COMMISSION REGULATION (EC) No 1937/98

of 11 September 1998

amending Regulation (EC) No 2805/95 fixing the export refunds in the wine sector

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 organization of the market in wine [1], as last amended by Regulation (EC) No 1627/98 [2], and in particular Article 55 (3) thereof,

Whereas, pursuant to Article 55 of Regulation (EEC) No 822/87 to the extent necessary to enable the products listed in Article 1 (2) (a) and (b) of that Regulation to be exported on the basis of the prices for those products on the world market and within the limits of the Agreements concluded in accordance with Article 228 of the Treaty, the difference between those prices and the prices in the Community may be covered by an export refund;

Whereas, pursuant to Article 56 (3) of Regulation (EEC) No 822/87, refunds are to be fixed taking into account the situation and likely trends with regard to:

— prices and availability of the products in question on the Community market,

— world market prices for those products;

Whereas account must also be taken of the other criteria and objectives referred to in Article 56 (3) of Regulation (EEC) No 822/87; whereas, in particular, consideration must be given to the limits of the Agreements concluded in accordance with Article 228 of the Treaty, and in particular those resulting from the agreements concluded in the framework of the Uruguay Round of multilateral trade negotiations;

Whereas, when applying the abovementioned rules to the current market situation, the refunds should be fixed in accordance with the Annex to this Regulation; whereas Commission Regulation (EC) No 2805/95 of 5 December 1995 fixing the export refunds in the wine sector [3], as last amended by Regulation (EC) No 1764/97 [4], should be amended accordingly and provision made to implement it immediately;

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 (EC) No 2805/95 is hereby replaced by the Annex to this Regulation.

Article 2

This Regulation shall enter into force on 12 September 1998.

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

Done at Brussels, 11 September 1998.

For the Commission

Franz FISCHLER

Member of the Commission

[1] OJ L 84, 27. 3. 1987, p. 1.
[2] OJ L 210, 28. 7. 1998, p. 8.
[3] OJ L 291, 6. 12. 1995, p. 10.
[4] OJ L 249, 12. 9. 1997, p. 2.

ANNEX

'ANNEX

CN code	Product code	For export to [1]	Refund (ECU/hl)
2009 60 11 2009 60 19 2009 60 51 2009 60 71 2204 30 92 2204 30 94 2204 30 96 2204 30 98	9100	01	43,359 43,359 43,359 43,359 43,359 11,488 43,359 11,488
2204 21 79 2204 21 79 2204 21 83	9120 9220 9120	02 and 09 02 and 09	4,782
2204 21 79	9180	02	8,068
2204 21 80	9180	02	10,065
2204 21 79	9180	09	7,549
2204 21 80	9180	09	9,419
2204 21 79	9280	02	9,445
2204 21 80	9280	02	11,785
2204 21 79	9280	09	8,838
2204 21 80	9280	09	11,027
2204 21 83	9180	02	11,019
2204 21 84	9180	02	13,749
2204 21 83	9180	09	10,311
2204 21 84	9180	09	12,865
2204 21 79	9910	02 and 09	4,782
2204 21 94 2204 21 98	9910	02 and 09	14,250
2204 29 62 2204 29 64 2204 29 65 2204 29 83	9120	02 and 09	4,782
2204 29 62 2204 29 64 2204 29 65	9220	02 and 09	4,782
2204 29 62 2204 29 64 2204 29 65	9180	02	8,068
2204 29 71 2204 29 72 2204 29 75	9180	02	10,065

CN code	Product code	For export to (1)	Refund (ECU/hl)
2204 29 62 2204 29 64 2204 29 65	9180	09	7,549
2204 29 71 2204 29 72 2204 29 75	9180	09	9,419
2204 29 62 2204 29 64 2204 29 65	9280	02	9,445
2204 29 71 2204 29 72 2204 29 75	9280	02	11,785
2204 29 62 2204 29 64 2204 29 65	9280	09	8,838
2204 29 71 2204 29 72 2204 29 75	9280	09	11,027
2204 29 83	9180	02	11,019
2204 29 84	9180	02	13,749
2204 29 83	9180	09	10,311
2204 29 84	9180	09	12,865
2204 29 62 2204 29 64 2204 29 65	9910	02 and 09	4,782
2204 29 94 2204 29 98	9910	02 and 09	14,250

(1) The destinations are as follows:

01 — Libya, Nigeria, Cameroon, Gabon,

— Saudi Arabia, United Arab Emirates, India, Thailand, Vietnam, Indonesia, Malaysia, Brunei, Singapore, Philippines, China, Hong Kong SAR, South Korea, Japan, Taiwan, Equatorial Guinea,

02 all countries of the African continent with the exception of those explicitly excluded under 09,

09 all destinations other than those in 02, with the exception of the following third countries and territories:

— all countries of the American continent within the meaning of Commission Regulation (EEC) No 208/93 (OJ L 25, 2. 2. 1993, p. 11),

— Algeria,

— Australia,

— Bosnia-Herzegovina,

— Croatia,

— Cyprus,

— Israel,

— Morocco,

— The Republic of Serbia and Montenegro,

— Slovenia,

— South Africa,

— Switzerland,

— The former Yugoslav Republic of Macedonia,

— Tunisia,

— Turkey,

— Hungary,

— Bulgaria,

— Romania.'