

English edition

## Legislation

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(<sup>1</sup>) Text with EEA relevance

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**EN**

Acts whose titles are printed in light type are those relating to day-to-day management of agricultural matters, and are generally valid for a limited period.

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## I

*(Acts whose publication is obligatory)*

**COMMISSION REGULATION (EC) No 2690/98**  
**of 14 December 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 <sup>(1)</sup>, as last amended by Regulation (EC) No 1498/98 <sup>(2)</sup>, 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 <sup>(3)</sup>, as last amended by Regulation (EC) No 150/95 <sup>(4)</sup>, and in particular Article 3 (3) thereof,

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

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

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

HAS ADOPTED THIS REGULATION:

*Article 1*

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

*Article 2*

This Regulation shall enter into force on 15 December 1998.

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

Done at Brussels, 14 December 1998.

*For the Commission*

Franz FISCHLER

*Member of the Commission*

<sup>(1)</sup> OJ L 337, 24. 12. 1994, p. 66.

<sup>(2)</sup> OJ L 198, 15. 7. 1998, p. 4.

<sup>(3)</sup> OJ L 387, 31. 12. 1992, p. 1.

<sup>(4)</sup> OJ L 22, 31. 1. 1995, p. 1.

## ANNEX

## to the Commission Regulation of 14 December 1998 establishing the standard import values for determining the entry price of certain fruit and vegetables

(ECU/100 kg)

CN code	Third country code <sup>(1)</sup>	Standard import value
0702 00 00	204	82,9
	624	128,0
	999	105,5
0707 00 05	052	80,8
	204	85,3
	999	83,1
0709 90 70	052	97,2
	204	96,5
	628	156,1
	999	116,6
0805 10 10, 0805 10 30, 0805 10 50	052	41,8
	204	45,2
	999	43,5
0805 20 10	204	65,5
	999	65,5
0805 20 30, 0805 20 50, 0805 20 70, 0805 20 90	052	64,0
	464	258,6
	999	161,3
0805 30 10	052	61,9
	600	71,1
	999	66,5
0808 10 20, 0808 10 50, 0808 10 90	060	16,5
	064	34,7
	400	75,6
	404	79,3
	999	51,5
0808 20 50	064	58,8
	400	67,9
	720	50,7
	999	59,1

<sup>(1)</sup> 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 2691/98**  
**of 14 December 1998**  
**amending for the 19th time Regulation (EC) No 913/97 adopting exceptional**  
**support measures for the pigmeat market in Spain**

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

Having regard to Council Regulation (EEC) No 2759/75 of 29 October 1975 on the common organisation of the market in pigmeat <sup>(1)</sup>, as last amended by Regulation (EC) No 3290/94 <sup>(2)</sup>, and in particular Article 20 thereof,

Whereas, because of the outbreak of classical swine fever in certain production regions in Spain, the Commission adopted Regulation (EC) No 913/97 <sup>(3)</sup>, as last amended by Regulation (EC) No 2375/98 <sup>(4)</sup>, to introduce exceptional support measures for the pigmeat market in that Member State;

Whereas the improvement of the veterinary and sanitary situation in the province of Zaragoza allows the stopping of exceptional measures for this area; whereas it is therefore necessary to adapt the list of the eligible zones laid

down in Annex II of Regulation (EC) No 913/97 to the new situation;

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

HAS ADOPTED THIS REGULATION:

*Article 1*

Annex II to Regulation (EC) No 913/97 is replaced by the Annex hereto.

*Article 2*

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

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

Done at Brussels, 14 December 1998.

*For the Commission*  
Franz FISCHLER  
*Member of the Commission*

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<sup>(1)</sup> OJ L 282, 1. 11. 1975, p. 1.

<sup>(2)</sup> OJ L 349, 31. 12. 1994, p. 105.

<sup>(3)</sup> OJ L 131, 23. 5. 1997, p. 14.

<sup>(4)</sup> OJ L 295, 4. 11. 1998, p. 7.

*ANNEX**ANNEX II***Part 1**

In the province of Seville, the protection and surveillance zones as defined in Annexes I and II to the order of the Junta de Andalucía of 23 April 1998, published in the Official Journal of the Junta of 28 April 1998, p. 4951.

**Part 2**

The veterinary districts (comarcas) of the province of Seville listed in Annex I to Decision 98/339/EC.'

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**COMMISSION REGULATION (EC) No 2692/98**

of 14 December 1998

**amending Annex II to Council Regulation (EEC) No 2377/90 laying down a Community procedure for the establishment of maximum residue limits of veterinary medicinal products in foodstuffs of animal origin**

(Text with EEA relevance)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EEC) No 2377/90 of 26 June 1990 laying down a Community procedure for the establishment of maximum residue limits of veterinary medicinal products in foodstuffs of animal origin <sup>(1)</sup>, as last amended by Commission Regulation (EC) No 2686/98 <sup>(2)</sup>, and in particular Articles 6, 7 and 8 thereof,

Whereas, in accordance with Regulation (EEC) No 2377/90, maximum residue limits must be established progressively for all pharmacologically active substances which are used within the Community in veterinary medicinal products intended for administration to food-producing animals;

Whereas maximum residue limits should be established only after the examination within the Committee for Veterinary Medicinal Products of all the relevant information concerning the safety of residues of the substance concerned for the consumer of foodstuffs of animal origin and the impact of residues on the industrial processing of foodstuffs;

Whereas, in establishing maximum residue limits for residues of veterinary medicinal products in foodstuffs of animal origin, it is necessary to specify the animal species in which residues may be present, the levels which may be present in each of the relevant meat tissues obtained from the treated animal (target tissue) and the nature of the residue which is relevant for the monitoring of residues (marker residue);

Whereas, for the control of residues, as provided for in appropriate Community legislation, maximum residue limits should usually be established for the target tissues of liver or kidney; whereas, however, the liver and kidney are frequently removed from carcasses moving in inter-

national trade, and maximum residue limits should therefore also always be established for muscle or fat tissues;

Whereas, in the case of veterinary medicinal products intended for use in laying birds, lactating animals or honey bees, maximum residue limits must also be established for eggs, milk or honey;

Whereas manganese sulphate, manganese ribonucleate, manganese pidolate, manganese oxide, manganese glycerophosphate, manganese gluconate, manganese chloride and manganese carbonate should be inserted into Annex II to Regulation (EEC) No 2377/90;

Whereas a period of 60 days should be allowed before the entry into force of this Regulation in order to allow Member States to make any adjustment which may be necessary to the authorisations to place the veterinary medicinal products concerned on the market which have been granted in accordance with Council Directive 81/851/EEC <sup>(3)</sup>, as last amended by Directive 93/40/EEC <sup>(4)</sup> to take account of the provisions of this Regulation;

Whereas the measures provided for in this Regulation are in accordance with the opinion of the Standing Committee on Veterinary Medicinal Products,

HAS ADOPTED THIS REGULATION:

*Article 1*

Annex II to Regulation (EEC) No 2377/90 is hereby amended as set out in the Annex hereto.

*Article 2*This Regulation shall enter into force on the 60th day following its publication in the *Official Journal of the European Communities*.<sup>(1)</sup> OJ L 224, 18. 8. 1990, p. 1.<sup>(2)</sup> OJ L 337, 12. 12. 1998, p. 20.<sup>(3)</sup> OJ L 317, 6. 11. 1981, p. 1.<sup>(4)</sup> OJ L 214, 24. 8. 1993, p. 31.

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

Done at Brussels, 14 December 1998.

*For the Commission*  
Martin BANGEMANN  
*Member of the Commission*

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ANNEX

Annex II to Regulation (EEC) No 2377/90 is amended as follows:

2. Organic compounds

Pharmacologically active substance(s)	Animal species	Other provisions
Dimanganese trioxide	All food producing species	For oral use only
Manganese carbonate	All food producing species	For oral use only
Manganese chloride	All food producing species	For oral use only
Manganese gluconate	All food producing species	For oral use only
Manganese glycerophosphate	All food producing species	For oral use only
Manganese oxide	All food producing species	For oral use only
Manganese pidolate	All food producing species	For oral use only
Manganese ribonucleate	All food producing species	For oral use only
Manganese sulphate	All food producing species	For oral use only'

**COMMISSION REGULATION (EC) No 2693/98**  
of 14 December 1998

**authorising the conclusion of long-term private storage contracts for table wine, grape must, concentrated grape must and rectified concentrated grape must in respect of the 1998/99 wine year**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

HAS ADOPTED THIS REGULATION:

Having regard to the Treaty establishing the European Community,

*Article 1*

Having regard to Council Regulation (EEC) No 822/87 of 16 March 1987 on the common organisation of the market in wine <sup>(1)</sup>, as last amended by Regulation (EC) No 1627/98 <sup>(2)</sup>, and in particular Articles 32(5) and 83 thereof,

During the period 16 December 1998 to 15 February 1999, long-term private storage contracts may be concluded, in accordance with the provisions of Regulation (EEC) No 1059/83, for:

- table wines, provided that the conditions of Article 6(3) of that Regulation are met, and
- grape must, concentrated grape must and rectified concentrated grape must.

Whereas the forward estimate drawn up for the 1998/99 wine year indicates that the quantities of table wine available at the beginning of the wine year exceed by more than four months' supply those normally used up over the year; whereas the conditions for authorisation of long-term storage contracts specified in Article 32(4) of Regulation (EEC) No 822/87 are therefore met;

*Article 2*

The minimum quality conditions that must be met by table wines which may be covered by a storage contract shall be as set out in the Annex hereto.

Whereas the abovementioned forward estimate indicates the existence of surpluses of all types of table wine and of table wines which stand in close economic relationship to those types of table wine; whereas it is necessary by the same token to open this possibility for grape must, concentrated grape must and rectified concentrated grape must;

By derogation to Article 6(3) of Regulation (EEC) No 1059/83, table wines produced in Portugal must have a reduced sugar level not greater than 4 grams per litre.

*Article 3*

Producers who, within the limits laid down in the first subparagraph of Article 5(1) of Regulation (EEC) No 1059/83, wish to conclude a long-term storage contract for a table wine shall, when submitting applications for conclusion of a contract, advise the intervention agency of the total quantity of table wine they have produced during the current wine year.

Whereas the market for must and concentrated must for grape juice production is expanding and to promote uses of vine products other than winemaking permission should be granted for must and concentrated grape must placed under a storage contract covered by Commission Regulation (EEC) No 1059/83 <sup>(3)</sup>, as last amended by Regulation (EC) No 1262/96 <sup>(4)</sup>, that is intended for grape juice production to be sold from the fifth month of the contract onwards on simple notification by the producer to the intervention agency; whereas to promote export of these products this same possibility should apply;

For this purpose producers shall submit a copy of the production declaration(s) drawn up pursuant to Article 3 of Commission Regulation (EEC) No 1294/96 <sup>(5)</sup>.

*Article 4*

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

1. For the 1998/99 wine year, producers who have not applied for an advance pursuant to Article 14(2) of Regulation (EEC) No 1059/83 may, from the first day of the fifth month of storage onwards, sell the grape must or concentrated grape must in question for exportation or for production of grape juice.

<sup>(1)</sup> OJ L 84, 27. 3. 1987, p. 1.

<sup>(2)</sup> OJ L 210, 28. 7. 1998, p. 8.

<sup>(3)</sup> OJ L 116, 30. 4. 1983, p. 77.

<sup>(4)</sup> OJ L 163, 2. 7. 1996, p. 18.

<sup>(5)</sup> OJ L 166, 5. 7. 1996, p. 14.

2. In such cases producers shall inform the intervention agency in accordance with the terms of Article 1a of Regulation (EEC) No 1059/83.

The intervention agency shall check that the must or concentrated grape must is turned into grape juice or exported.

*Article 5*

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, 14 December 1998.

*For the Commission*  
Franz FISCHLER  
*Member of the Commission*

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*ANNEX*

**MINIMUM QUALITY CONDITIONS FOR TABLE WINES**

**I. White wines**

- |  |                                |
|--|--------------------------------|
| (a) minimum actual alcoholic strength: | 10,5 % vol;                    |
| (b) maximum volatile acidity:          | 9 milli-equivalents per litre; |
| (c) maximum sulphur dioxide content:   | 155 milligrams per litre.      |

**II. Red wines**

- |  |                                 |
|--|---------------------------------|
| (a) minimum actual alcoholic strength: | 10,5 % vol;                     |
| (b) maximum volatile acidity:          | 11 milli-equivalents per litre; |
| (c) maximum sulphur dioxide content:   | 115 milligrams per litre.       |

Rosé wines must comply with the conditions laid down above for red wines except as regards their sulphur dioxide content to which the same maximums as those fixed for white wines apply.

Conditions (a) and (c) do not apply to table wines of types R III, A II and A III.

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**COMMISSION REGULATION (EC) No 2694/98**  
of 14 December 1998

**amending Regulation (EC) No 2198/98 increasing to 949 973 tonnes the quantity of barley held by the German intervention agency for which a standing invitation to tender for export has been opened**

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<sup>(1)</sup>, as last amended by Commission Regulation (EC) No 923/96<sup>(2)</sup>, and in particular Article 5 thereof,

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

Whereas Commission Regulation (EC) No 2198/98<sup>(5)</sup>, as amended by Regulation (EC) No 2589/98<sup>(6)</sup>, opened a standing invitation to tender for the export of 749 960 tonnes of barley held by the German intervention agency; whereas, Germany informed the Commission of the intention of its intervention agency to increase by 200 013 tonnes the quantity for which a standing invitation to tender for export has been opened; whereas the total quantity of barley held by the German intervention agency for which a standing invitation to tender for export has been opened should be increased to 949 973 tonnes;

Whereas this increase in the quantity put out to tender makes it necessary to alter the list of regions and quantities in store; whereas Annex I to Regulation (EC) No 2198/98 must therefore be amended;

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

Done at Brussels, 14 December 1998.

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

HAS ADOPTED THIS REGULATION:

*Article 1*

Regulation (EC) No 2198/98 is hereby amended as follows:

1. Article 2 is replaced by the following:

*Article 2*

1. The invitation to tender shall cover a maximum of 949 973 tonnes of barley for export to third countries, with the exception of the United States, Canada and Mexico.

2. The regions in which the 949 973 tonnes of barley are stored are stated in Annex I to this Regulation.;

2. Annex I is replaced by the Annex hereto.

*Article 2*

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

*For the Commission*

Franz FISCHLER

*Member of the Commission*

<sup>(1)</sup> OJ L 181, 1. 7. 1992, p. 21.

<sup>(2)</sup> OJ L 126, 24. 5. 1996, p. 37.

<sup>(3)</sup> OJ L 191, 31. 7. 1993, p. 76.

<sup>(4)</sup> OJ L 293, 16. 11. 1996, p. 1.

<sup>(5)</sup> OJ L 277, 14. 10. 1998, p. 9.

<sup>(6)</sup> OJ L 324, 2. 12. 1998, p. 21.

## ANNEX

## ANNEX I

*(tonnes)*

Place of storage	Quantity
Schleswig-Holstein/Hamburg/ Niedersachsen/Bremen/ Nordrhein-Westfalen	319 850
Hessen/Rheinland-Pfalz/ Baden-Württemberg/Saarland/Bayern	46 349
Berlin/Brandenburg/ Mecklenburg-Vorpommern	291 034
Sachsen/Sachsen-Anhalt/Thüringen	292 740'

**COMMISSION REGULATION (EC) No 2695/98**  
**of 14 December 1998**  
**on the supply of white sugar as food aid**

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

Having regard to Council Regulation (EC) No 1292/96 of 27 June 1996 on food-aid policy and food-aid management and special operations in support of food security <sup>(1)</sup>, and in particular Article 24(1)(b) thereof,

Whereas the abovementioned Regulation lays down the list of countries and organisations eligible for Community aid and specifies the general criteria on the transport of food aid beyond the fob stage;

Whereas, following the taking of a number of decisions on the allocation of food aid, the Commission has allocated white sugar to certain beneficiaries;

Whereas it is necessary to make these supplies in accordance with the rules laid down by Commission Regulation (EC) No 2519/97 of 16 December 1997 laying down general rules for the mobilisation of products to be supplied pursuant to Council Regulation (EC) No 1292/96 as Community food aid <sup>(2)</sup>; whereas it is necessary to specify the time limits and conditions of supply to determine the resultant costs;

Whereas Article 2 of Council Regulation (EC) No 1103/97 of 17 June 1997 on certain provisions relating to the introduction of the euro <sup>(3)</sup> provides that, as from 1 January 1999, all references to the ecu in legal instruments are to be replaced by references to the euro at the rate of EUR 1 to ECU 1,

HAS ADOPTED THIS REGULATION:

*Article 1*

White sugar shall be mobilised in the Community, as Community food aid for supply to the recipient listed in the Annex, in accordance with Regulation (EC) No 2519/97 and under the conditions set out in the Annex.

The tenderer is deemed to have noted and accepted all the general and specific conditions applicable. Any other condition or reservation included in his tender is deemed unwritten.

*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, 14 December 1998.

*For the Commission*  
Franz FISCHLER  
*Member of the Commission*

<sup>(1)</sup> OJ L 166, 5. 7. 1996, p. 1.

<sup>(2)</sup> OJ L 346, 17. 12. 1997, p. 23.

<sup>(3)</sup> OJ L 162, 19. 6. 1997, p. 1.

## ANNEX

## LOTS A, B, C, D and E

1. **Action Nos:** 74/98 (A); 75/98 (B); 76/98 (C); 77/98 (D); 78/98 (E)
2. **Beneficiary** <sup>(2)</sup>: UNRWA, Supply division, Amman Office, PO Box 140157, Amman — Jordan  
telex 21170 UNRWA JC; fax (962-6) 86 41 27
3. **Beneficiary's representative:** UNRWA Field Supply and Transport Officer  
A + E: PO Box 19149, Jerusalem, Israel (tel. (972-2) 589 05 55; telex 26194 UNRWA IL; fax 581 65 64)  
B: PO Box 947, Beirut, Lebanon (tel. (961-1) 840 460-9; fax 603 683)  
C: PO Box 4313, Damascus, Syria (tel. (963-11) 613 30 35; telex 412006 UNRWA SY; fax 613 30 47)  
D: PO Box 484, Amman, Jordan (tel. (962-6) 74 19 14/77 22 26; telex 23402 UNRWAJFO JO;  
fax 74 63 61)
4. **Country of destination:** A, E: Israel (A: Gaza; E: West Bank); B: Lebanon; C: Syria; D: Jordan
5. **Product to be mobilised:** white sugar
6. **Total quantity (tonnes net):** 1 780
7. **Number of lots:** 5 (A: 660 tonnes; B: 260 tonnes; C: 200 tonnes; D: 420 tonnes; E: 240 tonnes)
8. **Characteristics and quality of the product** <sup>(3)</sup> <sup>(5)</sup> <sup>(9)</sup> <sup>(10)</sup>: see OJ C 114, 29.4.1991, p. 1 (V.A(1))
9. **Packaging** <sup>(7)</sup>: see OJ C 267, 13.9.1996, p. 1 (11.2, A(1)(b), (2)(b) and B(4))
10. **Labelling or marking** <sup>(6)</sup>: see OJ C 114, 29.4.1991, p. 1 (V.A(3))  
— Language to be used for the markings: English  
— Supplementary markings: 'NOT FOR SALE'
11. **Method of mobilisation of the product:** sugar produced in the Community in accordance with the sixth subparagraph of Article 24(1a) of Council Regulation (EEC) No 1785/81 as follows: A or B sugar (points (a) and (b))
12. **Specified delivery stage** <sup>(8)</sup> <sup>(11)</sup>: A, C, E: free at port of landing — container terminal; B and D: free at destination
13. **Alternative delivery stage:** free at port of shipment
14. (a) **Port of shipment:** —  
(b) **Loading address:** —
15. **Port of landing:** A and E: Ashdod; C: Lattakia
16. **Place of destination:** UNRWA warehouse in Beirut (B) and Amman (D)  
— port or warehouse of transit: —  
— overland transport route: —
17. **Period or deadline of supply at the specified stage:**  
— first deadline: A, B, C: 7.3.1999; D: 14.3.1999; E: 4.4.1999  
— second deadline: A, B, C: 21.3.1999; D: 28.3.1999; E: 18.4.1999
18. **Period or deadline of supply at the alternative stage:**  
— first deadline: A, B, C, D: 1 to 14.2.1999; E: 1 to 14.3.1999  
— second deadline: A, B, C, D: 15 to 28.2.1999; E: 15 to 28.3.1999
19. **Deadline for the submission of tenders (at 12 noon, Brussels time):**  
— first deadline: 5.1.1999  
— second deadline: 18.1.1999
20. **Amount of tendering guarantee:** EUR 15 per tonne
21. **Address for submission of tenders and tendering guarantees** <sup>(1)</sup>:  
Bureau de l'aide alimentaire, Attn Mr T. Vestergaard, Bâtiment Loi 130, bureau 7/46, Rue de la Loi/Wetstraat 200, B-1049 Bruxelles/Brussel; telex 25670 AGREC B; fax (32 2) 296 70 03 / 296 70 04 (exclusively)
22. **Export refund** <sup>(4)</sup>: periodic refund applicable to white sugar on 10.12.1998, fixed by Commission Regulation (EC) No 2596/98 (OJ L 325, 3.12.1998, p. 5)

## LOT F

1. **Action Nos:** 79/98 (F1); 80/98 (F2)
2. **Beneficiary** (2): WFP (World Food Programme), via Cristoforo Colombo 426, I-00145 Roma  
tel. (39 6) 65 13 29 88; fax 65 13 28 44/3; telex 626675 WFP I
3. **Beneficiary's representative:** to be designated by the recipient
4. **Country of destination:** Sudan
5. **Product to be mobilized:** white sugar
6. **Total quantity (tonnes net):** 300
7. **Number of lots:** 1 in 2 parts (F1: 235 tonnes; F2: 65 tonnes)
8. **Characteristics and quality of the product** (3) (4) (5): see OJ C 114, 29.4.1991, p. 1 (V.A.(1))
9. **Packaging** (7): see OJ C 267, 13.9.1996, p. 1 (11.2 A 1.b, 2.b and B.4)
10. **Labelling or marking** (6): see OJ C 114, 29.4.1991, p. 1 (V.A.(3))
  - Language to be used for the markings: English
  - Supplementary markings: 'Expiry date ...'
11. **Method of mobilization of the product:** sugar produced in the Community in accordance with the sixth subparagraph of Article 24(1a) of Council Regulation (EEC) No 1785/81 as follows: A or B sugar (points (a) and (b))
12. **Specified delivery stage:** free at port of shipment
13. **Alternative delivery stage:** —
14. (a) **Port of shipment:** —  
(b) **Loading address:** —
15. **Port of landing:** —
16. **Place of destination:** —
  - port or warehouse of transit: —
  - overland transport route: —
17. **Period or deadline of supply at the specified stage:**
  - first deadline: 25.1 to 14.2.1999
  - second deadline: 8 to 28.2.1999
18. **Period or deadline of supply at the alternative stage:**
  - first deadline: —
  - second deadline: —
19. **Deadline for the submission of tenders (at 12 noon, Brussels time):**
  - first deadline: 5.1.1999
  - second deadline: 18.1.1999
20. **Amount of tendering guarantee:** EUR 15 per tonne
21. **Address for submission of tenders and tendering guarantees** (1):  
Bureau de l'aide alimentaire, Attn Mr T. Vestergaard, Bâtiment Loi 130, bureau 7/46, Rue de la Loi/  
Wetstraat 200, B-1049 Bruxelles/Brussel; telex 25670 AGREC B; fax (32-2) 296 70 03 / 296 70 04 (exclusively)
22. **Export refund** (8): periodic refund applicable to white sugar on 10.12.1998, fixed by Commission Regulation (EC) No 2596/98 (OJ L 325, 3.12.1998, p. 5)



*Notes:*

- (<sup>1</sup>) Supplementary information: André Debongnie (tel. (32-2) 295 14 65)  
Torben Vestergaard (tel. (32-2) 299 30 50).
- (<sup>2</sup>) The supplier shall contact the beneficiary or its representative as soon as possible to establish which consignment documents are required.
- (<sup>3</sup>) The supplier shall deliver to the beneficiary a certificate from an official entity certifying that for the product to be delivered the standards applicable, relative to nuclear radiation, in the Member State concerned, have not been exceeded. The radioactivity certificate must indicate the caesium-134 and -137 and iodine-131 levels.
- (<sup>4</sup>) Commission Regulation (EC) No 259/98 (OJ L 25, 31.1.1998, p. 39), is applicable as regards the export refund. The date referred to in Article 2 of the said Regulation is that indicated in point 22 of this Annex.
- The supplier's attention is drawn to the last subparagraph of Article 4(1) of the above Regulation. The photocopy of the export licence shall be sent as soon as the export declaration has been accepted (fax (32-2) 296 20 05)).
- (<sup>5</sup>) The supplier shall supply to the beneficiary or its representative, on delivery, the following document:  
— health certificate.
- (<sup>6</sup>) Notwithstanding OJ C 114, point V.A(3)(c) is replaced by the following: 'the words "European Community"'.
- (<sup>7</sup>) Since the goods may be rebagged, the supplier must provide 2 % of empty bags of the same quality as those containing the goods, with the marking followed by a capital 'R'.
- (<sup>8</sup>) Shipment to take place in 20-foot containers: Lots A, C and E: the contracted shipping terms shall be considered full liner terms (liner in/liner out) free port of landing container yard and is understood to cover 15 days — Saturdays, Sundays and official public and religious holidays excluded — free of container detention charges at the port of discharge taken from the day/time of the arrival of the vessel. The 15 day period should be clearly marked on the bill of lading. Bona fide detention charges levied in respect of container detention(s) in excess of the said 15 days as detailed above will be borne by UNRWA. UNRWA shall not pay/not be charged any container deposit fees.
- After take-over of the goods at the delivery stage, the recipient will bear all costs of shifting the containers for destuffing outside the port area and of returning them to the container yard.
- Ashdod: consignment to be stowed in 20-foot containers containing not more than 17 tonnes each, net.
- (<sup>9</sup>) The rule provided at the second indent of Article 18(2)(a) of Commission Regulation (EEC) No 2103/77 (OJ L 246, 27.9.1977, p. 12), as last amended by Regulation (EC) No 260/96 (OJ L 34, 13.2.1996, p. 16), is binding for determination of the sugar category.
- (<sup>10</sup>) Lot C: The health certificate and the certificate of origin must be signed and stamped by a Syrian Consulate, including the statement that consular fees and charges have been paid.
- (<sup>11</sup>) In addition to the provisions of Article 14(3) of Regulation (EC) No 2519/97, vessels chartered shall not appear on any of the four most recent quarterly lists of detained vessels as published by the Paris Memorandum of Understanding on Port State Control (Council Directive 95/21/EC, (OJ L 157, 7.7.1995, p. 1)).
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**COMMISSION REGULATION (EC) No 2696/98**  
**of 14 December 1998**  
**on the supply of rice as food aid**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EC) No 1292/96 of 27 June 1996 on food-aid policy and food-aid management and special operations in support of food security<sup>(1)</sup>, and in particular Article 24(1)(b) thereof,

Whereas Regulation (EC) No 1292/96 lays down the list of countries and organisations eligible for Community aid and specifies the general criteria on the transport of food aid beyond the FOB stage;

Whereas, following the taking of a number of decisions on the allocation of food aid, the Commission has allocated rice to certain beneficiaries;

Whereas it is necessary to make these supplies in accordance with the rules laid down by Commission Regulation (EC) No 2519/97 of 16 December 1997 laying down general rules for the mobilisation of products to be supplied under Council Regulation (EC) No 1292/96 as Community food aid<sup>(2)</sup>; whereas it is necessary to specify the time limits and conditions of supply to determine the resultant costs;

Whereas Commission Regulation (EEC) No 2351/91<sup>(3)</sup> lays down the detailed rules applicable on the purchase of rice held by public agencies for the supply of food aid;

Whereas, in view of the availability of rice in the Community and the existence of sufficient stocks, such produce should be used to supply, under certain conditions, food aid to North Korea;

Whereas Article 2 of Council Regulation (EC) No 1103/97 of 17 June 1997 on certain provisions relating to the introduction of the euro<sup>(4)</sup> provides that, as from 1 January 1999, all references to the ecu in legal instruments are to be replaced by references to the euro at the rate of EUR 1 to ECU 1,

HAS ADOPTED THIS REGULATION:

*Article 1*

Rice shall be mobilised in the Community, as Community food aid for supply to the recipient listed in Annex I, in accordance with Regulation (EC) No 2519/97 and under the conditions set out in the Annexes.

The tenderer is deemed to have noted and accepted all the general and specific conditions applicable. Any other condition or reservation included in his tender is deemed unwritten.

*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, 14 December 1998.

*For the Commission*  
Franz FISCHLER  
*Member of the Commission*

<sup>(1)</sup> OJ L 166, 5. 7. 1996, p. 1.

<sup>(2)</sup> OJ L 346, 17. 12. 1997, p. 23.

<sup>(3)</sup> OJ L 214, 2. 8. 1991, p. 51.

<sup>(4)</sup> OJ L 162, 19. 6. 1997, p. 1.

## ANNEX I

## LOTS A, B

1. **Action Nos:** 69/98 (A); 70/98 (B)
2. **Beneficiary** <sup>(2)</sup>: WFP (World Food Programme), via Cristoforo Colombo 426, I-00145 Roma  
tel. (39-6) 6513 2988; fax 6513 2844/3; telex 626675 WFP I
3. **Beneficiary's representative:** to be designated by the recipient
4. **Country of destination:** North Korea
5. **Product to be mobilised:** milled rice (product code 1006 30 98 9900)
6. **Total quantity (tonnes net):** 17 500
7. **Number of lots:** 2 (A: 8 750 tonnes; B: 8 750 tonnes)
8. **Characteristics and quality of the product** <sup>(3)</sup> <sup>(5)</sup> <sup>(6)</sup> <sup>(10)</sup>: see OJ C 114, 29.4.1991, p. 1 (II.A(1)(f))
9. **Packaging** <sup>(8)</sup>: see OJ C 267, 13.9.1996, p. 1 (1.0A(1)(c), 2(c) and B(3))
10. **Labelling or marking** <sup>(6)</sup> <sup>(7)</sup>: see OJ C 114, 29.4.1991, p. 1 (II.A(3))
  - Language to be used for the markings: English and Korean
  - Supplementary markings: —
11. **Method of mobilisation of the product** <sup>(11)</sup>: purchase from an intervention agency (see Annex II). The purchased price to be paid for the rice in question shall be ECU 315,9 per tonne.
12. **Specified delivery stage:** free at port of shipment — fob stowed
13. **Alternative delivery stage:** —
14. (a) **Port of shipment:** —
  - (b) **Loading address:** —
15. **Port of landing:** —
16. **Place of destination:** —
  - port or warehouse of transit: —
  - overland transport route: —
17. **Period or deadline of supply at the specified stage:**
  - first deadline: 1 to 21.2.1999
  - second deadline: 15.2 to 7.3.1999
18. **Period or deadline of supply at the alternative stage:**
  - first deadline: —
  - second deadline: —
19. **Deadline for the submission of tenders (at 12 noon, Brussels time):**
  - first deadline: 5.1.1999
  - second deadline: 19.1.1999
20. **Amount of tendering guarantee:** EUR 5 per tonne
21. **Address for submission of tenders and tendering guarantees** <sup>(1)</sup>:  
Bureau de l'aide alimentaire, Attn Mr T. Vestergaard, Bâtiment Loi 130, bureau 7/46, Rue de la Loi/  
Wetstraat 200, B-1049 Bruxelles/Brussel  
telex 25670 AGREC B; fax (32-2) 296 70 03 / 296 70 04 (exclusively)
22. **Export refund** <sup>(4)</sup> <sup>(9)</sup>: refund applicable on 31.12.1998, fixed by Commission Regulation (EC) No 2561/98 (OJ L 320, 28.11.1998, p. 32)

*Notes:*

- (1) Supplementary information: André Debongnie (tel. (32 2) 295 14 65).  
Torben Vestergaard (tel. (32 2) 299 30 50).
- (2) The supplier shall contact the beneficiary or its representative as soon as possible to establish which consignment documents are required.
- (3) The supplier shall deliver to the beneficiary a certificate from an official entity certifying that for the product to be delivered the standards applicable, relative to nuclear radiation, in the Member State concerned, have not been exceeded. The radioactivity certificate must indicate the caesium-134 and -137 and iodine-131 levels.
- (4) Commission Regulation (EC) No 259/98 (OJ L 25, 31.1.1998, p. 39), is applicable as regards the export refund. The date referred to in Article 2 of the said Regulation is that indicated in point 22 of this Annex.  
The supplier's attention is drawn to the last subparagraph of Article 4(1) of the above Regulation. The photocopy of the export licence shall be sent as soon as the export declaration has been accepted (fax (32 2) 296 20 05).
- (5) The supplier shall supply to the beneficiary or its representative, on delivery, the following document:  
— phytosanitary certificate.
- (6) Notwithstanding OJ C 114, point II.A(3)(c) is replaced by the following: 'the words "European Community"'.  
(7) The marking in Korean must be made as follows on the reverse side of the packaging:

European Community:

구 주 공동 체

Rice:

쌀

- (8) Since the goods may be rebagged, the supplier must provide 2 % of empty bags of the same quality as those containing the goods, with the marking followed by a capital 'R'.
- (9) Article 3 of Commission Regulation (EEC) No 1361/76 (OJ L 154, 15.6.1976, p. 11) applies.
- (10) Broken rice: 10 % maximum.
- (11) The product to be delivered may be mobilised on the Community market if the goods referred to in point 11 of the tender notice are purchased from the designated intervention agency (or agencies), in accordance with the abovementioned legislation.
-

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

	Cantidad parcial (en toneladas de cáscara) Totalmængde (tons i uafskallet ris) Gesamtmenge (in Tonnen von Rohreis) Παρτίδα Συνολική ποσότητα (σε τόνους ρυζιού paddy) Total quantity (in tonnes of paddy rice) Quantité totale (en tonnes de riz paddy) Quantità totale (in tonnellate di risone) Totale hoeveelheden (in ton padie) Quantidade total (em toneladas de arroz paddy) Kokonaismäärä (tonnia paddy- eli raakariisiä) Total kvantitet (ton i paddyris)	Cantidades parciales (en toneladas) Delmængde (tons) Teilmengen (in Tonnen) Μερικές ποσότητες (σε τόνους) Partial quantities (in tonnes) Quantités partielles (en tonnes) Quantitativi parziali (in tonnellate) Deelhoeveelheden (in ton) Quantidades parciais (em toneladas) Osittaismäärä (tonnia) Delkvantitet (ton)	Nombre, apellidos y dirección del almacenista  Lagerholderens navn og adresse  Name und Adresse des Lagerhalters  Όνοματεπώνυμο και διεύθυνση του αποθεματοποιητή  Name and address of storer  Nom et adresse du stockeur  Nome e indirizzo del detentore  Naam en adres van de dephouder  Nome e endereço do armazenista  Varastojan nimi ja osoite  Lagerhållarens namn och adress	Ritmo horario de carga (en toneladas) Læsekapacitet pr. time (tons) Verladekapazität (in Tonnen) Ωριαίος ρυθμός φορτώσεως (σε τόνους) Hourly loading rate (in tonnes) Rythme horaire de chargement (en tonnes) Ritmo orario di carico (in tonnellate) Laadtempo per uur (in ton) Ritmo de carregamento por hora (em toneladas) Lastausnopeus tunnissa (tonnia) Lastkapacitet per timma (ton)
A	16 000	16 000	'Omospondia' warehouse of Sindos, Thessaloniki Christoforos Pavlidis AGEVEE 'Agricultural' Tel.: (30-31) 79 62 84, fax: 79 62 83	300/8h (first 1 300 tons) 120/8h for the rest
B	16 000	7 500	'Omospondia' warehouse of N. Halkidona, Thessaloniki Hellenic Cereal Co Ltd Tel. + fax: (30-391) 237 05/232 05	300/8h/silo
		8 500	Warehouse of Crocio - Volos Christoforos Pavlidis AGEVEE 'Agricultural' Tel.: (30-422) 218 82, 218 85, fax: 219 28	450/8h/silo

**COMMISSION REGULATION (EC) No 2697/98**  
**of 14 December 1998**  
**fixing the export refunds on beef and veal**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EEC) No 805/68 of 27 June 1968 on the common organization of the market in beef and veal<sup>(1)</sup>, as last amended by Regulation (EC) No 1633/98<sup>(2)</sup>, and in particular Article 13 thereof,

Whereas Article 13 of Regulation (EEC) No 805/68 provides that the difference between prices on the world market for the products listed in Article 1 of that Regulation and prices for those products within the Community may be covered by an export refund;

Whereas Regulation (EEC) No 32/82<sup>(3)</sup>, as last amended by Regulation (EC) No 2326/97<sup>(4)</sup>, Regulation (EEC) No 1964/82<sup>(5)</sup>, as last amended by Regulation (EC) No 2469/97<sup>(6)</sup>, and Regulation (EEC) No 2388/84<sup>(7)</sup>, as last amended by Regulation (EEC) No 3661/92<sup>(8)</sup>, lay down the conditions for granting special export refunds on certain cuts of beef and veal and certain preserved beef and veal products;

Whereas it follows from applying those rules and criteria to the foreseeable situation on the market in beef and veal that the refund should be as set out below;

Whereas, given the current market situation in the Community and the possibilities of disposal in certain third countries in particular, export refunds should be granted, on the one hand, on bovine animals intended for slaughter of a live weight greater than 220 kilograms and less than 300 kilograms, and, on the other on adult bovine animals of a live weight of at least 300 kilograms;

Whereas export refunds should be granted for certain destinations on some fresh or chilled meat listed in the Annex under CN code 0201, on some frozen meat listed in the Annex under CN code 0202, on some meat or offal

listed in the Annex under CN code 0206 and on some other prepared or preserved meat or offal listed in the Annex under CN code 1602 50 10;

Whereas, in view of the wide differences in products covered by CN codes 0201 20 90 700 and 0202 20 90 100 used for refund purposes, refunds should only be granted on cuts in which the weight of bone does not exceed one third;

Whereas, in the case of meat of bovine animals, boned or boneless, salted and dried, there are traditional trade flows to Switzerland; whereas, to allow this trade to continue, the refund should be set to cover the difference between prices on the Swiss market and export prices in the Member States; whereas there are possibilities for exporting such meat and also salted, smoked and dried meat to certain African, Near and Middle Eastern countries; whereas a refund should accordingly be set;

Whereas, in the case of certain other cuts and preserves of meat or offal shown in the Annex under CN codes 1602 50 31 to 1602 50 80, the Community share of international trade may be maintained by granting a refund corresponding to that at present available;

Whereas, in the case of other beef and veal products, a refund need not be fixed since the Community's share of world trade is not significant;

Whereas Commission Regulation (EEC) No 3846/87<sup>(9)</sup>, as last amended by Regulation (EC) No 2580/98<sup>(10)</sup>, establishes the agricultural product nomenclature for the purposes of export refunds; whereas, with a view to clarification, the destinations must be identified in a separate Annex;

Whereas, in order to simplify customs export formalities for operators, the refunds on all frozen cuts should be brought into line with those on fresh or chilled cuts other than those from adult male bovine animals;

<sup>(1)</sup> OJ L 148, 28. 6. 1968, p. 24.

<sup>(2)</sup> OJ L 210, 28. 7. 1998, p. 17.

<sup>(3)</sup> OJ L 4, 8. 1. 1982, p. 11.

<sup>(4)</sup> OJ L 323, 26. 11. 1997, p. 1.

<sup>(5)</sup> OJ L 212, 21. 7. 1982, p. 48.

<sup>(6)</sup> OJ L 341, 12. 12. 1997, p. 8.

<sup>(7)</sup> OJ L 221, 18. 8. 1984, p. 28.

<sup>(8)</sup> OJ L 370, 19. 12. 1992, p. 16.

<sup>(9)</sup> OJ L 366, 24. 12. 1987, p. 1.

<sup>(10)</sup> OJ L 322, 1. 12. 1998, p. 31.

Whereas experience has shown that in certain cases it is often difficult to determine the relevant quantities of beef, veal and other meat contained in prepared or preserved meat falling within CN code 1602 50; whereas exclusively beef and veal products should accordingly be set apart and a new heading should be created for mixtures of meats or offals; whereas checks on products other than mixtures of meat or offal should be stepped up by making the granting of refunds on these products conditional on manufacture under the arrangements provided for in Article 4 of Council Regulation (EEC) No 565/80 of 4 March 1980 on the advance payment of export refunds in respect of agricultural products<sup>(1)</sup>, as amended by Regulation (EEC) No 2026/83<sup>(2)</sup>;

Whereas refunds on female animals should vary depending on their age in order to prevent abuses in the export of certain pure-bred breeding animals;

Whereas opportunities exist for the export to certain third countries of heifers other than those intended for slaughter, but to prevent any abuse control criteria should be laid down to ensure that these animals are not more than 36 months old;

Whereas, notwithstanding the subdivision of the combined nomenclature for prepared and preserved meat, other than uncooked, falling within CN code 1602 50, experience has shown that it is possible to delete from the refund nomenclature several products falling within CN code 1602 50 31 and to amend the list of products falling within CN code 1602 50 80;

Whereas Article 2 of Council Regulation (EC) No 1103/97 of 17 June 1997 on certain provisions relating to the introduction of the euro<sup>(3)</sup> provides that, as from 1 January 1999, all references to the ecu in legal instru-

ments are to be replaced by references to the euro at the rate of EUR 1 to ECU 1;

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

HAS ADOPTED THIS REGULATION:

*Article 1*

1. The list of products on which export refunds as referred to in Article 13 of Regulation (EEC) No 805/68 are granted and the amount thereof shall be as set out in Annex I of this Regulation.
2. The destinations are identified in Annex II to this Regulation.

*Article 2*

The grant of the refund for product code 0102 90 59 9000 of the nomenclature for export refunds and for exports to the third countries in zone 10 listed in Annex II to this Regulation shall be subject to presentation, when the customs formalities for export are completed, of the original and one copy of the veterinary certificate signed by an official veterinarian certifying that these are heifers of an age of not more than 36 months. The original of the certificate shall be returned to the exporter and the copy, certified as being in accordance with the regulations by the customs authorities, shall be attached to the application for payment of the refund.

*Article 3*

This Regulation shall enter into force on 17 December 1998.

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

Done at Brussels, 14 December 1998.

*For the Commission*  
Franz FISCHLER  
*Member of the Commission*

<sup>(1)</sup> OJ L 62, 7. 3. 1980, p. 5.

<sup>(2)</sup> OJ L 199, 22. 7. 1983, p. 12.

<sup>(3)</sup> OJ L 162, 19. 6. 1997, p. 1.

## ANNEX I

## to the Commission Regulation of 14 December 1998 fixing export refunds on beef

<i>(ECU/100 kg)</i>			<i>(ECU/100 kg)</i>		
Product code	Destination	Refund (°)	Product code	Destination	Refund (°)
		– Live weight –			– Net weight –
0102 10 10 9120	01	63,00	0201 20 20 9120	02	51,00
0102 10 10 9130	02	24,50		03	35,00
	03	16,50		04	18,00
	04	8,50	0201 20 30 9110 (1)	02	94,00
0102 10 30 9120	01	63,00		03	65,00
0102 10 30 9130	02	24,50		04	31,50
	03	16,50	0201 20 30 9120	02	36,50
	04	8,50		03	26,00
0102 10 90 9120	01	63,00		04	13,00
0102 90 41 9100	02	60,50	0201 20 50 9110 (1)	02	163,00
0102 90 51 9000	02	24,50		03	109,00
	03	16,50		04	54,00
	04	8,50	0201 20 50 9120	02	65,00
0102 90 59 9000	02	24,50		03	44,50
	03	16,50		04	22,00
	04	8,50	0201 20 50 9130 (1)	02	94,00
	10	60,50 (°)		03	65,00
0102 90 61 9000	02	24,50		04	31,50
	03	16,50	0201 20 50 9140	02	36,50
	04	8,50		03	26,00
0102 90 69 9000	02	24,50		04	13,00
	03	16,50	0201 20 90 9700	02	36,50
	04	8,50		03	26,00
0102 90 71 9000	02	60,50		04	13,00
	03	39,50	0201 30 00 9050	05 (4)	53,00
	04	20,00		07 (4a)	53,00
0102 90 79 9000	02	60,50	0201 30 00 9100 (2)	02	227,50
	03	39,50		03	156,00
	04	20,00		04	78,50
		– Net weight –		06	201,00
0201 10 00 9110 (1)	02	94,00	0201 30 00 9120 (2)	08	125,50
	03	65,00		09	116,50
	04	31,50		03	86,00
0201 10 00 9120	02	36,50		04	43,00
	03	26,00		06	110,00
	04	13,00	0201 30 00 9150 (6)	08	33,00
0201 10 00 9130 (1)	02	129,00		09	30,00
	03	86,50		03	26,00
	04	43,50		04	13,50
0201 10 00 9140	02	51,00		06	29,50
	03	35,00	0201 30 00 9190 (6)	02	51,00
	04	18,00		03	33,50
0201 20 20 9110 (1)	02	129,00		04	16,00
	03	86,50		06	41,00
	04	43,50			



<i>(ECU/100 kg)</i>			<i>(ECU/100 kg)</i>		
Product code	Destination	Refund (°)	Product code	Destination	Refund (°)
		— Net weight —			— Net weight —
0202 10 00 9100	02	36,50	1602 50 10 9120	02	59,00 <sup>(8)</sup>
	03	26,00		03	47,00 <sup>(8)</sup>
	04	13,00		04	47,00 <sup>(8)</sup>
0202 10 00 9900	02	51,00	1602 50 10 9140	02	52,50 <sup>(8)</sup>
	03	35,00		03	41,50 <sup>(8)</sup>
	04	18,00		04	41,50 <sup>(8)</sup>
0202 20 10 9000	02	51,00	1602 50 10 9160	02	41,50 <sup>(8)</sup>
	03	35,00		03	33,50 <sup>(8)</sup>
	04	18,00		04	33,50 <sup>(8)</sup>
0202 20 30 9000	02	36,50	1602 50 10 9170	02	28,00 <sup>(8)</sup>
	03	26,00		03	22,00 <sup>(8)</sup>
	04	13,00		04	22,00 <sup>(8)</sup>
0202 20 50 9100	02	65,00	1602 50 10 9190	02	28,00
	03	44,50		03	22,00
	04	22,00		04	22,00
0202 20 50 9900	02	36,50	1602 50 10 9240	02	—
	03	26,00		03	—
	04	13,00		04	—
0202 20 90 9100	02	36,50	1602 50 10 9260	02	—
	03	26,00		03	—
	04	13,00		04	—
0202 30 90 9100	02	36,50	1602 50 10 9280	02	—
	03	26,00		03	—
	04	13,00		04	—
0202 30 90 9100	05 <sup>(4)</sup>	53,00	1602 50 31 9125	01	100,00 <sup>(5)</sup>
	07 <sup>(4a)</sup>	53,00			
0202 30 90 9400 <sup>(6)</sup>	08	33,00	1602 50 31 9135	01	38,00 <sup>(8)</sup>
	09	30,00	1602 50 31 9195	01	18,50
	03	26,00	1602 50 31 9325	01	89,00 <sup>(5)</sup>
	04	13,50	1602 50 31 9335	01	33,50 <sup>(8)</sup>
	06	29,50	1602 50 31 9395	01	18,50
0202 30 90 9500 <sup>(6)</sup>	02	51,00	1602 50 39 9125	01	100,00 <sup>(5)</sup>
	03	33,50	1602 50 39 9135	01	38,00 <sup>(8)</sup>
	04	16,00	1602 50 39 9195	01	18,50
	06	41,00	1602 50 39 9325	01	89,00 <sup>(5)</sup>
0206 10 95 9000	02	51,00	1602 50 39 9335	01	33,50 <sup>(8)</sup>
	03	33,50	1602 50 39 9395	01	18,50
	04	16,00	1602 50 39 9425	01	38,00 <sup>(5)</sup>
	06	41,00	1602 50 39 9435	01	22,00 <sup>(8)</sup>
0206 29 91 9000	02	51,00	1602 50 39 9495	01	16,00
	03	33,50	1602 50 39 9505	01	16,00
	04	16,00	1602 50 39 9525	01	38,00 <sup>(5)</sup>
	06	41,00	1602 50 39 9535	01	22,00 <sup>(8)</sup>
0210 20 90 9100	02	42,50	1602 50 39 9595	01	16,00
	04	25,50			
0210 20 90 9300	02	53,00			
0210 20 90 9500 <sup>(3)</sup>	02	53,00			

<i>(ECU/100 kg)</i>			<i>(ECU/100 kg)</i>		
Product code	Destination	Refund (°)	Product code	Destination	Refund (°)
		– Net weight –			– Net weight –
1602 50 39 9615	01	16,00	1602 50 80 9495	01	16,00
1602 50 39 9625	01	7,50	1602 50 80 9505	01	16,00
1602 50 39 9705	01	—	1602 50 80 9515	01	7,50
1602 50 39 9805	01	—	1602 50 80 9535	01	22,00 (°)
1602 50 39 9905	01	—	1602 50 80 9595	01	16,00
1602 50 80 9135	01	33,50 (°)	1602 50 80 9615	01	16,00
1602 50 80 9195	01	16,00	1602 50 80 9625	01	7,50
1602 50 80 9335	01	30,00 (°)	1602 50 80 9705	01	—
1602 50 80 9395	01	16,00	1602 50 80 9805	01	—
1602 50 80 9435	01	22,00 (°)	1602 50 80 9905	01	—

(<sup>1</sup>) Entry under this subheading is subject to the submission of the certificate appearing in the Annex to amended Commission Regulation (EEC) No 32/82.

(<sup>2</sup>) Entry under this subheading is subject to compliance with the condition laid down in amended Commission Regulation (EEC) No 1964/82.

(<sup>3</sup>) The refund on beef in brine is granted on the net weight of the meat, after deduction of the weight of the brine.

(<sup>4</sup>) Carried out in accordance with amended Commission Regulation (EEC) No 2973/79 (OJ L 336, 29. 12. 1979, p. 44).

(<sup>4a</sup>) Carried out in accordance with amended Commission Regulation (EEC) No 2051/96 (OJ L 274, 26. 10. 1996, p. 18).

(<sup>5</sup>) OJ L 221, 19. 8. 1984, p. 28.

(<sup>6</sup>) The lean bovine meat content excluding fat is determined in accordance with the procedure described in the Annex to Commission Regulation (EEC) No 2429/86 (OJ L 210 of 1. 8. 1986, p. 39).

(<sup>7</sup>) Article 13 (10) of amended Regulation (EEC) No 805/68 provides that no export refunds shall be granted on products imported from third countries and re-exported to third countries.

(<sup>8</sup>) The refund is granted only on products manufactured under the arrangement provided for in Article 4 of amended Commission Regulation (EEC) No 565/80.

(<sup>9</sup>) The grant of the refund is subject to compliance with the conditions referred to in Article 2 of this Regulation.

*NB:* The descriptions corresponding to the product codes and the footnotes are set out in Commission Regulation (EEC) No 3846/87 as amended.

## ANNEX II

Zone 01: all third countries

Zone 02: zones 08 and 09

Zone 03	Zone 07	Zone 09
022 Ceuta and Melilla	404 Canada	224 Sudan
024 Iceland		228 Mauritania
028 Norway		232 Mali
041 Faeroes		236 Burkina Faso
043 Andorra		240 Niger
044 Gibraltar		244 Chad
045 Vatican City		247 Cape Verde
053 Estonia	Zone 08	248 Senegal
054 Latvia	046 Malta	252 Gambia
055 Lithuania	052 Turkey	257 Guinea-Bissau
060 Poland	072 Ukraine	260 Guinea
061 Czech Republic	073 Belarus	264 Sierra Leone
063 Slovakia	074 Moldova	268 Liberia
064 Hungary	075 Russia	272 Côte d'Ivoire
066 Romania	076 Georgia	276 Ghana
068 Bulgaria	077 Armenia	280 Togo
070 Albania	078 Azerbaijan	284 Benin
091 Slovenia	079 Kazakhstan	288 Nigeria
092 Croatia	080 Turkmenistan	302 Cameroon
093 Bosnia-Herzegovina	081 Uzbekistan	306 Central African Republic
094 Federal Republic of Yugoslavia	082 Tajikistan	310 Equatorial Guinea
096 Former Yugoslav Republic of Macedonia	083 Kirghistan	311 Sao Tomé and Príncipe
109 The communes of Livigno and Campione d'Italia; the island of Helgoland	204 Morocco	314 Gabon
406 Greenland	208 Algeria	318 Congo (Republic)
600 Cyprus	212 Tunisia	322 Congo (Democratic Republic)
950 Stores and provisions (Destinations referred to in Article 34 of Commission Regulation (EEC) No 3665/87, as amended)	216 Libya	324 Rwanda
	220 Egypt	328 Burundi
	604 Lebanon	329 St Helena and dependencies
	608 Syria	330 Angola
	612 Iraq	334 Ethiopia
	616 Iran	336 Eritrea
	624 Israel	338 Djibouti
	625 West Bank and the Gaza Strip	342 Somalia
	628 Jordan	350 Uganda
	632 Saudi Arabia	352 Tanzania
	636 Kuwait	355 Seychelles and dependencies
	640 Bahrain	357 British Indian Ocean Territory
	644 Qatar	366 Mozambique
	647 United Arab Emirates	373 Mauritius
	649 Oman	375 Comoros
	653 Yemen	377 Mayotte
	662 Pakistan	378 Zambia
	669 Sri Lanka	386 Malawi
	676 Myanmar (Burma)	388 South Africa
	680 Thailand	395 Lesotho
	690 Vietnam	
	700 Indonesia	Zone 10
	708 Philippines	
	720 China	
	724 North Korea	075 Russia
	740 Hong Kong	

NB: The countries are those defined by Commission Regulation (EC) No 2317/97 (OJ L 321, 22.11.1997, p. 19).

**COMMISSION REGULATION (EC) No 2698/98**  
**of 14 December 1998**

**fixing Community producer and import prices for carnations and roses with a view to the application of the arrangements governing imports of certain floricultural products originating in Cyprus, Israel, Jordan, Morocco and the West Bank and the Gaza Strip**

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

Having regard to Council Regulation (EEC) No 4088/87 of 21 December 1987 fixing conditions for the application of preferential customs duties on imports of certain flowers originating in Cyprus, Israel, Jordan, Morocco and the West Bank and the Gaza Strip <sup>(1)</sup>, as last amended by Regulation (EC) No 1300/97 <sup>(2)</sup>, and in particular Article 5 (2) (a) thereof,

Whereas, pursuant to Article 2 (2) and Article 3 of above-mentioned Regulation (EEC) No 4088/87, Community import and producer prices are fixed each fortnight for uniflorous (bloom) carnations, multiflorous (spray) carnations, large-flowered roses and small-flowered roses and apply for two-weekly periods; whereas, pursuant to Article 1b of Commission Regulation (EEC) No 700/88 of 17 March 1988 laying down detailed rules for the application of the arrangements for the import into the Community of certain floricultural products originating in Cyprus, Israel, Jordan, Morocco and the West Bank and the Gaza Strip <sup>(3)</sup>, as last amended by Regulation (EC) No 2062/

97 <sup>(4)</sup>, those prices are determined for fortnightly periods on the basis of weighted prices provided by the Member States; whereas those prices should be fixed immediately so the customs duties applicable can be determined; whereas, to that end, provision should be made for this Regulation to enter into force immediately,

HAS ADOPTED THIS REGULATION:

*Article 1*

The Community producer and import prices for uniflorous (bloom) carnations, multiflorous (spray) carnations, large-flowered roses and small-flowered roses as referred to in Article 1b of Regulation (EEC) No 700/88 for a fortnightly period shall be as set out in the Annex.

*Article 2*

This Regulation shall enter into force on 16 December 1998.

It shall apply from 16 to 29 December 1998.

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

Done at Brussels, 14 December 1998.

*For the Commission*  
Franz FISCHLER  
*Member of the Commission*

<sup>(1)</sup> OJ L 382, 31. 12. 1987, p. 22.

<sup>(2)</sup> OJ L 177, 5. 7. 1997, p. 1.

<sup>(3)</sup> OJ L 72, 18. 3. 1988, p. 16.

<sup>(4)</sup> OJ L 289, 22. 10. 1997, p. 1.

## ANNEX

*(ECU/100 pieces)*

Period from 16 to 29 December 1998				
Community producer price	Uniflorous (bloom) carnations	Multiflorous (spray) carnations	Large-flowered roses	Small-flowered roses
	13,10	10,75	39,10	14,58
Community import prices	Uniflorous (bloom) carnations	Multiflorous (spray) carnations	Large-flowered roses	Small-flowered roses
Israel	9,23	6,76	9,21	8,03
Morocco	13,25	12,78	—	—
Cyprus	—	—	—	—
Jordan	—	—	—	—
West Bank and Gaza Strip	—	—	—	—

## II

*(Acts whose publication is not obligatory)*

## EUROPEAN CENTRAL BANK

## RULES OF PROCEDURE

THE GOVERNING COUNCIL OF THE EUROPEAN CENTRAL BANK,

Having regard to the Protocol on the Statute of the European System of Central Banks and of the European Central Bank (hereinafter referred to as the 'Statute') and in particular to Article 12(3) thereof,

HAS DECIDED TO ADOPT THESE RULES OF PROCEDURE:

## PRELIMINARY CHAPTER

*Article 1***Treaty and Statute**

These Rules of Procedure shall supplement the Treaty establishing the European Community (hereinafter referred to as the 'Treaty') and the Statute. The terms in these Rules of Procedure shall have the meaning which they have in the Treaty and the Statute.

## CHAPTER I

## THE GOVERNING COUNCIL

*Article 2***Date and place of Governing Council meetings**

2.1. The date of the meetings shall be decided by the Governing Council on a proposal from the President. The Council shall, in principle, meet regularly following a schedule determined by the Governing Council in good time before the start of each calendar year.

2.2. The President shall convene a meeting of the Governing Council if a request for a meeting is submitted by at least three members of the Governing Council.

2.3. The President may also convene meetings of the Governing Council whenever he/she deems it necessary.

2.4. The Governing Council shall normally hold its meetings on the premises of the European Central Bank (hereinafter referred to as the 'ECB').

2.5. Meetings may also be held by means of teleconferencing, unless at least three Governors object.

*Article 3***Attendance at Governing Council meetings**

3.1. Except as provided hereto, attendance at meetings of the Governing Council shall be restricted to its members, the President of the Council of the European Union, and a member of the Commission of the European Communities.

3.2. Each Governor may normally be accompanied by one person for those parts of the meetings which are not related to monetary policy deliberations.

3.3. If a Governor is unable to attend, he/she may appoint, in writing, an alternate without prejudice to Article 4. This written communication shall be sent to the President in due time before the meeting.

3.4. The Governing Council may also invite other persons to attend its meetings if it deems it appropriate to do so.

*Article 4***Voting**

4.1. In order for the Governing Council to vote, there shall be a quorum of two-thirds of the members. If the quorum is not met, the President may convene an extraordinary meeting at which decisions may be taken without regard to the quorum.

4.2. The Governing Council shall proceed to vote at the request of the President. The President shall also initiate a voting procedure if any member requests him/her to do so.

4.3. Abstentions shall not prevent the adoption by the Governing Council of decisions under Article 41(2) of the Statute.

4.4. If a member of the Governing Council is prevented from voting for a prolonged period (of more than one month), he/she may appoint an alternate as a member of the Governing Council.

4.5. In accordance with Article 10(3) of the Statute, if a Governor is unable to vote on a decision to be taken under Articles 28, 29, 30, 32, 33 and 51 of the Statute, his/her appointed alternate may cast his/her weighted vote.

4.6. The President may initiate a secret ballot if requested to do so by three members of the Governing Council. If members of the Governing Council are personally affected by a prospective decision under Articles 11(1), 11(3) or 11(4) of the Statute, there shall always be secret balloting. In such cases the members concerned shall not participate in the vote.

4.7. Decisions may also be taken by written procedure, unless at least three members of the Governing Council object. A written procedure shall require: (i) normally not less than five working days for consideration by every member of the Governing Council; (ii) the personal signature of each member of the Governing Council (or his/her alternate in accordance with Article 4(4)); and (iii) a record of any such decision to be made in the minutes of the next meeting of the Governing Council.

#### *Article 5*

#### **Organisation of Governing Council meetings**

5.1. The agenda for each meeting shall be adopted by the Governing Council. A provisional agenda shall be drawn up by the Executive Board and shall be sent, together with the related documents, to the members of the Governing Council and other authorised participants at least eight days before the relevant meeting, except in emergencies, in which case the Executive Board shall act appropriately with a view to the circumstances. The Governing Council may decide to remove items from or add items to the provisional agenda on a proposal from the President or from a member of the Governing Council. An item shall be removed from the agenda at the request of at least three of its members if the related documents were not sent to the members in due time.

5.2. The minutes of the proceedings of the Governing Council shall be submitted to its members for approval at the next meeting (or earlier, if necessary, by written procedure) and shall be signed by the President.

## CHAPTER II

### THE EXECUTIVE BOARD

#### *Article 6*

#### **Date and place of Executive Board meetings**

6.1. The date of the meetings shall be decided by the Executive Board on a proposal from the President.

6.2. The President may also convene meetings of the Executive Board whenever he/she deems it necessary.

#### *Article 7*

#### **Voting**

7.1. In order for the Executive Board to vote, in accordance with Article 11(5) of the Statute, there shall be a quorum of two-thirds of the members. If the quorum is not met, the President may convene an extraordinary meeting at which decisions may be taken without regard to the quorum.

7.2. Decisions may also be taken by written procedure, unless at least two members of the Executive Board object.

7.3. Members of the Executive Board personally affected by a prospective decision under Articles 11(1), 11(3) or 11(4) of the Statute shall not participate in the vote.

#### *Article 8*

#### **Organisation of Executive Board meetings**

The Executive Board shall decide on the organisation of its meetings.

## CHAPTER III

### THE ORGANISATION OF THE EUROPEAN CENTRAL BANK

#### *Article 9*

#### **Committees of the European System of Central Banks**

9.1. Committees of the European System of Central Banks (hereinafter referred to as 'ESCB committees'), composed of representatives of the ECB and of the national central bank of each participating Member State, will be formed to assist in the work of the European System of Central Banks (hereinafter referred to as the 'ESCB').

9.2. The Governing Council shall lay down the mandates of the ESCB committees and appoint their chairpersons. As a rule, the chairperson shall be a representative of the ECB. Both the Governing Council and the Executive Board shall have the right to request studies of specific topics by ESCB committees.

9.3. ESCB committees shall report to the Governing Council via the Executive Board. The Banking Supervisory Committee shall not be obliged to report via the Executive Board whenever it acts as a forum for consultation on issues which are not related to the supervisory functions of the ESCB as defined in the Treaty and in the Statute.

9.4. The national central bank of each non-participating Member State may also appoint a representative to take part in the meetings of an ESCB committee whenever it deals with matters which fall within the field of competence of the General Council. The representatives may also be invited to take part in meetings whenever this is deemed appropriate by the chairperson of a committee and the Executive Board.

9.5. For specific matters of direct interest to the Commission of the European Communities, representatives of the Commission services may be invited to attend meetings of ESCB committees. Representatives of other Community bodies and of third parties may also be invited if and where deemed appropriate.

9.6. The ECB shall provide secretarial assistance to the ESCB committees.

#### *Article 10*

##### **Internal structure**

10.1. Having consulted the Governing Council, the Executive Board shall decide upon the number, name and respective competence of each of the work units of the ECB. This decision shall be made public.

10.2. All work units of the ECB shall be placed under the managing direction of the Executive Board. The Executive Board shall decide upon the individual responsibilities of its members with respect to the work units of the ECB, and shall inform the Governing Council, the General Council and the staff of the ECB thereof. Any such decision shall be taken only in the presence of all the members of the Executive Board, and may not be taken against the vote of the President.

#### *Article 11*

##### **Staff of the ECB**

11.1. Each member of the staff of the ECB shall be informed of his/her position within the structure of the ECB, his/her reporting line and his/her professional responsibilities.

11.2. Without prejudice to Articles 36 and 47 of the Statute, the Executive Board shall enact organisational rules (hereinafter referred to as 'Administrative Circulars'). Such rules shall be obligatory for the staff of the ECB.

11.3. The Executive Board shall enact and update a Code of Conduct for the guidance of its members and of members of its staff.

#### CHAPTER IV

##### **INVOLVEMENT OF THE GENERAL COUNCIL IN THE TASKS OF THE EUROPEAN SYSTEM OF CENTRAL BANKS**

#### *Article 12*

##### **Relationship between the Governing Council and the General Council**

12.1. The General Council of the ECB shall be given the opportunity to submit observations before the Governing Council adopts:

- opinions under Article 4 and Article 25(1) of the Statute,
- ECB recommendations in the statistical field, under Article 42 of the Statute,
- the annual report,
- the rules on the standardisation of accounting rules and reporting of operations,
- the measures for the application of Article 29 of the Statute,
- the conditions of employment of the staff of the ECB,
- in the context of the preparations for the irrevocable fixing of exchange rates, an ECB opinion either under Article 109L(5) of the Treaty or concerning EC legal acts to be adopted when a derogation is abrogated.

12.2. Whenever the General Council is requested to submit observations under the above paragraph, it shall be given a reasonable period of time within which to do so, which may not be less than 10 working days. In a case of urgency (which must be justified in the request), the period may be reduced to five working days. The President may decide to use written procedure.

12.3. The President shall inform the General Council, in accordance with Article 47(4) of the Statute, of decisions adopted by the Governing Council.



*Article 13***Relationship between the Executive Board and the General Council**

13.1. The General Council of the ECB shall be given the opportunity to submit observations before the Executive Board:

- implements legal acts of the Governing Council for which, in accordance with Article 12(1), the contribution of the General Council is required,
- adopts, by virtue of powers delegated by the Governing Council in accordance with Article 12(1) of the Statute, legal acts for which, in accordance with Article 12(1) of these Rules, the contribution of the General Council is required.

13.2. Whenever the General Council is requested to submit observations under the above paragraph, it shall be given a reasonable period of time within which to do so, which may not be less than 10 working days. In a case of urgency (which must be justified in the request), the period may be reduced to five working days. The President may decide to use written procedure.

## CHAPTER V

## SPECIFIC PROCEDURAL PROVISIONS

*Article 14***Delegation of powers**

14.1. The delegation of powers of the Governing Council to the Executive Board under Article 12(1), second paragraph, last sentence, of the Statute shall be notified to the parties concerned, or published if appropriate, in matters having legal effects on third parties. Acts adopted by way of delegation shall be promptly notified to the Governing Council.

14.2. The Book of Authorised Signatories of the ECB, established pursuant to decisions adopted under Article 39 of the Statute, shall be circulated to interested parties.

*Article 15***Budgetary procedure**

15.1. The Governing Council, acting upon a proposal from the Executive Board in accordance with any principles laid down by the former, shall adopt, before the end of each financial year, the budget of the ECB for the subsequent financial year.

15.2. For assistance in matters related to the budget of the ECB, the Governing Council shall establish a Budget Committee and lay down its mandate and composition.

*Article 16***Reporting and annual accounts**

16.1. The competence to adopt the annual report required under Article 15(3) of the Statute shall pertain to the Governing Council.

16.2. The competence to adopt and publish the quarterly reports under Article 15(1) of the Statute, the weekly consolidated financial statements under Article 15(2) of the Statute, the consolidated balance sheets under Article 26(3) of the Statute and other reports shall be delegated to the Executive Board.

16.3. The Executive Board shall, in accordance with the principles established by the Governing Council, prepare the annual accounts of the ECB within the first month of the subsequent financial year. These shall be submitted to the external auditor.

16.4. The Governing Council shall adopt the annual accounts of the ECB within the first quarter of the subsequent year. The external auditor's report shall be submitted to the Governing Council before their adoption.

*Article 17***Legal instruments of the ECB**

17.1. ECB Regulations shall be adopted by the Governing Council and signed on its behalf by the President.

17.2. ECB guidelines shall be adopted by the Governing Council and signed on its behalf by the President. They shall state the reasons on which they are based. Notification of the national central banks may take place by means of telefax, electronic mail or telex or in paper form.

17.3. The Governing Council may delegate its normative powers to the Executive Board for the purpose of implementing its regulations and guidelines. The regulation or guideline concerned shall specify the issues to be implemented as well as the limits and scope of the delegated powers.

17.4. ECB Decisions and recommendations shall be adopted by the Governing Council or the Executive Board in their respective domain of competence, and shall be signed by the President. They shall state the reasons on which they are based. The recommendations for secondary Community legislation under Article 42 of the Statute shall be adopted by the Governing Council.

17.5. Without prejudice to Article 44, second paragraph, and Article 47(1), first indent, of the Statute, ECB opinions shall be adopted by the Governing Council. However, in exceptional circumstances and unless not less than three Governors state their wish to retain the competence of the Governing Council for the adoption of specific opinions, ECB opinions may be adopted by the Executive Board, in line with comments provided by the Governing Council and taking into account the contribution of the General Council. ECB opinions shall be signed by the President.

17.6. ECB instructions shall be adopted by the Executive Board and signed on its behalf by the President or any two Executive Board members. Notification of the national central banks may take place by means of telefax, electronic mail or telex or in paper form.

17.7. All ECB legal instruments shall be numbered sequentially for ease of identification. The Executive Board shall ensure the safe custody of the originals, the notification of the addressees or consulting authorities, and the immediate publication in all the official European Union languages in the *Official Journal of the European Communities* in the case of ECB Regulations, ECB opinions on draft Community legislation and those ECB legal instruments whose publication has been expressly decided.

#### Article 18

##### Procedure under Article 105a(2) of the Treaty

The approval provided for in Article 105a(2) of the Treaty shall be adopted by the Governing Council in a single decision for all participating Member States within the last quarter of every year and for the following year.

#### Article 19

##### Procurement

19.1. In the procurement of goods and services for the ECB due regard shall be given to the principles of publicity, transparency, equal access, non-discrimination and efficient administration.

19.2. Without derogation to the principle of efficient administration, exceptions may be made to the above principles in cases of urgency; for reasons of security or secrecy; where there is a sole supplier; for supplies from the national central banks to the ECB; to ensure the continuity of a supplier; and for assets acquired from the

European Monetary Institute (hereinafter referred to as the 'EMI').

#### Article 20

##### Selection, appointment and promotion of staff

20.1. All members of staff shall be selected, appointed and promoted by the Executive Board.

20.2. Members of staff shall be selected, appointed and promoted with due regard to the principles of professional qualification, publicity, transparency, equal access and non-discrimination. An Administrative Circular shall further specify the rules and procedures for recruitment and for internal promotion.

20.3. The Executive Board may recruit for the ECB members of the staff of the EMI (under liquidation) without specific recruitment rules and procedures.

#### Article 21

##### Conditions of Employment

21.1. The employment relationship between the ECB and its staff shall be determined by the Conditions of Employment and the Staff Rules.

21.2. The Conditions of Employment shall be approved and amended by the Governing Council upon a proposal from the Executive Board. The General Council shall be consulted under the procedure laid down in these Rules of Procedure.

21.3. The Conditions of Employment shall be implemented by Staff Rules, which shall be adopted and amended by the Executive Board.

21.4. The Staff Committee shall be consulted before the adoption of new Conditions of Employment or Staff Rules. Its opinion shall be submitted, respectively, to the Governing Council or the Executive Board.

#### Article 22

##### Communications and announcements

General communications and announcements of decisions taken by the decision-making bodies of the ECB may be effected through the *Official Journal of the European Communities* and by means of wire services common to financial markets.

*Article 23***Confidentiality of and access to ECB documents and archives**

23.1. The proceedings of the decision-making bodies of the ECB and of any committee or group established by them shall be confidential unless the Governing Council authorises the President to make the outcome of their deliberations public.

23.2. All documents drawn up by the ECB shall be confidential unless the Governing Council decides otherwise. The Governing Council shall specify the access criteria applicable to ECB documentation and archives. Such a decision shall be published in the *Official Journal of the European Communities*.

23.3. Access to documents held in the archives of the EMI shall be governed by Decision No 9/97 of the Council of the EMI until this is replaced by a Decision of the Governing Council. In view of the liquidation of the EMI,

- all responsibilities of the EMI Council under this decision shall be transferred to the Governing Council,
- all responsibilities of the Secretary-General of the EMI shall be transferred to the Executive Board.

23.4. Documents held in the archives of the Committee of Governors of the Central Banks of the Member States of the European Economic Community, of the EMI and

of the ECB shall be freely accessible after 30 years. In special cases the Governing Council may shorten this period.

## CHAPTER VI

## FINAL PROVISIONS

*Article 24***Amendments to these Rules of Procedure**

The Governing Council may amend these Rules of Procedure. The General Council may propose amendments and the Executive Board may adopt supplementary rules within its field of competence.

*Article 25***Publication**

These Rules of Procedure shall be published in the *Official Journal of the European Communities*.

Done at Frankfurt am Main, 7 July 1998.

*For and on behalf of the Governing Council*

Willem F. DUISENBERG

*President*

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