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Legislation

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⁽¹⁾ Text with EEA relevance

I

(Acts whose publication is obligatory)

COMMISSION REGULATION (EC) No 1502/1999
of 9 July 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,

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

- (2) 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 10 July 1999.

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

Done at Brussels, 9 July 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 9 July 1999 establishing the standard import values for determining the entry price of certain fruit and vegetables

(EUR/100 kg)

CN code	Third country code ⁽¹⁾	Standard import value	
0707 00 05	052	61,9	
	628	130,8	
	999	96,4	
0709 90 70	052	53,6	
	999	53,6	
0805 30 10	382	54,2	
	388	67,4	
	524	44,8	
	528	61,8	
	999	57,1	
0808 10 20, 0808 10 50, 0808 10 90	388	84,0	
	400	79,1	
	508	78,4	
	512	72,3	
	524	58,7	
	528	74,2	
	804	101,0	
	999	78,2	
	0808 20 50	388	89,7
		512	48,2
528		68,3	
999		68,7	
0809 10 00	052	132,01	
	064	74,6	
	999	103,4	
0809 20 95	052	194,4	
	064	96,9	
	066	120,3	
	068	90,6	
	400	176,7	
	616	186,2	
	999	144,2	
0809 40 05	624	258,0	
	999	258,0	

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

COMMISSION REGULATION (EC) No 1503/1999
of 9 July 1999
on issuing A2 export licences for 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 2190/96 of 14 November 1996 on detailed rules for implementing Council Regulation (EC) No 2200/96 as regards export refunds on fruit and vegetables ⁽¹⁾, as last amended by Regulation (EC) No 1303/1999 ⁽²⁾, and in particular Article 3(4) thereof,

- (1) Whereas Commission Regulation (EC) No 1304/1999 ⁽³⁾, as amended by Regulation (EC) No 1380/1999 ⁽⁴⁾ sets the indicative refund rates and the indicative quantities for A2 export licences, other than those applied for in the context of food aid;
- (2) Whereas, for oranges, lemons, apples for destinations in geographical zone F02 and table grapes in view of the economic situation in the various destination groups indicated in the Annex to Regulation (EC) No 1304/1999 and taking account of information received by operators via their applications for A2 licences, the definitive refund rates should be set at a different rate from the indicative rates; whereas the percentages for the issuing of licences for the quantities applied for should also be set; whereas the definitive rates may not be more than 50 % more than the indicative rates;
- (3) Whereas, in view of the situation in geographical zone F01, the refund rate for apples for that destination should be set no higher than the indicative rate;

- (4) Whereas, pursuant to Article 3(5) of Regulation (EC) No 2190/96, applications for rates in excess of the corresponding definitive rates shall be considered null and void,

HAS ADOPTED THIS REGULATION:

Article 1

1. For A2 export licences for which applications have been submitted pursuant to Article 1 of Regulation (EC) No 1304/1999, the actual date of application referred to in the second subparagraph of Article 3(1) of Regulation (EC) No 2190/96 is hereby set at 12 July 1999.
2. The licences referred to in the first paragraph shall be issued at the definitive refund rates and at the percentages for the quantities applied for as indicated in the Annex to this Regulation.
3. Pursuant to Article 3(5) of Regulation (EC) No 2190/96, applications referred to in the first paragraph for rates in excess of the corresponding definitive rates set out in the Annex shall be considered null and void.

Article 2

This Regulation shall enter into force on 10 July 1999.

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

Done at Brussels, 9 July 1999.

For the Commission
Franz FISCHLER
Member of the Commission

⁽¹⁾ OJ L 292, 15.11.1996, p. 12.

⁽²⁾ OJ L 155, 22.6.1999, p. 29.

⁽³⁾ OJ L 155, 22.6.1999, p. 30.

⁽⁴⁾ OJ L 162, 26.6.1999, p. 62.

ANNEX

Product	Destination or group of destinations ⁽¹⁾	Definitive refund rates (EUR/tonne net)	Percentages for the issuing of licences
Tomatoes	A01	20	100 %
Oranges	F01, F02, F05	75	100 %
Lemons	A01	40	100 %
Table grapes	A01	20	83 %
Apples	F01	40	—
	F02	60	100 %
Peaches and nectarines	A21	27	100 %

⁽¹⁾ The destination codes are defined as follows:

A01: All destinations.

A21: All destinations other than Switzerland.

F01: Norway, Iceland, Greenland, Faeroes, Poland, Hungary, Romania, Bulgaria, Albania, Estonia, Latvia, Lithuania, Bosnia-Herzegovina, Croatia, Slovenia, Former Yugoslav Republic of Macedonia, Federal Republic of Yugoslavia (Serbia and Montenegro), Malta.

F02: Armenia, Azerbaijan, Belarus, Georgia, Kazakhstan, Kyrgyzstan, Moldova, Russia, Tajikistan, Turkmenistan, Uzbekistan, Ukraine, destinations mentioned in Article 34 of Commission Regulation (EEC) No 3665/87, as amended.

F05: Switzerland, Czech Republic, Slovakia.

COMMISSION REGULATION (EC) No 1504/1999
of 9 July 1999
amending Regulation (EC) No 1304/1999 fixing export refunds on fruit and vegetables

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 35(11) thereof,

- (1) Whereas Commission Regulation (EC) No 2190/96 ⁽³⁾, as last amended by Regulation (EC) No 1303/1999 ⁽⁴⁾, lays down detailed rules for the application of export refunds on fruit and vegetables;
- (2) Whereas Commission Regulation (EC) No 1304/1999 ⁽⁵⁾; as amended by Regulation (EC) No 1380/1999 ⁽⁶⁾, sets the export refunds on fruit and vegetables;

- (3) Whereas there is currently an excess of peaches and nectarines on the market; whereas the refunds for those products should be increased so as to relieve the market;
- (4) Whereas the measures provided for in this Regulation are in accordance with the opinion of the Management Committee for Fruit and Vegetables,

HAS ADOPTED THIS REGULATION:

Article 1

In the Annex to Regulation (EC) No 1304/1999, in the line relating to peaches and nectarines, the scheduled quantity of 6 572 t for system B is replaced by 26 572 t.

Article 2

This Regulation shall enter into force on 10 July 1999.

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

Done at Brussels, 9 July 1999.

For the Commission
Franz FISCHLER
Member of the Commission

⁽¹⁾ OJ L 297, 21.11.1996, p. 1.

⁽²⁾ OJ L 108, 27.4.1999, p. 7.

⁽³⁾ OJ L 292, 15.11.1996, p. 12.

⁽⁴⁾ OJ L 155, 22.6.1999, p. 29.

⁽⁵⁾ OJ L 155, 22.6.1999, p. 30.

⁽⁶⁾ OJ L 162, 26.6.1999, p. 62.

COMMISSION REGULATION (EC) No 1505/1999
of 9 July 1999
on the issue of import licences for high-quality fresh, chilled or frozen beef and veal

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Commission Regulation (EC) No 936/97 of 27 May 1997 opening and providing for the administration of tariff quotas for high-quality fresh, chilled and frozen beef and for frozen buffalo meat ⁽¹⁾, as last amended by Regulation (EC) No 134/1999 ⁽²⁾,

- (1) Whereas Regulation (EC) No 936/97 provides in Articles 4 and 5 the conditions for applications and for the issue of import licences for meat referred to in Article 2(f);
- (2) Whereas Article 2(f) of Regulation (EC) No 936/97 fixes the amount of high-quality fresh, chilled or frozen beef and veal originating in and imported from the United States of America and Canada which may be imported on special terms for the period 1 July 1999 to 30 June 2000 at 11 500 t;
- (3) Whereas it should be recalled that licences issued pursuant to this Regulation will, throughout the period of validity, be open

for use only in so far as provisions on health protection in force permit,

HAS ADOPTED THIS REGULATION:

Article 1

1. All applications for import licences from 1 to 5 July 1999 for high-quality fresh, chilled or frozen beef and veal as referred to in Article 2(f) of Regulation (EC) No 936/97 shall be granted in full.

2. Applications for licences may be submitted, in accordance with Article 5 of Regulation (EC) No 936/97, during the first five days of August 1999 for 1 532,167 t.

Article 2

This Regulation shall enter into force on 10 July 1999.

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

Done at Brussels, 9 July 1999.

For the Commission
Franz FISCHLER
Member of the Commission

⁽¹⁾ OJ L 137, 28.5.1997, p. 10.

⁽²⁾ OJ L 17, 22.1.1999, p. 22.

COMMISSION REGULATION (EC) No 1506/1999
of 9 July 1999
amending Annex I to Council Regulation (EEC) No 2658/87 on the tariff and statistical nomenclature and on the Common Customs Tariff

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EEC) No 2658/87 of 23 July 1987 on the tariff and statistical nomenclature and on the Common Customs Tariff ⁽¹⁾, as last amended by Commission Regulation (EC) No 1372/1999 ⁽²⁾, and in particular Article 9 thereof,

- (1) Whereas, in the Uruguay Round talks, specified pharmaceutical products were granted exemption from customs duties; whereas the second review of the agreements relating to such products has now taken place within the World Trade Organisation;
- (2) Whereas, accordingly, Council Regulation (EC) No 1110/99 ⁽³⁾, provides for duty-free treatment for certain active ingredients bearing an 'international non-proprietary name' (INN) from the World Health Organisation and for certain intermediate products used for the manufacture of finished pharmaceuticals;
- (3) Whereas these amendments should be incorporated into Annex I to Council Regulation (EEC) No 2658/87;
- (4) Whereas the measures provided for in this Regulation are in accordance with the opinion of the Customs Code Committee,

HAS ADOPTED THIS REGULATION:

Article 1

In Annex I to Commission Regulation (EC) No 2261/98 ⁽⁴⁾ is amended in accordance with Annex A to this Regulation.

Article 2

In Annex I to Commission Regulation (EC) No 2261/98 is amended as follows:

1. the products included in Annex B to this Regulation shall be added to Annex 3 (INN);
2. the products included in Annex C to this Regulation shall be added to Annex 4 (prefixes and suffixes);
3. the products included in Annex D to this Regulation shall be added to Annex 6 (pharmaceutical intermediates).

Article 3

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

It shall apply from 1 July 1999.

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

Done at Brussels, 9 July 1999.

For the Commission
Mario MONTI
Member of the Commission

⁽¹⁾ OJ L 256, 7.9.1987, p. 1.

⁽²⁾ OJ L 162, 26.6.1999, p. 46.

⁽³⁾ OJ L 135, 29.5.1999, p. 1.

⁽⁴⁾ OJ L 292, 30.10.1998, p. 1.

ANNEX A

'C. Pharmaceutical products

1. Relief from customs duty is provided for pharmaceutical products of the following categories:
 - (i) pharmaceutical substances which are covered by the CAS RN (Chemical Abstracts Service Registry Numbers) and the international non-proprietary names (INNs) listed in Annex 3;
 - (ii) salts, esters and hydrates of INNs which are described by combining INNs of Annex 3 with prefixes or suffixes of Annex 4, provided such products are classifiable in the same six-digit HS-headings as the relevant INN;
 - (iii) salts, esters and hydrates of INNs which are listed in Annex 5 and which are not classifiable in the same six-digit-HS-heading as the corresponding INNs;
 - (iv) pharmaceutical intermediates, I.E. compounds used in the manufacture of finished pharmaceutical products which are covered by the CAS RN and the chemical names, listed in Annex 6.
 2. Special cases:
 - (i) INNs cover only those substances described in the lists of recommended and proposed INNs published by the World Health Organisation (WHO). Where the number of substances covered by an INN is less than that covered by the CAS RN, only those substances covered by the INN will be subject to duty-free treatment.
 - (ii) Where a product of Annex 3 or Annex 6 is identified by a CAS RN corresponding to a specific isomer, only that isomer may qualify for duty-free treatment.
 - (iii) Double derivatives (salts, esters and hydrates) of INNs identified by a combination of an INN of Annex 3 with a prefix or suffix of Annex 4 qualify for duty-free treatment, provided they are classifiable in the same six-digit HS-heading as the relevant INN:
example: alanine methyl ester, hydrochloride
 - (iv) Where an INN of Annex 3 is a salt (or an ester), no other salt (or ester) of the acid corresponding to the INN may qualify for duty-free treatment:
example: oxprenolate potassium (INN): duty-free
oxprenolate sodium: not duty-free.'
-

ANNEX B

LIST OF INTERNATIONAL NON-PROPRIETARY NAMES (INNs) TO BE ADDED TO THE LIST OF PRODUCTS RECEIVING DUTY-FREE TREATMENT INCLUDED IN ANNEX 3 TO COMMISSION REGULATION (EC) No 2261/98

CN code	CAS RN	Name	CN code	CAS RN	Name
2844 40 30	74855-17-7	Iocanlidic acid (123 I)	2930 90 16	13189-98-5	Fudosteine
	155798-07-5	Ioflupane (123 I)	2930 90 70	159138-80-4	Cariporide
	136794-86-0	Iometopane (123 I)		129453-61-8	Fulvestrant
	94153-50-1	Mespiperone (11 C)		137109-78-5	Orazipone
	154427-83-5	Samarium (153 Sm) lexidronam	2932 19 00	142996-66-5	Furomine
	178959-14-3	Technetium (99m Tc) apcitide	2932 29 80	107724-20-9	Eplerenone
	165942-79-0	Technetium (99m Tc) nofetu- momab merpentan	2932 99 70	61136-12-7	Almurtide
	157476-76-1	Technetium (99m Tc) pintu- momab		135038-57-2	Fasidotril
2906 19 00	131918-61-1	Paricalcitol	2932 99 80	169758-66-1	Robalzotan
	134404-52-7	Seocalcitol	2933 19 90	142155-43-9	Cizolirtine
2914 40 90	38398-32-2	Ganaxolone	2933 29 90	40077-57-4	Aviptadil
2918 30 00	69956-77-0	Pelubiprofen		170851-70-4	Ipamorelin
2922 19 90	82186-77-4	Lumefantrine		173997-05-2	Nepicastat
	129612-87-9	Miproxifene	2933 39 95	183552-38-7	Abarelix
	173324-94-2	Temiverine		154229-19-3	Abiraterone
2922 49 70	148553-50-8	Pregabalin		154541-72-7	Alinastine
2922 50 00	141993-70-6	Eldacimibe		125602-71-3	Bepotastine
	34391-04-3	Levosalbutamol		159997-94-1	Biricodar
	134865-33-1	Meluadrine		171655-91-7	Brasofensine
2924 10 00	146919-78-0	Opratonium iodide		145599-86-6	Cerivastatin
	138531-07-4	Sinapultide		166432-28-6	Clevidipine
2924 21 90	159910-86-8	Droxinavir		120958-90-9	Dalcotidine
2924 29 90	138112-76-2	Agomelatine		120014-06-4	Donepezil
	891-60-1	Declopramide		83799-24-0	Fexofenadine
	175385-62-3	Lasinavir		145216-43-9	Forasartan
	105816-04-4	Nateglinide		170566-84-4	Lanepitant
	78281-72-8	Nepafenac		159776-68-8	Linetastine
	172820-23-4	Pexiganan		145414-12-6	Lirexapride
	150812-12-7	Retigabine		171049-14-2	Lotrafiban
	123441-03-2	Rivastigmine		141725-10-2	Milacainide
2925 19 80	162706-37-8	Elinafide		139886-32-1	Milameline
	129688-50-2	Minalrestat		155418-06-7	Nolpitantium besilate
2925 20 00	146978-48-5	Moxilubant		160492-56-8	Osanetant
	17035-90-4	Targinine		157716-52-4	Perifosine
	160677-67-8	Tresperimus		103922-33-4	Pibutidine
	149820-74-6	Xemilofiban		156137-99-4	Rapacuronium bromide
2926 90 99	123548-56-1	Acreeozast		149926-91-0	Revatropate
2928 00 90	141184-34-1	Filaminast		162401-32-3	Roflumilast
	95268-62-5	Upenazime		158876-82-5	Rupatadine
				159912-53-5	Sabcomeline
				142001-63-6	Saredutant
				172927-65-0	Sibrafiban
				140944-31-6	Silperisone
				149979-74-8	Terbogrel
				154413-61-3	Ticolubant
				135354-02-8	Xaliproden

CN code	CAS RN	Name	CN code	CAS RN	Name
2933 40 10	151096-09-2	Moxifloxacin		153438-49-4	Dapitant
	154612-39-2	Palinavir		140661-97-8	Deltibant
	127254-12-0	Sitafloxacin		162301-05-5	Ecenofloxacin
2933 40 90	143664-11-3	Elacridar		143322-58-1	Eletriptan
	159989-64-7	Nelfinavir		158747-02-5	Frovatriptan
	139314-01-5	Quilostigmine		153436-22-7	Gavestinel
2933 59 70	136470-78-5	Abacavir		157476-77-2	Lagatide
	135637-46-6	Atizoram		153504-81-5	Licostinel
	156862-51-0	Belaperidone		159776-70-2	Melagatran
	132810-10-7	Blonanserin		127657-42-5	Minodronic acid
	59989-18-3	Eniluracil		145375-43-5	Mitiglinide
	164150-99-6	Fandofloxacin		122332-18-7	Mivobulin
	167933-07-5	Flibanserin		156601-79-5	Nepaprazole
	160738-57-8	Gatifloxacin		114856-44-9	Oberadilol
	150378-17-9	Indinavir		158364-59-1	Pumaprazole
	141549-75-9	Indisetron		144034-80-0	RizatRIPTAN
	130018-77-8	Levocetirizine		169312-27-0	Talviralin
	130636-43-0	Nifekalant	2934 10 00	94948-59-1	Tasonermin
	147149-76-6	Nolatrexed		153242-02-5	Aseripide
	152939-42-9	Opanixil		136468-36-5	Foropafant
	133432-71-0	Peldesine		136381-85-6	Lintitript
	137281-23-3	Pemetrexed		155213-67-5	Ritonavir
	130800-90-7	Sipatrigine	2934 30 90	122320-73-4	Rosiglitazone
	148408-65-5	Sunepitron	2934 90 96	135003-30-4	Apadoline
	103300-74-9	Taltirelin		122384-88-7	Amlintide
	175865-60-8	Valganciclovir		108912-17-0	Atliprofen
	116308-55-5	Vatanidipine		154355-76-7	Atreleuton
2933 79 00	129722-12-9	Aripiprazole		135928-30-2	Beloxepin
	164656-23-9	Dutasteride		153507-46-1	Bibapcicide
	156001-18-2	Embusartan		107233-08-9	Cevimeline
	129300-27-2	Fabesetron		163252-36-6	Clevudine
	110958-19-5	Fasoracetam		118976-38-8	Dabelotine
	134143-28-5	Glaspimod		143249-88-1	Dexefaroxan
	155974-00-8	Ivabradine		154598-52-4	Efavirenz
	149503-79-7	Lefradafiban		155773-59-4	Ensaculin
	163250-90-6	Orbofiban		165800-04-4	Eperezolid
	133737-32-3	Pagoclone		148031-34-9	Eptifibatide
	135729-56-5	Palonosetron		136087-85-9	Fidarestat
2933 90 60	150408-73-4	Pranazepide		144245-52-3	Fomivirsen
	137332-54-8	Tivirapine		68134-81-6	Gacyclidine
2933 90 95	157182-32-6	Alatrofloxacin		145508-78-7	Icopezil
	153205-46-0	Asimadoline		117279-73-9	Israpafant
	123018-47-3	Atiprimod		133242-30-5	Landiolol
	135779-82-7	Bamaquimast		113457-05-9	Ledoxantrone
	121104-96-9	Celgosivir		165800-03-3	Linezolid
	159776-69-9	Cemadotin		110143-10-7	LodenoSine
				164178-54-5	Mazokalim
				148564-47-0	Milfasartan
				121032-29-9	Nelzarabine

CN code	CAS RN	Name	CN code	CAS RN	Name
	183747-35-5	Nepadutant	2938 90 90	150332-35-7	Pamaqueside
	167305-00-2	Omapatrilat	2939 50 00	136145-07-8	Arofylline
	176894-09-0	Omiloxetine	2939 90 90	149882-10-0	Lurtotecan
	153168-05-9	Pleconaril		162652-95-1	Vinflunine
	151126-32-8	Pramlintide	2940 00 90	132682-98-5	Glufosfamide
	179474-81-8	Prucalopride	2941 10 90	151287-22-8	Tobicillin
	111974-69-7	Quetiapine	2941 90 00	129639-79-8	Abafungin
	112887-68-0	Raltitrexed		135821-54-4	Ceftizoxime alapivoxil
	135459-90-4	Ranelic acid		129791-92-0	Rifalazil
	129791-92-0	Rifalazil		101312-92-9	Valnemulin
	170902-47-3	Roxifiban		121584-18-7	Valspodar
	145574-90-9	Scopinast	3002 10	118390-30-0	Interferon alfacon-1
	143248-63-9	Sinitrodil	3002 10 91	154361-48-5	Arcitumomab
	130403-08-6	Soretolide		179045-86-4	Basiliximab
	131987-54-7	Tazomeline		158318-63-9	Bectumomab
	110221-53-9	Temocaprilat		156586-90-2	Cedelizumab
	147650-57-5	Tererstigmine		182912-58-9	Clenoliximab
	159098-79-0	Tilnoprofen arbamel		156586-89-9	Edrecolomab
	131094-16-1	Trafermin		169802-84-0	Enlimomab pegol
	148998-94-1	Trecovirsen		167816-91-3	Faralimomab
	141575-50-0	Vedaclidine		167747-20-8	Felvizumab
	107452-89-1	Ziconotide		171656-50-1	Igovomab
	139264-17-8	Zolmitriptan		170277-31-3	Infliximab
2935 00 90	154323-57-6	Almotriptan		174722-30-6	Keliximab
	151140-96-4	Avitriptan		166089-32-3	Lintuzumab
	138890-62-7	Brinzolamide		162774-06-3	Nerelimomab
	30236-32-9	Dexsotalol		174722-31-7	Rituximab
	141626-36-0	Dronedarone		167747-19-5	Sulesomab
	159634-47-6	Ibutamoren		180288-69-1	Trastuzumab
	138384-68-6	Metesind		161753-30-6	Daniplestim
	140695-21-2	Osutidine	3002 10 95	142298-00-8	Emoctakin
	129981-36-8	Sampatrilat		142261-03-8	Hemoglobin crosfumaryl
	139755-83-2	Sildenafil		154248-96-1	Iropact
	127373-66-4	Sivelestat		137463-76-4	Milodistim
2937 10 00	177073-44-8	Choriogonadotropin alfa		166089-33-4	Nagrestipen
	150490-84-9	Follitropin beta		113478-33-4	Nonacog alfa
2937 22 00	123013-22-9	Amelometasone		145941-26-0	Oprelvekin
2937 29 00	76675-97-3	Resocortol		112721-39-8	Pifonakin
2937 99 00	140703-49-7	Avorelin		148883-56-1	Tifacogin
	182212-66-4	Avotermin		123760-07-6	Zinostatin stimalamer
	165101-51-9	Becaplermin	3003 20 00	151912-42-4	Pamiteplase
	157238-32-9	Cetermin	3507 90 90	99821-47-3	Urokinase alfa
	116094-23-6	insulin aspart		186638-10-8	Pegmusirudin
	160337-95-1	insulin glargine	3907 20 99	182815-43-6	Colesevelam
	170851-70-4	Ipamorelin	3911 90 99	52757-95-6	Sevelamer
	158861-67-7	Pralmorelin		83513-48-8	Danaparoid sodium
	146706-68-5	Rismorelin	3913 90 80		

ANNEX C

List of prefixes and suffixes which, in combination with the INNs in Annex 3, describe the salts, esters or hydrates of the INNs, to be added to Annex 4 to Regulation (EC) No 2261/98

BENZOATE
DIFUMARATE
DIPIVOXIL
MONOBENZOATE
TETRAISOPROPYL

ANNEX D

LIST OF PHARMACEUTICAL INTERMEDIATES, i.e. COMPOUNDS USED FOR THE MANUFACTURE OF FINISHED PHARMACEUTICAL PRODUCTS, TO BE ADDED TO THE LIST OF PRODUCTS RECEIVING DUTY-FREE TREATMENT INCLUDED IN ANNEX 6 TO COMMISSION REGULATION (EC) No 2261/98

CN code	CAS RN	Name
2844 40 30	82407-94-1	1-[4-(2-dimethylaminoethoxy)[14C]phenyl]-1,2-diphenylbutan-1-ol
2903 59 90	7051-34-5	bromomethylcyclopropane
2904 90 85	4714-32-3	1-nitro-4-(1,2,2,2-tetrachloroethyl)benzene
2905 22 90	1113-21-9	(6E,10E,14E)-3,7,11,15-tetramethylhexadeca-1,6,10,14-tetraen-3-ol
	7212-44-4	3,7,11-trimethyldodeca-1,6,10-trien-3-ol
2905 29 90	2914-69-4	(S)-but-3-yn-2-ol
2905 49 10	1947-62-2	(2R,3R)-1,4-bis(mesyloxy)butane-2,3-diol
2905 50 20	148043-73-6	4,4,5,5,5-pentafluoropentan-1-ol
	75-89-8	2,2,2-trifluoroethanol
2905 50 99	57090-45-6	(R)-3-chloropropane-1,2-diol
2907 19 00	27673-48-9	5,8-dihydro-1-naphthol
2909 30 90	3383-72-0	2-chloroethyl 4-nitrophenyl ether
2910 30 00	51594-55-9	(R)-1-chloro-2,3-epoxypropane
2910 90 00	129940-50-7	(S)-[(trityloxy)methyl]oxirane
2912 49 00	1620-98-0	3,5-di-tert-butyl-4-hydroxybenzaldehyde
	2144-08-3	2,3,4-trihydroxybenzaldehyde
2914 50 00	28315-93-7	5-hydroxy-1,2,3,4-tetrahydro-1-naphthone
	104-20-1	4-(4-methoxyphenyl)butan-2-one
	1078-19-9	6-methoxy-1,2,3,4-tetrahydro-1-naphthone
2914 70 90	150587-07-8	21-benzyloxy-9-alpha-fluoro-11-beta,17-alpha-dihydroxy-16-alpha-methylpregna-1,4-diene-3,20-dione
	153977-22-1	trans-2-chloro-3-[4-(4-chlorophenyl)cyclohexyl]-1,4-naphthoquinone
	151265-34-8	21-chloro-16-alpha-methylpregna-1,4,9(11)-triene-3,20-dione
	534-07-6	1,3-dichloroacetone
2915 39 90	24085-06-1	2-acetoxy-5-acetylbenzyl acetate
	37413-91-5	3,20-dioxopregna-1,4,9(11),16-tetraen-21-yl acetate
	7753-60-8	17-alpha-hydroxy-3,20-dioxopregna-4,9(11)-diene-21-yl acetate
2915 90 80	18997-19-8	chloromethyl pivalate
2916 20 00	3721-95-7	cyclobutanecarboxylic acid
2916 31 00	132294-17-8	(1S,2S,3S)-2,3-bis(benzoyloxymethyl)cyclobutanol
	132294-16-7	(2S,3S)-2,3-bis(benzoyloxymethyl)cyclobutanone
2916 39 00	141109-25-3	2-bromo-2-(2-chlorophenyl)acetic acid
	119916-27-7	4,6-dibromo-3-fluoro-o-toluic acid
	55332-37-1	(S)-2-(4-fluorophenyl)-3-methylbutyric acid
	2417-72-3	Methyl 4-(bromomethyl)benzoate
	4276-85-1	2-(2,4,6-triisopropylphenyl)acetic acid
2917 19 90	6065-63-0	diethyl dipropylmalonate
	28868-76-0	dimethyl chloromalonate
2918 19 99	36394-75-9	(S)-alpha-chloroformylethyl acetate
	157604-22-3	disodium (2S,3R)-2-hydroxy-3-isobutylsuccinate
	90315-82-5	ethyl (R)-2-hydroxy-4-phenylbutyrate

CN code	CAS RN	Name	
2918 29 90	168899-58-9	3-acetoxy-o-toluic acid	
	3943-89-3	ethyl 3,4-dihydroxybenzoate	
2918 30 00	302-97-6	3-oxoandrost-4-ene-17-beta-carboxylic acid	
2918 90 90	157283-68-6	isopropyl (Z)-7-[(1R,2R,3R,5S)-3,5-dihydroxy-2-[(E)-(3R)-3-hydroxy-4-[3-(trifluoromethyl)phenoxy]but-1-enyl]cyclopentyl]hept-5-enoate	
	70264-94-7	methyl 4-(bromomethyl)-m-anisate	
	33924-48-0	methyl 5-chloro-o-anisate	
2920 90 10	208338-09-4	(4R,5R)-4,5-bis(mesyloxymethyl)-1,3,2-dioxathiolane 2,2-dioxide	
	35180-01-9	chloromethyl isopropyl carbonate	
	16606-55-6	(R)-propylene carbonate	
2921 19 80	5407-04-5	3-chloropropyl dimethylammonium chloride	
2921 29 00	100-36-7	2-aminoethyl diethylamine	
	156886-85-0	N,N'-bis[3-(ethylamino)propyl]propane-1,3-diamine tetrahydrochloride	
2921 30 10	167944-94-7	cyclohexylammonium 1-[(S)-2-(tert-butoxycarbonyl)-3-(2-methoxyethoxy)propyl]cyclopentanecarboxylate	
2921 43 00	393-11-3	alpha,alpha,alpha-trifluoro-4-nitro-m-toluidine	
2921 49 10	328-93-8	alpha,alpha,alpha,alpha',alpha',alpha'-hexafluoro-2,5-xylylidine	
2921 49 90	132173-07-0	(Z)-N-[3-(3-chloro-4-cyclohexylphenyl)prop-2-enyl]-N-ethylcyclohexylamine hydrochloride	
	69385-30-4	2,6-difluorobenzylamine	
	129140-12-1	1-ethyl-1,4-diphenylbut-3-enylamine	
	166943-39-1	methyl(4'-nitrophenethyl)amine hydrochloride	
	81972-27-2	3-(trichlorovinyl)aniline hydrochloride	
	33881-72-0	triethylaniline	
	2922 19 90	154598-58-0	(S)-2-(2-amino-5-chlorophenyl)-4-cyclopropyl-1,1,1-trifluorobut-3-yn-2-ol
		151851-75-1	(R)-2-amino-2-ethylhexan-1-ol
		534-03-2	2-aminopropane-1,3-diol
		54527-65-0	2-[benzyl(methyl)amino]ethyl acetoacetate
2922 30 00	151807-53-3	(1RS,2RS,3SR)2,3-bis(benzoyloxymethyl)cyclobutylamine	
	83647-29-4	3-[(Z)-1-[4-(2-dimethylaminoethoxy)phenyl]-2-phenylbut-1-enyl]phenol	
	1159-03-1	5-(3-dimethylaminopropyl)-10,11-dihydrodibenzo[a,d]cyclohepten-5-ol	
	2958-36-3	2-amino-2',5-dichlorobenzophenone	
2922 49 70	128013-69-4	3-(aminomethyl)-5-methylhexanoic acid	
	35453-19-1	5-amino-2,4,6-triiodoisophthalic acid	
	67299-45-0	Cis-4-(benzyloxycarbonyl)cyclohexylammonium tosylate	
	1118-89-4	diethyl L-glutamate hydrochloride	
	154772-45-9	ethyl (S)-3-aminopent-4-ynoate hydrochloride	
	119916-05-1	methyl 3-amino-4,6-dibromo-o-toluate	
	961-69-3	potassium (R)-N-(3-ethoxy-1-methyl-3-oxoprop-1-enyl)-2-phenylglycine	
	2922 50 00	35205-50-6	4'-benzyloxy-2-[(1-methyl-2-phenoxyethyl)amino]propiofenone hydrochloride
		121524-09-2	ethyl ((7S)-7-[(2R)-2-(3-chlorophenyl)-2-hydroxyethyl]amino)-5,6,7,8-tetrahydro-2-naphthyl)oxy)acetate hydrochloride
		16589-24-5	4-[1-hydroxy-2-(methylamino)ethyl]phenol-L-tartaric acid (2:1)
2924 10 00	59338-84-0	methyl 4-amino-5-nitro-o-anisate	
	90303-36-9	N-[N-(tert-butoxycarbonyl)-L-alanyl]-L-alanine hydrate	
	116833-20-6	2-(ethylmethylamino)acetamide	

CN code	CAS RN	Name	
2924 29 90	112522-64-2	4-acetamido-2'-aminobenzanilide	
	24201-13-6	4-acetamido-5-chloro-o-anisic acid	
	27313-65-1	N-acetyl-3-(3,4-dimethoxyphenyl)-DL-alanine	
	40187-51-7	5-acetylsalicylamide	
	148051-08-5	5-amino-N,N'-bis[2-acetoxy-1-(acetoxymethyl)ethyl]-2,4,6-triiodoisophthalamide	
	76801-93-9	5-amino-N,N'-bis(2,3-dihydroxypropyl)-2,4,6-triiodoisophthalamide	
	41526-21-0	2'-benzoyl-2-bromo-4'-chloroacetanilide	
	91558-42-8	benzyl (1-carbamoyl-2-hydroxypropyl)carbamate	
	1584-62-9	2-bromo-4'-chloro-2'-(2-fluorobenzoyl)acetanilide	
	168960-18-7	tert-butyl (1R,4S)-4-(hydroxymethyl)cyclopent-2-enylcarbamate	
	50978-11-5	3,5-diacetamido-2,4,6-triiodobenzoic acid dihydrate	
	166518-60-1	N-[(2,6-diisopropylphenoxy)sulfonyl]-2-(2,4,6-triisopropylphenyl)acetamide	
	137246-21-0	N-(1-ethyl-1,4-diphenylbut-3-enyl)cyclopropanecarboxamide	
	52806-53-8	2-hydroxy-2-methyl-4'-nitro-3'-(trifluoromethyl)propionanilide	
	4093-29-2	methyl 4-acetamido-o-anisate	
	176972-62-6	methyl (1S,2S)-1-benzyl-3-chloro-2-hydroxypropylcarbamate	
	41844-71-7	methyl N-(methoxycarbonyl)-L-phenylalaninate	
	153441-77-1	methyl N-(phenoxy-carbonyl)-L-valinate	
	2925 19 80	1075-89-4	8-azaspiro[4.5]decane-7,9-dione
		88784-33-2	1-benzyl hydrogen (S)-4-phthalimidoglutarate
2925 20 00	149177-92-4	4'-amidinosuccinanic acid hydrochloride	
2926 90 99	39186-58-8	4-bromo-2,2-diphenylbutanenitrile	
	186038-82-4	diethyl (1-cyano-3-methylbutyl)malonate	
	15760-35-7	3-methylenecyclobutanecarbonitrile	
2928 00 90	192802-28-1	(S)-O-benzylaldehyde-N-(tert-butoxycarbonyl)hydrazone	
	84080-70-6	4-chloro-2-[(Z)-(methoxycarbonyl)methoxyimino]-3-oxobutyric acid	
	53016-31-2	13-ethyl-17- α -hydroxy-18,19-dinorpregn-4-en-20-yn-3-one oxime	
	130580-02-8	trans-2'-fluoro-4-hydroxychalcone O-[(Z)-2-(dimethylamino)ethyl]oxime--fumaric acid (2:1)	
	55819-71-1	(RS)-serinohydrazide hydrochloride	
2929 90 00	139976-34-4	N'-alpha-(tert-butoxycarbonyl)-N-methoxy-N-methyl-N'-omega-nitro-L-argininamide	
	2188-18-3	N'-alpha-(tert-butoxycarbonyl)-N'-omega-nitro-L-arginine	
	92050-02-7	2,6-diisopropylphenyl sulfamate	
2930 90 16	105996-54-1	N,N'-bis(trifluoroacetyl)-DL-homocystine	
2930 90 70	157521-26-1	(S)-2-(acetylthio)-3-phenylpropionic acid--dicyclohexylamine (1:1)	
	148757-89-5	9-bromononyl 4,4,5,5,5-pentafluoropentyl sulfide	
	6320-03-2	o-chlorothiophenol	
	182149-25-3	N,N'-[dithiobis(o-phenylenecarbonyl)]bis-L-isoleucine	
	33174-74-2	2,2'-dithiodibenzonitrile	
	87483-29-2	4-fluorobenzyl 4-(methylthio)phenyl ketone	
	162515-68-6	2-[1-(mercaptomethyl)cyclopropyl]acetic acid	
	4274-38-8	2-mercapto-5-(trifluoromethyl)anilinium chloride	
	62140-67-4	methyl 5-(ethylsulfonyl)-o-anisate	
	1134-94-7	2-(phenylthio)aniline	

CN code	CAS RN	Name
2931 00 95	17814-85-6	(4-carboxylbutyl)triphenylphosphonium bromide
	1660-95-3	tetraisopropyl methylenediphosphonate
2932 19 00	86087-23-2	(S)-tetrahydrofuran-3-ol
2932 29 80	23363-33-9	4'-(benzyloxycarbonyl)-4'-demethylepipodophyllotoxin
	192704-56-6	11-alpha-hydroxy-7-alpha-(methoxycarbonyl)-3-oxopregn-4-ene-21,17-alpha-carbolactone
	73726-56-4	11-alpha-hydroxy-3-oxopregna-4,6-diene-21,17-alpha-carbolactone
2932 99 70	170242-34-9	(S)-2-amino-5-(1,3-dioxolan-4-yl)valeric acid
	57999-49-2	2-(3-bromophenoxy)tetrahydropyran
	157518-70-2	(2R)-2-[(S)-2,2-dimethyl-5-oxo-1,3-dioxolan-4-yl]-4-methylvaleric acid
	114870-03-0	methyl O-2-deoxy-6-O-sulfo-2-(sulfoamino)-alpha-D-glucopyranosyl-(1,4)-O-beta-D-glucopyranuronosyl-(1,4)-O-2-deoxy-3,6-di-O-sulfo-2-(sulfoamino)-alpha-D-glucopyranosyl-(1,4)-O-2-O-sulfo-alpha-L-idopyranuronosyl-(1,4)-2-deoxy-2-(sulfoamino)-6-(hydrogen sulfate)-alpha-D-glucopyranoside, decasodium salt
	88128-61-4	(3aS,9aS,9bR)-3a-methyl-6-[2-(2,5,5-trimethyl-1,3-dioxan-2-yl)ethyl]-1,2,4,5,8,9,9a,9b-octahydro-3aH-cyclopenta[a]naphthalene-3,7-dione
2932 99 80	130525-62-1	(4S,5R,6R)-5-acetamido-4-amino-6-[(1R,2R)-1,2,3-trihydroxypropyl]-5,6-dihydropyran-2-carboxylic acid
	107188-37-4	2-(4-aminophenoxyethyl)-2,5,7,8-tetramethyl-4-oxochroman-6-yl acetate
	69999-16-2	(2,3-dihydrobenzofuran-5-yl)acetic acid
	107188-34-1	2,5,7,8-tetramethyl-2-(4-nitrophenoxyethyl)-4-oxochroman-6-yl acetate
2933 19 90	139756-01-7	1-methyl-4-nitro-3-propylpyrazole-5-carboxamide
	59194-35-3	N'1-methyl-1H-pyrazole-1-carboximidine hydrochloride
	4023-02-3	pyrazole-1-carboximidine hydrochloride
2933 29 90	151012-31-6	3-(4-bromobenzyl)-2-butyl-4-chloro-1H-imidazol-5-ylmethanol
	151257-01-1	2-butyl-1,3-diazaspiro[4.4]non-1-en-4-one hydrochloride
	152146-59-3	4-(2-butyl-5-formylimidazol-1-ylmethyl)benzoic acid
	68282-49-5	2-butylimidazole-5-carbaldehyde
	138401-24-8	4'-[(2-butyl-4-oxo-1,3-diazaspiro[4.4]non-1-en-3-yl)methyl]biphenyl-2-carbonitrile
2933 39 95	176381-97-8	(S)-N-[4-(4-acetamido-4-phenyl-1-piperidyl)-2-(3,4-dichlorophenyl)butyl]-N-methylbenzamide-fumaric acid (1:1)
	171764-07-1	(S)-2-amino-3,3-dimethyl-N-2-pyridylbutyramide
	180250-77-5	(2S,3S)-3-amino-2-ethoxy-N-nitropiperidine-1-carboximidine hydrochloride
	65326-33-2	2-amino-3-pyridyl methyl ketone
	142034-92-2	(1S,3S,4S)-1-azabicyclo[2.2.1]heptan-3-ol
	21472-89-9	(+)-1-azabicyclo[2.2.1]heptan-3-one
	142034-97-7	(1R,4S)-1-azabicyclo[2.2.1]heptan-3-one
	180050-34-4	(1S,4R)-1-azabicyclo[2.2.1]heptan-3-one O-[(Z)-(3-methoxyphenyl)ethynyl]oxime--maleic acid (1:1)
	173050-51-6	(R)-N-(1-{3-[1-benzoyl-3-(3,4-dichlorophenyl)-3-piperidyl]propyl}-4-phenyl-4-piperidyl)-N-methylacetamide hydrochloride
	188591-61-9	1-(4-benzyloxyphenyl)-2-(4-hydroxy-4-phenyl-1-piperidyl)propan-1-one
	22065-85-6	1-benzylpiperidine-4-carbaldehyde
	160588-45-4	10,10-bis[(2-fluoro-4-pyridyl)methyl]anthrone

CN code	CAS RN	Name
	157688-46-5	2-[1-(tert-butoxycarbonyl)-4-piperidyl]acetic acid
	2008-75-5	1-(2-chloroethyl)piperidinium chloride
	5382-23-0	4-chloro-1-methylpiperidine hydrochloride
	5326-23-8	6-chloronicotinic acid
	168273-06-1	5-(4-chlorophenyl)-1-(2,4-dichlorophenyl)-4-methyl-N-piperidino-1H-pyrazole-3-carboxamide
	100643-71-8	8-chloro-11-(4-piperidylidene)-5,6-dihydro-11H-benzo[5,6]cyclohepta[1,2-b]-pyridine
	7379-35-3	4-chloropyridine hydrochloride
	77145-61-0	1-(6-chloro-2-pyridyl)-4-piperidylamine hydrochloride
	56488-00-7	3-(cyanoimino)-3-piperidinopropionitrile
	193275-84-2	4-{4-[(11R)-3,10-dibromo-8-chloro-5,6-dihydro-11H-benzo[5,6]cyclohepta[1,2-b]pyridin-11-yl]piperidinocarbonylmethyl}piperidine-1-carboxamide
	193275-85-3	4-{4-[(11S)-3,10-dibromo-8-chloro-5,6-dihydro-11H-benzo[5,6]cyclohepta[1,2-b]pyridin-11-yl]piperidinocarbonylmethyl}piperidine-1-carboxamide
	875-35-4	2,6-dichloro-4-methylnicotinonitrile
	153050-21-6	(S)-1-{2-[3-(3,4-dichlorophenyl)-1-(3-isopropoxyphenacyl)-3-piperidyl]ethyl}-4-phenyl-1-azoniabicyclo[2.2.2]octane chloride
	35794-11-7	3,5-dimethylpiperidine
	1452-94-4	ethyl 2-chloronicotinate
	49608-01-7	ethyl 6-chloronicotinate
	5223-06-3	2-(5-ethyl-2-pyridyl)ethanol
	189894-57-3	1-[(1S,2S)-2-hydroxy-2-(4-hydroxyphenyl)-1-methylethyl]-4-phenylpiperidin-4-ol methanesulfonate trihydrate
	5006-66-6	6-hydroxynicotinic acid
	118175-10-3	[4-(3-methoxypropoxy)-3-methyl-2-pyridyl]methanol
	179024-48-7	N-[(R)-9-methyl-4-oxo-1-phenyl-3,4,6,7-tetrahydro[1,4]diazepino[6,7,1-hi]indol-3-yl]isonicotinamide
	103577-66-8	3-methyl-4-(2,2,2-trifluoroethoxy)-2-pyridylmethanol
	5435-54-1	3-nitro-4-pyridone
	4783-86-2	4-phenoxy pyridine
	40807-61-2	4-phenylpiperidin-4-ol
	5005-36-7	2-phenyl-2-pyridylacetone nitrile
	6622-91-9	4-pyridylacetic acid hydrochloride
	192329-80-9	4-(4-pyridyloxy)benzenesulfonic acid
	192330-49-7	4-(4-pyridyloxy)benzenesulfonyl chloride hydrochloride
2933 40 10	119916-34-6	7-bromo-1-cyclopropyl-6-fluoro-5-methyl-4-oxo-1,4-dihydroquinoline-3-carboxylic acid
	170143-39-2	3-methyl hydrogen 7-chloro-1,4-dihydro-4-oxoquinoline-2,3-dicarboxylate
	136465-98-0	N-(2-quinolylcarbonyl)-L-asparagine
2933 40 90	136522-17-3	(3S,4aS,8aS)-2-[2R,3S]-3-amino-2-hydroxy-4-phenylbutyl]-N-tert-butyldecahydroisoquinoline-3-carboxamide
	149057-17-0	(S)-N-tert-butyl-1,2,3,4-tetrahydroisoquinoline-3-carboxamide hydrochloride
	186537-30-4	(S)-N-tert-butyl-1,2,3,4-tetrahydroisoquinoline-3-carboxamide sulfate
	146362-70-1	2-[[1-(7-chloro-4-quinolyl)-5-(2,6-dimethoxyphenyl)-1H-pyrazol-3-yl]carbonylamino]adamantane-2-carboxylic acid
	178680-13-2	methyl {(1S,2R)-1-benzyl-3-[(3S,4aS,8aS)-3-(tert-butylcarbonyl)decahydro-2-isoquinolyl]-2-hydroxypropyl}carbamate
	181139-72-0	methyl 2-[(S)-3-[(E)-3-[2-(7-chloro-2-quinolyl)vinyl]phenyl]-3-hydroxypropyl]benzoate
	149968-11-6	methyl 2-(3-[(E)-3-[2-(7-chloro-2-quinolyl)vinyl]phenyl]-3-oxopropyl)benzoate
	74163-81-8	(S)-1,2,3,4-tetrahydroisoquinoline-3-carboxylic acid

CN code	CAS RN	Name	
2933 59 70	13889-98-0	1-acetylpiperazine	
	156126-53-3	(1R,2R,3S)-2-amino-9-[2,3-bis(benzoyloxymethyl)cyclobutyl]-9H-purin-6-one	
	147149-89-1	2-amino-5-bromo-6-methylquinazolin-4(1H)-one	
	172015-79-1	[(1S,4R)-4-(2-amino-6-chloro-9H-purin-9-yl)cyclopent-2-enyl]methanol hydrochloride	
	171887-03-9	N-(2-amino-4,6-dichloropyrimidin-5-yl)formamide	
	707-99-3	6-amino-9H-purin-9-ylethanol	
	14047-28-0	(R)-2-(6-amino-9H-purin-9-yl)-1-methylethanol	
	147127-20-6	(R)-[2-(6-amino-9H-purin-9-yl)-1-methylethoxy]methylphosphonic acid	
	149950-60-7	6-benzyl-1-(ethoxymethyl)-5-isopropylpyrimidine-2,4(1H,3H)-dione	
	156126-83-9	(1R,2R,3S)-9-[2,3-bis(benzoyloxymethyl)cyclobutyl]-6-iodo-9H-purin-2-ylamine	
	202138-50-9	bis[(isopropylloxycarbonloxy)methyl (R)-2-(6-amino-9H-purin-9-yl)-1-methylethoxy]methylphosphonate-fumaric acid (1:1)	
	179688-29-0	6,7-bis(2-methoxyethoxy)quinazolin-4(1H)-one	
	56-06-4	2,6-diaminopyrimidin-4-ol	
	150728-13-5	4,6-dichloro-5-(methoxyphenoxy)-2,2'-bipyrimidinyl	
	188416-34-4	(2RS,3SR)-2-(2,4-difluorophenyl)-3-(5-fluoropyrimidin-4-yl)-1-(1H-1,2,4-triazol-1-yl)butan-2-ol-(1R,4S)-2-oxobornane-10-sulfonic acid (1:1)	
	153537-73-6	(S)-2-(4-[[2,7-dimethyl-4-oxo-1,4-dihydroquinazolin-6-yl)methyl](prop-2-ynyl)amino)-2-fluorobenzamido-4-(1H-tetrazol-5-yl)butyric acid	
	7280-37-7	estropiate	
	112733-28-5	ethyl [3-(4-bromo-2-fluorobenzyl)-7-chloro-2,4-dioxo-1,2,3,4-tetrahydroquinazolin-1-yl]acetate	
	137234-87-8	6-ethyl-5-fluoropyrimidin-4(1H)-one	
	183319-69-9	(3-ethynylphenyl)[6,7-bis(2-methoxyethoxy)quinazolin-4-yl]amine hydrochloride	
	19690-23-4	6-iodo-1H-purin-2-ylamine	
	696-07-1	5-iodouracil	
	20535-83-5	6-methoxy-1H-purin-2-ylamine	
	65-71-4	5-methyluracil	
	184177-81-9	phenyl {4-[4-(4-hydroxyphenyl)piperazin-1-yl]phenyl}carbamate	
	20980-22-7	2-(piperazin-1-yl)pyrimidine	
	154126-48-6	tetrabutylammonium (6-iodo-1H-purin-2-yl)amide	
	66-22-8	uracil	
	2933 79 00	175873-08-2	4-[(S)-3-amino-2-oxopyrrolidin-1-yl]benzotrile hydrochloride
		61865-48-3	(+)-2-azabicyclo[2.2.1]hept-5-en-3-one
		79200-56-9	(1R,4S)-2-azabicyclo[2.2.1]hept-5-en-3-one
		159593-17-6	4-tert-butylbenzyl 2-[(2R,3S)-3-[(R)-1-tert-butyltrimethylsilyloxy]ethyl]-2-[(1R,3S)-3-methoxy-2-oxocyclohexyl]-4-oxoazetidin-1-yl{-2-oxoacetate
		118289-55-7	6-chloro-5-(2-chloroethyl)indol-2(3H)-one
56341-37-8		6-chloroindol-2(3H)-one	
175873-10-6		ethyl 3-(3-[(S)-1-[4-(N'2-hydroxyamidino)phenyl]-2-oxopyrrolidin-3-yl]ureido)propionate	
139122-76-2		4-(2-methyl-2-phenylhydrazino)-5,6-dihydro-2-pyridone	
122852-75-9		5-methyl-2,3,4,5-tetrahydro-1H-pyrido[4,3-b]indol-1-one	
90776-59-3		4-nitrobenzil (4R,5R,6S)-3-(diphenoxyphosphoryloxy)-6-[(R)-1-hydroxyethyl]-4-methyl-7-oxo-1-azabicyclo[3.2.0]hept-2-ene-2-carboxylate	

CN code	CAS RN	Name
2933 90 50	179528-39-3	N-(biphenyl-2-yl)-4-[(2-methyl-4,5-dihydro-1H-imidazo[4,5-d][1]benzazepin-6-yl)carbonyl]benzamide
	139592-99-7	(Z)-1-[3-(3-chloro-4-cyclohexylphenyl)prop-2-enyl]hexahydro-1H-azepine hydrochloride
2933 90 60	188978-02-1	(4R,5S,6S,7R)-1-[(3-amino-1H-indazol-5-yl)methyl]-4,7-dibenzyl-3-butyl-5,6-dihydroxyhexahydro-2H-1,3-diazepin-2-one
	70890-50-5	3-amino-7-methyl-5-phenyl-1H-1,4-benzodiazepin-2(3H)-one
	106928-72-7	tert-butyl (1S,9S)-6,10-dioxo-9-phthalimidooctahydropyridazo[1,2-a][1,2]diazepine-1-carboxylate
	2886-65-9	7-chloro-5-(2-fluorophenyl)-1H-1,4-benzodiazepin-2(3H)-one
	177932-89-7	(4R,5S,6S,7R)-4,7-dibenzyl-1,3-bis(3-aminobenzyl)-5,6-dihydroxyhexahydro-2H-1,3-diazepin-2-one dimethanesulfonate
2933 90 95	64137-52-6	[3-(1H-benzimidazol-2-yl)propyl]methylamine
	120851-71-0	trans-1-benzoyl-4-phenyl-L-proline
	151860-16-1	meso-3-benzyl-6-nitro-3-azabicyclo[3.1.0]hexane
	65632-62-4	(S)-1-(benzyloxycarbonyl)hexahydropyridazine-3-carboxylic acid
	143322-57-0	5-bromo-3-[(R)-1-methylpyrrolidin-2-ylmethyl]indole
	31251-41-9	8-chloro-5,6-dihydro-11H-benzo[5,6]cyclohepta[1,2-b]pyridin-11-one
	7250-67-1	N-(2-chloroethyl)pyrrolidine hydrochloride
	170142-29-7	7-chloro-2-(4-methoxy-2-methylphenyl)-2,3-dihydro-5H-pyridazino[4,5-b]quinoline-1,4,10-trione, sodium salt
	100643-71-8	8-chloro-11-(4-piperidylidene)-5,6-dihydro-11H-benzo[5,6]cyclohepta[1,2-b]pyridine
	194602-25-0	dibenzyl 1-(2,4-difluorophenyl)-2-(1H-1,2,4-triazol-1-yl)-1-(1H-1,2,4-triazol-1-ylmethyl)ethyl phosphate
	176161-55-0	(5,6-dichloro-1H-benzimidazol-2-yl)isopropylamine
	178619-89-1	6,7-dichloro-2,3-dimethoxyquinoxalin-5-ylamine
	71208-55-4	diethyl (6-chloro-9H-carbazol-2-yl)methylmalonate
	137733-33-6	N',N'-diethyl-2-methyl-N-(6-phenyl-5-propylpyridazin-3-yl)propane-1,2-diamine-fumaric acid (2:3)
	194602-27-2	diphenyl[(S)-pyrrolidin-3-yl]acetonitrile hydrobromide
	153435-96-2	ethyl 4,6-dichloro-3-formylindole-2-carboxylate
	185453-89-8	7-ethyl-3-[2-(trimethylsilyloxy)ethyl]indole
	2380-94-1	4-hydroxyindole
	182073-77-4	N'-[N-methoxycarbonyl-L-valyl]-N-[(S)-3,3,3-trifluoro-1-isopropyl-2-oxopropyl]-L-prolinamide
	155322-92-2	(3R)-3-[(S)-1-(methylamino)ethyl]pyrrolidine
	127105-49-1	methyl (S)-2-amino-4-(1H-tetrazol-5-yl)butyrate
	132026-12-1	4-(2-methyl-1H-imidazo[4,5-c]pyridin-1-yl)benzoic acid
	85440-79-5	2-methyl-1-nitrosoindoline
	190791-29-8	(5R,6S)-6-phenyl-5-[4-(2-pyrrolidinoethoxy)phenyl]-5,6,7,8-tetrahydro-2-naphthol-(+)-tartaric acid (1:1)
	59032-27-8	sodium 1,2,3-triazole-5-thiolate
	143722-25-2	2-(2-trityl-2H-tetrazol-5-yl)phenylboronic acid
	2934 10 00	180144-61-0
174761-17-2		benzhydryl 7-[(Z)-2-[2-(tert-butoxycarbonylamino)thiazol-4-yl]-4-(3-methylbut-2-enyloxycarbonyl)but-2-enamido]-3-cephem-4-carboxylate
190841-79-3		ethyl 3-[(4-[4-(N-ethoxycarbonylamidino)phenyl]thiazol-2-yl)[1-(ethoxycarbonylmethyl)-4-piperidyl]amino]propionate
556-90-1		2-imino-1,3-thiazol-4-one
105889-80-3		pivaloyloxymethyl 7-[(Z)-2-[2-(tert-butoxycarbonylamino)thiazol-4-yl]pent-2-enamido]-3-(carbomoyloxymethyl)-3-cephem-4-carboxylate
	2295-31-0	thiazolidine-2,4-dione

CN code	CAS RN	Name
2934 20 80	89604-92-2	tert-butyl 2-[[1-(2-aminothiazol-4-yl)-2-(benzisothiazol-2-ylthio)-2-oxoethylidene]aminoxy]-2-methylpropionate
	177785-47-6	(2S,3S)-3-methyl-2-(3-oxo-2,3-dihydro-1,2-benzisothiazol-2-yl)valeric acid
2934 90 96	160115-08-2	((E)-[(6R,7R)-7-amino-2-carboxylato-8-oxo-5-thia-1-azabicyclo[4.2.0]oct-2-en-3-yl]allyl)(carbamoylmethyl)(ethyl)methylammonium
	143491-57-0	(2R,5S)-4-amino-5-fluoro-1-[2-(hydroxymethyl)-1,3-oxathiolan-5-yl]pyrimidin-2(1H)-one
	80370-59-8	7-amino-3-(2-furoylthiomethyl)-3-cephem-4-carboxylic acid
	177575-17-6	(S)-N-{5-[2-(2-amino-4-oxo-4,6,7,8-tetrahydro-1H-pyrimido[5,4-b][1,4]thiazin-6-yl)ethyl]-2-thenoyl}-L-glutamic acid
	186521-45-9	(6S)-5-[2-(2-amino-4-oxo-4,6,7,8-tetrahydro-3H-pyrimido[5,4-b][1,4]thiazin-6-yl)ethyl]thiophene-2-carboxylic acid
	116833-10-4	(Z)-2-(5-amino-1,2,4-thiadiazol-3-yl)-2-[(fluoromethoxy)imino]acetic acid
	38313-48-3	3',5'-anhydrothymidine
	3083-77-0	1-(beta-D-arabinofuranosyl)pyrimidine-2,4(1H,3H)-dione
	108895-45-0	3'-azido-2',3'-dideoxy-5-methylcytidine hydrochloride
	7787-68-4	benzhydryl 6-(4-methylbenzamido)penicillanate 4-oxide
	157341-41-8	(2S)-N-[(R)-1-(1,3-benzodioxol-5-yl)butyl]-3,3-diethyl-2-{4-[(4-methylpiperazin-1-yl)carbonyl]phenoxy}-4-oxoazetidine-1-carboxamide
	122567-97-9	5'-benzoyl-2',3'-didehydro-3'-deoxythymidine
	158512-24-4	(3aS,8aR)-3-[(2R,4S)-2-benzyl-4,5-epoxyvaleryl]-2,2-dimethyl-3,3a,8,8a-tetrahydro-2H-indeno[1,2-d]oxazole
	168828-81-7	benzyl (3-fluoro-4-morpholinophenyl)carbamate
	14282-76-9	2-bromo-3-methylthiophene
	184475-35-2	(3-chloro-4-fluorophenyl)[7-methoxy-6-(3-morpholinopropoxy)quinazolin-4-yl]amine
	63-37-6	cytidine 5'-(dihydrogen phosphate)
	145514-04-1	(2R,4R)-4-(2,6-diamino-9H-purin-9-yl)-1,3-dioxolan-2-ylmethanol
	177575-19-8	diethyl N-{5-[2-((6S)-2-amino-4-oxo-4,6,7,8-tetrahydro-3H-pyrimido[5,4-b][1,4]thiazin-6-yl)ethyl]-2-thenoyl}-L-glutamate
	178357-37-4	(5aR,11bS)-9,10-dimethoxy-2-propyl-4,5,5a,6,7,11b-hexahydrobenzol[f]thieno[2,3-c]quinoline hydrochloride
	186521-41-5	dimethyl 2-[(S)-1-(tert-butoxycarbonylaminoethyl)-2-(5-ethoxycarbonyl-2-thienyl)propylthio]malonate
	84915-43-5	(3S)-2,2-dimethyl-1,4-thiazinane-3-carboxylic acid
	3206-73-3	DL-5-(1,2-dithiolan-3-yl)valeramide
	186521-40-4	ethyl 5-[(3S)-3-(acetylthio)-4-(tert-butoxycarbonylamino)butyl]thiophene-2-carboxylate
	208337-84-2	ethyl 5-[(3R)-4-amino-3-hydroxybutyl]thiophene-2-carboxylate
	186521-44-8	ethyl (6S)-5-[2-(2-amino-4-oxo-4,6,7,8-tetrahydro-3H-pyrimido[5,4-b][1,4]thiazin-6-yl)ethyl]thiophene-2-carboxylate
	208337-82-0	ethyl 5-(but-3-enyl)thiophene-2-carboxylate
	186521-38-0	ethyl 5-[(3R)-4-(tert-butoxycarbonylamino)-3-hydroxybutyl]thiophene-2-carboxylate
	186521-39-1	ethyl 5-[(3R)-4-(tert-butoxycarbonylamino)-3-(mesyloxy)butyl]thiophene-2-carboxylate

CN code	CAS RN	Name
	208337-83-1	ethyl 5-[(3R)-3,4-dihydroxybutyl]thiophene-2-carboxylate
	143468-96-6	ethyl hydrogen (2-thienylmethyl)malonate
	63877-96-3	2-(4-fluorobenzyl)thiophene
	112984-60-8	(+)-6-fluoro-1-methyl-4-oxo-7-(piperazin-1-yl)-4H-[1,3]thiazeto[3,2-a]quinoline-3-carboxylic acid
	4691-65-0	inosine 5'-disodium phosphate
	167304-98-5	methyl (4S,7S,10aS)-4-amino-5-oxooctahyd-7H-pyrido[2,1-b][1,3]thiazepine-7-carboxylate
	130209-90-4	methyl 2-(2-chlorophenyl)-2-(4,5,6,7-tetrahydrothieno[3,2-c]pyridin-5-yl)acetate hydrochloride
	147086-83-7	N-[(4S,6S)-6-methyl-7,7-dioxo-5,6-dihydro-4H-thieno[2,3-b]thiopyran-4-yl]acetamide
	181696-73-1	5-methyl-3,4-diphenyl-4,5-dihydroisoxazol-5-ol
	186521-42-6	methyl (S)-6-{2-[5-ethoxycarbonyl]-2-thienyl}ethyl-3-oxo-1,4-thiazinane-2-carboxylate
	59804-25-0	methyl 4-hydroxy-2-methyl-2H-thieno[2,3-e][1,2]thiazine-3-carboxylate 1,1-dioxide
	78850-37-0	methyl (3aR,4R,7aR)-2-methyl-4-[(1S,2R)-1,2,3-triacetoxypropyl]-3a,7a-dihydro-4H-pyrano[3,4-d]oxazole-6-carboxylate
	39925-10-5	methyl 1-(2,3,5-tri-O-acetyl-beta-D-ribofuranosyl)-1H-1,2,4-triazole-3-carboxylate
	1463-10-1	5-methyluridine
	25954-21-6	5-methyluridine hemihydrate
	28783-41-7	4,5,6,7-tetrahydrothieno[3,2-c]pyridine hydrochloride
	50-89-5	thymidine
2935 00 90	183556-68-5	(S)-N-[(1S,2R)-3-[(1,3-benzodioxol-5-ylsulfonyl)(isobutyl)amino]-1-benzyl-2-hydroxypropyl]-3,3-dimethyl-2-(sarcosylamino)butyramide
	6292-59-7	4-tert-butylbenzenesulfonamide
	150375-75-0	N'-{(2R,3S)-5-chloro-3-(2-chlorophenyl)-1-[(3,4-dimethoxyphenyl)sulfonyl]-3-hydroxy-2,3-dihydro-1H-indol-2-ylcarbonyl}-L-prolinamide
	180200-68-4	4-(4-cyclohexyl-2-methyloxazol-5-yl)-2-fluorobenzenesulfonamide
	192329-83-2	(3S)-2,2-dimethyl-4-[4-(4-pyridyloxy)phenylsulfonyl]-1,4-thiazinane-3-carboxylic acid
	194602-23-8	2-ethoxy-5-[(4-methylpiperazin-1-yl)sulfonyl]benzoic acid
	179524-67-5	(S)-2-{3-[2-fluorobenzyl)sulfonylamino]-2-oxo-2,3-dihydro-1-pyridyl}-N-(1-formyl-4-guanidinobutyl)acetamide
	17852-52-7	4-hydrazonobenzenesulfonamide hydrochloride
	192329-42-3	(S)-N-hydroxy-2,2-dimethyl-4-[4-(4-pyridyloxy)phenylsulfonyl]-1,4-thiazinane-3-carboxamide
	100632-57-3	4-[(4-mesylamino)phenyl]-4-oxobutyric acid
	66644-80-2	3-methoxy-5-sulfamoyl-o-anisic acid
	147200-03-1	N-[(4S,6S)-6-methyl-7,7-dioxo-2-sulfamoyl-5,6-dihydro-4H-thieno[2,3-b]thiopyran-4-yl]acetamide
	106820-63-7	methyl 3-[(methoxycarbonylmethyl)sulfamoyl]thiophene-2-carboxylate
	181695-72-7	4-(5-methyl-3-phenylisoxazol-4-yl)benzenesulfonamide
	198470-85-8	N-[4-(5-methyl-3-phenylisoxazol-4-yl)phenylsulfonyl]propionamide, sodium salt
	33045-52-2	methyl 5-sulfamoyl-o-anisate
	33288-71-0	5-methyl-N-[4-(sulfamoyl)phenethyl]pyrazine-2-carboxamide
	161814-49-9	(3S)-tetrahydrofuran-3-yl (1S,2R)-3-[(4-aminophenylsulfonyl)(isobutyl)amino]-1-benzyl-2-hydroxypropylcarbamate
	169590-42-5	4-[5-(p-tolyl)-3-(trifluoromethyl)-1H-pyrazol-1-yl]benzenesulfonamide

CN code	CAS RN	Name
2938 90 90	104443-62-1	1-O-[O-(N-acetyl-alpha-neuraminosyl)-(2,3)-O-[O-beta-D-galactopyranosyl-(1,3)-2-acetamido-2-deoxy-beta-D-galactopyranosyl-(1,4)]-O-beta-D-galactopyranosyl-(1,4)-beta-D-glucopyranosyl]ceramide
	104443-57-4	1-O-[O-2-acetamido-2-deoxy-beta-D-galactopyranosyl-(1,4)-O-(N-acetyl-alpha-neuraminosyl)-(2,3)-O-beta-D-galactopyranosyl-(1,4)-beta-D-glucopyranosyl]ceramide
	196085-62-8	N-[[[(1R,2R)-1-[O-(N-acetyl-alpha-neuraminosyl)-(2,3)-O-2-acetamido-2-deoxy-beta-D-galactopyranosyl-(1,4)-O-beta-D-galactopyranosyl-(1,4)-beta-D-glucopyranosyloxymethyl]-2-hydroxy-3-formylpropyl]stearamide
2939 10 00	41444-62-6	codeine phosphate hemihydrate
	54417-53-7	(R)-1,2,3,4-tetrahydropapaverine hydrochloride
2939 90 90	51-55-8	atropine
	92-13-7	pilocarpine
2940 00 90	182410-00-0	beta-cyclodextrin sulfoethyl ethers, sodium salts
	24259-59-4	L-ribose
	4132-28-9	2,3,4,6-tetra-O-benzyl-D-glucose
	80312-55-6	2,3,4,6-tetra-O-benzyl-1-O-(trimethylsilyl)-beta-D-glucose
3002 10 95	116638-33-6	SC-59735
	193700-51-5	SC-70935
3003 90	195993-11-4	hemocyanins, megathura crenulata, reaction products with 1-O-[O-2-acetamido-2-deoxy-beta-D-galactopyranosyl-(1,4)-O-(N-acetyl-alpha-neuraminosyl)-(2,3)]-O-beta-D-galactopyranosyl-(1,4)-beta-D-glucopyranose
	114256-04-04	1-(28-{O-D-apio-beta-D-furanosyl-(1,3)-O-beta-D-xylopyranosyl-(1,4)-O-6-deoxy-alpha-L-mannopyranosyl-(1,2)-4-O-[5-(alpha-L-arabinofuranosyloxy-3-hydroxy-6-methyloctanoyloxy)-3-hydroxy-6-methyloctanoyl]-6-deoxy-beta-O-galactopyranosyloxy}-16-alpha-hydroxy-23-beta, 28-dioxolean-12-en-3-beta-yl)-D-beta-D-galactopyranosyl-(1,2)-O-beta-D-xylopyranosyl-(1,3)-beta-D-glucopyranosiduronic acid
3006 30 00	155773-56-1	ferristene
3507 90 90	9002-12-4	urate oxidase

COMMISSION REGULATION (EC) No 1507/1999

of 9 July 1999

amending Regulation (EC) No 1667/98 increasing to 439 595 tonnes the quantity of barley held by the Swedish intervention agency for which a standing invitation to tender for export has been opened

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EEC) No 1766/92 of 30 June 1992 on the common organisation of the market in cereals ⁽¹⁾, as last amended by Commission Regulation (EC) No 1253/1999 ⁽²⁾, and in particular Article 5 thereof,

- (1) Whereas Commission Regulation (EEC) No 2131/93 ⁽³⁾, as last amended by Regulation (EC) No 39/1999 ⁽⁴⁾, lays down the procedures and conditions for the disposal of cereals held by the intervention agencies;
- (2) Whereas Commission Regulation (EC) No 1667/98 ⁽⁵⁾, as last amended by Regulation (EC) No 1197/1999 ⁽⁶⁾, opened a standing invitation to tender for the export of 417 608 tonnes of barley held by the Swedish intervention agency; whereas, Sweden informed the Commission of the intention of its intervention agency to increase by 21 987 tonnes the quantity for which a standing invitation to tender for export has been opened; whereas the total quantity of barley held by the Swedish intervention agency for which a standing invitation to tender for export has been opened should be increased to 439 595 tonnes;
- (3) Whereas this increase in the quantity put out to tender makes it necessary to alter the list of regions and quantities

in store; whereas Annex I to Regulation (EC) No 1667/98 must therefore be amended;

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

HAS ADOPTED THIS REGULATION:

Article 1

Regulation (EC) No 1667/98 is hereby amended as follows:

1. Article 2 is replaced by the following:

'Article 2

1. The invitation to tender shall cover a maximum of 439 595 tonnes of barley to be exported to all third countries with the exception of the United States of America, Canada and Mexico.
2. The regions in which the 439 595 tonnes of barley are stored are stated in Annex I to this Regulation.;
2. Annex I is replaced by the Annex hereto.

Article 2

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

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

Done at Brussels, 9 July 1999.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ L 181, 1.7.1992, p. 21.

⁽²⁾ OJ L 160, 26.6.1999, p. 18.

⁽³⁾ OJ L 191, 31.7.1993, p. 76.

⁽⁴⁾ OJ L 5, 9.1.1999, p. 64.

⁽⁵⁾ OJ L 211, 29.7.1998, p. 17.

⁽⁶⁾ OJ L 146, 11.6.1999, p. 5.

ANNEX

ANNEX I

Place of storage	Quantity (tonnes)
Ättersta	7 584
Brännarp	2 624
Broddbo 1	5 997
Broddbo 2	6 076
Djurön	39 504
Ervalla	934
Falun	878
Fammarp	19 046
Funbo-Lövsta	6 579
Gamleby	2 835
Gårdsjö	2 565
Gävle	10 847
Gimo	23 901
Gistad	3 761
Gullspång	2 391
Halmstad (Engströms)	4 659
Hästholmen	5 089
Helsingborg	37 526
Hova	12 981
Kalmar	15 738
Karlshamn	42 356
Katrineholm	2 068
Köping	24 064
Laholm	2 737
Mariestad	1 956
Mjölby	1 804
Moraby	1 637
Motala	2 807
Norrtälje	10 014
Ornesta	13 583
Österbybruk	10 878
Otterbäcken	4 075
Rimforsa	11 049
Rök	4 994
Signestorp	2 672
Simonstorp	5 022
Skivarp	9 415
Söråker	13 053
Stallarholmen	2 062
Stavreviken	1 479
Stockholm (Kvarnholmen)	29 957
Tjustorp	9 879
Värnamo	5 742
Vetlanda	10 780
Vimmerby	3 997

COMMISSION REGULATION (EC) No 1508/1999

of 9 July 1999

amending Regulation (EC) No 1223/98 increasing to 567 036 tonnes the quantity of rye from harvests prior to 1997 held by the German intervention agency for which a standing invitation to tender for export has been opened

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EEC) No 1766/92 of 30 June 1992 on the common organisation of the market in cereals ⁽¹⁾, as last amended by Regulation (EC) No 1253/1999 ⁽²⁾, and in particular Article 5 thereof,

- (1) Whereas Commission Regulation (EEC) No 2131/93 ⁽³⁾, as last amended by Regulation (EC) No 39/1999 ⁽⁴⁾, lays down the procedures and conditions for the disposal of cereals held by the intervention agencies;
- (2) Whereas Commission Regulation (EC) No 1123/98 ⁽⁵⁾, as last amended by Regulation (EC) No 1144/1999 ⁽⁶⁾ opened a standing invitation to tender for the export of 500 000 tonnes of rye from harvests prior to 1997 held by the German intervention agency; whereas, Germany informed the Commission of the intention of its intervention agency to increase by 67 036 tonnes the quantity for which a standing invitation to tender for export has been opened; whereas the total quantity of rye from harvests prior to 1997 held by the German intervention agency for which a standing invitation to tender for export has been opened should be increased to 567 036 tonnes;
- (3) Whereas this increase in the quantity put out to tender makes it necessary to alter the list of regions and quantities in store;

whereas Annex I to Regulation (EC) No 1123/98 must therefore be amended;

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

HAS ADOPTED THIS REGULATION:

Article 1

Regulation (EC) No 1123/98 is hereby amended as follows:

1. Article 2 is replaced by the following:

'Article 2

1. The invitation to tender shall cover a maximum of 567 036 tonnes of rye from harvests prior to 1997 to be exported to all third countries.
2. The regions in which the 567 036 tonnes of rye from harvests prior to 1997 are stored are stated in Annex I to this Regulation.'

2. Annex I is replaced by the Annex hereto.

Article 2

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

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

Done at Brussels, 9 July 1999.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ L 181, 1.7.1992, p. 21.

⁽²⁾ OJ L 160, 26.6.1999, p. 18.

⁽³⁾ OJ L 191, 31.7.1993, p. 76.

⁽⁴⁾ OJ L 5, 9.1.1999, p. 64.

⁽⁵⁾ OJ L 157, 30.5.1998, p. 74.

⁽⁶⁾ OJ L 137, 1.6.1999, p. 20.

ANNEX

'ANNEX I

(tonnes)

Place of storage	Quantity
Schleswig-Holstein/Hamburg/ Niedersachsen/Bremen/ Nordrhein-Westfalen	184 381
Hessen/Rheinland-Pfalz/ Baden-Württemberg/ Saarland/Bayern	14 673
Berlin/Brandenburg/ Mecklenburg-Vorpommern	168 724
Sachsen/Sachsen-Anhalt/Thüringen	199 258'

COMMISSION REGULATION (EC) No 1509/1999

of 9 July 1999

amending Regulation (EC) No 1232/1999 increasing to 350 185 tonnes the quantity of wheat of breadmaking quality held by the German intervention agency for which a standing invitation to tender for export has been opened

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EEC) No 1766/92 of 30 June 1992 on the common organisation of the market in cereals ⁽¹⁾, as last amended by Regulation (EC) No 1253/1999 ⁽²⁾, and in particular Article 5 thereof,

- (1) Whereas Commission Regulation (EEC) No 2131/93 ⁽³⁾, as last amended by Regulation (EC) No 39/1999 ⁽⁴⁾, lays down the procedures and conditions for the disposal of cereals held by the intervention agencies;
- (2) Whereas Commission Regulation (EC) No 1232/1999 ⁽⁵⁾, as amended by Regulation (EC) No 1396/1999 ⁽⁶⁾, opened a standing invitation to tender for the export of 300 015 tonnes of wheat of breadmaking quality held by the German intervention agency; whereas, Germany informed the Commission of the intention of its intervention agency to increase by 50 170 tonnes the quantity for which a standing invitation to tender for export has been opened; whereas the total quantity of wheat of breadmaking quality held by the German intervention agency for which a standing invitation to tender for export has been opened should be increased to 350 185 tonnes;
- (3) Whereas this increase in the quantity put out to tender makes it necessary to alter the list of regions and quantities in store; whereas Annex I to Regulation (EC) No 1232/1999 must therefore be amended;

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

HAS ADOPTED THIS REGULATION:

Article 1

Regulation (EC) No 1232/1999 is hereby amended as follows:

1. Article 2 is replaced by the following:

'Article 2

1. The invitation to tender shall cover a maximum of 350 185 tonnes of wheat of breadmaking quality to be exported to all third countries.

2. The regions in which the 350 185 tonnes of wheat of breadmaking quality are stored are stated in Annex I to this Regulation.'

2. Annex I is replaced by the Annex hereto.

Article 2

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

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

Done at Brussels, 9 July 1999.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ L 181, 1.7.1992, p. 21.

⁽²⁾ OJ L 160, 26.6.1999, p. 18.

⁽³⁾ OJ L 191, 31.7.1993, p. 76.

⁽⁴⁾ OJ L 5, 9.1.1999, p. 64.

⁽⁵⁾ OJ L 149, 16.6.1999, p. 15.

⁽⁶⁾ OJ L 163, 29.6.1999, p. 35.

ANNEX

ANNEX I

(tonnes)

Place of storage	Quantity
Schleswig-Holstein/Hamburg/ Niedersachsen/Bremen/ Nordrhein-Westfalen	155 829
Hessen/Rheinland-Pfalz/ Baden-Württemberg/ Saarland/Bayern	77 308
Berlin/Brandenburg/ Mecklenburg-Vorpommern	34 131
Sachsen/Sachsen-Anhalt/Thüringen	82 917'

COMMISSION REGULATION (EC) No 1510/1999**of 9 July 1999****amending Regulation (EC) No 2198/98 increasing to 1 600 325 tonnes the quantity of barley held by the German intervention agency for which a standing invitation to tender for export has been opened**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EEC) No 1766/92 of 30 June 1992 on the common organisation of the market in cereals ⁽¹⁾, as last amended by Regulation (EC) No 1253/1999 ⁽²⁾, and in particular Article 5 thereof,

- (1) Whereas Commission Regulation (EEC) No 2131/93 ⁽³⁾, as last amended by Regulation (EC) No 39/1999 ⁽⁴⁾, lays down the procedures and conditions for the disposal of cereals held by the intervention agencies;
- (2) Whereas Commission Regulation (EC) No 2198/98 ⁽⁵⁾, as last amended by Regulation (EC) No 1386/1999 ⁽⁶⁾, opened a standing invitation to tender for the export of 1 350 203 tonnes of barley held by the German intervention agency; whereas, Germany informed the Commission of the intention of its intervention agency to increase by 250 122 tonnes the quantity for which a standing invitation to tender for export has been opened; whereas the total quantity of barley held by the German intervention agency for which a standing invitation to tender for export has been opened should be increased to 1 600 325 tonnes;
- (3) Whereas this increase in the quantity put out to tender makes it necessary to alter the list of regions

and quantities in store; whereas Annex I to Regulation (EC) No 2198/98 must therefore be amended;

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

HAS ADOPTED THIS REGULATION:

Article 1

Regulation (EC) No 2198/98 is hereby amended as follows:

1. Article 2 is replaced by the following:

'Article 2

1. The invitation to tender shall cover a maximum of 1 600 325 tonnes of barley for export to third countries, with the exception of the United States of America, Canada and Mexico.
 2. The regions in which the 1 600 325 tonnes of barley are stored are stated in Annex I to this Regulation;
2. Annex I is replaced by the Annex hereto.

Article 2

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

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

Done at Brussels, 9 July 1999.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ L 181, 1.7.1992, p. 21.

⁽²⁾ OJ L 160, 26.6.1999, p. 18.

⁽³⁾ OJ L 191, 31.7.1993, p. 76.

⁽⁴⁾ OJ L 5, 9.1.1999, p. 64.

⁽⁵⁾ OJ L 277, 14.10.1998, p. 9.

⁽⁶⁾ OJ L 163, 29.6.1999, p. 9.

ANNEX

ANNEX I

(tonnes)

Place of storage	Quantity
Schleswig-Holstein/Hamburg/ Niedersachsen/Bremen/ Nordrhein-Westfalen	505 378
Hessen/Rheinland-Pfalz/ Baden-Württemberg/ Saarland/Bayern	111 251
Berlin/Brandenburg/ Mecklenburg-Vorpommern	562 986
Sachsen/Sachsen-Anhalt/Thüringen	420 710'

COMMISSION REGULATION (EC) No 1511/1999**of 9 July 1999****amending Regulation (EC) No 1261/96 establishing the forecast supply balance for the Canary Islands as regards wine products qualifying under the specific arrangements provided for in Articles 2 to 5 of Council Regulation (EEC) No 1601/92**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EEC) No 1601/92 of 15 June 1992 concerning specific measures for the Canary Islands with regard to certain agricultural products ⁽¹⁾, as last amended by Regulation (EC) No 1257/1999 ⁽²⁾, and in particular Articles 2, 3(4) and 4(4) thereof,

- (1) Whereas Commission Regulation (EC) No 1261/96 ⁽³⁾, as last amended by Regulation (EC) No 1510/98 ⁽⁴⁾, fixes the quantities of the forecast supply balance for wine products qualifying for Community aid for the period 1 July 1998 to 30 June 1999;
- (2) Whereas the quantities of the forecast supply balance for the period 1 July 1999 to 30 June 2000 should be determined to continue supplies, taking account of the special situation of production in the Canary Islands; whereas the aid for the supply to the Canary Islands should also be fixed at the amounts given in Annex II, taking account of the quotations or prices for the said

wine products in the European part of the Community and on the world market;

- (3) Whereas the measures provided for in this Regulation are in accordance with the opinion of the Management Committee for Wine,

HAS ADOPTED THIS REGULATION:

Article 1

Annexes I and II to Regulation (EC) No 1261/96 are hereby replaced by Annexes I and II to this Regulation.

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

It shall apply with effect from 1 July 1999.

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

Done at Brussels, 9 July 1999.

For the Commission

Franz FISCHLER

Member of the Commission⁽¹⁾ OJ L 173, 27.6.1992, p. 13.⁽²⁾ OJ L 320, 11.12.1996, p. 1.⁽³⁾ OJ L 163, 2.7.1996, p. 15.⁽⁴⁾ OJ L 200, 16.7.1998, p. 13.

ANNEX I

WINE PRODUCTS

Forecast supply balance for the Canary Islands

(1 July 1999 to 30 June 2000)

CN code	Description	Quantity (hectolitres)
ex 2204 21 79	Wines:	
ex 2204 21 80	— originating in third countries: wines bearing only the name of the	} 115 500
ex 2204 21 83	country of origin with no other indication or geographical designa-	
ex 2204 21 84	tion	
	— originating in the Community: table wine within the meaning of	
	point 13 of Annex I to Regulation (EEC) No 822/87	
ex 2204 29 62	Wines:	
ex 2204 29 64	— originating in third countries: wines bearing only the name of the	} 100 000 (!)
ex 2204 29 65	country of origin with no other indication or geographical designa-	
ex 2204 29 71	tion	
ex 2204 29 72	— originating in the Community: table wine within the meaning of	
ex 2204 29 75	point 13 of Annex I to Regulation (EEC) No 822/87	
ex 2204 29 83		
ex 2204 29 84		
	Total	215 500

(!) To be used in bottles holding 2 l. or less, or for industrial use.

ANNEX II

Aid granted in respect of the products listed in Annex I

(EUR/ha)

Product code	Aid applicable to products coming from the Community
2204 21 79 9120	4,782
2204 21 79 9220	4,782
2204 21 79 9180	8,068
2204 21 79 9280	9,445
2204 21 79 9910	4,782
2204 21 80 9180	10,065
2204 21 80 9280	11,785
2204 21 83 9120	4,782
2204 21 83 9180	11,019
2204 21 84 9180	13,749
2204 29 62 9120	4,782
2204 29 62 9220	4,782
2204 29 62 9180	8,068
2204 29 62 9280	9,445
2204 29 62 9910	4,782
2204 29 64 9120	4,782
2204 29 64 9220	4,782
2204 29 64 9180	8,068
2204 29 64 9280	9,445
2204 29 64 9910	4,782
2204 29 65 9120	4,782
2204 29 65 9220	4,782
2204 29 65 9180	8,068
2204 29 65 9280	9,445
2204 29 65 9910	4,782
2204 29 71 9180	10,065
2204 29 71 9280	11,785
2204 29 72 9180	10,065
2204 29 72 9280	11,785
2204 29 75 9180	10,065
2204 29 75 9280	11,785
2204 29 83 9120	4,782
2204 29 83 9180	11,019
2204 29 84 9180	13,749

COMMISSION REGULATION (EC) No 1512/1999
of 9 July 1999
on the issuing of import licences for bananas under the tariff quotas and for traditional ACP
bananas for the third quarter of 1999 (second period)
(Text with EEA relevance)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EEC) No 404/93 of 13 February 1993 on the common organisation of the market in bananas ⁽¹⁾, as last amended by Regulation (EC) No 1257/1999 ⁽²⁾,

Having regard to Commission Regulation (EC) No 2362/98 of 28 October 1998 laying down detailed rules for the implementation of Council Regulation (EEC) No 404/93 regarding imports of bananas into the Community ⁽³⁾, as amended by Regulation (EC) No 756/1999 ⁽⁴⁾, and in particular Article 18(2) thereof,

- (1) Whereas Article 2 of, and the Annex to Commission Regulation (EC) No 1293/1999 ⁽⁵⁾ fix the quantities available for the third quarter of 1999 under the second period for the submission of applications provided for in Article 18 of Regulation (EC) No 2362/98;
- (2) Whereas, pursuant to Article 18(2) of Regulation (EC) No 2362/98, on the basis of applications submitted during the second period, the quantities for which

licences may be issued for the origins concerned should be determined forthwith;

- (3) Whereas this Regulation should apply immediately to permit licences to be issued as quickly as possible,

HAS ADOPTED THIS REGULATION:

Article 1

Import licences shall be issued under the arrangements for the importation of bananas, tariff quotas arrangements and arrangements for traditional ACP bananas for the third quarter of 1999 (second period) in respect of new applications as referred to in Article 18 of Regulation (EC) No 2362/98:

1. for the quantity indicated in the licence application multiplied, for the origin 'Panama', by the reduction coefficient 0,5776;
2. for the quantity indicated in the licence application for an origin other than that mentioned in point 1.

Article 2

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

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

Done at Brussels, 9 July 1999.

For the Commission
Franz FISCHLER
Member of the Commission

⁽¹⁾ OJ L 47, 25.2.1993, p. 1.

⁽²⁾ OJ L 160, 26.6.1999, p. 80.

⁽³⁾ OJ L 293, 31.10.1998, p. 32.

⁽⁴⁾ OJ L 98, 13.4.1999, p. 10.

⁽⁵⁾ OJ L 153, 19.6.1999, p. 60.

COMMISSION REGULATION (EC) No 1513/1999
of 9 July 1999
setting for the 1999/2000 marketing year the minimum price and the amount of production aid for
processed tomato products

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EC) No 2201/96 of 28 October 1996 on the common organisation of the markets in processed fruit and vegetable products ⁽¹⁾, as amended by Regulation (EC) No 2199/97 ⁽²⁾, and in particular Article 3(3) and Article 4(9) thereof,

- (1) Whereas pursuant to Article 3(1) of Regulation (EC) No 2201/96 the minimum price to be paid to producers is to be determined on the basis of the minimum price applying during the previous marketing year, changes in prices in the fruit and vegetable sector and the need to ensure the normal marketing of fresh products for the various uses, including supply to the processing industry;
- (2) Whereas Commission Regulation (EEC) No 2022/92 ⁽³⁾, which lays down detailed rules of application for the minimum price to be paid to producers for certain tomatoes used in the production of tomato concentrate, juice and flakes on the basis of the soluble dry weight content, should continue to apply;
- (3) Whereas Article 4 of Regulation (EC) No 2201/96 lays down the criteria for fixing the amount of production aid; whereas account must, in particular, be taken of the aid fixed or calculated before the reduction provided for in paragraph 10 of that Article for the previous marketing year, adjusted to take account of changes in the minimum price to be paid to producers and the difference between the cost of the raw material in the Community and in the major competing third countries; whereas, in respect of tomato concentrates, preserved whole peeled and unpeeled tomatoes and tomato juices,

changes in the volume and prices of imports must be taken into consideration;

- (4) Whereas Article 4(10) of Regulation (EC) No 2201/96 stipulates that the aid set for tomato concentrates and their derivatives is to be reduced by 5,37 %; whereas a supplement to the reduced aid is to be paid on the basis of the quantities of tomato concentrate produced for France and Portugal;
- (5) Whereas the measures provided for in this Regulation are in accordance with the opinion of the Management Committee for Products Processed from Fruit and Vegetables,

HAS ADOPTED THIS REGULATION:

Article 1

For the 1999/2000 marketing year the minimum price referred to in Article 3 of Regulation (EC) No 2201/96 to be paid to producers shall be as set out in Annex I.

Article 2

1. For the 1999/2000 marketing year the level of production aid referred to in Article 4 of that Regulation shall be as set out in Annex II.
2. The additional aid for tomato concentrate, juice and flakes referred to in the second subparagraph of Article 4(10) of Regulation (EC) No 2201/96 shall be set by the Commission if the condition provided for in that subparagraph is met.

Article 3

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, 9 July 1999.

For the Commission
 Franz FISCHLER
 Member of the Commission

⁽¹⁾ OJ L 297, 21.11.1996, p. 29.

⁽²⁾ OJ L 303, 6.11.1997, p. 1.

⁽³⁾ OJ L 207, 23.7.1992, p. 9.

ANNEX

Minimum price to be paid to producers

Product	EUR/100 kg net, ex-producer or producer organisation
Tomatoes intended for the manufacture of:	
(a) tomato concentrate and juice with a soluble dry weight content of between 4,8 and 5,4 %	8,805 ⁽¹⁾
(b) preserved whole peeled and unpeeled tomatoes or frozen whole peeled tomatoes:	
— the San Marzano variety	14,575
— the Roma and similar varieties	11,212
(c) preserved non-whole peeled and unpeeled tomatoes and non-whole frozen peeled tomatoes	8,805
(d) tomato flakes with a soluble dry weight content of between 4,8 and 5,4 %	11,212 ⁽¹⁾

⁽¹⁾ These prices are rectified by:

- 5 % if the soluble dry weight content is less than 4,8 % but is 4 % or more,
- + 5 % if the soluble dry weight content is more than 5,4 %.

ANNEX II

Production aid

Product	EUR/100 kg net
1. Tomato concentrates with a dry weight content of 28 % or more but less than 30 %	21,619
2. Preserved whole peeled tomatoes in tomato juice:	
(a) of the San Marzano variety	8,215
(b) of the Roma and similar varieties	5,794
3. Preserved whole peeled tomatoes of the Roma and similar varieties in water	4,925
4. Preserved whole unpeeled tomatoes of the Roma and similar varieties	4,056
5. Frozen whole peeled tomatoes:	
(a) of the San Marzano variety	8,215
(b) of the Roma and similar varieties	5,794
6. Preserved peeled tomatoes, non-whole or in pieces	}
7. Preserved unpeeled tomatoes, non-whole or in pieces	
8. Non-whole frozen peeled tomatoes	
9. Tomato flakes	71,940
10. Tomato juice with a dry weight content of 7 % or more but less than 12 %:	
(a) with a dry weight content of 7 % or more but less than 8 %	5,591
(b) with a dry weight content of 8 % or more but less than 10 %	6,709
(c) with a dry weight content of 10 % or more	8,201
11. Tomato juice with a dry weight content of less than 7 %:	
(a) with a dry weight content of 5 % or more	4,473
(b) with a dry weight content of 4,5 % or more but less than 5 %	3,541

COMMISSION REGULATION (EC) No 1514/1999**of 9 July 1999****fixing for the 1999/2000 marketing year the minimum price to be paid to producers for dried plums and the amount of production aid for prunes**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EC) No 2201/96 of 28 October 1996 on the common organisation of the market in products processed from fruit and vegetables ⁽¹⁾, as amended by Regulation (EC) No 2199/97 ⁽²⁾, and in particular Article 3(3) and Article 4(9) thereof,

- (1) Whereas Article 2 of Commission Regulation (EC) No 504/97 of 19 March 1997 laying down detailed rules for the application of Council Regulation (EC) No 2201/96 as regards the system of production aid for products processed from fruit and vegetables ⁽³⁾, as last amended by Regulation (EC) No 702/1999 ⁽⁴⁾, fixes the dates of the marketing years;
- (2) Whereas Articles 3 and 4 of Regulation (EC) No 2201/96 set the criteria for fixing the minimum price and the amount of the production aid respectively;
- (3) Whereas Article 3 of Commission Regulation (EC) No 464/1999 of 3 March 1999 laying down detailed rules for the application of Council Regulation (EC) No 2201/96 as regards aid arrangements for prunes ⁽⁵⁾, defines the products for which the minimum price and the aid are fixed; whereas Article 2 of that same Regulation lays down the characteristics that these products must

possess; whereas the minimum price and the production aid for the 1999/2000 marketing year should therefore be fixed;

- (4) Whereas the measures provided for in this Regulation are in accordance with the opinion of the Management Committee for Products processed from Fruit and Vegetables,

HAS ADOPTED THIS REGULATION:

Article 1

For the 1999/2000 marketing year:

- (a) the minimum price referred to in Article 3 of Regulation (EC) No 2201/96 shall be EUR 193,523/100 kg, net from the producer, for dried plums derived from prunes d'Ente;
- (b) the production aid referred to in Article 4 of Regulation (EC) No 2201/96 shall be EUR 79,976/100 kg net for prunes.

Article 2

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, 9 July 1999.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ L 297, 21.11.1996, p. 29.

⁽²⁾ OJ L 303, 6.11.1997, p. 1.

⁽³⁾ OJ L 78, 20.3.1997, p. 14.

⁽⁴⁾ OJ L 89, 1.4.1999, p. 26.

⁽⁵⁾ OJ L 56, 4.3.1999, p. 8.

COMMISSION DIRECTIVE 1999/64/EC

of 23 June 1999

amending Directive 90/388/EEC in order to ensure that telecommunications networks and cable TV networks owned by a single operator are separate legal entities

(Text with EEA relevance)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community, and in particular Article 86(3) thereof,

Whereas:

- (1) Pursuant to Commission Directive 90/388/EEC of 28 June 1990 on competition in the markets for telecommunications services ⁽¹⁾, as last amended by Directive 96/19/EC ⁽²⁾, Member States were required to lift special and exclusive rights for telecommunications services and infrastructures by 1 January 1998, subject to additional transition periods for some Member States. In particular, Article 4, as amended by Commission Directive 95/51/EC ⁽³⁾, required Member States to 'abolish all restrictions on the supply of transmission capacity by cable TV networks and allow the use of cable networks for the provision of telecommunications services, other than voice telephony', and to 'ensure that interconnection of cable TV networks with the public telecommunications network is authorised for such purpose, in particular interconnection with leased lines, and that the restrictions on the direct interconnection of cable TV networks by cable TV operators are abolished'.
- (2) Directive 95/51/EC addressed two problems concerning undertakings to which Member States have granted the right to establish both cable TV and telecommunications networks. First, it stated that these undertakings are in a situation whereby they have no incentive to attract users to the network best suited to the provision of the relevant service. It was pointed out that the introduction of fair competition will often require specific measures that take into account the specific circumstances of the relevant markets. At the time of the adoption of Directive 95/51/EC, the Commission concluded that, given the disparities between Member States, the national authorities were best able to assess which measures were most appropriate, and in particular to judge whether a separation of these activities was indispensable. Secondly, the Commission concluded that detailed control of cross-subsidies and accounting transparency are essential in the early stages of liberalisation of the telecommunications sector. Article 2 of Directive 95/51/EC therefore required Member States to ensure in particular that telecommunications organisations providing cable TV infra-

structures kept separate financial accounts as regards the provision of public telecommunications networks and cable TV networks as well as their activities as telecommunications service providers. It was also stated that while Member States should at least impose a clear separation of financial records between those activities, full structural separation was preferable.

- (3) At the same time the Commission stated that in the absence of the emergence of competing home-delivery systems it would have to reconsider whether a separation of accounts was sufficient to avoid improper practices, and that it would assess whether such joint provision did not result in a limitation of the potential supply of transmission capacity at the expense of the service providers in the relevant area, or whether further measures were warranted. In this context the third paragraph of Article 2 of Directive 95/51/EC required the Commission to carry out, before 1 January 1998, an overall assessment of the impact, in relation to the aims of that Directive, of the joint provision of cable TV networks and public telecommunications networks through a single operator.
- (4) This Directive is based on the assessment carried out by the Commission pursuant to Article 2 to Directive 95/51/EC. In preparing that assessment, two studies were commissioned on the competition implications in telecommunications and multimedia markets of, on the one hand, joint provision of cable and telecommunications networks by a single dominant operator and, on the other, restrictions on the use of telecommunications networks for the provision of cable TV services. The studies concluded in particular that the joint ownership of telecommunications networks and cable TV networks by a single enterprise, without a high degree of competition in the local access markets, slows down the development towards a full multimedia infrastructure to the detriment of consumers, service providers and the European economy as a whole.
- (5) The Commission has adopted a communication on the assessment carried out as required by Directive 95/51/EC and 96/19/EC ⁽⁴⁾. In its review the Commission found that the optimal development of telecommunications and multimedia markets depends on four factors:

⁽¹⁾ OJ L 192, 24.7.1990, p. 10.⁽²⁾ OJ L 74, 22.3.1996, p. 13.⁽³⁾ OJ L 256, 26.10.1995, p. 49.⁽⁴⁾ OJ C 71, 7.3.1998, p. 4.

- service competition, infrastructure competition, infrastructure upgrade, and other types of innovation. It found that in the Community the joint provision of telecommunications and cable TV services by a single operator creates an asymmetric starting position for dominant telecommunications operators as compared with new entrants. This will act as a significant constraint on the optimal development of telecommunications markets. This analysis was also endorsed by the European Parliament in its resolution of 9 February 1999 ⁽¹⁾, concerning the draft of this Directive.
- (6) The Treaty, and in particular Article 86 thereof, entrusts the Commission with the task of ensuring that, in the case of public undertakings and undertakings enjoying special or exclusive rights, Member States comply with their obligations under Community law. Pursuant to Article 86(3) the Commission can specify and clarify the obligations arising from that Article and, in that framework, set out the conditions which are necessary to allow the Commission to perform effectively the duty of surveillance imposed upon it by that paragraph.
- (7) Most European telecommunications organisations are still State-controlled companies and thus public undertakings as defined in Commission Directive 80/723/EEC ⁽²⁾, as last amended by Directive 93/84/EEC ⁽³⁾. In addition, whilst Community law provides for the withdrawal of exclusive rights for the provision of telecommunications networks and services, it does not prevent telecommunications organisations from continuing to benefit from certain special rights as defined by Directive 90/388/EEC, as amended by Directive 94/46/EC ⁽⁴⁾, beyond the date of full liberalisation. This is, for example, the case in the area of radio frequencies used for the provision of telecommunications networks and broadcasting transmission capacity. That is because telecommunications organisations continue to enjoy rights to use radio frequencies which they have historically been granted otherwise than according to objective, proportional and non-discriminatory criteria. Such regulatory advantages strengthen the position of those operators and continue to have a substantial effect on the ability of other undertakings to compete with the telecommunications organisations in the area of telecommunications infrastructure. Accordingly, those telecommunications operators remain undertakings covered by Article 86(1) of the Treaty. Moreover, certain Member States were granted additional implementation periods, which have not yet elapsed, for the abolition of exclusive rights for voice telephony and for the establishment and provision of public telecommunications networks.
- (8) Most Member States have adopted measures granting to the telecommunications organisations special or exclusive rights for the provision of cable television networks. The rights can take the form either of an exclusive licence or of a non-exclusive licence where the number of licences is restricted otherwise than according to objective, proportional and non-discriminatory criteria.
- (9) Article 82 of the Treaty prohibits one or more undertakings holding a dominant position from abusing that dominant position within the common market or a substantial part of it.
- (10) Where Member States have granted a special or exclusive right to build and operate cable TV networks, to a telecommunications organisation in the same geographic area where it is dominant on the market for services using telecommunications infrastructure, that telecommunications organisation has no incentive to upgrade both its public narrowband telecommunications network and its broadband cable TV network to an integrated broadband communications network ('full-service network') capable of delivering voice, data and images at high bandwidth. In other words, such an organisation is placed in a situation whereby it has a conflict of interests, because any substantial improvement in either its telecommunications network or its cable TV network may lead to a loss of business for the other network. It would be desirable in those circumstances to separate the ownership of the two networks into two distinct companies since the joint ownership of the networks will lead those organisations to delay the emergence of new advanced communications services and will thus restrict technical progress at the expense of the users, contrary to Article 86(1) of the Treaty, read in conjunction with point (b) of the second paragraph of Article 82. As a minimum, all Member States should, however, ensure that telecommunications organisations which are dominant in the provision of public telecommunications networks and public voice telephony services and which have established their cable TV networks under special or exclusive rights operate cable TV networks in a separate legal entity.
- (11) Moreover, where Member States grant to an undertaking the special or exclusive right to establish cable TV networks in the same geographical area as the one where it already provides public telecommunications networks, different forms of anti-competitive behaviour are likely to occur unless sufficient transparency of the operations of the undertakings is ensured. Notwithstanding the requirements of Community law with regard to accounting separation, some of which only entered into force with the implementation of the package of general measures opening up the Community's telecommunications markets in most Member States from 1 January 1998, in situations where serious conflicts of interest exist as a result of joint ownership,

⁽¹⁾ OJ C 150, 28.5.1999, p. 33.

⁽²⁾ OJ L 195, 29.7.1980, p. 35.

⁽³⁾ OJ L 254, 12.10.1993, p. 16.

⁽⁴⁾ OJ L 268, 19.10.1994, p. 15.

such separation has not provided the necessary safeguards against all forms of anti-competitive behaviour. In addition, the separation of accounts will only render financial flows more transparent, whereas a requirement for separate legal entities will lead to more transparency of assets and costs, and will facilitate monitoring of the profitability and the management of the cable network operations. The provision of telecommunications networks and cable TV networks are related activities. The position of an operator on either of those markets has an impact on its position on the other, and the supervision of its activities on those markets is more difficult. In addition, where a dominant telecommunications organisation has any cable TV interests, this has a discouraging effect on any other company because of the financial strength of the telecommunications operator. Also, the future financial prospects of a cable TV network which has not yet been built are uncertain for a company that is not yet established on the telecommunications or pay-TV services market. Consequently, it is essential that a dominant telecommunications organisation organises its cable TV network activities in such a way that it can be monitored in order to ensure that it does not use its resources so as to abuse its position. During the crucial phase of the full opening of the sector to competition, a legal separation between the operation of the public switched telecommunications network and the cable TV network, including backbone links, of the telecommunications organisations is the minimum requirement in order to ensure compliance with Article 86. In order to achieve this transparency, it is necessary that the networks be operated by separate legal entities which may, however, in principle be jointly owned. The requirement of legal separation would therefore be complied with if the cable TV operations of a telecommunications organisation were transferred to a fully-owned subsidiary of the telecommunications organisation.

- (12) The Commission will examine on a case-by-case basis whether it would be compatible with the principle of proportionality to require individual Member States to take further measures. The decisions to be taken in respect of specific cases could provide for measures including the opening of the cable operator to the participation of third parties, or the requirement to sell off that entity altogether.
- (13) The distribution of audiovisual programmes intended for the general public via telecommunications networks, and the content of such programmes, will continue to be subject to specific rules adopted by Member States in

accordance with Community law and should not, therefore, be governed by this Directive: this is, furthermore, in keeping with the principle of separating the provisions dealing with transmission from those dealing with content, which is an essential point of the Commission Communication of 9 March 1999 ⁽¹⁾ on the results of the public consultation on the Green Paper entitled 'The convergence of the telecommunications, media and information technology sectors'.

- (14) Taking into account current market evolution as well as the introduction of new technologies, competition in the local loop may emerge in certain Member States. In such an event, it would be necessary to review whether the maintenance of the legal obligation to separate legal entities for the telecoms and cable TV networks owned by a single company would still be necessary in view of the attainment of the objectives pursued. Given that the market situation is different in each Member State and is likely to evolve differently, such a review process should be carried out in a sufficiently flexible way to take into account the situation in each national market. National regulatory authorities should have the right to request the Commission to perform such a reassessment, in particular when asked to do so by the relevant operator. Such a request should include a detailed description of the development of the market structure in the Member State concerned. In such a case, given the legitimate interest of competitors in the relevant markets, the information provided should be made available to any interested party on demand, due regard being had to the legitimate interest of undertakings in the protection of their business secrets.
- (15) Directive 90/388/EEC should therefore be amended accordingly.
- (16) Member States should refrain from introducing new measures with the purpose or effect of jeopardising the aim of this Directive,

HAS ADOPTED THIS DECISION:

Article 1

Article 9 of Directive 90/388/EEC is hereby replaced by the following:

'Article 9

Each Member State shall ensure that no telecommunications organisation operates its cable TV network using the same legal entity as it uses for its public telecommunications network, when such organisation:

- (a) is controlled by that Member State or benefits from special rights; and
- (b) is dominant in a substantial part of the common market in the provision of public telecommunications networks and public voice telephony services; and
- (c) operates a cable TV network established under special or exclusive right in the same geographic area.'

⁽¹⁾ COM(1999) 108 final.

Article 2

The Commission shall review the application of this Directive when it considers that the requirements of this Directive have been complied with and the objectives pursued attained, and in any case not later than 31 December 2002.

Member States which consider that there is sufficient competition in the provision of local loop infrastructure and services in their territory shall inform the Commission accordingly.

Such information shall include a detailed description of the market structure. The information provided shall be made available to any interested party on demand, regard being had to the legitimate interest of undertakings in the protection of their business secrets.

The Commission shall decide, within a reasonable period after having heard the comments of these parties, whether the obligation of legal separation may be ended in the Member State concerned.

Article 3

Member States shall supply to the Commission, not later than nine months after this Directive has entered into force, such information as will allow the Commission to confirm that Article 1 has been complied with.

Article 4

This Directive shall enter into force on the 20th day following that of its publication in the *Official Journal of the European Communities*.

Article 5

This Directive is addressed to the Member States.

Done at Brussels, 23 June 1999.

For the Commission

Karel VAN MIERT

Member of the Commission

COUNCIL DIRECTIVE 1999/70/EC

of 28 June 1999

concerning the framework agreement on fixed-term work concluded by ETUC, UNICE and CEEP

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty establishing the European Community, and in particular Article 139(2) thereof,

Having regard to the proposal from the Commission,

Whereas:

- (1) Following the entry into force of the Treaty of Amsterdam the provisions of the Agreement on social policy annexed to the Protocol on social policy, annexed to the Treaty establishing the European Community have been incorporated into Articles 136 to 139 of the Treaty establishing the European Community;
- (2) Management and labour (the social partners) may, in accordance with Article 139(2) of the Treaty, request jointly that agreements at Community level be implemented by a Council decision on a proposal from the Commission;
- (3) Point 7 of the Community Charter of the Fundamental Social Rights of Workers provides, *inter alia*, that 'the completion of the internal market must lead to an improvement in the living and working conditions of workers in the European Community. This process must result from an approximation of these conditions while the improvement is being maintained, as regards in particular forms of employment other than open-ended contracts, such as fixed-term contracts, part-time working, temporary work and seasonal work';
- (4) The Council has been unable to reach a decision on the proposal for a Directive on certain employment relationships with regard to distortions of competition ⁽¹⁾, nor on the proposal for a Directive on certain employment relationships with regard to working conditions ⁽²⁾;
- (5) The conclusions of the Essen European Council stressed the need to take measures with a view to 'increasing the employment-intensiveness of growth, in particular by a more flexible organisation of work in a way which fulfils both the wishes of employees and the requirements of competition';
- (6) The Council Resolution of 9 February 1999 on the 1999 Employment Guidelines invites the social partners at all appropriate levels to negotiate agreements to modernise the organisation of work, including flexible working arrangements, with the aim of making undertakings productive and competitive and achieving the required balance between flexibility and security;
- (7) The Commission, in accordance with Article 3(2) of the Agreement on social policy, has consulted management and labour on the possible direction of Community action with regard to flexible working time and job security;
- (8) The Commission, considering after such consultation that Community action was desirable, once again consulted management and labour on the substance of the envisaged proposal in accordance with Article 3(3) of the said Agreement;
- (9) The general cross-industry organisations, namely the Union of Industrial and Employers' Confederations of Europe (UNICE), the European Centre of Enterprises with Public Participation (CEEP) and the European Trade Union Confederation (ETUC), informed the Commission in a joint letter dated 23 March 1998 of their desire to initiate the procedure provided for in Article 4 of the said Agreement; they asked the Commission, in a joint letter, for a further period of three months; the Commission complied with this request extending the negotiation period to 30 March 1999;
- (10) The said cross-industry organisations on 18 March 1999 concluded a framework agreement on fixed-term work; they forwarded to the Commission their joint request to implement the framework agreement by a Council Decision on a proposal from the Commission, in accordance with Article 4(2) of the Agreement on social policy;
- (11) The Council, in its Resolution of 6 December 1994 on 'certain aspects for a European Union social policy: a contribution to economic and social convergence in the Union' ⁽³⁾, asked management and labour to make use of the opportunities for concluding agreements, since they are as a rule closer to social reality and to social problems;
- (12) The signatory parties, in the preamble to the framework agreement on part-time work concluded on 6 June 1997, announced their intention to consider the need for similar agreements relating to other forms of flexible work;
- (13) Management and labour wished to give particular attention to fixed-term work, while at the same time indicating that it was their intention to consider the need for a similar agreement relating to temporary agency work;

⁽¹⁾ OJ C 224, 8.9.1990, p. 6. and OJ C 305, 5.12.1990, p. 8.

⁽²⁾ OJ C 224, 8.9.1990, p. 4.

⁽³⁾ OJ C 368, 23.12.1994, p. 6.

- (14) The signatory parties wished to conclude a framework agreement on fixed-term work setting out the general principles and minimum requirements for fixed-term employment contracts and employment relationships; they have demonstrated their desire to improve the quality of fixed-term work by ensuring the application of the principle of non-discrimination, and to establish a framework to prevent abuse arising from the use of successive fixed-term employment contracts or relationships;
- (15) The proper instrument for implementing the framework agreement is a directive within the meaning of Article 249 of the Treaty; it therefore binds the Member States as to the result to be achieved, whilst leaving them the choice of form and methods;
- (16) In accordance with the principles of subsidiarity and proportionality as set out in Article 5 of the Treaty, the objectives of this Directive cannot be sufficiently achieved by the Member States and can therefore be better achieved by the Community; this Directive limits itself to the minimum required for the attainment of those objectives and does not go beyond what is necessary for that purpose;
- (17) As regards terms used in the framework agreement but not specifically defined therein, this Directive allows Member States to define such terms in conformity with national law or practice as is the case for other Directives on social matters using similar terms, provided that the definitions in question respect the content of the framework agreement;
- (18) The Commission has drafted its proposal for a Directive, in accordance with its Communication of 14 December 1993 concerning the application of the agreement on social policy and its Communication of 20 May 1998 on adapting and promoting the social dialogue at Community level, taking into account the representative status of the contracting parties, their mandate and the legality of each clause of the framework agreement; the contracting parties together have a sufficiently representative status;
- (19) The Commission informed the European Parliament and the Economic and Social Committee by sending them the text of the agreement, accompanied by its proposal for a Directive and the explanatory memorandum, in accordance with its communication concerning the implementation of the Protocol on social policy;
- (20) On 6 May 1999 the European Parliament adopted a Resolution on the framework agreement between the social partners;

- (21) The implementation of the framework agreement contributes to achieving the objectives in Article 136 of the Treaty,

HAS ADOPTED THIS DIRECTIVE:

Article 1

The purpose of the Directive is to put into effect the framework agreement on fixed-term contracts concluded on 18 March 1999 between the general cross-industry organisations (ETUC, UNICE and CEEP) annexed hereto.

Article 2

Member States shall bring into force the laws, regulations and administrative provisions necessary to comply with this Directive by 10 July 1999, or shall ensure that, by that date at the latest, management and labour have introduced the necessary measures by agreement, the Member States being required to take any necessary measures to enable them at any time to be in a position to guarantee the results imposed by this Directive. They shall forthwith inform the Commission thereof.

Member States may have a maximum of one more year, if necessary, and following consultation with management and labour, to take account of special difficulties or implementation by a collective agreement. They shall inform the Commission forthwith in such circumstances.

When Member States adopt the provisions referred to in the first paragraph, these shall contain a reference to this Directive or shall be accompanied by such reference at the time of their official publication. The procedure for such reference shall be adopted by the Member States.

Article 3

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

Article 4

This Directive is addressed to the Member States.

Done at Luxembourg, 28 June 1999.

For the Council

The President

M. NAUMANN

ANNEX

ETUC-UNICE-CEEP

framework agreement on fixed-term work**Preamble**

This framework agreement illustrates the role that the social partners can play in the European employment strategy agreed at the 1997 Luxembourg extra-ordinary summit and, following the framework agreement on part-time work, represents a further contribution towards achieving a better balance between 'flexibility in working time and security for workers'.

The parties to this agreement recognise that contracts of an indefinite duration are, and will continue to be, the general form of employment relationship between employers and workers. They also recognise that fixed-term employment contracts respond, in certain circumstances, to the needs of both employers and workers.

This agreement sets out the general principles and minimum requirements relating to fixed-term work, recognising that their detailed application needs to take account of the realities of specific national, sectoral and seasonal situations. It illustrates the willingness of the Social Partners to establish a general framework for ensuring equal treatment for fixed-term workers by protecting them against discrimination and for using fixed-term employment contracts on a basis acceptable to employers and workers.

This agreement applies to fixed-term workers with the exception of those placed by a temporary work agency at the disposition of a user enterprise. It is the intention of the parties to consider the need for a similar agreement relating to temporary agency work.

This agreement relates to the employment conditions of fixed-term workers, recognising that matters relating to statutory social security are for decision by the Member States. In this respect the Social Partners note the Employment Declaration of the Dublin European Council in 1996 which emphasised *inter alia*, the need to develop more employment-friendly social security systems by 'developing social protection systems capable of adapting to new patterns of work and providing appropriate protection to those engaged in such work'. The parties to this agreement reiterate the view expressed in the 1997 part-time agreement that Member States should give effect to this Declaration without delay.

In addition, it is also recognised that innovations in occupational social protection systems are necessary in order to adapt them to current conditions, and in particular to provide for the transferability of rights.

The ETUC, UNICE and CEEP request the Commission to submit this framework agreement to the Council for a decision making these requirements binding in the Member States which are party to the Agreement on social policy annexed to the Protocol (No 14) on social policy annexed to the Treaty establishing the European Community.

The parties to this agreement ask the Commission, in its proposal to implement the agreement, to request Member States to adopt the laws, regulations and administrative provisions necessary to comply with the Council Decision within two years from its adoption or ensure ⁽¹⁾ that the social partners establish the necessary measures by way of agreement by the end of this period. Member States may, if necessary and following consultation with the social partners, and in order to take account of particular difficulties or implementation by collective agreement have up to a maximum of one additional year to comply with this provision.

The parties to this agreement request that the social partners are consulted prior to any legislative, regulatory or administrative initiative taken by a Member State to conform to the present agreement.

Without prejudice to the role of national courts and the Court of Justice, the parties to this agreement request that any matter relating to the interpretation of this agreement at European level should in the first instance be referred by the Commission to them for an opinion.

General considerations

1. Having regard to the Agreement on social policy annexed to the Protocol (No 14) on social policy annexed to the Treaty establishing the European Community, and in particular Article 3.4 and 4.2 thereof;
2. Whereas Article 4.2 of the Agreement on social policy provides that agreements concluded at Community level may be implemented, at the joint request of the signatory parties, by a Council decision on a proposal from the Commission;

⁽¹⁾ Within the meaning of Article 2.4 of the Agreement on social policy annexed to the Protocol (No 14) on social policy annexed to the Treaty establishing the European Community.

3. Whereas, in its second consultation document on flexibility in working time and security for workers, the Commission announced its intention to propose a legally-binding Community measure;
4. Whereas in its opinion on the proposal for a Directive on part-time work, the European Parliament invited the Commission to submit immediately proposals for directives on other forms of flexible work, such as fixed-term work and temporary agency work;
5. Whereas in the conclusions of the extraordinary summit on employment adopted in Luxembourg, the European Council invited the social partners to negotiate agreements to 'modernise the organisation of work, including flexible working arrangements, with the aim of making undertakings productive and competitive and achieving the required balance between flexibility and security';
6. Whereas employment contracts of an indefinite duration are the general form of employment relationships and contribute to the quality of life of the workers concerned and improve performance;
7. Whereas the use of fixed-term employment contracts based on objective reasons is a way to prevent abuse;
8. Whereas fixed-term employment contracts are a feature of employment in certain sectors, occupations and activities which can suit both employers and workers;
9. Whereas more than half of fixed-term workers in the European Union are women and this agreement can therefore contribute to improving equality of opportunities between women and men;
10. Whereas this agreement refers back to Member States and social partners for the arrangements for the application of its general principles, minimum requirements and provisions, in order to take account of the situation in each Member State and the circumstances of particular sectors and occupations, including the activities of a seasonal nature;
11. Whereas this agreement takes into consideration the need to improve social policy requirements, to enhance the competitiveness of the Community economy and to avoid imposing administrative, financial and legal constraints in a way which would hold back the creation and development of small and medium-sized undertakings;
12. Whereas the social partners are best placed to find solutions that correspond to the needs of both employers and workers and shall therefore be given a special role in the implementation and application of this agreement.

THE SIGNATORY PARTIES HAVE AGREED THE FOLLOWING

Purpose (clause 1)

The purpose of this framework agreement is to:

- (a) improve the quality of fixed-term work by ensuring the application of the principle of non-discrimination;
- (b) establish a framework to prevent abuse arising from the use of successive fixed-term employment contracts or relationships.

Scope (clause 2)

1. This agreement applies to fixed-term workers who have an employment contract or employment relationship as defined in law, collective agreements or practice in each Member State.
2. Member States after consultation with the social partners and/or the social partners may provide that this agreement does not apply to:
 - (a) initial vocational training relationships and apprenticeship schemes;
 - (b) employment contracts and relationships which have been concluded within the framework of a specific public or publicly-supported training, integration and vocational retraining programme.

Definitions (clause 3)

1. For the purpose of this agreement the term 'fixed-term worker' means a person having an employment contract or relationship entered into directly between an employer and a worker where the end of the employment contract or relationship is determined by objective conditions such as reaching a specific date, completing a specific task, or the occurrence of a specific event.
2. For the purpose of this agreement, the term 'comparable permanent worker' means a worker with an employment contract or relationship of indefinite duration, in the same establishment, engaged in the same or similar work/occupation, due regard being given to qualifications/skills.

Where there is no comparable permanent worker in the same establishment, the comparison shall be made by reference to the applicable collective agreement, or where there is no applicable collective agreement, in accordance with national law, collective agreements or practice.

Principle of non-discrimination (clause 4)

1. In respect of employment conditions, fixed-term workers shall not be treated in a less favourable manner than comparable permanent workers solely because they have a fixed-term contract or relation unless different treatment is justified on objective grounds.
2. Where appropriate, the principle of *pro rata temporis* shall apply.
3. The arrangements for the application of this clause shall be defined by the Member States after consultation with the social partners and/or the social partners, having regard to Community law and national law, collective agreements and practice.
4. Period-of service qualifications relating to particular conditions of employment shall be the same for fixed-term workers as for permanent workers except where different length-of service qualifications are justified on objective grounds.

Measures to prevent abuse (clause 5)

1. To prevent abuse arising from the use of successive fixed-term employment contracts or relationships, Member States, after consultation with social partners in accordance with national law, collective agreements or practice, and/or the social partners, shall, where there are no equivalent legal measures to prevent abuse, introduce in a manner which takes account of the needs of specific sectors and/or categories of workers, one or more of the following measures:
 - (a) objective reasons justifying the renewal of such contracts or relationships;
 - (b) the maximum total duration of successive fixed-term employment contracts or relationships;
 - (c) the number of renewals of such contracts or relationships.
2. Member States after consultation with the social partners and/or the social partners shall, where appropriate, determine under what conditions fixed-term employment contracts or relationships:
 - (a) shall be regarded as 'successive'
 - (b) shall be deemed to be contracts or relationships of indefinite duration.

Information and employment opportunities (clause 6)

1. Employers shall inform fixed-term workers about vacancies which become available in the undertaking or establishment to ensure that they have the same opportunity to secure permanent positions as other workers. Such information may be provided by way of a general announcement at a suitable place in the undertaking or establishment.
2. As far as possible, employers should facilitate access by fixed-term workers to appropriate training opportunities to enhance their skills, career development and occupational mobility.

Information and consultation (clause 7)

1. Fixed-term workers shall be taken into consideration in calculating the threshold above which workers' representative bodies provided for in national and Community law may be constituted in the undertaking as required by national provisions.
2. The arrangements for the application of clause 7.1 shall be defined by Member States after consultation with the social partners and/or the social partners in accordance with national law, collective agreements or practice and having regard to clause 4.1.
3. As far as possible, employers should give consideration to the provision of appropriate information to existing workers' representative bodies about fixed-term work in the undertaking.

Provisions on implementation (clause 8)

1. Member States and/or the social partners can maintain or introduce more favourable provisions for workers than set out in this agreement.
2. This agreement shall be without prejudice to any more specific Community provisions, and in particular Community provisions concerning equal treatment or opportunities for men and women.
3. Implementation of this agreement shall not constitute valid grounds for reducing the general level of protection afforded to workers in the field of the agreement.
4. The present agreement does not prejudice the right of the social partners to conclude at the appropriate level, including European level, agreements adapting and/or complementing the provisions of this agreement in a manner which will take note of the specific needs of the social partners concerned.

5. The prevention and settlement of disputes and grievances arising from the application of this agreement shall be dealt with in accordance with national law, collective agreements and practice.
6. The signatory parties shall review the application of this agreement five years after the date of the Council decision if requested by one of the parties to this agreement.

Fritz VERZETNITSCH
President of the ETUC

Georges JACOBS
President of UNICE

Antonio CASTELLANO AUYANET
President of CEEP

Emilio GABAGLIO.
General-Secretary of the ETUC

Dirk F. HUDIG
Secretary-General of UNICE

Jytte FREDENSBORG
Secretary-General of CEEP

18 March 1999

II

(Acts whose publication is not obligatory)

COUNCIL AND COMMISSION

COUNCIL AND COMMISSION DECISION

of 29 April 1999

concerning the conclusion of the Agreement between the European Communities and the Government of Canada regarding the application of their competition laws

(1999/445/EC, ECSC)

THE COUNCIL OF THE EUROPEAN UNION,
THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community, and in particular Articles 87 and 235, in conjunction with the first subparagraph of Article 228(3) thereof,

Having regard to the Treaty establishing the European Coal and Steel Community, and in particular Articles 65 and 66 thereof,

Having regard to the proposal from the Commission,

Having regard to the opinion of the European Parliament ⁽¹⁾,

- (1) Whereas Article 235 of the Treaty must be invoked owing to the inclusion in the text of the Agreement of mergers and acquisitions which are covered by Council Regulation (EEC) No 4064/89 of 21 December 1989 on the control of concentrations between undertakings ⁽²⁾, which is essentially based on Article 235;
- (2) Whereas, given the increasingly pronounced international dimension to competition problems, international cooperation in this field should be strengthened;
- (3) Whereas, to this end, the Commission has negotiated an Agreement with the Government of Canada on the application of the competition rules of the European Communities and of Canada;
- (4) Whereas the Agreement, including the Exchange of Letters, should be approved,

HAS DECIDED AS FOLLOWS:

Article 1

The Agreement between the European Communities and the Government of Canada regarding the application of their competition laws, including the Exchange of Letters, is hereby approved on behalf of the European Community and the European Coal and Steel Community.

The text of the Agreement and of the Exchange of Letters, drawn up in the Danish, German, English, Spanish, Finnish, French, Greek, Italian, Dutch, Portuguese and Swedish languages are attached to this Decision.

Article 2

The President of the Council is hereby authorised to designate the person(s) empowered to sign the Agreement in order to bind the European Community.

The President of the Commission is hereby authorised to designate the person(s) empowered to sign the Agreement in order to bind the European Coal and Steel Community.

Done at Luxembourg, 29 April 1999.

For the Council

The President

W. MÜLLER

For the Commission

The President

J. SANTOR

⁽¹⁾ OJ C 150, 28.5.1999.

⁽²⁾ OJ L 395, 30.12.1989, p. 1 (corrected version: OJ L 257, 21.9.1990, p. 13).

AGREEMENT

between the European Communities and the Government of Canada regarding the application of their competition laws

THE EUROPEAN COMMUNITY AND THE EUROPEAN COAL AND STEEL COMMUNITY (the European Communities) of the one part and THE GOVERNMENT OF CANADA (Canada) of the other part (the Parties):

Considering the close economic relations between them;

Recognising that the world's economies, including those of the parties, are becoming increasingly interrelated;

Noting that the parties share the view that the sound and effective enforcement of competition law is a matter of importance to the efficient operation of their respective markets and to trade between them;

Acknowledging their commitment to enhancing the sound and effective enforcement of their competition laws through cooperation and, in appropriate cases, coordination between them in the application of those laws;

Noting that coordination of their enforcement activities may, in certain cases, result in a more effective resolution of the Parties' respective competition concerns than would be attained through independent enforcement action by the Parties;

Acknowledging the Parties' commitment to giving careful consideration to each other's important interests in the application of their competition laws and to using their best efforts to arrive at an accommodation of those interests;

Having regard to the Recommendation of the Organisation for Economic Cooperation and Development Concerning Cooperation Between Member Countries on Restrictive Business Practices Affecting International Trade, adopted on 27 and 28 July 1995, and

Having regard to the Economic Cooperation Agreement between Canada and the European Communities adopted on 6 July 1976, to the Declaration on European Community-Canada Relations adopted on 22 November 1990 and to the Joint Political Declaration on Canada-EU Relations and its accompanying action plan adopted on December 17, 1996;

HAVE AGREED AS FOLLOWS:

I. Purpose and definitions

1. The purpose of this Agreement is to promote cooperation and coordination between the competition authorities of the Parties and to lessen the possibility or impact of differences between the Parties in the application of their competition laws.

2. In this Agreement,

'anti-competitive activities' shall mean any conduct or transaction that may be subject to penalties or other relief under the competition laws of a Party;

'competent authority of a Member State' shall mean that authority of a Member State set out in Annex A. Annex A may be added to or modified at any time by the European Communities. Canada will be notified in writing of such additions or modifications before any information is sent to a newly listed authority;

'competition authority' and 'competition authorities' shall mean:

- (i) for Canada, the Commissioner of Competition appointed under the Competition Act, and
- (ii) for the European Communities, the Commission of the European Communities, as to its responsibilities pursuant to the competition laws of the European Communities;

'competition law or laws' shall mean:

- (i) for Canada, the Competition Act and regulations thereunder, and
- (ii) for the European Communities, Articles 85, 86, and 89 of the Treaty establishing the European Community, Council Regulation (EEC) No 4064/89 on the control of concentrations between undertakings, Articles 65 and 66 of the Treaty establishing the European Coal and Steel Community (ECSC), and their implementing Regulations pursuant to the said Treaties including High Authority Decision No 2454,

as well as any amendments thereto and such other laws or regulations as the parties may jointly agree in writing to be a 'competition law' for the purposes of this Agreement, and

'enforcement activity' shall mean any application of competition law by way of investigation or proceeding conducted by the competition authority of a Party.

3. Any reference in this Agreement to a specific provision in either Party's competition law shall be interpreted as referring to that provision as amended from time to time and to any successive provisions.

II. Notification

1. Each Party shall notify the other Party in the manner provided by this Article and Article IX with respect to its enforcement activities that may affect important interests of the other Party.

2. Enforcement activities that may affect the important interests of the other Party and therefore ordinarily give rise to notifiable circumstances include those:

- (i) that are relevant to enforcement activities of the other Party;
- (ii) that involve anticompetitive activities, other than mergers or acquisitions, carried out wholly or in part in the territory of the other Party;
- (iii) that involve conduct believed to have been required, encouraged or approved by the other Party or one of its provinces or Member States;
- (iv) that involve a merger or acquisition in which:
 - one or more of the parties to the transaction, or
 - a company controlling one or more of the parties to the transaction,

is a company incorporated or organised under the laws of the other Party or one of its provinces or Member States,

- (v) that involve the imposition of, or application for, remedies by a competition authority that would require or prohibit conduct in the territory of the other Party, or
- (vi) that involve one of the Parties seeking information located in the territory of the other Party.

3. Notification pursuant to this Article shall ordinarily be given as soon as a competition authority becomes aware that notifiable circumstances are present, and in any event, in accordance with paragraphs 4 through 7 of this Article.

4. Where notifiable circumstances are present with respect to mergers or acquisitions, notification shall be given:

- (a) in the case of the European Communities, when a notice is published in the Official Journal, pursuant to Article 4(3) of Council Regulation (EEC) No 4064/89, or when notice of the transaction is received under Article 66 of the ECSC Treaty and a prior authorisation from the Commission is required under that provision, and
- (b) in the case of Canada, not later than when its competition authority issues a written request for information under oath or affirmation, or obtains an order under section 11 of the Competition Act, with respect to the transaction.

5. (a) When the competition authority of a Party requests that a person provide information, documents or other records located in the territory of the other Party, or requests oral testimony in a proceeding or participation in a personal interview by a person located in the

territory of the other Party, notification shall be given at or before the time that the request is made.

- (b) Notification pursuant to subparagraph (a) of this paragraph is required notwithstanding that the enforcement activity in relation to which the said information is sought has previously been notified pursuant to Article II, paragraphs 1 to 3. However, separate notification is not required for each subsequent request for information from the same person made in the course of such enforcement activity unless the notified Party indicates otherwise or unless the Party seeking information becomes aware of new issues bearing upon the important interests of the notified Party.

6. Where notifiable circumstances are present, notification shall also be given far enough in advance of each of the following events to enable the other Party's views to be considered:

- (a) in the case of the European Communities,
 - (i) when its competition authority decides to initiate proceedings with respect to the concentration, pursuant to Article 6(1)(c) of Council Regulation (EEC) No 4064/89;
 - (ii) in cases other than mergers and acquisitions, the issue of a statement of objections; or
 - (iii) the adoption of a decision or settlement,
- (b) in the case of Canada,
 - (i) the filing of an application with the Competition Tribunal,
 - (ii) the initiation of criminal proceedings,
 - (iii) the settlement of a matter by way of undertaking or consent order.

7. (a) Each Party shall also notify the other whenever its competition authority intervenes or otherwise participates in a regulatory or judicial proceeding, if the issues addressed in the intervention or participation may affect the other Party's important interests. Notification under this paragraph shall apply only to:

- (i) regulatory or judicial proceedings that are public, and
- (ii) intervention or participation that is public and pursuant to formal procedures.

(b) Notification shall be made at the time of the intervention or participation or as soon thereafter as possible.

8. Notifications shall be sufficiently detailed to enable the notified Party to make an initial evaluation of the effects of the enforcement activity on its own important interests. Notifications shall include the names and addresses of the natural and legal persons involved, the nature of the activities under investigation and the legal provisions concerned.

9. Notifications made pursuant to this Article shall be communicated in accordance with Article IX.

III. Consultations

1. Either Party may request consultations regarding any matter relating to this Agreement. The request for consultations shall indicate the reasons for the request and whether any procedural time limits or other constraints require that consultations be expedited. Each Party undertakes to consult promptly when so requested with the view to reaching a conclusion that is consistent with the principles set forth in this Agreement.

2. During consultations under paragraph 1, the competition authority of each Party shall carefully consider the representations of the other Party in light of the principles set out in this Agreement and shall be prepared to explain to the other Party the specific results of its application of those principles to the matter under discussion.

IV. Coordination of enforcement activities

1. The competition authority of each Party shall render assistance to the competition authority of the other Party in its enforcement activities to the extent compatible with the assisting Party's laws and important interests.

2. In cases where both Parties' competition authorities have an interest in pursuing enforcement activities with regard to related situations, they may agree that it is in their mutual interest to coordinate their enforcement activities. In considering whether particular enforcement activities should be coordinated, either in whole or in part, each Party's competition authority shall take into account the following factors, among others:

- (i) the effect of such coordination on the ability of each Party's competition authority to achieve the objectives of its enforcement activities;
 - (ii) the relative ability of each Party's competition authority to obtain information necessary to conduct the enforcement activities;
 - (iii) the extent to which either Party's competition authority can secure effective preliminary or permanent relief against the anticompetitive activities involved;
 - (iv) the opportunity to make more efficient use of resources, and
 - (v) the possible reduction of cost to persons subject to enforcement activities.
3. (a) The Parties competition authorities may coordinate their enforcement activities by agreeing on the timing of those activities in a particular matter, while respecting fully their own laws and important interests. Such coor-

dination may, as agreed by the Parties' competition authorities, result in enforcement action by one or both Parties' competition authorities, as is best suited to attain their objectives.

- (b) When carrying out coordinated enforcement activity, each Party's competition authority shall seek to maximise the likelihood that the other Party's enforcement objectives will also be achieved.
- (c) Either Party may at any time notify the other Party that it intends to limit or terminate the coordination and pursue its enforcement activities independently and subject to the other provisions of this Agreement.

V. Cooperation regarding anticompetitive activities in the territory of one Party that adversely affect the interests of the other Party

1. The Parties note that anticompetitive activities may occur within the territory of one Party that, in addition to violating that Party's competition laws, adversely affect important interests of the other Party. The Parties agree that it is in both their interests to address anticompetitive activities of this nature.

2. If a Party has reason to believe that anticompetitive activities carried out in the territory of the other Party are adversely affecting, or may adversely affect the first Party's important interests, the first Party may request that the other Party's competition authority initiate appropriate enforcement activities. The request shall be as specific as possible about the nature of the anticompetitive activities and their effects on the interests of the requesting Party, and shall include an offer of such further information and other cooperation as the requesting Party's competition authority is able to provide.

3. The requested Party shall consult with the requesting Party and the requested Party's competition authority shall accord full and sympathetic consideration to the request in deciding whether or not to initiate, or expand, enforcement activities with respect to the anticompetitive activities identified in the request. The requested Party's competition authority shall promptly inform the other Party of its decision and the reasons for that decision. If enforcement activities are initiated, the requested Party's competition authority shall advise the requesting Party of significant developments and the outcome of the enforcement activities.

4. Nothing in this Article limits the discretion of the requested Party's competition authority under its competition laws and enforcement policies as to whether or not to undertake enforcement activities with respect to the anticompetitive activities identified in the request, or precludes the requesting Party's competition authority from undertaking enforcement activities with respect to such anticompetitive activities.

VI. Avoidance of conflict

1. Within the framework of its own laws and to the extent compatible with its important interests, each Party shall, having regard to the purpose of this Agreement as set out in Article I, give careful consideration to the other Party's important interests throughout all phases of competition enforcement activities, including decisions regarding the initiation of an investigation or proceeding, the scope of an investigation or proceeding and the nature of the remedies or penalties sought in each case.

2. Where it appears that one Party's enforcement activities may adversely affect the important interests of the other Party, each Party shall, consistent with the general principles set out above, use its best efforts to arrive at an appropriate accommodation of the Parties competing interests and in doing so each Party shall consider all relevant factors, including:

- (i) the relative significance to the anticompetitive activities involved of conduct occurring within one Party's territory as compared to conduct occurring within that of the other;
- (ii) the relative significance and foreseeability of the effects of the anticompetitive activities on one Party's important interests as compared to the effects on the other Party's important interests;
- (iii) the presence or absence of a purpose on the part of those engaged in the anticompetitive activities to affect consumers, suppliers or competitors within the enforcing Party's territory;
- (iv) the degree of conflict or consistency between the enforcement activities and the other Party's laws or articulated economic policies including those expressed in the application of, or decisions under, their respective competition laws;
- (v) whether private persons, either natural or legal, will be placed under conflicting requirements by both Parties;
- (vi) the existence or absence of reasonable expectations that would be furthered or defeated by the enforcement activities;
- (vii) the location of relevant assets;
- (viii) the degree to which a remedy, in order to be effective, must be carried out within the other Party's territory;
- (ix) the need to minimise the negative effects on the other Party's important interests, in particular when implementing remedies to address anti-competitive effects within the Party's territory, and
- (x) the extent to which enforcement activities of the other Party with respect to the same persons, including judgments or undertakings resulting from such activities, would be affected.

VII. Exchange of information

1. In furtherance of the principles set forth in this Agreement, the Parties agree that it is in their common interest to share information which will facilitate the effective application

of their respective competition laws and promote better understanding of each others enforcement policies and activities.

2. Each Party agrees to provide to the other Party on request such information within its possession as the requesting Party may describe that is relevant to an enforcement activity that is being contemplated or conducted by the requesting Party's competition authority.

3. In the case of concurrent action by the competition authorities of both Parties with a view to the application of their competition law, the competition authority of each Party shall, on request by the competition authority of the other Party, ascertain whether the natural or legal persons concerned will consent to the sharing of confidential information related thereto between the Parties competition authorities.

4. During consultations pursuant to Article III, each Party shall provide the other with as much information as it is able in order to facilitate the broadest possible discussion regarding the relevant aspects of a particular transaction.

VIII. Semiannual meetings

1. In furtherance of their common interest in cooperation and coordination in relation to their enforcement activities, appropriate officials of the Parties' competition authorities shall meet twice a year, or otherwise as agreed between the competition authorities of the Parties, to: (a) exchange information on their current enforcement activities and priorities, (b) exchange information on economic sectors of common interest, (c) discuss policy changes which they are considering, and (d) discuss other matters of mutual interest relating to the application of competition laws.

2. A report on these semiannual meetings shall be made available to the Joint Cooperation Committee under the Framework Agreement for Commercial and Economic Cooperation between the European Communities and Canada.

IX. Communications under this Agreement

Communications under this Agreement, including notifications under Article II and requests under Articles III and V, may be carried out by direct oral, telephonic or fax communication between the competition authorities of the Parties. Notifications under Article II and requests under Articles III and V, however, shall be confirmed promptly in writing through normal diplomatic channels.

X. Confidentiality and use of information

1. Notwithstanding any other provision of this Agreement, neither Party is required to disclose information to the other Party where such disclosure is prohibited by the laws of the Party possessing the information or would be incompatible with that Party's important interests.

2. Unless otherwise agreed by the Parties, each Party shall, to the fullest extent possible, maintain the confidentiality of any information communicated to it in confidence by the other Party under this Agreement. Each Party shall oppose, to the fullest extent possible, any application by a third party for disclosure of such information.

3. (a) The competition authority of the European Communities, after notice to the Canadian competition authority, will inform the competent authorities of the Member State or Member States whose important interests are affected of the notifications sent to it by the Canadian competition authority.

(b) The competition authority of the European Communities, after consultation with the Canadian competition authority, will inform the competent authorities of such Member State or Member States of any cooperation and coordination of enforcement activities. However, as regards such activities, the competition authority of the European Communities will respect the Canadian competition authority's request not to disclose the information which it provides when necessary to ensure confidentiality.

4. Before taking any action which may result in a legal obligation to make available to a third party information provided in confidence under this Agreement, the Parties competition authorities shall consult one another and give due consideration to their respective important interests.

5. Information received by a Party under this Agreement, apart from information received under Article II, shall only be used for the purpose of enforcing that Party's competition laws. Information received under Article II shall only be used for the purpose of this Agreement.

6. A Party may require that information furnished pursuant to this Agreement be used subject to the terms and conditions it may specify. The receiving Party shall not use such information in a manner contrary to such terms and conditions without the prior consent of the other Party.

XI. Existing law

Nothing in this Agreement shall require a Party to take any action that is inconsistent with its existing laws, or require any change in the laws of the Parties or of their respective provinces or Member States.

XII. Entry into force and termination

1. This Agreement shall enter into force on signature.

2. This Agreement shall remain in force until 60 days after the date on which either Party notifies the other Party in writing that it wishes to terminate the Agreement.

3. The Parties shall review the operation of this Agreement not more than 24 months from the date of its entry into force, with a view to assessing their cooperative activities, identifying additional areas in which they could usefully cooperate and identifying any other ways in which the Agreement could be improved. The Parties agree that this review will include, among other things, an analysis of actual or potential cases to determine whether their interests could be better served through closer cooperation. Attached to this Agreement are three letters exchanged between the Parties. These letters form an integral part of this Agreement.

EN FE DE LO CUAL, los abajo firmantes, debidamente autorizados, suscriben el presente Acuerdo.

TIL BEKRÆFTELSE HERAF har undertegnede befuldmægtigede underskrevet denne aftale.

ZU URKUND DESSEN haben die unterzeichneten Bevollmächtigten ihre Unterschriften unter dieses Abkommen gesetzt.

ΣΕ ΠΙΣΤΩΣΗ ΤΩΝ ΑΝΩΤΕΡΩ, οι κάτωθι υπογεγραμμένοι, δεόντως εξουσιοδοτημένοι προς τούτο πληρεξούσιοι, υπέγραψαν την παρούσα συμφωνία.

IN WITNESS WHEREOF, the undersigned, being duly authorised, have signed this Agreement.

EN FOI DE QUOI, les soussignés, dûment habilités à cet effet, ont signé le présent accord.

IN FEDE DI CHE i sottoscritti plenipotenziari hanno apposto le loro firme in calce al presente accordo.

TEN BLIJKE WAARVAN de ondergetekenden, naar behoren hiertoe gemachtigd, hun handtekening onder deze overeenkomst hebben gesteld.

EM FÉ DO QUE os plenipotenciários abaixo-assinados apuseram as suas assinaturas no presente acordo.

TÄMÄN VAKUUDEKSI alla mainitut täysivaltaiset edustajat ovat allekirjoittaneet tämän sopimuksen.

TILL BEVIS HÄRPÅ har de undertecknade befullmäktigade undertecknat detta avtal.

HECHO en Bonn, por duplicado, el diecisiete de junio de mil novecientos noventa y nueve en lenguas alemana, danesa, española, finesa, francesa, griega, inglesa, italiana, neerlandesa, portuguesa y sueca, cuyos textos en cada una de estas lenguas son igualmente auténticos.

UDFÆRDIGET i Bonn den syttende juni nitten hundrede og nioghalvfems i to eksemplarer på engelsk, fransk, dansk, tysk, græsk, spansk, italiensk, nederlandsk, portugisisk, finsk og svensk, som alle er lige autentiske.

GESCHEHEN zu Bonn, in zwei Exemplaren, am siebzehnten Juni neunzehnhundertneunundneunzig in dänischer, deutscher, englischer, finnischer, französischer, griechischer, italienischer, niederländischer, portugiesischer, schwedischer und spanischer Sprache, wobei jeder Wortlaut gleichermaßen verbindlich ist.

ΕΓΙΝΕ στη Βόννη, εις διπλούν, στις δέκα επτά Ιουνίου χίλια εννιακόσια ενενήντα εννέα, στην αγγλική, γαλλική, γερμανική, δανική, ελληνική, ισπανική, ιταλική, ολλανδική, πορτογαλική, σουηδική και φινλανδική γλώσσα, και όλα τα κείμενα είναι εξίσου αυθεντικά.

DONE at Bonn, in duplicate, on the seventeenth day of June in the year one thousand nine hundred and ninety-nine, in the English, French, Danish, German, Greek, Spanish, Italian, Dutch, Portuguese, Finnish and Swedish languages, each text being equally authentic.

FAIT à Bonn, en double exemplaire, le dix-sept juin mil neuf cent quatre-vingt dix-neuf, en langues allemande, anglaise, danoise, espagnole, finnoise, française, grecque, italienne, néerlandaise, portugaise et suédoise, tous les textes faisant également foi.

FATTO a Bonn, in duplice copia, addì diciassette giugno millenovecentonovantanove, nelle lingue danese, finlandese, francese, greco, inglese, italiano, olandese, portoghese, spagnolo, svedese e tedesco, tutti i testi facenti ugualmente fede.

GEDAAN te Bonn, in tweevoud, de zeventiende juni negentienhonderd negenennegentig, in de Engelse, Franse, Deense, Duitse, Griekse, Spaanse, Italiaanse, Nederlandse, Portugese, Finse en Zweedse taal, zijnde de teksten in al deze talen gelijkelijk authentiek.

FEITO em Bona, em duplo exemplar, em dezassete de Junho de mil novecentos e noventa e nove, nas línguas alemã, dinamarquesa, espanhola, finlandesa, francesa, grega, inglesa, italiana, neerlandesa, portuguesa e sueca, fazendo igualmente fé todos os textos.

TEHTY Bonnissa kahtena kappaleena seitsemäntenätoista päivänä kesäkuuta vuonna tuhatyhdeksänsataayhdeksänkymmentäyhdeksän englannin, espanjan, hollannin, italian, kreikan, portugalin, ranskan, ruotsin, saksan, suomen ja tanskan kielellä, ja jokainen teksti on yhtä todistusvoimainen.

SOM SKEDDE i Bonn i två exemplar den sjuttonde juni nittonhundranittionio på danska, engelska, finska, franska, grekiska, italienska, nederländska, portugisiska, spanska, svenska och tyska språken, vilka samtliga texter är lika giltiga.

Por la Comunidad Europea

For Det Europæiske Fællesskab

Für die Europäische Gemeinschaft

Για την Ευρωπαϊκή Κοινότητα

For the European Community

Pour la Communauté européenne

Per la Comunità europea

Voor de Europese Gemeenschap

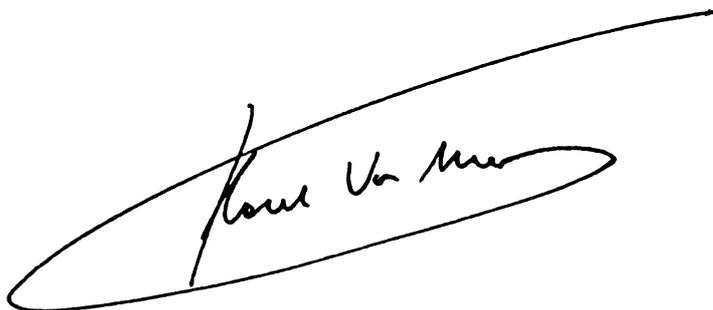
Pela Comunidade Europeia

Euroopan yhteisön puolesta

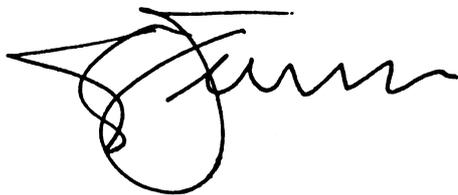
På Europeiska gemenskapens vägnar

W. Mülke

Por la Comunidad Europea del Carbón y del Acero
For Det Europæiske Kul- og Stålfællesskab
Für die Europäische Gemeinschaft für Kohle und Stahl
Για την Ευρωπαϊκή Κοινότητα Άνθρακα και Χάλυβα
For the European Coal and Steel Community
Pour la Communauté européenne du charbon et de l'acier
Per la Comunità europea del carbone e dell'acciaio
Voor de Europese Gemeenschap voor Kolen en Staal
Pela Comunidade Europeia do Carvão e do Aço
Euroopan hiili- ja teräsyhteisön puolesta
På Europeiska kol- och stålgemenskapens vägnar



Por el Gobierno de Canadá
For Canadas regering
Für die Regierung von Kanada
Για την κυβέρνηση του Καναδά
For the Government of Canada
Pour le gouvernement du Canada
Per il governo del Canada
Voor de regering van Canada
Pelo Governo do Canadá
Kanadan hallituksen puolesta
På Kanadas regerings vägnar



ANNEX A

AUSTRIA

Bundesministerium für wirtschaftliche Angelegenheiten
Abteilung X/A/6 (Wettbewerbsangelegenheiten)

BELGIUM

Ministerie van Economische Zaken - Ministère des Affaires Economiques
Algemene Inspectie van de Prijzen en de Mededinging - Inspection Générale des Prix et de la Concurrence

DENMARK

Konkurrencerådet

FINLAND

Kilpailuvirasto/Konkurrensverket

FRANCE

Ministère de l'Economie et des Finances
Direction Générale de la Concurrence, de la Consommation et des Fraudes

GERMANY

Bundeskartellamt

GREECE

Επιτροπή ανταγωνισμού

IRELAND

Competition Authority

ITALY

Autorità Garante della Concorrenza e del Mercato

LUXEMBOURG

Ministère de l'Economie

NETHERLANDS

Ministerie van Economische Zaken

PORTUGAL

Ministério da Economia
Direcção-Geral do Comércio e Concorrência

SPAIN

Dirección General Política Económica y Defensa de la Competencia

SWEDEN

Konkurrensverket

UNITED KINGDOM

Office of Fair Trading

ANNEX B

STATEMENT BY THE COMMISSION

(regarding the information to be provided to the Member States)

In accordance with the principles which govern the relationship between the Commission and the Member States in the application of the Competition rules as enshrined, for example, in Council Regulation No 17, and in accordance with Article X(3) of the Agreement between the European Communities and Canada regarding the application of their competition laws,

- the Commission shall forward to the Member State or Member States whose important interests are affected the notification sent by the Commission or received from the Canadian competition authority. Member States shall be notified as soon as is reasonably possible and in the language of the exchange. Where the Commission sends information to the Canadian authorities, Member States shall be informed at the same time,
- the Commission shall also notify the Member State or Member States whose important interests are affected of any cooperation or coordination of enforcement activities, as soon as is reasonably possible.

For the purposes of this statement, it is considered that the important interests of a Member State are affected where the enforcement activities in question:

- (i) are relevant to enforcement activities of the Member State;
- (ii) involve anticompetitive activities, other than mergers or acquisitions, carried out wholly or in part in the territory of the Member State;
- (iii) involve conduct believed to have been required, encouraged or approved by the Member State;
- (iv) involve a merger or acquisition in which:
 - one or more of the parties to the transaction, or
 - a company controlling one or more of the parties to the transaction, is a company incorporated or organised under the laws of the Member State;
- (v) involve the imposition of, or application for, remedies that would require or prohibit conduct in the territory of the Member State; or
- (vi) involve the Canadian competition authority seeking information located in the territory of the Member State.

In addition, at least twice a year at meetings of government competition specialists, the Commission will inform all the Member States about the implementation of the Agreement, and particularly about the contacts which have taken place with the Canadian competition authority as regards the forwarding to the Member States of information received by the Commission under the Agreement.

ANNEX C

EXCHANGE OF LETTERS

A. *Letter to the Government of Canada*

Dear...,

On..., the Council of the European Union and the Commission of the European Communities concluded the Agreement between the European Communities and the Government of Canada regarding the application of their competition laws.

In order to ensure a clear understanding of the European Communities' interpretation of the Agreement, we set out below two interpretative statements.

1. In the light of Article XI of the Agreement, Article X(1) should be understood to mean that the information covered by the provisions of Article 20 of Council Regulation No 17 or by equivalent provisions in other regulations in the field of competition may not under any circumstances be communicated to the Canadian competition authority, save with the express agreement of the source concerned.

Similarly, the information referred to in Articles II(8) and VII of the Agreement may not include information covered by Article 20 of Regulation No 17 nor by equivalent provisions in other regulations in the field of competition, save with the express agreement of the source concerned.

2. In the light of Article X(2) of the Agreement, all information provided in confidence by either of the Parties in accordance with the Agreement will be considered as confidential by the receiving Party which should oppose any request for disclosure to a third party unless such disclosure is (a) authorised by the Party supplying the information or (b) required under the law of the receiving Party.

This is understood to mean that:

- each Party assures the confidentiality of all information provided in confidence by the other Party in accordance with the receiving Party's applicable rules, including those rules intended to assure the confidentiality of information gathered during a Party's own enforcement activities,
- each Party shall use all the legal means at its disposal to oppose the disclosure of this information.

We also to confirm that, should a Party become aware that, notwithstanding its best efforts, information has accidentally been used or disclosed in a manner contrary to the provisions of Article X, that Party shall notify the other Party forthwith.

Would you kindly confirm by return letter whether this interpretation raises any difficulties with the Canadian Government.

Please accept, Sir, the assurance of our highest consideration.

*For the European Community and
for the European Coal and Steel Community*

B. Reply from the Government of Canada

Legal Services, Industry Canada
Place du Portage, Phase 1
50 Victoria Street
Hull, Quebec (K1A 0C9)
Tel: (819) 997 3325
Fax: (819) 953 9267

Mr...
Member of the European Commission
200 rue de la Loi
B-1049 Brussels

Date:...

Dear Commissioner

Thank you for your letter dated (...). We are very pleased that the Agreement between the European Communities and the Government of Canada regarding the application of our respective competition laws has not been completed. The interpretative and other statements included in your letter are consistent with our understanding of the Agreement.

I would also like to confirm that, with respect to the application of Article XI, and for greater certainty, no information may be exchanged by Canada pursuant to this Agreement which could not have been exchanged in the absence of this Agreement. I would ask that you confirm your understanding to this effect by return letter.

We look forward to continuing and furthering our relationship of competition law cooperation as reflected in the Agreement and in our mutual conduct to date.

Please accept, Sir, the assurance of my highest consideration.

Konrad von FINCKENSTEIN
Commissioner of Competition

C. Reply to the Government of Canada

Dear...

Thank you very much for your letter dated... We confirm that your letter does not give rise to any difficulties for the European Communities.

We are extremely pleased that the Agreement between the European Communities and Canada has been completed and look forward to close cooperation in the future.

Please accept, Sir, the assurance of my highest consideration.

*For the European Community and
for the European Coal and Steel Community*

Information on application between the European Community and Canada of the Agreement on international humane trapping standards between the European Community, Canada and the Russian Federation

The instruments of notification of completion of the procedures necessary for the entry into force of the Agreement on international humane trapping standards between the European Community and Canada ⁽¹⁾ were exchanged on 31 May 1999. Pending the entry into force of the Agreement between the three Parties, the European Community and Canada, in accordance with the provisions of the Agreed Minute thereon, have agreed to apply the Agreement on a bilateral basis with effect from 1 June 1999.

⁽¹⁾ L42. 14.02.1998

Information concerning the date of entry into force of the Interregional Framework Cooperation Agreement between the European Community and its Member States, of the one part, and the Southern Common Market and its Party States, of the other part ⁽¹⁾

The exchange of instruments of notification of completion of the procedures necessary for the entry into force of the above Agreement, signed in Madrid in December 1995, was completed on 25 June 1999 and the Agreement will consequently enter into force, in accordance with Article 34 thereof, on 1 July 1999.

⁽¹⁾ OJ L 112, 29.4.1999, p. 65.

COMMISSION

COMMISSION DECISION

of 14 June 1999

amending Decision 98/131/EC approving the multi-annual guidance programme for the fishing fleet of Sweden for the period from 1 January 1997 to 31 December 2001

(notified under document number C(1999) 1531)

(Only the Swedish text is authentic)

(1999/446/EC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EC) No 2468/98 of 3 November 1998 laying down the criteria and arrangements regarding Community structural assistance in the Fisheries and Aquaculture sector and the processing and marketing of its products⁽¹⁾, and in particular Articles 5 and 6 thereof,

Having regard to Council Decision 97/413/EC of 26 June 1997 concerning the objectives and detailed rules for restructuring the Community fisheries sector for the period from 1 January 1997 to 31 December 2001 with a view to achieving a balance on a sustainable basis between resources and their exploitation⁽²⁾, and in particular Article 9(1) thereof,

- (1) Whereas the objectives fixed by Commission Decision 98/131/EC of 16 December 1997 approving the multi-annual guidance programme for the fishing fleet of Sweden for the period from 1 January 1997 to 31 December 2001⁽³⁾ were calculated using the information available at that time;
- (2) Whereas in order to improve the quality of the catches by pelagic vessels and hence increase the proportion of these catches landed for human consumption it is necessary to allow an increase in their capacity;
- (3) Whereas that this increase in capacity should be achieved by a reallocation of capacity from other segments and should not result in an increase in the global objectives fixed by Decision 98/131/EC;
- (4) Whereas the Management Committee for Fisheries and Aquaculture failed to deliver an opinion within the time allowed by its chairman,

HAS ADOPTED THIS DECISION:

Article 1

The table of objectives for the multi-annual guidance programmes for the fishing fleet of Sweden for the period 1 January 1997 to 31 December 2001, shown in the Annex to the present Decision, including the footnotes, cancels and replaces that shown in the Annex to Decision 98/131/EC.

⁽¹⁾ OJ L 312, 20.11.1998, p. 19.

⁽²⁾ OJ L 175, 30.7.1997, p. 27.

⁽³⁾ OJ L 39, 12.2.1998, p. 79.

Article 2

This Decision is addressed to the Kingdom of Sweden.

Done at Brussels, 14 June 1999.

For the Commission

Emma BONINO

Member of the Commission

ANNEX

Area	Stocks	Segment	Catch composition	Pilot rate	Weighted reduction	Situation 1.1.1997		Objective 31.12.1996				Objective 31.12.2001			
						GT (*)	kW	GT (*)	kW	GT (*) × t ('000)	kW × t ('000)	GT (*)	kW	GT (*) × t ('000)	kW × t ('000)
Baltic, Kattegat and Skagerrak		Small scale coastal vessels < 12 metres		0 %	0 %	7 774	90 328	7 974	92 328			7 974	92 328		
<i>Subtotal</i>						7 774	90 328	7 974	92 328			7 974	92 328		
Kattegat, Skagerrak and North Sea	Shrimp and demersal	Trawlers	DR: 7,3 % OF: 0,0 % Others: 92,7 %	30 %	2,2 %	5 619	22 560	5 619	23 560			5 496	23 044		
Baltic, Kattegat, Skagerrak and North Sea	Pelagic	Trawlers, purse seiners ⁽¹⁾	DR: 1,8 % OF: 0,0 % Others: 98,2 %	30 %	0,5 %	18 556	63 119	23 353	83 922			23 256	83 586		
Baltic, Kattegat, Skagerrak and North Sea	Cod and nephrops	Bottom trawlers	DR: 15,0 % OF: 73,0 % Others: 12,0 %	30 %	26,4 %	15 481	64 494	11 841	49 741	2 250	9 451	11 841	49 741	1 656	6 956
Baltic	Cod	Passive gear ⁽²⁾ > 12 metres	OF: 92,0 % Others: 8,0 %	20 %	18,4 %	2 741	13 114	2 856	14 564			2 330	11 884		
Baltic	Salmon	Passive gear ⁽²⁾ vessels > 12 metres	DR: 58,0 % OF: 29,0 % Others: 13,0 %	30 %	26,1 %	354	1 723	354	1 723			262	1 273		
<i>Subtotal</i>						42 751	165 010	44 023	173 510			43 185	169 529		
Total						50 525	255 338	51 997	265 838			51 159	261 857		

DR: Depletion Risk.

OF: Overfished.

(*) Includes estimated GT values in accordance with Article 4 of the present Decision. The objectives will be revised as real GT values become available.

⁽¹⁾ In accordance with Article 2(4) of Decision 97/413/EC and following the procedures of Article 18 of Regulation (EEC) No 3760/92 the Commission may approve, on request of the Swedish authorities, an increase of capacity for this segment aiming at exploiting additional fishing possibilities for Baltic herring. The limits for this increase of capacity will be established in the light of all relevant information on the state of the Baltic herring stocks.⁽²⁾ Provisional capacity figures are indicated for these two segments. The figures may be subject to modification, i.e. in the light of improved catch composition data and precised allocation of vessels between segments.

COMMISSION DECISION**of 14 June 1999****amending Decision 98/122/EC approving the multi-annual guidance programme for the fishing fleet of Germany for the period from 1 January 1997 to 31 December 2001***(notified under document number C(1999) 1533)***(Only the German text is authentic)**

(1999/447/EC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EC) No 2468/98 of 3 November 1998 laying down the criteria and arrangements regarding Community structural assistance in the Fisheries and Aquaculture sector and the processing and marketing of its products ⁽¹⁾, and in particular Articles 5 and 6 thereof,Having regard to Council Decision 97/413/EC of 26 June 1997 concerning the objectives and detailed rules for restructuring the Community fisheries sector for the period from 1 January 1997 to 31 December 2001 with a view to achieving a balance on a sustainable basis between resources and their exploitation ⁽²⁾, and in particular Article 9(1) thereof,

- (1) Whereas the objectives fixed by Commission Decision 98/122/EC of 16 December 1997 approving the multi-annual guidance programme for the fishing fleet of Germany for the period from 1 January 1997 to 31 December 2001 ⁽³⁾ were calculated using the information available at that time;
- (2) Whereas in the light of new information provided by Germany on the historical activity levels of the vessels in the fleet the objectives for certain segments should be revised;
- (3) Whereas the measures envisaged in this Decision are in accordance with the opinion of the Management Committee for Fisheries and Aquaculture,

HAS ADOPTED THIS DECISION:

Article 1

The table of objectives for the multiannual guidance programmes for the fishing fleet of Germany for the period 1997 to 2001, shown in the Annex to the present Decision, including the footnotes, cancels and replaces that shown in the Annex to Decision 98/122/EC.

Article 2

This Decision is addressed to the Federal Republic of Germany.

Done at Brussels, 14 June 1999.

For the Commission

Emma BONINO

Member of the Commission

⁽¹⁾ OJ L 312, 20.11.1998, p. 19.⁽²⁾ OJ L 175, 30.7.1997, p. 27.⁽³⁾ OJ L 39, 12.2.1998, p. 21.

ANNEX

Area	Stocks	Segment	Catch composition	Pilot rate	Weighted reduction	Situation 1.1.1997		Objective 31.12.1996				Objective 31.12.2001			
						GT (*)	kW	GT (*)	kW	GT (*) × t ('000)	kW × t ('000)	GT (*)	kW	GT (*) × t ('000)	kW × t ('000)
Baltic and North Sea	Demersal and herring	Small scale coastal < 12 metres		0 %	0 %	4 050	27 999	4 827	31 433			4 827	31 433		
<i>Subtotal</i>						4 050	27 999	4 827	31 433			4 827	31 433		
Baltic and North Sea	Demersal	Passive gear > 12 metres	DR: 4,8 % OF: 18,6 %	25 %	5,9 %	2 004	5 605	2 186	6 200			2 057	5 834		
Baltic and North Sea	Demersal	Trawlers	DR: 14,9 % OF: 54,4 %	30 %	20,8 %	11 204	34 798	14 910	40 657			11 809	32 200		
North Sea	Flatfish	Beam trawlers	DR: 93,5 % OF: 0,9 %	30 %	28,3 %	1 731	5 903	2 263	6 759	564	1 658	2 263	6 759	404	1 189
North Sea	Flatfish and crustacea	Beam trawlers (Lists I and II)	DR: 25,5 % OF: 5,9 %	30 %	9,4 %	12 544	50 334	11 944	52 522			10 821	47 585		
EU waters	Pelagic	Trawlers	DR: 29,3 % OF: 24,3 %	30 %	16,1 %	18 264	11 749	18 356	12 841	4 684	3 336	18 356	12 841	3 930	2 799
Third country, NAFO, NEAFC and EU waters	Demersal	Trawlers	DR: 9,9 % OF: 10,2 %	30 %	6,0 %	20 357	25 495	33 872	35 529			31 840	33 397		
<i>Subtotal</i>						66 104	133 884	83 531	154 508			77 146	138 617		
Total						70 154	161 883	88 358	185 941			81 973	170 050		

DR: Depletion risk.

OF: Overfished.

(*) Includes estimated GT values in accordance with Article 4 of the present Decision. The objectives will be revised as real GT values become available.

COMMISSION DECISION**of 14 June 1999****amending Decision 98/130/EC approving the multiannual guidance programme for the fishing fleet of Finland for the period from 1 January 1997 to 31 December 2001***(notified under document number C(1999) 1534)***(Only the Finnish and Swedish texts are authentic)**

(1999/448/EC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EC) No 2468/98 of 3 November 1998 laying down the criteria and arrangements regarding Community structural assistance in the fisheries and aquaculture sector and the processing and marketing of its products ⁽¹⁾, and in particular Articles 5 and 6 thereof,Having regard to Council Decision 97/413/EC of 26 June 1997 concerning the objectives and detailed rules for restructuring the Community fisheries sector for the period from 1 January 1997 to 31 December 2001 with a view to achieving a balance on a sustainable basis between resources and their exploitation ⁽²⁾, and in particular Article 9(1) thereof,

- (1) Whereas the objectives fixed by Commission Decision 98/130/EC of 16 December 1997 approving the multiannual guidance programme for the fishing fleet of Finland for the period from 1 January 1997 to 31 December 2001 ⁽³⁾ were calculated using the information available at that time;
- (2) Whereas in the light of new information provided by Finland on the allocation between segments of fishing vessels in the fleet the objectives for 31 December 2001 should be revised;
- (3) Whereas the measures provided for in this Decision are in accordance with the opinion of the Management Committee for Fisheries and Aquaculture,

HAS ADOPTED THIS DECISION:

Article 1

The table of objectives for the multiannual guidance programmes for the fishing fleet of Finland for the period 1997 to 2001, shown in the Annex to the present Decision, including the footnotes, cancels and replaces that shown in the Annex to Decision 98/130/EC.

Article 2

This Decision is addressed to the Federal Republic of Finland

Done at Brussels, 14 June 1999.

For the Commission

Emma BONINO

Member of the Commission

⁽¹⁾ OJ L 312, 20.11.1998, p. 19.⁽²⁾ OJ L 175, 30.7.1997, p. 27.⁽³⁾ OJ L 39, 12.2.1998, p. 73.

ANNEX

Area	Stocks	Segment	Catch composition	Pilot rate	Weighted reduction	Situation 1.1.1997		Objective 31.12.1996		Objective 31.12.2001	
						GT (*)	kW	GT (*)	kW	GT (*)	kW
Baltic, ICES III b c d	Pelagic salmon	Small scale coastal vessels < 12 m, fykenet, gillnet, pount net	Baltic herring salmon and other species	0 %	0 %	9 918	139 894	10 100	142 110	10 100	142 110
<i>Subtotal</i>						9 918	139 894	10 100	142 110	10 100	142 110
Baltic, ICES III b c d	Pelagic	Trawlers	DR: 0 % OF: 0 % Others: 100 %	0 %	0 %	9 688	54 629	10 470	58 031	10 470	58 031
Baltic, ICES III b c d	Demersal ⁽¹⁾	Trawlers	DR: 0 % OF: 100 % Others: 0 %	20 %	20,0 %	731	2 100	731	2 100	585	1 680
Baltic, ICES III b c d	Salmon, demersal	Passive gear, gillnet, longline	Salmon and cod 100 %	30 %	30,0 %	3 030	21 100	3 246	22 590	2 272	15 813
<i>Subtotal</i>						13 449	77 829	14 447	82 721	13 327	75 524
Total						23 367	217 723	24 547	224 831	23 427	217 634

DR: Depletion risk.

OF: Overfished.

(*) Includes estimated GT values in accordance with Article 4 of the present Decision. The objectives will be revised as real GT values become available.

⁽¹⁾ Taking into account the small number of vessels in this segment the Commission may review, following the procedures of Article 18 of Regulation (EEC) No 3760/92, the objectives for 2001 in the light of the development of the Baltic cod stocks.

COMMISSION DECISION

of 9 July 1999

on protective measures with regard to contamination by dioxins of certain products of animal origin intended for human or animal consumption*(notified under document number C(1999) 2110)***(Text with EEA relevance)**

(1999/449/EC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

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

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

Whereas:

(1) Commission Decision 1999/363/EC of 3 June 1999 on protective measures with regards to contamination by dioxins of certain animal products intended for human or animal consumption ⁽⁴⁾, as last amended by Decision 1999/419/EC ⁽⁵⁾, and Commission Decision 1999/389/EC of 11 June 1999 on protective measures with regards to contamination by dioxins of products intended for human consumption derived from bovine animals and pigs and revoking Decision 1999/368/EC ⁽⁶⁾, as last amended by Decision 1999/419/EC, have each been substantially amended. Since further amendments are to be made, they should be recast in a single decision in the interests of clarity and rationalisation.

(2) On 27 May 1999, the Belgian authorities informed the Commission of a case of heavy contamination of compound feedingstuffs with dioxins. Those feedingstuffs had been distributed to a considerable number of domestic fowl farms in Belgium (some 25 %) from 15 January 1999 onwards.

(3) From 26 May 1999, the Belgian authorities placed restrictions on all the domestic fowl holdings which had received those feedingstuffs. The Belgian authorities prohibited the slaughter of poultry from 1 June 1999. Products intended for human or animal consumption derived from animals reared in those farms before that date may still be on the market.

(4) On 2 June 1999, the Belgian authorities informed the Commission that they had placed restrictions on some 500 pig holdings which may have received contaminated feedingstuffs. On 3 June 1999, they also informed the Commission that contaminated feedingstuffs had been distributed to a number of bovine holdings as well. The Belgian authorities have taken actions on pigs and bovine animals and derived products similar to those applied in the case of poultry and, in particular, they have prohibited the slaughter of bovine animals and pigs from 3 June 1999.

(5) It appears that those feedingstuffs, live animals which had been fed therewith and products derived from those animals have been traded to other Member States and third countries. Other animal species may have been fed with those contaminated feedingstuffs. Investigation of the responsibility for this contamination is continuing. The Community inspection in Belgium on 8 to 11 June 1999 concluded that, on the basis of the available results of analyses, a massive contamination occurred over a limited time, rather than a recurring problem.

(6) In the light of the foregoing, it is necessary to take measures to protect the health of consumers. The measures should apply to domestic fowl, pigs and bovine animals reared in Belgium from 15 January onwards and to products derived therefrom. The measures should not apply to products derived from animals which have not been reared in holdings placed under restriction by the Belgian authorities or which have been shown by analyses not to be contaminated by dioxins. Provision should be made for those products to be destroyed in a manner that ensures that they cannot enter the human food or animal feed chains. It is not yet appropriate to set an end-date for the application of the measures. In order to prevent deflections of trade, the measures

⁽¹⁾ OJ L 395, 30.12.1989, p. 13.

⁽²⁾ OJ L 62, 15.3.1993, p. 49.

⁽³⁾ OJ L 224, 18.8.1990, p. 20.

⁽⁴⁾ OJ L 141, 4.6.1999, p. 24.

⁽⁵⁾ OJ L 159, 25.6.1999, p. 60.

⁽⁶⁾ OJ L 147, 12.6.1999, p. 26.

- should also apply to exports to third countries. All relevant information should be supplied to the Commission, the Member States and third countries, where appropriate by means of the rapid alert system set up by Council Directive 92/59/EEC of 29 June 1992 on general product safety⁽¹⁾. For the purposes of intra-community trade and exports to third countries, a system of certificates should be established for consignments of Belgian origin. It is necessary that Belgium and Member States which received products derived from animals which have been reared in holdings placed under restriction establish a monitoring plan to evaluate the presence of contamination of dioxins/polychlorinated biphenyls (PCBs) in products of animal origin. Inspections should be carried out by the Commission in order to verify the implementation of this Decision.
- (7) It appears to be difficult to trace back the exact origin of certain Belgian products and, in particular, products derived from domestic fowl produced between 15 January 1999 and 1 June 1999 and products derived from bovine animals and pigs produced between 15 January 1999 and 3 June 1999. The Belgian authorities are prepared to accept the return of those products from Member States in application of Article 7 of Directive 89/662/EC. It is necessary to lay down strict and specific rules on the procedure to be followed when the products are returned to Belgium in order to ensure that they cannot re-enter the human food or animal feed chains before they are submitted to appropriate checks to verify their safety. Considering that the Belgian authorities informed the Commission of difficulties in using the ANIMO network set up by Council Directive 91/398/EC⁽²⁾, it is appropriate to inform directly by means of telefax the Belgian central competent authority of the return of the products.
- (8) Article 15 of Council Directive 97/78/EC of 18 December 1997 laying down the principles governing the organisation of veterinary checks on products entering the Community from third countries⁽³⁾ establishes specific rules for the re-importation of consignments of products of Community origin which have been refused by a third country. It is necessary to establish that products returned from third countries to Belgium cannot re-enter the human food or animal feed chains before they are submitted to the appropriate checks to verify their safety.
- (9) Council Directive 1999/29/EEC of 22 April 1999 on the undesirable substances and products in animal nutrition⁽⁴⁾ provides that feed materials may only be put into circulation in the Community if they are sound, genuine and of merchantable quality,
- (10) The body of toxicological and epidemiological evidence available today has led the International Agency for Research on Cancer (IARC) of the World Health Organisation (WHO) to consider tetrachlordibenzo-dioxin (TCDD) a class 1 carcinogen (the highest class in the IARC ranking). The WHO has recommended that a tolerable daily intake (TDI) of 14 pg/kg bw/day be respected for dioxins. No limits for dioxin contamination have been set for individual commodities and food products. Data on background levels of contamination do exist. In the absence of limits for dioxins at international, Community or national level, the data on background levels should be used as references. The analysis of dioxins requires sophisticated methods which are available only in a limited number of laboratories in the Member States.
- (11) On 11 June 1999 a Commission working group on PCBs as markers for dioxin contamination concluded that the levels of seven persistent PCBs in eggs and poultry-meat products can be used reliably as a surrogate for dioxins. Furthermore, it concluded that an action level of 200 ng PCB (sum of 7 congeners)/g fat be used for poultry products. On 16 June 1999 the Scientific Committee for Food adopted an opinion on dioxins in milk derived from cattle fed on contaminated feed in Belgium. In its opinion, the Committee stressed the need to analyse milk samples from all dairy farms placed under restriction by the Belgian authority, individually, at least for PCBs, using an adequate limit of quantification, as an indicator for a possible dioxin contamination, above background. For this purpose, the Committee recommended that an action level of 100 ng PCB (sum of 7 congeners)/g fat be used for milk and milk products. This action level should be applied for screening purpose for raw milk from the individual farms in question, for bulked milk from dairies, and for any milk products manufactured since the date of known contamination of animal feed. Where the levels above 100 ng PCB/g fat are found, this should trigger analysis for dioxins. The Committee and the Commission working group stressed those action levels are only intended to apply in the context of the present particular situation in Belgium and should not be taken as an endorsement of a permanent limit for PCBs in the products concerned.
- (12) In compliance with the above scientific opinion of 16 June 1999, the Belgian authorities carried out individual analyses of raw milk from all the 234 individual farms placed under restriction, bulked milk from dairies, and milk products manufactured since the date of known contamination of animal feed. The results indicated that, with the exception of 9 farms, the current and past products from 225 farms have no health significance for

⁽¹⁾ OJ L 228, 11.8.1992, p. 24.

⁽²⁾ OJ L 221, 9.8.1991, p. 30.

⁽³⁾ OJ L 24, 30.1.1998, p. 9.

⁽⁴⁾ OJ L 115, 4.5.1999, p. 32.

the consumers. Considering these results, it is appropriate to remove milk and milk products from the scope of Decision 1999/389/EC. However, in accordance with the recommendation of the Scientific Committee for Food, it is necessary to maintain under restriction the products from dairy farms where the action level for milk is exceeded until the results of analysis demonstrate that the milk is not contaminated with dioxins.

- (13) On 28 and 29 June 1999 a Commission working group on the PCB/dioxin contamination of the Belgian food supply considered the adequacy of a threshold of 2 % of fat below which the foodstuffs subject to the provision of Decisions 1999/363/EC and 1999/389/EC would be exempted from the scope of those Decisions. That working group concluded that, in the light of the above-mentioned opinion of the Scientific Food Committee and considering the data available so far on PCBs and dioxins in Belgian products, it is reasonable to assume, in the case of egg products containing less than 10 % of egg fat it is unlikely that their presence in amounts below 2 % increases PCB and dioxins intake significantly above background levels.
- (14) Article 9(4) of Directive 89/662/EEC and Article 10(4) of Directive 90/425/EEC authorise the Commission to adopt safeguard measures for animals and products referred to in Article 1 and, if the situation so requires, products or products derived from those products. Therefore, these measures can also cover incidentally other products which are not included in Annex I to the Treaty. The situation as regards the dioxin contamination justifies such measures.
- (15) Article 3 of Decision 1999/363/EC and Article 3 of Decision 1999/389/EC established measures for Member States which received products of Belgian origin covered by those Decisions. Discussions with Member States have revealed that there are problems of implementation and interpretation of those provisions and they should therefore be clarified.
- (16) The measures provided for in this Decision are in accordance with the opinion of the Standing Veterinary Committee,

HAS ADOPTED THIS DECISION:

Article 1

1. A. Belgium shall prohibit the placing on the market, including distribution to the final consumer, the trade and the export to third countries, of the products listed

below which are intended for human or animal consumption and are derived from domestic fowl reared in Belgium between 15 January 1999 and 1 June 1999 or from pigs and bovine animals reared in Belgium between 15 January 1999 and 3 June 1999:

- fresh poultrymeat, as defined by Council Directive 71/118/EEC ⁽¹⁾;
- fresh meat, as defined by Council Directive 64/433/EEC ⁽²⁾;
- mechanically recovered meat;
- minced meat and meat preparation, as defined by Council Directive 94/65/EC ⁽³⁾;
- meat products and other products of animal origin as defined by Council Directive 77/99/EEC ⁽⁴⁾;
- products intended for human consumption which contain other products of bovine, porcine or poultry origin as defined by Council Directive 77/99/EEC, which contain more than 2 % of animal fat, with the exclusion of milk fat,
- eggs;
- egg products, as defined by Council Directive 89/437/EEC ⁽⁵⁾, with the exclusion of egg white;
- products intended for human consumption which contain more than 2 % of eggs or more than 2 % of egg products containing more than 10 % of egg fat;
- rendered fats, as referred to in Directive 92/118/EEC;
- processed animal proteins, as referred to in Directive 92/118/EEC;
- raw material for the manufacture of animal feeding-stuffs, as referred to by Council Directive 92/118/EC,
- compound feedingstuffs and pre-mixtures.

B. Belgium shall maintain under restriction raw milk collected after 12 June 1999, and heat treated milk and milk based products derived therefrom, from holding which, whenever tested, did not comply with the limits set in Annex A, until such time as the result of analysis demonstrate that the milk is not contaminated with dioxins.

2. The prohibition set out in paragraph 1A. shall not apply where:

- (a) the products are not derived from animals reared in holdings put under restriction by the Belgian authorities;
- or
- (b) the results of analysis demonstrate that the products are not contaminated with dioxins or, that they do not exceed the levels for PCBs set out in Annex A.

3. Belgium shall prohibit the placing on the market, the trade and the export to third countries of live domestic fowls reared between 15 January 1999 and 1 June 1999 or hatching eggs laid by those domestic fowls during that period and of pigs and bovine animals reared between 15 January 1999 and 3 June 1999, unless the animals have not been reared and the eggs have not been produced in holdings placed under restrictions by the Belgian authorities.

⁽¹⁾ OJ L 55, 8.3.1971, p. 23.

⁽²⁾ OJ L 121, 29.7.1964, p. 2012/64.

⁽³⁾ OJ L 368, 31.12.1994, p. 10.

⁽⁴⁾ OJ L 26, 31.1.1977, p. 85.

⁽⁵⁾ OJ L 212, 22.7.1989, p. 87.

4. Belgium shall ensure that all the products referred to in paragraph 1 which do not fulfil the conditions laid down in paragraph 2 are destroyed by means approved by the competent authorities in a manner that ensures that they cannot enter the human food or animal feed chain.

5. Belgium shall inform immediately the Commission and the Member States, if appropriate by means of the rapid alert system under Directive 92/59/EEC, and third countries which have received the live animals, hatching eggs referred to in paragraph 3 or products covered by paragraph 4 of this Article;

6. Belgium shall investigate:

- (a) possible remaining stocks of contaminated feedingstuffs, and
- (b) possible distribution of contaminated feedingstuffs with dioxins to other farm animals and to other Member States and third countries.

It shall inform without delay the Commission and other Member States and third countries concerned of the results of such investigations.

7. Belgium shall monitor the level of dioxins in Belgian products of animal origin.

For this purpose, Belgium shall submit without delay a monitoring plan to the Commission.

8. Belgium shall keep the Commission and the Member States informed of the results of its investigation into the source of the contamination of feedingstuffs by dioxins.

Article 2

1. For the purpose of infra-Community trade and export to third countries, in addition to the appropriate commercial document or to the official certificate, each consignment of products of Belgian origin listed in Article 1(1)(A) must be accompanied by an official certificate signed by the Belgian competent authority as laid down in Annex B.

2. For the purpose of infra-Community trade and export to third countries, the appropriate health certificate accompanying each consignment of live domestic fowl and hatching eggs derived therefrom, of Belgian origin must be accompanied by an official declaration signed by the Belgian competent authority as laid down in Annex C.

3. For the purpose of infra-Community trade and export to third countries, the appropriate health certificate accompanying each consignment of bovine animals and pigs of Belgian origin must be accompanied by an official declaration signed by the Belgian competent authority as laid down in Annex D.

4. The official certificate and the official declarations referred to in paragraphs 1, 2 and 3 shall be drawn up on the date of loading in the language or languages of the Member

State of dispatch and in the official language of the Member State of destination and they shall consist of a single sheet.

Article 3

Member States which have received feedingstuffs suspected of being contaminated with dioxins, live animals or hatching eggs which have been reared or produced in holdings placed under restrictions by the Belgian authorities and/or products of Belgian origin covered by Article 1(4), shall immediately:

- (a) carry out an investigation into the distribution of those feedingstuffs and into possible remaining stocks;
- (b) trace and place restrictions on those animals and hatching eggs and products arising therefrom;
- (c) trace back all products derived from animals fed with those feedingstuffs, and products listed in Article 1(1)(A) destined for human or animal consumption which contain those products;
- (d) trace back all products of Belgian origin to which this Decision applies, and products listed in Article 1(1)(A) which are destined for human or animal consumption containing those products of Belgian origin;
- (e) ensure that the products referred to in points (a) to (d) are destroyed by a means approved by the competent authority in a manner that ensures that they cannot enter the human food or animal feed chain, unless it can be proved they are not contaminated with dioxins or, that they do not exceed the levels for PCB set out in Annex A;
- (f) inform immediately the Commission and the Member States, if appropriate by means of the rapid alert system under Directive 92/59/EEC, and third countries concerned on the findings of their investigation and on the eventual actions taken;
- (g) monitor the level of dioxins in products of animal origin.

For this purpose, the Member States concerned shall without delay submit a monitoring plan to the Commission.

Article 4

On request of a Member State or of a third country which has received live animals, hatching eggs or products listed in Article 1(1)(A) and Article 1(3) before 12 June 1999, Belgium, where it has such information, shall provide a declaration on the status of the holding of origin in accordance with the model set out in Annex E.

Article 5

1. By way of derogation from Article 3(e), in accordance with Article 7 of Directive 89/662/EEC, Member States may return products of Belgian origin to which Article 1(1)(A) applies to Belgium in cases where, following the application of Article 4, it has not been possible to trace the exact Belgian holdings of origin and where analyses of the products for dioxins or PCBs have not been carried out.

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

- (a) Belgium must have authorised in writing the return of the product indicating the exact address of the establishment to which the products must be returned
- (b) the product must be accompanied by an official certificate as laid down in Annex F to this Decision and by a copy of the commercial document or the health certificate which accompanied the product from Belgium to the Member State concerned;
- (c) the products must be transported in containers or vehicles sealed by the competent authority of the Member State concerned in such a manner that the seals will be broken whenever the container or the vehicle is opened;
- (d) the products must be conveyed directly to the establishment referred to in point(a);
- (e) Member States which return products to Belgium must inform by telefax the competent authority in charge of the establishment referred to in point (a), of the place of origin and of the place of destination of the returned product giving the details laid down in the Annex to Decision 91/637/EC ⁽¹⁾. The words 'Product returned in accordance with Article 5 of Decision 1999/449/EC' must be contained in the fax;
- (f) Belgium must send confirmation by fax of the arrival of each consignment to the competent authority of the Member State which returned the product;
- (g) Belgium must ensure that the returned product is placed under restriction until its destruction by a means approved by the competent authority in a manner that ensures that it cannot enter the human food or animal feed chain or until the results of analysis demonstrate that the product is not contaminated with dioxins or, that it does not exceed the levels for PCB set out in Annex A to Decision 1999/449/EC;

3. Belgium shall keep full records demonstrating compliance with paragraph 2.

Article 6

Belgium shall ensure that the products of Belgian origin which are re-imported into Belgium from third countries in accordance with the conditions laid down in Article 15 of Directive

97/78/EC, are placed under restriction until their destruction by a means approved by the competent authority in a manner that ensures that they cannot enter the human food or animal feed chain, or until the results of analysis demonstrate that the products are not contaminated with dioxins or, that they do not exceed the levels for PCBs set out in Annex A.

Belgium shall keep full records demonstrating compliance with this Article.

Article 7

Commission inspections may be carried out in order to verify the implementation of this Decision.

Article 8

Member States shall adopt the necessary measures to bring their trade rules into conformity with this Decision. They shall immediately inform the Commission thereof.

Article 9

This Decision may be reviewed in the light of the results of Commission inspections and of information received by Member States.

Article 10

Decision 1999/363/EC and Decision 1999/389/EC are repealed.

Article 11

This Decision is addressed to the Member States.

Done at Brussels, 9 July 1999.

For the Commission

Emma BONINO

Member of the Commission

⁽¹⁾ OJ L 343, 13.12.1991, p. 46.

ANNEX A

Maximum levels for PCBs for certain products listed in Article 1(1)

Products	Maximum level PCBs (!)
Eggs, egg products, fresh poultrymeat and derived products	200 ng/g fat
Raw milk, heat-treated milk and milk based products	100 ng/g fat

(!) Sum of the following PCBs (IUPAC): 28, 52, 101, 118, 138, 153, 180.

ANNEX B

HEALTH CERTIFICATE

for products intended for human or animal consumption of Belgian origin derived from domestic fowl, bovine animals and pigs listed in Article 1(1)(A) of Decision 1999/449/EC

Country of destination:

Reference number of this health certificate:

Responsible ministry ⁽¹⁾:

- Ministère des affaires sociales, de la santé publique et de l'environnement,
- Ministère des classes moyennes et de l'agriculture.

Certifying department:

I. Identification of the products ⁽¹⁾:

- fresh meat, as defined by Council Directive 64/433/EEC,
- fresh poultrymeat, as defined by Council Directive 71/118/EEC,
- mechanically recovered meat,
- minced meat and meat preparation, as defined by Council Directive 94/65/EC,
- meat products and other products of animal origin as defined by Council Directive 77/99/EEC,
- products intended for human consumption which contain other products of bovine, porcine or poultry origin as defined by Directive 77/99/EEC, which contain more than 2 % of animal fat, with the exclusion of milk fat,
- eggs,
- egg products, as defined by Council Directive 89/437/EEC, with the exclusion of egg white;
- products intended for human consumption which contain more than 2 % of eggs or more than 2 % of egg products containing more than 10 % of egg fat,
- rendered fats, as referred to by Council Directive 92/118/EEC,
- processed animal proteins, as referred to by Directive 92/118/EEC,
- raw material for the manufacture of animal feedingstuffs, as referred to by Directive 92/118/EEC,
- compound feedingstuffs and pre-mixtures.

The products was derived from: domestic fowl/bovine animals/pigs ⁽¹⁾

Nature of packaging:

Number of cuts or packages:

Net weight:

II. Origin of the products

Address and veterinary approval or registration No of the approved or registered establishment:

.....

⁽¹⁾ Delete as appropriate.

III. Destination of the products

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

To: (country and place of destination)

By the following means of transport:

Name and address of consignor:

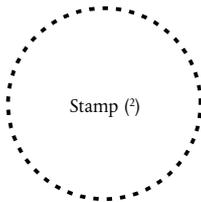
Name and address of consignee:

IV. Attestation

I, the undersigned official competent authority, declare that I am aware of the provisions laid down in Decision 1999/449/EC and certify that the product described above is in compliance with Decision 1999/449/EC and, in particular, that (1):

- the product is not deived from animals reared in holdings under restriction by the Belgian authorities, or
- the result of analysis demonstrate that the product is not contaminated with dioxins or, that it does not exceed the levels for certain PCBs set out in Annex A of Decision 1999/449/EC.

Done at on (place) (date)



..... (signature of the official competent authority) (?)

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

(1) Delete as appropriate.

(2) The signature and the stamp must be in a colour different to that of the printing.

ANNEX C
OFFICIAL DECLARATION

For domestic fowl and hatching eggs referred to in Article 1(3) of Decision 1999/449/EC

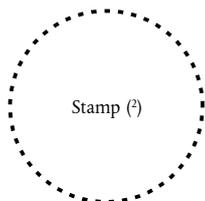
Health certificate number:

DECLARATION

Number of the declaration:

I, the undersigned official veterinarian, declare that I am aware of the provisions laid down in Decision 1999/449/EC and certify that the animals/hatching eggs ⁽¹⁾ accompanied by the attached health certificate are in compliance with Decision 1999/449/EC and, in particular, that the animals have not been reared in holdings under restriction by the Belgian authorities/the hatching eggs have not been derived from animals reared in holdings under restriction by the Belgian authorities ⁽¹⁾

Done at on
(place) (date)



.....
(signature of the official veterinarian of Ministère des classes moyennes et de l'agriculture) ⁽²⁾

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

⁽¹⁾ Delete as appropriate.

⁽²⁾ The signature and the stamp must be in a colour different to that of the printing.

ANNEX D

OFFICIAL DECLARATION

For bovine animals and pigs listed in Article 1(3) of Decision 1999/449/EC

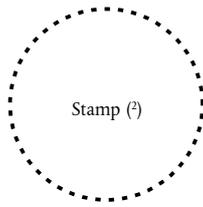
Health certificate number:

DECLARATION

Number of the Declaration:.....

I, the undersigned official veterinarian, declare that I am aware of the provisions laid down in Decision 1999/449/EC and certify that the bovine animals/pigs ⁽¹⁾ accompanied by the attached health certificate are in compliance with Decision 1999/449/EC and, in particular, that the animals have not been reared in holdings under restriction by the Belgian authorities.

Done at , on
(place) (date)



.....
(signature of the official veterinarian of Ministère des classes moyennes et de l'Agriculture) ⁽²⁾

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

⁽¹⁾ Delete as appropriate.

⁽²⁾ The signature and the stamp must be in a colour different to that of the printing.

ANNEX E

OFFICIAL DECLARATION

For live animals, hatching eggs and products of Belgian origin covered by Article 1(1)(A) and Article 1(3) which were dispatched from Belgium before 12 June 1999

Responsible ministry ⁽¹⁾:

- Ministère des affaires sociales, de la santé publique et de l'environnement,
- Ministère des classes moyennes et de l'agriculture.

Certifying department:

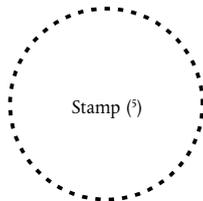
DECLARATION

Number of the declaration:

I, the undersigned official competent authority, declare that I am aware of the provisions laid down in Decision 1999/449/EC and certify that ⁽¹⁾:

- the domestic fowl/bovine animals/pigs ⁽¹⁾ which were sent from Belgium to ⁽²⁾, on ⁽³⁾ and which were accompanied by the attached health certificate are in compliance with Decision 1999/449/EC and, in particular, that the animals have not been reared in holdings under restriction by the Belgian authorities,
- hatching eggs which were sent from Belgium to ⁽²⁾, on ⁽³⁾ and which were accompanied by the attached health certificate are in compliance with Decision 1999/449/EC and, in particular, that the hatching eggs have not been derived from animals reared in holdings under restriction by the Belgian authorities,
- the following product ⁽⁴⁾, which were sent from Belgium to ⁽²⁾ on ⁽³⁾ and which were accompanied by the attached commercial document/health certificate No have not been derived from animals reared in holdings under restriction by the Belgian authorities.

Done at , on
(place) (date)



.....
(signature of the official competent authority) ⁽⁵⁾

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

⁽¹⁾ Delete as appropriate.
⁽²⁾ Place of destination.
⁽³⁾ Date of dispatching.
⁽⁴⁾ Description of the product.
⁽⁵⁾ The signature and the stamp must be in a colour different to that of the printing.

ANNEX F

HEALTH CERTIFICATE

For products of Belgian origin covered by Decision 1999/449/EC intended to be returned to Belgium from Member States

Country of destination: BELGIUM

Reference number of this health certificate:

Responsible ministry:

Certifying department:

I. Identification of the products ⁽¹⁾:

- fresh meat, as defined by Council Directive 164/433/EEC,
- fresh poultrymeat, as defined by Council Directive 71/118/EEC,
- mechanically recovered meat,
- minced meat and meat preparation, as defined by Council Directive 94/65/EC,
- meat products and other products of animal origin as defined by Council Directive 77/99/EEC,
- products intended for human consumption which contain other products of bovine, porcine or poultry origin as defined by Council Directive 77/99/EEC, which contain more than 2 % of animal fat, with the exclusion of milk fat,
- eggs,
- egg products, as defined by Council Directive 89/437/EEC, with the exclusion of egg white,
- products intended for human consumption which contain more than 2 % of eggs or more than 2 % of egg products containing more than 10 % of egg fat,
- rendered fats, as referred to by Council Directive 92/118/EEC,
- processed animal proteins, as referred to by Directive 92/118/EEC,
- raw material for the manufacture of animal feedingstuffs, as referred to by Directive 92/118/EEC,
- compound feedingstuffs and pre-mixtures.

The product was derived from: domestic fowl/bovine animals/pigs ⁽¹⁾.

Nature of packaging:

Number of cuts or packages:

Net weight:

II. Origin of the products

Address and veterinary approval or registration number of the Belgian approved or registered establishment ⁽²⁾:

.....

III. Destination of the products

The product will be sent from:

(address of the place of loading)

To:

(address of the place of destination)

By the following means of transport:

⁽¹⁾ Delete as appropriate.

⁽²⁾ If applicable.

Number of the official seal:

Name and address of consignor:

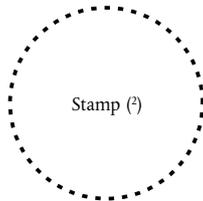
Name and address of consignee:

IV. Attestation

I, the undersigned official competent authority, certify:

- (a) that a declaration has been received from the consignee/holder/retailer ⁽¹⁾ of the product described above stating that the product was consigned from Belgium accompanied by the commercial document certificate ⁽¹⁾ No a copy of which is attached to the present certificate;
- (b) that the product is being returned to Belgium in conformity with Article 5 of Decision 1999/449/EC, and, in particular:
 - the product has not been analysed for dioxins or PCBs, and
 - in all other respects the product still retains the same sanitary status which it had on arrival.

Done at on
(place) (date)



.....
(signature of the official competent authority) ⁽²⁾

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

⁽¹⁾ If applicable.

⁽²⁾ The signature and the stamp must be in colour different to that of the printing.

CORRIGENDA

Corrigendum to Commission Directive 98/82/EC of 27 October 1998 amending the Annexes to Council Directives 86/362/EEC, 86/363/EEC and 90/642/EEC on the fixing of maximum levels for pesticide residue in and on cereals, foodstuffs of animal origin and certain products of plant origin, including fruit and vegetables respectively

(Official Journal of the European Communities L 290 of 29 October 1998)

On page 41, in Annex C, the second footnote (*) should read as follows:

'(*) Should this level not be confirmed or amended by a directive, with effect from 1 July 2000, the appropriate lower limit of analytical determination shall apply.'

On page 51 the heading of the lower table should read as follows:

'Pesticide residues (*Camellia sinensis*).

On page 52, the second footnote (*) should read as follows:

'(*) Should this level not be confirmed or amended by a directive, with effect from 1 July 2000, the appropriate lower limit of analytical determination shall apply.'
