

English edition

Legislation

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I

(Acts whose publication is obligatory)

COMMISSION REGULATION (EC) No 2725/98
of 17 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 ⁽¹⁾, as last amended by Regulation (EC) No 1498/98 ⁽²⁾, and in particular Article 4 (1) thereof,

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

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

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

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

HAS ADOPTED THIS REGULATION:

Article 1

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

Article 2

This Regulation shall enter into force on 18 December 1998.

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

Done at Brussels, 17 December 1998.

For the Commission
Franz FISCHLER
Member of the Commission

⁽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 17 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 ⁽¹⁾	Standard import value
0702 00 00	052	123,0
	204	99,3
	220	242,0
	624	144,0
	999	152,1
0707 00 05	052	80,8
	204	85,3
	999	83,1
0709 90 70	052	89,1
	204	105,7
	628	156,1
	999	117,0
0805 10 10, 0805 10 30, 0805 10 50	052	43,0
	204	40,6
	999	41,8
0805 20 10	204	61,0
	999	61,0
0805 20 30, 0805 20 50, 0805 20 70, 0805 20 90	052	63,0
	464	294,2
	999	178,6
0805 30 10	052	62,9
	600	52,4
	999	57,7
	060	16,5
0808 10 20, 0808 10 50, 0808 10 90	064	45,1
	400	65,0
	404	52,7
	728	85,7
	999	53,0
	064	61,4
	400	88,8
720	50,7	
0808 20 50	999	67,0

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

COMMISSION REGULATION (EC) No 2726/98
of 17 December 1998

**fixing the production refund for olive oil used in the manufacture of certain
preserved foods**

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

Having regard to Council Regulation No 136/66/EEC of
22 September 1966 on the establishment of a common
organisation of the market in oils and fats⁽¹⁾, as last
amended by Regulation (EC) No 1638/98⁽²⁾, and in
particular Article 20a thereof,

Whereas Article 20a of Regulation No 136/66/EEC
provides for the granting of a production refund for olive
oil used in the preserving industry; whereas under para-
graph 6 of that Article, and without prejudice to para-
graph 3 thereof, the Commission shall fix this refund
every two months;

Whereas by virtue of Article 20a (2) of the abovementioned
Regulation, the production refund must be fixed
on the basis of the gap between prices on the world
market and on the Community market, taking account of
the import charge applicable to olive oil falling within
CN subheading 1509 90 00 and the factors used for fixing
the export refunds for those olive oils during the refer-
ence period; whereas it is appropriate to take as a refer-
ence period the two-month period preceding the begin-
ning of the term of validity of the production refund;

Whereas Article 2 of Council Regulation (EEC) No 1103/
97 of 17 June 1997 on certain provisions relating to the
introduction of the euro⁽³⁾ provides that as from 1
January 1999, all references to the ecu in legal instru-
ments are to be replaced by references to the euro at the
rate of EUR 1 to ECU 1; whereas, for the sake of clarity,
the denomination 'euro' should be used in this Regula-
tion since it is to apply from 1 January 1999;

Whereas the application of the above criteria results in
the refund being fixed as shown below,

HAS ADOPTED THIS REGULATION:

Article 1

For the months of January and February 1999, the
amount of the production refund referred to in Article
20a(2) of Regulation No 136/66/EEC shall be EUR 44,00
per 100 kilograms.

Article 2

This Regulation shall enter into force on 18 December
1998.

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

Done at Brussels, 17 December 1998.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ 172, 30. 9. 1966, p. 3025/66.

⁽²⁾ OJ L 210, 28. 7. 1998, p. 32.

⁽³⁾ OJ L 162, 19. 6. 1997, p. 1.

COMMISSION REGULATION (EC) No 2727/98

of 17 December 1998

amending Regulations (EEC) No 2312/92 and (EEC) No 1148/93 laying down detailed rules for implementing the specific measures for supplying the French overseas departments with breeding bovines and horses

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EEC) No 3763/91 of 16 December 1991 introducing specific measures in respect of certain agricultural products for the benefit of the French overseas departments⁽¹⁾, as last amended by Regulation (EC) No 2598/95⁽²⁾, and in particular Article 4(5) thereof,

Whereas, pursuant to Article 4 of Regulation (EEC) No 3763/91, it is necessary to determine the number of pure-bred breeding bovines and horses originating in the Community which are eligible for aid with a view to encouraging the development of those sectors in the French overseas departments (FOD);

Whereas the quantities of the forecast supply balance and the level of aid for those products are fixed by Commission Regulations (EEC) No 2312/92⁽³⁾ and (EEC) No 1148/93⁽⁴⁾, both as last amended by Regulation (EC) No 1318/98⁽⁵⁾; whereas the Annexes to those Regulations should therefore be amended;

Whereas the need might arise in the French overseas departments for additional supplies of pure-bred breeding bovines and horses in particular marketing years; whereas, therefore, the French authorities should be granted some leeway in their management of the scheme so they can issue aid certificates for animals intended for certain overseas departments in excess of the maximum quantities available to those departments, on condition that the overall maximum quantity available for all four overseas departments is complied with; whereas, in order to take proper account of such additional supply requirements for subsequent years, the French authorities should inform the Commission of cases in which certificates have been issued using this discretionary power;

Whereas, as a result of the presentation by the French authorities of information on the needs of the French overseas departments, the Annexes to Regulations (EEC)

No 2312/92 and (EEC) No 1148/93 should be replaced by the Annexes to this Regulation;

Whereas the balances should be fixed on the basis of the calendar year;

Whereas application of the criteria for fixing the amount of Community aid to the current market situation in the sector in question and, in particular, to the exchange rates and prices for those products in the European part of the Community and on the world market, gives rise to aid for the supply of the FODs with pure-bred breeding animals at the levels fixed in the Annex hereto;

Whereas Article 2 of Council Regulation (EC) No 1103/97 of 17 June 1997 on certain provisions relating to the introduction of the euro⁽⁶⁾ provides that as from 1 January 1999, all references to the ecu in legal instruments are to be replaced by references to the euro at the rate of EUR 1 to ECU 1; whereas, for the sake of clarity, the denomination 'euro' should be used in this Regulation since it is to apply from 1 January 1999;

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

HAS ADOPTED THIS REGULATION:

Article 1

Annex III to Regulation (EEC) No 2312/92 is replaced by Annex I to this Regulation.

Article 2

The Annex to Regulation (EEC) No 1148/93 is replaced by Annex II to this Regulation.

*Article 3*This Regulation shall enter into force on the day of its publication in the *Official Journal of the European Communities*.

It shall apply from 1 January 1999.

⁽¹⁾ OJ L 356, 24. 12. 1991, p. 1.⁽²⁾ OJ L 267, 9. 11. 1995, p. 1.⁽³⁾ OJ L 222, 7. 8. 1992, p. 32.⁽⁴⁾ OJ L 116, 12. 5. 1993, p. 15.⁽⁵⁾ OJ L 183, 26. 6. 1998, p. 18.⁽⁶⁾ OJ L 162, 19. 6. 1997, p. 1.

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

Done at Brussels, 17 December 1998.

For the Commission
Franz FISCHLER
Member of the Commission

ANNEX I

ANNEX III

PART 1

Supply to Réunion of pure-bred breeding bovines originating in the Community for 1999

(euro/head)

CN code	Description	Number of animals to be supplied	Aid
0102 10 00	Pure-bred breeding bovines ⁽¹⁾	350	930

PART 2

Supply to French Guiana of pure-bred breeding bovines originating in the Community for 1999

(euro/head)

CN code	Description	Number of animals to be supplied	Aid
0102 10 00	Pure-bred breeding bovines ⁽¹⁾	300	930

PART 3

Supply to Martinique of pure-bred breeding bovines originating in the Community for 1999

(euro/head)

CN code	Description	Number of animals to be supplied	Aid
0102 10 00	Pure-bred breeding bovines ⁽¹⁾	25	930

PART 4

Supply to Guadeloupe of pure-bred breeding bovines originating in the Community for 1999

(euro/head)

CN code	Description	Number of animals to be supplied	Aid
0102 10 00	Pure-bred breeding bovines ⁽¹⁾	25	930

⁽¹⁾ Entry under this subheading is subject to the conditions laid down in the relevant Community provisions.

ANNEX II

ANNEX

PART 1

Supply to French Guiana of pure-bred breeding horses originating in the Community for 1999

(euro/head)

CN code	Description of the goods	Number of animals to be supplied	Aid
0101 11 00	Pure-bred breeding horses ⁽¹⁾	16	930

PART 2

Supply to Martinique of pure-bred breeding horses originating in the Community for 1999

(euro/head)

CN code	Description of the goods	Number of animals to be supplied	Aid
0101 11 00	Pure-bred breeding horses ⁽¹⁾	16	930

PART 3

Supply to Guadeloupe of pure-bred breeding horses originating in the Community for 1999

(euro/head)

CN code	Description of the goods	Number of animals to be supplied	Aid
0101 11 00	Pure-bred breeding horses ⁽¹⁾	8	930

⁽¹⁾ Entry under this subheading is subject to the conditions laid down in Council Directive 90/427/EEC of 26 June 1990 on the zootechnical and genealogical conditions governing intra-Community trade in equidae (OJ L 224, 18.8.1990, p. 55).

COMMISSION REGULATION (EC) No 2728/98

of 17 December 1998

amending Annexes I, II and III 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 ⁽¹⁾, as last amended by Commission Regulation (EC) No 2692/98 ⁽²⁾, 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 international 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 enrofloxacin and ivermectin should be inserted into Annex I to Regulation (EEC) No 2377/90;

Whereas *hyperici oleum*, *eucalypti aetheroleum*, sodium 2-methyl-2-phenoxy-propanoate, nonivamide, nicoboxil, methyl nicotinate, mecillinam, 8-hydroxyquinoline and diethylene glycol monoethyl ether should be inserted into Annex II to Regulation (EEC) No 2377/90;

Whereas, in order to allow for the completion of scientific studies, the duration of the validity of the provisional maximum residue limits previously defined in Annex III to Regulation (EEC) No 2377/90 should be extended for enrofloxacin;

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 ⁽³⁾, as last amended by Directive 93/40/EEC ⁽⁴⁾, 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

Annexes I, II and III to Regulation (EEC) No 2377/90 are 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*.

⁽¹⁾ OJ L 224, 18. 8. 1990, p. 1.

⁽²⁾ OJ L 338, 15. 12. 1998, p. 5.

⁽³⁾ OJ L 317, 6. 11. 1981, p. 1.

⁽⁴⁾ 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, 17 December 1998.

For the Commission
Martin BANGEMANN
Member of the Commission

ANNEX

A. Annex I to Regulation (EEC) No 2377/90 is amended as follows:

1. Anti-infectious agents
 - 1.2. Antibiotics
 - 1.2.3. Quinolones

Pharmacologically active substance(s)	Marker residue	Animal species	MRLs	Target tissues	Other provisions
Enrofloxacin	Sum of enrofloxacin and ciprofloxacin	Bovine	100 µg/kg	Muscle	
			100 µg/kg	Fat	
			300 µg/kg	Liver	
			200 µg/kg	Kidney	
			100 µg/kg	Milk	
		Rabbits	100 µg/kg	Muscle	
			100 µg/kg	Fat	
			200 µg/kg	Liver	
			300 µg/kg	Kidney	
		Porcine	100 µg/kg	Muscle	
			100 µg/kg	Skin + fat	
			200 µg/kg	Liver	
			300 µg/kg	Kidney	
		Poultry Not for use in animals from which eggs are produced for human consumption	100 µg/kg	Muscle	
			100 µg/kg	Skin + fat	
			200 µg/kg	Liver	
300 µg/kg	Kidney				

2. Antiparasitic agents
 - 2.3. Agents acting against endo- and ectoparasites
 - 2.3.1. Avermectins

Pharmacologically active substance(s)	Marker residue	Animal species	MRLs	Target tissues	Other provisions
Ivermectin	22,23-Dihydro-ivermectin B1a	Deer, including reindeer	20 µg/kg	Muscle	
			100 µg/kg	Fat	
			50 µg/kg	Liver	
			20 µg/kg	Kidney	

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

2. Organic compounds

Pharmacologically active substance(s)	Animal species	Other provisions
8-Hydroxyquinoline	All mammalian food producing species	For topical use in new-born animals only
Diethylene glycol monoethyl ether	Bovine, porcine	
Mecillinam	Bovine	For intra-uterine use only
Methyl nicotinate	Bovine, equidae	For topical use only
Nicoboxil	Equidae	For topical use only
Nonivamide	Equidae	For topical use only
Sodium 2-methyl-2-phenoxy-propanoate	Bovine, porcine, caprine, equidae	

6. Substances of vegetable origin

Pharmacologically active substance(s)	Animal species	Other provisions
<i>Eucalypti aetberoleum</i>	All food producing species	
<i>Hyperici oleum</i>	All food producing species	For topical use only

C. Annex III to Regulation (EEC) No 2377/90 is amended as follows:

1. Anti-infectious agents

1.2. Antibiotics

1.2.06. Quinolones

Pharmacologically active substance(s)	Marker residue	Animal species	MRLs	Target tissues	Other provisions
Enrofloxacin	Sum of enrofloxacin and ciprofloxacin	Ovine	100 µg/kg 100 µg/kg 300 µg/kg 200 µg/kg	Muscle Fat Liver Kidney	Provisional MRLs expire on 1 July 1999

COMMISSION REGULATION (EC) No 2729/98
of 17 December 1998

amending Regulation (EC) No 2628/97 as regards transitional provisions for the start-up period of the system for the identification and registration of bovine animals

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

Having regard to Council Regulation (EC) No 820/97 of 21 April 1997 establishing a system for the identification and registration of bovine animals and regarding the labelling of beef and beef products ⁽¹⁾, and in particular Article 10(f) thereof,

Whereas Commission Regulation (EC) No 2628/97 ⁽²⁾, as amended by Regulation (EC) No 2105/98 ⁽³⁾, lays down detailed rules on the transitional provisions for the start-up period of the system to identify and register bovine animals;

Whereas, in the light of the practical difficulties involved in identifying for a second time bovine animals born before 1 January 1998 by tagging them with new ear-tags,

the rules laid down earlier for bovine animals born after 1 January 1998 should also be applied to them;

Whereas the measures provided for in this Regulation are in accordance with the opinion of the Committee of the European Agricultural Guidance and Guarantee Fund,

HAS ADOPTED THIS REGULATION:

Article 1

In Article 1(6) of Regulation (EC) No 2628/97, 'are born after 1 January 1998' is hereby deleted.

Article 2

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

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

Done at Brussels, 17 December 1998.

For the Commission
Franz FISCHLER
Member of the Commission

⁽¹⁾ OJ L 117, 7. 5. 1997, p. 1.

⁽²⁾ OJ L 354, 30. 12. 1997, p. 17.

⁽³⁾ OJ L 267, 2. 10. 1998, p. 4.

COMMISSION REGULATION (EC) No 2730/98

of 17 December 1998

fixing the rates of the refunds applicable to certain cereal and rice-products exported in the form of goods not covered by Annex II to the Treaty

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

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

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

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

Whereas Commission Regulation (EC) No 1222/94 of 30 May 1994 laying down common implementing rules for granting export refunds on certain agricultural products exported in the form of goods not covered by Annex II to the Treaty, and the criteria for fixing the amount of such refunds⁽⁵⁾, as last amended by Regulation (EC) No 1352/98⁽⁶⁾, specifies the products for which a rate of refund should be fixed, to be applied where these products are exported in the form of goods listed in Annex B to Regulation (EEC) No 1766/92 or in Annex B to Regulation (EC) No 3072/95 as appropriate;

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

Whereas, now that a settlement has been reached between the European Community and the United States of America on Community exports of pasta products to the United States and has been approved by Council Decision

87/482/EEC⁽⁷⁾, it is necessary to differentiate the refund on goods falling within CN codes 1902 11 00 and 1902 19 according to their destination;

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

Whereas Article 2 of Council Regulation (EC) No 1103/97 of 17 June 1997 on certain provisions relating to the introduction of the euro⁽¹⁰⁾ provides that, as from 1 January 1999, all references to the ecu in legal instruments are to be replaced by references to the euro at the rate of EUR 1 to ECU 1;

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

HAS ADOPTED THIS REGULATION:

Article 1

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

Article 2

This Regulation shall enter into force on 18 December 1998.

⁽¹⁾ OJ L 181, 1. 7. 1992, p. 21.

⁽²⁾ OJ L 126, 24. 5. 1996, p. 37.

⁽³⁾ OJ L 329, 30. 12. 1995, p. 18.

⁽⁴⁾ OJ L 265, 30. 9. 1998, p. 4.

⁽⁵⁾ OJ L 136, 31. 5. 1994, p. 5.

⁽⁶⁾ OJ L 184, 27. 6. 1998, p. 25.

⁽⁷⁾ OJ L 275, 29. 9. 1987, p. 36.

⁽⁸⁾ OJ L 159, 1. 7. 1993, p. 112.

⁽⁹⁾ OJ L 145, 15. 5. 1998, p. 11.

⁽¹⁰⁾ OJ L 162, 19. 6. 1997, p. 1.

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

Done at Brussels, 17 December 1998.

For the Commission
Martin BANGEMANN
Member of the Commission

ANNEX

to the Commission Regulation of 17 December 1998 fixing the rates of the refunds applicable to certain cereals and rice products exported in the form of goods not covered by Annex II to the Treaty

(ECU/100 kg)

CN code	Description of products ⁽¹⁾	Rate of refund per 100 kg of basic product
1001 10 00	Durum wheat: – on exports of goods falling within CN codes 1902 11 and 1902 19 to the United States of America – in other cases	0,910 1,400
1001 90 99	Common wheat and meslin: – on exports of goods falling within CN codes 1902 11 and 1902 19 to the United States of America – in other cases: – – where pursuant to Article 4 (5) of Regulation (EC) No 1222/94 ⁽²⁾ – – in other cases	1,975 — 3,038
1002 00 00	Rye	5,170
1003 00 90	Barley	5,592
1004 00 00	Oats	4,328
1005 90 00	Maize (corn) used in the form of: – starch: – – where pursuant to Article 4 (5) of Regulation (EC) No 1222/94 ⁽²⁾ – – in other cases – glucose, glucose syrup, maltodextrine, maltodextrine syrup of CN codes 1702 30 51, 1702 30 59, 1702 30 91, 1702 30 99, 1702 40 90, 1702 90 50, 1702 90 75, 1702 90 79, 2106 90 55 ⁽³⁾ : – – where pursuant to Article 4 (5) of Regulation (EC) No 1222/94 ⁽²⁾ – – in other cases – other (including unprocessed) Potato starch of CN code 1108 13 00 similar to a product obtained from processed maize: – where pursuant to Article 4 (5) of Regulation (EC) No 1222/94 ⁽²⁾ – in other cases	1,718 5,547 1,091 4,920 5,547 1,718 5,547
ex 1006 30	Wholly-milled rice: – round grain – medium grain – long grain	10,800 10,800 10,800
1006 40 00	Broken rice	2,800
1007 00 90	Sorghum	5,592

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

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

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

COMMISSION REGULATION (EC) No 2731/98

of 17 December 1998

fixing the export refunds on products processed from cereals and rice

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

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

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

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

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

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

Whereas the refund to be granted in respect of certain processed products should be graduated on the basis of the ash, crude fibre, tegument, protein, fat and starch content of the individual product concerned, this content

being a particularly good indicator of the quantity of basic product actually incorporated in the processed product;

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

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

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

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

Whereas Article 2 of Council Regulation (EC) No 1103/97 of 17 June 1997 on certain provisions relating to the introduction of the euro⁽⁷⁾ provides that, as from 1 January 1999, all references to the ecu in legal instruments are to be replaced by references to the euro at the rate of EUR 1 to ECU 1;

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

HAS ADOPTED THIS REGULATION:

Article 1

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

⁽⁷⁾ OJ L 162, 19. 6. 1997, p. 1.

⁽¹⁾ OJ L 181, 1. 7. 1992, p. 21.

⁽²⁾ OJ L 126, 24. 5. 1996, p. 37.

⁽³⁾ OJ L 329, 30. 12. 1995, p. 18.

⁽⁴⁾ OJ L 265, 30. 9. 1998, p. 4.

⁽⁵⁾ OJ L 147, 30. 6. 1995, p. 55.

⁽⁶⁾ OJ L 312, 23. 12. 1995, p. 25.

Article 2

This Regulation shall enter into force on 18 December 1998.

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

Done at Brussels, 17 December 1998.

For the Commission

Franz FISCHLER

Member of the Commission

ANNEX

to the Commission Regulation of 17 December 1998 fixing the export refunds on products processed from cereals and rice

<i>(ECU/tonne)</i>		<i>(ECU/tonne)</i>	
Product code	Refund	Product code	Refund
1102 20 10 9200 ⁽¹⁾	77,66	1104 23 10 9100	83,21
1102 20 10 9400 ⁽¹⁾	66,56	1104 23 10 9300	63,79
1102 20 90 9200 ⁽¹⁾	66,56	1104 29 11 9000	30,99
1102 90 10 9100	73,35	1104 29 51 9000	30,38
1102 90 10 9900	49,88	1104 29 55 9000	30,38
1102 90 30 9100	77,90	1104 30 10 9000	7,60
1103 12 00 9100	77,90	1104 30 90 9000	13,87
1103 13 10 9100 ⁽¹⁾	99,85	1107 10 11 9000	54,08
1103 13 10 9300 ⁽¹⁾	77,66	1107 10 91 9000	87,04
1103 13 10 9500 ⁽¹⁾	66,56	1108 11 00 9200	60,76
1103 13 90 9100 ⁽¹⁾	66,56	1108 11 00 9300	60,76
1103 19 10 9000	51,70	1108 12 00 9200	88,75
1103 19 30 9100	75,80	1108 12 00 9300	88,75
1103 21 00 9000	30,99	1108 13 00 9200	88,75
1103 29 20 9000	49,88	1108 13 00 9300	88,75
1104 11 90 9100	73,35	1108 19 10 9200	42,56
1104 12 90 9100	86,56	1108 19 10 9300	42,56
1104 12 90 9300	69,25	1109 00 00 9100	0,00
1104 19 10 9000	30,99	1702 30 51 9000 ⁽²⁾	102,82
1104 19 50 9110	88,75	1702 30 59 9000 ⁽²⁾	78,72
1104 19 50 9130	72,11	1702 30 91 9000	102,82
1104 21 10 9100	73,35	1702 30 99 9000	78,72
1104 21 30 9100	73,35	1702 40 90 9000	78,72
1104 21 50 9100	97,80	1702 90 50 9100	102,82
1104 21 50 9300	78,24	1702 90 50 9900	78,72
1104 22 20 9100	69,25	1702 90 75 9000	107,74
1104 22 30 9100	73,58	1702 90 79 9000	74,78
		2106 90 55 9000	78,72

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

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

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

COMMISSION REGULATION (EC) No 2732/98**of 17 December 1998****fixing the export refunds on cereal-based compound feedingstuffs**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

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

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

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

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

Whereas furthermore, the amount of the refund must also take into account the possibilities and conditions for the sale of those products on the world market, the need to

avoid disturbances on the Community market and the economic aspect of the export;

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

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

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

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

HAS ADOPTED THIS REGULATION:

Article 1

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

Article 2

This Regulation shall enter into force on 18 December 1998.

⁽¹⁾ OJ L 181, 1. 7. 1992, p. 21.

⁽²⁾ OJ L 126, 24. 5. 1996, p. 37.

⁽³⁾ OJ L 147, 30. 6. 1995, p. 51.

⁽⁴⁾ OJ L 162, 19. 6. 1997, p. 1.

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

Done at Brussels, 17 December 1998.

For the Commission
Franz FISCHLER
Member of the Commission

ANNEX

to the Commission Regulation of 17 December 1998 fixing the export refunds on cereal-based compound feedingstuffs

Product code benefiting from export refund⁽¹⁾:

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

(ECU/tonne)

Cereal products ⁽²⁾	Amount of refund ⁽²⁾
Maize and maize products: CN codes 0709 90 60, 0712 90 19, 1005, 1102 20, 1103 13, 1103 29 40, 1104 19 50, 1104 23, 1904 10 10	55,47
Cereal products ⁽²⁾ excluding maize and maize products	39,64

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

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

Cereal products means the products falling within subheadings 0709 90 60 and 0712 90 19, Chapter 10, and headings Nos 1101, 1102, 1103 and 1104 (unprocessed and not reconstituted) excluding subheading 1104 30) and the cereals content of the products falling within subheadings 1904 10 10 and 1904 10 90 of the combined nomenclature. The cereals content in products under subheadings 1904 10 10 and 1904 10 90 of the combined nomenclature is considered to be equal to the weight of this final product.

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

COMMISSION REGULATION (EC) No 2733/98
of 17 December 1998
fixing production refunds on cereals and rice

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

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

Having regard to Council Regulation (EC) No 3072/95 of 22 December 1995 on the common organisation of the market in rice⁽³⁾, as last amended by Regulation (EC) No 2072/98⁽⁴⁾, and in particular Article 7 (2) thereof,

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

Whereas Regulation (EEC) No 1722/93 establishes the conditions for granting the production refund; whereas the basis for the calculation is established in Article 3 of the said Regulation; whereas the refund thus calculated must be fixed once a month and may be altered if the price of maize and/or wheat changes significantly;

Whereas the production refunds to be fixed in this Regulation should be adjusted by the coefficients listed in the

Annex II to Regulation (EEC) No 1722/93 to establish the exact amount payable;

Whereas Article 2 of Council Regulation (EC) No 1103/97 of 17 June 1997 on certain provisions relating to the introduction of the euro⁽⁷⁾ provides that, as from 1 January 1999, all references to the ecu in legal instruments are to be replaced by references to the euro at the rate of EUR 1 to ECU 1;

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

HAS ADOPTED THIS REGULATION:

Article 1

The refund referred to in Article 3 (2) of Regulation (EEC) No 1722/93, expressed per tonne of starch extracted from maize, wheat, barley, oats, potatoes, rice or broken rice, shall be ECU 64,14 per tonne.

Article 2

This Regulation shall enter into force on 18 December 1998.

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

Done at Brussels, 17 December 1998.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ L 181, 1. 7. 1992, p. 21.

⁽²⁾ OJ L 126, 24. 5. 1996, p. 37.

⁽³⁾ OJ L 329, 30. 12. 1995, p. 18.

⁽⁴⁾ OJ L 265, 30. 9. 1998, p. 4.

⁽⁵⁾ OJ L 159, 1. 7. 1993, p. 112.

⁽⁶⁾ OJ L 145, 15. 5. 1998, p. 11.

⁽⁷⁾ OJ L 162, 19. 6. 1997, p. 1.

COMMISSION REGULATION (EC) No 2734/98
of 17 December 1998

fixing the export refunds on cereals and on wheat or rye flour, groats and meal

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 13 (2) thereof,

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

Whereas the refunds must be fixed taking into account the factors referred to in Article 1 of Commission Regulation (EC) No 1501/95 of 29 June 1995 laying down certain detailed rules under Council Regulation (EEC) No 1766/92 on the granting of export refunds on cereals and the measures to be taken in the event of disturbance on the market for cereals⁽³⁾, as last amended by Regulation (EC) No 2513/98⁽⁴⁾;

Whereas, as far as wheat and rye flour, groats and meal are concerned, when the refund on these products is being calculated, account must be taken of the quantities of cereals required for their manufacture; whereas these quantities were fixed in Regulation (EC) No 1501/95;

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

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

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

Whereas Article 2 of Council Regulation (EC) No 1103/97 of 17 June 1997 on certain provisions relating to the introduction of the euro⁽⁵⁾ provides that, as from 1 January 1999, all references to the ecu in legal instruments are to be replaced by references to the euro at the rate of EUR 1 to ECU 1;

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

HAS ADOPTED THIS REGULATION:

Article 1

The export refunds on the products listed in Article 1 (a), (b) and (c) of Regulation (EEC) No 1766/92, excluding malt, exported in the natural state, shall be as set out in the Annex hereto.

Article 2

This Regulation shall enter into force on 18 December 1998.

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

Done at Brussels, 17 December 1998.

For the Commission
Franz FISCHLER
Member of the Commission

⁽¹⁾ OJ L 181, 1. 7. 1992, p. 21.

⁽²⁾ OJ L 126, 24. 5. 1996, p. 37.

⁽³⁾ OJ L 147, 30. 6. 1995, p. 7.

⁽⁴⁾ OJ L 313, 21. 11. 1998, p. 16.

⁽⁵⁾ OJ L 162, 19. 6. 1997, p. 1.

ANNEX

to the Commission Regulation of 17 December 1998 fixing the export refunds on cereals and on wheat or rye flour, groats and meal

<i>(ECU / tonne)</i>			<i>(ECU / tonne)</i>		
Product code	Destination (1)	Amount of refund	Product code	Destination (1)	Amount of refund
1001 10 00 9200	—	—	1101 00 11 9000	—	—
1001 10 00 9400	01	0	1101 00 15 9100	01	42,50
1001 90 91 9000	—	—	1101 00 15 9130	01	39,50
1001 90 99 9000	03	21,00	1101 00 15 9150	01	36,50
	02	0	1101 00 15 9170	01	33,75
1002 00 00 9000	03	50,00	1101 00 15 9180	01	31,50
	02	0	1101 00 15 9190	—	—
1003 00 10 9000	—	—	1101 00 90 9000	—	—
1003 00 90 9000	03	48,00	1102 10 00 9500	01	82,00
	02	0	1102 10 00 9700	—	—
1004 00 00 9200	—	—	1102 10 00 9900	—	—
1004 00 00 9400	—	—	1103 11 10 9200	01	21,00 (2)
1005 10 90 9000	—	—	1103 11 10 9400	01	18,00 (2)
1005 90 00 9000	03	38,00	1103 11 10 9900	—	—
	02	0	1103 11 90 9200	01	21,00 (2)
1007 00 90 9000	—	—	1103 11 90 9800	—	—
1008 20 00 9000	—	—			

(1) The destinations are identified as follows:

- 01 All third countries,
- 02 Other third countries,
- 03 Switzerland, Liechtenstein.

(2) No refund is granted when this product contains compressed meal.

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 2735/98
of 17 December 1998

**fixing the maximum export refund on common wheat in connection with the
invitation to tender issued in Regulation (EC) No 1079/98**

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

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

Having regard to Commission Regulation (EC) No 1501/95 of 29 June 1995 laying down certain detailed rules for the application of Council Regulation (EEC) No 1766/92 on the granting of export refunds on cereals and the measures to be taken in the event of disturbance on the market for cereals ⁽³⁾, as last amended by Regulation (EC) No 2513/98 ⁽⁴⁾, and in particular Article 4 thereof,

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

Whereas Article 7 of Regulation (EC) No 1501/95 provides that the Commission may, on the basis of the tenders notified, in accordance with the procedure laid down in Article 23 of Regulation (EEC) No 1766/92, decide to fix a maximum export refund taking account of the criteria referred to in Article 1 of Regulation (EC) No

1501/95; whereas in that case a contract is awarded to any tenderer whose bid is equal to or lower than the maximum refund, as well as to any tenderer whose bid relates to an export tax;

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

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

HAS ADOPTED THIS REGULATION:

Article 1

For tenders notified from 11 to 17 December 1998, pursuant to the invitation to tender issued in Regulation (EC) No 1079/98, the maximum refund on exportation of common wheat shall be ECU 30,90 per tonne.

Article 2

This Regulation shall enter into force on 18 December 1998.

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

Done at Brussels, 17 December 1998.

For the Commission
Franz FISCHLER
Member of the Commission

⁽¹⁾ OJ L 181, 1. 7. 1992, p. 21.

⁽²⁾ OJ L 126, 24. 5. 1996, p. 37.

⁽³⁾ OJ L 147, 30. 6. 1995, p. 7.

⁽⁴⁾ OJ L 313, 21. 11. 1998, p. 16.

⁽⁵⁾ OJ L 154, 28. 5. 1998, p. 24.

⁽⁶⁾ OJ L 258, 22. 9. 1998, p. 8.

COMMISSION REGULATION (EC) No 2736/98
of 17 December 1998
concerning tenders notified in response to the invitation to tender for the export
of common wheat issued in Regulation (EC) No 2004/98

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

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

Having regard to Commission Regulation (EC) No 1501/95 of 29 June 1995 laying down certain detailed rules for the application of Council Regulation (EEC) No 1766/92 on the granting of export refunds on cereals and the measures to be taken in the event of disturbance on the market for cereals ⁽³⁾, as last amended by Regulation (EC) No 2513/98 ⁽⁴⁾, and in particular Article 7 thereof,

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

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

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

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

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

HAS ADOPTED THIS REGULATION:

Article 1

No action shall be taken on the tenders notified from 11 to 17 December 1998 in response to the invitation to tender for the refund or the tax for the export of common wheat issued in Regulation (EC) No 2004/98.

Article 2

This Regulation shall enter into force on 18 December 1998.

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

Done at Brussels, 17 December 1998.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ L 181, 1. 7. 1992, p. 21.

⁽²⁾ OJ L 126, 24. 5. 1996, p. 37.

⁽³⁾ OJ L 147, 30. 6. 1995, p. 7.

⁽⁴⁾ OJ L 313, 21. 11. 1998, p. 16.

⁽⁵⁾ OJ L 258, 22. 9. 1998, p. 4.

COMMISSION REGULATION (EC) No 2737/98
of 17 December 1998
concerning tenders notified in response to the invitation to tender for the export
of barley issued in Regulation (EC) No 1078/98

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

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

Having regard to Commission Regulation (EC) No 1501/95 of 29 June 1995 laying down certain detailed rules for the application of Council Regulation (EEC) No 1766/92 on the granting of export refunds on cereals and the measures to be taken in the event of disturbance on the market for cereals ⁽³⁾, as last amended by Regulation (EC) No 2513/98 ⁽⁴⁾, and in particular Article 4 thereof,

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

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

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

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

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

HAS ADOPTED THIS REGULATION:

Article 1

No action shall be taken on the tenders notified from 11 to 17 December 1998 in response to the invitation to tender for the refund or the tax for the export of barley issued in Regulation (EC) No 1078/98.

Article 2

This Regulation shall enter into force on 18 December 1998.

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

Done at Brussels, 17 December 1998.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ L 181, 1. 7. 1992, p. 21.

⁽²⁾ OJ L 126, 24. 5. 1996, p. 37.

⁽³⁾ OJ L 147, 30. 6. 1995, p. 7.

⁽⁴⁾ OJ L 313, 21. 11. 1998, p. 16.

⁽⁵⁾ OJ L 154, 28. 5. 1998, p. 20.

COMMISSION REGULATION (EC) No 2738/98
of 17 December 1998

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

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

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

Having regard to Commission Regulation (EC) No 1501/95 of 29 June 1995 laying down certain detailed rules for the application of Council Regulation (EEC) No 1766/92 on the granting of export refunds on cereals and the measures to be taken in the event of disturbance on the market for cereals ⁽³⁾, as last amended by Regulation (EC) No 2513/98 ⁽⁴⁾,

Having regard to Commission Regulation (EC) No 2007/98 of 21 September 1998 on a special intervention measure for cereals in Finland and Sweden ⁽⁵⁾, as last amended by Regulation (EC) No 2599/98 ⁽⁶⁾, and in particular Article 8 thereof,

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

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

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

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

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

HAS ADOPTED THIS REGULATION:

Article 1

For tenders notified from 11 to 17 December 1998, pursuant to the invitation to tender issued in Regulation (EC) No 2007/98, the maximum refund on exportation of oats shall be ECU 56,90 per tonne.

Article 2

This Regulation shall enter into force on 18 December 1998.

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

Done at Brussels, 17 December 1998.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ L 181, 1. 7. 1992, p. 21.

⁽²⁾ OJ L 126, 24. 5. 1996, p. 37.

⁽³⁾ OJ L 147, 30. 6. 1995, p. 7.

⁽⁴⁾ OJ L 313, 21. 11. 1998, p. 16.

⁽⁵⁾ OJ L 258, 22. 9. 1998, p. 13.

⁽⁶⁾ OJ L 325, 3. 12. 1998, p. 10.

COMMISSION REGULATION (EC) No 2739/98
of 17 December 1998
concerning tenders notified in response to the invitation to tender for the export
of rye issued in Regulation (EC) No 1746/98

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

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

Having regard to Commission Regulation (EC) No 1501/95 of 29 June 1995 laying down certain detailed rules for the application of Council Regulation (EEC) No 1766/92 on the granting of export refunds on cereals and the measures to be taken in the event of disturbance on the market for cereals ⁽³⁾, as last amended by Regulation (EC) No 2513/98 ⁽⁴⁾, and in particular Article 7 thereof,

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

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

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

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

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

HAS ADOPTED THIS REGULATION:

Article 1

No action shall be taken on the tenders notified from 11 to 17 December 1998 in response to the invitation to tender for the refund or the tax for the export of rye issued in Regulation (EC) No 1746/98.

Article 2

This Regulation shall enter into force on 18 December 1998.

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

Done at Brussels, 17 December 1998.

For the Commission
Franz FISCHLER
Member of the Commission

⁽¹⁾ OJ L 181, 1. 7. 1992, p. 21.

⁽²⁾ OJ L 126, 24. 5. 1996, p. 37.

⁽³⁾ OJ L 147, 30. 6. 1995, p. 7.

⁽⁴⁾ OJ L 313, 21. 11. 1998, p. 16.

⁽⁵⁾ OJ L 219, 7. 8. 1998, p. 3.

COMMISSION REGULATION (EC) No 2740/98
of 17 December 1998

**fixing the maximum export refund on barley in connection with the invitation to
tender issued in Regulation (EC) No 1564/98**

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

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

Having regard to Commission Regulation (EC) No 1501/95 of 29 June 1995 laying down certain detailed rules for the application of Council Regulation (EEC) No 1766/92 on the granting of export refunds on cereals and the measures to be taken in the event of disturbance on the market for cereals ⁽³⁾, as last amended by Regulation (EC) No 2513/98 ⁽⁴⁾, and in particular Article 7 thereof,

Whereas an invitation to tender for the refund for the export of barley exported from Spain to all third countries was opened pursuant to Commission Regulation (EC) No 1564/98 ⁽⁵⁾, as amended by Regulation (EC) No 2309/98 ⁽⁶⁾;

Whereas Article 7 of Regulation (EC) No 1501/95 provides that the Commission may, on the basis of the tenders notified, in accordance with the procedure laid down in Article 23 of Regulation (EEC) No 1766/92, decide to fix a maximum export refund taking account of

the criteria referred to in Article 1 of Regulation (EC) No 1501/95; whereas in that case a contract is awarded to any tenderer whose bid is equal to or lower than the maximum refund;

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

Whereas the Management Committee for Cereals has not delivered an opinion within the time limit set by its chairman,

HAS ADOPTED THIS REGULATION:

Article 1

For tenders notified from 11 to 17 December 1998, pursuant to the invitation to tender issued in Regulation (EC) No 1564/98, the maximum refund on exportation of barley shall be ECU 66,48 per tonne.

Article 2

This Regulation shall enter into force on 18 December 1998.

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

Done at Brussels, 17 December 1998.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ L 181, 1. 7. 1992, p. 21.

⁽²⁾ OJ L 126, 24. 5. 1996, p. 37.

⁽³⁾ OJ L 147, 30. 6. 1995, p. 7.

⁽⁴⁾ OJ L 313, 21. 11. 1998, p. 16.

⁽⁵⁾ OJ L 203, 21. 7. 1998, p. 6.

⁽⁶⁾ OJ L 288, 27. 10. 1998, p. 11.

COMMISSION REGULATION (EC) No 2741/98
of 17 December 1998
amending the import duties in the cereals sector

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⁾,

Having regard to Commission Regulation (EC) No 1249/96 of 28 June 1996 laying down detailed rules for the application of Council Regulation (EEC) No 1766/92 as regards import duties in the cereals sector⁽³⁾, as last amended by Regulation (EC) No 2519/98⁽⁴⁾, and in particular Article 2 (1) thereof,

Whereas the import duties in the cereals sector are fixed by Commission Regulation (EC) No 2710/98⁽⁵⁾, as amended by Regulation (EC) No 2724/98⁽⁶⁾;

Whereas Article 2, (1) of Regulation (EC) No 1249/96 provides that if during the period of application, the average import duty calculated differs by ECU 5 per tonne from the duty fixed, a corresponding adjustment is to be made; whereas such a difference has arisen; whereas it is therefore necessary to adjust the import duties fixed in Regulation (EC) No 2710/98,

HAS ADOPTED THIS REGULATION:

Article 1

Annexes I and II to Regulation (EC) No 2710/98 are hereby replaced by Annexes I and II to this Regulation.

Article 2

This Regulation shall enter into force on 18 December 1998.

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

Done at Brussels, 17 December 1998.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ L 181, 1. 7. 1992, p. 21.

⁽²⁾ OJ L 126, 24. 5. 1996, p. 37.

⁽³⁾ OJ L 161, 29. 6. 1996, p. 125.

⁽⁴⁾ OJ L 315, 25. 11. 1998, p. 7.

⁽⁵⁾ OJ L 340, 16. 12. 1998, p. 27.

⁽⁶⁾ OJ L 342, 17. 12. 1998, p. 25.

ANNEX I

Import duties for the products covered by Article 10(2) of Regulation (EEC) No 1766/92

CN code	Description	Import duty by land inland waterway or sea from Mediterranean, the Black Sea or Baltic Sea ports (ECU/tonne)	Import duty by air or by sea from other ports (²) (ECU/tonne)
1001 10 00	Durum wheat high quality	46,14	36,14
	medium quality (¹)	56,14	46,14
1001 90 91	Common wheat seed	46,97	36,97
1001 90 99	Common high quality wheat other than for sowing (³)	46,97	36,97
	medium quality	76,87	66,87
	low quality	97,04	87,04
1002 00 00	Rye	101,20	91,20
1003 00 10	Barley, seed	101,20	91,20
1003 00 90	Barley, other (³)	101,20	91,20
1005 10 90	Maize seed other than hybrid	103,88	93,88
1005 90 00	Maize other than seed (³)	103,88	93,88
1007 00 90	Grain sorghum other than hybrids for sowing	101,20	91,20

(¹) In the case of durum wheat not meeting the minimum quality requirements for durum wheat of medium quality, referred to in Annex I to Regulation (EC) No 1249/96, the duty applicable is that fixed for low-quality common wheat.

(²) For goods arriving in the Community via the Atlantic Ocean or via the Suez Canal (Article 2(4) of Regulation (EC) No 1249/96), the importer may benefit from a reduction in the duty of:

— ECU 3 per tonne, where the port of unloading is on the Mediterranean Sea, or

— ECU 2 per tonne, where the port of unloading is in Ireland, the United Kingdom, Denmark, Sweden, Finland or the Atlantic Coasts of the Iberian Peninsula.

(³) The importer may benefit from a flat-rate reduction of ECU 14 or 8 per tonne, where the conditions laid down in Article 2(5) of Regulation (EC) No 1249/96 are met.

ANNEX II

Factors for calculating duties

(period from 15 December 1998 to 16 December 1998)

1. Averages over the two-week period preceding the day of fixing:

Exchange quotations	Minneapolis	Kansas-City	Chicago	Chicago	Minneapolis	Minneapolis	Minneapolis
Product (% proteins at 12 % humidity)	HRS2. 14 %	HRW2. 11,5 %	SRW2	YC3	HAD2	Medium quality (**)	US barley 2
Quotation (ECU/tonne)	110,98	99,68	88,40	74,67	130,75 (*)	120,75 (*)	75,52 (*)
Gulf premium (ECU/tonne)	24,0	10,41	1,52	8,40	—	—	—
Great Lakes premium (ECU/tonne)	—	—	—	—	—	—	—

(*) Fob Duluth.

(**) A discount of ECU 10 per tonne (Article 4(1) of Regulation (EC) No 1249/96).

2. Freight/cost: Gulf of Mexico — Rotterdam: ECU 10,81 per tonne; Great Lakes — Rotterdam: ECU 20,95 per tonne.

3. Subsidy within the meaning of the third paragraph of Article 4(2) of Regulation (EC) No 1249/96: ECU 0,00 per tonne (HRW2)
ECU 0,00 per tonne (SRW2).

II

(Acts whose publication is not obligatory)

COUNCIL

DECISION No 3/98 OF THE ASSOCIATION COUNCIL

between the European Communities and their Member States, of the one part,
and the Republic of Bulgaria, of the other part

of 6 November 1998

adopting the terms and conditions for the participation of Bulgaria in
Community programmes in the field of culture

(98/721/EC)

THE ASSOCIATION COUNCIL,

HAS DECIDED AS FOLLOWS:

Having regard to the Europe Agreement establishing an association between the European Communities and their Member States, of the one part, and the Republic of Bulgaria, of the other part ⁽¹⁾,

Having regard to the additional Protocol to the Europe Agreement establishing an association between the European Communities and their Member States, of the one part, and the Republic of Bulgaria, of the other part ⁽²⁾, concerning Bulgaria's participation in Community programmes, and in particular Articles 1 and 2 thereof,

Whereas, according to Article 1 of the said additional Protocol, Bulgaria may participate in Community framework programmes, specific programmes, projects or other Community actions notably in the field of culture;

Whereas, according to Article 2 of the said additional Protocol, the terms and conditions for the participation of Bulgaria in the activities referred to in Article 1 are to be decided by the Association Council,

Article 1

Bulgaria shall participate in the European Community programmes Kaleidoscope, Ariane and Raphael according to the terms and conditions set out in Annexes I and II which shall form an integral part of this Decision.

Article 2

This Decision shall apply for the duration of the programmes.

Article 3

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

Done at Brussels, 6 November 1998.

For the Association Council

The President

N. MIHAILOVA

⁽¹⁾ OJ L 358, 31. 12. 1994, p. 2.

⁽²⁾ OJ L 317, 30. 12. 1995, p. 25.

ANNEX I

**TERMS AND CONDITIONS FOR THE PARTICIPATION OF THE REPUBLIC OF BULGARIA
IN THE PROGRAMMES KALEIDOSCOPE, ARIANE AND RAPHAEL**

1. Bulgaria will participate in all activities of the programmes Kaleidoscope, Ariane and Raphael (hereinafter called 'the programmes') in conformity, unless otherwise provided in this Decision, with the objectives, criteria, procedures and time limits laid down in Decision No 719/96/EC of the European Parliament and of the Council of 29 March 1996 establishing a programme to support artistic and cultural activities having a European dimension ⁽¹⁾ (hereinafter called 'Kaleidoscope'), Decision No 2085/97/EC of the European Parliament and of the Council of 6 October 1997 establishing a programme of support, including translation, in the field of books and reading ⁽²⁾ (hereinafter called 'Ariane') and Decision No 2228/97/EC of the European Parliament and of the Council of 13 October 1997 establishing a Community action programme in the field of cultural heritage ⁽³⁾ (hereinafter called 'Raphael').
2. The terms and conditions for the submission, assessment and selection of applications related to eligible institutions, organisations and individuals of Bulgaria shall be the same as those applicable to eligible institutions, organisations and individuals of the Community.
3. To ensure the Community dimension of the programmes, transnational projects and activities proposed by Bulgaria will be required to include a minimum number of partners from the Member States of the Community. This minimum number will be decided in the framework of the implementation of the programmes, taking into account the nature of the various activities, the number of partners in a given project and the number of countries participating in the programmes.
4. Bulgaria will pay each year a contribution to the general budget of the European Communities to cover the costs resulting from its participation in the programmes (see Annex II). The Association Committee is entitled to adapt this contribution whenever necessary.
5. The Member States of the Community and Bulgaria will make every effort, within the framework of the existing provisions, to facilitate the free movement and residence of all eligible persons to the programmes moving between Bulgaria and the Member States of the Community for the purpose of participating in activities covered by the Decision.
6. Without prejudice to the responsibilities of the Commission and the Court of Auditors of the European Communities in relation to the monitoring and evaluation of the programmes pursuant to the Decisions concerning Kaleidoscope, Ariane and Raphael (Articles 8, 8 and 10 respectively), the participation of Bulgaria in the programmes will be continuously monitored on a partnership basis involving Bulgaria and the European Commission. Bulgaria will submit the necessary reports to the Commission and take part in other specific activities set out by the Community in that context.
7. Without prejudice to the procedures referred to in Article 5 of the Decision on Kaleidoscope, Article 5 of the Decision on Ariane and Article 7 of the Decision on Raphael, Bulgaria will be invited to any coordination meetings on questions concerning the implementation of this Decision prior to the regular meetings of the programme committees. The Commission will inform Bulgaria about the results of such regular meetings.
8. The language to be used as regards the application process, contracts, reports to be submitted and other administrative arrangements for the programmes will be one of the official languages of the Community.

⁽¹⁾ OJ L 99, 20. 4. 1996, p. 20.

⁽²⁾ OJ L 291, 24. 10. 1997, p. 26.

⁽³⁾ OJ L 305, 8. 11. 1997, p. 31.

ANNEX II

FINANCIAL CONTRIBUTION OF THE REPUBLIC OF BULGARIA TO KALEIDOSCOPE, ARIANE AND RAPHAEL

1. The financial contribution of Bulgaria will cover:
 - financial support from the programmes to Bulgarian participants,
 - supplementary costs of an administrative nature related to the management of the programmes by the Commission stemming from Bulgaria's participation.
2. For every financial year, the aggregated amount of subsidies or any other financial support received from the programmes by the Bulgarian beneficiaries will not exceed the contribution paid by Bulgaria, after deduction of the supplementary costs of an administrative nature.

Should the contribution paid by Bulgaria to the general budget of the European Communities, after deduction of the supplementary costs of an administrative nature, be higher than the aggregated amount of subsidies or other financial support received by the Bulgarian beneficiaries from the programmes, the Commission will transfer the balance to the next budgetary exercise, and it will be deducted from the following year's contribution. Should such a balance be left when the programmes come to an end, the corresponding amount will be reimbursed to Bulgaria.

3. **Kaleidoscope**

Bulgaria's annual contribution will be ECU 59 131 from 1998. From this sum, an amount of ECU 4 140 will cover supplementary costs of an administrative nature related to the management of the programme by the Commission stemming from Bulgaria's participation.

4. **Ariane**

Bulgaria's annual contribution will be ECU 23 768 from 1998. From this sum, an amount of ECU 1 140 will cover supplementary costs of an administrative nature related to the management of the programme by the Commission stemming from Bulgaria's participation.

5. **Raphael**

Bulgaria's annual contribution will be ECU 61 450 from 1998. From this sum, an amount of ECU 4 300 will cover supplementary costs of an administrative nature related to the management of the programme by the Commission stemming from Bulgaria's participation.

6. The Financial Regulations applicable to the general budget of the Community will apply, notably to the management of the contribution of Bulgaria.

On entry into force of this Decision and at the beginning of each following year, the Commission will send to Bulgaria a call for funds corresponding to its contribution to the costs under this Decision.

This contribution will be expressed in ecus and paid into an ecu bank account of the Commission.

Bulgaria will pay its contribution to the annual costs under this Decision according to the call for funds and at the latest three months after the call for funds is sent. Any delay in the payment of the contribution shall give rise to the payment of interest by Bulgaria on the outstanding amount from the due date. The interest rate corresponds to the rate applied by the European Monetary Cooperation Fund, for the month of the due date, for its operations in ecus, increased by 1,5 percentage points.

7. Bulgaria will pay the supplementary costs of an administrative nature referred to in paragraphs 3, 4 and 5 from its national budget.

8. Bulgaria will pay the remaining costs of its participation as follows:

- 8.1. *Kaleidoscope*

in 1998, ECU 0 from its national budget and ECU 54 991 from its PHARE allocation.

8.2. *Ariane*

in 1998, ECU 0 from its national budget and ECU 22 628 from its PHARE allocation.

8.3. *Raphael*

in 1998, ECU 0 from its national budget and ECU 57 150 from its PHARE allocation,

in 1999, ECU 4 572 from its national budget and ECU 52 578 from its PHARE allocation,

in 2000, ECU 14 287,5 from its national budget and ECU 42 862,5 from its PHARE allocation.

8.4. The PHARE contribution is subject to regular PHARE programming procedures.

DECISION No 2/98 OF THE ASSOCIATION COUNCIL

**between the European Communities and their Member States, of the one part,
and the Republic of Hungary, of the other part**

of 23 November 1998

**adopting the terms and conditions for the participation of Hungary in the
Community programme in the field of small and medium-sized enterprises**

(98/722/EC)

THE ASSOCIATION COUNCIL,

Having regard to the Europe Agreement establishing an association between the European Communities and their Member States, of the one part, and the Republic of Hungary, of the other part ⁽¹⁾,

Having regard to the additional Protocol to the Europe Agreement establishing an association between the European Communities and their Member States, of the one part, and the Republic of Hungary, of the other part ⁽²⁾, concerning Hungary's participation in Community programmes, and in particular Articles 1 and 2 thereof,

Whereas according to Article 1 of the said additional Protocol Hungary may participate in Community framework programmes, specific programmes, projects or other Community actions notably in the field of small and medium-sized enterprises;

Whereas according to Article 2 of the said additional Protocol the terms and conditions for the participation of Hungary in the activities referred to in Article 1 are to be decided by the Association Council,

HAS DECIDED AS FOLLOWS:

Article 1

Hungary shall participate in the third multiannual programme for small and medium-sized enterprises (SMEs) in the European Union (1997 to 2000) according to the terms and conditions set out in Annexes I and II which shall form an integral part of this Decision.

Article 2

This Decision shall apply for the duration of the programme.

Article 3

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

Done at Brussels, 23 November 1998.

For the Association Council

The President

W. SCHÜSSEL

⁽¹⁾ OJ L 347, 31. 12. 1993, p. 2.

⁽²⁾ OJ L 317, 30. 12. 1995, p. 29.

ANNEX I

TERMS AND CONDITIONS FOR THE PARTICIPATION OF HUNGARY IN THE THIRD MULTIANNUAL PROGRAMME FOR SMALL AND MEDIUM-SIZED ENTERPRISES (SMEs) IN THE EUROPEAN UNION (1997 TO 2000)

1. Hungary will participate in all activities of the third multiannual programme for small and medium-sized enterprises (SMEs) in the European Union (1997 to 2000) (hereinafter called 'the programme') in conformity, unless otherwise provided in this Decision, with the objectives, criteria, procedures and time limits laid down in Council Decision 97/15/EC of 9 December 1996 on a third multiannual programme for small and medium-sized enterprises (SMEs) in the European Union (1997 to 2000)⁽¹⁾, and in particular Article 7(1) thereof.
2. The terms and conditions for the submission, assessment and selection of applications related to eligible institutions, organisations and individuals of Hungary will be the same as those applicable to eligible institutions, organisations and individuals of the Community.
3. Where appropriate, in order to ensure the Community dimension of the programme, transnational projects and activities proposed by Hungary will be required to include a minimum number of partners from the Member States of the Community. This minimum number will be decided in the framework of the implementation of the programme, taking into account the nature of the various activities, the number of partners in a given project and the number of countries participating in the programme.
4. Hungary will pay each year a contribution to the general budget of the European Communities to cover the costs resulting from its participation in the programme (see Annex II). The Association Committee is entitled to adapt this contribution whenever necessary.
5. The Member States of the Community and Hungary will make every effort, within the framework of the existing provisions, to facilitate the free movement and residence of all eligible persons to the programme moving between Hungary and the Member States of the Community for the purpose of participating in activities covered by the Decision.
6. Without prejudice to the responsibilities of the Commission and the Court of Auditors of the European Community in relation to the evaluation of the programme according to the Decision on a third multiannual programme for small and medium-sized enterprises (SMEs) in the European Union (Article 6), the participation of Hungary in the programme will be continuously evaluated on a partnership basis involving Hungary and the European Commission. Hungary will submit the necessary reports to the Commission and take part in other specific activities set out by the Community in that context.
7. Without prejudice to the procedures referred to in Article 4 of the Decision on a third multiannual programme for small and medium-sized enterprises (SMEs) in the European Union, Hungary will be invited to coordination meetings on any question concerning the implementation of this Decision prior to regular meetings of the Programme Committee. The Commission will inform Hungary about the results of such regular meetings.
8. The language to be used as regards the application process, contracts, reports to be submitted and other administrative arrangements for the programme will be one of the official languages of the Community.

⁽¹⁾ OJ L 6, 10. 1. 1997, p. 25.

*ANNEX II***FINANCIAL CONTRIBUTION OF HUNGARY TO THE THIRD MULTIANNUAL PROGRAMME FOR SMALL AND MEDIUM-SIZED ENTERPRISES (SMEs) IN THE EUROPEAN UNION (1997 TO 2000)**

1. The financial contribution of Hungary will cover:
 - financial support from the programme to the participation of Hungarian entities in activities as defined in Annex I.1,
 - supplementary costs of an administrative nature related to the management of the programme by the Commission stemming from Hungary's participation.

2. For every financial year, the aggregated amount of subsidies or any other financial support received from the programme by the Hungarian beneficiaries will not exceed the contribution paid by Hungary, after deduction of the supplementary administrative costs.

Should the contribution paid by Hungary to the general budget of the European Communities, after deduction of the supplementary administrative costs, be higher than the aggregated amount of subsidies or other financial support received by the Hungarian beneficiaries from the programme, the Commission will transfer the balance to the next budgetary exercise, and it will be deducted from the following year's contribution. Should such a balance be left when the programme comes to an end, the corresponding amount will be reimbursed to Hungary.

3. Hungary's annual contribution will be ECU 896 981 from 1998. From this sum, an amount of ECU 58 681 will cover supplementary administrative costs related to the management of the programme by the Commission stemming from Hungary's participation.
4. The financial regulations applicable to the general budget of the European Communities will apply, notably to the management of the contribution of Hungary.

On entry into force of this Decision and at the beginning of each following year, the Commission will send to Hungary a call for funds corresponding to its contribution to the costs under this Decision.

This contribution will be expressed in ecus and paid into an ecu bank account of the Commission.

Hungary will pay its contribution to the annual costs under this Decision according to the call for funds and at the latest three months after the call for funds is sent. Any delay in the payment of the contribution shall give rise to the payment of interest by Hungary on the outstanding amount from the due date. The interest rate corresponds to the rate applied by the European Monetary Cooperation Fund, for the month of the due date, for its operations in ecus, increased by 1,5 percentage points.

5. Hungary will pay the supplementary administrative costs referred to in paragraph 3 from its national budget.
6. Hungary will pay 50 % of the remaining costs of its participation in the programme from its national budget.

Subject to regular PHARE programming procedures, the remaining 50 % will be paid from Hungary's annual PHARE allocation.

DECISION No 3/98 OF THE ASSOCIATION COUNCIL
between the European Communities and their Member States, of the one part,
and the Republic of Hungary, of the other part
of 23 November 1998
adopting the terms and conditions for the participation of Hungary in
Community programmes in the field of culture

(98/723/EC)

THE ASSOCIATION COUNCIL,

Having regard to the Europe Agreement establishing an association between the European Communities and their Member States, of the one part, and the Republic of Hungary, of the other part ⁽¹⁾,

Having regard to the additional Protocol to the Europe Agreement establishing an association between the European Communities and their Member States, of the one part, and the Republic of Hungary, of the other part ⁽²⁾, concerning Hungary's participation in Community programmes, and in particular Articles 1 and 2 thereof,

Whereas, according to Article 1 of the said additional Protocol, Hungary may participate in Community framework programmes, specific programmes, projects or other Community actions notably in the field of culture;

Whereas, according to Article 2 of the said additional Protocol, the terms and conditions for the participation of Hungary in the activities referred to in Article 1 are to be decided by the Association Council,

HAS DECIDED AS FOLLOWS:

Article 1

Hungary shall participate in the European Community programmes Kaleidoscope, Ariane and Raphael according to the terms and conditions set out in Annexes I and II which shall form an integral part of this Decision.

Article 2

This Decision shall apply for the duration of the programmes.

Article 3

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

Done at Brussels, 23 November 1998.

For the Association Council

The President

W. SCHÜSSEL

⁽¹⁾ OJ L 347, 31. 12. 1993, p. 269.

⁽²⁾ OJ L 317, 30. 12. 1995, p. 30.

ANNEX I

**TERMS AND CONDITIONS FOR THE PARTICIPATION OF THE REPUBLIC OF HUNGARY
IN THE PROGRAMMES KALEIDOSCOPE, ARIANE AND RAPHAEL**

1. Hungary will participate in all activities of the programmes Kaleidoscope, Ariane and Raphael (hereinafter called 'the programmes') in conformity, unless otherwise provided in this Decision, with the objectives, criteria, procedures and time limits laid down in Decision No 719/96/EC of the European Parliament and of the Council of 29 March 1996 establishing a programme to support artistic and cultural activities having a European dimension ⁽¹⁾ (hereinafter called 'Kaleidoscope'), Decision No 2085/97/EC of the European Parliament and of the Council of 6 October 1997 establishing a programme of support, including translation, in the field of books and reading ⁽²⁾ (hereinafter called 'Ariane') and Decision No 2228/97/EC of the European Parliament and of the Council of 13 October 1997 establishing a Community action programme in the field of cultural heritage ⁽³⁾ (hereinafter called 'Raphael').
2. The terms and conditions for the submission, assessment and selection of applications related to eligible institutions, organisations and individuals of Hungary shall be the same as those applicable to eligible institutions, organisations and individuals of the Community.
3. To ensure the Community dimension of the programmes, transnational projects and activities proposed by Hungary will be required to include a minimum number of partners from the Member States of the Community. This minimum number will be decided in the framework of the implementation of the programmes, taking into account the nature of the various activities, the number of partners in a given project and the number of countries participating in the programmes.
4. Hungary will pay each year a contribution to the general budget of the European Communities to cover the costs resulting from its participation in the programmes (see Annex II). The Association Committee is entitled to adapt this contribution whenever necessary.
5. The Member States of the Community and Hungary will make every effort, within the framework of the existing provisions, to facilitate the free movement and residence of all eligible persons to the programmes moving between Hungary and the Member States of the Community for the purpose of participating in activities covered by the Decision.
6. Without prejudice to the responsibilities of the Commission and the Court of Auditors of the European Communities in relation to the monitoring and evaluation of the programmes pursuant to the Decisions concerning Kaleidoscope, Ariane and Raphael (Articles 8, 8 and 10 respectively), the participation of Hungary in the programmes will be continuously monitored on a partnership basis involving Hungary and the European Commission. Hungary will submit the necessary reports to the Commission and take part in other specific activities set out by the Community in that context.
7. Without prejudice to the procedures referred to in Article 5 of the Decision on Kaleidoscope, Article 5 of the Decision on Ariane and Article 7 of the Decision on Raphael, Hungary will be invited to any coordination meetings on questions concerning the implementation of this Decision prior to the regular meetings of the programme committees. The Commission will inform Hungary about the results of such regular meetings.
8. The language to be used as regards the application process, contracts, reports to be submitted and other administrative arrangements for the programmes will be one of the official languages of the Community.

⁽¹⁾ OJ L 99, 20. 4. 1996, p. 20.

⁽²⁾ OJ L 291, 24. 10. 1997, p. 26.

⁽³⁾ OJ L 305, 8. 11. 1997, p. 31.

ANNEX II

FINANCIAL CONTRIBUTION OF THE REPUBLIC OF HUNGARY TO KALEIDOSCOPE, ARIANE AND RAPHAEL

1. The financial contribution of Hungary will cover:
 - financial support from the programmes to Hungarian participants,
 - supplementary costs of an administrative nature related to the management of the programmes by the Commission stemming from Hungary's participation.
2. For every financial year, the aggregated amount of subsidies or any other financial support received from the programmes by Hungarian beneficiaries will not exceed the contribution paid by Hungary, after deduction of the supplementary costs of an administrative nature.

Should the contribution paid by Hungary to the general budget of the European Communities, after deduction of the supplementary costs of an administrative nature, be higher than the aggregated amount of subsidies or other financial support received by Hungarian beneficiaries from the programmes, the Commission will transfer the balance to the next budgetary exercise, and it will be deducted from the following year's contribution. Should such a balance be left when the programmes come to an end, the corresponding amount will be reimbursed to Hungary.

3. Kaleidoscope

Hungary's annual contribution will be of ECU 91 523 from 1998. From this sum, an amount of ECU 5 987 will cover supplementary costs of an administrative nature related to the management of the programme by the Commission stemming from Hungary's participation.

4. Ariane

Hungary's annual contribution will be of ECU 26 001 from 1998. From this sum, an amount of ECU 1 701 will cover supplementary costs of an administrative nature related to the management of the programme by the Commission stemming from Hungary's participation.

5. Raphael

Hungary's annual contribution will be of ECU 112 324 from 1998. From this sum, an amount of ECU 7 348 will cover supplementary costs of an administrative nature related to the management of the programme by the Commission stemming from Hungary's participation.

6. The financial regulations applicable to the general budget of the Community will apply, notably to the management of the contribution of Hungary.

On entry into force of this Decision and at the beginning of each following year, the Commission will send to Hungary a call for funds corresponding to its contribution to the costs under this Decision.

This contribution will be expressed in ecus and paid into an ecu bank account of the Commission.

Hungary will pay its contribution to the annual costs under this Decision according to the call for funds and at the latest three months after the call for funds is sent. Any delay in the payment of the contribution shall give rise to the payment of interest by Hungary on the outstanding amount from the due date. The interest rate corresponds to the rate applied by the European Monetary Cooperation Fund, for the month of the due date, for its operations in ecus, increased by 1,5 percentage points.

7. Hungary will pay the supplementary costs of an administrative nature referred to in paragraphs 3, 4 and 5 from its national budget.

8. For the year 1998, Hungary will pay 50 % of the remaining cost of its participation in Kaleidoscope, Ariane and Raphael from its national budget, and 50 % from its PHARE national programme, subject to regular PHARE programming procedures.

For the year 1999, Hungary will pay 50 % of the remaining cost of its participation in Raphael from its national budget, and 50 % from its PHARE national programme, subject to regular PHARE programming procedures.

For the year 2000, Hungary's participation in Raphael, the same breakdown will prevail as for 1999, subject to the availability of the relevant budgetary appropriations in the Community and in Hungary.

DECISION No 6/98 OF THE ASSOCIATION COUNCIL

**between the European Communities and their Member States, of the one part,
and the Republic of Estonia, of the other part**

of 27 November 1998

**adopting the terms and conditions for the participation of the Republic of
Estonia in the Community programme in the field of health promotion, in-
formation, education and training**

(98/724/EC)

THE ASSOCIATION COUNCIL,

Having regard to the Europe Agreement establishing an association between the European Communities and their Member States, of the one part, and the Republic of Estonia, of the other part ⁽¹⁾, and in particular Article 108 thereof,

Whereas, according to Article 108 of the Europe Agreement, Estonia may participate in Community framework programmes, specific programmes, projects or other Community actions notably in the field of health;

Whereas, according to Article 108 of the said Europe Agreement, the terms and conditions for the participation of Estonia in the activities referred to in Article 108 are to be decided by the Association Council,

HAS DECIDED AS FOLLOWS:

Article 1

Estonia shall participate in the European Community programme Health promotion, information, education and training according to the terms and conditions set out

in Annexes I and II which shall form an integral part of this Decision.

Article 2

This Decision shall apply until 31 December 2000.

Article 3

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

Done at Brussels, 27 November 1998.

For the Association Council

The President

W. SCHÜSSEL

⁽¹⁾ OJ L 68, 9. 3. 1998, p. 3.

*ANNEX I***TERMS AND CONDITIONS FOR THE PARTICIPATION OF THE REPUBLIC OF ESTONIA
IN THE PROGRAMME HEALTH PROMOTION, INFORMATION, EDUCATION AND
TRAINING**

1. Estonia will participate in all activities of the Health promotion programme (hereinafter called 'the programme') in conformity, unless otherwise provided in the Decision, with the objectives, criteria, procedures and time limits laid down in Decision No 645/96/EC of the European Parliament and of the Council of 29 March 1996 adopting a programme of Community action on health promotion, information, education and training within the framework for action in the field of public health (1996 to 2000) ⁽¹⁾, and in particular Article 6(2) thereof.
2. The terms and conditions for the submission, assessment and selection of applications related to eligible institutions, organisations and individuals of Estonia shall be the same as those applicable to eligible institutions, organisations and individuals of the Community.
3. To ensure the Community dimension of the programme, transnational projects and activities proposed by Estonia will be required to include a minimum number of partners from the Member States of the Community. This minimum number will be decided in the framework of the implementation of the programme, taking into account the nature of the various activities, the number of partners in a given project and the number of countries participating in the programme.
4. Estonia will pay each year a contribution to the general budget of the European Communities to cover the costs resulting from its participation in the programme (see Annex II). The Association Committee is entitled to adapt this contribution whenever necessary.
5. The Member States of the Community and Estonia will make every effort, within the framework of the existing provisions to facilitate the free movement and residence of all eligible persons to the programmes moving between Estonia and the Member States of the Community for the purpose of participating in activities covered by the Decision.
6. Without prejudice to the responsibilities of the Commission and the Court of Auditors of the European Communities in relation to the monitoring and evaluation of the programme pursuant to the Decision concerning Health promotion (Article 7), the participation of Estonia in the programme will be continuously monitored on a partnership basis involving Estonia and the Commission of the European Communities. Estonia will submit the necessary reports to the Commission and take part in other specific activities set out by the Community in that context.
7. Without prejudice to the procedures referred to in Article 5 of the Decision on Health promotion, Estonia will be invited to any coordination meeting on any question concerning the implementation of this Decision prior to the regular meetings of the Programme Committee. The Commission will inform Estonia about the results of such regular meetings.
8. The language to be used as regards the application process, contracts, reports to be submitted and other administrative arrangements for the programme will be one of the official languages of the Community.

⁽¹⁾ OJ L 95, 16. 4. 1996, p. 1.

*ANNEX II***FINANCIAL CONTRIBUTION OF THE REPUBLIC OF ESTONIA TO HEALTH PROMOTION**

1. The financial contribution of Estonia will cover:
 - financial support from the programme to Estonian participants,
 - supplementary costs of an administrative nature related to the management of the programme by the Commission stemming from Estonia's participation.
2. For every financial year, the aggregated amount of subsidies or any other financial support received from the programme by the Estonian beneficiaries will not exceed the contribution paid by Estonia, after deduction of the supplementary administrative costs.

Should the contribution paid by Estonia to the general budget of the European Communities, after deduction of the supplementary administrative costs, be higher than the aggregated amount of subsidies or other financial support received by the Estonian beneficiaries from the programme, the Commission will transfer the balance to the next budgetary exercise, and it will be deducted from the following year's contribution. Should such a balance be left when the programme comes to an end, the corresponding amount will be reimbursed to Estonia.

3. Estonia's annual contribution to the Health promotion programme will be of ECU 21 400 from 1998. From this sum, an amount of ECU 1 400 will cover supplementary administrative costs related to the management of the programme by the Commission stemming from Estonia's participation.
4. The financial regulations applicable to the general budget of the Community will apply, notably to the management of the contribution of Estonia.

Upon entry into force of this Decision and at the beginning of each following year, the Commission will send to Estonia a call for funds corresponding to its contribution to the costs under this Decision.

This contribution will be expressed in ecus and paid into an ecu bank account of the Commission.

Estonia will pay its contribution to the annual costs under this Decision according to the call for funds and at the latest three months after the call for funds is sent. Any delay in the payment of the contribution shall give rise to the payment of interest by Estonia on the outstanding amount from the due date. The interest rate corresponds to the rate applied by the European Monetary Cooperation Fund, for the month of the due date, for its operations in ecus, increased by 1,5 percentage points.

5. Estonia will pay the supplementary costs of an administrative nature referred to in paragraph 3 from its national budget.
6. Estonia will pay 50 % of the remaining cost of its participation from its participation from its national budget.

Subject to regular PHARE programming procedures, the remaining 50 % will be paid from Estonia's annual PHARE allocation.
