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I

(Acts whose publication is obligatory)

**REGULATION (EC) No 955/1999 OF THE EUROPEAN PARLIAMENT AND
OF THE COUNCIL
of 13 April 1999
amending Council Regulation (EEC) No 2913/92 with regard to the external
transit procedure**

THE EUROPEAN PARLIAMENT AND THE COUNCIL
OF THE EUROPEAN UNION,

Having regard to the Treaty establishing the European
Economic Community, and in particular Articles 28, 100a
and 113 thereof,

Having regard to the proposal from the Commission ⁽¹⁾,

Having regard to the opinion of the Economic and Social
Committee ⁽²⁾,

Acting in accordance with the procedure laid down in
Article 189b of the Treaty ⁽³⁾,

(1) Whereas the external transit procedure as governed
by Council Regulation (EEC) No 2913/92 of 12
October 1992 establishing the Community
Customs Code ⁽⁴⁾ is primarily designed to facilitate
trade in non-Community goods in the Community
customs territory; whereas the need for recourse to
that procedure for the export of Community goods
must be evaluated in relation to very different situa-
tions; whereas it is necessary, in any case, to
prevent products covered by or benefiting from
export measures from either evading or benefiting
unjustifiably from such measures, by ensuring that
the Community customs legislation taken as a
whole guarantees control and monitoring at least
equivalent to that offered by the external
community transit procedure; whereas, if the possi-
bility to use this procedure in some of those situa-
tions is maintained, definition of such situations
should be a matter for the committee procedure;

(2) Whereas all decisions taken under the committee
procedure must be transparent for both customs
administrations and economic operators;

(3) Whereas it is necessary to define the way in which
the customs authorities discharge the procedure, in
relation to the place, the time and the conditions
under which this procedure ends, in order to estab-
lish more clearly the scope and limits of the obliga-
tions of the holder of the external transit procedure
and to ensure that, in the absence of information
capable of establishing that the procedure has
ended, the holder remains fully liable; whereas it is
necessary, in order to increase the security and
efficiency of the transit procedures, to improve the
discharge by means of operational measures and by
implementing provisions, to be determined in
accordance with the Committee procedure,
ensuring that customs authorities discharge the
procedure in the shortest possible time;

(4) Whereas it is necessary for the rules for the guar-
antee in transit to be better defined, including
recourse to the different forms of guarantee and the
cases for a guarantee waiver, in particular following
amendment of the scope of maritime transit;
whereas, to ensure an adequate protection of the
financial interests of the Member States and the
Community without imposing a disproportionate
burden on users, this guarantee and the calculation
of its amount must be based both on the reliability
of the operator and the risks attached to the goods;
whereas a more logical and better structured
presentation of the provisions is desirable with
regard to the guarantee in transit;

⁽¹⁾ OJ C 337, 7.11.1997, p. 52.

⁽²⁾ OJ C 73, 9.3.1998, p. 17.

⁽³⁾ Opinion of the European Parliament of 13 May 1998 (OJ C 167, 1.6.1998, p. 99), Council Common Position of 24 September 1998 (OJ C 333, 30.10.1998, p. 65) and Decision of the European Parliament of 16 December 1998 (OJ C 98, 9.4.1999). Council Decision of 29 March 1999.

⁽⁴⁾ OJ L 302, 19.10.1992. Regulation as last amended by Regulation (EC) No 82/97 (OJ L 17, 21.1.1997, p. 1).

(5) Whereas, in order to safeguard the revenue of the European Community and of the Member States and to curb fraudulent practices in the transit procedure, arrangements involving graduated measures for application of the comprehensive guarantee are advisable; whereas in the first place a ban on reducing the comprehensive guarantee may be considered where there is an increased risk of fraud and loss of revenue is therefore to be feared; whereas where it is established that especially critical exceptional situations exist, which may arise in particular from the activities of organised crime, it should instead also be possible temporarily to prohibit the application of the comprehensive guarantee itself; whereas account should be taken in the application of these graduated measures of the particular situation of the economic operators who meet specific criteria to be determined; whereas, where an individual guarantee has to be provided instead of the comprehensive guarantee, the burdens entailed for operators should be reduced by means of the greatest possible simplification;

(6) Whereas the simplified procedures having an exclusively national, bilateral or multilateral scope introduced by the Member States under Article 97(2) of the Community Customs Code, hereafter referred to as 'the Code', vary greatly in nature and may in some cases conflict with the proper application of the Community transit procedures and the need for equal treatment of economic operators; whereas, without calling into question the benefits this system offers to these operators, a communication to the Commission of the simplified procedures introduced by each Member State on this basis must be provided for, in order to ensure the transparency of these measures and to evaluate their compatibility with the rules which govern Community transit procedures and in particular the guarantee;

(7) Whereas security systems for Community transit procedures cover both customs debt and other charges which may be incurred in respect of the goods, and constitute a special case since the procedures are international in nature and the sum required needs to be tailored to an extent to the risks and to the principal's reliability; whereas, therefore, there is a need to adapt in consequence Article 192 of the Code;

(8) Whereas under the current wording of Article 215 of the Code it is possible to determine where the customs debt is incurred, but it does not indicate that this place determines the authority responsible

for the entry into the accounts of the debt; whereas, moreover, where a customs procedure is not discharged, the rule for determining that place must be amended to reflect the need to establish, as far as possible, the place where the events from which the customs debt arises actually occurred;

(9) Whereas simplification and clarification of the rules for the benefit of both operators and customs officials form an essential part of the action plan for customs transit in Europe; whereas these rules must also be applied to the provisions determined in accordance with the committee procedure;

(10) Whereas this amendment of the Code together with the corresponding amendments to its implementing provisions must be such as to facilitate the introduction in due course of a new computerised system of transit for the benefit of both the public interests at stake in transit operations and economic operators,

HAVE ADOPTED THIS REGULATION:

Article 1

Regulation (EEC) No 2913/92 is hereby amended as follows:

1. Article 91(1)(b) shall be replaced by the following:

'(b) Community goods, in cases and on conditions determined in accordance with the committee procedure, in order to prevent products covered by or benefiting from export measures from either evading or benefiting unjustifiably from such measures'.

2. Article 92 shall be replaced by the following:

Article 92

1. The external transit procedure shall end and the obligations of the holder shall be met when the goods placed under the procedure and the required documents are produced at the customs office of destination in accordance with the provisions of the procedure in question.

2. The customs authorities shall discharge the procedure when they are in a position to establish, on the basis of a comparison of the data available to the office of departure and those available to the customs office of destination, that the procedure has ended correctly'.

3. Article 94 shall be replaced by the following:

'Article 94

1. The principal shall provide a guarantee in order to ensure payment of any customs debt or other charges which may be incurred in respect of the goods.

2. The guarantee shall be either:

- (a) an individual guarantee covering a single transit operation; or
- (b) a comprehensive guarantee covering a number of transit operations where the principal has been authorised to use such a guarantee by the customs authorities of the Member State where he is established.

3. The authorisation referred to in paragraph 2(b) shall be granted only to persons who:

- (a) are established in the Community;
- (b) are regular users of Community transit procedures or who are known to the customs authorities to have the capacity to fulfil their obligations in relation to these procedures, and
- (c) have not committed serious or repeated offences against customs or tax laws.

4. Persons who satisfy the customs authorities that they meet higher standards of reliability may be authorised to use a comprehensive guarantee for a reduced amount or to have a guarantee waiver. The additional criteria for this authorisation shall include:

- (a) the correct use of the Community transit procedures during a given period;
- (b) cooperation with the customs authorities, and
- (c) in respect of the guarantee waiver, a good financial standing which is sufficient to fulfil the commitments of the said persons.

The detailed rules for authorisations granted under this paragraph shall be determined in accordance with the committee procedure.

5. The guarantee waiver authorised in accordance with paragraph 4 shall not apply to external Community transit operations involving goods which, as determined in accordance with the committee procedure, are considered to present increased risks.

6. In line with the principles underlying paragraph 4, recourse to the comprehensive guarantee for a reduced amount may, in the case of external

Community transit, be temporarily prohibited by the committee procedure as an exceptional measure in special circumstances.

7. In line with the principles underlying paragraph 4, recourse to the comprehensive guarantee may, in the case of external Community transit, be temporarily prohibited by the committee procedure in respect of goods which, under the comprehensive guarantee, have been identified as being subject to large-scale fraud'.

4. Article 95 shall be replaced by the following:

'Article 95

1. Except in cases to be determined where necessary in accordance with the committee procedure, no guarantee need be furnished for:

- (a) journeys by air;
- (b) the carriage of goods on the Rhine and the Rhine waterways;
- (c) carriage by pipeline;
- (d) operations carried out by the railway companies of the Member States.

2. The cases in which the furnishing of a guarantee in respect of the carriage of goods on waterways other than those referred to in paragraph (b) may be waived shall be determined in accordance with the committee procedure'.

5. Article 97 shall be replaced by the following:

'Article 97

1. The detailed rules for the operation of the procedure and the exemptions shall be determined in accordance with the committee procedure.

2. Provided that the implementation of Community measures applying to goods is guaranteed:

- (a) Member States have the right, by bilateral or multi-lateral arrangement, to establish between themselves simplified procedures consistent with criteria to be set according to the circumstances and applying to certain types of goods traffic or specific undertakings;
- (b) each Member State shall have the right to establish simplified procedures in certain circumstances for goods not required to move in the territory of another Member State.

3. Simplified procedures established under paragraph 2 shall be communicated to the Commission'.

6. In Article 192(1), the introductory sentence shall be replaced by the following:

‘1. Where customs legislation makes it compulsory for security to be provided, and subject to the specific provisions laid down for transit in accordance with the committee procedure, the customs authorities shall fix the amount of such security at a level equal to:’.

7. Article 215 shall be replaced by the following:

‘Article 215

1. A customs debt shall be incurred:

- at the place where the events from which it arises occur,
- if it is not possible to determine that place, at the place where the customs authorities conclude that the goods are in a situation in which a customs debt is incurred,
- if the goods have been entered for a customs procedure which has not been discharged, and the place cannot be determined pursuant to the first or second indent within a period of time determined, if appropriate, in accordance with the committee

procedure, at the place where the goods were either placed under the procedure concerned or were introduced into the Community customs territory under that procedure.

2. Where the information available to the customs authorities enables them to establish that the customs debt was already incurred when the goods were in another place at an earlier date, the customs debt shall be deemed to have been incurred at the place which may be established as the location of the goods at the earliest time when existence of the customs debt may be established.

3. The customs authorities referred to in Article 217(1) are those of the Member State where the customs debt is incurred or is deemed to have been incurred in accordance with this Article’.

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 Luxembourg, 13 April 1999.

For the European Parliament

The President

J. M. GIL-ROBLES

For the Council

The President

L. SCHOMERUS

Joint Declaration by the European Parliament, the Council and the Commission*Re: Article 3*

The European Parliament, the Council and the Commission recognise the importance of the requirement relating to the prevention of harm to the network or its functioning which causes an unacceptable deterioration of service, taking into account in particular the need to safeguard the interests of the consumer.

Therefore, they note that the Commission will carry out a continuous assessment of the situation in order to evaluate whether that risk occurs frequently and, in that case, to find an appropriate solution in the framework of the committee acting in accordance with the procedure laid down in Article 15.

Such a solution will, where appropriate, consist of the systematic application of the essential requirement provided for in Article 3(3)(b).

Furthermore, the European Parliament, the Council and the Commission state that the procedure described above applies without prejudice to the possibilities provided for in Article 7(5) and to the development of voluntary certification and marking schemes to prevent either the deterioration of service or any harm to the network.

COMMISSION REGULATION (EC) No 956/1999
of 6 May 1999
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,

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 7 May 1999.

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

Done at Brussels, 6 May 1999.

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.

ANNEX

to the Commission Regulation of 6 May 1999 establishing the standard import values for determining the entry price of certain fruit and vegetables

(EUR/100 kg)

CN code	Third country code ⁽¹⁾	Standard import value
0702 00 00	052	67,5
	204	87,9
	999	77,7
0707 00 05	052	56,9
	628	136,2
	999	96,5
0709 10 00	220	206,1
	999	206,1
0709 90 70	052	52,9
	999	52,9
0805 10 10, 0805 10 30, 0805 10 50	204	40,6
	212	63,8
	600	63,1
	624	52,5
	999	55,0
0808 10 20, 0808 10 50, 0808 10 90	388	81,8
	400	79,4
	508	74,3
	512	76,7
	528	71,9
	720	82,3
	804	103,0
	999	81,3

⁽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 957/1999

of 6 May 1999

on the sale by tender of beef held by certain intervention agencies

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 1633/98 ⁽²⁾, and in particular Article 7(3) thereof,

Whereas the application of intervention measures in respect of beef has created stocks in several Member States; whereas, in order to prevent an excessive prolongation of storage, part of these stocks should be sold by tender;

Whereas the sale should be made subject to the rules laid down by Commission Regulation (EEC) No 2173/79 ⁽³⁾, as last amended by Regulation (EC) No 2417/95 ⁽⁴⁾, subject to certain special exceptions which are necessary;

Whereas, with a view to ensuring a regular and uniform tendering procedure, measures should be taken in addition to those laid down in Article 8(1) of Regulation (EEC) No 2173/79;

Whereas provision should be made for derogations from Article 8(2)(b) of Regulation (EEC) No 2173/79, in view of the administrative difficulties which application of this point creates in the Member States concerned;

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

1. The sale shall take place of:

— approximately 15 tonnes of bone-in forequarters held by the Irish intervention agency,

— approximately 665 tonnes of deboned beef held by the Irish intervention agency,

— approximately 6 420 tonnes of boneless beef held by the United Kingdom intervention agency,

— approximately 6 tonnes of boneless beef held by the Danish intervention agency.

Detailed information concerning quantities is given in Annex I.

2. Subject to the provisions of this Regulation the products referred to in paragraph 1 shall be sold in accordance with Regulation (EEC) No 2173/79, in particular Titles II and III thereof.

Article 2

1. Notwithstanding Articles 6 and 7 of Regulation (EEC) No 2173/79, the provisions of and Annexes to this Regulation shall serve as a general notice of invitation to tender.

The intervention agencies concerned shall draw up a notice of invitation to tender which shall include the following:

(a) the quantities of beef offered for sale; and

(b) the deadline and place for submitting tenders.

2. Interested parties may obtain the details of the quantities available and the places where the products are stored from the addresses listed in Annex II to this Regulation. The intervention agencies shall, in addition, display the notice referred to in paragraph 1 at their head offices and may publish it in other ways.

3. For each product mentioned in Annex I the intervention agencies concerned shall sell first the meat which has been stored the longest.

4. Only tenders which reach the intervention agencies concerned by 12 noon on 17 May 1999 shall be considered.

⁽¹⁾ OJ L 148, 28.6.1968, p. 24.

⁽²⁾ OJ L 210, 28.7.1998, p. 17.

⁽³⁾ OJ L 251, 5.10.1979, p. 12.

⁽⁴⁾ OJ L 248, 14.10.1995, p. 39.

5. Notwithstanding Article 8(1) of Regulation (EEC) No 2173/79, a tender must be submitted to the intervention agency concerned in a closed envelope, bearing the reference to the Regulation concerned. The closed envelope must not be opened by the intervention agency before the expiry of the tender deadline referred to in paragraph 4.

6. Notwithstanding Article 8(2)(b) of Regulation (EEC) No 2173/79, tenders shall not indicate in which cold store or stores the products are held.

Article 3

1. Member States shall provide the Commission with information concerning the tenders received not later

than the working day following the deadline set for the submission of tenders.

2. After the tenders received have been examined a minimum selling price shall be set for each product or the sale will not proceed.

Article 4

The security provided for in Article 15(1) of Regulation (EEC) No 2173/79 shall be EUR 120 per tonne.

Article 5

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, 6 May 1999.

For the Commission

Franz FISCHLER

Member of the Commission

*ANEXO I — BILAG I — ANHANG I — ΠΑΡΑΡΤΗΜΑ I — ANNEX I — ANNEXE I —
ALLEGATO I — BIJLAGE I — ANEXO I — LIITE I — BILAGA I*

Estado miembro	Productos ⁽¹⁾	Cantidad aproximada (toneladas)
Medlemsstat	Produkter ⁽¹⁾	Tilnærmet mængde (tons)
Mitgliedstaat	Erzeugnisse ⁽¹⁾	Ungefähre Mengen (Tonnen)
Κράτος μέλος	Προϊόντα ⁽¹⁾	Κατά προσέγγιση ποσότητα (τόνοι)
Member State	Products ⁽¹⁾	Approximate quantity (tonnes)
État membre	Produits ⁽¹⁾	Quantité approximative (tonnes)
Stato membro	Prodotti ⁽¹⁾	Quantità approssimativa (tonnellate)
Lidstaat	Producten ⁽¹⁾	Hoeveelheid bij benadering (ton)
Estado-Membro	Produtos ⁽¹⁾	Quantidade aproximada (toneladas)
Jäsenvaltio	Tuotteet ⁽¹⁾	Arvioitu määrä (tonneina)
Medlemsstat	Produkter ⁽¹⁾	Ungefärlig kvantitet (ton)

- a) **Carne con hueso — Kød, ikke udbenet — Fleisch mit Knochen — Κρέατα με κόκαλα — Bone-in beef — Viande avec os — Carni non disossate — Vlees met been — Carne com osso — Luullinen naudanliha — Kött med ben**

IRELAND	Forequarters	15
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- b) **Carne deshuesada — Udbenet kød — Fleisch ohne Knochen — Κρέατα χωρίς κόκαλα — Boneless beef — Viande désossée — Carni senza osso — Vlees zonder been — Carne desossada — Luuton naudanliha — Benfritt kött**

DANMARK	Interventionsbryst (INT 23)	6
IRELAND	Silverside (INT 14)	585
	Striploin (INT 17)	70
	Forerib (INT 19)	10
UNITED KINGDOM	Thick flank (INT 12)	940
	Topside (INT 13)	1 000
	Silverside (INT 14)	450
	Rump (INT 16)	1 580
	Striploin (INT 17)	1 950
	Forerib (INT 19)	500

⁽¹⁾ Véanse los anexos V y VII del Reglamento (CEE) n° 2456/93 de la Comisión (DO L 225 de 4.9.1993, p. 4), cuya última modificación la constituye el Reglamento (CE) n° 2602/97 (DO L 351 de 23.12.1997, p. 20).

⁽²⁾ Se bilag V og VII til Kommissionens forordning (EØF) nr. 2456/93 (EFT L 225 af 4.9.1993, s. 4), senest ændret ved forordning (EF) nr. 2602/97 (EFT L 351 af 23.12.1997, s. 20).

⁽³⁾ Vgl. Anhänge V und VII der Verordnung (EWG) Nr. 2456/93 der Kommission (ABl. L 225 vom 4.9.1993, S. 4), zuletzt geändert durch die Verordnung (EG) Nr. 2602/97 (ABl. L 351 vom 23.12.1997, S. 20).

⁽⁴⁾ Βλέπε παραρτήματα V και VII του κανονισμού (ΕΟΚ) αριθ. 2456/93 της Επιτροπής (ΕΕ L 225 της 4.9.1993, σ. 4), όπως τροποποιήθηκε τελευταία από τον κανονισμό (ΕΚ) αριθ. 2602/97 (ΕΕ L 351 της 23.12.1997, σ. 20).

⁽⁵⁾ See Annexes V and VII to Commission Regulation (EEC) No 2456/93 (OJ L 225, 4.9.1993, p. 4), as last amended by Regulation (EC) No 2602/97 (OJ L 351, 23.12.1997, p. 20).

⁽⁶⁾ Voir annexes V et VII du règlement (CEE) n° 2456/93 de la Commission (JO L 225 du 4.9.1993, p. 4). Règlement modifié en dernier lieu par le règlement (CE) n° 2602/97 (JO L 351 du 23.12.1997, p. 20).

⁽⁷⁾ Cfr. allegati V e VII del regolamento (CEE) n. 2456/93 della Commissione (GU L 225 del 4.9.1993, pag. 4), modificato da ultimo dal regolamento (CE) n. 2602/97 (GU L 351 del 23.12.1997, pag. 20).

⁽⁸⁾ Zie de bijlagen V en VII bij Verordening (EEG) nr. 2456/93 van de Commissie (PB L 225 van 4.9.1993, blz. 4), laatstelijk gewijzigd bij Verordening (EG) nr. 2602/97 (PB L 351 van 23.12.1997, blz. 20).

⁽⁹⁾ Ver anexos V e VII do Regulamento (CEE) n.º 2456/93 da Comissão (JO L 225 de 4.9.1993, p. 4). Regulamento com a última redacção que lhe foi dada pelo Regulamento (CE) n.º 2602/97 (JO L 351 de 23.12.1997, p. 20).

⁽¹⁰⁾ Katso komission asetuksen (ETY) N:o 2456/93 (EYVL L 225, 4.9.1993, s. 4), sellaisena kuin se on viimeksi muutettuna asetuksella (EY) N:o 2602/97 (EYVL L 351, 23.12.1997, s. 20) liitteet V ja VII.

⁽¹¹⁾ Se bilagorna V och VII i förordning (EEG) nr 2456/93 (EGT L 225, 4.9.1993, s. 4), senast ändrad genom förordning (EG) nr 2602/97 (EGT L 351, 23.12.1997, s. 20).

*ANEXO II — BILAG II — ANHANG II — ΠΑΡΑΡΤΗΜΑ II — ANNEX II — ANNEXE II —
ALLEGATO II — BIJLAGE II — ANEXO II — LIITE II — BILAGA II*

**Direcciones de los organismos de intervención — Interventionsorganernes adresser — Anschriften
der Interventionsstellen — Διευθύνσεις των οργανισμών παρεμβάσεως — Addresses of the intervention
agencies — Adresses des organismes d'intervention — Indirizzi degli organismi d'intervento —
Adressen van de interventiebureaus — Endereços dos organismos de intervenção — Interventio-
elinten osoitteet — Interventionsorganens adresser**

DANMARK

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COMMISSION REGULATION (EC) No 958/1999

of 6 May 1999

amending Regulation (EC) No 515/1999 on the sale, at prices fixed in advance, of beef held by certain intervention agencies, with a view to its processing in the Community

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

HAS ADOPTED THIS REGULATION:

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 1633/98 ⁽²⁾, and in particular Article 7(3) thereof,

Whereas Commission Regulation (EC) No 515/1999 ⁽³⁾, as amended by Regulation (EC) No 830/1999 ⁽⁴⁾, provides for a sale of intervention stocks held by certain intervention agencies; whereas the quantities and prices stated in that Regulation should be amended to take account of the stocks already sold;

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

Article 1

Regulation (EC) No 515/1999 is hereby amended as follows:

1. in Article 1:

- (a) the eighth indent is replaced by the following:
‘— 6 430 tonnes of deboned beef held by the Irish intervention agency.’
- (b) the 11th indent is replaced by the following:
‘— 13 000 tonnes of boneless beef held by the United Kingdom intervention agency.’

2. Annex I is replaced by the Annex to this Regulation.

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, 6 May 1999.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ L 148, 28.6.1968, p. 24.

⁽²⁾ OJ L 210, 28.7.1998, p. 17.

⁽³⁾ OJ L 61, 10.3.1999, p. 8.

⁽⁴⁾ OJ L 105, 22.4.1999, p. 16.

ANEXO — BILAG — ANHANG — ΠΑΡΑΡΤΗΜΑ — ANNEX — ANNEXE — ALLEGATO — BIJLAGE — ANEXO — LIITE — BILAGA

‘ANEXO I — BILAG I — ANHANG I — ΠΑΡΑΡΤΗΜΑ I — ANNEX I — ANNEXE I — ALLEGATO I — BIJLAGE I — ANEXO I — LIITE I — BILAGA I

Estado miembro	Productos ⁽¹⁾	Cantidad aproximada (toneladas)	Precio de venta expresado en euros por tonelada ⁽²⁾ ⁽³⁾
Medlemsstat	Produkter ⁽¹⁾	Tilnærmet mængde (tons)	Salgspriser i EUR/ton ⁽²⁾ ⁽³⁾
Mitgliedstaat	Erzeugnisse ⁽¹⁾	Ungefähre Mengen (Tonnen)	Verkaufspreise, ausgedrückt in EUR/Tonne ⁽²⁾ ⁽³⁾
Κράτος μέλος	Προϊόντα ⁽¹⁾	Κατά προσέγγιση ποσότητα (τόνοι)	Τιμές πώλησης εκφραζόμενες σε Ευρώ ανά τόνο ⁽²⁾ ⁽³⁾
Member State	Products ⁽¹⁾	Approximate quantity (tonnes)	Selling prices expressed in EUR per tonne ⁽²⁾ ⁽³⁾
État membre	Produits ⁽¹⁾	Quantité approximative (tonnes)	Prix de vente exprimés en euros par tonne ⁽²⁾ ⁽³⁾
Stato membro	Prodotti ⁽¹⁾	Quantità approssimativa (tonnellate)	Prezzi di vendita espressi in euro per tonnellata ⁽²⁾ ⁽³⁾
Lidstaat	Producten ⁽¹⁾	Hoeveelheid bij benadering (ton)	Verkoopprijzen uitgedrukt in euro per ton ⁽²⁾ ⁽³⁾
Estado-Membro	Produtos ⁽¹⁾	Quantidade aproximada (toneladas)	Preço de venda expresso em euros por tonelada ⁽²⁾ ⁽³⁾
Jäsenvaltio	Tuotteet ⁽¹⁾	Arvioitu määrä (tonneina)	Myyntihinta euroina tonnilta ⁽²⁾ ⁽³⁾
Medlemsstat	Produkter ⁽¹⁾	Ungefärlig kvantitet (ton)	Försäljningspris i euro per ton ⁽²⁾ ⁽³⁾

a) Carne con hueso — Kød, ikke udbenet — Fleisch mit Knochen — Κρέατα με κόκαλα — Bone-in beef — Viande avec os — Carni non disossate — Vlees met been — Carne com osso — Luullinen naudanliha — Kött med ben

FRANCE	— Quartiers avant	1 000	550	650
	— Quartiers arrière	1 000	700	800
DEUTSCHLAND	— Vorderviertel	1 500	550	650
	— Hinterviertel	1 000	700	800
DANMARK	— Forfjerdinger	880	550	650
	— Bagfjerdinger	500	700	800
ITALIA	— Quarti anteriori	3 000	600	700
	— Quarti posteriori	2 000	700	800
ÖSTERREICH	— Hinterviertel	1 000	700	800
NEDERLAND	— Achtervoeten	200	700	800
ESPAÑA	— Cuartos delanteros	500	550	650
	— Cuartos traseros	1 000	700	800

b) Carne deshuesada — Udbenet kød — Fleisch ohne Knochen — Κρέατα χωρίς κόκαλα — Boneless beef — Viande désossée — Carni senza osso — Vlees zonder been — Carne desossada — Luuton naudanliha — Benfritt kött

FRANCE	— Flanchet d'intervention (INT 18)	1 500	550	650
	— Jarret avant d'intervention (INT 21)	80	850	950
	— Épaule d'intervention (INT 22)	424	1 150	1 250

Estado miembro	Productos ⁽¹⁾	Cantidad aproximada (toneladas)	Precio de venta expresado en euros por tonelada ⁽²⁾ ⁽³⁾
Medlemsstat	Produkter ⁽¹⁾	Tilnærmet mængde (tons)	Salgspriser i EUR/ton ⁽²⁾ ⁽³⁾
Mitgliedstaat	Erzeugnisse ⁽¹⁾	Ungefähre Mengen (Tonnen)	Verkaufspreise, ausgedrückt in EUR/Tonne ⁽²⁾ ⁽³⁾
Κράτος μέλος	Προϊόντα ⁽¹⁾	Κατά προσέγγιση ποσότητα (τόνοι)	Τιμές πώλησης εκφραζόμενες σε Ευρώ ανά τόνο ⁽²⁾ ⁽³⁾
Member State	Products ⁽¹⁾	Approximate quantity (tonnes)	Selling prices expressed in EUR per tonne ⁽²⁾ ⁽³⁾
État membre	Produits ⁽¹⁾	Quantité approximative (tonnes)	Prix de vente exprimés en euros par tonne ⁽²⁾ ⁽³⁾
Stato membro	Prodotti ⁽¹⁾	Quantità approssimativa (tonnellate)	Prezzi di vendita espressi in euro per tonnellata ⁽²⁾ ⁽³⁾
Lidstaat	Producten ⁽¹⁾	Hoeveelheid bij benadering (ton)	Verkoopprijzen uitgedrukt in euro per ton ⁽²⁾ ⁽³⁾
Estado-Membro	Produtos ⁽¹⁾	Quantidade aproximada (toneladas)	Preço de venda expresso em euros por tonelada ⁽²⁾ ⁽³⁾
Jäsenvaltio	Tuotteet ⁽¹⁾	Arvioitu määrä (tonneina)	Myyntihinta euroina tonnilla ⁽²⁾ ⁽³⁾
Medlemsstat	Produkter ⁽¹⁾	Ungefärlig kvantitet (ton)	Försäljningspris i euro per ton ⁽²⁾ ⁽³⁾
UNITED KINGDOM	— Intervention shank (INT 11)	1 000	650 750
	— Intervention thick flank (INT 12)	1 300	1 250 1 350
	— Intervention topside (INT 13)	800	1 450 1 550
	— Intervention silverside (INT 14)	800	1 450 1 550
	— Intervention rump (INT 16)	800	1 450 1 550
	— Intervention flank (INT 18)	2 000	550 650
	— Intervention forerib (INT 19)	800	1 000 1 100
	— Intervention shin (INT 21)	1 000	650 750
	— Intervention shoulder (INT 22)	1 500	950 1 050
	— Intervention brisket (INT 23)	1 000	550 650
	— Intervention forequarter (INT 24)	2 000	1 050 1 150
IRELAND	— Intervention shank (INT 11)	500	700 800
	— Intervention flank (INT 18)	500	600 700
	— Intervention shin (INT 21)	500	700 800
	— Intervention shoulder (INT 22)	1 500	1 000 1 100
	— Intervention brisket (INT 23)	500	600 700
	— Intervention forequarter (INT 24)	500	1 050 1 150
	— Intervention thick flank (INT 12)	490	1 300 1 400
	— Intervention topside (INT 13)	740	1 700 1 800
	— Intervention silverside (INT 14)	400	1 300 1 400
	— Intervention rump (INT 16)	400	1 300 1 400
	— Intervention forerib (INT 19)	400	1 200 1 300
ESPAÑA	— Falda (INT 18)	30	400 500
DANMARK	— Interventionsslag (INT 18)	14	400 500
	— Interventionsbryst (INT 23)	252	600 700

- (¹) Véanse los anexos V y VII del Reglamento (CEE) n° 2456/93 de la Comisión (DO L 225 de 4.9.1993, p. 4), cuya última modificación la constituye el Reglamento (CE) n° 2812/98 (DO L 349 de 24.12.1998, p. 47).
- (¹) Se bilag V og VII til Kommissionens forordning (EØF) nr. 2456/93 (EFT L 225 af 4.9.1993, s. 4), senest ændret ved forordning (EF) nr. 2812/98 (EFT L 349 af 24.12.1998, s. 47).
- (¹) Vgl. Anhänge V und VII der Verordnung (EWG) Nr. 2456/93 der Kommission (ABl. L 225 vom 4.9.1993, S. 4), zuletzt geändert durch die Verordnung (EG) Nr. 2812/98 (ABl. L 349 vom 24.12.1998, S. 47).
- (¹) Βλέπε παραρτήματα V και VII του κανονισμού (ΕΟΚ) αριθ. 2456/93 της Επιτροπής (ΕΕ L 225 της 4.9.1993, σ. 4), όπως τροποποιήθηκε τελευταία από τον κανονισμό (ΕΚ) αριθ. 2812/98 (ΕΕ L 349 της 24.12.1998, σ. 47).
- (¹) See Annexes V and VII to Commission Regulation (EEC) No 2456/93 (OJ L 225, 4.9.1993, p. 4), as last amended by Regulation (EC) No 2812/98 (OJ L 349, 24.12.1998, p. 47).
- (¹) Voir annexes V et VII du règlement (CEE) n° 2456/93 de la Commission (JO L 225 du 4.9.1993, p. 4). Règlement modifié en dernier lieu par le règlement (CE) n° 2812/98 (JO L 349 du 24.12.1998, p. 47).
- (¹) Cfr. allegato V e VII del regolamento (CEE) n. 2456/93 della Commissione (GU L 225 del 4.9.1993, pag. 4), modificato da ultimo dal regolamento (CE) n. 2812/98 (GU L 349 del 24.12.1998, pag. 47).
- (¹) Zie de bijlagen V en VII van Verordening (EEG) nr. 2456/93 van de Commissie (PB L 225 van 4.9.1993, blz. 4), laatstelijk gewijzigd bij Verordening (EG) nr. 2812/98 (PB L 349 van 24.12.1998, blz. 47).
- (¹) Ver anexos V e VII do Regulamento (CEE) n.º 2456/93 da Comissão (JO L 225 de 4.9.1993, p. 4). Regulamento com a última redacção que lhe foi dada pelo Regulamento (CE) n.º 2812/98 (JO L 349 de 24.12.1998, p. 47).
- (¹) Katso komission asetuksen (ETY) N:o 2456/93 (EYVL L 225, 4.9.1993, s. 4), sellaisena kuin se on viimeksi muutettuna asetuksella (EY) N:o 2812/98 (EYVL L 349, 24.12.1998, s. 47) liitteet V ja VII.
- (¹) Se bilagorna V och VII i kommissionens förordning (EEG) nr 2456/93 (EGT L 225, 4.9.1993, s. 4), senast ändrad genom förordning (EG) nr 2812/98 (EGT L 349, 24.12.1998, s. 47).
- (¹) Precio aplicable a la transformación exclusivamente en los productos A contemplados en el apartado 2 del artículo 3.
- (¹) Pris udelukkende for forarbejdning til A-produkter som omhandlet i artikel 3, stk. 2.
- (¹) Geltender Preis nur für die Verarbeitung zu A-Erzeugnissen gemäß Artikel 3 Absatz 2.
- (¹) Τιμή που εφαρμόζεται για τη μεταποίηση, μόνο σε προϊόντα Α που αναφέρονται στο άρθρο 3 παράγραφος 2.
- (¹) Price applying for processing solely into A products as referred to in Article 3(2).
- (¹) Prix applicable uniquement pour la transformation en produits A visés à l'article 3, paragraphe 2.
- (¹) Prezzo applicabile unicamente per la trasformazione in prodotti A di cui all'articolo 3, paragrafo 2.
- (¹) Prijs uitsluitend voor verwerking tot de in artikel 3, lid 2, bedoelde A-producten.
- (¹) Preço aplicável para a transformação apenas em produtos A referidos no n.º 2 do artigo 3.º
- (¹) Hintä, jota sovelletaan jalostettaessa ainoastaan 3 artiklan 2 kohdassa tarkoitetuiksi A-luokan tuotteiksi.
- (¹) Pris för bearbetning endast till A-produkter i enlighet med artikel 3.2.
- (¹) Precio aplicable a la transformación en los productos B contemplados en el apartado 3 del artículo 3, o en una mezcla de productos A y productos B.
- (¹) Pris for forarbejdning til B-produkter som omhandlet i artikel 3, stk. 3, eller en blanding af A- og B-produkter.
- (¹) Geltender Preis für die Verarbeitung zu B-Erzeugnissen gemäß Artikel 3 Absatz 3 oder eine Mischung aus A- und B-Erzeugnissen.
- (¹) Τιμή που εφαρμόζεται για τη μεταποίηση σε προϊόντα Β που αναφέρονται στο άρθρο 3 παράγραφος 3, ή σε μείγμα προϊόντων Α και προϊόντων Β.
- (¹) Price applying for processing into B products as referred to in Article 3(3) or a mix of A products and B products.
- (¹) Prix applicable pour la transformation en produits B visés à l'article 3, paragraphe 3, ou pour un mélange de produits A et de produits B.
- (¹) Prezzo applicabile per la trasformazione in prodotti B di cui all'articolo 3, paragrafo 3, o per un miscuglio di prodotti A e di prodotti B.
- (¹) Prijs voor verwerking tot de in artikel 3, lid 3, bedoelde B-producten of tot een mengeling van A-producten en B-producten.
- (¹) Preço aplicável para a transformação em produtos B referidos no n.º 3 do artigo 3.º, ou uma mistura de produtos A e produtos B.
- (¹) Hintä, jota sovelletaan jalostettaessa 3 artiklan 3 kohdassa tarkoitetuiksi B-luokan tuotteiksi, tai A- ja B-luokan tuotteiden seokseksi.
- (¹) Pris för bearbetning till B-produkter i enlighet med artikel 3.3 eller en blandning av A- och B-produkter.'

COMMISSION REGULATION (EC) No 959/1999

of 6 May 1999

on the sale by tender of beef held by certain intervention agencies and intended for the production of minced meat

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

HAS ADOPTED THIS REGULATION:

Having regard to the Treaty establishing the European Community,

Article 1

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 1633/98 ⁽²⁾, and in particular Article 7(3) thereof,

Whereas the application of intervention measures in respect of beef has created stocks in several Member States; whereas, in order to prevent an excessive prolongation of storage, part of these stocks should be sold by tender for the production of minced meat in the Community;

Whereas to ensure efficient management of the markets, sales of intervention stocks should be extended to producers of minced meat approved in accordance with Article 8 of Council Directive 94/65/EC of 14 December 1994 laying down the requirements for the production and placing on the market of minced meat and meat preparations ⁽³⁾;

Whereas the sale should be made subject to the rules laid down by Commission Regulation (EEC) No 2173/79 ⁽⁴⁾, as last amended by Regulation (EC) No 2417/95 ⁽⁵⁾, in particular Titles II and III thereof, subject to certain special exceptions on account of the particular use to which the products in question are to be put;

Whereas, with a view to ensuring a regular and uniform tendering procedure, measures should be taken in addition to those laid down in Article 8(1) of Regulation (EEC) No 2173/79;

Whereas provision should be made for derogations from Article 8(2)(b) of Regulation (EEC) No 2173/79, in view of the administrative difficulties which application of this point creates in the Member States concerned;

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

1. The sale shall take place of:

- approximately 1 000 tonnes of boneless beef held by the Irish intervention agency, brought into intervention pursuant to Article 6 of Regulation (EEC) No 805/68 between January 1998 and January 1999 inclusive,
- approximately 900 tonnes of boneless beef held by the United Kingdom intervention agency, brought into intervention pursuant to Article 6 of Regulation (EEC) No 805/68 between January 1998 and January 1999 inclusive.

Detailed information concerning quantities is given in Annex I.

2. Subject to the provisions of this Regulation the products referred to in paragraph 1 shall be sold in accordance with Regulation (EEC) No 2173/79, in particular Titles II and III thereof.

Article 2

1. Notwithstanding Articles 6 and 7 of Regulation (EEC) No 2173/79, the provisions of and Annexes to this Regulation shall serve as a general notice of invitation to tender.

The intervention agencies concerned shall draw up a notice of invitation to tender which shall include the following:

(a) the quantities of beef offered for sale;

and

(b) the deadline and place for submitting tenders.

2. Interested parties may obtain the details of the quantities available and the places where the products are stored from the addresses listed in Annex II to this Regulation. The intervention agencies shall, in addition, display the notice referred to in paragraph 1 at their head offices and may publish it in other ways.

⁽¹⁾ OJ L 148, 28.6.1968, p. 24.

⁽²⁾ OJ L 210, 28.7.1998, p. 17.

⁽³⁾ OJ L 368, 31.12.1994, p. 10.

⁽⁴⁾ OJ L 251, 5.10.1979, p. 12.

⁽⁵⁾ OJ L 248, 14.10.1995, p. 39.

3. For each product mentioned in Annex I the intervention agencies concerned shall sell first the meat which has been stored the longest. However, with a view to better stock management and after notifying the Commission, the Member States may designate only certain cold stores or parts thereof for deliveries of meat sold under this Regulation.

4. Only tenders which reach the intervention agencies concerned by 12 noon on 18 May 1999 shall be considered.

5. Notwithstanding Article 8(1) of Regulation (EEC) No 2173/79, a tender shall be submitted to the intervention agency concerned in a closed envelope, bearing the reference to the Regulation concerned. The closed envelope shall not be opened by the intervention agency before the expiry of the tender deadline referred to in paragraph 4.

6. Notwithstanding Article 8(2)(b) of Regulation (EEC) No 2173/79, tenders shall not indicate in which cold store or stores the products are held.

Article 3

1. Member States shall provide the Commission with information concerning the tenders received not later than the working day following the deadline set for the submission of tenders.

2. After the tenders received have been examined a minimum selling price shall be set for each product or the sale will not proceed.

Article 4

1. A tender shall be valid only if presented by or on behalf of an establishment approved in accordance with Article 8(1) of Directive 94/65/EC as a producer of minced meat or minced meat preparations. Member States shall consult with each other where necessary for the application of this paragraph.

2. Tenders shall be accompanied by:

- a written undertaking by the tenderer to use all the meat concerned for the production of minced meat as defined by Article 2(2)(a) and (b) of Directive 94/65/EC within three months of the date of conclusion of the contract of sale with the intervention agency,
- details of the exact location of the establishment or establishments of the tenderer in which the minced meat is to be produced.

3. The tenderers referred to in paragraph 1 may instruct an agent in writing to take delivery, on their behalf, of the products which they purchase. In this case the agent shall submit the bids of the tenderers whom he represents with the written instruction referred to above.

4. The purchasers and agents referred to in the preceding paragraphs shall maintain and keep up to date an accounting system which permits the destination and use of the products to be ascertained with a view in particular to ensuring that the quantities of products purchased and the quantities of minced meat produced correspond. For the purposes of administrative supervision, where appropriate the intervention agency holding the products concerned shall send the competent authority of the Member State in which the minced meat is to be produced a certified copy of the sales contract.

Article 5

1. The mincing of meat purchased under this Regulation shall be carried out within three months of the date of conclusion of the contract of sale.

2. Documentation to prove compliance with the requirement referred to in paragraph 1 shall be provided to the competent authority of the Member State in which the minced meat is produced within five months of the date of conclusion of the contract of sale.

Article 6

Member States shall set up a system of physical and documentary supervision to ensure that all meat is minced in accordance with Article 5(1).

To this end, processors shall at any time be able to demonstrate the identity and use of the meat through appropriate production records.

Article 7

1. The security provided for in Article 15(1) of Regulation (EEC) No 2173/79 shall be EUR 12 per 100 kilograms.

2. A security intended to cover the mincing of the products shall be lodged with the competent authority of the Member State in which the mincing is to take place, prior to taking over the meat.

The amount shall be the difference in euros between the tender price per tonne and EUR 2 700.

Article 8

The mincing of all meat purchased shall constitute a primary requirement within the meaning of Article 20 of Commission Regulation (EEC) No 2220/85 ⁽¹⁾.

This Regulation shall enter into force on the 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, 6 May 1999.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ L 205, 3.8.1985, p. 5.

*ANEXO I — BILAG I — ANHANG I — ΠΑΡΑΡΤΗΜΑ I — ANNEX I — ANNEXE I —
ALLEGATO I — BIJLAGE I — ANEXO I — LIITE I — BILAGA I*

Estado miembro	Productos ⁽¹⁾	Cantidad aproximada (toneladas)
Medlemsstat	Produkter ⁽¹⁾	Tilnærmet mængde (tons)
Mitgliedstaat	Erzeugnisse ⁽¹⁾	Ungefähre Mengen (Tonnen)
Κράτος μέλος	Προϊόντα ⁽¹⁾	Κατά προσέγγιση ποσότητα (τόνοι)
Member State	Products ⁽¹⁾	Approximate quantity (tonnes)
État membre	Produits ⁽¹⁾	Quantité approximative (tonnes)
Stato membro	Prodotti ⁽¹⁾	Quantità approssimativa (tonnellate)
Lidstaat	Producten ⁽¹⁾	Hoeveelheid bij benadering (ton)
Estado-Membro	Produtos ⁽¹⁾	Quantidade aproximada (toneladas)
Jäsenvaltio	Tuotteet ⁽¹⁾	Arvioitu määrä (tonneina)
Medlemsstat	Produkter ⁽¹⁾	Ungefärlig kvantitet (ton)

Carne deshuesada — Udbenet kød — Fleisch ohne Knochen — Κρέατα χωρίς κόκαλα — Boneless beef — Viande désossée — Carni senza osso — Vlees zonder been — Carne desossada — Luuton naudanliha — Benfritt kött

IRELAND	— Intervention flank (INT 18)	220
	— Intervention shoulder (INT 22)	500
	— Intervention forequarter (INT 24)	280
UNITED KINGDOM	— Intervention forequarter (INT 24)	400
	— Intervention shoulder (INT 22)	200
	— Intervention brisket (INT 23)	300

⁽¹⁾ Véanse los anexos V y VII del Reglamento (CEE) n.º 2456/93 de la Comisión (DO L 225 de 4.9.1993, p. 4), cuya última modificación la constituye el Reglamento (CE) n.º 2812/98 (DO L 349 de 24.12.1998, p. 47).

⁽¹⁾ Se bilag V og VII til Kommissionens forordning (EØF) nr. 2456/93 (EFT L 225 af 4.9.1993, s. 4), senest ændret ved forordning (EF) nr. 2812/98 (EFT L 349 af 24.12.1998, s. 47).

⁽¹⁾ Vgl. Anhänge V und VII der Verordnung (EWG) Nr. 2456/93 der Kommission (ABl. L 225 vom 4.9.1993, S. 4), zuletzt geändert durch die Verordnung (EG) Nr. 2812/98 (ABl. L 349 vom 24.12.1998, S. 47).

⁽¹⁾ Βλέπε παραρτήματα V και VII του κανονισμού (ΕΟΚ) αριθ. 2456/93 της Επιτροπής (ΕΕ L 225 της 4.9.1993, σ. 4), όπως τροποποιήθηκε τελευταία από τον κανονισμό (ΕΚ) αριθ. 2812/98 (ΕΕ L 349 της 24.12.1998, σ. 47).

⁽¹⁾ See Annexes V and VII to Commission Regulation (EEC) No 2456/93 (OJ L 225, 4.9.1993, p. 4), as last amended by Regulation (EC) No 2812/98 (OJ L 349, 24.12.1998, p. 47).

⁽¹⁾ Voir annexes V et VII du règlement (CEE) n.º 2456/93 de la Commission (JO L 225 du 4.9.1993, p. 4). Règlement modifié en dernier lieu par le règlement (CE) n.º 2812/98 (JO L 349 du 24.12.1998, p. 47).

⁽¹⁾ Cfr. allegati V e VII del regolamento (CEE) n. 2456/93 della Commissione (GU L 225 del 4.9.1993, pag. 4), modificato da ultimo dal regolamento (CE) n. 2812/98 (GU L 349 del 24.12.1998, pag. 47).

⁽¹⁾ Zie de bijlagen V en VII bij Verordening (EEG) nr. 2456/93 van de Commissie (PB L 225 van 4.9.1993, blz. 4), laatstelijk gewijzigd bij Verordening (EG) nr. 2812/98 (PB L 349 van 24.12.1998, blz. 47).

⁽¹⁾ Ver anexos V e VII do Regulamento (CEE) n.º 2456/93 da Comissão (JO L 225 de 4.9.1993, p. 4). Regulamento com a última redacção que lhe foi dada pelo Regulamento (CE) n.º 2812/98 (JO L 349 de 24.12.1998, p. 47).

⁽¹⁾ Katso komission asetuksen (ETY) N:o 2456/93 (EYVL L 225, 4.9.1993, s. 4), sellaisena kuin se on viimeksi muutettuna asetuksella (EY) N:o 2812/98 (EYVL L 349, 24.12.1998, s. 47) liitteet V ja VII.

⁽¹⁾ Se bilagorna V och VII i förordning (EEG) nr 2456/93 (EGT L 225, 4.9.1993, s. 4), senast ändrad genom förordning (EG) nr 2812/98 (EGT L 349, 24.12.1998, s. 47).

*ANEXO II — BILAG II — ANHANG II — ΠΑΡΑΡΤΗΜΑ II — ANNEX II — ANNEXE II —
ALLEGATO II — BIJLAGE II — ANEXO II — LIITE II — BILAGA II*

**Direcciones de los organismos de intervención — Interventionsorganernes adresser — Anschriften
der Interventionsstellen — Διευθύνσεις των οργανισμών παρεμβάσεως — Addresses of the intervention
agencies — Adresses des organismes d'intervention — Indirizzi degli organismi d'intervento —
Adressen van de interventiebureaus — Endereços dos organismos de intervenção — Interventio-
elinten osoitteet — Interventionsorganens adresser**

IRELAND

Department of Agriculture and Food
Johnstown Castle Estate
Country Wexford
Ireland
Tel. (353 53) 634 00
Fax (353 53) 428 42

UNITED KINGDOM

Intervention Board Executive Agency
Kings House
33, Kings Road
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Berkshire
United Kingdom
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Fax (01 189) 56 67 50

COMMISSION REGULATION (EC) No 960/1999

of 6 May 1999

amending Regulation (EC) No 1253/98 establishing a forecast balance for the supply to the Azores and Madeira of cereal products covered by the specific measures provided for in Articles 2 to 10 of Council Regulation (EEC) No 1600/92

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

Having regard to Council Regulation (EEC) No 1600/92 of 15 June 1992 concerning specific measures for the Azores and Madeira, with regard to certain agricultural products ⁽¹⁾, as last amended by Commission Regulation (EC) No 562/98 ⁽²⁾, and in particular Article 10 thereof,

Whereas the quantities of products eligible for the specific supply arrangements are determined by means of periodic forecast balances which may be revised according to the essential requirements of the market taking into account local production and traditional trade flows;

Whereas in accordance with Article 2 of Regulation (EEC) No 1600/92 these arrangements include requirements for direct human consumption, and for processing and packaging in the Islands of products listed in the Annex to the aforementioned Regulation; whereas an assessment of these requirements is made annually in the context of a forecast supply balance which can be revised in the course of the year in the light of developments in the requirements of the Islands; whereas the assessment of the requirements of the processing and packaging industries, as regards products intended for the local market or traditionally dispatched to the rest of the Community, may result in the establishment of a separate forecast supply balance;

Whereas, pursuant to Article 2 of Regulation (EEC) No 1600/92 the forecast supply balance of cereal products to the Azores and Madeira for the 1998/99 marketing year was established by Commission Regulation (EC) No 1253/98 ⁽³⁾, as amended by Regulation (EC) No 2328/98 ⁽⁴⁾; whereas to meet the needs of this region, amendments must be made to this forecast supply balance; whereas, subsequently, Regulation (EC) No 1253/98 should be amended;

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

HAS ADOPTED THIS REGULATION:

Article 1

The Annex to Regulation (EC) No 1253/98 is replaced by the Annex to this Regulation.

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 July 1998.

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

Done at Brussels, 6 May 1999.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ L 173, 27.6.1992, p. 1.

⁽²⁾ OJ L 76, 13.3.1998, p. 6.

⁽³⁾ OJ L 173, 18.6.1998, p. 10.

⁽⁴⁾ OJ L 290, 29.10.1998, p. 23.

*ANNEX**ANNEX***Forecast supply balance for the Azores and Madeira for the 1998/99 marketing year**

Region	Breadmaking common wheat	Feed wheat	Durum wheat	Barley	Maize	Malt	Total
Azores	34 000	—	500	39 000	79 500	1 000	154 000
Madeira	25 000	—	5 000	2 500	35 000	2 200	69 700
Total	59 000	—	5 500	41 500	114 500	3 200	223 700'

COMMISSION REGULATION (EC) No 961/1999

of 6 May 1999

laying down detailed implementing rules concerning the extension of rules
issued by producer organisations in the fruit and vegetable sector

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 Regulation (EC) No 857/1999 ⁽²⁾, and in particular Article 48 thereof,

extended to the producers and the buyers respectively;

(7) Whereas Commission Regulation (EC) No 2137/84 ⁽³⁾ should be repealed;

(8) Whereas the measures provided for in this Regulation are in accordance with the opinion of the Management Committee for Fresh Fruit and Vegetables,

(1) Whereas Article 18 of Regulation (EC) No 2200/96 lays down the conditions under which the rules issued by producer organisations or associations of such organisations in the fruit and vegetable sector may be extended to all producers established in a specific economic area; whereas detailed rules should be adopted for the implementation of that Article;

(2) Whereas Article 18(7) of Regulation (EC) No 2200/96 requires the list of economic areas to be forwarded to the Commission for approval; whereas the Commission must be able to assess the list in the light of Article 18(2);

(3) Whereas Article 18(1) of the abovementioned Regulation lays down certain conditions for the extension of rules; whereas Article 18(3) lays down the conditions that producer organisations and associations of such organisations must meet in order to be considered representative; whereas the Commission must be able to assess compliance with those conditions;

(4) Whereas, where the rules to be extended concern withdrawals, producers who do not belong to producer organisations should be able to carry out withdrawals;

(5) Whereas Article 18(6) of the abovementioned Regulation lays down the conditions under which financial contributions may be levied on producers who do not belong to producer organisations; whereas the Commission must be able to assess compliance with those conditions;

(6) Whereas, where produce is sold on the tree, it should be made clear which rules are to be

HAS ADOPTED THIS REGULATION:

Article 1

Notification as provided for in Article 18(7) of Regulation (EC) No 2200/96 of the list of economic areas referred to in Article 18(2) of that Regulation shall include all the information needed to assess whether the conditions laid down in Article 18(2) have been complied with.

Article 2

1. When a Member State notifies rules it has made binding for a given product and economic area pursuant to Article 18(5) of Regulation (EC) No 2200/96, it shall inform the Commission at the same time of:

- (a) the producer organisation or association of organisations which requested that its rules be extended;
- (b) the number of producers who belong to that organisation or association and the total number of producers in the economic area concerned; such information shall be given in respect of the situation obtaining at the time when the application for extension is made;
- (c) the total production of the economic area and the production marketed by the producer organisation or association during the last marketing year for which figures are available;
- (d) the date from which the rules to be extended have applied to the producer organisation or association concerned;
- (e) the date from which the extension is to take effect and the duration of application of the extension.

⁽¹⁾ OJ L 297, 21.11.1996, p. 1.

⁽²⁾ OJ L 108, 27.4.1999, p. 7.

⁽³⁾ OJ L 196, 26.7.1984, p. 23.

2. For the purposes of determining representativeness within the meaning of Article 18(3) of Regulation (EC) No 2200/96, the Member States shall lay down conditions excluding:

- producers whose production is intended essentially for direct sale to consumers on the holding or in the production area,
- direct sales as referred to in the first indent,
- produce delivered for processing as referred to in Article 18(4)(b) of Regulation (EC) No 2200/96 except where the rules in question apply entirely or partly to such produce.

Article 3

Where it is decided, pursuant to Article 18 of Regulation (EC) No 2200/96, to extend rules on withdrawal, the Member State concerned shall determine at the same time which producer organisation or organisations are to be responsible for carrying out withdrawals on behalf of producers who do not belong to the producer organisation or association concerned.

Article 4

Where a Member State decides, pursuant to Article 18(6) of Regulation (EC) No 2200/96, that producers who do not belong to producer organisations are liable for a financial contribution, it shall forward to the Commission the information needed to assess compliance with the conditions laid down in Article 18(6). Such information shall include in particular the basis on which the contribution is calculated and the unit amount thereof, the beneficiary or beneficiaries and the nature of the various costs referred to in Article 18(6)(a) and (b).

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

Done at Brussels, 6 May 1999.

Article 5

Where it is decided to apply an extension for a period exceeding one marketing year, the Member States shall verify in respect of each marketing year that the conditions with regard to representativeness laid down in Article 18(3) of Regulation (EC) No 2200/96 continue to be complied with throughout the period of application of the extension. If they find that the conditions are no longer complied with, they shall immediately repeal the extension with effect from the beginning of the following marketing year. They shall immediately inform the Commission of any such repeal, which shall be published in the 'C' series of the *Official Journal of the European Communities*.

Article 6

1. In cases where producers not belonging to a producer organisation sell their produce on the tree, the buyer shall, for the purposes of compliance with the rules referred to in point 1(e) and (f) and points 3 and 5 of Annex III to Regulation (EC) No 2200/96, be considered as having produced that produce.

2. The Member State concerned may decide that rules listed in Annex III to Regulation (EC) No 2200/96 other than those referred to in paragraph 1 may be made binding on buyers where the latter are responsible for management of the production concerned.

Article 7

Regulation (EEC) No 2137/84 is repealed.

Article 8

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

For the Commission

Franz FISCHLER

Member of the Commission

COMMISSION REGULATION (EC) No 962/1999

of 6 May 1999

amending Regulation (EC) No 2789/98 derogating temporarily from Regulation (EC) No 1445/95 on rules of application for import and export licences in the beef and veal sector

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

HAS ADOPTED THIS REGULATION:

Having regard to the Treaty establishing the European Community,

Article 1

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 1633/98 ⁽²⁾, and in particular Article 9(2) thereof,

Article 1(2) of Regulation (EC) No 2789/98 is hereby replaced by the following:

- (1) Whereas Commission Regulation (EC) No 2789/98 ⁽³⁾, as last amended by Regulation (EC) No 677/1999 ⁽⁴⁾, granted a temporary derogation from Commission Regulation (EC) No 1445/95 ⁽⁵⁾, as last amended by Regulation (EC) No 2648/98 ⁽⁶⁾, on rules of application for import and export licences in the beef and veal sector;
- (2) Whereas certain products falling within CN code 1602 50 should be added to the list of products concerned by the derogation pursuant to Article 10(5);
- (3) Whereas the measures provided for in this Regulation are in accordance with the opinion of the Management Committee for Beef and Veal,

‘2. Notwithstanding the first sentence of Article 10(5) of Regulation (EC) No 1445/95, licence applications for a quantity not exceeding 22 tonnes of products falling within CN codes 0201, 0202, 1602 50 31 9195, 1602 50 31 9395, 1602 50 39 9195, 1602 50 39 9395, 1602 50 39 9495, 1602 50 39 9505, 1602 50 39 9595, 1602 50 39 9615 and 1602 50 39 9625 shall not, at the applicant’s request, be subject to the five-day time lag.’

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, 6 May 1999.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ L 148, 28.6.1968, p. 24.

⁽²⁾ OJ L 210, 28.7.1998, p. 17.

⁽³⁾ OJ L 347, 23.12.1998, p. 33.

⁽⁴⁾ OJ L 83, 27.3.1999, p. 42.

⁽⁵⁾ OJ L 143, 27.6.1995, p. 35.

⁽⁶⁾ OJ L 335, 10.12.1998, p. 39.

COMMISSION REGULATION (EC) No 963/1999

of 6 May 1999

amending Regulation (EC) No 3516/93 establishing the operative events for the conversion rates to be applied when calculating certain amounts provided for by the mechanisms of the common organisation of the market in fishery and aquaculture products

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EC) No 2799/98 of 15 December 1998 establishing agrimonetary arrangements for the euro⁽¹⁾, and in particular Article 3(2) thereof,

- (1) Whereas Regulation (EC) No 2799/98 introduced new agrimonetary arrangements following the introduction of the euro; whereas the previous agrimonetary system of specific agricultural conversion rates is repealed; whereas the exchange rate of the Member States which have adopted the euro became irrevocably fixed on 1 January 1999; whereas the exchange rates of the national currencies of the Member States who are not participating in the euro will vary daily against the euro; whereas the conversion of prices fixed in euro in legal instruments based on Article 42 of the Treaty establishing the European Community into the national currencies of the Member States which have not adopted the single currency will now be calculated using the actual exchange rate of the euro in those currencies;
- (2) Whereas Commission Regulation (EC) No 3516/93⁽²⁾ set out the operative event for the rate of conversion to be applied to the different prices notified in the context of the common organisation of the market, including the withdrawal price, as being the second day of the month in which the operation took place;
- (3) Whereas paragraph 1(a) of Article 12 of Council Regulation (EEC) No 3759/92 of 17 December 1992 on the common organisation of the market in fishery and aquaculture products⁽³⁾, as last amended by Regulation (EC) No 3318/94⁽⁴⁾, permits producers' organisations to use a margin of tolerance when applying the withdrawal price fixed according to Article 11 of the same Regulation in order to take account of seasonal fluctuations in the market; whereas paragraph 1 of Article 14 of the same Regulation also provides producers' organ-

isations with a margin of tolerance when applying carryover aid in order to take account of seasonal fluctuations in the market;

- (4) Whereas Article 3(1) of Commission Regulation (EEC) No 3902/92 of 23 December 1992 setting detailed rules for granting financial compensation on certain fisheries products⁽⁵⁾, as last amended by Regulation (EC) No 1338/95⁽⁶⁾, and Article 2(3) of Commission Regulation (EEC) No 3901/92 of 23 December 1992 introducing detailed rules for granting carryover aid on certain fisheries products⁽⁷⁾, as last amended by Regulation (EC) No 1337/95⁽⁸⁾, require producers' organisations applying the margin of tolerance to the Community withdrawal price or selling price to notify the competent authorities of the Member State the level of this price at least two days before it is to become applicable;
- (5) Whereas producers' organisations must know the withdrawal price or the selling price sufficiently in advance in order to meet their obligation to notify the authorities when they apply the margin of tolerance; whereas under the revised agrimonetary arrangements, the applicable rate of exchange cannot be known until the day of the operative event; whereas there should therefore be an interval between the operative event and the period of its application;
- (6) Whereas the operative event should be the 22nd day of the month before the operation took place; whereas Regulation (EC) No 3516/93 must thus be amended;
- (7) Whereas the measures provided for in this Regulation are in accordance with the opinion of the Management Committee for Fishery Products,

HAS ADOPTED THIS REGULATION:

Article 1

Regulation (EC) No 3516/93 is amended as follows:

⁽¹⁾ OJ L 349, 24.12.1998, p. 1.

⁽²⁾ OJ L 320, 22.12.1993, p. 10.

⁽³⁾ OJ L 388, 31.12.1992, p. 1.

⁽⁴⁾ OJ L 350, 31.12.1994, p. 15.

⁽⁵⁾ OJ L 392, 31.12.1992, p. 35.

⁽⁶⁾ OJ L 129, 14.6.1995, p. 7.

⁽⁷⁾ OJ L 392, 31.12.1992, p. 29.

⁽⁸⁾ OJ L 129, 14.6.1995, p. 5.

1. Article 1 is replaced by the following:

Article 1

For the fisheries sector, the operative event for the exchange rate for the withdrawal price and for the amounts linked to that price, which are listed in the Annex, shall be the 22nd day of the month before the operation took place.

The exchange rate to be used shall be the rate most recently fixed by the European Central Bank (ECB) prior to the operative event'.

2. Article 2 is replaced by the following:

Article 2

The conversion rate applicable to the financial compensation provided for in Article 12 of Regulation (EC) No 3759/92 shall be the exchange rate in force

on the 22nd day of the month before the operation took place'.

3. Article 3 is replaced by the following:

Article 3

The conversion rate applicable to the carry-over aid provided for in Article 14 of Regulation (EC) No 3759/92 and to the flat-rate aid provided for in Article 15(4) of the same Regulation shall be the exchange rate in force on the 22nd day of the month before the stored products were withdrawn'.

Article 2

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

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

Done at Brussels, 6 May 1999.

For the Commission

Emma BONINO

Member of the Commission

COMMISSION REGULATION (EC) No 964/1999
of 6 May 1999
concerning the classification of certain goods in the Combined Nomenclature

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

Having regard to Council Regulation (EEC) No 2658/87⁽¹⁾ on the tariff and statistical nomenclature and on the Common Customs Tariff, as last amended by Commission Regulation (EC) No 861/1999⁽²⁾, and in particular Article 9,

Whereas in order to ensure uniform application of the Combined Nomenclature annexed to the said Regulation, it is necessary to adopt measures concerning the classification of the goods referred to in the Annex to this Regulation;

Whereas Regulation (EEC) No 2658/87 has set down the General Rules for the interpretation of the Combined Nomenclature and those rules also apply to any other nomenclature which is wholly or partly based on it or which adds any additional subdivision to it and which is established by specific Community provisions, with a view to the application of tariff and other measures relating to trade in goods;

Whereas, pursuant to the said General Rules, the goods described in column 1 of the table annexed to the present Regulation must be classified under the appropriate CN codes indicated in column 2, by virtue of the reasons set out in column 3;

Whereas it is acceptance that binding tariff information issued by the customs authorities of Member States in respect of the classification of goods in the Combined Nomenclature and which do not conform to the rights

established by this Regulation, can continue to be invoked, under the provisions in Article 12(6) of Council Regulation (EEC) No 2913/92 establishing the Community Customs Code⁽³⁾, for a period of three months by the holder;

Whereas the measures provided for in this Regulation are in accordance with the opinion of the Tariff and Statistical Nomenclature Section of the Customs Code Committee,

HAS ADOPTED THIS REGULATION:

Article 1

The goods described in column 1 of the annexed table are now classified within the Combined Nomenclature under the appropriate CN codes indicated in column 2 of the said table.

Article 2

Binding tariff information issued by the customs authorities of Member States which do not conform to the rights established by this Regulation can continue to be invoked under the provisions of Article 12(6) of Regulation (EEC) No 2913/92 for a period of three months.

Article 3

This Regulation shall enter into force on the 21st 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, 6 May 1999.

For the Commission

Mario MONTI

Member of the Commission

⁽¹⁾ OJ L 256, 7.9.1987, p. 1.

⁽²⁾ OJ L 108, 27.4.1999, p. 11.

⁽³⁾ OJ L 302, 19.10.1992, p. 1.

ANNEX

Description of goods	Classification (CN) code	Reason
(1)	(2)	(3)
1. An optoelectronic transmitter capable of converting radio frequency (RF) signals into optical signals. The apparatus also transmits these optical signals through a fibre optic cable trunk system by means of a laser using carrier-current technology. It is located in the transmission network of a cable TV system	8517 50 10	Classification is determined by the provisions of General Rules 1 and 6 for the interpretation of the Combined Nomenclature and the wording of CN codes 8517, 8517 50 and 8517 50 10 (see also the Explanatory Notes of the Harmonized System to heading 8517, III)
2. An optoelectronic receiver capable of converting optical signals into radio frequency (RF) signals after transmission by means of carrier-current technology through a fibre optic cable trunk system. It is located in the transmission network of a cable TV system. The RF output is used to serve several trunk lines in the local fibre service area	8517 50 10	Classification is determined by the provisions of General Rules 1 and 6 for the interpretation of the Combined Nomenclature and the wording of CN codes 8517, 8517 50 and 8517 50 10 (see also the Explanatory Notes of the Harmonized System to heading 8517, III)

COMMISSION REGULATION (EC) No 965/1999
of 6 May 1999
on the issuing of export licences for wine-sector products

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

Having regard to Commission Regulation (EC) No 1685/95 of 11 July 1995 on arrangements for issuing export licences for wine-sector products ⁽¹⁾, as last amended by Regulation (EC) No 1354/97 ⁽²⁾, and in particular Article 3(3) thereof,

Whereas Article 55(7) of Council Regulation (EEC) No 822/87 of 16 March 1987 on the common organisation of the market in wine ⁽³⁾, as last amended by Regulation (EC) No 1627/98 ⁽⁴⁾, limits the grant of export refunds for wine-sector products to the volumes and expenditure contained in the Agreement on Agriculture concluded during the Uruguay Round multilateral trade negotiations;

Whereas Article 3 of Regulation (EC) No 1685/95 lays down the conditions under which the Commission may take specific measures to prevent an overrun of the quantity laid down or the budget available under the said Agreement;

Whereas, on the basis of information on export licence applications available to the Commission on 5 May 1999, the quantity still available for the period until 30 June

1999 referred to in Article 1a(1) of Regulation (EC) No 1685/95, could be exceeded unless the issue of export licences with advance fixing of the refund is restricted; whereas, therefore, a single percentage for the acceptance of applications submitted between 1 and 4 May 1999 should be applied and the submission of applications and the issue of licences suspended until 30 June 1999,

HAS ADOPTED THIS REGULATION:

Article 1

1. Export licences with advance fixing of the refund for wine-sector products for which applications are submitted on between 1 and 4 May 1999 under Regulation (EC) No 1685/95 shall be issued for 24,4 % of the quantities requested.

2. The issue of export licences for wine-sector products for which applications are submitted from 5 May 1999 and the submission of export licence applications from 7 May 1999 shall be suspended until 30 June 1999.

Article 2

This Regulation shall enter into force on 7 May 1999.

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

Done at Brussels, 6 May 1999.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ L 161, 12.7.1995, p. 2.

⁽²⁾ OJ L 186, 16.7.1997, p. 9.

⁽³⁾ OJ L 84, 27.3.1987, p. 1.

⁽⁴⁾ OJ L 210, 28.7.1998, p. 8.

COMMISSION REGULATION (EC) No 966/1999
of 6 May 1999
fixing the export refunds on milk and milk products

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 17(3) thereof,

Whereas Article 17 of Regulation (EEC) No 804/68 provides that the difference between prices in international trade for the products listed in Article 1 of that Regulation and prices for those products within the Community may be covered by an export refund within the limits resulting from agreements concluded in accordance with Article 228 of the Treaty;

Whereas Regulation (EEC) No 804/68 provides that when the refunds on the products listed in Article 1 of the abovementioned Regulation, exported in the natural state, are being fixed, account must be taken of:

- the existing situation and the future trend with regard to prices and availabilities of milk and milk products on the Community market and prices for milk and milk products in international trade,
- marketing costs and the most favourable transport charges from Community markets to ports or other points of export in the Community, as well as costs incurred in placing the goods on the market of the country of destination,
- the aims of the common organisation of the market in milk and milk products which are to ensure equilibrium and the natural development of prices and trade on this market,
- the limits resulting from agreements concluded in accordance with Article 228 of the Treaty, and
- the need to avoid disturbances on the Community market, and
- the economic aspect of the proposed exports;

Whereas Article 17(5) of Regulation (EEC) No 804/68 provides that when prices within the Community are being determined account should be taken of the ruling prices which are most favourable for exportation, and that

when prices in international trade are being determined particular account should be taken of:

- (a) prices ruling on third country markets;
- (b) the most favourable prices in third countries of destination for third country imports;
- (c) producer prices recorded in exporting third countries, account being taken, where appropriate, of subsidies granted by those countries; and
- (d) free-at-Community-frontier offer prices;

Whereas Article 17(3) of Regulation (EEC) No 804/68 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 of the abovementioned Regulation according to destination;

Whereas Article 17(3) of Regulation (EEC) No 804/68 provides that the list of products on which export refunds are granted and the amount of such refunds should be fixed at least once every four weeks; whereas the amount of the refund may, however, remain at the same level for more than four weeks;

Whereas, in accordance with Article 16 of Commission Regulation (EC) No 174/1999 of 26 January 1999 on specific detailed rules for the application of Council Regulation (EEC) No 804/68 as regards export licences and export refunds on milk and milk products ⁽³⁾, the refund granted for milk products containing added sugar is equal to the sum of the two components; whereas one is intended to take account of the quantity of milk products and is calculated by multiplying the basic amount by the milk products content in the product concerned; whereas the other is intended to take account of the quantity of added sucrose and is calculated by multiplying the sucrose content of the entire product by the basic amount of the refund valid on the day of exportation for the products listed in Article 1(1)(d) of Council Regulation (EEC) No 1785/81 of 30 June 1981 on the common organisation of the markets in the sugar sector ⁽⁴⁾, as last amended by Commission Regulation (EC) No 1148/98 ⁽⁵⁾; whereas, however, this second component is applied only if the added sucrose has been produced using sugar beet or cane harvested in the Community;

⁽¹⁾ OJ L 148, 28.6.1968, p. 13.

⁽²⁾ OJ L 206, 16.8.1996, p. 21.

⁽³⁾ OJ L 20, 27.1.1999, p. 8.

⁽⁴⁾ OJ L 177, 1.7.1981, p. 4.

⁽⁵⁾ OJ L 159, 3.6.1998, p. 38.

Whereas the level of refund for cheeses is calculated for products intended for direct consumption; whereas the cheese rinds and cheese wastes are not products intended for this purpose; whereas, to avoid any confusion in interpretation, it should be specified that there will be no refund for cheeses of a free-at-frontier value less than EUR 230,00 per 100 kilograms;

Whereas Commission Regulation (EEC) No 896/84 ⁽¹⁾, as last amended by Regulation (EEC) No 222/88 ⁽²⁾, laid down additional provisions concerning the granting of refunds on the change from one milk year to another; whereas those provisions provide for the possibility of varying refunds according to the date of manufacture of the products;

Whereas for the calculation of the refund for processed cheese provision must be made where casein or caseinates are added for that quantity not to be taken into account;

Whereas it follows from applying the rules set out above to the present situation on the market in milk and in particular to quotations or prices for milk products within the Community and on the world market that the refund should be as set out in the Annex to this Regulation;

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

1. The export refunds referred to in Article 17 of Regulation (EEC) No 804/68 on products exported in the natural state shall be as set out in the Annex.
2. There shall be no refunds for exports to destination No 400 for products falling within CN codes 0401, 0402, 0403, 0404, 0405 and 2309.
3. There shall be no refunds for exports to destinations No 021, 023, 024, 028, 043, 044, 045, 046, 052, 404, 600, 800 and 804 for products falling within CN code 0406.

Article 2

This Regulation shall enter into force on 7 May 1999.

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

Done at Brussels, 6 May 1999.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ L 91, 1.4.1984, p. 71.

⁽²⁾ OJ L 28, 1.2.1988, p. 1.

ANNEX

to the Commission Regulation of 6 May 1999 fixing the export refunds on milk and milk products

(in EUR/100 kg net weight unless otherwise indicated)

Product code	Destination (*)	Amount of refund	Product code	Destination (*)	Amount of refund
0401 10 10 9000	970	2,327	0402 21 91 9900	+	159,96
	***	—	0402 21 99 9100	+	120,86
0401 10 90 9000	970	2,327	0402 21 99 9200	+	121,69
	***	—	0402 21 99 9300	+	123,20
0401 20 11 9100	970	2,327	0402 21 99 9400	+	131,67
	***	—	0402 21 99 9500	+	134,61
0401 20 11 9500	970	3,597	0402 21 99 9600	+	145,88
	***	—	0402 21 99 9700	+	152,49
0401 20 19 9100	970	2,327	0402 21 99 9900	+	159,96
	***	—	0402 29 15 9200	+	0,9000
0401 20 19 9500	970	3,597	0402 29 15 9300	+	1,0589
	***	—	0402 29 15 9500	+	1,1156
0401 20 91 9100	970	4,551	0402 29 15 9900	+	1,2002
	***	—	0402 29 19 9200	+	0,9000
0401 20 91 9500	+	—	0402 29 19 9300	+	1,0589
0401 20 99 9100	970	4,551	0402 29 19 9500	+	1,1156
	***	—	0402 29 19 9900	+	1,2002
0401 20 99 9500	+	—	0402 29 91 9100	+	1,2086
0401 30 11 9100	+	—	0402 29 91 9500	+	1,3167
0401 30 11 9400	970	10,50	0402 29 99 9100	+	1,2086
	***	—	0402 29 99 9500	+	1,3167
0401 30 11 9700	970	15,77	0402 91 11 9110	+	—
	***	—	0402 91 11 9120	+	—
0401 30 19 9100	+	—	0402 91 11 9310	+	11,31
0401 30 19 9400	+	—	0402 91 11 9350	+	13,85
0401 30 19 9700	970	15,77	0402 91 11 9370	+	16,84
	***	—	0402 91 19 9110	+	—
0401 30 31 9100	+	38,32	0402 91 19 9120	+	—
0401 30 31 9400	+	59,85	0402 91 19 9310	+	11,31
0401 30 31 9700	+	66,00	0402 91 19 9350	+	13,85
0401 30 39 9100	+	38,32	0402 91 19 9370	+	16,84
0401 30 39 9400	+	59,85	0402 91 31 9100	+	—
0401 30 39 9700	+	66,00	0402 91 31 9300	+	19,91
0401 30 91 9100	+	75,22	0402 91 39 9100	+	—
0401 30 91 9400	+	110,55	0402 91 39 9300	+	19,91
0401 30 91 9700	+	129,01	0402 91 51 9000	+	—
0401 30 99 9100	+	75,22	0402 91 59 9000	+	—
0401 30 99 9400	+	110,55	0402 91 91 9000	+	63,94
0401 30 99 9700	+	129,01	0402 91 99 9000	+	63,94
0402 10 11 9000	+	90,00	0402 99 11 9110	+	—
0402 10 19 9000	+	90,00	0402 99 11 9130	+	—
0402 10 91 9000	+	0,9000	0402 99 11 9150	+	—
0402 10 99 9000	+	0,9000	0402 99 11 9310	+	0,2689
0402 21 11 9200	+	90,00	0402 99 11 9330	+	0,3228
0402 21 11 9300	+	105,89	0402 99 11 9350	+	0,4291
0402 21 11 9500	+	111,56	0402 99 19 9110	+	—
0402 21 11 9900	+	120,00	0402 99 19 9130	+	—
0402 21 17 9000	+	90,00	0402 99 19 9150	+	—
0402 21 19 9300	+	105,89	0402 99 19 9310	+	0,2689
0402 21 19 9500	+	111,56	0402 99 19 9330	+	0,3228
0402 21 19 9900	+	120,00	0402 99 19 9350	+	0,4291
0402 21 91 9100	+	120,86	0402 99 31 9110	+	—
0402 21 91 9200	+	121,69	0402 99 31 9150	+	0,4467
0402 21 91 9300	+	123,20	0402 99 31 9300	+	0,3832
0402 21 91 9400	+	131,67	0402 99 31 9500	+	0,6600
0402 21 91 9500	+	134,61	0402 99 39 9110	+	—
0402 21 91 9600	+	145,88	0402 99 39 9150	+	0,4467
0402 21 91 9700	+	152,49	0402 99 39 9300	+	0,3832

Product code	Destination (*)	Amount of refund	Product code	Destination (*)	Amount of refund
0402 99 39 9500	+	0,6600	0404 90 29 9160	+	152,49
0402 99 91 9000	+	0,7522	0404 90 29 9180	+	159,96
0402 99 99 9000	+	0,7522	0404 90 81 9100	+	0,9000
0403 10 11 9400	+	—	0404 90 81 9910	+	—
0403 10 11 9800	+	—	0404 90 81 9950	+	0,2689
0403 10 13 9800	+	—	0404 90 83 9110	+	0,9000
0403 10 19 9800	+	—	0404 90 83 9130	+	1,0589
0403 10 31 9400	+	—	0404 90 83 9150	+	1,1156
0403 10 31 9800	+	—	0404 90 83 9170	+	1,2002
0403 10 33 9800	+	—	0404 90 83 9911	+	—
0403 10 39 9800	+	—	0404 90 83 9913	+	—
0403 90 11 9000	+	88,48	0404 90 83 9915	+	—
0403 90 13 9200	+	88,48	0404 90 83 9917	+	—
0403 90 13 9300	+	104,95	0404 90 83 9919	+	—
0403 90 13 9500	+	110,56	0404 90 83 9931	+	0,2689
0403 90 13 9900	+	118,93	0404 90 83 9933	+	0,3228
0403 90 19 9000	+	119,81	0404 90 83 9935	+	0,4291
0403 90 31 9000	+	0,8848	0404 90 83 9937	+	0,4467
0403 90 33 9200	+	0,8848	0404 90 89 9130	+	1,2086
0403 90 33 9300	+	1,0495	0404 90 89 9150	+	1,3167
0403 90 33 9500	+	1,1056	0404 90 89 9930	+	0,4601
0403 90 33 9900	+	1,1893	0404 90 89 9950	+	0,6600
0403 90 39 9000	+	1,1981	0404 90 89 9990	+	0,7522
0403 90 51 9100	970	2,327	0405 10 11 9500	+	165,85
	***	—	0405 10 11 9700	+	170,00
0403 90 51 9300	+	—	0405 10 19 9500	+	165,85
0403 90 53 9000	+	—	0405 10 19 9700	+	170,00
0403 90 59 9110	+	—	0405 10 30 9100	+	165,85
0403 90 59 9140	+	—	0405 10 30 9300	+	170,00
0403 90 59 9170	970	15,77	0405 10 30 9500	+	165,85
	***	—	0405 10 30 9700	+	170,00
0403 90 59 9310	+	38,32	0405 10 50 9100	+	165,85
0403 90 59 9340	+	59,85	0405 10 50 9300	+	170,00
0403 90 59 9370	+	64,80	0405 10 50 9500	+	165,85
0403 90 59 9510	+	64,80	0405 10 50 9700	+	170,00
0403 90 59 9540	+	64,80	0405 10 90 9000	+	176,22
0403 90 59 9570	+	64,80	0405 20 90 9500	+	155,49
0403 90 61 9100	+	—	0405 20 90 9700	+	161,71
0403 90 61 9300	+	—	0405 90 10 9000	+	216,00
0403 90 63 9000	+	—	0405 90 90 9000	+	170,00
0403 90 69 9000	+	—	0406 10 20 9100	+	—
0404 90 21 9100	+	90,00	0406 10 20 9230	037	—
0404 90 21 9910	+	—		039	—
0404 90 21 9950	+	11,31		099	37,68
0404 90 23 9120	+	90,00		400	22,83
0404 90 23 9130	+	105,89		***	37,68
0404 90 23 9140	+	111,56			—
0404 90 23 9150	+	120,00	0406 10 20 9290	037	—
0404 90 23 9911	+	—		039	—
0404 90 23 9913	+	—		099	35,05
0404 90 23 9915	+	—		400	15,29
0404 90 23 9917	+	—		***	35,05
0404 90 23 9919	+	—			—
0404 90 23 9931	+	11,31			—
0404 90 23 9933	+	13,85			—
0404 90 23 9935	+	16,84			—
0404 90 23 9937	+	19,91			—
0404 90 23 9939	+	20,81			—
0404 90 29 9110	+	120,86	0406 10 20 9300	037	—
0404 90 29 9115	+	121,69		039	—
0404 90 29 9120	+	123,20		099	15,39
0404 90 29 9130	+	131,67		400	7,834
0404 90 29 9135	+	134,61		***	15,39
0404 90 29 9150	+	145,88			—

Product code	Destination (*)	Amount of refund	Product code	Destination (*)	Amount of refund
0406 10 20 9610	037	—	0406 20 90 9990	+	—
	039	—	0406 30 31 9710	037	—
	099	51,11		039	—
	400	30,98		099	9,536
	***	51,11		400	8,346
0406 10 20 9620				***	17,88
	037	—	0406 30 31 9730	037	—
	039	—		039	—
	099	51,83		099	13,99
	400	31,42		400	12,25
0406 10 20 9630	***	51,83		***	26,24
	037	—	0406 30 31 9910	037	—
	039	—		039	—
	099	57,86		099	9,536
	400	35,06		400	8,346
0406 10 20 9640	***	57,86		***	17,88
	037	—	0406 30 31 9930	037	—
	039	—		039	—
	099	85,03		099	13,99
	400	48,35		400	12,25
0406 10 20 9650	***	85,03		***	26,24
	037	—	0406 30 31 9950	037	—
	039	—		039	—
	099	70,86		099	20,36
	400	25,44		400	17,81
0406 10 20 9660	***	70,86		***	38,17
	+	—	0406 30 39 9500	037	—
	037	—		039	—
	039	—		099	13,99
	099	26,28		400	12,25
0406 10 20 9830	400	13,38		***	26,24
	***	26,28	0406 30 39 9700	037	—
	037	—		039	—
	039	—		099	20,36
	099	31,87		400	17,81
0406 10 20 9850	400	16,22		***	38,17
	***	31,87	0406 30 39 9930	037	—
	+	—		039	—
	+	—		099	20,36
	+	—		400	17,81
0406 10 20 9870	037	—		***	38,17
	039	—	0406 30 39 9950	037	—
	099	58,77		039	—
	400	31,59		099	23,02
	***	58,77		400	21,14
0406 20 90 9915				***	43,16
	037	—	0406 30 90 9000	037	—
	039	—		039	—
	099	77,56		099	24,15
	400	42,12		400	21,14
0406 20 90 9917	***	77,56		***	45,28
	037	—	0406 40 50 9000	037	—
	039	—		039	—
	099	82,41		099	90,00
	400	44,75		400	32,98
0406 20 90 9919	***	82,41		***	90,00
	037	—			
	039	—			
	099	92,10			
	400	50,02			
	***	92,10			

Product code	Destination (°)	Amount of refund	Product code	Destination (°)	Amount of refund
0406 40 90 9000	037	—	0406 90 33 9951	037	—
	039	—		039	—
	099	92,42		099	68,98
	400	32,98		400	20,01
	***	92,42		***	78,66
0406 90 13 9000	037	—	0406 90 35 9190	037	33,29
	039	—		039	33,29
	099	101,62		099	105,71
	400	60,16		400	61,40
	***	116,37		***	121,56
0406 90 15 9100	037	—	0406 90 35 9990	037	—
	039	—		039	—
	099	105,01		099	105,71
	400	62,17		400	40,19
	***	120,25		***	121,56
0406 90 17 9100	037	—	0406 90 37 9000	037	—
	039	—		039	—
	099	105,01		099	101,62
	400	62,17		400	60,16
	***	120,25		***	116,37
0406 90 21 9900	037	—	0406 90 61 9000	037	47,01
	039	—		039	47,01
	099	102,90		099	112,00
	400	44,53		400	57,27
	***	117,54		***	129,64
0406 90 23 9900	037	—	0406 90 63 9100	037	42,83
	039	—		039	42,83
	099	90,36		099	111,41
	400	18,57		400	63,89
	***	103,92		***	128,55
0406 90 25 9900	037	—	0406 90 63 9900	037	34,22
	039	—		039	34,22
	099	89,77		099	107,11
	400	21,16		400	48,93
	***	102,80		***	124,18
0406 90 27 9900	037	—	0406 90 69 9100	+	—
	039	—	0406 90 69 9910	037	—
	099	81,30		039	—
	400	18,57		099	107,11
	***	93,10		400	48,93
0406 90 31 9119	037	—		***	124,18
	039	—	0406 90 73 9900	037	—
	099	74,72		039	—
	400	25,56		099	93,28
	***	85,71		400	52,63
0406 90 33 9119	037	—		***	106,91
	039	—	0406 90 75 9900	037	—
	099	74,72		039	—
	400	25,56		099	93,90
	***	85,71		400	22,27
0406 90 33 9919	037	—		***	108,07
	039	—	0406 90 76 9300	037	—
	099	68,29		039	—
	400	20,33		099	84,68
	***	78,60		400	20,12
				***	96,98

Product code	Destination (*)	Amount of refund	Product code	Destination (*)	Amount of refund
0406 90 76 9400	037	—	0406 90 85 9999	+	—
	039	—	0406 90 86 9100	+	—
	099	94,85	0406 90 86 9200	037	—
	400	23,22		039	—
	***	108,62		099	86,17
0406 90 76 9500	037	—		400	27,65
	039	—		***	102,23
	099	90,24	0406 90 86 9300	037	—
	400	23,22		039	—
	***	102,45		099	87,41
0406 90 78 9100	037	—		400	30,30
	039	—		***	103,32
	099	87,50	0406 90 86 9400	037	—
	400	18,14		039	—
	***	102,26		099	92,87
0406 90 78 9300	037	—		400	34,28
	039	—		***	108,62
	099	92,78	0406 90 86 9900	037	—
	400	20,12		039	—
	***	105,98		099	102,43
0406 90 78 9500	037	—		400	40,24
	039	—		***	117,90
	099	91,91	0406 90 87 9100	+	—
	400	23,22	0406 90 87 9200	037	—
	***	104,35		039	—
0406 90 79 9900	037	—		099	71,81
	039	—		400	24,78
	099	75,02		***	85,19
	400	19,23	0406 90 87 9300	037	—
	***	86,27		039	—
0406 90 81 9900	037	—		099	80,27
	039	—		400	28,02
	099	94,85		***	94,89
	400	47,61	0406 90 87 9400	037	—
	***	108,62		039	—
0406 90 85 9910	037	33,32		099	82,36
	039	33,32		400	30,66
	099	102,43		***	96,33
	400	59,27	0406 90 87 9951	037	—
	***	117,90		039	—
0406 90 85 9991	037	—		099	93,15
	039	—		400	42,19
	099	102,43		***	106,68
	400	40,19	0406 90 87 9971	037	—
	***	117,90		039	—
0406 90 85 9995	037	—		099	93,15
	039	—		400	34,41
	099	93,90		***	106,68
	400	21,16	0406 90 87 9972	099	39,68
	***	108,07		400	13,67
				***	45,63

Product code	Destination (*)	Amount of refund	Product code	Destination (*)	Amount of refund
0406 90 87 9973	037	—	2309 10 19 9100	+	—
	039	—	2309 10 19 9200	+	—
	099	91,46	2309 10 19 9300	+	—
	400	24,08	2309 10 19 9400	+	—
	***	104,74	2309 10 19 9500	+	—
0406 90 87 9974	037	—	2309 10 19 9600	+	—
	039	—	2309 10 19 9700	+	—
	099	99,26	2309 10 19 9800	+	—
	400	24,08	2309 10 70 9010	+	—
	***	113,19	2309 10 70 9100	+	13,85
0406 90 87 9975	037	—	2309 10 70 9200	+	18,47
	039	—	2309 10 70 9300	+	23,09
	099	101,25	2309 10 70 9500	+	27,70
	400	31,87	2309 10 70 9600	+	32,32
	***	114,45	2309 10 70 9700	+	36,94
0406 90 87 9979	037	—	2309 10 70 9800	+	40,63
	039	—	2309 90 35 9010	+	—
	099	90,36	2309 90 35 9100	+	—
	400	24,08	2309 90 35 9200	+	—
	***	103,92	2309 90 35 9300	+	—
0406 90 88 9100	+	—	2309 90 35 9400	+	—
0406 90 88 9300	037	—	2309 90 35 9500	+	—
	039	—	2309 90 35 9700	+	—
	099	70,90	2309 90 39 9010	+	—
	400	30,30	2309 90 39 9100	+	—
	***	83,50	2309 90 39 9200	+	—
2309 10 15 9010	+	—	2309 90 39 9300	+	—
2309 10 15 9100	+	—	2309 90 39 9400	+	—
2309 10 15 9200	+	—	2309 90 39 9500	+	—
2309 10 15 9300	+	—	2309 90 39 9600	+	—
2309 10 15 9400	+	—	2309 90 39 9700	+	—
2309 10 15 9500	+	—	2309 90 39 9800	+	—
2309 10 15 9700	+	—	2309 90 70 9010	+	—
2309 10 19 9010	+	—	2309 90 70 9100	+	13,85
			2309 90 70 9200	+	18,47
			2309 90 70 9300	+	23,09
			2309 90 70 9500	+	27,70
			2309 90 70 9600	+	32,32
			2309 90 70 9700	+	36,94
			2309 90 70 9800	+	40,63

(*) The code numbers for the destinations are those set out in the Annex to Commission Regulation (EC) No 2317/97 (OJ L 321, 22.11.1997, p. 19). However:

— '099' covers all destination codes from 053 to 096 inclusive,

— '970' covers the exports referred to in Articles 34(1)(a) and (c) and 42(1)(a) and (b) of Commission Regulation (EEC) No 3665/87 (OJ L 351, 14.12.1987, p. 1).

For destinations other than those indicated for each 'product code', the amount of the refund applying is indicated by ***.

Where no destination ('+') is indicated, the amount of the refund is applicable for exports to any destination other than those referred to in Article 1(2) and (3).

NB: The product codes and the footnotes are defined in Commission Regulation (EEC) No 3846/87 (OJ L 366, 24.12.1987, p. 1), as amended.

COMMISSION REGULATION (EC) No 967/1999

of 6 May 1999

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

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

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

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

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

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

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

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

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

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

HAS ADOPTED THIS REGULATION:

Article 1

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

Article 2

This Regulation shall enter into force on 7 May 1999.

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

Done at Brussels, 6 May 1999.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ L 181, 1.7.1992, p. 21.

⁽²⁾ OJ L 126, 24.5.1996, p. 37.

⁽³⁾ OJ L 147, 30.6.1995, p. 7.

⁽⁴⁾ OJ L 313, 21.11.1998, p. 16.

ANNEX

to the Commission Regulation of 6 May 1999 fixing the export refunds on cereals and on wheat or rye flour, groats and meal

(EUR/tonne)			(EUR/tonne)		
Product code	Destination ⁽¹⁾	Amount of refund	Product code	Destination ⁽¹⁾	Amount of refund
1001 10 00 9200	—	—	1101 00 11 9000	—	—
1001 10 00 9400	01	0	1101 00 15 9100	01	52,00
1001 90 91 9000	—	—	1101 00 15 9130	01	48,50
1001 90 99 9000	03	28,00	1101 00 15 9150	01	44,75
	02	0	1101 00 15 9170	01	41,25
1002 00 00 9000	03	62,00	1101 00 15 9180	01	38,75
	02	0	1101 00 15 9190	—	—
1003 00 10 9000	—	—	1101 00 90 9000	—	—
1003 00 90 9000	03	47,00	1102 10 00 9500	01	82,00
	02	0	1102 10 00 9700	—	—
1004 00 00 9200	—	—	1102 10 00 9900	—	—
1004 00 00 9400	—	—	1103 11 10 9200	01	30,00 ⁽²⁾
1005 10 90 9000	—	—	1103 11 10 9400	01	27,00 ⁽²⁾
1005 90 00 9000	04	39,00	1103 11 10 9900	—	—
	02	0	1103 11 90 9200	01	30,00 ⁽²⁾
1007 00 90 9000	—	—	1103 11 90 9800	—	—
1008 20 00 9000	—	—			

⁽¹⁾ The destinations are identified as follows:

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

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

NB: The zones are those defined in amended Commission Regulation (EEC) No 2145/92 (OJ L 214, 30.7.1992, p. 20).

COMMISSION REGULATION (EC) No 968/1999
of 6 May 1999

**fixing the maximum export refund on barley in connection with the invitation to
tender issued in Regulation (EC) No 1078/98**

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

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

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

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

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

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

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

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

HAS ADOPTED THIS REGULATION:

Article 1

For tenders notified from 30 April to 6 May 1999, pursuant to the invitation to tender issued in Regulation (EC) No 1078/98, the maximum refund on exportation of barley shall be EUR 57,18/t.

Article 2

This Regulation shall enter into force on 7 May 1999.

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

Done at Brussels, 6 May 1999.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ L 181, 1.7.1992, p. 21.

⁽²⁾ OJ L 126, 24.5.1996, p. 37.

⁽³⁾ OJ L 147, 30.6.1995, p. 7.

⁽⁴⁾ OJ L 313, 21.11.1998, p. 16.

⁽⁵⁾ OJ L 154, 28.5.1998, p. 20.

**COMMISSION REGULATION (EC) No 969/1999
of 6 May 1999**

**fixing the maximum export refund on rye in connection with the invitation to
tender issued in Regulation (EC) No 1746/98**

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

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

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

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

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

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

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

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

HAS ADOPTED THIS REGULATION:

Article 1

For tenders notified from 30 April to 6 May 1999, pursuant to the invitation to tender issued in Regulation (EC) No 1746/98, the maximum refund on exportation of rye shall be EUR 72,11/t.

Article 2

This Regulation shall enter into force on 7 May 1999.

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

Done at Brussels, 6 May 1999.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ L 181, 1.7.1992, p. 21.

⁽²⁾ OJ L 126, 24.5.1996, p. 37.

⁽³⁾ OJ L 147, 30.6.1995, p. 7.

⁽⁴⁾ OJ L 313, 21.11.1998, p. 16.

⁽⁵⁾ OJ L 219, 7.8.1998, p. 3.

COMMISSION REGULATION (EC) No 970/1999
of 6 May 1999

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

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

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

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

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

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

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

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

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

HAS ADOPTED THIS REGULATION:

Article 1

For tenders notified from 30 April to 6 May 1999, pursuant to the invitation to tender issued in Regulation (EC) No 1079/98, the maximum refund on exportation of common wheat shall be EUR 37,90/t.

Article 2

This Regulation shall enter into force on 7 May 1999.

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

Done at Brussels, 6 May 1999.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ L 181, 1.7.1992, p. 21.

⁽²⁾ OJ L 126, 24.5.1996, p. 37.

⁽³⁾ OJ L 147, 30.6.1995, p. 7.

⁽⁴⁾ OJ L 313, 21.11.1998, p. 16.

⁽⁵⁾ OJ L 154, 28.5.1998, p. 24.

⁽⁶⁾ OJ L 258, 22.9.1998, p. 8.

COMMISSION REGULATION (EC) No 971/1999
of 6 May 1999

**fixing the maximum export refund on common wheat in connection with the
invitation to tender issued in Regulation (EC) No 2004/98**

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

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

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

Whereas an invitation to tender for the refund and/or the tax for the export of common wheat to certain ACP States was opened pursuant to Commission Regulation (EC) No 2004/98 ⁽⁵⁾, as last amended by Regulation (EC) No 879/1999 ⁽⁶⁾;

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

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

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

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

HAS ADOPTED THIS REGULATION:

Article 1

For tenders notified from 30 April to 6 May 1999, pursuant to the invitation to tender issued in Regulation (EC) No 2004/98, the maximum refund on exportation of common wheat shall be EUR 44,34 EUR/t.

Article 2

This Regulation shall enter into force on 7 May 1999.

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

Done at Brussels, 6 May 1999.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ L 181, 1.7.1992, p. 21.

⁽²⁾ OJ L 126, 24.5.1996, p. 37.

⁽³⁾ OJ L 147, 30.6.1995, p. 7.

⁽⁴⁾ OJ L 313, 21.11.1998, p. 16.

⁽⁵⁾ OJ L 258, 22.9.1998, p. 4.

⁽⁶⁾ OJ L 111, 29.4.1999, p. 16.

COMMISSION REGULATION (EC) No 972/1999**of 6 May 1999****fixing the maximum reduction in the duty on maize imported in connection
with the invitation to tender issued in Regulation (EC) No 566/1999**

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 12(1) thereof,

Whereas an invitation to tender for the maximum reduction in the duty on maize imported into Spain was opened pursuant to Commission Regulation (EC) No 566/1999 ⁽³⁾;

Whereas, pursuant to Article 5 of Commission Regulation (EC) No 1839/95 ⁽⁴⁾, as amended by Regulation (EC) No 1963/95 ⁽⁵⁾, the Commission, acting under the procedure laid down in Article 23 of Regulation (EEC) No 1766/92, may decide to fix maximum reduction in the import duty; whereas in fixing this maximum the criteria provided for in Articles 6 and 7 of Regulation (EC) No 1839/95 must be taken into account; whereas a contract is awarded to

any tenderer whose tender is equal to or less than the maximum reduction in the duty;

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

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

HAS ADOPTED THIS REGULATION:

Article 1

For tenders notified from 30 April to 6 May 1999, pursuant to the invitation to tender issued in Regulation (EC) No 566/1999, the maximum reduction in the duty on maize imported shall be 73,94 EUR/t and be valid for a total maximum quantity of 206 000 tonnes.

Article 2

This Regulation shall enter into force on 7 May 1999.

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

Done at Brussels, 6 May 1999.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ L 181, 1.7.1992, p. 21.

⁽²⁾ OJ L 126, 24.5.1996, p. 37.

⁽³⁾ OJ L 70, 17.3.1999, p. 9.

⁽⁴⁾ OJ L 177, 28.7.1995, p. 4.

⁽⁵⁾ OJ L 189, 10.8.1995, p. 22.

COMMISSION REGULATION (EC) No 973/1999

of 6 May 1999

fixing the export refunds on products processed from cereals and rice

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

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

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

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

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

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

Whereas the refund to be granted in respect of certain processed products should be graduated on the basis of the ash, crude fibre, tegument, protein, fat and starch content of the individual product concerned, this content being a particularly good indicator of the quantity of basic product actually incorporated in the processed product;

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

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

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

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

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

HAS ADOPTED THIS REGULATION:

Article 1

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

⁽¹⁾ OJ L 181, 1.7.1992, p. 21.

⁽²⁾ OJ L 126, 24.5.1996, p. 37.

⁽³⁾ OJ L 329, 30.12.1995, p. 18.

⁽⁴⁾ OJ L 265, 30.9.1998, p. 4.

⁽⁵⁾ OJ L 147, 30.6.1995, p. 55.

⁽⁶⁾ OJ L 312, 23.12.1995, p. 25.

Article 2

This Regulation shall enter into force on 7 May 1999.

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

Done at Brussels, 6 May 1999.

For the Commission

Franz FISCHLER

Member of the Commission

ANNEX

to the Commission Regulation of 6 May 1999 fixing the export refunds on products processed from cereals and rice

<i>(EUR/tonne)</i>		<i>(EUR/tonne)</i>	
Product code	Refund	Product code	Refund
1102 20 10 9200 ⁽¹⁾	74,66	1104 23 10 9100	80,00
1102 20 10 9400 ⁽¹⁾	64,00	1104 23 10 9300	61,33
1102 20 90 9200 ⁽¹⁾	64,00	1104 29 11 9000	35,46
1102 90 10 9100	79,71	1104 29 51 9000	34,76
1102 90 10 9900	54,20	1104 29 55 9000	34,76
1102 90 30 9100	80,82	1104 30 10 9000	8,69
1103 12 00 9100	80,82	1104 30 90 9000	13,33
1103 13 10 9100 ⁽¹⁾	95,99	1107 10 11 9000	61,87
1103 13 10 9300 ⁽¹⁾	74,66	1107 10 91 9000	94,59
1103 13 10 9500 ⁽¹⁾	64,00	1108 11 00 9200	69,52
1103 13 90 9100 ⁽¹⁾	64,00	1108 11 00 9300	69,52
1103 19 10 9000	55,72	1108 12 00 9200	85,33
1103 19 30 9100	82,37	1108 12 00 9300	85,33
1103 21 00 9000	35,46	1108 13 00 9200	85,33
1103 29 20 9000	54,20	1108 13 00 9300	85,33
1104 11 90 9100	79,71	1108 19 10 9200	50,16
1104 12 90 9100	89,80	1108 19 10 9300	50,16
1104 12 90 9300	71,84	1109 00 00 9100	0,00
1104 19 10 9000	35,46	1702 30 51 9000 ⁽²⁾	101,76
1104 19 50 9110	85,33	1702 30 59 9000 ⁽²⁾	77,90
1104 19 50 9130	69,33	1702 30 91 9000	101,76
1104 21 10 9100	79,71	1702 30 99 9000	77,90
1104 21 30 9100	79,71	1702 40 90 9000	77,90
1104 21 50 9100	106,28	1702 90 50 9100	101,76
1104 21 50 9300	85,02	1702 90 50 9900	77,90
1104 22 20 9100	71,84	1702 90 75 9000	106,63
1104 22 30 9100	76,33	1702 90 79 9000	74,01
		2106 90 55 9000	77,90

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

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

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

COMMISSION REGULATION (EC) No 974/1999
of 6 May 1999
on the issue of system B export licences in the fruit and vegetables sector

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

Having regard to Commission Regulation (EC) No 2190/96 of 14 November 1996 on detailed rules for implementing Council Regulation (EC) No 2200/96 as regards export refunds on fruit and vegetables ⁽¹⁾, as last amended by Regulation (EC) No 1287/98 ⁽²⁾, and in particular Article 5(5) thereof,

Whereas Commission Regulation (EC) No 458/1999 ⁽³⁾, as amended by Regulation (EC) No 499/1999 ⁽⁴⁾, fixes the indicative quantities for system B export licences other than those sought in the context of food aid;

Whereas, in the light of the information available to the Commission today, there is a risk that the indicative quantities laid down for the current export period for lemons will shortly be exceeded; whereas this overrun will

prejudice the proper working of the export refund scheme in the fruit and vegetables sector;

Whereas, to avoid this situation, applications for system B licences for lemons exported after 6 May 1999 should be rejected until the end of the current export period,

HAS ADOPTED THIS REGULATION:

Article 1

Applications for system B export licences for lemons submitted pursuant to Article 1 of Regulation (EC) No 458/1999, export declarations for which are accepted after 6 May 1999 and before 17 May 1999, are hereby rejected.

Article 2

This Regulation shall enter into force on 7 May 1999.

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

Done at Brussels, 6 May 1999.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ L 292, 15.11.1996, p. 12.

⁽²⁾ OJ L 178, 23.6.1998, p. 11.

⁽³⁾ OJ L 55, 3.3.1999, p. 8.

⁽⁴⁾ OJ L 59, 6.3.1999, p. 22.

II

(Acts whose publication is not obligatory)

COUNCIL

COUNCIL DECISION

of 1 May 1999

laying down the detailed arrangements for the integration of the Schengen Secretariat into the General Secretariat of the Council

(1999/307/EC)

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Protocol integrating the Schengen *acquis* into the framework of the European Union annexed to the Treaty on European Union and the Treaty establishing the European Community, and in particular Article 7 thereof,

Whereas:

- (1) pursuant to the aforementioned Protocol, the agreements and rules containing the Schengen *acquis* are to be incorporated into the framework of the European Union;
- (2) pursuant to Article 7 of that Protocol, it is up to the Council, acting by a qualified majority, to adopt the detailed arrangements for the integration of the Schengen Secretariat into the General Secretariat of the Council;
- (3) the aim of this integration is to ensure that, when the Schengen *acquis* is integrated into the framework of the European Union, application and development of the provisions relating to the *acquis* continue in conditions which ensure they function properly;
- (4) the detailed arrangements for this integration should make it possible, on the one hand, to limit recruitment to the administrative needs arising for the General Secretariat of the Council from the new tasks it will have to perform and, on the other hand, to check the competence, efficiency and integrity of those recruited;
- (5) the general budget of the European Communities for the financial year 1999 has made provision for the necessary permanent posts, broken down into category and grade, within the General Secretariat of the Council;
- (6) the staff complement thus determined is necessary and sufficient to enable the General Secretariat of the Council to cope efficiently with the needs arising from integration of the Schengen *acquis* into the framework of the European Union;
- (7) it is necessary, by way of derogation from the Staff Regulations of Officials of the European Communities, hereafter referred to as 'the Staff Regulations', to adopt the arrangements necessary to enable the Appointing Authority (IAA) to appoint those concerned as probationer officials of the European Communities at the General Secretariat of the Council, with the appointments taking effect from the date of entry into force of the Treaty of Amsterdam;
- (8) such appointments should be subject to compliance by each of those concerned with certain conditions; such appointments should also be subject to the provision of supporting documents proving that those concerned were employed in various capacities at the Schengen Secretariat on the date on which the Treaty of Amsterdam was signed (2 October 1997), i.e. the date on which it was decided in principle to carry out that integration; and proving that those concerned were still employed there on the date of entry into force of the Treaty of Amsterdam (1 May 1999) and were actually performing duties involved in applying and developing the Schengen *acquis*, assisting the Presidency and delegations, managing financial and budget matters, translating and/or interpreting, documentation or secretarial work, with the exception of technical or administrative duties for which the administrative needs do not require additional recruitment to the General Secretariat of the Council;

- (9) it is also necessary to ensure, before those concerned are appointed as probationer officials, that they provide all supporting or other documents, diplomas, qualifications or certificates, which prove that they have the level of qualification or experience required to perform the duties involved in the category or service into which they are to be integrated;
- (10) it is also necessary to specify that those recruited will, in accordance with Article 34 of the Staff Regulations, be obliged to serve a probationary period designed to check their ability to perform their duties satisfactorily, and that any decisions taken by the AA following the probationary period will be taken after consulting an *ad hoc* Committee appointed by the AA on which the Staff Committee of the General Secretariat of the Council may be represented,

HAS ADOPTED THIS DECISION:

Article 1

1. The aim of this Decision is to determine the detailed arrangements for the integration of the Schengen Secretariat into the General Secretariat of the Council.
2. For the purposes of this Decision, the Schengen Secretariat is defined as consisting of persons fulfilling the conditions laid down by Article 3(1)(e).

Article 2

By way of derogation from the Staff Regulations and subject to a check on compliance with the conditions specified in Article 3 of this Decision, the Appointing Authority (AA) within the meaning of Article 2 of the Staff Regulations may appoint to the General Secretariat of the Council the persons referred to in Article 1 of this Decision as probationer officials of the European Communities within the meaning of the Staff Regulations and allocate them to one of the posts included to that end in the staff complement of the General Secretariat of the Council for the 1999 financial year in the category, service, grade and step determined in accordance with the correlation table annexed hereto.

Article 3

The AA may make the appointments provided for in Article 2 after checking that the persons concerned:

- (a) are nationals of one of the Member States;
- (b) have fulfilled any obligations concerning statutory military service;
- (c) produce the necessary character references for the performance of their duties;

- (d) are physically fit to perform such duties;
- (e) provide the supporting documents proving that:

- (i) they were employed at the Schengen Secretariat on 2 October 1997 either as a member of the Benelux College of Secretaries-General incorporated into the Schengen Secretariat, or as a member of staff having an employment contract with the Benelux Economic Union, or as a statutory member of staff of the Benelux Secretariat incorporated into the Schengen Secretariat and were actually performing duties there,
- (ii) they were still employed at the Schengen Secretariat on 1 May 1999, and
- (iii) they were actually performing duties at the Schengen Secretariat on the dates referred to in (i) and (ii), involved in applying and developing the Schengen *acquis*, assisting the Presidency and delegations, managing financial and budget matters, translating and/or interpreting, documentation or secretarial work, with the exception of technical or administrative backup duties;

- (f) provide all supporting or other documents, diplomas, qualifications or certificates proving that they have the level of qualification or experience required to perform the duties in the category or service into which they are to be integrated.

Article 4

1. The persons appointed on the basis of Article 3 of this Decision will be obliged, in accordance with the provisions of Article 34 of the Staff Regulations and of this Article, to serve a probationary period designed to check their ability to perform the duties satisfactorily pertaining to their posts and also their efficiency and conduct in the service.

2. Any probationer officials who do not demonstrate sufficient professional skills to be appointed permanently shall be dismissed.

3. Any decisions to be taken by the AA following the probationary period shall be taken after consulting an *ad hoc* Committee appointed by the AA to which the Staff Committee of the General Secretariat of the Council may delegate a representative. The opinion of this *ad hoc* committee shall be without prejudice to the role of the Reports Committee provided for by Article 34 of the Staff Regulations.

Article 5

This Decision shall enter into force on the date of its adoption.

It shall apply as from 1 May 1999.

Article 6

This Decision is addressed to the Secretary-General of the Council.

Article 7

This Decision shall be published in the *Official Journal of the European Communities*.

Done at Brussels, 1 May 1999.

For the Council

The President

J. FISCHER

ANNEX

Table of correlation between categories, grades and steps applicable at the Schengen Secretariat and the Council Secretariat respectively

Grade in Schengen Secretariat	Grade and step in General Secretariat of the Council
A 7 — LA 7 ⁽¹⁾	A 7/1 — LA 7/1
A 6 — LA 6 ⁽²⁾	A 7/2 — LA 7/2
A 5 — LA 5 ⁽³⁾	A 7/3 — LA 7/3
A 4 — LA 4	A 5/1 — LA 5/1
A 3 — LA 3 ⁽⁴⁾	A 5/2 — LA 5/2
A 3 — LA 3 ⁽⁵⁾	A 5/3 — LA 5/3
Member of the Benelux College of Secretaries-General	A 3/1

⁽¹⁾ Or function of 'assistant manager' with, on 2 October 1997, professional experience of less than five years following the person's university degree.

⁽²⁾ The function of documentalist, classified in Category A, Grade 6, of the Schengen Secretariat, corresponds to Category B, Grade 5 at the General Secretariat of the Council.

⁽³⁾ Or function of 'assistant manager' with, on 2 October 1997, professional experience of more than five years following the person's university degree.

⁽⁴⁾ Seniority in the grade or function of 'manager' of less than five years on 2 October 1997.

⁽⁵⁾ Seniority in the grade of more than five years on 2 October 1997.

Grade in Schengen Secretariat	Grade and step in General Secretariat of the Council
B 4	C 5/1
B 3	C 5/1 + 12 months' seniority
B 2	C 5/2
B 1	C 5/3

COMMISSION

DECISION No 2/99 OF THE EC/EFTA JOINT COMMITTEE ON COMMON TRANSIT

of 30 March 1999

amending Appendix I of the Convention of 20 May 1987 on a common transit procedure

(1999/308/EC)

THE JOINT COMMITTEE,

HAS DECIDED AS FOLLOWS:

Having regard to the Convention of 20 May 1987 on a common transit procedure⁽¹⁾, and in particular Article 13(3)(a) thereof,

Whereas an international computer network is required to enable the exchange of information between the competent authorities following implementation of the computerised transit system introduced by Decision No 1/99 of the Joint Committee⁽²⁾;

Whereas the European Community has already developed the Common Communications Network/Common Systems Interface (CCN/CSI) which fulfils all the necessary requirements;

Whereas it is appropriate to extend the CCN/CSI to the EFTA countries and to provide for a way of establishing their participation;

Whereas it is necessary therefore to amend Appendix I of the Convention,

Article 1

Appendix I of the Convention is amended as follows:

The following new paragraph is inserted as paragraph 1a in Article 23a:

‘1a. For the exchange of information foreseen in paragraph 1, the Common Communications Network/Common Systems Interface (CCN/CSI) of the Community shall be used by all the Contracting Parties. The financial participation of the EFTA countries and other related issues shall be agreed between the Community and each of the EFTA countries.’

Article 2

This decision shall enter into force on 31 March 1999.

Done at Brussels, 30 March 1999.

For the Joint Committee

Frida NOKKEN

The Chairman

⁽¹⁾ OJ L 226, 13.8.1987, p. 2.

⁽²⁾ OJ L 65, 12.3.1999, p. 50.

COMMISSION DECISION**of 23 April 1999****on the 1999 work programme relating to the protein content of the main milk products***(notified under document number C(1999) 994)***(Text with EEA relevance)****(1999/309/EC)**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Directive 96/16/EC of 19 March 1996 on statistical surveys of milk and milk products⁽¹⁾, and in particular Article 4(2) thereof,

- (1) Whereas work already initiated by the Member States should be continued in order to work towards the objective of extending the annual statistical information to include the protein content of the main milk products;
- (2) Whereas the 1999 work programme takes account of the experience gained in the 1997 and 1998 work programme and proposes to elaborate further the various methods of measuring the protein content of the main milk products;

- (3) Whereas the measures envisaged by this Decision are in accordance with the opinion of the Standing Committee on Agricultural Statistics,

HAS ADOPTED THIS DECISION:

Article 1

The appended 1999 work programme on the protein content of the main milk products is approved.

Article 2

This Decision is addressed to the Member States.

Done at Brussels, 23 April 1999.

For the Commission

Yves-Thibault DE SILGUY

Member of the Commission

⁽¹⁾ OJ L 78, 28.3.1996, p. 27.

*ANNEX***WORK PROGRAMME FOR 1999**

The Member States will transmit to Eurostat by the 30 June 1999 at the latest:

1. The information relative to the table in the annex concerning the protein content of the main milk products for the latest available year to be indicated, whereby in addition to column 1, either column 2 or column 3 or both, must be filled out. If only one of the columns, either 2 or 3, is filled out, Member States will explain precisely why this is so.
2. The description of any new elements which differ from the 1998 work programme regarding the methods used to obtain the information for this table (direct survey, coefficients, estimations, technical references, administrative sources, information from professional organisations, other sources).
3. Other elements which were missing from the 1997 and/or 1998 work programmes which have not yet been transmitted. The Member States will ensure that these other elements are transmitted in close collaboration with Eurostat.
4. Any proposals which they may have for a harmonised method of estimating the protein content of the main milk products.

Table

Activities of the dairies
(Protein content of cows' milk in the main milk products)

Country:

Year:

Code	Product	Produced quantity ⁽¹⁾ (1 000 t)	Entry ⁽²⁾	Contents ⁽³⁾
		1	2	3
1	Fresh products			
11	Drinking milk			
112	Whole milk			
113	Semi-skimmed milk			
114	Skimmed milk			
12	Buttermilk			
13	Cream			
2	Manufactured products			
21	Concentrated milk			
221	Cream milk powder			
222	Whole milk powder			
223	Partly skimmed-milk powder			
224	Skimmed-milk powder			
225	Buttermilk powder			
2411	Cheese from cow's milk			
25	Processed cheese ⁽⁴⁾			
26	Casein and caseinates ⁽⁵⁾			

⁽¹⁾ Column 1: quantities produced in thousands of tonnes during the period under consideration (year). Definition: see Annex II of the Decision 97/80/EC, Table B/column 1.

⁽²⁾ Column 2: quantities in tonnes of the protein content of cow's milk used for the manufacture of the given product including possible losses during the manufacturing process.

⁽³⁾ Column 3: quantities in tonnes of the protein content of cow's milk contained in the product.

⁽⁴⁾ Optional.

⁽⁵⁾ Only for IRL: optional.

COMMISSION DECISION

of 23 April 1999

on a common technical regulation for digital enhanced cordless telecommunications (DECT) equipment accessing the integrated services digital network (ISDN)*(notified under document number C(1999) 999)*

(Text with EEA relevance)

(1999/310/EC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Directive 98/13/EC of the European Parliament and of the Council of 12 February 1998 relating telecommunications terminal equipment and satellite earth station equipment, including the mutual recognition of their conformity⁽¹⁾, and in particular Article 7(2), second indent, thereof,

- (1) Whereas the Commission has adopted the measure identifying the type of terminal equipment for which a common technical regulation is required, as well as the associated scope statement according to Article 7(2), first indent;
- (2) Whereas the corresponding harmonised standards, or parts thereof, implementing the essential requirements which are to be transformed into common technical regulations should be adopted;
- (3) Whereas in order to ensure continuity of access to markets for manufacturers, it is necessary to allow for transitional arrangements regarding equipment approved according to national type approval regulations;
- (4) Whereas the proposal has been submitted to the Approvals Committee for Telecommunications Equipment (ACTE), according to Article 29(2) of Directive 98/13/EC;
- (5) Whereas the common technical regulation to be adopted in this Decision is in accordance with the opinion of ACTE,

HAS ADOPTED THIS DECISION:

Article 1

1. This Decision shall apply to terminal equipment intended to be connected to a public telecommunications

⁽¹⁾ OJ L 74, 12.3.1998, p. 1.

network and falling within the scope of the harmonised standard identified in Article 2(1).

2. This Decision establishes a common technical regulation covering the attachment requirements for DECT equipment accessing the ISDN.

Article 2

1. The common technical regulation shall include the harmonised standard prepared by the relevant standardisation body implementing to the extent applicable the essential requirements referred to in Article 5(c) to (g) of Directive 98/13/EC. The reference to the standard is set out in the Annex I, with exception of the requirements listed in Annex II.

2. Terminal equipment covered by this Decision shall comply with either the common technical regulation referred to in paragraph 1 or alternatively shall comply with the common technical regulations as defined in Commission Decisions 98/515/EC⁽²⁾ and 97/523/EC⁽³⁾. In addition it shall meet the essential requirements referred to in Article 5(a) and (b) of Directive 98/13/EC, and shall meet the requirements of any other applicable Directives, in particular Council Directives 73/23/EEC⁽⁴⁾ and 89/336/EEC⁽⁵⁾.

Article 3

Notified bodies designated for carrying out the procedures referred to in Article 10 of Directive 98/13/EC shall, as regards terminal equipment covered by Article 1(1) of this Decision, use or ensure the use of the harmonised standard referred to in Annex I or alternatively the harmonised standards referred to in the Annexes to Decisions 98/515/EC and 97/523/EC.

⁽²⁾ OJ L 232, 19.8.1998, p. 7.⁽³⁾ OJ L 215, 7.8.1997, p. 48.⁽⁴⁾ OJ L 77, 26.3.1973, p. 29.⁽⁵⁾ OJ L 139, 23.5.1989, p. 19.

Article 4

This Decision is addressed to the Member States.

Done at Brussels, 23 April 1999.

For the Commission

Martin BANGEMANN

Member of the Commission

*ANNEX I***Reference to the harmonised standard applicable**

The harmonised standard referred to in Article 2 of the Decision is:

Digital enhanced cordless telecommunications (DECT); integrated services digital network (ISDN); attachment requirements for terminal equipment for DECT/ISDN interworking profile applications

(in language versions other than the English version a translation of this title should be placed here within brackets)

ETSI

European Telecommunications Standards Institute

ETSI Secretariat

TBR40 — June 1998

Additional information

The European Telecommunications Standards Institute is recognised according to Council Directive 98/34/EEC ⁽¹⁾.

The harmonised standard referred to above has been produced according to a mandate issued in accordance with the relevant procedures of Council Directive 98/34/EEC.

The full text of the harmonised standard referenced above can be obtained from:

European Telecommunications Standards Institute,
650 Route des Lucioles,
F-06921 Sophia Antipolis Cedex,

or
European Commission,
DGXIII/A/2 — (BU 31, 1/7),
Rue de la Loi/Wetstraat 200,
B-1049 Brussels,

or from any other organisation responsible for making ETSI standards available, of which a list can be found on the Internet (under address www.ispo.cec.be).

*ANNEX II***Parts of TBR 40, which are not applicable**

TBR reference	TBR reference	TBR reference
[20], 5.2.2.1	[20], 5.2.2.3	[20], 5.2.2.4
[20], 5.2.2.6	[21], 4.1.6	[21], 4.1.10
[20], 5.2.4.1		

⁽¹⁾ OJ L 204, 21.7.1998, p. 37.