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(Acts adopted pursuant to Title VI of the Treaty on European Union)

JOINT ACTION

of 3 December 1998

adopted by the Council on the basis of Article K.3 of the Treaty on European Union, on money laundering, the identification, tracing, freezing, seizing and confiscation of instrumentalities and the proceeds from crime

(98/699/JHA)

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty on European Union and, in particular, Article K.3(2)(b) thereof,

Having regard to the initiative of the United Kingdom,

Having regard to the action plan of the High Level Group on Organised Crime approved by the Amsterdam European Council on 16 and 17 June 1997, and in particular recommendation 26(b) on strengthening the tracing and seizure of the proceeds from crime,

Having examined the views of the European Parliament following the consultation conducted by the Presidency in accordance with Article K.6 of the Treaty on European Union,

Having regard to the Joint Actions of 5 December 1997 establishing a mechanism for evaluating the application and implementation at national level for international undertakings in the fight against organised crime ⁽¹⁾, and of 19 March 1998, establishing a programme of exchanges, training and cooperation for persons responsible for action to combat organised crime (Falcone Programme) ⁽²⁾,

Considering the commitment of Member States of the principles of the Council of Europe Convention on Laundering, Search, Seizure and Confiscation of the Proceeds from Crime 1990,

Having regard to the proposed Joint Action on making it a criminal offence to participate in a criminal organisation in the Member States of the European Union, and in particular to the offences covered by that Joint Action,

Considering the requirements of Council Directive 91/308/EEC of 10 June 1991 on prevention of the use of the financial system for the purpose of money laundering ⁽³⁾, and the 40 recommendations to combat money laundering of the Financial Action Task Force on Money

Laundering (FATF) as formulated in 1996, and in particular recommendation 4 thereof,

Having regard to the Joint Action of 17 December 1996 concerning the approximation of the laws and practices of the Member States of the European Union to combat drug addiction and to prevent and combat illegal drug trafficking ⁽⁴⁾,

Mindful of the common objective of improving coordination between law enforcement authorities,

Recalling the Joint Action on the creation of a European Judicial Network, adopted by the Council on 29 June 1998 ⁽⁵⁾,

Whereas the potential for disrupting criminal activity in the field of organised crime, by more effective cooperation between Member States in identifying, tracing, freezing or seizing, and confiscating the assets deriving from crime, is being improved;

Whereas mutually compatible practices are making cooperation at European level more efficient at identifying, tracing, freezing or seizing, and confiscating illegal assets;

Whereas recommendation No 16 of the abovementioned action plan to combat organised crime emphasised the need to accelerate procedures for judicial cooperation in matters relating to organised crime, while considerably reducing delay in transmission and responses to requests;

Considering the Member States' adherence to the 1959 European Convention on Mutual Assistance in Criminal Matters;

In the light of the United Nations Convention against Illicit Traffic in Narcotic Drugs and Psychotropic Substances 1988 and the 1998 United Nations General Assembly Special Session on Drugs;

⁽¹⁾ OJ L 344, 15. 12. 1997, p. 7.

⁽²⁾ OJ L 99, 31. 3. 1998, p. 8.

⁽³⁾ OJ L 166, 28. 6. 1991, p. 77.

⁽⁴⁾ OJ L 342, 31. 12. 1996, p. 6.

⁽⁵⁾ OJ L 191, 7. 7. 1998, p. 4.

Recognising the achievement of the 1996 Dublin Seminar on asset confiscation in identifying obstacles to effective cooperation;

On the understanding that the forms of cooperation laid down in this Joint Action are without prejudice to other forms of bilateral or multilateral cooperation,

HAS ADOPTED THIS JOINT ACTION:

Article 1

1. In order to enhance effective action against organised crime, Member States shall ensure that no reservations are made or upheld in respect of the following Articles of the 1990 Council of Europe Convention on Laundering, Search, Seizure and Confiscation of the Proceeds from Crime (hereinafter referred to as 'the 1990 Convention'):

- (a) Article 2: in so far as the offence is punishable by deprivation of liberty or a detention order of a maximum of more than one year;
- (b) Article 6: in so far as serious offences are concerned. Such offences should in any event include offences which are punishable by deprivation of liberty or a detention order of a maximum of more than one year, or, as regards those States which have a minimum threshold for offences in their legal system, offences punishable by deprivation of liberty or a detention order of a minimum of more than six months.

Point (a) shall not affect reservations made with regard to the confiscation of proceeds from offences punishable under legislation on taxation.

2. Each Member State shall ensure that its legislation and procedures on the confiscation of the proceeds from crime shall also allow for the confiscation of property the value of which corresponds to such proceeds, both in purely domestic proceedings and in proceedings instituted at the request of another Member State, including requests for the enforcement of foreign confiscation orders. However, Member States may exclude the confiscation of property the value of which corresponds to the proceeds from crime in minor cases. The words 'property', 'proceeds', and 'confiscation' shall have the same meaning as in Article 1 of the 1990 Convention.

3. Each Member State shall ensure that its legislation and procedures enable it to permit the identification and tracing of suspected proceeds from crime at the request of another Member State where there are reasonable grounds to suspect that a criminal offence has been committed. Such legislation and procedures shall enable assistance to be given at the earliest possible stages in an investigation,

and to that end, Member States will endeavour to restrict their use of the optional grounds for refusal in respect of other Member States under paragraphs 2 and 3 of Article 18 of the 1990 Convention.

Article 2

1. Within the framework of the functioning of the European Judicial Network, each Member State shall prepare a user-friendly guide, including information about where to obtain advice, setting out the assistance it can provide in identifying, tracing, freezing or seizing and confiscating instrumentalities and the proceeds from crime. The guide shall also include any important restrictions on such assistance and the information which requesting States should supply.

2. The General Secretariat of the Council of the European Union shall be sent the guides referred to in paragraph 1 and shall translate them into the official languages of the institutions of the European Community. The General Secretariat shall distribute the guides to Member States, the European Judicial Network and Europol.

3. Each Member State shall ensure that the guide referred to in paragraph 1 is kept up to date and that any changes are sent to the General Secretariat of the Council for translation and distribution in accordance with paragraph 2.

Article 3

Member States shall give the same priority to all requests from other Member States which relate to asset identification, tracing, freezing or seizing, and confiscation as is given to such measures in domestic proceedings.

Article 4

1. Member States shall encourage direct contact between investigators, investigating magistrates and prosecutors of Member States making appropriate use of available cooperation arrangements, to ensure that requests for assistance through formal channels are not made unnecessarily. When a formal request is necessary, the requesting State shall ensure that it is properly prepared and meets all the requirements of the requested State.

2. Where it is not possible to execute a request for assistance in the manner expected by the requesting State, the requested State shall endeavour to satisfy the request in some alternative way, after appropriate consultation with the requesting State, while fully respecting national legislation and international obligations.

3. Member States shall submit requests for assistance as soon as the precise nature of the assistance required is identified and, where a request is marked 'urgent' or a deadline is indicated, explain the reasons for the urgency or deadline.

Article 5

1. Member States shall, where it is not contrary to their law, take all necessary steps to minimise the risk of assets being dissipated. Those steps shall include such measures as may be necessary to ensure that assets which are the subject of a request from another Member State may be frozen or seized expeditiously so that a later confiscation request is not frustrated.

2. Where, in the course of fulfilling a request for legal assistance in one area of a Member State the need arises to pursue further enquiries in another area of that Member State, the Member State shall, where it is not contrary to its law, take all possible steps to enable the necessary assistance to be rendered without the need for preparation of a further letter of request.

3. Where the execution of a request leads to the need to pursue further enquiries on a related issue, and the requesting State issues a supplementary letter of request, the requested State shall, where it is not contrary to its law, take all possible steps to expedite the execution of such a supplementary request.

Article 6

1. Member States shall ensure that arrangements are in place to acquaint their judiciary with best practice in international cooperation in the identification, tracing, freezing or seizing, and confiscation of instrumentalities and the proceeds from crime.

2. Member States shall ensure that appropriate training, reflecting best practice, is provided to all investigators, investigating magistrates, prosecutors and other officials concerned with international cooperation in asset identification, tracing, freezing or seizing and confiscation matters.

3. The Presidency and interested Member States, in cooperation as appropriate with the European Judicial Network and Europol, shall as necessary arrange seminars for officials from Member States and other practitioners involved to promote and develop best practice and to encourage compatibility of procedures.

Article 7

The Council shall, before the end of 2000, review this Joint Action in the light of the results of the operation of the Joint Action of 5 December 1997 establishing a mechanism for evaluating the application and implementation at national level of international undertakings in the fight against organised crime.

Article 8

1. Subject to paragraph 2, Member States shall take all appropriate steps to implement this Joint Action as soon as it enters into force, and shall ensure that its contents are brought to the attention of their relevant national and local authorities.

2. Appropriate proposals for the implementation of Article 1 shall be submitted by Member States within three years of the entry into force of this Joint Action for consideration by the competent authorities with a view to their adoption.

Article 9

This Joint Action shall be published in the Official Journal and shall enter into force on the day of its publication.

Done at Brussels, 3 December 1998.

For the Council

The President

K. SCHLÖGL

JOINT ACTION**of 3 December 1998****adopted by the Council on the basis of Article K.3 of the Treaty on European Union concerning the setting up of a European Image Archiving System (FADO)****(98/700/JHA)**

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty on European Union, and in particular Article K.3(2)(b) thereof,

Whereas Article K.1(3) of the Treaty provides that immigration policy and policy regarding nationals of third countries are matters of common interest;

Whereas the fight against false documents is an area covered by immigration policy and police cooperation; whereas the proliferation of genuine and false documents necessitates frequent updating; whereas the fact that the techniques used to produce genuine documents and their counterfeits are increasingly sophisticated also necessitates a high-quality medium;

Whereas the European Fraud Bulletin and the Handbook of Genuine Documents do not fully meet the requirements of speed and accuracy of reproduction, which is why the use of a computerised image archiving system, with proper training for the staff concerned, is a key element in any overall strategy designed to meet the needs of the Member States;

Whereas several Member States have computerised image archiving systems which they are in the process of putting into operation;

Whereas, in order to ensure a high level of control by the Member States, it would be useful to introduce a computerised image archiving system providing access to document checkers in the Member States; whereas this system should enable users to have at their disposal information on any new forgery methods that are detected and on the new genuine documents that are in circulation;

Whereas, in order to ensure that the information in the system is compatible and uniform, it is necessary to draw up procedures for the preparation of Member States' contributions for inclusion in the system and procedures for controlling and verifying such contributions;

Whereas this Joint Action does not affect the competence of the Member States relating to the recognition of pass-

ports, travel documents, visas, or other identity documents,

HAS ADOPTED THIS JOINT ACTION:

Article 1

1. A European image archiving system shall be set up for the purpose of exchanging, by computerised means and within very short periods of time, information which the Member States possess concerning genuine and false documents that have been recorded in accordance with the procedures set out in the Annex to this Joint Action.

2. This system shall not replace or eliminate ordinary exchanges on paper until all the Member States are in a position to use the computerised system.

Article 2

The database of the system shall contain, among other things, the following information:

- (a) images of false and forged documents;
- (b) images of genuine documents;
- (c) summary information on forgery techniques;
- (d) summary information on security techniques.

Article 3

The setting up of the European system shall not prevent each Member State from developing and using its own national system corresponding to the requirements of the national border services and the internal services responsible for the verification of documents.

Article 4

The Council shall adopt without delay the technical specifications relating to compatibility with existing systems, to the entering of information in the system and to the procedures for controlling and verifying such information.

Article 5

This Joint Action shall be published in the Official Journal and enter into force on the day following that of its publication.

Article 1 shall apply no later than 12 months after the measures referred to in Article 4 are adopted.

Done at Brussels, 3 December 1998.

For the Council

The President

K. SCHLÖGL

ANNEX

EUROPEAN IMAGE ARCHIVING SYSTEM

A computerised system shall be created within the General Secretariat of the Council, which shall contain genuine documents, together with false and forged documents.

The name of the European system is FADO (False and Authentic Documents).

1. Description of the system

- the system shall be read from one central service located in each Member State,
- the system shall be based on the Internet technology. The system shall ensure that the information can be transmitted quickly to the national central services. As soon as the information has been given to the General Secretariat of the Council, it shall be entered as quickly as possible into the FADO system. Each Member State shall be responsible for adding these data to its own national system or copy of the FADO system,
- the system shall be multilingual,
- the system shall be 'user-friendly',
- the system shall be based on a very strict codification. The security of the information contained in the computerised system shall be guaranteed. The system shall use special data lines between the General Secretariat of the Council and the central services located in the Member States,
- within each Member State, the system shall be read through a secure internet from a central service. The Member State may use the same system internally on its own territory (which means connecting different stations at its various border control posts or other competent authorities). There shall be no direct link between a workstation, other than a national central service, and the central point in the General Secretariat. A mechanism shall be created to duplicate and update the system located in the Member States from the FADO system (tape, removable discs, CD-ROM etc.),
- each Member State shall be free to develop its own national secure system for internal data transmission,
- the FADO system shall work through a network between the central point within the General Secretariat and the central services located in each Member State, which will allow for the rapid exchange of information,
- as documents will be sent electronically to enable them to be entered in the existing national systems, the format used for the images shall be a standard one (JPEG, TIFF, BMP, etc.). The image quality shall be the best one possible, but there shall also be a proper balance between the image quality, the size and the compression,
- zoomed images shall, if necessary, be available for the important parts of the image,
- the system shall allow for a comparison on the screen between the original document and a false or forged document,
- the system shall provide explanations on different forgery techniques and on security techniques,
- cross-references shall be necessary in order to enable the users to find all the information about a document very quickly,
- first priority shall be given to the documents of the Member States, as well as to the documents of third countries from where there are regular immigration flows to the Member States. The information in the system shall be extended and updated to include all other documents, making it as complete as possible,
- the system shall introduce a 'flash' which would entail sending a warning to all Member States about a particular false document via e-mail,
- the system shall have more than one level. The possibility of developing an additional level of query, in order to include more detailed information for experts, shall be borne in mind from the outset,
- the system shall contain a special zone for the inclusion of documents which are not recognised by one or more Member States.

2. Costs of the system

The costs relating to the setting up and running of the FADO system will consist of the acquisition of technical equipment and staffing costs. Since the FADO system is designed purely for the electronic archiving and transmission of documents, which is currently done in hard-copy form, such costs will constitute administrative expenditure for the Council, within the meaning of Article K.8(2), first sentence of the Treaty on European Union.

COUNCIL DECISION
of 3 December 1998
on common standards relating to filling in the uniform format for residence permits
(98/701/JHA)

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to Joint Action 97/11/JHA of 16 December 1996 concerning a uniform format for residence permits⁽¹⁾, and in particular Article 2(1) thereof,

Whereas it is necessary to establish common standards relating to filling in the said format, so as to ensure the uniform aspect thereof;

Whereas this Decision does not affect the competence of Member States relating to the recognition of States and territorial entities, as well as of passports and travel documents issued by these States or entities; whereas the attribution of the codes in the Appendix to this Decision is of a purely administrative nature and is without prejudice to the determination of the nationality of third country residents,

HAS DECIDED AS FOLLOWS:

Article 1

The uniform format for residence permits shall be filled in in accordance with the procedures contained in the Annex hereto.

Article 2

The Council shall examine, at least once a year, the procedures and codes contained in the Annex and the Appendix hereto with a view to adapting them.

Article 3

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

Done at Brussels, 3 December 1998.

For the Council
The President
K. SCHLÖGL

⁽¹⁾ OJ L 7, 10. 1. 1997, p. 1.

*ANNEX***I. PROCEDURES FOR COMPLETION OF THE COMMON REFERENCE AREA OF THE STICKER IN THE UNIFORM FORMAT OF THE RESIDENCE PERMIT.**

The format adopted for the sticker is in ID2 format (conforming with the dimensions for the ID2 type card (ISO7810)).

There are eight spaces to be completed in accordance with the technical specifications, where appropriate, as follows:

1. Permit No

The number of the document shall appear in this space (protected by special security features and preceded by a letter code), in accordance with part one paragraph 3.7 (initial letter(s) as detailed in paragraph 3.2) of the technical specifications.

2. Name

The surname(s) and first name(s) shall be inserted here in order. The surname(s) and first name(s) on the document to which the sticker is attached must be exactly the same as those on the sticker.

3. 'Valid until' space

The relevant date of expiry shall be entered in this space or, if necessary, a word or a code indicating unlimited validity.

Member States shall forward to the General Secretariat of the Council the various words or codes referred to in the previous subparagraph, to enable the Secretariat to draw up a list for distribution to all Member States. Such a list could also be used as an additional device for discovering falsifications.

Where an expiry date is entered, the date must be entered by means of three groups of two figures in the following order, two for the day, two for the month and two for the year, to be separated by a hyphen, and the first figure shall be a nought where the number is lower than 10 (e.g. 15-01-96: 15 January 1996).

4. Place/date of issue

This space shall indicate the place and date of issue of the residence permit.

The date of issue shall be entered by means of three groups of two figures in the order laid down in the third subparagraph of point 3.

5. Type of permit

This space shall show the specific type of the residence permit issued by the Member State to the national of a third country.

This space should not be harmonised because of disparities between the laws of the Member States. However, Member States will forward to the General Secretariat of the Council the various references they include in this space to enable the Secretariat to draw up a list for distribution to all Member States. Such a list could also be used as an additional device for discovering falsifications.

6. Remarks

Member States may enter in this space information and remarks for national use which are required by national provisions concerning nationals from third countries, including information on authorisation to work and passport number.

Member States will forward to the General Secretariat of the Council the various permanent references they include in this space to enable the Secretariat to draw up a list for distribution to all Member States. Such a list could also be used as an additional device for discovering falsifications.

7. Date/signature/authorisation

Where necessary, the issuing authority may affix here its signature and its stamp and/or require the holder to affix his signature.

If this space is used, the date should be entered by means of three groups of two figures in the order laid down in the third subparagraph of point 3.

Where the Member State's legislation or practices require the affixing of an issuing-office stamp, the stamp should be located in the rectangle bounded on the right by the right edge of the sticker, on the left by the 'Remarks' box, above by the emblem of the Member State and below by the machine-readable area.

It is also desirable that the stamp consist of a rectangle 1 cm high × 2,5 cm wide showing the name of the authority issuing the residence permit and the signature and/or the date. The signature and/or the date should be framed on each side by three parallel horizontal lines, the middle one being half as long as the other two.

8. Machine-readable area

The area reserved for machine reading (including codes indicating nationality or other status) shall be completed in accordance with the standards of the International Civil Aviation Organisation (ICAO), as set out in the technical specification. On the second line, either the number of the permit or the passport number shall be recorded. The three codes relating to the nationality or status of the permit holder shall be entered in accordance with the list in the Appendix.

Member States shall notify the General Secretariat of the Council whether they intend to record the permit or the passport number. The Secretariat will circulate this information to all Member States.

II. PROCEDURES FOR COMPLETION OF THE COMMON REFERENCE AREA OF THE STAND-ALONE DOCUMENT IN THE UNIFORM FORMAT OF THE RESIDENCE PERMIT.

The format adopted for the stand-alone document is either the ID1 or ID2 format in accordance with ISO standard 7810.1995. In both formats there are 12 boxes to be completed in accordance with the technical specifications where appropriate.

A. FRONT

1. Permit No

The number of the document shall appear in this space preceded by a letter code, in accordance with Part 2 of paragraph 3.2 (initial letter(s) as detailed in Part I, paragraph 3.2) of the technical specifications.

2. Name

The surname(s) and first name(s) shall be inserted here in order.

3. 'Valid until' space

The corresponding date of expiry shall be entered in this space or, if necessary, a word or a code indicating unlimited validity.

Member States shall forward to the General Secretariat of the Council the various words or codes referred to in the previous subparagraph, to enable the Secretariat to draw up a list for distribution to all Member States. Such a list could also be used as an additional device for discovering falsifications.

Where an expiry date is entered, the date must be entered by means of three groups of two figures in the following order, two for the day, two for the month and two for the year, to be separated by a hyphen, and the first figure shall be a nought where the number is lower than 10 (e.g. 15-01-96: 15 January 1996).

4. Place/date of issue

This space shall indicate the place and date of issue of the residence permit.

The date of issue shall be entered by means of three groups of two figures in the order laid down in the third subparagraph of point 3.

5. Type of permit

This space shall show the specific type of the residence permit issued by the Member State to the national of a third country.

This space should not be harmonised because of disparities between the laws of the Member States. However, Member States will forward to the General Secretariat of the Council the various references they include in this space to enable the Secretariat to draw up a list for distribution to all Member States. Such a list could also be used as an additional device for discovering falsifications.

6. Remarks

Member States may enter in this space information and remarks for national use which are required by national provisions concerning nationals from third countries, including information on authorisation to work.

Member States will forward to the General Secretariat of the Council the various permanent references they include in this space to enable the Secretariat to draw up a list for distribution to all Member States. Such a list could also be used as an additional device for discovering falsifications.

7. Date/signature/authorisation

Where necessary, the issuing authority may affix here its signature and its stamp and/or require the holder to affix his signature.

If this space is used, the date should be entered by means of three groups of two figures in the order laid down in the third subparagraph of point 3.

Where the Member State's legislation or practices require the affixing of an issuing-office stamp, the stamp could be located in the rectangle bounded on the right by the right edge of the stand-alone document, on the left by the 'Remarks' box, above by the emblem of the Member State and below by the base of the card in the ID1 format, or by the machine-readable area in the ID2 format.

It is also desirable that the stamp consist of a rectangle 1 cm high × 2,5 cm ⁽¹⁾ wide showing the name of the authority issuing the residence permit and the signature and/or the date; the signature and/or the date should be framed on each side by three parallel horizontal lines, the middle one being half as long as the other two.

B. BACK

Where there is a stand-alone document, the following additional references shall appear on the back.

8. Date and place of birth

Reference to the place and date of birth of the holder of the residence permit shall be entered here.

The place of birth shall be the name of the city, if known, as well as the country where the holder of the permit was born. Reference to the country of birth must be given since the holder's nationality may be different from the country of his birth.

The date of birth shall be entered by means of three groups of two figures in the order laid down in the third subparagraph of point 3.

9. Nationality

The nationality or any other status of the holder of the residence permit shall be entered here.

Reference to the nationality shall be by reference to the name of the country of which the foreigner is a national, or to any other relevant status, e.g. Colombia.

10. Sex

The sex of the holder of the residence permit shall be entered here in accordance with ICAO standards for the machine-readable zone.

Member States will forward to the General Secretariat of the Council the various references they include in this box to enable the Secretariat to draw up a list for distribution to all Member States. Such a list could also be used as an additional device for discovering falsifications.

⁽¹⁾ For ID1 format, these dimensions should be reduced by half.

11. Remarks

Member States may enter in this box information and remarks for national use which are required by national provisions concerning nationals from third countries, for example the holder's address.

Member States will forward to the General Secretariat of the Council the various references they include in this box to enable the Secretariat to draw up a list for distribution to all Member States. Such a list could also be used as an additional device for discovering falsifications.

12. Machine-readable area

(on reverse side of the document in ID1 format and on the front of the document in ID2 format)

The area reserved for machine reading (including codes indicating nationality or other status) shall be completed in accordance with the standards of the International Civil Aviation Organisation (ICAO), as set out in the technical specification. The three codes relating to the nationality or status of the permit holder shall be entered in accordance with the list in the Appendix.

*Appendix***List of the codes for entering the nationality or status of the holder of the residence permit in the machine-readable area**

	Country	Code
EUROPE	Albania	ALB
	Andorra	AND
	Armenia	ARM
	Azerbaijan	AZE
	Belarus	BLR
	Bosnia and Herzegovina	BIH
	Bulgaria	BGR
	Croatia	HRV
	Cyprus	CYP
	Czech Republic	CZE
	Estonia	EST
	Georgia	GEO
	Holy See (Vatican City State)	VAT
	Hungary	HUN
	Latvia	LVA
	Lithuania	LTU
	Malta	MLT
	Moldova, Republic of	MDA
	Monaco	MCO
	Poland	POL
	Romania	ROM
	Russian Federation	RUS
	San Marino	SMR
	Slovakia	SVK
	Slovenia	SVN
	Switzerland	CHE
	The former Yugoslav Republic of Macedonia	FRM
	Turkey	TUR
	Ukraine	UKR
	Yugoslavia, Federal Republic of	YUG
AFRICA	Algeria	DZA
	Angola	AGO
	Benin	BEN
	Botswana	BWA
	Burkina Faso	BFA
	Burundi	BDI
	Cameroon	CMR
	Cape Verde	CPV
	Central African Republic	CAF
	Chad	TCD
	Comoros	COM
	Congo	COG
	Congo, the Democratic Republic of the	COD
	Cote d'Ivoire	CIV
	Djibouti	DJI
	Egypt	EGY

	Country	Code
	Equatorial Guinea	GNQ
	Eritrea	ERI
	Ethiopia	ETH
	Gabon	GAB
	Gambia	GMB
	Ghana	GHA
	Guinea	GIN
	Guinea-Bissau	GNB
	Kenya	KEN
	Lesotho	LSO
	Liberia	LBR
	Libyan Arab Jamahiriya	LBY
	Madagascar	MDG
	Malawi	MWI
	Mali	MLI
	Mauritania	MRT
	Mauritius	MUS
	Morocco	MAR
	Mozambique	MOZ
	Namibia	NAM
	Niger	NER
	Nigeria	NGA
	Rwanda	RWA
	São Tomé and Príncipe	STP
	Senegal	SEN
	Seychelles	SYC
	Sierra Leone	SLE
	Somalia	SOM
	South Africa	ZAF
	Sudan	SDN
	Swaziland	SWZ
	Tanzania, United Republic of	TZA
	Togo	TGO
	Tunisia	TUN
	Uganda	UGA
	Zambia	ZMB
	Zimbabwe	ZWE
AMERICA		
	Antigua and Barbuda	ATG
	Argentina	ARG
	Bahamas	BHS
	Barbados	BRB
	Belize	BLZ
	Bolivia	BOL
	Brazil	BRA
	Canada	CAN
	Chile	CHL
	Colombia	COL
	Costa Rica	CRI
	Cuba	CUB
	Dominica	DMA
	Dominican Republic	DOM
	Ecuador	ECU

	Country	Code
	El Salvador	SLV
	Grenada	GRD
	Guatemala	GTM
	Guyana	GUY
	Haiti	HTI
	Honduras	HND
	Jamaica	JAM
	Mexico	MEX
	Nicaragua	NIC
	Panama	PAN
	Paraguay	PRY
	Peru	PER
	Saint Kitts and Nevis	KNA
	Saint Lucia	LCA
	Saint Vincent and the Grenadines	VCT
	Suriname	SUR
	Trinidad and Tobago	TTO
	United States of America	USA
	Uruguay	URY
	Venezuela	VEN
ASIA		
	Afghanistan	AFG
	Bahrain	BHR
	Bangladesh	BGD
	Bhutan	BTN
	Brunei Darussalam	BRN
	Cambodia	KHM
	China	CHN ⁽¹⁾
	East Timor	TMP
	India	IND
	Indonesia	IDN
	Iran (Islamic Republic of)	IRN
	Iraq	IRQ
	Israel	ISR
	Japan	JPN
	Jordan	JOR
	Kazakhstan	KAZ
	Korea, Democratic People's Republic of	PRK
	Korea, Republic of	KOR
	Kuwait	KWT
	Kyrgyzstan	KGZ
	Lao People's Democratic Republic	LAO
	Lebanon	LBN
	Malaysia	MYS
	Maldives	MDV
	Mongolia	MNG
	Myanmar	MMR
	Nepal	NPL
	Oman	OMN
	Pakistan	PAK
	Palestine	*
	Philippines	PHA
	Qatar	QAT

	Country	Code
OCEANIA	Saudi Arabia	SAU
	Singapore	SGP
	Sri Lanka	LKA
	Syrian Arab Republic	SYR
	Tajikistan	TJK
	Thailand	THA
	Turkmenistan	TKM
	United Arab Emirates	ARE
	Uzbekistan	UZB
	Vietnam	VNM
	Yemen	YEM
	Australia	AUS
	Fiji	FJI
	Kiribati	KIR
	Marshall Islands	MHL
	Micronesia (Federated States of)	FSM
	Nauru	NRU
	New Zealand	NZL
	Palau	PLW
	Papua New Guinea	PNG
	Samoa	WSM
	Solomon Islands	SLB
	Tonga	TON
	Tuvalu	TUV
	Vanuatu	VUT

(¹) For residents of Hong Kong, the code HKG may be used.

The following codes are also used:

Stateless	XXA
Refugees (Convention of 28 July 1951)	XXB
Other refugees	XXC
International Committee of the Red Cross	CRC
UNHCR	UNR

I

(Acts whose publication is obligatory)

COMMISSION REGULATION (EC) No 2630/98
of 8 December 1998
establishing the standard import values for determining the entry price of certain
fruit and vegetables

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

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

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

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

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

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

HAS ADOPTED THIS REGULATION:

Article 1

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

Article 2

This Regulation shall enter into force on 9 December 1998.

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

Done at Brussels, 8 December 1998.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ L 337, 24. 12. 1994, p. 66.

⁽²⁾ OJ L 198, 15. 7. 1998, p. 4.

⁽³⁾ OJ L 387, 31. 12. 1992, p. 1.

⁽⁴⁾ OJ L 22, 31. 1. 1995, p. 1.

ANNEX

to the Commission Regulation of 8 December 1998 establishing the standard import values for determining the entry price of certain fruit and vegetables

(ECU/100 kg)

CN code	Third country code ⁽¹⁾	Standard import value
0702 00 00	052	71,4
	204	94,0
	999	82,7
0709 90 70	052	97,8
	204	96,5
	999	97,2
0805 10 10, 0805 10 30, 0805 10 50	052	32,7
	204	44,4
	388	45,4
	999	40,8
0805 20 10	204	69,4
	999	69,4
0805 20 30, 0805 20 50, 0805 20 70, 0805 20 90	052	56,9
	464	258,6
	999	157,8
	052	54,0
0805 30 10	388	47,7
	528	40,0
	600	75,8
	999	54,4
	039	75,0
0808 10 20, 0808 10 50, 0808 10 90	052	94,1
	060	13,2
	064	43,8
	400	82,6
	404	61,4
	999	61,7
	052	85,4
0808 20 50	064	64,6
	400	62,8
	720	49,9
	999	65,7

⁽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 2631/98

of 8 December 1998

laying down for 1999 the quantities for which the annual allocations for 'new-comer' operators are granted under the tariff quotas for traditional ACP bananas

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EEC) No 404/93 of 13 February 1993 on the common organisation of the market in bananas ⁽¹⁾, as last amended by Regulation (EC) No 1637/98 ⁽²⁾,

Having regard to Commission Regulation (EC) No 2362/98 of 28 October 1998 laying down detailed rules for the implementation of Council Regulation (EEC) No 404/93 regarding imports of bananas into the Community ⁽³⁾, and in particular Articles 9(3) and 28(3) thereof,

Whereas Article 9(3) of Regulation (EC) No 2362/98 lays down the method for calculating the annual allocation for each 'newcomer' operator; whereas, in accordance with that method and a ranking of the individual applications in increasing order of the quantities applied for, the Commission calculates the quantities for which the annual allocations shall be granted;

Whereas, the notifications received in accordance with Article 28(2) of Regulation (EC) No 2362/98 have led the Commission to adopt this Regulation, based on which the competent national authorities will establish the individual allocations for the operators in question and notify them accordingly; whereas the final date for these notifications should be specified so that the provisions of Article 30 of Regulation (EC) No 2362/98 on the introduction of the licence applications can be complied with for the first quarter of 1999;

Whereas, however, the changes to the arrangements for the importation of bananas into the Community introduced by Regulations (EC) No 1637/98 and (EC) No

2362/98, in particular as regards the definition of 'new-comers', require the national authorities, in cooperation with the Commission, to carry out verifications and checks that cannot be completed before the start of 1999; whereas these operations may result in a further correction of this Regulation and corrections of the annual allocations for the 'newcomer' operators; whereas, in particular, the annual allocations calculated by the national authorities pursuant to Regulation (EC) No 2362/98 and this Regulation will not constitute vested rights or be invoked by the operators as legitimate expectations;

Whereas this Regulation must enter into force immediately, given the time limits laid down in Regulation (EC) No 2362/98,

HAS ADOPTED THIS REGULATION:

Article 1

In the case of the tariff quotas and traditional ACP bananas referred to in Articles 18 and 19 of Regulation (EEC) No 404/93, the national authorities shall establish, for 1999, the annual allocations for the 'newcomer' operators referred to in Articles 7 *et seq.* of Regulation (EC) No 2362/98, in accordance with the Annex hereto and shall notify the newcomers accordingly no later than 10 December 1998.

Article 2

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

⁽¹⁾ OJ L 47, 25. 2. 1993, p. 1.

⁽²⁾ OJ L 210, 28. 7. 1998, p. 28.

⁽³⁾ OJ L 293, 31. 10. 1998, p. 32.

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

Done at Brussels, 8 December 1998.

For the Commission
Franz FISCHLER
Member of the Commission

ANNEX

Application of Article 9(3) of Regulation (EC) No 2362/98

I

Classification of the requests for an allocation (in ascending order of quantity)

1. Requests relating to less than 275,537 tonnes
2. Requests relating to 275,537 tonnes, or more

II

Method for determining the allocation

- Allocation granted for the quantity requested
 - Allocation granted for 275,537 tonnes
-

COMMISSION REGULATION (EC) No 2632/98**of 8 December 1998****laying down for 1999 the single adjustment coefficient to be applied to each traditional operator's provisional reference quantity under the tariff quotas for traditional ACP bananas**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EEC) No 404/93 of 13 February 1993 on the common organisation of the market in bananas ⁽¹⁾, as last amended by Regulation (EC) No 1637/98 ⁽²⁾,

Having regard to Commission Regulation (EC) No 2362/98 of 28 October 1998 laying down detailed rules for the implementation of Council Regulation (EEC) No 404/93 regarding imports of bananas into the Community ⁽³⁾, and in particular Articles 6(3) and 28(3) thereof,

Whereas Articles 6(3) and 28(3) of Regulation (EC) No 2362/98 stipulate that, in the light of the total volume of tariff quotas and traditional ACP bananas and the traditional operators' total provisional reference quantities established pursuant to Article 4 and subsequent Articles of that Regulation, the Commission must set, where appropriate, a single adjustment coefficient to be applied to each operator's provisional reference quantity;

Whereas, on the basis of the notifications received in accordance with Article 28(2)(a) of Regulation (EC) No 2362/98 regarding the traditional operators' total provisional reference quantities, the Commission is required to set a single adjustment coefficient to be applied to each traditional operator's provisional reference quantity for 1999;

Whereas, however, the changes to the arrangements for the importation of bananas into the Community introduced by Regulations (EC) No 1637/98 and (EC) No 2362/98, in particular as regards the definition of tradi-

tional operators and the calculation of the individual reference quantities, require the national authorities, in cooperation with the Commission, to carry out verifications and checks that cannot be completed before the start of 1999; whereas these operations may result in a further correction of the adjustment coefficient set by this Regulation and to corrections of the traditional operators' reference quantities; whereas, in particular, the reference quantities calculated by the national authorities pursuant to Regulation (EC) No 2362/98 and this Regulation will not constitute vested rights or be invoked by the operators as legitimate expectations;

Whereas this Regulation must enter into force immediately, given the time limits laid down in Regulation (EC) No 2362/98,

HAS ADOPTED THIS REGULATION:

Article 1

In the case of the tariff quotas and traditional ACP bananas referred to in Articles 18 and 19 of Regulation (EEC) No 404/93, the reference quantity to be allocated to each traditional operator within the meaning of Article 3 of Regulation (EC) No 2362/98 for 1999 shall be obtained by applying to the operator's provisional reference quantity, as calculated pursuant to Articles 4 *et seq.* of Regulation (EC) No 2362/98, a single adjustment coefficient of 0,939837.

Article 2

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

⁽¹⁾ OJ L 47, 25. 2. 1993, p. 1.

⁽²⁾ OJ L 210, 28. 7. 1998, p. 28.

⁽³⁾ OJ L 293, 31. 10. 1998, p. 32.

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

Done at Brussels, 8 December 1998.

For the Commission

Franz FISCHLER

Member of the Commission

COMMISSION REGULATION (EC) No 2633/98**of 8 December 1998****amending Regulation (EC) No 2300/97 on detailed rules to implement Council Regulation (EC) No 1221/97 laying down general rules for the application of measures to improve the production and marketing of honey**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EC) No 1221/97 of 25 June 1997 laying down general rules for the application of measures to improve the production and marketing of honey ⁽¹⁾, as amended by Regulation (EC) No 2070/98 ⁽²⁾, and in particular Article 5 thereof,Whereas Commission Regulation (EC) No 2300/97 ⁽³⁾, as last amended by Regulation (EC) No 1472/98 ⁽⁴⁾, lays down provisions for the implementation of measures to improve the production and the marketing of honey;

Whereas consistency between measures of national programmes and other measures under the various Community policies, in particular Regulations on the coordination of agro-food research policies must be ensured during the implementation of national programmes; whereas, in particular, any over-compensation owing to the combination of aid and any other inconsistency in the definition of measures must be avoided;

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

HAS ADOPTED THIS REGULATION:

Article 1

Article 4(3) of Regulation (EC) No 2300/97 is replaced by the following:

'3. The same measure may not be the subject of payments simultaneously under Regulation (EC) No 1221/97 and under another Community aid scheme in respect of Council Regulations (EC) No 950/97 ^(*), (EC) No 951/97 ^(**) and (EC) No 952/97 ^(***) as well as Community programmes of research, technological development and demonstration provided for in Article 2(3) of this Regulation.

^(*) OJ L 142, 2.6.1997, p. 1.^(**) OJ L 142, 2.6.1997, p. 22.^(***) OJ L 142, 2.6.1997, p. 30.'*Article 2*This Regulation shall enter into force on the third day following its publication in the *Official Journal of the European Communities*.

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

Done at Brussels, 8 December 1998.

For the Commission

Franz FISCHLER

Member of the Commission⁽¹⁾ OJ L 173, 1. 7. 1997, p. 1.⁽²⁾ OJ L 265, 30. 9. 1998, p. 1.⁽³⁾ OJ L 319, 21. 11. 1997, p. 4.⁽⁴⁾ OJ L 194, 10. 7. 1998, p. 8.

COMMISSION REGULATION (EC) No 2634/98
of 8 December 1998
fixing the export refunds on pigmeat

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EEC) No 2759/75 of 29 October 1975 on the common organization of the market in pigmeat⁽¹⁾, as last amended by the Act of Accession of Austria, Finland and Sweden and by Regulation (EC) No 3290/94⁽²⁾, and in particular the second paragraph of Article 13 (3) thereof,

Whereas Article 13 of Regulation (EEC) No 2759/75 provides that the difference between prices on the world market for the products listed in Article 1 (1) of that Regulation and prices for these products within the Community may be covered by an export refund;

Whereas it follows from applying these rules and criteria to the present situation on the market in pigmeat that the refund should be fixed as set out below;

Whereas, in the case of products falling within CN code 0210 19 81, the refund should be limited to an amount which takes account of the qualitative characteristics of each of the products falling within these codes and of the foreseeable trend of production costs on the world market; whereas it is important that the Community should continue to take part in international trade in the case of certain typical Italian products falling within CN code 0210 19 81;

Whereas, because of the conditions of competition in certain third countries, which are traditionally importers of products falling within CN codes 1601 00 and 1602, the refund for these products should be fixed so as to take this situation into account; whereas steps should be taken to ensure that the refund is granted only for the net weight of the edible substances, to the exclusion of the

net weight of the bones possibly contained in the said preparations;

Whereas Article 13 of Regulation (EEC) No 2759/75 provides that the world market situation or the specific requirements of certain markets may make it necessary to vary the refund on the products listed in Article 1 (1) of Regulation (EEC) No 2759/75 according to destination;

Whereas the refunds should be fixed taking account of the amendments to the refund nomenclature established by Commission Regulation (EEC) No 3846/87⁽³⁾, as last amended by Regulation (EC) No 2580/98⁽⁴⁾;

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

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

HAS ADOPTED THIS REGULATION:

Article 1

The list of products on which the export refund specified in Article 13 of Regulation (EEC) No 2759/75 is granted and the amount of the refund shall be as set out in the Annex hereto.

Article 2

This Regulation shall enter into force on 9 December 1998.

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

Done at Brussels, 8 December 1998.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ L 282, 1. 11. 1975, p. 1.

⁽²⁾ OJ L 349, 31. 12. 1994, p. 105.

⁽³⁾ OJ L 366, 24. 12. 1987, p. 1.

⁽⁴⁾ OJ L 322, 1. 12. 1998, p. 31.

⁽⁵⁾ OJ L 162, 19. 6. 1997, p. 1.

ANNEX

to the Commission Regulation of 8 December 1998 fixing the export refunds on pigmeat

<i>(ECU/100 kg net weight)</i>			<i>(ECU/100 kg net weight)</i>		
Product code	Destination of refund ⁽¹⁾	Amount of refund	Product code	Destination of refund ⁽¹⁾	Amount of refund
0203 11 10 9000	01	20,00	0203 22 11 9100	01	20,00
	02	40,00		02	40,00
	03	70,00		03	70,00
0203 12 11 9100	01	20,00	0203 22 19 9100	01	20,00
	02	40,00		02	40,00
	03	70,00		03	70,00
0203 12 19 9100	01	20,00	0203 29 11 9100	01	20,00
	02	40,00		02	40,00
	03	70,00		03	70,00
0203 19 11 9100	01	20,00	0203 29 13 9100	01	20,00
	02	40,00		02	40,00
	03	70,00		03	70,00
0203 19 13 9100	01	20,00	0203 29 15 9100	01	13,00
	02	40,00		02	25,00
	03	70,00		03	70,00
0203 19 15 9100	01	13,00	0203 29 55 9110	01	20,00
	02	25,00		02	40,00
	03	70,00		03	70,00
0203 19 55 9110	01	20,00	0210 11 31 9110	04	90,00
	02	40,00	0210 11 31 9910	04	90,00
	03	70,00	0210 12 19 9100	04	20,00
0203 19 55 9310	01	13,00	0210 19 81 9100	04	95,00
	02	25,00	0210 19 81 9300	04	76,00
	03	70,00	1601 00 91 9000	04	28,00
0203 21 10 9000	01	20,00	1601 00 99 9110	04	25,00
	02	40,00	1602 41 10 9210	04	62,00
	03	70,00	1602 42 10 9210	04	34,00
			1602 49 19 9120	04	25,00

⁽¹⁾ The destinations are as follows:

- 01 Poland, Czech Republic, Slovak Republic, Hungary, Romania, Bulgaria, Slovenia, Latvia, Lithuania, Estonia
- 02 All destinations except those of 01
- 03 Russia
- 04 All destinations

NB: The product codes and the footnotes are defined in Commission Regulation (EEC) No 3846/87.

COMMISSION REGULATION (EC) No 2635/98
of 8 December 1998
on the issue of import licences for garlic originating in China

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

Having regard to Council Regulation (EC) No 2200/96 of 28 October 1996 on the common organisation of the market in fruit and vegetables ⁽¹⁾, as amended by Commission Regulation (EC) No 2520/97 ⁽²⁾,

Having regard to Council Regulation (EC) No 1137/98 of 29 May 1998 concerning a protective measure applicable to imports of garlic from China ⁽³⁾, and in particular Article 1(3) thereof,

Whereas pursuant to Commission Regulation (EEC) No 1859/93 ⁽⁴⁾, as amended by Regulation (EC) No 1662/94 ⁽⁵⁾, the release for free circulation in the Community of garlic imported from third countries is subject to presentation of an import licence;

Whereas Article 1(1) of Regulation (EC) No 1137/98, restricts the issue of import licences for garlic originating in China to a maximum monthly quantity in the case of applications lodged from 1 June 1998 to 31 May 1999;

Whereas, given the criteria laid down in Article 1(2) of that Regulation and the import licences already issued, the quantity applied for on 4 December 1998 is in excess of the maximum monthly quantity given in the Annex to

that Regulation for the month of December 1998; whereas it is therefore necessary to determine to what extent import licences may be issued in response to these applications; whereas the issue of licences in response to applications lodged after 4 December 1998 and before 7 January 1999 should be refused,

HAS ADOPTED THIS REGULATION:

Article 1

Import licences applied for on 4 December 1998 pursuant to Article 1 of Regulation (EEC) No 1859/93 for garlic falling within CN code 0703 20 00 originating in China shall be issued for 1,12867 % of the quantity applied for, having regard to the information available to the Commission on 8 December 1998.

For the abovementioned products applications for import licences lodged after 4 December 1998 and before 7 January 1999 shall be refused.

Article 2

This Regulation shall enter into force on 9 December 1998.

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

Done at Brussels, 8 December 1998.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ L 297, 21. 11. 1996, p. 1.

⁽²⁾ OJ L 346, 17. 12. 1997, p. 41.

⁽³⁾ OJ L 157, 30. 5. 1998, p. 107.

⁽⁴⁾ OJ L 170, 13. 7. 1993, p. 10.

⁽⁵⁾ OJ L 176, 9. 7. 1994, p. 1.

II

(Acts whose publication is not obligatory)

COMMISSION

COMMISSION DECISION

of 26 November 1998

approving the programmes of checks aimed at the prevention of zoonoses presented for 1999 by the Member States and fixing the level of the Community's financial contribution

(notified under document number C(1998) 3645/1)

(Only the Danish, Finnish and Swedish texts are authentic)

(98/702/EC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Decision 90/424/EEC of 26 June 1990 on expenditure in the veterinary field ⁽¹⁾, as last amended by Council Decision 94/370/EC ⁽²⁾, and in particular Article 24(6), and Articles 29 and 32 thereof,

Whereas Chapter 2 of Title III of Decision 90/424/EEC provides for the possibility of financial participation by the Community on checks aimed at the prevention of zoonoses;

Whereas Member States have submitted programmes for the prevention of zoonoses in their countries;

Whereas these programmes appear on the priority list of programmes for the eradication and surveillance of animal diseases which can benefit from financial participation from the Community in 1999 and which was established by Decision 98/583/EC ⁽³⁾;

Whereas in view of the programmes important role in achieving the objectives pursued by the Community as regards the prevention of zoonoses, it is appropriate to fix the financial participation of the Community at 50 % of the costs incurred by the Member States concerned for

the measures and up to a maximum amount of money for each programme;

Whereas the Community will make a financial contribution provided that the measures planned are carried out and the authorities supply all the information necessary within the time limit laid down;

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

HAS ADOPTED THIS DECISION:

Article 1

1. The programme for the monitoring and control of salmonella in breeding poultry presented by Denmark is hereby approved for the period 1 January 1999 to 31 December 1999.

2. The Community's financial contribution is hereby set as 50 % of the costs borne by Denmark for the implementation of the programme with a maximum of ECU 500 000, for:

— according to the situation, the destruction of breeding poultry or the difference between the estimated value of the breeding poultry and the income from the sale of the heat-treated meat obtained from this poultry,

⁽¹⁾ OJ L 224, 18. 8. 1990, p. 19.

⁽²⁾ OJ L 168, 2. 7. 1994, p. 31.

⁽³⁾ OJ L 281, 17. 10. 1998, p. 39.

- the destruction of incubated hatching eggs,
- according to the situation, the destruction of non-incubated hatching eggs or the difference between the estimated value of the non-incubated hatching eggs and the income from the sale of the heat-treated egg products obtained from the eggs.

Article 2

1. The programme for the prevention of enterohemorrhagic *Escherichia coli* (EHEC) from contaminating food-stuffs presented by Finland is hereby approved for the period 1 January 1999 to 31 December 1999.

2. The Community's financial contribution is hereby set as 50 % of the costs borne by Finland for the implementation of the programme with a maximum of ECU 125 000.

Article 3

The financial contribution of the Community for the programmes referred to under Articles 1 and 2 shall be granted subject to:

- (a) bringing into force by 1 January 1999 the laws, regulations and administrative provisions by the Member State concerned for implementing the programme;
- (b) forwarding a quarterly report to the Commission on the progress of the programme and the expenditure incurred;

- (c) forwarding a final report on the technical execution of the programme accompanied by supporting documents relating to the expenditure incurred by 1 June 2000 at the latest,

and provided that Community veterinary legislation has been respected.

Article 4

1. The Commission, in collaboration with the competent national authorities, may carry out on-the-spot checks to ensure that the measures and assisted expenditure have been carried out.

The Commission shall inform the Member States of the outcome of the checks.

2. Articles 8 and 9 of Council Regulation (EEC) No 729/70 ⁽¹⁾ shall apply *mutatis mutandis*.

3. The financial contribution of the Community may only be granted if the programmes have effectively been implemented in line with Community rules.

Article 5

This Decision is addressed to the Kingdom of Denmark and the Republic of Finland.

Done at Brussels, 26 November 1998.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ L 94, 28. 4. 1970, p. 13.

COMMISSION DECISION

of 26 November 1998

approving the programmes for the eradication of animal diseases presented for 1999 by the Member States and fixing the level of the Community's financial contribution

(notified under document number C(1998) 3645/2)

(Only the Spanish, German, Greek, English, French, Italian, Dutch, Portuguese, Finnish and Swedish texts are authentic)

(98/703/EC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Decision 90/424/EEC of 26 June 1990 on expenditure in the veterinary field ⁽¹⁾, as last amended by Council Decision 94/370/EC ⁽²⁾, and in particular Article 24 thereof,

Whereas Council Decision 90/424/EEC provides for the possibility of financial participation by the Community in the eradication and surveillance of animal diseases;

Whereas the Member States have submitted programmes for the eradication of animal diseases in their countries;

Whereas after examination of the programmes they were found to comply with all Community criteria relating to the eradication of these diseases in conformity with Council Decision 90/638/EEC of 27 November 1990 laying down Community criteria for the eradication and monitoring of certain animal diseases ⁽³⁾, as last amended by Council Directive 92/65/EC ⁽⁴⁾;

Whereas these programmes appear on the priority list of programmes for the eradication and surveillance of animal diseases which can benefit from financial participation from the Community in 1999 and which was established by Commission Decision 98/584/EC ⁽⁵⁾;

Whereas in the light of the importance of the programmes for the achievement of Community objectives in the field of animal health and public health, it is appropriate to fix the financial participation of the Community at 50 % of the costs incurred by the Member States concerned for the measures up to a maximum amount of money for each programme;

Whereas a financial contribution from the Community shall be granted insofar as the actions provided for are carried out and provided that the authorities supply all

the necessary information within the time limits provided for;

Whereas the approval of some of those programmes shall not prejudice a decision of the Commission on rules for eradication of those diseases based on scientific advice;

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

HAS ADOPTED THIS DECISION:

CHAPTER I

(Rabies)*Article 1*

1. The programme for the eradication of rabies presented by Austria is hereby approved for the period from 1 January 1999 to 31 December 1999.

2. Financial participation by the Community shall be at the rate of 50 % of the costs of purchase and distribution of vaccine plus baits by Austria up to a maximum of ECU 250 000.

Article 2

1. The programme for the eradication of rabies presented by Belgium is hereby approved for the period from 1 January 1999 to 31 December 1999.

2. Financial participation by the Community shall be at the rate of 50 % of the costs of purchase and distribution of vaccine plus baits by Belgium up to a maximum of ECU 180 000.

Article 3

1. The programme for the eradication of rabies presented by Germany is hereby approved for the period from 1 January 1999 to 31 December 1999.

⁽¹⁾ OJ L 224, 18. 8. 1990, p. 19.

⁽²⁾ OJ L 168, 2. 7. 1994, p. 31.

⁽³⁾ OJ L 347, 12. 12. 1990, p. 27.

⁽⁴⁾ OJ L 268, 18. 10. 1997, p. 11.

⁽⁵⁾ OJ L 281, 17. 10. 1998, p. 41.

2. Financial participation by the Community shall be at the rate of 50 % of the costs of purchase and distribution of vaccine plus baits by Germany up to a maximum of ECU 2 000 000.

Article 4

1. The programme for the eradication of rabies presented by France is hereby approved for the period from 1 January 1999 to 31 December 1999.

2. Financial participation by the Community shall be at the rate of 50 % of the costs of purchase and distribution of vaccine plus baits by France up to a maximum of ECU 300 000.

Article 5

1. The programme for the eradication of rabies presented by Luxembourg is hereby approved for the period from 1 January 1999 to 31 December 1999.

2. Financial participation by the Community shall be at the rate of 50 % of the costs of purchase and distribution of vaccine plus baits by Luxembourg up to a maximum of ECU 70 000.

Article 6

1. The programme for the eradication of rabies presented by Finland is hereby approved for the period from 1 January 1999 to 31 December 1999.

2. Financial participation by the Community shall be at the rate of 50 % of the costs of purchase and distribution of vaccine plus baits by Finland up to a maximum of ECU 250 000.

CHAPTER II

(African/classical swine fever)

Article 7

1. The programme for the eradication of African/classical swine fever presented by Italy is hereby approved for the period from 1 January 1999 to 31 December 1999.

2. Financial participation by the Community shall be at the rate of 50 % of the costs of virological and serological testing and those incurred in Italy by way of compensation for owners for the slaughter of animals up to a maximum of ECU 600 000.

Article 8

1. The programme for the eradication of classical swine fever presented by Germany is hereby approved for the period from 1 January 1999 to 31 December 1999.

2. Financial participation by the Community shall be at the rate of 50 % of the costs of virological and serological testing of domestic pigs and control of the wild boar

population incurred in Germany up to a maximum of ECU 1 600 000.

CHAPTER III

(Contagious bovine pleuropneumonia)

Article 9

1. The programme for the eradication of contagious bovine pleuropneumonia presented by Portugal is hereby approved for the period from 1 January 1999 to 31 December 1999.

2. Financial participation by the Community shall be at the rate of 50 % of the costs incurred in Portugal by way of compensation for owners for the slaughter of animals up to a maximum of ECU 2 000 000.

CHAPTER IV

(Swine vesicular disease)

Article 10

1. The programme for the eradication of swine vesicular disease presented by Italy is hereby approved for the period from 1 January 1999 to 31 December 1999.

2. Financial participation by the Community shall be at the rate of 50 % of the costs of virological and serological testing and those incurred in Italy by way of compensation for owners for the slaughter of seropositive animals up to a maximum of ECU 200 000.

CHAPTER V

(Bovine brucellosis)

Article 11

1. The programme for the eradication of bovine brucellosis presented by Greece is hereby approved for the period from 1 January 1999 to 31 December 1999.

2. Financial participation by the Community shall be at the rate of 50 % of the costs incurred in Greece by way of compensation for owners for the slaughter of animals up to a maximum of ECU 600 000.

Article 12

1. The programme for the eradication of bovine brucellosis presented by Spain is hereby approved for the period from 1 January 1999 to 31 December 1999.

2. Financial participation by the Community shall be at the rate of 50 % of the costs incurred in Spain by way of compensation for owners for the slaughter of animals up to a maximum of ECU 2 500 000.

Article 13

1. The programme for the eradication of bovine brucellosis presented by France is hereby approved for the period from 1 January 1999 to 31 December 1999.
2. Financial participation by the Community shall be at the rate of 50 % of the costs incurred in France by way of compensation for owners for the slaughter of animals up to a maximum of ECU 1 000 000.

Article 14

1. The programme for the eradication of bovine brucellosis presented by Ireland is hereby approved for the period from 1 January 1999 to 31 December 1999.
2. Financial participation by the Community shall be at the rate of 50 % of the costs incurred in Ireland by way of compensation for owners for the slaughter of animals up to a maximum of ECU 3 000 000.

Article 15

1. The programme for the eradication of bovine brucellosis presented by Italy is hereby approved for the period from 1 January 1999 to 31 December 1999.
2. Financial participation by the Community shall be at the rate of 50 % of the costs incurred in Italy by way of compensation for owners for the slaughter of animals up to a maximum of ECU 1 700 000.

Article 16

1. The programme for the eradication of bovine brucellosis presented by Portugal is hereby approved for the period from 1 January 1999 to 31 December 1999.
2. Financial participation by the Community shall be at the rate of 50 % of the costs incurred in Portugal by way of compensation for owners for the slaughter of animals up to a maximum of ECU 2 400 000.

CHAPTER VI

(Ovine and caprine brucellosis)*Article 17*

1. The programme for the eradication of ovine and caprine brucellosis presented by Greece is hereby approved for the period from 1 January 1999 to 31 December 1999.
2. Financial participation by the Community shall be at the rate of 50 % of the costs of testing and vaccination, and those incurred in Greece by way of compensation for owners for the slaughter of animals up to a maximum of ECU 1 200 000.

Article 18

1. The programme for the eradication of ovine and caprine brucellosis presented by Spain is hereby approved for the period from 1 January 1999 to 31 December 1999.
2. Financial participation by the Community shall be at the rate of 50 % of the costs incurred in Spain by way of compensation for owners for the slaughter of animals up to a maximum of ECU 5 000 000.

Article 19

1. The programme for the eradication of ovine and caprine brucellosis presented by France is hereby approved for the period from 1 January 1999 to 31 December 1999.
2. Financial participation by the Community shall be at the rate of 50 % of the costs of testing and those incurred in France by way of compensation for owners for the slaughter of animals up to a maximum of ECU 900 000.

Article 20

1. The programme for the eradication of ovine and caprine brucellosis presented by Italy is hereby approved for the period from 1 January 1999 to 31 December 1999.
2. Financial participation by the Community shall be at the rate of 50 % of the costs of testing and those incurred in Italy by way of compensation for owners for the slaughter of animals up to a maximum of ECU 4 500 000.

Article 21

1. The programme for the eradication of ovine and caprine brucellosis presented by Portugal is hereby approved for the period from 1 January 1999 to 31 December 1999.
2. Financial participation by the Community shall be at the rate of 50 % of the costs of testing and those incurred in Portugal by way of compensation for owners for the slaughter of animals up to a maximum of ECU 2 500 000.

CHAPTER VII

(Anaplasmosis, babesiosis, cowdriosis)*Article 22*

1. The programme for the eradication of anaplasmosis and babesiosis in Réunion presented by France is hereby approved for the period from 1 January 1999 to 31 December 1999.
2. The programme for the eradication of babesiosis and cowdriosis in Martinique presented by France is hereby approved for the period from 1 January 1999 to 31 December 1999.

3. The programme for the eradication of babesiosis and cowdriosis in Guadeloupe presented by France is hereby approved for the period from 1 January 1999 to 31 December 1999.

4. Financial participation by the Community shall be at the rate of 50 % of the costs incurred by France for the implementation of the programmes referred to in paragraphs 1, 2 and 3 up to a maximum of ECU 750 000.

CHAPTER VIII

(Enzootic bovine leucosis)

Article 23

1. The programme for the eradication of enzootic bovine leucosis presented by Italy is hereby approved for the period from 1 January 1999 to 31 December 1999.

2. Financial participation by the Community shall be at the rate of 50 % of the costs incurred in Italy by way of compensation for owners for the slaughter of animals up to a maximum of ECU 2 500 000.

Article 24

1. The programme for the eradication of enzootic bovine leucosis presented by Portugal is hereby approved for the period from 1 January 1999 to 31 December 1999.

2. Financial participation by the Community shall be at the rate of 50 % of the costs incurred in Portugal by way of compensation for owners for the slaughter of animals up to a maximum of ECU 3 000 000.

CHAPTER IX

(Aujeszky's disease)

Article 25

1. The programme for the eradication of Aujeszky's disease presented by Belgium is hereby approved for the period from 1 January 1999 to 31 December 1999.

2. Financial participation by the Community shall be at the rate of 50 % of the costs of testing incurred in Belgium up to ECU 1,25 per test and to a maximum of ECU 550 000.

Article 26

1. The programme for the eradication of Aujeszky's disease presented by Germany is hereby approved for the period from 1 January 1999 to 31 December 1999.

2. Financial participation by the Community shall be at the rate of 50 % of the costs of testing incurred in Germany up to ECU 1,25 per test and to a maximum of ECU 2 700 000.

Article 27

1. The programme for the eradication of Aujeszky's disease presented by the United Kingdom is hereby approved for the period from 1 January 1999 to 31 December 1999.

2. Financial participation by the Community shall be at the rate of 50 % of the costs of testing incurred in the United Kingdom up to ECU 1,25 per test and to a maximum of ECU 75 000.

CHAPTER X

(Bovine tuberculosis)

Article 28

1. The programme for the eradication of bovine tuberculosis presented by Greece is hereby approved for the period from 1 January 1999 to 31 December 1999.

2. Financial participation by the Community shall be at the rate of 50 % of the costs incurred in Greece by way of compensation for owners for the slaughter of animals up to a maximum of ECU 100 000.

Article 29

1. The programme for the eradication of bovine tuberculosis presented by Spain is hereby approved for the period from 1 January 1999 to 31 December 1999.

2. Financial participation by the Community shall be at the rate of 50 % of the costs incurred in Spain by way of compensation for owners for the slaughter of animals up to a maximum of ECU 6 200 000.

Article 30

1. The programme for the eradication of bovine tuberculosis presented by Italy is hereby approved for the period from 1 January 1999 to 31 December 1999.

2. Financial participation by the Community shall be at the rate of 50 % of the costs incurred in Italy by way of compensation for owners for the slaughter of animals up to a maximum of ECU 800 000.

CHAPTER XI

(Scrapie)

Article 31

1. The programme for the eradication of scrapie presented by Belgium is hereby approved for the period from 1 January 1999 to 31 December 1999.

2. Financial participation by the Community shall be at the rate of 50 % of the costs of testing and those incurred in Belgium by way of compensation for owners for the slaughter of animals up to a maximum of ECU 50 000.

Article 32

1. The programme for the eradication of scrapie presented by France is hereby approved for the period from 1 January 1999 to 31 December 1999.

2. Financial participation by the Community shall be at the rate of 50 % of the costs of testing and those incurred in France by way of compensation for owners for the slaughter of animals up to a maximum of ECU 500 000.

Article 33

1. The programme for the eradication of scrapie presented by the Netherlands is hereby approved for the period from 1 January 1999 to 31 December 1999.

2. Financial participation by the Community shall be at the rate of 50 % of the costs of testing incurred in the Netherlands up to a maximum of ECU 150 000.

CHAPTER XII

(Final provisions)*Article 34*

The financial contribution of the Community for the programmes referred to under Articles 1 to 6 shall be granted subject to:

- (a) bringing into force by 1 January 1999 the laws, regulations and administrative provisions by the Member State concerned for implementing the programme;
- (b) forwarding a report to the Commission every six months on the progress of the programme and the costs incurred;
- (c) forwarding a final report on the technical execution of the programme accompanied by justifying evidence as to the costs incurred by 1 June 2000 at the latest,

and provided that Community veterinary legislation has been respected.

Article 35

The financial contribution of the Community for the programmes referred to under Articles 7 to 33 shall be granted subject to:

- (a) bringing into force by 1 January 1999 the laws, regulations and administrative provisions by the Member State concerned for implementing the programme;
 - (b) forwarding a report to the Commission every three months on the progress of the programme and the costs incurred;
 - (c) forwarding a final report on the technical execution of the programme accompanied by justifying evidence as to the costs incurred by 1 June 2000 at the latest,
- and provided that Community veterinary legislation has been respected.

Article 36

1. The Commission, in collaboration with the competent national authorities, may carry out on-the-spot checks to ensure that the measures and assisted expenditure have been carried out.

The Commission shall inform the Member States of the outcome of the checks.

2. Articles 8 and 9 of Council Regulation (EEC) No 729/70 ⁽¹⁾ shall apply *mutatis mutandis*.

3. The financial contribution of the Community may only be granted if the programmes have effectively been implemented in line with Community rules.

Article 37

This Decision is addressed to all Member States except the Kingdom of Denmark and the Kingdom of Sweden.

Done at Brussels, 26 November 1998.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ L 94, 28. 4. 1970, p. 13.