

COMMISSION REGULATION (EC) No 382/98
of 18 February 1998

amending Regulation (EEC) No 3846/87 as regards the agricultural product
nomenclature for export refunds for cherries provisionally preserved but unsuit-
able in that state for consumption

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

Having regard to Council Regulation (EC) No 2201/96 of
28 October 1996 on the common organisation of the
markets in processed fruit and vegetable products ⁽¹⁾, as
amended by Regulation (EC) No 2199/97 ⁽²⁾, and in
particular Article 16(8) thereof,

Whereas Commission Regulation (EEC) No 3846/87 ⁽³⁾,
as last amended by Regulation (EC) No 2541/97 ⁽⁴⁾, estab-
lishes an agricultural product nomenclature for export
refunds;

Whereas, in order to be eligible for the export refund,
cherries provisionally preserved but unsuitable in that
state for consumption falling within CN code 0812 must
be stalked, stoned and preserved in sulphur solution and
have a drained net weight at least equal to 50 % of the
net weight;

Whereas, in particular for certain small cherries, it may
be necessary to increase the quantity of brine in the
transport barrel to beyond 50 % by weight in order to

ensure that they are totally immersed at the top of the
barrel; whereas, in order to ensure that this product is
eligible for the refund, the minimum percentage of the
net weight which the drained net weight must have
should be reduced;

Whereas the measures provided for in this Regulation are
in accordance with the opinion of the Management
Committee for Products Processed from Fruit and Veget-
ables,

HAS ADOPTED THIS REGULATION:

Article 1

In the Annex to Regulation (EEC) No 3846/87, in the
sector '11. Products processed from fruit and vegetables',
for cherries provisionally preserved falling within product
code 0812 10 00 9100, '50 %' shall be replaced by '45 %'.

Article 2

This Regulation shall enter into force on 24 February
1998.

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

Done at Brussels, 18 February 1998.

For the Commission
Franz FISCHLER
Member of the Commission

⁽¹⁾ OJ L 297, 21. 11. 1996, p. 29.

⁽²⁾ OJ L 303, 6. 11. 1997, p. 1.

⁽³⁾ OJ L 366, 24. 12. 1987, p. 1.

⁽⁴⁾ OJ L 347, 18. 12. 1997, p. 14.