to in paragraph 1 shall be issued on the basis of a fishing plan submitted by the authorities of the country concerned, approved by the Commission and not exceeding the limits for the country concerned specified in point 1 of Annex I.

3. The period of validity of each of the licences referred to in paragraph 1 shall be limited to the fishing period provided for in the fishing plan on the basis of which the licence was issued.

4. All licences referred to in paragraph 1 issued to vessels of a non-member country shall cease to be valid as soon as it is established that the quota laid down in point 1 of Annex I for that country has been used up.

Article 4

1. Licences may be issued for the fishing of species other than shrimps to vessels flying the flag of one of the countries listed in point 2 of Annex I. The maximum number of such licences for each country shall be as specified in point 2 of Annex I.

2. Snapper fishing licences shall be granted subject to an undertaking by the owner of the vessel concerned to land 75 % of the catches in the French department of Guiana.

3. Shark fishing licences shall be granted subject to an undertaking by the owner of the vessel concerned to land 50 % of the catches in the French department of Guiana.

Article 5

1. The following information shall accompany applications for licences submitted to the Commission:

- (a) name of the vessel;
- (b) registration number;
- (c) external identification letters and numbers;
- (d) port of registration;
- (e) name and address of the owner or charterer;
- (f) gross tonnage and overall length;
- (g) engine power;
- (h) call sign and radio frequency;
- (i) intended method of fishing;
- (j) species intended to be fished;
- (k) period for which a licence is requested.

2. Each licence shall be valid for one vessel only. Where several vessels are taking part in the same fishing operation, each vessel must be in possession of a licence.

Article 6

1. To obtain a fishing licence for snapper or shark, as referred to in Article 4, proof must be produced, in respect of each of the vessels concerned, that a valid contract exists between the shipowner applying for the licence and a processing undertaking situated in the French department of Guiana and that it includes an obligation to land at least 75 % of all snapper catches, or 50 % of all shark catches from the vessel concerned in that department so that they may be processed in that undertaking's plant.

2. The contract referred to in paragraph 1 must be endorsed by the French authorities, which shall ensure that it is consistent both with the actual capacity of the contracting processing undertaking and with the objectives for the development of the Guianese economy. A copy of the duly endorsed contract shall be appended to the licence application.

3. Where the endorsement referred to in paragraph 2 is refused, the French authorities shall give notification of this refusal and state their reasons for it to the party concerned and the Commission.

Article 7

Licences may be cancelled with a view to issuing new licences. Such cancellation shall take effect on the date of issuance of the new licence by the Commission.

Article 8

1. Fishing for shrimps of the species *Penaeus subtilis* and *Penaeus brasiliensis* shall be forbidden in waters of a depth less than 30 metres. During these fishing activities carried out by vessels using trawls, by-catches shall be permitted.
2. Tuna fishing shall be authorized only for vessels using long lines.
3. Snapper fishing shall be authorized only for vessels using long lines or traps.
4. Shark fishing shall be authorized only for vessels using long lines or mesh nets having a minimum mesh of 100 mm and shall be forbidden in waters of a depth less than 30 metres.

Article 9

A log-book, a model of which appears in Annex II, shall be completed after each fishing operation. A copy of this log-book shall be sent to the Commission within 30 days of the last day of each fishing trip via the French authorities.

Article 10

1. The master of each vessel in possession of a licence referred to in Articles 3 and 4(1), as concerns tuna fishing, shall observe the special conditions set out in Annex III and, in particular, forward the information specified in that Annex. These conditions shall form an integral part of the licence.
2. The master of each vessel in possession of a licence as referred to in Article 4(2) and (3) shall, on landing the catch after each trip, submit to the French authorities a declaration, for whose accuracy the master alone is responsible, stating the quantities of shrimp caught and kept on board since the last declaration. This declaration shall be made using the form of which a model appears in Annex IV.

Article 11

1. The French authorities shall take all appropriate measures to verify the accuracy of the declarations referred to in Article 10(2), by checking them in particular against the log-book referred to in Article 9. The declaration shall be signed by the competent official after it has been verified.

2. The French authorities shall ensure that all landings of shrimps in the French department of Guiana by vessels in possession of a licence as referred to in Article 4(2) and (3) shall be the subject of a declaration as referred to in Article 10(2).

3. Before the end of each month, the French authorities shall send to the Commission all the declarations referred to in paragraph 2 relating to the preceding month.

Article 12

The granting of licences to vessels from third countries shall be subject to the undertaking by the owner of the vessel concerned to permit an observer to come on board at the Commission's request.

Article 13

1. The French authorities shall take appropriate measures to ensure that the obligations set out in this Regulation are complied with, including the regular inspection of vessels.

2. Where an infringement is formally ascertained, the French authorities shall, without delay, and in any event not later than 30 days from the date on which the infringement was ascertained, inform the Commission of the name of the vessel concerned and of any action they may have taken.

Article 14

1. Licences for vessels which have not complied with the obligations provided for in this Regulation, including the obligation to land all or part of the catches laid down in a contract as referred to in Article 6 shall be withdrawn.

No licence shall be issued to such vessels for a period of four to twelve months from the date on which the infringement was committed.

2. Where a vessel fishes without a valid licence in the zone referred to in Article 1, and where that vessel belongs to a shipowner or is managed by a natural or legal person who has or exercises the management of one or more other vessels to which licences have been issued, one of those licences may be withdrawn.

3. The granting of a licence may be refused during the period referred to in paragraph 1 to one or more vessels belonging to a shipowner who owns a vessel whose licence has been withdrawn under this Article or which has fished without a licence in the zone referred to in Article 1.

Article 15

If, for a period of one month, the Commission receives no communication as referred to in Article 10(1) concerning a vessel in possession of a licence referred to in Articles 3 and 4, the licence of such vessel shall be withdrawn.

Article 16

The period of validity of licences valid on 31 December 1997 pursuant to Article 1 of Regulation (EC) No 3091/95 may be extended, at the request of the

authorities of the country concerned, until 31 January 1998. Licences thus extended shall be counted against the number of corresponding licences laid down in Annex 1 for the duration of the extension, without that total being exceeded.

Article 17

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

It shall apply from 1 January 1998 to 31 December 1998.

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

Done at Brussels, 19 December 1997.

For the Council

The President

F. BODEN

ANNEX 1

1. Licences referred to in Article 3

Vessels flying the flag of	Quantity of authorized catches in tonnes	Maximum number of vessels with a licence	Maximum number of days at sea
Barbados	24	5	200
Guiana	24	5	200
Surinam	p.m.	p.m.	p.m.
Trinidad and Tobago	60	8	350

2. Licences referred to in Article 4

Species	Vessels flying the flag of	Maximum number of licences
(a) Tuna	Japan Korea	p.m. p.m.
(b) Snappers	Venezuela Barbados	41 5
(c) Shark	Venezuela	4

ANNEX III

Special conditions

1. Vessels in possession of a licence referred to in Articles 3 and 4 (1) (*Thunnidae*) must communicate information to the Commission of the European Communities in Brussels (telex 24189 FISEU-B) via the French authorities at the following times:
 - (a) on each entry into zones extending up to 200 nautical miles off the coast of the French department of Guiana, hereinafter called 'the zone';
 - (b) whenever leaving the zone;
 - (c) whenever entering a port of a Member State;
 - (d) whenever leaving a port of a Member State;
 - (e) every week in respect of the previous week from the date of entry into the zone referred to in (a) or from the date of leaving the port referred to in (d).
2. Communications transmitted in accordance with the conditions of the licence at the times specified in 1 above should include the following particulars, where appropriate, and should be transmitted in the following order:
 - name of vessel,
 - radio call sign,
 - licence number,
 - chronological number of the transmission for the trip in question,
 - indication of which of the types of transmission, as set out in paragraph 1, is involved,
 - date,
 - time,
 - geographical position,
 - quantity of each species caught during the fishing operation (in kilograms),
 - quantity of each species caught since the previous transmission of information (in kilograms),
 - the geographical coordinates of the position where the catches were made,
 - quantities of catches, by species, transferred to other vessels (in kilograms) since the previous information,
 - the name, call sign and, where applicable, licence number of the vessel to which the catch was transferred,
 - the master's name.
3. The following code must be used in reporting species caught in accordance with paragraph 2:

PEN: Brown shrimp (*Penaeidae*);
BOB: Atlantic sea bob shrimp (*Xyphopenaeus kroyeri*);
TUN: Tunny;
SHK: Shark;
XXX: Other.
4. In cases where, for reasons of *force majeure*, the communication cannot be transmitted by the vessel in possession of a licence, the message may be transmitted by another vessel on behalf of the former.

ANNEX IV

Declaration pursuant to Article 10 (2)

<table border="1" style="width: 100%; text-align: center;"> <tr> <td style="padding: 5px;">LANDING DECLARATION (1)</td> </tr> </table>	LANDING DECLARATION (1)
LANDING DECLARATION (1)	

Name of vessel:		Registration No:	
Name of master:		Name of agent:	
Master's signature:			
Voyage made from the		to the	
Port of landing:			

Quantity of shrimps landed (in live-weight)			
'Head-off' shrimps:		kg	
	or (× 1,6) =	kg (head-on, shrimps)	
'Head-on' shrimps:		kg	
<i>Thunnidae</i> :	kg	Snapper (<i>Lutjanidae</i>):	kg
Shark:	kg	Other:	kg

(1) One copy is kept by the master, one copy is kept by the control officer, and one copy is to be sent to the Commission of the European Communities.

I

(Acts whose publication is obligatory)

COUNCIL REGULATION (EC) No 1587/98

of 17 July 1998

introducing a scheme to compensate for the additional costs incurred in the marketing of certain fishery products from the Azores, Madeira, the Canary Islands and the French departments of Guyana and Réunion as a result of those regions' remoteness

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty establishing the European Community, and in particular Article 43 thereof,

Having regard to the proposal from the Commission (1),

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

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

Whereas a Declaration on the outermost regions of the Community is annexed to the Treaty on European Union;

Whereas the difficulties facing the fishery industry of the European Union are aggravated in particular by the cost of transporting fishery products to markets as a result of the remoteness and isolation of the outermost regions;

Whereas, as part of the Community's policy to assist its outermost regions, by Decisions 89/687/EEC (4), 91/314/EEC (5) and 91/315/EEC (6) the Council has set up programmes of options specific to the remote and insular nature of the French overseas departments (Poseidom), the Canary Islands (Poseican) and Madeira and the Azores (Poseima) respectively, which outline the measures to be applied taking account of the special characteristics of and constraints on those regions;

Whereas measures of the same type already undertaken have proved successful;

Whereas the regions concerned are facing specific development problems and in particular additional costs incurred in the marketing of certain products as a result of their remoteness; whereas, with a view to maintaining

the competitiveness of certain fishery products against similar products from other Community regions, the Community introduced measures in 1992 and 1993 to compensate for such additional costs in the fisheries sector; whereas those measures were followed up in 1994 and 1995 to 1997 by the adoption of Regulations (EC) No 1503/94 (7) and (EC) No 2337/95 (8); whereas the arrangements to compensate for the additional costs incurred in processing and marketing certain fishery products (tuna and demersal species in the Azores; tuna, black scabbard-fish and mackerel in Madeira; tuna, sardines, mackerel, aquaculture products, cephalopods, sole and seabream in the Canary Islands; shrimps in Guyana; tuna and swordfish in Réunion) should be continued from 1998 and provision must accordingly be made for the measures to be extended;

Whereas non-industrial and inshore fishing is important from the social and economic viewpoints in the outermost regions of the European Union;

Whereas fishing efforts must be rationalised for the sake of sound management of stocks and in particular in view of the research of a high technical standard conducted in this area by various scientific institutions in the outermost regions;

Whereas it is essential to respect the Community rules on the conservation and management of stocks in those regions, and in particular, in the case of the French department of Guyana, the rule prohibiting fishing for shrimp at a depth of less than 30 metres, and to provide for the adjustment, where necessary, of the amounts set for the various species in the light of their marketing conditions and characteristics,

(1) OJ C 292, 26. 9. 1997, p. 5 and OJ C 125, 23. 4. 1998, p. 18.

(2) OJ C 34, 2. 2. 1998.

(3) OJ C 73, 9. 3. 1998, p. 46.

(4) OJ L 399, 30. 12. 1989, p. 39.

(5) OJ L 171, 29. 6. 1991, p. 5.

(6) OJ L 171, 29. 6. 1991, p. 10.

(7) OJ L 162, 30. 6. 1994, p. 8.

(8) OJ L 236, 5. 10. 1995, p. 2.

HAS ADOPTED THIS REGULATION:

Article 1

A scheme is hereby introduced to compensate for the additional costs of marketing certain fisheries products from the Azores, Madeira, the Canary Islands and the French Overseas Departments of Guyana and Réunion as a result of the remoteness of those regions. The species concerned are listed in the Annex.

Article 2

1. In the case of the Azores, the scheme provided for in Article 1 shall entail payment of the following amounts:

- (a) ECU 177 per tonne of tuna for up to 10 000 tonnes a year delivered to the local canning industry;
- (b) ECU 455 per tonne of demersal species for up to 3 500 tonnes a year.

2. In the case of Madeira, the scheme provided for in Article 1 shall entail payment of the following amounts:

- (a) ECU 184 per tonne of tuna for up to 5 000 tonnes a year delivered to the local canning industry;
- (b) ECU 242 per tonne of black scabbard-fish for up to 1 800 tonnes a year;
- (c) ECU 116 per tonne of mackerel for up to 2 000 tonnes a year delivered to the local canning industry.

3. In the case of the Canary Islands, the scheme provided for in Article 1 shall entail payment of the following amounts:

- (a) ECU 152 per tonne of tuna for marketing fresh for up to 11 320 tonnes a year;
- (b) ECU 56 per tonne of frozen tuna for up to 1 000 tonnes a year;
- (c) ECU 56 per tonne of sardines and mackerel for freezing for up to 4 000 tonnes a year;
- (d) ECU 105 per tonne of sardines and mackerel for processing for up to 12 100 tonnes a year;
- (e) ECU 563 per tonne of aquaculture products for up to 1 300 tonnes a year;
- (f) ECU 110 per tonne of cephalopods, sole and sea-bream for up to 25 000 tonnes a year.

4. In the case of Guyana, the scheme provided for in Article 1 shall entail payment of ECU 1 102 per tonne of shrimps for up to 4 200 tonnes a year.

5. In the case of Réunion, the scheme provided for in Article 1 shall entail payment of ECU 1 000 per tonne of tuna and swordfish freshly marketed for up to 1 000 tonnes a year.

6. The Commission may, in accordance with the procedure laid down in Article 4, adjust the amounts set for the various species in the light of their marketing conditions and characteristics, within the overall financial provisions set out in each of paragraphs 1 to 5.

Article 3

The recipients of the compensation provided for herein shall be the producers, the owners of vessels registered in the ports of the regions mentioned in Article 1 and operating therein or associations thereof, and the processors, who incur the additional costs of marketing the products concerned as a result of the remoteness of those regions.

Article 4

Detailed rules for the application of this Regulation shall be adopted in accordance with the procedure laid down in Article 32 of Council Regulation (EEC) No 3759/92 of 17 December 1992 on the common organisation of the market in fishery and aquaculture products⁽¹⁾.

Article 5

The measures provided for in this Regulation shall constitute intervention intended to stabilise the agricultural markets within the meaning of Article 3 of Council Regulation (EEC) No 729/70 of 21 April 1970 on the financing of the common agricultural policy⁽²⁾. They shall be financed by the Guarantee Section of the European Agricultural Guidance and Guarantee Fund (EAGGF).

Article 6

By 1 June 2001 the Commission shall submit a report to the European Parliament, the Council, the Economic and Social Committee and the Committee of the Regions on the implementation of the measures provided for herein, together, where appropriate, with proposals necessary to achieve the objectives set out in Article 1.

Article 7

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

It shall apply from 1 January 1998 to 31 December 2001.

⁽¹⁾ OJ L 388, 31. 12. 1992, p. 1. Regulation as last amended by Regulation (EC) No 3318/94 (OJ L 350, 31. 12. 1994, p. 15).

⁽²⁾ OJ L 94, 28. 4. 1970, p. 13. Regulation as last amended by Regulation (EC) No 1287/95 (OJ L 125, 8. 6. 1995, p. 1).

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

Done at Brussels, 17 July 1998.

For the Council
The President
W. RUTTENSTORFER

ANNEX

I. AZORES

Sparidae

Dorade — Spidstandet blankesten — Meerbrassen — Sea bream — Besugo — Pilkkupagelli — Αιθρίνι — Rovello — Zeebrasem — Goraz — Havsruda

Species: *Pagellus Bogaraveo*

Berycidae

Béryx — Berycider — Schleimköpfe — Red bream — Palometa roja — Limapää — Μαύρουξ — Berice rosso — Slijmkop — Imperador — Beryxfisk

Species: *Berycidae*, *Beryx decadactylus*

Ariidae

Poisson-chat — Havmaller — Kreuzwelse — Sea catfish — Bagres marinos — Merimonna — Γατόψαρο — Pescigatto di mare — Zeemeervallen — Gata — Toppsegelmal

Species: *Ariidae*

Trichiuridae

Sabre — Härhaler — Haarschwänze — Scabbardfish — Peces sable — Huotrakala — Σαβόψαρο — Pesci sciabola — Haarstaarten — Peixes-espada e lírio — Hårstjärt

Species: *Trichiuridae*

Thunnidae

Thon — Tunfisk — Thunfisch — Tuna — Atún — Tönnikala — Τόνος — Tonno — Tonijn — Tunídeos — Tonfisk

Species: *Thunnus alalunga*, *Thunnus albacares*, *Thunnus thynnus*, *Thunnus obesus*, *Katsuwonus pelamis*

II. MADEIRA

Trichiuridae

Sabre — Sort sabelfisk — Kurzflossen — Black scabbardfish — Sable negro — Huotrakala — Σαβόψαρο — Pesce sciabola nero — Zwarte haarstaartvis — Peixe-espada preto — Hårstjärt

Species: *Aphanopus carbo*

Scombridae

Maquereau — Spansk makrel — Makrele — Mackerel — Caballa — Μακρίλι — Σκουμπρί — Sgombro — Makreel — Cavala — Makrill

Species: *Scomber japonicus*

Thunnidae

Thon — Tunfisk — Thunfisch — Tuna — Atún — Tönnikala — Τόνος — Tonno — Tonijn — Tunídeos — Tonfisk

Species: *Thunnus alalunga*, *Thunnus albacares*, *Thunnus thynnus*, *Thunnus obesus*, *Katsuwonus pelamis*

III. CANARY ISLANDS

Thunnidae

Thon — Tunfisk — Thunfisch — Tuna — Atún — Tönnikala — Τόνος — Tonno — Tonijn — Tunídeos — Tonfisk

Species: *Thunnus alalunga*, *Thunnus albacares*, *Thunnus thynnus*, *Thunnus obesus*, *Katsuwonus pelamis*

Clupeidae

Sardine — Sardin — Sardine — Pilchard — Sardina — Sardini — Σαρδέλλα — Sardina — Sardinu — Sardinha — Sardin

Species: *Sardina pilchardus*

Soleidae

Sole — Tunge — Gemeine Seezunge — Sole — Lenguado — Kielikampela — Γλώσσα — Sogliola — Tong — Linguado — Tunga

Species: *Solea vulgaris*, *Dicologlossa cuneata*

Sparidae

Dorade — Guldbrasen — Goldbrasse — Gilt-head seabream — Dorada — Pilkkupagelli — Λιθρίνα — Pagro — Goudbrasem — Dourada — Havsruda

Species: *Sparus aurata*

Moronidae

Bar — Almindelig bars — Wolfsharsch — European seabass — Lubina — Meribassi — Λαθράκι — Spigola — Zeebaars — Robalo — Havsabborre

Species: *Dicentrarchus labrax*

Loliginidae

Calamar — Tiarmet blæksprutte — Kalmar — Squid — Calamar — Kalmar — Καλαμάρι — Calamaro — Pijlinktvis — Lula — Kalmar

Species: *Loligo vulgaris*

Octopodidae

Poulpe — En art ottearmet blæksprutte — Krake — Octopus — Ριζο — Meritursas — Χταπόδι — Ριζο — Achtarm — Fovo — Åttaarmad bläckfisk

Species: *Octopus vulgaris*

Sepiidae

Seiche — Sepiablæksprutte — Tintenfisch — Cuttlefish — Sepia — Seepia — Σουπίά — Seppia — Inktvis — Choco — Tioarmad bläckfisk

Species: *Sepia officinalis*, *Sepia bertheloti*

Ommastrephidae

Calamar — En art tiarmet blæksprutte — Pfeilkalmar — Flying squid — Pota-Kalmar — Καλαμάρι — Totano — Grote pijlinktvis — Pota europæa — Bläckfisk

Species: *Todarodes sagittatus*

Sparidae

Denté — Tandbrasen — Zahnbrasse — Dentex — Denton — Hammassalven — Συναγρίδα — Dentice — Tandbraxen — Capatão legítimo — Tandbraxen

Species: *Dentex* spp.

Scombriidae

Maquereau — Almindelig makrel — Makrele — Mackerel — Caballa — Makrilli — Σκουμπρί — Scombros — Makreel — Sarda — Makrill

Species: *Scomber* spp.

Bothidae

Turbot — Pighvar — Steinbutt — Turbot — Kodaballo — Pukkipampela — Κάκάνι — Rombo — Turbot — Pregado — Piggvar

Species: *Psetta maxima*

IV. LA RÉUNION

Thunnidae

Thon — Tongol tun — Thunfisch — Tuna — Atún — Tonnikala — Τόνος — Tonno — Tonggoltonijn —
Atum tongol — Tonfisk

Species: *Thunnus alalunga*, *Thunnus albacares*, *Thunnus obesus*, *Thunnus maccoyii*

Xyphiidae

Espadon — Sværdfisk — Schwerfisch — Swordfish — Pez espada — Mickkakala — Ξιφίας — Pesce spada —
Zwaardvis — Espadarte — Sværdfisk

Species: *Xiphias gladius*

V. GUYANA

Aristeidae

Crevette — En art reje — Atlantische Rote Riesengarnele — Scarlet Shrimp — Carabinero — Katkarapu —
Γαρίδα — Gambero rosso — Rode reuzengarnaal — Carabineiro cardeal — Råkor

Species: *Plesiopenaeus edwardsianus*

Penaeidae

Crevette — En art reje — Atlantische Rote Riesengarnele — Prawn — Langostino — Katkarapu — Γαρίδα —
Gambero — Rode reuzengarnaal — Carabineiro cardeal — Råkor

Species: *Solenocera acuminata*, *Penaeus subtilis*, *Penaeus brasiliensis*

COMMISSION REGULATION (EC) No 2844/98
of 22 December 1998

laying down detailed rules for the application of Council Regulation (EC) No 1587/98 introducing a scheme to compensate for the additional costs incurred in the marketing of certain fishery products from the Azores, Madeira, the Canary Islands and the French departments of Guiana and Réunion as a result of those regions' remoteness

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EC) No 1587/98 of 17 July 1998 introducing a scheme to compensate for the additional costs incurred in the marketing of certain fishery products from the Azores, Madeira, the Canary Islands and the French departments of Guiana and Réunion as a result of those regions' remoteness (⁽¹⁾), and in particular Article 4 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 (⁽²⁾), as last amended by Regulation (EC) No 150/95 (⁽³⁾), and in particular Article 6(2) thereof,

Whereas it is necessary to lay down detailed rules for implementing the scheme introduced by Regulation (EC) No 1587/98 so that detailed arrangements can be established for granting Community aid for the measures provided for in that Regulation, in particular the arrangements for payments and for checking and monitoring the measures;

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

HAS ADOPTED THIS REGULATION:

Article 1

The compensation scheme introduced by Regulation (EC) No 1587/98 shall be implemented for 1998, 1999, 2000 and 2001 in accordance with the provisions of this Regulation.

Article 2

1. In the case of the Azores and Madeira, should the overall annual quota of 15 000 tonnes not be exhausted by the catches of vessels registered at the ports of the Azores and/or Madeira the operators concerned may resort to the use of tuna originating in other Member States.

2. For all the regions, the maximum annual quantities for the various species shall be those laid down in Article 2 of Regulation (EC) No 1587/98.

3. In the case of Guiana, the compensation shall be paid for the quantities produced, as the producers are the recipients of the scheme.

The eligible quantities shall be expressed in head-on shrimp equivalent; a coefficient of 1,6 shall be applied when they are presented head-off.

4. In the case of Réunion, the compensation shall be paid for the quantities exported, as the exporters are the recipients of the scheme.

The eligible quantities shall be expressed in whole equivalent (gutted with head). A processing coefficient of 1,15 shall be applied for fish presented gutted and with head removed (VDK), and a processing coefficient of 1,65 shall be applied when they are exported in the form of loins.

5. No compensation shall be granted for tuna imported from third countries.

Article 3

1. The agricultural conversion rate applicable to the aid amounts shall be that in force on the first day of the month in which the products are physically taken over by:

- (a) the first purchaser for the purposes of marketing fresh or the industrial undertaking concerned in the case of the Azores and Madeira;
- (b) the first purchaser for the purposes of marketing fresh, the freezing undertaking or, where applicable, the processing undertaking concerned in the case of the Canary Islands.

2. In the case of Guiana, the agricultural conversion rate applicable to the aid amounts shall be that in force on the first day of the month in which the eligible products are landed.

3. In the case of Réunion, the agricultural conversion rate applicable to the aid amounts shall be that in force on the first day of the month in which the eligible products are exported.

(¹) OJ L 208, 24. 7. 1998, p. 1.

(²) OJ L 387, 31. 12. 1992, p. 1.

(³) OJ L 22, 31. 1. 1995, p. 1.

Article 4

1. The competent national authorities shall ensure that recipients' applications, to be submitted before a date to be set by those authorities, are accompanied by the documentation needed to check for compliance with Community rules.

2. As regards allocation of compensation among recipients, Member States shall send the Commission the national provisions for implementing this Regulation. These provisions must ensure that compensation is allocated in a balanced way between recipients when the applications submitted to the national authorities exceed the quantities laid down in Article 2 of Regulation (EC) No 1587/98.

Article 5

The competent authorities of the Member States shall pay the aid in the three months following the month in which the time limit for lodging applications expires.

Article 6

1. Member States shall adopt appropriate provisions to ensure compliance with the requirements for implementing the system, particularly as regards the regularity of operations. They shall undertake to take measures to

prevent and pursue any irregularities and recover amounts wrongly paid out.

2. National authorities shall make available to the Commission all information required for the purposes of applying this Regulation and shall make every endeavour to facilitate such checks as the Commission may consider it useful to undertake, including on-the-spot checks.

3. Without prejudice to checks carried out by the Member States' authorities in line with national legislative, regulatory or administrative provisions, persons charged by the Commission with on-the-spot checks shall have access to all documents relating to expenditure financed by the Community under this Regulation.

4. Five months after the end of the period in respect of which the aid is granted at the latest, the national authorities shall send the Commission an annual report on the quantities produced and marketed, and the value thereof, for which aid has actually been received.

Article 7

This Regulation shall enter into force on the 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 December 1998.

For the Commission
Emma BONINO
Member of the Commission

Council of the European Union

Compilation of texts — XXII

Association of the overseas countries and territories

French overseas departments

Luxembourg: Office for Official Publications of the European Communities

2000 — IX, 177 pp. — 14.8 x 21 cm

ISBN 92-824-1721-2

Price (excluding VAT) in Luxembourg: EUR 13.50

BELGIQUE/BELGIE

Jean De Lannoy
Avenue du Roi 202/Koningslaan 202
B-1190 Bruxelles/Brussel
Tel: (32-2) 538 43 98
Fax: (32-2) 538 08 41
E-mail: jean.de.lannoy@infoboard.be
URL: http://www.infoboard.be

La librairie européenne/

De Europese Boekhandel
Rue de la Loi 244/Weststraat 244
B-1040 Bruxelles/Brussel
Tel: (32-2) 295 26 39
Fax: (32-2) 735 08 60
E-mail: mail@libeuro.be
URL: http://www.libeuro.be

Montieur belga/Belgisch Staatsblad
Rue de Louvain 40-62/Louwerseweg 40-42
B-1000 Bruxelles/Brussel
Tel: (32-2) 552 22 11
Fax: (32-2) 511 01 84

DANMARK

J. H. Schultz Information A/S

Herstedvang 10-12
DK-2620 Albertslund
Tel: (45) 43 63 23 00
Fax: (45) 43 63 19 69
E-mail: schultz@schultz.dk
URL: http://www.schultz.dk

DEUTSCHLAND

Bundesanzeiger Verlag GmbH
Vertriebsabteilung
Amsterdamer Straße 192
D-50735 Köln
Tel: (49-221) 97 66 80
Fax: (49-221) 97 66 82 78
E-mail: vertrieb@bundesanzeiger.de
URL: http://www.bundesanzeiger.de

ΕΛΛΑΔΑ/GREECE

G. C. Eleftheroudakis SA

International Bookstore
Panepistimio 17
GR-10564 Athina
Tel: (30-1) 331 41 80/12/3/4/5
Fax: (30-1) 323 98 21
E-mail: ebooks@netor.gr

ESPAÑA

Boletín Oficial del Estado

Tratfalgar, 27
E-28001 Madrid
Tel: (34) 915 38 21 11 (Libros),
913 84 17 15 (Suscrip.)
Fax: (34) 915 38 21 11 (Libros),
913 84 17 14 (Suscrip.)
E-mail: clientes@com.boe.es
URL: http://www.boe.es

Mundi Prensa Libros, SA

Casleik, 37
E-28001 Madrid
Tel: (34) 914 36 37 00
Fax: (34) 915 75 39 98
E-mail: librosa@mundiprensa.es
URL: http://www.mundiprensa.com

FRANCE

Journal officiel
Service des publications des CE
15, rue Desaix
F-75727 Paris Cedex 15
Tel: (33) 140 58 77 31
Fax: (33) 140 58 77 00
URL: http://www.journal-officiel.gouv.fr

IRELAND

Government Supplies Agency

Publications Section
4-5 Harcourt Road
Dublin 2
Tel: (353-1) 661 31 11
Fax: (353-1) 475 27 60

ITALIA

Licosa SpA
Via Duca di Calabria, 1/1
Casella postale 552
I-50125 Firenze
Tel: (39) 055 84 83 1
Fax: (39) 055 64 12 57
E-mail: licosa@tiscali.it
URL: http://www.tbcc.it/licosa

LUXEMBOURG

Mesageries du livre S.A.R.L.
S. rue Raiffeisen
L-2411 Luxembourg
Tel: (352) 40 10 20
Fax: (352) 49 06 61
E-mail: mail@mdl.lu
URL: http://www.mdl.lu

NETHERLANDS

Sdu Servicecentrum Uitgevers
Christoffel Plantijnstraat 2
Postbus 20014
2500 EA Den Haag
Tel: (31-70) 379 98 80
Fax: (31-70) 379 97 83
E-mail: sdu@sdu.nl
URL: http://www.sdu.nl

ÖSTERREICH

Manz'sche Verlags- und

Universitätsbuchhandlung GmbH
Kohlmarkt 16
A-1014 Wien
Tel: (43-1) 53 16 11 00
Fax: (43-1) 53 16 11 67
E-mail: bestell@manz.co.at
URL: http://www.manz.at/index.htm

PORTUGAL

Distribuidora de Livros Bertrand Ld.ª
Grupo Bertrand, SA
Rua das Terras dos Vales, 4-A
Apartado 60037
P-2709 Amadora
Tel: (351-1) 495 90 50
Fax: (351-1) 496 02 55

Imprensa Nacional-Casa da Moeda, EP

Rua Marquês Sá da Bandeira, 16-A
P-1050 Lisboa Codex
Tel: (351-1) 353 03 99
Fax: (351-1) 353 02 94
E-mail: det.incm@mail.telepac.pt
URL: http://www.incm.pt

SUOMI/FINLAND

Akademien Kirjakauppa/
Akademiska BokaHölden
Keskuskatu 1/Keuhkatiekatu 1
PL/PB 128
FIN-00101 Helsinki/Helsingfors
P-tin (358-9) 121 44 18
F-tax (358-9) 121 44 35
Sähköposti: akakauppa@akademien.com
URL: http://www.akademien.com

SVERIGE

BTJ AB

Traktorvägen 11
S-221 82 Lund
Tfn (46-46) 18 00 00
Fax (46-46) 30 79 47
E-post: btjeu-pub@btj.se
URL: http://www.btj.se

UNITED KINGDOM

The Stationery Office Ltd
International Sales Agency
51 Nine Elms Lane
London SW8 5DR
Tel: (44-171) 873 90 90
Fax: (44-171) 873 84 63
E-mail: spa.enquiries@herts.co.uk
URL: http://www.the-stationery-office.co.uk

ISLAND

Bokabud Larusur Blöndal
Skólavörðslu, 15
IS-101 Reykjavík
Tel: (354) 551 58 50
Fax: (354) 552 55 60

NORGE

Swets Norge AS
Ostenovøien 18
Boks 0512 Ertrestad
N-0696 Oslo
Tel: (47-22) 97 45 00
Fax: (47-22) 97 45 45

SCHWEIZ/SUISSE/SVIZZERA

Euro Info Center Schweiz
c/o OSEC
Stampfenbachstraße 85
PF 492
CH-8005 Zürich
Tel: (41-1) 365 53 15
Fax: (41-1) 365 54 11
E-mail: euro@osec.ch
URL: http://www.osec.ch/eics

BALGARIA

Europress Euromedia Ltd
59, bul. Vitosha
BG-1000 Sofia
Tel: (359-2) 380 37 66
Fax: (359-2) 960 42 30
E-mail: Milena@mbox.cib.bg

ČESKA REPUBLIKA

USIS
NIS-prodejna
Havellkova 22
CZ-130 00 Praha 3
Tel: (420-2) 24 23 14 86
Fax: (420-2) 24 23 11 14
E-mail: nkpost@dc.mis.cz
URL: http://usiscr.cz

CYPRUS

Cyprus Chamber of Commerce and Industry
PO Box 1455
CY-1509 Nicosia
Tel: (357-2) 66 95 00
Fax: (357-2) 66 10 44
E-mail: demtrap@ccci.org.cy

EESTI

Eesti Kaubandus-Tööstuskoda (Estonian Chamber of Commerce and Industry)
Toomkodu 17
EE-0001 Tallinn
Tel: (372) 646 02 44
Fax: (372) 646 02 45
E-mail: emfo@koda.ee
URL: http://www.koda.ee

HRVATSKA

Mediade Ltd

Pavla Hotz 1
HR-10000 Zagreb
Tel: (385-1) 481 94 11
Fax: (385-1) 481 94 11

MAGYARORSZAG

Euro Info Service
Europa Haz
Magisziget
PO Box 475
H-1396 Budapest 62
Tel: (36-1) 350 80 25
Fax: (36-1) 350 90 32
E-mail: euroinfo@mail.matahu.hu
URL: http://www.euroinfo.hu/index.htm

MALTA

Miller Distributors Ltd
Malta International Airport
PO Box 25
Luqa, LQA 05
Tel: (356) 66 48 88
Fax: (356) 67 67 99
E-mail: gwrth@usa.net

POLSKA

Arz Polonia
Krakowskie Przedmiescie 7
Skw. pocztowa 1001
PL-00-909 Warszawa
Tel: (48-22) 826 12 01
Fax: (48-22) 826 62 40
E-mail: ars_poli@bony.hsn.com.pl

ROMANIA

Euromedia
Str. G-ral Berthel Nr 41
RO-10749 Bucuresti
Tel: (40-1) 315 44 03
Fax: (40-1) 314 22 86

ROSSIYA

CEEC
60-Ietiya Otkrybrya Av. 9
117312 Moscow
Tel: (7-095) 135 52 27
Fax: (7-095) 135 52 27

SLOVAKIA

Centrum VTI SR
Nam. Sibovdy, 19
SK-81223 Bratislava
Tel: (421-7) 54 41 83 64
Fax: (421-7) 54 41 83 64
E-mail: euro@viti.sk
URL: http://www.viti.sk/stuba.sk

SLOVENIJA

Gospodarski Vestnik
Danaiska cesta 5
SI-1000 Ljubljana
Tel: (386) 613 09 16 40
Fax: (386) 613 09 16 45
E-mail: europ@vestnik.si
URL: http://www.gvestnik.si

TÜRKIYE

Dunya Infoel AS
100, Yil Mahallesi 34440
TR-06050 Baglari-Istanbul
Tel: (90-212) 629 46 89
Fax: (90-212) 629 46 27
E-mail: infoel@dunya-gazetesi.com.tr

AUSTRALIA

Hunter Publications
PO Box 404
3087 Abbotsford, Victoria
Tel: (61-3) 94 17 53 61
Fax: (61-3) 94 17 51 74
E-mail: jpdavies@ozemail.com.au

CANADA

Les éditions La Liberté Inc.
3020, chemin Sainte-Foy
G1X 3V9 Sainte-Foy, Québec
Tel: (1-418) 658 37 63
Fax: (1-800) 567 54 49
E-mail: liberte@mediom.ca

Renouf Publishing Co. Ltd

5369 Chemin Canolek Road Unit 1
K1J 9J3 Ottawa, Ontario
Tel: (1-613) 745 26 65
Fax: (1-613) 745 76 60
E-mail: order.dept@renoufbooks.com
URL: http://www.renoufbooks.com

EGYPT

The Middle East Observer
11 Sherif Street
Cairo
Tel: (20-2) 392 69 19
Fax: (20-2) 393 97 32
E-mail: matouda@meobserver.com.eg
URL: http://www.meobserver.com

INDIA

EBIC India
3rd Floor, V. B. Chavan Centre
Gen. J. Bhasa Marg
400 021 Mumbai
Tel: (91-22) 282 60 64
Fax: (91-22) 285 41 46
E-mail: ebic@ebicbnd1.vsnl.net.in
URL: http://www.ebicindia.net

ISRAEL

ROY International

41, Mishmar Hayarden Street
PO Box 13056
6130 Tel Aviv
Tel: (972-3) 649 94 69
Fax: (972-3) 648 60 39
E-mail: roy@infovision.net.il
URL: http://www.royint.co.il

Index Information Services

PO Box 19502
Jerusalem
Tel: (972-2) 627 16 34
Fax: (972-2) 627 12 19

JAPAN

PSI-Japan

Asahi Sanbancho Plaza #206
7-1 Sanbancho, Chiyoda-ku
Tokyo 100
Tel: (81-3) 32 34 69 21
Fax: (81-3) 32 34 69 15
E-mail: bncks@psi-japan.co.jp
URL: http://www.psi-japan.jp

MALAYSIA

EBIC Malaysia

Level 7, Wisma Hong Leong
18 Jalan Perak
50450 Kuala Lumpur
Tel: (60-3) 262 62 98
Fax: (60-3) 262 61 98
E-mail: ebic-kl@mol.net.my

MEXICO

Mundi Prensa Mexico, SA de CV

Rio Pánuco No 141
Colonia Cuauhtémoc
México 06500 Mexico, DF
Tel: (52-51) 533 55 58
Fax: (52-51) 514 67 99
E-mail: 101545.2361@compuserve.com

PHILIPPINES

EBIC Philippines

19th Floor, PS Bank Tower
Sen. Gil J. Puyat Ave. Cor. Tinalda St.
Makati City
Metro Manila
Tel: (63-2) 759 66 80
Fax: (63-2) 759 66 90
E-mail: eicppcom@globe.com.ph
URL: http://www.eicpp.com

SRI LANKA

EBIC Sri Lanka

Trans Asia Hotel
115, Sir Chittampalam
A. Gardiner Mawatha
Colombo 2
Tel: (94-1) 074 71 50 78
Fax: (94-1) 44 87 79
E-mail: ebicsl@tmn.com

THAILAND

EBIC Thailand

29 Vanassa Building, 8th Floor
Sao Chulalongkorn
Ploenchit
10330 Bangkok
Tel: (66-2) 655 06 28
Fax: (66-2) 655 06 28
E-mail: ebicth@kscs15.th.com
URL: http://www.ebicth.com

UNITED STATES OF AMERICA

Berman Associates

4611 F Assembly Drvo
Lanham MD20706
Tel: (1-800) 274 44 47 (toll free telephone)
Fax: (1-800) 865 34 50 (toll free fax)
E-mail: query@berman.com
URL: http://www.berman.com

ANDERE LANDER/OTHER COUNTRIES/

AUTRES PAYS

Bitte wenden Sie sich an ein Büro Ihrer

Wahl/ Please contact the sales office

of your choice/ Veuillez vous adresser

au bureau de vente de votre choix

Office for Official Publications

of the European Communities

2, rue Mercier

L-2985 Luxembourg

Tel: (352) 29 29 42 55

Fax: (352) 29 29 42 58

E-mail: info.info@opoc.ccb.be

URL: http://eur-op.eu.int

Price (excluding VAT) in Luxembourg: EUR 13.50

ISBN 92-824-1721-2



OFFICE FOR OFFICIAL PUBLICATIONS
OF THE EUROPEAN COMMUNITIES

L-2985 Luxembourg



9 789282 417218