ISSN 0378-6978

Official Journal

of the European Communities

L 159

Volume 42

25 June 1999

English edition

Legislation

Contents

Price: EUR 19,50

(Continued overleaf)

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Acts whose titles are printed in light type are those relating to day-to-day management of agricultural matters, and are generally valid for a limited period.

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EN

(1) Text with EEA relevance

I

(Acts whose publication is obligatory)

COUNCIL REGULATION (EC) No 1334/1999

of 21 June 1999

imposing a definitive anti-dumping duty on imports of magnesium oxide originating in the People's Republic of China

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 Article 11(2) thereof,

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

Whereas:

A. PROCEDURE

1. Measures in force

(1) In June 1993, definitive anti-dumping measures were imposed by Council Regulation (EEC) No 1473/93 [2] on imports of caustic calcined magnesium oxide (hereinafter referred to as 'CCM') originating in the People's Republic of China. These measures took the form of a variable duty, i.e. the duty was imposed on those imports which were below the minimum import price specified in the Regulation subject to review. The minimum import price was based on the normal value calculated.

2. Request for a review

(2) Following the publication of a notice of impending expiry of the anti-dumping measures in force on imports of CCM originating in the People's Republic of China [3], the Commission received a request in March 1998 to review these measures pursuant to Article 11(2) of Council Regulation (EC) No 384/96 (hereinafter referred to as 'the Basic Regulation').

(3) The request was lodged by Eurometaux acting on behalf of Community producers whose collective output of the product concerned constitutes 100 % of the Community production of this product.

(4) The request was based on the grounds that the expiry of the measures would be likely to result in the recurrence of dumping and injury to the Community industry. Having determined, after consulting the Advisory Committee, that sufficient evidence existed for the initiation, of a review, the Commission initiated an investigation through the publication of a notice of initiation [4] pursuant to Article 11(2) of the Basic Regulation.

3. Investigation

(5) The Commission officially advised the complaining Community producers, the exporters and producers in the exporting country and the importers as well as their representative associations known to be concerned, and the representatives of the exporting country of the initiation of the review. The Commission sent questionnaires to all these parties and to those who made themselves known within the time limit set in the notice of initiation. In addition, the producers in India, which was chosen as an analogue country, were advised and sent questionnaires. The Commission also gave the parties directly concerned the opportunity to make their views known in writing and to request a hearing.

(6) All Community producers replied to the questionnaire. Replies were also received from three Chinese exporters, Liaoning Metals & Minerals Import & Export Corp., Citic Trading Co. Ltd and Liaoning Foreign Trade Corp. (hereinafter referred to as the 'Chinese exporters'), one related importer and one related trader replied to the questionnaires. The level of cooperation amounted, according to

(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 145, 17.6.1993, p. 1.
(3) OJ C 383, 17.12.1997, p. 9.
(4) OJ C 190, 18.6.1998, p. 4.

Eurostat data, to more than 87 % of the overall imports from the People's Republic of China. Three unrelated importers, Frank & Schulte Benelux from the Netherlands, Timab Industries SA from France and GBC Ltd from the United Kingdom, also replied to the questionnaire and made their views known in writing. No reply was obtained from the users of the product with the exception of Timab Industries, which itself imported the product in question.

(7) The Commission services sought and verified all information they deemed necessary for the purpose of determining the continuation or recurrence of dumping and injury and of the Community interest. Investigations were carried out at the premises of the following companies:

(a) *Community producers:*

— Grecian Magnesite SA, Athens, Greece

— Magnesitas Navarras, Pamplona, Spain

— Magnesitas de Rubian, Sarria (Lugo), Spain

— Styromag GmbH, St Katharein an der Laming, Austria

(b) *Producers in the analogue country:*

— Tamil Nadu Magnesite Ltd, Salem, India

(c) *Unrelated importers into the Community:*

— Frank & Schulte Benelux, Capelle a/d Ijssel, Netherlands

— Timab Industries SA, St Malo, France (also a user of the product concerned)

— GBC Ltd., Ewell (Surrey), United Kingdom

(d) *Related importers and traders:*

— Citic Germany GmbH, Bad Homburg, Germany

— Lutz Mineralien GmbH, Schifferstadt, Germany

(8) The investigation of dumping covered the period from 1 July 1997 to 30 June 1998 (hereinafter referred to as 'the IP'). The examination of the situation of the Community industry covered the period from 1 January 1994 up to the end of the IP (hereinafter referred to as 'the IIP').

B. PRODUCT UNDER CONSIDERATION AND LIKE PRODUCT

1. Product under consideration

(9) The product concerned by this proceeding is a form of magnesium oxide, namely natural caustic calcined magnesite (CCM), which is processed from naturally occurring magnesium carbonate or magnesite. In order to produce CCM, magnesite has to be mined, crushed, sorted and then burned in a kiln at temperatures of 700 to 1 000 °C. The result is CCM with various magnesium oxide ('MgO') contents or grades. The main impurities in CCM are SiO_2, Fe_2O_3, Al_2O_3, CaO and B_2O_3 (silicon oxide, iron oxide, aluminium oxide, calcium oxide and boron oxide respectively). CCM is mainly used in agriculture for animal feeding or as a fertiliser and for industrial applications in the construction industry for flooring and insulating boards as well as in the pulp, paper and abrasives producing industries.

(10) Furthermore, CCM is not chemically uniform. However, no clear dividing lines were found enabling the classification of CCM into different products. The boundary between the grades is blurred by overlapping usage since users do use, for identical purposes, magnesite of different grades and from different sources of supply.

(11) Although CCM originating in the People's Republic of China which was sold in the Community market differed in terms of MgO content, overall this did not entail any significant differences in the basic physical characteristics, the interchangeability, the perception or the marketing of the product concerned. As in the previous investigation, all grades and types of CCM should therefore be considered as one single product for the purpose of this investigation.

2. Like product

(12) It was found that there were no basic differences in the physical and chemical characteristics and the uses of CCM exported to the Community and the product produced and sold in the domestic market of the analogue country. Furthermore, there were no differences between the product concerned and the product produced and sold by the complaining Community industry in the Community market. In this respect, the investigation has confirmed the conclusion of the previous investigation that users could process both the imported product and the Community-produced product without any alterations in their production process.

(13) Some unrelated importers stated that CCM from the People's Republic of China was not like CCM produced and sold by the Community industry. They claimed that these could not be considered as similar, since the raw material ($MgCO_3$) in

the People's Republic of China was readily accessible in massive deposits, while the Community raw material had to be extracted from narrow veins. Furthermore, the MgO content of Chinese magnesite was naturally higher.

(14) Though the methods of extraction, the magnesite content of the deposit and the production process may vary from producer to producer, and this is so worldwide, these differences do not have a significant bearing on the end product and are not such as to justify the claim of some unrelated importers that the production of CCM in the People's Republic of China is unique in terms of the methods and processes used and the chemical and physical characteristics of the magnesite. This is confirmed by the fact that both the Community producers and the Chinese exporters have a number of common customers.

(15) Therefore, CCM exported to the Community on the one hand and the product produced and sold by the Community industry in the Community market and the product produced and sold in the domestic market of the analogue country, on the other hand, are interchangeable and have to be considered a single like product within the meaning of Article 1(4) of the Basic Regulation.

C. DUMPING

1. Preliminary remarks

(16) In accordance with Article 11(2) of the Basic Regulation, the investigation examined whether there were grounds for concluding that, in the absence of measures, there was a likelihood of a continuation or recurrence of dumping.

2. Analogue country

(17) In order to establish the normal value, account was taken of the fact that for this investigation the normal value for imports from the People's Republic of China had to be based on data from a market economy third country. In this respect, Turkey was envisaged in the notice of initiation of this review as an appropriate market economy third country for the determination of normal value. However, a number of importers submitted that Turkey was inappropriate on the ground that the access to raw materials in Turkey is more difficult than in the People's Republic of China. Consequently, as the mines in Turkey do not enjoy the same natural advantages as in the People's Republic of China, the extraction and processing costs in Turkey are higher than in Chinese mines. As an alternative, one importer suggested Slovakia, where the natural conditions were alleged to be comparable to the People's Republic of China. Others suggested that the normal value should be based on domestic sale prices of limestone or dolomite in Germany, which is mined and processed like the CCM in the People's Republic of China and has a similar use.

(18) In view of the comments of the importers on the choice of Turkey as an analogue country, cooperation was not only sought in Turkey, but also in other countries where CCM was known to be produced in sufficient quantities. In particular, a request for cooperation was addressed to three known producers in Turkey, two in Brazil, one in Slovakia and two in India. No reply was obtained from Brazil, while the Slovakian producer declared itself not to be in the position to provide the requested information with respect to the IP. The sole Turkish producer of CCM willing to cooperate indicated a domestic sales volume which could not be considered as representative in relation to Chinese exports to the Community, while another Turkish producer only produced a different form of MgO, namely deadburned magnesite. Finally, one Indian producer agreed to provide the information requested in the questionnaire.

(19) As far as the proposal to use the domestic sales prices of the limestone or dolomite in Germany is concerned, it should be pointed out that limestone and dolomite cannot be considered as being like CCM as their chemical characteristics are different.

(20) The domestic sales of the Indian cooperating producer have been found to represent significantly more than 5 % of the total Community imports from the People's Republic of China during the IP. The Indian market of CCM appeared to be a competitive market where at least five domestic producers of CCM compete against each other. The magnesite, the raw material for the production of CCM, is easily available in large quantities in open cast mines close to the plants. The extraction and production process of the Indian producer is very similar to that of the Chinese producers.

(21) The Chinese exporters submitted that Turkey, though not entirely suitable, should have been maintained as an analogue country on the grounds that the normal value established in India would not have any link with the one found in Turkey in the previous investigation. However, as previously stated, sales in Turkey were too low to be representative and therefore there was no alternative to the selection of another analogue country.

(22) The Chinese exporters raised the argument that the cooperating Indian producer is entirely State-owned and hence the prices of CCM in India are controlled by the government. It is indeed true that the company in question is State-owned. However, it operates in a market economy context and its domestic sales are made in competition with a number of companies, which do not belong to the Indian Government. It was not found that the State ownership resulted in any distortion of costs or prices charged.

(23) In the light of the above, the Commission considers that India is an appropriate analogue country for the purpose of establishing normal value.

3. **Normal value**

(24) For the sole grade of CCM which is produced and sold in India, normal value has been determined on the basis of the prices paid or payable by independent customers in the domestic market for the sales of the like product which have been found to be made in sufficient quantities and in the ordinary course of trade. For the other grades, which are not produced by the cooperating company, normal value has been determined by applying an adjustment factor to the normal value determined on the basis of the grade produced by the cooperating company. Since a higher MgO content corresponds to a higher quality and therefore a more valuable product, it has been found reasonable to establish the amount of the adjustment as a direct proportion of the MgO content for the various grades exported from the People's Republic of China.

4. **Export price**

(25) Exports of CCM to the Community by the cooperating Chinese exporters represented around 87 % of the total imports of the product in question from the People's Republic of China, as estimated by the questionnaire responses and Eurostat data concerning CN code 2519 90 90 TARIC heading 10/80 under which the imports of the product under investigation are recorded.

(26) For the two cooperating exporters whose sales in the Community were all made to unrelated importers, the export price was established on the basis of the price actually paid or payable for the product sold for export to the unrelated importers.

(27) With regard to the exporter whose sales to the Community were all made to its related importer in the Community who in turn sold to a related trader, the export price has been constructed by deducting from the resale price to the first independent buyer all costs between importation and resale incurred by both the related importer and the related trader as well as a reasonable amount for profit so as to establish a reliable export price in accordance with Article 2(9) of the Basic Regulation. The amount for profit has been calculated by reference to that realised by the cooperating independent importers on average, i.e. 9 % on the sales turnover of the related trader.

5. **Comparison**

(28) The weighted average normal value per grade was compared to the weighted average export price of the corresponding grade of CCM at a fob port producing country level, in accordance with Article 2(11) of the Basic Regulation.

(29) For the purpose of ensuring a fair comparison between normal value and export price, account was taken of differences in factors, which were claimed and demonstrated to affect comparability in accordance with Article 2(10) of the Basic Regulation. In this respect, adjustments were made for inland and ocean freight, insurance, handling, loading and ancillary costs and credit costs. Furthermore, since the producers in the People's Republic of China have easier access to raw material, the Commission considered that an additional allowance should be made in order to take into account the lower costs of extraction of the magnesite ore resulting from a more favourable ore recovery ratio in the People's Republic of China as compared to India. Consequently, having found that the ore recovery ratio in India is similar to that found in Turkey, which was used as a reference country in the previous investigation and in the absence of any other new facts provided by the interested parties, it has been decided to apply the same adjustment to the normal value as requested by Chinese parties in the previous investigation, i.e. a reduction of 20 % of the extraction cost as found in India.

(30) Finally, a request of the Chinese exporters for an adjustment for difference in the level of trade was found justified, but a precise calculation was not considered necessary, given that this is an expiry review and considering that there was still a significant dumping margin if such adjustment had been made.

6. **Dumping margin**

(31) The comparison of normal value and export price showed the existence of dumping, the dumping margin being equal to the amount by which normal value, so established, exceeded the price for export to the Community. The dumping margin found, as a percentage of the cif Community-frontier import price, was substantial.

D. LIKELIHOOD OF RECURRENCE OR CONTINUATION OF DUMPING

(32) Further to the analysis of the existence of dumping during the IP, the likelihood of continuation of dumping, should the measures in question be removed, was examined. On the basis of the information supplied by the exporters, it is considered likely that the Chinese exports of CCM will continue to be made either at the same or even at lower prices than during the IP. This is supported by the fact that US official statistics showed that the fob Chinese export prices to this country, which is one of the main destinations of CCM from the People's Republic of China, were on average considerably lower than the corresponding prices of Chinese exports to the Community during the IP.

(33) On the basis of the fact that the exports of CCM originating in China have been found to be made at dumped prices during the IP and that, according to the information provided by the exporters, a slight decline of the Chinese export prices to the Community is forecast and considering the Chinese pricing policy applied for third countries where no anti-dumping measures are in force, it is concluded that dumping is likely to continue, should the measures in force be removed.

(34) In addition, the abolition of the export licence system mentioned below would probably lead to a drop of Chinese export prices to around EUR 75, which would be tantamount to a further increase of dumping.

E. DEFINITION OF THE COMMUNITY INDUSTRY

(35) According to Article 4(1) of the Basic Regulation, the term 'Community industry' shall be interpreted as referring to the Community producers as a whole of the like product or to those of them whose collective output of the products constitutes a major proportion, as defined in Article 5(4) of the Basic Regulation, of the total Community production of those products. The investigation confirmed that the applicant Community producers represented 100 % of the Community production of CCM. Therefore, they constitute the Community industry within the meaning of Article 4(1) and Article 5(4) of the Basic Regulation.

F. ANALYSIS OF THE SITUATION IN THE COMMUNITY CCM MARKET

(36) Firstly, it should be noted that most of the specific data relating to the Community industry for the IIP have been calculated on the basis of the data of three Community producers Grecian Magnesite, Magnesitas Navarras and Magnesitas de Rubián. The fourth Community producer, Styromag, was only established as an independent company in 1996 as a result of the bankruptcy of the company Magindag in 1994, which was also a producer of CCM. Since information was only available for Styromag as from 1996 onwards and in order to present a coherent picture of the economic situation of the Community industry, the Commission considered it inappropriate to take Styromag's information into account for the purpose of the analysis of the situation of the Community industry. Data from Styromag have been included in the determination of total Community consumption and have been reflected in the analysis of price undercutting, which covers the IP. It can also be stated that the analysis of the situation of the Community industry set out below would not have differed, if extrapolated data for Styromag for the years 1994 and 1995 had been included in the analysis.

1. **Consumption in the Community market**

(37) The total consumption of CCM in the IP was calculated on the basis of:

- the sales volume of the Community industry in the Community market,
- the imports into the Community of CCM from the People's Republic of China, and
- the imports into the Community of CCM from all other third countries.

(38) On this basis, consumption rose from 328 000 t in 1994 to 356 000 t in the IP, a level close to that established for the previous investigation period (368 000 t). The period 1994 to 1996 was characterised by a continuous growth of consumption up to 422 000 t in 1996. Consumption in the Community was pushed up by the influence of

weather conditions on the demand for low grades of CCM which are mainly used in agriculture and by the potential development of a number of new industrial markets found. After the peak, demand decreased by 18 % in 1997, but partially recovered in the IP.

(39) Finally, it can be stated that Community consumption of CCM used for the two applications was relatively evenly split, i.e. about 50 % of the consumption was used for agricultural purposes, while the other half was destined for industrial uses.

2. **Imports from the country concerned**

(a) *Import volume, import share and market share of the imports concerned in the IIP*

(40) The volume of imports of CCM originating in the People's Republic of China increased from 86 089 t in 1994 to 110 592 t in the IP, equivalent to an increase of about 28 % during the IIP. The volume imported during the IP is near the level of the previous investigation period in the original investigation (120 000 t).

(41) The share of CCM imported from the People's Republic of China in terms of volume among all imports into the Community was between 77 % and 82 % during the IIP. The highest import share was reached in the peak demand year of 1996. However, it should be noted that at the time of the previous investigation period, the import share of the People's Republic of China accounted only for around 54 %.

(42) The market share of the imports from the People's Republic of China in the Community market rose from 1994 to the IP from 26,3 % to 31 %. This is equivalent to an overall increase of 4,7 points during the IIP. In 1996, in the year with the exceptionally high demand, the Chinese market share reached 36,4 %. In the previous investigation, imports from the People's Republic of China held a market share of 32 % in the IP.

(b) *Price evolution and price behaviour of the imports of the product concerned*

(i) Price evolution of the imports concerned

(43) According to Eurostat information, the Chinese average cif sales prices into the Community significantly increased between 1994 and 1995 and decreased continuously thereafter. The average sales prices of the imports concerned increased thus during the IIP by about 14 %.

(44) It was argued that the Chinese export licence system which was allegedly introduced after the anti-dumping duties had been imposed would have progressively limited the supply of Chinese CCM into the Community thereby pushing up the Chinese sales prices to the Community. However, as mentioned above, the Chinese import volume increased by 28 % during the IIP and, although Chinese import prices into the Community increased after the imposition of the measures in 1993 until 1995, they decreased continuously since.

(ii) Price behaviour of the exporters

(45) In order to determine the price behaviour of the exporters in relation with the Community producers' price behaviour, both the exporters' prices and the Community industry's prices were analysed for the IP. In this analysis, sales of the Community industry and sales of the Chinese cooperating exporters to unrelated importers in the Community, as well as the resales by related importers to unrelated customers, considered to be at the same level of trade, were used. For this analysis, the product was grouped into two categories according to its use for agricultural and industrial applications. On this basis, the sales prices for CCM produced and sold by the Community industry were compared to the sales prices of Chinese CCM used for the same purpose.

(46) It should be noted that the cooperating Chinese exporters sold a significant share of their export volume to the Community via customers located outside the Community at a fob-Chinese border level. Hence, adjustments had to be made in order to come to a cif Community frontier level on the basis of the information of the cooperating importers and exporters.

(47) The weighted average cif prices of the imports concerned were compared to the prices of the Community producers, adjusted for differences in delivery terms, for those markets where both parties realised sales, since only in such markets could a

meaningful comparison be carned out. The investigation established that the overall average sales prices of the Chinese exporters for both uses were lower than those of the Community industry. In particular, it was established that, in relative terms, the average difference between the prices of Chinese exports and the Community industry's prices was bigger for CCM used in the industrial sector than for CCM used in the agricultural sector.

(48) Finally, the analysis of the cooperating importers' questionnaire responses revealed that, for significant sales of CCM used for agricultural purposes, the exporters' cif sales price was just at the minimum price level of ECU 112 t, suggesting that these prices were limited by the anti-dumping measures presently applicable.

(49) Despite the fact that the exporters' prices were not reflecting that Chinese CCM was of a higher purity than the CCM produced by the Community industry, the Commission did not deem it to be necessary to apply an adjustment factor. Such an adjustment had been claimed by the Community industry.

3. **Economic situation of the Community industry**

(a) *Production*

(50) Comparing the situation at the beginning and at the end of the IIP, the total production of CCM has been relatively stable from 1994 to the IP. The production rose by 6 % from around 207 000 t to around 219 000 t in the period mentioned above.

(b) *Production capacity*

(51) The production capacity of the Community industry rose from 265 000 t in 1994 to 280 000 t in the IP. This is equivalent to an increase of around 6 % during the IIP.

(c) *Capacity utilisation*

(52) At 78 %, capacity utilisation of the Community industry amounted to about the same level in 1994 and in the IP. However, capacity utilisation rose to 89 % and 88 % respectively in 1995 and 1996. This was the result of an expectation of strong sales in this period, which in particular in 1996, did not materialise. Since then, the capacity utilisation of the Community industry decreased continuously.

(d) *Sales by volume*

(53) The total sales volume of the Community producers went up from around 209 000 t in 1994 to almost 211 000 t in the IP. The sales volume considerably increased between 1994 and 1995, but it has decreased continuously since.

(e) *Market share*

(54) The Community industry's market share in the Community market decreased from 63 % in 1994 to 58 % in the IP. This is equivalent to a decrease of five percentage points during the IIP. In 1996, the year with the especially high demand, the Community industry's market share dropped down to 50 %. Although in the following year the Community industry regained the lost percentage points, the share of the Community industry has again shown a downward trend since 1997.

(f) *Price development*

(55) The investigation showed that the Community producers' average selling price of CCM rose by 7 % from 1994 to the IP. The Community industry's sales prices reached a peak in 1996 due to the high demand of the market in that year. While the prices for agricultural CCM increased during the IIP by 13 %, the sales prices for CCM used for industrial purposes rose by 6 %. However, whereas the prices for agricultural CCM showed a relatively stable development after the peak in 1996, prices for CCM used for industrial purposes dropped by 5 %.

(g) *Profitability*

(56) For the purpose of the profitability analysis, sales of certain by-products of the CCM production of the Community industry were taken into account with the result of decreasing CCM specific costs and increasing CCM related profits. However, the Community industry claimed that these sales were only of a temporary character and could cease immediately. The Commission considered that, due to the considerable amount of sales of by-products, both in value and volume terms, which had been marketed over an extended period of time, they had to be reflected in the CCM profitability analysis with the result that the profitability realised on CCM sales increased.

(57) On this basis, the profitability of the Community industry, expressed as a percentage of net sales, increased during the IIP from a weighted average loss of 4,0 % in 1994 to a profit of 5,2 % in the IP. The profit situation of the Community industry as a whole has improved by 9,2 percentage points during the IIP. However, the Community industry considers a yearly profit rate of 10 % as necessary to maintain their activities.

(h) *Employment*

(58) Employment in the Community industry declined by 6,7 % during the IIP.

(i) *Stocks*

(59) The closing stocks of the Community producers went up from 24 788 t in 1994 to 34 240 t in the IP which amounts to an increase of about 38 % in the IIP. Closing stocks increased continuously from 1994 to 1997, but dropped then in the IP.

(j) *Investments*

(60) The figure of total investments of the Community industry went up by about 23 % within the period from 1994 to the IP. The Community industry has invested strongly, particularly in the years 1995 and 1996. The investments mainly concerned the improvement and further rationalisation of the production process in order to economise costs. Part of the Community industry installed modern filters in their kilns to reduce environmental pollution.

(k) *Export activity of the Community industry*

(61) The Community industry's exports of CCM to third countries show a relatively stable development. The yearly exports during the IIP amounted to about 8 000 t to 11 000 t per year.

(l) *Conclusion*

(62) After the imposition of a variable anti-dumping duty in 1993, the situation of the Community industry has improved during the IIP. Economic factors such as production, production capacity, average sales prices per tonne, profitability and investments showed a positive development. Both production and production capacity have increased by about 6 % during the IIP, while the average sales prices rose by about 7 % in the same period. After two years of losses, the Community industry's sales have been profitable again since 1996. It is likely that this was due to the reduction of personnel and the investments made in the previous year in order to rationalise production. In the IP the Community industry's sales volume and the capacity utilisation reached the same level as in 1994. Nevertheless, the above analysis also shows that this is not the case for all indicators and that in particular from 1996 onwards a downward trend has occurred.

(63) In fact, capacity utilisation, market share, employment and closing stocks did not develop favourably. The Community industry lost about five percentage points of the Community market during this period. The Community industry employed 6,7 % less personnel in the IP as compared to 1994. The closing stocks of the Community industry continuously rose between 1994 and 1997 — the overall increase in the IIP amounted to 38 %. Furthermore, capacity utilisation by the Community industry decreased constantly from 1995 onwards, i.e. even in 1996, the year of the high demand, capacity utilisation did not rise to more than 88 %.

(64) The investigation established that, although the situation of the Community industry has improved in some areas, some other economic factors did not develop so favourably. This has to be seen in conjunction with the low prices of the Chinese imports, which were made close to the minimum price and which exerted price pressure on the Community industry. This has prevented the Community industry from fully recovering from the effects of the previous dumping practices.

(65) It was alleged that the Community industry improved its situation in the Community market despite the continued presence of imports from the country concerned. In this respect, it can be noted that, although the anti-dumping measures have contributed to the improvement of the economic situation of the Community industry, their effect has, as shown above, been diluted. This argument is supported by the fact that imports from the People's Republic of China increased by 28 % during the IIP thereby gaining 4,7 percentage points in terms of market share in the same period.

4. Import volumes and import prices from other third countries

(a) *Import volume*

(66) The import volume of CCM from other third countries increased in the IIP from about 25 000 t in 1994 to 26 000 t in the IP. This is equivalent to an increase of about 4 %. Due to the above-described high demand for CCM in 1996, imports from other third countries reached a peak in that year with more than 33 000 t.

(67) The market share of imports from other third countries was 8 % from 1994 to 1996 and decreased by one percentage point in 1997. The market share for these countries has thus been relatively stable during the IIP.

(b) *Sales prices for imports from third countries*

(68) According to Eurostat the average sales price for imports from third countries rose by 43 % in the IIP.

5. Conclusion

(69) Compared with the figures of the previous investigation, Community consumption has shown a relatively stable development. It was alleged that the demand in the Community expanded rapidly between 1995 and 1996, thereby exceeding the Community industry's capacity, which made an increase of Chinese CCM imports inevitable. It should be noted, however, that the capacity utilisation rate of the Community industry was about 89 % in 1995 and dropped continuously since. It can therefore be concluded that Community consumption did not have a major influence on the situation of the Community industry during the IIP.

(70) Moreover, it seems that it was rather the decreasing Chinese import prices from 1995 onwards that made the Chinese import volume increase. In any event, no such significant increase in demand occurred in the period up to the IP, which could explain the increase in imports and market share of Chinese CCM as established during the investigation.

(71) The Community industry undertook considerable efforts to improve its competitiveness towards the main Chinese competitors and competitors from other third countries. These efforts are particularly visible when looking at the extent of investments during the IIP. From 1994 to 1997, the Community industry invested considerable amounts in order to modernise and rationalise its production facilities. However, due to the continued dumped imports from the People's Republic of China, these efforts have not been entirely successful. The Community industry remained in a vulnerable situation.

G. LIKELIHOOD OF RECURRENCE OF INJURY

1. Analysis of the situation of the exporting country concerned

(a) *The Chinese Licence System*

(72) In April 1994, the MOFTEC (Ministry of Foreign Trade and Economic Cooperation) and the CCCMMC (China Chamber of Commerce of Metals, Minerals and Chemicals Importers and Exporters) introduced an export licence system for all exports of certain minerals which is basically identical to an export quota system. All different sorts of magnesia, including caustic calcined magnesite, have been covered by this licence system since. In 1998, the licence fee was about ECU 37 t CCM. This implies that, if the minimum price of ECU 112 t is met, the actual sales price without licence fee would be around ECU 75 t.

(73) Furthermore, according to Eurometaux the Liaoning Province where most of the producers are situated, introduced in 1995 another local tax which in 1997 amounted to around ECU 15 t. It has been argued that this licence system is sufficient to reduce the risk of renewed injurious dumping.

(74) Eurometaux claimed that the Chinese licence system for magnesite could be abolished soon and feared that Chinese exports of magnesite would, as a consequence of the abolition, increase in volume and considerably decrease in prices, should the anti-dumping measures not be continued.

(75) The exporters argue that the licence system has brought stability and reliability in the exports of magnesite from the People's Republic of China and that there is no reason to assume that the system would be dropped soon. They further stated that the exporters would, if the anti-dumping measures did not continue and the licence system dropped, certainly not drop their prices in a stable market such as exists in the European Community and suddenly voluntarily abstain from making higher gains.

(76) In view of the above arguments and in view of the nature of the system described above which is run autonomously by the government of the exporting country, it must be stated that the existence or abolition of an export licence system cannot have any influence on the decision of the Community institutions whether or not to renew anti-dumping measures. However, the analysis of this system merely underlined the potential of the Chinese exporters to sell CCM at very low prices.

(b) *Chinese exports to third countries*

(77) The Commission has, on the basis of US trade statistics, analysed the Chinese CCM exports to the USA. These imports accounted for 67 % of the worldwide CCM imports into the USA in 1997 and to 63 % in 1998 until August.

(78) The total volume of Chinese exports to the USA rose from 72 477 t in 1994 to 89 440 t in 1997 which is equivalent to an increase of 23 %. In 1995, Chinese exports to the USA increased to an absolute maximum of more than 96 000 t a volume at about the same level as the volume of Chinese exports to the Community, while the trend was decreasing in 1996 again.

(79) Even though the Chinese CIF sales prices to the United States increased from 1994 to 1995 by 80 % starting from a very low level, they have decreased since and remained considerably below the EU minimum price of ECU 112 t imposed in 1993.

(80) A price comparison for all types of CCM shows, according to Eurostat, a Chinese average sales price in the Community market which is about one third higher than the average sales price in the US market. Therefore, there appears to be no reason to believe that, in the absence of measures, Chinese prices would not drop to levels comparable to the prices for imports into the US, in particular as import prices into the Community have been found to be partially very close, if not equal, to the minimum price, i.e. they appear to be only at that level because of the existence of the minimum price.

(c) *Production, capacity, capacity utilisation and stocks*

(81) The Commission sent questionnaires to eight Chinese producers and trading companies, *inter alia*, in order to establish the level of production, the production capacity, the capacity utilisation and the stocks. However, the Commission could not determine the production levels of the Chinese producers nor the exact capacity, capacity utilisation and stocks, since three of the four cooperating companies are pure trading companies and only one company itself produces CCM. The other producers did not cooperate. Since this did not allow for a representative analysis of the Chinese CCM production and since no official statistics were available, the Commission had, according to Article 18 of the Basic Regulation, to use the information available.

(82) Therefore, it was decided that the information provided in the request for review reflecting industry and market research information should be used. According to these sources, production in the last few years can be estimated to be at around 600 000 t annually, of which only 200 000 t are destined for the Chinese domestic market.

(83) On the same basis, information from the request for review had to be used in determining the production capacity, capacity utilisation and stocks. According to the same source, the production capacity of the Chinese producers amounted to more than 700 000 t per year. As far as the capacity utilisation is concerned, the Chinese producers have substantial idle production capacities. Chinese stocks of CCM amounted to around 500 000 t.

2. **Conclusion on the recurrence of injurious dumping**

(84) The Chinese export prices to the other main market for CCM, the USA, for which the export licence system is also applicable, were very low between 1994 and mid 1998. Even though these prices increased from 1994 to 1997 by about 70 % starting from a very low level, they still remained considerably below the EU minimum price imposed in 1993 and the actual Chinese export prices to the Community.

(85) Furthermore, given the nature of the Chinese licence system, whose abolition would alone allow the Chinese cif sales prices to drop by about EUR 37 t, the huge raw material reserves and the large Chinese unused production capacities demonstrate that there is a significant potential that the Chinese exporters will resume injurious imports again. Therefore, it was concluded that, in the absence of the measures, there is a likelihood of a recurrence of injurious dumping and that the measures in force should, for that reason, be maintained.

H. COMMUNITY INTEREST

1. Introduction

(86) In accordance with Article 21 of the Basic Regulation, it was examined whether a prolongation of the existing anti-dumping measures would be against the interest of the Community as a whole. The determination of Community interest was based on an appreciation of all the various interests, such as the Community industry, the importers and traders, the users of the product concerned. In order to assess the likely impact of a continuation of the measures, the Commission services requested information from all interested parties mentioned above.

(87) It should be recalled that, in the previous investigation, the adoption of measures was considered not to be against the interest of the Community. Furthermore, it should be noted that the present investigation is a review, thus analysing a situation in which anti-dumping measures have already been in place. Consequently, the timing and nature of the present investigation has allowed an assessment of any negative impact on the parties concerned by the anti-dumping measures imposed.

(88) The Commission sent questionnaires to 24 importers, of which three unrelated importers and one related importer fully cooperated. Furthermore, questionnaires were sent to two user organisations, CEFIC and Emfema. However, they did not reply to the questionnaire.

(89) On this basis, it was examined, whether, despite the findings on dumping, injury and continuation or recurrence of injurious dumping respectively, compelling reasons existed which would lead to the conclusion that it is not in the Community interest to maintain measures in this particular case.

2. Interests of the Community Industry

(90) The results of the investigation allow for the conclusion that, without the continuation of the measures, the situation of the Community Industry will continue to be vulnerable or will even deteriorate.

(91) The Community industry has been suffering from low priced dumped imports of CCM from the People's Republic of China. The objective of the anti-dumping measures under review, that is, to reestablish fair competition in the Community market between the Community producers and their exporting counterparts in third countries, has not been fully met as has been shown above.

(92) The Community industry has been making considerable efforts to improve its productivity in recent years, in an attempt to lower its cost of production and to enhance its competitiveness in this price sensitive market. Rationalisation efforts and investments were made and the selling, general and administrative (SG & A) costs of the Community industry declined during the IIP. Furthermore, one Community producer in Greece who took part in the previous investigation went bankrupt, the parent company of the newly participating Austrian Community producer Styromag, Magindag, had gone bankrupt, too, in 1994, and Styromag had to be completely restructured. The Community industry has not been in a position to make a reasonable profit during the IIP.

(93) In view of the nature of the economic difficulties experienced by the Community industry, in particular the fact that it was prevented from recovering from the unhealthy situation caused by the dumped imports, the Commission services consider that, in the absence of intervention, further deterioration of the situation of the Community industry is quite likely, given the level of losses incurred by them over an extended period. This could entail a severe reduction in the number of employees. In the course of this investigation it has been established that the Community industry is viable, but continues to be in precarious situation, and that it is highly probable that, without the continuation of anti-dumping measures to correct the effects of dumped imports, the financial situation of the Community industry will deteriorate. Thus, the existence of the Community industry and many jobs may, ultimately, be at risk.

(94) Furthermore, the continuing restructuring efforts made by the Community industry show that it is not ready to abandon this segment of production. To maintain anti-dumping measures would therefore be in the interest of the Community industry.

3. **Interests of importers and traders**

(95) On the one hand, some importers and traders are against the prolongation of the anti-dumping measures arguing that a fixed minimum price distorts international trade and artificially increases the import price of the product concerned. They claimed that the Community industry constantly decreased its prices during the IIP, whereas the Chinese producers were not in the position to compete with the Community industry, as they were constrained by the minimum price. It should be noted, however, that the importers could not provide any evidence for this argument. On the contrary, the investigation revealed that the Community industry's sales prices have increased during the IIP by about 7 % and the Chinese market share in the Community during the IIP rose by about 5 %.

(96) On the other hand, some other importers and one importing user stated that the anti-dumping measures had created a certain price stability in the Community market for CCM. Moreover, the minimum price has enabled the Community industry to continue with its production and thereby maintained competition between Chinese and Community producers.

(97) It is therefore concluded that the cost situation of the importers of the product concerned has not been negatively influenced by the imposition of the anti-dumping measures. It is likely that a continuation of the measures will not lead to a deterioration of their cost situation in the future.

4. **Interests of users**

(98) None of the Community users answered the questionnaire sent by the Commission services during the current investigation nor provided any evidence on the incidence on their cost of production of the measures in force. Following the lack of substantiated information submitted by the users concerning the impact of the measures in force on the structure of the cost of production using CCM, a subsequent analysis was not performed. However, since the users did not respond, it can be assumed that the anti-dumping measures did not have any negative influence on their cost situations.

(99) In any case, the result of the present anti-dumping measures has not been to close the Community market to imports, but rather to level the unfair trade practices and to prevent the distorting effects of dumped imports. In this specific case, it seems that the measures did not prevent imports from the country concerned from entering the Community market. As mentioned above, imports from the People's Republic of China increased significantly, by 28 %, during the IIP.

(100) Furthermore, it was found that, in view of the fact that the Community industry has a significant market share, is viable and has invested significant amounts to improve its competitiveness, and given the presence of other suppliers located outside the Community, the risk of a general supply shortage is very low.

(101) Since the measures have been in place for a certain period and would be maintained at the same level, it can be concluded that this would not imply a deterioration, if at all, of the situation of the users.

5. **Consequences for competition in the Community market**

(102) As far as the competitive environment in the Community market is concerned, the measures proposed below are not such as to foreclose the Community market to the exporters under review, and therefore it will allow the continued presence of these exporters in the market. It should be recalled that the importers and users have always enjoyed the presence of a number of competitors in the market. The Community industry, even when exploiting its total production capacity, could only satisfy about 80 % of the demand on the Community market. Imports from third countries will therefore always be necessary. Thus, even if the existing anti-dumping measures were continued, the exporters of the country concerned would be able to continue to export to the Community at fair prices.

6. **Conclusion on Community interest**

(103) On the basis of the information available and having analysed all the various interests involved, the Commission services state the following: On the one hand, a continuation of the anti-dumping measures is likely to result in a stable price for CCM in the Community market which, over the duration of the measures in force, appears not to have had any negative effects on the economic situation of users and importers. However, on the other hand, leaving the Community industry without adequate protection against the dumped imports, would not only further aggravate its difficulties, but could even lead to its disappearance. The price advantage for users resulting from the non-imposition of anti-dumping measures does not compensate for the benefit achieved by the removal of the trade distortion caused by the dumped imports.

I. **ANTI-DUMPING MEASURES**

(104) All parties concerned were informed of the essential facts and considerations on the basis of which it was intended to recommend the maintenance of the existing measures. They were granted a period within which to make representations subsequent to disclosures. The comments of the parties were considered and, where appropriate, the findings have been modified accordingly.

(105) It follows from the above that, as provided for by Article 11(2) of the Basic Regulation, the anti-dumping measures in the form of a variable duty associated to a minimum import price of ECU 112 t on imports of CCM originating from the People's Republic of China imposed by Regulation (EEC) No 1473/93 should be maintained, but expressed in the new the European currency EURO. The new minimum price is therefore to be EURO 112 t.

HAS ADOPTED THIS REGULATION:

Article 1

1. A definitive anti-dumping duty is hereby imposed on imports of magnesium oxide originating in the People's Republic of China falling within CN code ex 2519 90 90 (Taric code 2519 90 90*10).

2. The amount of the duty shall be the difference between EUR 112 per tonne and the net, free-at-Community-frontier price before customs clearance, if the latter price is lower.

3. Unless otherwise specified, the provisions in force concerning duties and other customs practices shall apply.

Article 2

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

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

Done at Luxembourg, 21 June 1999.

For the Council

The President

G. VERHEUGEN

COUNCIL REGULATION (EC) No 1335/1999

of 21 June 1999

reimposing a definitive anti-dumping duty on imports of certain magnetic disks (3,5″ microdisks) originating in Indonesia and produced and sold for export to the Community by PT Betadiskindo Binatama

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 Article 11(4) thereof,

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

Whereas:

A. PREVIOUS PROCEDURE

(1) By Regulation (EC) No 1821/98 [2], the Council imposed a definitive anti-dumping duty of 41,1 % on imports of certain magnetic disks (3,5″ microdisks), used to record and store encoded digital computer information (hereinafter referred to as the 'product concerned'), falling within CN code ex 8523 20 90 (Taric code 8523 20 90*10) and originating in Indonesia.

B. PRESENT PROCEDURE

(2) The Commission subsequently received an application from the Indonesian producer PT Betadiskindo Binatama (hereinafter referred to as 'Betadiskindo' or 'the company') for a review of the measures currently in force, namely a request to initiate a 'new exporter' review of Regulation (EC) No 1821/98, pursuant to Article 11(4) of Council Regulation (EC) No 384/96 (hereinafter referred to as 'the Basic Regulation'). Betadiskindo claimed that it was not related to any of the exporters or producers in Indonesia subject to the anti-dumping measures in force with regard to the product concerned. Furthermore, the company claimed that it had not exported the product concerned to the Community during the original period of investigation (1 March 1994 to 28 February 1995) but that it had exported the product concerned to the Community subsequently.

(3) The Commission examined the evidence submitted by the company, and considered it sufficient to justify the initiation of a review in accordance with Article 11(4) of the Basic Regulation. After consultation of the Advisory Committee and after the Community industry concerned had been given the opportunity to comment, the Commission initiated, by Regulation (EC) No 2152/98 [3], a review of Regulation (EC) No 1821/98 with regard to Betadiskindo and commenced its investigation.

The Regulation initiating the review also repealed the anti-dumping duty imposed by Regulation (EC) No 1821/98 with regard to imports of the product concerned, produced and exported to the Community by Betadiskindo, and directed customs authorities, pursuant to Article 14(5) of the Basic Regulation, to take appropriate steps to register such imports.

(4) The product covered by the review was the same product as the one under consideration in Regulation (EC) No 1821/98.

(5) The Commission officially advised Betadiskindo and the representatives of the exporting country. Furthermore, it gave other parties directly concerned the opportunity to make their views known in writing and to request a hearing. However, no such request was received by the Commission.

On commencing the investigation, the Commission sent a questionnaire to Betadiskindo. However, the reply to the questionnaire contained deficiencies which the company was asked to rectify but failed to do so. Moreover, the Commission was unable to verify the information it deemed necessary for the purpose of the investigation because no verification visit could be arranged, despite the fact that the company had been informed of the tight time limits applicable to the investigation and of the possible consequence of non-cooperation.

C. SCOPE OF REVIEW

(6) As no request for a review of the findings on injury was made, the review was limited to dumping.

(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 236, 22.8.1998, p. 1.
(3) OJ L 271, 8.10.1998, p. 9.

D. **RESULTS OF THE INVESTIGATION**

(7) As the company's lack of cooperation meant that the Commission was unable to establish whether the company was indeed a newcomer or calculate the level of dumping, findings were made in accordance with Article 18(1) of the Basic Regulation. In the absence of any cooperation, it must be concluded that imports into the Community of certain magnetic disks (3,5″ microdisks) produced and exported by Betadiskindo should be subject to the country-wide duty (41,1 %) imposed by Council Regulation (EC) No 1821/98 and that that rate of duty should therefore be reimposed.

E. **RETROACTIVE LEVYING OF THE ANTI-DUMPING DUTY**

(8) As the review has resulted in a determination of dumping in respect of Betadiskindo, the anti-dumping duty applicable to this company shall also be levied retroactively from the date of initiation of the review on imports which, pursuant to Article 3 of Regulation (EC) No 2152/98, have been subject to registration.

F. **DISCLOSURE AND DURATION OF THE MEASURES**

(9) Betadiskindo was informed of the facts and considerations on the basis of which it was intended to propose the application of Regulation (EC) No 1821/98 to its imports into the Community.

(10) This review does not affect the date on which Regulation (EC) No 1821/98 will expire pursuant to Article 11(2) of the Basic Regulation,

HAS ADOPTED THIS REGULATION:

Article 1

1. A definitive anti-dumping duty is hereby imposed on imports of 3,5″ microdisks used to record and store encoded digital computer information, falling within CN code ex 8523 20 90 (TARIC additional code 8523 20 90*10), originating in Indonesia and produced by PT Betadiskindo Binatama.

2. The rate of duty applicable to the net free-at-Community-frontier price before duty shall be 41,1 %.

3. The duty hereby imposed shall be levied on imports of the product concerned which have been registered in accordance with Article 3 of Regulation (EC) No 2152/98.

4. Unless otherwise specified, the provisions in force concerning customs duties shall apply.

Article 2

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

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

Done at Luxembourg, 21 June 1999.

For the Council

The President

G. VERHEUGEN

COMMISSION REGULATION (EC) No 1336/1999

of 24 June 1999

establishing the standard import values for determining the entry price of certain fruit and vegetables

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Commission Regulation (EC) No 3223/94 of 21 December 1994 on detailed rules for the application of the import arrangements for fruit and vegetables ([1]), as last amended by Regulation (EC) No 1498/98 ([2]), and in particular Article 4 (1) thereof,

Whereas Regulation (EC) No 3223/94 lays down, pursuant to the outcome of the Uruguay Round multilateral trade negotiations, the criteria whereby the Commission fixes the standard values for imports from third countries, in respect of the products and periods stipulated in the Annex thereto;

Whereas, in compliance with the above criteria, the standard import values must be fixed at the levels set out in the Annex to this Regulation,

HAS ADOPTED THIS REGULATION:

Article 1

The standard import values referred to in Article 4 of Regulation (EC) No 3223/94 shall be fixed as indicated in the Annex hereto.

Article 2

This Regulation shall enter into force on 25 June 1999.

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

Done at Brussels, 24 June 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 24 June 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	42,3
	064	47,0
	999	44,6
0707 00 05	052	80,8
	628	133,7
	999	107,3
0709 90 70	052	55,8
	999	55,8
0805 30 10	382	58,2
	388	61,9
	528	54,8
	999	58,3
0808 10 20, 0808 10 50, 0808 10 90	388	84,0
	400	72,2
	508	68,2
	512	73,6
	524	65,7
	528	54,0
	720	88,4
	804	95,9
	999	75,2
0809 10 00	052	147,7
	999	147,7
0809 20 95	052	234,0
	064	164,1
	400	173,4
	616	130,6
	999	175,5
0809 40 05	052	101,9
	624	260,1
	999	181,0

(¹) Country nomenclature as fixed by Commission Regulation (EC) No 2317/97 (OJ L 321, 22.11.1997, p. 19). Code '999' stands for 'of other origin'.

COMMISSION REGULATION (EC) No 1337/1999

of 24 June 1999

establishing a forecast balance for the supply to the Canary Islands of 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 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],

(1) Whereas in application of Regulation (EEC) No 1601/92, the quantities of the forecast supply balance for the milk sector should be determined for the period 1 July 1999 to 30 June 2000 for supplies to the Canary Islands;

(2) Whereas the quantities of the forecast supply balance for those products is fixed in Commission Regulation (EC) No 1300/98 [3], as amended by Regulation (EC) No 792/1999 [4], for the period 1 July 1998 to 30 June 1999; whereas, in order to continue to satisfy requirements for milk and milk products, the abovementioned quantities should be fixed for the period 1 July 1999 to 30 June 2000;

(3) 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

For the purposes of Articles 2 and 3 of Regulation (EEC) No 1601/92, the quantities of the forecast supply balance for the Canary Islands in the milk sector benefiting, as appropriate from exemption from import duties for products from third countries or for Community aid for products from the Community market shall be as set out in the Annex hereto.

Where, as regards a particular product separate amounts are fixed in the forecast supply balance for direct consumption, and for processing and/or packaging respectively, an adjustment in the breakdown as between the prescribed uses is permitted, within a limit of 20 % of the total quantity fixed for that product.

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 July 1999.

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

Done at Brussels, 24 June 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 180, 24.6.1998, p. 8.
(4) OJ L 101, 16.4.1999, p. 68.

ANNEX

Forecast supply balance for milk and milk products for the Canary Islands for the period 1 July 1999 to 30 June 2000

(in tonnes)

CN code	Designation of goods	Quantity
0401	Milk and cream, not concentrated nor containing added sugar or other sweetening matter	101 250 (1)
0402	Milk and cream, concentrated or containing added sugar or other sweetening matter	
0402 10		23 000 (2)
0402 21		
0402 91		5 800 (3)
0402 99		
0405	Butter and other fats and oils derived from milk; dairy spreads	4 000
0406	Cheeses	14 000
0406 30		
0406 90 23		
0406 90 25		
0406 90 27		
0406 90 76		
0406 90 78		
0406 90 79		
0406 90 81		
0406 90 86		1 800
0406 90 87		
0406 90 88		
1901 90 99	Milk-based preparations without fat	5 000 (3)
2106 90 92	Milk-based preparations for children not containing milk fat	200

(1) Of which 1 250 tonnes are for the processing and/or packaging sector.
(2) Of which 13 500 tonnes are for the processing and/or packaging sector.
(3) The entire amount is for the processing and/or packaging sector.

COMMISSION REGULATION (EC) No 1338/1999

of 24 June 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 and establishing the forecast supply balance

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,

(1) 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 implementation of the specific arrangements for the supply of certain agricultural products to the Azores and Madeira;

(2) Whereas Commission 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 793/1999 [6], establishes the forecast supply balance for milk products for Madeira for the period 1 July 1998 to 30 June 1999; whereas, in order to continue to satisfy requirements for milk and milk products, the abovementioned quantities should be fixed for the period 1 July 1999 to 30 June 2000;

(3) 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

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

Article 2

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

It shall apply from 1 July 1999.

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

Done at Brussels, 24 June 1999.

For the Commission

Franz FISCHLER

Member of the Commission

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[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 101, 16.4.1999, p. 70.

ANNEX

'ANNEX I

Forecast supply balance for Madeira relating to milk products for the period 1 July 1999 to 30 June 2000

(tonnes)

CN code	Description	Quantity
0401	Milk and cream, not concentrated nor containing added sugar or other sweetening matter	12 000
ex 0402	Skimmed-milk powder	800
ex 0402	Whole-milk powder	700
0405	Butter and other fats and oils derived from milk, dairy spreads	1 200
0406	Cheese	1 550'

COMMISSION REGULATION (EC) No 1339/1999

of 24 June 1999

amending Regulation (EC) No 1374/98 laying down detailed rules for the application of the import arrangements and opening tariff quotas for 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 Articles 13(3) and 16(1) and (4) thereof,

Having regard to Council Regulation (EC) No 1095/96 of 18 June 1996 on the implementation of the concessions set out in Schedule CXL drawn up in the wake of the conclusion of the GATT XXIV.6 negotiations [3], and in particular Article 1(1) thereof,

(1) Whereas the tariff quotas for milk product listed in the GATT/WTO agreement, not specified by country of origin, are increased every year from 1 July; whereas Annex II to Commission Regulation (EC) No 1374/98 [4] must be adjusted accordingly;

(2) Whereas Council Regulation (EC) No 70/97 [5], as last amended by Regulation (EC) No 2863/98 [6], relating to the unilateral preferential arrangements applicable to certain countries formerly part of the Republic of Yugoslavia excludes the Federal Republic of Yugoslavia from any preferential arrangements; whereas the references to this country in Annex IV to Regulation (EC) No 1374/98 should therefore be removed;

(3) Whereas Annex VII to Regulation (EC) No 1374/98 lists the names and locations of the agencies issuing IMA 1 certificates; whereas some of the information relating to these agencies is incomplete or needs updating; whereas that Annex should therefore be amended;

(4) Whereas Regulation (EC) No 1374/98 is a recasting of Commission Regulation (EC) No 1600/95 [7]; whereas in the course of this recasting some of the references made in the Annex were incorrect; whereas the necessary corrections should be made;

(5) 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

Regulation (EC) No 1374/98 is hereby amended as follows:

1. Annex II is replaced by Annex I to this Regulation;
2. in Annex IV, the information relating to order numbers 8 and 9 is replaced by the information in Annex II to this Regulation;
3. Annex VII is replaced by Annex III to this Regulation;
4. Annex VIII is replaced by Annex IV to this Regulation.

Article 2

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

It shall apply from 1 July 1999.

[1] OJ L 148, 28.6.1968, p. 13.
[2] OJ L 206, 16.8.1996, p. 21.
[3] OJ L 146, 20.6.1996, p. 1.
[4] OJ L 185, 30.6.1998, p. 21.
[5] OJ L 16, 18.1.1997, p. 1.
[6] OJ L 358, 31.12.1998, p. 85.
[7] OJ L 151, 1.7.1995, p. 12.

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

Done at Brussels, 24 June 1999.

For the Commission

Franz FISCHLER

Member of the Commission

ANNEX I

'ANNEX II

TARIFF QUOTAS PURSUANT TO GATT/WTO AGREEMENTS, NOT SPECIFIED BY COUNTRY OF ORIGIN

(GATT/WTO year)

Order number in Annex 7 to the Combined Nomenclature (TARIC order number)	CN code	Description	Country of origin	Quota quantity (tonnes)		Import duty (EUR/100 kg net weight)
				Annual	Quarterly	
36 (09.4590)	0402 10 19	Skimmed milk powder	all third countries	62 480	15 620	47,50
37 (09.4599)	0405 10 11 0405 10 19 0405 10 30 0405 10 50 0405 10 90 0405 90 10 (*) 0405 90 90 (*)	Butter and other fats and oils derived from milk	all third countries	8 000 in butter equivalent	2 000	94,80
39 (09.4591)	ex 0406 10 20 ex 0406 10 80	Pizza cheese, frozen, cut into pieces each weighing not more than 1 gram, in containers of a net content of 5 kg or more, of a water content, by weight, of 52 % or more, and of a fat content by weight in the dry matter of 38 % or more	all third countries	4 462	1 115,5	13,00
40 (09.4592)	ex 0406 30 10 0406 90 13	Processed Emmentaler Emmentaler	all third countries	15 307	3 826,75	71,90 85,80
41 (09.4593)	ex 0406 30 10 0406 90 15	Processed Gruyère Gruyère, Sbrinz	all third countries	4 307	1 076,75	71,90 85,80
42 (09.4594)	0406 90 01	Cheese for processing (1)	all third countries	16 800	4 200	83,50
44 (09.4595)	0406 90 21	Cheddar	all third countries	12 600	3 150	21,00
47 (09.4596)	ex 0406 10 20 ex 0406 10 80	Fresh (unripened or uncured) cheese, including whey cheese, and curd, other than pizza cheese of order No 40	all third countries	16 299	4 074,75	92,60 106,40
	0406 20 90	Other grated or powdered cheese				94,10
	0406 30 31 0406 30 39 0406 30 90	Other processed cheese				69,00 71,90 102,90

Order number in Annex 7 to the Combined Nomenclature (TARIC order number)	CN code	Description	Country of origin	Quota quantity (tonnes)		Import duty (EUR/100 kg net weight)
				Annual	Quarterly	
	0406 40 10 0406 40 50 0406 40 90	Blue-veined cheese				70,40
	0406 90 17	Bergkäse and Appenzell				85,80
	0406 90 18	Fromage fribourgeois, Vacherin Mont d'Or and Tête de Moine				75,50
	0406 90 23	Edam				
	0406 90 25	Tilsit				
	0406 90 27	Butterkäse				
	0406 90 29	Kashkaval				
	0406 90 31	Feta, of sheep's milk or buffalo milk				
	0406 90 33	Feta, other				
	0406 90 35	Kefalo-Tyri				
	0406 90 37	Finlandia				
	0406 90 39	Jarlsberg				
	0406 90 50	Cheese of sheep's milk or buffalo milk				
	ex 0406 90 63	Pecorino				94,10
	0406 90 69	Other				
	0406 90 73	Provolone				75,50
	ex 0406 90 75	Caciocavallo				
	ex 0406 90 76	Danbo, Fontal, Fynbo, Havarti, Maribo, Samsø				
	0406 90 78	Gouda				
	ex 0406 90 79	Esrom, Italico, Kernhem, Saint-Paulin				
	ex 0406 90 81	Cheshire, Wensleydale, Lancashire, Double Gloucester, Blarney, Colby, Monterey				
	0406 90 82	Camembert				
	0406 90 84	Brie				
	0406 90 86	Exceeding 47 % but not exceeding 52 %				
	0406 90 87	Exceeding 52 % but not exceeding 62 %				
	0406 90 88	Exceeding 62 % but not exceeding 72 %				
	0406 90 93	Exceeding 72 %				92,60
	0406 90 99	Other				106,40

(*) 1 kg product = 1,22 kg butter.
(1) Utilisation for this particular purpose will be monitored by applying the Community provisions laid down on the subject.'

ANNEX II

Order No	CN code	Description	Country of origin	Import duty (EUR/100 kg net weight)	Rules for completing IMA 1 certificates
'8	ex 0406 90 29	Kashkaval, made exclusively from sheep's milk, matured for at least two months, of a minimum fat content of 45 % in the dry matter and a minimum dry matter content of 58 %, in whole cheeses not exceeding 10 kg, whether wrapped in plastic or not	Cyprus Hungary Israel Romania Bosnia-Herzegovina, Croatia, Slovenia and the former Yugoslav Republic of Macedonia Turkey	67,19	See Annex VI (F) —
9	ex 0406 90 31 ex 0406 90 50	Cheeses made exclusively from sheep's milk or buffalo milk, in containers containing brine, or in sheep or goatskin bottles	Cyprus Hungary Israel Romania Bosnia-Herzegovina, Croatia, Slovenia and the former Yugoslav Republic of Macedonia Turkey	67,19	See Annex VI (G) —'

ANNEX III

'ANNEX VII

ISSUING AGENCIES

Third country	CN code and description		Issuing agency	
			Name	Location
Australia	0406 90 01 0406 90 21	Cheddar and other cheese for processing Cheddar	Australian Quarantine Inspection Service Department of Agriculture, Fisheries and Forestry	PO Box 60 World Trade Centre Melbourne, VIC 3005 Australia Tel.: (61 3) 92 46 67 10 Fax: (61 3) 92 46 68 00
Canada	0406 90 21	Cheddar	Canadian Dairy Commission Commission canadienne du lait	Ottawa 1525 Carling Avenue Suite 300 Tel.: (1 613) 998 44 92 Fax: (1 613) 998 44 92
Cyprus	ex 0406 90 29 0406 90 31 ex 0406 90 50 ex 0406 90 86 ex 0406 90 87 ex 0406 90 88	Kashkaval Cheeses of sheep's milk or buffalo milk Halloumi	Ministry of Commerce, Industry and Tourism	1421 Nicosia Cyprus Tel.: (02) 86 71 00 Fax: (02) 37 51 20
Hungary	ex 0406 90 29 0406 90 31 0406 90 50	Kashkaval Cheeses of sheep's milk or buffalo milk	Tejtermékek Magyar Allamí Elenörzö Allomasa	Budapest
Israel	ex 0406 90 29 0406 90 31 0406 90 50	Kashkaval Cheeses of sheep's milk or buffalo milk	Ministry of Industry and Trade, Food Division	Jerusalem
Norway	ex 0406 10 20 ex 0406 10 80 0406 30 ex 0406 90 39 ex 0406 90 86 ex 0406 90 87 ex 0406 90 88	Whey cheese Processed cheese Jarlsberg Ridder	Tine Norwegian Dairies BA O. Kavli AS	PO Box 9051 Grønland 0133 Oslo Tel.: 22 93 88 00 Fax: 22 17 23 75 Postboks 338 N — 5051 Nesttun Tel.: 55 10 00 00 Fax: 55 10 15 00
New Zealand	0405 10 11 0405 10 19 0406 90 01 0406 90 21	Butter Butter Cheddar and other cheese for processing Cheddar	New Zealand Dairy Board	PO Box 417 Wellington New Zealand Tel.: (4) 471 83 00 Fax: (4) 41 78 600
Romania	0406 90 25 ex 0406 90 29 0406 90 31 0406 90 50	Tilsit Kashkaval Cheeses of sheep's milk or buffalo milk	Organisatia de control al marfurilor "Romcontrol"	Bucharest'
Yugoslavia	ex 0406 90 29 0406 90 31 0406 90 50	Kashkaval Cheeses of sheep's milk or buffalo milk		

ANNEX IV

'ANNEX VIII

APPLICATION OF ARTICLE 14

(Page /)

COMMISSION OF THE EUROPEAN COMMUNITIES
DG VI/D/1 — MILK AND MILK PRODUCTS

APPLICATIONS FOR IMPORT LICENCES AT REDUCED DUTIES ... THREE-MONTH PERIOD

Member State:	Date: Commission Regulation (EC) No 1374/98

Consigner:

Contact:

Telephone:

Fax:

Part I: Summary

Order number in Annex 7 to the Combined Nomenclature	CN code	Quantity applied for per CN code
	Subtotal	

Part II: Applications per order number

Serial numbers of applications:

Total quantity applied for (tonnes):

Number of pages:'

COMMISSION REGULATION (EC) No 1340/1999

of 24 June 1999

derogating from Regulation (EC) No 708/98 on the taking over of paddy rice by the intervention agencies and fixing the corrective amounts and the price increases and reductions to be applied, with respect to the period for delivery to the intervention agency in the 1998/99 marketing year

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 Article 8(b) thereof,

(1) Whereas the conditions for the taking over of paddy rice by the intervention agencies are laid down in Commission Regulation (EC) No 708/98 [3], as amended by Regulation (EC) No 691/1999 [4]; whereas Article 6(1) of that Regulation provides that delivery must be effected not later than the end of the second month following receipt of the offer and in any case not later than 31 August of the current marketing year;

(2) Whereas during the 1998/99 marketing year the intervention agencies encountered difficulties in setting up a good system for the storage, checking and reception of goods; whereas these difficulties delayed the acceptance of offers made and the taking over of deliveries; whereas, for the 1998/99 marketing year, these difficulties justify a derogation from the time limit set in the abovementioned provisions for delivery to the intervention agency;

(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

Notwithstanding Article 6(1) of Regulation (EC) No 708/98, delivery of paddy rice for taking over by the intervention agency in respect of the 1998/99 marketing year must be effected no later than 30 September 1999.

Article 2

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

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

Done at Brussels, 24 June 1999.

For the Commission

Franz FISCHLER

Member of the Commission

[1] OJ L 329, 30.12.1995, p. 18.
[2] OJ L 265, 30.9.1998, p. 4.
[3] OJ L 98, 31.3.1998, p. 21.
[4] OJ L 87, 31.3.1999, p. 8.

COMMISSION REGULATION (EC) No 1341/1999

of 24 June 1999

fixing the export refunds on milk and milk products

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

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

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

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

— the existing situation and the future trend with regard to prices and availabilities of milk and milk products on the Community market and prices for milk and milk products in international trade,

— marketing costs and the most favourable transport charges from Community markets to ports or other points of export in the Community, as well as costs incurred in placing the goods on the market of the country of destination,

— the aims of the common organisation of the market in milk and milk products which are to ensure equilibrium and the natural development of prices and trade on this market,

— the limits resulting from agreements concluded in accordance with Article 228 of the Treaty, and

— the need to avoid disturbances on the Community market, and

— the economic aspect of the proposed exports;

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

(a) prices ruling on third country markets;

(b) the most favourable prices in third countries of destination for third country imports;

(c) producer prices recorded in exporting third countries, account being taken, where appropriate, of subsidies granted by those countries; and

(d) free-at-Community-frontier offer prices;

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

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

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

(1) OJ L 148, 28.6.1968, p. 13.
(2) OJ L 206, 16.8.1996, p. 21.
(3) OJ L 20, 27.1.1999, p. 8.
(4) OJ L 177, 1.7.1981, p. 4.
(5) OJ L 159, 3.6.1998, p. 38.

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

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

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

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

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

HAS ADOPTED THIS REGULATION:

Article 1

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

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

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

Article 2

This Regulation shall enter into force on 25 June 1999.

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

Done at Brussels, 24 June 1999.

For the Commission

Franz FISCHLER

Member of the Commission

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(1) OJ L 91, 1.4.1984, p. 71.
(2) OJ L 28, 1.2.1988, p. 1.

ANNEX

to the Commission Regulation of 24 June 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
0401 10 10 9000	970	2,327
	***	—
0401 10 90 9000	970	2,327
	***	—
0401 20 11 9100	970	2,327
	***	—
0401 20 11 9500	970	3,597
	***	—
0401 20 19 9100	970	2,327
	***	—
0401 20 19 9500	970	3,597
	***	—
0401 20 91 9100	970	4,551
	***	—
0401 20 91 9500	+	—
0401 20 99 9100	970	4,551
	***	—
0401 20 99 9500	+	—
0401 30 11 9100	+	—
0401 30 11 9400	970	10,50
	***	—
0401 30 11 9700	970	15,77
	***	—
0401 30 19 9100	+	—
0401 30 19 9400	+	—
0401 30 19 9700	970	15,77
	***	—
0401 30 31 9100	+	38,32
0401 30 31 9400	+	59,85
0401 30 31 9700	+	66,00
0401 30 39 9100	+	38,32
0401 30 39 9400	+	59,85
0401 30 39 9700	+	66,00
0401 30 91 9100	+	75,22
0401 30 91 9400	+	110,55
0401 30 91 9700	+	129,01
0401 30 99 9100	+	75,22
0401 30 99 9400	+	110,55
0401 30 99 9700	+	129,01
0402 10 11 9000	+	90,00
0402 10 19 9000	+	90,00
0402 10 91 9000	+	0,9000
0402 10 99 9000	+	0,9000
0402 21 11 9200	+	90,00
0402 21 11 9300	+	105,89
0402 21 11 9500	+	111,56
0402 21 11 9900	+	120,00
0402 21 17 9000	+	90,00
0402 21 19 9300	+	105,89
0402 21 19 9500	+	111,56
0402 21 19 9900	+	120,00
0402 21 91 9100	+	120,86
0402 21 91 9200	+	121,69
0402 21 91 9300	+	123,20
0402 21 91 9400	+	131,67
0402 21 91 9500	+	134,61
0402 21 91 9600	+	145,88
0402 21 91 9700	+	152,49
0402 21 91 9900	+	159,96
0402 21 99 9100	+	120,86
0402 21 99 9200	+	121,69
0402 21 99 9300	+	123,20
0402 21 99 9400	+	131,67
0402 21 99 9500	+	134,61
0402 21 99 9600	+	145,88
0402 21 99 9700	+	152,49
0402 21 99 9900	+	159,96
0402 29 15 9200	+	0,9000
0402 29 15 9300	+	1,0589
0402 29 15 9500	+	1,1156
0402 29 15 9900	+	1,2002
0402 29 19 9200	+	0,9000
0402 29 19 9300	+	1,0589
0402 29 19 9500	+	1,1156
0402 29 19 9900	+	1,2002
0402 29 91 9100	+	1,2086
0402 29 91 9500	+	1,3167
0402 29 99 9100	+	1,2086
0402 29 99 9500	+	1,3167
0402 91 11 9110	+	—
0402 91 11 9120	+	—
0402 91 11 9310	+	11,31
0402 91 11 9350	+	13,85
0402 91 11 9370	+	16,84
0402 91 19 9110	+	—
0402 91 19 9120	+	—
0402 91 19 9310	+	11,31
0402 91 19 9350	+	13,85
0402 91 19 9370	+	16,84
0402 91 31 9100	+	—
0402 91 31 9300	+	19,91
0402 91 39 9100	+	—
0402 91 39 9300	+	19,91
0402 91 51 9000	+	—
0402 91 59 9000	+	—
0402 91 91 9000	+	63,94
0402 91 99 9000	+	63,94
0402 99 11 9110	+	—
0402 99 11 9130	+	—
0402 99 11 9150	+	—
0402 99 11 9310	+	0,2689
0402 99 11 9330	+	0,3228
0402 99 11 9350	+	0,4291
0402 99 19 9110	+	—
0402 99 19 9130	+	—
0402 99 19 9150	+	—
0402 99 19 9310	+	0,2689
0402 99 19 9330	+	0,3228
0402 99 19 9350	+	0,4291
0402 99 31 9110	+	—
0402 99 31 9150	+	0,4467
0402 99 31 9300	+	0,3832
0402 99 31 9500	+	0,6600
0402 99 39 9110	+	—
0402 99 39 9150	+	0,4467
0402 99 39 9300	+	0,3832

Product code	Destination (*)	Amount of refund
0402 99 39 9500	+	0,6600
0402 99 91 9000	+	0,7522
0402 99 99 9000	+	0,7522
0403 10 11 9400	+	—
0403 10 11 9800	+	—
0403 10 13 9800	+	—
0403 10 19 9800	+	—
0403 10 31 9400	+	—
0403 10 31 9800	+	—
0403 10 33 9800	+	—
0403 10 39 9800	+	—
0403 90 11 9000	+	88,48
0403 90 13 9200	+	88,48
0403 90 13 9300	+	104,95
0403 90 13 9500	+	110,56
0403 90 13 9900	+	118,93
0403 90 19 9000	+	119,81
0403 90 31 9000	+	0,8848
0403 90 33 9200	+	0,8848
0403 90 33 9300	+	1,0495
0403 90 33 9500	+	1,1056
0403 90 33 9900	+	1,1893
0403 90 39 9000	+	1,1981
0403 90 51 9100	970	2,327
	***	—
0403 90 51 9300	+	—
0403 90 53 9000	+	—
0403 90 59 9110	+	—
0403 90 59 9140	+	—
0403 90 59 9170	970	15,77
	***	—
0403 90 59 9310	+	38,32
0403 90 59 9340	+	59,85
0403 90 59 9370	+	64,80
0403 90 59 9510	+	64,80
0403 90 59 9540	+	64,80
0403 90 59 9570	+	64,80
0403 90 61 9100	+	—
0403 90 61 9300	+	—
0403 90 63 9000	+	—
0403 90 69 9000	+	—
0404 90 21 9100	+	90,00
0404 90 21 9910	+	—
0404 90 21 9950	+	11,31
0404 90 23 9120	+	90,00
0404 90 23 9130	+	105,89
0404 90 23 9140	+	111,56
0404 90 23 9150	+	120,00
0404 90 23 9911	+	—
0404 90 23 9913	+	—
0404 90 23 9915	+	—
0404 90 23 9917	+	—
0404 90 23 9919	+	—
0404 90 23 9931	+	11,31
0404 90 23 9933	+	13,85
0404 90 23 9935	+	16,84
0404 90 23 9937	+	19,91
0404 90 23 9939	+	20,81
0404 90 29 9110	+	120,86
0404 90 29 9115	+	121,69
0404 90 29 9120	+	123,20
0404 90 29 9130	+	131,67
0404 90 29 9135	+	134,61
0404 90 29 9150	+	145,88

Product code	Destination (*)	Amount of refund
0404 90 29 9160	+	152,49
0404 90 29 9180	+	159,96
0404 90 81 9100	+	0,9000
0404 90 81 9910	+	—
0404 90 81 9950	+	0,2689
0404 90 83 9110	+	0,9000
0404 90 83 9130	+	1,0589
0404 90 83 9150	+	1,1156
0404 90 83 9170	+	1,2002
0404 90 83 9911	+	—
0404 90 83 9913	+	—
0404 90 83 9915	+	—
0404 90 83 9917	+	—
0404 90 83 9919	+	—
0404 90 83 9931	+	0,2689
0404 90 83 9933	+	0,3228
0404 90 83 9935	+	0,4291
0404 90 83 9937	+	0,4467
0404 90 89 9130	+	1,2086
0404 90 89 9150	+	1,3167
0404 90 89 9930	+	0,4601
0404 90 89 9950	+	0,6600
0404 90 89 9990	+	0,7522
0405 10 11 9500	+	165,85
0405 10 11 9700	+	170,00
0405 10 19 9500	+	165,85
0405 10 19 9700	+	170,00
0405 10 30 9100	+	165,85
0405 10 30 9300	+	170,00
0405 10 30 9500	+	165,85
0405 10 30 9700	+	170,00
0405 10 50 9100	+	165,85
0405 10 50 9300	+	170,00
0405 10 50 9500	+	165,85
0405 10 50 9700	+	170,00
0405 10 90 9000	+	176,22
0405 20 90 9500	+	155,49
0405 20 90 9700	+	161,71
0405 90 10 9000	+	216,00
0405 90 90 9000	+	170,00
0406 10 20 9100	+	—
0406 10 20 9230	037	—
	039	—
	099	37,68
	400	22,83
	***	37,68
0406 10 20 9290	037	—
	039	—
	099	35,05
	400	15,29
	***	35,05
0406 10 20 9300	037	—
	039	—
	099	15,39
	400	7,834
	***	15,39

Product code	Destination (*)	Amount of refund
0406 10 20 9610	037	—
	039	—
	099	51,11
	400	30,98
	***	51,11
0406 10 20 9620	037	—
	039	—
	099	51,83
	400	31,42
	***	51,83
0406 10 20 9630	037	—
	039	—
	099	57,86
	400	35,06
	***	57,86
0406 10 20 9640	037	—
	039	—
	099	85,03
	400	48,35
	***	85,03
0406 10 20 9650	037	—
	039	—
	099	70,86
	400	25,44
	***	70,86
0406 10 20 9660	+	—
0406 10 20 9830	037	—
	039	—
	099	26,28
	400	13,38
	***	26,28
0406 10 20 9850	037	—
	039	—
	099	31,87
	400	16,22
	***	31,87
0406 10 20 9870	+	—
0406 10 20 9900	+	—
0406 20 90 9100	+	—
0406 20 90 9913	037	—
	039	—
	099	58,77
	400	31,59
	***	58,77
0406 20 90 9915	037	—
	039	—
	099	77,56
	400	42,12
	***	77,56
0406 20 90 9917	037	—
	039	—
	099	82,41
	400	44,75
	***	82,41
0406 20 90 9919	037	—
	039	—
	099	92,10
	400	50,02
	***	92,10
0406 20 90 9990	+	—
0406 30 31 9710	037	—
	039	—
	099	9,536
	400	8,346
	***	17,88
0406 30 31 9730	037	—
	039	—
	099	13,99
	400	12,25
	***	26,24
0406 30 31 9910	037	—
	039	—
	099	9,536
	400	8,346
	***	17,88
0406 30 31 9930	037	—
	039	—
	099	13,99
	400	12,25
	***	26,24
0406 30 31 9950	037	—
	039	—
	099	20,36
	400	17,81
	***	38,17
0406 30 39 9500	037	—
	039	—
	099	13,99
	400	12,25
	***	26,24
0406 30 39 9700	037	—
	039	—
	099	20,36
	400	17,81
	***	38,17
0406 30 39 9930	037	—
	039	—
	099	20,36
	400	17,81
	***	38,17
0406 30 39 9950	037	—
	039	—
	099	23,02
	400	21,14
	***	43,16
0406 30 90 9000	037	—
	039	—
	099	24,15
	400	21,14
	***	45,28
0406 40 50 9000	037	—
	039	—
	099	90,00
	400	32,98
	***	90,00

Product code	Destination (*)	Amount of refund
0406 40 90 9000	037	—
	039	—
	099	92,42
	400	32,98
	***	92,42
0406 90 13 9000	037	—
	039	—
	099	101,62
	400	60,16
	***	116,37
0406 90 15 9100	037	—
	039	—
	099	105,01
	400	62,17
	***	120,25
0406 90 17 9100	037	—
	039	—
	099	105,01
	400	62,17
	***	120,25
0406 90 21 9900	037	—
	039	—
	099	102,90
	400	44,53
	***	117,54
0406 90 23 9900	037	—
	039	—
	099	90,36
	400	18,57
	***	103,92
0406 90 25 9900	037	—
	039	—
	099	89,77
	400	21,16
	***	102,80
0406 90 27 9900	037	—
	039	—
	099	81,30
	400	18,57
	***	93,10
0406 90 31 9119	037	—
	039	—
	099	74,72
	400	25,56
	***	85,71
0406 90 33 9119	037	—
	039	—
	099	74,72
	400	25,56
	***	85,71
0406 90 33 9919	037	—
	039	—
	099	68,29
	400	20,33
	***	78,60

Product code	Destination (*)	Amount of refund
0406 90 33 9951	037	—
	039	—
	099	68,98
	400	20,01
	***	78,66
0406 90 35 9190	037	33,29
	039	33,29
	099	105,71
	400	61,40
	***	121,56
0406 90 35 9990	037	—
	039	—
	099	105,71
	400	40,19
	***	121,56
0406 90 37 9000	037	—
	039	—
	099	101,62
	400	60,16
	***	116,37
0406 90 61 9000	037	47,01
	039	47,01
	099	112,00
	400	57,27
	***	129,64
0406 90 63 9100	037	42,83
	039	42,83
	099	111,41
	400	63,89
	***	128,55
0406 90 63 9900	037	34,22
	039	34,22
	099	107,11
	400	48,93
	***	124,18
0406 90 69 9100	+	—
0406 90 69 9910	037	—
	039	—
	099	107,11
	400	48,93
	***	124,18
0406 90 73 9900	037	—
	039	—
	099	93,28
	400	52,63
	***	106,91
0406 90 75 9900	037	—
	039	—
	099	93,90
	400	22,27
	***	108,07
0406 90 76 9300	037	—
	039	—
	099	84,68
	400	20,12
	***	96,98

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

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

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

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

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

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

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

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

COMMISSION REGULATION (EC) No 1342/1999

of 24 June 1999

fixing the export refunds on products processed from cereals and rice

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

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

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

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

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

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

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

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

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

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

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

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

HAS ADOPTED THIS REGULATION:

Article 1

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

(1) OJ L 181, 1.7.1992, p. 21.
(2) OJ L 126, 24.5.1996, p. 37.
(3) OJ L 329, 30.12.1995, p. 18.
(4) OJ L 265, 30.9.1998, p. 4.
(5) OJ L 147, 30.6.1995, p. 55.
(6) OJ L 312, 23.12.1995, p. 25.

Article 2

This Regulation shall enter into force on 25 June 1999.

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

Done at Brussels, 24 June 1999.

For the Commission

Franz FISCHLER

Member of the Commission

ANNEX

to the Commission Regulation of 24 June 1999 fixing the export refunds on products processed from cereals and rice

(EUR/tonne)

Product code	Refund
1102 20 10 9200 (1)	81,42
1102 20 10 9400 (1)	69,79
1102 20 90 9200 (1)	69,79
1102 90 10 9100	77,01
1102 90 10 9900	52,37
1102 90 30 9100	85,70
1103 12 00 9100	85,70
1103 13 10 9100 (1)	104,69
1103 13 10 9300 (1)	81,42
1103 13 10 9500 (1)	69,79
1103 13 90 9100 (1)	69,79
1103 19 10 9000	51,07
1103 19 30 9100	79,58
1103 21 00 9000	38,41
1103 29 20 9000	52,37
1104 11 90 9100	77,01
1104 12 90 9100	95,22
1104 12 90 9300	76,18
1104 19 10 9000	38,41
1104 19 50 9110	93,06
1104 19 50 9130	75,61
1104 21 10 9100	77,01
1104 21 30 9100	77,01
1104 21 50 9100	102,68
1104 21 50 9300	82,14
1104 22 20 9100	76,18
1104 22 30 9100	80,91

(EUR/tonne)

Product code	Refund
1104 23 10 9100	87,24
1104 23 10 9300	66,88
1104 29 11 9000	38,41
1104 29 51 9000	37,66
1104 29 55 9000	37,66
1104 30 10 9000	9,42
1104 30 90 9000	14,54
1107 10 11 9000	67,03
1107 10 91 9000	91,39
1108 11 00 9200	75,32
1108 11 00 9300	75,32
1108 12 00 9200	93,06
1108 12 00 9300	93,06
1108 13 00 9200	93,06
1108 13 00 9300	93,06
1108 19 10 9200	48,64
1108 19 10 9300	48,64
1109 00 00 9100	0,00
1702 30 51 9000 (2)	110,84
1702 30 59 9000 (2)	84,86
1702 30 91 9000	110,84
1702 30 99 9000	84,86
1702 40 90 9000	84,86
1702 90 50 9100	110,84
1702 90 50 9900	84,86
1702 90 75 9000	116,15
1702 90 79 9000	80,61
2106 90 55 9000	84,86

(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 1343/1999

of 24 June 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 Commission Regulation (EC) No 923/96 [2], and in particular Article 13(3) thereof,

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

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;

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;

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;

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;

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

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 25 June 1999.

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

Done at Brussels, 24 June 1999.

For the Commission

Franz FISCHLER

Member of the Commission

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(1) OJ L 181, 1.7.1992, p. 21.
(2) OJ L 126, 24.5.1996, p. 37.
(3) OJ L 147, 30.6.1995, p. 51.

ANNEX

to the Commission Regulation 24 June 1999 fixing the export refunds on cereal-based compound feedingstuffs

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	58,16
Cereal products (2) excluding maize and maize products	44,50

(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 1344/1999
of 24 June 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 923/96 ([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,

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;

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;

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

HAS ADOPTED THIS REGULATION:

Article 1

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 62,22/t.

Article 2

This Regulation shall enter into force on 25 June 1999.

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

Done at Brussels, 24 June 1999.

For the Commission

Franz FISCHLER

Member of the Commission

([1]) OJ L 181, 1.7.1992, p. 21.
([2]) OJ L 126, 24.5.1996, p. 37.
([3]) OJ L 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 1345/1999

of 24 June 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,

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;

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;

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;

Whereas export possibilities exist for a quantity of 1 566 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 444/98 ([5]) should be used; whereas account should be taken of this when the refunds are fixed;

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;

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

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

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

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;

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;

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 1 566 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 25 June 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 56, 26.2.1998, p. 12.

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

Done at Brussels, 24 June 1999.

For the Commission

Franz FISCHLER

Member of the Commission

ANNEX

to the Commission Regulation of 24 June 1999 fixing the export refunds on rice and broken rice and suspending, the issue of export licences

(EUR/t)

Product code	Destination (1)	Amount of refunds
1006 20 11 9000	01	—
1006 20 13 9000	01	—
1006 20 15 9000	01	—
1006 20 17 9000	—	—
1006 20 92 9000	01	—
1006 20 94 9000	01	—
1006 20 96 9000	01	—
1006 20 98 9000	—	—
1006 30 21 9000	01	—
1006 30 23 9000	01	—
1006 30 25 9000	01	—
1006 30 27 9000	—	—
1006 30 42 9000	01	—
1006 30 44 9000	01	—
1006 30 46 9000	01	—
1006 30 48 9000	—	—
1006 30 61 9100	01	—
	02	80,00 (2)
	03	85,00 (2)
	04	—
	05	—
1006 30 61 9900	01	—
	04	—
1006 30 63 9100	01	—
	02	80,00 (2)
	03	85,00 (2)
	04	—
	05	—
1006 30 63 9900	01	—
	04	—
1006 30 65 9100	01	—
	02	80,00 (2)
	03	85,00 (2)
	04	—
	05	—

(EUR/t)

Product code	Destination (1)	Amount of refunds
1006 30 65 9900	01	—
	04	—
1006 30 67 9100	05	—
1006 30 67 9900	—	—
1006 30 92 9100	01	—
	02	80,00 (2)
	03	85,00 (2)
	04	—
	05	—
1006 30 92 9900	01	—
	04	—
1006 30 94 9100	01	—
	02	80,00 (2)
	03	85,00 (2)
	04	—
	05	—
1006 30 94 9900	01	—
	04	—
1006 30 96 9100	01	—
	02	80,00 (2)
	03	85,00 (2)
	04	—
	05	—
1006 30 96 9900	01	—
	04	—
1006 30 98 9100	05	—
1006 30 98 9900	—	—
1006 40 00 9000	—	—

(1) The destinations are identified as follows:
01 Liechtenstein, Switzerland, the communes of Livigno and Campione d'Italia,
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,
05 Ceuta and Melilla.

(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 1 566 t.

NB: The zones are those defined in the Annex to amended Commission Regulation (EEC) No 2145/92.

COMMISSION REGULATION (EC) No 1346/1999

of 24 June 1999

limiting the term of validity of export licences for certain products processed from cereals

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EEC) No 1766/92 of 30 June 1992 on the common organisation of the market in cereals [1], as last amended by Commission Regulation (EC) No 923/96 [2], and in particular Article 9 thereof,

Having regard to Commission Regulation (EC) No 1162/95 of 23 May 1995 laying down special detailed rules for the application of the system of import and export licences for cereals and rice [3], as last amended by Regulation (EC) No 444/98 [4], and in particular Article 7(1) thereof,

Whereas Article 7(1) of Regulation (EC) No 1162/95 fixes the term of validity of export licences, in particular for products processed from maize; whereas that term of validity extends to the end of the fourth month following that of issue of the licence; whereas the term of validity is fixed in accordance with market requirements and the need for sound management;

Whereas the current situation on the maize market the makes it desirable to limit the issuing of licences in order to avoid committing quantities from the new marketing year; whereas licences to be issued in forthcoming months must be reserved for exports before the end of August 1999; whereas, to that end, the term of validity of export licences to be issued for execution up to 30 August 1999 must be limited; whereas a temporary derogation should accordingly be introduced to Article 7(1) of Regulation (EC) No 1162/95;

Whereas, in order to ensure sound management of the market and to prevent speculation, provision should be made for customs export formalities for export licences for products processed from maize to be completed by 30 August 1999 at the latest either as direct exports or exports under the arrangements laid down in Articles 4 and 5 of Council Regulation (EEC) No 565/80 of 4 March 1980 on the advance payment of export refunds in respect of agricultural products [5], as amended by Regulation (EEC) No 2026/83 [6]; whereas such limiting of the term of validity of export licences entails a derogation from Articles 27(5) and 28(5) of Commission Regulation (EEC) No 3665/87 of 27 November 1987 laying down common detailed rules for the application of the system of export refunds on agricultural products [7], as last amended by Regulation (EC) No 604/98 [8];

Whereas the application of the measures provided for in this Regulation must coincide with its entry into force in order to avoid potential market disturbance;

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

1. Notwithstanding Article 7(1) of Regulation (EC) No 1162/95, export licences for products referred to in the Annex applied for from the date of entry into force of this Regulation to 31 August 1999 shall be valid until 31 August 1999 only.

2. Customs export formalities for the above licences must be completed by 31 August 1999 at the latest.

That deadline shall also apply to the formalities referred to in Article 30 of Regulation (EEC) No 3665/87 in respect of products placed under the arrangements referred to in Regulation (EEC) No 565/80 under cover of such licences.

One of the following shall be entered in Section 22 of the licences:

Limitación establecida en el apartado 2 del artículo 1 del Reglamento (CE) nº 1346/1999

Begrænsning, jf. artikel 1, stk 2, i forordning (EF) nr. 1346/1999

Kürzung der Gültigkeitsdauer gemäß Artikel 1 Absatz 2 der Verordnung (EG) Nr. 1346/1999

[1] OJ L 181, 1.7.1992, p. 21.
[2] OJ L 126, 24.5.1996, p. 37.
[3] OJ L 117, 24.5.1995, p. 2.
[4] OJ L 56, 25.2.1998, p. 12.
[5] OJ L 62, 7.3.1980, p. 5.
[6] OJ L 199, 22.7.1983, p. 12.
[7] OJ L 351, 14.12.1987, p. 1.
[8] OJ L 80, 18.3.1998, p. 19.

Περιορισμός που προβλέπεται στο άρθρο 1 παράγραφος 2 του κανονισμού (ΕΚ) nr. 1346/1999

Limitation provided for in Article 1 (2) of Regulation (EC) No 1346/1999

Limitation prévue à l'article 1er paragraphe 2 du règlement (CE) nº 1346/1999

Limitazione prevista all'articolo 1, paragrafo 2 del regolamento (CE) n. 1346/1999

Beperking als bepaald in artikel 1, lid 2, van Verordening (EG) nr. 1346/1999

Limitação estabelecida no n.º 2 do artigo 1.º do Regulamento (CE) n.º 1346/1999

Asetuksen (EY) N:o 1346/1999 1 artiklan 2 kohdassa säädetty rajoitus

Begränsning enligt artikel 1.2 i förordning (EG) nr 1346/1999.

Article 2

This Regulation shall enter into force on 25 June 1999.

It shall apply to licences applied for from the date of its entry into force.

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

Done at Brussels, 24 June 1999.

For the Commission

Franz FISCHLER

Member of the Commission

ANNEX

to the Regulation of 24 June 1999 limiting the term of validity of export licences for certain products processed from cereals

CN code	Description
	Products derived from maize, consisting of the following subheadings:
1102 20	Maize flour
1103 13	Maize groats
1103 29 40	Maize pellets
1104 19 50	Rolled or flaked maize
1104 23	Hulled maize
1108 12 00	Maize starch
1108 13 00	Potato starch
2309 10 2309 90	Preparations of a kind used in animal feeding

COMMISSION REGULATION (EC) No 1347/1999

of 24 June 1999

concerning tenders notified in response to the invitation to tender for the export of oats issued in Regulation (EC) No 2007/98

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

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

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

Having regard to Commission Regulation (EC) No 2007/98 of 21 September 1998 on a special intervention measure for cereals in Finland and Sweden (5), as last amended by Regulation (EC) No 567/1999 (6), and in particular Article 8 thereof,

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 2007/98;

Whereas Article 8 of Regulation (EC) No 2007/98 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 make no award;

Whereas on the basis of the criteria laid down in Article 1 of Regulation (EC) No 1501/95 a maximum refund should not be fixed;

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

HAS ADOPTED THIS REGULATION:

Article 1

No action shall be taken on the tenders notified from 18 to 24 June 1999 in response to the invitation to tender for the refund for the export of oats issued in Regulation (EC) No 2007/98.

Article 2

This Regulation shall enter into force on 25 June 1999.

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

Done at Brussels, 24 June 1999.

For the Commission

Franz FISCHLER

Member of the Commission

(1) OJ L 181, 1.7.1992, p. 21.
(2) OJ L 126, 24.5.1996, p. 37.
(3) OJ L 147, 30.6.1995, p. 7.
(4) OJ L 313, 21.11.1998, p. 16.
(5) OJ L 258, 22.9.1998, p. 13.
(6) OJ L 70, 17.3.1999, p. 10.

COMMISSION REGULATION (EC) No 1348/1999

of 24 June 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 organization of the market in cereals (1), as last amended by Commission Regulation (EC) No 923/96 (2), and in particular Article 13(3) thereof,

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

Whereas 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;

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 the criteria for fixing the amount of such refunds (5), as last amended by Regulation (EC) No 1352/98 (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;

Whereas, 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;

Whereas 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 jeopardized 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;

Whereas, 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;

Whereas 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;

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

HAS ADOPTED THIS REGULATION:

Article 1

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 25 June 1999.

(1) OJ L 181, 1.7.1992, p. 21.
(2) OJ L 126, 24.5.1996, p. 37.
(3) OJ L 329, 30.12.1995, p. 18.
(4) OJ L 265, 30.9.1998, p. 4.
(5) OJ L 136, 31.5.1994, p. 5.
(6) OJ L 184, 27.6.1998, p. 25.
(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, 24 June 1999.

For the Commission

Martin BANGEMANN

Member of the Commission

ANNEX

to the Commission Regulation of 24 June 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	0,910	1,365
	— in other cases	1,400	2,100
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	2,448	2,448
	— in other cases:		
	— — where pursuant to Article 4 (5) of Regulation (EC) No 1222/94 [2]	0,420	0,420
	— — in other cases	3,766	3,766
1002 00 00	Rye	5,107	5,107
1003 00 90	Barley	5,134	5,134
1004 00 00	Oats	4,761	4,761
1005 90 00	Maize (corn) used in the form of:		
	— starch:		
	— — where pursuant to Article 4 (5) of Regulation (EC) No 1222/94 [2]	—	1,633
	— — in other cases	3,148	5,816
	— 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]	—	1,121
	— — in other cases	3,303	5,304
	— other (including unprocessed)	3,148	5,816
	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]	—	1,633
	— in other cases	3,148	5,816
ex 1006 30	Wholly-milled rice:		
	— round grain	8,000	8,000
	— medium grain	8,000	8,000
	— long grain	8,000	8,000
1006 40 00	Broken rice	3,200	3,200
1007 00 90	Sorghum	5,134	5,134

[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.

II

(Acts whose publication is not obligatory)

CONFERENCE OF THE REPRESENTATIVES OF THE GOVERNMENTS OF THE MEMBER STATES

DECISION OF THE REPRESENTATIVES OF THE GOVERNMENTS OF THE MEMBER STATES, MEETING WITHIN THE COUNCIL

of 17 June 1999

authorising the Commission to terminate the Agreement of 28 July 1956 on the setting of through international railway tariffs for the carriage of coal and steel in transit through Swiss territory

(1999/415/ECSC)

THE REPRESENTATIVES OF THE GOVERNMENTS OF THE MEMBER STATES OF THE EUROPEAN COAL AND STEEL COMMUNITY, MEETING WITHIN THE COUNCIL,

Having regard to the Treaty establishing the European Coal and Steel Community, and in particular Article 70 thereof, and to the Convention on the transitional provisions, and in particular Article 10, second and third paragraphs, point 2 thereof,

Having regard to the Treaty establishing the European Coal and Steel Community, and in particular Article 14 thereof,

Having regard to the Agreement of 28 July 1956 on the setting of through international railway tariffs for the carriage of coal and steel in transit through Swiss territory [1], and in particular Article 11 thereof,

(1) Whereas maintaining the Agreement no longer seems economically justified, given that the ECSC 9001 tariffs have been almost entirely replaced by customised contracts between clients and carriers; whereas rail transport rates are based on the rates dictated by other modes of transport, in particular road transport; whereas rail transport market forces and intermodal competition have removed the economic justification for the Agreement; whereas it should also be recalled that Swiss rail operators are not required to apply the ECSC 9001 tariff for transit transport;

(2) Whereas termination of the Agreement by the ECSC Member States would have no economic consequences for Switzerland, since the Swiss railway companies do not apply the ECSC 9001 tariff for the transport of ECSC products in transit,

HAVE DECIDED AS FOLLOWS:

Article 1

The Commission, acting for the ECSC High Authority, is hereby authorised to terminate the Agreement of 28 July 1956 on the setting of through international railway tariffs for the carriage of coal and steel in transit through Swiss territory, and to inform the Member States, meeting within the Council, of this termination, on behalf of the representatives of the Governments of the ECSC Member States.

Article 2

This Decision shall enter into force on the day following its adoption.

Done at Luxembourg, 17 June 1999.

The President

F. MÜNTEFERING

(1) OJ 17, 29.5.1957, p. 223.

COMMISSION

COMMISSION DECISION

of 9 June 1999

authorising the Member States to permit temporarily the marketing of seed of certain species not satisfying the requirements of Council Directives 66/401/EEC or 66/402/EEC

(notified under document number C(1999) 1557)

(1999/416/EC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Directive 66/401/EEC of 14 June 1966 on the marketing of fodder plant seed [1], as last amended by Directive 98/96/EC [2], and in particular Article 17 thereof,

Having regard to Council Directive 66/402/EEC of 14 June 1966 on the marketing of cereal seed [3], as last amended by Directive 1999/8/EC [4], and in particular Article 17 thereof,

Having regard to the requests submitted by Finland and Sweden,

(1) Whereas in the above mentioned Member States the quantity of available seed of rye (*Secale cereale* L.) in the case of Finland or timothy (*Phleum bertolonii* DC) in the case of Sweden of varieties suitable for northern growing conditions, which satisfies the requirements of the said Directives in relation to the germination capacity, is insufficient and is therefore not adequate to meet these countries' needs;

(2) Whereas it is not possible to cover this demand satisfactorily with seed from other Member States, or from third countries, satisfying all the requirements laid down in the Directives;

(3) Whereas Finland and Sweden should therefore be authorised to permit for a period expiring on 31 October 1999 the marketing of seed of rye or timothy respectively subject to less stringent requirements;

(4) Whereas, moreover, other Member States which are able to supply Finland or Sweden with seed not satisfying the requirements of the Directives should be authorised to permit the marketing of such seed;

(5) Whereas the measures provided for in this Decision are in accordance with the opinion of the Standing Committee on Seeds and Propagating Material for Agriculture, Horticulture and Forestry,

HAS ADOPTED THIS DECISION:

Article 1

Finland is authorised to permit, for a period expiring on 31 October 1999, for the species and on the terms set out in the Annex hereto, the marketing in its territory of seed of rye which does not satisfy the requirements laid down in Directive 66/402/EEC, with regard to the minimum germination capacity, provided that the following requirements are satisfied:

(a) the germination capacity is at least that laid down in the Annex hereto,

(b) the official label shall state the germination ascertained in the report on official seed testing.

Article 2

Sweden is authorised to permit, for a period expiring on 31 October 1999, for the species and on the terms set out in the Annex hereto, the marketing in its territory of

(1) OJ 125, 11.7.1966, p. 2298/66.
(2) OJ L 25, 1.2.1999, p. 27.
(3) OJ 125, 11.7.1966, p. 2309/66.
(4) OJ L 50, 26.2.1999, p. 26.

seed of timothy which does not satisfy the requirements laid down in Directive 66/401/EEC, with regard to the minimum germination capacity provided that the following requirements are satisfied:

(a) the germination capacity is at least that laid down in the Annex hereto,

(b) the official label shall state the germination ascertained in the report on official seed testing.

Article 3

1. The Member States other than the applicant Member States are also authorised to permit, on the terms set out in Article 1 and 2 and for the purposes intended by the applicant Member States, the marketing in their territories of the seed authorised to be marketed under this Decision.

2. For the purpose of the application of paragraph 1, the Member States concerned shall assist each other administratively. The applicant Member States shall be notified by other Member States of their intention to permit the marketing of such seed before any authorisation may be granted. The applicant Member States may object only if the entire amount set out in this Decision has already been allocated.

Article 4

Member States shall immediately notify the Commission and the other Member States of the various quantities of seed labelled and permitted to be marketed in their territories pursuant to this Decision.

Article 5

This Decision is addressed to the Member States.

Done at Brussels, 9 June 1999.

For the Commission

Franz FISCHLER

Member of the Commission

ANNEX

Species	Type of variety	Maximum quantity (tonnes)	Minimum germination (% of pure seed)
FINLAND			
Secale cereale L.	Akusti, Amilo, Anna, Ensi, Hankkijan Jussi, Kartano, Ponsi, Voima	1 730	75
SWEDEN			
Phleum bertolonii DC.	Evergreen, Parant, Teno	2,5	77

COMMISSION DECISION

of 16 June 1999

amending Decision 1999/301/EC amending Decision 87/257/EEC on the list of establishments in the United States of America approved for the purpose of importing fresh meat into the Community and amending Council Decision 79/542/EEC drawing up a list of third countries from which the Member States authorise imports of bovine animals, swine, fresh meat and meat products

(notified under document number C(1999) 1709)

(Text with EEA relevance)

(1999/417/EC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Directive 72/462/EEC of 12 December 1972 on health and veterinary inspection problems upon importation of bovine, ovine and caprine animals and swine, fresh meat or meat products from third countries [1], as last amended by Directive 97/79/EC [2], and in particular Article 3 thereof,

Having regard to Council Directive 96/22/EC of 29 April 1996 concerning the prohibition on the use in stock farming of certain substances having a hormonal or thyrostatic action and of beta-agonists, and repealing Directives 81/602/EEC, 88/146/EEC and 88/299/EEC [3], and in particular Article 11 thereof,

(1) Whereas Member States can only import fresh meat including offal from third countries or parts of third countries appearing on a list established by the Council upon a proposal from the Commission;

(2) Whereas the list of these third countries or parts thereof is contained in Council Decision 79/542/EEC [4], as last amended by Commission Decision 1999/301/EC [5];

(3) Whereas Decision 1999/301/EC provides for the listing of the United States of America as a third country from which the Member States are authorised to import fresh bovine meat and meat products to be suspended from 15 June 1999 following the detection of residues of xenobiotic growth promoting hormones in fresh bovine meat and liver intended for human consumption imported from the United States of America;

(4) Whereas a limited period of time was provided for the United States of America to take the necessary measures and action required to satisfy objectively that the level of sanitary protection applied in the European Community is respected;

(5) Whereas the United States of America have notified the implementation of a number of additional measures; whereas these measures include in particular enhanced establishment control programmes, re-inforced official supervision, and 100 per cent testing of each lot of animals presented for slaughter as part of their hormone free cattle program;

(1) OJ L 302, 31.12.1972, p. 28.
(2) OJ L 24, 30.1.1998, p. 31.
(3) OJ L 125, 23.5.1996, p. 3.
(4) OJ L 146, 14.6.1979, p. 15.
(5) OJ L 117, 5.5.1999, p. 52.

(6) Whereas a further period of time is needed to allow for the verification by the European Commission of the implementation of these measures by the United States of America and their effectiveness; whereas the United States of America are to supply further details and respond to certain outstanding points;

(7) Whereas the suspension of the United States of America from the list of third countries form which the Member States are authorised to import fresh bovine meat for human consumption should therefore be postponed;

(8) Whereas Commission Decision 1999/302/EC (1) provides for an intensification of import checks for residues of growth promoting hormones on imports of fresh bovine meat including offal, other than bison meat, from the United States of America;

(9) Whereas there is no evidence of the use of hormonal growth promotants in bison; whereas the suspension should not be applied to bison meat, including offals;

(10) Whereas the measures provided for in this Decision should be reviewed no later than 15 December 1999;

(11) Whereas the measures provided for in this Decision are in accordance with the opinion of the Standing Veterinary Committee,

HAS ADOPTED THIS DECISION:

Article 1

Decision 1999/301/EC is hereby amended as follows:

1. Article 2(2) is replaced by:

 '2. The following footnote is added after "o = unauthorised":

 "s = suspended for export of bovine meat including offals, other than bison meat including offal, product for human consumption".'

2. Article 4 is replaced by:

 'Article 4

 The provisions of Article 2 shall be reviewed before 15 December 1999, in particular in the light of the outcome of verification by the European Commission of the effectiveness of the measures applied by the United States of America, or any changes in the measures applied by the United States of America.'

3. In Article 5(2), the date of '15 June 1999' is replaced with '15 December 1999'.

Article 2

The Member States shall alter the measures they apply in trade in order to bring them into line with this Decision. They shall immediately inform the Commission thereof.

Article 3

This Decision shall apply from 15 June 1999.

Article 4

This Decision is addressed to the Member States.

Done at Brussels, 16 June 1999.

For the Commission

Franz FISCHLER

Member of the Commission

(1) OJ L 117, 5.5.1999, p. 58.

COMMISSION DECISION

of 17 June 1999

on import licences in respect of beef and veal products originating in Botswana, Kenya, Madagascar, Swaziland, Zimbabwe and Namibia

(notified under document number C(1999) 1658)

(1999/418/EC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EC) No 1706/98 of 20 July 1998 on the arrangements applicable to agricultural products and goods resulting from the processing of agricultural products originating in the African, Caribbean and Pacific States (ACP States) and repealing Regulation (EEC) No 715/90 [1], and in particular Article 30 thereof,

Having regard to Commission Regulation (EC) No 1918/98 of 9 September 1998 laying down detailed rules for the application in the beef and veal sector of Council Regulation (EC) No 1706/98 on the arrangements applicable to agricultural products and certain goods resulting from the processing of agricultural products originating in the African, Caribbean and Pacific States and repealing Regulation (EC) No 589/96 [2], and in particular Article 4 thereof,

(1) Whereas Article 1 of Regulation (EC) No 1918/98 provides for the possibility of issuing import licences for beef and veal products; whereas, however, imports must take place within the limits of the quantities specified for each of these exporting non-member countries;

(2) Whereas the applications for import licences submitted between 1 and 10 June 1999, expressed in terms of deboned meat, in accordance with Regulation (EC) No 1918/98, do not exceed, in respect of products originating in Botswana, Kenya, Madagascar, Swaziland, Zimbabwe and Namibia, the quantities available from those States; whereas it is therefore possible to issue import licences in respect of the quantities applied for;

(3) Whereas the quantities in respect of which licences may be applied for from 1 July 1999 should be fixed within the scope of the total quantity of 52 100 tonnes;

(4) Whereas this Decision is without prejudice to Council Directive 72/462/EEC of 12 December 1972 on health and veterinary inspection problems on importation of bovine, ovine and caprine animals and swine, fresh meat or meat products from third countries [3], as last amended by Directive 97/79/EC [4],

HAS ADOPTED THIS DECISION:

Article 1

The following Member States shall issue on 21 June 1999 import licences for beef and veal products, expressed as deboned meat, originating in certain African, Caribbean and Pacific States, in respect of the following quantities and countries of origin:

Germany

— 1 000,000 tonnes originating in Botswana,
— 150,000 tonnes originating in Namibia;

United Kingdom

— 1 150,000 tonnes originating in Botswana,
— 450,000 tonnes originating in Zimbabwe,
— 300,000 tonnes originating in Namibia,
— 30,000 tonnes originating in Swaziland;

Belgium

— 13,000 tonnes originating in Zimbabwe

Article 2

Licence applications may be submitted, pursuant to Article 3(2) of Regulation (EC) No 1918/98, during the

(1) OJ L 215, 1.8.1998, p. 12.
(2) OJ L 250, 10.9.1998, p. 16.
(3) OJ L 302, 31.12.1972, p. 28.
(4) OJ L 24, 30.1.1998, p. 31.

first 10 days of July 1999 for the following quantities of deboned beef and veal:

Botswana:	12 281,000	tonnes,
Kenya:	142,000	tonnes,
Madagascar:	7 579,000	tonnes,
Swaziland:	3 183,000	tonnes,
Zimbabwe:	5 950,000	tonnes,
Namibia:	8 420,000	tonnes.

Article 3

This Decision is addressed to the Member States.

Done at Brussels, 17 June 1999.

For the Commission

Franz FISCHLER

Member of the Commission

COMMISSION DECISION

of 24 June 1999

amending Decisions 1999/363/EC and 1999/389/EC as regards protective measures with regard to contamination of certain products by dioxins

(notified under document number C(1999) 1832)

(Text with EEA relevance)

(1999/419/EC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Directive 89/662/EEC of 11 December 1989 concerning veterinary checks in intra-Community trade with a view to the completion of the internal market [1], as last amended by Directive 92/118/EEC [2], and in particular Article 9(4) thereof,

Having regard to Council Directive 90/425/EEC of 26 June 1990 concerning veterinary and zootechnical checks applicable in intra-Community trade in certain live animal and products with a view to the completion of the internal marked [3], as last amended by Directive 92/118/EEC, and in particular Article 10(4) thereof,

(1) Whereas in the light of information on contamination of poultry, bovine and pig products with dioxins, the Commission adopted Decision 1999/363/EC of 3 June 1999 on protective measures with regard to contamination by dioxins of certain animal products intended for human or animal consumption [4], as amended by Decision 1999/390/EC [5], and Decision 1999/389/EC of 11 June 1999 on protective measures with regard to contamination by dioxins of products intended for human consumption derived from bovine animals and pigs and revoking decision 1999/368/EC [6] as amended by Decision 1999/390/EC;

(2) Whereas, in accordance with the provisions of Decisions 1999/363/EC and 1999/389/EC, Member States have placed restrictions on products to which those Decisions apply; whereas it appears to be difficult to trace back the exact origin of certain Belgian products and, in particular, products derived from domestic fowl produced between 15 January 1999 and 1 June 1999 and products derived from bovine animals and pigs produced between 15 January 1999 and 3 June 1999; whereas the Belgian authorities are prepared to accept the return of those products from Member States in application of Article 7 of Directive 89/662/EC; whereas it is necessary to lay down strict and specific rules on the procedure to be followed when the products are returned to Belgium in order to ensure that they cannot re-enter the human food or animal feed chains before they are submitted to the appropriate checks to verify their safety;

(3) Whereas Article 15 of Council Directive 97/78/EC of 18 December 1997 laying down the principles governing the organisation of veterinary checks on products entering the Community from third countries' [7] establishes specific rules for the re-importation of consignments of products of Community origin which have been refused by a third country;

(4) Whereas the measures provided for in this Decision are in accordance with the opinion of the Standing Veterinary Committee,

HAS ADOPTED THIS DECISION:

Article 1

Decision 1999/363/EC is amended as follows:

1. The following Articles 3a and 3b are inserted:

'*Article 3a*

1. By way of derogation from the fifth indent of Article 3, in accordance with Article 7 of Directive 89/662/EEC, Member States may return products of Belgian origin, listed in Article 1(1)(A) and produced between 15 January and 1 June 1999, to Belgium where it has not been possible to trace the exact Belgian holdings of origin and where analyses of the products for dioxins have not been carried out.

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[1] OJ L 395, 30.12.1989, p. 13.
[2] OJ L 62, 15.3.1993, p. 49.
[3] OJ L 224, 18.8.1990, p. 20.
[4] OJ L 141, 4.6.1999, p. 24.
[5] OJ L 147, 12.6.1999, p. 29.
[6] OJ L 147, 12.6.1999, p. 26.
[7] OJ L 24, 30.1.1998, p. 9.

2. Paragraph 1 shall apply only if the following conditions are fulfilled:

(a) Belgium must have authorised in writing the return of the product indicating the exact address of the establishment to which the products must be returned and the competent Unit referred to in Article 1 of Commission Decision 91/398/EEC (*),

(b) the product must be accompanied by an official certificate as laid down in Annex C and by a copy of the commercial document or the health certificate which accompanied the product from Belgium to the Member State;

(c) the products must be transported in containers or vehicles sealed by the official competent authority of the Member State in such a manner that the seals will be broken whenever the container or the vehicle is opened;

(d) the products must be conveyed directly to the address indicated by the Belgian official competent authority;

(e) Member States which return products to Belgium must inform the competent authority in charge of the establishment at the place of destination, of the place of origin and of the place of destination of the returned product via the ANIMO network giving the details laid down in the Annex to Commission Decision 91/637/EC (**). The words "Product returned in accordance with Article 3a of Decision 1999/363/EC" must be contained in the ANIMO message;

(f) Belgium must send confirmation via the ANIMO network of the arrival of each consignment to the competent authorities of the Member States which returned the products;

(g) Belgium must ensure that the returned product is placed under restriction until its destruction by a means approved by the competent authority or until the results of analysis demonstrate that the product is not contaminated with dioxins;

(h) Belgium must keep full records demonstrating compliance with this Article.

Article 3b

Belgium shall ensure that the product of Belgian origin which are reimported into Belgium from third countries in accordance with the conditions laid down in Article 15 of Directive Council 97/78/EC (***) are placed under restriction until their destruction by a means approved by the competent authority or until the results of analysis demonstrate that the product is not contaminated with dioxins.

Belgium shall keep full records demonstrating compliance with this Article.

(*) OJ L 221, 9.8.1991, p. 30.
(**) OJL 343, 03.12.1991, p. 46.
(***) OJL 24, 30.1.1998, p. 9.'

2. In the Annexes, the text set out in Annex I to this Decision is added.

Article 2

Decision 1999/389/EC is amended as follows:

1. The following Articles 3a and 3b are inserted:

'*Article 3a*

1. By way of derogation from the third indent of Article 3, in accordance with Article 7 of Directive 89/662/EEC, Member States may return products of Belgian origin, listed in Article 1(1)(A) and produced between 15 January and 3 June 1999, to Belgium where it has not been possible to trace the exact Belgian holdings of origin and where analyses of the products for dioxins have not been carried out.

2. Paragraph 1 shall apply only if the following conditions are fulfilled:

(a) Belgium must have authorised in writing the return of the product indicating the exact address of the establishment to which the products must be returned and the competent Unit referred to in Article 1 of Commission Decision 91/398/EEC (*);

(b) the product must be accompanied by an official certificate as laid down in Annex C and by a copy of the commercial document or the health certificate which accompanied the product from Belgium to the Member State;

(c) the products must be transported in containers or vehicles sealed by the official competent authority of the Member State in such a manner that the seals will be broken whenever the container or the vehicle is opened;

(d) the products must be conveyed directly to the address indicated by the Belgian official competent authority;

(e) Member States which return products to Belgium must inform the competent authority in charge of the establishment at the place of destination, of the place of origin and of the place of destination of the returned product via the ANIMO network giving the details laid down in the Annex to Commission Decision 91/637/EC (**). The words "Product returned in accordance with Article 3a of Decision 1999/389/EC" must be contained in the ANIMO message;

(f) Belgium must send confirmation via the ANIMO network of the arrival of each consignment to the competent authorities of the Member States which returned the products;

(g) Belgium must ensure that the returned product is placed under restriction until its destruction by a means approved by the competent authority or until the results of analysis demonstrate that the product is not contaminated with dioxins;

(h) Belgium must keep full records demonstrating compliance with this Article.

Article 3b

Belgium shall ensure that the products of Belgian origin which are reimported into Belgium from third countries in accordance with the conditions laid down in Article 15 of Commission Directive 97/78/EC (***) are placed under restriction until their destruction by a means approved by the competent authority or until the results of analysis demonstrate that the product is not contaminated with dioxins.

Belgium shall keep full records demonstrating compliance with this Article.

(*) OJ L 221, 9.8.1991, p. 30.
(**) OJL 343, 03.12.1991, p. 46.
(***) OJL 24, 30.1.1998, p. 9.'

2. In the Annexes, the text set out in Annex II to this decision is added.

Article 3

Member States shall alter the measures they apply to trade in order to bring them into line with this Decision. They shall immediately inform the Commission thereof.

Article 4

This Decision is addressed to the Member States.

Done at Brussels, 24 June 1999.

For the Commission

Franz FISCHLER

Member of the Commission

ANNEX I

'ANNEX C

HEALTH CERTIFICATE

For products of Belgian origin covered by Decision 1999/363/EC intended to be returned to Belgium from Member States

Country of destination: BELGIUM

Reference number of this health certificate: ....

Responsible Ministry:..

Certifying department: ....

I. **Identification of the products** ([1])

- fresh poultrymeat, as defined by Council Directive 71/118/EEC,
- mechanically recovered meat,
- minced meat and meat preparation, as defined by Council Directive 94/65/EC,
- meat products and other products of animal origin as defined by Council Directive 77/99/EEC,
- eggs,
- eggproducts, as defined by Council Directive 89/437/EEC,
- products intended for human consumption which contain more than 2 % of eggs and eggproducts,
- rendered fats, as referred to by Council Directive 92/118/EEC,
- processed animal proteins, as referred to by Council Directive 92/118/EEC,
- raw material for the manufacture of animal feedingstuffs, as referred to by Council Directive 92/118/EEC.

Nature of packaging:..

Number of packages: ....

Net weight: ....

II. **Origin of the products**

Address and veterinary approval or registration number of the Belgian approved or registered establishment: ....

.... ([2])

III. **Destination of the products**

The product will be sent from: ....
(address of the place of loading)

to: ....
(address of the place of destination)

By the following means of transport: ....

([1]) Delete as appropriate.
([2]) If applicable.

Number of the official seal: ....

Name and address of consignor: ....

Name and address of consignee: ....

IV. **Attestation**

I, the undersigned official competent authority, certify:

a) that a declaration has been received from the consignee/holder/retailer [1] of the product described above stating that the product was consigned from Belgium accompanied by the Commercial Document/Certificate [2] No .... a copy of which is attached to the present certificate;

b) that the products are being returned to Belgium in conformity with Article 3a of Decision 1999/363/EC, and, in particular:

— the product has not been analysed for dioxins;

and

— in all other respects the product still remains the same sanitary status which it had on arrival.

Done at ...., on ....
(place) (date)

Stamp [2]

....
(signature of the official competent Authority) [2]

....
(name in capital letters, qualification and title)

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[1] Delete as appropriate.

[2] The signature and the stamp must be in colour different to that of the printing.'

ANNEX II

'ANNEX C

HEALTH CERTIFICATE

For products of Belgian origin covered by Decision 1999/383/EC intended to be returned to Belgium from Member States

Country of destination: BELGIUM

Reference number of this health certificate: ....

Responsible Ministry:..

Certifying department: ....

I. **Identification of the products** ([1])

— fresh meat, as defined by Council Directive 64/433/EEC,

— mechanically recovered meat,

— minced meat and meat preparation, as defined by Council Directive 94/65/EC,

— meat products and other products of animal origin as defined by Council Directive 77/99/EEC,

— raw milk, heat-treated milk and milk based products as defined by Council Directive 92/46/EC,

— milk, milk products not intended for human consumption, as referred to by Directive 92/118/EEC,

— rendered fats, as referred to by Council Directive 92/118/EEC,

— processed animal proteins, as referred to by Council Directive 92/118/EEC,

The product was derived from: bovine animals/pigs ([1])

Nature of packaging:..

Number of cuts or packages: ....

Net weight:..

II. **Origin of the products**

Address and veterinary approval or registration number of the Belgian approved or registered establishment: ....

.... ([2])

III. **Destination of the products**

The product will be sent from: ....

(address of the place of loading)

to: ....

(address of the place of destination)

By the following means of transport: ....

([1]) Delete as appropriate.

([2]) If applicable.

Number of the official seal: ....

Name and address of consignor: ....

Name and address of consignee: ....

IV. **Attestation**

I, the undersigned official competent authority, certify:

a) that a declaration has been received from the importer/holder/retailer [1] of the product described above stating that the product was consigned from Belgium accompanied by the Commercial Document/Certificate [1] No .... a copy of which is attached to the present certificate;

b) that the products are being returned to Belgium in conformity with Article 3a of Decision 1999/389/EC, and, in particular:

— the product has not been analysed for dioxins;

and

— in all other respects the product still retains the same sanitary status which it had on arrival.

Done at ...., on ....

(place) (date)

Stamp [2]

....

(signature of the official competent Authority) [2]

....

(name in capital letters, qualification and title)

[1] Delete as appropriate.

[2] The signature and the stamp must be in colour different to that of the printing.'

CORRIGENDA

Corrigendum to Decision 1999/371/EC, Decision No 172 of the Administrative Commission of the European Communities on Social Security for Migrant Workers of 9 December 1998 on the modelforms necessary for the application of Council Regulations (EEC) No 1408/71 and (EEC) No 574/72 (E 101)

(Official Journal of the European Communities L 143 of 8 June 1999)

On page 2 of the form, point 5.1:

for:

'5.1. in accordance with Article

☐ 13.2.d				
☐ 14.1.a	☐ 14.2.b	☐ 14a.1.(a)	☐ 14a.2	☐ 14a.4
☐ 14b.1	☐ 14b.2	☐ 14b.4	☐ 14c(a)	☐ 14e

of Regulation (EEC) No 1408/71',

read:

'5.1. in accordance with Article

☐ 13.2.d					
☐ 14.1.a	☐ 14.2.b	☐ 14a.1.a	☐ 14a.2	☐ 14a. 4	
☐ 14b.1	☐ 14b.2	☐ 14b.4	☐ 14c.a	☐ 14e	☐ 17

of Regulation (EEC) No 1408/71'.