

Official Journal

of the European Communities

ISSN 0378-6978

L 125

Volume 43

26 May 2000

English edition

Legislation

Contents

I Acts whose publication is obligatory

- ★ **Council Regulation (EC) No 1099/2000 of 22 May 2000 amending Regulation (EC) No 397/1999 imposing a definitive anti-dumping duty on imports of bicycles originating in Taiwan** 1
- ★ **Council Regulation (EC) No 1100/2000 of 22 May 2000 imposing definitive anti-dumping duties on imports of silicon carbide originating in the People's Republic of China, the Russian Federation and the Ukraine and prolonging the undertaking accepted by Commission Decision 94/202/EC** 3
- Commission Regulation (EC) No 1101/2000 of 25 May 2000 establishing the standard import values for determining the entry price of certain fruit and vegetables 13
- Commission Regulation (EC) No 1102/2000 of 25 May 2000 amending Regulation (EC) No 1375/1999 establishing a forecast balance and fixing the amount of aid for the supply to the Canary Islands of beef and veal sector products 15
- ★ **Commission Regulation (EC) No 1103/2000 of 25 May 2000 providing for the granting of compensation to producers' organisations in respect of tuna delivered to the processing industry from 1 July to 30 September 1999** 18
- ★ **Commission Regulation (EC) No 1104/2000 of 25 May 2000 adopting a protective measure applying to imports of garlic originating in China** 21
- Commission Regulation (EC) No 1105/2000 of 25 May 2000 amending Regulation (EEC) No 1913/92 laying down detailed implementing rules for the specific measures for supplying the Azores and Madeira with products from the beef and veal sector 24
- Commission Regulation (EC) No 1106/2000 of 25 May 2000 fixing the export refunds on milk and milk products 26
- Commission Regulation (EC) No 1107/2000 of 25 May 2000 fixing the export refunds on products processed from cereals and rice 34

2

(Continued overleaf)

EN

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

The titles of all other acts are printed in bold type and preceded by an asterisk.

Contents (continued)

Commission Regulation (EC) No 1108/2000 of 25 May 2000 fixing the export refunds on cereal-based compound feedingstuffs	36
Commission Regulation (EC) No 1109/2000 of 25 May 2000 fixing production refunds on cereals and rice	38
Commission Regulation (EC) No 1110/2000 of 25 May 2000 altering the export refunds on white sugar and raw sugar exported in the natural state	39
Commission Regulation (EC) No 1111/2000 of 25 May 2000 amending the export refunds on syrups and certain other sugar sector products exported in the natural state	41
Commission Regulation (EC) No 1112/2000 of 25 May 2000 fixing the export refunds on cereals and on wheat or rye flour, groats and meal	43
Commission Regulation (EC) No 1113/2000 of 25 May 2000 fixing the corrective amount applicable to the refund on cereals	45
Commission Regulation (EC) No 1114/2000 of 25 May 2000 fixing the maximum export refund on common wheat in connection with the invitation to tender issued in Regulation (EC) No 1707/1999	47
Commission Regulation (EC) No 1115/2000 of 25 May 2000 fixing the maximum export refund on barley in connection with the invitation to tender issued in Regulation (EC) No 1701/1999	48
Commission Regulation (EC) No 1116/2000 of 25 May 2000 fixing the maximum export refund on oats in connection with the invitation to tender issued in Regulation (EC) No 1897/1999	49
Commission Regulation (EC) No 1117/2000 of 25 May 2000 amending the rates of the refunds applicable to certain products from the sugar sector exported in the form of goods not covered by Annex I to the Treaty	50
Commission Regulation (EC) No 1118/2000 of 25 May 2000 fixing the rates of the refunds applicable to certain cereal and rice-products exported in the form of goods not covered by Annex I to the Treaty	52

I

(Acts whose publication is obligatory)

COUNCIL REGULATION (EC) No 1099/2000
of 22 May 2000
amending Regulation (EC) No 397/1999 imposing a definitive anti-dumping duty on imports of
bicycles originating in Taiwan

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EC) No 384/96 of 22 December 1995 on protection against dumped imports from countries not members of the European Community ⁽¹⁾,

Having regard to Article 2 of Council Regulation (EC) No 397/1999 of 22 February 1999 imposing a definitive anti-dumping duty on imports of bicycles originating in Taiwan and collecting definitively the provisional duty imposed ⁽²⁾,

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

Whereas:

A. PREVIOUS PROCEDURE

- (1) By Regulation (EC) No 397/1999 the Council imposed a definitive anti-dumping duty on imports into the Community of bicycles falling within CN codes 8712 00 10, 8712 00 30 and 8712 00 80 originating in Taiwan. Sampling was applied to Taiwanese exporting producers and individual duty rates ranging from 2,4 % to 18,2 % were imposed on the companies in the sample, while other cooperating companies not included in the sample were attributed a weighted average duty rate of 5,4 %. A duty rate of 18,2 % was imposed on companies which either did not make themselves known or did not cooperate in the investigation.
- (2) Article 2 of Regulation (EC) No 397/1999 stipulates that where any new exporting producer in Taiwan provides sufficient evidence to the Commission that:
 - it did not export to the Community the products described in Article 1(1) of that Regulation during the investigation period (1 November 1996 to 31 October 1997),
 - it is not related to any of the exporters or producers in Taiwan which are subject to the anti-dumping measures imposed by that Regulation,

— it has actually exported to the Community the products concerned after the investigation period on which the measures are based, or it has entered into an irrevocable contractual obligation to export a significant quantity to the Community,

then Article 1(3) of Regulation (EC) No 397/1999 may be amended by granting that exporting producer the duty rate applicable to cooperating producers which were not included in the sample, namely 5,4 %.

B. NEW EXPORTING PRODUCERS' REQUESTS

- (3) Four new Taiwanese exporting producers, after having applied not to be treated differently from the companies which cooperated in the original investigation but were not included in the sample, have provided, on request, evidence showing that they meet the requirements set out in Article 2 of Regulation (EC) No 397/1999. The evidence provided by these applicant companies is considered sufficient to allow that Regulation to be amended by adding these four new exporting producers to the Annex thereto. That Annex specifies the Taiwanese exporting producers which are subject to the weighted average duty rate of 5,4 %,

HAS ADOPTED THIS REGULATION:

Article 1

The following companies shall be added to the list of exporting producers from Taiwan listed in the Annex to Regulation (EC) No 397/1999:

- Chien Chin Frame Co. Ltd, Tainan,
- High-Ride Bicycle Co. Ltd, Taichung,
- John Ching Cycle Co. Ltd, Taichung,
- Jonq Tyan Enterprise Co. Ltd, Tainan.

Article 2

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

⁽¹⁾ OJ L 56, 6.3.1996, p. 1. Regulation as last amended by Regulation (EC) No 905/98 (OJ L 128, 30.4.1998, p. 18).

⁽²⁾ OJ L 49, 25.2.1999, p. 1.

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

Done at Brussels, 22 May 2000.

For the Council

The President

J. GAMA

COUNCIL REGULATION (EC) No 1100/2000**of 22 May 2000****imposing definitive anti-dumping duties on imports of silicon carbide originating in the People's Republic of China, the Russian Federation and the Ukraine and prolonging the undertaking accepted by Commission Decision 94/202/EC**

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EC) No 384/96 of 22 December 1995 on protection against dumped imports from countries not members of the European Community⁽¹⁾, and in particular Articles 9 and 11(2) thereof,

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

Whereas:

A. PREVIOUS INVESTIGATION

(1) By Regulation (EC) No 821/94⁽²⁾, following an expiry review, the Council imposed definitive anti-dumping duties on imports of silicon carbide, falling within CN code 2849 20 00, originating in the People's Republic of China (hereinafter referred to as 'China'), the Russian Federation (hereinafter referred to as 'Russia') and the Ukraine. At the same time, the Commission accepted an undertaking offered by the Government of Russia, in conjunction with V/O Stankoimport, Moscow, Russia.

B. PRESENT INVESTIGATION

(2) Following the publication in October 1998⁽³⁾ of a notice of the impending expiry of the measures in force, the Commission received a request for a review lodged by the European Chemical Industry Council (CEFIC) on behalf of producers representing a major portion of the Community production of silicon carbide (hereafter 'the applicant Community producers'). The request was based on the grounds that the expiry of the measures would be likely to result in the continuation or recurrence of dumping and injury to the Community industry.

(3) Having determined, after consulting the Advisory Committee, that sufficient evidence existed for the initiation of a review, the Commission initiated an investigation pursuant to Article 11(2) of Council Regulation (EC) No 384/96 (hereinafter referred to as the 'basic Regulation') through the publication of a notice of initiation⁽⁴⁾.

(4) The investigation of the possibility of continuation and/or recurrence of dumping covered the period from 1 January 1998 to 31 December 1998 (hereinafter referred to as 'investigation period' or 'IP'). The examination of trends relevant for the assessment of any continuation and/or recurrence of injury (hereinafter referred to as 'injury investigation period' or 'IIP') covered the period from 1 January 1995 to 31 December 1998.

(5) The Commission officially advised the applicant Community producers, the exporters and exporting producers in China, Russia and the Ukraine, the importers known to be concerned, and the representatives of the exporting countries concerned of the initiation of the review. The Commission sent questionnaires to all these parties and to those who made themselves known within the time limit set in the notice of initiation, as well as to the cooperating exporting producer in the analogue country, Brazil. The Commission also gave the parties directly concerned the opportunity to make their views known in writing and to request a hearing.

(6) All the applicant Community producers replied to the questionnaire, as well as four importers, two traders associated to a related importer and six users. In addition, three other importers made their views known in writing.

(7) In respect of the exporting countries concerned, the following companies cooperated in the investigation:

(a) exporting producers:

- Zaporozhsky Abrasivny Combinat, Zaporozhye, Ukraine,
- Volzhsky Abrasive, Volzhsky, Volgograd Region, Russia;

(b) exporter:

- Stankoimport, Moscow, Russia;

(c) related importer:

- Mineral Abrasive Rohstoff, Kuppenheim, Germany;

(d) producer in the analogue country:

- Casil S/A Carbureto de Silício, São Paulo, Brazil.

⁽¹⁾ OJ L 56, 6.3.1996, p. 1. Regulation as last amended by Regulation (EC) No 905/98 (OJ L 128, 30.4.1998, p. 18).

⁽²⁾ OJ L 94, 13.4.1994, p. 21. Regulation as last amended by Regulation (EC) No 1786/97 (OJ L 254, 17.9.1997, p. 6).

⁽³⁾ OJ C 316, 14.10.1998, p. 4.

⁽⁴⁾ OJ C 99, 10.4.1999, p. 18.

(8) No exporting producer located in China cooperated in the investigation.

(9) The Commission sought and verified all information it deemed necessary for the purpose of determination of continuation or recurrence of dumping and injury and of the Community interest. Verification visits were carried out at the premises of the following companies:

(a) applicant Community producers:

- Elektroschmelzwerk Kempten GmbH, Munchen, Germany,
- Navarro SA, Madrid, Spain;

(b) unrelated importers in the Community:

- Intermat SA, Hody, Belgium,
- Imexco Ullrich GmbH, Saarbrücken, Germany;

(c) traders associated to a related importer:

- Mineralien-Werke GmbH Kuppenheim, Kuppenheim, Germany,
- Mineralien-Werke Duisburg GmbH, Duisburg, Germany;

(d) users in the Community:

- Carborundum Schleifmittelwerke GmbH, Düsseldorf, Germany,
- Sebald & Co. GmbH, Marktredwitz, Germany,
- Werner Kessl Giessereibedarf, Trabit, Germany.

C. PRODUCT CONCERNED AND LIKE PRODUCT

(10) The product concerned by this proceeding is silicon carbide, falling within CN code 2849 20 00 (hereinafter referred to as 'silicon carbide' or the 'product concerned').

(11) The production process of silicon carbide is such that output automatically comprises a variety of qualities of silicon carbide which can be segregated into two main grades: crystalline and metallurgical. The crystalline grade, which is further classified under the types black and green, is normally used in the manufacturing of abrasive tools, grinding wheels, high-quality refractory products, ceramics, plastic materials etc., while the metallurgical grade is normally used in foundry and blast-furnace operations as a silicon carrier. As in the previous investigations, both grades have to be considered as forming one product for the purpose of this investigation.

(12) In this respect, the Commission also examined whether nitrified silicon carbide blocks should be considered as falling under the product description as outlined above. It was found that, even if these nitrified silicon carbide blocks are made of silicon carbide, the silicon carbide undergoes a specific additional production process giving the blocks different physical and chemical characteristics as compared to silicon carbide. On this basis it has been concluded that they do not fall under the product definition as outlined above. This conclusion is

supported by the fact that nitrified silicon carbide blocks are imported under a separate customs heading, namely CN code 6902 90 00.

(13) As the previous investigation has shown, the product produced and sold by the applicant Community producers on the Community market is alike in all respects to the silicon carbide imported from the three countries concerned and also to the product sold on the domestic market of the market-economy third country, i.e. Brazil. All these products should therefore be considered a like product within the meaning of Article 1(4) of the basic Regulation.

D. LIKELIHOOD OF CONTINUATION AND/OR RECURRENCE OF DUMPING

(a) Preliminary remarks

(14) In accordance with Article 11(2) of the basic Regulation, the purpose of this type of review is to determine whether, or not, expiry of the measures would lead to continuation or recurrence of injurious dumping.

(15) In examining whether there is a likelihood of continuation of dumping if measures were removed, it is necessary to verify whether dumping exists at present and/or whether any such dumping is likely to continue. In this respect it should be noted that all three exporting countries continued to export to the Community during the IP. The level of imports from Russia, which was only slightly below the level in the previous investigation, was considered sufficient for a reliable and representative picture to be obtained for the IP and for the prognosis as to whether such findings were likely to apply for the future ('continuation test'). For China and the Ukraine, whose volume of imports was relatively low, the findings on dumping for the IP were supplemented by an examination of whether removal of measures would likely lead to a recurrence of dumping ('recurrence test').

(b) Analogue country

(16) Since the three countries concerned are considered to be non-market economy countries, normal value had to be established in accordance with Article 2(7)(a) of the basic Regulation, i.e. based on information obtained in a market-economy third country where the product was produced and sold.

(17) After examination of the worldwide silicon carbide market, the Commission concluded that Brazil was the appropriate choice of analogue country for the following reasons:

- the size of its domestic market makes Brazil a representative country for the establishment of normal value for the countries concerned,

- domestic prices in Brazil are governed by normal market forces given the level of demand in the market and the existence of competing producers,
- in terms of the range of qualities of silicon carbide and its basic physical and chemical characteristics, the product manufactured in Brazil can be considered identical to the product exported from the countries concerned.
- (18) On this basis, it was concluded that Brazil was a reasonable and appropriate choice as an analogue country in order to establish normal value for imports of silicon carbide originating in China, Russia and the Ukraine.
- (c) Normal value**
- (19) Normal value was calculated on the basis of the data of the cooperating Brazilian company.
- (20) First of all, it was examined whether the domestic sales made by the cooperating Brazilian company were representative when compared to the imports into the Community from the three countries concerned. This was found to be the case for each grade of silicon carbide, i.e. crystalline and metallurgical, exported from the countries subject to investigation to the Community.
- (21) It was then examined whether the relevant sales could be considered as having been made in the ordinary course of trade, comparing domestic prices and costs of production for each grade of silicon carbide.
- (22) For crystalline silicon carbide the sales were made in the ordinary course of trade and normal value was therefore based on the actual price on the Brazilian market.
- (23) As the sales of metallurgical silicon carbide in the Brazilian domestic market were made at a net sales price that was lower than the cost of production, these actual prices could not be used to establish normal value. It was consequently necessary to calculate a constructed normal value for the grade in question, in accordance with Article 2(3) of the basic Regulation. The calculation was made on the basis of the costs of manufacturing incurred by the Brazilian exporting producer plus a reasonable amount for selling, general and administrative costs (SGA) and for profits. To this end, the Commission used the actual SGA expenses incurred and the domestic profit margin realised on the basis of those domestic sales of crystalline silicon carbide which were made in the ordinary course of trade.
- (d) Export price**
- (24) In all cases where exports of silicon carbide were made to independent customers in the Community, the export price was established in accordance with Article 2(8) of the basic Regulation, i.e. on the basis of export prices actually paid or payable.
- (25) For the purpose of determining the export price, the Commission did not take into consideration the sales made by the Russian exporting producer to its related importer in the Community due to insufficient cooperation concerning dumping aspects. Consequently, the export price has been determined in accordance with Article 18(1) on the basis of the remaining sales.
- (26) Since no cooperation was received from any Chinese producer, the export price had to be determined in accordance with Article 18(1) of the basic Regulation. The Commission found that Eurostat figures were the best information available and export prices were established on that basis.
- (e) Comparison**
- (27) For the purpose of ensuring a fair comparison between the normal value and the export price, due allowances in the form of adjustments were made for differences affecting price comparability, in accordance with Article 2(10) of the basic Regulation. On this basis, an adjustment to the normal value was made for packaging costs while the export price was adjusted for freight, discounts, packaging and commission expenses.
- (f) Dumping margin**
- (28) A dumping margin was determined for Russia and the Ukraine respectively, by comparing the weighted-average normal value with the weighted-average export price to the Community.
- (29) The comparison showed the existence of significant dumping margins with regard to imports originating from both countries. These margins were even higher than those established in the previous investigation.
- (30) For China, a comparison between the average Brazilian normal value of silicon carbide per tonne and the average export price per tonne based on Eurostat data for silicon carbide originating in China, showed a significant dumping margin.
- (g) Likelihood of continuation and/or recurrence of dumping**
- (31) As outlined above, imports into the Community from the countries concerned were still dumped at significant levels, which implies a likelihood of continuation of dumping, in particular for Russia. However, as far as the Ukraine and China are concerned, the import volumes during the IP were comparatively low (below 1 % of Community consumption). Therefore it was further examined whether there was also a likelihood of recurrence of dumping through increased imports.

(i) *China*

- (32) In the absence of cooperation from the Chinese exporting producers, the Commission based its analysis on information provided in the review request as well as on information obtained from specialised press and market studies submitted by interested parties in the course of the investigation.
- (33) According to the abovementioned sources, China has a large production capacity of silicon carbide which represented around 40 % of the worldwide production capacity in the IP. The same sources rate the actual Chinese production at about 70 % of its potential.
- (34) Under these circumstances, the Chinese producers are capable of producing additional quantities, which would represent around 70 % of the Community consumption during the IP.
- (35) Currently, the Chinese exports of silicon carbide already strongly dominate the American and Japanese markets and it is unlikely that their domestic consumption will increase significantly in the coming years. These markets cannot, therefore, absorb any additional quantities.
- (36) In respect of Chinese exports to third countries, the Commission analysed the situation on the American market which is, in terms of volume, the most important export market for Chinese exports of silicon carbide.
- (37) Concerning the export prices, the investigation has established that Chinese exports to the United States of America are mainly of the metallurgical grade, i.e. the lower grade. It was further found that the price of the Chinese material sold on the American market was substantially below the normal value established in Brazil and also lower than the price of the metallurgical grade of silicon carbide sold by the Community producers on the Community market. It was also lower than the cif prices actually offered for Chinese imports into the Community. Thus, imports into the United States of America would be dumped to a larger degree than Chinese imports into the Community. In this respect, it should finally be noted that a considerable part of the Community consumption also consists of the metallurgical grade.
- (38) The key factors found are thus the large unused production capacity, the substantial Chinese export volumes to the United States of America and the low level of the export prices to the United States of America (even lower than the Chinese export prices to the Community). On this basis, it is more than likely that exports in significant quantities would recur (by using

idle production capacities and/or by redirecting exports currently destined for the United States of America), should measures be repealed. The current Chinese export prices charged to the United States of America can serve as an indication of the price level of any future exports to the Community. Consequently, there is a likelihood of recurrence of high dumping for significant volumes.

(ii) *The Ukraine*

- (39) The known exporting producer from the Ukraine cooperated in the investigation and provided information which the Commission used in its investigation. The Commission also based its analysis on information provided in the review request as well as on information obtained from the specialised press and market studies.
- (40) The investigation has established that the capacity utilisation of this exporting producer was less than 60 % during the IP. In terms of quantities, and given the total Community consumption, it would be in a position to produce additional volumes representing around 6 % of the Community consumption during the IP.
- (41) The investigation has established that the largest export market for the Ukraine is the Czech Republic. The IP exports to the Czech Republic amounted to a quantity which corresponded to between 2 % to 5 % of the Community consumption. Since only a part of these exports were directly sold by the cooperating Ukrainian exporting producer, the official trade statistics of these countries were used in order to determine the average Ukrainian export prices. These were found to be significantly lower than the prices of silicon carbide produced and sold by the Community industry on the Community market and also lower than the Ukrainian export prices charged in the Community.
- (42) The Ukrainian exports to the Czech Republic give a clear indication of their potential export behaviour on the Community market, both in terms of volume and value, if measures were repealed.
- (43) Given the attractiveness of the Community market in terms of prices compared to other markets, it is concluded that current import volumes into the Community from the Ukraine are likely to increase substantially should measures be repealed. There is no indication that the future export prices would be higher than the current dumped Ukrainian export prices to the Community. It has therefore to be concluded that there is a likelihood of recurrence of dumping in significant volumes for the Ukraine.

(h) Conclusion

- (44) In view of the above it has been established that there is likelihood of continuation of dumping with respect to Russia and, as far as the Ukraine and China are concerned, there is likelihood of recurrence of dumping, should the measures be repealed.

E. DEFINITION OF THE COMMUNITY INDUSTRY

- (45) The investigation confirmed that during the IP, the two applicant producers represented the totality of Community production of silicon carbide. Therefore, they constitute the Community industry within the meaning of Article 4(1) and Article 5(4) of the basic Regulation.
- (46) It should be noted that two out of the four Community producers representing the Community industry in the previous investigations ceased their silicon carbide related operations a few months after the imposition of the measures currently in force. These two producers were Pechiney Electrometallurgie in France and Samatec in Italy.

F. THE SITUATION IN THE COMMUNITY MARKET**1. CONSUMPTION IN THE COMMUNITY**

- (47) The apparent Community consumption of silicon carbide was established on the basis of the sales volumes of the Community industry on the Community market, as well as imports into the Community of silicon carbide from the countries concerned and all other third countries.
- (48) On this basis, consumption increased by 8 % during the IIP. In this respect, it should be noted that the silicon carbide market overall has been a stable market during the period investigated. Only 1998 (the IP) showed an increase in consumption which can be explained by the increased activity of the steel industry and should thus be considered exceptional. The exceptional character of the consumption in 1998 is confirmed by figures available for the first six months of 1999 which are comparable to the levels reached in 1996 and 1997.

2. IMPORTS FROM THE COUNTRIES CONCERNED**(a) Import volume and market share of the imports concerned**

- (49) The import volume of silicon carbide originating in the countries concerned dropped significantly from 37 886 tonnes in 1995 to 15 492 tonnes in the IP, equivalent to a decrease of about 59 % during the IIP. This decrease is especially marked for China and the Ukraine. By comparison, the relatively small decrease of the Russian import volume (- 7 %) can be explained by the acceptance of an undertaking from the Russian exporter Stan-koimport limiting Russian imports to a non-injurious

level, all other imports originating in Russia being subject to anti-dumping duties.

- (50) The overall market share of the imports from the countries concerned in the Community decreased by 39 % between 1995 and the IP. The market share of China and the Ukraine fell below 1 %, while the market shares of imports from Russia remained relatively stable between 5 % to 10 %.

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

- (51) On the basis of Eurostat figures, a price evolution has been established for the IIP. This analysis was however hampered by the fact that the relevant CN code does not distinguish between the different grades of silicon carbide. On the basis of the information collected in the course of the investigation, it has been established that imports originating in China mostly consist of metallurgical (i.e. lower) grades while imports originating in the two other countries concerned cover both metallurgical and crystalline grades.
- (52) On this basis Eurostat figures showed that the Russian prices increased by 11 % between 1995 and the IP, while the average prices of exports from China and the Ukraine decreased by 28 % and 8 %, respectively.

(ii) Price behaviour

- (53) In order to examine the exporters' price behaviour in relation to that of the Community industry, a price comparison was made and it was established that, during the IP, the prices of the imports concerned (at a customs and anti-dumping duty-paid level) were on average significantly below the Community industry's sales prices. More specifically, it was found that the Russian imports made in the framework of the undertaking (i.e. exempt from anti-dumping duties) were made at prices considerably below those of the Community industry. All these sales were of crystalline grades. However, the price of the additional import volume of the product under consideration originating in Russia, mostly of metallurgical grade, was found to be higher than Community industry's prices, even when discounting the anti-dumping duty.

3. ECONOMIC SITUATION OF THE COMMUNITY INDUSTRY**(a) Production**

- (54) The production of silicon carbide by the Community industry increased by 13,4 % between 1995 and the IP. The largest increase took place in 1996, after the imposition of the measures currently in force. Thereafter production remained relatively stable. It should, however, be noted that the evolution of the production during 1996 was not matched by a similar evolution of the sales volume.

(b) Production capacity

- (55) Production capacity remained stable during the IIP. In this respect it should be noted that the production capacity under consideration is exclusively dedicated to the production of silicon carbide.

(c) Capacity utilisation

- (56) Capacity utilisation rose by 13,4 % during the IIP, corresponding to the increase in production.

(d) Sales volume

- (57) The sales volume of the Community industry on the Community market increased by 14,5 % during the IIP. The increase was most remarkable between 1997 and the IP, when Community consumption expanded. In this respect, it should be noted that the expansion of the sales volume concerned mainly the low grades.

(e) Market share

- (58) The Community industry's market share in the Community market slightly increased by around two percentage points during the IIP, reaching a level of around 30 % of the total Community market.

(f) Price development

- (59) The average sales price of the Community industry, while showing a clear increase after the imposition of the measures currently in force in 1995 and 1996, then decreased again towards the IP, leading to an overall decrease of 7 %.
- (60) This development should be seen in the light of a change of product mix of the Community industry's sales. The investigation has established that the Community producers increased their proportion of sales of lower grades which resulted in a decrease of the average sales price. When disregarding this product-mix effect, the prices actually increased during 1996, but afterwards went down for the lower grade, while remaining stable for the higher grade. The price trend over the whole IIP was accordingly stable with a peak during 1996.
- (61) It should also be noted that while the average Community industry price is significantly higher than the prices of the imports concerned, the Community industry's sales also include highly specific grades which are significantly more expensive than the average, thus having likewise a strong impact on the average sales price.

(g) Employment

- (62) Employment decreased by 9 % during the IIP.

(h) Investment

- (63) Investment was especially high during 1995 and 1996, in which the Community industry had to change its production processes in order to comply with the requirements of the environmental Community legislation. During 1997 and the IP, investment was then mainly related to the improvement and renewal of existing equipment. It is therefore concluded that the Community industry continued to invest in order to further improve its production processes.

(i) Profitability

- (64) The profitability of the Community industry, expressed as a percentage of net sales, while increasing between 1995 and 1996, fell afterwards to slightly below the break-even point during the IP. This trend can be linked with the price evolution.

4. IMPORT VOLUME, MARKET SHARES AND IMPORT PRICES FROM OTHER THIRD COUNTRIES**(a) Import volume and market shares**

- (65) The import volume of silicon carbide from other third countries increased during the IIP by around 30 000 tonnes, representing an increase of 27 %. In terms of market shares, these third countries gained about nine percentage points.
- (66) It should be noted that 80 % of these imports originated only from three countries, namely Norway, Venezuela and the Czech Republic. In terms of quantities, Norway is the most significant, but its import volume as well as its market share remained stable during the IIP. However, the Venezuelan imports increased by 163 % during the IIP, more than doubling their market share which reached around 10 % during the IP. As far as the Czech imports and market share is concerned they increased fivefold during the same period reaching a level of around 6 % during the IP. The market shares of these three countries increased by 35 % and fluctuated between 30 % to 50 % of the Community market.

(b) Sales prices of imports from third countries

- (67) The import-price evolution of the three most significant exporting countries is as follows. The Norwegian prices always remained at a high level during the IIP which is consistent with the fact that their exports are mostly of high grades. The prices of the product under consideration originating in the Czech Republic significantly decreased during the IIP (-35 %), whilst the price decrease of the Venezuelan imports amounted to 9 %, the prices from these two latter countries being at a very low level as compared to the prices of the Community industry.

5. CONCLUSION ON THE SITUATION IN THE COMMUNITY MARKET

- (68) The measures currently in force have had a significant positive impact on the Community industry since 1995. Indeed, most of the economic factors analysed showed a positive development from 1995 to the IP: production volume and the production-capacity utilisation increased by 13 %, sales volume increased by 15 %, and there was a slight gain in of market share. However, the positive trend was diluted by, in particular, low sales prices of the Community industry. This explains why the profitability of the Community industry did not improve in line with the trends and remained at around break-even point.
- (69) As for the exporting countries concerned, two of them (China and the Ukraine) lost significant sales volume and their market shares are now minimal. The Russian imports have decreased less drastically and have remained stable at a market share of around 5 % to 10 %. In terms of prices, imports from the countries concerned have been made at low prices as compared to those of the Community industry.
- (70) During this period, imports from other third countries increased. This especially concerns imports from Venezuela and the Czech Republic which during the last two years of the IIP significantly increased their market shares, and this took place at low and decreasing sales prices.
- (71) It can thus be concluded that the Community industry could not fully recover from the effects of injurious dumping for the reasons explained above and is therefore still in a fragile situation.

G. LIKELIHOOD OF CONTINUATION AND/OR RECURRENCE OF INJURIOUS DUMPING

1. THE SITUATION OF THE COUNTRIES CONCERNED

- (72) In order to assess the likely effect of expiry of the measures in force, and taking into account the fact that the Community industry is still in a difficult situation having regard, in particular, to its profitability, the following elements were considered.

(a) China

- (73) In accordance with the findings explained in recitals 30 to 36, the large and unused production capacity allows potential for Chinese exporters to raise their production and export volumes to the Community in the future. Furthermore, having regard to these findings with respect to the export behaviour on third-country markets, namely the United States of America, both in

terms of volume and prices, it appears that the Community market will be highly attractive for the Chinese exporters should measures lapse.

- (74) It was also considered whether the fact that, since the beginning of 1999, exports of silicon carbide from China are subject to a local licence system operated for certain minerals and rare earths, could have any possible effects on the future pricing of the Chinese exporters. In this respect, it is considered that the system described above is run autonomously by the government of the exporting country and that its existence cannot have any influence on the decision of the Community institutions as to whether or not injurious dumping would recur.

(b) Russia and the Ukraine

- (75) In accordance with the findings explained in recitals 37 to 42, the unused production capacity for both countries allows potential for Russian and Ukrainian exporters to raise their production and export volume to the Community in the future. Furthermore, having regard to their export behaviour on third-country markets, mainly the Czech Republic, both in terms of volume and prices, it appears that the Community market would be highly attractive also for these exporters should measures lapse.
- (76) Since the imposition of the measures, imports into the Czech Republic originating in Russia and the Ukraine have multiplied by 6,5 in terms of volume reaching a level corresponding to 6 % of Community consumption.
- (77) Should the measures be repealed, the Russian and Ukrainian exporters will be able to redirect some of their significant exports to the Community and market their production surplus, and this would take place at prices which would undercut the Community industry's prices, as indicated by their price behaviour on third-country markets. Moreover, it should be noted that the best quality Russian silicon carbide (crystalline grade), imported into the Community free of anti-dumping duties within the framework of the undertaking, is currently sold at a significantly lower price than the price of the corresponding grades of the Community industry.

2. CONCLUSION ON THE LIKELIHOOD OF CONTINUATION AND/OR RECURRENCE OF INJURIOUS DUMPING

- (78) In view of the above, namely the following factors:
- should the measures be repealed, there is a likelihood that imports from the three countries concerned would continue at dumped prices because there has been a continuation of dumping and no reasons are apparent as to why dumping would stop in the near future,

- there is a likelihood that import volumes would rise significantly because there are clear indications that the three countries concerned have the potential to raise their production and export volumes in view of their large unused production capacity and the significant exports to third-country markets,
- furthermore, the likelihood that import volumes would rise significantly is reinforced by their export behaviour in these third-country markets after the imposition of the anti-dumping measures currently in force,
- furthermore, it is also likely that the prices charged by the exporters from the countries concerned, in the absence of anti-dumping measures, would be significantly below the prices of the Community industry considering, on the one hand, the price behaviour of these exporters on their major export markets and, on the other hand, the low prices (even including duty) that they currently apply to their exports to the Community market. In addition, the Community market being stable in terms of demand, an increase of supply of silicon carbide on the market would certainly have a price-depressing impact,
- although the situation of the Community industry improved markedly following the imposition of the measures under consideration, it could not maintain its profitability and is thus still in a delicate situation,

it is concluded that, should the measures be repealed, there is a likelihood of recurrence of injurious dumping.

H. COMMUNITY INTEREST

1. PRELIMINARY REMARK

- (79) In order to assess the likely impact of continuation or repeal of the measures, the Commission requested information from all interested parties mentioned above. The Commission sent questionnaires to 40 importers (including two associated traders) and 22 users of the product concerned. Six importers replied to the questionnaires, while four of them provided the Commission with information. As to the users, six of them replied to the questionnaires and data were verified.
- (80) It should be recalled that, in the previous investigation, the adoption of measures was considered not to be against the interest of the Community. Furthermore, it should be noted that the present investigation is a review of a situation in which anti-dumping measures have already been in place. Consequently the present investigation should allow any undue negative impact

on the parties concerned by the current anti-dumping measures to be identified.

- (81) On this basis it was examined, whether, despite the conclusions on dumping, on the situation of the Community industry and on the recurrence of injurious dumping, compelling reasons existed which would lead to the conclusion that it is not in the Community interest to maintain measures in this particular case.

2. INTERESTS OF THE COMMUNITY INDUSTRY

- (82) It is considered that a repeal of the anti-dumping measures imposed in the previous investigation would be likely to result in the recurrence of injurious dumping and that consequently the situation of the Community industry, which has improved but is still fragile, would deteriorate.

- (83) The Community industry has developed the production of very high quality silicon carbide. Together with one non-Community-based producer, it is currently the only one able to produce and supply the Community market with such high quality products. It is used for very specific and newly-developed applications in the field of the electronic and advanced ceramics sector. These two market segments are the greatest area of growth from which the Community industry will certainly continue to benefit in the coming years. But even if they represent high added-value markets, they still represent a low volume of sales, which is not sufficient to cover the entire production cost, bearing in mind that both high-grade and low-grade silicon carbide result from one production process. It is therefore important to ensure that unfair trade practices do not impede the high-volume market segment for lower grades which have also to be sold at a reasonable price in order to sustain the viability of the Community industry.

- (84) Indeed, all players in the sector seem to agree on the fact that if measures were repealed, competition would be particularly fierce at the low grade level. Accordingly it can be expected that the Community industry would lose significant volume and market shares on this segment with the consequence that its situation would be seriously endangered.

- (85) Given the above, it appears justified to prolong the existing measures in order to ward off the adverse effects of dumped imports which could endanger the existence of the Community industry. It has also to be considered that if the industry disappears, there will also be a negative impact on the downstream industry, since the latter will become totally dependent on imports from third countries.

3. INTERESTS OF IMPORTERS

- (86) Out of the 40 importers (including two associated traders) who received questionnaires, five replied. Four of them are clearly in favour of the continuation of the measures, arguing that if the measures were repealed, the market would be flooded by cheap and low-quality products which would cause a disruption of the market. One importer opted for a neutral position.
- (87) In view of the low level of cooperation and taking into account the above comments, it is concluded that the economic situation of the importers of the product concerned would in general not be unduly and negatively influenced by the continuation of the measures.

4. INTERESTS OF THE USERS

- (88) The downstream industry is mainly active in three different market segments: the abrasive segment (i.e. polishing applications), the refractory segment (i.e. lining in furnaces) and the metallurgical segment where silicon carbide is used as an alloy. This last segment represents the largest in the Community but covers the lowest-quality grade silicon carbide.
- (89) With regard to the impact of the anti-dumping duties on users, the low level of cooperation as well as the comments given by the cooperating companies indicate that the measures currently in force did not have a significant negative impact on the users of silicon carbide. In this respect it should be noted that none of the users claimed that there had been a general price increase and/or reduction in their profitability since the measures had been imposed five years previously.
- (90) In more detail, concerning the six cooperating users one did not give any comments on the situation whereas three clearly claimed to be in favour of the continuation of the measures. They were of the opinion that in the case that the measures were repealed, the Community industry would have to discontinue its operation and, consequently, that they would lose their source of supply for the high-grade silicon carbide used for the high-end applications. In this respect, as already explained above, apart from the Community industry only one other third-country producer is in the position of producing and selling comparable grades on the Community market. This latter would eventually remain the only producer supplying the Community market, with the risk of a monopolistic position. In addition, this latter producer is part of an international group which is also strongly active on the downstream markets. There

could therefore be a risk that competition in the sector could become more and more difficult for the 'independent' users.

- (91) Two users were in favour of repealing the measures. One, active in abrasive applications, argued that without anti-dumping measures in place, it would be possible to find cheaper raw materials to better compete with comparable imported applications using the cheapest silicon carbide. The other, active on the metallurgical market, claimed a shortage of material in the Community. The above should be analysed in the light of the fact that silicon carbide represents on average 20 % of the cost of production of abrasive applications and that it is currently available, free of anti-dumping duty, from numerous different sources covering a significant part of Community consumption including Community producers, third countries and even partially free of duty from Russia.
- (92) In view of the above, it can be concluded that continuation of the measures is generally not against the interests of the users of silicon carbide.

5. CONCLUSION ON COMMUNITY INTEREST

- (93) Leaving the Community industry without any protection would most likely not only weaken its position, but could even lead to its disappearance, as has happened for two of the Community producers involved in the previous investigation.
- (94) As for the users and importers of silicon carbide, it appears that the imposition of the measures in general did not have any undue negative effects on their economic situation. A significant number of the cooperating users and importers are even in favour of the continuation of the measures.
- (95) Therefore, it is concluded that there are no compelling reasons of Community interest against the continuation of the measures.

I. ANTI-DUMPING MEASURES

- (96) All parties concerned were informed of the essential facts and considerations on the basis of which the maintenance of the existing measures is based. They were granted a period within which to make representations subsequent to the disclosure. No comments which were of a nature to change the above conclusions were received.

- (97) It should be recalled that by Decision 94/202/EC the undertakings offered by the Russian Government in conjunction with the company Stankoimport were accepted. These undertakings are still applicable.
- (98) The exporter concerned as well as the authorities of the exporting country have been informed that continuation of the definitive anti-dumping measures pursuant to Article 11(2) of the basic Regulation also implies that the company would remain bound by the terms of its undertaking. No comments were received in this respect.
- (99) It follows from the above that, as provided for by Article 11(2) of the basic Regulation, the anti-dumping measures currently in force with regard to imports of silicon carbide originating in China, Russian and the Ukraine imposed by Regulation (EC) No 821/94, as last amended by Regulation (EC) No 1786/97 should be maintained,

HAS ADOPTED THIS REGULATION:

Article 1

1. A definitive anti-dumping duty is hereby imposed on imports of silicon carbide, falling within CN code 2849 20 00,

originating in the People's Republic of China, the Russian Federation and the Ukraine.

2. The amount of the duty applicable to the net, free-at-Community-frontier price, before customs clearance, shall be as follows:

- People's Republic of China: 52,6 %,
- the Russian Federation: 23,3 % (TARIC additional code 8747),
- the Ukraine: 24 %.

3. The duty shall not apply to imports of the product concerned as described in paragraph 1, exported to the Community by the company V/O Stankoimport, Moscow, Russia (TARIC additional code 8746).

Article 2

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

Article 3

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

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

Done at Brussels, 22 May 2000.

For the Council

The President

J. GAMA

COMMISSION REGULATION (EC) No 1101/2000
of 25 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 26 May 2000.

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

Done at Brussels, 25 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 25 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	83,6
	204	66,1
	999	74,8
0707 00 05	052	81,7
	068	51,8
	628	113,5
	999	82,3
0709 10 00	052	141,9
	999	141,9
0709 90 70	052	63,6
	628	96,2
	999	79,9
0805 10 10, 0805 10 30, 0805 10 50	052	60,4
	204	31,6
	212	47,1
	220	28,3
	600	50,9
	624	46,1
	999	44,1
	0805 30 10	052
0808 10 20, 0808 10 50, 0808 10 90	388	62,4
	528	61,5
	999	63,5
	388	87,6
	400	79,7
	404	93,4
	508	77,4
	512	83,0
	528	87,4
	720	55,8
	804	92,2
999	82,1	

⁽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 1102/2000**of 25 May 2000****amending Regulation (EC) No 1375/1999 establishing a forecast balance and fixing the amount of aid for the supply to the Canary Islands of beef and veal sector products**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

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

Whereas:

- (1) The quantities of the forecast supply balance for beef and veal for the Canary Islands were fixed in Commission Regulation (EC) No 1375/1999 ⁽³⁾. 85 % of the quantities laid down were used during the first nine months of the period 1 July 1999 to 30 June 2000.
- (2) To ensure supplies to the Canary Islands market up until the end of that period, the quantities originally laid down for fresh meat should be increased by reducing those laid down for frozen meat.
- (3) Application of the criteria for fixing the amount of Community aid to the current market situation in the sector in question, and in particular to the quotations

and prices for those products in the European part of the Community and on the world market, gives rise to aid for the supply of the Canary Islands with products from the beef and veal sector at the levels fixed in the Annex hereto.

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

HAS ADOPTED THIS REGULATION:

Article 1

Regulation (EC) No 1375/1999 is amended as follows.

1. Annex I is replaced by Annex I to this Regulation.
2. Annex II is replaced by Annex II to this Regulation.

Article 2

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

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

Done at Brussels, 25 May 2000.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ L 173, 27.6.1992, p. 13.

⁽²⁾ OJ L 160, 26.6.1999, p. 80.

⁽³⁾ OJ L 162, 26.6.1999, p. 53.

ANNEX I

ANNEX I

Canary Islands: forecast supply balance for beef and veal sector products for the period 1 July 1999 to 30 June 2000

CN code	Description	Number or quantity (tonnes)
0102 10 00	Pure-bred breeding animals ⁽¹⁾	4 300 ^(*)
0201	Meat of bovine animals, fresh or chilled	20 000
0202	Meat of bovine animals, frozen	20 000

⁽¹⁾ Entry under this subheading is subject to the conditions laid down in the relevant Community provisions.

^(*) Head.

ANNEX II

ANNEX II

Amounts of aid to be granted to the products referred to in Annex I and coming from the Community market

(EUR/100 kg net)

Product code	Amount of aid
0201 10 00 9110 ⁽¹⁾	54,50
0201 10 00 9120	29,00
0201 10 00 9130 ⁽¹⁾	74,00
0201 10 00 9140	40,00
0201 20 20 9110 ⁽¹⁾	74,00
0201 20 20 9120	40,00
0201 20 30 9110 ⁽¹⁾	54,50
0201 20 30 9120	29,00
0201 20 50 9110 ⁽¹⁾	93,00
0201 20 50 9120	51,00
0201 20 50 9130 ⁽¹⁾	54,50
0201 20 50 9140	29,00
0201 20 90 9700	29,00
0201 30 00 9100 ^{(2) (6)}	133,50
0201 30 00 9120 ^{(2) (6)}	82,00
0201 30 00 9060 ⁽⁶⁾	40,00
0202 10 00 9100	29,00
0202 10 00 9900	40,00
0202 20 10 9000	40,00
0202 20 30 9000	29,00
0202 20 50 9100	51,00
0202 20 50 9900	29,00
0202 20 90 9100	29,00
0202 30 90 9200 ⁽⁶⁾	40,00

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

COMMISSION REGULATION (EC) No 1103/2000

of 25 May 2000

providing for the granting of compensation to producers' organisations in respect of tuna delivered to the processing industry from 1 July to 30 September 1999

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EEC) No 3759/92 of 17 December 1992 on the common organisation of the market in fishery and aquaculture products ⁽¹⁾, as last amended by Regulation (EC) No 3318/94 ⁽²⁾, and in particular Article 18(6) thereof,

Whereas:

- (1) The compensatory allowance provided for in Article 18 of Regulation (EEC) No 3759/92 is to be granted under certain conditions to Community tuna producers' organisations in respect of quantities of tuna delivered to the processing industry during the calendar quarter for which prices have been recorded, where both the average quarterly selling price recorded on the Community market and the free-at-frontier price plus any applicable countervailing charge are lower than 91 % of the Community producer price for the product concerned.
- (2) An examination of the situation on the Community market has shown that in the period 1 July to 30 September 1999 both the average quarterly selling price and the free-at-frontier price as referred to in Article 18 of Regulation (EEC) No 3759/92 for yellowfin tuna (*Thunnus albacares*) weighing more than 10 kg each, yellowfin tuna (*Thunnus albacares*) not weighing more than 10 kg each and skipjack or stripe-bellied bonito (*Euthynnus (Katsuwonus) pelamis*) were lower than 91 % of the Community producer price in force laid down in Council Regulation (EC) No 2763/98 of 17 December 1998 fixing, for the 1999 fishing year, the Community producer price for tuna intended for the industrial manufacture of products falling within CN code 1604 ⁽³⁾.
- (3) The amount of the allowance provided for in Article 18(2) of Regulation (EEC) No 3759/92 may not in any case exceed either the difference between the triggering threshold and the average selling price of the product in question on the Community market or a flat-rate amount equivalent to 12 % of that threshold.
- (4) The quantities on which compensation as provided for in Article 18(1) of Regulation (EEC) No 3759/92 is payable may under no circumstances exceed the limits laid down in paragraph 3 of that Article for the quarter concerned.

- (5) The quantities of yellowfin tuna (*Thunnus albacares*) not weighing more than 10 kg each and skipjack or stripe-bellied bonito (*Euthynnus (Katsuwonus) pelamis*) sold and delivered to the processing industry established in the customs territory of the Community were higher during the quarter concerned than the quantities sold and delivered during the same quarter of the three previous fishing years. Since those quantities exceed the limit set in Article 18(3) of Regulation (EEC) No 3759/92, the total quantities of those products on which compensation is payable should therefore be limited.
- (6) In accordance with the ceilings laid down in Article 18(4) of Regulation (EEC) No 3759/92 for the purpose of calculating the allowance to be granted to each producers' organisation, the quantities on which the allowance is payable should be allocated among the producers' organisations concerned in proportion to the quantities produced by them in the same quarter of the 1996, 1997 and 1998 fishing years.
- (7) A decision should therefore be taken to grant the allowance on the products in question for the period 1 July to 30 September 1999.
- (8) The measures provided for in this Regulation are in accordance with the opinion of the Management Committee for Fishery Products,

HAS ADOPTED THIS REGULATION:

Article 1

The compensatory allowance provided for in Article 18 of Regulation (EEC) No 3759/92 shall be granted for the period 1 July to 30 September 1999 in respect of the following product:

(EUR/tonne)	
Product	Maximum allowance in accordance with the first and second indents of Article 18(2) of Regulation (EEC) No 3759/92
Yellowfin tuna (<i>Thunnus albacares</i>) weighing more than 10 kg each	25
Yellowfin tuna (<i>Thunnus albacares</i>) not weighing more than 10 kg each	90
Skipjack or stripe-bellied bonito (<i>Euthynnus (Katsuwonus) pelamis</i>)	84

⁽¹⁾ OJ L 388, 31.12.1992, p. 1.

⁽²⁾ OJ L 350, 31.12.1994, p. 15.

⁽³⁾ OJ L 346, 22.12.1998, p. 5.

Article 2

1. The total quantities on which the allowance for these species is payable shall be:

- yellowfin tuna (*Thunnus albacares*) weighing more than 10 kg each: 5 054,618 tonnes
- yellowfin tuna (*Thunnus albacares*) not weighing more than 10 kg each: 2 385,499 tonnes
- skipjack or stripe-bellied bonito (*Euthynnus (Katsuwonus) pelamis*): 14 959,684 tonnes.

2. The allocation of the total quantity among the producers' organisations concerned shall be as set out in the Annex hereto.

Article 3

Entitlement to the compensatory allowance shall be determined on the basis of sales covered by invoices the date of which falls within the quarter concerned and used to calculate the average monthly selling price referred to in Article 7(1)(b) of Commission Regulation (EEC) No 2210/93 ⁽¹⁾.

Article 4

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

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

Done at Brussels, 25 May 2000.

For the Commission
Franz FISCHLER
Member of the Commission

⁽¹⁾ OJ L 197, 6.8.1993, p. 8.

ANNEX

Allocation among producers' organisations of quantities of tuna on which the compensatory allowance is payable for the period 1 July to 30 September 1999 in accordance with Article 18(4) of Regulation (EEC) No 3759/92, broken down by compensation percentage band

1. (tonnes)

Yellowfin tuna (<i>Thunnus albacares</i>) weighing more than 10 kg each	Quantities 100 % of which is eligible for compensation (first indent of Article 18(4))	Quantities 50 % of which is eligible for compensation (second indent of Article 18(4))	Total quantities on which compensation is payable (first and second indents of Article 18(4))
OPAGAC	1 835,411	0	1 835,411
OPTUC	1 212,810	0	1 212,810
OP 42 (CAN.)	196,277	0	196,277
ORTHONGEL	1 604,884	205,236	1 810,120
APASA	0	0	0
MADEIRA	0	0	0
EU — Total	4 849,382	205,236	5 054,618

2. (tonnes)

Yellowfin tuna (<i>Thunnus albacares</i>) not weighing more than 10 kg each	Quantities 100 % of which is eligible for compensation (first indent of Article 18(4))	Quantities 50 % of which is eligible for compensation (second indent of Article 18(4))	Total quantities on which compensation is payable (first and second indents of Article 18(4))
OPAGAC	1 369,732	42,983	1 412,715
OPTUC	940,720	29,520	970,240
OP 42 (CAN.)	0	0	0
ORTHONGEL	2,467	0,077	2,544
APASA	0	0	0
MADEIRA	0	0	0
EU — Total	2 312,919	72,580	2 385,499

3. (tonnes)

Skipjack or stripe-bellied bonito (<i>Euthynnus Katsuwonus pelamis</i>)	Quantities 100 % of which is eligible for compensation (first indent of Article 18(4))	Quantities 50 % of which is eligible for compensation (second indent of Article 18(4))	Total quantities on which compensation is payable (first and second indents of Article 18(4))
OPAGAC	5 448,462	1 279,819	6 728,281
OPTUC	5 577,676	1 310,170	6 887,846
OP 42 (CAN.)	282,770	0	282,770
ORTHONGEL	25,619	6,018	31,637
APASA	921,880	0	921,880
MADEIRA	107,270	0	107,270
EU — Total	12 363,677	2 596,007	14 959,684

COMMISSION REGULATION (EC) No 1104/2000

of 25 May 2000

adopting a protective measure applying to imports of 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⁾, and in particular Article 37(2) thereof,

Whereas:

(1) Commission Regulation (EEC) No 1859/93 of 12 July 1993 on the application of the system of import licences for garlic imported from third countries ⁽³⁾, as amended by Regulation (EC) No 1662/94 ⁽⁴⁾, stipulates that the release for free circulation in the Community of garlic imported from third countries is subject to the presentation of import licences.

(2) Since 1993 the Commission has recorded a very sharp rise in imports of garlic originating in China as compared with preceding years. Given their price, further imports could have brought about such serious disturbance of the Community market as to jeopardise the objectives of Article 33 of the EC Treaty, and in particular to damage Community producers. The Commission accordingly adopted a protective measure by Regulation (EC) No 1213/94 ⁽⁵⁾, as last amended by Regulation (EC) No 2815/94 ⁽⁶⁾, to limit the quantity covered by import licences issued for garlic originating in China for the 1994/1995 marketing year to a given quantity per month. That measure was renewed by Commission Regulation (EC) No 1153/95 ⁽⁷⁾, as last amended by Regulation (EC) No 2944/95 ⁽⁸⁾, for the period 1 June 1995 to 31 May 1996, by Commission Regulation (EC) No 885/96 ⁽⁹⁾ for the period 1 June 1996 to 31 May 1997, by Commission Regulation (EC) No 903/97 ⁽¹⁰⁾ for the period 1 June 1997 to 31 May 1998, by Commission Regulation (EC) No 1137/98 ⁽¹¹⁾ for the period 1 June 1998 to 31 May 1999, and by Commission Regulation (EC) No 1040/1999 ⁽¹²⁾, as last amended by Regulation (EC) No 51/2000 ⁽¹³⁾, for the period 1 June 1999 to 31 May 2000.

(3) On 24 February 2000 France and Spain asked the Commission to continue applying the protective measures in respect of imports of garlic beyond 31 May 2000.

(4) Each month import licence applications for garlic originating in China cover quantities far exceeding the monthly quantity fixed in Regulation (EC) No 1040/1999. Moreover, the scale of applications submitted on the first day of each monthly period has meant that throughout the marketing year import licences have been issued for less than 1 % of the quantities applied for and the quantities applied for above that percentage have been rejected. This systematic overrun shows that there is continuing pressure on the market for this product and that, unless protective measures are adopted, the Community market in garlic could be seriously disturbed by huge quantities imported from China. It is therefore vital for the protective measure applying to garlic originating in China to be renewed.

(5) Import licences issued should be limited to a given quantity by period from 1 June 2000 to 31 May 2001. The issuing of such licences should be suspended once that quantity has been attained. The licences issued for the months of December and January should be grouped together in order to facilitate administrative management at national and Community level of the market, which could be disturbed by the Christmas and New Year holidays.

(6) Certain criteria as to the status of applicants and the use of licences issued should be laid down in order to prevent the lodging for speculative reasons of licence applications not related to real trade on the market for garlic.

(7) Possible abuse of Commission Regulation (EEC) No 3719/88 ⁽¹⁴⁾, as last amended by Regulation (EC) No 1127/1999 ⁽¹⁵⁾, involving regular and repeated imports of small quantities of garlic from China which combine to circumvent the aim of this protective measure must be prevented. To that end, the fourth indent of the first subparagraph of Article 5(1) of Regulation (EEC) No 3719/88 should not apply to the release for free circulation of garlic originating in that country,

⁽¹⁾ OJ L 297, 21.11.1996, p. 1.

⁽²⁾ OJ L 160, 26.6.1999, p. 80.

⁽³⁾ OJ L 170, 13.7.1993, p. 10.

⁽⁴⁾ OJ L 176, 9.7.1994, p. 1.

⁽⁵⁾ OJ L 133, 28.5.1994, p. 36.

⁽⁶⁾ OJ L 298, 19.11.1994, p. 26.

⁽⁷⁾ OJ L 116, 23.5.1995, p. 23.

⁽⁸⁾ OJ L 308, 21.12.1995, p. 17.

⁽⁹⁾ OJ L 119, 16.5.1996, p. 12.

⁽¹⁰⁾ OJ L 130, 22.5.1997, p. 6.

⁽¹¹⁾ OJ L 157, 30.5.1998, p. 107.

⁽¹²⁾ OJ L 127, 21.5.1999, p. 10.

⁽¹³⁾ OJ L 6, 11.1.2000, p. 18.

⁽¹⁴⁾ OJ L 331, 2.12.1988, p. 1.

⁽¹⁵⁾ OJ L 135, 29.5.1999, p. 48.

HAS ADOPTED THIS REGULATION:

Article 1

1. For the period 1 June 2000 to 31 May 2001, import licences for garlic (CN code 0703 20 00) originating in China shall be issued for up to 12 000 tonnes only, subject to a maximum quantity for each period as set out in the Annex and to the conditions laid down in this Regulation.

2. During the period referred to in the fourth indent of the first subparagraph of Article 5(1) of Regulation (EEC) No 3719/88 shall not apply to releases for free circulation of garlic originating in China.

3. The maximum quantity for each period as referred to in paragraph 1 shall be equal to the sum of:

- (a) the quantity set out in the Annex;
- (b) quantities not applied for from the preceding period;
- (c) unused quantities from licences issued previously of which the Commission has been informed.

4. Where the Commission establishes, on the basis of information forwarded to it by the Member States under Article 4 of Regulation (EEC) No 1859/93, that there is a risk that the maximum quantity for any period may be exceeded, it shall lay down the conditions under which import licences for garlic originating in China may be issued.

Article 2

1. Applications for import licences for garlic originating in China may be lodged only by importers of fruit and vegetables within the meaning of paragraph 2.

2. 'Importers of fruit and vegetables' means traders, natural or legal persons, individuals or groups that have imported and/or exported at least 50 tonnes of fruit and vegetables as referred to in Article 1(2) of Regulation (EC) No 2200/96 in each of the previous two years. Compliance with that condition shall be certified by registration in a trade register held by the Member State or by any other proof accepted by the Member State and by proof of import and/or export. Where importers in this category have obtained import licences under Regulation (EEC) No 1859/93 in the previous calendar year, they must show proof of having put in free circulation, on their own account, at least 50 % of the quantity allocated to them.

3. Importers within the meaning of paragraph 2 may lodge no more than two licence applications, at least five days apart, in each period as referred to in the Annex hereto. Each application may cover no more than 50 % of the quantity mentioned in the Annex for the period in question.

4. In support of their applications, importers within the meaning of paragraph 2 shall provide information permitting verification of compliance with the conditions referred to in that paragraph to the satisfaction of the competent national authorities.

5. Notwithstanding Article 9 of Regulation (EEC) No 3719/88, rights arising from import licences allocated for products as referred to in Article 1(1) of this Regulation shall not be transferable.

Article 3

This Regulation shall enter into force on 29 May 2000.

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

Done at Brussels, 25 May 2000.

For the Commission

Franz FISCHLER

Member of the Commission

ANNEX

(tonnes)

Period	Period in which application is submitted	Quantity
June	29 May to 2 July 2000	1 000
July	3 to 30 July 2000	1 000
August	31 July to 27 August 2000	1 000
September	28 August to 1 October 2000	1 000
October	2 to 22 October 2000	1 000
November	23 October to 26 November 2000	1 000
December 2000 to January 2001	27 November 2000 to 28 January 2001	2 000
February	29 January to 25 February 2001	1 000
March	26 February to 25 March 2001	1 000
April	26 March to 2 May 2001	1 000
May	3 May to 31 May 2001	1 000

COMMISSION REGULATION (EC) No 1105/2000
of 25 May 2000

amending Regulation (EEC) No 1913/92 laying down detailed implementing rules for the specific measures for supplying the Azores and Madeira with products from the beef and veal sector

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EEC) No 1600/92 of 15 June 1992 concerning specific measures for the Azores and Madeira relating to certain agricultural products ⁽¹⁾, as last amended by Regulation (EC) No 1257/1999 ⁽²⁾, and in particular Article 10 thereof,

Whereas:

- (1) The quantities of the forecast supply balance for fresh and chilled beef and veal for Madeira were fixed by Commission Regulation (EEC) No 1913/92 ⁽³⁾, as last amended by Regulation (EC) No 1374/1999 ⁽⁴⁾. 74 % of the quantities laid down were used during the first eight months of the period 1 July 1999 to 30 June 2000.
- (2) To ensure supplies to the Madeiran market up until the end of the above period, the quantities originally laid down for fresh meat should be increased by reducing those laid down for frozen meat.
- (3) Application of the criteria for fixing the amount of Community aid to the current market situation in the sector in question, and in particular to the quotations

and prices for those products in the European part of the Community and on the world market, gives rise to aid for the supply of Madeira and the Azores with products from the beef and veal sector at the levels fixed in the Annex hereto.

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

HAS ADOPTED THIS REGULATION:

Article 1

Regulation (EEC) No 1913/92 is amended as follows:

1. Annex I is replaced by Annex I to this Regulation;
2. Annex II is replaced by Annex II to this Regulation.

Article 2

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

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

Done at Brussels, 25 May 2000.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ L 173, 27.6.1992, p. 1.

⁽²⁾ OJ L 160, 26.6.1999, p. 80.

⁽³⁾ OJ L 192, 11.7.1992, p. 35.

⁽⁴⁾ OJ L 162, 26.6.1999, p. 49.

ANNEX I

'ANNEX I

Madeira: forecast supply balance for beef and veal sector products for the period 1 July 1999 to 30 June 2000

CN code	Description	Quantity (tonnes)
0201	Meat of bovine animals, fresh or chilled	4 300
0202	Meat of bovine animals, frozen	1 700'

ANNEX II

'ANNEX II

Amounts of aid to be granted to the products referred to in Annex I and coming from the Community market

(EUR/100 kg net)

Product code	Amount of aid
0201 10 00 9110 ⁽¹⁾	54,50
0201 10 00 9120	29,00
0201 10 00 9130 ⁽¹⁾	74,00
0201 10 00 9140	40,00
0201 20 20 9110 ⁽¹⁾	74,00
0201 20 20 9120	40,00
0201 20 30 9110 ⁽¹⁾	54,50
0201 20 30 9120	29,00
0201 20 50 9110 ⁽¹⁾	93,00
0201 20 50 9120	51,00
0201 20 50 9130 ⁽¹⁾	54,50
0201 20 50 9140	29,00
0201 20 90 9700	29,00
0201 30 00 9100 ^{(2) (6)}	133,50
0201 30 00 9120 ^{(2) (6)}	82,00
0201 30 00 9060 ⁽⁶⁾	40,00
0202 10 00 9100	29,00
0202 10 00 9900	40,00
0202 20 10 9000	40,00
0202 20 30 9000	29,00
0202 20 50 9100	51,00
0202 20 50 9900	29,00
0202 20 90 9100	29,00
0202 30 90 9200 ⁽⁶⁾	40,00

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

COMMISSION REGULATION (EC) No 1106/2000
of 25 May 2000
fixing the export refunds on milk and milk products

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EC) No 1255/1999 of 17 May 1999 on the common organisation of the market in milk and milk products ⁽¹⁾, as amended by Regulation (EC) No 1040/2000 ⁽²⁾, and in particular Article 31(3) thereof,

Whereas:

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

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

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

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

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

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

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

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

(6) In accordance with Article 16 of Commission Regulation (EC) No 174/1999 of 26 January 1999 on specific detailed rules for the application of Council Regulation (EC) No 804/68 as regards export licences and export refunds on milk and milk products ⁽³⁾, as amended by Regulation (EC) No 1596/1999 ⁽⁴⁾; the refund granted for milk products containing added sugar is equal to the sum of the two components; one is intended to take account of the quantity of milk products and is calculated by multiplying the basic amount by the milk products content in the product concerned; the other is intended to take account of the quantity of added sucrose and is calculated by multiplying the sucrose content of the entire product by the basic amount of the refund valid on the day of exportation for the products listed in Article 1(1)(d) of Council Regulation (EC) No 2038/1999 of 13 September 1999 on the common organisation of the markets in the sugar sector ⁽⁵⁾, however, this second component is applied only if the added sucrose has been produced using sugar beet or cane harvested in the Community.

⁽¹⁾ OJ L 160, 26.6.1999, p. 48.

⁽²⁾ OJ L 118, 19.5.2000, p. 1.

⁽³⁾ OJ L 20, 27.1.1999, p. 8.

⁽⁴⁾ OJ L 188, 21.7.1999, p. 39.

⁽⁵⁾ OJ L 252, 25.9.1999, p. 1.

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

HAS ADOPTED THIS REGULATION:

Article 1

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

Article 2

This Regulation shall enter into force on 26 May 2000.

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

Done at Brussels, 25 May 2000.

For the Commission
Franz FISCHLER
Member of the Commission

⁽¹⁾ OJ L 91, 1.4.1984, p. 71.

⁽²⁾ OJ L 28, 1.2.1988, p. 1.

ANNEX

to the Commission Regulation of 25 May 2000 fixing the export refunds on milk and milk products

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

Product code	Destination (*)	Amount of refund	Product code	Destination (*)	Amount of refund
0401 10 10 9000	970	2,327	0402 21 91 9900	+	113,20
	***	—	0402 21 99 9100	+	85,50
0401 10 90 9000	970	2,327	0402 21 99 9200	+	86,20
	***	—	0402 21 99 9300	+	87,20
0401 20 11 9100	970	2,327	0402 21 99 9400	+	93,20
	***	—	0402 21 99 9500	+	95,30
0401 20 11 9500	970	3,597	0402 21 99 9600	+	103,30
	***	—	0402 21 99 9700	+	107,90
0401 20 19 9100	970	2,327	0402 21 99 9900	+	113,20
	***	—	0402 29 15 9200	+	0,6150
0401 20 19 9500	970	3,597	0402 29 15 9300	+	0,7490
	***	—	0402 29 15 9500	+	0,7900
0401 20 91 9100	970	4,551	0402 29 15 9900	+	0,8500
	***	—	0402 29 19 9200	+	0,6150
0401 20 91 9500	+	—	0402 29 19 9300	+	0,7490
0401 20 99 9100	970	4,551	0402 29 19 9500	+	0,7900
	***	—	0402 29 19 9900	+	0,8500
0401 20 99 9500	+	—	0402 29 91 9100	+	0,8550
0401 30 11 9100	+	—	0402 29 91 9500	+	0,9320
0401 30 11 9400	970	10,50	0402 29 99 9100	+	0,8550
	***	—	0402 29 99 9500	+	0,9320
0401 30 11 9700	970	15,77	0402 91 11 9110	+	—
	***	—	0402 91 11 9120	+	—
0401 30 19 9100	+	—	0402 91 11 9310	+	11,31
0401 30 19 9400	+	—	0402 91 11 9350	+	13,85
0401 30 19 9700	970	15,77	0402 91 11 9370	+	16,84
	***	—	0402 91 19 9110	+	—
0401 30 31 9100	+	38,32	0402 91 19 9120	+	—
0401 30 31 9400	+	59,85	0402 91 19 9310	+	11,31
0401 30 31 9700	+	66,00	0402 91 19 9350	+	13,85
0401 30 39 9100	+	38,32	0402 91 19 9370	+	16,84
0401 30 39 9400	+	59,85	0402 91 31 9100	+	—
0401 30 39 9700	+	66,00	0402 91 31 9300	+	19,91
0401 30 91 9100	+	75,22	0402 91 39 9100	+	—
0401 30 91 9400	+	110,55	0402 91 39 9300	+	19,91
0401 30 91 9700	+	129,01	0402 91 51 9000	+	—
0401 30 99 9100	+	75,22	0402 91 59 9000	+	—
0401 30 99 9400	+	110,55	0402 91 91 9000	+	63,94
0401 30 99 9700	+	129,01	0402 91 99 9000	+	63,94
0402 10 11 9000	+	61,50	0402 99 11 9110	+	—
0402 10 19 9000	+	61,50	0402 99 11 9130	+	—
0402 10 91 9000	+	0,6150	0402 99 11 9150	+	—
0402 10 99 9000	+	0,6150	0402 99 11 9310	+	0,2689
0402 21 11 9200	+	61,50	0402 99 11 9330	+	0,3228
0402 21 11 9300	+	74,90	0402 99 11 9350	+	0,4291
0402 21 11 9500	+	79,00	0402 99 19 9110	+	—
0402 21 11 9900	+	85,00	0402 99 19 9130	+	—
0402 21 17 9000	+	61,50	0402 99 19 9150	+	—
0402 21 19 9300	+	74,90	0402 99 19 9310	+	0,2689
0402 21 19 9500	+	79,00	0402 99 19 9330	+	0,3228
0402 21 19 9900	+	85,00	0402 99 19 9350	+	0,4291
0402 21 91 9100	+	85,50	0402 99 31 9110	+	—
0402 21 91 9200	+	86,20	0402 99 31 9150	+	0,4467
0402 21 91 9300	+	87,20	0402 99 31 9300	+	0,3832
0402 21 91 9400	+	93,20	0402 99 31 9500	+	0,6600
0402 21 91 9500	+	95,30	0402 99 39 9110	+	—
0402 21 91 9600	+	103,30	0402 99 39 9150	+	0,4467
0402 21 91 9700	+	107,90	0402 99 39 9300	+	0,3832

Product code	Destination (*)	Amount of refund	Product code	Destination (*)	Amount of refund
0402 99 39 9500	+	0,6600	0404 90 29 9160	+	107,90
0402 99 91 9000	+	0,7522	0404 90 29 9180	+	113,20
0402 99 99 9000	+	0,7522	0404 90 81 9100	+	0,6150
0403 10 11 9400	+	—	0404 90 81 9910	+	—
0403 10 11 9800	+	—	0404 90 81 9950	+	0,2689
0403 10 13 9800	+	—	0404 90 83 9110	+	0,6150
0403 10 19 9800	+	—	0404 90 83 9130	+	0,7490
0403 10 31 9400	+	—	0404 90 83 9150	+	0,7900
0403 10 31 9800	+	—	0404 90 83 9170	+	0,8500
0403 10 33 9800	+	—	0404 90 83 9911	+	—
0403 10 39 9800	+	—	0404 90 83 9913	+	—
0403 90 11 9000	+	60,50	0404 90 83 9915	+	—
0403 90 13 9200	+	60,50	0404 90 83 9917	+	—
0403 90 13 9300	+	74,20	0404 90 83 9919	+	—
0403 90 13 9500	+	78,20	0404 90 83 9931	+	0,2689
0403 90 13 9900	+	84,20	0404 90 83 9933	+	0,3228
0403 90 19 9000	+	84,80	0404 90 83 9935	+	0,4291
0403 90 31 9000	+	0,6050	0404 90 83 9937	+	0,4467
0403 90 33 9200	+	0,6050	0404 90 89 9130	+	0,8550
0403 90 33 9300	+	0,7420	0404 90 89 9150	+	0,9320
0403 90 33 9500	+	0,7820	0404 90 89 9930	+	0,4601
0403 90 33 9900	+	0,8420	0404 90 89 9950	+	0,6600
0403 90 39 9000	+	0,8480	0404 90 89 9990	+	0,7522
0403 90 51 9100	970	2,327	0405 10 11 9500	+	165,85
	***	—	0405 10 11 9700	+	170,00
0403 90 51 9300	+	—	0405 10 19 9500	+	165,85
0403 90 53 9000	+	—	0405 10 19 9700	+	170,00
0403 90 59 9110	+	—	0405 10 30 9100	+	165,85
0403 90 59 9140	+	—	0405 10 30 9300	+	170,00
0403 90 59 9170	970	15,77	0405 10 30 9500	+	165,85
	***	—	0405 10 30 9700	+	170,00
0403 90 59 9310	+	38,32	0405 10 50 9100	+	165,85
0403 90 59 9340	+	59,20	0405 10 50 9300	+	170,00
0403 90 59 9370	+	59,20	0405 10 50 9500	+	165,85
0403 90 59 9510	+	59,20	0405 10 50 9700	+	170,00
0403 90 59 9540	+	59,20	0405 10 90 9000	+	176,22
0403 90 59 9570	+	59,20	0405 20 90 9500	+	155,49
0403 90 61 9100	+	—	0405 20 90 9700	+	161,71
0403 90 61 9300	+	—	0405 90 10 9000	+	216,00
0403 90 63 9000	+	—	0405 90 90 9000	+	170,00
0403 90 69 9000	+	—	0406 10 20 9100	+	—
0404 90 21 9100	+	61,50	0406 10 20 9230	037	—
0404 90 21 9910	+	—		039	—
0404 90 21 9950	+	11,31		097	37,68
0404 90 23 9120	+	61,50		098	37,68
0404 90 23 9130	+	74,90		400	21,50
0404 90 23 9140	+	79,00		***	37,68
0404 90 23 9150	+	85,00	0406 10 20 9290	037	—
0404 90 23 9911	+	—		039	—
0404 90 23 9913	+	—		097	35,05
0404 90 23 9915	+	—		098	35,05
0404 90 23 9917	+	—		400	14,40
0404 90 23 9919	+	—		***	35,05
0404 90 23 9931	+	11,31		037	—
0404 90 23 9933	+	13,85	0406 10 20 9300	039	—
0404 90 23 9935	+	16,84		097	15,39
0404 90 23 9937	+	19,91		098	15,39
0404 90 23 9939	+	20,81		400	7,360
0404 90 29 9110	+	85,50		***	15,39
0404 90 29 9115	+	86,20			
0404 90 29 9120	+	87,20			
0404 90 29 9130	+	93,20			
0404 90 29 9135	+	95,30			
0404 90 29 9150	+	103,30			

Product code	Destination (*)	Amount of refund	Product code	Destination (*)	Amount of refund	
0406 10 20 9610	037	—	0406 20 90 9990	+	—	
	039	—	0406 30 31 9710	037	—	
	097	51,11		039	—	
	098	51,11		097	17,88	
	400	29,10		098	9,536	
	***	51,11		400	7,850	
0406 10 20 9620	037	—		***	17,88	
	039	—	0406 30 31 9730	037	—	
	097	51,83		039	—	
	098	51,83		097	26,24	
	400	29,50		098	13,99	
	***	51,83		400	11,50	
0406 10 20 9630	037	—		***	26,24	
	039	—	0406 30 31 9910	037	—	
	097	57,86		039	—	
	098	57,86		097	17,88	
	400	33,00		098	9,536	
	***	57,86		400	7,850	
0406 10 20 9640	037	—		***	17,88	
	039	—	0406 30 31 9930	037	—	
	097	85,03		039	—	
	098	85,03		097	26,24	
	400	45,40		098	13,99	
	***	85,03		400	11,50	
0406 10 20 9650	037	—		***	26,24	
	039	—	0406 30 31 9950	037	—	
	097	70,86		039	—	
	098	70,86		097	38,17	
	400	23,90		098	20,36	
	***	70,86		400	16,70	
0406 10 20 9660	+	—		***	38,17	
0406 10 20 9830	037	—	0406 30 39 9500	037	—	
	039	—		039	—	
	097	26,28		097	26,24	
	098	26,28		098	13,99	
	400	12,60		400	11,50	
	***	26,28		***	26,24	
0406 10 20 9850	037	—	0406 30 39 9700	037	—	
	039	—		039	—	
	097	31,87		097	38,17	
	098	31,87		098	20,36	
	400	15,20		400	16,70	
	***	31,87		***	38,17	
0406 10 20 9870	+	—	0406 30 39 9930	037	—	
0406 10 20 9900	+	—		039	—	
0406 20 90 9100	+	—		097	38,17	
0406 20 90 9913	037	—		098	20,36	
	039	—		400	16,70	
	097	58,77		***	38,17	
	098	58,77		0406 30 39 9950	037	—
	400	29,70			039	—
	***	58,77			097	38,17
0406 20 90 9915	037	—		098	20,36	
	039	—		400	16,70	
	097	77,56		***	38,17	
	098	77,56		0406 30 39 9950	037	—
	400	39,60			039	—
	***	77,56			097	43,16
0406 20 90 9917	037	—		098	23,02	
	039	—		400	19,90	
	097	82,41		***	43,16	
	098	82,41		0406 30 90 9000	037	—
	400	42,10			039	—
	***	82,41			097	45,28
0406 20 90 9919	037	—		098	24,15	
	039	—		400	19,90	
	097	92,10		***	45,28	
	098	92,10		0406 40 50 9000	037	—
	400	47,00			039	—
	***	92,10			097	90,00
				098	90,00	
				400	31,00	
				***	90,00	

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

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

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

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

However:

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

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

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

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

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

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

COMMISSION REGULATION (EC) No 1107/2000**of 25 May 2000****fixing the export refunds on products processed from cereals and rice**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

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

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

Whereas:

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

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

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

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

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

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

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

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

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

HAS ADOPTED THIS REGULATION:

Article 1

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

⁽¹⁾ OJ L 181, 1.7.1992, p. 21.

⁽²⁾ OJ L 160, 26.6.1999, p. 18.

⁽³⁾ OJ L 329, 30.12.1995, p. 18.

⁽⁴⁾ OJ L 265, 30.9.1998, p. 4.

⁽⁵⁾ OJ L 147, 30.6.1995, p. 55.

⁽⁶⁾ OJ L 312, 23.12.1995, p. 25.

Article 2

This Regulation shall enter into force on 26 May 2000.

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

Done at Brussels, 25 May 2000.

For the Commission
Franz FISCHLER
Member of the Commission

ANNEX

to the Commission Regulation of 25 May 2000 fixing the export refunds on products processed from cereals and rice

(EUR/tonne)		(EUR/tonne)	
Product code	Refund	Product code	Refund
1102 20 10 9200 ⁽¹⁾	47,56	1104 23 10 9100	50,96
1102 20 10 9400 ⁽¹⁾	40,76	1104 23 10 9300	39,07
1102 20 90 9200 ⁽¹⁾	40,76	1104 29 11 9000	18,38
1102 90 10 9100	23,81	1104 29 51 9000	18,02
1102 90 10 9900	16,19	1104 29 55 9000	18,02
1102 90 30 9100	56,18	1104 30 10 9000	4,51
1103 12 00 9100	56,18	1104 30 90 9000	8,49
1103 13 10 9100 ⁽¹⁾	61,15	1107 10 11 9000	32,08
1103 13 10 9300 ⁽¹⁾	47,56	1107 10 91 9000	28,25
1103 13 10 9500 ⁽¹⁾	40,76	1108 11 00 9200	36,04
1103 13 90 9100 ⁽¹⁾	40,76	1108 11 00 9300	36,04
1103 19 10 9000	35,37	1108 12 00 9200	54,35
1103 19 30 9100	24,60	1108 12 00 9300	54,35
1103 21 00 9000	18,38	1108 13 00 9200	54,35
1103 29 20 9000	16,19	1108 13 00 9300	54,35
1104 11 90 9100	23,81	1108 19 10 9200	56,24
1104 12 90 9100	62,42	1108 19 10 9300	56,24
1104 12 90 9300	49,94	1109 00 00 9100	0,00
1104 19 10 9000	18,38	1702 30 51 9000 ⁽²⁾	62,66
1104 19 50 9110	54,35	1702 30 59 9000 ⁽²⁾	47,97
1104 19 50 9130	44,16	1702 30 91 9000	62,66
1104 21 10 9100	23,81	1702 30 99 9000	47,97
1104 21 30 9100	23,81	1702 40 90 9000	47,97
1104 21 50 9100	31,74	1702 90 50 9100	62,66
1104 21 50 9300	25,39	1702 90 50 9900	47,97
1104 22 20 9100	49,94	1702 90 75 9000	65,66
1104 22 30 9100	53,06	1702 90 79 9000	45,57
		2106 90 55 9000	47,97

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

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

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

COMMISSION REGULATION (EC) No 1108/2000
of 25 May 2000
fixing the export refunds on cereal-based compound feedingstuffs

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

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

Whereas:

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

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

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

HAS ADOPTED THIS REGULATION:

Article 1

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

Article 2

This Regulation shall enter into force on 26 May 2000.

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

Done at Brussels, 25 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 147, 30.6.1995, p. 51.

ANNEX

to the Commission Regulation of 25 May 2000 fixing the export refunds on cereal-based compound feeding-stuffs

Product code benefiting from export refund ⁽¹⁾:

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

(EUR/t)

Cereal products ⁽²⁾	Amount of refund ⁽²⁾
Maize and maize products: CN codes 0709 90 60, 0712 90 19, 1005, 1102 20, 1103 13, 1103 29 40, 1104 19 50, 1104 23, 1904 10 10	33,97
Cereal products ⁽²⁾ excluding maize and maize products	16,95

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

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

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

COMMISSION REGULATION (EC) No 1109/2000
of 25 May 2000
fixing production refunds on cereals and rice

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

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

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

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

Whereas:

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

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

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

HAS ADOPTED THIS REGULATION:

Article 1

The refund referred to in Article 3(2) of Regulation (EEC) No 1722/93, expressed per tonne of starch extracted from maize, wheat, barley, oats, potatoes, rice or broken rice, shall be EUR 16,14/t.

Article 2

This Regulation shall enter into force on 26 May 2000.

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

Done at Brussels, 25 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 329, 30.12.1995, p. 18.

⁽⁴⁾ OJ L 265, 30.9.1998, p. 4.

⁽⁵⁾ OJ L 159, 1.7.1993, p. 112.

⁽⁶⁾ OJ L 9, 15.1.1999, p. 8.

COMMISSION REGULATION (EC) No 1110/2000
of 25 May 2000
altering the export refunds on white sugar and raw sugar exported in the natural state

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⁾, and in particular the third subparagraph of Article 18(5) thereof,

Whereas:

- (1) The refunds on white sugar and raw sugar exported in the natural state were fixed by Commission Regulation (EC) No 1090/2000 ⁽²⁾.
- (2) It follows from applying the detailed rules contained in Regulation (EC) No 1090/2000 to the information known to the Commission that the export refunds at

present in force should be altered to the amounts set out in the Annex hereto,

HAS ADOPTED THIS REGULATION:

Article 1

The export refunds on the products listed in Article 1(1)(a) of Regulation (EC) No 2038/1999, undenatured and exported in the natural state, as fixed in the Annex to Regulation (EC) No 1090/2000, are hereby altered to the amounts shown in the Annex hereto.

Article 2

This Regulation shall enter into force on 26 May 2000.

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

Done at Brussels, 25 May 2000.

For the Commission
Franz FISCHLER
Member of the Commission

⁽¹⁾ OJ L 252, 25.9.1999, p. 1.
⁽²⁾ OJ L 124, 25.5.2000, p. 10.

ANNEX

to the Commission Regulation of 25 May 2000 altering the export refunds on white sugar and raw sugar exported in its unaltered state

Product code	Amount of refund
	— EUR/100 kg —
1701 11 90 9100	37,83 ⁽¹⁾
1701 11 90 9910	37,83 ⁽¹⁾
1701 11 90 9950	⁽²⁾
1701 12 90 9100	37,83 ⁽¹⁾
1701 12 90 9910	37,83 ⁽¹⁾
1701 12 90 9950	⁽²⁾
	— EUR/1 % of sucrose × 100 kg —
1701 91 00 9000	0,4112
	— EUR/100 kg —
1701 99 10 9100	41,12
1701 99 10 9910	43,18
1701 99 10 9950	41,12
	— EUR/1 % of sucrose × 100 kg —
1701 99 90 9100	0,4112

⁽¹⁾ Applicable to raw sugar with a yield of 92 %; if the yield is other than 92 %, the refund applicable is calculated in accordance with the provisions of Article 19 (4) of Regulation (EC) No 2038/1999.

⁽²⁾ Fixing suspended by Commission Regulation (EEC) No 2689/85 (OJ L 255, 26.9.1985, p. 12), as amended by Regulation (EEC) No 3251/85 (OJ L 309, 21.11.1985, p. 14).

COMMISSION REGULATION (EC) No 1111/2000
of 25 May 2000
amending the export refunds on syrups and certain other sugar sector products exported in the natural state

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 organization of the markets in the sugar sector ⁽¹⁾, and in particular the third indent of Article 18(5) thereof,

Whereas:

- (1) The refunds on syrups and certain other sugar products were fixed by Commission Regulation (EC) No 875/2000 ⁽²⁾;
- (2) It follows from applying the rules, criteria and other provisions contained in Regulation (EC) No 875/2000 to the information at present available to the Commission

that the export refunds at present in force should be altered as shown in the Annex hereto,

HAS ADOPTED THIS REGULATION:

Article 1

The refunds to be granted on the products listed in Article 1 (1) (d), (f) and (g) of Regulation (EC) No 2038/1999, exported in the natural state, as fixed in the Annex to Regulation (EC) No 875/2000 are hereby altered to the amounts shown in the Annex hereto.

Article 2

This Regulation shall enter into force on 26 May 2000.

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

Done at Brussels, 25 May 2000.

For the Commission
Franz FISCHLER
Member of the Commission

⁽¹⁾ OJ L 252, 25.9.1999, p. 1.
⁽²⁾ OJ L 104, 29.4.2000, p. 16.

ANNEX

to the Commission Regulation of 25 May 2000 amending the export refunds on syrups and certain other sugar products exported in the natural state

Product code	Amount of refund
	— EUR/100 kg dry matter —
1702 40 10 9100	41,12 ⁽²⁾
1702 60 10 9000	41,12 ⁽²⁾
1702 60 80 9100	78,13 ⁽⁴⁾
	— EUR/1 % sucrose × 100 kg —
1702 60 95 9000	0,4112 ⁽¹⁾
	— EUR/100 kg dry matter —
1702 90 30 9000	41,12 ⁽²⁾
	— EUR/1 % sucrose × 100 kg —
1702 90 60 9000	0,4112 ⁽¹⁾
1702 90 71 9000	0,4112 ⁽¹⁾
1702 90 99 9900	0,4112 ⁽¹⁾ ⁽³⁾
	— EUR/100 kg dry matter —
2106 90 30 9000	41,12 ⁽²⁾
	— EUR/1 % sucrose × 100 kg —
2106 90 59 9000	0,4112 ⁽¹⁾

⁽¹⁾ The basic amount is not applicable to syrups which are less than 85 % pure (Regulation (EC) No 2135/95). Sucrose content is determined in accordance with Article 3 of Regulation (EC) No 2135/95.

⁽²⁾ Applicable only to products referred to in Article 5 of Regulation (EC) No 2135/95.

⁽³⁾ The basic amount is not applicable to the product defined under point 2 of the Annex to Regulation (EEC) No 3513/92 (OJ L 355, 5.12.1992, p. 12).

⁽⁴⁾ Applicable only to products defined under Article 6 of Regulation (EC) No 2135/95.

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

COMMISSION REGULATION (EC) No 1112/2000**of 25 May 2000****fixing the export refunds on cereals and on wheat or rye flour, groats and meal**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

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

Whereas:

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

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

HAS ADOPTED THIS REGULATION:

Article 1

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

Article 2

This Regulation shall enter into force on 26 May 2000.

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

Done at Brussels, 25 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 147, 30.6.1995, p. 7.

⁽⁴⁾ OJ L 313, 21.11.1998, p. 16.

ANNEX

**to the Commission Regulation of 25 May 2000 fixing the export refunds on cereals and on wheat or rye flour,
groats and meal**

(EUR/t)			(EUR/t)		
Product code	Destination ⁽¹⁾	Amount of refund	Product code	Destination ⁽¹⁾	Amount of refund
1001 10 00 9200	—	—	1101 00 11 9000	—	—
1001 10 00 9400	01	0	1101 00 15 9100	01	13,70
1001 90 91 9000	—	—	1101 00 15 9130	01	12,80
1001 90 99 9000	01	0	1101 00 15 9150	01	11,80
1002 00 00 9000	01	0	1101 00 15 9170	01	10,90
1003 00 10 9000	—	—	1101 00 15 9180	01	10,20
1003 00 90 9000	01	0	1101 00 15 9190	—	—
1004 00 00 9200	—	—	1101 00 90 9000	—	—
1004 00 00 9400	—	—	1102 10 00 9500	01	13,70
1005 10 90 9000	—	—	1102 10 00 9700	01	10,80
1005 90 00 9000	01	0	1102 10 00 9900	—	—
1007 00 90 9000	—	—	1103 11 10 9200	01	0 ⁽²⁾
1008 20 00 9000	—	—	1103 11 10 9400	01	0 ⁽²⁾
			1103 11 10 9900	—	—
			1103 11 90 9200	01	0 ⁽²⁾
			1103 11 90 9800	—	—

⁽¹⁾ The destinations are identified as follows:

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

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

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

COMMISSION REGULATION (EC) No 1113/2000
of 25 May 2000
fixing 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 organization of the market in cereals ⁽¹⁾, as last amended by Regulation (EC) No 1253/1999 ⁽²⁾, and in particular Article 13 (8) thereof,

Whereas:

- (1) Article 13 (8) of Regulation (EEC) No 1766/92 provides that the export refund applicable to cereals on the day on which application for an export licence is made must be applied on request to exports to be effected during the period of validity of the export licence; whereas, in this case, a corrective amount may be applied to the refund.
- (2) Commission Regulation (EC) No 1501/95 of 29 June 1995 laying down certain detailed rules under Council Regulation (EEC) No 1766/92 on the granting of export refunds on cereals and the cereals and the measures to be taken in the event of disturbance on the market for cereals ⁽³⁾, as last amended by Regulation (EC) No 2513/98 ⁽⁴⁾, allows for the fixing of a corrective amount for the products listed in Article 1(1) (c) of Regulation (EEC) No 1766/92; that corrective amount must be calculated taking account of the factors referred to in Article 1 of Regulation (EC) No 1501/95.

- (3) The world market situation or the specific requirements of certain markets may make it necessary to vary the corrective amount according to destination.
- (4) The corrective amount must be fixed at the same time as the refund and according to the same procedure; it may be altered in the period between fixings.
- (5) It follows from applying the provisions set out above that the corrective amount must be as set out in the Annex hereto.
- (6) 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 corrective amount referred to in Article 1(1) (a), (b) and (c) of Regulation (EEC) No 1766/92 which is applicable to export refunds fixed in advance except for malt shall be as set out in the Annex hereto.

Article 2

This Regulation shall enter into force on 26 May 2000.

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

Done at Brussels, 25 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 147, 30.6.1995, p. 7.

⁽⁴⁾ OJ L 313, 21.11.1998, p. 16.

ANNEX

to the Commission Regulation of 25 May 2000 fixing 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	01	0	0	0	-1,00	-2,00	—	—
1002 00 00 9000	01	0	0	0	-1,00	-2,00	—	—
1003 00 10 9000	—	—	—	—	—	—	—	—
1003 00 90 9000	01	0	0	0	-1,00	-2,00	—	—
1004 00 00 9200	—	—	—	—	—	—	—	—
1004 00 00 9400	01	0	0	0	-1,00	-2,00	—	—
1005 10 90 9000	—	—	—	—	—	—	—	—
1005 90 00 9000	01	0	-1,00	-2,00	-3,00	-3,00	—	—
1007 00 90 9000	—	—	—	—	—	—	—	—
1008 20 00 9000	—	—	—	—	—	—	—	—
1101 00 11 9000	—	—	—	—	—	—	—	—
1101 00 15 9100	01	0	-13,70	—	—	—	—	—
1101 00 15 9130	01	0	-12,80	—	—	—	—	—
1101 00 15 9150	01	0	-11,80	—	—	—	—	—
1101 00 15 9170	01	0	-10,90	—	—	—	—	—
1101 00 15 9180	01	0	-10,20	—	—	—	—	—
1101 00 15 9190	—	—	—	—	—	—	—	—
1101 00 90 9000	—	—	—	—	—	—	—	—
1102 10 00 9500	01	0	-13,70	—	—	—	—	—
1102 10 00 9700	01	0	-10,80	—	—	—	—	—
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 1114/2000
of 25 May 2000**

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

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

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

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

Whereas:

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

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

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

HAS ADOPTED THIS REGULATION:

Article 1

For tenders notified from 19 to 25 May 2000, pursuant to the invitation to tender issued in Regulation (EC) No 1707/1999, the maximum refund on exportation of common wheat shall be EUR 0,00/t.

Article 2

This Regulation shall enter into force on 26 May 2000.

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

Done at Brussels, 25 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 147, 30.6.1995, p. 7.

⁽⁴⁾ OJ L 313, 21.11.1998, p. 16.

⁽⁵⁾ OJ L 201, 31.7.1999, p. 55.

⁽⁶⁾ OJ L 248, 21.9.1999, p. 23.

COMMISSION REGULATION (EC) No 1115/2000**of 25 May 2000****fixing the maximum export refund on barley in connection with the invitation to tender issued in Regulation (EC) No 1701/1999**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

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

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

Whereas:

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

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

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

HAS ADOPTED THIS REGULATION:

Article 1

For tenders notified from 19 to 25 May 2000, pursuant to the invitation to tender issued in Regulation (EC) No 1701/1999, the maximum refund on exportation of barley shall be EUR 0,00/t.

Article 2

This Regulation shall enter into force on 26 May 2000.

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

Done at Brussels, 25 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 147, 30.6.1995, p. 7.

⁽⁴⁾ OJ L 313, 21.11.1998, p. 16.

⁽⁵⁾ OJ L 201, 31.7.1999, p. 27.

⁽⁶⁾ OJ L 280, 30.10.1999, p. 77.

COMMISSION REGULATION (EC) No 1116/2000**of 25 May 2000****fixing the maximum export refund on oats in connection with the invitation to tender issued in Regulation (EC) No 1897/1999**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

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

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

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

Whereas:

- (1) An invitation to tender for the refund for the export of oats produced in Finland and Sweden for export from Finland or Sweden to all third countries was opened pursuant to Regulation (EC) No 1897/1999.
- (2) Article 8 of Regulation (EC) No 1897/1999 provides that the Commission may, on the basis of the tenders notified, in accordance with the procedure laid down in

Article 23 of Regulation (EEC) No 1766/92, decide to fix a maximum export refund taking account of the criteria referred to in Article 1 of Regulation (EC) No 1501/95. In that case a contract is awarded to any tenderer whose bid is equal to or lower than the maximum refund.

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

HAS ADOPTED THIS REGULATION:

Article 1

For tenders notified from 19 to 25 May 2000, pursuant to the invitation to tender issued in Regulation (EC) No 1897/1999, the maximum refund on exportation of oats shall be EUR 44,90/t.

Article 2

This Regulation shall enter into force on 26 May 2000.

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

Done at Brussels, 25 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 147, 30.6.1995, p. 7.

⁽⁴⁾ OJ L 313, 21.11.1998, p. 16.

⁽⁵⁾ OJ L 233, 3.9.1999, p. 10.

⁽⁶⁾ OJ L 303, 26.11.1999, p. 3.

COMMISSION REGULATION (EC) No 1117/2000
of 25 May 2000
amending the rates of the refunds applicable to certain products from the sugar sector exported in
the form of goods not covered by Annex I to the Treaty

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EC) No 2038/1999 of 13 September 1999 on the common organisation of the markets in the sugar sector ⁽¹⁾, and in particular Article 18(5)(a) and (15) thereof,

Whereas:

- (1) The rates of the refunds applicable from 1 May 2000 to the products listed in the Annex, exported in the form of goods not covered by Annex I to the Treaty, were fixed by Commission Regulation (EC) No 886/2000 ⁽²⁾.

- (2) It follows from applying the rules and criteria contained in Regulation (EC) No 886/2000 to the information at present available to the Commission that the export refunds at present applicable should be altered as shown in the Annex hereto,

HAS ADOPTED THIS REGULATION:

Article 1

The rates of refund fixed by Regulation (EC) No 886/2000 are hereby altered as shown in the Annex hereto.

Article 2

This Regulation shall enter into force on 26 May 2000.

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

Done at Brussels, 25 May 2000.

For the Commission

Erkki LIIKANEN

Member of the Commission

⁽¹⁾ OJ L 252, 25.9.1999, p. 1.

⁽²⁾ OJ L 104, 29.4.2000, p. 46.

ANNEX

to the Commission Regulation of 25 May 2000 amending the rates of the refunds applicable to certain products in the sugar sector exported in the form of goods not covered by Annex I to the Treaty

Product	Rate of refund in EUR/100 kg	
	In case of advance fixing of refunds	Other
White sugar:		
— pursuant to Article 4(5)(b) of Regulation (EC) No 1222/94	—	—
— in all other cases	41,12	41,12

**COMMISSION REGULATION (EC) No 1118/2000
of 25 May 2000**

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

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

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

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

Whereas:

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

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

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

HAS ADOPTED THIS REGULATION:

Article 1

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

Article 2

This Regulation shall enter into force on 26 May 2000.

⁽¹⁾ OJ L 181, 1.7.1992, p. 21.

⁽²⁾ OJ L 160, 26.6.1999, p. 18.

⁽³⁾ OJ L 329, 30.12.1995, p. 18.

⁽⁴⁾ OJ L 265, 30.9.1998, p. 4.

⁽⁵⁾ OJ L 136, 31.5.1994, p. 5.

⁽⁶⁾ OJ L 83, 4.4.2000, p. 6.

⁽⁷⁾ OJ L 275, 29.9.1987, p. 36.

⁽⁸⁾ OJ L 159, 1.7.1993, p. 112.

⁽⁹⁾ OJ L 9, 15.1.1999, p. 8.

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

Done at Brussels, 25 May 2000.

For the Commission
Erkki LIIKANEN
Member of the Commission

ANNEX

to the Commission Regulation of 25 May 2000 fixing the rates of the refunds applicable to certain cereals and rice products exported in the form of goods not covered by Annex I to the Treaty

(EUR/100 kg)

CN code	Description of products ⁽¹⁾	Rate of refund per 100 kg of basic product	
		In case of advance fixing of refunds	Other
1001 10 00	Durum wheat: – on exports of goods falling within CN codes 1902 11 and 1902 19 to the United States of America – in other cases	— —	— —
1001 90 99	Common wheat and meslin: – on exports of goods falling within CN codes 1902 11 and 1902 19 to the United States of America – in other cases: – – where pursuant to Article 4 (5) of Regulation (EC) No 1222/94 ⁽²⁾ – – in other cases	1,119 1,041 1,721	1,119 1,041 1,721
1002 00 00	Rye	3,378	3,378
1003 00 90	Barley	1,516	1,516
1004 00 00	Oats	2,981	2,981
1005 90 00	Maize (corn) used in the form of: – starch: – – where pursuant to Article 4 (5) of Regulation (EC) No 1222/94 ⁽²⁾ – – in other cases – glucose, glucose syrup, maltodextrine, maltodextrine syrup of CN codes 1702 30 51, 1702 30 59, 1702 30 91, 1702 30 99, 1702 40 90, 1702 90 50, 1702 90 75, 1702 90 79, 2106 90 55 ⁽³⁾ : – – where pursuant to Article 4 (5) of Regulation (EC) No 1222/94 ⁽²⁾ – – in other cases – other (including unprocessed) Potato starch of CN code 1108 13 00 similar to a product obtained from processed maize: – where pursuant to Article 4 (5) of Regulation (EC) No 1222/94 ⁽²⁾ – in other cases	2,395 3,244 2,014 2,863 3,244 2,395 3,244	2,395 3,244 2,014 2,863 3,244 2,395 3,244
ex 1006 30	Wholly-milled rice: – round grain – medium grain – long grain	15,185 15,185 15,185	15,185 15,185 15,185
1006 40 00	Broken rice	3,534	3,534
1007 00 90	Sorghum	1,516	1,516

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

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

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