

Official Journal

of the European Communities

ISSN 0378-6978

L 259

Volume 42

6 October 1999

English edition

Legislation

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I

(Acts whose publication is obligatory)

COMMISSION REGULATION (EC) No 2112/1999
of 5 October 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:

- (1) 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;

- (2) 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 6 October 1999.

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

Done at Brussels, 5 October 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 5 October 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
0707 00 05	628	125,1
	999	125,1
0709 90 70	052	66,1
	999	66,1
0805 30 10	052	66,9
	388	70,3
	524	61,5
	528	69,5
	999	67,0
0806 10 10	052	106,8
	064	55,0
	400	234,4
	999	132,1
0808 10 20, 0808 10 50, 0808 10 90	064	37,9
	388	54,5
	400	51,1
	800	185,5
	804	60,7
	999	77,9
0808 20 50	052	85,6
	064	61,3
	388	181,1
	999	109,3

⁽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 2113/1999
of 5 October 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 of 23 July 1987 ⁽¹⁾ on the tariff and statistical nomenclature and on the Common Customs Tariff, as last amended by Commission Regulation (EC) No 1835/1999 ⁽²⁾, and in particular Article 9,

Whereas:

- (1) 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;
- (2) 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;
- (3) 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;
- (4) 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 nomen-

clature 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 of 12 October 1992 establishing the Community Customs Code ⁽³⁾, for a period of three months by the holder;

- (5) the measures provided for in this Regulation are in accordance with the opinion 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, 5 October 1999.

For the Commission

Frederik BOLKESTEIN

Member of the Commission

⁽¹⁾ OJ L 256, 7.9.1987, p. 1.

⁽²⁾ OJ L 224, 25.8.1999, p. 5.

⁽³⁾ OJ L 302, 19.10.1992, p. 1.

ANNEX

Description	CN code	Grounds
(1)	(2)	(3)
Magnesium oxide produced by calcination of magnesium carbonate and arc fusion, taking the form of irregular granules ranging from colourless through yellowish to greyish brown. The granules consist of translucent to transparent crystalline particles of approximately 1 to 10 mm in size. Density (bulk density): approximately 3,5 g/cm³ Magnesium oxide content: at least 95 % by weight	2519 90 10	Classification is determined by the provisions of general rules 1 and 6 for the interpretation of the combined nomenclature and by the wording of CN codes 2519, 2519 90 and 2519 90 10. Classification in this subheading is determined by the manufacturing process, calcination and electric arc fusion at a temperature of 2 800 to 3 000 °C, as indicated in the CN explanatory notes, subheading 2519 90 10, point 2.

COMMISSION REGULATION (EC) No 2114/1999**of 5 October 1999****suspending application of the measures provided for in Council Regulation (EC) No 1349/1999 establishing certain measures concerning imports of processed agricultural products from Switzerland in order to take account of the results of the Uruguay Round negotiations in the agricultural sector and suspending Regulation (EC) No 1496/1999**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EC) No 1349/1999, of 21 June 1999 establishing certain measures concerning imports of processed agricultural products from Switzerland in order to take account of the results of the Uruguay Round negotiations in the agricultural sector ⁽¹⁾,

Whereas:

- (1) Switzerland has amended the duties applied to imports of certain processed agricultural products originating in the Community since 1 July 1999; whereas, for some of these products, these amendments have resulted in an increase in duties in the order of 18 %; whereas, consequently, the reciprocal measures in favour of the Community provided for in Article 1(2) of Regulation (EC) No 1349/1999 are no longer ensured;
- (2) Regulation (EC) No 1349/1999 empowers the Commission to suspend the measures provided for therein, in accordance with the procedure laid down in Article 16 of Council Regulation (EC) No 3448/93 ⁽²⁾, as last amended by Commission Regulation (EC) No 2491/98 ⁽³⁾;
- (3) Commission Regulation (EC) No 1496/1999 ⁽⁴⁾ determined the amounts of the agricultural components and additional duties applicable from 1 July 1999 to 30 June 2000 on the importation into the Community of goods

covered by Regulation (EC) No 3448/93 from Switzerland, taking into consideration the basic amounts laid down in the Annex to Regulation (EC) No 1349/1999;

- (4) the measures provided for in this Regulation are in accordance with the opinion of the Management Committee for horizontal questions concerning trade in processed agricultural products not listed in Annex I to the Treaty,

HAS ADOPTED THIS REGULATION:

Article 1

1. Application of the basic amounts provided for in Article 1(1) of Regulation (EC) No 1349/1999 is hereby suspended.
2. The agricultural components in the Common Customs Tariff and the additional duties resulting from Article 4 of Regulation (EC) No 3448/93 shall apply to goods originating in Switzerland.

Article 2

Regulation (EC) No 1496/1999 is hereby suspended.

*Article 3*This Regulation shall enter into force on the day of 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, 5 October 1999.

For the Commission

Erkki LIIKANEN

Member of the Commission⁽¹⁾ OJ L 162, 26.6.1999, p. 1.⁽²⁾ OJ L 318, 20.12.1993, p. 18.⁽³⁾ OJ L 309, 19.11.1998, p. 28.⁽⁴⁾ OJ L 173, 9.7.1999, p. 68.

COMMISSION REGULATION (EC) No 2115/1999
of 5 October 1999
fixing the minimum selling prices for beef put up for sale under the invitation to tender referred to
in Regulation (EC) No 2008/1999

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,

- (1) Whereas tenders have been invited for certain quantities of beef fixed by Commission Regulation (EC) No 2008/1999 ⁽³⁾;
- (2) Whereas, pursuant to Article 9 of Commission Regulation (EEC) No 2173/79 ⁽⁴⁾, as last amended by Regulation (EC) No 2417/95 ⁽⁵⁾, the minimum selling prices for meat put up for sale by tender should be fixed, taking into account tenders submitted;

- (3) 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

The minimum selling prices for beef for the invitation to tender held in accordance with Regulation (EC) No 2008/1999 for which the time limit for the submission of tenders was 27 September 1999 are as set out in the Annex hereto.

Article 2

This Regulation shall enter into force on 6 October 1999.

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

Done at Brussels, 5 October 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 248, 21.9.1999, p. 10.

⁽⁴⁾ OJ L 251, 5.10.1979, p. 12.

⁽⁵⁾ OJ L 248, 14.10.1995, p. 39.

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

Estado miembro	Productos ⁽¹⁾	Precio mínimo expresado en euros por tonelada
Medlemsstat	Produkter ⁽¹⁾	Mindestpreis i EUR/ton
Mitgliedstaat	Erzeugnisse ⁽¹⁾	Mindestpreise ausgedrückt in EUR/Tonne
Κράτος μέλος	Προϊόντα ⁽¹⁾	Ελάχιστες πωλήσεις εκφραζόμενες σε Ευρώ ανά τόνο
Member State	Products ⁽¹⁾	Minimum prices expressed in EUR per tonne
État membre	Produits ⁽¹⁾	Prix minimaux exprimés en euros par tonne
Stato membro	Prodotti ⁽¹⁾	Prezzi minimi espressi in euro per tonnellata
Lidstaat	Producten ⁽¹⁾	Minimumprijzen uitgedrukt in euro per ton
Estado-Membro	Produtos ⁽¹⁾	Preço mínimo expresso em euros por tonelada
Jäsenvaltio	Tuotteet ⁽¹⁾	Vähimmäishinnat euroina tonnia kohden ilmaistuna
Medlemsstat	Produkter ⁽¹⁾	Minimipriser i euro per 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**

BELGIQUE/BELGIË	— Quartiers arrières/Achtersvoeten	1 602
ITALIA	— Quarti posteriori	1 761
DEUTSCHLAND	— Hinterviertel	1 436
ESPAÑA	— Cuartos delanteros	751
FRANCE	— Quartiers arrière	1 436
NEDERLAND	— Achtersvoeten	1 421

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**

UNITED KINGDOM	— Intervention striploin (INT 17)	6 231
	— Intervention topside (INT 13)	3 956
	— Intervention rump (INT 16)	3 349
	— Intervention fillet (INT 15)	14 145
	— Intervention shank (INT 11)	1 554
	— Intervention thick flank (INT 12)	2 850
	— Intervention silverside (INT 14)	3 858
	— Intervention shin (INT 21)	1 554
	— Intervention flank (INT 18)	1 051
	— Intervention forerib (INT 19)	3 100
	— Intervention shoulder (INT 22)	1 262
	— Intervention brisker (INT 23)	1 071
	— Intervention forequarter (INT 24)	1 380
	— Intervention fillet (INT 15)	14 200
IRELAND	— Intervention flank (INT 18)	912
	— Intervention brisket (INT 23)	—
	— Intervention shoulder (INT 22)	1 651
	— Intervention striploin (INT 17)	6 581
	— Intervention shin (INT 21)	1 440
	— Intervention shank (INT 11)	1 402
	— Intervention rump (INT 16)	3 326

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- (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. 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 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).
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COMMISSION REGULATION (EC) No 2116/1999**of 5 October 1999****fixing the minimum selling prices for beef put up for sale under the first invitation to tender referred to in Regulation (EC) No 2009/1999**

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,

- (1) Whereas tenders have been invited for certain quantities of beef fixed by Commission Regulation (EC) No 2009/1999 ⁽³⁾;
- (2) Whereas, pursuant to Article 9 of Commission Regulation (EEC) No 2173/79 ⁽⁴⁾, as last amended by Regulation (EC) No 2417/95 ⁽⁵⁾, the minimum selling prices for meat put up for sale by tender should be fixed, taking into account tenders submitted;

- (3) 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

The minimum selling prices for beef for the invitation to tender held in accordance with Regulation (EC) No 2009/1999 for which the time limit for the submission of tenders was 27 September 1999 are as set out in the Annex hereto.

Article 2

This Regulation shall enter into force on 6 October 1999.

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

Done at Brussels, 5 October 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 248, 21.9.1999, p. 15.

⁽⁴⁾ OJ L 251, 5.10.1979, p. 12.

⁽⁵⁾ OJ L 248, 14.10.1995, p. 39.

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

Estado miembro	Productos ⁽¹⁾	Precio mínimo expresado en euros por tonelada
Medlemsstat	Produkter ⁽¹⁾	Mindestepriser i EUR/ton
Mitgliedstaat	Erzeugnisse ⁽¹⁾	Mindestpreise ausgedrückt in EUR/Tonne
Κράτος μέλος	Προϊόντα ⁽¹⁾	Ελάχιστες πωλήσεις εκφραζόμενες σε Ευρώ ανά τόνο
Member State	Products ⁽¹⁾	Minimum prices expressed in EUR per tonne
État membre	Produits ⁽¹⁾	Prix minimaux exprimés en euros par tonne
Stato membro	Prodotti ⁽¹⁾	Prezzi minimi espressi in euro per tonnellata
Lidstaat	Producten ⁽¹⁾	Minimumprijzen uitgedrukt in euro per ton
Estado-Membro	Produtos ⁽¹⁾	Preço mínimo expresso em euros por tonelada
Jäsenvaltio	Tuotteet ⁽¹⁾	Vähimmäishinnat euroina tonnia kohden ilmaistuna
Medlemsstat	Produkter ⁽¹⁾	Minimipriser i euro per 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**

DEUTSCHLAND	Vorder- und Hinterviertel, „compensés“	434
	Vorderviertel	402
	Hinterviertel	452
FRANCE	Quartiers compensés	—
	Quartiers avant	401
	Quartiers arrière	—

⁽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. 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 asetukset (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).

COMMISSION REGULATION (EC) No 2117/1999
of 5 October 1999
fixing the minimum selling prices for beef put up for sale under the invitation to tender referred to
in Regulation (EC) No 2017/1999

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,

- (1) Whereas tenders have been invited for certain quantities of beef fixed by Commission Regulation (EC) No 2017/1999 ⁽³⁾;
- (2) Whereas, pursuant to Article 9 of Commission Regulation (EEC) No 2173/79 ⁽⁴⁾, as last amended by Regulation (EC) No 2417/95 ⁽⁵⁾, the minimum selling prices for meat put up for sale by tender should be fixed, taking into account tenders submitted;

- (3) 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

The minimum selling prices for beef for the invitation to tender held in accordance with Regulation (EC) No 2017/1999 for which the time limit for the submission of tenders was 28 September 1999 are as set out in the Annex hereto.

Article 2

This Regulation shall enter into force on 6 October 1999.

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

Done at Brussels, 5 October 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 249, 22.9.1999, p. 5.

⁽⁴⁾ OJ L 251, 5.10.1979, p. 12.

⁽⁵⁾ OJ L 248, 14.10.1995, p. 39.

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

Estado miembro	Productos ⁽¹⁾	Precio mínimo expresado en euros por tonelada
Medlemsstat	Produkter ⁽¹⁾	Mindstepriser i EUR/ton
Mitgliedstaat	Erzeugnisse ⁽¹⁾	Mindestpreise ausgedrückt in EUR/Tonne
Κράτος μέλος	Προϊόντα ⁽¹⁾	Ελάχιστες πωλήσεις εκφραζόμενες σε Ευρώ ανά τόνο
Member State	Products ⁽¹⁾	Minimum prices expressed in EUR per tonne
État membre	Produits ⁽¹⁾	Prix minimaux exprimés en euros par tonne
Stato membro	Prodotti ⁽¹⁾	Prezzi minimi espressi in euro per tonnellata
Lidstaat	Producten ⁽¹⁾	Minimumprijzen uitgedrukt in euro per ton
Estado-Membro	Produtos ⁽¹⁾	Preço mínimo expresso em euros por tonelada
Jäsenvaltio	Tuotteet ⁽¹⁾	Vähimmäishinnat euroina tonnia kohden ilmaistuna
Medlemsstat	Produkter ⁽¹⁾	Minimipriser i euro per 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**

UNITED KINGDOM	— Intervention flank (INT 18)	951
	— Intervention shoulder (INT 22)	—
	— Intervention brisket (INT 23)	—

⁽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. 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 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).

COMMISSION REGULATION (EC) No 2118/1999
of 5 October 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:

- (1) 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;
- (2) 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;
- (3) 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;
- (4) Provision should be made for derogations from Article 8(2)(b) of Regulation (EEC) No 2173/79, in view of the administration difficulties which application of this point creates in the Member States concerned;
- (5) 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 600 tonnes of bone-in hindquarters held by the German intervention agency,
 - approximately 1 065 tonnes of bone-in beef held by the Spanish intervention agency,
 - approximately 600 tonnes of bone-in hindquarters held by the French intervention agency,

— approximately 4 000 tonnes of boneless beef held by the United Kingdom intervention agency.

— approximately 2 567 tonnes of boneless beef held by the Irish 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 invitations 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 11 October 1999 shall be considered.

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.

⁽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.

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/t.

Article 5

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, 5 October 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**

DEUTSCHLAND	— Hinterviertel	600
ESPAÑA	— Cuartos delanteros	1 000
	— Cuartos traseros	65
FRANCE	— Quartiers arrière	600

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**

UNITED KINGDOM	— Intervention shin (INT 21)	300
	— Intervention flank (INT 18)	1 000
	— Intervention forerib (INT 19)	200
	— Intervention shoulder (INT 22)	1 000
	— Intervention brisket (INT 23)	1 000
	— Intervention forequarter (INT 24)	500
IRELAND	— Intervention fillet (INT 15)	29
	— Intervention flank (INT 18)	1 000
	— Intervention brisket (INT 23)	875
	— Intervention shoulder (INT 22)	65
	— Intervention forerib (INT 19)	87
	— Intervention thick flank (INT 12)	306
	— Intervention shank (INT 11)	8
	— Intervention rump (INT 16)	48
	— Intervention topside (INT 13)	111
	— Intervention silverside (INT 14)	2
	— Intervention forequarter (INT 24)	36

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- (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 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).
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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 — Interventioelinten osoitteet — Interventionsorganens adresser

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COMMISSION REGULATION (EC) No 2119/1999
of 5 October 1999
on the issue of import licences for garlic originating in China

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EC) No 2200/96 of 28 October 1996 on the common organisation of the market in fruit and vegetables ⁽¹⁾, as last amended by Commission Regulation (EC) No 857/1999 ⁽²⁾,

Having regard to Council Regulation (EC) No 1040/1999 of 20 May 1999 concerning a protective measure applicable to imports of garlic from China ⁽³⁾, and in particular Article 1(3) thereof,

- (1) Whereas pursuant to Commission Regulation (EEC) No 1859/93 ⁽⁴⁾, as amended by Regulation (EC) No 1662/94 ⁽⁵⁾, the release for free circulation in the Community of garlic imported from third countries is subject to presentation of an import licence;
- (2) Whereas Article 1(1) of Regulation (EC) No 1040/1999, restricts the issue of import licences for garlic originating in China to a maximum monthly quantity in the case of applications lodged from 1 June 1999 to 31 May 2000;
- (3) Whereas given the criteria laid down in Article 1(2) of that Regulation and the import licences already issued, the quantity applied for on 1 October 1999 is in excess

of the maximum monthly quantity given in the Annex to that Regulation for the month of October 1999; whereas it is therefore necessary to determine to what extent import licences may be issued in response to these applications; whereas the issue of licences in response to applications lodged after 1 October 1999 and before 3 November 1999 should be refused,

HAS ADOPTED THIS REGULATION:

Article 1

Import licences applied for from 1 October 1999 pursuant to Article 1 of Regulation (EEC) No 1859/93 for garlic falling within CN code 0703 20 00 originating in China shall be issued for 0,81294 % of the quantity applied for, having regard to the information available to the Commission on 4 October 1999.

For the abovementioned products applications for import licences lodged after 1 October 1999 and before 3 November 1999 shall be refused.

Article 2

This Regulation shall enter into force on 6 October 1999.

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

Done at Brussels, 5 October 1999.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ L 297, 21.11.1996, p. 1.

⁽²⁾ OJ L 108, 27.4.1999, p. 7.

⁽³⁾ OJ L 127, 21.5.1999, p. 10.

⁽⁴⁾ OJ L 170, 13.7.1993, p. 10.

⁽⁵⁾ OJ L 176, 9.7.1994, p. 1.

II

(Acts whose publication is not obligatory)

COMMISSION

COMMISSION DECISION

of 3 March 1999

on the aid which Germany has granted by way of development assistance to Indonesia in connection with the construction of two dredgers by Volkswerft Stralsund and the sale of the dredgers to Pengerukan (Rukindo)

(notified under document number C(1999) 585)

(Only the German text is authentic)

(Text with EEA relevance)

(1999/657/EC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Communities, and in particular the first subparagraph of Article 93(2) thereof,

Having regard to Council Directive 90/684/EEC of 21 December 1990 on aid to shipbuilding ⁽¹⁾, as last extended by Council Regulation (EC) No 2600/97 ⁽²⁾, and in particular Article 4(7) thereof,

Having called on interested parties to submit their comments pursuant to Article 93 of the EC Treaty cited above ⁽³⁾ and having regard to the comments received,

Whereas:

I. Procedure

The European Dredging Association informed the Commission that Germany had granted aid for the sale of three dredgers which were built in Germany, and that the aid appeared to be in breach of Directive 90/684/EEC (hereinafter referred to as 'the Shipbuilding Directive').

By letter dated 6 November 1996, Germany provided the Commission with further information.

By letter dated 15 April 1997, the Commission informed Germany that it had decided to initiate Article 93(2) proceedings in respect of the aid.

The Commission decision to initiate proceedings was published in the *Official Journal of the European Communities* ⁽⁴⁾. The Commission invited interested parties to submit their comments on the measures.

The Commission received comments from interested parties. They were forwarded to Germany, which was given the opportunity to react; its comments were received by letters dated 18 June and 9 October 1997.

By letter dated 24 March 1998, the Commission informed Germany that it had decided to close part of the proceedings, namely the proceedings regarding the vessel *KK Aru II*. By letter dated 24 June 1998, Germany provided the Commission with additional information regarding the other two dredger vessels, *CD Batang Anai* and *FF Bali II*.

II. Detailed description of the aid

In 1994 the Commission approved development aid to be granted in connection with the sale of three dredgers by Volkswerft Stralsund to the Indonesian public corporation Pengerukan (Rukindo), hereinafter referred to as 'Rukindo'. By letter SG(94) D/6533 of 17 May 1994, the Commission informed Germany of its approval. The development aid was

⁽¹⁾ OJ L 380, 31.12.1990, p. 27.

⁽²⁾ OJ L 351, 23.12.1997, p. 18.

⁽³⁾ OJ C 192, 24.6.1997, p. 9.

⁽⁴⁾ See footnote 3.

granted in the form of a loan from the *Kreditanstalt für Wiederaufbau*. The loan covered 90 % of the contract value for a period of 11 years at an interest rate of 3,5 %. The OECD aid equivalent was 25,35 %. Rukindo is a state limited-liability corporation, 100 % of its shares being owned by the Ministry of Finance, and the borrower of the loan is the Republic of Indonesia, represented by the Ministry of Finance.

In the notification of the proposed aid of 24 March 1994, it was stipulated in which locations in Indonesia the dredgers were to be used. In its letter of approval to Germany, the Commission stated that the dredgers were to be used only in Indonesia.

The European Dredging Association informed the Commission that the vessels were being used in Taiwan and Thailand. Apparently the operator of the vessels participated in international tenders in competition with other companies supplying dredging services. According to the Association, the aid enabled the supplier to charge a price which was below the market price.

Germany confirmed that one dredger had been used outside Indonesian waters, in Malaysia. However, it did not mention any operations in Taiwan or Thailand, as reported by the European Dredging Association.

Germany claimed that the dredger could not operate optimally in Indonesian waters due to delays in a number of large harbour-building projects for which the dredger had originally been acquired. Furthermore, the use of the dredger in Malaysia formed part of a subcontracting order for an Indonesian firm, and Rukindo had not participated directly in international invitations to tender. In addition, Germany undertook to draw the Indonesian Government's attention to the fact that the dredgers could properly be used only for the purpose for which they were originally acquired.

Germany could not provide information on Rukindo's financial situation, since this subordinated body did not draw up any certified and informative annual accounts and since no direct loan relationship existed with the company.

In the light of the answer given by Germany, the Commission took the view that the manner in which the dredgers had been used did not appear to comply with the Commission's approval of 17 May 1994. Furthermore, the Commission doubted whether the project could still be assumed to be in the nature of development aid, and it therefore questioned whether the measure was compatible with the conditions laid down in Article 4(7) of the Shipbuilding Directive.

The Commission therefore decided to initiate proceedings under Article 93(2) of the EC Treaty.

III. Comments from interested parties

Following publication of a notice on the initiation of proceedings, Denmark and the European Dredging Association submitted their comments. They took the view that the use of the dredgers was not in accordance with the conditions laid

down in the Commission's approval and was in breach of the Shipbuilding Directive.

IV. Comments from Germany

Germany made the following points.

The dredgers were acquired in connection with the development of the main Indonesian ports in Tanjung Priok, Batam, Bojonegara, Surabaya, Belawan, Semarang, Panjang and Ujung Padang, which have water depths of up to nine metres.

Due to unforeseeable financial difficulties, it proved impossible to make available all the funds required for the development work, and dredging work was carried out only to a limited extent in the ports of Belawan, Tanjung Priok and Surabaya. Since, furthermore, the maritime development projects are being carried out by private firms as well as by the Indonesian Government, delays are becoming less and less predictable. The delays affect projects for the development of ports or land reclamation in the following locations: Bojonegara, Benoa/Bali, Marudajakarta, Situbondo, Kuala Namu, Ancol Barat, Ancol Timur, Surabaya, Kapuk Naga, Pantai Mutiara, Pelabuhan Ratu, Kerawang, Ring Road/Surabaya, Betio Benoa Bali and Bali Benoa Marina. In line with the availability of funds, all of Rukindo's dredgers, including KK Aru II, FF Bali II and CD Batang Anai, are being used to continue or complete the projects. However, Rukindo does not know what the results of the current Indonesian crisis might be in terms of further delays in carrying out projects.

At the time when the contracts were concluded for the dredgers and when the aid was granted, it was not known what other scope would exist for deploying the vessels outside Indonesia. The deferment of the planned Indonesian projects became clear only after the dredgers had been delivered; only at that point in time, which was long after the aid had been granted, did Rukindo try to find other ways of deploying the dredgers.

The dredgers were designed specially for the work in Indonesia, which required a deeper draught than the dredgers in service at the time. To be able to work effectively, the dredgers need a water depth of about eight metres. The deeper draught of these dredgers restricted the opportunities for alternative deployment in other Indonesian harbours and waterways. In order to limit periods of inactivity as far as possible and recoup at least a portion of the fixed costs (personnel costs, capital costs, etc.), Rukindo saw no option but to tender the services of the dredgers to other dredging firms, which then used the vessels outside Indonesia. Use abroad occurred only during slack periods when harbour extension projects were delayed. The leasing-out of the dredgers for use abroad should be seen as an effort to make efficient use of the development aid by generating additional capital for the project in the form of foreign currency. Furthermore, the use of the dredgers abroad made it possible to acquire and develop know-how during the periods when the dredgers could not be used in Indonesia.

The use of the dredgers abroad did not run counter to the primary objective of developing Indonesian transport infrastructure. The completion of work on domestic projects continued to have absolute priority. Rukindo used the dredgers for the project work that had to be carried out in Indonesia, while any use of the dredgers outside Indonesia was exceptional (CD *Batang Anai*: Taiwan 1995, 35 working days out of a total of some 130 days spent in Taiwan; FF *Bali II*: Malaysia 1995, 35 days, 1997, 120 days) and did not involve any economic profit. The exceptional use of the vessels in Taiwan and Malaysia is of negligible significance compared with the use made of the vessels in Indonesia and compared with the 11-year term of the credit or the total technical life of the dredgers.

Rukindo only twice requested tender documents, but in both cases it did not participate in the tender. Rukindo itself never participated directly in international tenders and never entered into direct competition with foreign firms. Rukindo thus had no direct influence on the pricing of services by the main tendering contractor, especially since the usual practice was for the main contractor not to enter into negotiations with the various dredging companies until after being awarded the contract. As a subcontractor or sub-subcontractor, Rukindo had to accept the prices specified.

The use of the dredgers abroad in fact resulted in actual losses and not in financial earnings. No income was earned that would have made the granting of aid unnecessary. The use of CD *Batang Anai* in Taiwan represented a real loss in terms of the total subcontracting period, a loss which exceeded the costs of any alternative idle or non-productive times in Indonesia.

Through the *Kreditanstalt für Wiederaufbau*, Germany has called on the Indonesian Ministry of Finance to ensure that the dredgers acquired on the basis of the aid are used solely within Indonesia. Germany notes that the loan agreement does not contain any particular provision regarding the places where the dredgers are to be used. However, in the discussions it was made clear to the relevant Indonesian ministries that the dredgers must be used only within Indonesia and that they must not be used abroad. Domestic use is therefore the unwritten commercial basis for the loan.

Finally, Germany requests that the effects of the economic and financial crisis in East Asia and in Indonesia in particular be taken into account.

V. Assessment of the aid

In 1994 the project was approved under Article 4(7) of the Shipbuilding Directive. According to Article 4(7), aid granted as development assistance to a developing country is not subject to the ceiling set by the Commission under Article 4(2). It may be deemed compatible with the common market if it complies with the terms laid down for that purpose by OECD Working

Party No 6 in its Agreement concerning the interpretation of Articles 6 to 8 of the Understanding on Export Credits for Ships, or with any corrigendum to the said Agreement.

The Commission must be given prior notification of any such individual aid proposal. It will verify the particular development content of the proposed aid and satisfy itself that it falls within the scope of the Agreement.

In its judgment of 5 October 1994 the Court of Justice held in Case C-400/92 that: 'It is precisely the examination of this particular content which enables the Commission to ensure that aid based on Article 4(7) and intended to reduce the cost of vessels for certain developing countries pursues, in the light of the specific conditions of its application, a genuine development objective and does not, despite the fact that it complies with the OECD criteria, constitute aid in favour of a shipyard in a Member State which must be subject to the ceiling...' ⁽¹⁾.

The Commission's letter of 17 May 1994 stated on the basis of the German notification that the dredgers were to be used only in Indonesia.

Germany has confirmed that FF *Bali II* and CD *Batang Anai* have not been deployed exclusively in Indonesia, which means that the vessels have not been used in accordance with the conditions attached to the Commission's approval. Consequently, the aid has been misused.

Germany argues that these deployments of the dredgers were not foreseeable at the time when the vessels were ordered and the aid granted. The Commission cannot rule out the possibility that this was in fact the case; however, owing to the delays, the primary objective of the aid has not been fully achieved. It is uncertain to what extent the development aid has in fact enabled Indonesia to fully pursue the development objective.

The Commission takes note of the argument put forward by Germany that Rukindo might not have had any influence on the tender prices abroad and that the deployment abroad might not have been profitable to any great extent. However, it does not preclude that the vessels were deployed outside Indonesia in competition with other companies and that the prices offered were below the market price as a result of the aid. In fact, on the basis of the information made available to the Commission, it is not possible to distinguish between the use of the vessels within Indonesia and outside Indonesia in a way that ensures that the aid was beneficial only to Indonesia and not directly beneficial to countries that in principle should not benefit from development aid. Thus, the deployment outside Indonesia is problematic in any case. The Commission cannot accept Germany's argument that the use outside Indonesia did not explicitly run counter to the initial objective of the aid. The initial objective was to aid development inside Indonesia. By using the dredgers outside Indonesia, there was not only a reduction in the development contribution to Indonesia in the form of dredging carried out by the dredgers within Indonesia, but, in addition, there might have been distortion created on the dredging market in a country which is not on the list of countries eligible for development aid. Consequently, since the vessels which received development aid have been deployed outside Indonesia and in addition have been deployed on a purely commercial basis in Malaysia and Taiwan, which are not on the list of countries eligible for development aid ⁽²⁾, the development aid content of the project is put in doubt.

⁽¹⁾ [1994] ECR I-4701, paragraph 21.

⁽²⁾ Commission letters to Member States SG(89) D/311 and SG(97) D/4341.

Germany has argued that the deployment outside Indonesia has been negligible compared to that in Indonesia. Tables provided by Germany show, however, that, from 1994 to 1997, FF *Bali II* was used for 743 days in Indonesia and 155 days in Malaysia. From 1995 to 1997, CD *Batang Anai* was used for 357 days in Indonesia and 35 days in Taiwan, where the vessel was stationed for no less than approximately 130 days in 1995. The Commission does not share the view that use of the vessels outside Indonesia amounting over a period of three to four years to approximately 9 % and 17 % can be considered exceptional or negligible.

Furthermore, in view of the large number of islands making up Indonesia, the Commission is not convinced that it was impossible to deploy the vessels elsewhere in Indonesia, thereby ensuring a genuine development content and compliance with the Commission's approval. Moreover, the fact that the condition regarding the location of the vessels was not stated in the loan agreement obviously did not explicitly encourage the operator to seek such options. Although Germany informed the Indonesian parties that the vessels could be used only in Indonesia, in reality the Indonesians were not legally obliged to comply with this request given that no such condition was stated in the loan agreement.

Germany was obliged to ensure that the granting of the loan was in line with the conditions laid down in the Commission's approval of 17 May 1994. Therefore, the fact that Germany did not specify this important condition in the loan agreement and thus did not fully comply with the conditions of the Commission decision, cannot serve Germany as an excuse for the misuse of the aid or its inability to influence Indonesia in this matter. In addition, the omission of the condition in the loan agreement raises doubts as to whether the development objective was the main concern in the project.

Had the Commission known at the time of its approval decision (letter of 17 May 1994) that the vessels were not intended for exclusive use in Indonesia and that they would in fact be used on a commercial basis in Malaysia and Taiwan, it would not have approved the aid. Consequently, the Commission considers that the aid has been misused and that a genuine development objective was not pursued.

VI. Conclusions

The Commission finds that the aid granted by Germany in connection with the building of the dredgers FF *Bali II* and CD *Batang Anai* has been misused. The aid cannot be considered to be genuine development aid within the meaning of Article 4(7) of the Shipbuilding Directive. The aid distorts or threatens to distort competition within the common market and affects trade between Member States in relation to shipbuilding to an extent contrary to the common interest,

HAS ADOPTED THIS DECISION:

Article 1

The state aid which Germany has granted in the form of a credit facility in connection with the sale of the dredgers FF *Bali II* and CD *Batang Anai* to Pengerukan (Rukindo), Indonesia, has been misused and is incompatible with the common market.

Article 2

Germany shall recover from the recipient the aid referred to in Article 1.

Recovery shall be effected in accordance with the procedures and provisions of German law. The sums to be recovered shall bear interest from the date on which they were made available to the recipients until their actual recovery. Interest shall be calculated on the basis of the reference rate used for calculating the grant-equivalent of regional aid.

Article 3

Germany shall inform the Commission, within two months of notification of this Decision, of the measures taken to comply with it.

Done at Brussels, 3 March 1999.

For the Commission

Karel VAN MIERT

Member of the Commission

COMMISSION DECISION
of 8 July 1999
on the measure which Germany is planning to implement for Neue Maxhütte Stahlwerke GmbH i.K.

(notified under document number C(1999) 2269)

(Only the German text is authentic)

(Text with EEA relevance)

(1999/658/ECSC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Coal and Steel Community, and in particular Article 4(c) thereof,

Having regard to the Agreement on the European Economic Area, and in particular Article 62(1)(a) thereof, read in conjunction with Protocol 14,

Having regard to Commission Decision No 2496/96/ECSC of 18 December 1996 establishing Community rules for state aid to the steel industry (hereinafter referred to as the 'steel aid code')⁽¹⁾,

Having called on interested parties to submit their comments pursuant to those provisions⁽²⁾ and having regard to those comments,

Whereas:

I. Procedure

(1) By letter dated 5 May 1998, the German authorities notified the Commission of two measures which the *Land* of Bavaria planned to implement for Neue Maxhütte Stahlwerke GmbH (hereinafter referred to as 'NMH'):

- (a) payment of an amount of DEM 697 700 to reimburse costs incurred by NMH in 1994 to secure a slag heap on its premises against partial collapse;
- (b) exemption for NMH from the cost of further protective measures for the slag heap to the amount of DEM 2 213 274

As indicated in paragraphs 7 to 12, the German authorities take the view that these measures do not constitute aid. Notification was carried out pursuant to Article 86 of the ECSC Treaty, read in conjunction with Article 6(2) of the steel aid code, which obliges the Member States to inform the Commission of any transfers of state resources, irrespective of whether they constitute aid.

(2) The German authorities provided the Commission with supplementary information by letters dated 30 June, 13 August, 15 October and 1 December 1998. By letter

dated 1 February 1999, the Commission informed the German authorities of its decision to initiate the procedure laid down in Article 6(5) of the steel aid code in respect of the aforementioned measures.

- (3) The decision to initiate the procedure was published in the *Official Journal of the European Communities* ⁽³⁾. The Commission called on interested parties to submit their comments. These comments were then forwarded to the German authorities, which were invited to respond.

II. Detailed description of the measures

- (4) Under an agreement of 4 November 1987 between the *Land* of Bavaria, Thyssen Edelstahlwerke AG, Thyssen Stahl AG, Lech-Stahlwerke GmbH, Saarstahl Völklingen GmbH, Krupp Stahl AG, Klöckner Stahl GmbH and Mannesmann Röhrenwerke AG (hereinafter referred to as the 'agreement'), the activities of the bankrupt Eisenwerkgesellschaft Maximilianshütte mbH Sulzbach-Rosenberg were continued under the newly created NMH.

- (5) The agreement contains the following provision:

'5.5 The installations are taken over free of old burdens. Where a takeover free of old burdens is impossible, the *Land* of Bavaria will ensure that NMH (i. e. NMH) will not be affected by the resultant economic responsibilities.'

- (6) This provision constitutes a derogation from general German law, under which the owner is responsible for his site.

- (7) In 1994 large cracks and displacement were discovered on the southern slope of the slag heap on the site of NMH. Experts (Geotechnisches Büro Prof. Dr Schuler and Dr-Ing. Gödecke) reported that these developments could lead to an immediate partial collapse. A protective embankment alongside the southern base of the heap had to be constructed out of slag as a temporary measure. The work was carried out by NMH in 1994 at a total cost of DEM 697 700.

⁽¹⁾ OJ L 338, 28.12.1996, p. 42.

⁽²⁾ OJ C 108, 17.4.1999, p. 9.

⁽³⁾ See footnote 2.

- (8) In 1996 new cracks were discovered on the southern slope of the slag heap. According to a report by the same experts dated 23 September 1997, these cracks could cause a further partial collapse of the southern slope. In order to stabilise the slag heap, it was decided to enlarge and reinforce the embankment built in 1994.
- (9) In September 1997 the *Land* of Bavaria therefore ordered NMH to carry out the necessary construction work. After the latter refused, arguing that this was the *Land's* responsibility under Article 5.5 of the agreement, the *Land* of Bavaria decided to carry out these activities itself on the basis of the applicable legislation, under which, in cases of imminent danger, the State can carry out such measures itself on behalf of the owner ('*Ersatz-vornahme*').
- (10) In that connection, the *Land* of Bavaria commissioned in March 1998 Geotechnisches Büro Prof. Dr Schuler and Dr-Ing. Gödecke to supervise operations and MH Dienstleistungen GmbH & Co KG to carry out the building work. The total cost of the work, which was completed in November 1998, was DEM 2 213 274.

The German authorities have provided evidence that the amount of the building contractor's invoice was lower than the initial estimate. The invoice was approved by Geotechnisches Büro.

- (11) According to the notification, the slag heap had been used as a dump before Maximilianshütte was declared bankrupt. The threat of collapse was therefore entirely due to this dumping and, consequently, the damage had to be considered as resulting from an old environmental burden. Even though NMH had used 500 tonnes of slag to build a road on the southern slope in order to view the endangered zone, this had no impact on the physical degradation of the heap that made the protective measures necessary. ⁽¹⁾ The German authorities also confirmed that the use of the heap had not resulted in any economic benefit for NMH as it would normally have sold the 500 tonnes of slag which it had used to construct the road.
- (12) Consequently, the German authorities regard NMH's claim under Article 5.5 of the agreement, and the amount of its claim, as justified. They would remind the Commission that it approved the agreement in its Decision of 27 June 1989 (not published) and that, in Decision 95/422/ECSC of 4 April 1995 ⁽²⁾ concerning proposed aid to NMH, it confirmed that this clause did not constitute aid. This is also confirmed in point 3.2.2. of the Community guidelines on state aid for environmental protection (hereinafter referred to as the 'guidelines') ⁽³⁾. The German authorities therefore contend that

the measures do not constitute state aid. They therefore intend:

- (a) to reimburse NMH an amount of DEM 697 700 for the first set of measures;
 - (b) to exempt NMH from the cost of the second set of measures, which now amounts to DEM 2 213 274.
- (13) However, in their subsequent correspondence, the German authorities admitted that large parts of the slag heap were used for dumping slag and waste, as well as for recovery activities (preparation of slag for road construction). They claim though that these activities took place on the other side of the heap and that the southern slope was unaffected. Therefore they continued to regard the possible collapse of the southern slope as being due entirely to old burdens.
- (14) On 9 December 1998 the Commission initiated proceedings under Article 6(5) of the steel aid code on the following grounds:
- 1. it doubted that no slag had been dumped on the southern slope;
 - 2. it was concerned that activities on other parts of the slag heap might have an impact on the southern slope;
 - 3. it took the view that NMH was using the slag heap, which should be seen as a single site, and had derived economic benefit from that use. Financing had been used to maintain a dump used by NMH, and this was contrary to the 'polluter pays' principle.
- (15) The Commission therefore took the view that the measures constituted state aid within the meaning of Article 1 of the steel aid code.

III. Comments from interested parties

- (16) The Commission received comments from three interested parties:
- 1. Mr Zager of the environmental group 'B.I.Rosenberg' stated that NMH had used the heap for disposal and recovery but could not confirm whether NMH was using or had used the southern slope;
 - 2. the UK Steel Association argued that no aid should be granted for activities carried out under the responsibility and at the risk of NMH;
 - 3. Federazione Imprese Siderurgiche Italiane (Federacciai) maintained that, in view of the impossibility of recovering incompatible aid of DEM 74 million from NMH, no further injections of capital should be authorised for the company.

⁽¹⁾ Confirmed by a report by Dr-Ing. Gödecke of Geotechnisches Büro Prof. Dr Schuler and Dr-Ing. Gödecke dated 23 September 1997 (attached to the notification).

⁽²⁾ OJ L 253, 21.10.1995, p. 22.

⁽³⁾ OJ C 72, 10.3.1994, p. 3.

IV. Comments from the German authorities

- (17) The German authorities reaffirmed their position that NMH had not disposed of slag on the southern slope of the heap.
- (18) On the basis of evidence in the form of maps and photographs illustrating that the heap covered a site of 21 hectares, the German authorities contend that the parts used by NMH for disposal and recovery activities are remote from the southern slope. As such, these activities could not affect the situation there. They also confirm that the experts who looked into the effects of the use of slag for road construction purposes were aware of these activities but that this did not alter their findings.
- (19) Accordingly, the German authorities dispute the Commission's conclusion that the heap constitutes a single, indivisible site. They consider that, although one part of the heap was used, Article 5.5 of the agreement continues therefore to apply to the other part.

V. Assessment of the measure

- (20) NMH falls within the scope of Article 80 of the ECSC Treaty because it manufactures products listed in Annex I to that Treaty and pays levies pursuant to Article 49, with the result that the ECSC Treaty and the steel aid code apply.
- (21) Pursuant to Article 3 of the steel aid code, aid for environmental protection may be deemed compatible with the common market if it complies with the rules laid down in the guidelines, in conformity with the criteria for their application to the ECSC steel industry outlined in the Annex to the steel aid code.
- (22) Point 3.2.2. of the guidelines states:

'The rules for investment aid in general also apply to aid for investment to repair past damage to the environment, for example, by making polluted industrial sites again fit for use. In cases where the person responsible for the pollution cannot be identified or called to account, aid for rehabilitating such areas may not fall under Article 92(1) of the EC Treaty in that it does not confer a gratuitous financial benefit on particular firms or industries. Such cases will be examined on their merits.'
- (23) These provisions are designed to prevent existing industrial sites being abandoned where potential acquirers are not protected against claims arising from former use of (part of) such sites.

As stated in the decision to initiate the procedure, the Commission approved the agreement by Decision of 27 June 1989 (not published). While this Decision did not contain a specific assessment of Article 5.5, Decision

95/422/EGSC unequivocally does ⁽¹⁾ with the Commission confirming that measures taken pursuant to Article 5.5 do not constitute aid. The Commission took into consideration the high and incalculable risk of being held liable for contamination caused in the past by a different management. Without such an agreement there would, therefore, be no possibility of selling such land, with the result that many industrial sites would never be re-used. Accordingly, in taking over the economic risk resulting from past contamination, the State is merely serving the public interest without conferring any economic benefit on the purchaser of the land. Since Article 5.5 of the agreement concerns land and installations contaminated in the past, this did not constitute state aid.

- (24) However, under the guidelines, application of those provisions still needs to be assessed on the merits of this particular case. It needs to be established that the conditions set out in point 3.2.2. have been met, namely that (a) NMH has not caused the pollution or damage itself and (b) the measures do not constitute a gratuitous financial benefit for NMH.

- (25) On the basis of the information provided by the German authorities and the comments of third parties, it can be concluded that NMH did not dispose of slag on the southern slope of the heap. There is no evidence to support the conclusion that the use of slag for road construction purposes had any impact on the southern part of the site. Nor does the information provided by the German authorities support the conclusion that activities on other parts of the slag heap had a negative impact on the condition of the southern slope. The parts of the heap used for disposal and recovery activities are several hundred metres distant from the endangered zone and no link can be established between those activities and the degradation of the site.

- (26) The German authorities have demonstrated that the use of 500 tonnes of slag to construct a road, this being the only activity that NMH carried out on the southern slope, did not confer any economic benefit on the company since the slag would otherwise have been sold by NMH to road constructors.

- (27) The information provided by the German authorities demonstrates that the site, covering 21 hectares, is large and that the individual activities there are carried out independently of one another.

Under these circumstances, the Commission concludes that the heap is not indivisible.

⁽¹⁾ Paragraph 12 above; see paragraph 9 of the Decision.

In spite of the economic benefits accruing to NMH as a result of use of the heap (disposal facilities, revenue from recovered waste), point 3.2.2. of the guidelines applies. The fact that part of an industrial site is used for economic purposes and, as such, does not fall within the scope of Article 5.5 of the agreement does not mean that this Article does not apply to the remainder of the site. A conclusion to the contrary would be excessive and would run counter to the objective of such a provision and Community policy.

VI. Conclusions

(28) The Commission concludes that the measures which Germany is planning to implement for Neue Maxhütte Stahlwerke GmbH i.K., namely:

- (a) payment of an amount of DEM 697 700 to reimburse costs incurred by NMH in 1994 to secure a slag heap on its premises against partial collapse;
- (b) exemption for NMH from the cost of further protective measures for the slag heap to the amount of DEM 2 213 274,

relate to old environmental burdens. Under Article 3 of the steel aid code and point 3.2.2. of the guidelines, and

in the light of precedents, the Commission is therefore of the opinion that the measures do not constitute aid,

HAS DECIDED AS FOLLOWS:

Article 1

The measure which Germany is planning to implement for Neue Maxhütte Stahlwerke GmbH i.K. to the amount of DEM 2 911 274 (EUR 1 488 190) does not constitute aid within the meaning of Article 4(c) of the ECSC Treaty.

Implementation of the measure is therefore authorised.

Article 2

This Decision is addressed to the Federal Republic of Germany.

Done at Brussels, 8 July 1999.

For the Commission

Karel VAN MIERT

Member of the Commission

COMMISSION DECISION

of 8 September 1999

fixing an indicative allocation by Member State of the allocations under the European Agricultural Guidance and Guarantee Fund Guarantee Section for rural development measures for the period 2000 to 2006

(notified under document number C(1999) 2843)

(1999/659/EC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EC) No 1257/1999 of 17 May 1999 on support for rural development from the European Agricultural Guidance and Guarantee Fund (EAGGF) ⁽¹⁾, and in particular to Article 46(2) thereof,

- (1) Whereas the allocation of commitment appropriations for rural development measures integrated into Objective No 1 programmes shall be cofinanced by the EAGGF Guidance Section in accordance with Article 35(2), first indent, of Regulation (EC) No 1257/1999;
- (2) Whereas Community support for other rural development measures shall be cofinanced by the EAGGF Guarantee Section in accordance with Article 35(2), second indent, of Regulation (EC) No 1257/1999;
- (3) Whereas, paragraph 23 of the Presidency Conclusions of the Berlin European Council of 24 and 25 March 1999 fixed the financial perspective pertaining to rural development and accompanying measures financed by the EAGGF Guarantee Section for the period 2000 to 2006;
- (4) Whereas according to Article 46(2) of Regulation (EC) No 1257/1999 the Commission shall make initial allocations to Member States for rural development measures cofinanced under the EAGGF Guarantee Section, broken down on an annual basis and using objective criteria which take into account particular situations and needs, and efforts to be undertaken especially for the environment, job creation and maintenance of the landscape;
- (5) Whereas in view of the particular structural difficulties in rural areas eligible under Objective No 2 of the Structural Funds, the Commission shall seek to ensure that in

the programming of rural development measures, the intensity of Community aid per head of population is significantly higher in these areas than in areas not covered by Objective No 1 or Objective No 2 as far as the measures set out in Article 33 of Regulation (EC) No 1257/1999 are concerned;

- (6) Whereas paragraph 22 of the Presidency Conclusions of the Berlin European Council of 24 and 25 March 1999 has been taken into account;
- (7) Whereas according to Article 46(3) of Regulation (EC) No 1257/1999 the Commission shall adjust the initial allocations on the basis of actual expenditure and revised expenditure forecasts submitted by the Member States taking into account programme objectives,

HAS ADOPTED THIS DECISION:

Article 1

The initial allocations to Member States for rural development support cofinanced by the EAGGF Guarantee Section for the period 2000 to 2006 shall be as set out in the Annex.

Article 2

This Decision is addressed to the Member States.

Done at Brussels, 8 September 1999.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ L 160, 26.6.1999, p. 80.

ANNEX

Support for rural development 2000 to 2006**Allocations to Member States**

Member State	Financial allocation ⁽¹⁾	
	annual average EUR million 1999 prices	%
Belgium	50	1,2
Denmark	46	1,1
Germany	700	16,1
Greece	131	3,0
Spain	459	10,6
France	760	17,5
Ireland	315	7,3
Italy	595	13,7
Luxembourg	12	0,3
Netherlands	55	1,3
Austria	423	9,7
Portugal	200	4,6
Finland	290	6,7
Sweden	149	3,4
United Kingdom	154	3,5
Total	4 339	100

⁽¹⁾ In calculating the annual allocation by Member State for the period 2000 to 2006, the percentages in the table above shall be applied to the financial perspective ceilings per year set out in paragraph 23 of the Presidency Conclusions of the Berlin European Council.