

English edition

Legislation

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I

(Acts whose publication is obligatory)

COMMISSION REGULATION (EC) No 845/2000
of 27 April 2000
establishing the standard import values for determining the entry price of certain fruit and vegetables

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

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

Whereas:

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

- (2) In compliance with the above criteria, the standard import values must be fixed at the levels set out in the Annex to this Regulation,

HAS ADOPTED THIS REGULATION:

Article 1

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

Article 2

This Regulation shall enter into force on 28 April 2000.

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

Done at Brussels, 27 April 2000.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ L 337, 24.12.1994, p. 66.

⁽²⁾ OJ L 198, 15.7.1998, p. 4.

ANNEX

to the Commission Regulation of 27 April 2000 establishing the standard import values for determining the entry price of certain fruit and vegetables

(EUR/100 kg)

CN code	Third country code (!)	Standard import value
0702 00 00	052	139,7
	068	107,3
	204	84,7
	999	110,6
0707 00 05	052	89,4
	999	89,4
0709 90 70	052	81,1
	999	81,1
0805 10 10, 0805 10 30, 0805 10 50	052	67,1
	204	32,2
	212	44,8
	220	24,6
	624	45,3
	999	42,8
0808 10 20, 0808 10 50, 0808 10 90	388	99,6
	400	95,4
	404	97,1
	508	95,9
	512	93,9
	528	87,1
	720	105,0
	804	83,6
	999	94,7
	0808 20 50	388
512		80,7
528		77,1
720		59,5
999		74,3

(!) Country nomenclature as fixed by Commission Regulation (EC) No 2543/1999 (OJ L 307, 2.12.1999, p. 46). Code '999' stands for 'of other origin'.

COMMISSION REGULATION (EC) No 846/2000
of 27 April 2000
on the issue of import licences for rice against applications submitted during the first ten working days of April 2000 pursuant to Regulation (EC) No 327/98

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Commission Regulation (EC) No 327/98 of 10 February 1998 opening and providing for the administration of certain tariff quotas for imports of rice and broken rice ⁽¹⁾, as amended by Regulation (EC) No 648/98 ⁽²⁾, and in particular Article 5(2) thereof,

Whereas:

- (1) Pursuant to Article 5(2) of Regulation (EC) No 327/98, within ten days of the closing date for notification by the Member States of licence applications, the Commission must decide to what extent the applications may be accepted and fix the quantities available under the following tranche.
- (2) Examination of the quantities for which applications have been submitted for under the April 2000 tranche shows that licences should be issued for the quantities

applied for reduced, where appropriate, by the percentages set out in the Annex hereto,

HAS ADOPTED THIS REGULATION:

Article 1

1. Import licences for rice against applications submitted during the first ten working days of April 2000 pursuant to Regulation (EC) No 327/98 and notified to the Commission shall be issued for the quantities applied for reduced, where appropriate, by the percentages set out in the Annex hereto.
2. The quantities available under the following tranche shall be as set out in the Annex hereto.

Article 2

This Regulation shall enter into force on 28 April 2000.

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

Done at Brussels, 27 April 2000.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ L 37, 11.2.1998, p. 5.

⁽²⁾ OJ L 88, 24.3.1998, p. 3.

ANNEX

Reduction percentages to be applied to quantities applied for under the tranche for April 2000 and quantities available for the following tranche:

(a) quantity referred to in Article 2: semi-milled and wholly-milled rice falling within CN code 1006 30

Origin	Reduction (%)	Quantity available for the tranche for July 2000 (in tonnes)
United States of America	0 ⁽¹⁾	21 907,61
Thailand	0 ⁽¹⁾	9 359,04
Australia	0 ⁽¹⁾	190
Other origins	98,2354	—

⁽¹⁾ Issue for the quantity applied for.

(b) quantity referred to in Article 2: husked rice falling within CN code 1006 20

Origin	Reduction (%)	Quantity available for the tranche for July 2000 (in tonnes)
Australia	0,5467	5 214
United States of America	0 ⁽¹⁾	1 940
Thailand	0 ⁽¹⁾	71,03
Other origins	0 ⁽¹⁾	52,50

⁽¹⁾ Issue for the quantity applied for.

**COMMISSION REGULATION (EC) No 847/2000
of 27 April 2000**

laying down the provisions for implementation of the criteria for designation of a medicinal product as an orphan medicinal product and definitions of the concepts 'similar medicinal product' and 'clinical superiority'

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Regulation (EC) No 141/2000 of the European Parliament and of the Council of 16 December 1999 on orphan medicinal products ⁽¹⁾, and in particular Articles 3 and 8 thereof,

Whereas:

- (1) Regulation (EC) No 141/2000 calls on the Commission to adopt provisions necessary for the implementation of Article 3 and to adopt definitions of 'similar medicinal product' and 'clinical superiority'.
- (2) In order to implement Article 3 of Regulation (EC) No 141/2000, additional details on the factors that should be considered when establishing prevalence, likely return on investment and the satisfactory nature of alternative methods of diagnosis, prevention and treatment may be helpful for sponsors and the Committee for Orphan Medicinal Products.
- (3) This information should be presented in accordance with the guidance drawn up by the Commission pursuant to Article 5(3) of Regulation (EC) No 141/2000.
- (4) Given the nature of the medicinal products concerned, and the probability that the conditions to be treated are rare, it is not appropriate to lay down overly prescriptive requirements to establish that the criteria are met.
- (5) The assessment of the criteria referred to in Article 3 should be on the basis of information that is as objective as possible.
- (6) Other Community measures in the field of rare diseases should be taken into account.
- (7) In order to ensure appropriate respect of the market exclusivity provisions laid down in Article 8 of Regulation (EC) No 141/2000, it is necessary to lay down definitions of the concepts of 'similar medicinal product' and 'clinical superiority'; these definitions should take into account the work and experience of the Committee for Proprietary Medicinal Products in evaluating existing medicinal products, and the relevant opinions of the Scientific Committee on Medicinal Products and Medical Devices.
- (8) The definitions should be further supported by the guidelines foreseen by Article 8(5) of Regulation (EC) No 141/2000.
- (9) These provisions should be updated regularly in the light of scientific and technical knowledge and experience

with the designation and regulation of orphan medicinal products.

- (10) The measures provided for in this Regulation are in conformity with the opinion of the Standing Committee on Medicinal Products for Human Use,

HAS ADOPTED THIS REGULATION:

Article 1

Purpose

This Regulation lays down factors to be considered when implementing Article 3 of Regulation (EC) No 141/2000 on orphan medicinal products and establishes definitions of 'similar medicinal product' and 'clinical superiority' for the purposes of implementing Article 8 of the abovementioned Regulation. It is intended to assist potential sponsors, the Committee for Orphan Medicinal Products, and competent authorities in the interpretation of Regulation (EC) No 141/2000.

Article 2

Criteria for designation

1. *Prevalence of a condition in the Community*

For the purpose of establishing, pursuant to the first subparagraph of Article 3(1)(a) of Regulation (EC) No 141/2000, that a medicinal product is intended for the diagnosis, prevention or treatment of a life-threatening or chronically debilitating condition affecting not more than five in 10 000 persons in the Community, the following specific rules shall apply and the documentation listed below shall be provided in accordance with the guidance drawn up pursuant to Article 5(3) of Regulation (EC) No 141/2000:

- (a) the documentation shall include appended authoritative references which demonstrate that the disease or conditions for which the medicinal product would be administered, affects not more than five in 10 000 persons in the Community at the time at which the application for designation is submitted, where these are available;
- (b) the data shall include appropriate details on the condition intended to be treated and a justification of the life-threatening or chronically debilitating nature of the condition supported by scientific or medical references;
- (c) the documentation submitted by the sponsor shall include or refer to a review of the relevant scientific literature, and shall provide information from relevant databases in the Community, where these are available. Where no database in the Community is available, reference may be made to databases available in third countries, provided the appropriate extrapolations are made;

⁽¹⁾ OJ L 18, 22.1.2000, p. 1.

(d) where a disease or condition has been considered within the framework of other Community activities on rare diseases, this information shall be provided. In the case of diseases or conditions included in projects financially supported by the Community in order to improve information on rare diseases, a relevant extract from this information, including in particular, details of the prevalence of the disease or condition in question, shall be provided.

2. *Potential for return on investment*

For the purpose of establishing, pursuant to the second subparagraph of Article 3(1)(a) of Regulation (EC) No 141/2000, that a medicinal product is intended for the diagnosis, prevention or treatment of a life-threatening, seriously debilitating or serious and chronic condition in the Community, and that without incentives it is unlikely that the marketing of the medicinal product in the Community would generate sufficient return to justify the necessary investment, the following specific rules shall apply and the appropriate documentation shall be provided in accordance with the guidance drawn up pursuant to Article 5(3) of Regulation (EC) No 141/2000:

- (a) the data shall include appropriate details on the condition intended to be treated and a justification of the life-threatening or seriously debilitating or serious and chronic nature of the condition supported by scientific or medical references;
- (b) the documentation submitted by the sponsor shall include data on all costs that the sponsor has incurred in the course of developing the medicinal product;
- (c) the documentation provided shall include details of any grants, tax incentives or other cost recovery provisions received either within the Community or in third countries;
- (d) in cases where the medicinal product is already authorised for any indication or where the medicinal product is under investigation for one or more other indications, a clear explanation of and justification for the method that is used to apportion the development costs among the various indications shall be provided;
- (e) a statement of and justification for all development costs that the sponsor expects to incur after the submission of the application for designation shall be provided;
- (f) a statement of and justification for all production and marketing costs that the sponsor has incurred in the past and expects to incur during the first 10 years that the medicinal product is authorised shall be provided;
- (g) an estimate and justification for the expected revenues from sales of the medicinal product in the Community during the first 10 years after authorisation;
- (h) all cost and revenue data shall be determined in accordance with generally accepted accounting practices and shall be certified by a registered accountant in the Community;
- (i) the documentation provided shall include information on the prevalence and incidence in the Community of the condition for which the medicinal product would be

administered at the time at which the application for designation is submitted.

3. *Existence of other methods of diagnosis, prevention or treatment*

An application for designation of a medicinal product as an orphan medicinal product may be submitted in accordance with either paragraph 1 or paragraph 2 of this Article. Irrespective of whether an application for designation is submitted in accordance with paragraph 1 or 2, the sponsor must additionally establish that there exists no satisfactory method of diagnosis, prevention or treatment of the condition in question, or if such method exists that the medicinal product will be of significant benefit to those affected by that condition.

For the purpose of establishing, pursuant to Article 3(1)(b) of Regulation (EC) No 141/2000 that there exists no satisfactory method of diagnosis, prevention or treatment of the condition in question, or if such method exists that the medicinal product will be of significant benefit to those affected by that condition, the following rules shall apply:

- (a) details of any existing diagnosis, prevention or treatment methods of the condition in question that have been authorised in the Community shall be provided, making reference to scientific and medical literature or other relevant information. These may include authorised medicinal products, medical devices or other methods of diagnosis, prevention or treatment which are used in the Community;
- (b) either a justification as to why the methods referred to in paragraph (a) are not considered satisfactory;
or
- (c) a justification for the assumption that the medicinal product for which designation is sought will be of significant benefit to those affected by the condition.

4. *General provisions*

- (a) A sponsor applying for designation of a medicinal product as an orphan medicinal product shall apply for designation at any stage of the development of the medicinal product before the application for marketing authorisation is made. An application for designation may however be submitted for a new therapeutic indication for an already authorised medicinal product. In this case, the marketing authorisation holder shall apply for a separate marketing authorisation which will cover only the orphan indication(s).
- (b) More than one sponsor may obtain designation as an orphan medicinal product for the same medicinal product intended to prevent, treat or diagnose the same disease or condition, provided that a complete application for designation as laid down by the guidelines specified in Article 5(3) is submitted in each case.
- (c) Where a medicinal product is designated by the Committee for Orphan Medicinal Products reference to the criteria for designation will be made either to Article 2(1) or to Article 2(2) of this Regulation.

Article 3

Definitions

1. The definitions in Article 2 of Regulation (EC) No 141/2000 apply to those terms when used in this Regulation:

— 'substance' means a substance used in the manufacture of a medicinal product for human use as defined in Article 1 of Directive 65/65/EEC.

2. For the purposes of the implementation of Article 3 of Regulation (EC) No 141/2000 on orphan medicinal products, the following definition shall apply:

— 'significant benefit' means a clinically relevant advantage or a major contribution to patient care.

3. For the purposes of the implementation of Article 8 of Regulation (EC) No 141/2000 on orphan medicinal products, the following definitions shall apply:

(a) 'active substance' means a substance with physiological or pharmacological activity;

(b) 'similar medicinal product' means a medicinal product containing a similar active substance of substances as contained in a currently authorised orphan medicinal product, and which is intended for the same therapeutic indication;

(c) 'similar active substance' means an identical active substance, or an active substance with the same principal molecular structural features (but not necessarily all of the same molecular structural features) and which acts via the same mechanism.

This includes:

(1) isomers, mixture of isomers, complexes, esters, salts and non-covalent derivatives of the original active substance, or an active substance that differs from the original active substance only with respect to minor changes in the molecular structure, such as a structural analogue;

or

(2) the same macromolecule or one that differs from the original macromolecule only with respect to changes in the molecular structure such as:

(2.1) proteinaceous substances where:

— the difference is due to infidelity of transcription or translation,

— the difference in structure between them is due to post-translational events (such as different glycosylation patterns) or different tertiary structures,

— the difference in the amino acid sequence is not major. Therefore, two pharmacologically related protein substances of the same group (for example, two biological compounds having the same International Non-propri-

etary name (INN) sub-stem) would normally be considered similar,

— the monoclonal antibodies bind to the same target epitope. These would normally be considered similar;

(2.2) polysaccharide substances having identical saccharide repeating units, even if the number of units varies and even if there are post-polymerisation modifications (including conjugation);

(2.3) polynucleotide substances (including gene transfer and antisense substances), consisting of two or more distinct nucleotides where:

— the difference in the nucleotide sequence of the purine and pyrimidine bases or their derivatives is not major. Therefore for antisense substances, the addition or deletion of nucleotide(s) not significantly affecting the kinetics of hybridisation to the target would normally be considered similar. For gene transfer substances, unless the differences in the sequence were significant the substances would normally be considered similar,

— the difference in structure between them relates to modifications to the ribose or deoxyribose sugar backbone or to the replacement of the backbone by synthetic analogues,

— the difference is in the vector or transfer system;

(2.4) closely related complex partly definable substances (such as two related viral vaccines, or two related cell therapy products);

or

(3) the same radiopharmaceutical active substance, or one differing from the original in radionuclide, ligand, site of labelling or molecule-radionuclide coupling mechanism linking the molecule and radionuclide provided that it acts via the same mechanism;

(d) 'clinically superior' means that a medicinal product is shown to provide a significant therapeutic or diagnostic advantage over and above that provided by an authorised orphan medicinal product in one or more of the following ways:

(1) greater efficacy than an authorised orphan medicinal product (as assessed by effect on a clinically meaningful endpoint in adequate and well controlled clinical trials). Generally, this would represent the same kind of evidence needed to support a comparative efficacy claim for two different medicinal products. Direct comparative clinical trials are generally necessary, however comparisons based on other endpoints, including surrogate endpoints may be used. In any case, the methodological approach should be justified;

or

- (2) greater safety in a substantial portion of the target population(s). In some cases direct comparative clinical trials will be necessary;
- or
- (3) in exceptional cases, where neither greater safety nor greater efficacy has been shown, a demonstration that the medicinal product otherwise makes a major contribution to diagnosis or to patient care.

Article 4

Entry into force

This Regulation shall enter into force on the day following its adoption by the Commission and shall apply from the same day.

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

Done at Brussels, 27 April 2000.

For the Commission
Erkki LIIKANEN
Member of the Commission

COMMISSION REGULATION (EC) No 848/2000
of 27 April 2000
amending Regulation (EC) No 1168/1999 laying down marketing standards for plums

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 1257/1999 ⁽²⁾, and in particular Article 2(2) thereof,

Whereas:

- (1) The Annex to Commission Regulation (EC) No 1168/1999 of 3 June 1999 laying down marketing standards for plums ⁽³⁾ contains a non-exhaustive list of large-fruited varieties.
- (2) The non-exhaustive list of large-fruited varieties contained in the standards for plums recommended by the United Nations Economic Commission for Europe distinguishes between varieties of *Prunus domestica* and those of *Prunus salicina*. In the interest of transparency on the world market, the non-exhaustive list of large-fruited varieties contained in the Annex to Regulation (EC) No 1168/1999 should be amended.

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

HAS ADOPTED THIS REGULATION:

Article 1

The non-exhaustive list of large-fruited varieties following Title VI (Provisions concerning marking) of the Annex to Regulation (EC) No 1168/1999 is replaced by the list given in the Annex hereto.

Article 2

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

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

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

Done at Brussels, 27 April 2000.

For the Commission
Franz FISCHLER
Member of the Commission

⁽¹⁾ OJ L 297, 21.11.1996, p. 1.

⁽²⁾ OJ L 160, 26.6.1999, p. 80.

⁽³⁾ OJ L 141, 4.6.1999, p. 5.

ANNEX

'APPENDIX

1. Non-exhaustive list of large-fruited varieties of *Prunus domestica*

Variety Cultivar and/or commercial name	Synonyms
Ariel	
Apple	
Belle de Louvain	Bella di Lovanio
Bernardina	
Bluefre	Blue Fré
Cacanska Iepotica	Belle de Cacak, Cacaks Beauty, Cacaks Schöne
Cacanska najbolja	Meilleure de Cacak, Cacaks Beste
Cacanska rana	Précoce de Cacak, Cacaks Frühe
California Blue	California Blu
Carpatin	
Centenar	
Coe's Golden Drop	
De Fraile	Fraila
Denniston Superb	
Edwards	Colbus
Emma Leppermann	
Empress	
Erfdeel	
Giant	Burbanks Giant Prune
Grand Prix	Grand Prize
Hall	
Harris Monarch	Harris
Heron	
Impérial Epineuse	
Janand	
Jefferson	Jefferson's Gage
Jori's Plum	
Jubileum	
June Blood	
Magna Glauca	
Manns Number One	
Marjorie's Seedling	
Merton Gage	Merton, Mereton
Merton Gem	
Monarch	
Monsieur hâtif	Early Orleans
Nueva Extremadura	
Oneida	
Ontario	Ontariopflaume
Pitestean	
Pond's Seedling	
President	
Prince Engelbert	
Prince of Wales	Prince de Galles

Variety Cultivar and/or commercial name	Synonyms
Eclipse	
Eldorado	
Eric Sun	
Flavor King	
Formosa	
Fortune	
Friar	
Frontier	
Gavearli	
Gaviota	
Globe Sun	
Goccia d'Oro	
Golden Japan	Shiro
Golden King	
Golden Kiss	
Golden Plum	
Goldsweet 4	
Grand Rosa	
Green Sun	
Hackman	
Harry Pickstone	
Howard Sun	
Kelsey	
Lady Red	
Lady West	
Laetitia	
Laroda	
Larry Ann	Larry Anne, Tegan Blue, Freedom
Late Red	
Late Santa Rosa	
Linda Rosa	
Mariposa	Improved Satsuma, Satsuma Improved
Methley	
Midnight Sun	
Morettini 355	Coeur de Lion
Narrabeen	
Newyorker	
Nubiana	
Obilnaja	
October Sun	
Original Sun	
Oro Miel	
Ozark Premier	Premier
Pink Delight	
Pioneer	
Queen Ann	
Queen Rosa	
Red Beaut	
Red Rosa	

Variety Cultivar and/or commercial name	Synonyms
Red Sweet	
Redgold	
Redroy	
Reubennel	Ruby Nel
Royal Black	
Royal Diamond	
Royal Garnet	
Royal Star	
Roysum	
Ruby Blood	
Ruby Red	
Sangue di Drago	
Santa Rosa	
Sapphire	
Satsuma	
Simka	
Sir Prize	Akihime
Songold	
Southern Belle	
Southern Pride	
Souvenir	
Souvenir II	
Spring Beaut	
Starking Delicious	
Stirling	
Suplumeleven	
Suplumthirteen	
Suplumtwelve	
Susy	
TC Sun	
Teak Gold	
Top Black	
Tracy Sun	
Wickson	
Yakima	
Yellow Sun	
Zanzi Sun'	

COMMISSION REGULATION (EC) No 849/2000
of 27 April 2000
redistributing unused portions of the 1999 quantitative quotas for certain products originating in
the People's Republic of China

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EC) No 520/94 of 7 March 1994 establishing a Community procedure for administering quantitative quotas ⁽¹⁾, as last amended by Regulation (EC) No 138/96 ⁽²⁾, and in particular Article 2(5) and Articles 14 and 24 thereof,

Whereas:

- (1) Council Regulation (EC) No 519/94 of 7 March 1994 on common rules for imports from certain third countries and repealing Regulations (EEC) No 1765/82, (EEC) No 1766/82 and (EEC) No 3420/83 ⁽³⁾, as last amended by Regulation (EC) No 1138/98 ⁽⁴⁾, introduced annual quantitative quotas for certain products originating in the People's Republic of China listed in Annex II to that Regulation. The provisions of Regulation (EC) No 520/94 are applicable to those quotas.
- (2) The Commission accordingly adopted Regulation (EC) No 738/94 ⁽⁵⁾, as last amended by Regulation (EC) No 983/96 ⁽⁶⁾, laying down general rules for the implementation of Regulation (EC) No 520/94. These provisions apply to the administration of the above quotas subject to the provisions of this Regulation.
- (3) In accordance with Article 20 of Regulation (EC) No 520/94, the competent authorities of the Member States notified the Commission of the quantities of quotas assigned in 1999 and not used.
- (4) The unused quantities could not be redistributed in time to be used before the end of the 1999 quota year.
- (5) Examination of the data received for each of the products in question indicates that the quantities not used in the 1999 quota year should be redistributed in 2000, up to a limit of the amounts set out in Annex I to this Regulation.
- (6) The different administrative methods provided for by Regulation (EC) No 520/94 have been considered; the method based on traditional trade flows should be

adopted. Under this method quota tranches are divided into two portions, one of which is reserved for traditional importers and the other for other applicants.

- (7) This has proved to be the best way of ensuring the continuity of business for the Community importers concerned and avoiding any disturbance of trade flows.
- (8) Quantities redistributed under this Regulation should be divided using the same criteria as for the allocation of the 2000 quotas.
- (9) The reference period used for the apportionment of the 2000 quotas, consisting of either the year 1997 or 1998, should again be applied to the allocation of the share set aside for traditional importers, since it continues to reflect the normal trend of trade flows for the products in question. Therefore, traditional importers must prove that they imported products originating in China subject to the relevant quotas in the course of either 1997 or 1998.
- (10) It is necessary to simplify the formalities to be fulfilled by traditional importers who already hold import licences issued when the 2000 Community quotas were allocated. The competent administrative authorities already possess the requisite evidence of either 1997 or 1998 imports for all traditional importers. The latter need therefore only enclose copies of their previous licences with their new licence applications.
- (11) Measures should be taken to provide the best conditions for the allocation of that portion of the quota reserved for non-traditional importers with a view to optimum use of quotas. To this end, it is appropriate to provide for that portion to be allocated in proportion to the quantities requested, on the basis of a simultaneous examination of import licence applications actually lodged, and grant access only to importers who can prove that they obtained and made use of at least 80 % of an import licence for the product in question during the 1999 quota year and to importers who did not obtain an import licence for the product in question during the 1999 quota year. The amount that any non-traditional importer may request should also be restricted to a set volume or value.

⁽¹⁾ OJ L 66, 10.3.1994, p. 1.

⁽²⁾ OJ L 21, 27.1.1996, p. 6.

⁽³⁾ OJ L 67, 10.3.1994, p. 89.

⁽⁴⁾ OJ L 159, 3.6.1998, p. 1 (corrigendum OJ L 241, 29.8.1998, p. 27).

⁽⁵⁾ OJ L 87, 31.3.1994, p. 47.

⁽⁶⁾ OJ L 131, 1.6.1996, p. 47.

- (12) For the purposes of quota allocation, a time limit must be set for the submission of licence applications by traditional and other importers.
- (13) With a view to optimum use of quotas, licence applications for imports of footwear under quotas which refer to several CN codes must specify the quantities required for each code.
- (14) The Member States must inform the Commission of the import licence applications received, in accordance with the procedure laid down in Article 8 of Regulation (EC) No 520/94. The information about traditional importers' previous imports must be expressed in the same units as the quota in question.
- (15) In the light of the experience gained in the management of the quotas, in order to facilitate import administration formalities to economic operators and in view of the fact that unused quantities may not be carried over to the following year more than once, thus the risk of excessive accumulation of imports appears to be limited, it is deemed appropriate, without prejudice to the results of a further analysis which may appear to be warranted in this respect in the future, to set the expiry date of the redistribution import licences on 31 December 2000.
- (16) These measures are in accordance with the opinion of the Committee for the administration of quotas set up under Article 22 of Regulation (EC) No 520/94,

HAS ADOPTED THIS REGULATION:

Article 1

This Regulation lays down specific provisions for the redistribution in 2000 of portions of the quantitative quotas referred to in Annex II to Regulation (EC) No 519/94 which were not used in the 1999 quota year.

The quantities not used in the 1999 quota year shall be redistributed up to the limit of the volumes or values set out in Annex I to this Regulation.

Regulation (EC) No 738/94 laying down general rules for the implementation of Regulation (EC) No 520/94 shall apply, subject to the specific provisions of this Regulation.

Article 2

1. The quantitative quotas referred to in Article 1 shall be allocated using the method based on traditional trade flows, referred to in Article 2(2)(a) of Regulation (EC) No 520/94.
2. The portions of each quantitative quota set aside for traditional importers and other importers are set out in Annex II to this Regulation.
3. The portion set aside for non-traditional importers shall be apportioned using the method based on allocation in proportion to quantities requested; the volume requested by a single importer may not exceed that shown in Annex III. Only importers who can prove that they imported at least 80 % of the volume of the product for which they were granted an import licence pursuant to Commission Regulations (EC) No 2297/98 ⁽¹⁾ and/or (EC) No 1469/1999 ⁽²⁾ and importers who declare that they did not obtain an import licence pursuant to

Regulations (EC) No 2297/98 and/or (EC) No 1469/1999 shall be entitled to apply for import licences.

Article 3

Applications for import licences shall be lodged with the competent authorities listed in Annex IV to this Regulation from the day following the day of publication of this Regulation in the *Official Journal of the European Communities* until 3 p.m., Brussels time, on 26 May 2000.

Article 4

1. For the purposes of allocating the portion of each quota set aside for traditional importers, 'traditional', importers shall mean importers who can show that they imported goods in either the calendar year 1997 or 1998.

2. The evidence referred to in Article 7 of Regulation (EC) No 520/94 shall relate to the release into free circulation during either calendar year 1997 or 1998, as indicated by the importer, of products originating in the People's Republic of China which are covered by the quota in respect of which the application is made.

3. Instead of the evidence referred to in the first indent of Article 7 of Regulation (EC) No 520/94:

- applicants may enclose with their licence applications documents drawn up and certified by the competent national authorities on the basis of available customs information as evidence of the imports of the product in question during calendar year 1997 or 1998 carried out by themselves or, where applicable, by the operator whose activities they have taken over,
- applicants already holding import licences issued for 2000 under Commission Regulation (EC) No 2201/1999 ⁽³⁾, for products covered by the licence application may enclose a copy of their previous licences with their licence applications. In that case they shall indicate in their licence application the aggregate quantity of imports of the product in question during the chosen reference period.

Article 5

Member States shall inform the Commission no later than 9 June 2000 at 10 a.m., Brussels time, of the number and aggregate quantity of import licence applications and in the case of applications from traditional importers, of the volume of previous imports carried out by traditional importers during the chosen reference period referred to in Article 4(1) of this Regulation.

⁽¹⁾ OJ L 287, 24.10.1998, p. 10.

⁽²⁾ OJ L 170, 6.7.1999, p. 12.

⁽³⁾ OJ L 268, 16.10.1999, p. 10.

Article 6

No later than 20 days after having received all the information required under Article 5, the Commission shall adopt the quantitative criteria to be used by the competent national authorities for the purpose of meeting importers' applications.

Article 7

Import licences shall be valid up to 31 December 2000. The validity shall not be extendable.

Article 8

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, 27 April 2000.

For the Commission
Pascal LAMY
Member of the Commission

ANNEX I

Quantities to be redistributed

Product description	HS/CN code	Quantities redistributed
Footwear	ex 6402 99 ⁽¹⁾	3 996 919 pairs
	6403 51 6403 59	1 522 145 pairs
	ex 6403 91 ⁽¹⁾ ex 6403 99 ⁽¹⁾	2 132 972 pairs
	ex 6404 11 ⁽²⁾	4 539 997 pairs
	6404 19 10	14 241 019 pairs
Tableware, kitchenware of porcelain or china	6911 10	4 463 tonnes
Ceramic tableware, kitchenware, other household articles and toilet articles, other than of porcelain or china	6912 00	5 516 tonnes

⁽¹⁾ Excluding footwear involving special technology: shoes which have a cif price per pair of not less than EUR 9 for use in sporting activities with a single- or multi-layer moulded sole, not injected, manufactured from synthetic materials specially designed to absorb the impact of vertical or lateral movements and with technical features such as hermetic pads containing gas or fluid, mechanical components which absorb or neutralise impact or materials such as low-density polymers.

TARIC codes: 6402 99 10 10, 6403 91 11 10, 6403 91 13 10, 6403 91 16 10, 6403 91 18 10, 6402 99 91 10, 6402 99 93 10, 6403 91 91 10, 6403 91 93 10, 6402 99 96 10, 6402 99 98 11, 6403 91 96 10, 6403 91 98 10, 6403 99 91 10, 6403 99 93 11, 6403 99 96 11, 6403 99 98 11.

⁽²⁾ Excluding:

a) footwear which is designed for a sporting activity and has, or has provision for the attachment of, spikes, springs, stops, clips, bats or the like, with a non-injected sole.

TARIC codes: 6404 11 00 10, 6404 11 00 20

b) footwear involving special technology: shoes which have a cif price per pair of not less than EUR 9 for use in sporting activities, with a single- or multi-layer moulded sole, not injected, manufactured from synthetic materials specially designed to absorb the impact of vertical or lateral movements and with technical features such as hermetic pads containing gas or fluid, mechanical components which absorb or neutralise impact or materials such as low-density polymers.

ANNEX II

Allocation of the quotas

Product description	HS/CN code	Portion reserved for traditional importers 70 %	Portion reserved for other importers 30 %
Footwear	ex 6402 99 ⁽¹⁾	2 797 843 pairs	1 199 076 pairs
	6403 51 6403 59	1 065 502 pairs	456 643 pairs
	ex 6403 91 ⁽¹⁾ ex 6403 99 ⁽¹⁾	1 493 080 pairs	639 892 pairs
	ex 6404 11 ⁽²⁾	3 177 998 pairs	1 361 999 pairs
	6404 19 10	9 968 713 pairs	4 272 306 pairs
Tableware, kitchenware of porcelain or china	6911 10	3 124 tonnes	1 339 tonnes
Ceramic tableware, kitchenware, other household articles and toilet articles, other than of porcelain or china	6912 00	3 861 tonnes	1 655 tonnes

⁽¹⁾ Excluding footwear involving special technology; shoes which have a cif price per pair of not less than EUR 9 for use in sporting activities with a single- or multi-layer moulded sole not injected manufactured from synthetic materials specially designed to absorb the impact of vertical or lateral movements and with technical features such as hermetic pads containing gas or fluid, mechanical components which absorb or neutralise impact or materials such as low-density polymers.

TARIC codes: 6402 99 10 10, 6403 91 11 10, 6403 91 13 10, 6403 91 16 10, 6403 91 18 10, 6402 99 91 10, 6402 99 93 10, 6403 91 91 10, 6403 91 93 10, 6402 99 96 10, 6402 99 98 11, 6403 91 96 10, 6403 91 98 10, 6403 99 91 10, 6403 99 93 11, 6403 99 96 11, 6403 99 98 11.

⁽²⁾ Excluding:

a) footwear which is designed for a sporting activity and has, or has provision for the attachment of, spikes, sprigs, stops, clips, bats or the like; with a non-injected sole.

TARIC codes: 6404 11 00 10, 6404 11 00 20

b) footwear involving special technology: shoes which have a cif price per pair of not less than EUR 9 for use in sporting activities with a single- or multi-layer moulded sole not injected manufactured from synthetic materials specially designed to absorb the impact of vertical or lateral movements and with technical features such as hermetic pads containing gas or fluid, mechanical components which absorb or neutralise impact or materials such as low-density polymers.

ANNEX III

Maximum quantity which may be requested by each importer other than traditional

Product description	HS/CN code	Predetermined maximum quantity
Footwear	ex 6402 99 ⁽¹⁾	5 000 pairs
	6403 51 6403 59	5 000 pairs
	ex 6403 91 ⁽¹⁾ ex 6403 99 ⁽¹⁾	5 000 pairs
	ex 6404 11 ⁽²⁾	5 000 pairs
	6404 19 10	5 000 pairs
Tableware, kitchenware of porcelain or china	6911 10	5 tonnes
Ceramic tableware, kitchenware, other household articles and toilet articles, other than of porcelain or china	6912 00	5 tonnes

⁽¹⁾ Excluding footwear involving special technology: shoes which have a cif price per pair of not less than EUR 9 for use in sporting activities, with a single- or multi-layer moulded sole, not injected, manufactured from synthetic materials specially designed to absorb the impact of vertical or lateral movements and with technical features such as hermetic pads containing gas or fluid, mechanical components which absorb or neutralise impact or materials such as low-density polymers.

TARIC codes: 6402 99 10 10, 6403 91 11 10, 6403 91 13 10, 6403 91 16 10, 6403 91 18 10, 6402 99 91 10, 6402 99 93 10, 6403 91 91 10, 6403 91 93 10, 6402 99 96 10, 6402 99 98 11, 6403 91 96 10, 6403 91 98 10, 6403 99 91 10, 6403 99 93 11, 6403 99 96 11, 6403 99 98 11.

⁽²⁾ Excluding:

a) footwear which is designed for a sporting activity and has, or has provision for the attachment of, spikes, springs, stops, clips, bats or the like, with a non-injected sole.

TARIC codes: 6404 11 00 10, 6404 11 00 20

b) footwear involving special technology: shoes which have a cif price per pair of not less than EUR 9 for use in sporting activities, with a single- or multi-layer moulded sole, not injected, manufactured from synthetic materials specially designed to absorb the impact of vertical or lateral movements and with technical features such as hermetic pads containing gas or fluid, mechanical components which absorb or neutralise impact or materials such as low-density polymers.

ANNEX IV

LIST OF THE COMPETENT NATIONAL AUTHORITIES

1. BELGIQUE/BELGIË
Ministère des affaires économiques
 Administration des relations économiques, 4^e division: Mise en œuvre des politiques commerciales. «Services licences»
Ministerie van Economische Zaken
 Bestuur van de Economische Betrekkingen, 4e afdeling: Toepassing van de Handelspolitiek. Dienst Vergunningen
 Rue Général Leman 60/Generaal Lemanstraat 60
 B-1040 Bruxelles/Brussel
 Tél./Tel. (32-2) 206 58 16
 Télécopieur/Fax (32-2) 230 83 22/231 14 84
2. DANMARK
Erhvervsfremme Styrelsen
 Søndergade 25
 DK-8600 Silkeborg
 Tlf. (45) 35 46 60 00
 Fax (45) 35 46 64 01
3. DEUTSCHLAND
Bundesamt für Wirtschaft
 Frankfurter Straße 29-31
 D-65760 Eschborn
 Tel. (49) 619 64 04-0
 Fax: (49) 619 69 42 26
4. GREECE
Ministry of National Economy
 1, Kornarou Street
 GR-105 63 Athens
 Tel. (30-1) 328 60 31/328 60 32
 Fax (30-1) 328 60 94/328 60 59
5. ESPAÑA
Ministerio de Economía y Hacienda
 Dirección General de Comercio Exterior
 Paseo de la Castellana, 162
 E-28071 Madrid
 Tel. (34) 913 49 38 94/913 49 37 78
 Fax (34) 913 49 38 32
6. FRANCE
Service des titres du commerce extérieur
 8, rue de la Tour-des-Dames
 F-75436 Paris Cedex 09
 Tél. (33-1) 55 07 46 69/95
 Télécopieur: (33-1) 55 07 46 59
7. IRELAND
Department of Enterprise, Trade and Employment
 Licencing Unit
 Kildare Street
 Dublin 2
 Ireland
 Tel. (353-1) 631 21 21
 Fax (353-1) 676 61 54
8. ITALIA
Ministero del Commercio con l'estero
 Direzione generale delle importazioni e delle esportazioni
 Viale America 341
 I-00144 Roma
 Tel. (39) 065 99 31
 Telefax (39) 06 59 93 26 31/06 59 93 22 35
 Telex 610083 — 610471 — 614478
9. LUXEMBOURG
Ministère des affaires étrangères
 Office des licences
 Boîte postale 113
 L-2011 Luxembourg
 Tél. (352) 22 61 62
 Télécopieur: (352) 46 61 38
10. NEDERLAND
Centrale Dienst voor In- en Uitvoer
 Engelse Kamp 2
 Postbus 30003
 9700 RD Groningen
 Nederland
 Tel. (31-50) 523 91 11
 Fax (31-50) 526 06 98/523 92 37
11. ÖSTERREICH
Bundesministerium für wirtschaftliche Angelegenheiten
 Landstrasser Hauptstraße 55/57
 A-1031 Wien
 Tel. (43) 171 10 23 61
 Fax (43) 17 15 83 47
12. PORTUGAL
Ministério da Economia
 Direcção Geral das Relações Económicas Internacionais
 Avenida da República, 79
 1069-059 Lisboa
 Tel.: (351-21) 791 18 00
 Fax: (351-21) 796 37 23
13. SUOMI
Tullihallitus
 PL 512
 Aleksanterinkatu, 4
 FIN-00101 Helsinki
 P. (358) 961 41
 F. (358) 96 14 28 52
14. SVERIGE
Kommerskollegium
 Box 6803
 S-113 86 Stockholm
 Tfn (46-8) 690 48 00
 Fax (46-8) 30 67 59
15. UNITED KINGDOM
Department of Trade and Industry
 Import Licencing Branch
 Queensway House, West Precinct
 Billingham
 Stockton on Tees TS23 2NF
 United Kingdom
 Tel. (44-1642) 36 43 33/36 43 34
 Fax (44-1642) 53 35 57

COMMISSION REGULATION (EC) No 850/2000
of 27 April 2000
amending Regulation (EC) No 1093/97 laying down marketing standards applicable to melons and watermelons

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 1257/1999 ⁽²⁾, and in particular Article 2(2) thereof,

Whereas:

- (1) Annex I to Commission Regulation (EC) No 1093/97 of 16 June 1997 laying down marketing standards applicable to melons and watermelons ⁽³⁾ sets out rules on the sizing and marking of melons.
- (2) In the interest of transparency on the world market, the homogeneity criteria laid down in Annex I to Regulation (EC) No 1093/97 should be tightened up. The standard for melons recommended by the United Nations Economic Commission for Europe sets out stricter criteria regarding homogeneity of size for Charentais melons.
- (3) Generally the marked for melons is closely dependent on the organoleptic quality of the product. Such organoleptic quality may vary considerably. The sector should be allowed to provide information on the basic criteria regarding ripeness in order to give consumers the freedom to choose fruit of the organoleptic quality that best suits them.

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

HAS ADOPTED THIS REGULATION:

Article 1

Annex I to Regulation (EC) No 1093/97 is amended as follows:

1. The third and fourth paragraphs of Section III (Provisions concerning sizing) are replaced by the following:

‘Where the size is expressed by weight, the largest melon in each package may not weigh over 50 % more than the smallest (30 % more for Charentais melons).

Where the size is expressed by diameter, the diameter of the largest melon may not be over 20 % more than the diameter of the smallest (10 % more for Charentais melons).’

2. The following indent is added to point D of Section VI (Provisions concerning marking):

‘— minimum sugar content, measured by refractometer and expressed in degrees Brix (optional).’

Article 2

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

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

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

Done at Brussels, 27 April 2000.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ L 297, 21.11.1996, p. 1.

⁽²⁾ OJ L 160, 26.6.1999, p. 80.

⁽³⁾ OJ L 158, 17.6.1997, p. 21.

COMMISSION REGULATION (EC) No 851/2000
of 27 April 2000
laying down the marketing standard for apricots

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 1257/1999 ⁽²⁾, and in particular Article 2(2) and Article 3(3) thereof,

Whereas:

- (1) Apricots are among the products listed in Annex I to Regulation (EC) No 2200/96 for which standards must be adopted. Commission Regulation (EEC) No 1108/91 laying down quality standards for apricots ⁽³⁾, as last amended by Regulation (EC) No 888/97 ⁽⁴⁾, has been amended frequently and can no longer ensure legal clarity.
- (2) Regulation (EEC) No 1108/91 should be repealed and the rules it contains redefined. To that end and in the interests of preserving transparency on the world market, account should be taken of the standard for apricots recommended by the Working Party on Standardisation of Perishable Produce and Quality Development of the United Nations Economic Commission for Europe (UN/ECE).
- (3) Applying these standards should result in products of unsatisfactory quality being removed from the market, bringing production into line with consumer requirements and facilitating trade relationships based on fair competition, thereby helping improve the profitability of production.
- (4) The standards apply to all marketing stages. Long-distance transport, storage over a certain period and the various processes which the products undergo may cause certain alterations owing to the biological development of the products or to their relatively perishable nature. Account should be taken of such deterioration when applying the standards at the marketing stages which follow dispatch. Since products in the 'Extra' class must be sorted and packaged with particular care, only lack of freshness and turgidity is to be taken into account in their case.
- (5) Article 3(3) of Regulation (EC) No 2200/96 allows for an exemption from the quality standards where the fruit or vegetables of a given region are sold by the retail

trade of the region for well-established traditional consumption. Certain varieties of apricots, produced in Germany in the Süßer See region, are characterised by a smaller size than that required by the marketing standards. Those apricots are traditionally marketed in the production region and are the subject of Regulation (EC) No 1010/98 of 14 May 1998 allowing Germany an exemption from the quality standards for apricots ⁽⁵⁾. For clarification and simplification of the Community rules, this exemption shall be included in the present Regulation, and Regulation (EC) No 1010/98 shall be repealed.

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

HAS ADOPTED THIS REGULATION:

Article 1

The marketing standard relating to apricots falling within CN code 0809 10 00 shall be as indicated in the Annex hereto.

This standard shall apply at all marketing stages, under the conditions laid down in Regulation (EC) No 2200/96.

However, at stages following dispatch, the products may show in relation to the provisions of the standard:

- a slight lack of freshness and turgidity,
- for products graded in classes other than the 'Extra' class, slight deteriorations due to their development and their tendency to perish.

Article 2

1. As an exemption from the Annex to the present Regulation, the minimum size of apricots produced in the Süßer See region may be 5 mm smaller than the minimum size given by the marketing standard. However, such apricots may only be marketed in Saxony-Anhalt and Saxony.

2. For the purposes of applying paragraph 1 of the present Article, each consignment must carry, in addition to the other required information, the following indication on the document or notice as referred to in Article 5(2) of Regulation (EC) No 2200/96: 'Nur in Sachsen-Anhalt und Sachsen im Einzelhandel zu verkaufen'.

⁽¹⁾ OJ L 297, 21.11.1996, p. 1.

⁽²⁾ OJ L 160, 26.6.1999, p. 80.

⁽³⁾ OJ L 110, 1.5.1991, p. 67.

⁽⁴⁾ OJ L 126, 17.5.1997, p. 11.

⁽⁵⁾ OJ L 145, 15.5.1998, p. 10.

Article 3

Regulations (EEC) No 1108/91 and (EC) No 1010/98 are repealed.

Article 4

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

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

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

Done at Brussels, 27 April 2000.

For the Commission
Franz FISCHLER
Member of the Commission

ANNEX

STANDARD FOR APRICOTS

I. DEFINITION OF PRODUCE

This standard applies to apricots of varieties (cultivars) grown from *Prunus armeniaca* L. to be supplied fresh to the consumer, apricots for industrial processing being excluded.

II. PROVISIONS CONCERNING QUALITY

The purpose of the standard is to define the quality requirements of apricots after preparation and packaging.

A. **Minimum requirements**

In all classes, subject to the special provisions for each class and the tolerances allowed, apricots must be:

- intact,
- sound; produce affected by rotting or deterioration such as to make it unfit for consumption is excluded,
- clean, practically free of any visible foreign matter,
- practically free from pests,
- practically free from damage caused by pests,
- free of abnormal external moisture,
- free of any foreign smell and/or taste.

The apricots must have been carefully picked.

They must be sufficiently developed and display satisfactory ripeness.

The development and condition of the apricots must be such as to enable them:

- to withstand transport and handling, and
- to arrive in satisfactory condition at the place of destination.

B. **Classification**

Apricots are classified in three classes defined below:

(i) 'Extra' class

Apricots in this class must be of superior quality. In shape, development and colouring they must be characteristic of the variety, allowing for the district in which the fruit is grown.

They must be free from defects with the exception of very slight superficial defects, provided these do not affect the general appearance of the produce, the quality, the keeping quality and presentation in the package.

(ii) Class I

Apricots in this class must be of good quality. They must be characteristic of the variety, allowing for the district in which the fruit is grown. The flesh must be perfectly sound.

The following slight defects, however, may be allowed provided these do not affect the general appearance of the produce, the quality, the keeping quality and presentation in the package:

- a slight defect in shape or development,
- a slight defect in colouring,
- slight rubbing,
- slight burning,
- slight skin defects with a limit of 1 cm in length for defects of elongated shape, and 0,5 cm² of total surface area for other defects.

(iii) Class II

This class includes apricots which do not qualify for inclusion in the higher classes but satisfy the minimum requirements specified above.

Skin defects may be allowed provided that the fruit retain their essential characteristics as regards the quality, the keeping quality and presentation, subject to the following limits:

- 2 cm in length for defects of elongated shape,
- 1 cm² of total surface area for all other defects.

III. PROVISIONS CONCERNING SIZING

Size is determined by maximum diameter of the equatorial section. Sizing is compulsory for classes 'Extra' and I.

Class	Minimum diameter (mm)	Maximum permissible difference for fruit in the same package (mm)
Extra	35	5
I and II (sized)	30	10
II (not sized)	30	—

IV. PROVISIONS CONCERNING TOLERANCES

Tolerances in respect of quality and size shall be allowed in each package for produce not satisfying the requirements of the class indicated.

A. Quality tolerances

(i) 'Extra' Class

5 % by number or weight of apricots not satisfying the requirements of the class, but meeting those of Class I or, exceptionally, coming within the tolerances of that class.

(ii) Class I

10 % by number or weight of apricots not satisfying the requirements of the class, but meeting those of Class II or, exceptionally, coming within the tolerances of that class.

(iii) Class II

10 % by number or weight of apricots satisfying neither the requirements of the class nor the minimum requirements, with the exception of produce affected by rotting, marked bruising or any other deterioration rendering it unfit for consumption.

B. Size tolerances

For all classes: 10 % by number or weight of apricots deviating from the minimum size or the size stated on the package, the deviation not exceeding 3 mm above or below.

V. PROVISIONS CONCERNING PRESENTATION

A. Uniformity

The contents of each package must be uniform and contain only apricots of the same origin, variety, quality, and size (if sized) and, for 'Extra' class, uniform in colour.

The visible part of the contents of the package must be representative of the entire contents.

B. Packaging

The apricots must be packed in such a way as to protect the produce properly.

The materials used inside the package must be new, clean and of a quality such as to avoid causing any external or internal damage to the produce. The use of materials, particularly of paper or stamps bearing trade specifications is allowed provided the printing or labelling has been done with non-toxic ink or glue.

Packages must be free of all foreign matter.

C. Presentation

The apricots may be presented:

- in small packages,
- arranged in one or more layers separated from each other,
- in bulk in the package, except for the 'Extra' class.

VI. PROVISIONS CONCERNING MARKING

Each package must bear the following particulars, in letters grouped on the same side, legibly and indelibly marked, and visible from the outside:

A. Identification

Packer and/or dispatcher: Name and address or officially issued or accepted code mark. However, where a code (symbol) is used, the words 'packer and/or dispatcher' (or an equivalent abbreviation) must appear close to this code (symbol).

B. Nature of produce

- 'Apricots', if the contents are not visible from the outside,
- Name of the variety for classes 'Extra' and I.

C. Origin of produce

- Country of origin and, optionally, district where grown, or national, regional or local place name.

D. Commercial specifications

- Class,
- Size (if sized), expressed in minimum and maximum diameter.

E. Official control mark (optional)

**COMMISSION REGULATION (EC) No 852/2000
of 27 April 2000**

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

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

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

Whereas:

- (1) Commission Regulation (EEC) No 1696/92⁽³⁾, as last amended by Regulation (EEC) No 2596/93⁽⁴⁾, lays down in particular the detailed rules for the application of the specific arrangements for the supply of certain agricultural products to the Azores and Madeira.
- (2) Annex II to Regulation (EEC) No 2219/92 of 30 July 1992 laying down detailed rules for the application of the specific supply arrangements for Madeira relating to milk products and establishing the forecast supply

balance⁽⁵⁾, as last amended by Regulation (EC) No 577/2000⁽⁶⁾, fixes the aid for milk products.

- (3) Commission Regulation (EC) No 854/2000 of 27 April 2000 fixing the export refunds on milk and milk products⁽⁷⁾, fixes the refunds on those products; whereas Annex II to Regulation (EEC) No 2219/92 should be adapted to take account of those adjustments.
- (4) The measures provided for in this Regulation are in accordance with the opinion of the Management Committee for Milk and Milk Products,

HAS ADOPTED THIS REGULATION:

Article 1

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

Article 2

This Regulation shall enter into force on 28 April 2000.

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

Done at Brussels, 27 April 2000.

For the Commission
Franz FISCHLER
Member of the Commission

⁽¹⁾ OJ L 173, 27.6.1992, p. 1.

⁽²⁾ OJ L 76, 13.3.1998, p. 6.

⁽³⁾ OJ L 179, 1.7.1992, p. 6.

⁽⁴⁾ OJ L 238, 23.9.1993, p. 24.

⁽⁵⁾ OJ L 218, 1.8.1992, p. 75.

⁽⁶⁾ OJ L 69, 17.3.2000, p. 34.

⁽⁷⁾ See page 43 of this Official Journal.

ANNEX

ANNEX II

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

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

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

CN code	Description of goods	Product code	Notes	Amount of aid
0401 30 31	--- In immediate packings of a net content not exceeding 2 litres: - Of a fat content, by weight: - Not exceeding 35 % - Exceeding 35 % but not exceeding 39 % - Exceeding 39 %	0401 30 31 9100 0401 30 31 9400 0401 30 31 9700		38,32 59,85 66,00
0401 30 39	--- Other: - Of a fat content, by weight: - Not exceeding 35 % - Exceeding 35 % but not exceeding 39 % - Exceeding 39 % -- Exceeding 45 %:	0401 30 39 9100 0401 30 39 9400 0401 30 39 9700		38,32 59,85 66,00
0401 30 91	--- In immediate packings of a net content not exceeding 2 litres: - Of a fat content, by weight: - Not exceeding 68 % - Exceeding 68 % but not exceeding 80 % - Exceeding 80 %	0401 30 91 9100 0401 30 91 9400 0401 30 91 9700		75,22 110,55 129,01
0401 30 99	--- Other: - Of a fat content, by weight: - Not exceeding 68 % - Exceeding 68 % but not exceeding 80 % - Exceeding 80 %	0401 30 99 9100 0401 30 99 9400 0401 30 99 9700		75,22 110,55 129,01
ex 0402	Skimmed-milk powder of a fat content, by weight, not exceeding 1,5 %	0402 10 11 9000 0402 10 19 9000	(¹³)	65,00
ex 0402	Whole milk powder of a fat content, by weight, not exceeding 27 %	0402 21 11 9900 0402 21 19 9900	(¹³)	93,00
0402 21 11	---- In immediate packings of a net content not exceeding 2,5 kg: - Of a fat content, by weight: - Not exceeding 11 % - Exceeding 11 % but not exceeding 17 % - Exceeding 17 % but not exceeding 25 % - Exceeding 25 %	0402 21 11 9200 0402 21 11 9300 0402 21 11 9500 0402 21 11 9900	(¹³) (¹³) (¹³) (¹³)	65,00 82,00 86,40 93,00
0402 21 19	---- Other: ----- Of a fat content, by weight, exceeding 11 % but not exceeding 27 %: - Not exceeding 17 % - Exceeding 17 % but not exceeding 25 % - Exceeding 25 %	0402 21 19 9300 0402 21 19 9500 0402 21 19 9900	(¹³) (¹³) (¹³)	82,00 86,40 93,00

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

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

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

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

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

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

(²) In the case of cheese presented in containers which also contain conserving liquid, in particular brine, the aid is granted on the net weight, the weight of the liquid being deducted.

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

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

COMMISSION REGULATION (EC) No 853/2000**of 27 April 2000****amending Regulation (EC) No 2993/94 fixing the aid for the supply of milk products to the Canary Islands under the arrangements provided for in Articles 2 to 4 of Council Regulation (EEC) No 1601/92**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

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

Whereas:

- (1) Commission Regulation (EC) No 2790/94 ⁽³⁾, as last amended by Regulation (EC) No 1620/1999 ⁽⁴⁾, lays down in particular the detailed rules for the application of the specific arrangements for the supply of certain agricultural products to the Canary Islands.
- (2) Commission Regulation (EC) No 2993/94 ⁽⁵⁾, as last amended by Regulation (EC) No 576/2000 ⁽⁶⁾, fixed the amount of aid for milk products.

(3) Commission Regulation (EC) No 854/2000 of 27 April 2000 fixing the export refunds on milk and milk products ⁽⁷⁾, fixes the refunds on those products; whereas the Annex to Regulation (EC) No 2993/94 should be adapted to take account of those adjustments.

(4) The measures provided for in this Regulation are in accordance with the opinion of the Management Committee for Milk and Milk Products,

HAS ADOPTED THIS REGULATION:

Article 1

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

Article 2

This Regulation shall enter into force on 28 April 2000.

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

Done at Brussels, 27 April 2000.

For the Commission
Franz FISCHLER
Member of the Commission

⁽¹⁾ OJ L 173, 27.6.1992, p. 13.
⁽²⁾ OJ L 320, 11.12.1996, p. 1.
⁽³⁾ OJ L 296, 17.11.1994, p. 23.
⁽⁴⁾ OJ L 192, 24.7.1999, p. 19.
⁽⁵⁾ OJ L 316, 9.12.1994, p. 11.
⁽⁶⁾ OJ L 69, 17.3.2000, p. 24.

⁽⁷⁾ See page 43 of this Official Journal.

ANNEX

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

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

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

CN code	Description of goods	Product code	Notes	Amount of aid
0401 30 39	--- Other:			
	- Of a fat content, by weight:			
	- Not exceeding 35 %	0401 30 39 9100		38,32
	- Exceeding 35 % but not exceeding 39 %	0401 30 39 9400		59,85
	- Exceeding 39 %	0401 30 39 9700		66,00
	-- Exceeding 45 %:			
0401 30 91	--- In immediate packings of a net content not exceeding 2 litres:			
	- Of a fat content, by weight:			
	- Not exceeding 68 %	0401 30 91 9100		75,22
	- Exceeding 68 % but not exceeding 80 %	0401 30 91 9400		110,55
	- Exceeding 80 %	0401 30 91 9700		129,01
0401 30 99	--- Other:			
	- Of a fat content, by weight:			
	- Not exceeding 68 %	0401 30 99 9100		75,22
	- Exceeding 68 % but not exceeding 80 %	0401 30 99 9400		110,55
	- Exceeding 80 %	0401 30 99 9700		129,01
0402	Milk and cream, concentrated or containing added sugar or other sweetening matter:			
0402 10	- In powder, granules or other solid forms, of a fat content, by weight, not exceeding 1,5 % (7):			
	-- Not containing added sugar or other sweetening matter:			
0402 10 11	--- In immediate packings of a net content not exceeding 2,5 kg	0402 10 11 9000	(13)	65,00
0402 10 19	--- Other	0402 10 19 9000	(13)	65,00
	-- Other:			
0402 10 91	--- In immediate packings of a net content not exceeding 2,5 kg	0402 10 91 9000	(14)	0,6500
0402 10 99	--- Other	0402 10 99 9000	(14)	0,6500
	- In powder, granules or other solid forms, of a fat content, by weight, exceeding 1,5 % (7):			
0402 21	-- Not containing added sugar or other sweetening matter:			
	--- Of a fat content, by weight, not exceeding 27 %:			
0402 21 11	---- In immediate packings of a net content not exceeding 2,5 kg:			
	- Of a fat content, by weight:			
	- Not exceeding 11 %	0402 21 11 9200	(13)	65,00
	- Exceeding 11 % but not exceeding 17 %	0402 21 11 9300	(13)	82,00
	- Exceeding 17 % but not exceeding 25 %	0402 21 11 9500	(13)	86,40
	- Exceeding 25 %	0402 21 11 9900	(13)	93,00
	---- Other:			
0402 21 17	----- Of a fat content, by weight, not exceeding 11 %	0402 21 17 9000	(13)	65,00
0402 21 19	----- Of a fat content, by weight, exceeding 11 % but not exceeding 27 %:			
	- Not exceeding 17 %	0402 21 19 9300	(13)	82,00
	- Exceeding 17 % but not exceeding 25 %	0402 21 19 9500	(13)	86,40
	- Exceeding 25 %	0402 21 19 9900	(13)	93,00
	--- Of a fat content, by weight, exceeding 27 %:			

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

CN code	Description of goods	Product code	Notes	Amount of aid
0402 21 91	----- In immediate packings of a net content not exceeding 2,5 kg: - Of a fat content, by weight: - Not 28 % - Exceeding 28 % but not exceeding 29 % - Exceeding 29 % but not exceeding 41 % - Exceeding 41 % but not exceeding 45 % - Exceeding 45 % but not exceeding 59 % - Exceeding 59 % but not exceeding 69 % - Exceeding 69 % but not exceeding 79 % - Exceeding 7 %	0402 21 91 9100 0402 21 91 9200 0402 21 91 9300 0402 21 91 9400 0402 21 91 9500 0402 21 91 9600 0402 21 91 9700 0402 21 91 9900	(¹³) (¹³) (¹³) (¹³) (¹³) (¹³) (¹³) (¹³)	93,60 94,30 95,40 102,00 104,30 113,00 118,10 123,90
0402 21 99	----- Other: - Of a fat content, by weight: - Not exceeding 28 % - Exceeding 28 % but not exceeding 29 % - Exceeding 29 % but not exceeding 41 % - Exceeding 41 % but not exceeding 45 % - Exceeding 45 % but not exceeding 59 % - Exceeding 59 % but not exceeding 69 % - Exceeding 69 % but not exceeding 79 % - Exceeding 79 %	0402 21 99 9100 0402 21 99 9200 0402 21 99 9300 0402 21 99 9400 0402 21 99 9500 0402 21 99 9600 0402 21 99 9700 0402 21 99 9900	(¹³) (¹³) (¹³) (¹³) (¹³) (¹³) (¹³) (¹³)	93,60 94,30 95,40 102,00 104,30 113,00 118,10 123,90
ex 0402 29	-- Other: --- Of a fat content, by weight, not exceeding 27 %: ----- Other:			
0402 29 15	----- In immediate packings of a net content not exceeding 2,5 kg: - Of a fat content, by weight: - Not exceeding 11 % - Exceeding 11 % but not exceeding 17 % - Exceeding 17 % but not exceeding 25 % - Exceeding 25 %	0402 29 15 9200 0402 29 15 9300 0402 29 15 9500 0402 29 15 9900	(¹⁴) (¹⁴) (¹⁴) (¹⁴)	0,6500 0,8200 0,8640 0,9300
0402 29 19	----- Other: - Of a fat content, by weight: - Not exceeding 11 % - Exceeding 11 % but not exceeding 17 % - Exceeding 17 % but not exceeding 25 % - Exceeding 25 % --- Of a fat content, by weight, exceeding 27 %:	0402 29 19 9200 0402 29 19 9300 0402 29 19 9500 0402 29 19 9900	(¹⁴) (¹⁴) (¹⁴) (¹⁴)	0,6500 0,8200 0,8640 0,9300
0402 29 91	----- In immediate packings of a net content not exceeding 2,5 kg: - Of a fat content, by weight: - Not exceeding 41 % - Exceeding 41 %	0402 29 91 9100 0402 29 91 9500	(¹⁴) (¹⁴)	0,9360 1,0200
0402 29 99	----- Other: - Of a fat content, by weight: - Not exceeding 41 % - Exceeding 41 %	0402 29 99 9100 0402 29 99 9500	(¹⁴) (¹⁴)	0,9360 1,0200

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

COMMISSION REGULATION (EC) No 854/2000
of 27 April 2000
fixing the export refunds on milk and milk products

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EC) No 1255/1999 of 17 May 1999 on the common organisation of the market in milk and milk products ⁽¹⁾, and in particular Article 31(3) thereof,

Whereas:

(1) Article 31 of Regulation (EC) No 1255/1999 provides that the difference between prices in international trade for the products listed in Article 1 of that Regulation and prices for those products within the Community may be covered by an export refund within the limits resulting from agreements concluded in accordance with Article 300 of the Treaty.

(2) Regulation (EC) No 1255/1999 provides that when the refunds on the products listed in Article 1 of the above-mentioned Regulation, exported in the natural state, are being fixed, account must be taken of:

- the existing situation and the future trend with regard to prices and availabilities of milk and milk products on the Community market and prices for milk and milk products in international trade,
- marketing costs and the most favourable transport charges from Community markets to ports or other points of export in the Community, as well as costs incurred in placing the goods on the market of the country of destination,
- the aims of the common organisation of the market in milk and milk products which are to ensure equilibrium and the natural development of prices and trade on this market,
- the limits resulting from agreements concluded in accordance with Article 300 of the Treaty, and
- the need to avoid disturbances on the Community market, and
- the economic aspect of the proposed exports.

(3) Article 31(5) of Regulation (EC) No 1255/1999 provides that when prices within the Community are being determined account should be taken of the ruling prices which are most favourable for exportation, and that

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

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

(4) Article 31(3) of Regulation (EC) No 1255/1999 provides that the world market situation or the specific requirements of certain markets may make it necessary to vary the refund on the products listed in Article 1 of the abovementioned Regulation according to destination.

(5) Article 31(3) of Regulation (EC) No 1255/1999 provides that the list of products on which export refunds are granted and the amount of such refunds should be fixed at least once every four weeks; the amount of the refund may, however, remain at the same level for more than four weeks.

(6) In accordance with Article 16 of Commission Regulation (EC) No 174/1999 of 26 January 1999 on specific detailed rules for the application of Council Regulation (EC) No 804/68 as regards export licences and export refunds on milk and milk products ⁽²⁾, as amended by Regulation (EC) No 1596/1999 ⁽³⁾; the refund granted for milk products containing added sugar is equal to the sum of the two components; one is intended to take account of the quantity of milk products and is calculated by multiplying the basic amount by the milk products content in the product concerned; the other is intended to take account of the quantity of added sucrose and is calculated by multiplying the sucrose content of the entire product by the basic amount of the refund valid on the day of exportation for the products listed in Article 1(1)(d) of Council Regulation (EC) No 2038/1999 of 13 September 1999 on the common organisation of the markets in the sugar sector ⁽⁴⁾, however, this second component is applied only if the added sucrose has been produced using sugar beet or cane harvested in the Community.

⁽²⁾ OJ L 20, 27.1.1999, p. 8.

⁽³⁾ OJ L 188, 21.7.1999, p. 39.

⁽⁴⁾ OJ L 252, 25.9.1999, p. 1.

⁽¹⁾ OJ L 160, 26.6.1999, p. 48.

- (7) Commission Regulation (EEC) No 896/84 ⁽¹⁾, as last amended by Regulation (EEC) No 222/88 ⁽²⁾, laid down additional provisions concerning the granting of refunds on the change from one milk year to another; those provisions provide for the possibility of varying refunds according to the date of manufacture of the products.
- (8) For the calculation of the refund for processed cheese provision must be made where casein or caseinates are added for that quantity not to be taken into account.
- (9) It follows from applying the rules set out above to the present situation on the market in milk and in particular to quotations or prices for milk products within the Community and on the world market that the refund should be as set out in the Annex to this Regulation.
- (10) The measures provided for in this Regulation are in accordance with the opinion of the Management Committee for Milk and Milk Products,

HAS ADOPTED THIS REGULATION:

Article 1

1. The export refunds referred to in Article 31 of Regulation (EC) No 1255/1999 on products exported in the natural state shall be as set out in the Annex.
2. There shall be no refunds for exports to destination No 400 for products falling within CN codes 0401, 0402, 0403, 0404, 0405 and 2309.
3. There shall be no refunds for exports to destinations No 021, 023, 024, 028, 043, 044, 045, 046, 052, 404, 600, 800 and 804 for products falling within CN code 0406.

Article 2

This Regulation shall enter into force on 28 April 2000.

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

Done at Brussels, 27 April 2000.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ L 91, 1.4.1984, p. 71.

⁽²⁾ OJ L 28, 1.2.1988, p. 1.

ANNEX

to the Commission Regulation of 27 April 2000 fixing the export refunds on milk and milk products

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

Product code	Destination (*)	Amount of refund	Product code	Destination (*)	Amount of refund
0401 10 10 9000	970	2,327	0402 21 91 9900	+	123,90
	***	—	0402 21 99 9100	+	93,60
0401 10 90 9000	970	2,327	0402 21 99 9200	+	94,30
	***	—	0402 21 99 9300	+	95,40
0401 20 11 9100	970	2,327	0402 21 99 9400	+	102,00
	***	—	0402 21 99 9500	+	104,30
0401 20 11 9500	970	3,597	0402 21 99 9600	+	113,00
	***	—	0402 21 99 9700	+	118,10
0401 20 19 9100	970	2,327	0402 21 99 9900	+	123,90
	***	—	0402 29 15 9200	+	0,6500
0401 20 19 9500	970	3,597	0402 29 15 9300	+	0,8200
	***	—	0402 29 15 9500	+	0,8640
0401 20 91 9100	970	4,551	0402 29 15 9900	+	0,9300
	***	—	0402 29 19 9200	+	0,6500
0401 20 91 9500	+	—	0402 29 19 9300	+	0,8200
0401 20 99 9100	970	4,551	0402 29 19 9500	+	0,8640
	***	—	0402 29 19 9900	+	0,9300
0401 20 99 9500	+	—	0402 29 91 9100	+	0,9360
0401 30 11 9100	+	—	0402 29 91 9500	+	1,0200
0401 30 11 9400	970	10,50	0402 29 99 9100	+	0,9360
	***	—	0402 29 99 9500	+	1,0200
0401 30 11 9700	970	15,77	0402 91 11 9110	+	—
	***	—	0402 91 11 9120	+	—
0401 30 19 9100	+	—	0402 91 11 9310	+	11,31
0401 30 19 9400	+	—	0402 91 11 9350	+	13,85
0401 30 19 9700	970	15,77	0402 91 11 9370	+	16,84
	***	—	0402 91 19 9110	+	—
0401 30 31 9100	+	38,32	0402 91 19 9120	+	—
0401 30 31 9400	+	59,85	0402 91 19 9310	+	11,31
0401 30 31 9700	+	66,00	0402 91 19 9350	+	13,85
0401 30 39 9100	+	38,32	0402 91 19 9370	+	16,84
0401 30 39 9400	+	59,85	0402 91 31 9100	+	—
0401 30 39 9700	+	66,00	0402 91 31 9300	+	19,91
0401 30 91 9100	+	75,22	0402 91 39 9100	+	—
0401 30 91 9400	+	110,55	0402 91 39 9300	+	19,91
0401 30 91 9700	+	129,01	0402 91 51 9000	+	—
0401 30 99 9100	+	75,22	0402 91 59 9000	+	—
0401 30 99 9400	+	110,55	0402 91 91 9000	+	63,94
0401 30 99 9700	+	129,01	0402 91 99 9000	+	63,94
0402 10 11 9000	+	65,00	0402 99 11 9110	+	—
0402 10 19 9000	+	65,00	0402 99 11 9130	+	—
0402 10 91 9000	+	0,6500	0402 99 11 9150	+	—
0402 10 99 9000	+	0,6500	0402 99 11 9310	+	0,2689
0402 21 11 9200	+	65,00	0402 99 11 9330	+	0,3228
0402 21 11 9300	+	82,00	0402 99 11 9350	+	0,4291
0402 21 11 9500	+	86,40	0402 99 19 9110	+	—
0402 21 11 9900	+	93,00	0402 99 19 9130	+	—
0402 21 17 9000	+	65,00	0402 99 19 9150	+	—
0402 21 19 9300	+	82,00	0402 99 19 9310	+	0,2689
0402 21 19 9500	+	86,40	0402 99 19 9330	+	0,3228
0402 21 19 9900	+	93,00	0402 99 19 9350	+	0,4291
0402 21 91 9100	+	93,60	0402 99 31 9110	+	—
0402 21 91 9200	+	94,30	0402 99 31 9150	+	0,4467
0402 21 91 9300	+	95,40	0402 99 31 9300	+	0,3832
0402 21 91 9400	+	102,00	0402 99 31 9500	+	0,6600
0402 21 91 9500	+	104,30	0402 99 39 9110	+	—
0402 21 91 9600	+	113,00	0402 99 39 9150	+	0,4467
0402 21 91 9700	+	118,10	0402 99 39 9300	+	0,3832

Product code	Destination (*)	Amount of refund	Product code	Destination (*)	Amount of refund
0402 99 39 9500	+	0,6600	0404 90 29 9160	+	118,10
0402 99 91 9000	+	0,7522	0404 90 29 9180	+	123,90
0402 99 99 9000	+	0,7522	0404 90 81 9100	+	0,6500
0403 10 11 9400	+	—	0404 90 81 9910	+	—
0403 10 11 9800	+	—	0404 90 81 9950	+	0,2689
0403 10 13 9800	+	—	0404 90 83 9110	+	0,6500
0403 10 19 9800	+	—	0404 90 83 9130	+	0,8200
0403 10 31 9400	+	—	0404 90 83 9150	+	0,8640
0403 10 31 9800	+	—	0404 90 83 9170	+	0,9300
0403 10 33 9800	+	—	0404 90 83 9911	+	—
0403 10 39 9800	+	—	0404 90 83 9913	+	—
0403 90 11 9000	+	63,90	0404 90 83 9915	+	—
0403 90 13 9200	+	63,90	0404 90 83 9917	+	—
0403 90 13 9300	+	81,20	0404 90 83 9919	+	—
0403 90 13 9500	+	85,60	0404 90 83 9931	+	0,2689
0403 90 13 9900	+	92,10	0404 90 83 9933	+	0,3228
0403 90 19 9000	+	92,80	0404 90 83 9935	+	0,4291
0403 90 31 9000	+	0,6390	0404 90 83 9937	+	0,4467
0403 90 33 9200	+	0,6390	0404 90 89 9130	+	0,9360
0403 90 33 9300	+	0,8120	0404 90 89 9150	+	1,0200
0403 90 33 9500	+	0,8560	0404 90 89 9930	+	0,4601
0403 90 33 9900	+	0,9210	0404 90 89 9950	+	0,6600
0403 90 39 9000	+	0,9280	0404 90 89 9990	+	0,7522
0403 90 51 9100	970	2,327	0405 10 11 9500	+	165,85
	***	—	0405 10 11 9700	+	170,00
0403 90 51 9300	+	—	0405 10 19 9500	+	165,85
0403 90 53 9000	+	—	0405 10 19 9700	+	170,00
0403 90 59 9110	+	—	0405 10 30 9100	+	165,85
0403 90 59 9140	+	—	0405 10 30 9300	+	170,00
0403 90 59 9170	970	15,77	0405 10 30 9500	+	165,85
	***	—	0405 10 30 9700	+	170,00
0403 90 59 9310	+	38,32	0405 10 50 9100	+	165,85
0403 90 59 9340	+	59,85	0405 10 50 9300	+	170,00
0403 90 59 9370	+	64,80	0405 10 50 9500	+	165,85
0403 90 59 9510	+	64,80	0405 10 50 9700	+	170,00
0403 90 59 9540	+	64,80	0405 10 90 9000	+	176,22
0403 90 59 9570	+	64,80	0405 20 90 9500	+	155,49
0403 90 61 9100	+	—	0405 20 90 9700	+	161,71
0403 90 61 9300	+	—	0405 90 10 9000	+	216,00
0403 90 63 9000	+	—	0405 90 90 9000	+	170,00
0403 90 69 9000	+	—	0406 10 20 9100	+	—
0404 90 21 9100	+	65,00	0406 10 20 9230	037	—
0404 90 21 9910	+	—		039	—
0404 90 21 9950	+	11,31		097	37,68
0404 90 23 9120	+	65,00		098	37,68
0404 90 23 9130	+	82,00		400	21,50
0404 90 23 9140	+	86,40		***	37,68
0404 90 23 9150	+	93,00	0406 10 20 9290	037	—
0404 90 23 9911	+	—		039	—
0404 90 23 9913	+	—		097	35,05
0404 90 23 9915	+	—		098	35,05
0404 90 23 9917	+	—		400	14,40
0404 90 23 9919	+	—		***	35,05
0404 90 23 9931	+	11,31		037	—
0404 90 23 9933	+	13,85	0406 10 20 9300	039	—
0404 90 23 9935	+	16,84		097	15,39
0404 90 23 9937	+	19,91		098	15,39
0404 90 23 9939	+	20,81		400	7,360
0404 90 29 9110	+	93,60		***	15,39
0404 90 29 9115	+	94,30			
0404 90 29 9120	+	95,40			
0404 90 29 9130	+	102,00			
0404 90 29 9135	+	104,30			
0404 90 29 9150	+	113,00			

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

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

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

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

(*) The code numbers for the destinations are those set out in the Annex to Commission Regulation (EC) No 2543/1999 (OJ L 307, 2.12.1999, p. 46).

However:

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

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

— '970' covers the exports referred to in Articles 36(1)(a) and (c) and 44(1)(a) and (b) of Commission Regulation (EEC) No 800/1999 (OJ L 107, 17.4.1999, p. 11).

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

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

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

COMMISSION REGULATION (EC) No 855/2000
of 27 April 2000
providing for the rejection of applications for export licences in relation to cereal products

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

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

Having regard to Commission Regulation (EC) No 1162/95 of 23 May 1995 laying down special detailed rules for the application of the system of import and export licences for cereals and rice ⁽³⁾, as last amended by Regulation (EC) No 1432/1999 ⁽⁴⁾, and in particular Article 7(3) thereof,

Whereas:

The quantity covered by applications for advance fixing of refunds for flour of common wheat and spelt could give rise to speculation. It has therefore been decided to reject all applica-

tions for export licences for this product made on 26 April 2000,

HAS ADOPTED THIS REGULATION:

Article 1

In accordance with Article 7(3) of Regulation (EC) No 1162/95, applications for export licences with advance fixing of refunds for products falling within CN code 1101 00 15 made on 26 April 2000 shall be rejected.

Article 2

This Regulation shall enter into force on 28 April 2000.

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

Done at Brussels, 27 April 2000.

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 117, 24.5.1995, p. 2.

⁽⁴⁾ OJ L 166, 1.7.1999, p. 56.

COMMISSION REGULATION (EC) No 856/2000

of 27 April 2000

fixing the export refunds on products processed from cereals and rice

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

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

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

Whereas:

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

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

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

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

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

(6) The world market situation or the specific requirements of certain markets may make it necessary to vary the refund for certain products according to destination.

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

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

(9) The Management Committee for Cereals has not delivered an opinion within the time limit set by its chairman,

HAS ADOPTED THIS REGULATION:

Article 1

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

⁽¹⁾ OJ L 181, 1.7.1992, p. 21.

⁽²⁾ OJ L 160, 26.6.1999, p. 18.

⁽³⁾ OJ L 329, 30.12.1995, p. 18.

⁽⁴⁾ OJ L 265, 30.9.1998, p. 4.

⁽⁵⁾ OJ L 147, 30.6.1995, p. 55.

⁽⁶⁾ OJ L 312, 23.12.1995, p. 25.

Article 2

This Regulation shall enter into force on 28 April 2000.

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

Done at Brussels, 27 April 2000.

For the Commission
Franz FISCHLER
Member of the Commission

ANNEX

to the Commission Regulation of 27 April 2000 fixing the export refunds on products processed from cereals and rice

(EUR/tonne)		(EUR/tonne)	
Product code	Refund	Product code	Refund
1102 20 10 9200 ⁽¹⁾	54,04	1104 23 10 9100	57,90
1102 20 10 9400 ⁽¹⁾	46,32	1104 23 10 9300	44,39
1102 20 90 9200 ⁽¹⁾	46,32	1104 29 11 9000	32,46
1102 90 10 9100	30,92	1104 29 51 9000	31,82
1102 90 10 9900	21,02	1104 29 55 9000	31,82
1102 90 30 9100	63,20	1104 30 10 9000	7,96
1103 12 00 9100	63,20	1104 30 90 9000	9,65
1103 13 10 9100 ⁽¹⁾	69,48	1107 10 11 9000	56,64
1103 13 10 9300 ⁽¹⁾	54,04	1107 10 91 9000	36,69
1103 13 10 9500 ⁽¹⁾	46,32	1108 11 00 9200	63,64
1103 13 90 9100 ⁽¹⁾	46,32	1108 11 00 9300	63,64
1103 19 10 9000	44,32	1108 12 00 9200	61,76
1103 19 30 9100	31,95	1108 12 00 9300	61,76
1103 21 00 9000	32,46	1108 13 00 9200	61,76
1103 29 20 9000	21,02	1108 13 00 9300	61,76
1104 11 90 9100	30,92	1108 19 10 9200	51,68
1104 12 90 9100	70,22	1108 19 10 9300	51,68
1104 12 90 9300	56,18	1109 00 00 9100	0,00
1104 19 10 9000	32,46	1702 30 51 9000 ⁽²⁾	77,13
1104 19 50 9110	61,76	1702 30 59 9000 ⁽²⁾	59,05
1104 19 50 9130	50,18	1702 30 91 9000	77,13
1104 21 10 9100	30,92	1702 30 99 9000	59,05
1104 21 30 9100	30,92	1702 40 90 9000	59,05
1104 21 50 9100	41,22	1702 90 50 9100	77,13
1104 21 50 9300	32,98	1702 90 50 9900	59,05
1104 22 20 9100	56,18	1702 90 75 9000	80,82
1104 22 30 9100	59,69	1702 90 79 9000	56,10
		2106 90 55 9000	59,05

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

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

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

COMMISSION REGULATION (EC) No 857/2000
of 27 April 2000
fixing the export refunds on cereal-based compound feedingstuffs

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

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

Whereas:

- (1) Article 13 of Regulation (EEC) No 1766/92 provides that the difference between quotations or prices on the world market for the products listed in Article 1 of that Regulation and prices for those products within the Community may be covered by an export refund.
- (2) Regulation (EC) No 1517/95 of 29 June 1995 laying down detailed rules for the application of Regulation (EEC) No 1766/92 as regards the arrangements for the export and import of compound feedingstuffs based on cereals and amending Regulation (EC) No 1162/95 laying down special detailed rules for the application of the system of import and export licences for cereals and rice⁽³⁾ in Article 2 lays down general rules for fixing the amount of such refunds.
- (3) That calculation must also take account of the cereal products content. In the interest of simplification, the refund should be paid in respect of two categories of 'cereal products', namely for maize, the most commonly used cereal in exported compound feeds and maize products, and for 'other cereals', these being eligible cereal products excluding maize and maize products. A

refund should be granted in respect of the quantity of cereal products present in the compound feedingstuff.

- (4) Furthermore, the amount of the refund must also take into account the possibilities and conditions for the sale of those products on the world market, the need to avoid disturbances on the Community market and the economic aspect of the export.
- (5) However, in fixing the rate of refund it would seem advisable to base it at this time on the difference in the cost of raw inputs widely used in compound feedingstuffs as the Community and world markets, allowing more accurate account to be taken of the commercial conditions under which such products are exported.
- (6) The refund must be fixed once a month; whereas it may be altered in the intervening period.
- (7) The measures provided for in this Regulation are in accordance with the opinion of the Management Committee for Cereals,

HAS ADOPTED THIS REGULATION:

Article 1

The export refunds on the compound feedingstuffs covered by Regulation (EEC) No 1766/92 and subject to Regulation (EC) No 1517/95 are hereby fixed as shown in the Annex to this Regulation.

Article 2

This Regulation shall enter into force on 28 April 2000.

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

Done at Brussels, 27 April 2000.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ L 181, 1.7.1992, p. 21.

⁽²⁾ OJ L 160, 26.6.1999, p. 18.

⁽³⁾ OJ L 147, 30.6.1995, p. 51.

ANNEX

to the Commission Regulation of 27 April 2000 fixing the export refunds on cereal-based compound feeding-stuffs

Product code benefiting from export refund ⁽¹⁾:

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

(EUR/t)

Cereal products ⁽²⁾	Amount of refund ⁽²⁾
Maize and maize products: CN codes 0709 90 60, 0712 90 19, 1005, 1102 20, 1103 13, 1103 29 40, 1104 19 50, 1104 23, 1904 10 10	38,60
Cereal products ⁽²⁾ excluding maize and maize products	26,22

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

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

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

COMMISSION REGULATION (EC) No 858/2000
of 27 April 2000
fixing production refunds on cereals and rice

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

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

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

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

Whereas:

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

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

- (2) The production refunds to be fixed in this Regulation should be adjusted by the coefficients listed in the Annex II to Regulation (EEC) No 1722/93 to establish the exact amount payable.
- (3) The Management Committee for Cereals has not delivered an opinion within the time limit set by its chairman,

HAS ADOPTED THIS REGULATION:

Article 1

The refund referred to in Article 3(2) of Regulation (EEC) No 1722/93, expressed per tonne of starch extracted from maize, wheat, barley, oats, potatoes, rice or broken rice, shall be EUR 24,64 EUR/t.

Article 2

This Regulation shall enter into force on 28 April 2000.

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

Done at Brussels, 27 April 2000.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ L 181, 1.7.1992, p. 21.

⁽²⁾ OJ L 160, 26.6.1999, p. 18.

⁽³⁾ OJ L 329, 30.12.1995, p. 18.

⁽⁴⁾ OJ L 265, 30.9.1998, p. 4.

⁽⁵⁾ OJ L 159, 1.7.1993, p. 112.

⁽⁶⁾ OJ L 9, 15.1.1999, p. 8.

COMMISSION REGULATION (EC) No 859/2000**of 27 April 2000****fixing the export refunds on cereals and on wheat or rye flour, groats and meal**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

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

Whereas:

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

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

HAS ADOPTED THIS REGULATION:

Article 1

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

Article 2

This Regulation shall enter into force on 28 April 2000.

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

Done at Brussels, 27 April 2000.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ L 181, 1.7.1992, p. 21.

⁽²⁾ OJ L 160, 26.6.1999, p. 18.

⁽³⁾ OJ L 147, 30.6.1995, p. 7.

⁽⁴⁾ OJ L 313, 21.11.1998, p. 16.

ANNEX

**to the Commission Regulation of 27 April 2000 fixing the export refunds on cereals and on wheat or rye flour,
groats and meal**

(EUR/t)			(EUR/t)		
Product code	Destination (1)	Amount of refund	Product code	Destination (1)	Amount of refund
1001 10 00 9200	—	—	1101 00 11 9000	—	—
1001 10 00 9400	01	0	1101 00 15 9100	01	38,00
1001 90 91 9000	—	—	1101 00 15 9130	01	36,00
1001 90 99 9000	03	15,00	1101 00 15 9150	01	33,00
	02	0	1101 00 15 9170	01	30,50
1002 00 00 9000	03	55,00	1101 00 15 9180	01	28,50
	02	0	1101 00 15 9190	—	—
1003 00 10 9000	—	—	1101 00 90 9000	—	—
1003 00 90 9000	03	11,00	1102 10 00 9500	01	87,00
	02	0	1102 10 00 9700	01	68,50
1004 00 00 9200	—	—	1102 10 00 9900	—	—
1004 00 00 9400	—	—	1103 11 10 9200	01	0 (2)
1005 10 90 9000	—	—	1103 11 10 9400	01	0 (2)
1005 90 00 9000	03	25,00	1103 11 10 9900	—	—
	02	0	1103 11 90 9200	01	0 (2)
1007 00 90 9000	—	—	1103 11 90 9800	—	—
1008 20 00 9000	—	—			

(1) The destinations are identified as follows:

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

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

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

**COMMISSION REGULATION (EC) No 860/2000
of 27 April 2000**

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

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

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

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

Whereas:

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

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

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

HAS ADOPTED THIS REGULATION:

Article 1

For tenders notified from 21 to 27 April 2000, pursuant to the invitation to tender issued in Regulation (EC) No 1707/1999, the maximum refund on exportation of common wheat shall be EUR 25,00/t.

Article 2

This Regulation shall enter into force on 28 April 2000.

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

Done at Brussels, 27 April 2000.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ L 181, 1.7.1992, p. 21.

⁽²⁾ OJ L 160, 26.6.1999, p. 18.

⁽³⁾ OJ L 147, 30.6.1995, p. 7.

⁽⁴⁾ OJ L 313, 21.11.1998, p. 16.

⁽⁵⁾ OJ L 201, 31.7.1999, p. 55.

⁽⁶⁾ OJ L 248, 21.9.1999, p. 23.

**COMMISSION REGULATION (EC) No 861/2000
of 27 April 2000**

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

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

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

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

Whereas:

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

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

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

HAS ADOPTED THIS REGULATION:

Article 1

For tenders notified from 21 to 27 April 2000, pursuant to the invitation to tender issued in Regulation (EC) No 2010/1999, the maximum refund on exportation of common wheat shall be EUR 28,94/t.

Article 2

This Regulation shall enter into force on 28 April 2000.

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

Done at Brussels, 27 April 2000.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ L 181, 1.7.1992, p. 21.

⁽²⁾ OJ L 160, 26.6.1999, p. 18.

⁽³⁾ OJ L 147, 30.6.1995, p. 7.

⁽⁴⁾ OJ L 313, 21.11.1998, p. 16.

⁽⁵⁾ OJ L 248, 21.9.1999, p. 19.

COMMISSION REGULATION (EC) No 862/2000**of 27 April 2000****fixing the maximum export refund on barley in connection with the invitation to tender issued in Regulation (EC) No 1701/1999**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

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

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

Whereas:

- (1) An invitation to tender for the refund and/or the tax for the export of barley to all third countries except for the United States of America and Canada was opened pursuant to Commission Regulation (EC) No 1701/1999 ⁽⁵⁾, as amended by Regulation (EC) No 2322/1999 ⁽⁶⁾.
- (2) Article 7 of Regulation (EC) No 1501/95 provides that the Commission may, on the basis of the tenders notified, in accordance with the procedure laid down in Article 23 of Regulation (EEC) No 1766/92, decide to fix

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

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

HAS ADOPTED THIS REGULATION:

Article 1

For tenders notified from 21 to 27 April 2000, pursuant to the invitation to tender issued in Regulation (EC) No 1701/1999, the maximum refund on exportation of barley shall be EUR 20,95/t.

Article 2

This Regulation shall enter into force on 28 April 2000.

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

Done at Brussels, 27 April 2000.

For the Commission
Franz FISCHLER
Member of the Commission

⁽¹⁾ OJ L 181, 1.7.1992, p. 21.

⁽²⁾ OJ L 160, 26.6.1999, p. 18.

⁽³⁾ OJ L 147, 30.6.1995, p. 7.

⁽⁴⁾ OJ L 313, 21.11.1998, p. 16.

⁽⁵⁾ OJ L 201, 31.7.1999, p. 27.

⁽⁶⁾ OJ L 280, 30.10.1999, p. 77.

COMMISSION REGULATION (EC) No 863/2000
of 27 April 2000
concerning tenders notified in response to the invitation to tender for the export of oats issued in
Regulation (EC) No 1897/1999

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

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

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

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

Whereas:

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

- (2) Article 8 of Regulation (EC) No 1897/1999 provides that the Commission may, on the basis of the tenders notified, in accordance with the procedure laid down in Article 23 of Regulation (EEC) No 1766/92, decide to make no award.

- (3) On the basis of the criteria laid down in Article 1 of Regulation (EC) No 1501/95 a maximum refund should not be fixed.

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

HAS ADOPTED THIS REGULATION:

Article 1

No action shall be taken on the tenders notified from 21 to 27 April 2000 in response to the invitation to tender for the refund for the export of oats issued in Regulation (EC) No 1897/1999.

Article 2

This Regulation shall enter into force on 28 April 2000.

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

Done at Brussels, 27 April 2000.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ L 181, 1.7.1992, p. 21.

⁽²⁾ OJ L 160, 26.6.1999, p. 18.

⁽³⁾ OJ L 147, 30.6.1995, p. 7.

⁽⁴⁾ OJ L 313, 21.11.1998, p. 16.

⁽⁵⁾ OJ L 233, 3.9.1999, p. 10.

⁽⁶⁾ OJ L 303, 26.11.1999, p. 3.

**COMMISSION REGULATION (EC) No 864/2000
of 27 April 2000**

**fixing the maximum reduction in the duty on maize imported in connection with the invitation to
tender issued in Regulation (EC) No 756/2000**

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 12(1) thereof,

Whereas:

- (1) an invitation to tender for the maximum reduction in the duty on maize imported into Spain was opened pursuant to Commission Regulation (EC) No 756/2000⁽³⁾.
- (2) Pursuant to Article 5 of Commission Regulation (EC) No 1839/95⁽⁴⁾, as amended by Regulation (EC) No 1963/95⁽⁵⁾, the Commission, acting under the procedure laid down in Article 23 of Regulation (EEC) No 1766/92, may decide to fix maximum reduction in the import duty; in fixing this maximum the criteria provided for in Articles 6 and 7 of Regulation (EC) No 1839/95 must be taken into account; whereas a contract is awarded to any

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

- (3) The application of the abovementioned criteria to the current market situation for the cereal in question results in the maximum reduction in the import duty being fixed at the amount specified in Article 1.
- (4) The Management Committee for Cereals has not delivered an opinion within the time limit set by its chairman,

HAS ADOPTED THIS REGULATION:

Article 1

For tenders notified from 21 to 27 April 2000, pursuant to the invitation to tender issued in Regulation (EC) No 756/2000, the maximum reduction in the duty on maize imported shall be 57,87 EUR/t and be valid for a total maximum quantity of 130 740 tonnes.

Article 2

This Regulation shall enter into force on 28 April 2000.

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

Done at Brussels, 27 April 2000.

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 92, 13.4.2000, p. 8.

⁽⁴⁾ OJ L 177, 28.7.1995, p. 4.

⁽⁵⁾ OJ L 189, 10.8.1995, p. 22.

**COMMISSION REGULATION (EC) No 865/2000
of 27 April 2000**

**fixing the maximum reduction in the duty on maize imported in connection with the invitation to
tender issued in Regulation (EC) No 757/2000**

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 12(1) thereof,

Whereas:

- (1) an invitation to tender for the maximum reduction in the duty on maize imported into Portugal was opened pursuant to Commission Regulation (EC) No 757/2000⁽³⁾;
- (2) pursuant to Article 5 of Commission Regulation (EC) No 1839/95⁽⁴⁾, as amended by Regulation (EC) No 1963/95⁽⁵⁾, the Commission, acting under the procedure laid down in Article 23 of Regulation (EEC) No 1766/92, may decide to fix maximum reduction in the import duty; whereas in fixing this maximum the criteria provided for in Articles 6 and 7 of Regulation (EC) No 1839/95 must be taken into account; whereas a contract

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

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

HAS ADOPTED THIS REGULATION:

Article 1

For tenders notified from 21 to 27 April 2000, pursuant to the invitation to tender issued in Regulation (EC) No 757/2000, the maximum reduction in the duty on maize imported shall be EUR 56,90/t and be valid for a total maximum quantity of 65 000 t.

Article 2

This Regulation shall enter into force on 28 April 2000.

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

Done at Brussels, 27 April 2000.

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 92, 13.4.2000, p. 9.

⁽⁴⁾ OJ L 177, 28.7.1995, p. 4.

⁽⁵⁾ OJ L 189, 10.8.1995, p. 22.

COMMISSION REGULATION (EC) No 866/2000
of 27 April 2000
amending the rates of the refunds applicable to certain products from the milk sector exported in
the form of goods not covered by Annex I to the Treaty

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EEC) No 1255/1999 of 17 May 1999 on the common organisation of the markets in the milk and milk products sector ⁽¹⁾, and in particular Article 31(3) thereof,

Whereas:

- (1) The rates of the refunds applicable from 1 April 2000 to the products listed in the Annex, exported in the form of goods not covered by Annex I to the Treaty, were fixed by Commission Regulation (EC) No 690/2000 ⁽²⁾, as last amended by Regulation (EC) No 720/2000 ⁽³⁾.

- (2) It follows from applying the rules and criteria contained in Regulation (EC) No 690/2000 to the information at present available to the Commission that the export refunds at present applicable should be altered as shown in the Annex hereto,

HAS ADOPTED THIS REGULATION:

Article 1

The rates of refund fixed by Regulation (EC) No 690/2000 are hereby altered as shown in the Annex hereto.

Article 2

This Regulation shall enter into force on 28 April 2000.

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

Done at Brussels, 27 April 2000.

For the Commission

Erkki LIIKANEN

Member of the Commission

⁽¹⁾ OJ L 160, 26.6.1999, p. 48.

⁽²⁾ OJ L 81, 1.4.2000, p. 40.

⁽³⁾ OJ L 85, 6.4.2000, p. 8.

ANNEX

to the Commission Regulation of 27 April 2000 amending the rates of the refunds applicable to certain milk products exported in the form of goods not covered by Annex I to the Treaty

(EUR/100 kg)

CN code	Description	Rate of refund
ex 0402 10 19	Powdered milk, in granules or other solid forms, not containing added sugar or other sweetening matter, with a fat content not exceeding 1,5 % by weight (PG 2):	
	(a) On exportation of goods of CN code 3501	—
	(b) On exportation of other goods	62,08
ex 0402 21 19	Powdered milk, in granules or other solid forms, not containing added sugar or other sweetening matter, with a fat content of 26 % by weight (PG 3):	
	(a) Where goods incorporating, in the form of products assimilated to PG 3, reduced-price butter or cream obtained pursuant to Regulation (EC) No 2571/97 are exported	67,29
	(b) On exportation of other goods	88,82
ex 0405 10	Butter, with a fat content by weight of 82 % (PG 6):	
	(a) Where goods containing reduced-price butter or cream which have been manufactured in accordance with the conditions provided for in Regulation (EC) No 2571/97 are exported	67,35
	(b) On exportation of goods of CN code 2106 90 98 containing 40 % or more by weight of milk fat	169,60
	(c) On exportation of other goods	162,35

**COMMISSION REGULATION (EC) No 867/2000
of 27 April 2000**

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

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

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

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

Whereas:

- (1) Article 13(1) of Regulation (EEC) No 1766/92 and Article 13(1) of Regulation (EC) No 3072/95 provide that the difference between quotations of prices on the world market for the products listed in Article 1 of each of those Regulations and the prices within the Community may be covered by an export refund.
- (2) Commission Regulation (EC) No 1222/94 of 30 May 1994 laying down common implementing rules for granting export refunds on certain agricultural products exported in the form of goods not covered by Annex I to the Treaty, and the criteria for fixing the amount of such refunds ⁽⁵⁾, as last amended by Regulation (EC) No 701/2000 ⁽⁶⁾, specifies the products for which a rate of refund should be fixed, to be applied where these products are exported in the form of goods listed in Annex B to Regulation (EEC) No 1766/92 or in Annex B to Regulation (EC) No 3072/95 as appropriate.
- (3) In accordance with the first subparagraph of Article 4(1) of Regulation (EC) No 1222/94, the rate of the refund per 100 kilograms for each of the basic products in question must be fixed for each month.
- (4) The commitments entered into with regard to refunds which may be granted for the export of agricultural products contained in goods not covered by Annex I to the Treaty may be jeopardised by the fixing in advance of high refund rates. Whereas it is therefore necessary to take precautionary measures in such situations without, however, preventing the conclusion of long-term

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

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

HAS ADOPTED THIS REGULATION:

Article 1

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

Article 2

This Regulation shall enter into force on 28 April 2000.

⁽¹⁾ OJ L 181, 1.7.1992, p. 21.

⁽²⁾ OJ L 160, 26.6.1999, p. 18.

⁽³⁾ OJ L 329, 30.12.1995, p. 18.

⁽⁴⁾ OJ L 265, 30.9.1998, p. 4.

⁽⁵⁾ OJ L 136, 31.5.1994, p. 5.

⁽⁶⁾ OJ L 83, 4.4.2000, p. 6.

⁽⁷⁾ OJ L 275, 29.9.1987, p. 36.

⁽⁸⁾ OJ L 159, 1.7.1993, p. 112.

⁽⁹⁾ OJ L 9, 15.1.1999, p. 8.

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

Done at Brussels, 27 April 2000.

For the Commission
Erkki LIIKANEN
Member of the Commission

ANNEX

to the Commission Regulation of 27 April 2000 fixing the rates of the refunds applicable to certain cereals and rice products exported in the form of goods not covered by Annex I to the Treaty

(EUR/100 kg)

CN code	Description of products ⁽¹⁾	Rate of refund per 100 kg of basic product	
		In case of advance fixing of refunds	Other
1001 10 00	Durum wheat: – on exports of goods falling within CN codes 1902 11 and 1902 19 to the United States of America – in other cases	— —	— —
1001 90 99	Common wheat and meslin: – on exports of goods falling within CN codes 1902 11 and 1902 19 to the United States of America – in other cases: – – where pursuant to Article 4 (5) of Regulation (EC) No 1222/94 ⁽²⁾ – – in other cases	1,975 1,516 3,039	1,975 1,516 3,039
1002 00 00	Rye	4,233	4,233
1003 00 90	Barley	1,968	1,968
1004 00 00	Oats	3,353	3,353
1005 90 00	Maize (corn) used in the form of: – starch: – – where pursuant to Article 4 (5) of Regulation (EC) No 1222/94 ⁽²⁾ – – in other cases – glucose, glucose syrup, maltodextrine, maltodextrine syrup of CN codes 1702 30 51, 1702 30 59, 1702 30 91, 1702 30 99, 1702 40 90, 1702 90 50, 1702 90 75, 1702 90 79, 2106 90 55 ⁽³⁾ : – – where pursuant to Article 4 (5) of Regulation (EC) No 1222/94 ⁽²⁾ – – in other cases – other (including unprocessed) Potato starch of CN code 1108 13 00 similar to a product obtained from processed maize: – where pursuant to Article 4 (5) of Regulation (EC) No 1222/94 ⁽²⁾ – in other cases	1,783 3,686 1,621 3,524 3,686 1,783 3,686	1,783 3,686 1,621 3,524 3,686 1,783 3,686
ex 1006 30	Wholly-milled rice: – round grain – medium grain – long grain	14,421 14,421 14,421	14,421 14,421 14,421
1006 40 00	Broken rice	3,247	3,247
1007 00 90	Sorghum	1,968	1,968

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

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

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

COMMISSION DIRECTIVE 2000/21/EC
of 25 April 2000
concerning the list of Community legislation referred to in the fifth indent of Article 13(1) of
Council Directive 67/548/EEC
(Text with EEA relevance)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Directive 67/548/EEC of 27 June 1967 on the approximation of laws, regulations and administrative provisions relating to the classification, packaging and labelling of dangerous substances ⁽¹⁾, as last amended by European Parliament and Council Directive 1999/33/EC ⁽²⁾, and in particular Article 13(1) thereof,

Whereas:

(1) Article 13(1) of Directive 67/548/EEC exempts certain substances from the provisions of Articles 7, 8, 14 and 15 of the said Directive, which refer to notification. More specifically, the fifth indent of Article 13(1) exempts substances which are for exclusive use in other product sectors for which Community notification or approval procedures exist and for which the requirements for data submission are equivalent to those laid down in Directive 67/548/EEC. Therefore, the Commission is required to establish a list of those pieces of Community legislation which contain such notification or approval procedures. The list will be re-examined periodically and, as necessary, revised.

(2) Council Directive 91/414/EEC of 15 July 1991 concerning the placing of plant protection products on the market ⁽³⁾, as last amended by Commission Directive 1999/80/EC ⁽⁴⁾, provides for the inclusion of active substances into its Annex I as a prerequisite for authorisation of the said products prior to placing them on the market. Commission Directive 93/90/EEC of 29 October 1993 concerning the list of substances referred to in Article 13(1) fifth indent of Council Directive 67/548/EEC ⁽⁵⁾ only covers active substances for inclusion in Annex I of Directive 91/414/EEC, which concerns the placing on the market. Active substances to be authorised for other purposes, including research and development according to Article 22 of Directive 91/414/EEC, should also be covered in order to confine the authorisation procedures for such substances solely to the scope of Directive 91/414/EEC.

(3) Substances exclusively used as active substances of biocidal products, according to Directive 98/8/EC of the European Parliament and of the Council of 16 February 1998 concerning the placing of biocidal products on the market ⁽⁶⁾, fall under the fifth indent of Article 13(1) of Directive 67/548/EEC and should therefore be exempted, including for the purpose of research and development, in order to confine the authorisation procedures for such substances solely to the scope of Directive 98/8/EC.

(4) Directive 93/90/EEC should be repealed.

(5) The provisions of this Directive are in accordance with the opinion of the Committee on the Adaptation to Technical Progress of the Directives for the Elimination of Technical Barriers to Trade in Dangerous Substances and Preparations,

HAS ADOPTED THIS DIRECTIVE:

Article 1

The list of Community legislation concerning product sectors for which Community notification or approval procedures exist, and for which the requirements for data submission for the categories of substances identified in the list are equivalent to those laid down in Directive 67/548/EEC, is contained in the Annex to this Directive.

Article 2

Directive 93/90/EEC is hereby repealed.

Article 3

1. Member States shall adopt and publish the provisions necessary to comply with this Directive by 1 April 2001 and shall immediately inform the Commission thereof.

2. When Member States adopt these provisions, they shall contain a reference to this Directive or be accompanied by such a reference on the occasion of their official publication. Member States shall determine how such reference is to be made.

⁽¹⁾ OJ 196, 16.8.1967, p. 1.

⁽²⁾ OJ L 199, 30.7.1999, p. 57.

⁽³⁾ OJ L 230, 19.8.1991, p. 1.

⁽⁴⁾ OJ L 210, 10.8.1999, p. 13.

⁽⁵⁾ OJ L 277, 10.11.1993, p. 33.

⁽⁶⁾ OJ L 123, 24.4.1998, p. 1.

Article 4

This Directive is addressed to the Member States.

Done at Brussels, 25 April 2000.

For the Commission
Margot WALLSTRÖM
Member of the Commission

ANNEX

Community legislation concerning product sectors for which Community notification or approval procedures exist and for which the requirements for data submission for the categories of substances identified are equivalent to those laid down in Articles 7, 8, 14 and 15 of Directive 67/548/EEC

1. Council Directive 91/414/EEC of 15 July 1991 concerning the placing of plant protection products on the market.
2. Directive 98/8/EC of the European Parliament and of the Council of 16 February 1998 concerning the placing of biocidal products on the market.

For substances for exclusive use as active substances of plant protection products and/or biocidal products.

COMMISSION DIRECTIVE 2000/23/EC
of 27 April 2000
amending Directive 92/76/EEC recognising protected zones exposed to particular plant health risks
in the Community

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Directive 77/93/EEC of 21 December 1976 on protective measures against the introduction into the Community of organisms harmful to plants or plant products and against their spread within the Community⁽¹⁾, as last amended by Commission Directive 1999/53/EC⁽²⁾ and in particular the first subparagraph of Article 2(1)(h) thereof,

Having regard to Commission Directive 92/76/EEC of 6 October 1992 recognising protected zones exposed to particular plant health risks in the Community⁽³⁾, as last amended by Commission Directive 1999/84/EC⁽⁴⁾ and in particular Article 2 thereof,

Whereas:

- (1) Under Directive 92/76/EEC, as amended, Austria, Ireland and the regions of Apulia, Emilia-Romagna, Lombardia and Veneto in Italy were provisionally recognised as 'protected zone' in respect of *Erwinia amylovora* for a period expiring on 31 March 2000.
- (2) From information supplied by Austria, Ireland and Italy and from the information gathered by the Food and Veterinary Office during missions carried out in 1999 it appears that the provisional recognition of the protected zones for Austria, Ireland and Italy in respect of *Erwinia amylovora* should be extended exceptionally for a further limited period to enable the responsible official bodies of these countries to complete the information on the distribution of *Erwinia amylovora* and to complete their efforts for the eradication of this harmful organism in the relevant areas in the above countries.
- (3) The measures provided for in this Directive are in accordance with the opinion of the Standing Committee on Plant Health,

HAS ADOPTED THIS DIRECTIVE:

Article 1

The date of '31 March 2000' referred to in the first subparagraph of Article 1 of Directive 92/76/EEC is hereby replaced by '31 March 2001'.

Article 2

1. Member States shall bring into force the laws, regulations and administrative provisions necessary to comply with this Directive. They shall immediately inform the Commission thereof.

When Member States adopt these measures, they shall contain a reference to this Directive or shall be accompanied by such reference on the occasion of their official publication. The procedure for such a reference shall be adopted by Member States.

2. Member States shall immediately communicate to the Commission the essential provisions of domestic law which they adopt in the field governed by this Directive. The Commission shall inform the other Member States thereof.

Article 3

This Directive shall enter into force on the day of its publication in the *Official Journal of the European Communities*. It shall apply from 31 March 2000.

Article 4

This Directive is addressed to the Member States.

Done at Brussels, 27 April 2000.

For the Commission

David BYRNE

Member of the Commission

⁽¹⁾ OJ L 26, 31.1.1977, p. 20.

⁽²⁾ OJ L 142, 5.6.1999, p. 29.

⁽³⁾ OJ L 305, 21.10.1992, p. 12.

⁽⁴⁾ OJ L 273, 23.10.1999, p. 11.

II

(Acts whose publication is not obligatory)

COUNCIL

**DECISION No 1/1999 OF THE ACP-EC COUNCIL OF MINISTERS
of 8 December 1999
on exceptional aid for highly-indebted ACP countries**

(2000/307/EC)

THE ACP-EC COUNCIL OF MINISTERS,

Having regard to the Fourth ACP-EC Convention, as amended by the Agreement signed in Mauritius on 4 November 1995, and in particular Article 282(5) thereof,

Whereas:

- (1) The ACP countries have consistently and repeatedly pressed for more ambitious initiatives to reduce their external debt.
- (2) At the G7 summit in Cologne in June 1999, Ministers approved an enhanced initiative to provide faster, deeper and broader debt relief. As a result of the proposed improvements the total cost of the initiative is set to double, bringing it to a total of over USD 27,4 billion.
- (3) On 26 October 1999, the Commission adopted a communication on a Community participation in the debt-relief initiative for highly indebted poor countries (HIPC).
- (4) Although significant sums have been pledged to finance the HIPC initiative, further resources still need to be mobilised to cover the full amount of the multilateral share of the enhanced initiative.
- (5) Unallocated programmable resources from the eighth European Development Fund (EDF) and its predecessors are available for this purpose.
- (6) At the annual World Bank/IMF meetings in Washington in September 1999, the donor community took an ambitious set of political decisions closely linking poverty alleviation strategies, structural adjustment programmes and the debt reduction initiative.

- (7) A significant Community contribution to the HIPC Trust Fund managed by the World Bank would play a crucial part in ensuring the overall success of this initiative.
- (8) In this context separate decisions will be adopted in accordance with the appropriate procedures to deal with the external indebtedness of HIPCs other than members of the ACP group, and budget resources should be used for this purpose as part of the Community's development aid policy for the countries of Asia and Latin America.
- (9) The conclusions of the meeting held in Accra on 13 November 1999 between the Commission and the ACP Development Finance Cooperation Ministerial Committee have been taken into account.
- (10) A decision of the ACP-EC Council of Ministers is required in order to mobilise the abovementioned programmable resources,

HAS DECIDED AS FOLLOWS:

Article 1

Unallocated programmable resources from the eighth EDF and earlier Funds may be used in the form of grants for the following purposes:

- (i) meeting the outstanding debt and debt-servicing obligations to the Community of the first ACP countries which qualify under the HIPC initiative (EUR 320 million);
- (ii) contribution to the overall financing of the HIPC initiative by providing up to EUR 680 million for the HIPC Trust Fund managed by the World Bank.

Article 2

The aid referred to in Article 1(i) will be used for ACP countries currently expected to qualify (i.e. reach their decision point) before 2001. For countries which qualify at a later date, it will, if necessary, be supplemented from further available EDF resources on the basis of a further ACP-EC Council decision.

In line with other major multilateral creditors, the Community will also use these resources to alleviate the debt-servicing burden in the interim period of the HIPC initiative, on the understanding that this contribution will be deducted from the relief it is to provide subsequently at completion point.

Article 3

The aid referred to in Article 1(ii) will be mobilised in accordance with a schedule and arrangements to be laid down by the Commission taking into account both the needs of the countries concerned and actual disbursements made by other donors.

Without prejudice to the use of resources from the Community budget of the benefit of non-ACP countries, the contribution referred to in Article 1(ii) will be assigned solely to ACP countries, with particular reference to the needs of the African Development Bank.

Article 4

The resources referred to in Article 1(i) and (ii) will be mobilised in accordance with the rules and procedures for the implementation of financial cooperation under the ACP-EC Convention.

Special arrangements will be made within the framework of general coordination with other donors to use the new budgetary margin of manoeuvre generated by the Community's contribution for the development of social sectors in the ACP countries and for poverty alleviation.

Article 5

The Commission is requested to take the measures necessary to give effect to this Decision.

Article 6

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

Done at Brussels, 8 December 1999.

For the ACP-EC Council of Ministers

The President

J. HORNE

**DECISION No 2/1999 OF THE ACP-EC COUNCIL OF MINISTERS
of 8 December 1999
on increasing the structural adjustment facility**

(2000/308/EC)

THE ACP-EC COUNCIL OF MINISTERS,

Having regard to the Fourth ACP-EC Convention, as amended by the agreement signed in Mauritius on 4 November 1995, in particular Article 282(5) thereof,

Whereas:

- (1) On 6 July 1998, the Council of the European Union adopted a decision⁽¹⁾ on the European Community's participation in the debt initiative for the highly indebted poor countries (HIPC) which involved a Community action as a donor in the form of a 15 % bonus on top of the basic structural adjustment facility (SAF) allocation.
- (2) At its summit in Cologne in June 1999, the G7 stressed that the social dimension of the HIPC initiative should be brought more to the fore.
- (3) On 26 October 1999, the Commission adopted a communication on a Community participation in the debt-relief initiative for highly indebted poor countries (HIPC) (hereinafter referred to as 'the communication') in which it proposed a substantial increase in the SAF allocation as part of the Community's contribution to the HIPC initiative.
- (4) In view of the large number of countries who will become eligible for the initiative over the next two years, there will not be a sufficient margin to cover these bonuses by reallocating funds within the SAF allocation unless the overall amount in the SAF is increased.
- (5) Apart from this, SAF resources will be insufficient before the entry into force of the next European Development Fund (EDF) to cover the needs of ACP countries implementing economic reforms.
- (6) The unallocated programmable resources from the eighth and previous EDFs are available for this purpose.

- (7) At the meeting in Accra on 13 November 1999 between the ACP Development Finance Cooperation Ministerial Committee and the Commission, the ACP countries stressed, as the Commission had done in its communication, the need for an increase in the SAF; they asked for an immediate increase in the SAF of at least EUR 250 million.
- (8) A decision of the ACP-EC Council of Ministers is needed to mobilise these EDF resources,

HAS ADOPTED THIS DECISION:

Article 1

EUR 250 million of unallocated programmable resources from the eighth and previous EDFs shall be used to increase the SAF allocation under the eighth EDF.

Article 2

These resources shall be mobilised in accordance with the rules and procedures for the implementation of financial cooperation under the ACP-EC Convention.

Article 3

The Commission is requested to take the necessary measures to implement this Decision.

Article 4

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

Done at Brussels, 8 December 1999.

For the ACP-EC Council of Ministers

The President

J. HORNE

⁽¹⁾ Council Decision 98/453/EC of 6 July 1998 concerning exceptional assistance for the heavily indebted ACP countries (OJ L 198, 15.7.1998, p. 40).

COUNCIL DECISION
of 17 April 2000
appointing a Belgian member and two Belgian alternate members of the Committee of the Regions
(2000/309/EC)

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty establishing the European Community, and in particular Article 263 thereof,
Having regard to the Council Decision of 26 January 1998 ⁽¹⁾ appointing the members and alternate members of the Committee of the Regions,

Whereas a seat as a member of the Committee of the Regions has become vacant following the resignation of Mr Charles Picque and two seats as alternate members of the Committee of the Regions have become vacant following the resignation of Mr Hervé Hasquin and Mr Rufin Grijp notified to the Council on 3 November and 15 December 1999 respectively,

Having regard to the proposal from the Belgian Government,

HAS DECIDED AS FOLLOWS:

Sole Article

1. Mr François Roelants du Vivier is hereby appointed a member of the Committee of the Regions in place of Mr Charles Picque for the remainder of his term of office, which runs until 25 January 2002.
2. Mr Eric Tomas and Ms Annemie Neyts-Uyttebroeck are hereby appointed alternate members of the Committee of the Regions in place of Mr Hervé Hasquin and Mr Rufin Grijp for the remainder of their term of office, which runs until 25 January 2002.

Done at Luxembourg, 17 April 2000.

For the Council
The President
L. CAPOULAS SANTOS

⁽¹⁾ OJ L 28, 4.2.1998, p. 19.