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I

(Acts whose publication is obligatory)

**COMMISSION REGULATION (EC) No 2546/1999
of 2 December 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 3 December 1999.

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

Done at Brussels, 2 December 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 2 December 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	87,2
	204	77,9
	999	82,6
0707 00 05	052	94,9
	204	83,7
	999	89,3
0709 90 70	052	109,8
	204	141,9
	999	125,8
0805 10 10, 0805 10 30, 0805 10 50	388	39,6
	508	33,1
	999	36,4
0805 20 10	052	34,0
	204	59,3
	999	46,6
0805 20 30, 0805 20 50, 0805 20 70, 0805 20 90	052	70,5
	999	70,5
0805 30 10	052	53,7
	528	77,3
	600	63,8
0808 10 20, 0808 10 50, 0808 10 90	999	64,9
	052	65,1
	400	84,3
0808 20 50	404	72,0
	999	73,8
	052	148,2
	064	64,0
	400	78,0
	999	96,7

⁽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 2547/1999**of 2 December 1999****fixing, for November 1999, the specific exchange rate for the amount of the reimbursement of storage costs in the sugar sector**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EC) No 2038/1999 of 13 September 1999 on the common organisation of the markets in the sugar sector ⁽¹⁾,

Having regard to Council Regulation (EC) No 2799/98 of 15 December 1998 establishing agrimonetary arrangements for the euro ⁽²⁾,

Having regard to Commission Regulation (EEC) No 1713/93 of 30 June 1993 establishing special detailed rules for applying the agricultural conversion rate in the sugar sector ⁽³⁾, as last amended by Regulation (EC) No 1642/1999 ⁽⁴⁾, and in particular Article 1(3) thereof,

Whereas:

- (1) Article 1(2) of Regulation (EEC) No 1713/93 provides that the amount of the reimbursement of storage costs referred to in Article 8 of Regulation (EC) No 2038/1999 is to be converted into national currency using a specific agricultural conversion rate equal to the average, calculated *pro rata temporis*, of the agricultural conversion rates applicable during the month of storage; that specific rate must be fixed each month for the previous month; however, in the case of the reimbursable amounts applying from 1 January 1999, as a result of

the introduction of the agrimonetary arrangements for the euro from that date, the fixing of the conversion rate should be limited to the specific exchange rates prevailing between the euro and the national currencies of the Member States that have not adopted the single currency;

- (2) Application of these provisions will lead to the fixing, for November 1999, of the specific exchange rate for the amount of the reimbursement of storage costs in the various national currencies as indicated in the Annex to this Regulation,

HAS ADOPTED THIS REGULATION:

Article 1

The specific exchange rate to be used for converting the amount of the reimbursement of the storage costs referred to in Article 8 of Regulation (EC) No 2038/1999 into national currency for November 1999 shall be as indicated in the Annex hereto.

Article 2

This Regulation shall enter into force on 3 December 1999.

It shall apply with effect from 1 November 1999.

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

Done at Brussels, 2 December 1999.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ L 252, 25.9.1999, p. 1.

⁽²⁾ OJ L 349, 24.12.1998, p. 1.

⁽³⁾ OJ L 159, 1.7.1993, p. 94.

⁽⁴⁾ OJ L 195, 28.7.1999, p. 3.

ANNEX

to the Commission Regulation of 2 December 1999 fixing, for November 1999, the exchange rate for the amount of the reimbursement of storage costs in the sugar sector

Specific exchange rate		
EUR 1 =	7,43643	Danish kroner
	328,729	Greek drachma
	8,63275	Swedish kroner
	0,634023	Pound sterling

COMMISSION REGULATION (EC) No 2548/1999
of 2 December 1999
amending for the 19th time Regulation (EEC) No 3800/81 determining the classification of vine varieties

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

trative units in accordance with Article 11(1)(b) of Regulation (EEC) No 2389/89;

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EEC) No 822/87 of 16 March 1987 on the common organisation of the market in wine ⁽¹⁾, as last amended by Regulation (EC) No 1677/1999 ⁽²⁾, and in particular Article 13(5) thereof,

Whereas:

- (1) the classification of vine varieties approved for cultivation in the Community is determined by Commission Regulation (EEC) No 3800/81 ⁽³⁾, as last amended by Regulation (EC) No 1231/98 ⁽⁴⁾, in accordance with Council Regulation (EEC) No 2389/89 of 24 July 1989 on general rules for the classification of vine varieties ⁽⁵⁾, as last amended by Regulation (EC) No 2088/97 ⁽⁶⁾;
- (2) the classification of wine-grape and table-grape vine varieties should include among the varieties authorised and recommended for certain administrative units of Germany, France, Greece, Italy and Spain certain varieties which have been listed for at least five years in the classification for an administrative unit immediately bordering thereon and which therefore satisfy the condition laid down in the first indent of Article 11(1)(a) of Regulation (EEC) No 2389/89;
- (3) certain wine-grape vine varieties have been examined and found suitable for cultivation in accordance with Commission Regulation (EEC) No 2314/72 of 30 October 1972 on certain measures for examining the suitability of certain vine varieties for cultivation ⁽⁷⁾, as last amended by Regulation (EEC) No 2462/93 ⁽⁸⁾, for certain administrative units of Germany, Greece and Italy. Those varieties should be included in the vine varieties provisionally authorised for those adminis-

- (4) wines obtained from certain wine-grape vine varieties that have been included for at least five years in the category of varieties authorised for certain administrative units of Germany, Italy and France have been found to be of good quality as a rule. Those varieties should therefore be classified among the vine varieties recommended for those administrative units in accordance with Article 11(2)(a) of Regulation (EEC) No 2389/89;
- (5) certain wine-grape vine varieties that have been included for at least five years in the category of varieties provisionally authorised for some administrative units of Germany, Italy and Spain have been found to be suitable for cultivation. Those varieties should therefore be permanently classified among the vine varieties authorised and recommended for those administrative units in accordance with Article 11(4) of Regulation (EEC) No 2389/89;
- (6) some corrections should be made;
- (7) the measures provided for in this Regulation are in accordance with the opinion of the Management Committee for Wine,

HAS ADOPTED THIS REGULATION:

Article 1

The Annex to Regulation (EEC) No 3800/81 is hereby amended in accordance with the Annex hereto.

Article 2

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

It shall apply from 1 September 1999.

⁽¹⁾ OJ L 84, 27.3.1987, p. 1.

⁽²⁾ OJ L 199, 30.7.1999, p. 8.

⁽³⁾ OJ L 381, 31.12.1981, p. 1.

⁽⁴⁾ OJ L 168, 13.6.1998, p. 24.

⁽⁵⁾ OJ L 232, 9.8.1989, p. 1.

⁽⁶⁾ OJ L 292, 25.10.1997, p. 3.

⁽⁷⁾ OJ L 248, 1.11.1972, p. 53.

⁽⁸⁾ OJ L 226, 7.9.1993, p. 1.

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

Done at Brussels, 2 December 1999.

For the Commission
Franz FISCHLER
Member of the Commission

ANNEX

The Annex to Regulation (EEC) No 3800/81 is amended as follows:

I. In Title I, subtitle I, point 'II. GERMANY' is amended as follows (the vine varieties are to be inserted in the correct alphabetical order):

1. Regierungsbezirk Köln:

- the asterisk is deleted for the varieties Bacchus B, Domina N, Dornfelder N, Dunkelfelder N, Reichensteiner B and Würzer B in the category of authorised vine varieties.

2. Regierungsbezirk Trier:

- the asterisk is deleted for the varieties Phönix B and Reichensteiner B in the category of authorised vine varieties.

3. Regierungsbezirk Koblenz:

- the asterisk is deleted for the varieties Chardonnay B, Dornfelder N, Dunkelfelder N, Phönix B and Schönburger B in the category of authorised vine varieties.

4. Regierungsbezirk Rheinhessen-Pfalz:

- the asterisk is deleted for the varieties Dornfelder N, Domina N, Dunkelfelder N and Phönix B in the category of authorised vine varieties.

5. Saarland:

- the asterisk is deleted for the variety Phönix B in the category of authorised vine varieties.

6. Regierungsbezirk Darmstadt:

- Johanniter B (*) is added to the category of authorised vine varieties and the asterisk is deleted for Dunkelfelder N and Reichensteiner B.

7. Regierungsbezirk Karlsruhe:

- note 11 is deleted after Weißer Burgunder B and added after Blauer Frühburgunder N in the category of recommended vine varieties,
- note 12 is deleted after Müllerrebe N and Saint-Laurent N in the category of recommended vine varieties,
- Chardonnay B is added to the category of recommended vine varieties,
- Johanniter B (*) and Merzling B are added to the category of authorised vine varieties and Chardonnay B (*) is deleted.

8. Regierungsbezirk Freiburg:

- note 14 is added after the variety Gelber Muskateller B in the category of recommended vine varieties,
- Müllerrebe N and Saint-Laurent N are added to the category of recommended vine varieties,
- Chardonnay B is added to the category of recommended vine varieties,
- Johanniter B (*) and Merzling B (*) are added to the category of authorised vine varieties and Chardonnay B (*) is deleted.

9. Regierungsbezirk Stuttgart:

- Chardonnay B, Blauer Limberger N ⁽¹⁶⁾, Müllerrebe N and Saint-Laurent N are added to the category of recommended vine varieties,
- Johanniter B (*) and Merzling B (*) are added to the category of authorised vine varieties and Chardonnay B (*) is deleted.

10. Regierungsbezirk Tübingen:

- note 18 is deleted after the variety Müllerrebe N in the category of recommended vine varieties and Chardonnay B and Saint-Laurent are added to the category,
- Johanniter B (*) and Merzling B (*) are added to the category of authorised vine varieties.

11. Regierungsbezirk Unterfranken:

- an asterisk (*) is added to the varieties Kanzler B, Morio Muskat B and Muskat Ottonel B in the category of authorised vine varieties,
- Regent N is added to the category of recommended vine varieties.

19. Sachsen-Anhalt:

- André N, Bacchus B, Weißer Burgunder B, Dornfelder N, Gewürztraminer Rs, Weißer Gutedel B, Roter Gutedel R, Kerner B, Blauer Limberger N, Morio-Muskat B, Müller-Thurgau B, Blauer Portugieser N, Weißer Riesling B, Ruländer G, Grüner Silvaner B, Blauer Spätburgunder N, Roter Traminer Rs and Blauer Zweigelt N are added to the category of recommended vine varieties,
- Bacchus B (*), Weißer Burgunder B (*), Dornfelder N (*), Gewürztraminer Rs (*), Weißer Gutedel B (*), Roter Gutedel R (*), Kerner B (*), Blauer Limberger N (*), Mopr B (*), Morio-Muskat B (*), Müller-Thurgau B (*), Blauer Portugieser N (*), Weißer Riesling B (*), Ruländer G (*), Grüner Silvaner B, Blauer Spätburgunder N (*), Roter Traminer Rs (*) and Blauer Zweigelt N (*) are deleted from the category of authorised vine varieties,
- Kernling G is added to the category of authorised vine varieties,
- the asterisk is deleted for the varieties Domina N, Dunkelfelder N, Faberrebe B, Hölder B, Irsay Oliver B, Müllerrebe N, Perle von Zala B and Scheurebe B in the category of authorised vine varieties.

20. Thüringen:

- the asterisk is deleted for the varieties Bacchus B, Weißer Burgunder B, Dornfelder N, Faberrebe B, Gewürztraminer Rs, Weißer Gutedel B, Roter Gutedel R, Kerner B, Blauer Limberger N, Morio-Muskat B, Müller-Thurgau B, Blauer Portugieser N, Weißer Riesling B, Ruländer G, Scheurebe B, Grüner Silvaner B, Blauer Spätburgunder N and Blauer Zweigelt N in the category of authorised vine varieties,
- Ortega B is added to the category of authorised vine varieties.

II. In Title I, subtitle I, point 'III. GREECE' is amended as follows (the vine varieties are to be inserted in the correct alphabetical order):

2. Νομός Ροδόπης (Rodopis):

- Cabernet Sauvignon N, Merlot N, Sauvignon blanc B and Syrah N are added to the category of recommended vine varieties,
- Cabernet Sauvignon N (*), Merlot N (*), Sauvignon blanc B and Syrah N (*) are deleted from the category of authorised vine varieties.

4. Νομός Δράμας (Dramas):

- Μοσχάτο Αλεξανδρείας (Moschato Alexandrias) B and Grenache rouge N are added to the category of recommended vine varieties,
- Aglianico N (*), Grecanico B (*), Greco di Tufo B (*), Nebbiolo N (*), Pinot blanc B (*), Pinot noir N (*), Sangiovese N (*), Viognier B (*) and Αγιοργεϊτικο (Agiorgitiko) N (*) are added to the category of authorised vine varieties,
- Μοσχάτο Αλεξανδρείας (Moschato Alexandrias) B and Grenache rouge N are deleted from the category of authorised vine varieties.

5. Νομός Καβάλας (Kavalas):

- Cabernet franc N, Ασύρτικο (Assyrtico) B and Μοσχάτο Αλεξανδρείας (Moschato Alexandrias) B are added to the category of recommended vine varieties,
- Cabernet franc N and Ασύρτικο (Assyrtico) B are deleted from the category of authorised vine varieties.

6. Νομός Σερρών (Serron):

- Μοσχάτο Αλεξανδρείας (Moschato Alexandrias) B (*) is added to the category of authorised vine varieties.

7. Νομός Χαλκιδικής (Chalkidikis):

- Cinsaut N is added to the category of recommended vine varieties,
- Viognier B (*) is added to the category of authorised vine varieties,
- Cinsaut N is deleted from the category of authorised vine varieties.

9. Νομός Κιλκίς (Kilkis):

- Chardonnay B, Merlot N, Sauvignon B and Syrah N are added to the category of recommended vine varieties,
- Cabernet Sauvignon N (*) is added to the category of authorised vine varieties,
- Merlot N (*) and Sauvignon B are deleted from the category of authorised vine varieties.

13. Νομός Κοζάνης (Kozanis):

- Cinsaut N, Syrah N, Μπατίκι (Batiki) B and Σταυρωτό (Stavroto) N are added to the category of recommended vine varieties,
- Σαββατιανό (Savatiano) B and Μοσχάτο Αμψούργου (Moschato Amvourgou) N are added to the category of authorised vine varieties,
- Cinsaut N, Μπατίκι (Batiki) B and Σταυρωτό (Stavroto) N are deleted from the category of authorised vine varieties.

14. Νομός Φλωρίνης (Florinis):

- Riesling B and Μοσχοφιλέρο (Moschofilero) N are added to the category of recommended vine varieties,
- Barbera N (*), Cabernet franc N (*), Montepulciano N (*), Negro Amaro N (*), Pinot noir N (*), Syrah N (*), Tannat N (*), Αγιοργεϊτικό (Agiorgitiko) N (*), Αθήρι (Athiri) B (*) and Μαυροδάφνη (Mavrodafni) N (*) are added to the category of authorised vine varieties,
- Riesling B and Μοσχοφιλέρο (Moschofilero) N are deleted from the category of authorised vine varieties.

16. Νομός Γρεβενών (Grevenon):

- Syrah N is added to the category of recommended vine varieties.

20. Νομός Πρεβέζης (Prevezis):

- Ντεμπίνα (Debina) B is added to the category of recommended vine varieties.

22. Νομός Λευκάδος (Lefkados):

- Λιάτικο (Liatiko) N, Πατρινό (Patrino) N and Χλώρες (Chlores) B are added to the category of recommended vine varieties,
- Λιάτικο (Liatiko) N, Πατρινό (Patrino) N and Χλώρες (Chlores) B are deleted from the category of authorised vine varieties.

23. Νομός Μαγνησίας (Magnissias):

- Grenache rouge N is added to the category of recommended vine varieties.

24. Νομός Λαρίσης (Larissis):

- Grand noir N (*), Pinot noir N (*), Βερτζαμί (Vertzami) N (*) and Αγιοργεϊτικό (Agiorgitiko) N (*) are added to the category of authorised vine varieties.

28. Νομός Φθιώτιδος (Fthiotidos):

- Cabernet franc N, Ugni blanc B and Μαυρούδι (Mavroudi) N are added to the category of recommended vine varieties,
- Aglianico N (*), Garganega B (*), Grechetto B (*), Greganico B (*), Malvasia del Lazio B (*), Malvasia Nera N (*), Moscato Giallo B (*), Negro Amaro N (*), Pinot noir B (*), Ρεφόσκο (Refosco) N (*), Scioppettino N (*) and Αηδάνι άσπρο (Aidani aspro) B are added to the category of authorised vine varieties,
- Cabernet franc N and Μαυρούδι (Mavroudi) N are deleted from the category of authorised vine varieties.

29. Νομός Αιτωλοακαρνανίας (Etolokarnanias):

- Cabernet Sauvignon N, Sauvignon B, Merlot N, Βολίτσα Μαύρη (Volitsa mavri) N, Γουστολίδι (Goustolidi) B, Ρεφόσκο (Refosco) N and Ρομπόλα (Robola) B are added to the category of recommended vine varieties,
- Αγιοργεϊτικό (Agiorgitiko) N (*) is added to the category of authorised vine varieties,
- Γουστολίδι (Goustolidi) B is deleted from the category of authorised vine varieties.

31. Νομός Βοιωτίας (Viotias):

- Αγιοργεϊτικό (Agiorgitiko) N, is added to the category of recommended vine varieties,
- Aglianico N (*), Grecanico B (*), Greco di Tufo B (*) and Grenache blanc B (*) are added to the category of authorised vine varieties.

32. Νομός Ευβοίας (Evias):

- Grenache blanc B, Αγιοργεϊτικό (Agiorgitiko) N, Αηδάνι άσπρο (Aidani aspro) B, Βραδυανό (Vradiano) N, Λιάτικο (Liatico) N and Μοσχοφιλέρο (Moschofilero) Rs are added to the category of recommended vine varieties,
- Grenache blanc B, Αηδάνι άσπρο (Aidani aspro) B, Βραδυανό (Vradiano) N and Λιάτικο (Liatico) N are deleted from the category of authorised vine varieties.

33. Νομός Αττικής (Attikis):

- Riesling B, Αγιοργεϊτικο (Agiorgitiko) N and Αθήρι (Athiri) B are added to the category of recommended vine varieties,
- Viognier B (*), Αηδάνι άσπρο (Aidani Aspro) B, Αηδάνι μαύρο (Aidani mavro) N (*), Λημνιό (Limnio) N (*) and Μαυροδάφνη (Mavrodafni) N (*) are added to the category of authorised vine varieties,
- Riesling B, Αγιοργεϊτικο (Agiorgitiko) N and Αθήρι (Athiri) B are deleted from the category of authorised vine varieties.

35. Νομός Κορινθίας (Korinthias):

- Merlot N and Σαββατιανό (Savatiano) B are added to the category of recommended vine varieties,
- Pinot noir N (*) is added to the category of authorised vine varieties,
- Σαββατιανό (Savatiano) B is deleted from the category of authorised vine varieties.

37. Νομός Ηλείας (Ilias):

- Chardonnay B, Syrah N, Ασύρτικο (Assyrtiko) B, Αυγουσιτιάτης (Avgoustiatis) N and Μαλαγουζιά (Malagousia) B are added to the category of recommended vine varieties,
- Mourvedre N (*), Sauvignon blanc B, Viognier B (*), Αγιοργεϊτικο (Agiorgitiko) N (*) and Ρομπόλα (Robola) B are added to the category of authorised vine varieties.

38. Νομός Μεσσηνίας (Messinias):

- Αγιοργεϊτικο (Agiorgitiko) N (*), and Ρομπόλα (Robola) B are added to the category of authorised vine varieties.

39. Νομός Λακωνίας (Lakonias):

- Αγιοργεϊτικο (Agiorgitiko) N, Αηδάνι άσπρο (Aidani aspro) B, Θράψα (Thrapsa) N, Κυδωνίτσα (Kydonitsa) B, Μανδηλαριά (Mandilaria) N, Πετρουλιανός (Petroulianos) B, Ποταμίσι (Potamissi) B and Φιλέρι (Fileri) Rs are added to the category of recommended vine varieties,
- Θράψα (Thrapsa) N, Κυδωνίτσα (Kydonitsa) B and Φιλέρι (Fileri) Rs are deleted from the category of authorised vine varieties.

41. Νομός Αργολίδος (Argolidos):

- Cabernet franc N, Cabernet Sauvignon N, Chardonnay B, Sauvignon blanc B, Ασύρτικο (Assyrtiko) B, Ροκανιάρης (Rokaniaris) B and Σκλάβα (Sklava) B are added to the category of recommended vine varieties,
- Merlot N, Syrah N and Viognier B (*) are added to the category of authorised vine varieties.

42. Νομός Κεφαλληνίας (Kefallinias):

- Παπαδικό (Paradiko) N and Σκιαδόπουλο (Skiadoroulo) B are added to the category of recommended vine varieties,
- Αγιοργεϊτικο (Agiorgitiko) N (*) is added to the category of authorised vine varieties,
- Παπαδικό (Paradiko) N and Σκιαδόπουλο (Skiadoroulo) B are deleted from the category of authorised vine varieties.

43. Νομός Ζακύνθου (Zakynthou):

- Αυγουσιτιάτης (Avgoustiatis) N and Ρομπόλα (Robola) B are added to the category of recommended vine varieties,
- Cabernet Sauvignon N, Αρετή (Areti) B, Βιολεντό (Violento) Rs, Λαγόρθη (Lagorthi) B, Μαυροδάφνη (Mavrodafni) N, Ρομπόλα κόκκινη (Robola kokkini) N, Σαββατιανό (Savatiano) B, Σκυλόκλημα (Skyloklima) B and Τουρκοπούλα (Tourkopoula) Rs are added to the category of authorised vine varieties,
- Ρομπόλα (Robola) B is deleted from the category of authorised vine varieties.

44. Νομός Κυκλάδων (Kykkladon):

- Αθήρι μαύρο (Athiri mavro) N, Βάφτρα (Vaftra) N and Ποταμίσι (Potamissi) B are added to the category of recommended vine varieties,
- Ασπρούδα Σαντορίνης (Asprouda Santorinis) B, Βάφτρα άσπρη (Vaftra aspri) B, Βοϊδομάτης (Voidomatis) N, Βοϊδομάτης άσπρος (Voidomatis aspros) B, Γαϊδουριά (Gaidouria) B, Κατσανό (Katsano) B, Μανδηλαριά άσπρη (Mandilaria aspri) B, Μαυροτράγανο (Mavrotragano) N, Μοσχάτο άσπρο (Moschato aspro) B, Μοσχάτο μαύρο (Moschato mavro) N, Πλατάνι (Platani) B, Σταυροχιώτης (Stavrochiotis) B and Φλασκασύρτικο (Flaskassyrtiko) B are added to the category of authorised vine varieties,
- Αθήρι μαύρο (Athiri mavro) N, Βάφτρα (Vaftra) N and Ποταμίσι (Potamissi) B are deleted from the category of authorised vine varieties.

45. Νομός Λέσβου (Lesvou):

- Αθήρι (Athiri) B, Ασύρτικο (Asyrtiko) B, Μανδηλαριά (Mandilaria) N and Ξυνόμαυρο (Xynomavro) N are added to the category of recommended vine varieties.

48. Νομός Δωδεκανήσου (Dodekanissou):

- Chardonnay B (*), Merlot N (*) and Sauvignon B (*) are added to the category of authorised vine varieties.

49. Νομός Λασηθίου (Lassithiou):

- Cabernet Sauvignon N, Chardonnay B, Grenache rouge N, Syrah N, Ασύρτικο (Assyrtiko) B and Μοσχάτο άσπρο (Moschato aspro) B are added to the category of recommended vine varieties,
- Cabernet franc N (*), Merlot N (*), Montepulciano N (*), Nebbiolo N (*), Pinot blanc B (*), Pinot noir N (*), Sangiovese N (*), Semillon B (*), Tempranillo N (*), Viognier B (*), Αγιοργεϊτικο (Agiorgitiko) N (*), and Ξυνόμαυρο (Xynomavro) N (*) are added to the category of authorised vine varieties.

50. Νομός Ηρακλείου (Irakliou):

- Κοτσιφολιάτικο (Kotsifoliatiko) N is added to the category of authorised vine varieties,
- Malvasia bianca Lunga B (*) and Malvasia Istriana B (*) are deleted from the category of authorised vine varieties.

III. In Title I, subtitle I, point 'IV. FRANCE' is amended as follows (the vine varieties are to be inserted in the correct alphabetical order):

06. Département des Alpes-Maritimes:

- Viognier B is added to the category of recommended vine varieties,
- Viognier B (*) is deleted from the category of authorised vine varieties.

11. Département de l'Aude:

- Ekigaïna N is added to the category of recommended vine varieties,
- Ekigaïna N (*) is deleted from the category of authorised vine varieties.

31. Département de Haute-Garonne:

- Ekigaïna N is added to the category of recommended vine varieties,
- Ekigaïna N (*) is deleted from the category of authorised vine varieties.

32. Département du Gers:

- Ekigaïna N is added to the category of recommended vine varieties,
- Ekigaïna N (*) is deleted from the category of authorised vine varieties.

40. Département des Landes:

- Ekigaïna N is added to the category of recommended vine varieties,
- Ekigaïna N (*) is deleted from the category of authorised vine varieties.

49. Département du Maine-et-Loire:

- Arinarnoa N (*) and Merlot N (*) are added to the category of authorised vine varieties.

64. Département des Pyrénées-Atlantiques:

- Ekigaïna N is added to the category of recommended vine varieties,
- Ekigaïna N (*) is deleted from the category of authorised vine varieties.

65. Département des Hautes-Pyrénées:

- Ekigaïna N is added to the category of recommended vine varieties,
- Ekigaïna N (*) is deleted from the category of authorised vine varieties.

84. Département du Vaucluse:

Within the area delimited for the 'Muscat du Ventoux' designation of origin:

- Muscat de Hambourg N is deleted from the category of authorised vine varieties.

IV. In Title I, subtitle I, point 'V. ITALY' is amended as follows (the vine varieties are to be inserted in the correct alphabetical order):

The name 'Manzoni 6.0.13 B' is replaced by 'Manzoni bianco B' in all provinces and all categories of vine varieties.

1. Provincia di Aosta:

- Fumin N and Priè blanc B are added to the category of recommended vine varieties,
- Blanc de Morgex B is deleted from the category of recommended vine varieties,
- Bonda N, Crovassa N, Diolinoir N, Erbaluce B, Gamaret N, Granoir N, Ner d'Ala N, Roussin N, Traminer aromatico Rs and Vuillermin N are added to the category of authorised vine varieties,
- Priè blanc B and Fumin N are deleted from the category of authorised vine varieties.

5a. Provincia di Verbania:

- the province name 'Verbania' is replaced by 'Verbano-Cusio-Ossola'.

24. Provincia di Padova:

- Petit Verdot N (*), Marzemina bianca B (*) and Syrah N (*) are added to the category of authorised vine varieties.

26. Provincia di Treviso:

- Marzemina bianca B (*), Petit Verdot N (*) and Syrah N (*) are added to the category of authorised vine varieties.

27. Provincia di Venezia:

- Marzemina bianca B (*), Petit Verdot N (*) and Syrah N (*) are added to the category of authorised vine varieties.

28. Provincia di Verona:

- Petit Verdot N (*) and Syrah N (*) are added to the category of authorised vine varieties,
- Corvinone N is added to the category of recommended vine varieties.

29. Provincia di Vicenza:

- Moscato bianco B, Marzemina bianca B (*), Pedevenda B (*) (only for the administrative units: Bassano del Grappa, Breganze, Fara Vicentino, Lugo di Vicenza, Marostica, Mason Vicentino, Molvena, Montecchio Precalcino, Pianezze, Salcedo, Sandrigo, Sarcedo and Zugliano), Petit Verdot N (*), Refosco dal peduncolo rosso (*) and Syrah N (*) are added to the category of authorised vine varieties.

41. Provincia di Reggio Emilia:

- Barbera N, Cabernet franc N, Cilieggiolo N, Groppello gentile N, Lambrusco viadanese N, Pignoletto B, Syrah N, Croatina N, Fortana N, Sgavetta N, Uva Tosca N are added to the category of recommended vine varieties,
- Croatina N, Fortana N, Sgavetta N and Uva Tosca N are deleted from the category of authorised vine varieties.

51. Provincia di Ancona:

- Fiano B and Manzoni bianco B are added to the category of recommended vine varieties.

52. Provincia di Ascoli Piceno:

- Fiano B, Manzoni bianco B, Rebo N are added to the category of recommended vine varieties.

53. Provincia di Macerata:

- Fiano B and Manzoni bianco B are added to the category of recommended vine varieties.

54. Provincia di Pesaro:

- Aleatico N is added to the category of recommended vine varieties.

57. Provincia di Frosinone:

- Chardonnay B, Falanghina B, Greco bianco B, Manzoni bianco B, Pinot bianco B, Pinot grigio G, Pinot nero N and Sauvignon B are added to the category of authorised vine varieties.

58. Provincia di Latina:

- Cabernet franc N, Falanghina B, Moscato bianco B, Pinot bianco B, Pinot grigio G, Primitivo N, Riesling B are added to the category of authorised vine varieties.

59. Provincia di Rieti:

- Aleatico N, Cabernet Sauvignon N, Chardonnay B, Moscato bianco B, Pinot bianco B, Pinot nero N, Riesling B and Sauvignon B are added to the category of authorised vine varieties.

60. Provincia di Roma:

- Pinot grigio G, Riesling B and Syrah N are added to the category of authorised vine varieties.

61. Provincia di Viterbo:

- Cabernet franc N, Cabernet Sauvignon N, Cesanese comune N, Pinot bianco B and Sauvignon B are added to the category of authorised vine varieties.

68. Provincia di Aquila:

- Barbera N, Chardonnay B, Grechetto B, Malvasia del Lazio B, Merlot N, Montonico B, Passerina B and Syrah N are added to the category of authorised vine varieties.

70. Provincia di Teramo:

- Canaiolo nero N, Gaglioppo N, Grechetto B and Malvasia del Lazio B are added to the category of authorised vine varieties.

72. Provincia di Bari:

- Falanghina B is added to the category of authorised vine varieties.

75. Provincia di Lecce:

- Greco B is added to the category of authorised vine varieties.

80. Provincia di Cosenza:

- Aglianico N is added to the category of authorised vine varieties.

82. Provincia di Agrigento:

- Montepulciano N (*), Tannat N, Tempranillo N and Viognier B are added to the category of authorised vine varieties.

83. Provincia di Caltanissetta:

- Syrah N is added to the category of authorised vine varieties.

87. Provincia di Palermo:

- Cilieggiolo N (*), Petit Verdot N are added to the category of authorised vine varieties.

89. Provincia di Siracusa:

- Merlot N and Sangiovese N are added to the category of authorised vine varieties.

90. Provincia di Trapani:

- Cilieggiolo N (*), Petit Verdot N and Tempranillo N are added to the category of authorised vine varieties.

V. In Title I, subtitle I, point 'IX. SPAIN' is amended as follows (the vine varieties are to be inserted in the correct alphabetical order).

6. Comunidad Autónoma de La Rioja:

- Chardonnay B, Pinot noir N, Moscatel de Alejandría B and Moscatel de Grano Menudo B are added to the category of recommended vine varieties,
- Xarello B, Parellada B and Monastrell N are added to the category of authorised vine varieties.

7. Comunidad Autónoma de Aragón:

- Miguel del Arco N, Bobal N, Garnacha Tintorera and Drechero T are added to the category of authorised vine varieties.

9. Comunidad Autónoma de Baleares:

- Malvasía B and Syrah N are added to the category of authorised vine varieties.

13. Comunidad Autónoma Valenciana:

- Bobal N, Cabernet Sauvignon N, Merlot N and Chardonnay B are added to the category of recommended vine varieties,
- Bobal N, Cabernet Sauvignon N, Merlot N and Chardonnay B are deleted from the category of authorised vine varieties.

15. Comunidad Autónoma de Extremadura:

- Cabernet Sauvignon N, Chardonnay B, Merlot N, Pedro Ximénez B, Syrah N and Verdejo B are added to the category of recommended vine varieties,
- Cabernet Sauvignon N, Chardonnay B, Merlot N, Pedro Ximénez B, Syrah N and Verdejo B are deleted from the category of authorised vine varieties,
- Cigüente B, Garnacha Tintorera N, Jaén Blanco B, Jaén Tinto N, Morisca N, Moscatel de Alejandría B, Moscatel de Grano Menudo B, Perruno B, Pinot noir N, Sauvignon blanc B, Torrontes B and Xarello B are added to the category of authorised vine varieties.

16. Comunidad Autónoma de Andalucía:

- Cabernet franc N, Pinot noir N, Prieto Picudo N, Tintilla de Rota N and Sauvignon blanc B are added to the category of authorised vine varieties.

VI. In Title II, point 'II. GREECE' is amended as follows (the vine varieties are to be inserted in the correct alphabetical order):

2. Νομός Καβάλας (Kavalas):

- Perlette B and Σουλτανίνα (Sultanina) B are added to the category of recommended vine varieties,
- Autumn N (*), Crimson Rs (*), Marou N (*), Red Thompson Rs (*), Superior B (*) and Superior Rally Rs (*) are added to the category of authorised vine varieties,
- Perlette B is deleted from the category of authorised vine varieties.

3. Νομοί Θεσσαλονίκης (Thessalonikis), Χαλκιδικής (Chalkidikis), Πιερίας (Pierias), Κιλκίς (Kilkis):

- Σουλτανίνα (Sultanina) B is added to the category of recommended vine varieties (only for Nomos Chalkidikis).

4. Νομοί Ημαθίας (Imathias), Πέλλης (Pellis), Φλωρίνης (Florinis), Καστοριάς (Kastorias), Κοζάνης (Kozanis), Γρεβενών (Grevenon):

- Μοσχάτο Αμβούργου (Moschato Amnourgou) N and Σιδερίτης (Sideritis) Rs are added to the category of recommended vine varieties,
- Μοσχάτο Αμβούργου (Moschato Amnourgou) N and Σιδερίτης (Sideritis) Rs are deleted from the category of authorised vine varieties.

5. Νομός Λαρίσης (Larissis):

- Nevado B is added to the category of recommended vine varieties,
- Superior Seedless B (*) and Σουλτανίνα (Sultanina) B (*) are added to the category of authorised vine varieties,
- Nevado B (*) is deleted from the category of authorised vine varieties.

8. Νομοί Κορινθίας (Korinthias), Αχαΐας (Achaïas):

- Superior Seedless B is added to the category of recommended vine varieties.

9. Νομοί Αργολίδος (Argolidos), ..., Ζακύνθου (Zakynthou), ...:

- Αττική (Attiki) N (only for Nomos Argolidos) and Κορίθι (Korithi) B (only for Nomos Zakynthou) are added to the category of recommended vine varieties,
- Προβατίνα (Provatina) N (only for Nomos Zakynthou) is added to the category of authorised vine varieties.

10. Νομοί Ευβοίας (Evias), Κυκλάδων (Kykkladon), Δωδεκανήσου (Dodekanissou):

- Superior Seedless B and Αττική (Attiki) N are added to the category of recommended vine varieties.

12. Νομοί Λασηθίου (Lassithiou), Ηρακλείου (Irakliou), Ρεθύμνης (Rethimnis), Χανίων (Chanion):

- Centennial B (*), Crimson Rs (*), Flame Seedless Rg (*), Red Globe Rg (*), Superior Seedless B (*), Ελλάς (Hellas) B, Θεσσαλονίκη (Thessaloniki) B, Ιθάκη (Ithaki) Rs, Λευκάς (Lefkas) B and Πέλλα (Pella) N are added to the category of authorised vine varieties,
- Ελλάς (Hellas) B (*), Θεσσαλονίκη (Thessaloniki) B (*), Ιθάκη (Ithaki) Rs (*), Λευκάς (Lefkas) B (*) and Πέλλα (Pella) N (*) are deleted from the category of authorised vine varieties.

VII. In Title II, subtitle 'IV. ITALY' is amended as follows:

18. Regione Calabria:

- Red Globe Rs is added to the category of authorised vine varieties.

19. Regione Sicilia:

- Black Pearl N and Christmas Rose R are added to the category of authorised vine varieties.

VIII. In Title IV.B, subtitle 'IV. ITALY' is amended as follows:

- Binova (*) and Börner (*) are added to the category of authorised root stock varieties.

IX. In the Annex to Regulation (EEC) No 3800/81:

- note 12 is replaced by the following:

'(12) Recommended or authorised only in the Badische Bergstrasse and Kraichgau sectors of the defined production area of Baden and in the defined production area of Württemberg.'

COMMISSION REGULATION (EC) No 2549/1999

of 2 December 1999

amending Regulation (EC) No 1367/95 laying down provisions for the implementation of Council Regulation (EC) No 3295/94 laying down measures to prohibit the release for free circulation, export, re-export or entry for a suspensive procedure of counterfeit and pirated goods

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EC) No 3295/94 of 22 December 1994 laying down measures concerning the entry into the Community and the export and re-export from the Community of goods infringing certain intellectual property rights ⁽¹⁾, as amended by Regulation (EC) No 241/1999 ⁽²⁾,

Whereas:

- (1) In order to ensure a uniform form for applications for action related to a Community trade mark as defined in Council Regulation (EC) No 40/94 of 20 December 1993 on the Community trade mark ⁽³⁾, as amended by Regulation (EC) No 3288/94 ⁽⁴⁾, it is necessary to determine the conditions of establishment, issue and use, required in order for the form to be easily recognised and used throughout the Community. It is appropriate for this purpose to establish the model to which that form must conform.
- (2) The form should be drawn up in one of the official languages of the Community.
- (3) Commission Regulation (EC) No 1367/95 ⁽⁵⁾ should be amended accordingly.
- (4) The measures provided for in this Regulation are in accordance with the opinion of the Customs Code Committee established by Article 247 of Council Regulation (EEC) No 2913/92 of 12 October 1992 establishing the Community Customs Code ⁽⁶⁾, as last amended by Regulation (EC) No 955/1999 of the European Parliament and of the Council ⁽⁷⁾,

HAS ADOPTED THIS REGULATION:

Article 1

Regulation (EC) No 1367/95 is amended as follows:

1. The title is replaced by the following:

'Commission Regulation (EC) No 1367/95 of 16 June 1995 laying down provisions for the implementation of Council Regulation (EC) No 3295/94 laying down measures

concerning the entry into the Community and the export and re-export from the Community of goods infringing certain intellectual property rights.'

2. In Article 1, 'For the purposes of Article 1(2)(c) of Regulation (EC) No 3295/94' is replaced by 'For the purposes of Article 1(2)(b) of Regulation (EC) No 3295/94'.
3. Article 2 is replaced by the following:

'Article 2

The evidence that the applicant holds an intellectual property right referred to in Article 1(2)(a) of the basic Regulation, which must be submitted when applying for action in accordance with the second indent of the first subparagraph of Article 3(2) of that Regulation, shall be as follows:

- (a) where the holder of the right makes himself the application:
 - in the case of a right that is registered or for which an application has been lodged, proof of registration with the relevant office or lodging of the application,
 - in the case of a copyright, neighbouring right or design right which is not registered or for which an application has not been lodged, any evidence of authorship or of his status as original holder;
- (b) where the application is made by any other person authorised to use one of the rights referred to in Article 1(2)(a) of the basic Regulation, in addition to the proof required under point (a) of this Article, the document by virtue of which the person is authorised to use the right in question;
- (c) where a representative of the holder or of any other person authorised to use one of the rights referred to in Article 1(2)(a) of the basic Regulation applies, in addition to the proof required under points (a) and (b) of this Article, proof of authorisation to act.'

4. The following Article 2a is inserted:

'Article 2a

1. The form on which the application for action referred to in Article 3(1), second subparagraph, of the basic Regulation, as well as the Decision granting the application referred to in Article 3(5) of the basic Regulation, shall conform to the specimen shown in the Annex to this Regulation.

⁽¹⁾ OJ L 341, 30.12.1994, p. 8.

⁽²⁾ OJ L 27, 2.2.1999, p. 1.

⁽³⁾ OJ L 11, 14.1.1994, p. 1.

⁽⁴⁾ OJ L 349, 31.12.1994, p. 83.

⁽⁵⁾ OJ L 133, 17.6.1995, p. 2.

⁽⁶⁾ OJ L 302, 19.10.1992, p. 1.

⁽⁷⁾ OJ L 119, 7.5.1999, p. 1.

Where additional pages are to be used, as referred to in the second subparagraph of paragraph 8, they shall be considered to be an integral part of the form.

The form shall be used in accordance with the provisions of the basic Regulation and of this implementing Regulation.

2. (a) the form shall be printed on white paper, without mechanical pulp, dressed for writing purposes and weighing not less than 55 g/m²;

(b) the forms shall measure 210 millimetres × 297 millimetres, with a maximum tolerance as to length of 5 mm less and 8 mm more.

3. Without prejudice to the implementation of the provisions set out in Article 3(1), third subparagraph, of the basic Regulation, Member States shall print or have printed forms which bear an indication of the name and address of the printer or a sign allowing its identification.

4. Forms shall be printed and filled out in an official language of the Community designated by the competent authorities of the Member State in which the application for action is submitted.

5. Except in the case where the form is made available to the applicant in an electronic format, at one or more publicly available sites directly accessible via a computer, the application for action form shall be provided, on request, by the appropriate service of the customs authority referred to in Article 3(1) of the basic Regulation.

6. Forms shall be filled in by mechanical means or legibly by hand; in the latter case, they shall be filled in using ink and in block capitals. Whatever the process used, forms shall not contain erasures, overwritten words or other alterations.

Should the form be completed by computer, it may subsequently be reproduced by private printing methods.

7. The form shall be composed of two copies:

- one copy, marked number 1, for the Member State to which the application for action is submitted, and
- one copy, marked number 2, for the holder of the Community trade mark.

8. The applicant shall complete boxes 1 to 9 of the form, sign both copies and attach to it the justification and other relevant information referred to in Article 3(2) of the basic Regulation.

Should the space in box 4 of the form be insufficient, the applicant may provide, on additional pages, further details to assist in the identification of the goods. In this case, the applicant shall indicate the number of additional pages used in the space provided in box 4 of the form.

9. The duly completed and signed form, accompanied by a number of extracts corresponding to the number of Member States indicated in box 8 of the form, as well as the evidence and information referred to in paragraph 8, shall be submitted to the appropriate service of the customs authority referred to in Article 3(1) of the basic Regulation.

10. When the appropriate service of the customs authority referred to in Article 3(1) of the basic Regulation approves an application for action, it shall indicate the final date of validity of the decision and affix its signature and stamp. The copy for the holder of the Community trade mark as well as the validated extracts shall then be returned to the applicant.

When the request for assistance is rejected by the appropriate service of the customs authority referred to in Article 3(1) of the basic Regulation, it shall indicate not only the reasons for the refusal, but also the contact details of the authority to which an appeal can be made and shall affix its stamp and signature. The copy for the holder of the Community trade mark shall then be returned to the interested party.

In all cases, the copy of the form for the Member State in which the application for action is submitted shall be retained and preserved in its files for at least two years from the date of issue.

11. Only in cases where the extract of a decision granting the application is addressed to the Member State(s) where the applicant has requested that action be taken in accordance with Article 5(2), second subparagraph, second sentence, the Member State which receives this extract shall complete without delay the part "acknowledgement of receipt" of the form by indicating the date of receipt, and return a photocopy of this extract to the relevant authority indicated in box 3.'

5. In Article 5, the following paragraph 5 shall be added:

'5. The Commission shall publish in the "C" series of the *Official Journal of the European Communities* the list of the services within the customs authority which are referred to in Article 3(8) of the basic Regulation.'

6. The text in the Annex to this Regulation is added as an Annex.

Article 2

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

It shall apply as from 1 July 1999.

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

Done at Brussels, 2 December 1999.

For the Commission
Frederik BOLKESTEIN
Member of the Commission

ANNEX

‘ANNEX

Standard form for an application for action in respect of a Community trade mark

COPY FOR THE INITIAL MEMBER STATE	1	1. Name, capacity and address of applicant [Holder of a Community trade mark within the meaning of Article 1(2)(b) of Regulation (EC) n° 3295/94]	APPLICATION FOR ACTION BY CUSTOMS AUTHORITIES under the second subparagraph of Article 3(1) of Regulation (EC) No 3295/94						
		Name: Function: Address: Postal code: Town: Country: Phone: Fax: E-mail:							
	1	2. Status of applicant ⁽¹⁾ ☐ holder of Community trade mark ☐ person authorised to use Community trade mark ☐ representative of Community trade mark holder ☐ representative of person authorised to use Community trade mark	3. Competent authority to which application is made						
4. Essential information regarding the goods (type, CN code ⁽²⁾ marks, packing, etc. ☐ See also attached additional page(s), the number of pages being: ⁽¹⁾									
5. Member States in which action by customs authorities is requested ⁽¹⁾ <table style="width: 100%; border: none;"> <tr> <td style="border: 1px solid black; padding: 5px; width: 16.6%;"> ☐ AT ☐ BE ☐ DE </td> <td style="border: 1px solid black; padding: 5px; width: 16.6%;"> ☐ DK ☐ EL ☐ ES </td> <td style="border: 1px solid black; padding: 5px; width: 16.6%;"> ☐ FR ☐ IE ☐ IT </td> <td style="border: 1px solid black; padding: 5px; width: 16.6%;"> ☐ LU ☐ NL ☐ PT </td> <td style="border: 1px solid black; padding: 5px; width: 16.6%;"> ☐ FI ☐ SE ☐ GB </td> <td style="border: 1px solid black; padding: 5px; width: 16.6%;"> ☐ XX ☐ YY ☐ ZZ </td> </tr> </table>				☐ AT ☐ BE ☐ DE	☐ DK ☐ EL ☐ ES	☐ FR ☐ IE ☐ IT	☐ LU ☐ NL ☐ PT	☐ FI ☐ SE ☐ GB	☐ XX ☐ YY ☐ ZZ
☐ AT ☐ BE ☐ DE	☐ DK ☐ EL ☐ ES	☐ FR ☐ IE ☐ IT	☐ LU ☐ NL ☐ PT	☐ FI ☐ SE ☐ GB	☐ XX ☐ YY ☐ ZZ				
6. Contact person: Phone: Fax: E-mail:		7. Place: Date: Signature:							

8. Person to contact in other Member State(s) where action is requested ⁽¹⁾:

☐ BE Name:	☐ DK Name:	☐ DE Name:	☐ EL Name:
Address:	Address:	Address:	Address:
Phone:	Phone:	Phone:	Phone:
Fax:	Fax:	Fax:	Fax:
☐ ES Name:	☐ FI Name:	☐ FR Name:	☐ IE Name:
Address:	Address:	Address:	Address:
Phone:	Phone:	Phone:	Phone:
Fax:	Fax:	Fax:	Fax:
☐ IT Name:	☐ LU Name:	☐ AT Name:	☐ NL Name:
Address:	Address:	Address:	Address:
Phone:	Phone:	Phone:	Phone:
Fax:	Fax:	Fax:	Fax:
☐ PT Name:	☐ SE Name:	☐ GB Name:	☐ Name:
Address:	Address:	Address:	Address:
Phone:	Phone:	Phone:	Phone:
Fax:	Fax:	Fax:	Fax:

9. Attached documentation indicating ownership of a Community trade mark for the purposes of Article 1(2)(b) of Regulation (EC) No 3295/94

DECISION BY CUSTOMS AUTHORITY

☐ **This application has been approved ⁽¹⁾ ⁽³⁾**Decision valid until ⁽³⁾:Place and date ⁽³⁾:Signature and stamp ⁽³⁾:☐ **This application has been rejected. The grounds for refusal and the appeal procedure are explained in the annex to this document ⁽¹⁾ ⁽³⁾**Place and date ⁽³⁾:Signature and stamp ⁽³⁾:ACKNOWLEDGEMENT OF RECEIPT ⁽¹⁾

☐ AT	☐ DK	☐ FR	☐ LU	☐ FI	Authority's name:
☐ BE	☐ EL	☐ IE	☐ NL	☐ SE	Place and date received ⁽⁴⁾ :
☐ DE	☐ ES	☐ IT	☐ PT	☐ GB	Signature and stamp ⁽⁴⁾ :

⁽¹⁾ Tick the appropriate box.⁽²⁾ Optional data.⁽³⁾ To be completed by the customs authority indicated in box 3.⁽⁴⁾ To be completed, where appropriate, by the competent authority of the Member State in which action has been requested in accordance with Article 5(2), second subparagraph, second sentence of Regulation (EC) No 3295/95.

COPY FOR THE HOLDER OF THE COMMUNITY TRADE MARK	2	1. Name, capacity and address of applicant [Holder of a Community trade mark within the meaning of Article 1(2)(b) of Regulation (EC) No 3295/94]	APPLICATION FOR ACTION BY CUSTOMS AUTHORITIES under the second subparagraph of Article 3(1) of Regulation (EC) No 3295/94																		
		Name: Function: Address: Postal code: Town: Country: Phone: Fax: E-mail:																			
	2	2. Status of applicant ⁽¹⁾ ☐ holder of Community trade mark ☐ person authorised to use Community trade mark ☐ representative of Community trade mark holder ☐ representative of person authorised to use Community trade mark	3. Competent authority to which application is made																		
4. Essential information regarding the goods (type, CN code ⁽²⁾, marks, packing, etc. ☐ See also attached additional page(s), the number of pages being: ⁽¹⁾																					
5. Member States in which action by customs authorities is requested ⁽¹⁾ <table border="0" style="width: 100%;"> <tr> <td>☐ AT</td> <td>☐ DK</td> <td>☐ FR</td> <td>☐ LU</td> <td>☐ FI</td> <td>☐ XX</td> </tr> <tr> <td>☐ BE</td> <td>☐ EL</td> <td>☐ IE</td> <td>☐ NL</td> <td>☐ SE</td> <td>☐ YY</td> </tr> <tr> <td>☐ DE</td> <td>☐ ES</td> <td>☐ IT</td> <td>☐ PT</td> <td>☐ GB</td> <td>☐ ZZ</td> </tr> </table>				☐ AT	☐ DK	☐ FR	☐ LU	☐ FI	☐ XX	☐ BE	☐ EL	☐ IE	☐ NL	☐ SE	☐ YY	☐ DE	☐ ES	☐ IT	☐ PT	☐ GB	☐ ZZ
☐ AT	☐ DK	☐ FR	☐ LU	☐ FI	☐ XX																
☐ BE	☐ EL	☐ IE	☐ NL	☐ SE	☐ YY																
☐ DE	☐ ES	☐ IT	☐ PT	☐ GB	☐ ZZ																
6. Contact person: Phone: Fax: E-mail:		7. Place: Date: Signature:																			

8. Representative of the holder of the trade mark in other Member State(s) where action is requested ⁽¹⁾:

☐ BE Name: Address: Phone: Fax:	☐ DK Name: Address: Phone: Fax:	☐ DE Name: Address: Phone: Fax:	☐ EL Name: Address: Phone: Fax:
☐ ES Name: Address: Phone: Fax:	☐ FI Name: Address: Phone: Fax:	☐ FR Name: Address: Phone: Fax:	☐ IE Name: Address: Phone: Fax:
☐ IT Name: Address: Phone: Fax:	☐ LU Name: Address: Phone: Fax:	☐ AT Name: Address: Phone: Fax:	☐ NL Name: Address: Phone: Fax:
☐ PT Name: Address: Phone: Fax:	☐ SE Name: Address: Phone: Fax:	☐ GB Name: Address: Phone: Fax:	☐ Name: Address: Phone: Fax:

9. Attached documentation indicating ownership of a Community trade mark for the purposes of Article 1(2)(b) of Regulation (EC) n° 3295/94

DECISION BY CUSTOMS AUTHORITY

☐ **This application has been rejected ⁽¹⁾ ⁽³⁾**Decision valid until ⁽³⁾Place and date ⁽³⁾:Signature and stamp ⁽³⁾:☐ **This application has been rejected. The grounds for refusal and the appeal procedure are explained in the annex to this document ⁽¹⁾ ⁽³⁾**Place and date ⁽³⁾:Signature and stamp ⁽³⁾:ACKNOWLEDGEMENT OF RECEIPT ⁽¹⁾

☐ AT	☐ DK	☐ FR	☐ LU	☐ FI	Authority's name:
☐ BE	☐ EL	☐ IE	☐ NL	☐ SE	Place and date received ⁽⁴⁾ :
☐ DE	☐ ES	☐ IT	☐ PT	☐ GB	Signature and stamp ⁽⁴⁾ :

⁽¹⁾ Tick the appropriate box.⁽²⁾ Optional data.⁽³⁾ To be completed by the customs authority indicated in box 3⁽⁴⁾ To be completed, where appropriate, by the competent authority of the Member State in which action has been requested in accordance with Article 5(2), second subparagraph, second sentence of Regulation (EC) n° 3295/94.

COMMISSION REGULATION (EC) No 2550/1999

of 2 December 1999

providing for the granting of compensation to producers' organisations in respect of tuna delivered to the processing industry from 1 January to 31 March 1999

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EEC) No 3759/92 of 17 December 1992 on the common organisation of the market in fishery and aquaculture products ⁽¹⁾, as last amended by Regulation (EC) No 3318/94 ⁽²⁾, and in particular Article 18(6) thereof,

- (1) Whereas the compensatory allowance provided for in Article 18 of Regulation (EEC) No 3759/92 is to be granted under certain conditions to Community tuna producers' organisations in respect of quantities of tuna delivered to the processing industry during the calendar quarter for which prices have been recorded, where both the average quarterly selling price recorded on the Community market and the free-at-frontier price plus any applicable countervailing charge are lower than 91 % of the Community producer price for the product concerned;
- (2) Whereas an examination of the situation on the Community market has shown that in the period 1 January to 31 March 1999, both the average quarterly selling price and the free-at-frontier price as referred to in Article 18 of Regulation (EEC) No 3759/92 for yellowfin tuna (*Thunnus albacares*) weighing not more than 10 kg and skipjack (*Euthynnus (Katsuwonus) pelamis*) were lower than 91 % of the Community producer price in force laid down in Council Regulation (EC) No 2763/98 of 17 December 1998 fixing, for the 1999 fishing year, the Community producer price for tuna intended for the industrial manufacture of products falling within CN code 1604 ⁽³⁾;
- (3) Whereas the quantities on which compensation as provided for in Article 18(1) of Regulation (EEC) No 3759/92 is payable may under no circumstances exceed the limits laid down in paragraph 3 of that Article for the quarter concerned;
- (4) Whereas the amount of the allowance in accordance with Article 18(2) of Regulation (EEC) No 3759/92 may not in any case exceed either the difference between the triggering threshold and the average selling price of the product in question on the Community market or a flat-rate amount equivalent to 12 % of this threshold.

- (5) Whereas the quantities of yellowfin tuna (*Thunnus albacares*) weighing not more than 10 kg sold and delivered to the processing industry established in the customs territory of the Community were higher during the quarter concerned than the quantities sold and delivered during the same quarter of the three previous fishing years; whereas, since those quantities exceed the limit set in Article 18(3) of Regulation (EEC) No 3759/92, the total quantities of that product on which compensation is payable should therefore be limited;
- (6) Whereas, in accordance with the ceilings laid down in Article 18(4) of Regulation (EEC) No 3759/92 for the purpose of calculating the allowance to be granted to each producers' organisation, the quantities on which the allowance is payable should be allocated among the producers' organisations concerned in proportion to the quantities produced by them in the same quarter of the 1996, 1997 and 1998 fishing years;
- (7) Whereas a decision should therefore be taken to grant the allowance on the products in question for the period 1 January to 31 March 1999;
- (8) Whereas the measures provided for in this Regulation are in accordance with the opinion of the Management Committee for Fishery Products,

HAS ADOPTED THIS REGULATION:

Article 1

The compensatory allowance provided for in Article 18 of Regulation (EEC) No 3759/92 shall be granted for the period 1 January to 31 March 1999 in respect of the following products.

(EUR/tonne)	
Product	Maximum allowance in accordance with first and second indents of Article 18(2) of Regulation (EEC) No 3759/92
Yellowfin tuna (<i>Thunnus albacares</i>) weighing not more than 10 kg	32
Skipjack (<i>Euthynnus (Katsuwonus) pelamis</i>)	8

⁽¹⁾ OJ L 388, 31.12.1992, p. 1.

⁽²⁾ OJ L 350, 31.12.1994, p. 15.

⁽³⁾ OJ L 346, 22.12.1998, p. 5.

Article 2

1. The total quantities on which the allowance for these species is payable shall be:
 - yellowfin tuna (*Thunnus albacares*) weighing not more than 10 kg: 5 470,850 t,
 - skipjack (*Euthynnus (Katsuwonus) pelamis*): 6 643,097 t.
2. The allocation of those total quantities among the producers' organisations concerned shall be as set out in the Annex hereto.

Article 3

Entitlement to the compensatory allowance shall be determined on the basis of sales covered by invoices the date of which falls within the quarter concerned and used to calculate the average monthly selling price referred to in Article 7(1)(b) of Commission Regulation (EEC) No 2210/93 ⁽¹⁾.

Article 4

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, 2 December 1999.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ L 197, 6.8.1993, p. 8.

ANNEX

Allocation among producers' organisations of quantities of tuna on which the compensatory allowance is payable for the period 1 January to 31 March 1999 in accordance with Article 18(4) of Regulation (EEC) No 3759/92, broken down by compensation percentage band

(tonnes)

Yellowfin tuna (<i>Thunnus albacares</i>) weighing not more than 10 kg	Quantities 100 % of which is eligible for compensation (First indent of Article 18(4) of Regulation (EEC) No 3759/92)	Quantities 50 % of which is eligible for compensation (Second indent of Article 18(4) of Regulation (EEC) No 3759/92)	Total quantities on which compensation is payable (First and second indents of Article 18(4) of Regulation (EEC) No 3759/92)
OPAGAC	2 552,001	0	2 552,001
OPTUC	2 515,615	403,234	2 918,849
OP 42 (CAN.)	0	0	0
ORTHONGEL	0	0	0
APASA	0	0	0
MADEIRA	0	0	0
EU — Total	5 067,616	403,234	5 470,850

(tonnes)

Skipjack (<i>Euthynnus (Katsuwonus) pelamis</i>)	Quantities 100 % of which is eligible for compensation (First indent of Article 18(4) of Regulation (EEC) No 3759/92)	Quantities 50 % of which is eligible for compensation (Second indent of Article 18(4) of Regulation (EEC) No 3759/92)	Total quantities on which compensation is payable (First and second indents of Article 18(4) of Regulation (EEC) No 3759/92)
OPAGAC	3 905,634	0	3 905,634
OPTUC	2 732,010	0	2 732,010
OP 42 (CAN.)	0,633	0	0,633
ORTHONGEL	3,673	1,147	4,820
APASA	0	0	0
MADEIRA	0	0	0
EU — Total	6 641,950	1,147	6 643,097

COMMISSION REGULATION (EC) No 2551/1999
of 2 December 1999
amending Regulation (EC) No 963/98 laying down marketing standards for cauliflower and artichokes

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

HAS ADOPTED THIS REGULATION:

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 Regulation (EC) No 1257/1999 ⁽²⁾, and in particular Article 2(2) thereof,

Whereas:

- (1) Commission Regulation (EC) No 963/98 ⁽³⁾ laying down marketing standards for cauliflower and artichokes provides in its Annex I provisions concerning the colour of cauliflower. Certain new varieties of cauliflower present different colours from the ones until now allowed to be marketed. The provisions concerning quality and marking of the standard for cauliflower should be amended;
- (2) the measures provided for in this Regulation are in accordance with the opinion of the Management Committee for Fresh Fruit and Vegetables,

Article 1

Annex I to Regulation (EC) No 963/98 is amended as follows:

1. In title II (Provisions concerning quality), part B (Classification), footnote 1 is replaced by the following:

‘(1) However, the marketing of cauliflower of another colour is allowed provided they are characteristic of the chosen class and their colour is characteristic of the variety.’

2. In title VI (Provisions concerning marking), part B (Nature of produce), the second indent is replaced by the following:

‘— Name of the commercial type or variety for cauliflower of another colour mentioned by footnote (1) in title II, part B’

Article 2

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

It shall apply from the first day of the month following that of its entry into force.

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

Done at Brussels, 2 December 1999.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ L 297, 21.11.1996, p. 1.

⁽²⁾ OJ L 160, 26.6.1999, p. 80.

⁽³⁾ OJ L 135, 8.5.1998, p. 18.

COMMISSION REGULATION (EC) No 2552/1999
of 2 December 1999
concerning tenders notified in response to the invitation to tender for the export of barley issued
in Regulation (EC) No 1701/1999

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EEC) No 1766/92 of 30 June 1992 on the common organisation of the market in cereals ⁽¹⁾, as last amended by Regulation (EC) No 1253/1999 ⁽²⁾,

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

- (1) Whereas an invitation to tender for the refund and or the tax for the export of barley to all third countries was opened pursuant to Commission Regulation (EC) No 1701/1999 ⁽⁵⁾, as amended by Regulation (EC) No 2322/1999 ⁽⁶⁾;
- (2) Whereas Article 7 of Regulation (EC) No 1501/95, allows the Commission to decide, in accordance with the procedure laid down in Article 23 of Regulation

(EEC) No 1766/92 and on the basis of the tenders notified, to make no award;

- (3) Whereas on the basis of the criteria laid down in Article 1 of Regulation (EC) No 1501/95 a maximum refund or a minimum tax should not be fixed;
- (4) Whereas the measures provided for in this Regulation are in accordance with the opinion of the Management Committee for Cereals,

HAS ADOPTED THIS REGULATION:

Article 1

No action shall be taken on the tenders notified from 26 November to 2 December 1999 in response to the invitation to tender for the refund or the tax for the export of barley issued in Regulation (EC) No 1701/1999.

Article 2

This Regulation shall enter into force on 3 December 1999.

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

Done at Brussels, 2 December 1999.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ L 181, 1.7.1992, p. 21.

⁽²⁾ OJ L 160, 26.6.1999, p. 18.

⁽³⁾ OJ L 147, 30.6.1995, p. 7.

⁽⁴⁾ OJ L 313, 21.11.1998, p. 16.

⁽⁵⁾ OJ L 201, 31.7.1999, p. 27.

⁽⁶⁾ OJ L 280, 30.10.1999, p. 77.

COMMISSION REGULATION (EC) No 2553/1999
of 2 December 1999
concerning tenders notified in response to the invitation to tender for the export of rye issued in
Regulation (EC) No 1758/1999

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EEC) No 1766/92 of 30 June 1992 on the common organisation of the market in cereals ⁽¹⁾, as last amended by Regulation (EC) No 1253/1999 ⁽²⁾,

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

- (1) Whereas an invitation to tender for the refund and/or the tax for the export of rye to all third countries was opened pursuant to Commission Regulation (EC) No 1758/1999 ⁽⁵⁾;
- (2) Whereas Article 7 of Regulation (EC) No 1501/95 allows the Commission to decide, in accordance with the procedure laid down in Article 23 of Regulation

(EEC) No 1766/92 and on the basis of the tenders notified, to make no award;

- (3) Whereas on the basis of the criteria laid down in Article 1 of Regulation (EC) No 1501/95 a maximum refund or minimum tax should not be fixed;
- (4) Whereas the measures provided for in this Regulation are in accordance with the opinion of the Management Committee for Cereals,

HAS ADOPTED THIS REGULATION:

Article 1

No action shall be taken on the tenders notified from 26 November to 2 December 1999 in response to the invitation to tender for the refund or the tax for the export of rye issued in Regulation (EC) No 1758/1999.

Article 2

This Regulation shall enter into force on 3 December 1999.

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

Done at Brussels, 2 December 1999.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ L 181, 1.7.1992, p. 21.

⁽²⁾ OJ L 160, 26.6.1999, p. 18.

⁽³⁾ OJ L 147, 30.6.1995, p. 7.

⁽⁴⁾ OJ L 313, 21.11.1998, p. 16.

⁽⁵⁾ OJ L 210, 10.8.1999, p. 3.

COMMISSION REGULATION (EC) No 2554/1999**of 2 December 1999****fixing the maximum export refund on common wheat in connection with the invitation to tender issued in Regulation (EC) No 1707/1999**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EEC) No 1766/92 of 30 June 1992 on the common organisation of the market in cereals ⁽¹⁾, as last amended by Regulation (EC) No 1253/1999 ⁽²⁾,

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

- (1) Whereas an invitation to tender for the refund and/or the tax for the export of common wheat to all third countries was opened pursuant to Commission Regulation (EC) No 1707/1999 ⁽⁵⁾, as amended by Regulation (EC) No 2011/1999 ⁽⁶⁾;
- (2) Whereas Article 7 of Regulation (EC) No 1501/95 provides that the Commission may, on the basis of the tenders notified, in accordance with the procedure laid down in Article 23 of Regulation (EEC) No 1766/92, decide to fix a maximum export refund taking account

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

- (3) Whereas the application of the abovementioned criteria to the current market situation for the cereal in question results in the maximum export refund being fixed at the amount specified in Article 1;
- (4) Whereas the measures provided for in this Regulation are in accordance with the opinion of the Management Committee for Cereals,

HAS ADOPTED THIS REGULATION:

Article 1

For tenders notified from 26 November to 2 December 1999, pursuant to the invitation to tender issued in Regulation (EC) No 1707/1999, the maximum refund on exportation of common wheat shall be EUR 39,05/t.

Article 2

This Regulation shall enter into force on 3 December 1999.

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

Done at Brussels, 2 December 1999.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ L 181, 1.7.1992, p. 21.

⁽²⁾ OJ L 160, 26.6.1999, p. 18.

⁽³⁾ OJ L 147, 30.6.1995, p. 7.

⁽⁴⁾ OJ L 313, 21.11.1998, p. 16.

⁽⁵⁾ OJ L 201, 31.7.1999, p. 55.

⁽⁶⁾ OJ L 248, 21.9.1999, p. 23.

COMMISSION REGULATION (EC) No 2555/1999**of 2 December 1999****fixing the maximum export refund on common wheat in connection with the invitation to tender issued in Regulation (EC) No 2010/1999**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EEC) No 1766/92 of 30 June 1992 on the common organisation of the market in cereals ⁽¹⁾, as last amended by Regulation (EC) No 1253/1999 ⁽²⁾,

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

- (1) Whereas an invitation to tender for the refund and/or the tax for the export of common wheat to certain ACP States was opened pursuant to Commission Regulation (EC) No 2010/1999 ⁽⁵⁾;
- (2) Whereas Article 7 of Regulation (EC) No 1501/95 provides that the Commission may, on the basis of the tenders notified, in accordance with the procedure laid down in Article 23 of Regulation (EEC) No 1766/92, decide to fix a maximum export refund taking account of the criteria referred to in Article 1 of Regulation (EC)

No 1501/95; whereas in that case a contract is awarded to any tenderer whose bid is equal to or lower than the maximum refund, as well as to any tenderer whose bid relates to an export tax;

- (3) Whereas the application of the abovementioned criteria to the current market situation for the cereal in question results in the maximum export refund being fixed at the amount specified in Article 1;
- (4) Whereas the measures provided for in this Regulation are in accordance with the opinion of the Management Committee for Cereals,

HAS ADOPTED THIS REGULATION:

Article 1

For tenders notified from 26 November to 2 December 1999, pursuant to the invitation to tender issued in Regulation (EC) No 2010/1999, the maximum refund on exportation of common wheat shall be EUR 41,97/t.

Article 2

This Regulation shall enter into force on 3 December 1999.

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

Done at Brussels, 2 December 1999.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ L 181, 1.7.1992, p. 21.

⁽²⁾ OJ L 160, 26.6.1999, p. 18.

⁽³⁾ OJ L 147, 30.6.1995, p. 7.

⁽⁴⁾ OJ L 313, 21.11.1998, p. 16.

⁽⁵⁾ OJ L 248, 21.9.1999, p. 19.

COMMISSION REGULATION (EC) No 2556/1999**of 2 December 1999****fixing the export refunds on cereals and on wheat or rye flour, groats and meal**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EEC) No 1766/92 of 30 June 1992 on the common organisation of the market in cereals ⁽¹⁾, as last amended by Regulation (EC) No 1253/1999 ⁽²⁾, and in particular Article 13 (2) thereof,

- (1) Whereas Article 13 of Regulation (EEC) No 1766/92 provides that the difference between quotations or prices on the world market for the products listed in Article 1 of that Regulation and prices for those products in the Community may be covered by an export refund;
- (2) Whereas the refunds must be fixed taking into account the factors referred to in Article 1 of Commission Regulation (EC) No 1501/95 of 29 June 1995 laying down certain detailed rules under Council Regulation (EEC) No 1766/92 on the granting of export refunds on cereals and the measures to be taken in the event of disturbance on the market for cereals ⁽³⁾, as last amended by Regulation (EC) No 2513/98 ⁽⁴⁾;
- (3) Whereas, as far as wheat and rye flour, groats and meal are concerned, when the refund on these products is being calculated, account must be taken of the quantities of cereals required for their manufacture; whereas these quantities were fixed in Regulation (EC) No 1501/95;

- (4) Whereas the world market situation or the specific requirements of certain markets may make it necessary to vary the refund for certain products according to destination;
- (5) Whereas the refund must be fixed once a month; whereas it may be altered in the intervening period;
- (6) Whereas it follows from applying the detailed rules set out above to the present situation on the market in cereals, and in particular to quotations or prices for these products within the Community and on the world market, that the refunds should be as set out in the Annex hereto;
- (7) Whereas the measures provided for in this Regulation are in accordance with the opinion of the Management Committee for Cereals,

HAS ADOPTED THIS REGULATION:

Article 1

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

Article 2

This Regulation shall enter into force on 3 December 1999.

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

Done at Brussels, 2 December 1999.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ L 181, 1.7.1992, p. 21.

⁽²⁾ OJ L 160, 26.6.1999, p. 18.

⁽³⁾ OJ L 147, 30.6.1995, p. 7.

⁽⁴⁾ OJ L 313, 21.11.1998, p. 16.

ANNEX

**to the Commission Regulation of 2 December 1999 fixing the export refunds on cereals and on wheat or rye
flour, groats and meal**

(EUR/t)			(EUR/t)		
Product code	Destination ⁽¹⁾	Amount of refund	Product code	Destination ⁽¹⁾	Amount of refund
1001 10 00 9200	—	—	1101 00 11 9000	—	—
1001 10 00 9400	01	0	1101 00 15 9100	01	53,50
1001 90 91 9000	—	—	1101 00 15 9130	01	50,00
1001 90 99 9000	03	29,00	1101 00 15 9150	01	46,25
	02	0	1101 00 15 9170	01	42,75
1002 00 00 9000	03	58,00	1101 00 15 9180	01	39,75
	02	0	1101 00 15 9190	—	—
1003 00 10 9000	—	—	1101 00 90 9000	—	—
1003 00 90 9000	03	20,50	1102 10 00 9500	01	87,00
	02	0	1102 10 00 9700	01	68,50
1004 00 00 9200	—	—	1102 10 00 9900	—	—
1004 00 00 9400	—	—	1103 11 10 9200	01	15,00 ⁽²⁾
1005 10 90 9000	—	—	1103 11 10 9400	01	13,40 ⁽²⁾
1005 90 00 9000	03	38,00	1103 11 10 9900	—	—
	02	0	1103 11 90 9200	01	15,00 ⁽²⁾
1007 00 90 9000	—	—	1103 11 90 9800	—	—
1008 20 00 9000	—	—			

⁽¹⁾ The destinations are identified as follows:

- 01 all third countries,
- 02 other third countries,
- 03 Switzerland, Liechtenstein.

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

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

II

(Acts whose publication is not obligatory)

COUNCIL

COUNCIL DECISION

of 25 November 1999

authorising the Republic of Finland to apply or to continue to apply reductions in, or exemptions from, excise duties on certain mineral oils used for specific purposes, in accordance with the procedure provided for in Article 8(4) of Directive 92/81/EEC

(1999/785/EC)

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty establishing the European Community,

Having regard to Council Directive 92/81/EEC of 19 October 1992 on the harmonisation of the structures of excise duties on mineral oils ⁽¹⁾, and in particular Article 8(4),

Having regard to the proposal from the Commission,

Whereas:

- (1) Under Article 8(4) of Directive 92/81/EEC, the Council, acting unanimously on a proposal from the Commission, may authorise any Member State to introduce exemptions from, or reductions in, excise duties on mineral oils on grounds of specific policy considerations;
- (2) The Finnish authorities have notified the Commission that they wish to apply to natural gas an exemption from excise duty with a view to promoting the use of gas, particularly as a fuel for heavy urban traffic; in the Republic of Finland's view this complies with the objectives of trying to reduce traffic emissions; since natural gas is comparable to LPG as regards impact on the environment, it should enjoy the same tax treatment when used as motor fuel, and it would be justified to extend the same tax exemptions to natural gas as already granted to LPG and methane; another reason for granting natural gas an exemption from excise duty is that it has virtually the same chemical structure as methane; different tax treatment for these two gases would also be extremely difficult in terms of control;

- (3) The other Member States have been informed thereof;

- (4) The Commission and all the Member States accept that the application of an exemption from excise duty on natural gas is justified on environmental policy grounds and that it will not give rise to distortions of competition or hinder the operation of the internal market;

- (5) The Commission regularly reviews reductions and exemptions to check that they are compatible with the operation of the internal market or with Community policy on protection of the environment;

- (6) The Republic of Finland has requested authorisation to apply an exemption from excise duty on natural gas as soon as possible; the Council is to review its application on the basis of a report from the Commission no later than 31 December 1999, when the authorisation granted by this Decision expires,

HAS ADOPTED THIS DECISION:

Article 1

In accordance with Article 8(4) of Directive 92/81/EEC and without prejudice to the obligations laid down in Council Directive 92/82/EEC of 19 October 1992 on the approximation of the rates of excise duties on mineral oils ⁽²⁾, and in particular the minimum rates laid down in Article 7 thereof, the Republic of Finland is hereby authorised to apply an exemption from excise duty on natural gas when used as motor fuel until 31 December 1999.

⁽¹⁾ OJ L 316, 31.10.1992, p. 12. Directive as last amended by Directive 94/74/EC (OJ L 365, 31.12.1994, p. 46).

⁽²⁾ OJ L 316, 31.10.1992, p. 19.

Article 2

This Decision is addressed to the Republic of Finland.

Done at Brussels, 25 November 1999.

For the Council
The President
S. SIIMES

**COUNCIL DECISION
of 29 November 1999**

**granting a Community guarantee to the European Investment Bank (EIB) against losses under loans
for projects for the reconstruction of the earthquake-stricken areas of Turkey**

(1999/786/EC)

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty establishing the European Community, and in particular Article 308 thereof,

Having regard to the proposal from the Commission,

Having regard to the opinion of the European Parliament,

Whereas:

- (1) The Turkish areas of Kocaeli, Sakarya, Bolu and Yalova were seriously stricken by an earthquake in August 1999 and its recent aftershocks;
- (2) The General Affairs Council of 13 September 1999 concluded that: 'it looks forward to early consideration of new and substantial assistance for rehabilitation and reconstruction to come from the EIB lending as well as macrofinancial assistance and MEDA II, from which Turkey should benefit substantially'; the Council also underlined the importance of mobilising assistance as quickly as possible;
- (3) Further to the General Affairs Council of 13 September 1999, the Ecofin Council of 8 October 1999 concluded that: 'the Council invites the Commission to put forward a timely proposal for a Council Decision for a Community guarantee to the EIB against losses under loans for the reconstruction of the earthquake-affected areas of Turkey to allow the adoption of the Decision by the Council possibly by the end of November 1999, along the following lines: an overall ceiling of EUR 600 million for the credits to be opened for reconstruction in Turkey over three years, and the above ceiling to be exclusively available for the financing of investment projects to be carried out for the replacement, rehabilitation or reconstruction of infrastructural or industrial installations affected by the earthquake of August 1999 in Turkey'; on 8 November 1999 the Ecofin Council confirmed the urgency of the adoption of this Decision; for these reasons of urgency it has not been possible to respect the normal time limit of six weeks for the full information by Member States of their national Parliaments in accordance with the Protocol on the role of

national Parliaments in the European Union, attached to the Treaty of Amsterdam modifying the Treaty of the European Union;

- (4) Therefore, loans extended under the special EIB lending facility for the reconstruction of Turkey guaranteed by this Decision are exclusively aimed at the replacement, reconstruction or rehabilitation of damaged surface and subsurface infrastructure, industrial installations and SMEs, as well as urban infrastructure and housing affected by the earthquake;
- (5) On 31 October 1994, the Council adopted Regulation (EC, Euratom) No 2728/94 establishing a Guarantee Fund for external actions ⁽¹⁾;
- (6) The EIB is at present completing the loan programmes for Central and Eastern Europe, the Mediterranean region, Asia and Latin America and the Republic of South Africa under the current EIB external lending mandates pursuant to Decision 97/256/EC ⁽²⁾; on 23 April 1999, the Commission put forward its proposal on the renewal of the general EIB external lending mandate for the period following the expiry of the current mandate; regarding the renewal of the general mandate, the Council on 12 July 1999 agreed, subject to the opinion of the European Parliament, to a guarantee rate of 65 %, a guaranteed annual amount of EUR 2 630 million, and a duration for a new mandate of seven years, with a review on first accession or at the latest after four and a half years, whichever is the earlier;
- (7) The EIB has established lending operations in Turkey since 1965 and, through its existing operations, regular contacts with the relevant Turkish authorities as well as the international financial institutions active in Turkey;
- (8) In June 1996, the Commission, in agreement with the EIB, presented to the Council a proposal for a new guarantee system for EIB lending to third countries;
- (9) On 2 December 1996, the Council approved conclusions on new guarantee arrangements for EIB lending to third countries, according to which the approach of a global guarantee, without distinguishing between regions and projects, is approved and a risk-sharing scheme accepted; under the risk-sharing scheme the EIB should secure adequate non-sovereign third-party guarantees for commercial risks, with the budgetary guarantee in that case covering only political risks;

⁽¹⁾ OJ L 293, 12.11.1994, p. 1. Regulation as amended by Regulation (EC, Euratom) No 1149/1999 (OJ L 139, 2.6.1999, p. 1).

⁽²⁾ Council Decision 97/256/EC of 14 April 1997 granting a Community guarantee to the European Investment Bank against losses under loans for projects outside the Community (central and eastern Europe and countries, Mediterranean countries, Latin American and Asian countries, South Africa, the former Yugoslav Republic of Macedonia and Bosnia and Herzegovina) (OJ L 102, 19.4.1997, p. 33). Decision as last amended by Decision 98/729/EC (OJ L 346, 22.12.1998, p. 54).

- (10) The global guarantee covering the general EIB external lending mandate laid down in Decision 97/256/EC and which is intended to be renewed by a successor decision should also apply to the special EIB-lending facility for the reconstruction of Turkey as laid down by the current Decision; credits opened under the current Decision should, as from the entry into force of the relevant successor decision, benefit from the global guarantee under that successor decision;
- (11) In view of the special nature of the projects to be financed, the EIB under this Decision should not be obliged to seek risk-sharing through non-governmental guarantees;
- (12) The EIB in the selection of the investment projects to be financed, should consult the appropriate Turkish authorities; the EIB should coordinate its investment priorities and its individual operations with the other international financial institutions active in the affected regions of Turkey and where appropriate, the EIB should arrange co-financing with other international financial institutions;
- (13) EIB financing under this Decision should be managed, in accordance with the EIB's usual criteria and procedures including appropriate control measures as well as with the relevant rules and procedures concerning audit by the Court of Auditors and cooperation with the European Anti-Fraud Office (OLAF), in such a way as to support prompt and effective replacement, rehabilitation or reconstruction of infrastructural and industrial installations affected by the earthquake; there is regular consultation between the EIB and the Commission to ensure coordination of priorities and activities in this part of Turkey and to measure progress towards the fulfilment of the objective of this Decision; the setting and periodic review of the operational objectives and the measurement of their fulfilment are the responsibility of the EIB's Board of Directors;
- (14) The EIB and the Commission should fix the terms on which the guarantee is to be given;
- (15) The Treaty does not provide, for the adoption of this Decision, powers other than those of Article 308,

HAS DECIDED AS FOLLOWS:

Article 1

Objective

The Community shall grant the European Investment Bank (hereinafter referred to as 'the EIB') a global guarantee in respect of all payments not received by it but due in respect of credits opened, in accordance with its usual criteria, for investment projects carried out for the replacement, rehabilitation or reconstruction of surface and subsurface infrastructure, industrial installations and SMEs as well as urban infrastructure and

housing affected by the earthquake of August 1999 in Turkey and its recent aftershocks.

Article 2

Ceiling and conditions

1. The overall ceiling of the credits opened shall be EUR 600 million or the equivalent thereof.
2. The Community guarantee with respect to credits opened by the EIB under this Decision up to and until the entry into force of the successor decision to Decision 97/256/EC shall take the form of an extension of the global guarantee granted to the EIB under the general external lending mandate, as laid down in Decision 97/256/EC.

As of the entry into force of the successor decision, the Community guarantee covering any subsequent and additional credits opened by the EIB under this Decision shall form an extension of the global guarantee granted in the successor decision.

The extension of the guarantee, whether under Decision 97/256/EC or its successor decision, shall be restricted to 65 % of the aggregate amount of credits opened under this Decision, plus all related sums.

3. For the purposes of lending under this Decision, the EIB shall exceptionally not be obliged to seek non-governmental guarantees to cover commercial risk.

Article 3

Reporting

The Commission shall inform the European Parliament and the Council each year of the loan operations carried out under this Decision and shall, at the same time, submit an assessment of the implementation of this Decision and of coordination between the international financial institutions involved in the reconstruction effort in Turkey. The Commission information submitted to the European Parliament and the Council shall include an assessment of the contribution of the lending under this Decision to the replacement, rehabilitation or reconstruction of infrastructural and industrial installations affected by the earthquake, taking into account the operational objectives and appropriate measurements of their fulfilment to be established by the EIB for lending under this Decision. For these purposes, the EIB shall transmit to the Commission the appropriate information.

Article 4

Duration

The present guarantee shall cover loans signed during a period of three years from the date of adoption of this Decision. If, on expiry of those three years, the loans signed by the EIB have not attained the overall ceiling referred to in Article 2, this period shall be automatically extended by six months.

*Article 5***Final provisions**

1. The EIB and the Commission shall fix the terms on which the guarantee is to be given.
 2. This Decision shall be published in the *Official Journal of the European Communities*.
- It shall take effect on the day of its adoption.

Done at Brussels, 29 November 1999.

For the Council
The President
S. NIINISTÖ
