ISSN 0378-6978

Official Journal

of the European Communities

L 168

Volume 41

13 June 1998

English edition

Legislation

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COUNCIL REGULATION (EC) No 1223/98

of 4 June 1998

amending Regulation (EEC) No 1408/71 on the application of social security schemes to employed persons, to self-employed persons and to members of their families moving within the Community and Regulation (EEC) No 574/72 laying down the procedure for implementing Regulation (EEC) No 1408/71

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty establishing the European Community, and in Articles 51 and 235 thereof,

Having regard to the proposal from the Commission [1], submitted following consultation of the Administrative Commission on Social Security for Migrant Workers,

Having regard to the opinion of the European Parliament [2],

Having regard to the opinion of the Economic and Social Committee [3],

(1) Whereas it is appropriate to make certain amendments to Council Regulation (EEC) No 1408/71 of 14 June 1971 on the application of social security schemes to employed persons, to self-employed persons and to members of their families moving within the Community [4] and to Council Regulation (EEC) No 574/72 of 21 March 1972 laying down the procedure for implementing Regulation (EEC) No 1408/71 on the application of social security schemes to employed persons, to self-employed persons and to members of their families moving within the Community [5]; whereas these amendments are linked to changes which Member States have made to their social security legislation;

(2) Whereas it is necessary to amend Articles 29 and 31 of Regulation (EEC) No 1408/71 and Articles 29, 30, 31, 93 and 95 of Regulation (EEC) No 574/72 following the amending of Articles 95 of Regulation (EEC) No 574/72 by Regulation (EC) No 3095/95 [6], which replaces lump-sum reimbursement per family by lump-sum reimbursement per person;

(3) Whereas it is necessary to amend paragraphs 1 and 2 of section 'G. IRELAND' of Part I of Annex I to Regulation (EEC) No 1408/71 to take account of changes to Irish social security and social services legislation;

(4) Whereas changes to Austrian legislation make it necessary to delete the reference to the childbirth allowance in section 'K. AUSTRIA' in Part II of Annex II to Regulation (EEC) No 1408/71;

(5) Whereas it would be appropriate to adapt sections 'G. IRELAND', 'H. ITALY', 'J. NETHERLANDS' and 'M. FINLAND' of Annex IIa to Regulation (EEC) No 1408/71 to take account of changes in Irish, Italian, Dutch and Finnish legislation;

(6) Whereas changes to Irish and Dutch legislation make it necessary to amend the references to legislation in Annex IV to Regulation (EEC) No 1408/71, section 'G. IRELAND' of Part A, section ' J. NETHERLANDS', subparagrah (b), of Part A, and paragraph 1(f) of Part D;

(7) Whereas it is necessary to delete paragraph 1 of section 'B. DENMARK' of Annex VI to Regulation (EEC) No 1408/71 to take account of the amending of Danish unemployment insurance legislation;

[1] OJ C 290, 24. 9. 1997, p. 28.
[2] OJ C 152, 18. 5. 1998.
[3] OJ C 73, 9. 3. 1998, p. 42.
[4] OJ L 149, 5. 7. 1971, p. 2. Regulation updated by Regulation (EC) No 118/97 (OJ L 28, 30. 1. 1997, p. 1) and last amended by Regulation (EC) No 1290/97 (OJ L 176, 4. 7. 1997, p. 1).
[5] OJ L 74, 27. 3. 1972, p. 1. Regulation updated by Regulation (EC) No 118/97 (OJ L 28 30. 1. 1997, p. 1) and last amended by Regulation (EC) No 1290/97 (OJ L 176, 4. 7. 1997, p. 1).
[6] OJ L 335, 30. 12. 1995, p. 1.

(8) Whereas it is necessary, pursuant to the case-law of the Court of Justice (in particular the judgment in Case C-251/94 Lafuente Nieto), to adapt paragraph 4(b) of section 'D. SPAIN' of Annex VI to Regulation (EEC) No 1408/71, in line with internal provisions, where the basic pension amount is calculated on the basis of past contributions;

(9) Whereas it is necessary to complete paragraph 7 of section 'E. FRANCE' of Annex VI to Regulation (EEC) No 1408/71 by a reference to the family allowance for the employment of a registered childminder;

(10) Whereas it is necessary to amend paragraph 5 of section 'G. IRELAND' of Annex VI to Regulation (EEC) No 1408/71 to take account of the method of calculating remuneration for the granting of sickness and unemployment benefits;

(11) Whereas changes to Dutch legislation relating to survivors and incapacity for work in respect of self-employed workers make it necessary to adapt section 'J. NETHERLANDS' of Annex VI to Regulation (EEC) No 1408/71;

(12) Whereas it is necessary to clarify the application of Finnish legislation on the national pension; whereas a new paragraph 4 must be added to section 'M. FINLAND' of Annex VI to Regulation (EEC) No 1408/71;

(13) Whereas administrative reorganisations in Denmark, Greece, Ireland, Italy, Luxembourg, the Netherlands, Austria and Finland make it necessary to adapt sections 'B. DENMARK' of Annexes 2, 3, 4 and 10, 'F. GREECE' of Annexes 1, 2 and 10, 'G. IRELAND' of Annexes 2, 3 and 4, 'H. ITALY ' of Annexes 2, 3 and 10, 'I. LUXEMBOURG' of Annex 10, 'J. NETHERLANDS' of Annexes 2, 3, 4 and 10, 'K. AUSTRIA' of Annexes 1, 2, 3, 4 and 10, 'M. FINLAND' of Annexes 2, 3, 4 and 10 to Regulation (EEC) No 574/72;

(14) Whereas it is necessary to adapt items '9. BELGIUM-NETHERLANDS', '77. ITALY-NETHERLANDS', '87. LUXEMBOURG-SWEDEN', '93. NETHERLANDS-UNITED KINGDOM' and '103. SWEDEN-UNITED KINGDOM' of Annex 5 to Regulation (EEC) No 574/72;

(15) Whereas it is necessary to amend section 'K. AUSTRIA' of Annex 9 to Regulation (EEC) No 574/72 to take account of the amending of Austrian legislation on sickness and maternity benefits;

(16) Whereas, in order to attain the objective of free movement for workers in the field of social security, it is necessary and appropriate to amend the rules relating to the coordination of national social security schemes through a Community legal instrument that is binding and directly applicable in each Member State;

(17) Whereas this is consistent with the provisions of the third paragraph of Article 3b of the Treaty,

HAS ADOPTED THIS REGULATION:

Article 1

Regulation (EEC) No 1408/71 shall be amended as follows:

1. Article 29(1)(a) shall be replaced by the following:

   '(a) benefits in kind shall be provided by the institution of the place of residence of the members of the family in accordance with the provisions of the legislation which that institution administers, the cost being borne by the institution determined in accordance with the provisions of Article 27 or Article 28(2); if the place of residence is situated in the competent Member State, benefits in kind shall be provided, and the cost borne, by the competent institution;'.

2. In Article 31(a), the words 'the institution of the pensioner's place of residence' shall be replaced by 'the institution of the place of residence of the pensioner or the members of his family;'.

3. In Annex I, Part I, section 'G. IRELAND':

   (a) in paragraph 1, the words 'Section 5 and 37 of the Social Welfare (Consolidation) Act 1981' shall be replaced by 'Sections 9, 21 and 49 of the Social Welfare (Consolidation) Act 1993';

   (b) in paragraph 2, the words 'Section 17A of the Social Welfare (Consolidation) Act 1981' shall be replaced by 'Sections 17 and 21 of the Social Welfare (Consolidation) Act 1993'.

4. In Annex II, Part II, section 'K. AUSTRIA' shall be replaced as follows:

'K. AUSTRIA

None'.

5. Annex IIa shall be amended as follows:

(a) in section 'B. DENMARK', a new point shall be added as follows:

'(c) The temporary benefit for unemployed persons who have been taken on in a "flexible job" for 12 months (ledighedsydelse) (Law No 455 of 10 June 1997)';

(b) in section 'F. GREECE', points (d), (e), (g), (h) and (i) shall be replaced by the following:

'(d) allowance for persons suffering from congenital haemolytic anaemia (Law 2362/1995; common ministerial order G4a/F.167/2073/82 and common ministerial order P47/F.222/225 oik. 4711/94);

(e) allowance for the deaf and dumb (Exceptional law 421/37; common ministerial order D 8b 423/73, common ministerial order G4/F/11.2/oik. 1929/82 and common ministerial order G4/F.422/oik. 1142/85);

(g) allowance for spasmophiliacs (Decree-law 162/73; common ministerial order G4a/F.224/oik. 1434/84);

(h) allowance for persons suffering form a serious mental disability (Decree-law 162/73; common ministerial order G4/F.12/oik. 1930/82, common ministerial order G4b/F.423/oik. 1167/84 and common ministerial order G4b/F.423/oik.82/oik. 529/85);

(i) allowance for the blind (Law 958/79)';

(c) in section 'G. IRELAND', subparagraphs (a) to (g) shall be replaced as follows:

'(a) unemployment assistance (Social Welfare (Consolidation) Act 1993, Part III, Chapter 2);

(b) old age and blind pensions (non-contributory) (Social Welfare (Consolidation) Act 1993, Part III, Chapters 4 and 5);

(c) widow's (non-contributrory) pension, widower's (non-contributory) pension and orphan's (non-contributory) pension. (Social Welfare (Consolidation) Act 1993, Part III, Chapter 6 as amended by Part V of the Social Welfare Act 1997);

(d) one-parent family payment (Social Welfare (Consolidation) Act 1993, Part III, Chapter 9);

(e) carer's allowance (Social Welfare (consolidation) Act 1993, Part III, Chapter 10);

(f) family income supplement (Social Welfare (Consolidation) Act 1993, Part V);

(g) disability allowance (Social Welfare Act 1996, Part IV).';

(d) the following subparagraph shall be added to section 'H. ITALY':

'(h) social allowance (Law No 335 of 8 August 1995)';

(e) in section 'J. NETHERLANDS', the word 'None' shall be replaced as follows:

'incapacity benefits for disabled young people (Law of 24 April 1997)';

(f) in section 'M. FINLAND', subparagraph (d) shall be replaced as follows:

'(d) labour market support (Labour Market Support Act 1542/93)'.

6. Annex III shall be amended as follows:

(a) in Part A, item '98. AUSTRIA-SWEDEN' shall be replaced as follows:

'98. AUSTRIA-SWEDEN

Convention on social security of 21 March 1996';

(b) in Part B, item '98. AUSTRIA-SWEDEN' shall be replaced as follows:

'98. AUSTRIA-SWEDEN

Article 5 of the Convention on social security of 21 March 1996'.

7. Annex IV shall be amended as follows:

(a) in part A, the text of section 'G. IRELAND' shall be replaced as follows:

'G. IRELAND

Part II, Chapter 15, of the Social Welfare (Consolidation) Act 1993';

(b) in part A, section 'J. NETHERLANDS' subparagraph (b) shall be replaced as follows:

'(b) Law of 24 April 1997 on insurance against incapacity for work by self-employed persons (WAZ), as amended';

(c) in part C, the text of 'G. IRELAND' shall be replaced as follows:

'G. IRELAND

All applications for retirement pensions, old age (contributory) pensions, widow's (contributory) pension and widower's (contributory) pension';

(d) in part D, paragraph 1(f) shall be replaced as follows:

'(f) the Netherlands survivors' pension under the Law of 21 December 1995 on general insurance for surviving dependants'.

8. Annex VI shall be amended as follows:

(a) in section 'B. DENMARK', paragraph 1 shall be deleted;

(b) in section 'D. SPAIN', paragraph 4(b) shall be replaced as follows:

'(b) the amount of the pension obtained shall be increased by the amount of the increases and revalorisations calculated for each subsequent year, for pensions of the same nature';

(c) paragraph 7 of section 'E. FRANCE' shall be replaced as follows:

'7. Notwithstanding Articles 73 and 74 of the Regulation, the housing allowances, the home childcare allowance, the family allowance for the employment of a registered child-minder and the parental child-rearing allowance shall be granted only to persons concerned and to members of their families residing in French territory';

(d) paragraph 5 of section 'G. IRELAND' shall be replaced as follows:

'5. For the purpose of calculating the earnings for the granting of sickness benefit or unemployment benefit under Irish legislation, an amount equal to the average weekly wage in that year, of male and female employed persons, as applicable, shall, notwithstanding Articles 23(1) and 68(1) of the Regulation, be credited to the employed person in respect of each week of employment completed as an employed person under the legislation of another Member State during the prescribed period';

(e) in section 'J. NETHERLANDS':

(1) in paragraph 2(f):

(i) the first paragraph shall be replaced as follows:

'(f) by way of derogation from the provisions of Article 45(1) of the law on general old-age insurance (AOW) and Article 63(1) of the general law on insurance for surviving dependants (ANW), the spouse of an employed person or of a self-employed person covered by a compulsory insurance scheme, residing in a Member State other than the Netherlands, shall be authorised to take out voluntary insurance under that legislation, but only for the periods after 2 August 1989 during which the employed person or self-employed person is or was compulsorily insured under the abovementioned legislation. This authorisation ceases on the date of termination of the compulsory insurance of the employed person or self-employed person';

(ii) in the second, fourth and fifth paragraphs the words 'general legislation on insurance for widows and orphans' shall be replaced by 'general law on insurance for surviving dependants';

(2) in paragraph 3:

(i) the following heading shall be added:

'3. *Application of the Netherlands general law on insurance for surviving dependants;*

(ii) Subparagraph (a) shall be replaced as follows:

'(a) any employed person or self-employed person who is no longer subject to Dutch legislation on general insurance for surviving dependants shall be deemed to be insured under such legislation when the risk materialises, for the purposes of the implementation of the provisions of Chapter III of Title III of the

Regulation, if that person is insured under the legislation of another Member State for the same risk or, failing that, in the case where a survivor's benefit is due pursuant to the legislation of another Member State. The latter condition shall be deemed to have been fulfilled, however, in the case referred to in Article 48(1)';

(iii) the first paragraph of subparagraph (b) shall be replaced as follows:

'(b) where, pursuant to subparagraph (a), a widow has the right to a widow's pension under Dutch legislation on general insurance for surviving dependants, that pension shall be calculated in accordance with Article 46(2) of the Regulation';

(iv) subparagraph (d) shall be replaced as follows:

'(d) for the purposes of Article 46(2) of the Regulation, only periods of insurance completed after the age of 15 years under Dutch legislation shall be taken into account as periods of insurance';

(3) in paragraph 4:

(i) the following heading shall be added:

'4. *Application of the Netherlands laws relating to incapacity for work';*

(ii) in subparagraph (a), the following shall be inserted after 'Law of 11 December 1975 relating to incapacity for work (AAW)': 'and the Law of 24 April 1997 on insurance against incapacity for work by self-employed persons';

(iii) in subparagraph (b)(ii):

— the words 'Law of 11 December 1975 (AAW)' shall be replaced by: 'Law of 24 April 1997 on insurance against incapacity for work by self-employed persons',

— the sentence: 'If the amount of the benefit calculated pursuant to the provisions of (i) is less than that resulting from application of the provisions of (ii), the last mentioned benefit shall be payable' shall be deleted;

(iv) in subparagraph (c):

— in the first paragraph, the words 'abovementioned law of 11 December 1975 (AWW)' shall be replaced by: 'Law of 24 April 1997 on insurance against incapacity for work by self-employed persons',

— after the third indent a fourth indent shall be added, as follows:

'— periods of insurance completed in accordance with the Law of 24 April 1997 on insurance against incapacity for work for self-employed persons (WAZ)';

(f) in section 'K. AUSTRIA', a new paragraph shall be added as follows:

'5. The provisions of Article 22(1)(a) of the Regulation shall also apply to persons with sickness insurance coverage under an Austrian law on protection for special victims (Versorgungsgesetze)';

(g) the following new paragraph shall be added to section 'M. FINLAND':

'4. An employed or self-employed person who is no longer insured under the National Pensions scheme is regarded, when applying the provisions of Title III, Chapter 3 of this Regulation, as retaining the status of an insured person if, when the risk materialises, he or she was insured under the legislation of another Member State or, if this was not the case, he or she is entitled, in respect of the same risk, to a pension under the legislation of another Member State. However, the latter requirement is deemed to have been fulfilled in the case referred to in Article 48(1)'.

Article 2

Regulation (EEC) No 574/72 shall be amended as follows:

1. Article 29 shall be amended as follows:

(a) in paragraph 1, the words 'residing in the same Member State' shall be added after 'a pensioner and the members of his family';

(b) in paragraphs 2 and 5, the words 'residing in the same Member State' shall be added after 'members of his family'.

2. Article 30 shall be amended as follows:

(a) in the heading, the words 'outside the competent Member State' shall be inserted after 'who are resident';

(b) paragraph 1 shall be amended as follows:

— the second sentence shall be replaced by the following:

'This certified statement, which shall be issued by the institution or by one of the institutions responsible for paying the pension, or, where applicable, the institution empowered to decide on entitlement to benefits in kind, shall remain valid as long as the institution of the place of residence of the members of the family has not been notified of its cancellation',

— the following sentence shall be inserted after the second sentence:

'If the members of the family do not present a certified statement, the institution of the place of residence shall, in order to obtain it, contact the institution or institutions responsible for paying the pension or, where applicable, the institution empowered to do so';

(c) paragraph 3 shall be replaced by the following:

'3. The institution which has issued the certified statement referred to in paragraph 1 shall inform the institution of the place of residence of the members of the family of the suspension or withdrawal of the pension. The institution of the place of residence of the members of the family may, at any time, request the institution which has issued the certified statement to supply it with any information related to entitlement to benefits in kind';

(d) the following paragraph shall be added after paragraph 4:

'5. The institution of the place of residence shall inform the institution which issued the statement referred to in paragraph 1 of any registration it has carried out, in accordance with the provisions of that paragraph'.

3. In Article 31 the following sentence shall be added at the end of paragraph 3:

'If the latter reside in the territory of a Member State other than that of the pensioner, the certified statement provided for in paragraph 1 shall be issued by the institution of their place of residence, which, for the purposes of paragraph 2, shall be considered to be the competent institution'.

4. In Article 93(1) and (2), the words 'Article 29(1)' shall be deleted.

5. Article 95 shall be amended as follows:

(a) in paragraph 1, the words 'and Article 29(1)' shall be added after 'Articles 28(1) and 28(a)';

(b) in paragraph 3(b), the words 'pensioners and members of their family referred to in Article 28(2)' shall be replaced by 'pensioners, and/or members of their family, referred to in Article 28(2) or Article 29(1)'.

6. Annex 1 shall be amended as follows:

(a) the following paragraphs are added to section 'F. GREECE':

'4. Υπουργός Εθνικής Αμύνης (Ministry of National Defence, Athens)

5. Υπουργός Εθνικής Παιδείας και Θρησκευμάτων (Minister for Education and Religious Affairs, Athens)';

(b) in section 'G. IRELAND,' paragraph 1 shall be replaced by the following:

'1. Minister for Social, Community and Family Affairs, Dublin';

(c) section 'K. AUSTRIA' shall be replaced as follows:

'K. AUSTRIA	1. Bundesminister für Arbeit, Gesundheit und Soziales (Federal Minister for Labour, Health and Social Affairs), Wien
	2. Bundesminister für Umwelt, Jugend und Familie (Federal Minister for the Environment, Youth and the Family), Wien'.

7. Annex 2 shall be amended as follows:

(a) in section 'B. DENMARK', paragraphs 2(a) and 3(a), the words 'Direktoratet for Social Sikring og Bistand (National Office for Social Security and Welfare), København' in the right-hand column shall be replaced by:

'Den Sociale Sikringsstyrelse (Social Security Administration), København'.

(b) in section 'F. GREECE':

(1) in items 1 to 6, subparagraphs (i), (ii) and (iii) shall be renumbered (a), (b) and (c) respectively;

(2) the following subparagraphs shall be inserted into item 1:

'(d) special scheme for public service employees:

(i) civil servants:	Υπουργείο Υγείας και Πρόνοιας, Αθήνα (Ministry of Health and Welfare, Athens)
(ii) local government employees:	Ταμείο Υγείας Δημοτικών και Κοινοτικών Υπαλλήλων (ΤΥΔΚΥ) Αθήνα (Health Fund for Employees of Municipalities and Communities, TYDKY, Athens)
(iii) military personnel on active service:	Υπουργείο Εθνικής Αμύνης, Αθήνα (Ministry of National Defence, Athens)
(iv) military personnel on active service in the Harbour Guard:	Υπουργείο Εμπορικής Ναυτιλίας, (Ministry of the Merchant Navy, Piraeus).
(e) Special car scheme for higher and technological institutions' students:	Ειδικό σύστημα περίθαλψης φοιτητών και σπουδαστών ΑΕΙ και ΤΕΙ. The higher and technological institution (AEI and TEI) on a case-by-case basis';

(c) in section 'G. IRELAND', in paragraph 2, the current text shall be replaced by the following:

'2. **Cash benefits:**

(a) Unemployment benefits:	Department of Social, Community and Family Affairs, Dublin, including the provincial offices responsible for unemployment benefits
(b) Old-age and death (pensions):	Department of Social, Community and Family Affairs, Pension Services Office, Sligo
(c) Family benefits:	Department of Social, Community and Family Affairs, Child Benefit Section, St. Oliver Plunkett Road, Letterkenny, Co. Donegal
(d) Invalidity benefits and maternity benefits:	Department of Social, Community and Family Affairs, Social Welfare Services Office, Longford
(e) Other cash benefits:	Department of Social, Community and Family Affairs, Dublin';

(d) in section 'H. ITALY':

(1) in paragraph 1.A, subparagraphs (b)(ii) and (c)(ii), the words 'Cassa marittima (the maritime fund with which the person concerned is registered)' in the right-hand column shall be replaced by:

'IPSEMA (Istituto di previdenza del settore maritimo — Social Welfare Institution in the maritime sector)';

(2) in paragraph 2.A, subparagraphs (b)(ii) and (c)(ii), the words 'Cassa marittima (the maritime fund with which the person concerned is registered)' in the right-hand column are replaced by:

'IPSEMA (Istituto di previdenza del settore marittimo — Social Welfare Institution in the maritime sector)';

(3) in paragraph 3.B, subparagraph (d) shall be deleted;

(4) in paragraph 4, the words 'Cassa marittima (the maritime fund with which the person concerned is registered)' in the right-hand column shall be replaced by:

'IPSEMA (Istituto di previdenza del settore marittimo — Social Welfare Institution in the maritime sector)';

(e) in section 'J. NETHERLANDS':

(1) in paragraphs 1(b), 2(a)(i) and 4, the words 'Bedrijfsvereniging (Professional and Trade Association) with which the insured person's employer is insured' shall be replaced by:

'Landelijk Instituut Sociale Verzekeringen (National Social Security Institution) via the agency with which the insured person's employer is registered';

(2) in paragraph 2(a)(ii), the words 'Bedrijfsvereniging (Professional and Trade Association) with which the insured person would be insured if he had personnel in his employ' shall be replaced by:

'Landelijk Instituut Sociale Verzekeringen (National Social Security Institution) via the agency with which the insured person would be registered if he had personnel in his employ';

3. in paragraphs 2(b) and 6(b), the words 'Nieuwe Algemene Bedrijfsvereniging (New General Professional and Trade Association), Amsterdam' shall be replaced by:

'Landelijk Instituut Sociale Verzekeringen (National Social Security Institution) via GAK Nederland BV, Amsterdam';

(f) in section 'K. AUSTRIA' paragraph 4 shall be replaced as follows:

'4. **Family benefits:**

(a) Family benefits with the exception of Karenzgeld (parental leave allowance):	Finanzamt (Tax Office)
(b) Karenzgeld (parental leave allowance):	Gebietskrankenkasse (Regional Health Insurance Fund) responsible for the place of residence or place of stay of the person concerned';

(g) in section 'M. FINLAND':

(1) Paragraph 1(b) shall be amended as follows:

(i) a new subparagraph shall be inserted, as follows:

'(ii) social insurance institution rehabilitation:	Kansaneläkelaitos/Folkpensionsanstalten (Social Insurance Institution), Helsinki';

(ii) the present paragraph 1(b)(ii), shall become paragraph 1(b)(iii);

(2) in paragraph 4, in the right-hand column, the words 'Kansaneläkelaitos/Folkpensionsanstalten (Social Insurance Institution), Helsinki, or' shall be deleted;

(3) in paragraph 5(a), in the right-hand column, between the words 'Kansaneläkelaitos/Folkpensionsanstalten (Social Insurance Institution), Helsinki' and the word 'or', the following shall be added:

'and Ahvenanmaan maakunnan työvoimatoimikunta/Arbetskraftskommissionen i landskapet Åland (Employment Commission in the Province of Åland)';

(4) a new paragraph shall be added, as follows:

'7. **Special non-contributory benefits:**	Kansaneläkelaitos/Folkpensionsanstalten (Social Insurance Institution), Helsinki';

8. Annex 3 shall be amended as follows:

(a) in section 'B. DENMARK', part 'I. INSTITUTIONS OF THE PLACE OF RESIDENCE', subparagraphs (b) and (c), the words 'Direktoratet for Social Sikring og Bistand, (National Office for Social Security and Welfare), København' in the right-hand column shall be replaced by:

'Den Sociale Sikringsstyrelse (Social Security Department) København';

(b) in section 'G. IRELAND' in paragraph 2, the current text shall be replaced by the following:

'2. **Cash benefits:**

(a) Unemployment benefits:	Department of Social, Community and Family Affairs, Dublin including the provincial offices responsible for unemployment benefits
(b) Old-age and death (pensions):	Department of Social, Community and Family Affairs, Pension Services Office, Sligo
(c) Family benefits:	Department of Social, Community and Family Affairs, Child Benefit Section, St Olivier Plunkett Road, Letterkenny, Co. Donegal
(d) Invalidity benefits and maternity benefits:	Department of Social, Community and Family Affairs, Social Welfare Services Office, Longford
(e) Other cash benefits:	Department of Social, Community and Family Affairs Dublin';

(c) in section 'H. ITALY':

(1) in paragraph 1.A, subparagraph (b)(ii), in the right-hand column, the words 'Cassa marittima competetente per territorio (the maritime fund responsible for the area)' shall be replaced by:

'IPSEMA (Istituto di previdenza del settore marittimo — Social Welfare Institution in the maritime sector)';

(2) in paragraph 3.B, subparagraph (d) shall be deleted;

(d) in section 'J. NETHERLANDS':

1. in paragraphs 1(b), 2(b) and 4, in the right-hand column, the words 'Nieuwe Algemene Bedrijfsvereniging (New General Professional and Trade Association) Amsterdam' shall be replaced by:

'Landelijk Instituut Sociale Verzekeringen (National Social Security Institution) via GAK Netherlands BV, Amsterdam';

2. in paragraph 2(a), in the right-hand column, the words 'Bedrijfsvereniging (Professional and Trade Association)' shall be replaced by:

'Landelijk Instituut Sociale Verzekeringen (National Social Security Institution) via GAK Netherlands BV, Amsterdam';

(e) in section 'K. AUSTRIA':

(1) paragraph 1 shall be replaced as follows:

'1. **Sickness insurance:**

(a) for the application of:

(i) Article 27 of the Regulation:	the competent institution
(ii) Article 31 of the Regulation and Article 31(1) of the implementing Regulation in relation to the institution of the place of residence of a pensioner mentioned in Article 27 of the Regulation:	the competent institution
(iii) Article 31 of the Regulation and Article 31(1) of the implementing Regulation in relations to the institution of the place of residence of member of the family living in the competent State:	the competent institution

(b) in all other cases:	the Gebietskrankenkasse (Regional Health Insurance Fund) competent for the place of residence or place of stay of the person concerned or, in the event of treatment in a hospital or clinic for which a Landesfonds (*Land* fund) is responsible, the Landesfonds competent for the place of residence or place of stay of the person concerned';

(2) in paragraph 3(a), the text of the right-hand column shall be replaced by:

'Gebietskrankenkasse (Regional Health Insurance Fund) competent for the place of residence or place of stay of the person concerned or, in the event of treatment at a hospital or clinic for which a Landesfonds (*Land* fund) is responsible, the Landesfonds competent for the place of residence or place of stay of the person concerned or the Allgemeine Unfallversicherungsanstalt (General Accident Insurance Institution), Wien, which may also grant benefits';

(3) paragraph 5 shall be replaced as follows:

'5. **Family benefits**

(a) Family benefits with the exception of Karenzgeld (parental leave allowance):	Finanzamt (Tax Office) competent for the place of residence or place of stay of the person concerned
(b) Karenzgeld (parental leave allowance):	Gebietskrankenkasse (Regional Health Insurance Fund) competent for the place of residence or place of stay of the person concerned';

(f) in section 'M. FINLAND':

(1) paragraph 1(b)(i) shall be replaced as follows:

'(i) Health insurance reimbursements and social insurance institution rehabilitation:	Kansaneläkelaitos/Folkpensionsanstalten (Social Insurance Institution)';

(2) paragraph 3 shall be replaced as follows:

'3. **Industrial accidents and occupational diseases**	Tapaturmavakuutuslaitosten: liitto/ Olycksfallsförsäkringsanstalternas förbund (Federation of Accident Insurance Institutions), Helsinki';

(3) in paragraphs 1(a), 2(a), 4(a) and (b)(i) and 5, in the right-hand column, the word 'Helsinki' after the name of the institution shall be deleted.

9. Annex 4 shall be amended as follows:

(a) in section 'B. DENMARK', paragraphs 1(b), 2, 3 and 5, the words 'Direktoratet for Social Sikring og Bistand (National Office for Social Security and Welfare), København' in the right-hand column shall be replaced by:

'Den Sociale Sikringsstyrelse (Social Security Directorate), København';

(b) in section 'G. IRELAND' paragraph 2, the existing text shall be replaced by the following:

'2. **Cash benefits**

(a) Old-age and death (pensions):	Department of Social, Community and Family Affairs, Pension Services Office, Sligo
(b) Family benefits:	Department of Social, Community and Family Affairs, Child Benefit Section, St Oliver Plunkett Road, Letterkenny, Co. Donegal
(c) Invalidity benefits and maternity benefits:	Department of Social, Community and Family Affairs, Social Welfare Services Office, Longford

(d) Other cash benefits:	Department of Social, Community and Family Affairs, Dublin';

(c) in section 'J. NETHERLANDS' paragraph 1(b), in the right-column, the words 'Algemene Bedrijfsvereniging, (New General Professional and Trade Association), Amsterdam' shall be replaced as follows:

'Landelijk Instituut Sociale Verzekeringen (National Social Security Institution) via GAK Nederland BV, Amsterdam';

(d) in section 'K. AUSTRIA':

(1) the text of paragraph 2 shall be replaced as follows:

'2. **Unemployment insurance**	Landesgeschäftsstelle Wien des Arbeitsmarktservice, Wien (Regional Office of the Labour-Market Service, Vienna)';

(2) the text of paragraph 3. '**Family benefits**', shall be replaced as follows:

'3. **Family benefits**

(a) Family benefits with the exception of Karenzgeld (parental leave allowance):	Bundesministerium für Umwelt, Jugend und Familie, Wien (Federal Ministry of the Environment, Youth and the Family, Vienna);
(b) Karenzgeld (parental leave allowance):	Bundesministerium für Arbeit, Gesundheit und Soziales (Federal Ministry of Labour, Health and Social Affairs), section III, Wien';

(e) in section 'M. FINLAND':

(1) in paragraph 1, the words '**death grants**' in the left-hand column shall be replaced by '**employment pensions**';

(2) paragraph 2 shall be deleted.

10. Annex 5 shall be amended as follows:

(a) in section '9. BELGIUM-NETHERLANDS' subparagraph (a) shall be deleted, and subparagraph (b), (c), and (d) shall become subparagraphs (a), (b) and (c) respectively;

(b) in section '77. ITALY-NETHERLANDS' the following subparagraph (c) shall be added:

'(c) the Agreement of 24 December 1996/27 February 1997 on Article 36(3) and Article 63(3) of the Regulation';

(c) section '87. LUXEMBOURG-SWEDEN' shall de replaced by:

'87. LUXEMBOURG-SWEDEN

Arrangement of 27 November 1996 on the reimbursement of expenditure in the field of social security';

(d) in section '93. NETHERLANDS-UNITED KINGDOM' subparagraph (b) and (c) shall be deleted, and subparagraph (d) shall become subparagraph (b);

(e) section '103. SWEDEN-UNITED KINGDOM' shall be replaced by:

'103. SWEDEN-UNITED KINGDOM

The arrangement of 15 April 1997 concerning Article 36(3) and Article 63(3) of the Regulation (reimbursement or waiving of reimbursement of the cost of benefits in kind) and Article 105(2) of the implementing Regulation (waiving of refunds of the costs of administrative checks and medical examinations)'.

11. In Annex 9, section 'K. AUSTRIA' shall be replaced by the following:

'K. AUSTRIA

The average annual cost of benefits in kind shall be calculated by taking into consideration the benefits provided by the Gebietskrankenkassen (Regional Health Insurance Funds) and the Landesfonds (bodies responsible for hospital treatment at *Land* level)'.

12. Annex 10 shall be amended as follows:

(a) in section 'B. DENMARK':

(1) in paragraphs 1, 2, 3 and 7(b), in the right-hand column, the words 'Direktoratet for Social Sikring og Bistand (National Office for Social and Welfare), København' shall be replaced by:

'Den Sociale Sikringsstyrelse (Social Security Directorate), København';

(2) paragraph 2, left-hand column, shall be replaced by the following:

'2. For the purposes of Articles 14(1)(b) and (2)(a), 14a(1)(b) and 14b(1) and (2) of the Regulation:';

3. paragraph 5 shall be replaced by the following:

'5. For the purposes of applying Articles 80(2), 81 and 84(2) of the implementing Regulation:	The unemployment insurance fund the person was most recently affiliated to. The Direktoratet for Arbejdsløshedsforsikringen (National Office for Insurance against Unemployment), København, if the person has not been affiliated to an unemployment insurance fund';

(b) in section 'E. FRANCE', paragraph 5 shall be replaced by the following:

'5. For the purposes of applying Articles 14(1)(b), 14a(1)(b) and 17 of the Regulation:	
(i) in general:	Centre de sécurité sociale des travailleurs migrants (Social Security Centre for Migrant Workers)
(ii) agricultural schemes (employed and self-employed persons):	Ministère de l'agriculture (Ministry of Agriculture), Paris';

(c) in section 'F. GREECE' paragraph 7(c) shall be replaced as follows:

'(c) Other benefits:	
(i) for the employed, self-employed and local government employees:	Ίδρυμα Κοινωνικών Ασφαλίσεων (Social Insurance Institute, Athens)
(ii) for civil servants:	Υπουργείο Υγείας και Πρόνοιας, Αθήνα (Ministry of Health and Welfare, Athens)
(iii) for military personnel on active service:	Υπουργείο Εθνικής Αμύνης, Αθήνα (Ministry of National Defence, Athens)
(iv) for military personnel on active service in the Harbour Guard:	Υπουργείο Εμπορικής Ναυτιλίας, Πειραιάς (Ministry of the Merchant Navy, Piraeus)
(v) for AEI and TEI students:	Υπουργείο Εθνικής Παιδείας και Θρησκευμάτων, Αθήνα (Ministry of Education and Religious Affairs, Athens)';

(d) in section 'G. IRELAND' in paragraphs 1, 2, 3(b) and 4(a), the words 'Department of Social Welfare, Dublin' in the right hand column shall be replaced by:

'Department of Social, Community and Family Affairs, Dublin';

(e) in section 'H. ITALY' paragraph 3, the text in both columns of the fourth entry entitled 'for midwives' shall be deleted;

(f) in paragraph 3 of section 'I. LUXEMBOURG', in the right-hand column, the words 'Inspection générale de la sécurité sociale (General Inspectorate for Social Security), Luxembourg' shall be replaced by:

'Centre commun de la sécurité sociale (Joint Social Security Centre), Luxembourg';

(g) in section 'J. NETHERLANDS':

(1) in paragraph 3, the words 'Nieuwe Algemene Bedrijfsverenigning (New General Professional and Trade Association), Amsterdam' in the right-hand column shall be replaced as follows:

'Landelijk Instituut Sociale Verzekeringen (National Social Security Institution) via GAK Nederland BV, Amsterdam';

(2) in paragraph 4(b), the words 'Algemeen Werkloosheidsfonds (General Unemployment Fund), Zoetermeer', in the right-hand column, shall be replaced by:

'Landelijk Instituut Sociale Verzekeringen (National Social Security Institution) via GAK Nederland BV, Amsterdam';

(h) in section 'K. AUSTRIA':

(1) paragraphs 1 to 3 shall be replaced by:

'1. For the purpose of applying Articles 14(1)(b), 14a(1)(b) and 17 of the Regulation:	Bundesminister für Arbeit, Gesundheit und Soziales (Federal Minister for Labour, Health and Social Affairs), Wien, in agreement with the Bundesminister für Umwelt, Jugend und Familie (Federal Minister for the Environment, Youth and the Family), Wien
2. For the purpose of applying Articles 11, 11a, 12a, 13 and 14 of the implementing Regulation:	
(a) When the person concerned is subject to Austrian legislation:	the competent sickness insurance scheme
(b) In all other cases:	Hauptverband der österreichischen Versicherungsträger (Central Association of Austrian Social Insurance Institutions), Wien
3. For the application of Article 14d(3) of the Regulation:	the competent institution';

(2) paragraph 6 shall be replaced by:

'6. For the purpose of applying Articles 85(2) and 86(2) of the implementing Regulation in relation to Karenzgeld (parental leave allowance):	Gebietskrankenkasse (Regional Health Insurance Fund) competent for the last place of residence or stay of the person concerned';

(i) in section 'M. FINLAND':

(1) paragraph 5 shall be replaced by the following:

'5. For the purpose of applying Article 41 of the implementing Regulation:	Eläketurvakeskus/Pensionsskyddscentralen (Central Pension Security Institute), Helsinki';

(2) paragraph 6 shall be deleted.

13. In Annex 11, section 'F. GREECE', entries 1, 2, 3 and 4 shall be deleted.

Article 3

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

2. Article 1(7)(d), (8)(e)(1), and (8)(e)(2)(i) to (iv) shall apply with effect from 1 July 1996.

3. Article 2(7)(e), (8)(d), (9)(c) and (12)(g), shall apply with effect from 1 March 1997.

4. Article 1(5)(e), (7)(b) and (8)(e)(3)(ii) to (iv), shall apply with effect from 1 January 1998.

5. Article 1(1) and (2), and Article 2(1) to (5) shall apply with effect from 1 January 1998, but in relation to the French Republic from 1 January 2002.

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

Done at Luxembourg, 4 June 1998.

For the Council

The President

D. BLUNKETT

COUNCIL REGULATION (EC) No 1224/98

of 8 June 1998

amending Regulation (EC) No 56/98 laying down, for 1998, certain measures for the conservation and management of fishery resources applicable to vessels flying the flag of Lithuania

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty establishing the European Community,

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

Having regard to the proposal from the Commission,

Whereas, in accordance with the procedure provided for in the Agreement on fisheries relations between the European Community and the Republic of Lithuania [2], and in particular Articles 3 and 6 thereof, the Community and Lithuania have held consultations concerning their mutual fishing rights for 1998 and the management of common living resources;

Whereas Regulation (EC) No 56/98 [3] allocates, for 1998, certain catch quotas in Community waters to vessels flying the flag of Lithuania and the conditions under which they can be fished;

Whereas the Parties have had further consultations on licensing conditions for Lithuanian vessels, fishing in Community waters;

Whereas these consultations have been concluded and, as a result, the maximum number of Lithuanian transport refrigerator vessels has been increased;

Whereas Regulation (EC) No 56/98 should therefore be amended accordingly,

HAS ADOPTED THIS REGULATION:

Article 1

Annex I to Regulation (EC) No 56/98 is hereby replaced by the Annex to this Regulation.

Article 2

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

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

Done at Luxembourg, 8 June 1998.

For the Council

The President

J. CUNNINGHAM

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[1] OJ L 389, 31. 12. 1992, p. 1. Regulation as amended by the 1994 Act of Accession.
[2] OJ L 332, 20. 12. 1996, p. 7.
[3] OJ L 12, 19. 1. 1998, p. 95.

ANNEX

'ANNEX I

Lithuanian catch quotas and licences for 1998

Fishing zone of the Member States of the Community

Species	Area within which fishing is authorised	Quantity (tonnes)	Number of licences (3)
Cod	ICES III(d) (1)	1 350	70 (50)
Herring	ICES III(d) (1)	500	
Sprat	ICES III(d) (1)	4 000	
Salmon	ICES III(d) (1)	500 (2)	

(1) Beyond 12 nautical miles from the baselines from which the territorial sea is measured and south of 59° 30′ North.

(2) Number of individual fish.

(3) The number of licences and special fishing permits valid at any given time is mentioned between brackets. In addition, a maximum of five transport refrigerator vessels will be authorised in the herring and sprat fisheries, but no more than four vessels will be authorised at any given time.'

COMMISSION REGULATION (EC) No 1225/98

of 12 June 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 2375/96 [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 13 June 1998.

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

Done at Brussels, 12 June 1998.

For the Commission
Franz FISCHLER
Member of the Commission

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[1] OJ L 337, 24. 12. 1994, p. 66.
[2] OJ L 325, 14. 12. 1996, p. 5.
[3] OJ L 387, 31. 12. 1992, p. 1.
[4] OJ L 22, 31. 1. 1995, p. 1.

ANNEX

to the Commission Regulation of 12 June 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
0707 00 05	052	86,9
	999	86,9
0709 90 70	052	61,8
	999	61,8
0805 30 10	378	60,7
	382	61,8
	388	60,4
	528	55,2
	999	59,5
0808 10 20, 0808 10 50, 0808 10 90	388	68,8
	400	90,2
	404	89,7
	508	95,8
	512	75,0
	524	55,9
	528	63,2
	800	188,8
	804	113,7
	999	93,5
0809 10 00	052	180,0
	999	180,0
0809 20 95	052	274,2
	068	211,3
	616	204,4
	999	230,0

(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 1226/98

of 12 June 1998

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

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EC) No 3072/95 of 22 December 1995 on the common organization of the market in rice [1], as amended by Regulation (EC) No 192/98 [2], and in particular Article 10 (1) thereof,

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

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

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

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

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

HAS ADOPTED THIS REGULATION:

Article 1

No action shall be taken on the tenders submitted from 8 to 11 June 1998 in response to the invitation to tender referred to in Regulation (EC) No 2094/97 for the subsidy on exports to Réunion of husked long grain rice falling within CN code 1 006 20 98.

Article 2

This Regulation shall enter into force on 13 June 1998.

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

Done at Brussels, 12 June 1998.

For the Commission
Franz FISCHLER
Member of the Commission

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[1] OJ L 329, 30. 12. 1995, p. 18.
[2] OJ L 20, 27. 1. 1998, p. 16.
[3] OJ L 29, 7. 9. 1989, p. 8.
[4] OJ L 292, 25. 10. 1997, p. 14.

COMMISSION REGULATION (EC) No 1227/98

of 12 June 1998

fixing the maximum aid for concentrated butter for the 183rd special invitation to tender opened under the standing invitation to tender provided for in Regulation (EEC) No 429/90

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EEC) No 804/68 of 27 June 1968 on the common organisation of the market in milk and milk products [1], as last amended by Regulation (EC) No 1587/96 [2], and in particular Article 7a(3) thereof,

Whereas, in accordance with Commission Regulation (EEC) No 429/90 of 20 February 1990 on the granting by invitation to tender of an aid for concentrated butter intended for direct consumption in the Community [3], as last amended by Regulation (EC) No 417/98 [4], the intervention agencies are opening a standing invitation to tender for the granting of aid for concentrated butter; whereas Article 6 of that Regulation provides that in the light of the tenders received in response to each special invitation to tender, a maximum amount of aid is to be fixed for concentrated butter with a minimum fat content of 96 % or a decision is to be taken to make no award; whereas the end-use security must be fixed accordingly;

Whereas, in the light of the tenders received, the maximum aid should be fixed at the level specified below and the end-use security determined accordingly;

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

HAS ADOPTED THIS REGULATION:

Article 1

For the 183rd special invitation to tender under the standing invitation to tender opened by Regulation (EEC) No 429/90, the maximum aid and the amount of the end-use security shall be as follows:

— maximum aid: ECU 134/100 kg

— end-use security: ECU 148/100 kg.

Article 2

This Regulation shall enter into force on 13 June 1998.

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

Done at Brussels, 12 June 1998.

For the Commission

Franz FISCHLER

Member of the Commission

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[1] OJ L 148, 28. 6. 1968, p. 13.
[2] OJ L 206, 16. 8. 1996, p. 21.
[3] OJ L 45, 21. 2. 1990, p. 8.
[4] OJ L 52, 21. 2. 1998, p. 18.

COMMISSION REGULATION (EC) No 1228/98

of 12 June 1998

fixing the minimum selling prices for butter and the maximum aid for cream, butter and concentrated butter for the 11th individual invitation to tender under the standing invitation to tender provided for in Regulation (EC) No 2571/97

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EEC) No 804/68 of 27 June 1968 on the common organisation of the market in milk and milk products [1], as last amended by Regulation (EC) No 1587/96 [2], and in particular Articles 6(3) and 12(3) thereof,

Whereas the intervention agencies are, pursuant to Commission Regulation (EC) No 2571/97 of 15 December 1997 on the sale of butter at reduced prices and the granting of aid for cream, butter and concentrated butter for use in the manufacture of pastry products, ice-cream and other foodstuffs [3], as amended by Regulation (EC) No 1061/98 [4], to sell by invitation to tender certain quantities of butter that they hold and to grant aid for cream, butter and concentrated butter; whereas Article 18 of that Regulation stipulates that in the light of the tenders received in response to each individual invitation to tender a minimum selling price shall be fixed for butter and maximum aid shall be fixed for cream, butter and concentrated butter; whereas it is further stipulated that the price or aid may vary according to the intended use of the butter, its fat content and the incorporation procedure, and that a decision may also be taken to make no award in response to the tenders submitted; whereas the amount(s) of the processing securities must be fixed accordingly;

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

HAS ADOPTED THIS REGULATION:

Article 1

The maximum aid and processing securities and the minimum selling prices, applying for the 11th individual invitation to tender under the standing invitation to tender provided for in Regulation (EC) No 2571/97, shall be fixed as indicated in the Annex hereto.

Article 2

This Regulation shall enter into force on 13 June 1998.

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

Done at Brussels, 12 June 1998.

For the Commission
Franz FISCHLER
Member of the Commission

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[1] OJ L 148, 28. 6. 1968, p. 13.
[2] OJ L 206, 16. 8. 1996, p. 21.
[3] OJ L 350, 20. 12. 1997, p. 3.
[4] OJ L 152, 26. 5. 1998, p. 3.

ANNEX

to the Commission Regulation of 12 June 1998 fixing the minimum selling prices for butter and the maximum aid for cream, butter and concentrated butter for the 11th individual invitation to tender under the standing invitation to tender provided for in Regulation (EC) No 2571/97

(ECU/100 kg)

Formula			A		B	
Incorporation procedure			With tracers	Without tracers	With tracers	Without tracers
Minimum selling price	Butter ≥ 82 %	Unaltered	227	227	—	—
		Concentrated	225	—	225	—
Processing security		Unaltered	120		—	
		Concentrated	122		122	
Maximum aid	Butter ≥ 82 %		109	105	—	105
	Butter < 82 %		104	—	—	100
	Concentrated butter		134	130	134	130
	Cream		—	—	46	44
Processing security	Butter		120	—	—	—
	Concentrated butter		148	—	148	—
	Cream		—	—	51	—

COMMISSION REGULATION (EC) No 1229/98

of 12 June 1998

deciding not to accept tenders submitted in response to the 204th partial invitation to tender as a general intervention measure pursuant to Regulation (EEC) No 1627/89

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EEC) No 805/68 of 27 June 1968 on the common organisation of the market in beef and veal [1], as last amended by Regulation (EC) No 2634/97 [2], and in particular Article 6(7) thereof,

Whereas, pursuant to Commission Regulation (EEC) No 2456/93 of 1 September 1993 laying down detailed rules for the application of Council Regulation (EEC) No 805/68 as regards the general and special intervention measures for beef [3], as last amended by Regulation (EC) No 2602/97 [4], an invitation to tender was opened pursuant to Article 1(1) of Commission Regulation (EEC) No 1627/89 of 9 June 1989 on the buying in of beef by invitation to tender [5], as last amended by Regulation (EC) No 1176/98 [6];

Whereas, in accordance with Article 13(1) of Regulation (EEC) No 2456/93, a maximum buying-in price is to be fixed for quality R3, where appropriate, under each partial invitation to tender in the light of tenders received; whereas, in accordance with Article 13(2) of that Regulation, a decision may be taken not to proceed with the tendering procedure;

Whereas, once tenders submitted in respect of the 204th partial invitation to tender have been considered and taking account, pursuant to Article 6(1) of Regulation (EEC) No 805/68, of the requirements for reasonable support of the market and the seasonal trend in slaughterings and prices, it has been decided not to proceed with the tendering procedure;

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

No award shall be made against the 204th partial invitation to tender opened pursuant to Regulation (EEC) No 1627/89.

Article 2

This Regulation shall enter into force on 15 June 1998.

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

Done at Brussels, 12 June 1998.

For the Commission
Franz FISCHLER
Member of the Commission

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[1] OJ L 148, 28. 6. 1968, p. 24.
[2] OJ L 356, 31. 12. 1997, p. 13.
[3] OJ L 225, 4. 9. 1993, p. 4.
[4] OJ L 351, 23. 12. 1997, p. 20.
[5] OJ L 159, 10. 6. 1989, p. 36.
[6] OJ L 163, 6. 6. 1998, p. 17.

COMMISSION REGULATION (EC) No 1230/98

of 12 June 1998

cancelling the negative correcting factor for June applying to certain export licences for barley issued in March and April 1998

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(8) thereof,

Whereas export licences for barley were issued in March and April 1998 with advance fixing of the refund; whereas these licences expire after 30 June 1998;

Whereas Commission Regulation (EC) No 565/98 [3], as last amended by Regulation (EC) No 849/98 [4], fixes the negative correcting factors for June and July for barley; whereas these correcting factors introduced each marketing year are intended to prohibit the Community's southern Member States from exporting barley from the new harvest with a refund bases on the price for the previous harvest; whereas, however, barley from the new harvest cannot be exported from Denmark in June;

Whereas a surprise strike has paralysed for a long period means of transport in Denmark and the export ports of that country; whereas, in view of the strike, it will not be possible to export a significant quantity of barley by the end of May; whereas the operators, who will not be able to place their goods in a customs warehouse before 31 May 1998, will be penalised by the negative correcting factor applying in the month of June 1998;

Whereas the correcting factor applicable in June should therefore be cancelled only in the case of physical exports of barley from Denmark;

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

At the request of the exporter, the negative correcting factor applicable in June 1998 to export licences for barley issued in March and April 1998 with advanced fixing of the refund is hereby cancelled in respect of exports from Denmark alone, provided that loading is effected in a Danish port.

Article 2

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

It shall apply with effect from 1 June 1998.

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

Done at Brussels, 12 June 1998.

For the Commission
Franz FISCHLER
Member of the Commission

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[1] OJ L 181, 1. 7. 1992, p. 21.
[2] OJ L 126, 24. 5. 1996, p. 37.
[3] OJ L 76, 13. 3. 1998, p. 14.
[4] OJ L 120, 23. 4. 1998, p. 21.

COMMISSION REGULATION (EC) No 1231/98

of 12 June 1998

amending for the 18th time Regulation (EEC) No 3800/81 determining the classification of vine varieties

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EEC) No 822/87 of 16 March 1987 on the common organisation of the market in wine [1], as last amended by Regulation (EC) No 2087/97 [2], and in particular Article 13(5) thereof,

Whereas the classification of vine varieties approved for cultivation in the Community is determined by Commission Regulation (EEC) No 3800/81 [3], as last amended by Regulation (EC) No 1721/97 [4], in accordance with Council Regulation (EEC) No 2389/89 of 24 July 1989 on general rules for the classification of vine varieties [5], as last amended by Regulation (EC) No 2088/97 [6];

Whereas certain wine-grape and table-grape vine varieties that have been included for at least five years in the classification of varieties provisionally authorised for some administrative units of Germany, Italy, the United Kingdom and Spain have been found to be suitable for cultivation; whereas those varieties should therefore be permanently classified among the vine varieties authorised and recommended for those administrative units in accordance with Article 11(4) of Regulation (EEC) No 2389/89;

Whereas the classification of wine-grape and table-grape varieties should include among the varieties authorised and recommended for certain administrative units of Germany, France, Italy, the United Kingdom and Spain certain varieties which have been listed for at least five years in the classification for an administrative unit immediately bordering thereon and which therefore satisfy the condition laid down in the first indent of Article 11(1)(a) of Regulation (EEC) No 2389/89;

Whereas four new administrative units should be included in Italy; whereas some corrections should be made;

Whereas a new subtitle should be included in Title III.B for Italy as regards the preparation of brandies; whereas the subtitle for Italy in Title IV.B concerning root stock varieties approved on the territory of that Member State should be amended;

Whereas a new Title V should be created for varieties of vines intended to supply scions; whereas the varieties which may be used to produce scions are classified by the Member States pursuant to Article 3(3) of Regulation (EEC) No 2389/89; whereas, at the request of the Member States, they should be classified for all the administrative units of each Member State;

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

HAS ADOPTED THIS REGULATION:

Article 1

The Annex to Regulation (EEC) No 3800/81 is hereby amended in accordance with the Annex hereto.

Article 2

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

It shall apply from 1 September 1997.

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

Done at Brussels, 12 June 1998.

For the Commission

Franz FISCHLER

Member of the Commission

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[1] OJ L 84, 27. 3. 1987, p. 1.
[2] OJ L 292, 25. 10. 1997, p. 1.
[3] OJ L 381, 31. 12. 1981, p. 1.
[4] OJ L 242, 4. 9. 1997, p. 37.
[5] OJ L 232, 9. 8. 1989, p. 1.
[6] OJ L 292, 25. 10. 1997, p. 3.

ANNEX

The Annex to Regulation (EEC) No 3800/81 is amended as follows:

I. In Title I, Subtitle I, point 'II. GERMANY' is amended as follows (the vine varieties to be inserted in the correct alphabetical order):

1. Regierungsbezirk Köln:

— Phönix N and Regent N ae added to the category of authorised vine varieties.

2. Regierungsbezirk Trier:

— Cabernet Sauvignon N and Merlot N are added to the category of authorised vine varieties.

3. Regierungsbezirk Koblenz:

— Cabernet Sauvignon N and Merlot N are added to the category of authorised vine varieties.

4. Regierungsbezirk Rheinhessen-Pfalz:

— Cabernet Sauvignon N and Merlot N are added to the category of authorised vine varieties.

6. Regierungsbezirk Darmstadt:

— Albalonga B, Chardonnay B, Deckrot N, Domina N, Roter Elbling R, Weißer Elbling B, Färbertraube N, Findling B, Freisamer B, Roter Gutedel R, Weißer Gutedel B, Helfensteiner N, Heroldrebe N, Huxelrebe B, Blauer Limberger N, Früher Malingre B, Früher roter Malvasier R, Mariensteiner B, Morio-Muskat B, Müllerrebe B, Muskat-Ottonel B, Muskat-Trollinger N, Gelber Muskateller B, Roter Muskateller R, Nobling B, Ortega B, Phönix B, Perle Rs, Regent N, Regner B, Reislaner B, Schönburger B, Septimer B, Siegerrebe Rs, Blauer Silvaner N, Blauer Trollinger N, Grüner Veltliner B and Würzer B are added to the category of authorised vine varieties.

II. In Title I, Subtitle I, point 'IV. FRANCE' is amended as follows (the vine varieties are to be inserted in the correct alphabetical order):

7. Département de l'Ardèche:

— Arinarnoa N, Liliorila B and Perdea B are added to the category of recommended vine varieties.

11. Département de l'Aude:

— Segalin N is added to the category of recommended vine varieties,

13. Département des Bouches-du-Rhône:

— Arinarnoa N, Liliorila B, Perdea B and Viognier B are added to the category of recommended vine varieties,

— Viognier B (*) is deleted from the category of authorised vine varieties.

20. Département de la Haute-Corse et de la Corse-du-Sud:

— Codivarta B (*) is added to the category of authorised vine varieties and the asterisk is deleted for Viognier B.

44. Département de la Loire-Atlantique:

— Merlot N (*) is added to the category of authorised vine varieties.

67. Département du Bas-Rhin:

— Muscat de Colmar B (*) is added to the category of authorised vine varieties.

68. Département du Haut-Rhin:

— Muscat de Colmar B (*) is added to the category of authorised vine varieties.

83. Département du Var:

— Arinarnoa N, Gamay N, Perdea N and Viognier B are added to the category of recommended vine varieties,

— Gamay N and Viognier B (*) are deleted from the category of authorised vine varieties.

84. Département du Vaucluse:

— Arinarnoa N, Liliorila B and Perdea B are added to the category of recommended vine varieties.

III. In Title I, Subtitle I, point 'V. ITALY', is amended as follows (the vine varieties are to be inserted in the correct alphabetical order):

3. Provincia di Asti:

— Arneis B is added to the category of recommended vine varities.

5. Provincia di Novara:

— Cabernet Sauvignon N, Chardonnay B, Merlot N, Pinot nero N and Riesling B are added to the category of recommended vine varieties.

5a. Provincia di Verbania:

(a) Recommended vine varieties:

Barbera N, Bonarda N, Croatina N, Erbaluce B, Freisa N, Nebbiolo N, Uva rara N, Vespolina N.

(b) authorised vine varieties:

Durasa N.

6. Provincia di Torino:

— Croatina N, Gamay N, Pinot nero, Syrah N, Uva rara N and Vespolina N are added to the category of recommended vine varieties.

7a. Provincia di Biella:

(a) Recommended vine varieties:

Barbera N, Bonarda N, Chardonnay B, Croatina N, Dolcetto N, Erbaluce B, Freisa N, Nebbiolo N, Uva rara N, Vespolina N;

(b) authorised vine varieties:

Ancellotta N (*), Cabernet franc N (*), Cabernet Sauvignon N (*), Neretto di Bairo N.

12. Provincia di Bergamo:

— Moscato giallo B is added to the category of authorised vine varieties.

14a. Provincia di Lecco:

(a) Recommended vine varieties:

Cabernet franc N, Croatina N, Marzemino N, Merlot N, Pinot bianco B, Riesling italico B, Sauvignon B, Schiava N, Trebbiano toscano B;

(b) authorised vine varieties:

Barbera N, Sangiovese N, Verdese B.

17. Provincia di Milano:

— Chardonnay B, Cortese B, Pinot bianco B, Pinot grigio G, Pinot nero N, Trebbiano toscano B and Sauvignon B are added to the category of recommended vine varieties,

— Moscato bianco B, Müller Thurgau B, Vespolina N and Dolcetto N are added to the category of authorised vine varieties and Pinot bianco B, Pinot grigio G and Pinot nero N are deleted.

17a. Provincia di Lodi:

(a) Recommended vine varieties:

Barbera N, Bonarda N, Cabernet franc N, Cabernet Sauvignon N, Chardonnay B, Cortese B, Croatina N, Malvasia bianca di Candia B, Merlot N, Pinot bianco B, Pinot grigio G, Pinot nero N, Riesling italico B, Riesling B, Sauvignon B, Trebbiano toscano B, Uva rara N, Verdea B;

(b) authorised vine varieties:

Ancellotta N, Freisa N, Moscato bianco B, Müller Thurgau B, Vespolina N, Dolvetto N.

22. Provincia di Trento:

— Syrah N is added to the category of authorised vine varieties.

33. Provincia di Udine:

— the asterisk should be deleted in the case of Malbech N in the category of authorised vine varieties.

34. Provincia di Bologna:

— Ancelotta N is added to the category of authorised vine varieties.

35. Provincia di Ferrara:

— Cabernet Sauvignon N, Chardonnay B, Ciliegiolo N, Pignoletto B and Terrano N are added to the category of authorised vine varieties.

39. Provincia di Piacenza:

— Ervi N, Melara B and Santa Maria B are added to the category of authorised vine varieties.

44. Provincia di Grosseto:

— Grechetto B is added to the category of authorised vine varieties.

55. Provincia di Perugia:

— Alicante N is added to the category of authorised vine varieties.

72. Provincia di Bari:

— Sylvaner verde B is added to the category of recommended vine varieties,

— Sylvaner verde B (*) is deleted from the category of authorised vine varieties.

73. Provincia di Brindisi:

— Aglianico N, Incrocio Manzoni 6.0.13 B and Sylvaner verde B are added to the category of recommended vine varieties,

— Aglianico N (*), Incrocio Manzoni 6.0.13 B (*) and Sylvaner verde B (*) are deleted from the category of authorised vine varieties.

74. Provincia di Foggia:

— Sylvaner verde B is added to the category of recommended vine varieties,

— Sylvaner verde B (*) is deleted from the category of authorised vine varieties.

75. Provincia di Lecce:

— Asprinio bianco B and Sylvaner verde B are added to the category of recommended vine varieties,

— Asprinio bianco B (*), Sylvaner verde B (*) are deleted from the category of authorised vine varieties.

76. Provincia di Taranto:

— Incrocio Manzoni 6.0.13 B and Sylvaner verde B are added to the category of recommended vine varieties,

— Incrocio Manzoni 6.0.13 B (*) and Sylvaner verde B (*) are deleted from the category of authorised vine varieties.

82. Provincia di Agrigento:

— Aglianico N, Cabernet franc N, Incrocio Manzoni 6.0.13 B, Petit Verdot N, Semillon B and Vermentino B are added to the category of recommended vine varieties.

83. Provincia di Caltanissetta:

— Grecanico dorato B, Müller Thurgau B, Pinot bianco B, Pinot nero N and Sauvignon B are added to the category of recommended vine varieties.

85. Provincia di Enna:

— Cabernet Sauvignon N, Chardonnay B, Müller Thurgau B, Pinot bianco B, Pinot nero N and Sauvignon B are added to the category of recommended vine varieties.

86. Provincia di Messina:

— Cabernet Sauvignon N, Chardonnay B, Müller Thurgau B, Pinot bianco B, Pinot nero N and Sauvignon B are added to the category of recommended vine varieties.

87. Provincia di Palermo:

— Müller Thurgau B is added to the category of recommended vine varieties,

— Müller Thurgau B is deleted from the category of authorised vine varieties.

88. Provincia di Ragusa:

— Cabernet Sauvignon N, Chardonnay B and Grecanico dorato B are added to the category of recommended vine varieties.

IV. In Title I, Subtitle I, point 'VIII. UNITED KINGDOM' is amended as follows (the vine varieties are to be inserted in the correct alphabetical order):

— Bacchus B is added to the category of recommended vine varieties,

— the asterisk should be deleted in the case of the following in the category of authorised vine varieties: Cascade N, Dunkelfelder N, Gutenborner B, Léon Millot N, Optima B, Regner B, Scheurebe B, Triomphe N, Würzer B, Zweigeltrebe N and Perle B (*), Phoenix B (*) and Regent N (*) are added to the list.

V. In Title I, Subtitle I, point 'IX. SPAIN' is amended as follows (the vine varieties are to be inserted in the correct alphabetical order):

12. Comunidad Autónoma de Castilla-La Mancha:

— Sauvignon blanc B, Syrah N and Petit Verdot N are added to the category of authorised vine varieties.

VI. In Title II, Subtitle 'IV. ITALY' is amended as follows:

7. Regione Friuli-Venezia Giulia:

— Isabella N and Noah B are added to the category of authorised vine varieties.

12. Regione Lazio:

— Sugraone B is added to the category of recommended vine varieties.

16. Regione Puglia:

— Autumn Seedless B, Red Globe Rs, Red Italia N and Victoria B are added to the category of authorised vine varieties.

VII. In Title III.B, under the subtitle 'V. ITALY':

With regard to the preparation of brandies:

1. Regions: Trentino-Alto Adige, Friuli-Venezia Giulia, Veneto, Emilia-Romagna, Umbria, Abruzzo:

(a) Recommended varieties:
None;

(b) authorised varieties:
Isabella N, Noah B;

(c) temporarily authorised varieities:
None.

VIII. In Title IV.B, Subtitle 'IV. ITALY' is amended as follows:

— Gravesac (*) is added to the category of authorised root stock varieties.

IX. The following Title V 'VARIEITES OF VINES INTENDED TO SUPPLY SCIONS' is added:

(a) Recommended varieties:
All varieties of wine-grape, table-grape and grapes for specific uses classified for all the administrative units in each Member State;

(b) authorised varieties:
None;

(c) temporarily authorised varieties:
None.

II

(Acts whose publication is not obligatory)

COMMISSION

COMMISSION DECISION

of 18 May 1998

adapting Annex I to Council Regulation (EEC) No 571/88 in view of the organisation of the Community surveys on the structure of agricultural holdings

(notified under document number C(1998) 1346)

(98/377/EC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EEC) No 571/88 of 29 February 1988 on the organisation of Community surveys on the structure of agricultural holdings [1], as last amended by Regulation (EC) No 2467/96 [2], and in particular Article 8(1) and (2) thereof,

Whereas, in accordance with Article 8(1) and (2) of Regulation (EEC) No 571/88, changes to the list of survey characteristics are laid down under the procedure given in Article 15 of this Regulation, i.e. by Commission Decision following the opinion delivered by the Standing Committee on Agricultural Statistics;

Whereas, when determining the characteristics to be surveyed, there must be an endeavour to curtail as far as possible the workload of persons concerned by the survey;

Whereas, in order to develop and guide the common agricultural policy, the list of characteristics has to be revised and adapted in view of the 1999/2000 basic survey; whereas new information needs are evolving; whereas structural statistics on a regional basis are increasingly needed for the common agricultural policy and for regional policy purposes; whereas the new trends towards farms with more than one holder and towards agriculture based on sustainable production methods need evaluating and thus new data are required; whereas developing rural areas calls for more information on forestry and other non-farming activities on agricultural holdings;

Whereas Article 8(2), of Regulation (EEC) No 571/88 states that Member States may, on their request and on the basis of appropriate documentation, be authorised by the Commission, for certain characteristics, to use random sample surveys to collect the information requested or to use information which is already available from sources other than statistical surveys; whereas certain Member States have requested this authorisation to avail themselves of these possibilities;

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

HAS ADOPTED THIS DECISION:

Article 1

In view of the 1999/2000 Community basic survey on the structure of agricultural holdings, Annex I to Council Regulation (EEC) No 571/88 is replaced by the Annex to the present Decision.

[1] OJ L 56, 2. 3. 1988, p. 1.
[2] OJ L 335, 24. 12. 1996, p. 3.

Article 2

The list of characteristics has to take into account the respective situation in each Member State:

— the characteristics marked with the letters 'NE' in the Annex are deemed not to exist or to be close to zero in the respective Member States,

— the characteristics marked with the letters 'NS' are deemed to be non-significant in the respective Member States,

— the characteristics marked with the letters 'OP' are optional for the respective Member States.

Germany, Sweden and the United Kingdom are authorised to use random sample surveys for the Community basic surveys on the structure of agricultural holdings in 1999/2000 for those characteristics marked by the letters 'SS' in the Annex.

Denmark, Germany, the Netherlands, Austria, and the United Kingdom are authorised to use information already available from sources (listed in Section B of the Annex) other than statistical surveys for those characteristics marked by the letters 'AD' in the Annex.

Article 3

Member States authorised to use information from sources other than statistical surveys shall take the necessary measures to make sure that this information is of at least equal quality to information from statistical surveys.

Article 4

This Decision is addressed to the Member States.

Done at Brussels, 18 May 1998.

For the Commission

Yves-Thibault DE SILGUY

Member of the Commission

ANNEX

'ANNEX I

A. LIST OF CHARACTERISTICS

		B	DK	D	EL	E	F	IRL	I	L	NL	A	P	FIN	S	UK
A. Geographical situation of the holding																
01 Survey district	code															
(a) Municipality or sub-survey district [1]	code															
02 Less-favoured area	yes/no															
(a) Mountain area	yes/no															NE
B. Legal personality and management of the holding (on the day of the survey)																
01 Is the legal and economic responsibility of the holding assumed by																
(a) a natural person who is a sole holder, where the holding is independent?	yes/no										AD					
(b) one or more natural persons who is/are a partner, where the holding is a group holding?	yes/no	OP	OP		OP	OP		NS	OP	OP	AD	NS	OP		OP	
(c) a legal person?	yes/no										AD					
(d) If the answer to question B/01(b) is "yes", how many partners does the group consist of?	number	OP	OP	SS	OP	OP		NS	OP	OP	AD	NS	OP		OP	
(e) If the answer to question B/01(b) is "yes", how many members of the partners' families carry out farm work on the holding?	.....	OP	OP	OP	OP	OP		NS	OP	OP		NS	OP		OP	OP
02 If the answer to question B/01(a) is "yes", is this person (the holder) also the manager?	yes/no			SS												
(a) If the answer to question B/02 is "no", is the manager a member of the holder's family?	yes/no			SS												
(b) If the answer to question B/02(a) is "yes", is the manager the spouse of the holder?	yes/no			SS			NS									

[1] Allowing at least aggregation of survey results by objective zones.

Explanation: OP = optional, NS = non-significant, NE = not existing, AD = collected from other sources, SS = collected by sample survey.

		B	DK	D	EL	E	F	IRL	I	L	NL	A	P	FIN	S	UK
03 Agricultural training of the managers	number															
— only practical agricultural experience	.....			SS											OP	SS
— basic agricultural training	.....			SS											OP	SS
— full agricultural training	.....			SS											OP	SS
04 Are accounts kept for the management of the holding?	yes/no		OP												OP	OP

C. **Type of tenure (in relation to the holder), fragmentation of the holding and farming system**

		B	DK	D	EL	E	F	IRL	I	L	NL	A	P	FIN	S	UK
Agricultural area utilised:	ha/a															
01 For owner farming	...../.....															
02 For tenant farming	...../.....		AD													
03 For share farming or other modes	...../.....															
04 Number of parcels making up the utilised agricultural area (1)	Number of parcels		OP	OP			OP	OP		OP		OP		OP	OP	OP
05 Farming system and practices																
(a) Organic farming (or conversion to)	yes/no											AD				
(b) Other low-input farming systems or practices (integrated, ecological, etc.)	yes/no	OP	OP	OP	OP	OP	OP	OP	OP	OP	OP	AD	OP	OP	OP	OP
(c) Does the holding benefit from an agri-environmental premium or aid?	yes/no	OP	OP	OP	OP	OP	OP	OP	OP	OP	OP	AD	OP	OP	OP	OP
(i) If "yes" does the premium or aid include specific payments for measures concerning landscape features?	yes/no	OP	OP	OP	OP	OP	OP	OP	OP	OP	OP	AD	OP	OP	OP	OP

D. **Arable land**

		B	DK	D	EL	E	F	IRL	I	L	NL	A	P	FIN	S	UK
Cereals for the production of grain (including seed):	ha/a															
01 Common wheat and spelt	...../.....		AD	AD							AD	AD				AD
02 Durum wheat	...../.....	NE	AD	AD				NE		NE	NE	AD		NE	NE	NS
03 Rye	...../.....		AD	AD				NS			AD	AD		NE	NE	AD

(1) For Spain and Italy the number of parcels concerns the total area of the holding.

Explanation: OP = optional, NS = non-significant, NE = not existing, AD = collected from other sources, SS = collected by sample survey.

	ha/a	B	DK	D	EL	E	F	IRL	I	L	NL	A	P	FIN	S	UK
04 Barley	...../.....		AD	AD							AD	AD				AD
05 Oats	...../.....		AD	AD							AD	AD				AD
06 Grain maize	...../.....			AD				NS		NE	AD	AD		NS	NE	NE
07 Rice	...../.....	NE		NE				NE		NE	NE	NE		NE	NE	NE
08 Other cereals	...../.....			AD							AD	AD				AD
09 Pulses for the production of grain (including seed and mixtures of cereals and pulses)	...../.....		AD	AD							AD	AD				AD
of which:																
(c) peas, pure crops for harvesting dry for fodder	...../.....		AD	AD	OP			OP		OP	OP	AD	OP			OP
(d) field beans, pure crops for harvesting dry for fodder	...../.....		AD	AD	OP			OP		OP	AD	AD	OP	NS		OP
10 Potatoes (including early potatoes and seed potatoes)	...../.....		AD	AD							AD	AD				AD
11 Sugar beet (excluding seeds)	...../.....		AD	AD							AD	AD				AD
12 Fodder roots and brassicas (excluding seeds)	...../.....		AD	AD				OP			AD	AD		NS	NS	AD
13 Industrial plants (including seeds for herbaceous oil-seed plants; excluding seeds for fibre plants, hops, tobacco and other industrial plants)	...../.....		AD	AD							AD	AD				AD
of which:																
(a) tobacco	...../.....		NE	AD				NE		NE	NE	AD		NE	NE	NE
(b) hops	...../.....		NE	AD				NE		NE	NE	AD		NE	NE	AD
(c) cotton	...../.....	NE	NE	NE				NE		NE	NE	NE	OP	NE	NE	NE
(d) other oil-seed or fibre plants and other industrial plants:	...../.....		AD	AD							AD	AD				AD
(i) oil seed or fibre plants (total)	...../.....		AD	AD							AD	AD				AD
of which:																
(a) rape and turnip rape	...../.....		AD	AD	NE						AD	AD	OP			AD
(b) sunflower	...../.....	NS	NS	OP				NE		NE	NE	AD			NS	NE
(c) soya	...../.....	NE	AD	NE				NS		NE	NE	AD	OP	NE	NE	NE
(ii) aromatic plants, medicinal and culinary plants	...../.....		AD	AD				NS			AD	AD			NS	
(iii) other industrial plants	...../.....		AD	AD				NS			AD	AD			NS	

Explanation: OP = optional, NS = non-significant, NE = not existing, AD = collected from other sources, SS = collected by sample survey.

		B	DK	D	EL	E	F	IRL	I	L	NL	A	P	FIN	S	UK
Fresh vegetables, melons, strawberries:	ha/a															
14 — outdoor or under low (not accessible) protective cover	...../.....			AD							AD	AD				AD
of which:																
(a) open field	...../.....			AD						NE	AD	AD		OP	OP	AD
(b) market gardening	...../.....			AD								AD		OP	OP	AD
15 — under glass or other (accessible) protective cover	...../.....			AD								AD				
Flowers and ornamental plants (excluding nurseries):																
16 — outdoor or under low (not accessible) protective cover	...../.....			AD								AD		NS	NS	AD
17 — under glass or other (accessible) protective cover	...../.....			AD				OP				AD				
18 Forage plants:	...../.....		AD	AD								AD				AD
(a) temporary grass	...../.....		AD	AD								AD				AD
(b) other green fodder	...../.....		AD	AD				OP			AD	AD				AD
of which:																
(i) green maize (maize for silage)	...../.....		AD	AD				OP			AD	AD		NS	NS	AD
(ii) leguminous plants	...../.....		AD	OP				OP		OP	AD	AD		NS	NS	AD
19 Arable land seeds and seedlings (excluding cereals, dried vegetables, potatoes and oil-seed plants)	...../.....		AD	AD				NS		NE	AD	AD				
20 Other arable land crops	...../.....		AD	NS							AD	AD		NS		AD
21 Fallow land without any subsidies	...../.....		AD	AD							AD	AD				AD
22 Fallow land subject to set-aside incentive schemes with no economic use	...../.....			AD							AD	AD				AD
E. **Kitchen gardens**	...../.....		NE	AD							OP			OP	OP	OP
F. **Permanent grassland and meadow**	...../.....		AD	AD												
01 Pasture and meadow, excluding rough grazings	...../.....			AD					OP					OP	OP	AD
02 Rough grazings	...../.....	NE		AD					OP	NE				OP	OP	AD

Explanation: OP = optional, NS = non-significant, NE = not existing, AD = collected from other sources, SS = collected by sample survey.

		B	DK	D	EL	E	F	IRL	I	L	NL	A	P	FIN	S	UK
	ha/a															
G. Permanent crops																
01 Fruit and berry plantations	...../.....			AD												AD
(a) fresh fruit and berry species of temperate climate zones (1)	...../.....			AD												
(b) fruit and berry species of subtropical climate zones	...../.....	NE		NE				NE		NE	NE	NE		NE	NE	NE
(c) nuts	...../.....	NS		NS				NE		NE	NE	NS		NE	NE	NE
02 Citrus plantations	...../.....	NE	NE	NE				NE		NE	NE	NE		NE	NE	NE
03 Olive plantations	...../.....	NE	NE	NE				NE		NE	NE	NE		NE	NE	NE
(a) normally producing table olives	...../.....	NE	NE	NE			OP	NE		NE	NE	NE		NE	NE	NE
(b) normally producing olives for oil production	...../.....	NE	NE	NE			OP	NE		NE	NE	NE		NE	NE	NE
04 Vineyards	...../.....	NE	NE	AD				NE			NE			NE	NE	AD
of which normally producing:																
(a) quality wine	...../.....	NE	NE	AD				NE			NE			NE	NE	OP
(b) other wines	...../.....	NE	NE	OP				NE		NE	NE	NE		NE	NE	OP
(c) table grapes	...../.....	NE	NE	OP				NE		NE	NE	NS		NE	NE	NE
(d) raisins	...../.....	NE	NE	NE			OP	NE	NE	NE	NE	NE		NE	NE	NE
05 Nurseries	...../.....			AD											OP	AD
06 Other permanent crops	...../.....			AD				NS			NE	NE		NE	NS	
07 Permanent crops under glass	...../.....			NE				NS		NE		NE	OP	NE	NS	NE
H. Other land																
01 + 03 Unutilised agricultural land (agricultural land which is no longer farmed, for economic social or other reasons, and which is not used in the crop rotation system) and other land (land occupied by buildings, farmyards, tracks, ponds, quarries, infertile land, rock, etc.)	...../.....			AD												

(1) Belgium, the Netherlands and Austria may include item G/01 (c) "nuts" under this heading.

Explanation: OP = optional, NS = non-significant, NE = not existing, AD = collected from other sources, SS = collected by sample survey.

		B	DK	D	EL	E	F	IRL	I	L	NL	A	P	FIN	S	UK
	ha/a															
02 Wooded area	...../.....			AD												
(f) managed mainly for selling the wood produced	...../.....	OP	OP	OP	OP	OP	OP	OP	OP	OP	OP	OP	OP	OP	OP	OP
(g) does the holding have wooded areas with short rotation (15 years or less), for example for: Christmas trees, energy production (e.g. Salix), pulpwood production (e.g. poplars, eucalyptus)?	...../.....	OP	OP	OP	OP	OP	OP	OP	OP	OP	OP	OP	OP	OP	OP	OP

I. Combined and successive secondary cropping, mushrooms, irrigation, greenhouses, storage facilities for natural fertilisers, set-aside of arable land and nutrients management

01 Successive secondary crops (excluding market-garden crops and crops under glass)	...../.....	NE		NE				OP			NE	NE		NE	NE	NE
of which:																
(a) non-fodder cereals (D/01 to D/08)	...../.....	NE	NE	NE				OP		NE	NE	NE		NE	NE	NE
(b) non-fodder dried vegetables (D/09)	...../.....	NE	NE	NE				OP		NE	NE	NE		NE	NE	NE
(c) non-fodder oil-seed plants (D/13(d)(i))	...../.....	NE	NE	NE				OP		NE	NE	NE		NE	NE	NE
(d) other successive secondary crops	...../.....	NE	NE	NE				OP			NE	NE		NE	NE	NE
02 Mushrooms	...../.....			OP						NE					OP	SS
03 Irrigated area:																
(a) total irrigable area	...../.....			NS				NE		NE						
(b) cultivated area irrigated at least once a year	...../.....	OP	OP	OP				NE	OP	NE	OP	OP	OP	NS	OP	OP
of which:																
(1) durum wheat	...../.....	NE	OP	OP				NE	OP	NE	OP	OP	OP	NE	NE	NE
(2) maize	...../.....	NE	OP	OP				NE	OP	NE	OP	OP	OP	NS	NE	OP
(3) potatoes	...../.....	NE	OP	OP				NE	OP	NE	OP	OP	OP	NS	OP	OP
(4) sugar beet	...../.....	NE	OP	OP				NE	OP	NE	OP	OP	OP	NS	OP	OP
(5) sunflower	...../.....	NE	OP	OP				NE	OP	NE	OP	OP	OP	NS	NS	NE
(6) soya	...../.....	NE	OP	OP				NE	OP	NE	OP	OP	OP	NE	NE	NE
(7) fodder plants	...../.....	NE	OP	OP				NE	OP	NE	OP	OP	OP	NS	OP	OP

Explanation: OP = optional, NS = non-significant, NE = not existing, AD = collected from other sources, SS = collected by sample survey.

		B	DK	D	EL	E	F	IRL	I	L	NL	A	P	FIN	S	UK
	ha/a															
(8) fruit and berry orchards	...../.....	NS	OP	OP				NE	OP	NE	OP	OP	OP	NS	OP	OP
(9) citrus fruit	...../.....	NE	OP	OP				NE	OP	NE	OP	OP	OP	NE	NE	NE
(10) vines	...../.....	NE	OP	OP				NE	OP	NE	OP	OP	OP	NE	NE	OP
04 Ground area covered by greenhouses in use	...../.....															
05 Combined (associated) crops:	...../.....			NE				NS		NE	OP	NS		NE	NE	OP
(a) agricultural crops (including pasture and meadow) — forestry species	...../.....			NE			OP	NS		NE	OP	NS		NE	NE	OP
(b) permanent crops — annual crops	...../.....			NE			OP	NS		NE	OP	NS		NE	NE	OP
(c) permanent crops — permanent crops	...../.....			NE			OP	NS		NE	OP	NS		NE	NE	OP
(d) other combined crops	...../.....			NE			OP	NS		NE	OP	NS		NE	NE	OP
07 Storage facilities for natural fertilisers of animal origin (solid dung, liquid manure and slurry)																
(a) Does the holding have storage facilities for:																
(i) solid dung?	yes/no			SS	OP			OP			OP		OP		OP	OP
(ii) liquid manure?	yes/no			SS	OP			OP			OP		OP		OP	OP
(iii) slurry?	yes/no			SS	OP			OP			OP		OP		OP	OP
(c) If “yes”, does the holding have covered storage facilities?	yes/no			OP	OP		OP	OP	OP	OP	OP		OP		OP	OP
(d) Does the holding have a methane recovery system?	yes/no	OP		NS	OP		OP	OP	OP	OP	OP	NS	OP	NS	OP	OP
(b) Storage capacity available for ([1]):	surface/ volume ([2])															
(i) solid dung	..... m^2			SS	OP			OP			OP		OP		OP	OP
(ii) liquid manure	..... m^3			SS	OP			OP			OP		OP		OP	OP
(iii) slurry	..... m^3			SS	OP			OP			OP		OP		OP	OP

([1]) For Denmark, Finland and Sweden: indicated question: Without any occasional emptying, sufficient for how many full months?

([2]) For Denmark, Finland and Sweden indicated in months.

Explanation: OP = optional, NS = non-significant, NE = not existing, AD = collected from other sources, SS = collected by sample survey.

		B	DK	D	EL	E	F	IRL	I	L	NL	A	P	FIN	S	UK
	ha/a															
08 Area subject to set-aside incentive schemes broken down by:	...../.....		AD	AD							AD	AD				AD
(a) fallow land with no economic use (already recorded under D/22)	...../.....		AD	AD							AD	AD				AD
(b) areas used for the production of agricultural raw material for non-food purposes (e.g. sugar beet, rape, non-forestry trees and bushes etc., including lentils, chick peas and vetches; already recorded under D and G)	...../.....		AD	AD							AD	AD				AD
(c) areas converted into permanent pasture and meadow (already recorded under F/01 and F/02) (1)	...../.....		AD	OP							AD	AD			NS	NE
(d) former agricultural areas converted into wooded area or being prepared for afforestation (already recorded under H/02) (1)	...../.....		AD	OP							NS	AD			NS	AD
(e) others (already recorded under H/01 and H/03) (1)	...../.....		AD	AD							NS	AD			NS	AD
09 Nutrients management																
(a) use of cover crops to reduce nutrient leakage during winter	...../.....	OP	OP	OP	OP	OP	OP	OP	OP	OP	OP	OP	OP	OP	OP	OP
(b) use of nitrogen fixing crops used for fertilising purposes	...../.....	OP	OP	OP	OP	OP	OP	OP	OP	OP	OP	OP	OP	OP	OP	OP

J. Livestock (on the reference day of the survey)

		Number of heads														
01 Equidae	.....			AD												
Bovine animals:																
02 Under one year old	.....			AD												
(a) male	.....			OP			OP			OP						OP
(b) female	.....			OP			OP			OP						OP
one year or over but under two years:																
03 Male animals	.....			AD												
04 Female animals	.....			AD												
two years old and over:																
05 Male animals	.....			AD												
06 Heifers	.....			AD												

(1) Germany may merge headings 8(c), 8(d) and 8(e)

Explanation: OP = optional, NS = non-significant, NE = no existing, AD = collected from other sources, SS = collected by sample survey.

		B	DK	D	EL	E	F	IRL	I	L	NL	A	P	FIN	S	UK
	Number of heads															
07 Dairy cows	.....			AD												
08 Other cows	.....			AD												
Sheep and goats:																
09 Sheep (all ages)	.....			AD												
(a) breeding females	.....			AD												
(b) other sheep	.....			AD												
10 Goats (all ages)	.....			OP											NS	
(a) breeding females	.....			OP				OP		OP					NS	
(b) other goats	.....			OP				OP		OP					NS	
Pigs:																
11 Piglets having a live weight of under 20 kilograms	.....			AD												
12 Breeding sows weighing 50 kilograms and over	.....			AD												
13 Other pigs	.....			AD												
Poultry:																
14 Broilers	.....			AD												
15 Laying hens	.....			AD												
16 Other poultry (ducks, turkeys, geese, guinea-fowl)	.....			AD											NS	
17 Rabbits, breeding females	.....		OP	OP				OP				NS		NS	NS	OP
	Number of hives															
18 Bees	.....		OP	OP				OP		OP	OP	OP		NS	OP	OP
19 Other livestock	yes/no		OP	OP	OP		OP			OP			OP	OP	OP	OP
of which	Number of heads															
(a) Deer (excluding reindeer)	.....	OP	OP	OP	OP	OP	OP		OP	OP	NE		OP	OP	NS	

Explanation: OP = optional, NS = non-significant, NE = not existing, AD = collected from other sources, SS = collected by sample survey.

		B	DK	D	EL	E	F	IRL	I	L	NL	A	P	FIN	S	UK
K. Tractors, cultivators, machinery and equipment																
1. On day of survey, belonging exclusively to the holding	Number															
01 Four-wheel tractors, track-laying tractors, tool carriers by power rating (kw)	.....			OP				OP								OP
(a) < 40	.....			OP				OP								OP
(b) 40 to < 60	.....			OP				OP								OP
(c) 60 to < 100	.....			OP				OP								OP
(d) 100 and more	.....			OP				OP								OP
02 Cultivators, hoeing machines, rotary hoes and motor mowers	.....			OP				OP			OP	OP			OP	OP
03 Combine harvesters	.....			OP				OP								OP
09 Other fully mechanised harvesters	.....			OP			OP	OP			OP	OP	OP		OP	OP
10 Irrigation equipment	yes/no	NS		OP			OP	NE		NE	OP		OP			OP
(a) if yes, is the equipment mobile	yes/no	NS		OP			OP	NE	OP	NE	OP		OP			OP
(b) if yes, is the equipment fixed	yes/no	NS		OP			OP	NE	OP	NE	OP		OP			OP
2. Machinery used in the last 12 months, used by several holdings (belonging to another holding, to a cooperative or owned jointly with other holdings) or belonging to a service supply agency																
01 Four-wheel tractors, track-laying tractors, tool carriers	yes/no		OP	OP				OP							OP	OP
02 Cultivators, hoeing machines, rotary hoes and motor mowers	yes/no		OP	OP				OP			OP	OP			OP	OP
03 Combine harvesters	yes/no		OP	OP				OP							OP	OP
09 Other fully mechanised harvesters	yes/no		OP	OP			OP	OP			OP	OP	OP		OP	OP

L. Farm labour force (in the 12 months preceding the day of the survey)

Statistical information is collected for each person, working on the holding, belonging to the following farm labour force categories in a way allowing multiple crossing with each other and/or with any other survey characteristics.

Explanation: OP = optional, NS = non-significant, NE = not existing, AD = collected from other sources, SS = collected by sample survey.

	B	DK	D	EL	E	F	IRL	I	L	NL	A	P	FIN	S	UK
01 Holders															
In this category are found:															
— natural persons:															
— sole holders of independent holdings (all persons who have answered "yes" to question B/01(a))															
— partners of group holdings (all persons who have answered "yes" to question B/01(b)) (1)															
— legal persons															
The following information is recorded for each natural person mentioned above:															
— the gender			SS							AD				SS	SS
— the age according to the following age classes: from school leaving age to < 25 years, 25-29, 30-34, 35-39, 40-44, 45-49, 50-54, 55-59, 60-64, 65 and over			SS							AD				SS	SS
— the farm work on the holding (apart from housework) according to the classification: 0 %, > 0-< 25 %, 25-< 50 %, 50-< 75 %, 75-< 100 %, 100 % (full-time) of annual time worked by a full-time farm worker			SS											SS	SS
01 (a) Managers															
In this category are found:															
— all managers on independent holdings, including spouses and other members of the holders' families who are also manager; that is where the answer is "yes" to either B/02(a) or B/02(b)															
— all managers on group holdings															
— all managers on holdings where the holder is a legal person															
(The managers who are at the same time sole holders or partners of a group holding are recorded only once, that is, as a holder in category L/01)															
The following information is recorded for each person mentioned above:															
— the gender		OP	SS							AD				SS	SS
— the age according to the following age classes: from school leaving age to < 25 years, 25-29, 30-34, 35-39, 40-44, 45-49, 50-54, 55-59, 60-64, 65 and over		OP	SS							AD				SS	SS

(1) The Member States, for which question B/01(b) and (d) are optional, do not gather separate data on partners of group holdings.

Explanation: OP = optional, NS = non-significant, NE = not existing, AD = collected from other sources, SS = collected by sample survey.

	B	DK	D	EL	E	F	IRL	I	L	NL	A	P	FIN	S	UK
— the farm work on the holding (apart from housework) according to the classification: > 0-< 25 %, 25-< 50 %, 50-< 75 %, 75-< 100 %, 100 % (full-time) of annual time worked by a full-time farm worker			SS											SS	SS
— are they paid salaries or not?	OP	OP	OP	OP	OP	OP	OP	OP	OP	OP	OP	OP	OP	OP	OP

02 Spouses of holders, carrying out farm work for the holding

In this category are found the spouses of sole holders (the answer to questions B/01(a) is "yes"), who are not included in L/01, nor included in L/01(a) (they are not managers: the answer to question B/02(b) is "no")

The following information is recorded for each person mentioned above:

— the gender			SS											SS	SS
— the age according to the following age classes: from school leaving age to < 25 years, 25-29, 30-34, 35-39, 40-44, 45-49, 50-54, 55-59, 60-64, 65 and over			SS											SS	OP
— the farm work on the holding (apart from housework) according to the classification: > 0-< 25 %, 25-< 50 %, 50-< 75 %, 75-< 100 %, 100 % (full-time) of annual time worked by a full-time farm worker			SS											SS	SS
— are they paid salaries or not?	OP	OP	OP	OP	OP	OP	OP	OP	OP	OP	OP	OP	OP	OP	OP

03(a) Other members of sole holders' families carrying out farm work for the holding: male (excluding persons in categories L/01, L/01(a) and L/02) [1]

03(b) Other members of sole holders' families carrying out farm work for the holding: female (excluding persons in categories L/01, L/01(a) and L/02) [1]

The following information on the number of persons on the holding corresponding to the following classes is to be recorded for each person of the categories mentioned above:

— the age according to the following age classes: from school leaving age to < 25 years, 25-29, 30-34, 35-39, 40-44, 45-49, 50-54, 55-59, 60-64, 65 and over		OP	SS											OP	OP

[1] Denmark may merge L/03(a) and L/03(b).

Explanation: OP = optional, NS = non-significant, NE = not existing, AD = collected from other sources, SS = collected by sample survey.

		B	DK	D	EL	E	F	IRL	I	L	NL	A	P	FIN	S	UK
— the farm work on the holding (apart from housework) according to the classification: > 0-< 25 %, 25-< 50 %, 50-< 75 %, 75-< 100 %, 100 % (full-time) of annual time worked by a full-time farm worker				SS											SS	SS
— Are they paid salaries or not?			OP	OP	OP	OP		OP	OP	OP	OP	OP	OP	OP	OP	OP

04(a) Non-family labour regularly employed: male ([1]) (excluding persons in categories L/01, L/02 and L/03)

04(b) Non-family labour regularly employed: female ([1]) (excluding persons in categories L/01, L/02 and L/03)

The following information on the number of persons on the holding corresponding to the following classes is to be recorded for each of the categories mentioned above:

	Number of persons	B	DK	D	EL	E	F	IRL	I	L	NL	A	P	FIN	S	UK
— the farm work on the holding (apart from housework) according to the classification: > 0-< 25 %, 25-< 50 %, 50-< 75 %, 75-< 100 %, 100 % (full-time) of annual time worked by a full-time farm worker	.....			SS											SS	SS

	Number of working days															
05 and 06 Non-family labour employed on a non regular basis: male and female	.....			SS											SS	SS

07 Does the sole holder who is also the manager or do the partners of a group holding have any other gainful activities? If "yes" how many of the holders have other gainful activities ([2]):

	Number of holders/ partners															
— as his/her major occupation?	.....			SS											SS	SS
— as a subsidiary occupation?	.....			SS											SS	SS

([1]) Denmark may merge L/04(a) and L/04(b).
([2]) Optional for partners of group holdings for Germany.
Explanation: OP = optional, NS = non-significant, NE = not existing, AD = collected from other sources, SS = collected by sample survey.

		B	DK	D	EL	E	F	IRL	I	L	NL	A	P	FIN	S	UK
08 Does the sole holder's spouse, carrying out farm work for the holding, have any other gainful activity:																
— as his/her major occupation?	yes/no			SS											SS	SS
— as a subsidiary occupation?	yes/no			SS											SS	SS
09 Does any other member of the sole holder's family engaged in the farm work of the holding have any other gainful activity? If "yes", how many have other gainful activities:																
	Number of persons															
— as his/her major occupation?	.....		OP	SS										OP	OP	SS
— as a subsidiary occupation?	.....		OP	SS										OP	OP	SS
10 Total number of equivalent full-time working days of farm work, not included under L/01 to L/06, undertaken on the holding by persons not employed directly by the holding (e.g. contractors' employees) (1)																
	Number of days															
— insert number of equivalent full-time working days during the 12 months preceding the day of the survey	.....			OP						NE						SS

M. **Rural development**

		B	DK	D	EL	E	F	IRL	I	L	NL	A	P	FIN	S	UK
01 Other gainful activities on the holding (other than agriculture), directly related to the holding	yes/no															
(a) tourism, accommodation and other leisure activities	yes/no			OP	OP	OP		OP								
(b) handicraft	yes/no			OP	OP	OP		OP	OP	NS	OP					
(c) processing of farm products	yes/no			OP	OP	OP		OP	OP							
(d) wood processing (e.g. sawing, etc.)	yes/no			OP	OP	OP		OP	OP	NS	OP					
(e) aquaculture	yes/no			OP	OP	OP		OP		NS	OP					
(f) renewable energy production (wind energy, strawburning, etc.)	yes/no			OP	OP	OP		OP	OP		OP					
(g) contractual work (using equipment of the holding)	yes/no			OP	OP	OP		OP								
(h) other	yes/no			OP	OP	OP		OP			OP					

(1) Optional for Member States which are able to provide an overall estimate for this characteristic at regional level.

Explanation: OP = optional, NS = non-significant, NE = not existing, AD = collected from other sources, SS = collected by sample survey.

B. **DATA SOURCES**

Germany, Denmark, the Netherlands, Austria and the United Kingdom are authorised to use information available from the Integrated Administration and Control System set up according to Council Regulations (EEC) No 3508/92 [1] and (EEC) No 3887/92 [2]. For characteristics B01, B01(a), B01(b), B01(c), B01(d), L01 and L01(a), the Netherlands are authorised to use data from the National Farm Register.'

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[1] OJ L 355, 5. 12. 1992, p. 1.
[2] OJ L 391, 31. 12. 1992, p. 36.

COMMISSION DECISION

of 12 June 1998

terminating the countervailing duty proceeding concerning imports of polyester fibres and polyester yarns originating in Turkey

(notified under document number C(1998) 1599)

(98/378/EC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EC) No 2026/97 of 6 October 1997 on protection against subsidised imports from countries not members of the European Community [1], and in particular Article 14(2) thereof,

After consulting the Advisory Committee,

Whereas:

A. PREVIOUS PROCEDURE

(1) Following a complaint lodged by CIRFS (the International Rayon and Synthetic Fibres Committee), the Commission initiated an anti-subsidy proceeding concerning imports of polyester fibres and polyester yarns from Turkey on 9 February 1989 [2]. A provisional countervailing duty was subsequently imposed on 31 May 1991 [3]. On completion of the investigation which found evidence of injurious subsidisation, the Government of Turkey offered an undertaking to: (i) gradually phase out the main export subsidy scheme (the corporate tax exemption scheme — CTE); and (ii) not to grant new subsidies nor to compensate the producers/exporters concerned for the commitment to phase out the main export subsidy scheme. The Commission accepted this undertaking by Decision 91/511/EEC [4] and did not impose a definitive countervailing duty. Provisional duties were definitively collected by Council Regulation (EEC) No 2834/91 [5].

At regular intervals since 1991 the Turkish authorities reported on their commitments contained in the undertaking and provided supporting documentation. The Commission services verified this information and that provided by a number of Turkish exporters in 1992 and 1995.

B. REVIEW INVESTIGATION

(2) A notice of the impending expiry of the abovementioned measures (i.e. undertaking) was published in the *Official Journal of the European Communities* on 20 April 1996 [6]. On 24 June 1996, the complainants, CIRFS, lodged a request for an expiry review in accordance with the provisions of Article 13(5) of Regulation (EC) No 3284/94 [7]. The review request alleged that the repeal of the measures would be likely to result in a continuation or recurrence of subsidisation and injury.

(3) The Commission considered that the complainants had provided sufficient evidence to justify the initiation of an expiry review pursuant to Article 13(3) of Regulation (EC) No 3284/94. Given the nature of the measures in force, the Commission decided on its own initiative to initiate an interim review pursuant to Article 13(6) of that Regulation. A notice of initiation of a review of the countervailing measures was accordingly published on 21 September 1996 [8].

(4) With regard to the compatibility of such an initiation with the EC/Turkey Customs Union rules, it has to be borne in mind that, pending the implementation by Turkey of provisions on competition, State aid control and other relevant parts of the *acquis communautaire* which are related to the internal market, the Customs Union Agreement does not preclude the application of trade defence instruments by one party in its relations with the other. The Customs Union Agreement provides that Turkey shall adopt all the necessary decisions to comply with this requirement within two years after the entry into force of the Customs Union

[1] OJ L 288, 21. 10. 1997, p. 1.
[2] OJ C 33, 9. 2. 1989, p. 7.
[3] OJ L 137, 31. 5. 1991, p. 8.
[4] OJ L 272, 28. 9. 1991, p. 92.
[5] OJ L 272, 28. 9. 1991, p. 3.
[6] OJ C 116, 20. 4. 1996, p. 7.
[7] OJ No L 349, 31. 12. 1994, p. 22 (subsequently replaced by Regulation (EC) No 2026/97).
[8] OJ C 276, 21. 9. 1996, p. 5.

Agreement, i.e. on 31 December 1997. Pending confirmation of such action, countervailing measures can, therefore, be taken in the framework of this proceeding, if considered appropriate.

(5) The period used for the investigation of subsidies was 1 January 1995 to 31 December 1995 (hereinafter referred to as the 'investigation period').

(6) The Commission sent questionnaires to all parties known to be concerned. It received replies to its questionnaire from eight Community producers, the Government of Turkey, nine exporting producers and one importer. The Commission sought and verified all information it deemed necessary for the purpose of a determination and carried out verification visits at various Government of Turkey ministries/agencies and at the premises of the companies listed below.

(a) *Community producers*

— Hoechst Trevira GmbH & Co. KG, Frankfurt Am Main, Germany,

— Montefibre SpA, Milan, Italy,

— Nurel SA, Barcelona, Spain,

— La Seda de Barcelona SA, Barcelona, Spain,

— Catalana de Polimers SL, Barcelona, Spain,

— Wellman International Ltd, Co. Meath, Ireland,

— Unifi Textured Yarns Europe Ltd, Co. Donegal, Ireland.

Tergal Fibres SA (Group Rhône-Poulenc), Gauchy, France was not visited.

The abovementioned companies account for approximately 80 % of Community production of the products concerned.

(b) *Government of Turkey ministries/agencies*

— Under-Secretariat for Foreign Trade,

— Central Bank,

— Under-Secretariat for Customs,

— Türk Eximbank,

— Under-Secretariat for the Treasury,

— Ministry of Finance.

(c) *Producers/exporters in Turkey*

— SASA Artificial and Synthetic Fibres Inc., Adana,

— Sönmez Filament Sentetik Iplik ve Elvaf Sanayii AS, Bursa,

— Korteks Mensucat Sanayi ve Ticaret AS, Bursa,

— Sifas Sentetik Iplik Fabrikalari AS, Bursa (part of Nergis group),

— Polylen Sentetik Iplik Sanayii AS, Bursa (part of Nergis group),

— Nergis Tekstil Sanayi ve Ticaret AS, Bursa (part of Nergis group),

— Nergis Holding AS, Bursa (part of Nergis group),

— Polyteks Tekstil Sanayi Arastirma ve Egitim AS, Bursa.

Sancak Tül Sanayi AS, Istanbul stated that it had not exported to the EU during the investigation period.

These producers are all the known producers of the products concerned in Turkey.

(d) *Importer in the Community*

EXSA (UK) Ltd, Leeds, United Kingdom. This company was not visited.

(7) This investigation has exceeded the normal timeframe for the completion of review investigations due to the large volume and complexity of information gathered. In particular, as the State-aid framework in Turkey has undergone substantial change in recent years, it was considered necessary to undertake a full re-examination of the various schemes.

C. PRODUCTS UNDER CONSIDERATION AND LIKE PRODUCT

1. Products under consideration

(8) The products under consideration are:

— polyester partially oriented filament yarn (POY), falling within CN code 5402 42 00,

— polyester textured filament yarn (PTY), falling within CN codes 5402 33 10 and 5402 33 90,

— polyester staple fibre, falling within CN code 5503 20 00,

— polyester flat yarn, falling within CN codes 5402 43 10, 5402 43 90, 5402 52 10, 5402 52 90, 5402 62 10 and 5402 62 90.

Polyester fibres and yarns have an extensive range of uses and can be used on their own or blended with other products such as cotton to produce clothing, sleepwear, curtain material and floor coverings. Polyester fibre can also be used as a filling material for use in quilted jackets, pillows, cushions, etc.

2. **Like product**

(9) In Regulation (EEC) No 2834/91, it was concluded that Community production was considered as a like product to the imported subsidised product. None of the interested parties to this review investigation offered any further comments on the 'like product' issue. It is therefore concluded that the product under consideration, i.e. that exported from Turkey to the Community, is a like product to that produced by the Community industry, within the meaning of Article 1(5) of Regulation (EC) No 2026/97 (hereinafter referred to as the 'Basic Regulation').

D. **SUBSIDIES**

1. **Introduction**

(10) On the basis of the information contained in the complaint and the replies to the Commission's questionnaire, the Commission investigated a large number of subsidy schemes. These schemes are not necessarily the same ones that were examined in the original investigation. Turkey introduced new State-aid schemes at the end of 1994 (partly in view of the harmonisation of State aid law to the EU State aid law in accordance with the provisions of the Customs Union Agreement) which regulate both domestic and export incentives and amend or replace older schemes. Moreover, important developments took place also at an international level; in 1995, the World Trade Organisation Agreement on Subsidies and Countervailing Measures (ASCM) entered into force and a new Basic Regulation was enacted at the end of 1994 to reflect the new definition of subsidies ([9]). In view of the above, the Commission re-examined all relevant subsidy schemes in Turkey.

2. **Export schemes**

(11) The Commission investigated the following five export schemes, further details of which are set out below:

I. State assistance for exports;

II. corporate tax exemption scheme;

III. export credits;

IV. electricity premium;

V. transport premium.

([9]) See footnote 7.

I. *State assistance for exports*

(12) The declared objective of Turkey's export incentive policy is to enhance the export potential of Turkish industry in accordance with the targets and guidelines laid down in the five-year governmental development plans. The aim of these incentives is to eliminate the adverse effects of high domestic inflation on exporters and compensate for the shortage and high cost of financing.

(13) The main instrument involving, *inter alia*, export-related assistance is Decree 94/6401 which entered into force on 1 January 1995 and provides for the following measures:

— assistance for research and development programmes,

— assistance for environmental costs,

— assistance for market research,

— support for participation in fairs and exhibitions abroad,

— support for participation in domestic fairs of an international character,

— support for promotion activities abroad.

(14) The Commission found that no producers of the product concerned had received aid under any of the abovementioned measures provided under Decree 94/6401 during the investigation period. There was therefore no need to examine whether any of the measures involved the granting of countervailable subsidies.

II. *Corporate tax exemption scheme (CTE)*

(15) In the Turkish Government's undertaking which was accepted by the Commission in 1991 (see paragraph 1 above), the main commitment was to phase out the CTE. This scheme exempted from corporate taxation a certain percentage of the export earnings of manufacturing companies.

In accordance with the Turkish Government's undertaking, the rate of the CTE was gradually reduced from 20 % in 1991 to 5 % in 1993. The scheme was finally terminated in 1993 by means of Article 30 of Decree 21804 of 25 December 1993. Documentary evidence has been provided in this regard. The Commission also verified that no producers subject to the investigation received outstanding CTE aid during the investigation period.

III. *Export credits*

(16) Türk Eximbank (hereinafter referred to as 'Eximbank') is the sole official export credit agency in Turkey; it is a public body which was founded in 1987 with the aim of meeting the financing requirements of exporters and overseas contractors. Eximbank provides specialised financial services through a variety of credit, insurance and guarantee programmes as follows:

(a) Pre-shipment export credit (PSEC) programme

PSEC is a short-term credit facility extended by Eximbank through intermediary commercial banks, which is available to all export-oriented industries. Applications are made to Eximbank, but the credit is disbursed by a commercial bank. The total interest rate paid on these types of credits is generally more favourable than the rates available for short-term loans from commercial banks.

These credits provide a subsidy because they involve a financial contribution from the Government and confer a benefit because the interest rate is below that payable on a comparable commercial loan. The subsidy is available only for export transactions and is therefore an export subsidy.

A number of producers benefited from this scheme during the investigation period.

(b) Target market export credit programme

This programme concerned financial support for the export of textile products to non-EU countries (i.e. NAFTA, Japan and South Africa). It was abolished in January 1996.

(c) SME export credit programme

This programme provides short-term credit to companies employing up to 150 employees. None of the producers under investigation obtained such credits due to their size.

(d) Foreign currency credit programme

This is a short-term credit facility, similar to PSEC, extended by Eximbank through intermediary commercial banks, which is available to all export-oriented industries. The credit is extended on the basis of the foreign currency value of the export transactions (the credit is actually paid to the exporter in the Turkish lira (TRI) equivalent) and re-payment is made by the exporter in the foreign currency concerned. Interest rates are significantly lower than under the PSEC programme. The total interest rate paid on these types of credits is generally more favourable than the rates available for short-term loans from commercial banks.

These credits provide a subsidy because they involve a financial contribution from the Government and confer a benefit because the interest rate is below that paid on a comparable commercial loan. The subsidy is only available to export transactions and is therefore an export subsidy.

A number of producers benefited from this scheme during the investigation period.

(e) Past performance-related foreign currency credit programme

This programme provides short-term credit to exporters without the mediation of commercial banks. No producers concerned obtained such credit during the investigation period.

(f) Short-term export credit insurance programme

Under this programme all shipments to be made by an exporter within one year are insured at favourable terms. Exporters pay a premium which varies per country of export directly to Eximbank. Such insurance was mandatory up to 1995 for companies which obtained pre-shipment export credits from Eximbank. Some of the producers concerned used this programme during the investigation period. As this programme was linked to the Pre-Shipment Export Credit (PSEC) programme, it has been quantified together with the PSEC and the foreign currency credit programme (see Tables 1 and 2 in paragraph 29 below).

This insurance is now optional.

(g) Buyers' credit, insurance and guarantee programmes

This programme concerns credits to finance projects in the Central and Western Asian Republics. None of the producers concerned used this programme during the investigation period.

IV. *Electricity premium*

(17) Under this programme companies that manufacture goods for export can take advantage of a special discount (25 %) of the cost of electricity used in the production of the exported goods. The scheme, which was clearly an export subsidy, was abolished in 1995 by means of Decree 22510 of 31 December 1995.

No producer under investigation obtained benefits under this scheme during the investigation period.

V. *Transport premium*

(18) Under this scheme exporters could obtain cash premiums from the Central Bank of Turkey to cover export transportation costs. The scheme was abolished in 1994 by an order of the Turkish Council of Ministers. The cash premiums are a subsidy because they involve a financial contribution from the Government which confers a benefit. Since the subsidy is limited to export transport costs. it is an export subsidy.

Premiums paid under this scheme, which was administered by the Central Bank, differed depending on destination. Even though the scheme had been abolished in 1994, benefits continued to accrue to exporters during the investigation period (i.e. 1995). This is because at the time of implementation of the scheme there were no funds available for payments to exporters. Outstanding benefits earned therefore in the years before termination of the programme were being granted during the investigation period. All of the producers investigated had obtained such outstanding benefits during the investigation period.

3. **Summary of export schemes**

(19) It was found that exporters used two export schemes during the investigation period i.e. export credits (pre-shipment export credit programme/ foreign currency credit programme/short-term export credit insurance programme) and the transport premium

4. **Domestic schemes**

(20) The Commission investigated the following three domestic schemes, further details of which are set out below:

I. Decree 94/6411;

II. Resources utilisation support premium (RUSP);

III. Fund sourced credit.

I. *Decree 94/6411*

(21) Incentives to producers in Turkey are, as from 1 January 1995 to be provided within the framework of Decree 94/6411 of 26 December 1994. Decree 94/6411 constitutes the general framework regulating incentives to industry in accordance with the guidelines set out in the development plans and the annual programmes adopted by the Turkish Council of Ministers. Decree 94/6411 provides for incentives for investment activities related to the production of goods and services, research and development, environmental protection, improvement of quality and standards and investments targeting advancement of regional handicrafts and supporting small and medium enterprises. Decree 94/6411 has been further applied by Communiqué No 2 issued by the Under-secretariat of the Treasury and published in the Official Gazette of 4 April 1995.

(22) All applications for assistance under Decree 94/6411 need to be approved by the General Directorate of Incentives and Implementation of the Under-secretariat of Treasury which issues an investment certificate to the successful applicants. The investment certificate describes the types of assistance granted to the company concerned as well as any ceilings on such assistance. Companies may obtain investment certificates on a project basis. The duration of the validity of the investment certificate varies in accordance with the project.

(23) The various types of assistance which are provided for under Decree 94/6411 can be categorised as follows:

(a) Schemes from which exporters obtained benefits during the investigation period

(i) Exemption from customs duty and charges

Under this scheme companies are entitled to import equipment and machinery, without the payment of customs duties, for the purposes of the project for which the relevant investment certificate was granted.

(ii) Investment allowance

Under this scheme companies are granted an income tax exemption proportionate to the amount of the investment for which the investment certificate was granted; the tax allowance can equal up to 100 % of the amount of the investment.

Both the above schemes involve subsidies because government revenue is foregone and a benefit is thereby conferred.

(iii) Financing fund

Under this scheme firms obtain a tax postponement to be used for the financing of investments. Companies are entitled to the tax postponement when they obtain an investment certificate.

The tax postponement is equivalent to an interest-free loan and is a subsidy because the absence of interest confers a benefit.

(iv) VAT support for purchases of machinery and equipment

Under this scheme firms are refunded any VAT paid on purchases of domestically produced machinery. This refund is a financial contribution from the Government which confers a benefit; it is therefore a subsidy. This scheme is contingent upon the use of domestic goods and the subsidy is therefore specific in accordance with Article 3(4)(b) of the Basic Regulation. One producer received benefits under this scheme during the investigation period but at a negligible level.

(b) Schemes from which exporters did not obtain benefits during the investigation period

(i) Exemption from charges for medium and long-term investment credits

Under this scheme companies are exempted from paying taxes, duties and charges for banking, notary, land registry etc. transactions relating to credits. It applies to companies which undertake to export the production to which investment relates. In view of its link to anticipated exportation this scheme should be more properly classified as an export subsidy. No producer obtained benefits under this scheme during the investigation period. The effects of the scheme would, in any event be negligible.

(ii) Postponement of VAT

Under this scheme, VAT that has to be paid for importation of equipment listed in the Incentive Certifcates, can be postoponed until the date when such tax may be actually deducted. In case the investment is not realised as foreseen by the incentive certificate, the VAT postponed shall be collected plus interest.

(c) Schemes not yet implemented

Decree 94/6411 also provides for a range of other schemes which have not yet been implemented. These are:

(i) Exemption from building construction charges

Under this scheme companies are exempted from the payment of building construction charges.

(ii) Subsidising moving expenses

This scheme provides for assistance for investments which are transferred from developed regions to industrial belts or priority development regions. A grant of 50 % of the disassembly, delivery and the re-installation expenses can be made.

(iii) Energy subsidies

New investments realised in priority development regions with an incentive certificate, can obtain aid up to 25 % of their electricity consumption in the first five years of operations under criteria to be defined by the Monetary, Credit and Coordination Board.

(iv) Land allocation support

Under this scheme firms may obtain free land for investments to be realised in priority development regions or in industrial belts. Land is provided from the property of the General Directorate of Land Office.

(v) Contribution to foreign credit letters of guarantee

This scheme provides for aid to producers to cover 50 % of the expenses incurred in connection with foreign credits obtained through public banks.

(vi) Procurement of quality and standards

Under this scheme firms are refunded fees paid in connection with applications for quality and standardisation certificates according to ISO and ITS (Institute of Turkish Standards) norms.

(vii) Credits

There are several different types of low interest rate credit schemes for SMEs and for investments in priority development regions.

II. *Resource utilisation support premium (RUSP)*

(24) Under this scheme, firms were entitled to a cash premium payable by the Under-secretariat of the Treasury. The premium was based on a percentage (from 15 % to 40 %) of the value of investments made. The percentage applied depended on the region in which the investment was made.

RUSP was terminated in 1991 by means of Decree 91/1468. Firms continued, however, to receive benefits under this scheme in later years, including the investigation period. These payments were outstanding (due to the shortage of government funds at the time) from the period when the scheme was in operation. The cash premiums are a subsidy because they involve a financial contribution from the Government which confers a benefit.

Some producers received benefits under this scheme during the investigation period.

III. *Fund sourced credit*

(25) Under this scheme, firms were entitled to loans which were re-payable at rates of interest less than those normally charged on comparable commercial loans. There is consequently a benefit conferred and therefore a subsidy. The scheme was set out in Decree 92/2805 and administered by the General Directorate of Incentives and Implementation. It was officially terminated on 15 July 1994 although outstanding benefits kept accruing to firms during the investigation period.

Some producers received benefits under the fund source credit scheme during the investigation period.

5. Summary of domestic schemes

(26) It was found that exporters used six domestic schemes during the investigation period, i.e. exemption from customs duty and charges, investment allowance, financing fund, VAT support for purchases of machinery and equipment, RUSP and fund sourced credit.

6. Amount of subsidisation

(27) Two of the cooperating exporters, Korteks and Polyteks, were found not to have exported the product concerned to the EU during the investigation period. In these circumstances, individual findings concerning subsidy levels have not been established for these companies.

(28) For the purposes of calculating the amount of subsidisation, the amounts of subsidies received in the investigation period were allocated over a firms' total (domestic and export) turnover in the case of domestic subsidies and over export turnover only in the case of export subsidies.

(29) The amounts of subsidies established in the investigation period for the producers subject to the investigation are set out below. Table 1 shows the full amount of benefit in the investigation period, while Table 2 shows the benefits if the schemes which were terminated before the beginning of the investigation period are excluded.

As four of the cooperating exporters are related (Nergis Tekstil, Nergis Holding, Sifas and Polylen), the benefits received have been averaged and are shown below under 'Nergis Group'.

Table 1

(%)

	SASA	Nergis Group	Sonmez
Export schemes			
Export credits	0,25	0,81	0,08
Transport premium	2,68	2,6	6,9
Domestic schemes			
Fund sourced credit	0,01	0,03	0
Financing fund	0,06	0	0,06
Investment allowance	0,23	0,33	0,76
RUSP	0,15	0,01	0
Customs exemption	0,01	0,01	0,04
VAT support	0	Negligible	0
Total benefit in investigation period	**3,39**	**3,79**	**7,84**

Table 2

(%)

	SASA	Nergis Group	Sonmez
Export schemes			
Export credits	0,25	0,81	0,08
Domestic schemes			
Financing fund	0,06	0	0,06
Investment allowance	0,23	0,33	0,76
Customs exemption	0,01	0,01	0,04
Benefit in investigation period excluding terminated schemes	**0,55**	**1,15**	**0,94**

7. **Specificity**

(30) Given that the amount of benefit to exporters from those schemes which were still in force during the investigation period was found to be *de minimis* (see recital 34 below), it is not necessary to make a determination regarding specificity.

8. **Conclusions on countervailability**

(31) Concerning export schemes, two schemes are considered to be specific and therefore countervailable — the export credit scheme, which is contingent upon export performance and the VAT support scheme, which is contingent upon the use of domestic goods. The transport premium scheme, which was contingent upon exports, was terminated in 1994.

(32) Concerning domestic schemes, the RUSP was abolished in 1991, while the fund sourced credit scheme was abolished in 1994. With regard to the three schemes found to have been used and still in force during the investigation period (i.e. financing fund, investment allowances, customs exemption), no countervailability determination needs to be made in view of the overall *de minimis* levels of subsidies found.

(33) Concerning the terminated schemes (transport premium, fund sourced credit and RUSP), it is not considered necessary to take countervailing measures as, on the one hand any RUSP and fund sourced credit outstanding benefits have been at negligible levels while, on the other hand, any outstanding transport benefits, although at more substantial levels, were linked to individual export transactions in the past when the scheme was in force and as such are no longer available.

(34) Article 14(5)(a) of the Basic Regulation provides that the amount of countervailable subsidies shall be considered as *de minimis* if such amount is less than 2 % concerning imports from developing countries. As Turkey is regarded as a developing country and the amount of subsidy provided by schemes which were still in force during the investigation period is less than 2 % (see Table 2 above), the amount of countervailable subsidies is therefore considered to be *de minimis*.

E. INJURY AND COMMUNITY INTEREST

(35) As it has been concluded that the level of subsidisation is *de minimis*, it is not necessary to establish findings relating to injury and Community interest.

F. CONCLUSION

(36) Article 14(3) of the Basic Regulation provides that there shall be immediate termination of a proceeding where it is determined that the amount of countervailable subsidies is *de minimis*. It is therefore proposed that the proceeding be terminated and that the measures in force expire forthwith,

DECIDES:

Sole Article

The countervailing duty proceeding concerning imports of polyester fibres and polyester yarns falling within CN codes 5402 42 00, 5402 33 10, 5402 33 90, 5503 20 00, 5402 43 10, 5402 43 90, 5402 52 10, 5402 52 90, 5402 62 10 and 5402 62 90 and originating in Turkey is hereby terminated.

Done at Brussels, 12 June 1998.

For the Commission

Leon BRITTAN

Vice-President

CORRIGENDA

Corrigendum to Council Regulation (EC) No 656/98 of 16 March 1998 adopting autonomous and transitional measures for the preferential trade arrangements with Poland, Hungary, Slovakia, the Czech Republic, Romania and Bulgaria in certain processed agricultural products

(Official Journal of the European Communities L 90 of 25 March 1998)

Pages 6, 7 and 8 shall be replaced by the following pages:

'Order No	CN code	Description	1998 quota (tonnes)	Preference (1)		Duty outside quota (2)
				from 1. 1 to 30. 6. 1998	from 1. 7 to 31. 12. 1998	
09.5228	ex 1902	Pasta, whether or not cooked or otherwise prepared excluding stuffed pasta falling within CN codes 1902 20 10 and 1902 20 30; couscous, whether or not prepared	970	0 + EAR	0 + EAR	CCT
09.5229	1903	Tapioca and substitutes therefor prepared from starch, in the form of flakes, grains, pearls, siftings or similar forms	47	0 + EAR	0 + EAR	CCT
09.5231	1904	Prepared food obtained by the swelling or roasting of cereals or cereal products (for example cornflakes); cereals (other than maize (corn)), in grain form, or in the form of flakes or other worked grains (except flour and meal), pre-cooked, or otherwise prepared, not elsewhere specified or included	156	0 + EAR	0 + EAR	0 + EA
09.5233	1905	Bread, pastry, cakes, biscuits and other bakers' wares, whether or not containing cocoa; communion wafers, empty cachets of a kind suitable for pharmaceutical use, sealing wafers, rice paper and similar products	3 616	0 + EAR	0 + EAR	6 % + EA
09.5235	2001 90 30 2004 90 10 2005 80	Sweetcorn	14 074	0 + EAR	0 + EAR	3 % + EA
09.5617	2008 99 85	Maize (corn), other than sweet corn (*Zea mays* var. *saccharata)*	200	0 + EAR	0 + EAR	3 % + EA
	2008 99 91	Yams, sweet potatoes and similar edible parts of plants, containing 5 % or more by weight of starch				
09.5237	2101 12 98	Preparations with a basis of extracts, essences or concentrates of coffee or with a basis of coffee, other than those of CN code 2101 12 92	18	0 + EAR	0 + EAR	CCT
	2101 20	– Extracts, essences and concentrates of tea or maté, and preparations with a basis of these extracts, essences and concentrates or with a basis of tea or maté:				
	2101 20 20	– – Extracts, essences or concentrates		3,3 %	2,9 %	CCT
		– – Preparations:				
	2101 20 92	– – – With a basis of extracts, essences or concentrates of tea or maté		0 %	0 %	CCT
	2101 20 98	– – – Other		0 + EAR	0 + EAR	CCT
09.5239	2101 30	Roasted chicory and other roasted coffee substitutes and extracts, essences and concentrates thereof	792			
	2101 30 11			6,3 %	5,9 %	CCT
	2101 30 19			0 + EAR	0 + EAR	2 % + EA
	2101 30 91			7,1 %	6,5 %	CCT
	2101 30 99			0 + EAR	0 + EAR	2 % + EA

Order No	CN code	Description	1998 quota (tonnes)	Preference (1)		Duty outside quota (2)
				from 1. 1 to 30. 6. 1998	from 1. 7 to 31. 12. 1998	
09.5619	2102 20 11 2102 20 19	Inactive yeasts	260	0 %	0 %	CCT
09.5241	2103	Sauces and preparations therefor; mixed condiments and mixed seasonings; mustard flour and meal and prepared mustard	3 430			
	2103 10 00			3,6 %	3,3 %	CCT
	2103 20 00			4,9 %	4,6 %	CCT
	2103 30 90			5,3 %	4,9 %	7 %
	2103 90 90			4,1 %	3,8 %	7 %
09.5243	2104	Soups and broths and preparation therefor, homogenised composite food preparations	924			
	2104 10			5,7 %	5,3 %	11 %
	2104 20 00			7,1 %	6,5 %	17 %
09.5245	2105 00	Ice cream and other edible ice, whether or not containing cocoa	76	0 + EAR	0 + EAR	CCT
09.5251	2202	Waters, including mineral waters and aerated waters, containing added sugar or other sweetening matter or flavoured, and other non-alcoholic beverages, not including fruit or vegetable juices of No 2009	2 628			
	2202 10			0 %	0 %	6 %
	2202 90 10			3,6 %	3,3 %	6 %
	2202 90 91	Non-alcoholic beverages, not including fruit or vegetable juices of No 2209, containing products of heading Nos 0401, 0402 and 0404 or fat obtained from the products of heading Nos 0401, 0402 and 0404		0 + EAR	0 + EAR	CCT
	2202 90 95			0 + EAR	0 + EAR	CCT
	2202 90 99			0 + EAR	0 + EAR	CCT
09.5253	2203 00	Beer made from malt	1 824	4,4 %	3,5 %	14 %
09.5255	2205	Vermouth and other wine of fresh grapes flavoured with plants or aromatic substances	528	0 %	0 %	CCT
09.5211			1 072			
	3823 12 00	Oleic acid		0 %	0 %	3 %
	3823 70 00	Industrial fatty alcohols		2,7 %	2,5 %	5 %

(1) The basic amounts taken into consideration in calculating the reduced agricultural components and additional duties, applicable on importation into the Community of goods listed in this table are those set out in Table 1 of Annex II (Hungary).

(2) In cases where the duties set out in this column exceed the duties notified to GATT the latter rates will apply.

Order No	CN code	Description	1998 quota (ECU)	Preference
09.5417 *(cont'd)*	1904	Prepared food obtained by the swelling or roasting of cereals or cereal products (for example cornflakes); cereals (other than maize (corn)), in grain form, pre-cooked, or otherwise prepared		
	1905	Bread, pastry, cakes, biscuits and other bakers' wares, whether or not containing cocoa communion wafers, empty cachets of a kind suitable for pharmaceutical use, sealing wafers, rice paper and similar products		
	2101 12 98	Preparations with a basis of extracts, essences or concentrates of coffee or with a basis of coffee, other than those of CN code 2101 12 92		
	2101 20 98	Extracts, essences and concentrates of tea or maté, and preparations with a basis of these extracts or with a basis of tea or maté, other than those of CN code 2101 20 20 and 2101 20 92		
	2101 30 19	Roasted coffee substitutes		
	2101 30 99	Extracts essences and concentrates of roasted coffee substitutes excluding those of roasted chicory		
	2102 10 31 2102 10 39	Bakers' yeast		
	2105 00	Ice cream and other edible ice, whether or not containing cocoa		
	ex 2106	Food preparations not elsewhere specified or included other than those falling within CN codes 2106 10 20 and 2106 90 92 and other than flavoured or coloured sugar syrups		
	2202 90 91 2202 90 95 2202 90 99	Non-alcoholic beverages, not including fruit or vegetable juices of CN code 2009, containing products of CN codes 0401, 0402 and 0404 or fat obtained from products of CN codes 0401, 0402 and 0404		
	3302 10	Mixtures of odoriferous substances and mixtures (including alcoholic solutions) with a basis of one or more of these substances, of a kind used in the food or drink industries:		
	3302 10 29	– Other		

Order No	CN code	Description	1998 quota (tonnes)	Preference
09.5641	1516 20 10	Hydrogenated castor oil, so called 'opal wax'	314	0 %
09.5643	3823 11	Stearic acid	226	0 %

ROMANIA

Order No	CN code	Description	1998 quota (tonnes)	Preference
09.5431	ex 1704	Sugar confectionery (including white chocolate), not containing cocoa; excluding liquorice extract containing more than 10 % by weight of sucrose but not containing other added substances, falling within CN code 1704 90 10 (1)	2 100	EAR'

Corrigendum to Commission Regulation (EC) No 1059/97 of 11 June 1997 adjusting the maximum annual fishing effort for certain fisheries

(Official Journal of the European Communities L 154 of 12 June 1997)

On page 27, in footnote (*) of the Annex:

for: 'Expressed in thousands of kW x fishing days',

read: 'Expressed in thousands of kW x days in the area'.

Corrigendum to Commission Regulation (EC) No 2268/97 of 14 November 1997 adjusting the maximum annual fishing effort for certain fisheries

(Official Journal of the European Communities L 313 of 15 November 1997)

On page 2, in footnote (*) of the Annex:

for: 'Expressed in thousands of kW x fishing days',

read: 'Expressed in thousands of kW x days in the area'.

Corrigendum to Commission Regulation (EC) No 2493/97 of 12 December 1997 adjusting the maximum annual fishing effort for certain fisheries

(Official Journal of the European Communities L 343 of 13 December 1997)

On page 15, in footnote (*) of the Annex:

for: 'Expressed in thousands of kW x fishing days',

read: 'Expressed in thousands of kW x days in the area'.

On page 16, in footnote (*) of the Annex:

for: 'Expressed in thousands of kW x fishing days',

read: 'Expressed in thousands of kW x days in the area'.

Corrigendum to Commission Regulation (EC) No 2503/97 of 15 December 1997 adjusting the maximum annual fishing effort for certain fisheries

(Official Journal of the European Communities L 345 of 16 December 1997)

On page 24, in footnote (*) of the Annex:

for: 'Expressed in thousands of kW x fishing days',

read: 'Expressed in thousands of kW x days in the area'.