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Legislation

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⁽¹⁾ Text with EEA relevance

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I

(Acts whose publication is obligatory)

COMMISSION REGULATION (EC) No 1940/1999
of 10 September 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,

- (1) Whereas Regulation (EC) No 3223/94 lays down, pursuant to the outcome of the Uruguay Round multi-lateral 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;

- (2) 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 11 September 1999.

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

Done at Brussels, 10 September 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 10 September 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	92,8
	060	68,2
	999	80,5
0707 00 05	628	119,3
	999	119,3
0709 90 70	052	67,1
	999	67,1
0805 30 10	052	70,3
	388	77,1
	524	68,6
	528	69,9
0806 10 10	999	71,5
	052	82,5
	064	44,9
	400	233,0
	999	120,1
0808 10 20, 0808 10 50, 0808 10 90	388	71,8
	400	55,2
	404	74,5
	508	20,3
	512	50,3
	528	20,1
	800	57,6
	804	57,3
	999	50,9
	052	79,5
0808 20 50	064	63,3
	388	71,8
	999	71,5
	052	104,0
0809 30 10, 0809 30 90	999	104,0
	052	42,5
0809 40 05	064	46,6
	066	73,6
	068	42,0
	400	130,3
	999	67,0

⁽¹⁾ Country nomenclature as fixed by Commission Regulation (EC) No 2645/98 (OJ L 335, 10.12.1998, p. 22). Code '999' stands for 'of other origin'.

COMMISSION REGULATION (EC) No 1941/1999
of 10 September 1999
on the issue of import licences for high-quality fresh, chilled or frozen beef and veal

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Commission Regulation (EC) No 936/97 of 27 May 1997 opening and providing for the administration of tariff quotas for high-quality fresh, chilled and frozen beef and for frozen buffalo meat ⁽¹⁾, as last amended by Regulation (EC) No 134/1999 ⁽²⁾,

- (1) Whereas Regulation (EC) No 936/97 provides in Articles 4 and 5 the conditions for applications and for the issue of import licences for meat referred to in Article 2(f);
- (2) Whereas Article 2(f) of Regulation (EC) No 936/97 fixes the amount of high-quality fresh, chilled or frozen beef and veal originating in and imported from the United States of America and Canada which may be imported on special terms for the period 1 July 1999 to 30 June 2000 at 11 500 t;

- (3) Whereas it should be recalled that licences issued pursuant to this Regulation will, throughout the period of validity, be open for use only in so far as provisions on health protection in force permit,

HAS ADOPTED THIS REGULATION:

Article 1

1. All applications for import licences from 1 to 5 September 1999 for high-quality fresh, chilled or frozen beef and veal as referred to in Article 2(f) of Regulation (EC) No 936/97 shall be granted in full.
2. Applications for licences may be submitted, in accordance with Article 5 of Regulation (EC) No 936/97, during the first five days of October 1999 for 3 336,233 t.

Article 2

This Regulation shall enter into force on 11 September 1999.

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

Done at Brussels, 10 September 1999.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ L 137, 28.5.1997, p. 10.

⁽²⁾ OJ L 17, 22.1.1999, p. 22.

COMMISSION REGULATION (EC) No 1942/1999

of 10 September 1999

amending Annexes I, II and III of Council Regulation (EEC) No 2377/90 laying down a Community procedure for the establishment of maximum residue limits of veterinary medicinal products in foodstuffs of animal origin

(Text with EEA relevance)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EEC) No 2377/90 of 26 June 1990 laying down a Community procedure for the establishment of maximum residue limits of veterinary medicinal products in foodstuffs of animal origin ⁽¹⁾, as last amended by Commission Regulation (EC) No 1931/1999 ⁽²⁾, and in particular Articles 6, 7 and 8 thereof,

(1) Whereas, in accordance with Regulation (EEC) No 2377/90, maximum residue limits must be established progressively for all pharmacologically active substances which are used within the Community in veterinary medicinal products intended for administration to food-producing animals;

(2) Whereas maximum residue limits should be established only after the examination within the Committee for Veterinary Medicinal Products of all the relevant information concerning the safety of residues of the substance concerned for the consumer of foodstuffs of animal origin and the impact of residues on the industrial processing of foodstuffs;

(3) Whereas, in establishing maximum residue limits for residues of veterinary medicinal products in foodstuffs of animal origin, it is necessary to specify the animal species in which residues may be present, the levels which may be present in each of the relevant meat tissues obtained from the treated animal (target tissue) and the nature of the residue which is relevant for the monitoring of residues (marker residue);

(4) Whereas, for the control of residues, as provided for in appropriate Community legislation, maximum residue limits should usually be established for the target tissues of liver or kidney; whereas, however, the liver and kidney are frequently removed from carcasses moving in international trade, and maximum residue limits should therefore also always be established for muscle or fat tissues;

(5) Whereas, in the case of veterinary medicinal products intended for use in laying birds, lactating animals or

honey bees, maximum residue limits must also be established for eggs, milk or honey;

(6) Whereas clorsulon, danofloxacin, florfenicol and moxidectin should be inserted into Annex I to Regulation (EEC) No 2377/90;

(7) Whereas levomethadone, fenpipramide hydrochloride, *apocynum cannabinum*, hydrochlorothiazide, *virola sebifera*, *selenicereus grandiflorus*, *thuja occidentalis*, tricaine mesilate, trichlormethiazide, vincamine and *harunga madagascariensis* should be inserted into Annex II to Regulation (EEC) No 2377/90;

(8) Whereas, in order to allow for the completion of scientific studies, deltamethrin should be inserted into Annex III to Regulation (EEC) No 2377/90;

(9) Whereas a period of 60 days should be allowed before the entry into force of this Regulation in order to allow Member States to make any adjustment which may be necessary to the authorisations to place the veterinary medicinal products concerned on the market which have been granted in accordance with Council Directive 81/851/EEC ⁽³⁾, as last amended by Directive 93/40/EEC ⁽⁴⁾ to take account of the provisions of this Regulation;

(10) Whereas the measures provided for in this Regulation are in accordance with the opinion of the Standing Committee on Veterinary Medicinal Products;

HAS ADOPTED THE FOLLOWING REGULATION:

Article 1

Annexes I, II and III of Regulation (EEC) No 2377/90 are hereby amended as set out in the Annex hereto.

Article 2

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

⁽¹⁾ OJ L 224, 18.8.1990, p. 1.

⁽²⁾ OJ L 240, 10.9.1999, p. 3.

⁽³⁾ OJ L 317, 6.11.1981, p. 1.

⁽⁴⁾ OJ L 214, 24.8.1993, p. 31.

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

Done at Brussels, 10 September 1999.

For the Commission

Karel VAN MIERT

Member of the Commission

ANNEX

Annex I to Regulation (EEC) No 2377/90 is amended as follows:

1. Anti-infectious agents

1.2. Antibiotics

1.2.3. Quinolones

Pharmacologically active substance(s)	Marker residue	Animal species	MRLs	Target tissues	Other provisions
'Danofloxacin	Danofloxacin	Porcine	100 µg/kg 50 µg/kg 200 µg/kg 200 µg/kg	Muscle Skin and fat Liver Kidney'	

1.2.5. Florfenicol and related compounds

Pharmacologically active substance(s)	Marker residue	Animal species	MRLs	Target tissues	Other provisions
'Florfenicol	Sum of florfenicol and its metabolites measured as florfenicol-amine	Porcine	300 µg/kg 500 µg/kg 2 000 µg/kg 500 µg/kg	Muscle Skin and fat Liver Kidney'	

2. Antiparasitic agents

2.1. Agents acting against endoparasites

2.1.5. Benzenesulphonamides

Pharmacologically active substance(s)	Marker residue	Animal species	MRLs	Target tissues	Other provisions
'Clorsulon	Clorsulon	Bovine	35 µg/kg 100 µg/kg 200 µg/kg	Muscle Liver Kidney'	

2.3. Agents acting against endo- and ectoparasites

2.3.1. Avermectins

Pharmacologically active substance(s)	Marker residue	Animal species	MRLs	Target tissues	Other provisions
'Moxidectin	Moxidectin	Equidae	50 µg/kg 500 µg/kg 100 µg/kg 50 µg/kg	Muscle Fat Liver Kidney'	

Annex II to Regulation (EEC) No 2377/90 is amended as follows:

2. Organic compounds

Pharmacologically active substance(s)	Animal species	Other provisions
'Fenpipramide hydrochloride	Equidae	For intravenous use only
Hydrochlorothiazide	Bovine	
Levomethadone	Equidae	For intravenous use only
Tricaine mesilate	Fin fish	For water borne use only
Trichlormethiazide	All mammalian food producing species	Not for use in animals from which milk is produced for human consumption
Vincamine	Bovine	For use in newborn animals only'

4. Substances and in homeopathic veterinary medicinal products

Pharmacologically active substance(s)	Animal species	Other provisions
' <i>Apocynum camabinum</i>	All food producing species	For use in homeopathic veterinary medicinal products prepared according to homeopathic pharmacopoeias, at concentrations in the products not exceeding one part per hundred only. For oral use only.
<i>Harunga madagascariensis</i>	All food producing species	For use in homeopathic veterinary medicinal products prepared according to homeopathic pharmacopoeias, at concentrations in the products not exceeding one part per hundred only.

Pharmacologically active substance(s)	Animal species	Other provisions
<i>Selenicereus grandiflorus</i>	All food producing species	For use in homeopathic veterinary medicinal products prepared according to homeopathic pharmacopoeias, at concentrations in the products not exceeding one part per hundred only.
<i>Thuja occidentalis</i>	All food producing species	For use in homeopathic veterinary medicinal products prepared according to homeopathic pharmacopoeias, at concentrations in the products not exceeding one part per hundred only.
<i>Virola sebifera</i>	All food producing species	For use in homeopathic veterinary medicinal products prepared according to homeopathic pharmacopoeias, at concentrations in the products not exceeding one part per thousand only.

Annex III to Regulation (EEC) No 2377/90 is amended as follows:

2. Antiparasitic agents

2.2. Agents acting against ectoparasites

2.2.3. Pyrethroids

Pharmacologically active substance(s)	Marker residue	Animal species	MRLs	Target tissues	Other provisions
Deltamethrin	Deltamethrin	Bovine	10 µg/kg 50 µg/kg 10 µg/kg 10 µg/kg 20 µg/kg	Muscle Fat Liver Kidney Milk	Provisional MRLs expire on 1 July 2001
		Ovine	10 µg/kg 50 µg/kg 10 µg/kg 10 µg/kg	Muscle Fat Liver Kidney	
		Not for use in animals from which milk is produced for human consumption			
		Chicken	10 µg/kg 50 µg/kg 10 µg/kg 10 µg/kg 50 µg/kg	Muscle Skin + fat Liver Kidney Eggs	

COMMISSION REGULATION (EC) No 1943/1999**of 10 September 1999****amending Annexes I, II and III of Council Regulation (EEC) No 2377/90 laying down a Community procedure for the establishment of maximum residue limits of veterinary medicinal products in foodstuffs of animal origin****(Text with EEA relevance)**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EEC) No 2377/90 of 26 June 1990 laying down a Community procedure for the establishment of maximum residue limits of veterinary medicinal products in foodstuffs of animal origin ⁽¹⁾, as last amended by Commission Regulation (EC) No 1942/1999 ⁽²⁾, and in particular Articles 6, 7 and 8 thereof,

(1) Whereas, in accordance with Regulation (EEC) No 2377/90, maximum residue limits must be established progressively for all pharmacologically active substances which are used within the Community in veterinary medicinal products intended for administration to food-producing animals;

(2) Whereas maximum residue limits should be established only after the examination within the Committee for Veterinary Medicinal Products of all the relevant information concerning the safety of residues of the substance concerned for the consumer of foodstuffs of animal origin and the impact of residues on the industrial processing of foodstuffs;

(3) Whereas, in establishing maximum residue limits for residues of veterinary medicinal products in foodstuffs of animal origin, it is necessary to specify the animal species in which residues may be present, the levels which may be present in each of the relevant meat tissues obtained from the treated animal (target tissue) and the nature of the residue which is relevant for the monitoring of residues (marker residue);

(4) Whereas, for the control of residues, as provided for in appropriate Community legislation, maximum residue limits should usually be established for the target tissues of liver or kidney; whereas, however, the liver and kidney are frequently removed from carcasses moving in international trade, and maximum residue limits should therefore also always be established for muscle or fat tissues;

(5) Whereas, in the case of veterinary medicinal products intended for use in laying birds, lactating animals or

honey bees, maximum residue limits must also be established for eggs, milk or honey;

(6) Whereas eprinomectin should be inserted into Annex I to Regulation (EEC) No 2377/90;

(7) Whereas cefoperazone and atropine should be inserted into Annex II to Regulation (EEC) No 2377/90;

(8) Whereas, in order to allow for the completion of scientific studies, cefoperazone should be inserted into Annex III to Regulation (EEC) No 2377/90;

(9) Whereas, in order to allow for the completion of scientific studies, the duration of the validity of the provisional maximum residue limits previously defined in Annex III of Regulation (EEC) No 2377/90 should be extended for clavulanic acid;

(10) Whereas a period of 60 days should be allowed before the entry into force of this Regulation in order to allow Member States to make any adjustment which may be necessary to the authorisations to place the veterinary medicinal products concerned on the market which have been granted in accordance with Council Directive 81/851/EEC ⁽³⁾, as last amended by Directive 93/40/EEC ⁽⁴⁾ to take account of the provisions of this Regulation;

(11) Whereas the measures provided for in this Regulation are in accordance with the opinion of the Standing Committee on Veterinary Medicinal Products,

HAS ADOPTED THE FOLLOWING REGULATION:

Article 1

Annexes I, II and III of Regulation (EEC) No 2377/90 are hereby amended as set out in the Annex hereto.

Article 2

This Regulation shall enter into force on the 60th day following its publication in the *Official Journal of the European Communities*.

⁽¹⁾ OJ L 224, 18.8.1990, p. 1.

⁽²⁾ See page 4 of this Official Journal.

⁽³⁾ OJ L 317, 6.11.1981, p. 1.

⁽⁴⁾ OJ L 214, 24.8.1993, p. 31.

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

Done at Brussels, 10 September 1999.

For the Commission

Karel VAN MIERT

Member of the Commission

ANNEX

Annex I to Regulation (EEC) No 2377/90 is amended as follows:

- 2. Antiparasitic agents
- 2.3. Agents acting against endo- and ectoparasites
- 2.3.1. Avermectins

Pharmacologically active substance	Marker residue	Animal species	MRLs	Target tissues	Other provisions
'Eprinomectin	Eprinomectin B1a	Bovine	50 µg/kg 250 µg/kg 1 500 µg/kg 300 µg/kg 20 µg/kg	Muscle Fat Liver Kidney Milk'	

Annex II to Regulation (EEC) No 2377/90 is amended as follows:

- 2. Organic compounds

Pharmacologically active substance(s)	Animal species	Other provisions
'Atropine	All food producing species	
Cefoperazone	Bovine	For intramammary use in lactating cows only and for all tissues except milk'

Annex III to Regulation (EEC) No 2377/90 is amended as follows:

1. Anti-infectious agents

1.2. Antibiotics

1.2.1. Beta-lactamase Inhibitors

Pharmacologically active substance	Marker residue	Animal species	MRLs	Target tissues	Other provisions
'Clavulanic acid	Clavulanic acid	Bovine, ovine Bovine, ovine, porcine	200 µg/kg 200 µg/kg 200 µg/kg 200 µg/kg 200 µg/kg	Milk Muscle Fat Liver Kidney	Provisional MRLs expire on 1 July 2001'

1.2.4. Cephalosporins

Pharmacologically active substance	Marker residue	Animal species	MRLs	Target tissues	Other provisions
'Cefoperazone	Cefoperazone	Bovine	50 µg/kg	Milk	Provisional MRLs expire on 1 January 2001'

COMMISSION REGULATION (EC) No 1944/1999**of 10 September 1999****revising the maximum amount for the B production levy and amending the minimum price for B beet in the sugar sector for the 1999/2000 marketing year**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EEC) No 1785/81 of 30 June 1981 on the common organisation of the markets in the sugar sector ⁽¹⁾, as last amended by Commission Regulation (EC) No 1148/98 ⁽²⁾, and in particular the second and third indents of Article 28(8) thereof,

- (1) Whereas Article 28(3) and (4) of Regulation (EEC) No 1785/81 provides that the losses resulting from the obligation to export surpluses of Community sugar are to be covered by production levies on the production of A and B sugar, of A and B isoglucose and of inulin syrup A and B within certain limits;
- (2) Whereas Article 28(5) of Regulation (EEC) No 1785/81 provides that, where the receipts expected from the basic production levy and the B levy, which must not exceed 2 % and 30 % respectively of the intervention price for white sugar for that marketing year, may well fail to cover the foreseeable total loss for the current marketing year, the maximum percentage of the B levy is to be adjusted to the extent necessary to cover the said total loss but without exceeding 37,5 %;
- (3) Whereas the foreseeable receipts, prior to adjustment, of the levies to be collected in respect of the 1999/2000 marketing year are below the equivalent of the average loss multiplied by the exportable surplus; whereas accordingly, in the light of the data at present available, the maximum amount of the B levy for 1999/2000 should be raised to 37,5 % of the intervention price for the white sugar concerned;
- (4) Whereas the second subparagraph of Article 5(2) of Regulation (EEC) No 1785/81 provides that, subject to Article 28 of that Regulation, the minimum price for B

beet is 68 % of the basic price for beet; whereas Article 28(5) of the said Regulation provides that the revised maximum percentage for the B levy should be fixed for the current marketing year before 15 September of the marketing year, together with the corresponding adjustment of the minimum price for B beet set for the 1999/2000 marketing year by way of Council Regulation (EC) No 1404/1999 ⁽³⁾;

- (5) Whereas the measures provided for in the Regulation are in accordance with the opinion of the Management Committee for Sugar,

HAS ADOPTED THIS REGULATION:

Article 1

1. For the 1999/2000 marketing year the maximum amount referred to in the first indent of Article 28(4) of Regulation (EEC) No 1785/81 shall be increased to 37,5 % of the intervention price for white sugar for that marketing year.
2. For the 1999/2000 marketing year, the minimum price for B beet referred to in the second subparagraph of Article 5(2) of Regulation (EEC) No 1785/81 shall be 60,5 % of the basic price for beet for the marketing year.

Article 2

For the 1999/2000 marketing year the minimum price for B beet shall, pursuant to Article 28(5) of Regulation (EEC) No 1785/81, be amended to EUR 28,84 per tonne.

Article 3

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, 10 September 1999.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ L 177, 1.7.1981, p. 4.
⁽²⁾ OJ L 159, 3.6.1998, p. 38.

⁽³⁾ OJ L 164, 30.6.1999, p. 15.

COMMISSION REGULATION (EC) No 1945/1999
of 10 September 1999
amending Regulation (EC) No 1098/94 laying down the regional base areas applicable under the
arable support system for producers

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EEC) No 1765/92 of 30 June 1992 establishing a support system for producers of certain arable crops ⁽¹⁾, as last amended by Regulation (EC) No 1624/98 ⁽²⁾, and in particular Article 12 thereof,

- (1) Whereas Commission Regulation (EC) No 1098/94 ⁽³⁾, as last amended by Regulation (EC) No 2528/98 ⁽⁴⁾, lays down the regional base areas applicable under the support system for producers of certain arable crops;
- (2) Whereas applications for conversion equivalent to 12 979 ha have been submitted under Council Regulation (EC) No 1017/94 of 26 April 1994 concerning the conversion of land currently under arable crops to extensive livestock farming in Portugal ⁽⁵⁾, as amended by Regulation (EC) No 1461/95 ⁽⁶⁾; whereas the basic area should be adjusted accordingly;

- (3) Whereas it is therefore necessary to amend Regulation (EC) No 1098/94;

- (4) Whereas the measures provided for in this Regulation are in accordance with the opinion of the Joint Management Committee for Cereals, Oils and Fats and Dried Fodder,

HAS ADOPTED THIS REGULATION:

Article 1

In the Annex to Regulation (EC) No 1098/94 the figures relating to the regions indicated in the sectors headed 'Portugal' shall be replaced by the figures in the Annex to this Regulation.

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, 10 September 1999.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ L 181, 1.7.1992, p. 12.

⁽²⁾ OJ L 210, 28.7.1998, p. 3.

⁽³⁾ OJ L 121, 12.5.1994, p. 12.

⁽⁴⁾ OJ L 317, 26.11.1998, p. 19.

⁽⁵⁾ OJ L 112, 3.5.1994, p. 2.

⁽⁶⁾ OJ L 144, 28.6.1995, p. 4.

ANNEX

(1 000 ha)

Region	All crops	Of which maize
PORTUGAL		
Azores	9,7	
Madeira		
— Regadio	0,31	0,29
— Other	0,30	
Continental		
— Regadio	293,4	221,4'
— Other	718,0	

COMMISSION REGULATION (EC) No 1946/1999
of 10 September 1999
laying down special measures concerning the application of Regulation (EC) No 2042/98 in the
pigmeat sector

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Commission Regulation (EEC) No 3444/90 of 27 November 1990 laying down detailed rules for granting private storage aid for pigmeat ⁽¹⁾, as last amended by Regulation (EC) No 3533/93 ⁽²⁾, and in particular Article 11(b) thereof,

Whereas an examination of the situation has indicated risk that there will be an excessively large number of applications for the private storage aid scheme introduced by Commission Regulation (EC) No 2042/98 ⁽³⁾; amended by Regulation (EC)

No 2619/98 ⁽⁴⁾; whereas, therefore, it is necessary to suspend application of the Regulation,

HAS ADOPTED THIS REGULATION:

Article 1

Application of Regulation (EC) No 2042/98 is hereby suspended for the period 13 to 17 September 1996.

Article 2

This Regulation shall enter into force on 11 September 1999.

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

Done at Brussels, 10 September 1999.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ L 333, 30.11.1990, p. 2.

⁽²⁾ OJ L 321, 23.12.1993, p. 9.

⁽³⁾ OJ L 263, 26.9.1998, p. 12.

⁽⁴⁾ OJ L 329, 5.12.1998, p. 9.

COMMISSION REGULATION (EC) No 1947/1999**of 10 September 1999****determining the world market price for unginne cotton and the rate for the aid**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

differences in product quality and the nature of offers and quotations; whereas these adjustments are specified in Article 2 of Regulation (EEC) No 1201/89;

Having regard to the Treaty establishing the European Community,

(3) Whereas application of the above rules gives the world market price for unginne cotton indicated hereunder;

Having regard to the Act of Accession of Greece, and in particular paragraphs 3 and 10 of Protocol 4 on cotton, as last amended by Council Regulation (EC) No 1553/95 ⁽¹⁾,

(4) Whereas the second subparagraph of Article 5(3a) of Regulation (EC) No 1554/95 stipulates that the advance payment rate for the aid is to be the guide price less the world market price and less a further amount calculated by the formula applicable when the guaranteed maximum quantity is overrun but with a 15 % increase in the estimate for unginne cotton production; whereas Commission Regulation (EC) No 1870/1999 ⁽⁶⁾ determined estimated production for the 1999/2000 marketing year; whereas application of these rules gives the advance payment rates for each Member State indicated hereunder,

Having regard to Council Regulation (EC) No 1554/95 of 29 June 1995 ⁽²⁾ laying down general rules for the system of aid for cotton and repealing Regulation (EEC) No 2169/81, as last amended by Regulation (EC) No 1419/98 ⁽³⁾, and in particular Articles 3, 4 and 5 thereof,

(1) Whereas Article 3 of Regulation (EC) No 1554/95 requires a world market price for unginne cotton to be periodically determined from the world market price determined for ginned cotton, using the historical relationship between the two prices as specified in Article 1 (2) of Commission Regulation (EEC) No 1201/89 of 3 May 1989 laying down rules for implementing the system of aid for cotton ⁽⁴⁾, as last amended by Regulation (EC) No 1624/1999 ⁽⁵⁾; whereas if it cannot be determined in this way it is to be based on the last price determined;

HAS ADOPTED THIS REGULATION:

Article 1

1. The world market price for unginne cotton as indicated in Article 3 of Regulation (EC) No 1554/95 is set at EUR 21,353/100 kg.

(2) Whereas Article 4 of Regulation (EC) No 1554/95 requires the world market price for ginned cotton to be determined for a product of specific characteristics using the most favourable offers and quotations on the world market of those considered representative of the real market trend; whereas to this end an average is to be calculated of offers and quotations on one or more European exchanges for a cif product to a North European port from the supplier countries considered most representative as regards international trade; whereas these rules for determination of the world market price for ginned cotton provide for adjustments to reflect

2. Advance payment of the aid as indicated in Article 5 (3a), second sentence, of Regulation (EC) No 1554/95 shall be at the rate of:

- EUR 42,214/100 kg in Spain,
- EUR 41,895/100 kg in Greece,
- EUR 84,947/100 kg in other Member States.

Article 2

This Regulation shall enter into force on 11 September 1999.

⁽¹⁾ OJ L 148, 30.6.1995, p. 45.

⁽²⁾ OJ L 148, 30.6.1995, p. 48.

⁽³⁾ OJ L 190, 4.7.1998, p. 4.

⁽⁴⁾ OJ L 123, 4.5.1989, p. 23.

⁽⁵⁾ OJ L 192, 24.7.1999, p. 39.

⁽⁶⁾ OJ L 230, 31.8.1999, p. 3.

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

Done at Brussels, 10 September 1999.

For the Commission
Franz FISCHLER
Member of the Commission

II

(Acts whose publication is not obligatory)

COMMISSION

COMMISSION DECISION

of 10 September 1999

terminating the anti-dumping review concerning imports of personal fax machines originating in Japan and Singapore

(notified under document number C(1999) 2888)

(1999/607/EC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Review

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EC) No 384/96 of 22 December 1995 on protection against dumped imports from countries not members of the European Community ⁽¹⁾ (hereafter referred to as 'the basic Regulation'), as last amended by Regulation (EC) No 905/98 ⁽²⁾, and in particular Article 9 thereof,

After consulting the Advisory Committee,

Whereas:

A. PROCEDURE**Measures in force**

- (1) By Regulation (EC) No 904/98 ⁽³⁾ the Council imposed a definitive anti-dumping duty on imports of personal fax machines, falling within CN code ex 8517 21 00 and originating, *inter alia*, in Japan and Singapore.
- (2) The products concerned, as defined in Regulation (EC) No 904/98, are fax machines with a weight of five kilograms or less, with dimensions (width × depth × height) of the main body measuring 470 mm × 450 mm × 170 mm or less, with the exception of fax machines using ink-jet or laser or LED printing technology.

- (3) The Commission, after consultation, by a notice published in the *Official Journal of the European Communities* ⁽⁴⁾, decided on its own initiative, pursuant to Article 11(3) of the basic Regulation, to initiate an interim review of the anti-dumping measures in force on imports of personal fax machines originating in Japan and Singapore.
- (4) The decision to initiate the review followed a declaration made by the Commission and annexed to the Minutes of the Council session of 27 April 1998, whereby the Commission agreed to re-examine the existing anti-dumping measures concerning Japan and Singapore if the producers/exporters concerned 'would submit sufficient evidence showing that the volume of the imports concerned into the Community is not such as to contribute substantially to the injury suffered by the Community industry'. The reason for the declaration was that the investigation showed (respectively) zero or low levels of price undercutting for Japan and Singapore, and that the market shares of the two countries had to be assessed on the basis of estimates, due to the absence of sufficient cooperation.
- (5) On the basis of the preliminary information received from certain producers in the countries concerned, the Commission considered that there were sufficient grounds to warrant the initiation of an exceptional early interim review of the existing measures concerning Japan and Singapore. The review has been limited to the issues of the import volumes and market shares of these two countries on the Community market.

⁽¹⁾ OJ L 56, 6.3.1996, p. 1.

⁽²⁾ OJ L 128, 30.4.1998, p. 18.

⁽³⁾ OJ L 128, 30.4.1998, p. 1.

⁽⁴⁾ OJ C 64, 6.3.1999, p. 12.

Investigation

- (6) The Commission officially advised the producers/exporters and the importers known to be concerned, as well as the representatives of Japan and Singapore, of the opening of the investigation and gave the parties concerned the opportunity to make their views known.
- (7) The objective of the present review was to obtain an accurate estimate of the market share and export volumes of the two countries concerned. The Commission needed data from all producers/exporters of personal and business fax machines, in order to compare them with Eurostat results, which aggregate imports of business and personal faxes together. This comparison was the only possibility to determine more precisely the proportion of personal fax machines exported to the European Community.
- (8) The Commission sent questionnaires to the producers/exporters that participated in the investigation which led to the existing measures, as well as to the producers/exporters of fax machines that provided the preliminary information on the basis of which this review was initiated.
- (9) However, although the questionnaire for producers/exporters was already sent in a simplified version to these 29 producers of fax machines, only one producer submitted a reply, which was only partially complete.
- (10) In view of the low level of cooperation and of the number of declarations issued by the companies concerned according to which they considered themselves to have no interest in providing any cooperation, the Commission, considering the exceptional nature of this review investigation, decided nevertheless to give a further opportunity to the companies to provide a minimum of data on exports concerning the year 1996 and a statement of their willingness to receive an on-the-spot verification.

This second attempt was equally unsuccessful. The majority of the producers did not provide the informa-

tion requested and only one company accepted an on-the-spot verification visit.

- (11) The limited information submitted by the interested parties in the course of the investigation is not such as to provide evidence for the Commission to depart from the findings of the original anti-dumping investigation regarding import volumes and market share for Japan and Singapore. Consequently, the conclusions drawn by the Council in the course of the original investigation remain valid and unchanged.
- (12) Interested parties have been informed about the facts that led to the termination of the present investigation.

B. TERMINATION OF THE REVIEW

- (13) In view of the circumstances set out above, the Commission concludes that the anti-dumping review should be terminated and the anti-dumping measures on imports of the product concerned originating in Japan and Singapore, as established by Regulation (EC) No 904/98, should remain in force,

HAS ADOPTED THIS DECISION:

Sole Article

The review of the anti-dumping measures concerning imports of personal fax machines, currently classifiable under CN code ex 8517 21 00 and originating in Japan and Singapore, is hereby terminated.

Done at Brussels, 10 September 1999.

For the Commission

Leon BRITTAN

Vice-President