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I

(Acts whose publication is obligatory)

COUNCIL REGULATION (EC) No 1572/98
of 17 July 1998
amending Regulation (EEC) No 1360/90 establishing a European Training
Foundation

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty establishing the European Community, and in particular Article 235 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⁾,

- (1) Whereas the European Council meeting in Strasbourg on 8 and 9 December 1989 called upon the Council, acting on a proposal from the Commission, to adopt the necessary decisions for the establishment of a European Training Foundation for Central and Eastern Europe; whereas to that end on 7 May 1990 the Council adopted Regulation (EEC) No 1360/90 ⁽⁴⁾ which established the said Foundation;
- (2) Whereas, pursuant to Regulation (EEC) No 1360/90, the countries eligible for the Foundation's programmes are the countries eligible for economic aid pursuant to Regulation (EEC) No 3906/89 ⁽⁵⁾ (PHARE programme) and Regulation (Euratom, EC) No 1279/96 ⁽⁶⁾ (TACIS programme);
- (3) Whereas the representatives of the Council, the Commission, the Member States and the Mediterranean partner countries, meeting in Barcelona on 27 and 28 November 1995, agreed in their Declaration on the establishment of a Euro-Mediterranean partnership to place greater emphasis on the social, cultural and human dimension; whereas, in order to contribute to the attainment of that objective, the work programme implementing the Barcelona Declaration provides for an initial focus *inter alia*

on vocational training, to which the European Training Foundation will contribute; whereas the European Council, meeting in Madrid on 15 and 16 December 1995, called upon the Council and the Commission to put into practice the Barcelona Declaration and work programme;

- (4) Whereas Regulation (EC) No 1488/96 ⁽⁷⁾ provides for financial and technical measures to accompany the reform of economic and social structures within the framework of the Euro-Mediterranean partnership (MEDA);
- (5) Whereas, in the context of the Mediterranean partners' efforts to reform their economic and social structures, the development of human resources is essential for the attainment of long-term stability and prosperity and in particular the achievement of socio-economic equilibrium;
- (6) Whereas the Foundation was set up to provide a flexible response to the specific and differing requirements of the individual countries to be assisted; whereas, in providing assistance on the basis of Community experience in the area of vocational training, the Foundation is charged with collaborating with regional, national, public and private facilities in the Community and third countries, and with exercising its functions in close cooperation with existing national and international institutions; whereas the possibility exists for participation by third countries which share the Community's commitment to the provision of aid in the training field; whereas consistency and complementarity between the work of the Foundation and other Community actions should be ensured;
- (7) Whereas the Foundation's knowledge and direct experience of the specific requirements and circumstances of the eligible countries in the field

⁽¹⁾ OJ C 156, 24. 5. 1997, p. 27.

⁽²⁾ OJ C 104, 6. 4. 1998.

⁽³⁾ OJ C 19, 21. 1. 1998, p. 45.

⁽⁴⁾ OJ L 131, 23. 5. 1990, p. 1. Regulation as amended by Regulation (EC) No 2063/94 (OJ L 216, 20. 8. 1994, p. 9).

⁽⁵⁾ OJ L 375, 23. 12. 1989, p. 11. Regulation as amended by Regulation (EC) No 753/96 (OJ L 103, 26. 4. 1996, p. 5).

⁽⁶⁾ OJ L 165, 4. 7. 1996, p. 1.

⁽⁷⁾ OJ L 189, 30. 7. 1996, p. 1.

of vocational training and human resources development can usefully contribute to the definition of the Community's aid policy for the reform of their vocational training systems;

- (8) Whereas the implementation of vocational training programmes should provide the Foundation with the opportunity to test innovative schemes and transfer best practices;
- (9) Whereas, within the institutional framework established for the Foundation, the Community's experience can be placed at the disposal also of the Mediterranean partners;
- (10) Whereas the Commission should be given appropriate representation on the Foundation's governing board to take account of the Foundation's wider remit without, however, modifying the governing board's powers and voting rules or providing for a corresponding increase in the number of votes held by the representatives of the Commission;
- (11) Whereas the efficiency of the Foundation's operations will benefit from a number of accompanying measures; whereas the general guidelines established at Community level will allow for the Foundation's activities to be aligned efficiently with the Community policies adopted with respect to the partner countries;
- (12) Whereas cooperation with other relevant Community bodies makes for the efficient use of resources and should be reinforced in order to exploit synergies; whereas the Commission can make an effective contribution to this;
- (13) Whereas the decision-making powers of the Foundation's governing board will be strengthened by creating a closer link between the Foundation's work programme and its budget, in particular by adopting both documents through a coordinated procedure and linking the Foundation's expenditure closely to its operations,

HAS ADOPTED THIS REGULATION:

Article 1

Regulation (EEC) No 1360/90 is hereby amended as follows:

1. the first subparagraph of Article 1 shall be replaced by the following:

"This Regulation hereby establishes the European Training Foundation, hereinafter referred to as the "Foundation", whose objective shall be to contribute to the development of the vocational training systems of:

- the countries of Central and Eastern Europe designated as eligible for economic aid by the Council in Regulation (EEC) No 3906/89 or in any subsequent relevant legal act,
- the New Independent States of the former Soviet Union and Mongolia which are the beneficiaries of the programme to assist economic reform and recovery pursuant to Regulation (Euratom, EC) No 1279/96 or any subsequent relevant legal act, and
- the Mediterranean non-member countries and territories which are the beneficiaries of the financial and technical measures to accompany the reform of their economic and social structures pursuant to Regulation (EC) No 1488/96 or any subsequent relevant legal act.

Those countries shall be hereinafter referred to as the "eligible countries".;

2. Article 2 shall be replaced by the following:

Article 2

Scope

Following the general guidelines established at Community level, the Foundation shall work in the training field, covering initial and continuing vocational training as well as retraining for young people and adults, including in particular management training.;

3. the introductory sentence of Article 3 shall be replaced by the following:

'For the purpose of achieving the objectives set out in Article 1, the Foundation shall, within the limits of the powers conferred on the governing board and following the general guidelines established at Community level.;

4. the third indent of Article 3(c) shall be replaced by the following:

— implement, at the request of the Commission or of the eligible countries in cooperation with the governing board, vocational training programmes agreed on by the Commission and one or more of the eligible countries as part of the Community policy of assistance to these countries, using multidisciplinary teams of specialists in close collaboration with the competent authorities in the countries involved and drawing actively on the experience of Community vocational training programmes; in the selection of projects to be managed by the Foundation, priority will be given to projects of an innovative value and — for the candidate countries for accession — to projects which relate directly to the Community's programmes in the field of vocational training.;

5. point (e) of Article 3 shall be replaced by the following:
- (e) 'confer on the governing board the power to lay down tendering procedures for projects funded or co-financed by the Foundation, taking due account of the procedures established pursuant to Regulation (EEC) No 3906/89, in particular Article 7 thereof, pursuant to Regulation (Euratom, EC) No 1279/96, in particular Articles 6 and 7 thereof, Regulation (EC) No 1488/96, in particular Article 8 thereof, or in any subsequent relevant legal act;'
6. the second subparagraph of Article 4(1) shall be replaced by the following:
- 'The Foundation shall cooperate with the other relevant Community bodies, in particular Cedefop, with the support of the Commission.'
7. the first subparagraph of Article 5(1) shall be replaced by the following:
- 'The Foundation shall have a governing board consisting of one representative of each Member State and three representatives of the Commission.'
8. the third subparagraph of Article 5(4) shall be replaced by the following:
- 'The representatives of the Member States on the governing board shall each have one vote. The representatives of the Commission shall have one vote between them.'
9. Article 5(7) shall be replaced by the following:
- '7. On the basis of a draft submitted by the director of the Foundation, the governing board, in consultation with the Commission, shall examine the preliminary draft annual work programme for the following year by 30 November at the latest. The final adoption of the work programme shall take place at the beginning of each year, within the framework of a three-year on-going perspective. Where necessary, the programme may be adapted during the year using the same procedure in order to ensure greater effectiveness of Community policies.
- The projects and activities in the annual work programme shall be accompanied by an estimate of the necessary expenditure and by allocations of staff and budgetary resources.'
10. the second subparagraph of Article 6(1) shall be replaced by the following:
- 'The members of the forum shall be selected from experts among training and other circles concerned in the work of the Foundation, taking into account the need to ensure the presence of representatives of the social partners, of the Commission, of those international organisations active in the provision of training assistance, and of the eligible countries and territories.'
11. Article 6(2) shall be replaced by the following:
- '2. The governing board shall seek nominations for appointment from:
- each of the Member States,
 - each of the eligible countries,
 - the Commission,
 - the social partners at European level which are already active in the work of the Community institutions, and
 - relevant international organisations.'
12. Article 7(1) shall be replaced by the following:
- '1. The director of the Foundation shall be appointed by the governing board on a proposal from the Commission for a period of five years. This term of office may be extended once for a period which may not exceed five years.
- The director shall be responsible for:
- the preparation and organisation of the work of the governing board, of any *ad hoc* working parties convened by the governing board and, in particular, for the preparation of the draft annual work programme of the Foundation, taking into account the general guidelines established at Community level,
 - the day-to-day administration of the Foundation,
 - the preparation of the statement of revenue and expenditure and execution of the Foundation's budget;
 - the preparation and publication of reports specified under this Regulation,
 - all staff matters,
 - undertaking the tasks with which he is charged pursuant to Article 3 and those set out in the annual work programme referred to in Article 5(7),
 - implementing the governing board's decisions and the guidelines set down for the Foundation's activities.'
13. Article 8 shall be replaced by the following:
- Article 8*
- Links with other Community actions**
- The Commission, in cooperation with the governing board and, where appropriate, in accordance with the procedures set out in Article 9 of Regulation (EEC) No 3906/89, Article 8 of Regulation (Euratom, EC)

No 1279/96 and Article 11 of Regulation (EC) No 1488/96 or in any subsequent relevant legal act, shall ensure consistency and, where necessary, complementarity between the work of the Foundation and other actions at Community level, both within the Community and in assistance to the eligible countries, with particular reference to actions under the Tempus programme and to the other programmes and actions for training that are implemented at Community level, including Med-Campus.';

14. Article 10(4) shall be replaced by the following:

'4. After receiving the advice of the Commission, the governing board shall adopt the Foundation's budget together with the work programme at the beginning of each financial year, adjusting it to the several contributions granted to the Foundation and to the funds from other sources. The budget shall also detail by category and grade the number of staff which will be employed by the Foundation in the relevant financial year.';

15. the first subparagraph of Article 16(1) shall be replaced by the following:

'1. The Foundation shall be open to the participation of countries which are not members of the

European Community and which share the commitment of the Community and the Member States to the provision of aid in the training field to the eligible countries defined in Article 1, under arrangements to be laid down in agreements between the Community and themselves, following the procedure laid down in Article 228 of the Treaty.';

16. Article 17 shall be replaced by the following:

'Article 17

Monitoring and evaluation procedure

The Commission shall, in consultation with the governing board, establish a monitoring and evaluation procedure of the experience acquired in the work of the Foundation. This procedure should be carried out with the help of external experts. The Commission shall present the first results of this procedure in a report to be submitted to the European Parliament, the Council and the Economic and Social Committee before 31 December 2000 and thereafter every three years.'

Article 2

This Regulation shall enter into force on the eighth 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, 17 July 1998.

For the Council

The President

W. RUTTENSTORFER

COMMISSION REGULATION (EC) No 1573/98
of 22 July 1998
establishing the standard import values for determining the entry price of certain
fruit and vegetables

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

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

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

Whereas Regulation (EC) No 3223/94 lays down, pursuant to the outcome of the Uruguay Round multilateral trade negotiations, the criteria whereby the Commis-

sion fixes the standard values for imports from third countries, in respect of the products and periods stipulated in the Annex thereto;

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

HAS ADOPTED THIS REGULATION:

Article 1

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

Article 2

This Regulation shall enter into force on 23 July 1998.

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

⁽¹⁾ OJ L 337, 24. 12. 1994, p. 66.

⁽²⁾ OJ L 198, 15. 7. 1998, p. 4.

⁽³⁾ OJ L 387, 31. 12. 1992, p. 1.

⁽⁴⁾ OJ L 22, 31. 1. 1995, p. 1.

ANNEX

to the Commission Regulation of 22 July 1998 establishing the standard import values for determining the entry price of certain fruit and vegetables

(ECU/100 kg)

CN code	Third country code ⁽¹⁾	Standard import value
0702 00 00	066	53,2
	999	53,2
0709 90 70	052	48,7
	999	48,7
0805 30 10	382	61,0
	388	58,6
	524	72,8
	528	55,7
	999	62,0
0808 10 20, 0808 10 50, 0808 10 90	388	77,9
	400	85,9
	508	111,7
	512	59,1
	524	70,6
	528	48,6
	800	212,7
	804	113,0
	999	97,4
	0808 20 50	052
388		101,1
512		74,0
528		57,9
999		87,1
0809 10 00	052	219,4
	064	131,7
	066	111,6
	999	154,2
0809 20 95	052	358,4
	061	260,9
	064	208,0
	400	285,2
	616	235,2
	999	269,5
0809 40 05	052	137,0
	064	94,2
	066	125,3
	624	252,3
	999	152,2

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

COMMISSION REGULATION (EC) No 1574/98

of 22 July 1998

relating to a standing invitation to tender to determine levies and/or refunds on exports of white sugar

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EEC) No 1785/81 of 30 June 1981 on the common organisation of the markets in the sugar sector⁽¹⁾, as last amended by Regulation (EC) No 1148/98⁽²⁾, and in particular Articles 13(2), 17(5) and (15), 20(3) and the second paragraph of Article 39 thereof,

Whereas, in conformity with Article 20 of Commission Regulation (EEC) No 1068/93 of 30 April 1993 on detailed rules for determining and applying the agricultural conversion rates⁽³⁾, as last amended by Regulation (EC) No 961/98⁽⁴⁾, the amounts of tenders submitted within the framework of an invitation to tender organised by virtue of a measure relating to the common agricultural policy will be expressed in ecus; whereas Article 3(3) of Commission Regulation (EC) No 1464/95 of 27 June 1995 on special detailed rules for the application of the system of import and export licences in the sugar sector⁽⁵⁾, as last amended by Regulation (EC) No 1148/98, provides that the amounts of the successful tenders shall be expressed in ecus on the licences and other documents certifying those amounts; whereas the value of the ecu shall be determined in accordance with Articles 2 and 3 of Council Regulation (EEC) No 3813/92⁽⁶⁾, as last amended by Regulation (EC) No 150/95⁽⁷⁾;

Whereas in view of the situation on the Community and world sugar markets, a standing invitation to tender should be issued as soon as possible for the export of white sugar in respect of the 1998/99 marketing year which, having regard to possible fluctuations in world prices for sugar, must provide for the determination of export levies and/or export refunds;

Whereas, the general rules governing invitations to tender for the purpose of determining export refunds for sugar were established by Article 17a of Regulation (EEC) No 1785/81;

Whereas, in view of the specific nature of the operation, appropriate provisions should be laid down with regard to export licences issued in connection with the standing

invitation to tender and there should be a derogation from Regulation (EC) No 1464/95; whereas, however, the provisions of 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⁽⁸⁾, as last amended by Regulation (EC) No 1044/98⁽⁹⁾, and those of Commission Regulation (EEC) No 120/89 of 19 January 1989 laying down common detailed rules for the application of the export levies and charges on agricultural products⁽¹⁰⁾, as last amended by Regulation (EC) No 2194/96⁽¹¹⁾, should remain applicable;

Whereas Article 13(1) of Regulation (EEC) No 1068/93 provides that where agricultural conversion rates are fixed in advance, on application by the party concerned, on the terms referred to in the second subparagraph of Article 6(1) of Regulation (EEC) No 3813/92, such application must be lodged at the same time as the submission of the tender as part of a tendering procedure; whereas, for reasons specific to the sugar market, when an operator intends to take up the option of an advance fixing of an agricultural conversion rate, his decision shall be made only when the application for the export certificate in question is lodged; whereas in practice he may only apply for advance fixing of the agricultural conversion rate in question after having been declared successful tenderer in respect of the levy or refund for the quantity of sugar indicated in his tender; whereas in the case of the present tendering procedure, a derogation must be made from the said provisions, leaving the tenderer the option of applying for advance fixing of the agricultural conversion rate at the time when the application for the export certificate in question is lodged;

Whereas the standing invitation to tender for the 1997/98 marketing year established by Commission Regulation (EC) No 1408/97⁽¹²⁾, remains open until a date to be determined subsequently; whereas that invitation should therefore be closed;

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

⁽¹⁾ OJ L 177, 1. 7. 1981, p. 4.

⁽²⁾ OJ L 159, 3. 6. 1998, p. 38.

⁽³⁾ OJ L 108, 1. 5. 1993, p. 106.

⁽⁴⁾ OJ L 135, 8. 5. 1998, p. 5.

⁽⁵⁾ OJ L 144, 28. 6. 1995, p. 14.

⁽⁶⁾ OJ L 387, 31. 12. 1992, p. 1.

⁽⁷⁾ OJ L 22, 31. 1. 1995, p. 1.

⁽⁸⁾ OJ L 331, 2. 12. 1988, p. 1.

⁽⁹⁾ OJ L 149, 20. 5. 1998, p. 11.

⁽¹⁰⁾ OJ L 16, 20. 1. 1989, p. 19.

⁽¹¹⁾ OJ L 293, 16. 11. 1996, p. 3.

⁽¹²⁾ OJ L 194, 23. 7. 1997, p. 16.

HAS ADOPTED THIS REGULATION:

Article 1

1. A standing invitation to tender shall be issued in order to determine export levies and/or export refunds on white sugar covered by CN code 1701 99 10 and, during the period of validity of this standing invitation, partial invitations to tender shall be issued.

2. The standing invitation to tender shall remain open until a date to be determined later.

Article 2

The standing invitation to tender and the partial invitation shall be conducted in accordance with Article 17a of Regulation (EEC) No 1785/81 and with the following provisions.

Article 3

1. The Member States shall establish a notice of invitation to tender. The notice of invitation to tender shall be published in the *Official Journal of the European Communities*. Member States may also publish the notice, or have it published, elsewhere.

2. The notice shall indicate, in particular, the terms of the invitation to tender.

3. The notice may be amended during the period of validity of the standing invitation to tender. It shall be so amended if the terms of the invitation to tender are modified during that period.

Article 4

1. The period during which tenders may be submitted in response to the first partial invitation to tender:

- (a) shall begin on 30 July 1998;
- (b) shall end on 5 August 1998 at 10.30 a.m.

2. The periods during which tenders may be submitted in response to the second and subsequent partial invitations:

- (a) shall begin on the first working day following the end of the preceding period;
- (b) shall end at 10.30 a.m. on the Wednesday of the following week.

3. Notwithstanding paragraph 2(b), the period for the submission of tenders which was to end on:

- Wednesday 11 November 1998, shall end on Tuesday 10 November 1998 at 10.30 a.m.,
- Wednesday 14 July 1999, shall end on Tuesday 13 July 1999 at 10.30 a.m.

4. Notwithstanding paragraph 2, no partial invitations to tender will be issued on Wednesday 23 and 30 December 1998 or 31 March 1999.

5. The time limits laid down in this Regulation are expressed in Belgian time.

Article 5

1. Offers in connection with this tender must be in writing, and must be either delivered by hand, against a receipt, to the competent authority in a Member State, or addressed to that authority by registered letter, telex, telegram or fax.

2. An offer must indicate:

- (a) the reference number of the invitation to tender to which the offer relates;
- (b) the name and address of the tenderer;
- (c) the quantity of white sugar to be exported;
- (d) the amount of the export levy or, where applicable, of the export refund, per 100 kilograms of white sugar, expressed in ecus to three decimal places;
- (e) the minimum amount of the security to be lodged covering the quantity of sugar indicated in (c), expressed in the currency of the Member State in which the tender is submitted.

3. An offer shall be valid only if:

- (a) the quantity to be exported is not less than 250 tonnes of white sugar;
- (b) proof is furnished before expiry of the time limit for the submission of tenders that the tenderer has lodged the security indicated in the tender;
- (c) it includes a declaration by the tenderer that if this tender is successful he will, within the period laid down in Article 12(b), apply for an export licence or licences in respect of the quantities of white sugar to be exported;
- (d) it includes a declaration by the tenderer that if his tender is successful he will:

— where the obligation to export resulting from the export licence referred to in Article 12(b) is not fulfilled, supplement the security by payment of the amount referred to in Article 13(4), and

— within 30 days following the expiry of the export licence in question, notify the agency which issued the licence of the quantity or quantities in respect of which the licence was not used;

- (e) it contains all the information required under paragraph 2.

4. A tender may stipulate that it is to be regarded as having been submitted only if:

- (a) the minimum export levy or, where applicable, the maximum export refund is fixed on the day of the expiry of the period for the submission of the tenders in question;
- (b) the tender, if successful, related to all or a specified part of the tendered quantity.

5. A tender which is not submitted in accordance with the provisions of this Regulation, or which contains terms other than those indicated in the present invitation to tender, shall not be considered.

6. Once submitted, a tender may not be withdrawn.

Article 6

1. A security of ECU 11 per 100 kilograms of white sugar to be exported under this invitation to tender must be lodged by each tenderer. Without prejudice to Article 13(4), this security shall in the case of successful tenderers and at the time of the application referred to in Article 12(b), become the security for the export licence.

2. The security may be lodged at the tenderer's choice, either in cash or in the form of a guarantee given by an establishment complying with criteria laid down by the Member State in which the tender is submitted.

3. Except in cases of *force majeure*, the security referred to in paragraph 1 will be released:

- (a) to unsuccessful tenderers in respect of the quantity for which no award has been made;
- (b) to successful tenderers who have not applied for the relevant export licence within the period referred to in Article 12(b), to the extent of ECU 10 per 100 kilograms of white sugar.

However, this part of the releasable security shall be reduced by the amount representing the difference existing, as applicable:

- between the maximum amount of the export refund fixed for the partial invitation concerned and the maximum amount of the export refund fixed for the following partial invitation when the latter amount is higher than the former, or
- between the minimum amount of the export levy fixed for the partial invitation concerned and the minimum amount of the export levy fixed for the following partial invitation when the latter amount is lower than the former;

- (c) to successful tenderers for the quantity for which they have fulfilled, within the meaning of Articles 29(b) and 30(1)(b)(i) of Regulation (EEC) No 3719/88, the export obligation resulting from the licence referred to under Article 12(b) in accordance with the terms of Article 33 of that Regulation.

The part of the security or the security which is not released shall be forfeit in respect of the quantity of sugar for which the corresponding obligations have not been fulfilled.

4. In case of *force majeure*, the competent authority of the Member State concerned shall take such action as it considers necessary having regard to the circumstances invoked by the party concerned.

Article 7

1. Tenders shall be examined in private by the competent authority concerned. The persons present at the examination shall be under an obligation not to disclose any particulars relating thereto.

2. Tenders shall be communicated to the Commission forthwith and in such manner that the tenders remain anonymous.

Article 8

1. After the tenders received have been examined, a maximum quantity may be fixed for the partial invitation concerned.

2. A decision may be taken to make no award under a specific partial invitation to tender.

Article 9

1. In the light of the current state and foreseeable development of the Community and world sugar markets, there shall be fixed either:

- a minimum export levy, or
- a maximum export refund.

2. Subject to Article 10, where a minimum export levy is fixed, a contract shall be awarded to every tenderer whose tender quotes a rate of levy equal to or greater than such minimum levy.

3. Subject to Article 10, where a maximum export refund is fixed, a contract shall be awarded to every tenderer whose tender quotes a rate of refund equal to or less than such maximum refund and to every tenderer who has tendered for an export levy.

Article 10

1. Where a maximum quantity has been fixed for a partial invitation to tender:

- if a minimum levy is fixed, a contract shall be awarded to the tenderer whose tender quotes the highest levy; if the maximum quantity is not fully covered by that award, awards shall be made to other tenderers in descending order of levies quoted until the entire maximum quantity has been accounted for,
- if a maximum refund is fixed, contracts shall be awarded in accordance with the first indent; if after such awards a quantity is still outstanding, or if there are no tenders quoting an export levy, awards shall be made to tenderers quoting a refund in ascending order or refunds quoted until the entire maximum quantity has been accounted for.

2. However, where an award to a particular tenderer in accordance with the provisions of paragraph 1 would result in the maximum quantity being exceeded, that award shall be limited to such quantity as is still available. Where two or more tenderers quote the same levy or the same refund and awards to all of them would result in the maximum quantity being exceeded, then the quantity available shall be awarded as follows:

- by being divided among the tenderers concerned in proportion to the total quantities in each of their tenders, or
- by being apportioned among the tenderers concerned by reference to a maximum tonnage to be fixed for each of them, or
- by the drawing of lots.

Article 11

1. The competent authority of the Member State concerned shall immediately notify applicants of the result of their participation in the invitation to tender. In addition, that authority shall send successful tenderers a statement of award.

2. The statement of award shall indicate at least:

- (a) the reference number of the invitation to which the tender relates;
- (b) the quantity of white sugar to be exported;
- (c) the amount expressed in ecus of the export levy to be charged, or where applicable of the export refund to be granted per 100 kilograms of white sugar of the quantity referred to in (b).

Article 12

Every successful tenderer shall have:

- (a) the right to receive in the circumstances referred to under (b), in respect of the quantity awarded, an export licence indicating as appropriate, the export levy or the export refund quoted in his tender;

- (b) the obligation to lodge, in accordance with the relevant provisions of Regulation (EEC) No 3719/88, an application for an export licence in respect of that quantity, the application not being revocable and Article 12 of Regulation (EEC) No 120/89 not applying in such a case. The application shall be lodged in accordance with the relevant provisions of Regulation (EEC) No 3719/88, not later than:
 - the last working day preceding the date of the partial invitation to tender to be held the following week, or
 - if no partial invitation to tender is due to be held that week, the last working day of the following week;

- (c) the obligation to export the tendered quantity and, if this obligation is not fulfilled, to pay, where necessary, the amount referred to in Article 13(4).

This right and these obligations are not transferable.

Article 13

1. The first paragraph of Article 9 of Regulation (EC) No 1464/95 shall not apply to the white sugar to be exported in accordance with this Regulation.

2. Export licences issued in connection with a partial invitation to tender shall be valid from the day of issue until the end of the fifth calendar month following that in which the partial invitation was issued.

However, export licences issued in respect of the partial invitations held from 1 May 1999 will be valid only until 30 September 1999.

The competent authorities in the Member State which issued the export licence may, at the written request of the holder of that licence, extend its validity to 15 October 1999 at the latest where technical difficulties arise which prevent export being carried out by the expiry date laid down in paragraph 2, provided that export is not subject to the rules laid down in Article 4 or 5 of Council Regulation (EEC) No 565/80⁽¹⁾.

3. The export licences issued in respect of the partial invitations held between 5 August and 30 September 1998 will be usable only from 1 October 1998.

4. Except in cases of *force majeure*, if the obligation to export resulting from the export licence referred to under Article 12(b) has not been fulfilled and if the security referred to in Article 6 is less than:

⁽¹⁾ OJ L 62, 7. 3. 1980, p. 5.

- (a) the export levy indicated on the licence reduced by the levy referred to in the second subparagraph of Article 20(1) of Regulation (EEC) No 1785/81 in force on the last day of validity of the said licence; or
- (b) the sum of the export levy indicated on the licence and the refund referred to in Article 17a(2) of Regulation (EEC) No 1785/81 in force on the last day of validity of the said licence; or
- (c) the export refund referred to in Article 17a(2) of Regulation (EEC) No 1785/81 in force on the last day of validity of the licence reduced by the refund indicated on the said licence,

then, for the quantity in respect of which the said obligation was not fulfilled, the licence holder shall be charged an amount equal to the difference between the result of the valuation made under (a), (b) or (c), as the case may be, and the security referred to in Article 6(1).

Article 14

If the tenderer intends to apply for advance fixing of the agricultural conversion rate under this standing invitation to tender, the provisions of the second indent of Article 13(1) of Regulation (EEC) No 1068/93 shall not apply.

Article 15

1. Notwithstanding Article 7 of Commission Regulation (EC) No 2135/95⁽¹⁾, if the intervention prices fixed in ecus pursuant to Regulation (EEC) No 1785/81 or the storage levies fixed in ecus pursuant to that Regulation are amended during the interval between the day of expiry of the period for submission of tenders and the day of export, the amounts of the export refunds and the export levies fixed under the terms of this invitation to tender before 1 July 1999, for the sugar exported from that date, shall be adjusted.

2. For the adjustment referred to in paragraph 1:

- (a) in the event of the fixing of an intervention price for white sugar applicable with effect from 1 July 1999 which is greater than that in force on 30 June 1999 the export refund and the export levy shall be adjusted by an amount equal to the difference expressed in ecus per 100 kilograms existing between the interven-

tion price for white sugar applicable with effect from 1 July 1999 and the intervention price for that sugar in force on 30 June 1999;

- (b) in the event of the fixing of an intervention price for white sugar applicable with effect from 1 July 1999 which is lower than that in force on 30 June 1999, the export refund and the export levy shall be adjusted by an amount equal to the difference expressed in ecus per 100 kilograms existing between the intervention price for white sugar in force on 30 June 1999 and the intervention price for that sugar applicable with effect from 1 July 1999.

3. For the calculation of the differences referred to in paragraph 2, the intervention prices in question shall be increased by the corresponding storage levy referred to in the second subparagraph of Article 8(2) of Regulation (EEC) No 1785/81.

4. Where only the amount of the storage levy varies from one marketing year to the next, the refund shall be adjusted by applying the provisions of paragraph 2(a) or 2(b), as appropriate.

5. For the purposes of this Article, the Member State issuing the relevant export licence shall, at the time of issue, complete the 'special particulars' section by adding the following:

'to be adjusted in accordance with tender Regulation (EC) No 1574/98 for exports which take place after 30 June 1999.'

6. The adjustment shall be made when the export refund in question is paid.

7. Member States shall inform the Commission as quickly as possible of the quantities of sugar for which an adjustment under this Article has been made.

Article 16

The standing invitation to tender referred to in Regulation (EC) No 1408/97 shall be closed on 30 July 1998.

Article 17

This Regulation shall enter into force on 30 July 1998.

⁽¹⁾ OJ L 214, 8. 9. 1995, p. 16.

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

Done at Brussels, 22 July 1998.

For the Commission
Franz FISCHLER
Member of the Commission

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 1576/98

of 22 July 1998

supplementing the Annex to Regulation (EC) No 2400/96 on the entry of certain names in the 'Register of protected designation of origin and protected geographical indications' provided for in Council Regulation (EEC) No 2081/92 on the protection of geographical indications and designations of origin for agricultural products and foodstuffs

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EEC) No 2081/92 of 14 July 1992 on the protection of geographical indications and designations of origin for agricultural products and foodstuffs⁽¹⁾, as last amended by Commission Regulation (EC) No 1068/97⁽²⁾, and in particular Article 6(3) and (4) thereof,

Whereas, pursuant to Article 5 of Regulation (EEC) No 2081/92, France has sent the Commission an application for the registration of a name as a geographical indication;

Whereas, pursuant to Article 6(1) of that Regulation, that application was found to meet all the requirements laid down therein, and in particular to contain all the information required pursuant to Article 4 thereof;

Whereas, for the name given in the Annex hereto, no statement of objection was made to the Commission pursuant to Article 7 of that Regulation following its publication in the *Official Journal of the European Communities*⁽³⁾;

Whereas the name should therefore be entered in the 'Register of protected designation of origin and protected geographical indications' and hence be protected throughout the Community as a protected geographical indication;

Whereas the Annex hereto supplements the Annex to Commission Regulation (EC) No 2400/96⁽⁴⁾, as last amended by Regulation (EC) No 1265/98⁽⁵⁾,

HAS ADOPTED THIS REGULATION:

Article 1

The name in the Annex hereto is hereby added to the Annex to Regulation (EC) No 2400/96 and entered in the 'Register of protected designation of origin and protected geographical indications' provided for in Article 6(3) of Regulation (EEC) No 2081/92 as a protected geographical indication (PGI).

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 July 1998.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ L 208, 24. 7. 1992, p. 1.

⁽²⁾ OJ L 156, 13. 6. 1997, p. 10.

⁽³⁾ OJ C 336, 7. 11. 1997, p. 4.

⁽⁴⁾ OJ L 327, 18. 12. 1996, p. 11.

⁽⁵⁾ OJ L 175, 19. 6. 1998, p. 7.

*ANNEX***PRODUCTS LISTED IN ANNEX II TO THE EC TREATY AND INTENDED FOR
HUMAN CONSUMPTION****Fruit and vegetables:**

FRANCE

— Lentilles vertes du Berry (PGI)

COMMISSION REGULATION (EC) No 1577/98

of 22 July 1998

laying down transitional measures for the management of base areas in the new German *Länder* and repealing Regulation (EEC) No 1763/96

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EEC) No 1765/92 of 30 June 1992 establishing a support scheme for producers of certain arable crops ⁽¹⁾, as last amended by Regulation (EC) No 2309/97 ⁽²⁾, and in particular Article 16 thereof,

Whereas Article 2(6) of Regulation (EEC) No 1765/92 provides for the reduction of the area eligible for compensatory payments and for a special set-aside without compensation where the sum of the areas for which aid is claimed by producers is in excess of the regional base area;

Whereas the change from the planned economy existing in the new *Länder* before unification to a market economy was carried out practically without a transitional period; whereas, therefore, implementation of the reform has come at a time when agricultural production structures in the new *Länder* are in the process of change; whereas the loss of traditional markets in the countries of eastern Europe has led to a significant fall in livestock production and in the areas previously used for fodder production unforeseen when Regulation (EEC) No 1765/92 was adopted;

Whereas, given this situation, a solution has been found which, without giving rise to a permanent increase in the base area, which is a key element in the reform of arable farming, ensures that the strict application of the present legislation does not jeopardise the restructuring of the agricultural sector in the new *Länder*; whereas this solution takes the form of a transitional measure introducing a temporary extension of the base area — to be reduced in four steps — from the 1993/94 marketing year; whereas these transitional measures are provided for in Regulation (EC) No 1763/96 ⁽³⁾;

Whereas the factors which led to the adoption of Regulation (EC) No 1763/96 still pertain; whereas under these circumstances an extension of the transitional period is justified;

Whereas, for the sake of clarity, Regulation (EC) No 1763/96 should be replaced with effect from the 1998/99 marketing year;

Whereas the measures provided for in this Regulation are in accordance with the opinion of the Joint Management Committee for cereals, oils and fats and dried fodder,

HAS ADOPTED THIS REGULATION:

Article 1

For the purposes of Article 2(6) of Regulation (EEC) No 1765/92, the base area laid down by Commission Regulation (EC) No 1098/94 ⁽⁴⁾ shall be temporarily increased for the new German *Länder* as indicated in the Annex.

Article 2

1. For the 2000/01, 2001/02, 2002/03 and 2003/04 marketing years, where the base area laid down by Commission Regulation (EEC) No 1098/94 is exceeded within the limits indicated in the Annex to this Regulation, the area eligible for compensatory payments shall be reduced per producer, for the duration of the marketing year and in proportion to the over-run, by 10 %, 20 %, 30 % and 40 % respectively.

2. The reduction referred to in paragraph 1 shall be additional to any reduction made as a result of the base area provided for in Article 1 being exceeded.

Article 3

Regulation (EEC) No 1763/96 is hereby repealed with effect from 1 July 1998.

Article 4

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

It shall apply from the 1998/99 marketing year.

⁽¹⁾ OJ L 181, 1. 7. 1992, p. 12.

⁽²⁾ OJ L 321, 22. 11. 1997, p. 3.

⁽³⁾ OJ L 231, 12. 9. 1996, p. 8.

⁽⁴⁾ OJ L 121, 12. 5. 1994, p. 12.

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

ANNEX

(1 000 hectares)

<i>Länder</i>	1998/99 to 2000/01	2001/02	2002/03	2003/04
Brandenburg	+ 6,8	+ 5,1	+ 3,4	+ 1,7
Mecklenburg-Western Pomerania	+ 66,5	+ 49,9	+ 33,3	+ 16,6
Saxony	+ 13,1	+ 9,8	+ 6,5	+ 3,3
Saxony-Anhalt	+ 34,6	+ 25,9	+ 17,3	+ 8,6
Thuringia	+ 29,0	+ 21,8	+ 14,5	+ 7,3
Total	150,0	112,5	75,0	37,5

COMMISSION REGULATION (EC) No 1578/98

of 22 July 1998

amending Regulations (EEC) No 3478/92 and (EC) No 1066/95 in the raw tobacco sector as regards the allocation of supplementary production quotas and amendments to cultivation contracts for the 1997 harvest in Italy

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EEC) No 2075/92 of 30 June 1992 on the common organisation of the market in raw tobacco⁽¹⁾, as last amended by Regulation (EC) No 2595/97⁽²⁾, and in particular Articles 7 and 11 thereof,

Whereas the detailed rules for the application of the premium system and the quota system for raw tobacco were laid down respectively by Commission Regulation (EEC) No 3478/92⁽³⁾, as last amended by Regulation (EC) No 842/98⁽⁴⁾, and Commission Regulation (EC) No 1066/95⁽⁵⁾, as last amended by Regulation (EC) No 1135/98⁽⁶⁾;

Whereas account should be taken of the exceptional circumstances in tobacco production regions in Italy during the 1997 harvest as a result of which some of the production-quota certificates allocated could not be used;

Whereas Italy should therefore be permitted to allocate supplementary quota certificates for the difference between the quantities actually delivered and the guarantee threshold for a given variety group;

Whereas deliveries of raw tobacco under a production quota received by an Italian producer under a reallocation of supplementary quotas should be eligible for the premium; whereas the parties to a cultivation contract should consequently be allowed to increase the quantities originally specified in that contract up to the limit of the production quota;

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

HAS ADOPTED THIS REGULATION:

Article 1

Article 14a(2) of Regulation (EC) No 1066/95 is hereby replaced by the following:

⁽¹⁾ OJ L 215, 30. 7. 1992, p. 70.

⁽²⁾ OJ L 351, 23. 12. 1997, p. 11.

⁽³⁾ OJ L 351, 2. 12. 1992, p. 17.

⁽⁴⁾ OJ L 120, 23. 4. 1998, p. 8.

⁽⁵⁾ OJ L 108, 13. 5. 1995, p. 5.

⁽⁶⁾ OJ L 157, 30. 5. 1998, p. 102.

'2. Notwithstanding paragraph 1, in respect of the 1997 harvest, the competent authority in Italy may, within the limits of the guarantee threshold set for a given variety group and after ascertaining that all deliveries of this variety group have been made in accordance with Article 9 of Regulation (EEC) No 3478/92, reallocate supplementary quota certificates corresponding to the unused quota.

The competent authority in Italy shall allocate these supplementary quota certificates for each variety group to producers who:

- have previously received quota certificates for the relevant variety in respect of the 1997 harvest,
- still have surplus production after delivery of all the quantities covered by their cultivation contract.'

Article 2

Article 2(7) of Regulation (EEC) No 3478/92 is hereby replaced by the following:

'7. In respect of the 1997 harvest, the parties to a cultivation contract in Italy may increase by means of a written amendment the quantities initially specified in the contract, provided the following requirements are met:

- (a) the producer has been issued with a supplementary production-quota certificate under Article 14a(2) of Commission Regulation (EC) No 1066/95^(*);
- (b) the amendment specifies the producer's surplus production at the locations and for the harvest covered by the contract;
- (c) the amendment is submitted for registration to the competent authority before 22 August 1998.

^(*) OJ L 108, 13. 5. 1995, p. 5.'

Article 3

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 July 1998.

For the Commission

Franz FISCHLER

Member of the Commission

COMMISSION REGULATION (EC) No 1579/98
of 22 July 1998
opening a standing invitation to tender for the export of rye held by the Danish
intervention agency

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

Having regard to Council Regulation (EEC) No 1766/92 of 30 June 1992 on the common organisation of the market in cereals⁽¹⁾, as last amended by Commission Regulation (EC) No 923/96⁽²⁾, and in particular Article 5 thereof,

Whereas Commission Regulation (EEC) No 2131/93⁽³⁾, as last amended by Regulation (EC) No 2193/96⁽⁴⁾, lays down the procedure and conditions for the disposal of cereals held by intervention agencies;

Whereas, given the current market situation, a standing invitation to tender should be opened for the export of 100 000 tonnes of rye held by the Danish intervention agency;

Whereas special procedures must be laid down to ensure that the operations and their monitoring are properly effected; whereas, to that end, provision should be made for a security lodgement scheme which ensures that aims are met while avoiding excessive costs for the operators; whereas derogations should accordingly be made to certain rules, in particular those laid down in Regulation (EEC) No 2131/93;

Whereas, where removal of the rye is delayed by more than five days or the release of one of the securities required is delayed for reasons imputable to the intervention agency the Member State concerned must pay compensation;

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

Subject to the provisions of this Regulation the Danish intervention agency issues a standing invitation to tender for the export of rye held by it in accordance with Regulation (EEC) No 2131/93.

Article 2

1. The invitation to tender shall cover a maximum of 100 000 tonnes of rye for export to third countries.

⁽¹⁾ OJ L 181, 1. 7. 1992, p. 21.

⁽²⁾ OJ L 126, 24. 5. 1996, p. 37.

⁽³⁾ OJ L 191, 31. 7. 1993, p. 76.

⁽⁴⁾ OJ L 293, 16. 11. 1996, p. 1.

2. The regions in which the 100 000 tonnes of rye are stored are set out in Annex I.

Article 3

1. Notwithstanding the third paragraph of Article 16 of Regulation (EEC) No 2131/93, the price to be paid for the export shall be that quoted in the tender.

2. No export refund or tax or monthly increase shall be granted on exports carried out pursuant to this Regulation.

3. Article 8(2) of Regulation (EEC) No 2131/93 shall not apply.

Article 4

1. The export licences shall be valid from their date of issue within the meaning of Article 9 of Regulation (EEC) No 2131/93 until the end of the fourth month thereafter.

2. Tenders submitted in response to this invitation to tender may not be accompanied by export licence applications submitted pursuant to Article 44 of Commission Regulation (EEC) No 3719/88⁽⁵⁾.

Article 5

1. Notwithstanding Article 7(1) of Regulation (EEC) No 2131/93, the time limit for submission of tenders in respect of the first partial invitation to tender shall be 9 a.m. (Brussels time) on 23 July 1998.

2. The time limit for submission of tenders in respect of subsequent partial invitations to tender shall be 9 a.m. (Brussels time) each Thursday thereafter.

3. The last partial invitation to tender shall be 9 a.m. (Brussels time) on 27 May 1999.

4. Tenders shall be lodged with the Danish intervention agency.

Article 6

1. The intervention agency, the storer and the successful tenderer shall, at the request of the latter and

⁽⁵⁾ OJ L 331, 2. 12. 1988, p. 1.

by common agreement, either before or at the time of removal from storage as the successful tenderer chooses, take reference samples for counter-analysis at the rate of at least one sample for every 500 tonnes and shall analyse the samples. The intervention agency may be represented by a proxy, provided this is not the storer.

The analysis results shall be forwarded to the Commission in the event of a dispute.

Reference samples for counter-analysis shall be taken and analysed within seven working days of the date of the successful tenderer's request or within three working days if the samples are taken on removal from storage. Where the final result of sample analyses indicates a quality:

- (a) higher than that specified in the notice of invitation to tender, the successful tenderer must accept the lot as established;
- (b) higher than the minimum characteristics laid down for intervention but below the quality described in the notice of invitation to tender, providing that the differences having regard to those criteria do not exceed the following limits:
 - one kilogram per hectolitre as regards specific weight, which must not, however, be less than 68 kg/hl,
 - one percentage point as regards moisture content,
 - half a percentage point as regards impurities as specified in points B.2 and B.4 of the Annex to Commission Regulation (EEC) No 689/92 ⁽¹⁾, and
 - half a percentage point as regards impurities as specified in point B.5 of the Annex to Regulation (EEC) No 689/92, the percentages admissible for noxious grains and ergot, however, remaining unchanged,

the successful tenderer must accept the lot as established;

- (c) higher than the minimum characteristics laid down for intervention but below the quality described in the notice of invitation to tender, and a difference exceeding the limits set out in point (b), the successful tenderer may:
 - accept the lot as established, or
 - refuse to take over the lot in question. The successful tenderer shall be discharged of all his obligations relating to the lot in question and the securities shall be released only once he has informed the Commission and the intervention agency forthwith in accordance with Annex II; however, if he requests the intervention agency to supply him with another lot of intervention rye of

the quality laid down at no additional charge, the security shall not be released. The lot must be replaced within three days of the date of the successful tenderer's request. The successful tenderer shall notify the Commission immediately thereof in accordance with Annex II;

- (d) below the minimum characteristics laid down for intervention, the successful tenderer may not remove the lot in question. He shall be discharged of all his obligations relating to the lot in question and the securities shall be released only once he has informed the Commission and the intervention agency forthwith in accordance with Annex II; however, he may request the intervention agency to supply him with another lot of intervention rye of the quality laid down at no additional charge. In that case, the security shall not be released. The lot must be replaced within three days of the date of the successful tenderer's request. The successful tenderer shall immediately inform the Commission thereof in accordance with Annex II.

2. However, if the rye is removed before the results of the analyses are known, all risks shall be borne by the successful tenderer from the time the lot is removed, without prejudice to any means of redress of which he may avail himself against the storer.

3. If, as a result of successive replacements, the successful tenderer has not received a replacement lot of the quality laid down within one month of the date of his request for a replacement, he shall be discharged of all his obligations and the securities shall be released once he has informed the Commission and the intervention agency forthwith in accordance with Annex II.

4. Except where the final results of analyses indicate a quality below the minimum characteristics laid down for intervention, the costs of taking the samples and conducting the analyses provided for in paragraph 1 but not of inter-bin transfers shall be borne by the European Agricultural Guidance and Guarantee Fund (EAGGF) in respect of up to one analysis per 500 tonnes. The costs of inter-bin transfers and any additional analyses requested by the successful tenderer shall be borne by him.

Article 7

By derogation from Article 12 of Commission Regulation (EEC) No 3002/92 ⁽²⁾, the documents relating to the sale of rye in accordance with this Regulation, and in particular the export licence, the removal order referred to in Article 3(1)(b) of Regulation (EEC) No 3002/92, the export declaration and, where necessary, the T5 copy shall carry the entry:

⁽¹⁾ OJ L 74, 20. 3. 1992, p. 18.

⁽²⁾ OJ L 301, 17. 10. 1992, p. 17.

- Centeno de intervención sin aplicación de restitución ni gravamen, Reglamento (CE) n° 1579/98
- Rug fra intervention uden restitutionsydelse eller -afgift, forordning (EF) nr. 1579/98
- Interventionsroggen ohne Anwendung von Ausfuhrerstattungen oder Ausfuhrabgaben, Verordnung (EG) Nr. 1579/98
- Σίκαλη παρέμβασης χωρίς εφαρμογή επιστροφής ή φόρου, κανονισμός (ΕΚ) αριθ. 1579/98
- Intervention rye without application of refund or tax, Regulation (EC) No 1579/98
- Seigle d'intervention ne donnant pas lieu à restitution ni taxe, règlement (CE) n° 1579/98
- Segala d'intervento senza applicazione di restituzione né di tassa, regolamento (CE) n. 1579/98
- Rogge uit interventie, zonder toepassing van restitutie of belasting, Verordening (EG) nr. 1579/98
- Centeio de intervenção sem aplicação de uma restituição ou imposição, Regulamento (CE) n° 1579/98
- Interventoriusta, johon ei sovelleta vientitukea eikä vientimaksua, asetukset (EY) N:o 1579/98
- Interventionsråg, utan tillämpning av bidrag eller avgift, förordning (EG) nr 1579/98.

Article 8

1. The security lodgement pursuant to Article 13(4) of Regulation (EEC) No 2131/93 must be released once the export licences have been issued to the successful tenderers.
2. The obligation to export to the third countries shall be covered by a security amounting to ECU 50 per tonne of which ECU 30 per tonne shall be lodged when the

export licence is issued, with the balance of ECU 20 per tonne being lodged before removal of the cereals.

Article 15(2) of Regulation (EEC) No 3002/92 notwithstanding:

- the amount of ECU 30 per tonne must be released within 20 working days of the date on which the successful tenderer supplies proof that the rye removed has left the customs territory of the Community,
- the amount of ECU 20 per tonne must be released within 15 working days of the date on which the successful tenderer supplies the proof referred to in Article 17(3) of Regulation (EEC) No 2131/93.

3. Except in duly substantiated exceptional cases, in particular the opening of an administrative enquiry, any release of the securities provided for in this Article after the time limits specified in this same Article shall confer an entitlement to compensation from the Member State amounting to ECU 0,015 per 10 tonnes for each day's delay.

This compensation shall not be charged to the EAGGF.

Article 9

Within two hours of the expiry of the time limit for the submission of tenders, the Danish intervention agency shall notify the Commission of tenders received. Such notification shall be made using the model set out in Annex III and the telex or fax numbers set out in Annex IV.

Article 10

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 July 1998.

For the Commission

Franz FISCHLER

Member of the Commission

ANNEX I

(tonnes)

Place of storage	Quantity
Jylland	88 107
Fyn	11 893

ANNEX II

Communication of refusal of lots under the standing invitation to tender for the export of rye held by the Danish intervention agency

(Article 6(1) of Regulation (EC) No 1579/98)

- Name of successful tenderer:
- Date of award of contract:
- Date of refusal of lot by successful tenderer:

Lot No	Quantity in tonnes	Address of silo	Reason for refusal to take over
			<ul style="list-style-type: none"> — Specific weight (kg/hl) — % sprouted grains — % miscellaneous impurities (Schwarzbesatz) — % of matter which is not basic cereal of unimpaired quality — Other

ANNEX III

Standing invitation to tender for the export of rye held by the Danish intervention agency

(Regulation (EC) No 1579/98)

1	2	3	4	5	6	7
Tender No	Consignment No	Quantity (tonnes)	Offer price (ECU/tonne) ⁽¹⁾	Price increases (+) or reductions (-) (ECU/tonne) p.m.	Commercial costs (ECU/tonne)	Destination
1						
2						
3						
etc.						

⁽¹⁾ This price includes the increases or reductions relating to the lot to which the tender refers.

ANNEX IV

The only numbers to use to call Brussels are (DG VI-C-1):

- telex: 22037 AGREC B,
22070 AGREC B (Greek characters),
- fax: 296 49 56,
295 25 15.

COMMISSION REGULATION (EC) No 1580/98
of 21 July 1998
establishing unit values for the determination of the customs value of certain
perishable goods

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

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

Having regard to Commission Regulation (EEC) No 2454/93 of 2 July 1993 laying down provisions for the implementation of Council Regulation (EEC) No 2913/92 establishing the Community Customs Code ⁽³⁾, as last amended by Regulation (EC) No 75/98 ⁽⁴⁾, and in particular Article 173 (1) thereof,

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

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

HAS ADOPTED THIS REGULATION:

Article 1

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

Article 2

This Regulation shall enter into force on 24 July 1998.

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

Done at Brussels, 21 July 1998.

For the Commission
Martin BANGEMANN
Member of the Commission

⁽¹⁾ OJ L 302, 19. 10. 1992, p. 1.

⁽²⁾ OJ L 17, 21. 1. 1997, p. 1.

⁽³⁾ OJ L 253, 11. 10. 1993, p. 1.

⁽⁴⁾ OJ L 7, 13. 1. 1998, p. 3.

ANNEX

Code	Description Species, varieties, CN code	Amount of unit values per 100 kg						
		a) b) c)	ECU FIM SEK	ATS FRF BEF/LUF	DEM IEP GBP	DKK ITL	GRD NLG	ESP PTE
1.10	New potatoes 0701 90 51 0701 90 59	a)	31,78	440,75	62,65	238,72	10 393,62	5 316,83
		b)	190,43	210,03	24,92	61 778,10	70,63	6 409,33
		c)	277,89	1 291,97	21,35			
1.30	Onions (other than seed) 0703 10 19	a)	30,67	425,36	60,46	230,38	10 030,59	5 131,12
		b)	183,78	202,69	24,05	59 620,33	68,16	6 185,46
		c)	268,19	1 246,85	20,60			
1.40	Garlic 0703 20 00	a)	21,48	297,90	42,34	161,35	7 025,01	3 593,63
		b)	128,71	141,96	16,85	41 755,62	47,74	4 332,04
		c)	187,83	873,24	14,43			
1.50	Leeks ex 0703 90 00	a)	39,59	549,07	78,05	297,39	12 947,87	6 623,45
		b)	237,23	261,64	31,05	76 960,19	87,98	7 984,43
		c)	346,19	1 609,48	26,60			
1.60	Cauliflowers 0704 10 10 0704 10 05 0704 10 80	a)	75,84	1 051,82	149,51	569,68	24 803,40	12 688,11
		b)	454,44	501,21	59,48	147 427,65	168,55	15 295,26
		c)	663,17	3 083,18	50,95			
1.70	Brussels sprouts 0704 20 00	a)	59,69	827,83	117,67	448,37	19 521,55	9 986,20
		b)	357,67	394,48	46,81	116 033,18	132,66	12 038,16
		c)	521,95	2 426,62	40,10			
1.80	White cabbages and red cabbages 0704 90 10	a)	142,62	1 977,98	281,15	1 071,31	46 643,73	23 860,47
		b)	854,60	942,54	111,85	277 243,30	316,96	28 763,32
		c)	1 247,11	5 798,03	95,81			
1.90	Sprouting broccoli or calabrese (<i>Brassica oleracea L. convar. botrytis (L.) Alef var. italica Plenck</i>) ex 0704 90 90	a)	105,95	1 469,41	208,86	795,86	34 650,84	17 725,54
		b)	634,87	700,20	83,09	205 959,38	235,46	21 367,78
		c)	926,46	4 307,26	71,18			
1.100	Chinese cabbage ex 0704 90 90	a)	57,59	798,71	113,53	432,60	18 834,75	9 634,86
		b)	345,09	380,60	45,17	111 950,93	127,99	11 614,64
		c)	503,58	2 341,25	38,69			
1.110	Cabbage lettuce (head lettuce) 0705 11 10 0705 11 05 0705 11 80	a)	152,67	2 117,36	300,97	1 146,80	49 930,57	25 541,84
		b)	914,82	1 008,96	119,74	296 779,79	339,29	30 790,18
		c)	1 334,99	6 206,60	102,56			
1.120	Endives ex 0705 29 00	a)	21,82	302,62	43,01	163,90	7 136,21	3 650,51
		b)	130,75	144,20	17,11	42 416,55	48,49	4 400,61
		c)	190,80	887,06	14,66			
1.130	Carrots ex 0706 10 00	a)	42,68	591,92	84,14	320,60	13 958,45	7 140,41
		b)	255,74	282,06	33,47	82 966,93	94,85	8 607,62
		c)	373,21	1 735,10	28,67			
1.140	Radishes ex 0706 90 90	a)	173,89	2 411,66	342,80	1 306,20	56 870,55	29 091,97
		b)	1 041,97	1 149,20	136,38	338 029,99	386,45	35 069,79
		c)	1 520,55	7 069,27	116,82			
1.160	Peas (<i>Pisum sativum</i>) 0708 10 90 0708 10 20 0708 10 95	a)	254,24	3 526,03	501,20	1 909,76	83 148,94	42 534,61
		b)	1 523,44	1 680,22	199,40	494 224,76	565,02	51 274,61
		c)	2 223,15	10 335,80	170,80			

Code	Description Species, varieties, CN code	Amount of unit values per 100 kg						
		a) b) c)	ECU FIM SEK	ATS FRF BEF/LUF	DEM IEP GBP	DKK ITL	GRD NLG	ESP PTE
1.170	Beans:							
1.170.1	Beans (<i>Vigna</i> spp., <i>Phaseolus</i> spp.) ex 0708 20 90 ex 0708 20 20 ex 0708 20 95	a) b) c)	117,37 703,30 1 026,32	1 627,79 775,67 4 771,52	231,38 92,05 78,85	881,64 228 159,06	38 385,74 260,84	19 636,12 23 670,95
1.170.2	Beans (<i>Phaseolus</i> spp., <i>vulgaris</i> var. <i>Compressus Savi</i>) ex 0708 20 90 ex 0708 20 20 ex 0708 20 95	a) b) c)	114,68 687,18 1 002,80	1 590,49 757,89 4 662,17	226,07 89,94 77,04	861,44 222 929,89	37 505,98 254,86	19 186,08 23 128,43
1.180	Broad beans ex 0708 90 00	a) b) c)	157,74 945,20 1 379,33	2 187,68 1 042,47 6 412,71	310,96 123,71 105,97	1 184,89 306 635,52	51 588,71 350,56	26 390,06 31 812,69
1.190	Globe artichokes 0709 10 00	a) b) c)	— — —	— — —	— — —	— — —	— — —	— — —
1.200	Asparagus:							
1.200.1	— green ex 0709 20 00	a) b) c)	824,91 4 942,96 7 213,26	11 440,59 5 451,65 33 535,64	1 626,19 646,96 554,17	6 196,44 1 603 567,30	269 785,99 1 833,28	138 008,27 166 366,20
1.200.2	— other ex 0709 20 00	a) b) c)	208,81 1 251,21 1 825,90	2 895,97 1 379,98 8 488,90	411,64 163,77 140,28	1 568,51 405 912,02	68 291,10 464,06	34 934,12 42 112,38
1.210	Aubergines (eggplants) 0709 30 00	a) b) c)	78,59 470,92 687,21	1 089,96 519,38 3 194,97	154,93 61,64 52,80	590,34 152 773,46	25 702,78 174,66	13 148,19 15 849,87
1.220	Ribbed celery (<i>Apium graveolens</i> L., var. <i>dulce</i> (Mill.) Pers.) ex 0709 40 00	a) b) c)	38,40 230,10 335,78	532,57 253,78 1 561,10	75,70 30,12 25,80	288,45 74 646,91	12 558,68 85,34	6 424,36 7 744,44
1.230	Chantarelles 0709 51 30	a) b) c)	433,08 2 595,07 3 786,98	6 006,34 2 862,13 17 606,30	853,75 339,66 290,94	3 253,15 841 877,20	141 638,38 962,48	72 454,72 87 342,71
1.240	Sweet peppers 0709 60 10	a) b) c)	96,14 576,08 840,68	1 333,36 635,37 3 908,45	189,53 75,40 64,59	722,17 186 889,43	31 442,49 213,66	16 084,32 19 389,32
1.250	Fennel 0709 90 50	a) b) c)	73,55 440,72 643,14	1 020,06 486,08 2 990,08	144,99 57,68 49,41	552,48 142 976,05	24 054,45 163,46	12 304,99 14 833,42
1.270	Sweet potatoes, whole, fresh (intended for human consumption) 0714 20 10	a) b) c)	109,58 656,62 958,20	1 519,75 724,19 4 454,83	216,02 85,94 73,62	823,13 213 015,85	35 838,03 243,53	18 332,84 22 099,88
2.10	Chestnuts (<i>Castanea</i> spp.), fresh ex 0802 40 00	a) b) c)	140,29 840,63 1 226,74	1 945,67 927,15 5 703,31	276,56 110,03 94,25	1 053,81 272 713,94	45 881,70 311,78	23 470,66 28 293,41
2.30	Pineapples, fresh ex 0804 30 00	a) b) c)	72,08 431,91 630,29	999,67 476,36 2 930,32	142,09 56,53 48,42	541,44 140 118,47	23 573,69 160,19	12 059,06 14 536,95

Code	Description Species, varieties, CN code	Amount of unit values per 100 kg						
		a) b) c)	ECU FIM SEK	ATS FRF BEF/LUF	DEM IEP GBP	DKK ITL	GRD NLG	ESP PTE
2.40	Avocados, fresh ex 0804 40 90 ex 0804 40 20 ex 0804 40 95	a) b) c)	68,82 412,38 601,78	954,46 454,82 2 797,79	135,67 53,97 46,23	516,95 133 781,26	22 507,51 152,95	11 513,65 13 879,48
2.50	Guavas and mangoes, fresh ex 0804 50 00	a) b) c)	125,72 753,33 1 099,33	1 743,60 830,86 5 110,98	247,84 98,60 84,46	944,36 244 390,88	41 116,60 279,40	21 033,08 25 354,96
2.60	Sweet oranges, fresh:							
2.60.1	— Sanguines and semi-sanguines 0805 10 10	a) b) c)	40,93 245,26 357,90	567,65 270,50 1 663,96	80,69 32,10 27,50	307,45 79 565,05	13 386,12 90,96	6 847,63 8 254,68
2.60.2	— Navels, navelines, navelates, salustianas, vernas, Valencia lates, Maltese, shamou- tis, ovalis, trovita and hamlins 0805 10 30	a) b) c)	49,31 295,47 431,18	683,88 325,88 2 004,63	97,21 38,67 33,13	370,40 95 855,19	16 126,79 109,59	8 249,61 9 944,74
2.60.3	— Others 0805 10 50	a) b) c)	55,87 334,78 488,54	774,86 369,23 2 271,32	110,14 43,82 37,53	419,68 108 607,37	18 272,23 124,17	9 347,11 11 267,75
2.70	Mandarins (including tangerines and satsumas), fresh; clementines, wilkings and similar citrus hybrids, fresh:							
2.70.1	— Clementines 0805 20 10	a) b) c)	81,74 489,80 714,76	1 133,64 540,20 3 323,03	161,14 64,11 54,91	614,00 158 896,84	26 732,99 181,66	13 675,18 16 485,16
2.70.2	— Monreales and satsumas 0805 20 30	a) b) c)	44,72 267,97 391,05	620,22 295,54 1 818,03	88,16 35,07 30,04	335,92 86 932,55	14 625,63 99,39	7 481,70 9 019,04
2.70.3	— Mandarines and wilkings 0805 20 50	a) b) c)	76,57 458,82 669,55	1 061,94 506,03 3 112,85	150,95 60,05 51,44	575,17 148 846,72	25 042,14 170,17	12 810,24 15 442,48
2.70.4	— Tangerines and others ex 0805 20 70 ex 0805 20 90	a) b) c)	61,34 367,56 536,38	850,72 405,38 2 493,70	120,92 48,11 41,21	460,76 119 240,67	20 061,19 136,32	10 262,24 12 370,93
2.85	Limes (<i>Citrus aurantifolia</i>), fresh ex 0805 30 90	a) b) c)	120,41 721,51 1 052,90	1 669,95 795,76 4 895,11	237,37 94,44 80,89	904,48 234 068,61	39 379,97 267,60	20 144,71 24 284,05
2.90	Grapefruit, fresh:							
2.90.1	— white ex 0805 40 90 ex 0805 40 20 ex 0805 40 95	a) b) c)	44,26 265,21 387,02	613,84 292,50 1 799,33	87,25 34,71 29,73	332,47 86 038,34	14 475,19 98,36	7 404,74 8 926,27
2.90.2	— pink ex 0805 40 90 ex 0805 40 20 ex 0805 40 95	a) b) c)	63,98 383,38 559,46	887,33 422,83 2 601,02	126,13 50,18 42,98	480,60 124 372,64	20 924,60 142,19	10 703,92 12 903,36
2.100	Table grapes ex 0806 10 10	a) b) c)	181,33 1 086,55 1 585,60	2 514,85 1 198,37 7 371,74	357,46 142,21 121,82	1 362,09 352 492,83	59 303,80 402,99	30 336,69 36 570,27

Code	Description Species, varieties, CN code	Amount of unit values per 100 kg						
		a) b) c)	ECU FIM SEK	ATS FRF BEF/LUF	DEM IEP GBP	DKK ITL	GRD NLG	ESP PTE
2.110	Water melons 0807 11 00	a) b) c)	34,14 204,57 298,53	473,48 225,62 1 387,92	67,30 26,78 22,94	256,45 66 365,77	11 165,45 75,87	5 711,66 6 885,29
2.120	Melons (other than water melons):							
2.120.1	— Amarillo, cuper, honey dew (including cantalene), onteniente, piel de sapo (including verde liso), rochet, tendral, futuro ex 0807 19 00	a) b) c)	63,59 381,04 556,05	881,92 420,25 2 585,17	125,36 49,87 42,72	477,67 123 614,51	20 797,05 141,32	10 638,67 12 824,70
2.120.2	— other ex 0807 19 00	a) b) c)	62,55 374,81 546,96	867,50 413,38 2 542,89	123,31 49,06 42,02	469,85 121 592,82	20 456,91 139,01	10 464,68 12 614,96
2.140	Pears							
2.140.1	Pears — nashi (<i>Pyrus pyrifolia</i>) ex 0808 20 50	a) b) c)	— — —	— — —	— — —	— — —	— — —	— — —
2.140.2	Other ex 0808 20 50	a) b) c)	— — —	— — —	— — —	— — —	— — —	— — —
2.150	Apricots 0809 10 00	a) b) c)	— — —	— — —	— — —	— — —	— — —	— — —
2.160	Cherries 0809 20 05 0809 20 95	a) b) c)	— — —	— — —	— — —	— — —	— — —	— — —
2.170	Peaches 0809 30 90	a) b) c)	— — —	— — —	— — —	— — —	— — —	— — —
2.180	Nectarines ex 0809 30 10	a) b) c)	— — —	— — —	— — —	— — —	— — —	— — —
2.190	Plums 0809 40 05	a) b) c)	— — —	— — —	— — —	— — —	— — —	— — —
2.200	Strawberries 0810 10 10 0810 10 05 0810 10 80	a) b) c)	152,83 915,78 1 336,39	2 119,58 1 010,02 6 213,10	301,28 119,86 102,67	1 148,01 297 090,82	49 982,90 339,65	25 568,61 30 822,45
2.205	Raspberries 0810 20 10	a) b) c)	271,95 1 629,56 2 378,01	3 771,65 1 797,26 11 055,77	536,11 213,29 182,69	2 042,79 528 651,76	88 940,98 604,38	45 497,51 54 846,33
2.210	Fruit of the species <i>Vaccinium myrtillus</i> 0810 40 30	a) b) c)	218,02 1 306,40 1 906,43	3 023,70 1 440,85 8 863,32	429,79 170,99 146,46	1 637,69 423 815,62	71 303,22 484,53	36 474,96 43 969,84
2.220	Kiwi fruit (<i>Actinidia chinensis Planch.</i>) 0810 50 10 0810 50 20 0810 50 30	a) b) c)	123,76 741,58 1 082,19	1 716,42 817,90 5 031,30	243,97 97,06 83,14	929,64 240 580,78	40 475,58 275,04	20 705,17 24 959,67

Code	Description Species, varieties, CN code	Amount of unit values per 100 kg						
		a) b) c)	ECU FIM SEK	ATS FRF BEF/LUF	DEM IEP GBP	DKK ITL	GRD NLG	ESP PTE
2.230	Pomegranates ex 0810 90 85	a)	156,12	2 165,21	307,77	1 172,72	51 058,89	26 119,03
		b)	935,49	1 031,76	122,44	303 486,35	346,96	31 485,97
		c)	1 365,16	6 346,86	104,88			
2.240	Khakis (including sharon fruit) ex 0810 90 85	a)	264,52	3 668,60	521,46	1 986,98	86 511,00	44 254,46
		b)	1 585,04	1 748,15	207,46	514 208,36	587,87	53 347,86
		c)	2 313,04	10 753,72	177,70			
2.250	Lychees ex 0810 90 30	a)	262,86	3 645,58	518,19	1 974,51	85 968,10	43 976,74
		b)	1 575,09	1 737,18	206,16	510 981,44	584,18	53 013,08
		c)	2 298,53	10 686,23	176,59			

COMMISSION REGULATION (EC) No 1581/98

of 22 July 1998

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

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

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

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

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

Whereas the refund on raw sugar must be fixed in respect of the standard quality; whereas the latter is defined in Article 1 of Council Regulation (EEC) No 431/68 of 9 April 1968 determining the standard quality for raw sugar and fixing the Community frontier crossing point for calculating cif prices for sugar ⁽³⁾, as amended by Regulation (EC) No 3290/94 ⁽⁴⁾; whereas, furthermore, this refund should be fixed in accordance with Article 17a (4) of Regulation (EEC) No 1785/81; whereas candy sugar is defined in Commission Regulation (EC) No 2135/95 of 7 September 1995 laying down detailed rules of application for the grant of export refunds in the sugar sector ⁽⁵⁾; whereas the refund thus calculated for sugar containing added flavouring or colouring matter must apply to their

sucrose content and, accordingly, be fixed per 1 % of the said content;

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

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

Whereas the representative market rates defined in Article 1 of Council Regulation (EEC) No 3813/92 ⁽⁶⁾, as last amended by Regulation (EC) No 150/95 ⁽⁷⁾, are used to convert amounts expressed in third country currencies and are used as the basis for determining the agricultural conversion rates of the Member States' currencies; whereas detailed rules on the application and determination of these conversions were set by Commission Regulation (EEC) No 1068/93 ⁽⁸⁾, as last amended by Regulation (EC) No 961/98 ⁽⁹⁾;

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

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

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

HAS ADOPTED THIS REGULATION:

Article 1

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

Article 2

This Regulation shall enter into force on 23 July 1998.

⁽¹⁾ OJ L 177, 1. 7. 1981, p. 4.

⁽²⁾ OJ L 159, 3. 6. 1998, p. 38.

⁽³⁾ OJ L 89, 10. 4. 1968, p. 3.

⁽⁴⁾ OJ L 349, 31. 12. 1994, p. 105.

⁽⁵⁾ OJ L 214, 8. 9. 1995, p. 16.

⁽⁶⁾ OJ L 387, 31. 12. 1992, p. 1.

⁽⁷⁾ OJ L 22, 31. 1. 1995, p. 1.

⁽⁸⁾ OJ L 108, 1. 5. 1993, p. 106.

⁽⁹⁾ OJ L 135, 8. 5. 1998, p. 5.

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

ANNEX

to the Commission Regulation of 22 July 1998 fixing the export refunds on white sugar and raw sugar exported in its unaltered state

Product code	Amount of refund
	— ECU/100 kg —
1701 11 90 9100	40,71 ⁽¹⁾
1701 11 90 9910	39,69 ⁽¹⁾
1701 11 90 9950	⁽²⁾
1701 12 90 9100	40,71 ⁽¹⁾
1701 12 90 9910	39,69 ⁽¹⁾
1701 12 90 9950	⁽²⁾
	— ECU/1 % of sucrose × 100 kg —
1701 91 00 9000	0,4425
	— ECU/100 kg —
1701 99 10 9100	44,25
1701 99 10 9910	43,88
1701 99 10 9950	43,88
	— ECU/1 % of sucrose × 100 kg —
1701 99 90 9100	0,4425

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

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

COMMISSION REGULATION (EC) No 1582/98**of 22 July 1998****fixing the representative prices and the additional import duties for molasses in the sugar sector**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

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

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

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

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

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

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

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

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

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

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

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

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

HAS ADOPTED THIS REGULATION:

Article 1

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

Article 2

This Regulation shall enter into force on 23 July 1998.

⁽¹⁾ OJ L 177, 1. 7. 1981, p. 4.

⁽²⁾ OJ L 159, 3. 6. 1998, p. 38.

⁽³⁾ OJ L 141, 24. 6. 1995, p. 12.

⁽⁴⁾ OJ L 145, 27. 6. 1968, p. 12.

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

Done at Brussels, 22 July 1998.

For the Commission
Franz FISCHLER
Member of the Commission

ANNEX

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

CN code	Amount of the representative price in ECU per 100 kg net of the product in question	Amount of the additional duty in ECU per 100 kg net of the product in question	Amount of the duty to be applied to imports in ECU per 100 kg net of the product in question because of suspension as referred to in Article 5 of Regulation (EC) No 1422/95 ⁽²⁾
1703 10 00 ⁽¹⁾	6,84	0,08	—
1703 90 00 ⁽¹⁾	8,25	—	0,00

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

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

COMMISSION REGULATION (EC) No 1583/98
of 22 July 1998

fixing the maximum export refund for white sugar for the 48th partial invitation to tender issued within the framework of the standing invitation to tender provided for in Regulation (EC) No 1408/97

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

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

Whereas Commission Regulation (EC) No 1408/97 of 22 July 1997 on a standing invitation to tender to determine levies and/or refunds on exports of white sugar ⁽³⁾, requires partial invitations to tender to be issued for the export of this sugar;

Whereas, pursuant to Article 9 (1) of Regulation (EC) No 1408/97 a maximum export refund shall be fixed, as the case may be, account being taken in particular of the state and foreseeable development of the Community and world markets in sugar, for the partial invitation to tender in question;

Whereas, following an examination of the tenders submitted in response to the 48th partial invitation to tender, the provisions set out in Article 1 should be adopted;

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

HAS ADOPTED THIS REGULATION:

Article 1

For the 48th partial invitation to tender for white sugar issued pursuant to Regulation (EC) No 1408/97 the maximum amount of the export refund is fixed at ECU 46,930 per 100 kilograms.

Article 2

This Regulation shall enter into force on 23 July 1998.

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

⁽¹⁾ OJ L 177, 1. 7. 1981, p. 4.

⁽²⁾ OJ L 159, 3. 6. 1998, p. 38.

⁽³⁾ OJ L 194, 23. 7. 1997, p. 16.

COMMISSION REGULATION (EC) No 1584/98
of 22 July 1998
altering the corrective amount applicable to the refund on cereals

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EEC) No 1766/92 of 30 June 1992 on the common organization of the market in cereals⁽¹⁾, as last amended by Commission Regulation (EC) No 923/96⁽²⁾, and in particular Article 13 (8) thereof,

Whereas the corrective amount applicable to the refund on cereals was fixed by Commission Regulation (EC) No 1416/98⁽³⁾, as amended by Regulation (EC) No 1466/98⁽⁴⁾;

Whereas, on the basis of today's cif prices and cif forward delivery prices, taking foreseeable developments on the market into account, the corrective amount at present applicable to the refund on cereals should be altered;

Whereas the corrective amount must be fixed according to the same procedure as the refund; whereas it may be altered in the period between fixings;

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

Done at Brussels, 22 July 1998.

Whereas the representative market rates defined in Article 1 of Council Regulation (EEC) No 3813/92⁽⁵⁾, as last amended by Regulation (EC) No 150/95⁽⁶⁾, are used to convert amounts expressed in third country currencies and are used as the basis for determining the agricultural conversion rates of the Member States' currencies; whereas detailed rules on the application and determination of these conversions were set by Commission Regulation (EEC) No 1068/93⁽⁷⁾, as last amended by Regulation (EC) No 961/98⁽⁸⁾,

HAS ADOPTED THIS REGULATION:

Article 1

The corrective amount referred to in Article 1 (1) (a), (b) and (c) of Regulation (EEC) No 1766/92 which is applicable to the export refunds fixed in advance in respect of the products referred to, except for malt, is hereby altered to the amounts set out in the Annex hereto.

Article 2

This Regulation shall enter into force on 23 July 1998.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ L 181, 1. 7. 1992, p. 21.

⁽²⁾ OJ L 126, 24. 5. 1996, p. 37.

⁽³⁾ OJ L 189, 3. 7. 1998, p. 8.

⁽⁴⁾ OJ L 193, 9. 7. 1998, p. 35.

⁽⁵⁾ OJ L 387, 31. 12. 1992, p. 1.

⁽⁶⁾ OJ L 22, 31. 1. 1995, p. 1.

⁽⁷⁾ OJ L 108, 1. 5. 1993, p. 106.

⁽⁸⁾ OJ L 135, 8. 5. 1998, p. 5.

ANNEX

to the Commission Regulation of 22 July 1998 altering the corrective amount applicable to the refund on cereals

(ECU/tonne)

Product code	Destination (1)	Current 7	1st period 8	2nd period 9	3rd period 10	4th period 11	5th period 12	6th period 1
1001 10 00 9200	—	—	—	—	—	—	—	—
1001 10 00 9400	—	—	—	—	—	—	—	—
1001 90 91 9000	—	—	—	—	—	—	—	—
1001 90 99 9000	01	0	0	-1,00	-6,00	-8,00	—	—
1002 00 00 9000	01	0	0	0	0	0	—	—
1003 00 10 9000	—	—	—	—	—	—	—	—
1003 00 90 9000	01	0	0	0	0	0	—	—
1004 00 00 9200	—	—	—	—	—	—	—	—
1004 00 00 9400	01	0	0	0	0	0	—	—
1005 10 90 9000	—	—	—	—	—	—	—	—
1005 90 00 9000	01	0	0	0	0	0	—	—
1007 00 90 9000	—	—	—	—	—	—	—	—
1008 20 00 9000	—	—	—	—	—	—	—	—
1101 00 11 9000	—	—	—	—	—	—	—	—
1101 00 15 9100	01	0	0	0	0	0	—	—
1101 00 15 9130	01	0	0	0	0	0	—	—
1101 00 15 9150	01	0	0	0	0	0	—	—
1101 00 15 9170	01	0	0	0	0	0	—	—
1101 00 15 9180	01	0	0	0	0	0	—	—
1101 00 15 9190	—	—	—	—	—	—	—	—
1101 00 90 9000	—	—	—	—	—	—	—	—
1102 10 00 9500	01	0	0	0	0	0	—	—
1102 10 00 9700	—	—	—	—	—	—	—	—
1102 10 00 9900	—	—	—	—	—	—	—	—
1103 11 10 9200	—	—	—	—	—	—	—	—
1103 11 10 9400	—	—	—	—	—	—	—	—
1103 11 10 9900	—	—	—	—	—	—	—	—
1103 11 90 9200	01	0	0	0	0	0	—	—
1103 11 90 9800	—	—	—	—	—	—	—	—

(1) The destinations are identified as follows:
01 all third countries.

NB: The zones are those defined in amended Commission Regulation (EEC) No 2145/92 (OJ L 214, 30. 7. 1992, p. 20).

COMMISSION REGULATION (EC) No 1585/98
of 22 July 1998
fixing the import duties in the rice sector

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

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

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

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

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

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

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

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

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

HAS ADOPTED THIS REGULATION:

Article 1

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

Article 2

This Regulation shall enter into force on 23 July 1998.

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

⁽¹⁾ OJ L 329, 30. 12. 1995, p. 18.

⁽²⁾ OJ L 20, 27. 1. 1998, p. 16.

⁽³⁾ OJ L 189, 30. 7. 1996, p. 71.

⁽⁴⁾ OJ L 194, 23. 7. 1997, p. 2.

ANNEX I

Import duties on rice and broken rice

(ECU/tonne)

CN code	Duties ⁽¹⁾			
	Third countries (except ACP and Bangladesh) ⁽²⁾ ⁽⁷⁾	ACP Bangladesh ⁽¹⁾ ⁽²⁾ ⁽³⁾ ⁽⁴⁾	Basmati India and Pakistan ⁽⁵⁾	Egypt ⁽⁶⁾
1006 10 21	(7)	121,01		188,03
1006 10 23	(7)	121,01		188,03
1006 10 25	(7)	121,01		188,03
1006 10 27	(7)	121,01		188,03
1006 10 92	(7)	121,01		188,03
1006 10 94	(7)	121,01		188,03
1006 10 96	(7)	121,01		188,03
1006 10 98	(7)	121,01		188,03
1006 20 11	297,52	144,42		223,14
1006 20 13	297,52	144,42		223,14
1006 20 15	297,52	144,42		223,14
1006 20 17	275,41	133,37	25,41	206,56
1006 20 92	297,52	144,42		223,14
1006 20 94	297,52	144,42		223,14
1006 20 96	297,52	144,42		223,14
1006 20 98	275,41	133,37	25,41	206,56
1006 30 21	(7)	232,09		370,50
1006 30 23	(7)	232,09		370,50
1006 30 25	(7)	232,09		370,50
1006 30 27	(7)	232,09		370,50
1006 30 42	(7)	232,09		370,50
1006 30 44	(7)	232,09		370,50
1006 30 46	(7)	232,09		370,50
1006 30 48	(7)	232,09		370,50
1006 30 61	(7)	232,09		370,50
1006 30 63	(7)	232,09		370,50
1006 30 65	(7)	232,09		370,50
1006 30 67	(7)	232,09		370,50
1006 30 92	(7)	232,09		370,50
1006 30 94	(7)	232,09		370,50
1006 30 96	(7)	232,09		370,50
1006 30 98	(7)	232,09		370,50
1006 40 00	(7)	72,38		114,00

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

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

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

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

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

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

⁽⁷⁾ Duties fixed in the Common Customs Tariff.

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

ANNEX II

Calculation of import duties for rice

	Paddy	Indica rice		Japonica rice		Broken rice
		Husked	Milled	Husked	Milled	
1. Import duty (ECU/tonne)	(¹)	275,41	494,00	297,52	494,00	(¹)
2. Elements of calculation:						
(a) Arag cif price (ECU/tonne)	—	339,20	357,03	344,41	389,72	—
(b) fob price (ECU/tonne)	—	—	—	317,22	362,53	—
(c) Sea freight (ECU/tonne)	—	—	—	27,19	27,19	—
(d) Source	—	USDA	USDA	Operators	Operators	—

(¹) Duties fixed in the Common Customs Tariff.

COMMISSION REGULATION (EC) No 1586/98

of 22 July 1998

amending Regulation (EC) No 1007/98 fixing the compensatory aid for bananas produced and marketed in the Community in 1997, the deadline for payment of the balance of that aid and the unit amount of advances for 1998

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

Having regard to Council Regulation (EEC) No 404/93 of 13 February 1993 on the common organisation of the market in bananas ⁽¹⁾, as last amended by Regulation (EC) No 3290/94 ⁽²⁾, and in particular Articles 12(6) and 14 thereof,

Whereas Commission Regulation (EEC) No 1858/93 ⁽³⁾, as last amended by Regulation (EC) No 796/95 ⁽⁴⁾, lays down detailed rules for applying Regulation (EEC) No 404/93 as regards the aid scheme to compensate for loss of income from marketing in the banana sector;

Whereas, when the Council adopted decisions concerning various agricultural products for the 1998/99 marketing year, the Commission undertook to increase the unit value of advances on compensatory aid for 1998; whereas that amount should be fixed and the security to be lodged when submitting applications from the date of entry into force of this Regulation should be adjusted in consequence; whereas Commission Regulation (EC) No 1007/98 ⁽⁵⁾ should therefore be amended;

Whereas this Regulation should enter into force immediately, in view, in particular, of the timetable laid down for the submission and processing of applications for advances under these arrangements;

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

HAS ADOPTED THIS REGULATION:

Article 1

Article 1(3) of Regulation (EC) No 1007/98 is hereby replaced by the following:

'3. Advances for bananas marketed from January to October 1998 shall be ECU 19,44 per 100 kg.

The corresponding security shall be ECU 9,72 per 100 kg.

Producer Member States shall take the necessary steps to ensure the immediate payment of the additional advances due for periods prior to 1998 in accordance with the first subparagraph.'

Article 2

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 July 1998.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ L 47, 25. 2. 1993, p. 1.

⁽²⁾ OJ L 349, 31. 12. 1994, p. 105.

⁽³⁾ OJ L 170, 13. 7. 1993, p. 5.

⁽⁴⁾ OJ L 80, 8. 4. 1995, p. 17.

⁽⁵⁾ OJ L 145, 15. 5. 1998, p. 4.

II

(Acts whose publication is not obligatory)

COMMISSION

COMMISSION DECISION

of 2 July 1998

establishing certain implementing provisions for European Parliament and Council Decision No 888/98/EC establishing a programme of Community action to improve the functioning of the indirect taxation systems of the internal market (Fiscalis programme)

(notified under document number C(1998) 1819)

(98/467/EC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

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

Whereas certain procedures should be established for the implementation of the exchanges, seminars and multilateral controls referred to in Article 5 of the above decision;

Whereas as many officials as possible should benefit from the programme;

Whereas the planning and execution of these exchanges, seminars and multilateral controls must be organised so as to maximise the benefit and value-for-money for the Community;

Whereas certain financial provisions should be adopted to ensure the sound financial management and control of the expenditure incurred by the exchanges, seminars and multilateral controls, as provided for in Article 8 of the above decision;

Whereas certain procedures should be established to guarantee the continuous evaluation provided for in Article 12 of the above decision;

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

HAS ADOPTED THIS DECISION:

Article 1

This decision lays down certain implementing provisions in respect of European Parliament and Council Decision No 888/98/EC establishing a programme of Community action to improve the functioning of the indirect taxation systems of the internal market (Fiscalis programme); these provisions relate to:

- the organisation of exchanges, seminars and multilateral controls,
- the financial procedures for the payment and reimbursement of expenses in connection with exchanges, seminars and multilateral controls,
- the procedures for continuous evaluation of exchanges, seminars and multilateral controls.

Article 2

Each Member State shall ensure that their representative to the Committee referred to in Article 11 of Decision No 888/98/EC ('the Committee') shall be responsible for the coordination of their Member State's fulfilment of the provisions of this decision. Where a Member State is represented by two representatives they shall jointly be so responsible.

⁽¹⁾ OJ L 126, 28. 4. 1998, p. 1.

TITLE I

GENERAL PROVISIONS

Article 3

1. The Member States shall ensure that their officials are regularly informed of the opportunities available under the Fiscalis programme.

2. The Member States shall ensure that all their officials chosen to participate in exchanges, seminars and multilateral controls are able to communicate well in the languages used during these activities.

3. As a general rule, the Member States shall ensure that the Community does not bear the expenses related to more than:

- one exchange per official during the programme,
- one multilateral control per official in a given year, and
- two seminars per official in a given year.

Exceptions to this general rule should be notified to the Commission in advance. In the absence of an opinion to the contrary from the Commission within 10 working days of the receipt of the notification, the Community shall bear the expenses related to the activity concerned.

4. The Member States shall choose officials from all appropriate parts of their administrations to participate in exchanges, seminars and multilateral controls.

5. The Member States shall ensure that their officials chosen to participate in exchanges, seminars and multilateral controls are suitably qualified; fully prepared in advance; and attend and participate fully in the activities involved.

6. The Member States shall communicate each year to the Commission the number of officials in their administration they consider eligible to participate in exchanges, seminars and multilateral controls. Eligible officials shall be those defined by Article 2(c) of Decision No 888/98/EC.

Article 4

1. Each Member State shall communicate to the Commission any duties or tasks carried out by their own officials which their legal system does not permit to be entrusted to an official from another Member State in the course of an exchange or a multilateral control. The nature of the specific exclusion shall also be communicated to the Commission. The Commission shall collate this information and make it available to all Member States.

2. Each Member State shall ensure that officials from other Member States shall be entrusted with all appropriate duties and tasks to be carried out during the

exchange or multilateral control that permit the fulfilment of the objectives of the exchange or multilateral control. Each Member State shall consider all duties and tasks carried out by their own officials holding a similar position as potentially appropriate for an official from another Member State to carry out, except those specifically excluded and communicated to the Commission in accordance with Article 4(1).

Article 5

1. The Community may only bear travel and subsistence expenses incurred by officials in the course of exchanges, seminars and multilateral controls that take place other than in the Member State of the official. Travel and subsistence expenses incurred by officials in the course of exchanges, seminars and multilateral controls that take place in their own Member State shall be borne by the Member State concerned.

2. As a general rule, exchanges and seminars shall be completed within the same calendar year as that in which the Community bears the related expenses. Journeys by officials to or from other Member States related to multilateral controls shall be completed within five months of the decision that the Community will bear part of the expenses of the particular control. Exceptions to this general rule should be notified to the Commission in advance. In the absence of an opinion to the contrary from the Commission within 10 working days of the receipt of the notification, the Community shall bear the expenses related to the activity concerned.

TITLE II

EXCHANGES

Article 6

Member States shall ensure that their choice of Member States to be visited by their officials ('host Member States') is geographically balanced. As a general rule, each Member State shall send at least three officials to each other Member State within the duration of the programme and shall ensure that the average of the duration of all the exchanges on which they send their officials in a given year shall not be less than two weeks. Exceptions to this general rule should be notified to the Commission before the end of August each year. In the absence of an opinion to the contrary from the Commission within 10 working days of the receipt of the notification, the Community shall bear the expenses related to the activity concerned.

Article 7

1. Each year, the Member States shall choose: the officials to participate in exchanges ('exchange officials'); the objective and particular work activity of each proposed

exchange; and potential host Member States. The number of exchanges so selected shall be determined in the light of total amount of travel and subsistence expenses established in accordance with Article 10(1) and (2). The exchanges chosen shall be those where the combination of exchange official, objective and work activity, and host Member State, are most likely to meet the general objectives of the programme, as set down in Article 3 of Decision No 888/98/EC.

2. The Member State of origin shall ensure that each exchange official completes an exchange proposal form, in accordance with the model established by the Commission, indicating the objectives of the exchange and the professional experience of the candidate. The Member State of origin shall ensure that the objectives and particular work activity of the exchange have been discussed and agreed with the superior manager of the exchange official.

3. For each selected candidate, the Member State of origin shall send the completed exchange proposal form to any appropriate host Member States that have been identified.

4. Within two weeks of receipt of the exchange proposal form, the host Member State shall, as a general rule, confirm to the origin Member State that the exchange will take place on the basis of the exchange proposal form. The name and contact details of an official who will organise the exchange ('host official') shall also be communicated to the Member State of origin. If the host Member State is unable to confirm the exchange within the two weeks, the Commission shall be notified by the host Member State.

5. Both Member States shall ensure that the exchange official and the host official reach agreement in advance of the exchange on the objectives and particular work activity of the exchange; the duties to be entrusted to the exchange official by the host administration; any linguistic or specific professional requirements; the date of the exchange and any other relevant details.

6. The host Member State shall take any other necessary steps to ensure that in its planning and execution of the exchange, the exchange official plays an effective part in the activities of the host administration.

7. The host Member State shall take any necessary steps to ensure that during the exchange, the civil liability of the exchange official in the performance of his duties shall be treated in the same way as that of officials of the host Member State. The Member State of origin and the host Member State shall take any steps they consider necessary to ensure that the exchange official is bound by

the same rules of professional secrecy as officials of the host Member State during the exchange.

TITLE III

SEMINARS

Article 8

1. No more than 15 seminars may be organised in any given year. Proposals for seminars may be made by the Member States or the Commission. The seminars chosen shall be those which are most likely to meet the general objectives of the programme, as set down in Article 3 of Decision No 888/98/EC.

2. Seminars may last between two and three working days, as appropriate.

3. The travel and subsistence expenses of two representatives from each Member State (but not including the host Member State) and no more than five outside experts may be borne by the Community for each seminar. The Commission and the host Member State may agree to permit more representatives from any or all of the Member States to attend the seminar, without their expenses being borne by the Community. In addition the travel and subsistence expenses for one day for one official from no more than five Member States other than the host Member State may also be borne by the Community for a preparatory meeting for each seminar. The Commission and the host Member State shall agree jointly on the need for such a meeting.

4. The Community shall bear other expenses relating to the organisation of seminars not covered by the travel and subsistence expenses of officials and agreed between the Commission and the host Member State in accordance with the following paragraph. The Commission shall reimburse directly these expenses. The financial control procedures set out in Annex I to this decision shall be respected.

5. The venue for each seminar and the supply of any equipment or facilities required shall be agreed between the Commission and the host Member State, taking into account: accessibility from other Member States; availability of appropriate facilities and value-for-money; and the rates in force for reimbursement of subsistence expenses for the host Member State.

6. Each seminar shall be jointly planned and executed by the Commission and the host Member State to ensure the greatest possible active participation and involvement of the participants.

TITLE IV

MULTILATERAL CONTROLS

Article 9

1. As a general rule, the Community may only bear the travel and subsistence expenses entailed by a maximum of two return journeys to another Member State, per official, per multilateral control and a total of 10 days subsistence per official per multilateral control. Exceptions to this general rule should be notified to the Commission in advance. In the absence of an opinion to the contrary from the Commission within 10 working days of the receipt of the notification, the Community shall bear the expenses related to the activity concerned. The Community may only bear the travel and subsistence expenses in this way of two officials per Member State, per multilateral control.

2. The number of multilateral controls chosen, for which the travel and subsistence expenses shall be borne by the Community, shall be determined in the light of total amount of travel and subsistence expenses established in accordance with Article 10(1) and (2). The multilateral controls chosen shall be those which are most likely to meet the general objectives of the programme, as set down in Article 3 of Decision No 888/98/EC.

Each proposal for a multilateral control shall be evaluated on the basis of the following information supplied by the proposing Member State to the Commission and all other Member States:

- the industrial sector and approximate size of the taxable person or persons to be controlled,
- the justification for a multilateral control,
- the justification for the Community to bear some of the expenses, in relation to the general objectives of the programme, as set down in Article 3 of Decision No 888/98/EC,
- and any other relevant information.

In addition, the proposing Member State shall simultaneously inform all other Member States where the taxable person or persons involved have or may possibly have fiscal obligations, of the identity of the taxable person or persons to be controlled.

3. For each multilateral control for which it has been agreed that the Community will bear some of the expenses, the Member State which proposed the control shall be responsible for the planning and execution of the multilateral control, in consultation with the other participating Member States. In accordance with paragraph one, the multilateral controls may not, as a general rule, entail more than two journeys to another Member State for the officials involved.

TITLE V

FINANCIAL MANAGEMENT AND CONTROL

Article 10

1. The total amount of travel and subsistence expenses incurred by the officials of each Member State in a given year that may be borne by the Community shall be determined by the Commission, taking into account:

- the annual budgetary appropriations authorised for the Fiscalis programme,
- the appropriations required for Fiscalis activities other than exchanges, seminars and multilateral controls,
- the appropriations required to reimburse the cost of participation of officials and outside experts at seminars,
- the number of officials in each Member State eligible to participate in the activities of the programme (in accordance with Article 3(6)),
- the number of Member States,
- any adjustments made in accordance with paragraph 2; and in the light of the reports referred to in paragraph 10,
- and the number of taxable persons in each Member State making intra-Community supplies.

2. The total amount of travel and subsistence expenses for exchanges, seminars and multilateral controls that may be borne by the Community for each Member State may be adjusted throughout the year. Such adjustments shall be justified in the light of the reports of actual and forecast expenditure referred to in paragraph 9.

3. If the total amount of expenses incurred in a given year by the officials of a Member State in the course of exchanges, seminars and multilateral controls exceeds the total amount for that Member State determined according to paragraphs 1 and 2, the additional amount of expenses shall be borne by the Member State concerned, in accordance with Article 8(3)a of Decision No 888/98/EC.

4. The Member States shall ensure that their officials participating in exchanges, seminars and multilateral controls are appropriately insured against any moral, material or bodily harm they may incur in the course of the journey to or from, or stay in, the place where the exchanges, seminars and multilateral controls are carried out. In particular, an official using his own car shall remain liable for any accidents to his car or to third parties in accordance with the laws in force where any such accident occurs. No moral, material or bodily harm incurred by an official in the course of the journey to or from or stay in the place where the exchanges, seminars and multilateral controls are carried out may be the subject of a claim against the Community.

5. The Member States shall reimburse on behalf of the Community the travel and subsistence expenses incurred by officials in the course of exchanges, seminars or multilateral controls up to the total amount of travel and

subsistence expense established in accordance with paragraphs 1 and 2. The Member States shall ensure that only expenses incurred in accordance with the rules set down in Annex I to this Decision are reimbursed.

6. The Commission shall in turn reimburse the Member States the expenses they have reimbursed on behalf of the Community in accordance with paragraph 5. A maximum of 60 % of the total amount that the Community will bear for each Member State will be paid to each Member State at the beginning of the year. Further payments to the Member States may be made subsequently, as necessary. These subsequent payments may be withheld until the Commission considers that all the provisions of this decision, in particular paragraphs 9 and 10 and Title VI, have been fulfilled.

7. All funds paid to the Member States by the Commission shall be made in the currency of the Community budget for the given year. The Member States may reimburse the expenses in any appropriate Community currency, provided that only the official conversion rates established by the Commission are applied. The Member States shall bear any costs incurred in converting currency.

8. The Member States shall preserve for five years all necessary supporting documentation.

9. Each Member State shall send to the Commission before the end of August each year, a report of actual and forecast expenditure on travel and subsistence, in accordance with a Commission model.

10. Each Member State shall send to the Commission before 20 February each year, a report of actual expenditure on travel and subsistence in the preceding year, in accordance with a Commission model.

11. If, in exceptional circumstances, any of the funds paid to a Member State remain unspent they shall, with the prior agreement of the Commission, be considered as part of the payment of the amount of the following year. The first payment of the following year shall be reduced by the corresponding amount. The Commission may, alternatively, recover any unspent funds from the Member States.

TITLE VI

REPORTS AND EVALUATION

Article 11

1. The Member States shall ensure that the evaluation forms set out in Annex II to this Decision are completed and countersigned and communicated to the Commission within the deadlines indicated:

- evaluation of the exchange by the exchange official (within two weeks of the completion of the exchange). This shall also be sent to the host Member State,

- evaluation of the exchange by the host official (within two weeks of the completion of the exchange). This shall also be sent to the origin Member State,
- evaluation of the exchange by the superior manager of the exchange official (within six months of the completion of the exchange),
- evaluation of the seminar by each participant (before departure from the seminar),
- evaluation of the seminar by each Member State (within six months of the completion of the seminar),
- evaluation of each multilateral control by the Member States involved (within two months of the completion of the control).

2. The Commission and the Member States, as appropriate, shall ensure that the following reports are completed. The Member States shall ensure that these reports are circulated throughout their administration, as appropriate.

- report of the exchange by the exchange official,
- report of the seminar by one participant per Member State,
- report of the seminar drawn up by the Commission and the host Member State. This report shall be sent to all Member States within three months of the completion of the seminar and shall be subsequently discussed by the Committee,
- report of each multilateral control by the host Member State. This report shall be sent to the Commission within eight months of the decision that the Community will bear some of the costs of the multilateral control. The Commission shall forward the report to all Member States and it shall subsequently be discussed by the Committee.

Article 12

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

It shall apply from 1 January 1998.

Article 13

This Decision is addressed to the Member States.

Done at Brussels, 2 July 1998.

For the Commission

Mario MONTI

Member of the Commission

ANNEX I

RULES CONCERNING THE REIMBURSEMENT OF TRAVEL AND SUBSISTENCE EXPENSES (Article 10(5))

1. Arrangements common to exchanges, seminars and multilateral controls

(a) Travelling expenses to and from the host Member State

— Travel by train

Where the length of the outward and return journeys total less than 800 km, the trip shall be made by train and will be reimbursed on the basis of the price of a first-class railway ticket. Reservation expenses and the supplements for high-speed trains can also be reimbursed.

— Travel by air

Where the length of the outward and return journeys total more than 800 km the trip may be made by air. Air travel is in economy class and special rates must be used where they are available. Where the travel conditions allow, reduced tariffs must be used (PEX or others). In the latter case, an additional daily subsistence allowance may be granted for the minimum period necessary in order to satisfy the conditions for the application of this type of tariff. Where the stay is extended in this way, the total cost (air travel expenses and additional daily subsistence allowances) must be lower than the normal ticket prices. Additional daily subsistence allowances for an extended stay will not be granted when normal tariffs are used.

Journeys of under 800 km are permitted by air if the total cost (i.e. travel and daily allowance for time spent travelling) is cheaper than that of a journey by rail.

Travel by air is authorised for outward and return journeys of less than 800 km in the following cases:

- when the journey includes a sea-crossing,
- in cases of emergency or *force majeure*.

— Travel by private vehicle

Officials travelling by private vehicle can be reimbursed on the basis of the price of the first class rail fare or the most economic air fare whichever is the lowest. The first class rail fare of the normal train service (and not high speed services) shall be used; e.g. TGV, Thalys fares shall not be used for this calculation.

If two or more officials who are entitled to a reimbursement of their travelling expenses use the same vehicle, reimbursement is carried out only to the person having charge of the vehicle, at the rate of 150 %.

— Travel by boat

Additional expenses for a journey by boat are not reimbursable since they are included in the price of the first class rail fare.

The journey to and from the railway station or airport may be reimbursed on the basis of the cost of public transport. Where there is no public transport link, the reimbursement will be on the basis of the first-class rail-fare for an equivalent distance. Taxi fares are not reimbursed unless the flight or train leaves before 08.00 and/or arrives after 21.00 or in cases of emergency or *force majeure*.

Exchanges/seminars/multilateral controls combined with holidays

In general, participants will refrain from combining an exchange/seminar/multilateral control with holidays taken at the place of the exchange/seminar/multilateral control. However in certain circumstances, duly approved by the representative of the Member State to the Committee, an exception may be made and the following rules will be observed:

- if more than three working days are taken, the equivalent of half the cost of a return journey between the place of origin and the place of exchange/seminar, excluding any supplement, will be reimbursed,
- the travelling time normally needed to reach or return from the place of exchange/seminar is considered as a holiday (and counts towards the three working days) when the travelling takes place on a working day.

Where the conditions and dates of travel allow, the cheapest fare available will be taken into account for the purpose of determining the part of the expenses to be paid by the official on exchange or participating in a seminar.

(b) *Living expenses*

The official is entitled to a flat-rate daily subsistence allowance to cover in particular accommodation, breakfast, meals, local travelling and other expenditure. Taxi expenses at the place of destination are included in the daily subsistence allowance and cannot be reimbursed by the Commission.

The rates of the daily subsistence allowance are those applicable to missions of Commission officials (grades A 4-B) and shall be communicated by the Commission to the Member States annually.

The flat-rate daily subsistence allowance shall be broken down as follows:

- for each period of 24 hours: one day's allowance,
- for a residual period of six hours or less: a quarter of the allowance for a whole day,
- for a residual period of 12 hours or less, but longer than six hours: half of the allowance for a whole day,
- for a residual period longer than 12 hours: a whole day's subsistence allowance.

For the calculation of the daily subsistence allowance, the following rules apply:

- in the event of travel by rail, the duration of the stay is determined by the times of departure and of arrival of the train, plus 30 minutes before departure and after arrival,
- a journey by air is regarded as having begun two hours before take-off and finishing two hours after the landing of the aircraft,
- where the use of a personal vehicle means extending the duration of the mission, travelling time for an equivalent rail/air journey, whichever is the most economical, will be taken into account when calculating the daily subsistence allowance.

Exchanges/seminars/multilateral controls combined with holidays

If more than three working days are taken, the official stay for the purpose of calculating the daily subsistence allowance is reckoned as starting at the beginning of the exchange/seminar if the days are taken before the exchange/seminar, and as finishing at the close of the exchange/seminar if the days taken follow the official stay. Where a reduced-rate fare has been obtained, allowances will be calculated to take account of the minimum period necessary to satisfy the conditions for the application of this type of tariff.

Daily subsistence allowances are not paid in respect of travelling time normally needed to reach or return from the place of exchange/seminar/multilateral control.

2. Arrangements specific to exchanges

- (a) Payment of the expenses for travelling to different places in the host Member state shall be agreed between the Member States concerned. The Commission will reimburse these expenses to the appropriate Member state.
- (b) In cases where the duration of the exchange exceeds 28 days at the same place, the rate of the subsistence allowance is reduced by 25 %.

Reimbursement of seminar expenses other than travel and subsistence (Article 8(4))

1. *Type of expenditure*

Certain expenses directly connected with the organisation of seminars can be met by the Commission, these are in particular the hiring of the rooms, interpretation, the installation and hiring of the interpreters' cubicles, certain ancillary expenses such as the hiring of equipment (overhead projector, etc.). This expenditure will be paid by the Commission after prior authorisation.

2. *VAT exemption*

The Commission is exempted from all duties and taxes, in particular from value-added tax, pursuant to the provisions of Articles 3 and 4 of the Protocol on the privileges and immunities of the European Communities. The Commission will issue a certificate to support the exemption from VAT under Article 15(10) of Council Directive 77/388/EEC with the order for the hire of accommodation and equipment.

3. *Testing the market*

The Commission may decide, as appropriate, to carry out the necessary market test, purchase order and payment procedures for these expenses. In other cases, where the Commission and the host Member State agree that they shall jointly carry out these procedures, the following procedure shall be respected.

Transactions involving equipment hire and the supply of services shall be concluded only after an invitation to tender. Thus it is necessary, as far as possible and by all suitable means, to ensure that the traders eligible to make the supply have been subjected to competitive market conditions.

The host Member State is to carry out this market test as follows:

- the Member State shall make a rapid overview of the market (for the expenditure mentioned in paragraph 1) and is to send a form, in accordance with a model to be drawn up by the Commission together with a copy of the offers received (two offers per supply), by fax or by mail to the Commission,
 - the Commission makes an official purchase order for the attention of the supplier concerned and sends it with the VAT exemption certificate direct to the supplier,
 - the supplier invoices his services to the European Commission for the attention of the DG XXI financial department. Unless otherwise stipulated, payment is made in the currency of the Community Budget within 60 days of the receipt by the Commission of the final invoice formulated in the currency of the Community budget.
-

ANNEX II

FISCALIS EXCHANGE EVALUATION FORM 1

This form should be completed by each official who went on an exchange. It should be completed immediately on return. It should be sent immediately to your national Fiscalis coordinator.

Part A: About you

1. What is your name?

2. What is your gender? Male Female

3. What is your age?

4. Which is your country?

B <input type="checkbox"/>	F <input type="checkbox"/>	A <input type="checkbox"/>	BG <input type="checkbox"/>	LV <input type="checkbox"/>
DK <input type="checkbox"/>	IRL <input type="checkbox"/>	P <input type="checkbox"/>	CY <input type="checkbox"/>	LT <input type="checkbox"/>
D <input type="checkbox"/>	I <input type="checkbox"/>	FIN <input type="checkbox"/>	CZ <input type="checkbox"/>	PL <input type="checkbox"/>
EL <input type="checkbox"/>	L <input type="checkbox"/>	S <input type="checkbox"/>	EE <input type="checkbox"/>	RO <input type="checkbox"/>
E <input type="checkbox"/>	NL <input type="checkbox"/>	UK <input type="checkbox"/>	HU <input type="checkbox"/>	SK <input type="checkbox"/>
				SI <input type="checkbox"/>

5. What is your work area? (you may tick more than one)

VAT Excise Direct tax Customs

6. What is your position in your administration?

Director
 Operational manager
 Operational official

7. What is your work in your administration? (tick **one** only)

Audit/control <input type="checkbox"/>	Training <input type="checkbox"/>
Fraud investigation <input type="checkbox"/>	Policy/legislation <input type="checkbox"/>
Recovery/collection <input type="checkbox"/>	Central management <input type="checkbox"/>
Administrative cooperation <input type="checkbox"/>	Legal advice/litigation <input type="checkbox"/>
Public/taxpayer relations <input type="checkbox"/>	Other (please indicate) <input type="checkbox"/>

8. Have you participated in an exchange, seminar or multilateral control supported by the European Community before?

Exchange <input type="checkbox"/>	How many? <input type="text"/>
Seminar <input type="checkbox"/>	How many? <input type="text"/>
Multilateral control <input type="checkbox"/>	How many? <input type="text"/>

9. How do you rate your language skills? (indicate your mother tongue)

	DA		DE		EL		ES		FR
Fluent	<input type="checkbox"/>	Fluent	<input type="checkbox"/>	Fluent	<input type="checkbox"/>	Fluent	<input type="checkbox"/>	Fluent	<input type="checkbox"/>
Good	<input type="checkbox"/>	Good	<input type="checkbox"/>	Good	<input type="checkbox"/>	Good	<input type="checkbox"/>	Good	<input type="checkbox"/>
Basic	<input type="checkbox"/>	Basic	<input type="checkbox"/>	Basic	<input type="checkbox"/>	Basic	<input type="checkbox"/>	Basic	<input type="checkbox"/>

18. If you participated in a desk or field audit or investigation, did you detect any tax evasion?

Yes

No

19. How do you rate the efforts of the host administration to meet your requirements?

Very good

Good

Poor

Very poor

Part C: Your evaluation of the benefit of the exchange

From your experience on the exchange:

20. Do you now expect to prevent and detect tax avoidance and tax evasion in the future:

A lot better?

Quite a lot better?

A bit better?

No better at all?

21. Is your understanding of Community indirect tax law and its national implementation and administration in your and other Member States now:

A lot better?

Quite a lot better?

A bit better?

No better at all?

22. Do you now expect to cooperate with officials from other Member States in the future:

A lot more efficiently, effectively and extensively?

Quite a lot more efficiently, effectively and extensively?

A bit more efficiently, effectively and extensively?

Not at all more efficiently, effectively and extensively?

23. Do you now expect to improve your personal administrative procedures:

A lot?

Quite a lot?

A bit?

Not at all?

24. To what extent do you expect other colleagues (or your unit or administration as a whole) to benefit from your experience?

A lot

Quite a lot

A bit

Not at all

25. Please describe any outstandingly good or bad points about the exchange, any important results not included above, or any other comments.
(Keep comments short and legible. Comments in English, French or German preferred)

FISCALIS EXCHANGE EVALUATION FORM 2

This form should be completed by one official who played the biggest part in hosting an official from another Member State. It should be completed on the departure of the official. It should be sent immediately to your national Fiscalis coordinator.

Part A: About you and the exchange official

1. What is your name?

2. What is your Member State?

B	<input type="checkbox"/>
DK	<input type="checkbox"/>
D	<input type="checkbox"/>
EL	<input type="checkbox"/>
E	<input type="checkbox"/>

F	<input type="checkbox"/>
IRL	<input type="checkbox"/>
I	<input type="checkbox"/>
L	<input type="checkbox"/>
NL	<input type="checkbox"/>

A	<input type="checkbox"/>
P	<input type="checkbox"/>
FIN	<input type="checkbox"/>
S	<input type="checkbox"/>
UK	<input type="checkbox"/>

3. What is the name of the official you hosted?

4. Which is their country?

B	<input type="checkbox"/>
DK	<input type="checkbox"/>
D	<input type="checkbox"/>
EL	<input type="checkbox"/>
E	<input type="checkbox"/>

F	<input type="checkbox"/>
IRL	<input type="checkbox"/>
I	<input type="checkbox"/>
L	<input type="checkbox"/>
NL	<input type="checkbox"/>

A	<input type="checkbox"/>
P	<input type="checkbox"/>
FIN	<input type="checkbox"/>
S	<input type="checkbox"/>
UK	<input type="checkbox"/>

BG	<input type="checkbox"/>
CY	<input type="checkbox"/>
CZ	<input type="checkbox"/>
EE	<input type="checkbox"/>
HU	<input type="checkbox"/>

LV	<input type="checkbox"/>
LT	<input type="checkbox"/>
PL	<input type="checkbox"/>
RO	<input type="checkbox"/>
SK	<input type="checkbox"/>
SI	<input type="checkbox"/>

Part B: About the exchange

5. How do you rate the level of preparation of the official?

Very good Good Poor Very poor

6. How do you rate the commitment of the official to achieving their objectives?

Very good Good Poor Very poor

7. How do you rate the ability to communicate of the official?

Very good Good Poor Very poor

Part C: Your evaluation of the benefit of the exchange

From your experience in hosting the exchange:

8. Do you now expect to prevent and detect tax avoidance and tax evasion in the future:

A lot better?	<input type="checkbox"/>
Quite a lot better?	<input type="checkbox"/>
A bit better?	<input type="checkbox"/>
No better at all?	<input type="checkbox"/>

9. Is your understanding of Community indirect tax law and its national implementation and administration in your and other Member States now:

A lot better?	<input type="checkbox"/>
Quite a lot better?	<input type="checkbox"/>
A bit better?	<input type="checkbox"/>
No better at all?	<input type="checkbox"/>

10. Do you now expect to cooperate with officials from other Member States in the future:

A lot more efficiently, effectively and extensively?	<input type="checkbox"/>
Quite a lot more efficiently, effectively and extensively?	<input type="checkbox"/>
A bit more efficiently, effectively and extensively?	<input type="checkbox"/>
Not at all more efficiently, effectively and extensively?	<input type="checkbox"/>

11. Do you now expect to improve your personal administrative procedures:

A lot?	<input type="checkbox"/>
Quite a lot?	<input type="checkbox"/>
A bit?	<input type="checkbox"/>
Not at all?	<input type="checkbox"/>

12. To what extent do you expect other colleagues (or your unit or administration as a whole) to benefit from the experience of hosting the exchange?

A lot	<input type="checkbox"/>
Quite a lot	<input type="checkbox"/>
A bit	<input type="checkbox"/>
Not at all	<input type="checkbox"/>

13. Please describe any outstanding good or bad points about the exchange, any important results not included above, or any other comments. (Keep comments short and legible. Comments in English, French or German preferred)

FISCALIS EXCHANGE EVALUATION FORM 3

This form should be completed by the line manager of the official who went on the exchange. It should be completed six months after the return of the official.

It should then be sent immediately to your national Fiscalis coordinator.

1. Name of official on exchange

2. What is your name?

3. Which is your country?

B	<input type="checkbox"/>
DK	<input type="checkbox"/>
D	<input type="checkbox"/>
EL	<input type="checkbox"/>
E	<input type="checkbox"/>

F	<input type="checkbox"/>
IRL	<input type="checkbox"/>
I	<input type="checkbox"/>
L	<input type="checkbox"/>
NL	<input type="checkbox"/>

A	<input type="checkbox"/>
P	<input type="checkbox"/>
FIN	<input type="checkbox"/>
S	<input type="checkbox"/>
UK	<input type="checkbox"/>

BG	<input type="checkbox"/>
CY	<input type="checkbox"/>
CZ	<input type="checkbox"/>
EE	<input type="checkbox"/>
HU	<input type="checkbox"/>

LV	<input type="checkbox"/>
LT	<input type="checkbox"/>
PL	<input type="checkbox"/>
RO	<input type="checkbox"/>
SK	<input type="checkbox"/>
SI	<input type="checkbox"/>

Your evaluation of the benefit of the exchange

Because of the experience gained on the exchange:

4. Has your official since been able to prevent and detect tax avoidance and tax evasion:

A lot better?	<input type="checkbox"/>
Quite a lot better?	<input type="checkbox"/>
A bit better?	<input type="checkbox"/>
Not better at all?	<input type="checkbox"/>

5. Has your official's understanding of Community indirect tax law and its national implementation and administration in your and other Member States since become:

A lot better?	<input type="checkbox"/>
Quite a lot better?	<input type="checkbox"/>
A bit better?	<input type="checkbox"/>
No better at all?	<input type="checkbox"/>

6. Have you since found that your official cooperates with officials from other Member States:

A lot more efficiently, effectively and extensively?	<input type="checkbox"/>
Quite a lot more efficiently, effectively and extensively?	<input type="checkbox"/>
A bit more efficiently, effectively and extensively?	<input type="checkbox"/>
Not at all more efficiently, effectively and extensively?	<input type="checkbox"/>

7. Has your official since improved their personal administrative procedures:

A lot?	<input type="checkbox"/>
Quite a lot?	<input type="checkbox"/>
A bit?	<input type="checkbox"/>
Not at all?	<input type="checkbox"/>

8. To what extent have other officials (or your unit or administration as a whole) benefited from the experiences of your official?

A lot	<input type="checkbox"/>
Quite a lot	<input type="checkbox"/>
A bit	<input type="checkbox"/>
Not at all	<input type="checkbox"/>

9. Please describe any outstandingly good or bad points about the exchange, any important results not included above, or any other comments.
(Keep comments short and legible. Comments in English, French or German preferred)

FISCALIS SEMINAR EVALUATION FORM 1

This form should be completed by each official who participated in a seminar. It should be completed before the end of the seminar. It should be given directly to the Commission officials present.

Seminar attended

Part A: about you

1. What is your name?

2. What is your gender?

Male

Female

3. What is your age?

4. What is your Member State?

B
DK
D
EL
E

F
IRL
I
L
NL

A
P
FIN
S
UK

BG
CY
CZ
EE
HU

LV
LT
PL
RO
SK
SI

5. What is your work area? (you may tick more than one)

VAT

Excise

Direct tax

Customs

6. What is your position in your administration?

Director
Operational Manager
Operational Official

7. What is your work in your administration? (tick **one** only)

Audit/control
Fraud investigation
Recovery/collection
Public/taxpayer relations
Administrative cooperation

Training
Policy/Legislation
Central management
Legal advice/litigation
Other (please indicate)

8. Have you participated in an exchange, seminar or multilateral control supported by the European Community before?

Exchange
Seminar
Multilateral control

How many?
How many?
How many?

9. How do you rate your language skills? (indicate your mother tongue)

DA
Fluent
Good
Basic

DE
Fluent
Good
Basic

EL
Fluent
Good
Basic

ES
Fluent
Good
Basic

FR
Fluent
Good
Basic

	IT		NL		PT		FI		SV
Fluent	<input type="checkbox"/>	Fluent	<input type="checkbox"/>	Fluent	<input type="checkbox"/>	Fluent	<input type="checkbox"/>	Fluent	<input type="checkbox"/>
Good	<input type="checkbox"/>	Good	<input type="checkbox"/>	Good	<input type="checkbox"/>	Good	<input type="checkbox"/>	Good	<input type="checkbox"/>
Basic	<input type="checkbox"/>	Basic	<input type="checkbox"/>	Basic	<input type="checkbox"/>	Basic	<input type="checkbox"/>	Basic	<input type="checkbox"/>
	EN								
Fluent	<input type="checkbox"/>	Fluent	<input type="checkbox"/>	Fluent	<input type="checkbox"/>	Fluent	<input type="checkbox"/>	Fluent	<input type="checkbox"/>
Good	<input type="checkbox"/>	Good	<input type="checkbox"/>	Good	<input type="checkbox"/>	Good	<input type="checkbox"/>	Good	<input type="checkbox"/>
Basic	<input type="checkbox"/>	Basic	<input type="checkbox"/>	Basic	<input type="checkbox"/>	Basic	<input type="checkbox"/>	Basic	<input type="checkbox"/>

10. Describe the language training your administration has provided you in your career:

Sufficient

Insufficient

11. Do you initiate or answer requests for administrative cooperation to/from other Member States?

Frequently

Occasionally

Never

12. How do you rate the usefulness of the Community systems of communication and information exchange (VIES, SEED, Fiscal SCENT, etc.)?

Very good

Good

Poor

Very poor

Part B: About the seminar

13. How do you rate the choice of subject and objectives for the seminar?

Very good

Good

Poor

Very poor

14. How do you rate the quality of the preparatory documents for the seminar?

Very good

Good

Poor

Very poor

15. How do you rate the performance of the chairmen and reporters of the seminar and working groups?

Very good

Good

Poor

Very poor

16. How do you rate the performance of the other participants in the seminar (and in the margins)?

Very good

Good

Poor

Very poor

17. How do you rate the quality of presentations made?

Very good

Good

Poor

Very poor

18. How do you rate the quality of debate in the plenary and the working groups?

Very good

Good

Poor

Very poor

19. How do you rate the facilities of the seminar (conference rooms, equipment, interpretation etc.)?

Very good

Good

Poor

Very poor

Part C: Your evaluation of the benefit of the seminar

From your whole experience of the seminar (both the formal sessions and discussions in the margin)

20. Do you now expect you or your administration as a whole to prevent and detect tax avoidance and tax evasion in the future:

A lot better?	<input type="checkbox"/>
Quite a lot better?	<input type="checkbox"/>
A bit better?	<input type="checkbox"/>
No better at all?	<input type="checkbox"/>

21. Is your understanding of Community indirect tax law and its national implementation and administration in your and other Member States now:

A lot better?	<input type="checkbox"/>
Quite a lot better?	<input type="checkbox"/>
A bit better?	<input type="checkbox"/>
No better at all?	<input type="checkbox"/>

22. Do you now expect you or your administration as a whole to cooperate with officials from other Member States in the future:

A lot more efficiently, effectively and extensively?	<input type="checkbox"/>
Quite a lot more efficiently, effectively and extensively?	<input type="checkbox"/>
A bit more efficiently, effectively and extensively?	<input type="checkbox"/>
Not at all more efficiently, effectively and extensively?	<input type="checkbox"/>

23. Do you now expect you or your administration as a whole to improve administrative procedures:

A lot?	<input type="checkbox"/>
Quite a lot?	<input type="checkbox"/>
A bit?	<input type="checkbox"/>
Not at all?	<input type="checkbox"/>

24. Please describe any outstandingly good or bad points about the seminar, any important results not included above, or any other comments. (Keep comments short and legible. Comments in English, French or German preferred)

FISCALIS SEMINAR EVALUATION FORM 2

This form should be completed by each official who participated in a seminar. It should be completed six months after the end of the seminar. It should be sent immediately to the national Fiscalis coordinator.

1. Seminar attended

2. What is your name?

3. Which is your country?

B	<input type="checkbox"/>	F	<input type="checkbox"/>	A	<input type="checkbox"/>	BG	<input type="checkbox"/>	LV	<input type="checkbox"/>
DK	<input type="checkbox"/>	IRL	<input type="checkbox"/>	P	<input type="checkbox"/>	CY	<input type="checkbox"/>	LT	<input type="checkbox"/>
D	<input type="checkbox"/>	I	<input type="checkbox"/>	FIN	<input type="checkbox"/>	CZ	<input type="checkbox"/>	PL	<input type="checkbox"/>
EL	<input type="checkbox"/>	L	<input type="checkbox"/>	S	<input type="checkbox"/>	EE	<input type="checkbox"/>	RO	<input type="checkbox"/>
E	<input type="checkbox"/>	NL	<input type="checkbox"/>	UK	<input type="checkbox"/>	HU	<input type="checkbox"/>	SK	<input type="checkbox"/>
								SI	<input type="checkbox"/>

As a result of your participation in the seminar and of subsequent follow-up within your administration:

4. Have you since been able to prevent and detect tax avoidance and tax evasion:

A lot better?	<input type="checkbox"/>
Quite a lot better?	<input type="checkbox"/>
A bit better?	<input type="checkbox"/>
No better at all?	<input type="checkbox"/>

5. Has your administration as a whole since been able to prevent and detect tax avoidance and tax evasion:

A lot better?	<input type="checkbox"/>
Quite a lot better?	<input type="checkbox"/>
A bit better?	<input type="checkbox"/>
No better at all?	<input type="checkbox"/>

6. Has your understanding of Community indirect tax law and its national implementation and administration in your and other Member States since become:

A lot better?	<input type="checkbox"/>
Quite a lot better?	<input type="checkbox"/>
A bit better?	<input type="checkbox"/>
No better at all?	<input type="checkbox"/>

7. Has your administration's understanding of Community indirect tax law and its national implementation and administration in your and other Member States since become:

A lot better?	<input type="checkbox"/>
Quite a lot better?	<input type="checkbox"/>
A bit better?	<input type="checkbox"/>
No better at all?	<input type="checkbox"/>

8. Have you since cooperated with officials from other Member States:

A lot more efficiently, effectively and extensively?	<input type="checkbox"/>
Quite a lot more efficiently, effectively and extensively?	<input type="checkbox"/>
A bit more efficiently, effectively and extensively?	<input type="checkbox"/>
Not at all more efficiently, effectively and extensively?	<input type="checkbox"/>

9. Has your administration as a whole since cooperated with administrations of other Member States:

A lot more efficiently, effectively and extensively?	<input type="checkbox"/>
Quite a lot more efficiently, effectively and extensively?	<input type="checkbox"/>
A bit more efficiently, effectively and extensively?	<input type="checkbox"/>
Not at all more efficiently, effectively and extensively?	<input type="checkbox"/>

10. Have you since improved your personal administrative procedures:

A lot?	<input type="checkbox"/>
Quite a lot?	<input type="checkbox"/>
A bit?	<input type="checkbox"/>
Not at all?	<input type="checkbox"/>

11. Has your administration as a whole improved administrative procedures:

A lot?	<input type="checkbox"/>
Quite a lot?	<input type="checkbox"/>
A bit?	<input type="checkbox"/>
Not at all?	<input type="checkbox"/>

12. Please describe any outstandingly good or bad points about the seminar, any important results not included above, or any other comments.
(Keep comments short and legible. Comments in English, French or German preferred)

FISCALIS MULTILATERAL CONTROL EVALUATION FORM 1

This form should be completed by each official who participated in a meeting related to a multilateral control which took place in another Member State. It should be sent following completion of work on the multilateral control to the national Fiscalis coordinator.

Multilateral control codename

Part A: about you

1. What is your name?

2. What is your gender?

Male Female

3. What is your age?

4. What is your Member State?

B	<input type="checkbox"/>
DK	<input type="checkbox"/>
D	<input type="checkbox"/>
EL	<input type="checkbox"/>
E	<input type="checkbox"/>

F	<input type="checkbox"/>
IRL	<input type="checkbox"/>
I	<input type="checkbox"/>
L	<input type="checkbox"/>
NL	<input type="checkbox"/>

A	<input type="checkbox"/>
P	<input type="checkbox"/>
FIN	<input type="checkbox"/>
S	<input type="checkbox"/>
UK	<input type="checkbox"/>

5. What is your work area? (you may tick more than one)

VAT Excise Direct tax Customs

6. What is your position in your administration?

Director	<input type="checkbox"/>
Operational Manager	<input type="checkbox"/>
Operational Official	<input type="checkbox"/>

7. What is your work in your administration? (tick **one** only)

Audit/control	<input type="checkbox"/>
Fraud investigation	<input type="checkbox"/>
Recovery/collection	<input type="checkbox"/>
Policy/Legislation	<input type="checkbox"/>
Central management	<input type="checkbox"/>

Training	<input type="checkbox"/>
Public/taxpayer relations	<input type="checkbox"/>
Administrative co-operation	<input type="checkbox"/>
Legal advice/litigation	<input type="checkbox"/>
Other (please indicate)	<input type="checkbox"/>

8. Have you participated in an exchange, seminar or multilateral control supported by the European Community before?

Exchange	<input type="checkbox"/>
Seminar	<input type="checkbox"/>
Multilateral control	<input type="checkbox"/>

How many?	<input type="checkbox"/>
How many?	<input type="checkbox"/>
How many?	<input type="checkbox"/>

9. How do you rate your language skills? (indicate your mother tongue)

	DA	<input type="checkbox"/>
Fluent	<input type="checkbox"/>	
Good	<input type="checkbox"/>	
Basic	<input type="checkbox"/>	

	DE	<input type="checkbox"/>
Fluent	<input type="checkbox"/>	
Good	<input type="checkbox"/>	
Basic	<input type="checkbox"/>	

	EL	<input type="checkbox"/>
Fluent	<input type="checkbox"/>	
Good	<input type="checkbox"/>	
Basic	<input type="checkbox"/>	

	ES	<input type="checkbox"/>
Fluent	<input type="checkbox"/>	
Good	<input type="checkbox"/>	
Basic	<input type="checkbox"/>	

	FR	<input type="checkbox"/>
Fluent	<input type="checkbox"/>	
Good	<input type="checkbox"/>	
Basic	<input type="checkbox"/>	

	IT		NL		PT		FI		SV
Fluent	<input type="checkbox"/>	Fluent	<input type="checkbox"/>	Fluent	<input type="checkbox"/>	Fluent	<input type="checkbox"/>	Fluent	<input type="checkbox"/>
Good	<input type="checkbox"/>	Good	<input type="checkbox"/>	Good	<input type="checkbox"/>	Good	<input type="checkbox"/>	Good	<input type="checkbox"/>
Basic	<input type="checkbox"/>	Basic	<input type="checkbox"/>	Basic	<input type="checkbox"/>	Basic	<input type="checkbox"/>	Basic	<input type="checkbox"/>
	EN								
Fluent	<input type="checkbox"/>	Fluent	<input type="checkbox"/>	Fluent	<input type="checkbox"/>	Fluent	<input type="checkbox"/>	Fluent	<input type="checkbox"/>
Good	<input type="checkbox"/>	Good	<input type="checkbox"/>	Good	<input type="checkbox"/>	Good	<input type="checkbox"/>	Good	<input type="checkbox"/>
Basic	<input type="checkbox"/>	Basic	<input type="checkbox"/>	Basic	<input type="checkbox"/>	Basic	<input type="checkbox"/>	Basic	<input type="checkbox"/>

10. Describe the language training your administration has provided you in your career:

Sufficient

Insufficient

11. Do you initiate or answer requests for administrative cooperation to/from other Member States?

Frequently

Occasionally

Never

12. How do you rate the usefulness of the Community systems of communication and information exchange (VIES, SEED, Fiscal SCENT, etc.)?

Very good

Good

Poor

Very poor

Part B: Your evaluation of the multilateral control

13. Were the trader or traders a good choice for multilateral control?

Very good

Good

Poor

Very poor

14. Would you have controlled the trader within the next 12 months anyway?

Yes

No

15. How do you rate the performance of the lead Member State?

Very good

Good

Poor

Very poor

16. How do you rate the performance of the other participating Member States?

Very good

Good

Poor

Very poor

17. How do you rate the quality and quantity of information you received about the trader(s)?

Very good

Good

Poor

Very poor

18. Did you detect any tax evasion by the trader or traders registered in your Member State?

Yes

No

If so, how much in ecu?

19. How do you rate the cost-benefit of the multilateral control compared to uncoordinated national controls of the same trader or traders?

Very good

Good

Poor

Very poor

20. How do you rate the effect of the multilateral control on the future compliance of the trader or traders involved?

Very good

Good

Poor

Very poor

21. How do you rate the (deterrent) effect of the multilateral control on the compliance of other traders not covered by the control?

Very good

Good

Poor

Very poor

Part C: Your evaluation of the wider benefit of the multilateral control

From your experience on the multilateral control:

22. Do you now expect to prevent and detect tax avoidance and tax evasion in the future:

A lot better?	<input type="checkbox"/>
Quite a lot better?	<input type="checkbox"/>
A bit better?	<input type="checkbox"/>
No better at all?	<input type="checkbox"/>

23. Is your understanding of Community indirect tax law and its national implementation and administration in your and other Member States now:

A lot better?	<input type="checkbox"/>
Quite a lot better?	<input type="checkbox"/>
A bit better?	<input type="checkbox"/>
No better at all?	<input type="checkbox"/>

24. Do you now expect to cooperate with officials from other Member States in the future:

A lot more efficiently, effectively and extensively?	<input type="checkbox"/>
Quite a lot more efficiently, effectively and extensively?	<input type="checkbox"/>
A bit more efficiently, effectively and extensively?	<input type="checkbox"/>
Not at all more efficiently, effectively and extensively?	<input type="checkbox"/>

25. Do you now expect to improve your personal administrative procedures:

A lot?	<input type="checkbox"/>
Quite a lot?	<input type="checkbox"/>
A bit?	<input type="checkbox"/>
Not at all?	<input type="checkbox"/>

26. To what extent do you expect other colleagues (or your unit or administration as a whole) to benefit from your experience?

A lot	<input type="checkbox"/>
Quite a lot	<input type="checkbox"/>
A bit	<input type="checkbox"/>
Not at all	<input type="checkbox"/>

24. Please describe any outstandingly good or bad points about the multilateral control, any important results not included above, or any other comments. (Keep comments short and legible. Comments in English, French or German preferred)

FISCALIS MULTILATERAL CONTROL EVALUATION FORM 2

This form should be completed by the official in charge of the team from the lead Member State. It should be sent following completion of work on the multilateral control to the national Fiscalis coordinator. The written report on the multilateral control should also be sent to the Fiscalis coordinator.

Multilateral control codename

Part A: About you

1. What is your name?

2. What is your Member State?

B	<input type="checkbox"/>	F	<input type="checkbox"/>	A	<input type="checkbox"/>
DK	<input type="checkbox"/>	IRL	<input type="checkbox"/>	P	<input type="checkbox"/>
D	<input type="checkbox"/>	I	<input type="checkbox"/>	FIN	<input type="checkbox"/>
EL	<input type="checkbox"/>	L	<input type="checkbox"/>	S	<input type="checkbox"/>
E	<input type="checkbox"/>	NL	<input type="checkbox"/>	UK	<input type="checkbox"/>

Part B: About the multilateral control

3. What other Member States participated?

B	<input type="checkbox"/>	F	<input type="checkbox"/>	A	<input type="checkbox"/>
DK	<input type="checkbox"/>	IRL	<input type="checkbox"/>	P	<input type="checkbox"/>
D	<input type="checkbox"/>	I	<input type="checkbox"/>	FIN	<input type="checkbox"/>
EL	<input type="checkbox"/>	L	<input type="checkbox"/>	S	<input type="checkbox"/>
E	<input type="checkbox"/>	NL	<input type="checkbox"/>	UK	<input type="checkbox"/>

4. What taxes or duties were controlled?

VAT	<input type="checkbox"/>	Excise	<input type="checkbox"/>	Direct tax	<input type="checkbox"/>	Customs	<input type="checkbox"/>
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5. What trade sectors do the trader(s) belong to? (see NACE classification)

Division	<input type="checkbox"/>	Group	<input type="checkbox"/>	Class	<input type="checkbox"/>
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6. What type of multilateral control was this?

Multinational	<input type="checkbox"/>
Coordinated	<input type="checkbox"/>

7. Why were the trader or traders selected?

Amount of revenue involved	<input type="checkbox"/>	Random selection	<input type="checkbox"/>
Trade sector	<input type="checkbox"/>	National risk targeting/control programme	<input type="checkbox"/>
Proportion of intra-Community trade	<input type="checkbox"/>	Suspected fraud	<input type="checkbox"/>

8. How do you rate the performance of the participating Member States?

Very good	<input type="checkbox"/>	Good	<input type="checkbox"/>	Poor	<input type="checkbox"/>	Very poor	<input type="checkbox"/>
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9. How do you rate the quality and quantity of information you received about the trader(s)?

Very good	<input type="checkbox"/>	Good	<input type="checkbox"/>	Poor	<input type="checkbox"/>	Very poor	<input type="checkbox"/>
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10. Did you detect any tax evasion by the trader or traders registered in your Member State?

Yes
No

If so, how much in ecu?

11. How do you rate the cost-benefit of the multilateral control compared to uncoordinated national controls of the same trader or traders?

Very good Good Poor Very poor

12. How do you rate the effect of the multilateral control on the future compliance of the trader or traders involved?

Very good Good Poor Very poor

13. How do you rate the (deterrent) effect of the multilateral control on the compliance of other traders not covered by the control?

Very good Good Poor Very poor

Part C: Your evaluation of the wider benefit of the multilateral control

From your experience on the multilateral control:

14. Do you now expect to prevent and detect tax avoidance and tax evasion in the future:

A lot better?
Quite a lot better?
A bit better?
No better at all?

15. Is your understanding of Community indirect tax law and its national implementation and administration in your and other Member States now:

A lot better?
Quite a lot better?
A bit better?
No better at all?

16. Do you now expect to cooperate with officials from other Member States in the future:

A lot more efficiently, effectively and extensively?
Quite a lot more efficiently, effectively and extensively?
A bit more efficiently, effectively and extensively?
Not at all more efficiently, effectively and extensively?

17. Do you now expect to improve your personal administrative procedures:

A lot?
Quite a lot?
A bit?
Not at all?

18. To what extent do you expect other colleagues (or your unit or administration as a whole) to benefit from your experience?

A lot
Quite a lot
A bit
Not at all

19. Please describe any outstanding good or bad points about the multilateral control, any important results not included above, or any other comments. (Keep comments short and legible. Comments in English, French or German preferred)
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