

English edition

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I

(Acts whose publication is obligatory)

COMMISSION REGULATION (EC) No 949/2000
of 5 May 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 6 May 2000.

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

Done at Brussels, 5 May 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 5 May 2000 establishing the standard import values for determining the entry price of certain fruit and vegetables

(EUR/100 kg)

CN code	Third country code ⁽¹⁾	Standard import value
0702 00 00	052	96,0
	068	64,6
	204	52,8
	624	37,4
	999	62,7
0707 00 05	052	98,6
	628	128,8
	999	113,7
0709 90 70	052	78,8
	999	78,8
0805 10 10, 0805 10 30, 0805 10 50	052	67,1
	204	33,8
	212	45,7
	220	33,6
	600	41,5
	624	50,9
	999	45,4
	0805 30 10	388
0808 10 20, 0808 10 50, 0808 10 90	999	65,2
	388	101,5
	400	121,8
	404	122,4
	508	89,6
	512	97,3
	528	83,2
	720	76,1
	804	98,8
	999	98,8

⁽¹⁾ 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 950/2000**of 5 May 2000****fixing, for April 2000, the specific exchange rate for the amount of the reimbursement of storage costs in the sugar sector**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EC) No 2038/1999 of 13 September 1999 on the common organisation of the markets in the sugar sector ⁽¹⁾,

Having regard to Council Regulation (EC) No 2799/98 of 15 December 1998 establishing agrimonetary arrangements for the euro ⁽²⁾,

Having regard to Commission Regulation (EEC) No 1713/93 of 30 June 1993 establishing special detailed rules for applying the agricultural conversion rate in the sugar sector ⁽³⁾, as last amended by Regulation (EC) No 1642/1999 ⁽⁴⁾, and in particular Article 1(3) thereof,

Whereas:

- (1) Article 1(2) of Regulation (EEC) No 1713/93 provides that the amount of the reimbursement of storage costs referred to in Article 8 of Regulation (EC) No 2038/1999 is to be converted into national currency using a specific agricultural conversion rate equal to the average, calculated *pro rata temporis*, of the agricultural conversion rates applicable during the month of storage; that specific rate must be fixed each month for the previous month; however, in the case of the reimbursable amounts applying from 1 January 1999, as a result of

the introduction of the agrimonetary arrangements for the euro from that date, the fixing of the conversion rate should be limited to the specific exchange rates prevailing between the euro and the national currencies of the Member States that have not adopted the single currency.

- (2) Application of these provisions will lead to the fixing, for April 2000, of the specific exchange rate for the amount of the reimbursement of storage costs in the various national currencies as indicated in the Annex to this Regulation,

HAS ADOPTED THIS REGULATION:

Article 1

The specific exchange rate to be used for converting the amount of the reimbursement of the storage costs referred to in Article 8 of Regulation (EC) No 2038/1999 into national currency for April 2000 shall be as indicated in the Annex hereto.

Article 2

This Regulation shall enter into force on 6 May 2000.

It shall apply with effect from 1 April 2000.

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

Done at Brussels, 5 May 2000.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ L 252, 25.9.1999, p. 1.

⁽²⁾ OJ L 349, 24.12.1998, p. 1.

⁽³⁾ OJ L 159, 1.7.1993, p. 94.

⁽⁴⁾ OJ L 195, 28.7.1999, p. 3.

ANNEX

to the Commission Regulation of 5 May 2000 fixing, for April 2000, the exchange rate for the amount of the reimbursement of storage costs in the sugar sector

Specific exchange rate		
EUR 1 =	7,45054	Danish kroner
	335,187	Greek drachma
	8,26371	Swedish kroner
	0,597513	Pound sterling

COMMISSION REGULATION (EC) No 951/2000

of 5 May 2000

laying down rates of compensatory interest applicable during the second half of 2000 to customs debts incurred in relation to compensating products or goods in the unaltered state (inward processing relief arrangements and temporary importation)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EEC) No 2913/92 of 12 October 1992 establishing the Community Customs Code ⁽¹⁾, as last amended by European Parliament and Council Regulation (EC) No 955/1999 ⁽²⁾,Having regard to Commission Regulation (EEC) No 2454/93 of 2 July 1993 laying down provisions for the implementation of Council Regulation (EEC) No 2913/92 establishing the Community Customs Code ⁽³⁾, as last amended by Regulation (EC) No 1662/1999 ⁽⁴⁾, and in particular Article 589(4)(a) and Article 709 thereof,

Whereas:

- (1) Article 589(4)(a) of Regulation (EEC) No 2454/93 provides that the Commission shall publish rates of compensatory interest applicable to customs debts incurred in relation to compensating products or goods in the unaltered state, in order to make up for the unjustified financial advantage arising from the postponement of the date on which the customs debt is incurred in the case of non-exportation out of the customs territory of the Community.
- (2) The rates of compensatory interest for the second half of 2000 must be established in accordance with the rules laid down in that Regulation,

HAS ADOPTED THIS REGULATION:

Article 1

The annual rates of compensatory interest referred to in Articles 589(4)(a) and 709(3)(a) of Regulation (EEC) No 2454/93 applicable for the period from 1 July until 31 December 2000 are the following:

Belgium	3,07
Denmark	3,48
Germany	3,07
Greece	10,00
Spain	3,07
France	3,07
Ireland	3,07
Italy	3,07
Luxembourg	3,07
Netherlands	3,07
Austria	3,07
Portugal	3,07
Finland	3,07
Sweden	3,46
United Kingdom	5,63

Article 2

This Regulation shall enter into force on 1 July 2000.

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

Done at Brussels, 5 May 2000.

For the Commission

Frederik BOLKESTEIN

Member of the Commission⁽¹⁾ OJ L 302, 19.10.1992, p. 1.⁽²⁾ OJ L 119, 7.5.1999, p. 1.⁽³⁾ OJ L 253, 11.10.1993, p. 1.⁽⁴⁾ OJ L 197, 29.7.1999, p. 25.

COMMISSION REGULATION (EC) No 952/2000**of 5 May 2000****on the issuing of a standing invitation to tender for the resale on the internal market of 50 000 tonnes of common wheat held by the Belgian intervention agency**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

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

Whereas:

- (1) Commission Regulation (EEC) No 2131/93⁽³⁾, as last amended by Regulation (EC) No 39/1999⁽⁴⁾, lays down the procedure and conditions for the disposal of cereals held by the intervention agencies.
- (2) In the present market situation, a standing invitation to tender for the resale on the internal market of 50 000 tonnes of common wheat held by the Belgian intervention agency should be issued.
- (3) 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 Belgian intervention agency shall issue pursuant to Regulation (EEC) No 2131/93 a standing invitation to tender for the

resale on the internal market of 50 000 tonnes of common wheat held by it.

Article 2

1. The final date for the submission of tenders for the first partial invitation to tender shall be 15 May 2000.
2. The final date for the submission of tenders for the last partial invitation to tender shall expire on 29 May 2000.
3. Tenders must be lodged with the Belgian intervention agency at the following address:
Bureau d'intervention et de restitution belge (BIRB)
Rue de Trèves 82
B-1040 Brussels
Telex BIRB 24076, 65567
Fax (32-2) 230 25 33/280 03 07.

Article 3

Not later than Tuesday of the week following the final date for the submission of tenders, the Belgian intervention agency shall notify the Commission of the quantities and average prices of the various lots sold.

*Article 4*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, 5 May 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 191, 31.7.1993, p. 76.⁽⁴⁾ OJ L 5, 9.1.1999, p. 64.

COMMISSION REGULATION (EC) No 953/2000**of 5 May 2000****amending Regulation (EC) No 2079/1999 increasing to 2 150 216 tonnes the quantity of rye held by the German intervention agency for which a standing invitation to tender for export has been opened**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

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

Whereas:

- (1) Commission Regulation (EEC) No 2131/93⁽³⁾, as last amended by Regulation (EC) No 39/1999⁽⁴⁾, lays down the procedures and conditions for the disposal of cereals held by the intervention agencies.
- (2) Commission Regulation (EC) No 2079/1999⁽⁵⁾, as last amended by Regulation (EC) No 713/2000⁽⁶⁾, opened a standing invitation to tender for the export of 1 900 304 tonnes of rye held by the German intervention agency. Germany informed the Commission of the intention of its intervention agency to increase by 249 912 tonnes the quantity for which a standing invitation to tender for export has been opened. The total quantity of rye held by the German intervention agency for which a standing invitation to tender for export has been opened should be increased to 2 150 216 tonnes.
- (3) This increase in the quantity put out to tender makes it necessary to alter the list of regions and quantities in

store. Annex I to Regulation (EC) No 2079/1999 must therefore be amended.

- (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

Regulation (EC) No 2079/1999 is hereby amended as follows:

1. Article 2 is replaced by the following:

'Article 2

1. The invitation to tender shall cover a maximum of 2 150 216 tonnes of rye to be exported to all third countries except Estonia, Latvia, Lithuania, Poland, the Czech Republic, the Slovak Republic, Hungary, Romania, Bulgaria and Slovenia.
2. The regions in which the 2 150 216 tonnes of rye are stored are stated in Annex I to this Regulation.'
2. Annex I is replaced by the Annex hereto.

Article 2

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

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

Done at Brussels, 5 May 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 191, 31.7.1993, p. 76.

⁽⁴⁾ OJ L 5, 9.1.1999, p. 64.

⁽⁵⁾ OJ L 256, 1.10.1999, p. 39.

⁽⁶⁾ OJ L 84, 5.4.2000, p. 13.

ANNEX

ANNEX I

(tonnes)

Place of storage	Quantity
Schleswig-Holstein/Hamburg/Niedersachsen/ Bremen/Nordrhein-Westfalen	288 402
Hessen/Rheinland-Pfalz/Baden-Württemberg/ Saarland/Bayern	9 418
Berlin/Brandenburg/Mecklenburg-Vorpommern	1 349 710
Sachsen/Sachsen-Anhalt/Thüringen	502 686

COMMISSION REGULATION (EC) No 954/2000**of 5 May 2000****applying a reduction coefficient to refund certificates for goods not covered by Annex I to the Treaty, as provided for by Article 6b of Regulation (EC) No 1222/94**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EC) No 3448/93 of 6 December 1993 laying down the trade arrangements applicable to certain goods resulting from the processing of agricultural products ⁽¹⁾, as last amended by Commission Regulation (EC) No 2491/98 ⁽²⁾, and in particular the first subparagraph of Article 8(3) thereof,

Having regard to Commission Regulation (EC) No 1222/94 of 30 May 1994 laying down common detailed rules for the application of the system of 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 ⁽³⁾, as last amended by Regulation (EC) No 701/2000 ⁽⁴⁾, and in particular Article 6b(6) and (8) thereof,

Whereas:

- (1) The cumulated amounts of the refunds requested for the certificates already issued come to EUR 308 489 874. This sum, when added to the amounts for applications

made from 24 to 28 April 2000 and taken on an annual basis, might prevent the Commission from meeting its commitments under Article 6b(8) of Regulation (EC) No 1222/94.

- (2) A reduction coefficient calculated on the basis of Article 6b(3) and (4) should therefore be applied to amounts requested in the form of certificates during the above-mentioned week,

HAS ADOPTED THIS REGULATION:

Article 1

The amounts of certificates for applications lodged for the period from 24 to 28 April 2000 are subject to a reduction coefficient of 0,83.

Article 2

This Regulation shall enter into force on 6 May 2000.

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

Done at Brussels, 5 May 2000.

For the Commission

Erkki LIIKANEN

Member of the Commission

⁽¹⁾ OJ L 318, 20.12.1993, p. 18.

⁽²⁾ OJ L 309, 19.11.1998, p. 28.

⁽³⁾ OJ L 136, 31.5.1994, p. 5.

⁽⁴⁾ OJ L 83, 4.4.2000, p. 6.

COMMISSION REGULATION (EC) No 955/2000
of 5 May 2000
on the issue of import licences for garlic originating in China

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⁾,

Having regard to Council Regulation (EC) No 1040/1999 of 20 May 1999 concerning a protective measure applicable to imports of garlic from China ⁽³⁾, as last amended by Regulation (EC) No 51/2000 ⁽⁴⁾, and in particular Article 1(3) thereof,

Whereas:

- (1) Pursuant to Commission Regulation (EEC) No 1859/93 ⁽⁵⁾, as amended by Regulation (EC) No 1662/94 ⁽⁶⁾, the release for free circulation in the Community of garlic imported from third countries is subject to presentation of an import licence.
- (2) Article 1(1) of Regulation (EC) No 1040/1999, restricts the issue of import licences for garlic originating in China to a maximum monthly quantity in the case of applications lodged from 1 June 1999 to 31 May 2000.
- (3) Given the criteria laid down in Article 1(2) of that Regulation and the import licences already issued, the quantity applied for on 2 May 2000 is in excess of the

maximum quantity given in the Annex to that Regulation for the month of May 2000; it is therefore necessary to determine to what extent import licences may be issued in response to these applications; the issue of licences in response to applications lodged after 2 May 2000 and before 29 May 2000 should be refused,

HAS ADOPTED THIS REGULATION:

Article 1

Import licences applied for from 2 May 2000 pursuant to Article 1 of Regulation (EEC) No 1859/93 for garlic falling within CN code 0703 20 00 originating in China shall be issued for 0,84388 % of the quantity applied for, having regard to the information available to the Commission on 3 May 2000.

For the abovementioned products applications for import licences lodged after 2 May 2000 and before 29 May 2000 shall be refused.

Article 2

This Regulation shall enter into force on 6 May 2000.

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

Done at Brussels, 5 May 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 127, 21.5.1999, p. 10.

⁽⁴⁾ OJ L 6, 11.1.2000, p. 18.

⁽⁵⁾ OJ L 170, 13.7.1993, p. 10.

⁽⁶⁾ OJ L 176, 9.7.1994, p. 1.

COMMISSION REGULATION (EC) No 956/2000**of 5 May 2000****fixing the maximum export refund on wholly milled long grain rice in connection with the invitation to tender issued in Regulation (EC) No 2176/1999**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

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

Whereas:

- (1) An invitation to tender for the export refund on rice was issued pursuant to Commission Regulation (EC) No 2176/1999 ⁽³⁾.
- (2) Article 5 of Commission Regulation (EEC) No 584/75 ⁽⁴⁾, as last amended by Regulation (EC) No 299/95 ⁽⁵⁾, allows the Commission to fix, in accordance with the procedure laid down in Article 22 of Regulation (EC) No 3072/95 and on the basis of the tenders submitted, a maximum export refund. In fixing this maximum, the criteria provided for in Article 13 of Regulation (EC) No 3072/95 must be taken into account. A contract is awarded to any tenderer whose tender is equal to or less than the maximum export refund.

(3) The application of the abovementioned criteria to the current market situation for the rice 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

The maximum export refund on wholly milled long grain rice falling within CN code 1006 30 67 to be exported to certain third countries pursuant to the invitation to tender issued in Regulation (EC) No 2176/1999 is hereby fixed on the basis of the tenders submitted from 28 April to 4 May 2000 at 280,00 EUR/t.

Article 2

This Regulation shall enter into force on 6 May 2000.

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

Done at Brussels, 5 May 2000.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ L 329, 30.12.1995, p. 18.

⁽²⁾ OJ L 265, 30.9.1998, p. 4.

⁽³⁾ OJ L 267, 15.10.1999, p. 4.

⁽⁴⁾ OJ L 61, 7.3.1975, p. 25.

⁽⁵⁾ OJ L 35, 15.2.1995, p. 8.

COMMISSION REGULATION (EC) No 957/2000**of 5 May 2000****fixing the maximum subsidy on exports of husked long grain rice to Réunion pursuant to the invitation to tender referred to in Regulation (EC) No 2177/1999**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EC) No 3072/95 of 22 December 1995 on the common organisation of the market in rice ⁽¹⁾, as last amended by Regulation (EC) No 2072/98 ⁽²⁾, and in particular Article 10(1) thereof,

Having regard to Commission Regulation (EEC) No 2692/89 of 6 September 1989 laying down detailed rules for exports of rice to Réunion ⁽³⁾ as amended by Regulation (EC) No 1453/1999 ⁽⁴⁾, and in particular Article 9(1) thereof,

Whereas:

- (1) Commission Regulation (EC) No 2177/1999 ⁽⁵⁾ opens an invitation to tender for the subsidy on rice exported to Réunion.
- (2) Article 9 of Regulation (EEC) No 2692/89 allows the Commission to fix, in accordance with the procedure laid down in Article 22 of Regulation (EC) No 3072/95 and on the basis of the tenders submitted, a maximum subsidy.

(3) The criteria laid down in Articles 2 and 3 of Regulation (EEC) No 2692/89 should be taken into account when fixing this maximum subsidy. Successful tenderers shall be those whose bids are at or below the level of the maximum subsidy.

(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

A maximum subsidy on exports to Réunion of husked long grain rice falling within CN code 1006 20 98 is hereby set on the basis of the tenders lodged from 1 to 4 May 2000 at 274,00 EUR/t pursuant to the invitation to tender referred to in Regulation (EC) No 2177/1999.

Article 2

This Regulation shall enter into force on 6 May 2000.

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

Done at Brussels, 5 May 2000.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ L 329, 30.12.1995, p. 18.

⁽²⁾ OJ L 265, 30.9.1998, p. 4.

⁽³⁾ OJ L 261, 7.9.1989, p. 8.

⁽⁴⁾ OJ L 167, 2.7.1999, p. 19.

⁽⁵⁾ OJ L 267, 15.10.1999, p. 7.

COMMISSION REGULATION (EC) No 958/2000**of 5 May 2000****fixing the maximum export refund on wholly milled medium grain and long grain A rice in connection with the invitation to tender issued in Regulation (EC) No 2178/1999**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

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

Whereas:

- (1) An invitation to tender for the export refund on rice was issued pursuant to Commission Regulation (EC) No 2178/1999 ⁽³⁾.
- (2) Article 5 of Commission Regulation (EEC) No 584/75 ⁽⁴⁾, as last amended by Regulation (EC) No 299/95 ⁽⁵⁾, allows the Commission to fix, in accordance with the procedure laid down in Article 22 of Regulation (EC) No 3072/95 and on the basis of the tenders submitted, a maximum export refund. In fixing this maximum, the criteria provided for in Article 13 of Regulation (EC) No 3072/95 must be taken into account. A contract is awarded to any tenderer whose tender is equal to or less than the maximum export refund.

(3) The application of the abovementioned criteria to the current market situation for the rice 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

The maximum export refund on wholly milled medium grain and long grain A rice to be exported to certain third countries pursuant to the invitation to tender issued in European Regulation (EC) No 2178/1999 is hereby fixed on the basis of the tenders submitted from 28 April to 4 May 2000 at 185,00 EUR/t.

Article 2

This Regulation shall enter into force on 6 May 2000.

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

Done at Brussels, 5 May 2000.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ L 329, 30.12.1995, p. 18.

⁽²⁾ OJ L 265, 30.9.1998, p. 4.

⁽³⁾ OJ L 267, 15.10.1999, p. 10.

⁽⁴⁾ OJ L 61, 7.3.1975, p. 25.

⁽⁵⁾ OJ L 35, 15.2.1995, p. 8.

COMMISSION REGULATION (EC) No 959/2000**of 5 May 2000****fixing the maximum export refund on wholly milled round grain, medium grain and long grain A rice in connection with the invitation to tender issued in Regulation (EC) No 2179/1999**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

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

Whereas:

- (1) An invitation to tender for the export refund on rice was issued pursuant to Commission Regulation (EC) No 2179/1999 ⁽³⁾.
- (2) Article 5 of Commission Regulation (EEC) No 584/75 ⁽⁴⁾, as last amended by Regulation (EC) No 299/95 ⁽⁵⁾, allows the Commission to fix, in accordance with the procedure laid down in Article 22 of Regulation (EC) No 3072/95 and on the basis of the tenders submitted, a maximum export refund. In fixing this maximum, the criteria provided for in Article 13 of Regulation (EC) No 3072/95 must be taken into account. A contract is awarded to any tenderer whose tender is equal to or less than the maximum export refund.

(3) The application of the abovementioned criteria to the current market situation for the rice 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

The maximum export refund on wholly milled grain, medium grain and long grain A rice to be exported to certain third countries pursuant to the invitation to tender issued in Regulation (EC) No 2179/1999 is hereby fixed on the basis of the tenders submitted from 28 April to 4 May 2000 at 150,00 EUR/t.

Article 2

This Regulation shall enter into force on 6 May 2000.

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

Done at Brussels, 5 May 2000.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ L 329, 30.12.1995, p. 18.

⁽²⁾ OJ L 265, 30.9.1998, p. 4.

⁽³⁾ OJ L 267, 15.10.1999, p. 13.

⁽⁴⁾ OJ L 61, 7.3.1975, p. 25.

⁽⁵⁾ OJ L 35, 15.2.1995, p. 8.

COMMISSION REGULATION (EC) No 960/2000**of 5 May 2000****fixing the maximum export refund on wholly milled round grain rice in connection with the invitation to tender issued in Regulation (EC) No 2180/1999**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

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

Whereas:

- (1) An invitation to tender for the export refund on rice was issued pursuant to Commission Regulation (EC) No 2180/1999 ⁽³⁾.
- (2) Article 5 of Commission Regulation (EEC) No 584/75 ⁽⁴⁾, as last amended by Regulation (EC) No 299/95 ⁽⁵⁾, allows the Commission to fix, in accordance with the procedure laid down in Article 22 of Regulation (EC) No 3072/95 and on the basis of the tenders submitted, a maximum export refund. In fixing this maximum, the criteria provided for in Article 13 of Regulation (EC) No 3072/95 must be taken into account. A contract is awarded to any tenderer whose tender is equal to or less than the maximum export refund.

(3) The application of the abovementioned criteria to the current market situation for the rice 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

The maximum export refund on wholly milled round grain rice to be exported to certain third countries pursuant to the invitation to tender issued in Regulation (EC) No 2180/1999 is hereby fixed on the basis of the tenders submitted from 28 April to 4 May 2000 at 165,00 EUR/t.

Article 2

This Regulation shall enter into force on 6 May 2000.

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

Done at Brussels, 5 May 2000.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ L 329, 30.12.1995, p. 18.

⁽²⁾ OJ L 265, 30.9.1998, p. 4.

⁽³⁾ OJ L 267, 15.10.1999, p. 16.

⁽⁴⁾ OJ L 61, 7.3.1975, p. 25.

⁽⁵⁾ OJ L 35, 15.2.1995, p. 8.

COMMISSION REGULATION (EC) No 961/2000
of 5 May 2000
concerning the classification of certain goods in the Combined Nomenclature

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EEC) No 2658/87 of 23 July 1987 on the tariff and statistical nomenclature and on the Common Customs Tariff⁽¹⁾, as last amended by Regulation (EC) No 254/2000⁽²⁾, and in particular Article 9 thereof,

Whereas:

- (1) In order to ensure uniform application of the Combined Nomenclature annexed to the said Regulation, it is necessary to adopt measures concerning the classification of the goods referred to in the Annex to this Regulation.
- (2) Regulation (EEC) No 2658/87 has set down the general rules for the interpretation of the Combined Nomenclature. Those rules also apply to any other nomenclature which is wholly or partly based on it or which adds any additional subdivision to it and which is established by specific Community provisions, which a view to the application of tariff and other measures relating to trade in goods.
- (3) Pursuant to the said general rules, the goods described in column 1 of the table annexed to the present Regulation must be classified under the CN codes indicated in column 2, by virtue of the reasons set out in column 3.
- (4) It is appropriate that, subject to the measures in force in the Community relating to double checking systems and to prior and retrospective Community surveillance of textile products on importation into the Community, binding tariff information issued by the customs authorities of Member States in respect of the classification of goods in the Combined Nomenclature and which does not conform to the provisions of this Regulation, can

continue to be invoked, under the provisions in Article 12(6) of Council Regulation (EEC) No 2913/92 of 12 October 1992 establishing the Community Customs Code⁽³⁾, as last amended by European Parliament and Council Regulation (EC) No 955/1999⁽⁴⁾, until 1 January 2001 by the holder, in order to grant holders of binding tariff information sufficient time to enable them to adapt their business practices.

- (5) The measures provided for in this Regulation are in accordance with the opinion of the Customs Code Committee,

HAS ADOPTED THIS REGULATION:

Article 1

The goods described in column 1 of the annexed table are classified within the Combined Nomenclature under the CN codes indicated in column 2 of the said table.

Article 2

Subject to the measures in force in the Community relating to double checking systems and to prior and retrospective Community surveillance of textile products on importation into the Community, binding tariff information issued by the customs authorities of Member States which does not conform to the provisions of this Regulation can continue to be invoked under the provisions of Article 12(6) of Regulation (EEC) No 2913/92 until 1 January 2001.

Article 3

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

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

Done at Brussels, 5 May 2000.

For the Commission
Frederik BOLKESTEIN
Member of the Commission

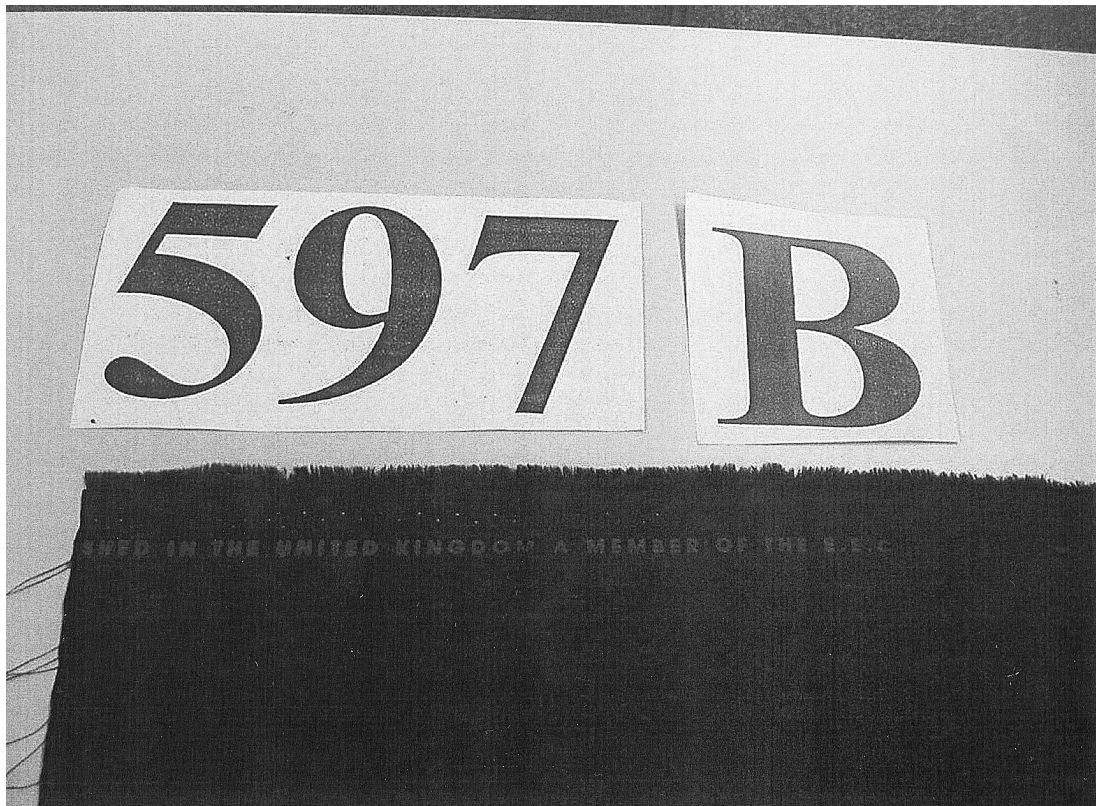
⁽¹⁾ OJ L 256, 7.9.1987, p. 1.
⁽²⁾ OJ L 28, 3.2.2000, p. 16.

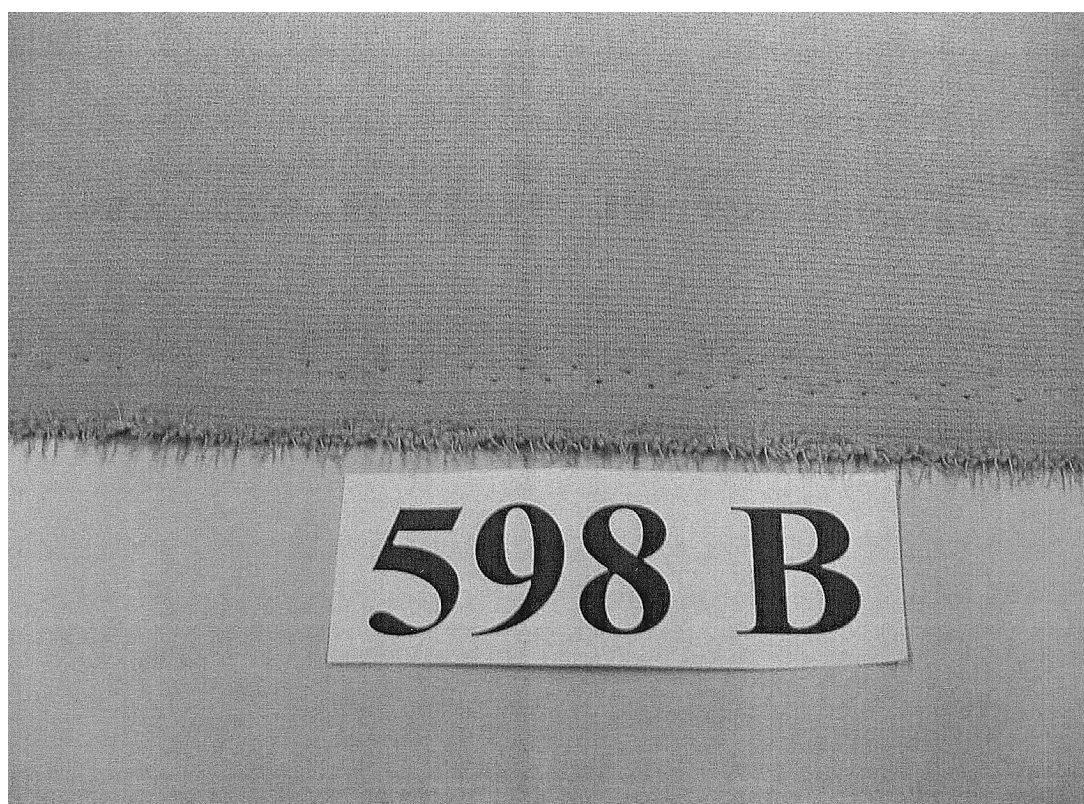
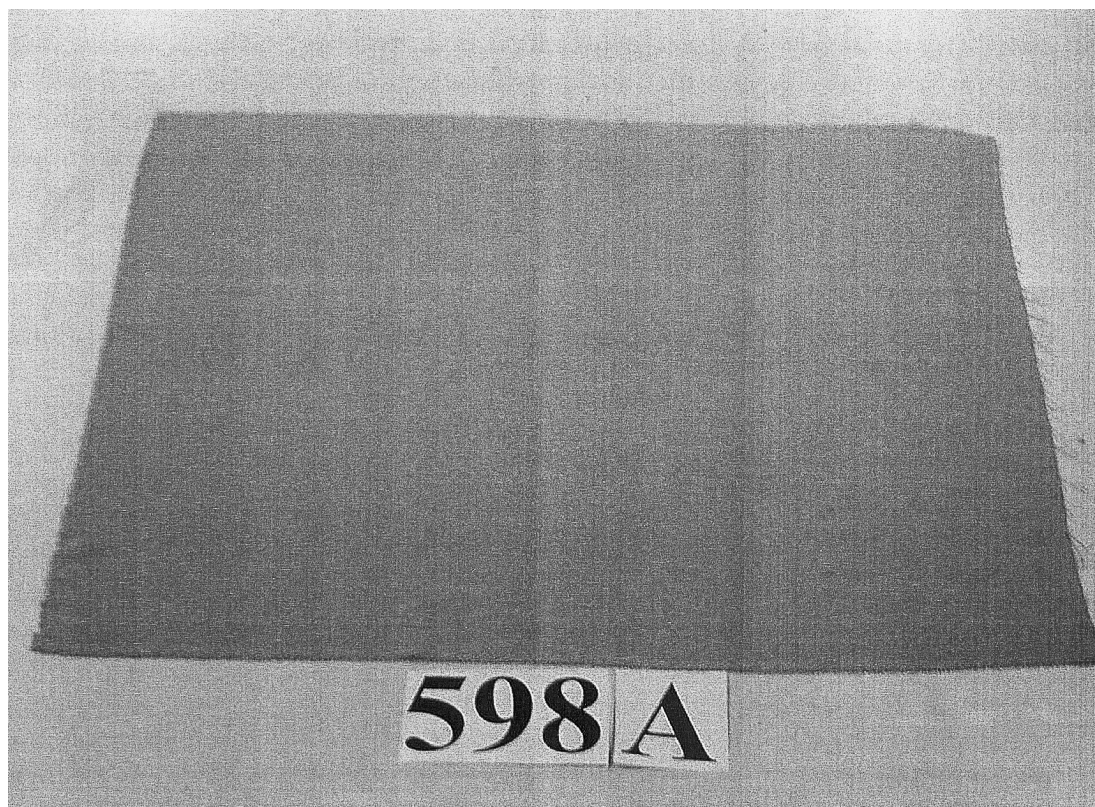
⁽³⁾ OJ L 302, 19.10.1992, p. 1.
⁽⁴⁾ OJ L 119, 7.5.1999, p. 1.

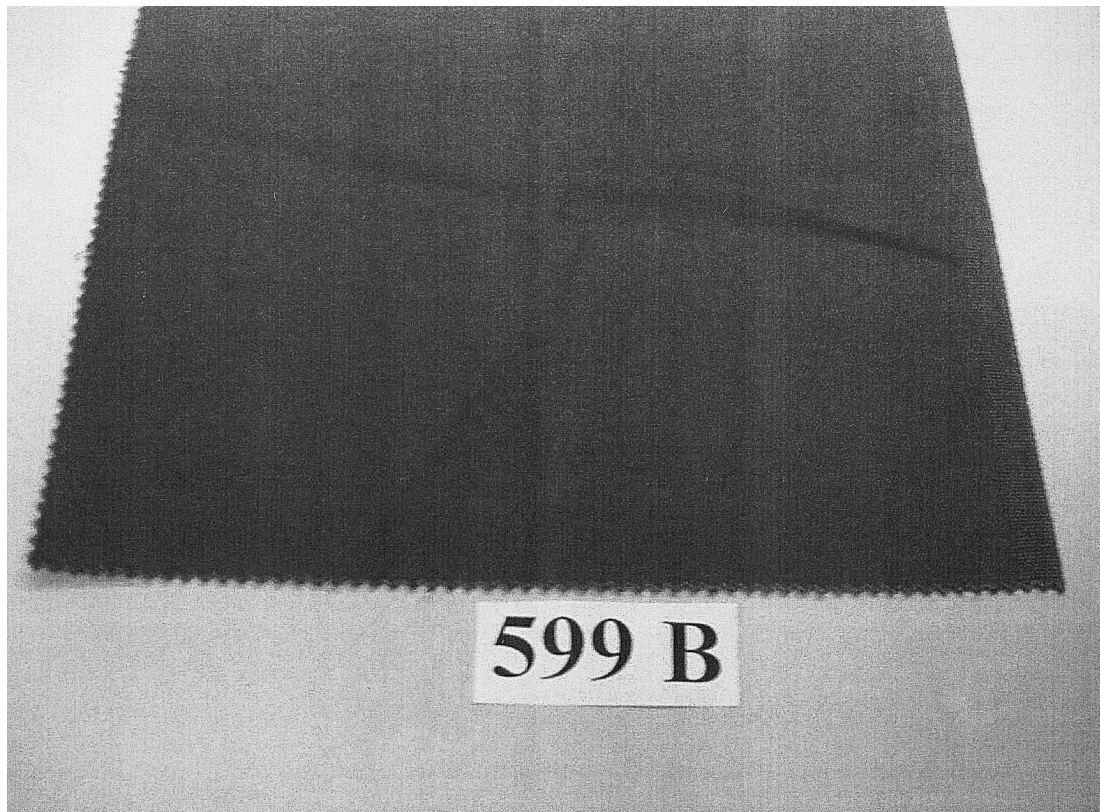
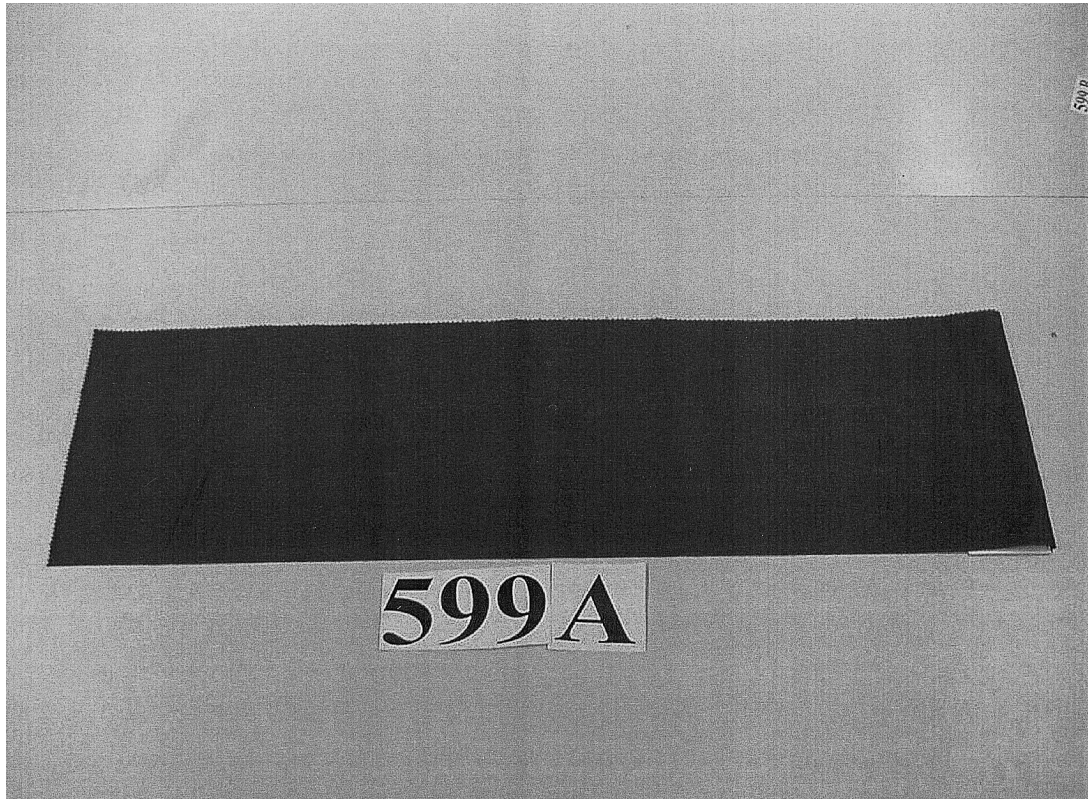
ANNEX

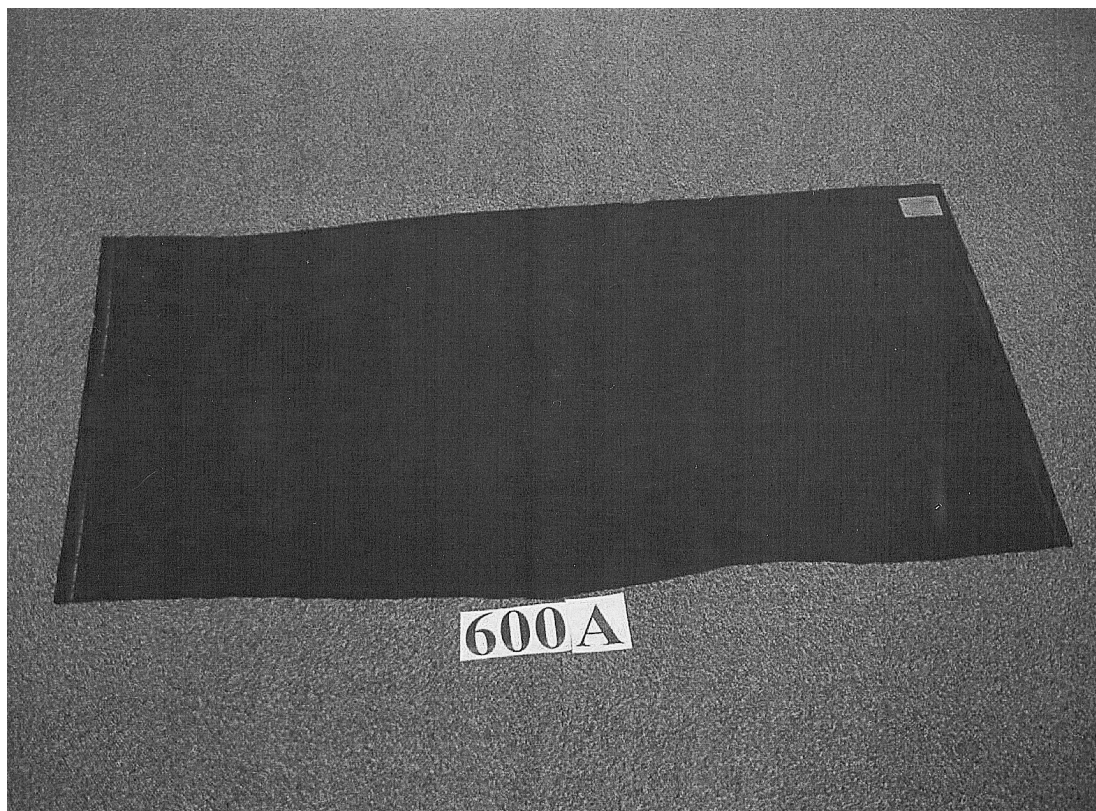
Description	Classification (CN code)	Reasons
(1)	(2)	(3)
<p>1. Woven dyed blue coloured cross twill fabric (60 % cotton and 40 % polyester) with a weight of 300 g/m², with a width of approximately 150 cm. The fabric has a faded greenish printed inscription showing a company logo, measuring approximately 4 cm in height and approximately 2 cm in width situated approximately 13 cm from the selvedge and continuously repeated at approximately 20 cm intervals along both edges</p> <p>(See photograph No 599 A + B) (*)</p>	5211 32 00	<p>Classification is determined by General Rules 1 and 6 for the interpretation of the Combined Nomenclature, note 2(A) to Section XI, subheading note 1(g) to Section XI, note 1 to Chapter 54 and the wording of CN codes 5211 and 5211 32 00</p> <p>The printed inscription does not confer on the product the characteristics of a printed fabric</p>
<p>2. Woven dyed light blue coloured fabric (100 % polyester) with a width of approximately 150 cm, made of staple fibres. The fabric has a yellow-coloured printed inscription 'DYED AND FINISHED IN THE UNITED KINGDOM A MEMBER OF THE EEC' measuring approximately 0,4 cm in height situated approximately 1,2 cm from the selvedge</p> <p>(See photograph No 598 A + B) (*)</p>	5512 19 90	<p>Classification is determined by General Rules 1 and 6 for the interpretation of the Combined Nomenclature, subheading note 1(g) to Section XI, note 1 to Chapter 54 and the wording of CN codes 5512, 5512 19 and 5512 19 90</p> <p>The printed inscription does not confer on the product the characteristics of a printed fabric</p>
<p>3. Woven dyed blue coloured cross twill fabric (65 % polyester and 35 % cotton) with a weight of 245 g/m², with a width of approximately 150 cm, made of staple fibres. The fabric has a black printed inscription showing a company logo, measuring approximately 1,5 cm in height and approximately 3 cm of width situated approximately 4,5 cm from the selvedge on one side and approximately 9 cm on the other side and continuously repeated at approximately 28 cm intervals along both edges</p> <p>(See photograph No 601 A + B) (*)</p>	5514 22 00	<p>Classification is determined by General Rules 1 and 6 for the interpretation of the Combined Nomenclature, note 2(A) to Section XI, subheading note 1(g) to Section XI, note 1 to Chapter 54 and the wording of CN codes 5514 and 5514 22 00</p> <p>The printed inscription does not confer on the product the characteristics of a printed fabric</p>
<p>4. Woven dyed black coloured fabric (65 % polyester and 35 % viscose) with a weight of 320 to 340 g/m², with a width of approximately 150 cm, made of staple fibres. The fabric has a yellow-coloured printed inscription '...SHED IN THE UNITED KINGDOM A MEMBER OF THE E.E.C.', measuring approximately 0,4 cm in height situated approximately 0,5 cm from the selvedge, situated on one edge</p> <p>(See photograph No 597 A + B) (*)</p>	5515 11 90	<p>Classification is determined by General Rules 1 and 6 for the interpretation of the Combined Nomenclature, note 2(A) to Section XI, subheading note 1(g) to Section XI, note 1 to Chapter 54 and the wording of CN codes 5515, 5515 11 and 5515 11 90</p> <p>The printed inscription does not confer on the product the characteristics of a printed fabric</p>
<p>5. Woven dyed black coloured fabric (65 % polyester and 35 % viscose) with a weight of 320 g/m², with a width of approximately 150 cm, made of staple fibres. The fabric has a yellow-coloured printed inscription 'DYED AND FINISHED IN THE UNITED KINGDOM A MEMBER OF THE E.E.C.', measuring approximately 0,4 cm in height situated approximately 0,5 cm from the selvedge and continuously repeated at approximately 17 cm intervals along both edges</p> <p>(See photograph No 600 A + B) (*)</p>	5515 11 90	<p>Classification is determined by General Rules 1 and 6 for the interpretation of the Combined Nomenclature, note 2(A) to Section XI, subheading note 1(g) to Section XI, note 1 to Chapter 54 and the wording of CN codes 5515, 5515 11 and 5515 11 90</p> <p>The printed inscription does not confer on the product the characteristics of a printed fabric</p>

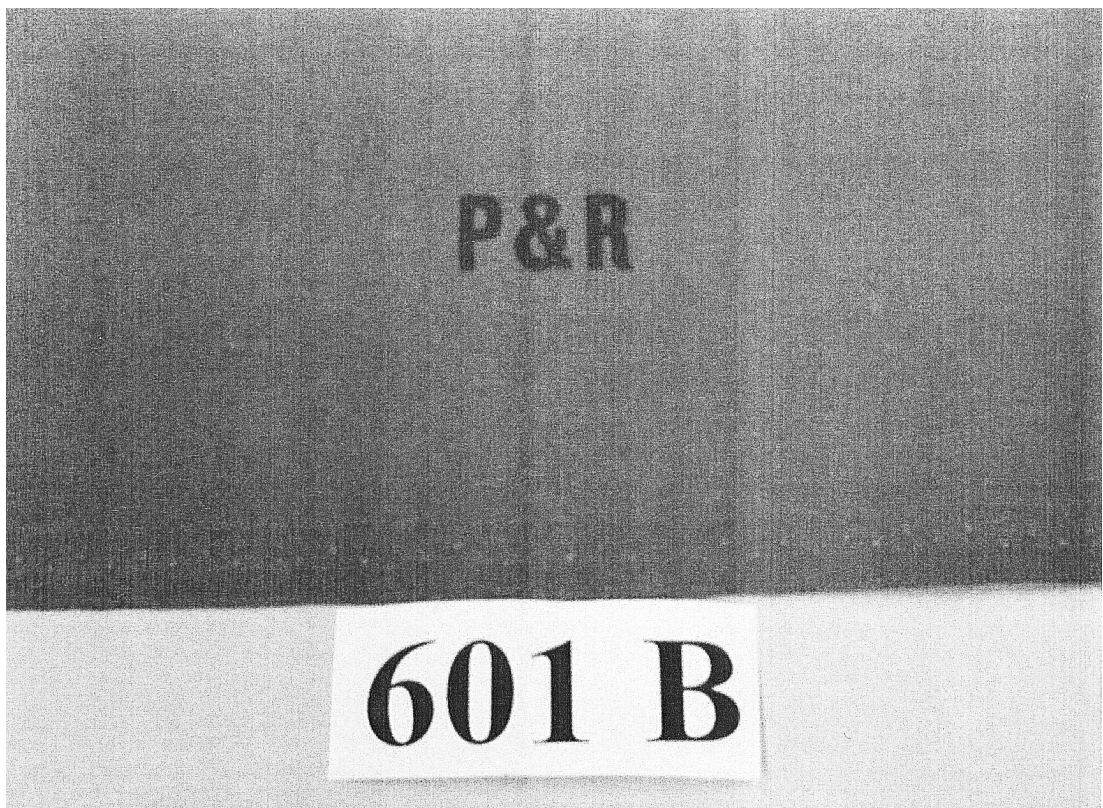
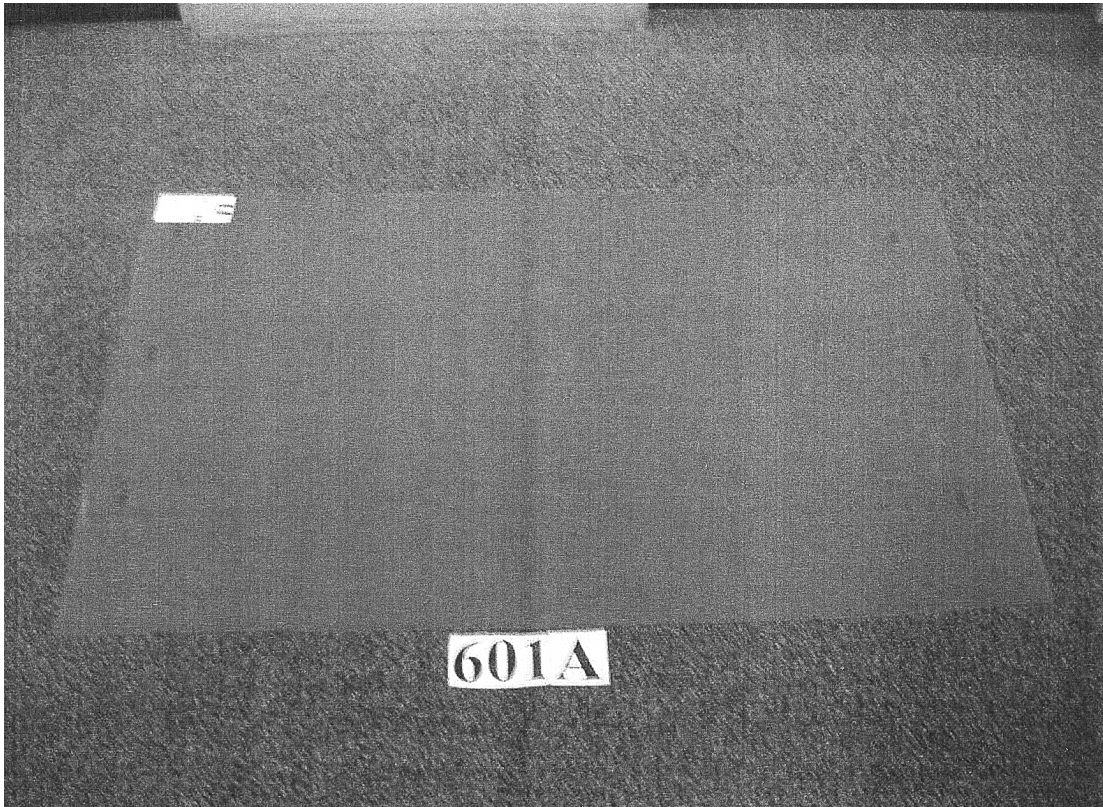
(*) The photographs are merely for illustrative purposes.











COMMISSION REGULATION (EC) No 962/2000**of 5 May 2000****amending Regulation (EC) No 925/2000 temporarily suspending the issuing of export licences for certain milk products and determining what proportion of the amounts covered by pending applications for export licences may be allocated**

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⁾,

Having regard to Commission Regulation (EC) No 174/1999 of 26 January 1999 laying down special detailed rules for the application of Regulation (EC) No 1255/1999 as regards export licences and export refunds in the case of milk and milk products ⁽²⁾, as amended by Regulation (EC) No 1596/1999 ⁽³⁾, and in particular Article 10(3) thereof,

Whereas:

Commission Regulation (EC) No 925/2000 ⁽⁴⁾ temporarily suspended the issuing of export licences. In view of the differences with respect to public holidays in the Community, the period for the submission of the licences in question should be

specified in order to ensure equal treatment of operators in the Member States,

HAS ADOPTED THIS REGULATION:

Article 1

Article 1(2) of Regulation (EC) No 925/2000 is replaced by the following:

'2. No further action shall be taken in respect of applications for licences submitted from 1 to 3 May 2000 and still pending for products falling within CN code 0402 21 which would have been issued from 8 May 2000 with the exception of those referred to in Article 8(1) of Regulation (EC) No 174/1999.'

Article 2

This Regulation shall enter into force on 6 May 2000.

It shall apply from 4 May 2000.

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

Done at Brussels, 5 May 2000.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ L 160, 26.6.1999, p. 48.

⁽²⁾ OJ L 20, 27.1.1999, p. 8.

⁽³⁾ OJ L 188, 21.7.1999, p. 39.

⁽⁴⁾ OJ L 107, 4.5.2000, p. 14.

COMMISSION REGULATION (EC) No 963/2000
of 5 May 2000
amending the corrective amount applicable to the refund on cereals

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EEC) No 1766/92 of 30 June 1992 on the common organisation of the market in cereals ⁽¹⁾, as last amended by Commission Regulation (EC) No 1253/1999 ⁽²⁾, and in particular Article 13(8) thereof,

Whereas:

- (1) The corrective amount applicable to the refund on cereals was fixed by Commission Regulation (EC) No 947/2000 ⁽³⁾.
- (2) On the basis of today's cif prices and cif forward delivery prices, taking foreseeable developments on the market into account, the corrective amount at present applicable to the refund on cereals should be altered.

- (3) The corrective amount must be fixed according to the same procedure as the refund. It may be altered in the period between fixings,

HAS ADOPTED THIS REGULATION:

Article 1

The corrective amount referred to in Article 1(1)(a), (b) and (c) of Regulation (EEC) No 1766/92 which is applicable to the export refunds fixed in advance in respect of the products referred to, except for malt, is hereby altered to the amounts set out in the Annex hereto.

Article 2

This Regulation shall enter into force on 6 May 2000.

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

Done at Brussels, 5 May 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 108, 5.5.2000, p. 30.

ANNEX

to the Commission Regulation of 5 May 2000 altering the corrective amount applicable to the refund on cereals

(EUR/t)

Product code	Destination (1)	Current 5	1st period 6	2nd period 7	3rd period 8	4th period 9	5th period 10	6th period 11
1001 10 00 9200	—	—	—	—	—	—	—	—
1001 10 00 9400	01	0	0	0	-1,00	-2,00	—	—
1001 90 91 9000	—	—	—	—	—	—	—	—
1001 90 99 9000	03	0	-20,00	—	—	—	—	—
	02	0	-20,00	—	—	—	—	—
1002 00 00 9000	01	0	0	—	—	—	—	—
1003 00 10 9000	—	—	—	—	—	—	—	—
1003 00 90 9000	01	0	-20,00	—	—	—	—	—
1004 00 00 9200	—	—	—	—	—	—	—	—
1004 00 00 9400	01	0	0	—	—	—	—	—
1005 10 90 9000	—	—	—	—	—	—	—	—
1005 90 00 9000	01	0	0	—	—	—	—	—
1007 00 90 9000	—	—	—	—	—	—	—	—
1008 20 00 9000	—	—	—	—	—	—	—	—
1101 00 11 9000	—	—	—	—	—	—	—	—
1101 00 15 9100	01	0	0	-27,40	-27,40	-27,40	—	—
1101 00 15 9130	01	0	0	-25,60	-25,60	-25,60	—	—
1101 00 15 9150	01	0	0	-23,60	-23,60	-23,60	—	—
1101 00 15 9170	01	0	0	-21,80	-21,80	-21,80	—	—
1101 00 15 9180	01	0	0	-20,40	-20,40	-20,40	—	—
1101 00 15 9190	—	—	—	—	—	—	—	—
1101 00 90 9000	—	—	—	—	—	—	—	—
1102 10 00 9500	01	0	0	-68,50	-68,50	-68,50	—	—
1102 10 00 9700	01	0	0	-54,00	-54,00	-54,00	—	—
1102 10 00 9900	—	—	—	—	—	—	—	—
1103 11 10 9200	01	0	0	0	-1,50	-3,00	—	—
1103 11 10 9400	01	0	0	0	-1,34	-2,68	—	—
1103 11 10 9900	—	—	—	—	—	—	—	—
1103 11 90 9200	01	0	0	0	-1,37	-2,74	—	—
1103 11 90 9800	—	—	—	—	—	—	—	—

(1) The destinations are identified as follows:

01 all third countries,

02 other third countries,

03 Mauritania, Mali, Niger, Senegal, Burkina Faso, The Gambia, Guinea-Bissau, Guinea, Cape Verde, Sierra Leone, Liberia, Côte d'Ivoire, Ghana, Togo, Chad, Central African Republic, Benin, Cameroon, Equatorial Guinea, São Tomé and Príncipe, Gabon, Congo, Democratic Republic of the Congo, Rwanda, Burundi, Angola, Zambia, Malawi, Mozambique, Namibia, Botswana, Zimbabwe, Lesotho, Swaziland, Seychelles, The Comoros, Madagascar, Djibouti, Ethiopia, Eritrea and Mauritius.

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 964/2000
of 5 May 2000
amending the import duties in the cereals sector

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 1249/96 of 28 June 1996 laying down detailed rules for the application of Council Regulation (EEC) No 1766/92 as regards import duties in the cereals sector ⁽³⁾, as last amended by Regulation (EC) No 2519/98 ⁽⁴⁾, and in particular Article 2 (1) thereof,

Whereas:

- (1) The import duties in the cereals sector are fixed by Commission Regulation (EC) No 869/2000 ⁽⁵⁾, as last amended by Regulation (EC) No 936/2000 ⁽⁶⁾.

- (2) Article 2, (1) of Regulation (EC) No 1249/96 provides that if during the period of application, the average import duty calculated differs by EUR 5 per tonne from the duty fixed, a corresponding adjustment is to be made. Such a difference has arisen. It is therefore necessary to adjust the import duties fixed in Regulation (EC) No 869/2000,

HAS ADOPTED THIS REGULATION:

Article 1

Annexes I and II to Regulation (EC) No 869/2000 are hereby replaced by Annexes I and II to this Regulation.

Article 2

This Regulation shall enter into force on 6 May 2000.

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

Done at Brussels, 5 May 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 161, 29.6.1996, p. 125.

⁽⁴⁾ OJ L 315, 25.11.1998, p. 7.

⁽⁵⁾ OJ L 104, 29.4.2000, p. 3.

⁽⁶⁾ OJ L 108, 5.5.2000, p. 14.

ANNEX I

ANNEX I

Import duties for the products listed in Article 10(2) of Regulation (EEC) No 1766/92

CN code	Description	Import duty by land, inland waterway or sea from Mediterranean, the Black Sea or Baltic Sea ports (EUR/tonne)	Import duty by air or by sea from other ports ⁽²⁾ (EUR/tonne)
1001 10 00	Durum wheat — high quality	4,98	0,00
	Durum wheat — medium quality ⁽¹⁾	14,98	4,98
1001 90 91	Common wheat seed	15,31	5,31
1001 90 99	Common high quality wheat other than for sowing ⁽³⁾	15,31	5,31
	medium quality	62,98	52,98
	low quality	77,20	67,20
1002 00 00	Rye	66,76	56,76
1003 00 10	Barley, seed	66,76	56,76
1003 00 90	Barley, other ⁽³⁾	66,76	56,76
1005 10 90	Maize seed other than hybrid	79,84	69,84
1005 90 00	Maize other than seed ⁽³⁾	79,84	69,84
1007 00 90	Grain sorghum other than hybrids for sowing	66,76	56,76

⁽¹⁾ In the case of durum wheat not meeting the minimum quality requirements for medium quality durum wheat referred to in Annex I to Regulation (EC) No 1249/96, the duty applicable is that fixed for low-quality common wheat.

⁽²⁾ For goods arriving in the Community via the Atlantic Ocean or via the Suez Canal (Article 2 (4) of Regulation (EC) No 1249/96), the importer may benefit from a reduction in the duty of:

— EUR 3 per tonne, where the port of unloading is on the Mediterranean Sea, or

— EUR 2 per tonne, where the port of unloading is in Ireland, the United Kingdom, Denmark, Sweden, Finland or the Atlantic Coasts of the Iberian Peninsula.

⁽³⁾ The importer may benefit from a flat-rate reduction of EUR 14 or 8 per tonne, where the conditions laid down in Article 2 (5) of Regulation (EC) No 1249/96 are met.

ANNEX II

Factors for calculating duties

(period from 28 April 2000 to 4 May 2000)

1. Averages over the two-week period preceding the day of fixing:

Exchange quotations	Minneapolis	Kansas-City	Chicago	Chicago	Minneapolis	Minneapolis	Minneapolis
Product (% proteins at 12 % humidity)	HRS2. 14 %	HRW2. 11,5 %	SRW2	YC3	HAD2	Medium quality (*)	US barley 2
Quotation (EUR/t)	130,84	113,17	104,54	100,53	172,81 (**)	162,81 (**)	111,03 (**)
Gulf premium (EUR/t)	—	10,66	5,02	6,53	—	—	—
Great Lakes premium (EUR/t)	31,65	—	—	—	—	—	—

(*) A discount of 10 EUR/t (Article 4(1) of Regulation (EC) No 1249/96).

(**) Fob Great Lakes.

2. Freight/cost: Gulf of Mexico — Rotterdam: 18,83 EUR/t; Great Lakes — Rotterdam: 27,79 EUR/t.

3. Subsidy within the meaning of the third paragraph of Article 4(2) of Regulation (EC) No 1249/96: 0,00 EUR/t (HRW2)
0,00 EUR/t (SRW2).

**DIRECTIVE 2000/13/EC OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL
of 20 March 2000**

**on the approximation of the laws of the Member States relating to the labelling, presentation and
advertising of foodstuffs**

THE EUROPEAN PARLIAMENT AND THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty establishing the European Community, and in particular Article 95 thereof,

Having regard to the proposal of the Commission,

Having regard to the opinion of the Economic and Social Committee ⁽¹⁾,

Acting in accordance with the procedure laid down in Article 251 of the Treaty ⁽²⁾,

Whereas:

- (1) Council Directive 79/112/EEC of 18 December 1978 on the approximation of the laws of the Member States relating to the labelling, presentation and advertising of foodstuffs ⁽³⁾ has been frequently and substantially amended ⁽⁴⁾. Therefore, for reasons of clarity and rationality, the said Directive should be consolidated in a single text.
- (2) Differences between the laws, regulations and administrative provisions of the Member States on the labelling of foodstuffs may impede the free circulation of these products and can lead to unequal conditions of competition.
- (3) Therefore, approximation of these laws would contribute to the smooth functioning of the internal market.
- (4) The purpose of this Directive should be to enact Community rules of a general nature applicable horizontally to all foodstuffs put on the market.
- (5) Rules of a specific nature which apply vertically only to particular foodstuffs should be laid down in provisions dealing with those products.
- (6) The prime consideration for any rules on the labelling of foodstuffs should be the need to inform and protect the consumer.
- (7) That need means that Member States may, in compliance with the rules of the Treaty, impose language requirements.
- (8) Detailed labelling, in particular giving the exact nature and characteristics of the product which enables the consumer to make his choice in full knowledge of the facts, is the most appropriate since it creates fewest obstacles to free trade.
- (9) Therefore, a list should be drawn up of all information which should in principle be included in the labelling of all foodstuffs.
- (10) However, the horizontal nature of this Directive does not allow, at the initial stage, the inclusion in the compulsory indications of all the indications which must be added to the list applying in principle to the whole range of foodstuffs. During a later stage, Community provisions should be adopted, aimed at supplementing the existing rules.
- (11) Furthermore, in the absence of Community rules of a specific nature Member States should retain the right to lay down certain national provisions which may be added to the general provisions of this Directive, nevertheless these provisions should be subject to a Community procedure.
- (12) The said Community procedure must be that of a Community decision when a Member State wishes to enact new legislation.
- (13) Provision should also be made for the Community legislator to derogate, in exceptional cases, from certain obligations that have been fixed generally.
- (14) The rules on labelling should also prohibit the use of information that would mislead the purchaser or attribute medicinal properties to foodstuffs. To be effective, this prohibition should also apply to the presentation and advertising of foodstuffs.
- (15) With a view to facilitating trade between Member States, it may be provided that, at stages prior to sale to the ultimate consumer, only information on the essential elements should appear on the outer packaging and certain mandatory particulars that must appear on a prepackaged foodstuff need appear only on commercial documents referring thereto.
- (16) Member States should retain the right, depending on local practical conditions and circumstances, to lay down rules in respect of the labelling of foodstuffs sold in bulk; in such cases, information should nevertheless be provided for the consumer.

⁽¹⁾ OJ C 258, 10.9.1999, p. 12.

⁽²⁾ Opinion of the European Parliament of 18 January 2000 (not yet published in the Official Journal) and Council Decision of 13 March 2000.

⁽³⁾ OJ L 33, 8.2.1979, p. 1. Directive as last amended by Directive 97/4/EC of the European Parliament and of the Council (OJ L 43, 14.2.1997, p. 21).

⁽⁴⁾ See Annex IV, Part B.

- (17) With the aim of simplifying and accelerating the procedure, the Commission should be entrusted with the task of adopting implementing measures of a technical nature.
- (18) The measures necessary for the implementing of this Directive should be adopted in accordance with Council Decision 1999/468/EC of 28 June 1999 laying down the procedures for the exercise of implementing powers conferred on the Commission ⁽¹⁾.
- (19) This Directive should be without prejudice to the obligations of the Member States concerning the time limits for transposition of the Directives set out in Annex IV, Part B,

HAVE ADOPTED THIS DIRECTIVE:

Article 1

1. This Directive concerns the labelling of foodstuffs to be delivered as such to the ultimate consumer and certain aspects relating to the presentation and advertising thereof.
2. This Directive shall apply also to foodstuffs intended for supply to restaurants, hospitals, canteens and other similar mass caterers (hereinafter referred to as 'mass caterers').
3. For the purpose of this Directive,
 - (a) 'labelling' shall mean any words, particulars, trade marks, brand name, pictorial matter or symbol relating to a foodstuff and placed on any packaging, document, notice, label, ring or collar accompanying or referring to such foodstuff;
 - (b) 'pre-packaged foodstuff' shall mean any single item for presentation as such to the ultimate consumer and to mass caterers, consisting of a foodstuff and the packaging into which it was put before being offered for sale, whether such packaging encloses the foodstuff completely or only partially, but in any case in such a way that the contents cannot be altered without opening or changing the packaging.

Article 2

1. The labelling and methods used must not:
 - (a) be such as could mislead the purchaser to a material degree, particularly:
 - (i) as to the characteristics of the foodstuff and, in particular, as to its nature, identity, properties, composition, quantity, durability, origin or provenance, method of manufacture or production;
 - (ii) by attributing to the foodstuff effects or properties which it does not possess;
 - (iii) by suggesting that the foodstuff possesses special characteristics when in fact all similar foodstuffs possess such characteristics;

- (b) subject to Community provisions applicable to natural mineral waters and foodstuffs for particular nutritional uses, attribute to any foodstuff the property of preventing, treating or curing a human disease, or refer to such properties.

2. The Council, in accordance with the procedure laid down in Article 95 of the Treaty, shall draw up a non-exhaustive list of the claims within the meaning of paragraph 1, the use of which must at all events be prohibited or restricted.

3. The prohibitions or restrictions referred to in paragraphs 1 and 2 shall also apply to:

- (a) the presentation of foodstuffs, in particular their shape, appearance or packaging, the packaging materials used, the way in which they are arranged and the setting in which they are displayed;
- (b) advertising.

Article 3

1. In accordance with Articles 4 to 17 and subject to the exceptions contained therein, indication of the following particulars alone shall be compulsory on the labelling of foodstuffs:

- (1) the name under which the product is sold;
- (2) the list of ingredients;
- (3) the quantity of certain ingredients or categories of ingredients as provided for in Article 7;
- (4) in the case of prepackaged foodstuffs, the net quantity;
- (5) the date of minimum durability or, in the case of foodstuffs which, from the microbiological point of view, are highly perishable, the 'use by' date;
- (6) any special storage conditions or conditions of use;
- (7) the name or business name and address of the manufacturer or packager, or of a seller established within the Community.

However, the Member States shall be authorised, in respect of butter produced in their territory, to require only an indication of the manufacturer, packager or seller.

Without prejudice to the notification provided for in Article 24, Member States shall inform the Commission and the other Member States of any measure taken pursuant to the second paragraph;

- (8) particulars of the place of origin or provenance where failure to give such particulars might mislead the consumer to a material degree as to the true origin or provenance of the foodstuff;
- (9) instructions for use when it would be impossible to make appropriate use of the foodstuff in the absence of such instructions;
- (10) with respect to beverages containing more than 1,2 % by volume of alcohol, the actual alcoholic strength by volume.

⁽¹⁾ OJ L 184, 17.7.1999, p. 23.

2. Notwithstanding the previous paragraph, Member States may retain national provisions which require indication of the factory or packaging centre, in respect of home production.
3. The provisions of this Article shall be without prejudice to more precise or more extensive provisions regarding weights and measures.

Article 4

1. Community provisions applicable to specified foodstuffs and not to foodstuffs in general may provide for derogations, in exceptional cases, from the requirements laid down in Article 3(1), points 2 and 5, provided that this does not result in the purchaser being inadequately informed.
2. Community provisions applicable to specified foodstuffs and not to foodstuffs in general may provide that other particulars in addition to those listed in Article 3 must appear on the labelling.

Where there are no Community provisions, Member States may make provision for such particulars in accordance with the procedure laid down in Article 19.

3. The Community provisions referred to in paragraphs 1 and 2 shall be adopted in accordance with the procedure laid down in Article 20(2).

Article 5

1. The name under which a foodstuff is sold shall be the name provided for in the Community provisions applicable to it.
- (a) In the absence of Community provisions, the name under which a product is sold shall be the name provided for in the laws, regulations and administrative provisions applicable in the Member State in which the product is sold to the final consumer or to mass caterers.

Failing this, the name under which a product is sold shall be the name customary in the Member State in which it is sold to the final consumer or to mass caterers, or a description of the foodstuff, and if necessary of its use, which is clear enough to let the purchaser know its true nature and distinguish it from other products with which it might be confused.

- (b) The use in the Member State of marketing of the sales name under which the product is legally manufactured and marketed in the Member State of production shall also be allowed.

However, where the application of the other provisions of this Directive, in particular those set out in Article 3, would not enable consumers in the Member State of marketing to know the true nature of the foodstuff and to distinguish it from foodstuffs with which they could confuse it, the sales name shall be accompanied by other descriptive information which shall appear in proximity to the sales name.

- (c) In exceptional cases, the sales name of the Member State of production shall not be used in the Member State of marketing when the foodstuff which it designates is so different, as regards its composition or manufacture, from the foodstuff known under that name that the provisions of point (b) are not sufficient to ensure, in the Member State of marketing, correct information for consumers.

2. No trade mark, brand name or fancy name may be substituted for the name under which the product is sold.

3. The name under which the product is sold shall include or be accompanied by particulars as to the physical condition of the foodstuff or the specific treatment which it has undergone (e.g. powdered, freeze-dried, deep-frozen, concentrated, smoked) in all cases where omission of such information could create confusion in the mind of the purchaser.

Any foodstuff which has been treated with ionising radiation must bear one of the following indications:

- in Spanish:
'irradiado' or 'tratado con radiación ionizante',
- in Danish:
'bestrålet/...' or 'strålekonserven' or 'behandlet med ioniserende stråling' or 'konserven med ioniserende stråling',
- in German:
'bestrahlt' or 'mit ionisierenden Strahlen behandelt',
- in Greek:
'επεξεργασμένο με ιονίζουσα ακτινοβολία' or 'ακτινοβολημένο',
- in English:
'irradiated' or 'treated with ionising radiation',
- in France:
'traité par rayonnements ionisants' or 'traité par ionisation',
- in Italian:
'irradiato' or 'trattato con radiazioni ionizzanti',
- in Dutch:
'doorstraald' or 'door bestraling behandeld' or 'met ioniserende stralen behandeld',
- in Portuguese:
'irradiado' or 'tratado por irradiação' or 'tratado por radiação ionizante',
- in Finnish:
'säteilytetty' or 'käsitelty ionisoivalla säteilyllä',
- in Swedish:
'bestrålad' or 'behandlad med joniserande strålning'.

Article 6

1. Ingredients shall be listed in accordance with this Article and Annexes I, II and III.
2. Ingredients need not be listed in the case of:
- (a) — fresh fruit and vegetables, including potatoes, which have not been peeled, cut or similarly treated,

- carbonated water, the description of which indicates that it has been carbonated,
 - fermentation vinegars derived exclusively from a single basic product, provided that no other ingredient has been added;
- (b) — cheese,
- butter,
 - fermented milk and cream,

provided that no ingredient has been added other than lactic products, enzymes and micro-organism cultures essential to manufacture, or the salt needed for the manufacture of cheese other than fresh cheese and processed cheese;

- (c) products comprising a single ingredient, where:
- the trade name is identical with the ingredient name, or
 - the trade name enables the nature of the ingredient to be clearly identified.

3. In the case of beverages containing more than 1,2 % by volume of alcohol, the Council, acting on a proposal from the Commission, shall, before 22 December 1982, determine the rules for labelling ingredients.

4. (a) 'Ingredient' shall mean any substance, including additives, used in the manufacture or preparation of a foodstuff and still present in the finished product, even if in altered form.

(b) Where an ingredient of the foodstuff is itself the product of several ingredients, the latter shall be regarded as ingredients of the foodstuff in question.

(c) The following shall not be regarded as ingredients:

(i) the constituents of an ingredient which have been temporarily separated during the manufacturing process and later reintroduced but not in excess of their original proportions;

(ii) additives:

- whose presence in a given foodstuff is solely due to the fact that they were contained in one or more ingredients of that foodstuff, provided that they serve no technological function in the finished product,
- which are used as processing aids;

(iii) substances used in the quantities strictly necessary as solvents or media for additives or flavouring.

(d) In certain cases Decisions may be taken in accordance with the procedure laid down in Article 20(2) as to whether the conditions described in point (c)(ii) and (iii) are satisfied.

5. The list of ingredients shall include all the ingredients of the foodstuff, in descending order of weight, as recorded at the time of their use in the manufacture of the foodstuff. It shall appear preceded by a suitable heading which includes the word 'ingredients'.

However:

- added water and volatile products shall be listed in order of their weight in the finished product; the amount of water added as an ingredient in a foodstuff shall be calculated by deducting from the total amount of the finished product the total amount of the other ingredients used. This amount need not be taken into consideration if it does not exceed 5 % by weight of the finished product,

- ingredients used in concentrated or dehydrated form and reconstituted at the time of manufacture may be listed in order of weight as recorded before their concentration or dehydration,

- in the case of concentrated or dehydrated foods which are intended to be reconstituted by the addition of water, the ingredients may be listed in order of proportion in the reconstituted product provided that the list of ingredients is accompanied by an expression such as 'ingredients of the reconstituted product', or 'ingredients of the ready-to-use product',

- in the case of mixtures of fruit or vegetables where no particular fruit or vegetable significantly predominates in proportion by weight, those ingredients may be listed in another order provided that that list of ingredients is accompanied by an expression such as 'in variable proportion',

- in the case of mixtures of spices or herbs, where none significantly predominates in proportion by weight, those ingredients may be listed in another order provided that that list of ingredients is accompanied by an expression such as 'in variable proportion'.

6. Ingredients shall be designated by their specific name, where applicable, in accordance with the rules laid down in Article 5.

However:

- ingredients which belong to one of the categories listed in Annex I and are constituents of another foodstuff need only be designated by the name of that category.

Alterations to the list of categories in Annex I may be effected in accordance with the procedure laid down in Article 20(2).

However, the designation 'starch' listed in Annex I must always be complemented by the indication of its specific vegetable origin, when that ingredient may contain gluten,

- ingredients belonging to one of the categories listed in Annex II must be designated by the name of that category, followed by their specific name or EC number; if an ingredient belongs to more than one of the categories, the category appropriate to the principal function in the case of the foodstuff in question shall be indicated.

Amendments to this Annex based on advances in scientific and technical knowledge shall be adopted in accordance with the procedure laid down in Article 20(2).

However, the designation 'modified starch' listed in Annex II must always be complemented by the indication of its specific vegetable origin, when that ingredient may contain gluten,

- flavourings shall be designated in accordance with Annex III,
- the specific Community provisions governing the indication of treatment of an ingredient with ionising radiation shall be adopted subsequently in accordance with Article 95 of the Treaty.

7. Community provisions or, where there are none, national provisions may lay down that the name under which a specific foodstuff is sold is to be accompanied by mention of a particular ingredient or ingredients.

The procedure laid down in Article 19 shall apply to any such national provisions.

The Community provisions referred to in this paragraph shall be adopted in accordance with the procedure laid down in Article 20(2).

8. In the case referred to in paragraph 4(b), a compound ingredient may be included in the list of ingredients, under its own designation in so far as this is laid down by law or established by custom, in terms of its overall weight, provided that it is immediately followed by a list of its ingredients.

Such a list, however, shall not be compulsory:

- (a) where the compound ingredient constitutes less than 25 % of the finished product; however, this exemption shall not apply in the case of additives, subject to the provisions of paragraph 4(c);
- (b) where the compound ingredient is a foodstuff for which a list of ingredients is not required under Community rules.

9. Notwithstanding paragraph 5 the water content need not be specified:

- (a) where the water is used during the manufacturing process solely for the reconstitution of an ingredient used in concentrated or dehydrated form;
- (b) in the case of a liquid medium which is not normally consumed.

Article 7

1. The quantity of an ingredient or category of ingredients used in the manufacture or preparation of a foodstuff shall be stated in accordance with this Article.

2. The indication referred to in paragraph 1 shall be compulsory:

- (a) where the ingredient or category of ingredients concerned appears in the name under which the foodstuff is sold or is usually associated with that name by the consumer; or
- (b) where the ingredient or category of ingredients concerned is emphasised on the labelling in words, pictures or graphics; or
- (c) where the ingredient or category of ingredients concerned is essential to characterise a foodstuff and to distinguish it from products with which it might be confused because of its name or appearance; or

(d) in the cases determined in accordance with the procedure laid down in Article 20(2).

3. Paragraph 2 shall not apply:

- (a) to an ingredient or category of ingredients:
 - the drained net weight of which is indicated in accordance with Article 8(4), or
 - the quantities of which are already required to be given on the labelling under Community provisions, or
 - which is used in small quantities for the purposes of flavouring, or
 - which, while appearing in the name under which the food is sold, is not such as to govern the choice of the consumer in the country of marketing because the variation in quantity is not essential to characterise the foodstuff or does not distinguish it from similar foods. In cases of doubt it shall be decided by the procedure laid down in Article 20(2) whether the conditions laid down in this indent are fulfilled;

(b) where specific Community provisions stipulate precisely the quantity of an ingredient or of a category of ingredients without providing for the indication thereof on the labelling;

(c) in the cases referred to in the fourth and fifth indents of Article 6(5);

(d) in the cases determined in accordance with the procedure laid down in Article 20(2).

4. The quantity indicated, expressed as a percentage, shall correspond to the quantity of the ingredient or ingredients at the time of its/their use. However, Community provisions may allow for derogations from this principle for certain foodstuffs. Such provisions shall be adopted in accordance with the procedure laid down in Article 20(2).

5. The indication referred to in paragraph 1 shall appear either in or immediately next to the name under which the foodstuff is sold or in the list of ingredients in connection with the ingredient or category of ingredients in question.

6. This Article shall apply without prejudice to Community rules on nutrition labelling for foodstuffs.

Article 8

1. The net quantity of prepackaged foodstuffs shall be expressed:

- in units of volume in the case of liquids,
- in units of mass in the case of other products,

using the litre, centilitre, millilitre, kilogram or gram, as appropriate.

Community provisions or, where there are none, national provisions applicable to certain specified foodstuffs may derogate from this rule.

The procedure laid down in Article 19 shall apply to any such national provisions.

2. (a) Where the indication of a certain type of quantity (e.g. nominal quantity, minimum quantity, average quantity) is required by Community provisions or, where there are none, by national provisions, this quantity shall be regarded as the net quantity for the purposes of this Directive.

Without prejudice to the notification provided for in Article 24, Member States shall inform the Commission and the other Member States of any measure taken pursuant to this point.

- (b) Community provisions or, where there are none, national provisions may, for certain specified foodstuffs classified by quantity in categories, require other indications of quantity.

The procedure laid down in Article 19 shall apply to any such national provisions.

- (c) Where a prepackaged item consists of two or more individual prepackaged items containing the same quantity of the same product, the net quantity shall be indicated by mentioning the net quantity contained in each individual package and the total number of such packages. Indication of these particulars shall not, however, be compulsory where the total number of individual packages can be clearly seen and easily counted from the outside and where at least one indication of the net quantity contained in each individual package can be clearly seen from the outside.

- (d) Where a prepackaged item consists of two or more individual packages which are not regarded as units of sale, the net quantity shall be given by indicating the total net quantity and the total number of individual packages. Community provisions or, where there are none, national provisions need not, in the case of certain foodstuffs, require indication of the total number of individual packages.

Without prejudice to the notification provided for in Article 24, Member States shall inform the Commission and the other Member States of any measure taken pursuant to this point.

3. In the case of foodstuffs normally sold by number, Member States need not require indication of the net quantity provided that the number of items can clearly be seen and easily counted from the outside or, if not, is indicated on the labelling.

Without prejudice to the notification provided for in Article 24, Member States shall inform the Commission and the other Member States of any measure taken pursuant to this paragraph.

4. Where a solid foodstuff is presented in a liquid medium, the drained net weight of the foodstuff shall also be indicated on the labelling.

For the purposes of this paragraph, 'liquid medium' shall mean the following products, possibly in mixtures and also where frozen or quick-frozen, provided that the liquid is merely an adjunct to the essential elements of that preparation and is thus not a decisive factor for the purchase: water, aqueous solutions of salts, brine, aqueous solutions of food acids, vinegar,

aqueous solutions of sugars, aqueous solutions of other sweetening substances, fruit or vegetable juices in the case of fruit or vegetables.

This list may be supplemented in accordance with the procedure laid down in Article 20(2).

Methods of checking the drained net weight shall be determined in accordance with the procedure laid down in Article 20(2).

5. It shall not be compulsory to indicate the net quantity in the case of foodstuffs:

- (a) which are subject to considerable losses in their volume or mass and which are sold by number or weighed in the presence of the purchaser;
- (b) the net quantity of which is less than 5 g or 5 ml; however, this provision shall not apply to spices and herbs.

Community provisions or, where there are none, national provisions applicable to specified foodstuffs may in exceptional cases lay down thresholds which are higher than 5 g or 5 ml provided that this does not result in the purchaser being inadequately informed.

Without prejudice to the notification provided for in Article 24, Member States shall inform the Commission and the other Member States of any measure taken pursuant to this paragraph.

6. The Community provisions referred to in paragraphs 1, second subparagraph, 2(b) and (d) and 5, second subparagraph, shall be adopted in accordance with the procedure laid down in Article 20(2).

Article 9

1. The date of minimum durability of a foodstuff shall be the date until which the foodstuff retains its specific properties when properly stored.

It shall be indicated in accordance with paragraphs 2 to 5.

2. The date shall be preceded by the words:

- 'Best before ...' when the date includes an indication of the day,
- 'Best before end ...' in other cases.

3. The words referred to in paragraph 2 shall be accompanied by:

- either the date itself, or
- a reference to where the date is given on the labelling.

If need be, these particulars shall be followed by a description of the storage conditions which must be observed if the product is to keep for the specified period.

4. The date shall consist of the day, month and year in uncoded chronological form.

However, in the case of foodstuffs:

- which will not keep for more than three months, an indication of the day and the month will suffice,

- which will keep for more than three months but not more than 18 months, an indication of the month and year will suffice,
- which will keep for more than 18 months, an indication of the year will suffice.

The manner of indicating the date may be specified according to the procedure laid down in Article 20(2).

5. Subject to Community provisions imposing other types of date indication, an indication of the durability date shall not be required for:

- fresh fruit and vegetables, including potatoes, which have not been peeled, cut or similarly treated. This derogation shall not apply to sprouting seeds and similar products such as legume sprouts,
- wines, liqueur wines, sparkling wines, aromatised wines and similar products obtained from fruits other than grapes, and beverages falling within CN codes 2206 00 91, 2206 00 93 and 2206 00 99 and manufactured from grapes or grape musts,
- beverages containing 10 % or more by volume of alcohol,
- soft drinks, fruit juices, fruit nectars and alcoholic beverages in individual containers of more than five litres, intended for supply to mass caterers,
- bakers' or pastry cooks' wares which, given the nature of their content, are normally consumed within 24 hours of their manufacture,
- vinegar,
- cooking salt,
- solid sugar,
- confectionery products consisting almost solely of flavoured and/or coloured sugars,
- chewing gums and similar chewing products,
- individual portions of ice-cream.

Article 10

1. In the case of foodstuffs which, from the microbiological point of view, are highly perishable and are therefore likely after a short period to constitute an immediate danger to human health, the date of minimum durability shall be replaced by the 'use by' date.

2. The date shall be preceded by the words:

- in Spanish: 'fecha de caducidad',
- in Danish: 'sidste anvendelsesdato',
- in German: 'verbrauchen bis',
- in Greek: 'ανάλωση μέχρι',
- in English: 'use by',
- in French: 'à consommer jusqu'au',
- in Italian: 'da consumare entro',
- in Dutch: 'te gebruiken tot',
- in Portuguese: 'a consumir até',

- in Finnish: 'viimeinen käyttöajankohta',
- in Swedish: 'sista förbrukningsdag'.

These words shall be accompanied by:

- either the date itself, or
- a reference to where the date is given on the labelling.

These particulars shall be followed by a description of the storage conditions which must be observed.

3. The date shall consist of the day, the month and, possibly, the year, in that order and in uncoded form.

4. In some cases it may be decided by the procedure laid down in Article 20(2) whether the conditions laid down in paragraph 1 are fulfilled.

Article 11

1. The instructions for use of a foodstuff shall be indicated in such a way as to enable appropriate use to be made thereof.

2. Community provisions or, where there are none, national provisions may, in the case of certain foodstuffs, specify the way in which the instructions for use should be indicated.

The procedure laid down in Article 19 shall apply to such national provisions.

The Community provisions referred to in this paragraph shall be adopted in accordance with the procedure laid down in Article 20(2).

Article 12

The rules concerning indication of the alcoholic strength by volume shall, in the case of products covered by tariff heading Nos 22.04 and 22.05, be those laid down in the specific Community provisions applicable to such products.

In the case of other beverages containing more than 1,2 % by volume of alcohol, these rules shall be laid down in accordance with the procedure provided for in Article 20(2).

Article 13

1. (a) When the foodstuffs are prepackaged, the particulars provided for in Articles 3 and 4(2) shall appear on the prepackaging or on a label attached thereto.

(b) Notwithstanding point (a) and without prejudice to Community provisions on nominal quantities, where prepackaged foodstuffs are:

- intended for the ultimate consumer but marketed at a stage prior to sale to the ultimate consumer and where sale to a mass caterer is not involved at that stage,
- intended for supply to mass caterers for preparation, processing, splitting or cutting up,

the particulars required under Articles 3 and 4(2) need appear only on the commercial documents referring to the foodstuffs where it can be guaranteed that such documents, containing all the labelling information, either accompany the foodstuffs to which they refer or were sent before or at the same time as delivery.

(c) In the case referred to in point (b), the particulars referred to in Article 3(1) point 1, 5 and 7 and, where appropriate, that referred to in Article 10, shall also appear on the external packaging in which the foodstuffs are presented for marketing.

2. The particulars mentioned in Article 3 and Article 4(2) shall be easy to understand and marked in a conspicuous place in such a way as to be easily visible, clearly legible and indelible.

They shall not in any way be hidden, obscured or interrupted by other written or pictorial matter.

3. The particulars listed in Article 3(1), points 1, 4, 5 and 10 shall appear in the same field of vision.

This requirement may be extended to the particulars provided for in Article 4(2).

4. In the case of the glass bottles intended for reuse which are indelibly marked and which therefore bear no label, ring or collar and packaging or containers the largest surface of which has an area of less than 10 cm² only the particulars listed in Article 3(1) points 1, 4 and 5 need be given.

In this case, paragraph 3 shall not apply.

5. Ireland, the Netherlands and the United Kingdom may derogate from Article 3(1) and paragraph 3 of this Article in the case of milk and milk products put up in glass bottles intended for reuse.

They shall inform the Commission of any measure taken pursuant to the first subparagraph.

Article 14

Where foodstuffs are offered for sale to the ultimate consumer or to mass caterers without prepackaging, or where foodstuffs are packaged on the sales premises at the consumer's request or prepackaged for direct sale, the Member States shall adopt detailed rules concerning the manner in which the particulars specified in Article 3 and Article 4(2) are to be shown.

They may decide not to require the provision of all or some of these particulars, provided that the purchaser still receives sufficient information.

Article 15

This Directive shall not affect the provisions of national laws which, in the absence of Community provisions, impose less stringent requirements for the labelling of foodstuffs presented in fancy packaging such as figurines or souvenirs.

Article 16

1. Member States shall ensure that the sale is prohibited within their own territories of foodstuffs for which the particulars provided for in Article 3 and Article 4(2) do not appear in a language easily understood by the consumer, unless the consumer is in fact informed by means of other measures determined in accordance with the procedure laid down in Article 20(2) as regards one or more labelling particulars.

2. Within its own territory, the Member State in which the product is marketed may, in accordance with the rules of the Treaty, stipulate that those labelling particulars shall be given in one or more languages which it shall determine from among the official languages of the Community.

3. Paragraphs 1 and 2 shall not preclude the labelling particulars from being indicated in several languages.

Article 17

Member States shall refrain from laying down requirements more detailed than those already contained in Articles 3 to 13 concerning the manner in which the particulars provided for in Article 3 and Article 4(2) are to be shown.

Article 18

1. Member States may not forbid trade in foodstuffs which comply with the rules laid down in this Directive by the application of non-harmonised national provisions governing the labelling and presentation of certain foodstuffs or of foodstuffs in general.

2. Paragraph 1 shall not apply to non-harmonised national provisions justified on grounds of:

- protection of public health,
- prevention of fraud, unless such provisions are liable to impede the application of the definitions and rules laid down by this Directive,
- protection of industrial and commercial property rights, indications of provenance, registered designations of origin and prevention of unfair competition.

Article 19

Where reference is made to this Article, the following procedure shall apply should a Member State deem it necessary to adopt new legislation.

It shall notify the Commission and the other Member States of the measures envisaged and give the reasons justifying them. The Commission shall consult the Member States within the Standing Committee on Foodstuffs set up by Council Decision 69/414/EEC⁽¹⁾ if it considers such consultation to be useful or if a Member State so requests.

Member States may take such envisaged measures only three months after such notification and provided that the Commission's opinion is not negative.

⁽¹⁾ OJ L 291, 29.11.1969, p. 9.

In the latter event, and before the expiry of the above-mentioned period, the Commission shall initiate the procedure provided for in Article 20(2) in order to determine whether the envisaged measures may be implemented subject, if necessary, to the appropriate modifications.

Article 20

1. The Commission shall be assisted by the Standing Committee on Foodstuffs (hereinafter referred to as 'the Committee').

2. Where reference is made to this paragraph, Articles 5 and 7 of Decision 1999/468/EC shall apply, having regard to the provisions of Article 8 thereof.

The period referred to in Article 5(6) of Decision 1999/468/EC shall be set at three months.

3. The Committee shall adopt its rules of procedure.

Article 21

If temporary measures prove necessary to facilitate the application of this Directive, they shall be adopted in accordance with the procedure provided for in Article 20(2).

Article 22

This Directive shall not affect Community provisions relating to the labelling and presentation of certain foodstuffs already adopted on 22 December 1978.

Any amendments necessary to harmonise such provisions with the rules laid down in this Directive shall be decided in accordance with the procedure applicable to each of the provisions in question.

Article 23

This Directive shall not apply to products for export outside the Community.

Article 24

Member States shall ensure that the Commission receives the text of any essential provision of national law which they adopt in the field governed by this Directive.

Article 25

This Directive shall also apply to the French overseas departments.

Article 26

1. Directive 79/112/EEC as amended by the Directives referred to in Annex IV, Part A, is repealed, without prejudice to the obligations of the Member States in respect of the deadlines for transposition laid down in Annex IV, Part B.

2. The reference made to the repealed Directive shall be construed as references to this Directive and should be read in accordance with the correlation table set out in Annex V.

Article 27

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

Article 28

This Directive is addressed to the Member States.

Done at Brussels, 20 March 2000.

For the European Parliament

The President

N. FONTAINE

For the Council

The President

J. GAMA

ANNEX I

CATEGORIES OF INGREDIENTS WHICH MAY BE DESIGNATED BY THE NAME OF THE CATEGORY
RATHER THAN THE SPECIFIC NAME

<i>Definition</i>	<i>Designation</i>
Refined oils other than olive oil	'Oil', together with — either the adjective 'vegetable' or 'animal', as appropriate, or — an indication of their specific vegetable or animal origin The adjective 'hydrogenated' must accompany the indication of a hydrogenated oil
Refined fats	'Fat', together with — either the adjective 'vegetable' or 'animal', as appropriate, or — an indication of their specific vegetable or animal origin The adjective 'hydrogenated' must accompany the indication of a hydrogenated fat
Mixtures of flour obtained from two or more cereal species	'Flour', followed by a list of the cereals from which it has been obtained, in descending order by weight
Starches, and starches modified by physical means or by enzymes	'Starch'
All species of fish where the fish constitutes an ingredient of another foodstuff and provided that the name and presentation of such foodstuff does not refer to a specific species of fish	'Fish'
All types of cheese where the cheese or mixture of cheeses constitutes an ingredient of another foodstuff and provided that the name and presentation of such foodstuff does not refer to a specific type of cheese	'Cheese'
All spices not exceeding 2 % by weight of the foodstuff	'Spice(s)' or 'mixed spices'
All herbs or parts of herbs not exceeding 2 % by weight of the foodstuff	'Herb(s)' or 'mixed herbs'
All types of gum preparations used in the manufacture of gum base for chewing gum	'Gum base'
All types of crumbed baked cereal products	'Crumbs' or 'rusks' as appropriate
All types of sucrose	'Sugar'
Anhydrous dextrose or dextrose monohydrate	'Dextrose'
Glucose syrup and anhydrous glucose syrup	'Glucose syrup'
All types of milk protein (caseins, caseinates and whey proteins) and mixtures thereof	'Milk proteins'
Press, expeller or refined cocoa butter	'Cocoa butter'
All crystallised fruit not exceeding 10 % of the weight of the foodstuff	'Crystallised fruit'
Mixtures of vegetables not exceeding 10 % of the weight of the foodstuff	'Vegetables'
All types of wine as defined in Council Regulation (EC) No 1493/1999 of 17 May 1999 on the common organisation of the market in wine ⁽¹⁾	'Wine'

⁽¹⁾ OJ L 179, 14.7.1999, p. 1.

ANNEX II

**CATEGORIES OF INGREDIENTS WHICH MUST BE DESIGNATED BY THE NAME OF THEIR CATEGORY
FOLLOWED BY THEIR SPECIFIC NAME OR EC NUMBER**

Colour	Modified starch ⁽¹⁾
Preservative	Sweetener
Antioxidant	Raising agent
Emulsifier	Anti-foaming agent
Thickener	Glazing agent
Gelling agent	Emulsifying salts ⁽²⁾
Stabiliser	Flour treatment agent
Flavour enhancer	Firming agent
Acid	Humectant
Acidity regulator	Bulking agent
Anti-caking agent	Propellent gas

⁽¹⁾ The specific name or EC number need not be indicated.

⁽²⁾ Only for processed cheeses and products based on processed cheeses.

ANNEXE III

DÉSIGNATION DES ARÔMES DANS LA LISTE DES INGRÉDIENTS

1. Les arômes sont désignés soit sous le terme «arôme(s)», soit sous une dénomination plus spécifique ou une description de l'arôme.
2. Le terme «naturel» ou toute expression ayant une signification sensiblement équivalente ne peut être utilisé que pour les arômes dont la partie aromatisante contient exclusivement des substances aromatisantes telles que définies à l'article 1^{er}, paragraphe 2, point b) i), de la directive 88/388/CEE du Conseil du 22 juin 1988 relative au rapprochement des législations des États membres dans le domaine des arômes destinés à être employés dans les denrées alimentaires et des matériaux de base pour leur production ⁽¹⁾ et/ou des préparations aromatisantes telles que définies à l'article 1^{er}, paragraphe 2, point c), de ladite directive.
3. Si la désignation de l'arôme contient une référence à la nature ou à l'origine végétale ou animale des substances utilisées, le terme «naturel» ou toute autre expression ayant une signification sensiblement équivalente ne peut être utilisé que si la partie aromatisante a été isolée par des procédés physiques appropriés ou des procédés enzymatiques ou microbiologiques, ou des procédés traditionnels de préparation des denrées alimentaires uniquement ou presque uniquement à partir de la denrée alimentaire ou de la source d'arômes concernée.

⁽¹⁾ JO L 184 du 15.7.1988, p. 61. Directive modifiée par la directive 91/71/CEE de la Commission (JO L 42 du 15.2.1991, p. 25).

ANNEX IV

PART A

REPEALED DIRECTIVE AND ITS SUCCESSIVE AMENDMENTS
(referred to by Article 26)

- Council Directive 79/112/EEC (OJ L 33, 8.2.1979, p. 1)
- Council Directive 85/7/EEC (OJ L 2, 3.1.1985, p. 22), only Article 1(9)
- Council Directive 86/197/EEC (OJ L 144, 29.5.1986, p. 38)
- Council Directive 89/395/EEC (OJ L 186, 30.6.1989, p. 17)
- Commission Directive 91/72/EEC (OJ L 42, 15.2.1991, p. 27)
- Commission Directive 93/102/EC (OJ L 291, 25.11.1993, p. 14)
- Commission Directive 95/42/EC (OJ L 182, 2.8.1995, p. 20)
- European Parliament and Council Directive 97/4/EC (OJ L 43, 14.2.1997, p. 21)

PART B

DEADLINES FOR TRANSPOSITION INTO NATIONAL LAW
(referred to by Article 26)

Directive	Deadline for transposition	Admission of market products according to this Directive	Prohibition of market products not in accordance with this Directive
79/112/EEC		22 December 1980	22 December 1982
85/7/EEC			
86/197/EEC		1 May 1988	1 May 1989
89/395/EEC		20 December 1990	20 June 1992
91/72/EEC		30 June 1992	1 January 1994
93/102/EC	30 December 1994	1 January 1995	30 June 1996
95/42/EC			
97/4/EC		14 August 1998	14 February 2000

ANNEX V

CORRELATION TABLE

Directive 79/112/EEC	This Directive
Article 1	Article 1
Article 2	Article 2
Article 3(1), point 1	Article 3(1), point 1
Article 3(1), point 2	Article 3(1), point 2
Article 3(1), point 2a	Article 3(1), point 3
Article 3(1), point 3	Article 3(1), point 4
Article 3(1), point 4	Article 3(1), point 5
Article 3(1), point 5	Article 3(1), point 6
Article 3(1), point 6	Article 3(1), point 7
Article 3(1), point 7	Article 3(1), point 8
Article 3(1), point 8	Article 3(1), point 9
Article 3(1), point 9	Article 3(1), point 10
Article 3(2) and (3)	Article 3(2) and (3)
Article 4	Article 4
Article 5	Article 5
Article 6(1), (2) and (3)	Article 6(1), (2) and (3)
Article 6(4)(a) and (b)	Article 6(4)(a) and (b)
Article 6(4)(c)(i)	Article 6(4)(c)(i)
Article 6(4)(c)(ii), first indent	Article 6(4)(c)(ii)
Article 6(4)(c)(ii), second indent	Article 6(4)(c)(iii)
Article 6(4)(d)	Article 6(4)(d)
Article 6(5)(a)	Article 6(5)
Article 6(5)(b)	Article 6(6)
Article 6(6)	Article 6(7)
Article 6(7), first subparagraph	Article 6(8), first subparagraph
Article 6(7), second subparagraph, first and second indents	Article 6(8), second subparagraph, points (a) and (b)
Article 6(8)	Article 6(9)
Article 7	Article 7
Article 8(1) to (5)	Article 8(1) to (5)
Article 8(6)	—
Article 8(7)	Article 8(6)
Article 9(1) to (4)	Article 9(1) to (4)
Article 9(5)	—
Article 9(6)	Article 9(5)
Article 9a	Article 10
Article 10	Article 11
Article 10a	Article 12
Article 11(1) and (2)	Article 13(1) and (2)
Article 11(3)(a)	Article 13(3)
Article 11(3)(b)	—
Article 11(4)	Article 13(4)
Article 11(5)	—
Article 11(6)	Article 13(5), first subparagraph
Article 11(7)	Article 13(5), second subparagraph
Articles 12 and 13	Articles 14 and 15
Article 13a	Article 16
Articles 14 and 15	Articles 17 and 18
Article 16(1)	—
Article 16(2)	Article 19
Article 17, first paragraph	Article 20(1)
Article 17, second, third, fourth and fifth paragraphs	Article 20(2)

Directive 79/112/EEC	This Directive
Article 18	—
Articles 19, 20 and 21	Articles 21, 22 and 23
Article 22(1), (2) and (3)	—
Article 22(4)	Article 24
Article 23	—
Article 24	Article 25
Article 25	—
Article 26	—
—	Article 26
—	Article 27
—	Article 28
Annex I	Annex I
Annex II	Annex II
Annex III	Annex III
—	Annex IV
—	Annex V

CORRIGENDA**Corrigendum to Commission Regulation (EC) No 871/2000 of 28 April 2000 amending Regulation (EEC) No 391/92 setting the amounts of aid for the supply of cereal products from the Community to the French overseas departments**

(Official Journal of the European Communities L 104 of 29 April 2000)

On page 9, in the Annex, column 'Réunion', for 'Durum wheat (1001 10 00)':

for: '12,00',

read: '16,00'.
