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I

(Acts whose publication is obligatory)

**COUNCIL REGULATION (EC) No 2652/1999
of 13 December 1999**

amending Council Regulation (EC) No 772/1999 imposing definitive anti-dumping and counter-vailing duties on imports of farmed Atlantic salmon originating in Norway

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EC) No 384/96 of 22 December 1995 on protection against dumped imports from countries not members of the European Community ⁽¹⁾, and in particular Articles 8(9) and 9 thereof,

Having regard to Council Regulation (EC) No 2026/97 of 6 October 1997 on protection against subsidised imports from countries not members of the European Community ⁽²⁾, and in particular Article 13(9) and 15 thereof,

Having regard to the proposal submitted by the Commission after consulting the Advisory Committee,

Whereas:

A. PROVISIONAL DUTIES

(1) Within the framework of the anti-dumping and anti-subsidy investigations initiated by two separate notices published in the *Official Journal of the European Communities* ⁽³⁾, the Commission accepted, by Decision 97/634/EC ⁽⁴⁾, undertakings offered by the Kingdom of Norway and by 190 Norwegian exporters in connection with the anti-dumping and anti-subsidy proceedings concerning imports of farmed Atlantic salmon originating in Norway.

(2) The text of the undertakings provided that failure to submit a quarterly report of all sales transactions to the first unrelated customer in the Community within a prescribed time-limit except in case of *force majeure* would be construed as a violation of the undertaking, as would non-compliance with the obligation to sell the

product concerned on the Community market at or above the minimum prices specified in the undertaking.

(3) For the first quarter of 1999, two Norwegian companies either failed to present a report within the prescribed time limit or appeared to have sold the product concerned to the Community market at prices which were below the prices specified in its undertaking. For the fourth quarter of 1998, the Commission also had reason to believe that another Norwegian exporter had sold the product concerned to the Community market at prices which were below the prices specified in its undertaking.

(4) The Commission therefore had reason to believe that these three companies had breached the terms of their undertakings and consequently, by Commission Regulation (EC) No 1826/1999 ⁽⁵⁾ (hereinafter referred to as the 'provisional duty Regulation'), imposed provisional anti-dumping and countervailing duties on imports of farmed Atlantic Salmon falling within CN codes ex 0302 12 00, ex 0303 22 00, ex 0304 10 13 and ex 0304 20 13 originating in Norway and exported by the three companies listed in Annex II of that Regulation. By the same Regulation, the Commission deleted the companies concerned from the Annex to Decision 97/634/EC, which listed the companies from which undertakings were accepted.

B. SUBSEQUENT PROCEDURE

(5) All three Norwegian companies subject to the provisional duties received disclosure in writing concerning the essential facts and considerations on the basis of which these provisional duties were imposed. They were also given an opportunity to submit comments and request a hearing.

⁽¹⁾ OJ L 56, 6.3.1996, p. 1. Regulation as last amended by Regulation (EC) No 905/98 (OJ L 128, 30.4.1998, p. 18).

⁽²⁾ OJ L 288, 21.10.1997, p. 1.

⁽³⁾ OJ C 235, 31.8.1996, p. 18, and OJ C 235, 31.8.1996, p. 20.

⁽⁴⁾ OJ L 267, 30.9.1997, p. 81.

⁽⁵⁾ OJ L 223, 24.8.1999, p. 3.

- (6) Within the time limit set in the provisional duty Regulation, all the Norwegian companies concerned submitted comments in writing and one requested a hearing, which was granted. Following these submissions, the Commission sought and examined all information it deemed necessary for the purpose of a definitive determination on the apparent violations.
- (7) In this regard, the Commission's investigation established that two of the companies against which provisional duties had been imposed had not violated their undertakings and that they should be reinstated on the list of companies benefiting from an exemption to the anti-dumping and countervailing duties. The exporters were informed of the essential facts and considerations on the basis of which it was intended to reinstate the Commission's acceptance of their undertakings.

As concerns the other company, Vie de France Norway AS (now known as Cuisine Solutions Norway AS), which is subject to provisional duties, it was informed of the essential facts and considerations on the basis of which it was intended to confirm the withdrawal of the Commission's acceptance of its undertaking and to recommend the imposition of definitive anti-dumping and countervailing duties and the definitive collection of the amounts secured by way of provisional duties. It was also granted a period within which to make representations subsequent to this disclosure.

- (8) The Commission's findings in this respect are set out more fully in Commission Regulation (EC) No 2592/1999 ⁽¹⁾.
- (9) None of the comments submitted, however, have changed the conclusion that definitive anti-dumping and countervailing duties should be imposed on imports of farmed Atlantic salmon originating in Norway and exported by Vie de France AS (now known as Cuisine Solutions Norway AS).

C. DEFINITIVE DUTIES

- (10) The investigations which led to the undertakings were concluded by a final determination as to dumping and injury by Regulation (EC) No 1890/97 ⁽²⁾ and a final determination as to subsidisation and injury by Regulation (EC) No 1891/97 ⁽³⁾. While both these Regulations were repealed by Regulation (EC) No 772/1999 ⁽⁴⁾, the facts and considerations established therein remain valid (recital (19) of Regulation (EC) No 772/1999 refers).
- (11) In accordance with Article 8(9) of Regulation (EC) No 384/96 and Article 13(9) of Regulation (EC) No 2026/97 respectively, the rate of the anti-dumping duty and the countervailing duty must be established on the basis of the facts established within the context of the investigation which led to the undertaking. In this regard, and in view of recital (107) of Regulation (EC) No 1890/97

and recital (149) of Regulation (EC) No 1891/97, it is considered appropriate that the definitive anti-dumping and countervailing duty rates be set at the level, and in the form imposed by Regulation (EC) No 772/1999.

D. DEFINITIVE COLLECTION OF PROVISIONAL DUTIES

- (12) A breach of undertaking has been definitively established in relation to one of the three exporters which were provisionally considered to have violated their undertakings. It is therefore considered necessary that, in relation to this exporter, any amounts secured by way of provisional anti-dumping and countervailing duties be definitively collected at the level of the definitive duties.

E. AMENDMENTS OF THE ANNEX TO REGULATION (EC) No 772/1999

- (13) By Commission Regulation (EC) No 2592/1999, the Commission accepted undertakings from two new exporters, Normarine AS and Oskar Einar Rydbeck. Pursuant to Article 2 of Regulation (EC) No 772/1999, the Commission also extended the exemption from the anti-dumping and countervailing duties to these exporters by adding their names to the Annex to that Regulation.
- (14) Accordingly, in view of all the above, the Annex to Regulation (EC) No 772/1999 exempting the parties listed therein from the duty, should be amended so as to remove the exemption from Vie de France Norway AS. The Annex should also be updated to take account of the exemption extended by Commission Regulation (EC) No 2592/1999 to Normarine AS and Oskar Einar Rydbeck,

HAS ADOPTED THIS REGULATION:

Article 1

The Annex to Regulation (EC) No 772/1999 shall be replaced by the Annex hereto.

Article 2

The amounts secured by way of the provisional anti-dumping and countervailing duties imposed by Regulation (EC) No 1826/1999 in relation to farmed (other than wild) Atlantic salmon falling within CN codes ex 0302 12 00 (Taric codes: 0302 12 00*21, 0302 12 00*22, 0302 12 00*23 and 0302 12 00*29), ex 0303 22 00 (Taric codes: 0303 22 00*21, 0303 22 00*22, 0303 22 00*23 and 0303 22 00*29), ex 0304 10 13 (Taric codes: 0304 10 13*21 and 0304 10 13*29) and ex 0304 20 13 (Taric codes: 0304 20 13*21 and 0304 20 13*29) originating in Norway and exported by Vie de France AS, now known as Cuisine Solutions Norway AS (Taric additional code 8321), shall be definitively collected.

⁽¹⁾ OJ L 315, 9.12.1999, p. 17.

⁽²⁾ OJ L 267, 30.9.1997, p. 1.

⁽³⁾ OJ L 267, 30.9.1997, p. 19.

⁽⁴⁾ OJ L 101, 16.4.1999, p. 1. Regulation as last amended by Regulation (EC) No 1895/1999 (OJ L 233, 3.9.1999, p. 1.)

Article 3

This Regulation shall enter into force on the day following that 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, 13 December 1999.

For the Council

The President

S. HASSI

ANNEX

LIST OF COMPANIES EXEMPTED FROM THE DEFINITIVE ANTI-DUMPING AND COUNTERVAILING DUTIES

UT No	Company Name	Taric additional code
3	Agnefest Seafood	8325
7	Aqua Export A/S	8100
8	Aqua Partner A/S	8101
11	Arctic Group International	8109
13	Artic Superior A/S	8111
15	A/S Aalesundfisk	8113
16	A/S Austevoll Fiskeindustri	8114
17	A/S Keco	8115
20	A/S Refsnes Fiskeindustri	8118
21	A/S West Fish Ltd	8119
22	Astor A/S	8120
23	Atlantic King Stranda A/S	8121
24	Atlantic Seafood A/S	8122
26	Borkowski & Rosnes A/S	8124
27	Brødrene Aasjord A/S	8125
31	Christiansen Partner A/S	8129
32	Clipper Seafood A/S	8130
33	Coast Seafood A/S	8131
35	Dafjord Laks A/S	8133
36	Delfa Norge A/S	8134
39	Domstein Salmon A/S	8136
41	Ecco Fisk & Delikatesse	8138
42	Edvard Johnsen A/S	8139
43	Eurolaks AS	8140
44	Euronor AS	8141
46	Fiskeforsyningen AS	8143
47	Fjord Aqua Group AS	8144
48	Fjord Trading Ltd. AS	8145
50	Fossen AS	8147

UT No	Company Name	Taric additional code
51	Fresh Atlantic AS	8148
52	Fresh Marine Company AS	8149
53	Fryseriet AS	8150
58	Grieg Seafood AS	8300
60	Haafa fisk AS	8302
61	Hallvard Lerøy AS	8303
62	Atlantis Filetfabrikk AS	8304
66	Hydro Seafood Norway AS	8159
67	Hydrotech-gruppen AS	8428
72	Inter Sea AS	8174
75	Janas AS	8177
76	Joh. H. Pettersen AS	8178
77	Johan J. Helland AS	8179
79	Karsten J. Ellingsen AS	8181
80	Kr Kleiven & Co. AS	8182
82	Labeyrie Norge AS	8184
83	Lafjord Group AS	8185
85	Leica Fiskeprodukter	8187
87	Lofoten Seafood Export AS	8188
92	Marine Seafood AS	8196
93	Marstein Seafood AS	8197
96	Memo Food AS	8200
98	Misundfisk AS	8202
100	Naco Trading AS	8206
101	Namdal Salmon AS	8207
104	Nergård AS	8210
105	Nils Williksen AS	8211
107	Nisja Trading AS	8213
108	Nor-Food AS	8214
111	Nordic Group ASA	8217
112	Nordreisa Laks AS	8218
113	Norexport AS	8223
114	Norfi Produkter AS	8227

UT No	Company Name	Taric additional code
115	Norfood Group AS	8228
116	Norfra Eksport AS	8229
119	Norsk Akvakultur AS	8232
120	Norsk Sjømat AS	8233
121	Northern Seafood AS	8307
122	Nortrade AS	8308
123	Norway Royal Salmon Sales AS	8309
124	Norway Royal Salmon AS	8312
126	Norway Seafoods ASA	8314
128	Norwell AS	8316
130	Nova Sea AS	8235
134	Ok-Fish Kvalheim AS	8239
137	Pan Fish Sales AS	8242
140	Polar Seafood Norway AS	8247
141	Prilam Norvège AS	8248
142	Pundslett Fisk	8251
144	Rolf Olsen Seafood AS	8254
145	Ryfisk AS	8256
146	Rørvik Fisk-og fiskematforretning AS	8257
147	Saga Lax Norge AS	8258
148	Prima Nor AS	8259
151	Sangoltgruppa AS	8262
153	Scanfood AS	8264
154	Sea Eagle Group AS	8265
155	Sea Star International AS	8266
156	Sea-Bell AS	8267
157	Seaco AS	8268
158	Seacom AS	8269
160	Seafood Farmers of Norway Ltd AS	8271
161	Seanor AS	8272
162	Sekkingstad AS	8273
164	Sirena Norway AS	8275
165	Kinn Salmon AS	8276

UT No	Company Name	Taric additional code
167	Fjord Seafood Leines AS	8278
168	SMP Marine Produkter AS	8279
172	Stjernelaks AS	8283
174	Stolt Sea Farm AS	8285
175	Storm Company AS	8286
176	Superior AS	8287
178	Terra Seafood AS	8289
180	Timar Seafood AS	8294
182	Torris Products Ltd. AS	8298
183	Troll Salmon AS	8317
188	Vikenco AS	8322
189	Wannebo International AS	8323
190	West Fish Norwegian Salmon AS	8324
191	Nor-Fa Food AS	8102
192	Westmarine AS	8625
193	F. Uhrenholt Seafood Norway AS	A033
194	Mesan Seafood AS	A034
195	Polaris Seafood AS	A035
196	Scanfish AS	A036
197	Normarine AS	A049
198	Oskar Einar Rydbeck	A050

COMMISSION REGULATION (EC) No 2653/1999
of 16 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 17 December 1999.

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

Done at Brussels, 16 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 16 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	103,5
	204	47,2
	624	132,5
	999	94,4
0707 00 05	052	118,8
	999	118,8
0709 10 00	220	196,7
	999	196,7
0709 90 70	052	114,6
	204	106,0
	999	110,3
0805 10 10, 0805 10 30, 0805 10 50	052	41,8
	204	43,6
	388	35,6
	999	40,3
0805 20 10	052	77,1
	204	52,5
	999	64,8
0805 20 30, 0805 20 50, 0805 20 70, 0805 20 90	052	74,1
	204	53,1
	464	123,0
	999	83,4
0805 30 10	052	51,8
	600	69,5
	999	60,6
0808 10 20, 0808 10 50, 0808 10 90	400	82,6
	404	77,3
	728	89,9
	999	83,3
0808 20 50	052	142,9
	064	64,2
	400	113,2
	720	69,8
	999	97,5

⁽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 2654/1999
of 16 December 1999
amending Regulation (EEC) No 2921/90 on aid for the production of casein and caseinates from skimmed milk

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

HAS ADOPTED THIS REGULATION:

Having regard to the Treaty establishing the European Community,

Article 1

Article 1 of Regulation (EEC) No 2921/90 is hereby amended as follows:

Having regard to Council Regulation (EC) No 1255/1999 of 17 May 1999 on the common organisation of the market in milk and milk products ⁽¹⁾, and in particular Article 15 thereof,

1. The introductory part of paragraph 2 is replaced by the following:

‘2. Aid shall be paid on the basis of a written application submitted by the casein or caseinate producer to the competent authority in the Member State where the caseins or caseinates were produced, stating:’

Whereas:

2. The following paragraph is added:

‘4. For the purposes of this Regulation:

(1) Regulation (EC) No 1255/1999 replaces, with effect from 1 January 2000, Council Regulation (EEC) No 804/68 ⁽²⁾, as last amended by Regulation (EC) No 1587/96 ⁽³⁾, and, *inter alia*, Council Regulation (EEC) No 987/68 of 15 July 1968 laying down general rules for granting aid for skimmed milk processed into casein or caseinates ⁽⁴⁾, as last amended by Regulation (EEC) No 1435/90 ⁽⁵⁾. To take account of these new arrangements, Commission Regulation (EEC) No 2921/90 of 10 October 1990 on aid for the production of casein and caseinates from skimmed milk ⁽⁶⁾, as last amended by Regulation (EC) No 2501/1999 ⁽⁷⁾, must be amended. Definitions of the products qualifying for this aid scheme should be added to that Regulation and the body to which aid applicants should address their applications should be specified. These provisions are to apply from 1 January 2000.

(a) “skimmed milk” means the milk of one or more cows or goats to which nothing has been added and which has been only partially skimmed so as to reduce its fat content to no more than 0,10 %;

(b) “raw casein” means products, insoluble in water, obtained from skimmed milk by precipitation through microbial acidification or the addition of acids, rennet or other milk-coagulating enzymes, regardless of any prior use of ion exchange or concentration processes;

(c) “casein” means washed and dried products, insoluble in water and obtained from raw casein or skimmed milk by precipitation through microbial acidification or the addition of acids, rennet or other milk-coagulating enzymes, regardless of any prior use of ion exchange or concentration processes;

(d) “caseinates” means products obtained by drying casein or raw casein treated with neutralising agents.’

(2) The Management Committee for Milk and Milk Products has not delivered an opinion within the time limit set by its chairman,

Article 2

⁽¹⁾ OJ L 160, 26.6.1999, p. 48.
⁽²⁾ OJ L 148, 28.6.1968, p. 13.
⁽³⁾ OJ L 206, 16.8.1996, p. 21.
⁽⁴⁾ OJ L 169, 18.7.1968, p. 6.
⁽⁵⁾ OJ L 138, 31.5.1990, p. 8.
⁽⁶⁾ OJ L 279, 11.10.1990, p. 22.
⁽⁷⁾ OJ L 304, 27.11.1999, p. 13.

This Regulation shall enter into force on 1 January 2000.

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

Done at Brussels, 16 December 1999.

For the Commission

Franz FISCHLER

Member of the Commission

**COMMISSION REGULATION (EC) No 2655/1999
of 16 December 1999**

amending Regulation (EC) No 2221/95 laying down detailed rules for the application of Council Regulation (EEC) No 386/90 as regards physical checks carried out at the time of export of agricultural products qualifying for refunds and amending Regulation (EC) No 3122/94 laying down criteria for risk analysis as regards agricultural products receiving refunds

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EEC) No 386/90 of 12 February 1990 on the monitoring carried out at the time of export of agricultural products receiving refunds or other amounts ⁽¹⁾, as amended by Regulation (EC) No 163/94 ⁽²⁾, and in particular Article 6 thereof,

Whereas:

- (1) Commission Regulation (EC) No 2221/95 ⁽³⁾, as last amended by Regulation (EC) No 1167/97 ⁽⁴⁾ lays down rules for the application of Regulation (EEC) No 386/90; whereas in the light of experience and the recommendations of the Court of Auditors on the matter amendments to these rules are necessary to improve the effectiveness of the controls;
- (2) With regard to the total amount of refunds, the share allocated to products not covered by Annex I of the Treaty is of little importance. On the other hand, the proportion of physical checks carried out on non-Annex I products is large. In order to make better use of the means of control this imbalance should be improved upon. This can be attained partially by reducing the control rate for non-Annex I products to 0,5 %. In addition, Member States should also have the possibility, when calculating the minimum rate of checks to be carried out in accordance with Article 3 of Regulation (EEC) No 386/90, to disregard export declarations relating to small quantities or a small amount of refund;
- (3) Article 21(1) of Commission Regulation (EC) No 800/1999 ⁽⁵⁾ stipulates that no refund shall be granted on products which are not of sound and fair marketable quality on the date on which the export declaration is accepted. Although it is not possible to examine all the products presented for export, because the capacity for laboratory analysis is limited, where the sound and fair marketable quality of a product is the object of definite suspicions further verifications should be carried out; if necessary by means of laboratory testing;
- (4) An examination of laboratory testing indicated that the requirement for obligatory laboratory testing should be lightened where positive assurance is available on the

basis of repeated satisfactory results on the same product from the same exporter;

- (5) There is a distinction between the treatment which export consignments receive at large ports, where there is a wide variety of products and a wide range of exporters, and the treatment export consignments receive at customs offices where only a limited range of products from a few exporters are handled. In the latter case export consignments receive a much more intensive level of control. For such customs offices, the selection of consignments for physical check on the basis of a smaller representative sample shall be taken into account;
- (6) The provisions dealing with substitution controls should also be made more flexible, in order that the controls can be carried out in accordance with risk analysis;
- (7) The evaluation of the application of Regulation (EEC) No 386/90 requires that Member States should be obliged to submit annual evaluations of the execution and effectiveness of the checks carried out under this Regulation;
- (8) In order to assist the practical application of the new provisions and with regard for clarity, Article 4 of Commission Regulation (EC) No 3122/94 ⁽⁶⁾ shall be replaced by Article 5a(1);
- (9) The measures provided for in this Regulation are in accordance with the opinion of the relevant Management Committee,

HAS ADOPTED THIS REGULATION:

Article 1

Regulation (EC) No 2221/95 is hereby amended as follows:

1. Article 2(3) is replaced by the following sentences:

‘When calculating the minimum rate of checks to be carried out in accordance with Article 3(2) of Regulation (EEC) No 386/90, Member States may opt to disregard export declarations involving quantities not exceeding:

- 5 000 kg in the case of cereals and rice,
- 1 000 kg for fruits and vegetables fruits as well as for goods falling outside Annex I to the Treaty,
- 500 kg in the case of other products.

⁽¹⁾ OJ L 42, 16.2.1990, p. 6.

⁽²⁾ OJ L 24, 29.1.1994, p. 2.

⁽³⁾ OJ L 224, 21.9.1995, p. 13.

⁽⁴⁾ OJ L 169, 27.6.1997, p. 12.

⁽⁵⁾ OJ L 102, 17.4.1999, p. 11.

⁽⁶⁾ OJ L 330, 21.12.1994, p. 31.

As an alternative Member States may also opt to disregard export declarations referring to refund amounts less than EUR 200.'

2. In Article 5 the following new paragraph shall be added:

'5. Where the sound, fair and marketable quality of a product is namely the object of definite suspicions, the Customs office shall verify the compliance with the applicable Community provisions, in particular those relating to Community sanitary and phytosanitary rules. Where considered necessary by the customs office, it initiates, or causes to be initiated, laboratory testing, indicating the objective of the test.'

3. The following Article shall be inserted:

'Article 5a

If the Member State applies a system of risk analysis pursuant to the second subparagraph of Article 3(2) of Regulation (EEC) No 386/90 the following rules shall be applicable:

1. The percentage of physical checks carried out on non-Annex I products shall not be taken into account for the purposes of calculating the overall rate of 5 % for all sectors. In this case, a minimum rate of 0,5 % shall be compulsory for non-Annex I products.
2. If the rate of refund depends on a particular content and a product with the same refund code or CN code is exported on a regular basis by the same exporter, and with regard to the laboratory testing in the past six months there have been no non-conformities with financial consequences greater than EUR 200 relating to the gross amount of the refund, then by derogation of Article 5(4) representative samples need to be taken in only 50 % of the physical checks. If the result of the laboratory testing detects a non-conformity with financial consequences greater than EUR 200 relating to the gross amount of the refund, samples must be taken for all physical checks in the following six months.
3. For customs offices of export where a limited range of products (maximum of two product sectors) from a few exporters (maximum of five exporters) are presented for

export, physical checks may be reduced to a minimum rate of 2 % per product sector. Sectors with fewer than 20 export declarations per year per customs office shall not be taken into account for determining the number of sectors. Customs offices may make use of these provisions for a full calendar year, based on the statistics for the previous calendar year, even where export declarations are made by additional exporters or for additional product sectors during the course of the year.'

4. Article 9(2) is replaced by the following sentences:

'If the customs office of export has not sealed the means of transport or the package then:

- (a) without prejudice to control measures based on other provisions, substitution checks shall be carried out, as far as possible, in the light of risk analysis, and
- (b) the number of substitution checks shall not be less than the number of days, on. which export refund products leave the customs territory of the Community through the particular customs office of exit.'

5. The following Article shall be inserted:

'Article 9a

Each year, before 1 April, the Member States shall send the Commission a report on the evaluation of the execution and effectiveness of this regulation.'

Article 2

Article 4 of Regulation (EC) No 3122/94 is hereby deleted.

Article 3

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

It shall apply from 1 January 2000.

The provisions of Article 9a shall apply for the first time to the checks, which will be carried out in the year 2000.

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

Done at Brussels, 16 December 1999.

For the Commission

Franz FISCHLER

Member of the Commission

COMMISSION REGULATION (EC) No 2656/1999
of 16 December 1999
amending Regulation (EC) No 2789/98 derogating temporarily from Regulation (EC) No 1445/95 on
rules of application for import and export licences in the beef and veal sector

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

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 1254/1999 ⁽²⁾, and in particular Article 29(2) thereof,

Whereas:

- (1) Commission Regulation (EC) No 2789/98 ⁽³⁾, as last amended by Regulation (EC) No 1389/1999 ⁽⁴⁾, grants a temporary derogation from Commission Regulation (EC) No 1445/95 ⁽⁵⁾, as last amended by Regulation (EC) No 2648/98 ⁽⁶⁾, on rules of application for import and export licences in the beef and veal sector;
- (2) The reasons for extending the validity of the export licences with advance fixing of the refund and for extending the derogation granted in Article 10(5) to products falling within CN code 0202 and to certain

products falling within CN code 1602 50 are still valid. It is therefore necessary to extend the validity of Regulation (EC) No 2789/98;

- (3) 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

In the second paragraph of Article 2 of Regulation (EC) No 2789/98, '31 December 1999' is replaced by '30 June 2000'.

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 January 2000.

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

Done at Brussels, 16 December 1999.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ L 148, 28.6.1968, p. 24.

⁽²⁾ OJ L 160, 26.6.1999, p. 21.

⁽³⁾ OJ L 347, 23.12.1998, p. 33.

⁽⁴⁾ OJ L 163, 29.6.1999, p. 16.

⁽⁵⁾ OJ L 143, 27.6.1995, p. 35.

⁽⁶⁾ OJ L 335, 10.12.1998, p. 39.

COMMISSION REGULATION (EC) No 2657/1999
of 16 December 1999
fixing the export refunds on milk and milk products

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EEC) No 804/68 of 27 June 1968 on the common organisation of the market in milk and milk products ⁽¹⁾, as last amended by Regulation (EC) No 1587/96 ⁽²⁾, and in particular Article 17(3) thereof,

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

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

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

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

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

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

(4) Whereas Article 17(3) of Regulation (EEC) No 804/68 provides that the world market situation or the specific requirements of certain markets may make it necessary to vary the refund on the products listed in Article 1 of the abovementioned Regulation according to destination;

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

(6) Whereas, in accordance with Article 16 of Commission Regulation (EC) No 174/1999 of 26 January 1999 on specific detailed rules for the application of Council Regulation (EEC) No 804/68 as regards export licences and export refunds on milk and milk products ⁽³⁾, as amended by Regulation (EC) No 1596/1999 ⁽⁴⁾; the refund granted for milk products containing added sugar is equal to the sum of the two components; whereas one is intended to take account of the quantity of milk products and is calculated by multiplying the basic amount by the milk products content in the product concerned; whereas the other is intended to take account of the quantity of added sucrose and is calculated by multiplying the sucrose content of the entire product by the basic amount of the refund valid on the day of exportation for the products listed in Article 1(1)(d) of Council Regulation (EEC) No 1785/81 of 30 June 1981 on the common organisation of the markets in the sugar sector ⁽⁵⁾, as last amended by Commission Regulation (EC) No 1148/98 ⁽⁶⁾; whereas, however, this second component is applied only if the added sucrose has been produced using sugar beet or cane harvested in the Community;

⁽¹⁾ OJ L 148, 28.6.1968, p. 13.

⁽²⁾ OJ L 206, 16.8.1996, p. 21.

⁽³⁾ OJ L 20, 27.1.1999, p. 8.

⁽⁴⁾ OJ L 188, 21.7.1999, p. 39.

⁽⁵⁾ OJ L 177, 1.7.1981, p. 4.

⁽⁶⁾ OJ L 159, 3.6.1998, p. 38.

- (7) Whereas the level of refund for cheeses is calculated for products intended for direct consumption; whereas the cheese rinds and cheese wastes are not products intended for this purpose; whereas, to avoid any confusion in interpretation, it should be specified that there will be no refund for cheeses of a free-at-frontier value less than EUR 230,00 per 100 kilograms;
- (8) Whereas Commission Regulation (EEC) No 896/84 ⁽¹⁾, as last amended by Regulation (EEC) No 222/88 ⁽²⁾, laid down additional provisions concerning the granting of refunds on the change from one milk year to another; whereas those provisions provide for the possibility of varying refunds according to the date of manufacture of the products;
- (9) Whereas for the calculation of the refund for processed cheese provision must be made where casein or caseinates are added for that quantity not to be taken into account;
- (10) Whereas it follows from applying the rules set out above to the present situation on the market in milk and in particular to quotations or prices for milk products within the Community and on the world market that the

refund should be as set out in the Annex to this Regulation;

- (11) Whereas the Management Committee for Milk and Milk Products has not delivered an opinion within the time limit set by its chairman,

HAS ADOPTED THIS REGULATION:

Article 1

1. The export refunds referred to in Article 17 of Regulation (EEC) No 804/68 on products exported in the natural state shall be as set out in the Annex.

2. There shall be no refunds for exports to destination No 400 for products falling within CN codes 0401, 0402, 0403, 0404, 0405 and 2309.

3. There shall be no refunds for exports to destinations No 021, 023, 024, 028, 043, 044, 045, 046, 052, 404, 600, 800 and 804 for products falling within CN code 0406.

Article 2

This Regulation shall enter into force on 17 December 1999.

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

Done at Brussels, 16 December 1999.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ L 91, 1.4.1984, p. 71.

⁽²⁾ OJ L 28, 1.2.1988, p. 1.

ANNEX

to the Commission Regulation of 16 December 1999 fixing the export refunds on milk and milk products

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

Product code	Destination (*)	Amount of refund	Product code	Destination (*)	Amount of refund
0401 10 10 9000	970	2,327	0402 21 91 9900	+	150,60
	***	—	0402 21 99 9100	+	113,80
0401 10 90 9000	970	2,327	0402 21 99 9200	+	114,60
	***	—	0402 21 99 9300	+	116,00
0401 20 11 9100	970	2,327	0402 21 99 9400	+	124,00
	***	—	0402 21 99 9500	+	126,80
0401 20 11 9500	970	3,597	0402 21 99 9600	+	137,40
	***	—	0402 21 99 9700	+	143,60
0401 20 19 9100	970	2,327	0402 21 99 9900	+	150,60
	***	—	0402 29 15 9200	+	0,8100
0401 20 19 9500	970	3,597	0402 29 15 9300	+	0,9970
	***	—	0402 29 15 9500	+	1,0510
0401 20 91 9100	970	4,551	0402 29 15 9900	+	1,1300
	***	—	0402 29 19 9200	+	0,8100
0401 20 91 9500	+	—	0402 29 19 9300	+	0,9970
0401 20 99 9100	970	4,551	0402 29 19 9500	+	1,0510
	***	—	0402 29 19 9900	+	1,1300
0401 20 99 9500	+	—	0402 29 91 9100	+	1,1380
0401 30 11 9100	+	—	0402 29 91 9500	+	1,2400
0401 30 11 9400	970	10,50	0402 29 99 9100	+	1,1380
	***	—	0402 29 99 9500	+	1,2400
0401 30 11 9700	970	15,77	0402 91 11 9110	+	—
	***	—	0402 91 11 9120	+	—
0401 30 19 9100	+	—	0402 91 11 9310	+	11,31
0401 30 19 9400	+	—	0402 91 11 9350	+	13,85
0401 30 19 9700	970	15,77	0402 91 11 9370	+	16,84
	***	—	0402 91 19 9110	+	—
0401 30 31 9100	+	38,32	0402 91 19 9120	+	—
0401 30 31 9400	+	59,85	0402 91 19 9310	+	11,31
0401 30 31 9700	+	66,00	0402 91 19 9350	+	13,85
0401 30 39 9100	+	38,32	0402 91 19 9370	+	16,84
0401 30 39 9400	+	59,85	0402 91 31 9100	+	—
0401 30 39 9700	+	66,00	0402 91 31 9300	+	19,91
0401 30 91 9100	+	75,22	0402 91 39 9100	+	—
0401 30 91 9400	+	110,55	0402 91 39 9300	+	19,91
0401 30 91 9700	+	129,01	0402 91 51 9000	+	—
0401 30 99 9100	+	75,22	0402 91 59 9000	+	—
0401 30 99 9400	+	110,55	0402 91 91 9000	+	63,94
0401 30 99 9700	+	129,01	0402 91 99 9000	+	63,94
0402 10 11 9000	+	81,00	0402 99 11 9110	+	—
0402 10 19 9000	+	81,00	0402 99 11 9130	+	—
0402 10 91 9000	+	0,8100	0402 99 11 9150	+	—
0402 10 99 9000	+	0,8100	0402 99 11 9310	+	0,2689
0402 21 11 9200	+	81,00	0402 99 11 9330	+	0,3228
0402 21 11 9300	+	99,70	0402 99 11 9350	+	0,4291
0402 21 11 9500	+	105,10	0402 99 19 9110	+	—
0402 21 11 9900	+	113,00	0402 99 19 9130	+	—
0402 21 17 9000	+	81,00	0402 99 19 9150	+	—
0402 21 19 9300	+	99,70	0402 99 19 9310	+	0,2689
0402 21 19 9500	+	105,10	0402 99 19 9330	+	0,3228
0402 21 19 9900	+	113,00	0402 99 19 9350	+	0,4291
0402 21 91 9100	+	113,80	0402 99 31 9110	+	—
0402 21 91 9200	+	114,60	0402 99 31 9150	+	0,4467
0402 21 91 9300	+	116,00	0402 99 31 9300	+	0,3832
0402 21 91 9400	+	124,00	0402 99 31 9500	+	0,6600
0402 21 91 9500	+	126,80	0402 99 39 9110	+	—
0402 21 91 9600	+	137,40	0402 99 39 9150	+	0,4467
0402 21 91 9700	+	143,60	0402 99 39 9300	+	0,3832

Product code	Destination (*)	Amount of refund	Product code	Destination (*)	Amount of refund
0402 99 39 9500	+	0,6600	0404 90 29 9160	+	143,60
0402 99 91 9000	+	0,7522	0404 90 29 9180	+	150,60
0402 99 99 9000	+	0,7522	0404 90 81 9100	+	0,8100
0403 10 11 9400	+	—	0404 90 81 9910	+	—
0403 10 11 9800	+	—	0404 90 81 9950	+	0,2689
0403 10 13 9800	+	—	0404 90 83 9110	+	0,8100
0403 10 19 9800	+	—	0404 90 83 9130	+	0,9970
0403 10 31 9400	+	—	0404 90 83 9150	+	1,0510
0403 10 31 9800	+	—	0404 90 83 9170	+	1,1300
0403 10 33 9800	+	—	0404 90 83 9911	+	—
0403 10 39 9800	+	—	0404 90 83 9913	+	—
0403 90 11 9000	+	79,60	0404 90 83 9915	+	—
0403 90 13 9200	+	79,60	0404 90 83 9917	+	—
0403 90 13 9300	+	98,80	0404 90 83 9919	+	—
0403 90 13 9500	+	104,10	0404 90 83 9931	+	0,2689
0403 90 13 9900	+	112,00	0404 90 83 9933	+	0,3228
0403 90 19 9000	+	112,80	0404 90 83 9935	+	0,4291
0403 90 31 9000	+	0,7960	0404 90 83 9937	+	0,4467
0403 90 33 9200	+	0,7960	0404 90 89 9130	+	1,1380
0403 90 33 9300	+	0,9880	0404 90 89 9150	+	1,2400
0403 90 33 9500	+	1,0410	0404 90 89 9930	+	0,4601
0403 90 33 9900	+	1,1200	0404 90 89 9950	+	0,6600
0403 90 39 9000	+	1,1280	0404 90 89 9990	+	0,7522
0403 90 51 9100	970	2,327	0405 10 11 9500	+	165,85
	***	—	0405 10 11 9700	+	170,00
0403 90 51 9300	+	—	0405 10 19 9500	+	165,85
0403 90 53 9000	+	—	0405 10 19 9700	+	170,00
0403 90 59 9110	+	—	0405 10 30 9100	+	165,85
0403 90 59 9140	+	—	0405 10 30 9300	+	170,00
0403 90 59 9170	970	15,77	0405 10 30 9500	+	165,85
	***	—	0405 10 30 9700	+	170,00
0403 90 59 9310	+	38,32	0405 10 50 9100	+	165,85
0403 90 59 9340	+	59,85	0405 10 50 9300	+	170,00
0403 90 59 9370	+	64,80	0405 10 50 9500	+	165,85
0403 90 59 9510	+	64,80	0405 10 50 9700	+	170,00
0403 90 59 9540	+	64,80	0405 10 90 9000	+	176,22
0403 90 59 9570	+	64,80	0405 20 90 9500	+	155,49
0403 90 61 9100	+	—	0405 20 90 9700	+	161,71
0403 90 61 9300	+	—	0405 90 10 9000	+	216,00
0403 90 63 9000	+	—	0405 90 90 9000	+	170,00
0403 90 69 9000	+	—	0406 10 20 9100	+	—
0404 90 21 9100	+	81,00	0406 10 20 9230	037	—
0404 90 21 9910	+	—		039	—
0404 90 21 9950	+	11,31		097	37,68
0404 90 23 9120	+	81,00		098	37,68
0404 90 23 9130	+	99,70		400	21,50
0404 90 23 9140	+	105,10		***	37,68
0404 90 23 9150	+	113,00	0406 10 20 9290	037	—
0404 90 23 9911	+	—		039	—
0404 90 23 9913	+	—		097	35,05
0404 90 23 9915	+	—		098	35,05
0404 90 23 9917	+	—		400	14,40
0404 90 23 9919	+	—		***	35,05
0404 90 23 9931	+	11,31	0406 10 20 9300	037	—
0404 90 23 9933	+	13,85		039	—
0404 90 23 9935	+	16,84		097	15,39
0404 90 23 9937	+	19,91		098	15,39
0404 90 23 9939	+	20,81		400	7,360
0404 90 29 9110	+	113,80		***	15,39
0404 90 29 9115	+	114,60			
0404 90 29 9120	+	116,00			
0404 90 29 9130	+	124,00			
0404 90 29 9135	+	126,80			
0404 90 29 9150	+	137,40			

Product code	Destination (*)	Amount of refund	Product code	Destination (*)	Amount of refund
0406 10 20 9610	037	—	0406 20 90 9990	+	—
	039	—	0406 30 31 9710	037	—
	097	51,11		039	—
	098	51,11		097	17,88
	400	29,10		098	9,536
0406 10 20 9620	***	51,11		400	7,850
	037	—		***	17,88
	039	—	0406 30 31 9730	037	—
	097	51,83		039	—
	098	51,83		097	26,24
0406 10 20 9630	400	29,50		098	13,99
	***	51,83		400	11,50
	037	—		***	26,24
	039	—	0406 30 31 9910	037	—
	097	57,86		039	—
0406 10 20 9640	098	57,86		097	17,88
	400	33,00		098	9,536
	***	57,86		400	7,850
	037	—		***	17,88
	039	—	0406 30 31 9930	037	—
0406 10 20 9650	097	85,03		039	—
	098	85,03		097	26,24
	400	45,40		098	13,99
	***	85,03		400	11,50
	037	—		***	26,24
0406 10 20 9660	039	—	0406 30 31 9950	037	—
	097	70,86		039	—
	098	70,86		097	38,17
	400	23,90		098	20,36
	***	70,86		400	16,70
0406 10 20 9830	+	—		***	38,17
0406 10 20 9850	037	—	0406 30 39 9500	037	—
	039	—		039	—
	097	26,28		097	26,24
	098	26,28		098	13,99
	400	12,60		400	11,50
0406 10 20 9870	***	26,28		***	26,24
	037	—	0406 30 39 9700	037	—
	039	—		039	—
	097	31,87		097	38,17
	098	31,87		098	20,36
0406 10 20 9900	400	15,20		400	16,70
0406 20 90 9100	***	31,87		***	38,17
0406 20 90 9913	+	—	0406 30 39 9930	037	—
	037	—		039	—
	039	—		097	38,17
	097	58,77		098	20,36
	098	58,77		400	16,70
0406 20 90 9915	400	29,70		***	38,17
	***	58,77	0406 30 39 9950	037	—
	037	—		039	—
	039	—		097	43,16
	097	77,56		098	23,02
0406 20 90 9917	098	77,56		400	19,90
	400	39,60		***	43,16
	***	77,56	0406 30 90 9000	037	—
	037	—		039	—
	039	—		097	45,28
0406 20 90 9919	097	82,41		098	24,15
	098	82,41		400	19,90
	400	42,10		***	45,28
	***	82,41	0406 40 50 9000	037	—
	037	—		039	—
	039	—		097	90,00
	097	92,10		098	90,00
	098	92,10		400	31,00
	400	47,00		***	90,00
	***	92,10			

Product code	Destination (*)	Amount of refund	Product code	Destination (*)	Amount of refund
0406 40 90 9000	037	—	0406 90 33 9951	037	—
	039	—		039	—
	097	92,42		097	78,66
	098	92,42		098	68,98
	400	31,00		400	18,80
	***	92,42		***	78,66
0406 90 13 9000	037	—	0406 90 35 9190	037	33,29
	039	—		039	33,29
	097	116,37		097	121,56
	098	101,62		098	105,71
	400	56,60		400	57,70
	***	116,37		***	121,56
0406 90 15 9100	037	—	0406 90 35 9990	037	—
	039	—		039	—
	097	120,25		097	121,56
	098	105,01		098	105,71
	400	58,40		400	37,80
	***	120,25		***	121,56
0406 90 17 9100	037	—	0406 90 37 9000	037	—
	039	—		039	—
	097	120,25		097	116,37
	098	105,01		098	101,62
	400	58,40		400	56,60
	***	120,25		***	116,37
0406 90 21 9900	037	—	0406 90 61 9000	037	47,01
	039	—		039	47,01
	097	117,54		097	129,64
	098	102,90		098	112,00
	400	41,90		400	53,80
	***	117,54		***	129,64
0406 90 23 9900	037	—	0406 90 63 9100	037	42,83
	039	—		039	42,83
	097	103,92		097	128,55
	098	90,36		098	111,41
	400	17,50		400	60,10
	***	103,92		***	128,55
0406 90 25 9900	037	—	0406 90 63 9900	037	34,22
	039	—		039	34,22
	097	102,80		097	124,18
	098	89,77		098	107,11
	400	19,90		400	46,00
	***	102,80		***	124,18
0406 90 27 9900	037	—	0406 90 69 9100	+	—
	039	—	0406 90 69 9910	037	—
	097	93,10		039	—
	098	81,30		097	124,18
	400	17,50		098	107,11
	***	93,10		400	46,00
0406 90 31 9119	037	—		***	124,18
	039	—	0406 90 73 9900	037	—
	097	85,71		039	—
	098	74,72		097	106,91
	400	24,00		098	93,28
	***	85,71		400	49,50
0406 90 33 9119	037	—		***	106,91
	039	—	0406 90 75 9900	037	—
	097	85,71		039	—
	098	74,72		097	108,07
	400	24,00		098	93,90
	***	85,71		400	20,90
0406 90 33 9919	037	—		***	108,07
	039	—	0406 90 76 9300	037	—
	097	78,60		039	—
	098	68,29		097	96,98
	400	19,10		098	84,68
	***	78,60		400	18,90
				***	96,98

Product code	Destination (*)	Amount of refund	Product code	Destination (*)	Amount of refund
0406 90 76 9400	037	—	0406 90 85 9999	+	—
	039	—	0406 90 86 9100	+	—
	097	108,62	0406 90 86 9200	037	—
	098	94,85		039	—
	400	21,80		097	102,23
	***	108,62		098	86,17
0406 90 76 9500	037	—		400	26,00
	039	—		***	102,23
	097	102,45	0406 90 86 9300	037	—
	098	90,24		039	—
	400	21,80		097	103,32
	***	102,45		098	87,41
0406 90 78 9100	037	—		400	28,50
	039	—		***	103,32
	097	102,26	0406 90 86 9400	037	—
	098	87,50		039	—
	400	17,10		097	108,62
	***	102,26		098	92,87
0406 90 78 9300	037	—		400	32,20
	039	—		***	108,62
	097	105,98	0406 90 86 9900	037	—
	098	92,78		039	—
	400	18,90		097	117,90
	***	105,98		098	102,43
0406 90 78 9500	037	—		400	37,80
	039	—		***	117,90
	097	104,35	0406 90 87 9100	+	—
	098	91,91	0406 90 87 9200	037	—
	400	21,80		039	—
	***	104,35		097	85,19
0406 90 79 9900	037	—		098	71,81
	039	—		400	23,30
	097	86,27		***	85,19
	098	75,02	0406 90 87 9300	037	—
	400	18,10		039	—
	***	86,27		097	94,89
0406 90 81 9900	037	—		098	80,27
	039	—		400	26,30
	097	108,62		***	94,89
	098	94,85	0406 90 87 9400	037	—
	400	44,80		039	—
	***	108,62		097	96,33
0406 90 85 9910	037	33,32		098	82,36
	039	33,32		400	28,80
	097	117,90		***	96,33
	098	102,43	0406 90 87 9951	037	—
	400	55,70		039	—
	***	117,90		097	106,68
0406 90 85 9991	037	—		098	93,15
	039	—		400	39,70
	097	117,90		***	106,68
	098	102,43	0406 90 87 9971	037	—
	400	37,80		039	—
	***	117,90		097	106,68
0406 90 85 9995	037	—		098	93,15
	039	—		400	32,30
	097	108,07	0406 90 87 9972	***	106,68
	098	93,90		097	45,63
	400	19,90		098	39,68
	***	108,07		400	12,80
				***	45,63

Product code	Destination (*)	Amount of refund	Product code	Destination (*)	Amount of refund
0406 90 87 9973	037	—	2309 10 19 9100	+	—
	039	—	2309 10 19 9200	+	—
	097	104,74	2309 10 19 9300	+	—
	098	91,46	2309 10 19 9400	+	—
	400	22,60	2309 10 19 9500	+	—
	***	104,74	2309 10 19 9600	+	—
0406 90 87 9974	037	—	2309 10 19 9700	+	—
	039	—	2309 10 19 9800	+	—
	097	113,19	2309 10 70 9010	+	—
	098	99,26	2309 10 70 9100	+	13,85
	400	22,60	2309 10 70 9200	+	18,47
	***	113,19	2309 10 70 9300	+	23,09
0406 90 87 9975	037	—	2309 10 70 9500	+	27,70
	039	—	2309 10 70 9600	+	32,32
	097	114,45	2309 10 70 9700	+	36,94
	098	101,25	2309 10 70 9800	+	40,63
	400	30,00	2309 90 35 9010	+	—
	***	114,45	2309 90 35 9100	+	—
0406 90 87 9979	037	—	2309 90 35 9200	+	—
	039	—	2309 90 35 9300	+	—
	097	103,92	2309 90 35 9400	+	—
	098	90,36	2309 90 35 9500	+	—
	400	22,60	2309 90 35 9700	+	—
	***	103,92	2309 90 39 9010	+	—
0406 90 88 9100	+	—	2309 90 39 9100	+	—
0406 90 88 9300	037	—	2309 90 39 9200	+	—
	039	—	2309 90 39 9300	+	—
	097	83,50	2309 90 39 9400	+	—
	098	70,90	2309 90 39 9500	+	—
	400	28,50	2309 90 39 9600	+	—
	***	83,50	2309 90 39 9700	+	—
2309 10 15 9010	+	—	2309 90 39 9800	+	—
2309 10 15 9100	+	—	2309 90 70 9010	+	—
2309 10 15 9200	+	—	2309 90 70 9100	+	13,85
2309 10 15 9300	+	—	2309 90 70 9200	+	18,47
2309 10 15 9400	+	—	2309 90 70 9300	+	23,09
2309 10 15 9500	+	—	2309 90 70 9500	+	27,70
2309 10 15 9700	+	—	2309 90 70 9600	+	32,32
2309 10 19 9010	+	—	2309 90 70 9700	+	36,94
			2309 90 70 9800	+	40,63

(*) The code numbers for the destinations are those set out in the Annex to Commission Regulation (EC) No 2645/98 (OJ L 335, 10.12.1998, p. 22).

However:

— '097' covers all destination codes from 072 to 083 inclusive,

— '098' covers all destination codes from 053 to 070 inclusive and from 091 to 096 inclusive,

— '970' covers the exports referred to in Articles 34(1)(a) and (c) and 44(1)(a) and (b) of Commission Regulation (EEC) No 800/1999 (OJ L 107, 17.4.1999, p. 11).

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

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

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

**COMMISSION REGULATION (EC) No 2658/1999
of 16 December 1999**

**amending Regulation (EEC) No 2219/92 laying down detailed rules for the application of the
specific supply arrangements for Madeira relating to milk products regarding the amounts of aid**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

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

Whereas Commission Regulation (EEC) No 1696/92 ⁽³⁾, as last amended by Regulation (EEC) No 2596/93 ⁽⁴⁾, lays down in particular the detailed rules for the application of the specific arrangements for the supply of certain agricultural products to the Azores and Madeira;

Whereas Annex II to Regulation (EEC) No 2219/92 of 30 July 1992 laying down detailed rules for the application of the specific supply arrangements for Madeira relating to milk products and establishing the forecast supply balance ⁽⁵⁾, as last amended by Regulation (EC) No 2284/1999 ⁽⁶⁾, fixes the aid for milk products;

Whereas Commission Regulation (EC) No 2657/1999 of 16 December 1999 fixing the export refunds on milk and milk products ⁽⁷⁾, fixes the refunds on those products; whereas Annex II to Regulation (EEC) No 2219/92 should be adapted to take account of those adjustments;

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

HAS ADOPTED THIS REGULATION:

Article 1

Annex II to Regulation (EEC) No 2219/92 is hereby replaced by the Annex hereto.

Article 2

This Regulation shall enter into force on 17 December 1999.

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

Done at Brussels, 16 December 1999.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ L 173, 27.6.1992, p. 1.

⁽²⁾ OJ L 76, 13.3.1998, p. 6.

⁽³⁾ OJ L 179, 1.7.1992, p. 6.

⁽⁴⁾ OJ L 238, 23.9.1993, p. 24.

⁽⁵⁾ OJ L 218, 1.8.1992, p. 75.

⁽⁶⁾ OJ L 279, 29.10.1999, p. 40.

⁽⁷⁾ See page 15 of this Official Journal.

ANNEX

ANNEX II

(in EUR/100 kg weight, if no other indication)

CN code	Description of goods	Product code	Notes	Amount of aid
0401	Milk and cream, not concentrated nor containing added sugar or other sweetening matter:			
0401 10	– Of a fat content, by weight, not exceeding 1 %:			
0401 10 10	– – In immediate packings of a net content not exceeding 2 litres	0401 10 10 9000		2,327
0401 10 90	– – Other	0401 10 90 9000		2,327
0401 20	– Of a fat content, by weight, exceeding 1 % but not exceeding 6 %:			
	– – Not exceeding 3 %:			
0401 20 11	– – – In immediate packings of a net content not exceeding 2 litres:			
	– Of a fat content, by weight, not exceeding 1,5 %	0401 20 11 9100		2,327
	– Of a fat content, by weight, exceeding 1,5 %	0401 20 11 9500		3,597
0401 20 19	– – – Other:			
	– Of a fat content, by weight, not exceeding 1,5 %	0401 20 19 9100		2,327
	– Of a fat content, by weight, exceeding 1,5 %	0401 20 19 9500		3,597
	– – Exceeding 3 %:			
0401 20 91	– – – In immediate packings of a net content not exceeding 2 litres:			
	– Of a fat content, by weight, not exceeding 4 %	0401 20 91 9100		4,551
	– Of a fat content, by weight, exceeding 4 %	0401 20 91 9500		5,302
0401 20 99	– – – Other:			
	– Of a fat content, by weight, not exceeding 4 %	0401 20 99 9100		4,551
	– Of a fat content, by weight, exceeding 4 %	0401 20 99 9500		5,302
0401 30	– Of a fat content, by weight, exceeding 6 %:			
	– – Not exceeding 21 %:			
0401 30 11	– – – In immediate packings of a net content not exceeding 2 litres:			
	– Of a fat content, by weight:			
	– Not exceeding 10 %	0401 30 11 9100		6,803
	– Exceeding 10 % but not exceeding 17 %	0401 30 11 9400		10,50
	– Exceeding 17 %	0401 30 11 9700		15,77
0401 30 19	– – – Other:			
	– Of a fat content, by weight:			
	– Not exceeding 10 %	0401 30 19 9100		6,803
	– Exceeding 10 % but not exceeding 17 %	0401 30 19 9400		10,50
	– Exceeding 17 %	0401 30 19 9700		15,77
	– – Exceeding 21 % but not exceeding 45 %:			

(in EUR/100 kg weight, if no other indication)

CN code	Description of goods	Product code	Notes	Amount of aid
0401 30 31	--- In immediate packings of a net content not exceeding 2 litres: - Of a fat content, by weight: - Not exceeding 35 % - Exceeding 35 % but not exceeding 39 % - Exceeding 39 %	0401 30 31 9100 0401 30 31 9400 0401 30 31 9700		38,32 59,85 66,00
0401 30 39	--- Other: - Of a fat content, by weight: - Not exceeding 35 % - Exceeding 35 % but not exceeding 39 % - Exceeding 39 % -- Exceeding 45 %:	0401 30 39 9100 0401 30 39 9400 0401 30 39 9700		38,32 59,85 66,00
0401 30 91	--- In immediate packings of a net content not exceeding 2 litres: - Of a fat content, by weight: - Not exceeding 68 % - Exceeding 68 % but not exceeding 80 % - Exceeding 80 %	0401 30 91 9100 0401 30 91 9400 0401 30 91 9700		75,22 110,55 129,01
0401 30 99	--- Other: - Of a fat content, by weight: - Not exceeding 68 % - Exceeding 68 % but not exceeding 80 % - Exceeding 80 %	0401 30 99 9100 0401 30 99 9400 0401 30 99 9700		75,22 110,55 129,01
ex 0402	Skimmed-milk powder of a fat content, by weight, not exceeding 1,5 %	0402 10 11 9000 0402 10 19 9000	(¹³)	81,00
ex 0402	Whole milk powder of a fat content, by weight, not exceeding 27 %	0402 21 11 9900 0402 21 19 9900	(¹³)	113,00
0402 21 11	---- In immediate packings of a net content not exceeding 2,5 kg: - Of a fat content, by weight: - Not exceeding 11 % - Exceeding 11 % but not exceeding 17 % - Exceeding 17 % but not exceeding 25 % - Exceeding 25 %	0402 21 11 9200 0402 21 11 9300 0402 21 11 9500 0402 21 11 9900	(¹³) (¹³) (¹³) (¹³)	81,00 99,70 105,10 113,00
0402 21 19	---- Other: ----- Of a fat content, by weight, exceeding 11 % but not exceeding 27 %: - Not exceeding 17 % - Exceeding 17 % but not exceeding 25 % - Exceeding 25 %	0402 21 19 9300 0402 21 19 9500 0402 21 19 9900	(¹³) (¹³) (¹³)	99,70 105,10 113,00

(in EUR/100 kg weight, if no other indication)

CN code	Description of goods	Product code	Notes	Amount of aid
ex 0405	Butter and other fats and oils derived from milk; dairy spreads:			
0405 10	– Butter:			
	– – Of a fat content, by weight, not exceeding 85 %:			
	– – – Natural butter:			
0405 10 11	– – – – In immediate packings of a net content not exceeding 1 kg:			
	– – – – – Of a fat content by weight:			
	– – – – – – Of 80 % or more but less than 82 %	0405 10 11 9500		176,10
	– – – – – – Of 82 % or more	0405 10 11 9700		180,50
0405 10 19	– – – – Other:			
	– – – – – Of a fat content by weight:			
	– – – – – – Of 80 % or more but less than 82 %	0405 10 19 9500		176,10
	– – – – – – Of 82 % or more	0405 10 19 9700		180,50
0405 10 30	– – – Recombined butter:			
	– – – – In immediate packings of a net content not exceeding 1 kg:			
	– – – – – Of a fat content by weight:			
	– – – – – – Of 80 % or more but less than 82 %	0405 10 30 9100		176,10
	– – – – – – Of 82 % or more	0405 10 30 9300		180,50
	– – – – Other:			
	– – – – – Of a fat content by weight:			
	– – – – – – Of 80 % or more but less than 82 %	0405 10 30 9500		176,10
	– – – – – – Of 82 % or more	0405 10 30 9700		180,50
0405 10 50	– – – Whey butter:			
	– – – – In immediate packings of a net content not exceeding 1 kg:			
	– – – – – Of a fat content by weight:			
	– – – – – – Of 80 % or more but less than 82 %	0405 10 50 9100		176,10
	– – – – – – Of 82 % or more	0405 10 50 9300		180,50
	– – – – Other:			
	– – – – – Of a fat content by weight:			
	– – – – – – Of 80 % or more but less than 82 %	0405 10 50 9500		176,10
	– – – – – – Of 82 % or more	0405 10 50 9700		180,50
0405 10 90	– – Other	0405 10 90 9000		187,10
ex 0405 20	– Dairy spreads:			
0405 20 90	– – Of a fat content by weight of more than 75 % but less than 80 %:			
	– – – Of a fat content by weight:			
	– – – – Of more than 75 % but less than 78 %	0405 20 90 9500		165,09
	– – – – Of 78 % or more	0405 20 90 9700		171,69
0405 90	– Other:			
0405 90 10	– – Of a fat content by weight of 99,3 % or more and of a water content by weight not exceeding 0,5 %:	0405 90 10 9000		228,00
0405 90 90	– – Other	0405 90 90 9000		180,50

(in EUR/100 kg weight, if no other indication)

CN code	Description of goods	Additional requirements for using the product code		Product code	Notes	Amount of aid
		Maximum water content in product weight (%)	Minimum fat content in the dry matter (%)			
ex 0406	Cheese and curd ⁽³⁾ :					
ex 0406 90 23	--- Edam	47	40	0406 90 23 9900	⁽³⁾	103,92
ex 0406 90 25	--- Tilsit	47	45	0406 90 25 9900	⁽³⁾	102,80
ex 0406 90 76	----- Danbo, Fontal, Fontina, Fynbo, Havarti, Maribo, Samsoe:					
	----- Of a fat content, by weight, in the dry matter of 45 % or more but less than 55 %:					
	----- Of a dry matter content, by weight, of 50 % or more but less than 56 %	50	45	0406 90 76 9300	⁽³⁾	96,98
	----- Of a dry matter content, by weight, of 56 % or more	44	45	0406 90 76 9400	⁽³⁾	108,62
	----- Of a fat content, by weight, in the dry matter of 55 % or more	46	55	0406 90 76 9500	⁽³⁾	102,45
ex 0406 90 78	----- Gouda:					
	----- Of a fat content, by weight, in the dry matter of less than 48 %	50	20	0406 90 78 9100	⁽³⁾	102,26
	----- Of a fat content by weight, in the dry matter of 48 % or more but less than 55 %	45	48	0406 90 78 9300	⁽³⁾	105,98
	----- Other	45	55	0406 90 78 9500	⁽³⁾	104,35
ex 0406 90 79	----- Esrom, Italico, Kernhem, Saint-Nectaire, Saint-Paulin, Taleggio	56	40	0406 90 79 9900	⁽³⁾	86,27
ex 0406 90 81	----- Cantal, Cheshire, Wensleydale, Lancashire, Double Gloucester, Blarney, Colby, Monterey	44	44	0406 90 81 9900	⁽³⁾	108,62
ex 0406 90 86	----- Exceeding 47 % but not exceeding 52 %:					
	----- cheeses produced from whey			0406 90 86 9100		—
	----- Other, of a fat content, by weight, in the dry matter:					
	----- Of less than 5 %	52		0406 90 86 9200	⁽³⁾	102,23
	----- Of 5 % or more but less than 19 %	51	5	0406 90 86 9300	⁽³⁾	103,32
	----- Of 19 % or more but less than 39 %	47	19	0406 90 86 9400	⁽³⁾	108,62
	----- Of 39 % or more	40	39	0406 90 86 9900	⁽³⁾	117,90
ex 0406 90 87	----- Exceeding 52 % but not exceeding 62 %:					
	----- cheeses produced from whey, except for Manouri			0406 90 87 9100		—
	----- Other, of a fat content, by weight, in the dry matter:					
	----- Of less than 5 %	60		0406 90 87 9200	⁽³⁾	85,19
	----- Of 5 % or more but less than 19 %	55	5	0406 90 87 9300	⁽³⁾	94,89
	----- Of 19 % or more but less than 40 %	53	19	0406 90 87 9400	⁽³⁾	96,33

(in EUR/100 kg weight, if no other indication)

CN code	Description of goods	Additional requirements for using the product code		Product code	Notes	Amount of aid
		Maximum water content in product weight (%)	Minimum fat content in the dry matter (%)			
ex 0406 90 87 (cont'd.)	----- Of 40 % or more:					
	----- Idiazabal, Manchego and Roncal manufactured exclusively from sheep's milk	45	45	0406 90 87 9951	(³)	106,68
	----- Maasdam	45	45	0406 90 87 9971	(³)	106,68
	----- Manouri	43	53	0406 90 87 9972	(³)	45,63
	----- Hushallsost	46	45	0406 90 87 9973	(³)	104,74
	----- Murukoloinen	41	50	0406 90 87 9974	(³)	113,19
	----- Other:	47	40	0406 90 87 9979	(³)	103,92
ex 0406 90 88	----- Exceeding 62 % but not exceeding 72 %:					
	----- cheese produced from whey			0406 90 88 9100		—
	----- Other:					
	----- Other:					
	----- Of a fat content, by weight, in the dry matter:					
	----- Of 10 % or more but less than 19 %	60	10	0406 90 88 9300	(³)	83,50

(³) In the case of cheese presented in containers which also contain conserving liquid, in particular brine, the aid is granted on the net weight, the weight of the liquid being deducted.

(¹³) Where the product contains non-lactic matter, the non-lactic matter is not to be taken into account for the purposes of calculating the aid.

When completing customs formalities, the applicant must state on the declaration provided for that purpose whether or not non-lactic matter has been added and, where this is the case, the maximum content by weight of the non-lactic matter added per 100 kilograms of finished product.'

**COMMISSION REGULATION (EC) No 2659/1999
of 16 December 1999**

amending Regulation (EC) No 2993/94 fixing the aid for the supply of milk products to the Canary Islands under the arrangements provided for in Articles 2 to 4 of Council Regulation (EEC) No 1601/92

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EEC) No 1601/92 of 15 June 1992 concerning specific measures for the Canary Islands with regard to certain agricultural products ⁽¹⁾, as last amended by Regulation (EC) No 2348/96 ⁽²⁾, and in particular Article 3(4) thereof,

Whereas Commission Regulation (EC) No 2790/94 ⁽³⁾, as last amended by Regulation (EC) No 1620/1999 ⁽⁴⁾, lays down in particular the detailed rules for the application of the specific arrangements for the supply of certain agricultural products to the Canary Islands;

Whereas Commission Regulation (EC) No 2993/94 ⁽⁵⁾, as last amended by Regulation (EC) No 2285/1999 ⁽⁶⁾, fixed the amount of aid for milk products;

Whereas Commission Regulation (EC) No 2657/1999 of 16 December 1999 fixing the export refunds on milk and milk products ⁽⁷⁾, fixes the refunds on those products; whereas the Annex to Regulation (EC) No 2993/94 should be adapted to take account of those adjustments;

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

HAS ADOPTED THIS REGULATION:

Article 1

The Annex to Regulation (EC) No 2993/94 is hereby replaced by the Annex hereto.

Article 2

This Regulation shall enter into force on 17 December 1999.

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

Done at Brussels, 16 December 1999.

For the Commission
Franz FISCHLER
Member of the Commission

⁽¹⁾ OJ L 173, 27.6.1992, p. 13.

⁽²⁾ OJ L 320, 11.12.1996, p. 1.

⁽³⁾ OJ L 296, 17.11.1994, p. 23.

⁽⁴⁾ OJ L 192, 24.7.1999, p. 19.

⁽⁵⁾ OJ L 316, 9.12.1994, p. 11.

⁽⁶⁾ OJ L 279, 29.10.1999, p. 46.

⁽⁷⁾ See page 15 of this Official Journal.

ANNEX

(in EUR/100 kg weight, if no other indication)

CN code	Description of goods	Product code	Notes	Amount of aid
0401	Milk and cream, not concentrated nor containing added sugar or other sweetening matter:			
0401 10	– Of a fat content, by weight, not exceeding 1 %:			
0401 10 10	– – In immediate packings of a net content not exceeding 2 litres	0401 10 10 9000		2,327
0401 10 90	– – Other	0401 10 90 9000		2,327
0401 20	– Of a fat content, by weight, exceeding 1 % but not exceeding 6 %:			
	– – Not exceeding 3 %:			
0401 20 11	– – – In immediate packings of a net content not exceeding 2 litres:			
	– Of a fat content, by weight, not exceeding 1,5 %	0401 20 11 9100		2,327
	– Of a fat content, by weight, exceeding 1,5 %	0401 20 11 9500		3,597
0401 20 19	– – – Other:			
	– Of a fat content, by weight, not exceeding 1,5 %	0401 20 19 9100		2,327
	– Of a fat content, by weight, exceeding 1,5 %	0401 20 19 9500		3,597
	– – Exceeding 3 %:			
0401 20 91	– – – In immediate packings of a net content not exceeding 2 litres:			
	– Of a fat content, by weight, not exceeding 4 %	0401 20 91 9100		4,551
	– Of a fat content, by weight, exceeding 4 %	0401 20 91 9500		5,302
0401 20 99	– – – Other:			
	– Of a fat content, by weight, not exceeding 4 %	0401 20 99 9100		4,551
	– Of a fat content, by weight, exceeding 4 %	0401 20 99 9500		5,302
0401 30	– Of a fat content, by weight, exceeding 6 %:			
	– – Not exceeding 21 %:			
0401 30 11	– – – In immediate packings of a net content not exceeding 2 litres:			
	– Of a fat content, by weight:			
	– Not exceeding 10 %	0401 30 11 9100		6,803
	– Exceeding 10 % but not exceeding 17 %	0401 30 11 9400		10,50
	– Exceeding 17 %	0401 30 11 9700		15,77
0401 30 19	– – – Other:			
	– Of a fat content, by weight:			
	– Not exceeding 10 %	0401 30 19 9100		6,803
	– Exceeding 10 % but not exceeding 17 %	0401 30 19 9400		10,50
	– Exceeding 17 %	0401 30 19 9700		15,77
	– – Exceeding 21 % but not exceeding 45 %:			
0401 30 31	– – – In immediate packings of a net content not exceeding 2 litres:			
	– Of a fat content, by weight:			
	– Not exceeding 35 %	0401 30 31 9100		38,32
	– Exceeding 35 % but not exceeding 39 %	0401 30 31 9400		59,85
	– Exceeding 39 %	0401 30 31 9700		66,00

(in EUR/100 kg weight, if no other indication)

CN code	Description of goods	Product code	Notes	Amount of aid
0401 30 39	--- Other:			
	- Of a fat content, by weight:			
	- Not exceeding 35 %	0401 30 39 9100		38,32
	- Exceeding 35 % but not exceeding 39 %	0401 30 39 9400		59,85
	- Exceeding 39 %	0401 30 39 9700		66,00
	-- Exceeding 45 %:			
0401 30 91	--- In immediate packings of a net content not exceeding 2 litres:			
	- Of a fat content, by weight:			
	- Not exceeding 68 %	0401 30 91 9100		75,22
	- Exceeding 68 % but not exceeding 80 %	0401 30 91 9400		110,55
	- Exceeding 80 %	0401 30 91 9700		129,01
0401 30 99	--- Other:			
	- Of a fat content, by weight:			
	- Not exceeding 68 %	0401 30 99 9100		75,22
	- Exceeding 68 % but not exceeding 80 %	0401 30 99 9400		110,55
	- Exceeding 80 %	0401 30 99 9700		129,01
0402	Milk and cream, concentrated or containing added sugar or other sweetening matter:			
0402 10	- In powder, granules or other solid forms, of a fat content, by weight, not exceeding 1,5 % (7):			
	-- Not containing added sugar or other sweetening matter:			
0402 10 11	--- In immediate packings of a net content not exceeding 2,5 kg	0402 10 11 9000	(13)	81,00
0402 10 19	--- Other	0402 10 19 9000	(13)	81,00
	-- Other:			
0402 10 91	--- In immediate packings of a net content not exceeding 2,5 kg	0402 10 91 9000	(14)	0,8100
0402 10 99	--- Other	0402 10 99 9000	(14)	0,8100
	- In powder, granules or other solid forms, of a fat content, by weight, exceeding 1,5 % (7):			
0402 21	-- Not containing added sugar or other sweetening matter:			
	--- Of a fat content, by weight, not exceeding 27 %:			
0402 21 11	---- In immediate packings of a net content not exceeding 2,5 kg:			
	- Of a fat content, by weight:			
	- Not exceeding 11 %	0402 21 11 9200	(13)	81,00
	- Exceeding 11 % but not exceeding 17 %	0402 21 11 9300	(13)	99,70
	- Exceeding 17 % but not exceeding 25 %	0402 21 11 9500	(13)	105,10
	- Exceeding 25 %	0402 21 11 9900	(13)	113,00
	---- Other:			
0402 21 17	----- Of a fat content, by weight, not exceeding 11 %	0402 21 17 9000	(13)	81,00
0402 21 19	----- Of a fat content, by weight, exceeding 11 % but not exceeding 27 %:			
	- Not exceeding 17 %	0402 21 19 9300	(13)	99,70
	- Exceeding 17 % but not exceeding 25 %	0402 21 19 9500	(13)	105,10
	- Exceeding 25 %	0402 21 19 9900	(13)	113,00
	--- Of a fat content, by weight, exceeding 27 %:			

(in EUR/100 kg weight, if no other indication)

CN code	Description of goods	Product code	Notes	Amount of aid
0402 21 91	----- In immediate packings of a net content not exceeding 2,5 kg: - Of a fat content, by weight: - Not 28 % - Exceeding 28 % but not exceeding 29 % - Exceeding 29 % but not exceeding 41 % - Exceeding 41 % but not exceeding 45 % - Exceeding 45 % but not exceeding 59 % - Exceeding 59 % but not exceeding 69 % - Exceeding 69 % but not exceeding 79 % - Exceeding 7 %	0402 21 91 9100 0402 21 91 9200 0402 21 91 9300 0402 21 91 9400 0402 21 91 9500 0402 21 91 9600 0402 21 91 9700 0402 21 91 9900	(¹³) (¹³) (¹³) (¹³) (¹³) (¹³) (¹³) (¹³)	113,80 114,60 116,00 124,00 126,80 137,40 143,60 150,60
0402 21 99	----- Other: - Of a fat content, by weight: - Not exceeding 28 % - Exceeding 28 % but not exceeding 29 % - Exceeding 29 % but not exceeding 41 % - Exceeding 41 % but not exceeding 45 % - Exceeding 45 % but not exceeding 59 % - Exceeding 59 % but not exceeding 69 % - Exceeding 69 % but not exceeding 79 % - Exceeding 79 %	0402 21 99 9100 0402 21 99 9200 0402 21 99 9300 0402 21 99 9400 0402 21 99 9500 0402 21 99 9600 0402 21 99 9700 0402 21 99 9900	(¹³) (¹³) (¹³) (¹³) (¹³) (¹³) (¹³) (¹³)	113,80 114,60 116,00 124,00 126,80 137,40 143,60 150,60
ex 0402 29	-- Other: --- Of a fat content, by weight, not exceeding 27 %: ----- Other:			
0402 29 15	----- In immediate packings of a net content not exceeding 2,5 kg: - Of a fat content, by weight: - Not exceeding 11 % - Exceeding 11 % but not exceeding 17 % - Exceeding 17 % but not exceeding 25 % - Exceeding 25 %	0402 29 15 9200 0402 29 15 9300 0402 29 15 9500 0402 29 15 9900	(¹⁴) (¹⁴) (¹⁴) (¹⁴)	0,8100 0,9970 1,0510 1,1300
0402 29 19	----- Other: - Of a fat content, by weight: - Not exceeding 11 % - Exceeding 11 % but not exceeding 17 % - Exceeding 17 % but not exceeding 25 % - Exceeding 25 %	0402 29 19 9200 0402 29 19 9300 0402 29 19 9500 0402 29 19 9900	(¹⁴) (¹⁴) (¹⁴) (¹⁴)	0,8100 0,9970 1,0510 1,1300
0402 29 91	--- Of a fat content, by weight, exceeding 27 %: ----- In immediate packings of a net content not exceeding 2,5 kg: - Of a fat content, by weight: - Not exceeding 41 % - Exceeding 41 %	0402 29 91 9100 0402 29 91 9500	(¹⁴) (¹⁴)	1,1380 1,2400
0402 29 99	----- Other: - Of a fat content, by weight: - Not exceeding 41 % - Exceeding 41 %	0402 29 99 9100 0402 29 99 9500	(¹⁴) (¹⁴)	1,1380 1,2400

(in EUR/100 kg weight, if no other indication)

CN code	Description of goods	Product code	Notes	Amount of aid
	– Other:			
0402 91	– – Not containing added sugar or other sweetening matter:			
	– – – Of a fat content, by weight, not exceeding 8 %:			
0402 91 11	– – – – In immediate packings of a net content not exceeding 2,5 kg:			
	– Of a non-fat lactic dry matter content:			
	– Of less than 15 % and of a fat content, by weight:			
	– Not exceeding 3 %	0402 91 11 9110	(¹³)	2,327
	– Exceeding 3 %	0402 91 11 9120	(¹³)	4,551
	– Of 15 % or more and of a fat content, by weight:			
	– Not exceeding 3 %	0402 91 11 9310	(¹³)	13,30
	– Exceeding 3 % but not exceeding 7,4 %	0402 91 11 9350	(¹³)	16,29
	– Exceeding 7,4 %	0402 91 11 9370	(¹³)	19,81
0402 91 19	– – – – Other:			
	– Of a non-fat lactic dry matter content:			
	– Of less than 15 % and of a fat content, by weight:			
	– Not exceeding 3 %	0402 91 19 9110	(¹³)	2,327
	– Exceeding 3 %	0402 91 19 9120	(¹³)	4,551
	– Of 15 % or more and of a fat content, by weight:			
	– Not exceeding 3 %	0402 91 19 9310	(¹³)	13,30
	– Exceeding 3 % but not exceeding 7,4 %	0402 91 19 9350	(¹³)	16,29
	– Exceeding 7,4 %	0402 91 19 9370	(¹³)	19,81
	– – – Of a fat content, by weight, exceeding 8 % but not exceeding 10 %:			
0402 91 31	– – – – In immediate packings of a net content not exceeding 2,5 kg:			
	– Of a non-fat lactic dry matter content:			
	– Of less than 15 %	0402 91 31 9100	(¹³)	8,991
	– Of 15 % or more	0402 91 31 9300	(¹³)	23,42
0402 91 39	– – – – Other:			
	– Of a non-fat lactic dry matter content:			
	– Of less than 15 %	0402 91 39 9100	(¹³)	8,991
	– Of 15 % or more	0402 91 39 9300	(¹³)	23,42
	– – – Of a fat content, by weight, exceeding 10 % but not exceeding 45 %:			
0402 91 51	– – – – In immediate packings of a net content not exceeding 2,5 kg	0402 91 51 9000	(¹³)	10,50
0402 91 59	– – – – Other	0402 91 59 9000	(¹³)	10,50
	– – – Of a fat content, by weight, exceeding 45 %:			
0402 91 91	– – – – In immediate packings of a net content not exceeding 2,5 kg	0402 91 91 9000	(¹³)	75,22
0402 91 99	– – – – Other	0402 91 99 9000	(¹³)	75,22

(in EUR/100 kg weight, if no other indication)

CN code	Description of goods	Product code	Notes	Amount of aid
0402 99	-- Other:			
	--- Of a fat content, by weight, not exceeding 9,5 %:			
0402 99 11	---- In immediate packings of a net content not exceeding 2,5 kg:			
	- Of a non-fat lactic dry matter content of less than 15 % and of a fat content, by weight:			
	- Not exceeding 3 %	0402 99 11 9110	(14)	0,0233
	- Exceeding 3 % but not exceeding 6,9 %	0402 99 11 9130	(14)	0,0456
	- Exceeding 6,9 %	0402 99 11 9150	(14)	0,1269
	- Of a non-fat lactic dry matter content of 15 % or more and of a fat content, by weight:			
	- Not exceeding 3 %	0402 99 11 9310	(14)	0,2689
	- Exceeding 3 % but not exceeding 6,9 %	0402 99 11 9330	(14)	0,3228
	- Exceeding 6,9 %	0402 99 11 9350	(14)	0,4291
0402 99 19	---- Other:			
	- Of a non-fat lactic dry matter content of less than 15 % and of a fat content, by weight:			
	- Not exceeding 3 %	0402 99 19 9110	(14)	0,0233
	- Exceeding 3 % but not exceeding 6,9 %	0402 99 19 9130	(14)	0,0456
	- Exceeding 6,9 %	0402 99 19 9150	(14)	0,1269
	- Of a non-fat lactic dry matter content of 15 % or more and of a fat content, by weight:			
	- Not exceeding 3 %	0402 99 19 9310	(14)	0,2689
	- Exceeding 3 % but not exceeding 6,9 %	0402 99 19 9330	(14)	0,3228
	- Exceeding 6,9 %	0402 99 19 9350	(14)	0,4291
	--- Of a fat content, by weight, exceeding 9,5 % but not exceeding 45 %:			
0402 99 31	---- In immediate packings not exceeding 2,5 kg:			
	- Of a fat content, by weight, not exceeding 21 %:			
	- Of a non-fat lactic dry matter content, by weight, of less than 15 %	0402 99 31 9110	(14)	0,0975
	- Of a non-fat lactic dry matter content, by weight, of 15 % or more	0402 99 31 9150	(14)	0,4467
	- Of a fat content, by weight, exceeding 21 % but not exceeding 39 %	0402 99 31 9300	(14)	0,3832
	- Of a fat content, by weight, exceeding 39 %	0402 99 31 9500	(14)	0,6600
0402 99 39	---- Other:			
	- Of a fat content, by weight, not exceeding 21 %:			
	- Of a non-fat lactic dry matter content, by weight, of less than 15 %	0402 99 39 9110	(14)	0,0975
	- Of a non-fat lactic dry matter content, by weight, of 15 % or more	0402 99 39 9150	(14)	0,4467
	- Of a fat content, by weight, exceeding 21 % but not exceeding 39 %	0402 99 39 9300	(14)	0,3832
	- Of a fat content, by weight, exceeding 39 %	0402 99 39 9500	(14)	0,6600

(in EUR/100 kg weight, if no other indication)

CN code	Description of goods	Product code	Notes	Amount of aid
	--- Of a fat content, by weight, exceeding 45 %:			
0402 99 91	---- In immediate packings not exceeding 2,5 kg	0402 99 91 9000	(¹⁴)	0,7522
0402 99 99	---- Other	0402 99 99 9000	(¹⁴)	0,7522
ex 0405	Butter and other fats and oils derived from milk; dairy spreads:			
0405 10	- Butter:			
	-- Of a fat content, by weight, not exceeding 85 %:			
	--- Natural butter:			
0405 10 11	---- In immediate packings of a net content not exceeding 1 kg:			
	----- Of a fat content by weight:			
	----- Of 80 % or more but less than 82 %	0405 10 11 9500		176,10
	----- Of 82 % or more	0405 10 11 9700		180,50
0405 10 19	---- Other:			
	----- Of a fat content by weight:			
	----- Of 80 % or more but less than 82 %	0405 10 19 9500		176,10
	----- Of 82 % or more	0405 10 19 9700		180,50
0405 10 30	--- Recombined butter:			
	---- In immediate packings of a net content not exceeding 1 kg:			
	----- Of a fat content by weight:			
	----- Of 80 % or more but less than 82 %	0405 10 30 9100		176,10
	----- Of 82 % or more	0405 10 30 9300		180,50
	---- Other:			
	----- Of a fat content by weight:			
	----- Of 80 % or more but less than 82 %	0405 10 30 9500		176,10
	----- Of 82 % or more	0405 10 30 9700		180,50
0405 10 50	--- Whey butter:			
	---- In immediate packings of a net content not exceeding 1 kg:			
	----- Of a fat content by weight:			
	----- Of 80 % or more but less than 82 %	0405 10 50 9100		176,10
	----- Of 82 % or more	0405 10 50 9300		180,50
	---- Other:			
	----- Of a fat content by weight:			
	----- Of 80 % or more but less than 82 %	0405 10 50 9500		176,10
	----- Of 82 % or more	0405 10 50 9700		180,50
0405 10 90	-- Other	0405 10 90 9000		187,10
ex 0405 20	- Dairy spreads:			
0405 20 90	-- Of a fat content by weight of more than 75 % but less than 80 %:			
	--- Of a fat content by weight:			
	---- Of more than 75 % but less than 78 %	0405 20 90 9500		165,09
	---- Of 78 % or more	0405 20 90 9700		171,69
0405 90	- Other:			
0405 90 10	-- Of a fat content by weight of 99,3 % or more and of a water content by weight not exceeding 0,5 %:	0405 90 10 9000		228,00
0405 90 90	-- Other	0405 90 90 9000		180,50

(in EUR/100 kg weight, if no other indication)

CN code	Description of goods	Additional requirements for using the product code		Product code	Notes	Amount of aid
		Maximum water content in product weight (%)	Minimum fat content in the dry matter (%)			
ex 0406	Cheese and curd ⁽⁵⁾ :					
ex 0406 30	— Processed cheese, not grated or powdered ⁽⁶⁾ :					
	— — Other:					
	— — — Of a fat content, by weight, not exceeding 36 % and of a fat content, by weight, in the dry matter:					
ex 0406 30 31	— — — — Not exceeding 48 %:					
	— — — — — Of a dry matter content, by weight:					
	— — — — — — Of 40 % or more but less than 43 %, and of a fat content, by weight, in the dry matter:					
	— — — — — — — Of less than 20 %	60		0406 30 31 9710	⁽⁵⁾	17,88
	— — — — — — — Of 20 % or more	60	20	0406 30 31 9730	⁽⁵⁾	26,24
	— — — — — — — Of 43 % or more and with a fat content, by weight, in the dry matter:					
	— — — — — — — Of less than 20 %	57		0406 30 31 9910	⁽⁵⁾	17,88
	— — — — — — — Of 20 % or more but less than 40 %	57	20	0406 30 31 9930	⁽⁵⁾	26,24
	— — — — — — — Of 40 % or more	57	40	0406 30 31 9950	⁽⁵⁾	38,17
ex 0406 30 39	— — — — Exceeding 48 %:					
	— — — — — Of a dry matter, content, by weight:					
	— — — — — — Of 40 % or more but less than 43 %	60	48	0406 30 39 9500	⁽⁵⁾	26,24
	— — — — — — Of 43 % or more but less than 46 %	57	48	0406 30 39 9700	⁽⁵⁾	38,17
	— — — — — — — Of 46 % or more and with a fat content, by weight, in the dry matter:					
	— — — — — — — Of less than 55 %	54	48	0406 30 39 9930	⁽⁵⁾	38,17
	— — — — — — — Of 55 % or more	54	55	0406 30 39 9950	⁽⁵⁾	43,16
ex 0406 30 90	— — — Of a list content exceeding 36 %	54	79	0406 30 90 9000	⁽⁵⁾	45,28
ex 0406 90 23	— — — Edam	47	40	0406 90 23 9900	⁽⁵⁾	103,92
ex 0406 90 25	— — — Tilsit	47	45	0406 90 25 9900	⁽⁵⁾	102,80
ex 0406 90 27	— — — Butterkäse	52	45	0406 90 27 9900	⁽⁵⁾	93,10
ex 0406 90 76	— — — — — Danbo, Fontal, Fontina, Fynbo, Havarti, Maribo, Samsøe:					
	— — — — — — Of a fat content, by weight, in the dry matter of 45 % or more but less than 55 %:					
	— — — — — — — Of a dry matter content, by weight, of 50 % or more but less than 56 %	50	45	0406 90 76 9300	⁽⁵⁾	96,98
	— — — — — — — Of a dry matter content, by weight, of 56 % or more	46	55	0406 90 76 9400	⁽⁵⁾	108,62
	— — — — — — — Of a fat content, by weight, in the dry matter of 55 % or more	46	55	0406 90 76 9500	⁽⁵⁾	102,45

(in EUR/100 kg weight, if no other indication)

CN code	Description of goods	Additional requirements for using the product code		Product code	Notes	Amount of aid
		Maximum water content in product weight (%)	Minimum fat content in the dry matter (%)			
ex 0406 90 78	----- Gouda:					
	----- Of a fat content, by weight, in the dry matter of less than 48 %	50	20	0406 90 78 9100	(⁵)	102,26
	----- Of a fat content by weight, in the dry matter of 48 % or more but less 55 %	45	48	0406 90 78 9300	(⁵)	105,98
	----- Other	45	55	0406 90 78 9500	(⁵)	104,35
ex 0406 90 79	----- Esrom, Italico, Kernhem, Saint-Nectaire, Saint-Paulin, Taleggio	56	40	0406 90 79 9900	(⁵)	86,27
ex 0406 90 81	----- Cantal, Cheshire, Wensleydale, Lancashire, Double Gloucester, Blarney, Colby, Monterey	44	45	0406 90 81 9900	(⁵)	108,62
ex 0406 90 86	----- Exceeding 47 % but not exceeding 52 %:					
	----- cheeses produced from whey			0406 90 86 9100		—
	----- Other, of a fat content, by weight, in the dry matter:					
	----- Of less than 5 %	52		0406 90 86 9200	(⁵)	102,23
	----- Of 5 % or more but less than 19 %	51	5	0406 90 86 9300	(⁵)	103,32
	----- Of 19 % or more but less than 39 %	47	19	0406 90 86 9400	(⁵)	108,62
	----- Of 39 % or more	40	39	0406 90 86 9900	(⁵)	117,90
ex 0406 90 87	----- Exceeding 52 % but not exceeding 62 %:					
	----- cheeses produced from whey, except for Manouri			0406 90 87 9100		—
	----- Other, of a fat content, by weight, in the dry matter:					
	----- Of less than 5 %	60		0406 90 87 9200	(⁵)	85,19
	----- Of 5 % or more but less than 19 %	55	5	0406 90 87 9300	(⁵)	94,89
	----- Of 19 % or more but less than 40 %	53	19	0406 90 87 9400	(⁵)	96,33
	----- Of 40 % or more:					
	----- Idiazabal, Manchego and Roncal manufactured exclusively from sheep's milk	45	45	0406 90 87 9951	(⁵)	106,68
	----- Maasdam	45	45	0406 90 87 9971	(⁵)	106,68
	----- Manouri	43	53	0406 90 87 9972	(⁵)	45,63
	----- Hushallsost	46	45	0406 90 87 9973	(⁵)	104,74
	----- Murukoloinen	41	50	0406 90 87 9974	(⁵)	113,19
	----- Other	47	40	0406 90 87 9979	(⁵)	103,92

(in EUR/100 kg weight, if no other indication)

CN code	Description of goods	Additional requirements for using the product code		Product code	Notes	Amount of aid
		Maximum water content in product weight (%)	Minimum fat content in the dry matter (%)			
ex 0406 90 88	----- Exceeding 62 % but not exceeding 72 %: ----- cheeses produced from whey ----- Other: ----- Other: ----- Of a fat content, by weight, in the dry matter: ----- Of 10 % or more but less than 19 %	60	10	0406 90 88 9100 0406 90 88 9300	 (⁵)	— 83,50

(⁵) In the case of cheeses presented in containers which also contain conserving liquid, in particular brine, the aid is granted on the net weight, the weight of the liquid being deducted.

(⁶) Where the product contains non-lactic matter and/or casein and/or caseinates and/or whey and/or products derived from whey and/or lactose and/or permeate and/or products falling within CN code 3504, the part corresponding to the added non-lactic matter and/or casein and/or caseinates and/or whey and/or products derived from whey and/or lactose and/or permeate and/or products falling within CN code 3504 will not be taken into account for the purpose of calculating the aid.

When completing customs formalities, the party concerned is to state, on the declaration provided for the purpose, whether or not non-lactic matter and/or casein and/or caseinates and/or whey and/or products derived from whey and/or lactose and/or permeate and/or products falling within CN code 3504 have been added and, if so, the maximum content by weight of added non-lactic matter and/or casein and/or caseinates and/or whey and/or products derived from whey and/or lactose and/or permeate and/or products falling within CN code 3504 per 100 kilograms of finished product.

(⁷) The aid on frozen condensed milk is the same as that on products falling within CN codes 0402 91 or 0402 99.

(¹³) Where the product contains non-lactic matter, the non-lactic matter is not to be taken into account for the purposes of calculating the aid.

When completing customs formalities, the applicant must state on the declaration provided for that purpose whether or not non-lactic matter has been added and, where this is the case, the maximum content by weight of the non-lactic matter added per 100 kilograms of finished product.

(¹⁴) Where the product contains non-lactic matter other than sucrose, the non-lactic matter other than sucrose is not to be taken into account for the purposes of calculating the aid.

The aid on 100 kilograms of product covered by this subheading is equal to the sum of the following components:

(a) the amount per kilogram shown, multiplied by the weight of the lactic matter per 100 kilograms of product;

(b) a component calculated in accordance with Article 12(3) of Commission Regulation (EC) No 1466/95 (OJ L 144, 28.6.1995, p. 22).

When completing customs formalities, the applicant must state on the declaration provided for that purpose the maximum content by weight of sucrose and/or other non-lactic matter added per 100 kilograms of finished product.

**COMMISSION REGULATION (EC) No 2660/1999
of 16 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 10 to 16 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 45,50/t.

Article 2

This Regulation shall enter into force on 17 December 1999.

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

Done at Brussels, 16 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 2661/1999
of 16 December 1999**

**fixing the maximum export refund on oats in connection with the invitation to tender issued in
Regulation (EC) No 1897/1999**

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⁾,

Having regard to Commission Regulation (EC) No 1897/1999 of 2 September 1999 on a special intervention measure for cereals in Finland and Sweden⁽⁵⁾, as last amended by Regulation (EC) No 2482/1999⁽⁶⁾, and in particular Article 8 thereof,

- (1) Whereas an invitation to tender for the refund for the export of oats produced in Finland and Sweden for export from Finland or Sweden to all third countries was opened pursuant to Regulation (EC) No 1897/1999;
- (2) Whereas Article 8 of Regulation (EC) No 1897/1999 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;

- (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 10 to 16 December 1999, pursuant to the invitation to tender issued in Regulation (EC) No 1897/1999, the maximum refund on exportation of oats shall be EUR 60,95/t.

Article 2

This Regulation shall enter into force on 17 December 1999.

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

Done at Brussels, 16 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 233, 3.9.1999, p. 10.

⁽⁶⁾ OJ L 303, 26.11.1999, p. 3.

COMMISSION REGULATION (EC) No 2662/1999**of 16 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 10 to 16 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 42,48/t.

Article 2

This Regulation shall enter into force on 17 December 1999.

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

Done at Brussels, 16 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 2663/1999
of 16 December 1999**

**fixing the maximum export refund on rye in connection with the invitation to tender 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 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 10 to 16 December 1999, pursuant to the invitation to tender issued in Regulation (EC) No 1758/1999, the maximum refund on exportation of rye shall be EUR 67,00/t.

Article 2

This Regulation shall enter into force on 17 December 1999.

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

Done at Brussels, 16 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 2664/1999**of 16 December 1999****fixing the maximum export refund on barley in connection with the invitation to tender 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 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 10 to 16 December 1999, pursuant to the invitation to tender issued in Regulation (EC) No 1701/1999, the maximum refund on exportation of barley shall be EUR 29,99/t.

Article 2

This Regulation shall enter into force on 17 December 1999.

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

Done at Brussels, 16 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 2665/1999**of 16 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 17 December 1999.

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

Done at Brussels, 16 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 16 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	58,25
1001 90 91 9000	—	—	1101 00 15 9130	01	54,50
1001 90 99 9000	03	32,50	1101 00 15 9150	01	50,25
	02	0	1101 00 15 9170	01	46,50
1002 00 00 9000	03	57,00	1101 00 15 9180	01	43,25
	02	0	1101 00 15 9190	—	—
1003 00 10 9000	—	—	1101 00 90 9000	—	—
1003 00 90 9000	03	20,00	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	37,00	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).

COMMISSION REGULATION (EC) No 2666/1999
of 16 December 1999
fixing the export refunds on products processed from cereals and rice

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EEC) No 1766/92 of 30 June 1992 on the common organization of the market in cereals ⁽¹⁾, as last amended by Commission Regulation (EC) No 1253/1999 ⁽²⁾, and in particular Article 13(3) thereof,

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

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

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

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

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

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

(6) 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;

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

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

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

HAS ADOPTED THIS REGULATION:

Article 1

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

⁽¹⁾ OJ L 181, 1.7.1992, p. 21.

⁽²⁾ OJ L 160, 26.6.1999, p. 18.

⁽³⁾ OJ L 329, 30.12.1995, p. 18.

⁽⁴⁾ OJ L 265, 30.9.1998, p. 4.

⁽⁵⁾ OJ L 147, 30.6.1995, p. 55.

⁽⁶⁾ OJ L 312, 23.12.1995, p. 25.

Article 2

This Regulation shall enter into force on 17 December 1999.

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

Done at Brussels, 16 December 1999.

For the Commission

Franz FISCHLER

Member of the Commission

ANNEX

to the Commission Regulation of 16 December 1999 fixing the export refunds on products processed from cereals and rice

(EUR/tonne)		(EUR/tonne)	
Product code	Refund	Product code	Refund
1102 20 10 9200 ⁽¹⁾	71,02	1104 23 10 9100	76,10
1102 20 10 9400 ⁽¹⁾	60,88	1104 23 10 9300	58,34
1102 20 90 9200 ⁽¹⁾	60,88	1104 29 11 9000	41,07
1102 90 10 9100	40,92	1104 29 51 9000	40,26
1102 90 10 9900	27,83	1104 29 55 9000	40,26
1102 90 30 9100	81,86	1104 30 10 9000	10,07
1103 12 00 9100	81,86	1104 30 90 9000	12,68
1103 13 10 9100 ⁽¹⁾	91,31	1107 10 11 9000	71,66
1103 13 10 9300 ⁽¹⁾	71,02	1107 10 91 9000	48,56
1103 13 10 9500 ⁽¹⁾	60,88	1108 11 00 9200	80,52
1103 13 90 9100 ⁽¹⁾	60,88	1108 11 00 9300	80,52
1103 19 10 9000	54,69	1108 12 00 9200	81,17
1103 19 30 9100	42,28	1108 12 00 9300	81,17
1103 21 00 9000	41,07	1108 13 00 9200	81,17
1103 29 20 9000	27,83	1108 13 00 9300	81,17
1104 11 90 9100	40,92	1108 19 10 9200	45,60
1104 12 90 9100	90,96	1108 19 10 9300	45,60
1104 12 90 9300	72,77	1109 00 00 9100	0,00
1104 19 10 9000	41,07	1702 30 51 9000 ⁽²⁾	100,56
1104 19 50 9110	81,17	1702 30 59 9000 ⁽²⁾	76,98
1104 19 50 9130	65,95	1702 30 91 9000	100,56
1104 21 10 9100	40,92	1702 30 99 9000	76,98
1104 21 30 9100	40,92	1702 40 90 9000	76,98
1104 21 50 9100	54,56	1702 90 50 9100	100,56
1104 21 50 9300	43,65	1702 90 50 9900	76,98
1104 22 20 9100	72,77	1702 90 75 9000	105,37
1104 22 30 9100	77,32	1702 90 79 9000	73,13
		2106 90 55 9000	76,98

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

⁽²⁾ Refunds are granted in accordance with Council Regulation (EEC) No 2730/75 (OJ L 281, 1.11.1975, p. 20), amended.

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

COMMISSION REGULATION (EC) No 2667/1999
of 16 December 1999
fixing the export refunds on cereal-based compound feedingstuffs

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EEC) No 1766/92 of 30 June 1992 on the common organization of the market in cereals⁽¹⁾, as last amended by Regulation (EC) No 1253/1999⁽²⁾, and in particular Article 13(3) 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 within the Community may be covered by an export refund;
- (2) Whereas Regulation (EC) No 1517/95 of 29 June 1995 laying down detailed rules for the application of Regulation (EEC) No 1766/92 as regards the arrangements for the export and import of compound feedingstuffs based on cereals and amending Regulation (EC) No 1162/95 laying down special detailed rules for the application of the system of import and export licences for cereals and rice⁽³⁾ in Article 2 lays down general rules for fixing the amount of such refunds;
- (3) Whereas that calculation must also take account of the cereal products content; whereas in the interest of simplification, the refund should be paid in respect of two categories of 'cereal products', namely for maize, the most commonly used cereal in exported compound feeds and maize products, and for 'other cereals', these being eligible cereal products excluding maize and maize products; whereas a refund should be granted in respect of the quantity of cereal products present in the compound feedingstuff;

- (4) Whereas furthermore, the amount of the refund must also take into account the possibilities and conditions for the sale of those products on the world market, the need to avoid disturbances on the Community market and the economic aspect of the export;
- (5) Whereas, however, in fixing the rate of refund it would seem advisable to base it at this time on the difference in the cost of raw inputs widely used in compound feedingstuffs as the Community and world markets, allowing more accurate account to be taken of the commercial conditions under which such products are exported;
- (6) Whereas the refund must be fixed once a month; whereas it may be altered in the intervening period;
- (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 compound feedingstuffs covered by Regulation (EEC) No 1766/92 and subject to Regulation (EC) No 1517/95 are hereby fixed as shown in the Annex to this Regulation.

Article 2

This Regulation shall enter into force on 17 December 1999.

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

Done at Brussels, 16 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. 51.

ANNEX

to the Commission Regulation of 16 December 1999 fixing the export refunds on cereal-based compound feedingsuffs

Product code benefiting from export refund ⁽¹⁾:

2309 10 11 9000, 2309 10 13 9000, 2309 10 31 9000,
2309 10 33 9000, 2309 10 51 9000, 2309 10 53 9000,
2309 90 31 9000, 2309 90 33 9000, 2309 90 41 9000,
2309 90 43 9000, 2309 90 51 9000, 2309 90 53 9000.

(EUR/t)

Cereal products ⁽²⁾	Amount of refund ⁽²⁾
Maize and maize products: CN codes 0709 90 60, 0712 90 19, 1005, 1102 20, 1103 13, 1103 29 40, 1104 19 50, 1104 23, 1904 10 10	50,73
Cereal products ⁽²⁾ excluding maize and maize products	33,77

⁽¹⁾ The product codes are defined in Sector 5 of the Annex to Commission Regulation (EEC) No 3846/87 (OJ L 366, 24.12.1987, p. 1), amended.

⁽²⁾ For the purposes of the refund only the starch coming from cereal products is taken into account.

Cereal products means the products falling within subheadings 0709 90 60 and 0712 90 19, Chapter 10, and headings Nos 1101, 1102, 1103 and 1104 (unprocessed and not reconstituted excluding subheading 1104 30) and the cereals content of the products falling within subheadings 1904 10 10 and 1904 10 90 of the combined nomenclature. The cereals content in products under subheadings 1904 10 10 and 1904 10 90 of the combined nomenclature is considered to be equal to the weight of this final product. No refund is paid for cereals where the origin of the starch cannot be clearly established by analysis.

**COMMISSION REGULATION (EC) No 2668/1999
of 16 December 1999
fixing production refunds on cereals and rice**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EEC) No 1766/92 of 30 June 1992, on the common organisation of the market in cereals ⁽¹⁾, as last amended by Commission Regulation (EC) No 1253/1999 ⁽²⁾, and in particular Article 7 ⁽³⁾ thereof,

Having regard to Council Regulation (EC) No 3072/95 of 22 December 1995 on the common organisation of the market in rice ⁽³⁾, as last amended by Regulation (EC) No 2072/98 ⁽⁴⁾, and in particular Article 7(2) thereof,

Having regard to Commission Regulation (EEC) No 1722/93 of 30 June 1993 laying down detailed rules for the arrangements concerning production refunds in the cereals and rice sectors ⁽⁵⁾, as last amended by Regulation (EC) No 87/1999 ⁽⁶⁾, and in particular Article 3 thereof,

- (1) Whereas Regulation (EEC) No 1722/93 establishes the conditions for granting the production refund; whereas the basis for the calculation is established in Article 3 of the said Regulation; whereas the refund thus calculated

must be fixed once a month and may be altered if the price of maize and/or wheat changes significantly;

- (2) Whereas the production refunds to be fixed in this Regulation should be adjusted by the coefficients listed in the Annex II to Regulation (EEC) No 1722/93 to establish the exact amount payable;
- (3) 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 refund referred to in Article 3(2) of Regulation (EEC) No 1722/93, expressed per tonne of starch extracted from maize, wheat, barley, oats, potatoes, rice or broken rice, shall be EUR 49,01/t.

Article 2

This Regulation shall enter into force on 17 December 1999.

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

Done at Brussels, 16 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 329, 30.12.1995, p. 18.

⁽⁴⁾ OJ L 265, 30.9.1998, p. 4.

⁽⁵⁾ OJ L 159, 1.7.1993, p. 112.

⁽⁶⁾ OJ L 9, 15.1.1999, p. 8.

COMMISSION REGULATION (EC) No 2669/1999
of 16 December 1999
on the issue of system B export licences in the fruit and vegetables sector

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Commission Regulation (EC) No 2190/96 of 14 November 1996 on detailed rules for implementing Council Regulation (EC) No 2200/96 as regards export refunds on fruit and vegetables ⁽¹⁾, as last amended by Regulation (EC) No 1303/1999 ⁽²⁾, and in particular Article 5(5) thereof,

- (1) Whereas Commission Regulation (EC) No 2331/1999 ⁽³⁾, fixes the indicative quantities for system B export licences other than those sought in the context of food aid;
- (2) Whereas, in the light of the information available to the Commission today, there is a risk that the indicative quantities laid down for the current export period for tomatoes will shortly be exceeded; whereas this overrun will prejudice the proper working of the export refund scheme in the fruit and vegetables sector;

- (3) Whereas, to avoid this situation, applications for system B licences for tomatoes exported after 16 December 1999 should be rejected until the end of the current export period,

HAS ADOPTED THIS REGULATION:

Article 1

Applications for system B export licences for tomatoes submitted pursuant to Article 1 of Regulation (EC) No 2331/1999, export declarations for which are accepted after 16 December 1999 and before 24 January 2000, are hereby rejected.

Article 2

This Regulation shall enter into force on 17 December 1999.

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

Done at Brussels, 16 December 1999.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ L 292, 15.11.1996, p. 12.

⁽²⁾ OJ L 155, 22.6.1999, p. 29.

⁽³⁾ OJ L 281, 4.11.1999, p. 3.

**COMMISSION REGULATION (EC) No 2670/1999
of 16 December 1999**

**fixing the rates of the refunds applicable to certain cereal and rice-products exported in the form of
goods not covered by Annex I to the Treaty**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EEC) No 1766/92 of 30 June 1992 on the common organisation of the market in cereals ⁽¹⁾, as last amended by Commission Regulation (EC) No 1253/1999 ⁽²⁾, and in particular Article 13(3) thereof,

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

Whereas:

- (1) Article 13(1) of Regulation (EEC) No 1766/92 and Article 13(1) of Regulation (EC) No 3072/95 provide that the difference between quotations of prices on the world market for the products listed in Article 1 of each of those Regulations and the prices within the Community may be covered by an export refund.
- (2) Commission Regulation (EC) No 1222/94 of 30 May 1994 laying down common implementing rules for granting export refunds on certain agricultural products exported in the form of goods not covered by Annex I to the Treaty, and the criteria for fixing the amount of such refunds ⁽⁵⁾, as last amended by Regulation (EC) No 1702/1999 ⁽⁶⁾, specifies the products for which a rate of refund should be fixed, to be applied where these products are exported in the form of goods listed in Annex B to Regulation (EEC) No 1766/92 or in Annex B to Regulation (EC) No 3072/95 as appropriate.
- (3) In accordance with the first subparagraph of Article 4(1) of Regulation (EC) No 1222/94, the rate of the refund per 100 kilograms for each of the basic products in question must be fixed for each month.
- (4) The commitments entered into with regard to refunds which may be granted for the export of agricultural products contained in goods not covered by Annex I to the Treaty may be jeopardised by the fixing in advance of high refund rates. Whereas it is therefore necessary to take precautionary measures in such situations without, however, preventing the conclusion of long-term

contracts. Whereas the fixing of a specific refund rate for the advance fixing of refunds is a measure which enables these various objectives to be met.

- (5) Now that a settlement has been reached between the European Community and the United States of America on Community exports of pasta products to the United States and has been approved by Council Decision 87/482/EEC ⁽⁷⁾, it is necessary to differentiate the refund on goods falling within CN codes 1902 11 00 and 1902 19 according to their destination.
- (6) Article 4(5)(b) of Regulation (EC) No 1222/94 provides that, in the absence of the proof referred to in Article 4(5)(a) of that Regulation, a reduced rate of export refund has to be fixed, taking account of the amount of the production refund applicable, pursuant to Commission Regulation (EEC) No 1722/93 ⁽⁸⁾, as last amended by Regulation (EC) No 87/1999 ⁽⁹⁾, for the basic product in question, used during the assumed period of manufacture of the goods.
- (7) It is necessary to ensure continuity of strict management taking account of expenditure forecasts and funds available in the budget.
- (8) The Management Committee for Cereals has not delivered an opinion within the time limit set by its chairman,

HAS ADOPTED THIS REGULATION:

Article 1

The rates of the refunds applicable to the basic products appearing in Annex A to Regulation (EC) No 1222/94 and listed either in Article 1 of Regulation (EEC) No 1766/92 or in Article 1(1) of Regulation (EC) No 3072/95, exported in the form of goods listed in Annex B to Regulation (EEC) No 1766/92 or in Annex B to amended Regulation (EC) No 3072/95 respectively, are hereby fixed as shown in the Annex to this Regulation.

Article 2

This Regulation shall enter into force on 17 December 1999.

⁽¹⁾ OJ L 181, 1.7.1992, p. 21.

⁽²⁾ OJ L 160, 26.6.1999, p. 18.

⁽³⁾ OJ L 329, 30.12.1995, p. 18.

⁽⁴⁾ OJ L 265, 30.9.1998, p. 4.

⁽⁵⁾ OJ L 136, 31.5.1994, p. 5.

⁽⁶⁾ OJ L 201, 31.7.1999, p. 30.

⁽⁷⁾ OJ L 275, 29.9.1987, p. 36.

⁽⁸⁾ OJ L 159, 1.7.1993, p. 112.

⁽⁹⁾ OJ L 9, 15.1.1999, p. 8.

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

Done at Brussels, 16 December 1999.

For the Commission

Erkki LIIKANEN

Member of the Commission

ANNEX

**to the Commission Regulation of 16 December 1999 fixing the rates of the refunds applicable to certain cereals
and rice products exported in the form of goods not covered by Annex I to the Treaty**

(EUR/100 kg)

CN code	Description of products ⁽¹⁾	Rate of refund per 100 kg of basic product	
		In case of advance fixing of refunds	Other
1001 10 00	Durum wheat: – on exports of goods falling within CN codes 1902 11 and 1902 19 to the United States of America – in other cases	0,621 0,955	0,621 0,955
1001 90 99	Common wheat and meslin: – on exports of goods falling within CN codes 1902 11 and 1902 19 to the United States of America – in other cases: – – where pursuant to Article 4 (5) of Regulation (EC) No 1222/94 ⁽²⁾ – – in other cases	2,499 1,212 3,845	2,499 1,212 3,845
1002 00 00	Rye	5,223	5,223
1003 00 90	Barley	2,605	2,605
1004 00 00	Oats	4,343	4,343
1005 90 00	Maize (corn) used in the form of: – starch: – – where pursuant to Article 4 (5) of Regulation (EC) No 1222/94 ⁽²⁾ – – in other cases – glucose, glucose syrup, maltodextrine, maltodextrine syrup of CN codes 1702 30 51, 1702 30 59, 1702 30 91, 1702 30 99, 1702 40 90, 1702 90 50, 1702 90 75, 1702 90 79, 2106 90 55 ⁽³⁾ : – – where pursuant to Article 4 (5) of Regulation (EC) No 1222/94 ⁽²⁾ – – in other cases – other (including unprocessed) Potato starch of CN code 1108 13 00 similar to a product obtained from processed maize: – where pursuant to Article 4 (5) of Regulation (EC) No 1222/94 ⁽²⁾ – in other cases	1,554 4,845 1,304 4,595 4,845 1,554 4,845	1,554 4,845 1,304 4,595 4,845 1,554 4,845
ex 1006 30	Wholly-milled rice: – round grain – medium grain – long grain	12,129 12,129 12,129	12,129 12,129 12,129
1006 40 00	Broken rice	2,865	2,865
1007 00 90	Sorghum	2,605	2,605

⁽¹⁾ As far as agricultural products obtained from the processing of a basic product or/and assimilated products are concerned, the coefficients shown in Annex E of amended Commission Regulation (EC) No 1222/94 shall be applied (OJ L 136, 31.5.1994, p. 5).

⁽²⁾ The goods concerned are listed in Annex I of amended Regulation (EEC) No 1722/93 (OJ L 159, 1.7.1993, p. 112).

⁽³⁾ For syrups of CN codes NC 1702 30 99, 1702 40 90 and 1702 60 90, obtained from mixing glucose and fructose syrup, the export refund may be granted only for the glucose syrup.

**COMMISSION REGULATION (EC) No 2671/1999
of 16 December 1999**

**fixing the rates of the refunds applicable to certain milk products exported in the form of goods
not covered by Annex I to the Treaty**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EEC) No 804/68 of 27 June 1968 on the common organisation of the market in milk and milk products ⁽¹⁾, as last amended by Regulation (EC) No 1587/96 ⁽²⁾, and in particular Article 17 (3) thereof,

Whereas:

(1) Article 17 (1) of Regulation (EEC) No 804/68 provides that the difference between prices in international trade for the products listed in Article 1 (a), (b), (c), (d), (e), and (g) of that Regulation and prices within the Community may be covered by an export refund. Whereas Commission Regulation (EC) No 1222/94 of 30 May 1994 laying down common implementing rules for granting export refunds on certain agricultural products exported in the form of goods not covered by Annex I to the Treaty, and criteria for fixing the amount of such refunds ⁽³⁾, as last amended by Regulation (EC) No 1702/1999 ⁽⁴⁾, specifies the products for which a rate of refund should be fixed, to be applied where these products are exported in the form of goods listed in the Annex to Regulation (EEC) No 804/68.

(2) In accordance with the first subparagraph of Article 4 (1) of Regulation (EC) No 1222/94, the rate of the refund per 100 kilograms for each of the basic products in question must be fixed for each month.

(3) Article 4 (3) of Regulation (EC) No 1222/94 provides that, when the rate of the refund is being fixed, account should be taken, where necessary, of production refunds, aids or other measures having equivalent effect applicable in all Member States in accordance with the Regulation on the common organisation of the market in the product in question to the basic products listed in Annex A to that Regulation or to assimilated products.

(4) Article 11 (1) of Regulation (EEC) No 804/68 provides for the payment of aid for Community-produced skimmed milk processed into casein if such milk and the

casein manufactured from it fulfil certain conditions set out in Article 1 of Council Regulation (EEC) No 987/68 of 15 July 1968 laying down general rules for granting aid for skimmed milk processed into casein or caseinates ⁽⁵⁾, as last amended by Regulation (EEC) No 1435/90 ⁽⁶⁾.

(5) Commission Regulation (EC) No 2571/97 of 15 December 1997 on the sale of butter at reduced prices and the granting of aid for cream, butter and concentrated butter for use in the manufacture of pastry products, ice-cream and other foodstuffs ⁽⁷⁾, as last amended by Regulation (EC) No 494/1999 ⁽⁸⁾, lays down that butter and cream at reduced prices should be made available to industries which manufacture certain goods.

(6) It is necessary to ensure continuity of strict management taking account of expenditure forecasts and funds available in the budget.

(7) Whereas the Management Committee for Milk and Milk Products has not delivered an opinion within the time limit set by its chairman,

HAS ADOPTED THIS REGULATION:

Article 1

1. The rates of the refunds applicable to the basic products appearing in Annex A to Regulation (EC) No 1222/94 and listed in Article 1 of Regulation (EEC) No 804/68, exported in the form of goods listed in the Annex to Regulation (EEC) No 804/68, are hereby fixed as shown in the Annex to this Regulation.

2. No rates of refund are fixed for any of the products referred to in the preceding paragraph which are not listed in the Annex to this Regulation.

Article 2

This Regulation shall enter into force on 18 December 1999.

⁽¹⁾ OJ L 148, 28.6.1968, p. 13.

⁽²⁾ OJ L 206, 16.8.1996, p. 21.

⁽³⁾ OJ L 136, 31.5.1994, p. 5.

⁽⁴⁾ OJ L 201, 31.7.1999, p. 30.

⁽⁵⁾ OJ L 169, 18.7.1968, p. 6.

⁽⁶⁾ OJ L 138, 31.5.1990, p. 8.

⁽⁷⁾ OJ L 350, 20.12.1997, p. 3.

⁽⁸⁾ OJ L 59, 6.3.1999, p. 17.

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

Done at Brussels, 16 December 1999.

For the Commission

Erkki LIIKANEN

Member of the Commission

ANNEX

to the Commission Regulation of 16 December 1999 fixing the rates of the refunds applicable to certain milk products exported in the form of goods not covered by Annex I to the Treaty

(EUR/100 kg)

CN code	Description	Rate of refund
ex 0402 10 19	Powdered milk, in granules or other solid forms, not containing added sugar or other sweetening matter, with a fat content not exceeding 1,5 % by weight (PG 2): (a) On exportation of goods of CN code 3501 (b) On exportation of other goods	— 77,36
ex 0402 21 19	Powdered milk, in granules or other solid forms, not containing added sugar or other sweetening matter, with a fat content of 26 % by weight (PG 3): (a) Where goods incorporating, in the form of products assimilated to PG 3, reduced-price butter or cream obtained pursuant to Regulation (EC) No 2571/97 are exported (b) On exportation of other goods	78,60 107,92
ex 0405 10	Butter, with a fat content by weight of 82 % (PG 6): (a) Where goods containing reduced-price butter or cream which have been manufactured in accordance with the conditions provided for in Regulation (EC) No 2571/97 are exported (b) On exportation of goods of CN code 2106 90 98 containing 40 % or more by weight of milk fat (c) On exportation of other goods	67,35 169,60 162,35

COMMISSION REGULATION (EC) No 2672/1999**of 16 December 1999****fixing the export refunds on rice and broken rice and suspending the issue of export licences**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EC) No 3072/95 of 22 December 1995 on the common organisation of the market in rice ⁽¹⁾, as last amended by Regulation (EC) No 2072/98 ⁽²⁾, and in particular the second subparagraph of Article 13(3) and (15) thereof,

(1) Whereas Article 13 of Regulation (EC) No 3072/95 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 within the Community may be covered by an export refund;

(2) Whereas Article 13(4) of Regulation (EC) No 3072/95, provides that when refunds are being fixed account must be taken of the existing situation and the future trend with regard to prices and availabilities of rice and broken rice on the Community market on the one hand and prices for rice and broken rice on the world market on the other; whereas the same Article provides that it is also important to ensure equilibrium and the natural development of prices and trade on the rice market and, furthermore, to take into account the economic aspect of the proposed exports and the need to avoid disturbances of the Community market with limits resulting from agreements concluded in accordance with Article 228 of the Treaty;

(3) Whereas Commission Regulation (EEC) No 1361/76 ⁽³⁾ lays down the maximum percentage of broken rice allowed in rice for which an export refund is fixed and specifies the percentage by which that refund is to be reduced where the proportion of broken rice in the rice exported exceeds that maximum;

(4) Whereas export possibilities exist for a quantity of 4 974 t of rice to certain destinations; whereas the procedure laid down in Article 7(4) of Commission Regulation (EC) No 1162/95 ⁽⁴⁾, as last amended by Regulation (EC) No 1432/1999 ⁽⁵⁾ should be used; whereas account should be taken of this when the refunds are fixed;

(5) Whereas Article 13(5) of Regulation (EC) No 3072/95 defines the specific criteria to be taken into account

when the export refund on rice and broken rice is being calculated;

(6) 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;

(7) Whereas a separate refund should be fixed for packaged long grain rice to accommodate current demand for the product on certain markets;

(8) Whereas the refund must be fixed at least once a month; whereas it may be altered in the intervening period;

(9) Whereas it follows from applying these rules and criteria to the present situation on the market in rice and in particular to quotations or prices for rice and broken rice within the Community and on the world market, that the refund should be fixed as set out in the Annex hereto;

(10) Whereas, for the purposes of administering the volume restrictions resulting from Community commitments in the context of the WTO, the issue of export licences with advance fixing of the refund should be restricted;

(11) 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 of Regulation (EC) No 3072/95 with the exception of those listed in paragraph 1(c) of that Article, exported in the natural state, shall be as set out in the Annex hereto.

Article 2

With the exception of the quantity of 4 974 t provided for in the Annex, the issue of export licences with advance fixing of the refund is suspended.

Article 3

This Regulation shall enter into force on 17 December 1999.

⁽¹⁾ OJ L 329, 30.12.1995, p. 18.

⁽²⁾ OJ L 265, 30.9.1998, p. 4.

⁽³⁾ OJ L 154, 15.6.1976, p. 11.

⁽⁴⁾ OJ L 117, 24.5.1995, p. 2.

⁽⁵⁾ OJ L 166, 1.7.1999, p. 56.

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

Done at Brussels, 16 December 1999.

For the Commission

Franz FISCHLER

Member of the Commission

ANNEX

to the Commission Regulation of 16 December 1999 fixing the export refunds on rice and broken rice and suspending, the issue of export licences

(EUR/t)			(EUR/t)		
Product code	Destination ⁽¹⁾	Amount of refunds	Product code	Destination ⁽¹⁾	Amount of refunds
1006 20 11 9000	01	99,00	1006 30 65 9900	01	123,00
1006 20 13 9000	01	99,00		04	127,00
1006 20 15 9000	01	99,00	1006 30 67 9100	05	127,00
1006 20 17 9000	—	—	1006 30 67 9900	—	—
1006 20 92 9000	01	99,00	1006 30 92 9100	01	123,00
1006 20 94 9000	01	99,00		02	127,00 ⁽²⁾
1006 20 96 9000	01	99,00		03	132,00 ⁽²⁾
1006 20 98 9000	—	—		04	127,00
1006 30 21 9000	01	99,00		05	127,00
1006 30 23 9000	01	99,00	1006 30 92 9900	01	123,00
1006 30 25 9000	01	99,00		04	127,00
1006 30 27 9000	—	—	1006 30 94 9100	01	123,00
1006 30 42 9000	01	99,00		02	127,00 ⁽²⁾
1006 30 44 9000	01	99,00		03	132,00 ⁽²⁾
1006 30 46 9000	01	99,00		04	127,00
1006 30 48 9000	—	—		05	127,00
1006 30 61 9100	01	123,00	1006 30 94 9900	01	123,00
	02	127,00 ⁽²⁾		04	127,00
	03	132,00 ⁽²⁾	1006 30 96 9100	01	123,00
	04	127,00		02	127,00 ⁽²⁾
	05	127,00		03	132,00 ⁽²⁾
1006 30 61 9900	01	123,00		04	127,00
	04	127,00		05	127,00
1006 30 63 9100	01	123,00	1006 30 96 9900	01	123,00
	02	127,00 ⁽²⁾		04	127,00
	03	132,00 ⁽²⁾	1006 30 98 9100	05	127,00
	04	127,00	1006 30 98 9900	—	—
	05	127,00	1006 40 00 9000	—	—
1006 30 63 9900	01	123,00			
	04	127,00			
1006 30 65 9100	01	123,00			
	02	127,00 ⁽²⁾			
	03	132,00 ⁽²⁾			
	04	127,00			
	05	127,00			

⁽¹⁾ The destinations are identified as follows:

01 Liechtenstein, Switzerland, the communes of Livigno and Campione d'Italia, refunds fixed under the procedure laid down in Article 7(4) of Regulation (EC) No 1162/95 in respect of a total quantity of 1 859 t of wholly milled rice equivalent,

02 Zones I, II, III, VI, excluding Turkey,

03 Zones IV, V, VII (c), Canada and Zone VIII excluding Suriname, Guyana and Madagascar,

04 Destinations mentioned in Article 34 of amended Commission Regulation (EEC) No 3665/87, refunds fixed under the procedure laid down in Article 7(4) of Regulation (EC) No 1162/95 in respect of a total quantity of 900 t,

05 Ceuta and Melilla, refunds fixed under the procedure laid down in Article 7(4) of Regulation (EC) No 1162/95 in respect of a total quantity of 702 t.

⁽²⁾ For rice of destinations 02 and 03, refunds fixed under the procedure laid down in Article 7(4) of Regulation (EC) No 1162/95 in respect of a total quantity of 1 513 t.
NB: The zones are those defined in the Annex to amended Commission Regulation (EEC) No 2145/92.

II

(Acts whose publication is not obligatory)

COMMISSION

COMMISSION DECISION

of 25 November 1999

on the approval of proposals concerning promotional and publicity measures in respect of milk and milk products in accordance with Regulation (EC) No 3582/93

(notified under document number C(1999) 3879)

(1999/838/EC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EEC) No 2073/92 of 30 June 1992 on promoting consumption in the Community and expanding the markets for milk and milk products ⁽¹⁾,

Having regard to Commission Regulation (EC) No 3582/93 of 21 December 1993 on detailed rules for the application of Council Regulation (EEC) No 2073/92 ⁽²⁾ on promoting consumption in the Community and expanding the markets for milk and milk products, as last amended by Regulation (EC) No 481/1999 ⁽³⁾, and in particular Article 5(2) thereof,

Whereas:

- (1) Pursuant to Article 5(1) of Regulation (EC) No 3582/93, the competent bodies have forwarded a list of all proposals received, accompanied by a copy of each proposal and an opinion.
- (2) The Management Committee for Milk and Milk Products has examined those proposals in accordance with Article 31 of Council Regulation (EEC) No 804/68 ⁽⁴⁾.
- (3) The list of proposals eligible for Community financing must be established,

HAS ADOPTED THIS DECISION:

Article 1

The list of selected proposals for promotional and publicity measures forwarded by the competent bodies in accordance with Article 5(1) of Regulation (EC) No 3582/93 and set out in the Annex hereto is hereby approved.

⁽¹⁾ OJ L 215, 30.7.1992, p. 67.

⁽²⁾ OJ L 326, 28.12.1993, p. 23.

⁽³⁾ OJ L 57, 5.3.1999, p. 8.

⁽⁴⁾ OJ L 148, 28.6.1968, p. 13.

Article 2

This Decision is addressed to the Member States.

Done at Brussels, 25 November 1999.

For the Commission

Franz FISCHLER

Member of the Commission

ANNEX

**List of proposals selected in respect of milk and milk products — Regulation (EC) No 3582/93
1998/1999 marketing year**

Member State	Body	Amount EUR
Belgium	Office régional de promotion de l'agriculture et de l'horticulture (ORPAH)	155 500
	Vlaamse Dienst voor Agro-Marketing (VLAM)	200 000
Denmark	Danske Mejeriers Fællesorganisation	189 720
Germany	Centrale Marketinggesellschaft der deutschen Agrarwirtschaft (CMA)	1 100 000
	Köster & Co. GmbH Hamburg	288 306
Greece	SEV/GAP	277 389
Spain	Contrapunto SA	603 000
	INLAC (CCAE)	605 000
France	CIDIL	724 934
	CERIN — lait liquide	136 828
Ireland	National Dairy Council	140 000
Italy	Interprofessione Latte	1 084 750
Luxembourg	Centrale Paysanne	70 000
Netherlands	Het Nederlands Zuivelbureau	488 564
Austria	Österreichischer Segel-Verband (ÖSV)	170 336
Portugal	FENELAC/ANIL	301 291
Finland	Maito ja Terveys Ry	190 000
Sweden	Swedish Dairies Association/Mjölkrämjandet	211 102
United Kingdom	National Dairy Council	1 198 135
	TOTAL 19 proposals	8 134 855

COMMISSION DECISION**of 6 December 1999****on certain protection measures with regard to equidae coming from the United States of America
and repealing Decision 1999/707/EC**

(notified under document number C(1999) 4066)

(Text with EEA relevance)

(1999/839/EC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Directive 91/496/EEC of 15 July 1991 laying down the principles governing the organisation of veterinary checks on animals entering the Community from third countries and amending Directives 89/662/EEC, 90/425/EEC and 90/675/EEC ⁽¹⁾, as last amended by Directive 96/43/EC ⁽²⁾, and in particular Article 18(7) thereof,

Whereas:

- (1) In the United States of America cases of West Nile fever, a non-contagious vector-transmitted viral disease, have been reported in humans and horses in the State of New York. The virus or virus genome was confirmed in birds and/or vector insects in New York City and certain counties of the States New York, Connecticut and New Jersey;
- (2) The presence of this disease is liable to constitute a danger for humans and Community equidae;
- (3) By Decision 1999/707/EC ⁽³⁾ the Commission adopted protection measures at Community level with regard to importation of equidae from the United States of America;
- (4) According to the epidemiological information from the American authorities, supplementary conditions should be applied on a regional basis for the temporary admission of registered horses, the re-entry after temporary export of registered horses, permanent imports and transit of equidae from the United States of America;
- (5) For procedural reasons and in order to adapt the measures to the current epidemiological situation, it is necessary to repeal Decision 1999/707/EC on certain protection measures with regard to equidae coming from the United States of America;

- (6) The measures provided for in this Decision are in accordance with the opinion of the Standing Veterinary Committee,

HAS ADOPTED THIS DECISION:

Article 1

A supplementary certificate in accordance with the specimen in the Annex to this Decision, signed by the central competent veterinary authorities of the United States of America, shall be required for the temporary admission of registered horses, the re-entry after temporary export of registered horses and the imports and transit of equidae, coming from the United States of America.

Article 2

Decision 1999/707/EC is hereby repealed.

Article 3

Member States shall amend the measures they apply with regard to the United States of America to bring them into line with this Decision.

They shall inform the Commission thereof.

Article 4

This Decision shall apply until 31 January 2000.

Article 5

This Decision is addressed to the Member States.

Done at Brussels, 6 December 1999.

For the Commission

David BYRNE

Member of the Commission⁽¹⁾ OJ L 268, 24.9.1991, p. 56.⁽²⁾ OJ L 162, 1.7.1996, p. 1.⁽³⁾ OJ L 280, 30.10.1999, p. 125.

ANNEX

SUPPLEMENTARY CERTIFICATE

Reference Number of Animal
Health Certificate:

.....

The equidae described in the abovementioned animal health certificate complies with the following conditions:

- (1) it has not been resident during the last 15 days in any of the following parts of the territory of the United States of America:
- counties Fairfield and New Haven in the State of Connecticut,
 - New York City with the boroughs Bronx, Brooklyn, Manhattan, Queens and Staten Island, and the counties Kings, Nassau, Orange, Richmond, Rockland, Suffolk and Westchester in the State of New York,
 - counties Bergen, Burlington, Cumberland, Essex, Hudson, Hunterdon, Mercer, Middlesex, Monmouth, Morris, Ocean, Passaic, Somerset, Union and Warre in the State of New Jersey;
- (2) during the past 15 days prior to this certification it has not been in contact with equidae which have been resident on holdings where the presence of West Nile fever was confirmed.

Date and Place	Name and Function	Signature of the Official Veterinarian