

English edition

Legislation

Contents

Acts adopted pursuant to Title V of the Treaty on European Union

1999/345/CFSP:

- ★ **Common Position of 17 May 1999 adopted by the Council on the basis of Article 15 of the Treaty on European Union, concerning a Stability Pact for South-Eastern Europe** 1

1999/346/CFSP:

- ★ **Common Position of 17 May 1999 adopted by the Council on the basis of Article 15 of the Treaty on European Union, relating to progress towards a legally binding Protocol to strengthen compliance with the Biological and Toxin Weapons Convention (BTWC), and with a view to the successful completion of substantive work in the *Ad Hoc* Group by the end of 1999** 3

1999/347/CFSP:

- ★ **Council Decision of 17 May 1999 repealing Common Position 98/614/CFSP concerning Nigeria** 5

I Acts whose publication is obligatory

- ★ **Council Regulation (EC) No 1093/1999 of 30 March 1999 establishing a double-checking system for exports of certain ECSC steel products from the Republic of Poland to the European Community for the period 1 April to 31 December 1999** 6

Commission Regulation (EC) No 1094/1999 of 27 May 1999 establishing the standard import values for determining the entry price of certain fruit and vegetables 15

Contents (continued)	Commission Regulation (EC) No 1095/1999 of 27 May 1999 amending Regulation (EEC) No 1627/89 on the buying in of beef by invitation to tender	17
	* Commission Regulation (EC) No 1096/1999 of 27 May 1999 on the sale by tender of beef held by certain intervention agencies	19
	* Commission Regulation (EC) No 1097/1999 of 27 May 1999 fixing the intervention thresholds for cauliflowers, peaches, nectarines and table grapes for the 1999/2000 marketing year	23
	* Commission Regulation (EC) No 1098/1999 of 27 May 1999 deferring the final date for sowing certain arable crops in certain regions in the 1999/2000 marketing year	25
	* Commission Regulation (EC) No 1099/1999 of 27 May 1999 amending Regulation (EEC) No 2282/90 laying down detailed rules for increasing the consumption and utilisation of apples and the consumption of citrus fruit ..	27
	Commission Regulation (EC) No 1100/1999 of 27 May 1999 fixing the export refunds on cereals and on wheat or rye flour, groats and meal	28
	Commission Regulation (EC) No 1101/1999 of 27 May 1999 fixing the maximum export refund on barley in connection with the invitation to tender issued in Regulation (EC) No 1078/98	30
	Commission Regulation (EC) No 1102/1999 of 27 May 1999 fixing the maximum export refund on common wheat in connection with the invitation to tender issued in Regulation (EC) No 1079/98	31
	Commission Regulation (EC) No 1103/1999 of 27 May 1999 fixing the maximum export refund on common wheat in connection with the invitation to tender issued in Regulation (EC) No 2004/98	32
	Commission Regulation (EC) No 1104/1999 of 27 May 1999 fixing the maximum reduction in the duty on maize imported in connection with the invitation to tender issued in Regulation (EC) No 566/1999	33
	Commission Regulation (EC) No 1105/1999 of 27 May 1999 fixing the export refunds on rice and broken rice and suspending the issue of export licences	34
	Commission Regulation (EC) No 1106/1999 of 27 May 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	36
	Commission Regulation (EC) No 1107/1999 of 27 May 1999 fixing the export refunds on products processed from cereals and rice	39
	Commission Regulation (EC) No 1108/1999 of 27 May 1999 fixing the export refunds on cereal-based compound feedingstuffs	41
	Commission Regulation (EC) No 1109/1999 of 27 May 1999 fixing production refunds on cereals and rice	43

II *Acts whose publication is not obligatory*

Council

1999/348/EC:

- * **Decision No 2/1999 of the Association Council established under the Europe Agreement between the European Communities and their Member States, of the one part, and the Republic of Poland, of the other part of 1 April 1999 establishing a double-checking system for exports of certain ECSC steel products from the Republic of Poland to the European Community for the period 1 April to 31 December 1999** 44

Commission

1999/349/EC:

- * **Commission Decision of 14 October 1998 concerning the application by Italy of the aid scheme provided for by Law No 1329/65 (Legge Sabatini) for the processing and marketing of agricultural products (notified under document number C(1998) 3213)** 57

1999/350/EC:

- * **Commission Decision of 4 May 1999 excluding from Community financing certain expenditure incurred by the United Kingdom under the Guarantee Section of the European Agricultural Guidance and Guarantee Fund (EAGGF) (notified under document number C(1999) 1076)** 60

1999/351/EC:

- * **Commission Decision of 27 May 1999 terminating the countervailing duty proceeding on imports of polypropylene binder or baler twine originating in Saudi Arabia (notified under document number C(1999) 1356)** 62

(Acts adopted pursuant to Title V of the Treaty on European Union)

COMMON POSITION

of 17 May 1999

adopted by the Council on the basis of Article 15 of the Treaty on European Union, concerning a Stability Pact for South-Eastern Europe

(1999/345/CFSP)

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty on European Union, and in particular Article 15 thereof;

Whereas:

- (1) on 8 and 26 April 1999 the Council adopted conclusions concerning South-Eastern Europe;
- (2) a political solution to the Kosovo crisis must be embedded in a determined effort geared towards stabilising the region as a whole;
- (3) a Stability Pact for South-Eastern Europe should be prepared;
- (4) such a Stability Pact should be founded on the UN Charter, the principles and commitments of the OSCE, and the relevant treaties and conventions of the Council of Europe, in particular the European Convention on Human Rights;
- (5) the European Union should play the leading role in the Stability Pact, the OSCE has a key role to play in fostering security and stability, and the Stability Pact should be developed and implemented in close association with the OSCE;
- (6) the European Union, within the framework of the regional approach and beyond, is already active in strengthening democratic and economic institutions in the region through a number of well established programmes;
- (7) the European Union will draw the region closer to the perspective of full integration of these countries into its structures through a new kind of contractual relationship, taking into account the individual situation of each country, with a perspective of European Union membership on the basis of the Treaty of Amsterdam and once the Copenhagen criteria have been met;

- (8) the Federal Republic of Yugoslavia should be invited to participate in such a Stability Pact once it has met the necessary conditions,

HAS ADOPTED THIS COMMON POSITION:

Article 1

1. the European Union will play the leading role in establishing a Stability Pact for South-Eastern Europe.
2. The aim of this Stability Pact is to help ensure cooperation among its participants towards comprehensive measures for the long-term stabilisation, security, democratisation, and economic reconstruction and development of the region, and for the establishment of durable good-neighbourly relations among and between them, and with the international community.
3. The European Union will work to ensure the creation among the participants themselves of a 'South-Eastern Europe Regional Table' to carry forwards the Stability Pact.

Article 2

1. In order to further the objectives stated in Article 1 the European Union will convene a conference on South-Eastern Europe.
2. The conference will take place at the level of Foreign Ministers, if possible no later than the end of July 1999. The conference will be held using the Royaumont format (excluding the Federal Republic of Yugoslavia until it has met the conditions of the international community for its participation). In addition, representatives of Canada, Japan, EBRD, EIB, IMF, WB, OECD, UN, NATO, WEU, UNHCR, as well as representatives of regional initiatives will also participate at the conference.

3. The conference will be prepared at a meeting in Königswinter (Petersberg) on 27 May 1999 at the level of senior officials, in the format set out in paragraph 2. With a view to this, work for this conference will be carried forward urgently.

Article 3

1. The European Union will actively support the countries in the region in achieving the objectives on the Stability Pact.
2. The European Union will undertake together with international donors to organise a donors/reconstruction conference for South-Eastern Europe.

Article 4

This Common Position shall take effect on the date of its adoption.

Article 5

This Common Position shall be published in the Official Journal.

Done at Brussels, 17 May 1999.

For the Council

The President

J. FISCHER

COMMON POSITION

of 17 May 1999

adopted by the Council on the basis of Article 15 of the Treaty on European Union, relating to progress towards a legally binding Protocol to strengthen compliance with the Biological and Toxin Weapons Convention (BTWC), and with a view to the successful completion of substantive work in the *Ad Hoc* Group by the end of 1999

(1999/346/CFSP)

THE COUNCIL OF THE EUROPEAN UNION,

HAS ADOPTED THIS COMMON POSITION:

Having regard to the Treaty on European Union and in particular Article 15 thereof,

- (1) Whereas on 25 June 1996 the Council defined Common Position 96/408/CFSP relating to the preparation of the Fourth Review Conference of the Convention on the prohibition of the development, production and stockpiling of bacteriological (biological) and toxin weapons and on their destruction (BTWC)⁽¹⁾;
- (2) Whereas on 4 March 1998 the Council defined Common Position 98/197/CFSP relating to progress towards a legally binding protocol to strengthen compliance with the Biological and Toxin Weapons Convention (BTWC) and the intensification of work in the *Ad Hoc* Group to that end⁽²⁾;
- (3) Whereas it is appropriate to review Common Position 98/197/CFSP, in order to contribute to promoting work in the *Ad Hoc* Group, with a view to achieving substantive progress by the end of 1999;
- (4) Whereas it is appropriate to recall the Declaration by the Austrian Presidency on behalf of the European Union on the negotiations of a Protocol to the Biological and Toxin Weapons Convention (BTWC) of 22 December 1998;
- (5) Whereas it is also appropriate to recall that the final Declaration of the Fourth Review Conference of States Parties to the Biological and Toxin Weapons Convention determined to strengthen the effectiveness and improve the implementation of the Convention through a legally binding instrument, and welcomed the establishment of an *Ad Hoc* Group open to all States Parties to negotiate a Protocol aimed at achieving this goal before the commencement of the Fifth Review Conference, which is to be held no later than 2001,

Article 1

In line with the decision of the Fourth Review Conference, the objective of this Common Position shall be to promote the conclusion of the negotiations, in the BTWC *Ad Hoc* Group, on a legally binding protocol establishing a verification and compliance regime that will effectively strengthen the BTWC Convention. In order to achieve this, it is imperative to complete all the stages necessary for the adoption of the Protocol by a special conference of States Parties in 2000.

Article 2

It is essential that, besides the allocation of the necessary time for the *Ad Hoc* Group, all participants in the negotiations work intensively towards the resolution of key issues. To achieve this goal by the end of 1999 the efforts undertaken by the chairman of the *Ad Hoc* Group and the Friends of the chair will be actively supported.

Article 3

Agreement shall be promoted, in particular in the negotiations, on the following measures which are both central to, and essential for, an effective Protocol to strengthen compliance with the BTWC:

- declarations of a range of facilities and activities relevant to the Convention, *inter alia* so as to enhance transparency,
- effective follow-up to these declarations in the form of visits, on the basis of appropriate mechanisms of random selection, so as to enhance transparency of declared facilities and activities, promote accuracy of declarations, and ensure fulfilment of declaration obligations in order to ensure further compliance with the Protocol,
- appropriate clarification procedures supplemented, if need be, by on-site activities whenever there is an anomaly, ambiguity or omission in a declaration submitted by a State Party, which requires such procedures. Appropriate clarification procedures shall also be followed whenever a facility meeting the criteria for declaration ought to have been declared but was not,

⁽¹⁾ OJ L 168, 6.7.1996, p. 3.

⁽²⁾ OJ L 75, 12.3.1998, p. 2.

- provision for rapid and effective investigations into concerns over non-compliance, including both facility and field investigations,
- establishment of a cost-effective and independent organisation, including a small permanent staff, capable of implementing the Protocol effectively,
- provision for specific measures in the context of Article 7 of the Protocol in order to further international cooperation and exchanges in the field of biotechnology. Such measures shall include assistance to promote the Protocol's implementation.

Article 4

The action taken in support of the objectives set out in Articles 2 and 3 shall include:

- pursuit of joint positions in the negotiations, including where appropriate the tabling of specific papers and proposals for submissions to the *Ad Hoc* Group, in particular on the central areas and elements identified in Article 3,
- demarches by the Presidency, under the conditions laid down in Article 18(3) and (4) of the Treaty, with regard to States Parties, in order to urge their support for the objectives set out in Articles 1, 2 and 3,
- contacts between Governments of Member States and industry, supported by the Commission where appropriate, with the aim of furthering understanding

between representatives of the European industry and those involved in the negotiations within the *Ad Hoc* Group.

Article 5

Member States shall also continue to promote the universality of the BTWC Convention.

Article 6

This Common Position shall take effect on the date of its adoption. It shall replace Common Position 98/197/CFSP.

Article 7

This Common Position shall be published in the Official Journal.

Done at Brussels, 17 May 1999.

For the Council

The President

J. FISCHER

COUNCIL DECISION
of 17 May 1999
repealing Common Position 98/614/CFSP concerning Nigeria
(1999/347/CFSP)

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty on European Union and, in particular, Article 15 thereof,

- (1) Whereas on 30 October 1998 the Council adopted Common Position 98/614/CFSP⁽¹⁾ concerning Nigeria;
- (2) Whereas, on 29 May 1999, a civilian democratically elected President will take office in Nigeria and a civilian government will be formed;
- (3) Whereas the conditions set out by the Council on 30 October 1998 for the lifting of the remaining sanctions on Nigeria will thus have been fulfilled,

HAS DECIDED AS FOLLOWS:

Article 1

Common Position 98/614/CFSP is hereby repealed as from 1 June 1999.

Article 2

This Decision shall be published in the Official Journal.

Done at Brussels, 17 May 1999.

For the Council
The President
J. FISCHER

⁽¹⁾ OJ L 293, 31.10.1998, p. 77.

I

(Acts whose publication is obligatory)

**COUNCIL REGULATION (EC) No 1093/1999
of 30 March 1999**

**establishing a double-checking system for exports of certain ECSC steel products
from the Republic of Poland to the European Community for the period 1 April
to 31 December 1999**

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty establishing the European Community, and in particular Article 113 thereof,

Having regard to the proposal from the Commission

Whereas the Europe Agreement establishing an association between the European Communities and their Member States, of the one part, and the Republic of Poland, of the other part, entered into force on 1 February 1994 ⁽¹⁾;

Whereas the Parties decided in Association Council Decision No 2/1999 ⁽²⁾ to establish a double-checking system for the period between 1 April and 31 December 1999;

Whereas it is consequently necessary to establish the Community's implementing legislation,

HAS ADOPTED THIS REGULATION:

Article 1

1. For the period 1 April to 31 December 1999, in accordance with the provisions of Association Council Decision No 2/1999, imports into the Community of certain iron and steel products covered by the ECSC Treaty and originating in Poland, as listed in Annex I, shall be subject to the presentation of a surveillance document issued by the authorities in the Community.

2. The classification of the products covered by this Regulation is based on the tariff and statistical nomenclature of the Community (hereinafter called the 'Combined Nomenclature', or in abbreviated form 'CN'). The origin of the products covered by this Regulation shall be determined in accordance with the rules in force in the Community.

⁽¹⁾ OJ L 348, 31.12.1993, p. 2.

⁽²⁾ See page 44 of this Official Journal.

3. For the period 1 April to 31 December 1999, imports into the Community of the products listed in Annex I shall, in addition, be subject to the issue of an export document issued by the competent Polish authorities. Presentation by the importer of the original of the export document must be effected not later than 31 March of the year following that in which the goods covered by the document were shipped. Shipment is considered to have taken place on the date of loading onto the exporting means of transport.

4. An export document will not be required for goods already shipped to the Community before the date of application of this agreement, provided that their destination has not changed from a non-Community to a Community destination and provided that those goods which, under the prior surveillance regime applicable in 1999, could be imported only on presentation of a surveillance document are in fact accompanied by such a document.

5. The export document shall conform to the model shown in Annex II. It shall be valid for exports throughout the customs territory of the Community.

Article 2

1. The surveillance document referred to in Article 1(1) shall be issued automatically by the competent authority in the Member States, without charge for any quantities requested, within five working days of presentation of an application by any Community importer, wherever established in the Community. This application shall be deemed to have been received by the competent national authority no later than three working days after submission, unless it is proven otherwise.

2. A surveillance document issued by one of the competent national authorities listed in Annex III shall be valid throughout the Community.

3. The surveillance document shall be made out on a form corresponding to the model set out in Annex I to Council Regulation (EC) No 3285/94 ⁽¹⁾ and taking into account the provisions of Article 2 of Council Regulation (EC) No 1103/97 of 17 June 1997 on certain provisions relating to the introduction of the euro ⁽²⁾. The importer's application shall include the following elements:

- (a) the name and full address of the applicant (including telephone and telefax numbers, and possible identification number used by the competent national authorities) and VAT registration number, if subject to VAT;
- (b) if applicable, the name and full address of the declarant or representative of the applicant (including telephone and telefax numbers);
- (c) the full name and address of the exporter;
- (d) the exact description of the goods, including:
 - their trade name,
 - the Combined Nomenclature (CN) code(s),
 - the country of origin,
 - the country of consignment;
- (e) the net weight, expressed in kg and also quantity in the unit prescribed where other than net weight, by Combined Nomenclature heading;
- (f) the cif value of the goods in euros at the Community frontier by Combined Nomenclature heading;
- (g) whether the products concerned are seconds or of substandard quality, in accordance with the criteria set out in the Commission communication concerning identification criteria of non-prime steel products from third countries applied by customs services of Member States ⁽³⁾;
- (h) the proposed period and place of customs clearance;
- (i) whether the application is a repeat of a previous application concerning the same contract;
- (j) the following declaration, dated and signed by the applicant with the transcription of his name in capital letters:

'I, the undersigned, certify that the information provided in this application is true and given in good faith, and that I am established in the Community.'

The importer shall also submit a copy of the contract of sale or purchase, the proforma invoice and/or, in cases where the goods are not directly purchased in the country

of production, a certificate of production issued by the producing steel mill.

4. Surveillance documents may be used only for such time as arrangements for liberalisation of imports remain in force in respect of the transactions concerned. Without prejudice to possible changes in the import regulations in force or decisions taken in the framework of an agreement or the management of a quota:

- the period of validity of the surveillance document is hereby fixed at four months,
- unused or partly used surveillance documents may be renewed for an equal period.

5. The importer shall return surveillance documents to the issuing authority at the end of their period of validity.

Article 3

1. A finding that the unit price at which the transaction is effected exceeds that indicated in the surveillance document by less than 5 % or that the total value or quantity of the products presented for import exceeds the value or quantity given in the surveillance document by less than 5 % shall not preclude the release for free circulation of the products in question.

2. Applications for surveillance documents and the documents themselves shall be confidential. They shall be restricted to the competent authorities and the applicant.

Article 4

1. Member States shall communicate to the Commission:

- (a) on as regular and up-to-date a basis as possible and at least by the last day of each month, details of the quantities and values (calculated in euros) for which surveillance documents have been issued;
- (b) within six weeks of the end of each month, details of imports during that month, in accordance with Article 26 of Commission Regulation (EC) No 840/96 of 7 May 1996 laying down certain provisions for the implementation of Council Regulation (EC) No 1172/95 as regards statistics on external trade ⁽⁴⁾.

The information provided by Member States shall be broken down by product, CN code and by country.

2. Member States shall give notification of any anomalies or cases of fraud which they discover and, where relevant, the basis on which they have refused to grant a surveillance document.

⁽¹⁾ OJ L 349, 31.12.1994, p. 53.

⁽²⁾ OJ L 162, 19.6.1997, p. 1.

⁽³⁾ OJ C 180, 11.7.1991, p. 4.

⁽⁴⁾ OJ L 114, 8.5.1996, p. 7.

Article 5

Any notices to be given hereunder shall be given to the Commission of the European Communities and shall be communicated electronically within the integrated network set up for this purpose, unless for imperative technical reasons it is necessary to use other means of communication temporarily.

Article 6

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

This Regulation shall apply with effect from 1 April 1999.

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

Done at Brussels, 30 March 1999.

For the Council
The President
K.-H. FUNKE

ANNEX I

POLAND

LIST OF PRODUCTS SUBJECT TO DOUBLE-CHECKING (1999)

Angles, shapes and sections of iron or non-alloy steel

U Sections

7216 31 11

7216 31 19

7216 31 91

7216 31 99

I Sections

7216 32 11

7216 32 19

7216 32 91

7216 32 99

H Sections

7216 33 10

7216 33 90

ANNEX II

1. Eksporter (nazwa, pełny adres, kraj) / Exporter (name, full address, country)	ORYGINAŁ / ORIGINAL		2. Nr / No
	3. Rok / Year		4. Grupa wyrobów / Product group
5. Odbiorca (nazwa, pełny adres, kraj) / Consignee (name, full address, country)	DOKUMENT WYWOZOWY / EXPORT DOCUMENT		
	(wyroby stalowe EWWiS i WE) / (ECSC and EC steel products)		
8. Miejsce i data wysyłki – Środek transportu / Place and date of shipment – Means of transport	6. Kraj pochodzenia / Country of origin		7. Kraj przeznaczenia / Country of destination
	9. Dodatkowe informacje / Supplementary details		
10. Opis towarów – Producent / Description of goods – Manufacturer		11. Kod CN / CN code	12. Ilość ⁽¹⁾ / Quantity
			13. Wartość FOB ⁽²⁾ / FOB value
14. POŚWIADCZENIE PRZEZ WŁAŚCIWE WŁADZE / CERTIFICATION BY THE COMPETENT AUTHORITY			
15. Władze właściwe (nazwa, pełny adres, kraj) / Competent authority (name, full address, country)		Miejscowość / Place	
		data / Date	
		(Podpis) / Signature	(Pieczęć) / Stamp

(¹) Waga netto (w kg) oraz ilość w zalecanych jednostkach, w przypadku wagi i innej niż netto. / State net weight (kg) and also quantity in the unit prescribed when other than net weight.
 (²) W walucie określonej w umowie sprzedaży. / In the currency of the sale contract.

(¹) Waga netto (w kg) oraz ilość w zalecanych jednostkach, w przypadku wagi i innej niż netto. / State net weight (kg) and also quantity in the unit prescribed when other than net weight.
 (²) W walucie określonej w umowie sprzedaży. / In the currency of the sale contract.

1. Eksporter (nazwa, pełny adres, kraj) / Exporter (name, full address, country)	KOPIA / COPY		2. Nr / No
	3. Rok / Year		4. Grupa wyrobów / Product group
5. Odbiorca (nazwa, pełny adres, kraj) / Consignee (name, full address, country)	DOKUMENT WYWOZOWY / EXPORT DOCUMENT		
	(wyroby stalowe EWWiS i WE) / (ECSC and EC steel products)		
8. Miejsce i data wysyłki – Środek transportu / Place and date of shipment – Means of transport	6. Kraj pochodzenia / Country of origin		7. Kraj przeznaczenia / Country of destination
	9. Dodatkowe informacje / Supplementary details		
10. Opis towarów – Producent / Description of goods – Manufacturer	11. Kod CN / CN code	12. Ilość (¹) / Quantity	13. Wartość FOB (²) / FOB value
14. POŚWIADCZENIE PRZEZ WŁAŚCIWE WŁADZE / CERTIFICATION BY THE COMPETENT AUTHORITY			
15. Władze właściwe (nazwa, pełny adres, kraj) / Competent authority (name, full address, country)	Miejscowość / Place		
	data / Date		
	(Podpis) / Signature		(Pieczęć) / Stamp

*ANEXO III — BILAG III — ANHANG III — ΠΑΡΑΡΤΗΜΑ ΙΙΙ — ANNEX III — ANNEXE III — ALLEGATO III —
BIJLAGE III — ANEXO — LIITE III — BILAGA III*

**LISTA DE LAS AUTORIDADES NACIONALES COMPETENTES
LISTE OVER KOMPETENTE NATIONALE MYNDIGHEDER
LISTE DER ZUSTÄNDIGEN BEHÖRDEN DER MITGLIEDSTAATEN
ΔΙΕΥΘΥΝΣΕΙΣ ΤΩΝ ΑΡΧΩΝ ΕΚΔΟΣΗΣ ΑΔΕΙΩΝ ΤΩΝ ΚΡΑΤΩΝ ΜΕΛΩΝ
LIST OF THE COMPETENT NATIONAL AUTHORITIES
LISTE DES AUTORITÉS NATIONALES COMPÉTENTES
ELENCO DELLE COMPETENTI AUTORITÀ NAZIONALI
LIJST VAN BEVOEGDE NATIONALE INSTANTIES
LISTA DAS AUTORIDADES NACIONAIS COMPETENTES
LUETTELO TOIMIVALTAISISTA KANSALLISISTA VIRANOMAISISTA
LISTA ÖVER KOMPETENTA NATIONELLA MYNDIGHETER**

BELGIQUE/BELGIË

Ministère des affaires économiques
Administration des relations économiques
Quatrième division: Mise en œuvre des politiques commerciales
internationales — Services des licences
Rue Général Leman 60
B-1040 Bruxelles
Télécopieur: (32 2) 230 83 22

Ministerie van Economische Zaken
Bestuur van de Economische Betrekkingen
Vierde Afdeling: Toepassing van het Internationaal Handelsbeleid
— Dienst Vergunningen
Generaal Lemanstraat 60
B-1040 Brussel
Fax: (32 2) 230 83 22

DANMARK

Erhvervsfremme Styrelsen
Søndergade 25
DK-8600 Silkeborg
Fax: (45) 87 20 40 77

DEUTSCHLAND

Bundesamt für Wirtschaft, Dienst 01
Postfach 5171
D-65762 Eschborn 1
Fax: 49 (61 96) 40 42 12

ΕΛΛΑΔΑ

Υπουργείο Εθνικής Οικονομίας
Γενική Γραμματεία Δ.Ο.Σ
Διεύθυνση Διαδικασιών Εξωτερικού Εμπορίου
Κορνάρου 1
GR-105 63 Αθήνα
Τέλεφαξ: (301) 328 60 29/328 60 59/328 60 39

ESPAÑA

Ministerio de Economía y Hacienda
Dirección General de Comercio Exterior
Paseo de la Castellana, 162
E-28046 Madrid
Fax: (34 1) 5 63 18 23/349 38 31

FRANCE

Service des industries manufacturières
3-5, rue Barbet-de-Jouy
F-75357 Paris 07 SP
Télécopieur: (33 1) 43 19 43 69

IRELAND

Licensing Unit
Departement of Enterprise, Trade and Employment
Kildare Street
IRL-Dublin 2
Fax: (353 1) 676 61 54

ITALIA

Ministero per il Commercio estero
D.G. Import-export, Divisione V
Viale Boston
I-00144 Roma
Telefax: 39 6-59 93 26 36 / 59 93 26 37

LUXEMBOURG

Ministère des affaires étrangères
Office des licences
BP 113
L-2011 Luxembourg
Télécopieur: (352) 46 61 38

NEDERLAND

Centrale Dienst voor In- en Uitvoer
Postbus 30003, Engelse Kamp 2
NL-9700 RD Groningen
Fax (31-50) 526 06 98

ÖSTERREICH

Bundesministerium für wirtschaftliche Angelegenheiten
Außenwirtschaftsadministration
Landstraße Hauptstraße 55-57
A-1030 Wien
Fax: 43-1-715 83 47

PORTUGAL

Ministério da Economia
Direcção-Geral das Relações Económicas Internacionais
Avenida da República, 79
P-1000 Lisboa
Telefax: (351-1) 793 22 10

SUOMI

Tullihallitus
PL 512
FIN-00101 Helsinki
Telekopio: +358 9 614 2852

SVERIGE

Kommerskollegium
Box 6803
S-113 86 Stockholm
Fax: (46 8) 30 67 59

UNITED KINGDOM

Department of Trade and Industry
Import Licensing Branch
Queensway House — West Precinct
Billingham, Cleveland
UK-TS23 2NF
Fax: (44 1642) 533 557

COMMISSION REGULATION (EC) No 1094/1999
of 27 May 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 28 May 1999.

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

Done at Brussels, 27 May 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 27 May 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	99,7
	999	99,7
0707 00 05	052	82,4
	628	129,4
	999	105,9
0709 90 70	052	51,6
	999	51,6
0805 10 10, 0805 10 30, 0805 10 50	204	47,3
	600	49,2
	624	53,7
	999	50,1
0805 30 10	382	50,5
	388	71,6
	528	48,1
	999	56,7
0808 10 20, 0808 10 50, 0808 10 90	388	81,6
	400	116,0
	508	71,2
	512	82,9
	524	68,7
	528	76,3
	804	94,1
	999	84,4
0809 20 95	052	285,5
	400	241,3
	999	263,4

⁽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 1095/1999
of 27 May 1999
amending Regulation (EEC) No 1627/89 on the buying in of beef by invitation to tender

THE COMMISSION OF THE EUROPEAN COMMUNITIES,
Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EEC) No 805/68 of 27 June 1968 on the common organisation of the market in beef and veal⁽¹⁾, as last amended by Regulation (EC) No 1633/98⁽²⁾, and in particular Article 6(7) thereof,

Whereas Commission Regulation (EEC) No 1627/89 of 9 June 1989 on the buying in of beef by invitation to tender⁽³⁾, as last amended by Regulation (EC) No 835/1999⁽⁴⁾, opened buying in by invitation to tender in certain Member States or regions of a Member State for certain quality groups;

Whereas the application of Article 6(2), (3) and (4) of Regulation (EEC) No 805/68 and the need to limit intervention to buying in the quantities necessary to ensure reasonable support for the market result, on the basis of the prices of which the Commission is aware, in an

amendment, in accordance with the Annex hereto, to the list of Member States or regions of a Member State where buying in is open by invitation to tender, and the list of the quality groups which may be bought in;

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

HAS ADOPTED THIS REGULATION:

Article 1

The Annex to Regulation (EEC) No 1627/89 is hereby replaced by the Annex hereto.

Article 2

This Regulation shall enter into force on 7 June 1999.

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

Done at Brussels, 27 May 1999.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ L 148, 28.6.1968, p. 24.

⁽²⁾ OJ L 210, 28.7.1998, p. 17.

⁽³⁾ OJ L 159, 10.6.1989, p. 36.

⁽⁴⁾ OJ L 105, 22.4.1999, p. 30.

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

Estados miembros o regiones de Estados miembros y grupos de calidades previstos en el apartado 1 del artículo 1 del Reglamento (CEE) n° 1627/89

Medlemsstater eller regioner og kvalitetsgrupper, jf. artikel 1, stk. 1, i forordning (EØF) nr. 1627/89

Mitgliedstaaten oder Gebiete eines Mitgliedstaats sowie die in Artikel 1 Absatz 1 der Verordnung (EWG) Nr. 1627/89 genannten Qualitätsgruppen

Κράτη μέλη ή περιοχές κρατών μελών και ομάδες ποιότητας που αναφέρονται στο άρθρο 1 παράγραφος 1 του κανονισμού (ΕΟΚ) αριθ. 1627/89

Member States or regions of a Member State and quality groups referred to in Article 1 (1) of Regulation (EEC) No 1627/89

États membres ou régions d'États membres et groupes de qualités visés à l'article 1^{er} paragraphe 1 du règlement (CEE) n° 1627/89

Stati membri o regioni di Stati membri e gruppi di qualità di cui all'articolo 1, paragrafo 1 del regolamento (CEE) n. 1627/89

In artikel 1, lid 1, van Verordening (EEG) nr. 1627/89 bedoelde lidstaten of gebieden van een lidstaat en kwaliteitsgroepen

Estados-membros ou regiões de Estados-membros e grupos de qualidades referidos no n.º 1 do artigo 1.º do Regulamento (CEE) n.º 1627/89

Jäsenvaltiot tai alueet ja asetuksen (ETY) N:o 1627/89 1 artiklan 1 kohdan tarkoittamat laaturyhmitt

Medlemsstater eller regioner och kvalitetsgrupper som avses i artikel 1.1 i förordning (EEG) nr 1627/89

Estados miembros o regiones de Estados miembros	Categoría A	Categoría C				
Medlemsstat eller region	Kategori A	Kategori C				
Mitgliedstaaten oder Gebiete eines Mitgliedstaats	Kategorie A	Kategorie C				
Κράτος μέλος ή περιοχή κράτους μέλους	Κατηγορία Α	Κατηγορία Γ				
Member States or regions of a Member State	Category A	Category C				
États membres ou régions d'États membres	Catégorie A	Catégorie C				
Stati membri o regioni di Stati membri	Categoria A	Categoria C				
Lidstaat of gebied van een lidstaat	Categorie A	Categorie C				
Estados-membros ou regiões de Estados-membros	Categoria A	Categoria C				
Jäsenvaltiot tai alueet	Luokka A	Luokka C				
Medlemsstater eller regioner	Kategori A	Kategori C				
	U	R	O	U	R	O
Danmark		×				
France						×
Great Britain					×	
Ireland				×	×	×
Northern Ireland				×	×	×
Österreich		×				

COMMISSION REGULATION (EC) No 1096/1999
of 27 May 1999
on the sale by tender of beef held by certain intervention agencies

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EEC) No 805/68 of 27 June 1968 on the common organisation of the market in beef and veal ⁽¹⁾, as last amended by Regulation (EC) No 1633/98 ⁽²⁾, and in particular Article 7(3) thereof,

- (1) Whereas the application of intervention measures in respect of beef has created stocks in several Member States; whereas, in order to prevent an excessive prolongation of storage, part of these stocks should be sold by tender;
- (2) Whereas the sale should be made subject to the rules laid down by Commission Regulation (EEC) No 2173/79 ⁽³⁾, as last amended by Regulation (EC) No 2417/95 ⁽⁴⁾, subject to certain special exceptions which are necessary;
- (3) Whereas, with a view to ensuring a regular and uniform tendering procedure, measures should be taken in addition to those laid down in Article 8(1) of Regulation (EEC) No 2173/79;
- (4) Whereas provision should be made for derogations from Article 8(2)(b) of Regulation (EEC) No 2173/79, in view of the administration difficulties which application of this point creates in the Member States concerned;
- (5) Whereas the measures provided for in this Regulation are in accordance with the opinion of the Management Committee for beef and veal,

HAS ADOPTED THIS REGULATION:

Article 1

1. The sale shall take place of:

— approximately 320 tonnes of deboned beef held by the Irish intervention agency,

- approximately 3 355 tonnes of boneless beef held by the United Kingdom intervention agency,
- approximately 6 tonnes of boneless beef held by the Danish intervention agency,
- approximately 200 tonnes of boneless beef held by the French intervention agency.

Detailed information concerning quantities is given in Annex I.

2. Subject to the provisions of this Regulation the products referred to in paragraph 1 shall be sold in accordance with Regulation (EEC) No 2173/79, in particular Titles II and III thereof.

Article 2

1. Notwithstanding Articles 6 and 7 of Regulation (EEC) No 2173/79, the provisions of and Annexes to this Regulation shall serve as a general notice of invitations to tender.

The intervention agencies concerned shall draw up a notice of invitation to tender which shall include the following:

- (a) the quantities of beef offered for sale; and
- (b) the deadline and place for submitting tenders.

2. Interested parties may obtain the details of the quantities available and the places where the products are stored from the addresses listed in Annex II to this Regulation. The intervention agencies shall, in addition, display the notice referred to in paragraph 1 at their head offices and may publish it in other ways.

3. For each product mentioned in Annex I the intervention agencies concerned shall sell first the meat which has been stored the longest.

4. Only tenders which reach the intervention agencies concerned by 12 noon on 4 June 1999 shall be considered.

⁽¹⁾ OJ L 148, 28.6.1968, p. 24.

⁽²⁾ OJ L 210, 28.7.1998, p. 17.

⁽³⁾ OJ L 251, 5.10.1979, p. 12.

⁽⁴⁾ OJ L 248, 14.10.1995, p. 39.

5. Notwithstanding Article 8(1) of Regulation (EEC) No 2173/79, a tender must be submitted to the intervention agency concerned in a closed envelope, bearing the reference to the Regulation concerned. The closed envelope must not be opened by the intervention agency before the expiry of the tender deadline referred to in paragraph 4.

6. Notwithstanding Article 8(2)(b) of Regulation (EEC) No 2173/79, tenders shall not indicate in which cold store or stores the products are held.

Article 3

1. Member States shall provide the Commission with information concerning the tenders received not later

than the working day following the deadline set for the submission of tenders.

2. After the tenders received have been examined a minimum selling price shall be set for each product or the sale will not proceed.

Article 4

The security provided for in Article 15(1) of Regulation (EEC) No 2173/79 shall be EUR 120 per tonne.

Article 5

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

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

Done at Brussels, 27 May 1999.

For the Commission

Franz FISCHLER

Member of the Commission

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

Estado miembro	Productos (*)	Cantidad aproximada (toneladas)
Medlemsstat	Produkter (*)	Tilnærmet mængde (tons)
Mitgliedstaat	Erzeugnisse (*)	Ungefähre Mengen (Tonnen)
Κράτος μέλος	Προϊόντα (*)	Κατά προσέγγιση ποσότητα (τόνοι)
Member State	Products (*)	Approximate quantity (tonnes)
État membre	Produits (*)	Quantité approximative (tonnes)
Stato membro	Prodotti (*)	Quantità approssimativa (tonnellate)
Lidstaat	Producten (*)	Hoeveelheid bij benadering (ton)
Estado-Membro	Produtos (*)	Quantidade aproximada (toneladas)
Jäsenvaltio	Tuotteet (*)	Arvioitu määrä (tonneina)
Medlemsstat	Produkter (*)	Ungefärlig kvantitet (ton)

Carne deshuesada — Udbenet kød — Fleisch ohne Knochen — Κρέατα χωρίς κόκαλα — Boneless beef — Viande désossée — Carni senza osso — Vlees zonder been — Carne desossada — Luuton naudanliha — Benfritt kött

FRANCE	Flanchet d'intervention (INT 18)	200
DANMARK	Interventionsbryst (INT 23)	6
IRELAND	Silverside (INT 14)	265
	Rump (INT 16)	55
UNITED KINGDOM	Thick flank (INT 12)	390
	Topside (INT 13)	1 000
	Silverside (INT 14)	25
	Rump (INT 16)	300
	Striploin (INT 17)	1 140
	Forerib (INT 19)	500

(*) Véanse los anexos V y VII del Reglamento (CEE) n.º 2456/93 de la Comisión (DO L 225 de 4.9.1993, p. 4), cuya última modificación la constituye el Reglamento (CE) n.º 2602/97 (DO L 351 de 23.12.1997, p. 20).

(*) Se bilag V og VII til Kommissionens forordning (EØF) nr. 2456/93 (EFT L 225 af 4.9.1993, s. 4), senest ændret ved forordning (EF) nr. 2602/97 (EFT L 351 af 23.12.1997, s. 20).

(*) Vgl. Anhänge V und VII der Verordnung (EWG) Nr. 2456/93 der Kommission (ABl. L 225 vom 4.9.1993, S. 4), zuletzt geändert durch die Verordnung (EG) Nr. 2602/97 (ABl. L 351 vom 23.12.1997, S. 20).

(*) Βλέπε παραρτήματα V και VII του κανονισμού (ΕΟΚ) αριθ. 2456/93 της Επιτροπής (ΕΕ L 225 της 4.9.1993, σ. 4), όπως τροποποιήθηκε τελευταία από τον κανονισμό (ΕΚ) αριθ. 2602/97 (ΕΕ L 351 της 23.12.1997, σ. 20).

(*) See Annexes V and VII to Commission Regulation (EEC) No 2456/93 (OJ L 225, 4.9.1993, p. 4), as last amended by Regulation (EC) No 2602/97 (OJ L 351, 23.12.1997, p. 20).

(*) Voir annexes V et VII du règlement (CEE) n.º 2456/93 de la Commission (JO L 225 du 4.9.1993, p. 4). Règlement modifié en dernier lieu par le règlement (CE) n.º 2602/97 (JO L 351 du 23.12.1997, p. 20).

(*) Cfr. allegati V e VII del regolamento (CEE) n. 2456/93 della Commissione (GU L 225 del 4.9.1993, pag. 4), modificato da ultimo dal regolamento (CE) n. 2602/97 (GU L 351 del 23.12.1997, pag. 20).

(*) Zie de bijlagen V en VII bij Verordening (EEG) nr. 2456/93 van de Commissie (PB L 225 van 4.9.1993, blz. 4), laatstelijk gewijzigd bij Verordening (EG) nr. 2602/97 (PB L 351 van 23.12.1997, blz. 20).

(*) Ver anexos V e VII do Regulamento (CEE) n.º 2456/93 da Comissão (JO L 225 de 4.9.1993, p. 4). Regulamento com a última redacção que lhe foi dada pelo Regulamento (CE) n.º 2602/97 (JO L 351 de 23.12.1997, p. 20).

(*) Katso komission asetuksen (ETY) N:o 2456/93 (EYVL L 225, 4.9.1993, s. 4), sellaisena kuin se on viimeksi muutettuna asetuksella (EY) N:o 2602/97 (EYVL L 351, 23.12.1997, s. 20) liitteet V ja VII.

(*) Se bilagorna V och VII i kommissionens förordning (EEG) nr 2456/93 (EGT L 225, 4.9.1993, s. 4), senast ändrad genom förordning (EG) nr 2602/97 (EGT L 351, 23.12.1997, s. 20).

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

Direcciones de los organismos de intervención — Interventionsorganernes adresser — Anschriften der Interventionsstellen — Διευθύνσεις των οργανισμών παρεμβάσεως — Addresses of the intervention agencies — Adresses des organismes d'intervention — Indirizzi degli organismi d'intervento — Adressen van de interventiebureaus — Endereços dos organismos de intervenção — Interventioelinten osoitteet — Interventionsorganens adresser

DANMARK

Ministeriet for Fødevarer, Landbrug og Fiskeri
EU-direktoratet
Kampmannsgade 3
DK-1780 København V
Tlf. (45) 33 92 70 00; telex 15 13 17; DK: fax (45) 33 92 69 48, (45) 33 92 69 23

FRANCE

OFIVAL
80, avenue des Terroirs-de-France
F-75607 Paris Cedex 12
Téléphone: (33 1) 44 68 50 00; télex: 21 53 30; télécopieur: (33 1) 44 68 52 33

IRELAND

Department of Agriculture and Food
Johnstown Castle Estate
County Wexford
Ireland
Tel. (353 53) 634 00
Fax (353 53) 428 42

UNITED KINGDOM

Intervention Board Executive Agency
Kings House
33, Kings Road
Reading RG1 3BU
Berkshire
United Kingdom
Tel. (441 189) 58 36 26
Fax (44 189) 56 67 50

COMMISSION REGULATION (EC) No 1097/1999

of 27 May 1999

fixing the intervention thresholds for cauliflowers, peaches, nectarines and table grapes for the 1999/2000 marketing year

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EC) No 2200/96 of 28 October 1996 on the common organisation of the market in fruit and vegetables⁽¹⁾, as last amended by Regulation (EC) No 857/1999⁽²⁾, and in particular Article 27(1) and (2) thereof,

(1) Whereas the first paragraph of Article 27 of Regulation (EC) No 2200/96 provides for an intervention threshold to be fixed if the market in a product listed in Annex II is suffering or at risk of suffering from widespread structural imbalances giving or liable to give rise to too large a volume of withdrawals; whereas such a development might cause budget problems for the Community;

(2) Whereas Commission Regulation (EC) No 1068/98⁽³⁾ fixed an intervention threshold for cauliflowers, peaches, nectarines and table grapes for the 1998/99 marketing year; whereas the conditions laid down in the abovementioned Article 27 have been met for certain products; whereas intervention thresholds for cauliflowers, peaches, nectarines and table grapes should therefore be fixed;

(3) Whereas this intervention threshold for each of those products should be fixed on the basis of a percentage of the average production intended for consumption in the natural state over the last five marketing years for which data are available; whereas the period to be taken into account for assessing the overrun of the intervention threshold must also be established for each product in question;

(4) Whereas, pursuant to the abovementioned Article 27, an overrun of the intervention threshold gives rise to a reduction in the Community withdrawal compensation in the marketing year following the overrun; whereas the implications of this overrun for each of the products in question should be determined and a reduction proportional to the size

of the overrun should be fixed, up to a certain percentage;

(5) Whereas the measures provided for in this Regulation are in accordance with the opinion of the Management Committee for Fresh Fruit and Vegetables,

HAS ADOPTED THIS REGULATION:

Article 1

The following intervention thresholds are fixed for the 1999/2000 marketing year:

— cauliflowers:	112 300 tonnes
— peaches:	254 700 tonnes
— nectarines:	83 700 tonnes
— table grapes:	165 300 tonnes.

Article 2

The overrun of the intervention threshold for the products listed in Article 1 shall be assessed on the basis of the withdrawals carried out in the period 1 March 1999 to 28 February 2000.

Article 3

If the quantity subject to withdrawals of one of the products listed in Article 1 in the period laid down in Article 2 exceeds the threshold fixed in Article 1, the Community withdrawal compensation fixed pursuant to Article 26 of Regulation (EC) No 2200/96 shall be reduced in the following marketing year in proportion to the size of the overrun based on the production used to calculate the threshold in question.

The Community withdrawal compensation shall not, however, be reduced by more than 30 %.

Article 4

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

⁽¹⁾ OJ L 297, 21.11.1996, p. 1.

⁽²⁾ OJ L 108, 27.4.1999, p. 7.

⁽³⁾ OJ L 153, 27.5.1998, p. 9.

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

Done at Brussels, 27 May 1999.

For the Commission
Franz FISCHLER
Member of the Commission

COMMISSION REGULATION (EC) No 1098/1999
of 27 May 1999
deferring the final date for sowing certain arable crops in certain regions in the
1999/2000 marketing year

THE COMMISSION OF THE EUROPEAN COMMUNITIES,
Having regard to the Treaty establishing the European Community,

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

- (1) Whereas Article 10(2) of Regulation (EEC) No 1765/92 stipulates that, to qualify for the compensatory payments for cereals, protein crops and linseed under the support system for certain arable crops, producers must have sown the seed at the latest by 15 May preceding the relevant harvest;
- (2) Whereas Article 9 of Commission Regulation (EC) No 658/96 of 9 April 1996 on certain conditions for granting compensatory payments under the support system for producers of certain arable crops ⁽³⁾, as last amended by Regulation (EC) No 610/1999 ⁽⁴⁾, fixes the final dates for sowing oilseeds;
- (3) Whereas, because of the particular weather conditions this year, the final dates for sowing seeds fixed in several Member States cannot be complied with in all cases; whereas, in consequence, the time limit for

sowing cereals and/or oilseeds, and/or protein crops and/or linseed for the 1999/2000 marketing year should, where necessary; whereas to do so Regulations (EEC) No 1765/92 and (EC) No 658/96 should be waived as permitted by the seventh indent of Article 12 of Regulation (EEC) No 1765/92;

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

HAS ADOPTED THIS REGULATION:

Article 1

The final dates for crop sowings for the 1999/2000 marketing year are fixed in the Annex hereto for the crops and the Member States indicated therein.

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 15 May 1999.

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

Done at Brussels, 27 May 1999.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ L 181, 1.7.1992, p. 12.

⁽²⁾ OJ L 210, 28.7.1998, p. 3.

⁽³⁾ OJ L 91, 12.4.1996, p. 46.

⁽⁴⁾ OJ L 75, 20.3.1999, p. 24.

ANNEX

Final date for sowing crops for the 1999/2000 marketing year

Crops	Member State	Region	Final date
Maize, sunflower, sorghum, soya, buck-wheat	France	The entire country	31 May 1999
Cereals, oilseeds, protein crops and linseed	Belgium Denmark Luxemburg Netherlands United Kingdom Germany	The entire country	31 May 1999
Maize, sunflower, soya, sorghum	Greece Italy Spain Portugal	The entire country	31 May 1999
Maize, soya	Austria	The entire country	31 May 1999

COMMISSION REGULATION (EC) No 1099/1999

of 27 May 1999

amending Regulation (EEC) No 2282/90 laying down detailed rules for increasing the consumption and utilisation of apples and the consumption of citrus fruit

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EEC) No 1195/90 of 7 May 1990 on measures to increase the consumption and utilisation of apples⁽¹⁾, and in particular Article 5 thereof,Having regard to Council Regulation (EEC) No 1201/90 of 7 May 1990 on measures to increase the consumption of citrus fruit⁽²⁾, and in particular Article 4 thereof,

(1) Whereas Commission Regulation (EEC) No 2282/90⁽³⁾, as last amended by Regulation (EC) No 2404/96⁽⁴⁾, lays down detailed rules for increasing the consumption and utilisation of apples and the consumption of citrus fruit;

(2) Whereas Regulation (EEC) No 2282/90 stipulates that, following scrutiny by the Management Committee for Fresh Fruit and Vegetables, the Commission must draw up a list of successful applications for Community financial assistance before 15 July of the year following their submission;

(3) Whereas Commission Regulation (EC) No 481/1999 of 4 March 1999 laying down general rules for the management of promotional programmes for certain agricultural products⁽⁵⁾ specifies that the competent bodies are to conclude contracts with the parties concerned within 30 calendar days of notification of the Commission decision;

(4) Whereas the contracts should be concluded before apples and citrus fruit harvested in the Community are placed on the market;

(5) Whereas Regulation (EEC) No 2282/90 must therefore be amended to bring forward to 30 June the final date for drawing up the list of successful programmes;

(6) Whereas the measures provided for in this Regulation are in accordance with the opinion of the Management Committee for Fresh Fruit and Vegetables,

HAS ADOPTED THIS REGULATION:

Article 1

The first paragraph of Article 6 of Regulation (EEC) No 2282/90 is replaced by the following:

'Following scrutiny by the Management Committee for Fresh Fruit and Vegetables, in accordance with Article 47 of Council Regulation (EC) No 2200/96^(*) the Commission shall draw up the list of successful applications for Community financial assistance by 30 June at the latest of the year following their submission.

(*) OJ L 297, 21.11.1996, p. 1.'

*Article 2*This Regulation shall enter into force on the seventh day following its publication in the *Official Journal of the European Communities*.

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

Done at Brussels, 27 May 1999.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ L 119, 11.5.1990, p. 53.

⁽²⁾ OJ L 119, 11.5.1990, p. 65.

⁽³⁾ OJ L 205, 3.8.1990, p. 8.

⁽⁴⁾ OJ L 327, 18.12.1996, p. 27.

⁽⁵⁾ OJ L 57, 5.3.1999, p. 8.

COMMISSION REGULATION (EC) No 1100/1999
of 27 May 1999
fixing the export refunds on cereals and on wheat or rye flour, groats and meal

THE COMMISSION OF THE EUROPEAN COMMUNITIES,
Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EEC) No 1766/92 of 30 June 1992 on the common organisation of the market in cereals⁽¹⁾, as last amended by Commission Regulation (EC) No 923/96⁽²⁾, and in particular Article 13 (2) 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 in the Community may be covered by an export refund;

Whereas the refunds must be fixed taking into account the factors referred to in Article 1 of Commission Regulation (EC) No 1501/95 of 29 June 1995 laying down certain detailed rules under Council Regulation (EEC) No 1766/92 on the granting of export refunds on cereals and the measures to be taken in the event of disturbance on the market for cereals⁽³⁾, as last amended by Regulation (EC) No 2513/98⁽⁴⁾;

Whereas, as far as wheat and rye flour, groats and meal are concerned, when the refund on these products is being calculated, account must be taken of the quantities of cereals required for their manufacture; whereas these quantities were fixed in Regulation (EC) No 1501/95;

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 it follows from applying the detailed rules set out above to the present situation on the market in cereals, and in particular to quotations or prices for these products within the Community and on the world market, that the refunds should be as set out in the Annex hereto;

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

HAS ADOPTED THIS REGULATION:

Article 1

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

Article 2

This Regulation shall enter into force on 28 May 1999.

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

Done at Brussels, 27 May 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.

ANNEX

to the Commission Regulation of 27 May 1999 fixing the export refunds on cereals and on wheat or rye flour, groats and meal

<i>(EUR/tonne)</i>			<i>(EUR/tonne)</i>		
Product code	Destination (1)	Amount of refund	Product code	Destination (1)	Amount of refund
1001 10 00 9200	—	—	1101 00 11 9000	—	—
1001 10 00 9400	01	0	1101 00 15 9100	01	58,00
1001 90 91 9000	—	—	1101 00 15 9130	01	54,50
1001 90 99 9000	03	32,50	1101 00 15 9150	01	50,00
	02	0	1101 00 15 9170	01	46,25
1002 00 00 9000	03	62,00	1101 00 15 9180	01	43,25
	02	0	1101 00 15 9190	—	—
1003 00 10 9000	—	—	1101 00 90 9000	—	—
1003 00 90 9000	03	42,75	1102 10 00 9500	01	82,00
	02	0	1102 10 00 9700	—	—
1004 00 00 9200	—	—	1102 10 00 9900	—	—
1004 00 00 9400	—	—	1103 11 10 9200	01	30,00 (2)
1005 10 90 9000	—	—	1103 11 10 9400	01	27,00 (2)
1005 90 00 9000	04	40,00	1103 11 10 9900	—	—
	02	0	1103 11 90 9200	01	30,00 (2)
1007 00 90 9000	—	—	1103 11 90 9800	—	—
1008 20 00 9000	—	—			

(1) The destinations are identified as follows:

- 01 All third countries,
- 02 Other third countries,
- 03 Switzerland, Liechtenstein,
- 04 Switzerland, Liechtenstein and Slovenia.

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

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

COMMISSION REGULATION (EC) No 1101/1999
of 27 May 1999
fixing the maximum export refund on barley in connection with the invitation to
tender issued in Regulation (EC) No 1078/98

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 organisation 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⁾, and in particular Article 4 thereof,

Whereas an invitation to tender for the refund and/or the tax for the export of barley to all third countries was opened pursuant to Commission Regulation (EC) No 1078/98 ⁽⁵⁾;

Whereas Article 7 of Regulation (EC) No 1501/95 provides that the Commission may, on the basis of the tenders notified, in accordance with the procedure laid down in Article 23 of Regulation (EEC) No 1766/92, decide to fix a maximum export refund taking account of the criteria referred to in Article 1 of Regulation (EC) No

1501/95; whereas in that case a contract is awarded to any tenderer whose bid is equal to or lower than the maximum refund, as well as to any tenderer whose bid relates to an export tax;

Whereas the application of the abovementioned criteria to the current market situation for the cereal in question results in the maximum export refund being fixed at the amount specified in Article 1;

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

HAS ADOPTED THIS REGULATION:

Article 1

For tenders notified from 21 to 27 May 1999, pursuant to the invitation to tender issued in Regulation (EC) No 1078/98, the maximum refund on exportation of barley shall be EUR 52,71/t.

Article 2

This Regulation shall enter into force on 28 May 1999.

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

Done at Brussels, 27 May 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 154, 28.5.1998, p. 20.

COMMISSION REGULATION (EC) No 1102/1999

of 27 May 1999

fixing the maximum export refund on common wheat in connection with the invitation to tender issued in Regulation (EC) No 1079/98

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 organisation 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⁾, and in particular Article 4 thereof,

Whereas an invitation to tender for the refund and/or the tax for the export of common wheat to all third countries with the exception of certain ACP States was opened pursuant to Commission Regulation (EC) No 1079/98 ⁽⁵⁾, as amended by Regulation (EC) No 2005/98 ⁽⁶⁾;

Whereas Article 7 of Regulation (EC) No 1501/95 provides that the Commission may, on the basis of the tenders notified, in accordance with the procedure laid down in Article 23 of Regulation (EEC) No 1766/92, decide to fix a maximum export refund taking account of

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

Whereas the application of the abovementioned criteria to the current market situation for the cereal in question results in the maximum export refund being fixed at the amount specified in Article 1;

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

HAS ADOPTED THIS REGULATION:

Article 1

For tenders notified from 21 to 27 May 1999, pursuant to the invitation to tender issued in Regulation (EC) No 1079/98, the maximum refund on exportation of common wheat shall be EUR 42,50/t.

Article 2

This Regulation shall enter into force on 28 May 1999.

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

Done at Brussels, 27 May 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 154, 28.5.1998, p. 24.

⁽⁶⁾ OJ L 258, 22.9.1998, p. 8.

COMMISSION REGULATION (EC) No 1103/1999
of 27 May 1999
fixing the maximum export refund on common wheat in connection with the
invitation to tender issued in Regulation (EC) No 2004/98

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 organisation 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⁾, and in particular Article 7 thereof,

Whereas an invitation to tender for the refund and/or the tax for the export of common wheat to certain ACP States was opened pursuant to Commission Regulation (EC) No 2004/98 ⁽⁵⁾, as last amended by Regulation (EC) No 879/1999 ⁽⁶⁾;

Whereas Article 7 of Regulation (EC) No 1501/95 provides that the Commission may, on the basis of the tenders notified, in accordance with the procedure laid down in Article 23 of Regulation (EEC) No 1766/92, decide to fix a maximum export refund taking account of

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

Whereas the application of the abovementioned criteria to the current market situation for the cereal in question results in the maximum export refund being fixed at the amount specified in Article 1;

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

HAS ADOPTED THIS REGULATION:

Article 1

For tenders notified from 21 to 27 May 1999, pursuant to the invitation to tender issued in Regulation (EC) No 2004/98, the maximum refund on exportation of common wheat shall be EUR 46,63 EUR/t.

Article 2

This Regulation shall enter into force on 28 May 1999.

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

Done at Brussels, 27 May 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. 4.

⁽⁶⁾ OJ L 111, 29.4.1999, p. 16.

COMMISSION REGULATION (EC) No 1104/1999
of 27 May 1999

**fixing the maximum reduction in the duty on maize imported in connection
with the invitation to tender issued in Regulation (EC) No 566/1999**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EEC) No 1766/92 of 30 June 1992 on the common organisation of the market in cereals⁽¹⁾, as last amended by Commission Regulation (EC) No 923/96⁽²⁾, and in particular Article 12(1) thereof,

Whereas an invitation to tender for the maximum reduction in the duty on maize imported into Spain was opened pursuant to Commission Regulation (EC) No 566/1999⁽³⁾, as amended by Regulation (EC) No 1006/1999⁽⁴⁾;

Whereas, pursuant to Article 5 of Commission Regulation (EC) No 1839/95⁽⁵⁾, as amended by Regulation (EC) No 1963/95⁽⁶⁾, the Commission, acting under the procedure laid down in Article 23 of Regulation (EEC) No 1766/92, may decide to fix maximum reduction in the import duty; whereas in fixing this maximum the criteria provided for in Articles 6 and 7 of Regulation (EC) No 1839/95 must be taken into account; whereas a contract is awarded to

any tenderer whose tender is equal to or less than the maximum reduction in the duty;

Whereas the application of the abovementioned criteria to the current market situation for the cereal in question results in the maximum reduction in the import duty being fixed at the amount specified in Article 1;

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

For tenders notified from 21 to 27 May 1999, pursuant to the invitation to tender issued in Regulation (EC) No 566/1999, the maximum reduction in the duty on maize imported shall be 69,48 EUR/t and be valid for a total maximum quantity of 200 000 tonnes.

Article 2

This Regulation shall enter into force on 28 May 1999.

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

Done at Brussels, 27 May 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 70, 17.3.1999, p. 9.

⁽⁴⁾ OJ L 123, 13.5.1999, p. 27.

⁽⁵⁾ OJ L 177, 28.7.1995, p. 4.

⁽⁶⁾ OJ L 189, 10.8.1995, p. 22.

COMMISSION REGULATION (EC) No 1105/1999
of 27 May 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 3 400 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 3 400 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 28 May 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, 27 May 1999.

For the Commission
 Franz FISCHLER
Member of the Commission

ANNEX

to the Commission Regulation of 27 May 1999 fixing the export refunds on rice and broken rice and suspending, the issue of export licences

<i>(EUR/t)</i>			<i>(EUR/t)</i>		
Product code	Destination (1)	Amount of refunds	Product code	Destination (1)	Amount of refunds
1006 20 11 9000	01	103,00	1006 30 65 9900	01	129,00
1006 20 13 9000	01	103,00		04	—
1006 20 15 9000	01	103,00	1006 30 67 9100	05	135,00
1006 20 17 9000	—	—	1006 30 67 9900	—	—
1006 20 92 9000	01	103,00	1006 30 92 9100	01	129,00
1006 20 94 9000	01	103,00		02	135,00 (2)
1006 20 96 9000	01	103,00		03	145,00 (2)
1006 20 98 9000	—	—		04	—
1006 30 21 9000	01	103,00		05	135,00
1006 30 23 9000	01	103,00	1006 30 92 9900	01	129,00
1006 30 25 9000	01	103,00		04	—
1006 30 27 9000	—	—	1006 30 94 9100	01	129,00
1006 30 42 9000	01	103,00		02	135,00 (2)
1006 30 44 9000	01	103,00		03	145,00 (2)
1006 30 46 9000	01	103,00		04	—
1006 30 48 9000	—	—		05	135,00
1006 30 61 9100	01	129,00	1006 30 94 9900	01	129,00
	02	135,00 (2)		04	—
	03	145,00 (2)	1006 30 96 9100	01	129,00
	04	—		02	135,00 (2)
	05	135,00		03	145,00 (2)
1006 30 61 9900	01	129,00		04	—
	04	—		05	135,00
1006 30 63 9100	01	129,00	1006 30 96 9900	01	129,00
	02	135,00 (2)		04	—
	03	145,00 (2)	1006 30 98 9100	05	135,00
	04	—	1006 30 98 9900	—	—
	05	135,00	1006 40 00 9000	—	—
1006 30 63 9900	01	129,00			
	04	—			
1006 30 65 9100	01	129,00			
	02	135,00 (2)			
	03	145,00 (2)			
	04	—			
	05	135,00			

(1) The destinations are identified as follows:

01 Liechtenstein, Switzerland, the communes of Livigno and Campione d'Italia; refunds fixed under the procedure laid down in Article 7(4) of Regulation (EC) No 1162/95 in respect of a quantity of 1 000 t of milled rice equivalent,

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

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

04 Destinations mentioned in Article 34 of amended Commission Regulation (EEC) No 3665/87,

05 Ceuta and Melilla; refunds fixed under the procedure laid down in Article 7(4) of Regulation (EC) No 1162/95 in respect of a total quantity of 400 t.

(2) For rice of destinations 02 and 03, refunds fixed under the procedure laid down in Article 7(4) of Regulation (EC) No 1162/95 in respect of a total quantity of 2 000 t.

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

COMMISSION REGULATION (EC) No 1106/1999

of 27 May 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, 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 28 May 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, 27 May 1999.

For the Commission
Martin BANGEMANN
Member of the Commission

ANNEX

to the Commission Regulation of 27 May 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
1001 10 00	Durum wheat: – on exports of goods falling within CN codes 1902 11 and 1902 19 to the United States of America – in other cases	0,910 1,400
1001 90 99	Common wheat and meslin: – on exports of goods falling within CN codes 1902 11 and 1902 19 to the United States of America – in other cases: – – where pursuant to Article 4 (5) of Regulation (EC) No 1222/94 ⁽²⁾ – – in other cases	2,676 1,135 4,117
1002 00 00	Rye	5,497
1003 00 90	Barley	5,346
1004 00 00	Oats	4,619
1005 90 00	Maize (corn) used in the form of: – starch: – – where pursuant to Article 4 (5) of Regulation (EC) No 1222/94 ⁽²⁾ – – in other cases – glucose, glucose syrup, maltodextrine, maltodextrine syrup of CN codes 1702 30 51, 1702 30 59, 1702 30 91, 1702 30 99, 1702 40 90, 1702 90 50, 1702 90 75, 1702 90 79, 2106 90 55 ⁽³⁾ : – – where pursuant to Article 4 (5) of Regulation (EC) No 1222/94 ⁽²⁾ – – in other cases – other (including unprocessed) Potato starch of CN code 1108 13 00 similar to a product obtained from processed maize: – where pursuant to Article 4 (5) of Regulation (EC) No 1222/94 ⁽²⁾ – in other cases	2,064 5,791 1,646 5,373 5,791 2,064 5,791
ex 1006 30	Wholly-milled rice: – round grain – medium grain – long grain	13,500 13,500 13,500
1006 40 00	Broken rice	3,200
1007 00 90	Sorghum	5,346

⁽¹⁾ As far as agricultural products obtained from the processing of a basic product or/and assimilated products are concerned, the coefficients shown in Annex E of amended Commission Regulation (EC) No 1222/94 shall be applied (OJ L 136, 31. 5. 1994, p. 5).

⁽²⁾ The goods concerned are listed in Annex I of amended Regulation (EEC) No 1722/93 (OJ L 159, 1. 7. 1993, p. 112).

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

COMMISSION REGULATION (EC) No 1107/1999

of 27 May 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 measures provided for in this Regulation are in accordance with the opinion of the Management Committee for Cereals,

HAS ADOPTED THIS REGULATION:

Article 1

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

⁽¹⁾ OJ L 181, 1.7.1992, p. 21.

⁽²⁾ OJ L 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 28 May 1999.

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

Done at Brussels, 27 May 1999.

For the Commission

Franz FISCHLER

Member of the Commission

ANNEX

to the Commission Regulation of 27 May 1999 fixing the export refunds on products processed from cereals and rice

<i>(EUR/tonne)</i>		<i>(EUR/tonne)</i>	
Product code	Refund	Product code	Refund
1102 20 10 9200 ⁽¹⁾	81,07	1104 23 10 9100	86,87
1102 20 10 9400 ⁽¹⁾	69,49	1104 23 10 9300	66,60
1102 20 90 9200 ⁽¹⁾	69,49	1104 29 11 9000	41,99
1102 90 10 9100	77,34	1104 29 51 9000	41,17
1102 90 10 9900	52,59	1104 29 55 9000	41,17
1102 90 30 9100	83,14	1104 30 10 9000	10,29
1103 12 00 9100	83,14	1104 30 90 9000	14,48
1103 13 10 9100 ⁽¹⁾	104,24	1107 10 11 9000	73,28
1103 13 10 9300 ⁽¹⁾	81,07	1107 10 91 9000	91,78
1103 13 10 9500 ⁽¹⁾	69,49	1108 11 00 9200	82,34
1103 13 90 9100 ⁽¹⁾	69,49	1108 11 00 9300	82,34
1103 19 10 9000	54,97	1108 12 00 9200	92,66
1103 19 30 9100	79,92	1108 12 00 9300	92,66
1103 21 00 9000	41,99	1108 13 00 9200	92,66
1103 29 20 9000	52,59	1108 13 00 9300	92,66
1104 11 90 9100	77,34	1108 19 10 9200	48,64
1104 12 90 9100	92,38	1108 19 10 9300	48,64
1104 12 90 9300	73,90	1109 00 00 9100	0,00
1104 19 10 9000	41,99	1702 30 51 9000 ⁽²⁾	112,29
1104 19 50 9110	92,66	1702 30 59 9000 ⁽²⁾	85,96
1104 19 50 9130	75,28	1702 30 91 9000	112,29
1104 21 10 9100	77,34	1702 30 99 9000	85,96
1104 21 30 9100	77,34	1702 40 90 9000	85,96
1104 21 50 9100	103,12	1702 90 50 9100	112,29
1104 21 50 9300	82,50	1702 90 50 9900	85,96
1104 22 20 9100	73,90	1702 90 75 9000	117,66
1104 22 30 9100	78,52	1702 90 79 9000	81,66
		2106 90 55 9000	85,96

⁽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 1108/1999
of 27 May 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 28 May 1999.

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

Done at Brussels, 27 May 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. 51.

ANNEX

to the Commission Regulation 27 May 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	57,91
Cereal products ⁽²⁾ excluding maize and maize products	46,37

⁽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 1109/1999
of 27 May 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 measures provided for in this Regulation are in accordance with the opinion of the Management Committee for Cereals,

HAS ADOPTED THIS REGULATION:

Article 1

The refund referred to in Article 3(2) of Regulation (EEC) No 1722/93, expressed per tonne of starch extracted from maize, wheat, barley, oats, potatoes, rice or broken rice, shall be EUR 66,93/t.

Article 2

This Regulation shall enter into force on 28 May 1999.

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

Done at Brussels, 27 May 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.

II

(Acts whose publication is not obligatory)

COUNCIL

DECISION No 2/1999 OF THE ASSOCIATION COUNCIL

established under the Europe Agreement between the European Communities and their Member States, of the one part, and the Republic of Poland, of the other part

of 1 April 1999

establishing a double-checking system for exports of certain ECSC steel products from the Republic of Poland to the European Community for the period 1 April to 31 December 1999

(1999/348/EC)

THE ASSOCIATION COUNCIL,

Whereas the contact group referred to in Article 10 of Protocol 2 of the Europe Agreement establishing an association between the European Communities and their Member States, of the one part, and the Republic of Poland (hereinafter referred to as 'Poland'), of the other part, which entered into force on 1 February 1994, met on 29 January 1999 and agreed to recommend the Association Council established under Article 102 of the Europe Agreement that a double-checking system without quantitative restrictions should be established for the period from 1 April to 31 December 1999;

Whereas the Association Council, having been supplied with all relevant information, has agreed with this recommendation,

HAS DECIDED AS FOLLOWS:

Article 1

1. For the period 1 April to 31 December 1999, imports into the Community of the products listed in Annex I originating in Poland shall be subject to the presentation of a surveillance document conforming to the model shown in Annex II issued by the competent authorities of the Community.

2. The classification of the products covered by this Decision is based on the tariff and statistical nomenclature of the Community (hereinafter called the 'Combined

Nomenclature', or in abbreviated form 'CN'). The origin of the products covered by this Decision shall be determined in accordance with the rules in force in the Community.

3. For the period 1 April to 31 December 1999, imports into the Community of the iron and steel products listed in Annex I which originate in Poland shall, in addition, be subject to the issue of an export document by the competent Polish authorities. Presentation by the importer of the original of the export document shall be effected not later than 31 March of the year following that in which the goods covered by the document were shipped. Shipment shall be considered to have taken place on the date of loading on to the exporting means of transport.

4. The export document referred to in paragraph 3 shall conform to the model shown in Annex III. It shall be valid for exports throughout the customs territory of the Community.

5. An export document will not be required for goods already shipped to the Community before the date of application of this Decision, provided that their destination has not changed from a non-Community to a Community destination and provided that those goods which, under the prior surveillance regime applicable in 1999, could be imported only on presentation of a surveillance document are in fact accompanied by such a document.

6. Poland shall notify the Community of the names and addresses of the appropriate Polish governmental authorities which are authorised to issue and verify export documents together with specimens of the stamps and signatures they use. Poland shall also notify the Community of any change in these particulars.

7. Certain technical provisions on the implementation of the double-checking system are set out in Annex IV.

Article 2

1. Poland shall undertake to supply the Community with precise statistical information on the export documents issued by the Polish authorities pursuant to Article 1. Such information shall be transmitted to the Community by the end of the month following the month to which the statistics relate.

2. The Community shall undertake to supply Poland with precise statistical information on surveillance documents issued by Member States in respect of the export documents issued by Poland pursuant to Article 1. Such information shall be transmitted to the Polish authorities by the end of the month following the month to which the statistics relate.

Article 3

If necessary, at the request of either of the Parties, consultations shall be held on any problems arising from the operation of this Decision. Such consultations shall be held promptly. Any consultations held under this Article shall be approached by both Parties in a spirit of coopera-

tion and with a desire to reconcile the difference between them.

Article 4

Any notices to be given under this Decision shall be given:

- in respect of the Community, to the Commission of the European Communities (DG I.D.2 and DG III.C.1),
- in respect of Poland, to the Mission of Poland to the European Communities; and to the Ministry of Economy of Poland.

Article 5

This Decision shall be binding on both the Community and Poland which shall, each for its part, take the measures necessary to implement it.

Article 6

This Decision shall enter into force on the date of its adoption.

It shall apply with effect from 1 April 1999.

Done at Brussels, 1 April 1999.

For the Association Council

The President

B. GEREMEK

ANNEX I

POLAND

LIST OF PRODUCTS SUBJECT TO DOUBLE CONTROL (1999)**Angles, shapes and sections of iron or non-alloy steel***U Sections*

7216 31 11

7216 31 19

7216 31 91

7216 31 99

I Sections

7216 32 11

7216 32 19

7216 32 91

7216 32 99

H Sections

7216 33 10

7216 33 90

ANNEX II

EUROPEAN COMMUNITY

SURVEILLANCE DOCUMENT

Original & Copy	1	1. Consignee <i>(name, full address, country, VAT number)</i>	2. Issue number
			3. Proposed place and date of import
			4. Authority responsible for issue <i>(name, address and telephone No)</i>
		5. Declarant/representative as applicable <i>(name and full address)</i>	6. Country of origin <i>(and geonomenclature code)</i>
			7. Country of consignment <i>(and geonomenclature code)</i>
			8. Last day of validity
	1	9. Description of goods	10. CN code and category
			11. Quantity in kilograms (net mass) or in additional units
		12. Value in euros, cif at Community frontier	
13. Additional remarks			
14. Competent authority's endorsement Date: Signature: Stamp:			

15. ATTRIBUTIONS

Indicate the quantity available in part 1 of column 17 and the quantity attributed in part 2 thereof.

16. Net quantity (net mass or other unit of measure stating the unit)		19. Customs document (form and number) or extract No and date of attribution	20. Name, Member State, stamp and signature of the attributing authority
17. In figures	18. In words for the quantity attributed		
1			
2			
1			
2			
1			
2			
1			
2			
1			
2			
1			
2			
1			
2			
1			
2			

Extension pages to be attached hereto

Copy for the issuing authority	2	1. Consignee <i>(name, full address, country, VAT number)</i>	2. Issue number
			3. Proposed place and date of import
			4. Authority responsible for issue <i>(name, address and telephone No)</i>
		5. Declarant/representative as applicable <i>(name and full address)</i>	6. Country of origin <i>(and geonomenclature code)</i>
			7. Country of consignment <i>(and geonomenclature code)</i>
			8. Last day of validity
	2	9. Description of goods	10. CN code and category
			11. Quantity in kilograms (net mass) or in additional units
		12. Value in euros, cif at Community frontier	
13. Additional remarks			
14. Competent authority's endorsement Date: signature: Stamp:			

15. ATTRIBUTIONS

Indicate the quantity available in part 1 of column 17 and the quantity attributed in part 2 thereof.

16. Net quantity (net mass or other unit of measure stating the unit)		19. Customs document (form and number) or extract No and date of attribution	20. Name, Member State, stamp and signature of the attributing authority
17. In figures	18. In words for the quantity attributed		
1			
2			
1			
2			
1			
2			
1			
2			
1			
2			
1			
2			
1			
2			

Extension pages to be attached hereto.

ANNEX III

1. Eksporter (nazwa, pełny adres, kraj) / Exporter (name, full address, country)	ORYGINAŁ / ORIGINAL		2. Nr / No	
	3. Rok / Year		4. Grupa wyrobów / Product group	
	DOKUMENT WYWOZOWY / EXPORT DOCUMENT			
5. Odbiorca (nazwa, pełny adres, kraj) / Consignee (name, full address, country)	(wyroby stalowe EWWiS i WE) / (ECSC and EC steel products)			
	6. Kraj pochodzenia / Country of origin		7. Kraj przeznaczenia / Country of destination	
8. Miejsce i data wysyłki – Środek transportu / Place and date of shipment – Means of transport	9. Dodatkowe informacje / Supplementary details			
10. Opis towarów – Producent / Description of goods – Manufacturer	11. Kod CN / CN code	12. Ilość ⁽¹⁾ / Quantity	13. Wartość FOB ⁽²⁾ / FOB value	
14. POŚWIADCZENIE PRZEZ WŁAŚCIWE WŁADZE / CERTIFICATION BY THE COMPETENT AUTHORITY				
15. Władze właściwe (nazwa, pełny adres, kraj) / Competent authority (name, full address, country)	Miejscowość / Place			
	data / Date			
	(Podpis) / Signature		(Pieczęć) / Stamp	

(¹) Waga netto (w kg) oraz ilość w zalecanych jednostkach, w przypadku wagi i innej niż netto. / State net weight (kg) and also quantity in the unit prescribed when other than net weight.
(²) W walucie określonej w umowie sprzedaży. / In the currency of the sale contract.

(¹) Waga netto (w kg) oraz ilość w zalecanych jednostkach, w przypadku wagi i innej niż netto. / State net weight (kg) and also quantity in the unit prescribed when other than net weight.
 (²) W walucie określonej w umowie sprzedaży. / In the currency of the sale contract.

1. Eksporter (nazwa, pełny adres, kraj) / Exporter (name, full address, country)	KOPIA / COPY		2. Nr / No
	3. Rok / Year		4. Grupa wyrobów / Product group
5. Odbiorca (nazwa, pełny adres, kraj) / Consignee (name, full address, country)	DOKUMENT WYWOZOWY / EXPORT DOCUMENT		
	(wyroby stalowe EWWiS i WE) / (ECSC and EC steel products)		
8. Miejsce i data wysyłki – Środek transportu / Place and date of shipment – Means of transport	6. Kraj pochodzenia / Country of origin		7. Kraj przeznaczenia / Country of destination
	9. Dodatkowe informacje / Supplementary details		
10. Opis towarów – Producent / Description of goods – Manufacturer	11. Kod CN / CN code	12. Ilość (¹) / Quantity	13. Wartość FOB (²) / FOB value
14. POŚWIADCZENIE PRZEZ WŁAŚCIWE WŁADZE / CERTIFICATION BY THE COMPETENT AUTHORITY			
15. Władze właściwe (nazwa, pełny adres, kraj) / Competent authority (name, full address, country)	Miejscowość / Place		
	data / Date		
	(Podpis) / Signature		(Pieczęć) / Stamp

ANNEX IV

POLAND

TECHNICAL ANNEX ON THE DOUBLE-CHECKING SYSTEM

1. The export documents shall measure 210 × 297 mm. The paper used shall be white writing paper, sized, not containing mechanical pulp, and weighing not less than 25 g/m². They shall be made out in English. If they are completed by hand, entries must be in ink and in printed script. These documents may comprise additional copies duly indicated as such. If the documents have several copies only the top copy is the original. This copy shall be clearly marked as 'original' and other copies as 'copies'. Only the original shall be accepted by the competent authorities of the Community as being valid for the control of export to the Community in accordance with the provisions of the double-checking system.
2. Each document shall bear a standardised serial number, whether or not printed, by which it can be identified. This number shall be composed of the following elements:
 - two letters identifying the exporting country as follows: PL,
 - two letters identifying the intended Member State of customs clearance as follows:
 - BE = Belgium
 - DK = Denmark
 - DE = Germany
 - EL = Greece
 - ES = Spain
 - FR = France
 - IE = Ireland
 - IT = Italy
 - LU = Luxembourg
 - NL = Netherlands
 - AT = Austria
 - PT = Portugal
 - FI = Finland
 - SE = Sweden
 - GB = United Kingdom,
 - a one-digit number identifying the year, corresponding to the last figure in the respective year, e.g. 9 for 1999,
 - a two-digit number from 01 to 99, identifying the particular issuing office concerned in the exporting country,
 - a five-digit number running consecutively from 00001 to 99999 allocated to the intended Member State of customs clearance.
3. Products shall be shipped during the calendar year appearing in Box No 3 of the export document.
4. Since the importer needs to present the original export document when requesting an import document, export documents should, as far as possible, be issued in respect of individual commercial transactions, not global contracts.
5. Poland need not show price information on the export document if there is a genuine need to protect commercial confidentiality. In such cases, Box No 9 of the export document should indicate the reason for not showing the price information and that it is available to the competent authorities of the Community on request.

6. Export documents may exceptionally be issued after the shipment of the products to which they relate. In such cases they must bear the endorsement 'issued retrospectively'.
 7. In the event of a theft, loss or destruction of an export document, the exporter may apply to the competent governmental authority which issued the document for a duplicate to be made out on the basis of the export documents in his possession. The duplicate on any such document so issued shall bear the endorsement 'duplicate'. The duplicate shall bear the date of the original export document.
 8. The competent authorities of the Community shall be informed immediately of the withdrawal or modification of any export documents already issued and, where relevant, of the basis for such action.
-

COMMISSION

COMMISSION DECISION

of 14 October 1998

concerning the application by Italy of the aid scheme provided for by Law No 1329/65 (Legge Sabatini) for the processing and marketing of agricultural products

(notified under document number C(1998) 3213)

(Only the Italian text is authentic)

(1999/349/EC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

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

Having given notice to the parties concerned to submit their comments in accordance with the above Article (1),

Whereas:

(4) The decision to open the procedure was published in the *Official Journal of the European Communities*. The Commission gave notice to the other Member States and interested parties to submit their comments on the aid.

(5) The Commission received no comments from the other Member States or interested parties.

(6) The Italian authorities submitted comments by letter dated 2 April 1998. By letter dated 8 September 1998, the Commission asked for further details which were supplied by letter dated 16 September 1998.

I. PROCEDURE

(1) By letter dated 12 September 1997, the Italian Permanent Representative to the European Union, in accordance with Article 93(3) of the Treaty, forwarded to the Commission the text of Article 12(1) and (4) of Law No 266 of 7 August 1997 on refinancing the aid referred to in law No 1329 of 28 November 1965 (the 'Legge Sebatini').

(2) As indicated above, this notice covers only the application of the provisions in question to the processing and marketing of agricultural products.

(3) By letter dated 17 February 1998, the Commission notified the Italian authorities of its decision to open the procedure provided for by Article 93(2) of the Treaty with respect to the application of the aid measures referred to in Law No 1329/65 in the sector concerned.

II. DESCRIPTION OF THE AID AND THE REASONS WHY THE COMMISSION DECIDED TO OPEN THE PROCEDURE

(7) Law No 1329/65 (the refinancing of which is the subject of this Decision) provides for aid for investment in the purchase of machinery and technical equipment.

(8) The aid is granted for hire purchase of machinery and equipment and consists of reductions on interest rates for discounting bills of exchange signed by the purchaser in favour of the seller. The aid consists of the difference between the net receipt calculated at the reference discount rate valid on the day discounting takes place and the net receipt calculated at the reduced discount rate.

(1) OJ C 100, 2.4.1998, p. 17.

- (9) The aid is paid to the purchaser, either directly by the seller at the moment the hire purchase operation takes place (in the form of a discount on the price of the goods) or through the bank which discounts the bill of exchange presented by the seller (in the form of an *ex-post* subsidy).
- (10) The reduction may not exceed:
- 85 % of the reference discount rate, up to a maximum of eight percentage points, for investments relating to installations in Objective 1 regions,
 - 50 % of the reference discount rate, up to a maximum of five percentage points, for other regions.
- (11) The eligible cost for each operation (a maximum of ITL 3 000 million or ITL 4 500 million where the same undertaking carries out several operations in the same year) is represented by the capital to be repaid and the interest on that payment (the interest rate may not exceed the reference rate). Repayments must be made within five years.
- (12) The gross subsidy equivalent (GSE) of the aid cannot be calculated on the basis of the above.
- (13) The aid must be assessed in the light of the guidelines for State aid in connection with investments in the processing and marketing of agricultural products⁽¹⁾.
- (14) Those guidelines lay down that State aid granted for the investments referred to in the second and third indents of point 1.2 of the Annex to Commission Decision 94/173/EC⁽²⁾ or excluded unconditionally in point 2 of that Decision may not be considered compatible with the common market.
- (15) The intensity of the aid may not exceed 55 % of the eligible investment (75 % in Objective 1 regions).
- (16) Since the Italian authorities have given no assurance that the aid complied with the sectoral limits laid down in Decision 94/173/EC or with the above intensities, the Commission took the view that the aid measure was incompatible with the common market since the aid might be granted for investments excluded under the guidelines for State aid in connection with investments in the processing and marketing of agricultural products and the information available did not permit verification of whether the limits laid down in the guidelines were respected.

III. COMMENTS SUBMITTED BY THE ITALIAN AUTHORITIES

- (17) By letters dated 2 April 1998 and 16 September 1998, the Italian authorities submitted the following details and made the following undertakings:
- (a) the intensity of the aid, expressed as GSE, does not exceed 17 % in Objective 1 regions and 9,5 % in other regions;
 - (b) compliance with the sectoral limits laid down in the Annex to Decision 94/173/EC will be ensured by the application, also under Law No 1329/65, of the criteria used under Law No 488/92. This latter Law was their subject of the final Commission Decision of 22 July 1998⁽³⁾, which confirmed the compatibility, under certain conditions, of investment aid provided for in that Law with the Community guidelines for State aid in connection with investments in the processing and marketing of agricultural products and therefore with the common market. The Italian authorities have given assurances that the conditions referred to in the Decision of 22 July 1998 will be respected when the measures provided for in Law No 1329/65 are applied in the sector concerned.

IV. CONCLUSIONS

- (18) The assurances given by the Italian authorities in their letters dated 2 April 1998 and 16 September 1998 clear the doubts which led the Commission to open the procedure provided for in Article 93(2) of the Treaty with respect to the aid in question.
- (19) The investment aid referred to in Law No 1329/65 may be considered to comply, under the conditions referred to in point 17 of this Decision, with the Community guidelines for State aid in connection with investments in the processing and marketing of agricultural products. The aid may therefore benefit from the derogation provided for in Article 92(3)(c) of the Treaty.
- (20) In application of the second subparagraph of point 3(b) of the above Community guidelines, the Commission will ask the Italian Government to submit an annual report giving details of any grant of aid during the year and, in particular, containing all the information necessary to enable the Commission to conclude, without recourse to additional enquiry, that aid is indeed granted in accordance with each of the conditions referred to in point 2 of the Annex to Decision 94/173/EC,

⁽¹⁾ OJ C 29, 2.2.1996, p. 4.

⁽²⁾ OJ L 79, 23.3.1994, p. 29.

⁽³⁾ C(1998) 2407 final, not yet published.

HAS ADOPTED THIS DECISION:

Article 1

The application with regard to the processing and marketing of agricultural products of the investment aid scheme provided for by Law No 1329 of 28 November 1965 is compatible with the common market under the following conditions:

- (a) the intensity of the aid, expressed as gross subsidy equivalent (GSE), does not exceed 17 % in Objective 1 regions and 9,5 % in other regions;
- (b) the sectoral limits laid down in the Annex to Decision 94/173/EC, as referred to in the implementing provisions for Law No 488 of 19 December 1992, as amended in accordance with the Commission Decision of 22 July 1998, are respected.

Article 2

Before implementing the scheme referred to in Article 1 with respect to the processing and marketing of agricultural products, the Italian Government shall amend its implementing provisions in order to comply with the conditions set out in that Article.

The Italian Government shall notify the Commission of the provisions adopted to comply with the above conditions within fifteen days of their adoption.

Article 3

The Italian Government shall submit to the Commission an annual report giving details of any grant of aid during the year and, in particular, containing all the information necessary to enable the Commission to conclude, without recourse to additional enquiry, that each of the conditions referred to in point 2 of the Annex to Decision 94/173/EC has been met.

Article 3

This Decision is addressed to the Italian Republic.

Done at Brussels, 14 October 1998.

For the Commission

Franz FISCHLER

Member of the Commission

COMMISSION DECISION

of 4 May 1999

excluding from Community financing certain expenditure incurred by the United Kingdom under the Guarantee Section of the European Agricultural Guidance and Guarantee Fund (EAGGF)

(notified under document number C(1999) 1076)

(Only the English text is authentic)

(1999/350/EC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EEC) No 729/70 of 21 April 1970 on the financing of the common agricultural policy ⁽¹⁾, as last amended by Regulation (EC) No 1287/95 ⁽²⁾, and in particular Article 5(2)(c) thereof,

After consulting the Fund Committee,

- (1) Whereas, under Article 5(2)(c) of Regulation (EEC) No 729/70, the Commission, after consulting the Fund Committee, decides on the expenditure to be excluded from Community financing where it establishes that it has not been effected according to Community rules;
- (2) Whereas, under Article 5(2)(c) of Regulation (EEC) No 729/70 and Article 8(1) and (2) of Regulation (EC) No 1663/95 laying down detailed rules for the application of Council Regulation (EEC) No 729/70 regarding the procedure for the clearance of the accounts of the EAGGF Guarantee Section ⁽³⁾, as last amended by Regulation (EC) No 896/97 ⁽⁴⁾, the Commission has made the necessary inspections, notified its findings to the United Kingdom, taken note of the latter's comments, initiated bilateral discussions in an effort to come to an agreement with the United Kingdom and formally communicated its findings to it, referring to Commission Decision 94/442/EC setting up a conciliation procedure in the context of the clearance of the accounts of the European Agricultural Guidance and Guarantee Fund (EAGGF) Guarantee Section ⁽⁵⁾;
- (3) Whereas the Member State made a request for conciliation; whereas the report delivered on completion of the conciliation procedure was examined by the Commission;

- (4) Whereas, under Articles 2 and 3 of Regulation (EEC) No 729/70, financing may be provided only for export refunds on products exported to third countries and action designed to stabilise the agricultural markets, granted or undertaken respectively in accordance with the Community rules on the common organisation of the agricultural markets;
- (5) Whereas, in the light of the inspections carried out, the outcome of the bilateral discussions and the conciliation procedure, part of the expenditure declared by the United Kingdom does not fulfil these requirements and cannot be financed under the EAGGF Guarantee Section;
- (6) Whereas the amount found not to be chargeable to the EAGGF Guarantee Section is shown in this Decision; whereas it does not concern expenditure incurred prior to the 24-month period preceding the Commission's written notification to the United Kingdom of the findings of the inspections;
- (7) Whereas, in the case covered by this Decision, the evaluation of the amount to be excluded from Community financing on grounds of non-compliance with the Community rules was communicated by the Commission to the Member States in the Summary Report on the enquiry into the application of the 'Over Thirty Month Scheme' in the United Kingdom;
- (8) Whereas this Decision is without prejudice to any further financial consequences which may be applied at a later stage to expenditure declared in relation to the 'Over Thirty Month Scheme' in view of the reserve stated in the above mentioned Summary Report and in view of the delay in destruction of material;
- (9) Whereas this Decision is without prejudice to any financial consequences drawn by the Commission from judgements of the Court of Justice in cases pending on the date of this Decision and relating to matters covered by this Decision,

⁽¹⁾ OJ L 94, 28.4.1970, p. 13.

⁽²⁾ OJ L 125, 8.6.1995, p. 1.

⁽³⁾ OJ L 158, 8.7.1995, p. 6.

⁽⁴⁾ OJ L 128, 21.5.1997, p. 8.

⁽⁵⁾ OJ L 182, 16.7.1994, p. 45.

HAS ADOPTED THIS DECISION:

Article 2

This Decision is addressed to the United Kingdom.

Done at Brussels, 4 May 1999.

For the Commission

Franz FISCHLER

Member of the Commission

Article 1

The expenditure declared by the United Kingdom under the EAGGF Guarantee Section, amounting to UK pounds 22 807 424, is excluded by this Decision from Community financing, for failure to comply with the Community rules.

COMMISSION DECISION

of 27 May 1999

terminating the countervailing duty proceeding on imports of polypropylene binder or baler twine originating in Saudi Arabia

(notified under document number C(1999) 1356)

(1999/351/EC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EC) No 2026/97 of 6 October 1997⁽¹⁾ on protection against subsidised imports from countries not members of the European Community, and in particular Article 14 thereof,

After consulting the Advisory Committee,

Whereas:

A. PROCEDURE

1. Initiation

- (1) Following a complaint lodged on 12 June 1998 by Eurocord on behalf of producers representing a major proportion of the Community production of polypropylene binder or baler twine, the Commission initiated an anti-subsidy proceeding concerning imports of these products originating in Saudi Arabia⁽²⁾.

The complaint contained evidence of subsidisation of the said product, and of material injury resulting therefrom, which was considered sufficient to justify the initiation of a proceeding.

2. Investigation

- (2) The Commission officially advised the exporting producers and importers known to it, the Government of the Kingdom of Saudi Arabia and the complainant Community producers of the initiation of the proceeding. Interested parties were given the opportunity to make their views known in writing and to request a hearing. All parties who so requested were granted a hearing.
- (3) The Commission sent questionnaires to the government of the exporting country, all known exporting producers and importers, as well as to the complainant Community producers.
- (4) The Commission sought and verified all the information it deemed necessary, and carried out

verification visits at the premises of the following companies:

(a) *Complainant Community producers*

- Teufelberger, Linz, Austria
- Ostend Stores, Oostende, Belgium
- Cordex, Esmoriz, Portugal
- Cotesi, Carvalhos, Portugal
- Exporplas, Cortegaca, Portugal
- Sicor, Cortegaca, Portugal
- Pippo Tuote Oy, Outokumpu, Finland
- Irish Ropes, Kildare, Ireland

(b) *Government of the Kingdom of Saudi Arabia*

The Government of the Kingdom of Saudi Arabia submitted a completed questionnaire response which was verified in Riyadh. The ministries/agencies involved were:

- Ministry of Finance and National Economy
- Saudi Arabian Monetary Agency
- Department of Zakat and Income Tax
- Ministry of Industry and Electricity
- Ministry of Petroleum and Natural Resources
- Saudi Industrial Development Fund
- Ministry of Commerce
- Ministry of Planning
- Saudi Airlines
- General Ports Corporation

(c) *Exporting producer*

Saudi Yarn and Knitting Technology Factory (Synthec), a division of NAFA Enterprises Ltd, Riyadh.

- (5) The investigation period for the determination of subsidization was from 1 January 1997 to 31 December 1997. The examination of injury covered the period from January 1994 to the end of the investigation period. Both periods coincide with the same periods used to carry out the investigation concerning the anti-dumping proceeding of imports of polypropylene binder or baler twine originating in the Czech Republic, Hungary and Saudi Arabia (see Section C below).

⁽¹⁾ OJ L 288, 21.10.1997, p. 1.

⁽²⁾ OJ C 233, 25.7.1998, p. 25.

B. PRODUCT UNDER CONSIDERATION AND LIKE PRODUCT

1. The product under consideration

- (6) The product under consideration is polypropylene binder or baler twine (hereinafter referred to as 'twines'). These twines are used in the agricultural sector, notably for binding bundles to be picked up by automatic balers or similar machines. The product is manufactured in different thicknesses (runnages) and with different specifications in respect of, for example, knot and tensile strength, number of twists/turns per meter, colour, ultraviolet stabilisation and fibrillation. The investigation has shown that, notwithstanding the different thicknesses and specifications of the product under consideration, all twines constitute a single product for the purposes of the investigation. The product under consideration is currently classifiable within CN code ex 5607 41 00.

2. Like product

- (7) Twines produced and sold by the Community industry on the Community market were found to be alike to the imports from the exporting country concerned in their basic physical and technical characteristics and in their uses. The same is true with regard to the product manufactured and sold on the domestic market of the exporting country concerned. All these products are, therefore, like products, as defined by Article 1(5) of Regulation (EC) No 2026/97 (hereinafter referred to as 'the basic Regulation').

C. RELATED ANTI-DUMPING PROCEDURE

- (8) On 28 February 1998 ⁽¹⁾, subsequent to the lodging of a complaint by Eurocord on behalf of Community producers representing a major proportion of the Community production of twines in January 1998, the Commission announced the initiation of an anti-dumping proceeding concerning imports of twines originating in the Czech Republic, Hungary and Saudi Arabia.
- (9) In view of the findings of the investigation as set out in Council Regulation (EC) No 603/99 ⁽²⁾ (see recital 68 *and seq.*) which are based on the same investigation period as the present investigation and thus on the same price and cost information provided by the exporting producer and the Community industry, the proceeding concerning imports originating in Saudi Arabia was terminated by Commission Decision 1999/215/EC ⁽³⁾ without the imposition of measures.

D. DEVELOPING COUNTRY STATUS

- (10) While Saudi Arabia is not a member of the WTO, the Basic Regulation, in particular Article 14(5)(a) thereof, does not differentiate between Members and non-Members. For the purposes of the WTO Agreement on Subsidies and Countervailing Measures, Saudi Arabia would normally be treated as a developing country.

E. SUBSIDIES

- (11) Since the findings of the investigation (see Section F) showed that the injury caused by the sole Saudi Arabian exporting producer was considered to be negligible, it was not necessary to establish findings relating to subsidies.

F. INJURY

- (12) On the basis of the methodology described in recital 71 of Council Regulation (EC) No 603/99 and, as set out in recital (9), using identical price and cost data, the injury caused by the sole Saudi exporting producer was also considered to be negligible during the investigation period in the present investigation. In any event, the injury margin is below 2 %, which is the *de minimis* threshold for developing countries established by Article 14(5)(a) of the basic Regulation.

G. CONCLUSION

- (13) Article 14(3) of the basic Regulation provides that there shall be immediate termination of a proceeding where it is determined that the injury is considered negligible. It is therefore proposed that the proceeding be terminated,

HAS ADOPTED THIS DECISION:

Sole Article

The countervailing proceeding concerning imports into the Community of polypropylene binder or baler twine of polyester fibres currently classifiable within CN code ex 5607 41 00 and originating in Saudi Arabia is hereby terminated.

Done at Brussels, 27 May 1999.

For the Commission

Leon BRITTAN

Vice-President

⁽¹⁾ OJ C 65, 28.2.1998, p. 8.

⁽²⁾ OJ L 75, 20.3.1999, p. 1.

⁽³⁾ OJ L 75, 20.3.1999, p. 34.