

English edition

Legislation

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I

(Acts whose publication is obligatory)

COMMISSION REGULATION (EC) No 1162/2000
of 31 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 1 June 2000.

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

Done at Brussels, 31 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 31 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	81,9
	204	66,1
	999	74,0
0707 00 05	052	85,5
	068	45,2
	628	125,1
	999	85,3
0709 90 70	052	59,7
	999	59,7
0805 30 10	528	56,8
	999	56,8
0808 10 20, 0808 10 50, 0808 10 90	388	88,5
	400	93,7
	404	88,6
	508	84,7
	512	89,4
	528	83,1
	720	85,4
	804	98,9
	999	89,0
	0809 20 95	400
999		584,4

⁽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 1163/2000
of 31 May 2000**

**fixing the maximum export refund for white sugar for the 41st partial invitation to tender issued
within the framework of the standing invitation to tender provided for in Regulation (EC) No
1489/1999**

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 second subparagraph of Article 18(5) thereof,

Whereas:

- (1) Commission Regulation (EC) No 1489/1999 of 7 July 1999 on a standing invitation to tender to determine levies and/or refunds on exports of white sugar ⁽²⁾, requires partial invitations to tender to be issued for the export of this sugar.
- (2) Pursuant to Article 9(1) of Regulation (EC) No 1489/1999 a maximum export refund shall be fixed, as the case may be, account being taken in particular of the state and foreseeable development of the Community

and world markets in sugar, for the partial invitation to tender in question.

- (3) Following an examination of the tenders submitted in response to the 41st partial invitation to tender, the provisions set out in Article 1 should be adopted.
- (4) The measures provided for in this Regulation are in accordance with the opinion of the Management Committee for Sugar,

HAS ADOPTED THIS REGULATION:

Article 1

For the 41st partial invitation to tender for white sugar issued pursuant to Regulation (EC) No 1489/1999 the maximum amount of the export refund is fixed at EUR 47,150/100 kg.

Article 2

This Regulation shall enter into force on 1 June 2000.

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

Done at Brussels, 31 May 2000.

For the Commission
Franz FISCHLER
Member of the Commission

⁽¹⁾ OJ L 252, 25.9.1999, p. 1.

⁽²⁾ OJ L 172, 8.7.1999, p. 27.

COMMISSION REGULATION (EC) No 1164/2000**of 31 May 2000****fixing the representative prices and the additional import duties for molasses in the sugar sector**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

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

Having regard to Commission Regulation (EC) No 1422/95 of 23 June 1995 laying down detailed rules of application for imports of molasses in the sugar sector and amending Regulation (EEC) No 785/68 ⁽²⁾, and in particular Articles 1(2) and 3(1) thereof,

Whereas:

- (1) Regulation (EC) No 1422/95 stipulates that the cif import price for molasses, hereinafter referred to as the 'representative price', should be set in accordance with Commission Regulation (EEC) No 785/68 ⁽³⁾. That price should be fixed for the standard quality defined in Article 1 of the above Regulation.
- (2) The representative price for molasses is calculated at the frontier crossing point into the Community, in this case Amsterdam; that price must be based on the most favourable purchasing opportunities on the world market established on the basis of the quotations or prices on that market adjusted for any deviations from the standard quality. The standard quality for molasses is defined in Regulation (EEC) No 785/68.
- (3) When the most favourable purchasing opportunities on the world market are being established, account must be taken of all available information on offers on the world market, on the prices recorded on important third-country markets and on sales concluded in international trade of which the Commission is aware, either directly or through the Member States. Under Article 7 of Regulation (EEC) No 785/68, the Commission may for this purpose take an average of several prices as a basis, provided that this average is representative of actual market trends.
- (4) The information must be disregarded if the goods concerned are not of sound and fair marketable quality or if the price quoted in the offer relates only to a small

quantity that is not representative of the market. Offer prices which can be regarded as not representative of actual market trends must also be disregarded.

- (5) If information on molasses of the standard quality is to be comparable, prices must, depending on the quality of the molasses offered, be increased or reduced in the light of the results achieved by applying Article 6 of Regulation (EEC) No 785/68.
- (6) A representative price may be left unchanged by way of exception for a limited period if the offer price which served as a basis for the previous calculation of the representative price is not available to the Commission and if the offer prices which are available and which appear not to be sufficiently representative of actual market trends would entail sudden and considerable changes in the representative price.
- (7) Where there is a difference between the trigger price for the product in question and the representative price, additional import duties should be fixed under the conditions set out in Article 3 of Regulation (EC) No 1422/95. Should the import duties be suspended pursuant to Article 5 of Regulation (EC) No 1422/95, specific amounts for these duties should be fixed.
- (8) Application of these provisions will have the effect of fixing the representative prices and the additional import duties for the products in question as set out in the Annex to this Regulation.
- (9) The measures provided for in this Regulation are in accordance with the opinion of the Management Committee for Sugar,

HAS ADOPTED THIS REGULATION:

Article 1

The representative prices and the additional duties applying to imports of the products referred to in Article 1 of Regulation (EC) No 1422/95 are fixed in the Annex hereto.

Article 2

This Regulation shall enter into force on 1 June 2000.

⁽¹⁾ OJ L 252, 25.9.1999, p. 1.

⁽²⁾ OJ L 141, 24.6.1995, p. 12.

⁽³⁾ OJ L 145, 27.6.1968, p. 12.

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

Done at Brussels, 31 May 2000.

For the Commission
Franz FISCHLER
Member of the Commission

ANNEX

fixing the representative prices and additional import duties applying to imports of molasses in the sugar sector

(in EUR)

CN code	Amount of the representative price in 100 kg net of the product in question	Amount of the additional duty in 100 kg net of the product in question	Amount of the duty to be applied to imports in 100 kg net of the product in question because of suspension as referred to in Article 5 of Regulation (EC) No 1422/95 ⁽²⁾
1703 10 00 ⁽¹⁾	8,47	—	0
1703 90 00 ⁽¹⁾	8,87	—	0

⁽¹⁾ For the standard quality as defined in Article 1 of amended Regulation (EEC) No 785/68.

⁽²⁾ This amount replaces, in accordance with Article 5 of Regulation (EC) No 1422/95, the rate of the Common Customs Tariff duty fixed for these products.

COMMISSION REGULATION (EC) No 1165/2000
of 31 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⁾, as amended by Regulation (EC) No 1110/2000 ⁽³⁾.
- (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 1 June 2000.

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

Done at Brussels, 31 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.
⁽³⁾ OJ L 125, 26.5.2000, p. 39.

ANNEX

to the Commission Regulation of 31 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	38,78 ⁽¹⁾
1701 11 90 9910	38,55 ⁽¹⁾
1701 11 90 9950	⁽²⁾
1701 12 90 9100	38,78 ⁽¹⁾
1701 12 90 9910	38,55 ⁽¹⁾
1701 12 90 9950	⁽²⁾
	— EUR/1 % of sucrose × 100 kg —
1701 91 00 9000	0,4216
	— EUR/100 kg —
1701 99 10 9100	42,16
1701 99 10 9910	44,15
1701 99 10 9950	42,16
	— EUR/1 % of sucrose × 100 kg —
1701 99 90 9100	0,4216

⁽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 1166/2000**of 31 May 2000****fixing the export refunds on syrups and certain other sugar 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 organisation of the markets in the sugar sector⁽¹⁾, and in particular the second subparagraph of Article 18(5) thereof,

Whereas:

(1) Article 18 of Regulation (EC) No 2038/1999 provides that the difference between quotations or prices on the world market for the products listed in Article 1(1)(d) of that Regulation and prices for those products within the Community may be covered by an export refund.

(2) Article 3 of Commission Regulation (EC) No 2135/95 of 7 September 1995 laying down detailed rules of application for the grant of export refunds in the sugar sector⁽²⁾, provides that the export refund on 100 kilograms of the products listed in Article 1 (1) (d) of Regulation (EC) No 2038/1999 is equal to the basic amount multiplied by the sucrose content, including, where appropriate, other sugars expressed as sucrose; the sucrose content of the product in question is determined in accordance with Article 3 of Commission Regulation (EC) No 2135/95.

(3) Article 21(3) of Regulation (EC) No 2038/1999 provides that the basic amount of the refund on sorbose exported in the natural state must be equal to the basic amount of the refund less one-hundredth of the production refund applicable, pursuant to Council Regulation (EEC) No 1010/86 of 25 March 1986 laying down general rules for the production refund on sugar used in the chemical industry⁽³⁾, as last amended by Commission Regulation (EC) No 1148/98⁽⁴⁾, to the products listed in the Annex to the last mentioned Regulation;

(4) According to the terms of Article 21(1) of Regulation (EC) No 2038/1999, the basic amount of the refund on the other products listed in Article 1(1)(d) of the said

Regulation exported in the natural state must be equal to one-hundredth of an amount which takes account, on the one hand, of the difference between the intervention price for white sugar for the Community areas without deficit for the month for which the basic amount is fixed and quotations or prices for white sugar on the world market and, on the other, of the need to establish a balance between the use of Community basic products in the manufacture of processed goods for export to third countries and the use of third country products brought in under inward processing arrangements.

(5) According to the terms of Article 21(4) of Regulation (EC) No 2038/1999, the application of the basic amount may be limited to some of the products listed in Article 1(1)(d) of the said Regulation.

(6) Article 18 of Regulation (EC) No 2038/1999 makes provision for setting refunds for export in the natural state of products referred to in Article 1(1)(f) and (g) and (h) of that Regulation; the refund must be fixed per 100 kilograms of dry matter, taking account of the export refund for products falling within CN code 1702 30 91 and for products referred to in Article 1(1)(d) of Regulation (EC) No 2038/1999 and of the economic aspects of the intended exports; in the case of the products referred to in the said Article (1)(f) and (g), the refund is to be granted only for products complying with the conditions in Article 5 of Regulation (EC) No 2135/95; for the products referred to in Article 1(1)(h), the refund shall be granted only for products complying with the conditions in Article 6 of Regulation (EC) No 2135/95.

(7) The refunds referred to above must be fixed every month; they may be altered in the intervening period.

(8) Application of these quotas results in fixing refunds for the products in question at the levels given in the Annex to this Regulation.

(9) The measures provided for in this Regulation are in accordance with the opinion of the Management Committee for Sugar,

⁽¹⁾ OJ L 252, 25.9.1999, p. 1.

⁽²⁾ OJ L 214, 8.9.1995, p. 16.

⁽³⁾ OJ L 94, 9.4.1986, p. 9.

⁽⁴⁾ OJ L 159, 3.6.1998, p. 38.

HAS ADOPTED THIS REGULATION:

Article 1

The export refunds on the products listed in Article 1(1)(d)(f)(g) and (h) of Regulation (EC) No 2038/1999, exported in the natural state, shall be set out in the Annex hereto.

Article 2

This Regulation shall enter into force on 1 June 2000.

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

Done at Brussels, 31 May 2000.

For the Commission
Franz FISCHLER
Member of the Commission

ANNEX

to the Commission Regulation of 31 May 2000 fixing 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	42,16 ⁽²⁾
1702 60 10 9000	42,16 ⁽²⁾
1702 60 80 9100	80,10 ⁽⁴⁾
	— EUR/1 % sucrose × 100 kg —
1702 60 95 9000	0,4216 ⁽¹⁾
	— EUR/100 kg dry matter —
1702 90 30 9000	42,16 ⁽²⁾
	— EUR/1 % sucrose × 100 kg —
1702 90 60 9000	0,4216 ⁽¹⁾
1702 90 71 9000	0,4216 ⁽¹⁾
1702 90 99 9900	0,4216 ⁽¹⁾ ⁽³⁾
	— EUR/100 kg dry matter —
2106 90 30 9000	42,16 ⁽²⁾
	— EUR/1 % sucrose × 100 kg —
2106 90 59 9000	0,4216 ⁽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 1167/2000
of 31 May 2000
fixing the import duties in the rice sector

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

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

Having regard to Commission Regulation (EC) No 1503/96 of 29 July 1996 laying down detailed rules for the application of Council Regulation (EC) No 3072/95 as regards import duties in the rice sector ⁽³⁾, as last amended by Regulation (EC) No 2831/98 ⁽⁴⁾, and in particular Article 4(1) thereof,

Whereas:

- (1) Article 11 of Regulation (EC) No 3072/95 provides that the rates of duty in the Common Customs Tariff are to be charged on import of the products referred to in Article 1 of that Regulation; whereas, however, in the case of the products referred to in paragraph 2 of that Article, the import duty is to be equal to the intervention price valid for such products on importation and increased by a certain percentage according to whether it is husked or milled rice, minus the cif import price provided that duty does not exceed the rate of the Common Customs Tariff duties.
- (2) Pursuant to Article 12(3) of Regulation (EC) No 3072/95, the cif import prices are calculated on the basis of the representative prices for the product in question on the world market or on the Community import market for the product.

- (3) Regulation (EC) No 1503/96 lays down detailed rules for the application of Regulation (EC) No 3072/95 as regards import duties in the rice sector.
- (4) The import duties are applicable until new duties are fixed and enter into force; whereas they also remain in force in cases where no quotation is available from the source referred to in Article 5 of Regulation (EC) No 1503/96 during the two weeks preceding the next periodical fixing.
- (5) In order to allow the import duty system to function normally, the market rates recorded during a reference period should be used for calculating the duties.
- (6) Application of Regulation (EC) No 1503/96 results in import duties being fixed as set out in the Annexes to this Regulation,

HAS ADOPTED THIS REGULATION:

Article 1

The import duties in the rice sector referred to in Article 11(1) and (2) of Regulation (EC) No 3072/95 shall be those fixed in Annex I to this Regulation on the basis of the information given in Annex II.

Article 2

This Regulation shall enter into force on 1 June 2000.

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

Done at Brussels, 31 May 2000.

For the Commission
Franz FISCHLER
Member of the Commission

⁽¹⁾ OJ L 329, 30.12.1995, p. 18.

⁽²⁾ OJ L 265, 30.9.1998, p. 4.

⁽³⁾ OJ L 189, 30.7.1996, p. 71.

⁽⁴⁾ OJ L 351, 29.12.1998, p. 25.

ANNEX I

Import duties on rice and broken rice

(EUR/t)

CN code	Duties (€)				
	Third countries (except ACP and Bangladesh) (1)	ACP (1) (2) (3)	Bangladesh (4)	Basmati India and Pakistan (5)	Egypt (6)
1006 10 21	(7)	76,44	111,06		173,10
1006 10 23	(7)	76,44	111,06		173,10
1006 10 25	(7)	76,44	111,06		173,10
1006 10 27	(7)	76,44	111,06		173,10
1006 10 92	(7)	76,44	111,06		173,10
1006 10 94	(7)	76,44	111,06		173,10
1006 10 96	(7)	76,44	111,06		173,10
1006 10 98	(7)	76,44	111,06		173,10
1006 20 11	144,78	46,33	68,05		108,59
1006 20 13	144,78	46,33	68,05		108,59
1006 20 15	144,78	46,33	68,05		108,59
1006 20 17	217,84	71,91	104,58	0,00	163,38
1006 20 92	144,78	46,33	68,05		108,59
1006 20 94	144,78	46,33	68,05		108,59
1006 20 96	144,78	46,33	68,05		108,59
1006 20 98	217,84	71,91	104,58	0,00	163,38
1006 30 21	(7)	146,86	212,59		341,25
1006 30 23	(7)	146,86	212,59		341,25
1006 30 25	(7)	146,86	212,59		341,25
1006 30 27	(7)	146,86	212,59		341,25
1006 30 42	(7)	146,86	212,59		341,25
1006 30 44	(7)	146,86	212,59		341,25
1006 30 46	(7)	146,86	212,59		341,25
1006 30 48	(7)	146,86	212,59		341,25
1006 30 61	(7)	146,86	212,59		341,25
1006 30 63	(7)	146,86	212,59		341,25
1006 30 65	(7)	146,86	212,59		341,25
1006 30 67	(7)	146,86	212,59		341,25
1006 30 92	(7)	146,86	212,59		341,25
1006 30 94	(7)	146,86	212,59		341,25
1006 30 96	(7)	146,86	212,59		341,25
1006 30 98	(7)	146,86	212,59		341,25
1006 40 00	(7)	45,38	(7)		105,00

(1) The duty on imports of rice originating in the ACP States is applicable, under the arrangements laid down in Council Regulation (EC) No 1706/98 (OJ L 215, 1.8.1998, p. 12) and amended Commission Regulation (EC) No 2603/97 (OJ L 351, 23.12.1997, p. 22).

(2) In accordance with Regulation (EC) No 1706/98, the duties are not applied to products originating in the African, Caribbean and Pacific States and imported directly into the overseas department of Réunion.

(3) The import levy on rice entering the overseas department of Réunion is specified in Article 11(3) of Regulation (EC) No 3072/95.

(4) The duty on imports of rice not including broken rice (CN code 1006 40 00), originating in Bangladesh is applicable under the arrangements laid down in Council Regulation (EEC) No 3491/90 (OJ L 337, 4.12.1990, p. 1) and amended Commission Regulation (EEC) No 862/91 (OJ L 88, 9.4.1991, p. 7).

(5) No import duty applies to products originating in the OCT pursuant to Article 101(1) of amended Council Decision 91/482/EEC (OJ L 263, 19.9.1991, p. 1).

(6) For husked rice of the Basmati variety originating in India and Pakistan, a reduction of EUR/t 250 applies (Article 4a of amended Regulation (EC) No 1503/96).

(7) Duties fixed in the Common Customs Tariff.

(8) The duty on imports of rice originating in and coming from Egypt is applicable under the arrangements laid down in Council Regulation (EC) No 2184/96 (OJ L 292, 15.11.1996, p. 1) and Commission Regulation (EC) No 196/97 (OJ L 31, 1.2.1997, p. 53).

ANNEX II

Calculation of import duties for rice

	Paddy	Indica rice		Japonica rice		Broken rice
		Husked	Milled	Husked	Milled	
1. Import duty (EUR/tonne)	(¹)	217,84	455,00	144,78	455,00	(¹)
2. Elements of calculation:						
(a) Arag cif price (EUR/tonne)	—	329,99	279,89	427,40	314,72	—
(b) fob price (EUR/tonne)	—	—	—	395,35	282,67	—
(c) Sea freight (EUR/tonne)	—	—	—	32,05	32,05	—
(d) Source	—	USDA	USDA	Operators	Operators	—

(¹) Duties fixed in the Common Customs Tariff.

COMMISSION REGULATION (EC) No 1168/2000
of 31 May 2000
fixing the import duties in the cereals sector

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

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

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

Whereas:

- (1) Article 10 of Regulation (EEC) No 1766/92 provides that the rates of duty in the Common Customs Tariff are to be charged on import of the products referred to in Article 1 of that Regulation. However, in the case of the products referred to in paragraph 2 of that Article, the import duty is to be equal to the intervention price valid for such products on importation and increased by 55 %, minus the cif import price applicable to the consignment in question. However, that duty may not exceed the rate of duty in the Common Customs Tariff.
- (2) Pursuant to Article 10 (3) of Regulation (EEC) No 1766/92, the cif import prices are calculated on the basis of the representative prices for the product in question on the world market.

- (3) Regulation (EC) No 1249/96 lays down detailed rules for the application of Council Regulation (EEC) No 1766/92 as regards import duties in the cereals sector.
- (4) The import duties are applicable until new duties are fixed and enter into force. They also remain in force in cases where no quotation is available for the reference exchange referred to in Annex II to Regulation (EC) No 1249/96 during the two weeks preceding the next periodical fixing.
- (5) In order to allow the import duty system to function normally, the representative market rates recorded during a reference period should be used for calculating the duties.
- (6) Application of Regulation (EC) No 1249/96 results in import duties being fixed as set out in the Annex to this Regulation,

HAS ADOPTED THIS REGULATION:

Article 1

The import duties in the cereals sector referred to in Article 10 (2) of Regulation (EEC) No 1766/92 shall be those fixed in Annex I to this Regulation on the basis of the information given in Annex II.

Article 2

This Regulation shall enter into force on 1 June 2000.

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

Done at Brussels, 31 May 2000.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ L 181, 1.7.1992, p. 21.

⁽²⁾ OJ L 160, 26.6.1999, p. 18.

⁽³⁾ OJ L 161, 29.6.1996, p. 125.

⁽⁴⁾ OJ L 315, 25.11.1998, p. 7.

ANNEX I

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

CN code	Description	Import duty by land inland waterway or sea from Mediterranean, the Black Sea or Baltic Sea ports (EUR/tonne)	Import duty by air or by sea from other ports ⁽²⁾ (EUR/tonne)
1001 10 00	Durum wheat high quality	6,24	0,00
	medium quality ⁽¹⁾	16,24	6,24
1001 90 91	Common wheat seed	15,46	5,46
1001 90 99	Common high quality wheat other than for sowing ⁽³⁾	15,46	5,46
	medium quality	57,19	47,19
	low quality	69,60	59,60
1002 00 00	Rye	66,33	56,33
1003 00 10	Barley, seed	66,33	56,33
1003 00 90	Barley, other ⁽³⁾	66,33	56,33
1005 10 90	Maize seed other than hybrid	76,51	66,51
1005 90 00	Maize other than seed ⁽³⁾	76,51	66,51
1007 00 90	Grain sorghum other than hybrids for sowing	66,33	56,33

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

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

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

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

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

ANNEX II

Factors for calculating duties

(period from 16 May 2000 to 30 May 2000)

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

Exchange quotations	Minneapolis	Kansas-City	Chicago	Chicago	Minneapolis	Minneapolis	Minneapolis
Product (% proteins at 12 % humidity)	HRS2. 14 %	HRW2. 11,5 %	SRW2	YC3	HAD2	Medium quality (*)	US barley 2
Quotation (EUR/t)	134,99	122,98	112,98	102,34	171,17 (**)	161,17 (**)	111,08 (**)
Gulf premium (EUR/t)	—	6,36	3,94	7,67	—	—	—
Great Lakes premium (EUR/t)	26,95	—	—	—	—	—	—

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

(**) Fob Great Lakes.

2. Freight/cost: Gulf of Mexico — Rotterdam: 19,07 EUR/t; Great Lakes — Rotterdam: 28,18 EUR/t.

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

COMMISSION REGULATION (EC) No 1169/2000
of 31 May 2000
amending Regulation (EEC) No 1627/89 on the buying in of beef by invitation to tender

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EC) No 1254/1999 of 17 May 1999 on the common organisation of the market in beef and veal ⁽¹⁾, and in particular Article 47(8) thereof,

Whereas:

- (1) Commission Regulation (EEC) No 1627/89 of 9 June 1989 on the buying in of beef by invitation to tender ⁽²⁾, as last amended by Regulation (EC) No 1026/2000 ⁽³⁾, opened buying in by invitation to tender in certain Member States or regions of a Member State for certain quality groups.
- (2) The application of Article 47(3), (4) and (5) of Regulation (EC) No 1254/1999 and the need to limit intervention to buying in the quantities necessary to ensure reasonable support for the market result, on the basis of

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

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

HAS ADOPTED THIS REGULATION:

Article 1

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

Article 2

This Regulation shall enter into force on 12 June 2000.

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

Done at Brussels, 31 May 2000.

For the Commission
Franz FISCHLER
Member of the Commission

⁽¹⁾ OJ L 160, 26.6.1999, p. 21.
⁽²⁾ OJ L 159, 10.6.1989, p. 36.
⁽³⁾ OJ L 116, 17.5.2000, p. 10.

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

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

Medlemsstater eller regioner og kvalitetsgrupper, jf. artikel 1, stk. 1, i forordning (EØF) nr. 1627/89
Mitgliedstaaten oder Gebiete eines Mitgliedstaats sowie die in Artikel 1 Absatz 1 der Verordnung (EWG) Nr. 1627/89 genannten Qualitätsgruppen

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

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

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

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

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

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

Jäsenvaltiot tai alueet ja asetuksen (ETY) N:o 1627/89 1 artiklan 1 kohdan tarkoittamat laaturyhämät
Medlemsstater eller regioner och kvalitetsgrupper som avses i artikel 1.1 i förordning (EEG) nr 1627/89

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

COMMISSION REGULATION (EC) No 1170/2000**of 31 May 2000****amending Regulation (EC) No 1326/1999 establishing a forecast balance for the supply to the Canary Islands of cereal products covered by the specific measures provided for in Articles 2 to 5 of Council Regulation (EEC) No 1601/92**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

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

Whereas:

- (1) The quantities of products eligible for the specific supply arrangements are determined by means of periodic forecast balances which may be revised according to the essential requirements of the market taking into account local production and traditional trade flows.
- (2) In accordance with Article 2 of Regulation (EEC) No 1601/92 these arrangements include requirements for direct human consumption, and for processing and packaging in the Islands of products listed in the Annex to the aforementioned Regulation. An assessment of these requirements is made annually in the context of a forecast supply balance which can be revised in the course of the year in the light of developments in the requirements of the Islands. The assessment of the requirements of the processing and packaging industries, as regards products intended for the local market or traditionally dispatched to the rest of the Community,

may result in the establishment of a separate forecast supply balance.

- (3) Pursuant to Article 2 of Regulation (EEC) No 1601/92 the forecast supply balance of cereal products to the Canary Islands for the 1999/2000 marketing year was established by Commission Regulation (EC) No 1326/1999 ⁽³⁾. To meet the needs of this region, amendments must be made to this forecast supply balance. Subsequently, Regulation (EC) No 1326/1999 should be amended.
- (4) The measures provided for in this Regulation are in accordance with the opinion of the Management Committee for Cereals,

HAS ADOPTED THIS REGULATION:

Article 1

The Annex to Regulation (EC) No 1326/1999 is replaced by the Annex to this Regulation.

Article 2

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

It shall apply with effect from 1 July 1999.

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

Done at Brussels, 31 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 157, 24.6.1999, p. 35.

ANNEX

'ANNEX

**FORECAST SUPPLY BALANCE FOR THE CANARY ISLANDS FOR THE PERIOD 1 JULY 1999 TO
30 JUNE 2000**

(tonnes)

CN code	Product	Quantity
1001 90 ⁽¹⁾	Soft wheat	150 000
1001 10 ⁽¹⁾	Durum wheat	0
1003 ⁽¹⁾	Barley	30 000
1004 ⁽¹⁾	Oats	4 000
1005 ⁽¹⁾	Maize	180 000
1103 11 50	Durum wheat-groats and meal	5 200
1103 13	Maize flour-groats and meal	3 350
1103 19	Other groats and meal	0
1103 21 to 1103 29	Pellets	0
1107	Malt	16 700
ex 1702 ⁽²⁾	Glucose	1 500

⁽¹⁾ The quantities fixed may be exceeded, up to a maximum of 25 %, provided that the combined quantity for the products concerned is not exceeded.

⁽²⁾ Other than products from CN codes 1702 30 10, 1702 40 10, 1702 60 10 and 1702 90 30.'

**COMMISSION REGULATION (EC) No 1171/2000
of 31 May 2000**

**fixing the rates of the refunds applicable to certain milk 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 (EC) No 1255/1999 of 15 May 1999 on the common organisation of the market in milk and milk products ⁽¹⁾, and in particular Article 31(3) thereof,

Whereas:

(1) Article 31 (1) of Regulation (EC) No 1255/1999 provides that the difference between prices in international trade for the products listed in Article 1 (a), (b), (c), (d), (e), and (g) of that Regulation and prices within the Community may be covered by an export refund. Whereas Commission Regulation (EC) No 1222/94 of 30 May 1994 laying down common implementing rules for granting export refunds on certain agricultural products exported in the form of goods not covered by Annex I to the Treaty, and criteria for fixing the amount of such refunds ⁽²⁾, as last amended by Regulation (EC) No 238/2000 ⁽³⁾, 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 the Annex to Regulation (EC) No 1255/1999.

(2) 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.

(3) Article 4 (3) of Regulation (EC) No 1222/94 provides that, when the rate of the refund is being fixed, account should be taken, where necessary, of production refunds, aids or other measures having equivalent effect applicable in all Member States in accordance with the Regulation on the common organisation of the market in the product in question to the basic products listed in Annex A to that Regulation or to assimilated products.

(4) Article 11 (1) of Regulation (EC) No 1255/1999 provides for the payment of aid for Community-produced skimmed milk processed into casein if such milk and the casein manufactured from it fulfil certain conditions.

(5) Commission Regulation (EC) No 2571/97 of 15 December 1997 on the sale of butter at reduced prices and the granting of aid for cream, butter and concentrated butter for use in the manufacture of pastry products, ice-cream and other foodstuffs ⁽⁴⁾, as last amended by Regulation (EC) No 494/1999 ⁽⁵⁾, lays down that butter and cream at reduced prices should be made available to industries which manufacture certain goods.

(6) It is necessary to ensure continuity of strict management taking account of expenditure forecasts and funds available in the budget.

(7) 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 rates of the refunds applicable to the basic products appearing in Annex A to Regulation (EC) No 1222/94 and listed in Article 1 of Regulation (EC) No 1255/1999, exported in the form of goods listed in the Annex to Regulation (EC) No 1255/1999, are hereby fixed as shown in the Annex to this Regulation.

2. No rates of refund are fixed for any of the products referred to in the preceding paragraph which are not listed in the Annex to this Regulation.

Article 2

This Regulation shall enter into force on 1 June 2000.

⁽¹⁾ OJ L 160, 26.6.1999, p. 48.

⁽²⁾ OJ L 136, 31.5.1994, p. 5.

⁽³⁾ OJ L 24, 29.1.2000, p. 45.

⁽⁴⁾ OJ L 350, 20.12.1997, p. 3.

⁽⁵⁾ OJ L 59, 6.3.1999, p. 17.

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

Done at Brussels, 31 May 2000.

For the Commission
Erkki LIIKANEN
Member of the Commission

ANNEX

to the Commission Regulation of 31 May 2000 fixing the rates of the refunds applicable to certain milk products exported in the form of goods not covered by Annex I to the Treaty

(EUR/100 kg)

CN code	Description	Rate of refund
ex 0402 10 19	Powdered milk, in granules or other solid forms, not containing added sugar or other sweetening matter, with a fat content not exceeding 1,5 % by weight (PG 2):	
	(a) On exportation of goods of CN code 3501	—
	(b) On exportation of other goods	58,73
ex 0402 21 19	Powdered milk, in granules or other solid forms, not containing added sugar or other sweetening matter, with a fat content of 26 % by weight (PG 3):	
	(a) Where goods incorporating, in the form of products assimilated to PG 3, reduced-price butter or cream obtained pursuant to Regulation (EC) No 2571/97 are exported	64,82
	(b) On exportation of other goods	81,18
ex 0405 10	Butter, with a fat content by weight of 82 % (PG 6):	
	(a) Where goods containing reduced-price butter or cream which have been manufactured in accordance with the conditions provided for in Regulation (EC) No 2571/97 are exported	67,35
	(b) On exportation of goods of CN code 2106 90 98 containing 40 % or more by weight of milk fat	169,60
	(c) On exportation of other goods	162,35

COMMISSION REGULATION (EC) No 1172/2000

of 31 May 2000

fixing the rates of 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 market in sugar ⁽¹⁾, and in particular Article 18(5)(a) and (15),

Whereas:

(1) Article 18(1) and (2) of Regulation (EEC) No 1785/81 provides that the differences between the prices in international trade for the products listed in Article 1(1)(a), (c), (d), (f), (g) and (h) of that Regulation and prices within the Community may be covered by an export refund where these products are exported in the form of goods listed in the Annex to that Regulation. 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 ⁽²⁾, as last amended by Regulation (EC) No 701/2000 ⁽³⁾, 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 I to Regulation (EC) No 2038/1999.

(2) In accordance with 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.

(3) Article 18(3) of Regulation (EC) No 2038/1999 and Article 11 of the Agreement on Agriculture concluded under the Uruguay Round lay down that the export refund for a product contained in a good may not exceed the refund applicable to that product when exported without further processing.

(4) The refunds fixed under this Regulation may be fixed in advance as the market situation over the next few months cannot be established at the moment.

(5) 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 jeopardized by the fixing in advance of high refund rates. It is therefore necessary to take precautionary measures in such situations without, however, preventing the conclusion of long-term contracts. The fixing of a specific refund rate for the advance fixing of refunds is a measure which enables these various objectives to be met.

(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 Council Regulation (EEC) No 1010/86 ⁽⁴⁾, as last amended by Commission Regulation (EC) No 1148/98 ⁽⁵⁾, 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 Sugar 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 in Article 1(1) and (2) of Regulation (EC) No 2038/1999, exported in the form of goods listed in Annex I to Regulation (EC) No 2038/1999, are fixed as shown in the Annex hereto.

Article 2

This Regulation shall enter into force on 1 June 2000.

⁽¹⁾ OJ L 252, 25.9.1999, p. 1.

⁽²⁾ OJ L 136, 31.5.1994, p. 5.

⁽³⁾ OJ L 83, 4.4.2000, p. 6.

⁽⁴⁾ OJ L 94, 9.4.1986, p. 9.

⁽⁵⁾ OJ L 159, 3.6.1998, p. 38.

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

Done at Brussels, 31 May 2000.

For the Commission
Erkki LIIKANEN
Member of the Commission

ANNEX

to the Commission Regulation of 31 May 2000 fixing 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	42,16	42,16

COMMISSION REGULATION (EC) No 1173/2000

of 31 May 2000

laying down, for the period 1 July 2000 to 30 June 2001, detailed rules of application for the tariff quotas for beef originating in Estonia, Latvia and Lithuania

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EC) No 1254/1999 of 17 May 1999 on the common organisation of the market in beef and veal ⁽¹⁾, and in particular Article 32(1) thereof,

Having regard to Council Decision 98/677/EC of 18 May 1998 on the conclusion of a Protocol adjusting trade aspects of the Europe Agreements establishing an association between the European Communities and their Member States, of the one part, and the Republic of Lithuania, of the other part, to take account of the accession of the Republic of Austria, the Republic of Finland and the Kingdom of Sweden to the European Union and of the outcome of the Uruguay Round negotiations on agriculture, including improvements to the existing preferential arrangements ⁽²⁾, and in particular Article 2 thereof,

Having regard to Council Decision 1999/86/EC of 18 May 1998 on the conclusion of a Protocol adjusting trade aspects of the Europe Agreement establishing an association between the European Communities and their Member States, of the one part, and the Republic of Estonia, of the other part, to take account of the accession of the Republic of Austria, the Republic of Finland and the Kingdom of Sweden to the European Union and of the outcome of the Uruguay Round negotiations on agriculture, including improvements to the existing preferential arrangements ⁽³⁾, and in particular Article 2 thereof,

Having regard to Council Decision 1999/790/EC of 18 May 1998 on the conclusion of a Protocol adjusting trade aspects of the Europe Agreement establishing an association between the European Communities and their Member States, of the one part, and the Republic of Latvia, of the other part, to take account of the accession of the Republic of Austria, the Republic of Finland and the Kingdom of Sweden to the European Union and of the outcome of the Uruguay Round negotiations on agriculture, including improvements to the existing preferential arrangements ⁽⁴⁾, and in particular Article 2 thereof,

Whereas:

(1) Decisions 98/677/EC, 1999/86/EC and 1999/790/EC provide for the opening of certain annual tariff quotas for products made from beef and veal. Imports under those quotas benefit from an 80 % reduction in the customs duties set out in the Common Customs Tariff (CCT). Detailed rules of application for these quotas

should be laid down for the period 1 July 2000 to 30 June 2001.

- (2) In view of the risk of speculation inherent in these arrangements for beef and veal, clear conditions should be laid down as regards access by traders. Verification of the abovementioned conditions requires that applications be submitted in the Member State in which the importer is entered in the value added tax register.
- (3) Provision should be made for import rights to be allocated after a period for consideration and, where necessary, the application of a single percentage reduction.
- (4) While the provisions of the abovementioned agreements intended to guarantee the origin of the product should be complied with, the administration of the arrangements should be based on import licences. To that end, detailed rules should be laid down on, in particular, the submission of applications and the information which must appear in applications and licences, if necessary by way of derogation from, or by supplementing, certain provisions of Commission Regulation (EEC) No 3719/88 of 16 November 1988 laying down common detailed rules for the application of the system of import and export licences and advance fixing certificates for agricultural products ⁽⁵⁾, as last amended by Regulation (EC) No 1127/1999 ⁽⁶⁾, and Commission Regulation (EC) No 1445/95 of 26 June 1995 on rules of application for import and export licences in the beef and veal sector and repealing Regulation (EEC) No 2377/80 ⁽⁷⁾, as last amended by Regulation (EC) No 2648/98 ⁽⁸⁾.
- (5) In order to prevent speculation, import licences should be issued to traders solely for the quantities for which they have been allocated import rights.
- (6) The measures provided for in this Regulation are in accordance with the opinion of the Management Committee for Beef and Veal,

HAS ADOPTED THIS REGULATION:

Article 1

1. During the period 1 July 2000 to 30 June 2001, the following may be imported in accordance with this Regulation:

⁽¹⁾ OJ L 160, 26.6.1999, p. 21.

⁽²⁾ OJ L 321, 30.11.1998, p. 1.

⁽³⁾ OJ L 29, 3.2.1999, p. 9.

⁽⁴⁾ OJ L 317, 10.12.1999, p. 1.

⁽⁵⁾ OJ L 331, 2.12.1988, p. 1.

⁽⁶⁾ OJ L 135, 29.5.1999, p. 48.

⁽⁷⁾ OJ L 143, 27.6.1995, p. 35.

⁽⁸⁾ OJ L 335, 10.12.1998, p. 39.

- 1 875 tonnes of fresh, refrigerated or frozen beef and veal falling within CN codes 0201 and 0202, originating in Lithuania, Latvia and Estonia; the serial number of the quota shall be 09.4561,
 - 250 tonnes of products falling within CN code 1602 50 10, originating in Latvia; the serial number of the quota shall be 09.4562.
2. The rates of customs duty fixed in the Common Customs Tariff (CCT) shall be reduced by 80 % for the quantities indicated in paragraph 1.

Article 2

1. In order to qualify for the import quotas referred to in Article 1, applicants must be natural or legal persons who, at the time applications are submitted, can prove to the satisfaction of the competent authorities of the Member State concerned that they have been active in trade in beef and veal with third countries at least once during the last 12 months.
2. Applications for import rights may be submitted only in the Member State in which the applicant is entered in a national VAT register.
3. For each of the groups of products referred to in the first and second indents of Article 1(1):
- applications for import rights must cover a minimum of 15 tonnes of product without exceeding the quantity available,
 - applicants may submit only one application,
 - where an applicant submits more than one application for a group, all his applications for that group shall be rejected.

Article 3

1. Applications for import rights may be submitted only between 7 and 17 July 2000.
2. After checking the documents submitted, Member States shall send the Commission, within five working days of the end of the period for the submission of applications, the list of applicants and the quantities applied for with respect to each serial number.

All notifications, including notifications of nil applications, shall be made by fax, drawn up, where applications have been received, in accordance with the model set out in Annexes I and II.

3. The Commission shall decide as soon as possible the extent to which applications may be accepted for each group of products referred to in the indents of Article 1(1). Where the quantities for which applications have been submitted exceed the quantities available, the Commission shall fix a single percentage reduction in them for each group of products referred to in the indents of Article 1(1).

Article 4

1. Imports of the quantities allocated shall be subject to the presentation of one or more import licences.
2. Import licence applications may be submitted only:
- in the Member State in which the application for import rights has been lodged, and
 - by traders to whom import rights have been allocated in accordance with Article 3(3). Import rights allocated to traders entitle them to import licences for quantities equivalent to the rights allocated.

3. Licence applications and licences shall show:

- (a) in box 8:
- in the case of the first indent of Article 1(1), the country of origin,
 - in the case of the second indent of Article 1(1), 'Latvia'.

Licences shall carry an obligation to import from one or more of the countries indicated;

- (b) in box 16, one of the following groups of combined nomenclature codes within the same indent:

- 0201, 0202,
- 1602 50 10;

- (c) in box 20, at least one of the following:

- Reglamento (CE) n° 1173/2000
- Forordning (EF) nr. 1173/2000
- Verordnung (EG) Nr. 1173/2000
- Κανονισμός (ΕΚ) αριθ. 1173/2000
- Regulation (EC) No 1173/2000
- Règlement (CE) n° 1173/2000
- Regolamento (CE) n. 1173/2000
- Verordening (EG) nr. 1173/2000
- Regulamento (CE) n.º 1173/2000
- Asetus (EY) N:o 1173/2000
- Förordning (EG) nr 1173/2000.

4. Licences issued shall be valid throughout the Community.

Article 5

Without prejudice to the provisions of this Regulation, Regulations (EEC) No 3719/88 and (EC) No 1445/95 shall apply.

Article 6

Products shall qualify for the duties referred to in Article 1 on presentation of an EUR.1 movement certificate issued by the exporting country in accordance with Protocol 3 annexed to the Europe Agreements with the Baltic countries or a declaration drawn up by the exporter in accordance with that Protocol.

Article 7

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, 31 May 2000.

For the Commission
Franz FISCHLER
Member of the Commission

ANNEX I

Fax: (32-2) 296 60 27

Application of Regulation (EC) No 1173/2000

Serial No 09.4561

COMMISSION OF THE EUROPEAN COMMUNITIES

DG AGRI/D/2 — BEEF AND VEAL SECTOR

Application for import rights with reduced CCT duty

Date Period

Member State:

Number of applicant ⁽¹⁾	Applicant (name and address)	Quantity (tonnes)
Total quantity applied for		

Member State: fax:

telephone:

⁽¹⁾ Continuous numbering

ANNEX II

Fax: (32-2) 296 60 27

Application of Regulation (EC) No 1173/2000

Serial No 09.4562

COMMISSION OF THE EUROPEAN COMMUNITIES

DG AGRI/D/2 — BEEF AND VEAL SECTOR

Application for import rights with reduced CCT duty

Date Period

Member State:

Number of applicant ⁽¹⁾	Applicant (name and address)	Quantity (tonnes)
Total quantity applied for		

Member State: fax:

telephone:

⁽¹⁾ Continuous numbering

COMMISSION REGULATION (EC) No 1174/2000

of 31 May 2000

opening and providing for the administration of an import tariff quota for frozen beef intended for processing (1 July 2000 to 30 June 2001) and amending certain other regulations in the beef sector

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EC) No 1254/1999 of 17 May 1999 on the common organisation of the market in beef and veal ⁽¹⁾, and in particular Article 32(1) thereof,

Having regard to Council Regulation (EC) No 1095/96 of 18 June 1996 on the implementation of the concessions set out in Schedule CXL drawn up in the wake of the conclusion of the GATT XXIV.6 negotiations ⁽²⁾, and in particular Article 1(1) thereof,

Whereas:

- (1) Pursuant to Schedule CXL, the Community has undertaken to open an annual import tariff quota of 50 700 tonnes of frozen beef intended for processing. The rules of application for the quota year 2000 to 2001 starting 1 July 2000 must be established.
- (2) The import of frozen beef under the tariff quota shall qualify for the total suspension of the specific rate of customs duty where the meat is intended for the manufacture of preserved food, which does not contain characteristic components other than beef and jelly. Where the meat is intended for other processed products containing beef the import shall qualify for a 55 % suspension of the autonomous specific rate of customs duty. The breakdown of the tariff quota into each of the arrangements referred to should be made taking into account the experience gained in respect of similar imports in the past.
- (3) So as to avoid speculation, access to the quota should be allowed only to active processors carrying out processing in a processing establishment approved in accordance with Article 8 of Council Directive 77/99/EEC ⁽³⁾, as last amended by Directive 97/76/EC ⁽⁴⁾.
- (4) Imports into the Community under the present tariff quota are subject to presentation of an import licence. Licences may be issued following allocations of imports

rights on the basis of applications from eligible processors. Subject to the provisions of this Regulation the provisions of Commission Regulation (EEC) No 3719/88 of 16 November 1988 laying down common detailed rules for the application of the system of import and export licences and advance fixing certificates for agricultural products ⁽⁵⁾, as last amended by Regulation (EC) No 1127/1999 ⁽⁶⁾, and Commission Regulation (EC) No 1445/95 of 26 June 1995 on rules of application for import and export licences in the beef and veal sector and repealing Regulation (EEC) No 2377/80 ⁽⁷⁾, as last amended by Regulation (EC) No 2648/98 ⁽⁸⁾, shall apply to import licences issued under this Regulation.

- (5) In order to prevent speculation, import licences should be issued to traders solely for the quantities for which they have been allocated import rights. This same principle should be applied in the beef sector with regard to other import arrangements being based on import rights. Consequently, the following Regulations should be amended:
 - Commission Regulation (EC) No 1143/98 of 2 June 1998 laying down detailed rules for a tariff quota for cows and heifers, other than for slaughter, of specified mountain breeds originating in various third countries ⁽⁹⁾.
 - Commission Regulation (EC) No 1081/1999 of 26 May 1999 opening and providing for the administration of tariff quota for imports of bulls, cows and heifers, other than for slaughter, of certain Alpine and mountain breeds ⁽¹⁰⁾.
 - Commission Regulation (EC) No 1128/1999 of 28 May 1999 laying down detailed rules of application for a tariff quota for calves weighing not more than 80 kilograms originating in certain third countries ⁽¹¹⁾.
 - Commission Regulation (EC) No 1247/1999 of 16 June 1999 laying down detailed rules for the application of a tariff quota for live bovine animals weighing from 80 to 300 kilograms and originating in certain third countries ⁽¹²⁾.
 - Commission Regulation (EC) No 2684/1999 of 17 December 1999 laying down detailed rules for the application in 2000 of the arrangements applicable to imports of beef and veal provided for in the Cooperation Agreement with the former Yugoslav Republic of Macedonia ⁽¹³⁾.

⁽¹⁾ OJ L 160, 26.6.1999, p. 21.

⁽²⁾ OJ L 146, 20.6.1996, p. 1.

⁽³⁾ OJ L 26, 31.1.1977, p. 85.

⁽⁴⁾ OJ L 10, 16.1.1998, p. 25.

⁽⁵⁾ OJ L 331, 2.12.1988, p. 1.

⁽⁶⁾ OJ L 135, 29.5.1999, p. 48.

⁽⁷⁾ OJ L 143, 27.6.1995, p. 35.

⁽⁸⁾ OJ L 335, 10.12.1998, p. 39.

⁽⁹⁾ OJ L 159, 3.6.1998, p. 14.

⁽¹⁰⁾ OJ L 131, 27.5.1999, p. 15.

⁽¹¹⁾ OJ L 135, 29.5.1999, p. 50.

⁽¹²⁾ OJ L 150, 17.6.1999, p. 18.

⁽¹³⁾ OJ L 326, 18.12.1999, p. 24.

- (6) The application of the present tariff quota requires strict surveillance of imports and effective checks as to their use and destination. The processing should therefore be authorised only in the establishment referred to in box 20 of the import licence. Furthermore, a security shall be lodged in order to ensure that the imported meat is used according to the tariff quota specifications. The amount of security should be fixed taking into account the difference between the customs duties applicable inside and outside the quota.
- (7) The measures provided for in this Regulation are in accordance with the opinion of the Management Committee for Beef and Veal,

pursuant to Article 8 of Directive 77/99/EEC. For each quantity referred to in Article 1(2) only one application for import rights may be accepted in respect of each approved processing establishment.

Applications for import rights may be presented only in the Member State in which the processor is registered for VAT purposes.

2. Applicants no longer active in the meat processing industry on 1 May 2000 shall not qualify under the arrangements provided for in this Regulation.

3. Documentary evidence, to the satisfaction of the competent authority, of compliance with the conditions of the preceding paragraphs shall be lodged together with the application.

HAS ADOPTED THIS REGULATION:

Article 1

1. An import tariff quota of 50 700 tonnes, bone-in equivalent of frozen beef falling within CN code 0202 20 30, 0202 30 10, 0202 30 50, 0202 30 90 or 0206 29 91 and intended for processing in the Community is hereby opened for the period 1 July 2000 to 30 June 2001.

2. The overall quantity referred to in paragraph 1 shall be divided into two quantities:

- (a) 38 000 tonnes of frozen beef intended for the manufacture of preserved food as defined in Article 7(a),
- (b) 12 700 tonnes of frozen beef intended for the manufacture of products as defined in Article 7(b).

3. The quota shall bear the following order Nos:

- 09.4057 for the quantity referred to in paragraph 2(a),
- 09.4058 for the quantity referred to in paragraph 2(b).

4. The customs import duties to apply on frozen beef under the present tariff quota are those referred to in order No 13 of Annex 7 to Part Three of Commission Regulation (EC) No 2204/1999 of 12 October 1999 amending Annex I to Council Regulation (EEC) No 2658/87 on the tariff and statistical nomenclature and on the Common Customs Tariff⁽¹⁾.

Article 2

1. An application for import rights is valid only if it is lodged by, or on behalf of a natural or legal person who, at least once during the 12 months prior to the entry into force of this Regulation, has been active in production of processed products containing beef. Furthermore, the application shall be lodged by, or on behalf of a processing establishment approved

Article 3

1. Each application for import rights for production of A-products or B-products shall be expressed in bone-in equivalent and shall not exceed the available quantity under each of the two categories.

2. Each application referring to either A-products or B-products shall reach the competent authority by 9 June 2000.

3. Member States shall forward to the Commission by 21 June 2000 a list of applicants and quantities applied for under each of the two categories together with the approval numbers of the processing establishments concerned.

The Commission shall decide as soon as possible to what extent applications may be accepted, where necessary as a percentage of the quantity applied for.

Article 4

1. Any import of frozen beef for which import rights have been allocated pursuant to Article 3 shall be subject to presentation of an import licence.

2. Within his allocated import rights a processor may apply for import licences until 23 February 2001 at the latest.

3. Licence applications may be lodged solely:

- in the Member State in which the application for import rights has been lodged, and
- by processors or on behalf of processors to whom import rights have been allocated. Import rights allocated to processors entitle them to import licences for quantities equivalent to the rights allocated.

For the purpose of this paragraph 100 kilograms of bone-in beef equals 77 kilograms of boneless beef.

⁽¹⁾ OJ L 278, 28.10.1999, p. 1.

4. A security shall be lodged with the competent authority at the time of importation ensuring that the processor having been allocated import rights processes the entire quantity of meat imported into the required finished products in his establishment specified in the licence application, within three months following the day of importation.

The amounts of the security are fixed in the Annex.

Article 5

1. On the licence application and on the licence itself shall be entered:

- (a) in box 8, the country of origin,
- (b) in box 16, one of the eligible CN codes,
- (c) in box 20, at least one of the following endorsements:
 - Certificado válido en ... (Estado miembro expedidor)/carne destinada a la transformación ... [productos A] [productos B] (táchese lo que no proceda) en ... (designación exacta y número de registro del establecimiento en el que vaya a efectuarse a la transformación)/Reglamento (CE) n.º 1174/2000
 - Licens gyldig i ... (udstedende medlemsstat)/Kød bestemt til forarbejdning til (A-produkter) (B-produkter) (det ikke gældende overstreges) i ... (nøjagtig betegnelse for den virksomhed, hvor forarbejdningen sker)/forordning (EF) nr. 1174/2000
 - In ... (ausstellender Mitgliedstaat) gültige Lizenz/Fleisch für die Verarbeitung zu [A-Erzeugnissen] [B-Erzeugnissen] (Unzutreffendes bitte streichen) in ... (genaue Bezeichnung des Betriebs, in dem die Verarbeitung erfolgen soll)/Verordnung (EG) Nr. 1174/2000
 - Η άδεια ισχύει ... (κράτος μέλος έκδοσης)/Κρέας που προορίζεται για μεταποίηση [προϊόντα Α] [προϊόντα Β] (διαγράφεται η περιττή ένδειξη) ... (ακριβής περιγραφή και αριθμός έγκρισης της εγκατάστασης όπου πρόκειται να πραγματοποιηθεί η μεταποίηση)/Κανονισμός (ΕΚ) αριθ. 1174/2000
 - Licence valid in ... (issuing Member State)/Meat intended for processing ... [A-products] [B-products] (delete as appropriate) at ... (exact designation and approval No of the established where the processing is to take place)/Regulation (EC) No 1174/2000
 - Certificat valable ... (État membre émetteur)/viande destinée à la transformation de ... [produits A] [produits B] (rayer la mention inutile) dans ... (désignation exacte et numéro d'agrément de l'établissement dans lequel la transformation doit avoir lieu)/règlement (CE) n.º 1174/2000
 - Titolo valido in ... (Stato membro di rilascio)/Carni destinate alla trasformazione ... [prodotti A] [prodotti B] (deppennare la voce inutile) presso ... (esatta designazione e numero di riconoscimento dello stabilimento nel quale è prevista la trasformazione)/Regolamento (CE) n. 1174/2000

- Certificaat geldig in ... (lidstaat van afgifte)/Vlees bestemd voor verwerking tot (A-producten) (B-producten) (doorhalen van niet van toepassing is) in ... (nauwkeurige aanduiding en toelatingsnummer van het bedrijf waar de verwerking zal plaatsvinden)/Verordening (EG) nr. 1174/2000
- Certificado válido em ... (Estado-Membro emissor)/carne destinada à transformação ... [produtos A] [produtos B] (riscar o que não interessa) em ... (designação exacta e número de aprovação do estabelecimento em que a transformação será efectuada)/Regulamento (CE) n.º 1174/2000
- Todistus on voimassa ... (myöntäjäsenvaltio) / Liha on tarkoitettu (A-luokan tuotteet) (B-luokan tuotteet) (tarpeeton poistettava) jalostukseen ...:ssa (tarkka ilmoitus laitoksesta, jossa jalostus suoritetaan, hyväksyntänumero mukaan lukien) / Asetus (EY) N:o 1174/2000
- Licensen är giltig i ... (utfärdande medlemsstat)/Kött avsett för bearbetning ... (A-produkter) (B-produkter) (stryk det som inte gäller) vid ... (exakt angivelse av och godkännandenummer för anläggningen där bearbetningen skall ske)/Förordning (EG) nr 1174/2000

2. Without prejudice to the provisions of this Regulation, Regulations (EEC) No 3719/88 and (EC) No 1445/95 shall apply.

3. Import licences shall be valid for 120 days from the date of issue within the meaning of Article 21(1) of Regulation (EEC) No 3719/88. However, no licence shall be valid after 30 June 2001.

4. In application of Article 45(1) of Regulation (EEC) No 3719/88, the full Common Customs Tariff duty applicable on the date of release for free circulation shall be collected in respect of all quantities imported in excess of those shown on the import licence.

Article 6

1. Quantities for which import licence applications have not been lodged by 23 February 2001 shall be subject to a further allocation of import rights.

To that end, by 6 March 2001, Member States shall forward to the Commission details of the quantities for which no applications have been received.

2. The Commission shall decide as soon as possible on the breakdown of those quantities into those intended for A-products and those intended for B-products. In doing so, the actual utilisation of the import rights allocated pursuant to Article 3 under each of the two categories may be taken into account.

3. For the purposes of this Article, Articles 2 to 5 shall apply. However, the date for application referred to in Article 3(2) shall be 3 April 2001 and the date for communication referred to in Article 3(3) shall be 10 April 2001.

Article 7

For the purposes of this Regulation:

- (a) An A-product shall be defined as a processed product falling within CN code 1602 10, 1602 50 31, 1602 50 39 or 1602 50 80, not containing meat other than that of animals of the bovine species, with a collagen/protein ratio of no more than 0,45 % ⁽¹⁾ and containing by weight at least 20 % ⁽²⁾ of lean meat excluding offal ⁽³⁾ and fat with meat and jelly accounting for at least 85 % of the total net weight.

The product must be subjected to a heat treatment sufficient to ensure the coagulation of meat proteins in the whole of the product which may not show any traces of a pinkish liquid on the cut surface when the product is cut along a line passing through its thickest part;

- (b) A B-product shall be defined as a processed product containing beef, other than:
- one specified in Article 1(1)(a) of Council Regulation (EC) No 1254/1999, or
 - one referred to under (a).

However, a processed product falling within CN code 0210 20 90 which has been dried or smoked so that the colour and consistency of the fresh meat has totally disappeared and with a water/protein ratio not exceeding 3,2 shall be considered to be a B-product.

Article 8

Member States shall set up a system of physical and documentary supervision to ensure that all meat is processed into the category of product specified on the import licence concerned.

The system must include physical checks of quantity and quality at the start of the processing, during the processing and after the processing operation is completed. To this end, processors shall at any time be able to demonstrate the identity and use of the imported meat through appropriate production records.

Technical verification of the production method by the competent authority may, to the extent necessary, make allowance for drip losses and trimmings.

In order to verify the quality of the finished product and establish its conformity with the processor's recipe Member States shall proceed to representative samplings and analysis of those products. The costs of such operations shall be born by the processor concerned.

⁽¹⁾ Determination of collagen content: the collagen content shall be taken to mean the hydroxyproline content multiplied by the factor 8. The hydroxyproline content must be determined according to ISO method 3496-1994.

⁽²⁾ The lean bovine meat content excluding fat is determined in accordance with the procedure laid down in the Annex to Commission Regulation (EEC) No 2429/86 (OJ L 210, 1.8.1986, p. 39).

⁽³⁾ Offal includes the following: heads and cuts thereof (including ears), feet, tails, hearts, udders, livers, kidneys, sweetbreads (thymus glands and pancreas), brains, lungs, throats, thick skirts, spleens, tongues, caul, spinal cords, edible skin, reproductive organs (i.e. uteri, ovaries and testes), thyroid glands, pituitary glands.

Article 9

1. The security referred to in Article 4(3) shall be released in proportion to the quantity for which, within seven months, proof has been furnished to the satisfaction of the competent authority that all or part of the imported meat has been processed into the relevant products within three months following the day of importation in the designated establishment.

However,

- (a) if processing took place after the abovementioned three-month time limit, the security shall be released minus:
- 15 %, and
 - 2 % of the remaining amount for each day by which the time limit has been exceeded;
- (b) if proof of processing is established within the abovementioned seven-month time limit and is produced within 18 months following those seven months the amount forfeited less 15 % of the security amount, shall be repaid.

2. The amount of security not released shall be forfeited and retained as a customs duty.

Article 10

Article 6(2) and (3) of Regulation (EC) No 1143/98 is replaced by the following text:

- '2. Licence applications may be lodged solely:
- in the Member State in which the application for import rights has been lodged, and
 - by traders to whom import rights have been allocated. Import rights allocated to traders entitle them to import licences for quantities equivalent to the rights allocated.'

Article 11

Article 6(2) and (3) of Regulation (EC) No 1081/1999 is replaced by the following text:

- '2. Licence applications may be lodged solely:
- in the Member State in which the application for import rights has been lodged, and
 - by traders to whom import rights have been allocated. Import rights allocated to traders entitle them to import licences for quantities equivalent to the rights allocated.'

Article 12

Article 6(2) and (3) of Regulation (EC) No 1128/1999 is replaced by the following text:

- '2. Licence applications may be lodged solely:
- in the Member State in which the application for import rights has been lodged, and

— by traders to whom import rights have been allocated. Import rights allocated to traders entitle them to import licences for quantities equivalent to the rights allocated.

3. Licences may be issued until 31 December of the year of import up to a maximum of 50 % of the allocated import rights. Import licences for the remaining import rights may be issued from 1 January in the year of import.'

Article 13

Regulation (EC) No 1247/1999 is amended as follows:

1. Article 5(2) shall be replaced by the following text:

'2. Licence applications may be lodged solely:

- in the Member State in which the application for import rights has been lodged, and
- by traders to whom import rights have been allocated. Import rights allocated to traders entitle them to import licences for quantities equivalent to the rights allocated.'

2. Article 5(4) is replaced by the following text:

'4. Licences may be issued until 31 December of the year of import up to a maximum of 50 % of the allocated import rights. Import licences for the remaining import rights may be issued from 1 January to the year of import.'

Article 14

Article 5(2) and (3) of Regulation (EC) No 2684/1999 is replaced by the following text:

'2. Licence applications may be lodged solely:

- in the Member State in which the application for import rights has been lodged, and
- by traders to whom import rights have been allocated. Import rights allocated to traders entitle them to import licences for quantities equivalent to the rights allocated.'

Article 15

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

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

Done at Brussels, 31 May 2000.

For the Commission
Franz FISCHLER
Member of the Commission

ANNEX

AMOUNTS OF SECURITY ⁽¹⁾*(in EUR/1 000 kg net)*

Product (CN code)	For manufacture of A products	For manufacture of B products
0202 20 30	1 414	420
0202 30 10	2 211	657
0202 30 50	2 211	657
0202 30 90	3 041	903
0206 29 91	3 041	903

⁽¹⁾ The exchange rate to be applied shall be the exchange rate on the day preceding the lodging of the security.

**COMMISSION REGULATION (EC) No 1175/2000
of 31 May 2000**

**on the authorisation of transfers between the quantitative limits of textiles and clothing products
originating in the People's Republic of China**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EEC) No 3030/93 of 12 October 1993 on common rules for imports of certain textile products from third countries ⁽¹⁾, as last amended by Commission Regulation (EC) No 1072/1999 ⁽²⁾, and in particular Article 7 thereof,

Whereas:

(1) Article 5 of the Agreement between the Community and the People's Republic of China on trade in textiles products, initialled on 9 December 1988 ⁽³⁾ and as last amended by an Agreement in the form of an Exchange of Letters, initialled on 6 December 1999 and Article 8 of the Agreement between the Community and the People's Republic of China initialled on 19 January 1995 on trade in textile products not covered by the MFA bilateral agreement ⁽⁴⁾ and as last amended by an Agreement in the form of an Exchange of Letters, initialled on 6 December 1999 ⁽⁵⁾, provide that transfers may be agreed between quota years.

(2) The People's Republic of China has made a request on 16 February 2000.

(3) The transfers requested by the People's Republic of China fall within the limits of the flexibility provisions referred to in Article 5 of the Agreement between the Community and the People's Republic of China on trade in textile products, initialled on 9 December 1988 and as set out in Annex VIII of Council Regulation (EEC) No 3030/93.

(4) It is appropriate to grant the request.

(5) The measures provided for in this Regulation are in accordance with the opinion of the Textile Committee provided for in Article 17 of Regulation (EEC) No 3030/93,

HAS ADOPTED THIS REGULATION:

Article 1

Transfers between the quantitative limits for textile goods originating in the People's Republic of China are authorised for the quota year 1999 as detailed in the Annex to this Regulation.

Article 2

This Regulation shall enter into force on the day following that of its publication in the *Official Journal of the European Communities*. It shall apply to the quota year 1999.

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

Done at Brussels, 31 May 2000.

For the Commission

Pascal LAMY

Member of the Commission

ANNEX

Category 8: advance use of 326 280 pieces from year 2000 quantitative limits

⁽¹⁾ OJ L 275, 8.11.1993, p. 1.

⁽²⁾ OJ L 134, 28.5.1999, p. 1.

⁽³⁾ OJ L 367, 31.12.1988, p. 75.

⁽⁴⁾ OJ L 104, 6.5.1995, p. 1.

⁽⁵⁾ OJ L 345, 31.12.1999, p. 1.

COMMISSION REGULATION (EC) No 1176/2000
of 31 May 2000
amending Regulation (EC) No 716/96 adopting exceptional support measures for the beef market in
the United Kingdom

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EC) No 1254/1999 of 17 May 1999 on the common organisation of the market in beef and veal ⁽¹⁾, and in particular Article 39 thereof,

Whereas:

- (1) Article 2(1) of Commission Regulation (EC) No 716/96 ⁽²⁾, as last amended by Regulation (EC) No 1365/97 ⁽³⁾, fixes the price to be paid by the United Kingdom to producers offering for slaughter and destruction bovine animals aged more than 30 months. The same provision also provides that no payment shall be made for live weights in excess of 560 kilograms. On the basis of past experience, in particular with regard to the weights of the animals bought, it is appropriate to allow

payments for animals above 560 kilograms without increasing the Commission co-financing of purchases as laid down in Article 2(3) of the said Regulation.

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

HAS ADOPTED THIS REGULATION:

Article 1

The second subparagraph of Article 2(1) of Regulation (EC) No 716/96 shall be deleted.

Article 2

This Regulation shall enter into force on 5 June 2000.

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

Done at Brussels, 31 May 2000.

For the Commission
Franz FISCHLER
Member of the Commission

⁽¹⁾ OJ L 160, 26.6.1999, p. 21.

⁽²⁾ OJ L 99, 20.4.1996, p. 14.

⁽³⁾ OJ L 188, 17.7.1997, p. 6.

COMMISSION REGULATION (EC) No 1177/2000
of 31 May 2000
amending Regulation (EEC) No 1164/89 laying down detailed rules concerning the aid for fibre flax and hemp

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EEC) No 1308/70 of 29 June 1970 on the common organisation of the market in flax and hemp ⁽¹⁾, as last amended by Regulation (EC) No 2702/1999 ⁽²⁾, and in particular Article 4(5) thereof,

Whereas:

- (1) In accordance with Article 3(1) of Council Regulation (EEC) No 619/71 of 22 March 1971 laying down general rules for granting aid for flax and hemp ⁽³⁾, as last amended by Regulation (EC) No 1420/98 ⁽⁴⁾, the aid for hemp is granted solely for varieties where the weight of tetrahydrocannabinol (THC) determined by reference to the weight of a sample dried to a constant weight has on analysis been found not to exceed certain limits. In addition, Article 3(3) of Commission Regulation (EEC) No 1164/89 of 28 April 1989 laying down detailed rules concerning the aid for fibre flax and hemp ⁽⁵⁾, as last amended by Regulation (EC) No 1328/1999 ⁽⁶⁾, provides that Member States must determine the average THC content of hemp on a certain percentage of the areas under hemp
- (2) Scientific advances have been made since the Community method for the quantitative determination of THC in varieties of hemp was laid down in 1989 in Annex C to Regulation (EEC) No 1164/89. Furthermore, that method makes provision for a cumbersome sampling procedure for checks on production that is difficult to carry out in practice. A new method more

suited to requirements and in line with current possibilities should therefore be laid down.

- (3) The method used for determining the THC content of varieties of hemp on which aid is payable must be very accurate in order to ensure compliance with the conditions laid down in Article 3(1) of Regulation (EEC) No 619/71. In addition, with a view to the findings regarding production provided for in Article 3(3) of Regulation (EEC) No 1164/89, the method used must allow checks to cover a sufficiently representative percentage of the areas under hemp so as to ensure that crops correspond to those provided for under the common organisation of the market in this product. A method comprising two different procedures, one for each of the objectives pursued, should therefore be laid down.
- (4) The measures provided for in this Regulation are in accordance with the opinion of the Management Committee for Flax and Hemp,

HAS ADOPTED THIS REGULATION:

Article 1

Annex C to Regulation (EEC) No 1164/89 is replaced by the Annex hereto.

Article 2

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

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

Done at Brussels, 31 May 2000.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ L 146, 4.7.1970, p. 1.

⁽²⁾ OJ L 327, 21.12.1999, p. 7.

⁽³⁾ OJ L 72, 26.3.1971, p. 2.

⁽⁴⁾ OJ L 190, 4.7.1998, p. 7.

⁽⁵⁾ OJ L 121, 29.4.1989, p. 4.

⁽⁶⁾ OJ L 157, 24.6.1999, p. 39.

ANNEX

ANNEX C

COMMUNITY METHOD FOR THE QUANTITATIVE DETERMINATION OF THE Δ^9 -THC CONTENT OF HEMP VARIETIES**1. Purpose and scope**

This method seeks to determine the Δ^9 -tetrahydrocannabinol (THC) content of varieties of hemp (*Cannabis sativa L.*) As appropriate, the method involves applying procedure A or B herein described.

The method is based on the quantitative determination of Δ^9 -THC by gas chromatography (GC) after extraction with a suitable solvent.

1.1. Procedure A:

Procedure A is used for checks on production as provided for in Article 3(3) of this Regulation.

Where the checks show, for a significant number of samples of a given variety, THC contents which exceed that laid down in Article 3(1) of Regulation (EEC) No 619/71, the Commission may, without prejudice to any other measures it might take, decide in accordance with the procedure laid down in Article 12 of Regulation (EEC) No 1308/70 to use procedure B for the variety concerned.

1.2. Procedure B:

Procedure B is used in cases as referred to in the second subparagraph of point 1.1 and for checking that the conditions laid down in Article 3(1) of Regulation (EEC) No 619/71 are fulfilled with a view to inclusion on the list of varieties of hemp eligible for aid from the 2001 to 2002 marketing year.

Applications to include a variety of hemp on the list must be accompanied by a report giving the findings of analyses carried out using this method.

2. Sampling**2.1. Samples**

- Procedure A: In a standing crop of a given variety of hemp, take a 30 cm part of each plant containing at least one female inflorescence per plant selected. Sampling is to be carried out during the period running from 20 days after the start of flowering to 10 days after the end of flowering, during the day, following a systematic pattern to ensure that the sample is representative of the field but excluding the edges of the crop.
- Procedure B: In a standing crop of a given variety of hemp, take the upper third of each plant selected. Sampling is to be carried out during the 10 days following the end of flowering, during the day, following the end of flowering, during the day, following a systematic pattern to ensure that the sample is representative of the field but excluding the edges of the crop. In the case of dioecious varieties, only female plants must be taken.

2.2. Sample size:

- Procedure A: the sample is to comprise parts of 50 plants per field.
- Procedure B: the sample is to comprise parts of 200 plants per field.

Each sample is to be placed in a fabric or paper bag, without crushing it, and sent to the laboratory for analysis.

The Member State may provide for a second sample to be collected for counteranalysis, if required, to be kept either by the producer or by the body responsible for the analysis.

2.3. Drying and storage of the sample:

Drying of the samples must begin as soon as possible and, in any case, within 48 hours using any method below 70 °C. Samples should be dried to a constant weight and to a moisture content of between 8 % and 13 %.

After drying, store the samples without crushing them at below 25 °C in a dark place.

3. Determination of THC content

3.1. Preparation of the test sample

Remove stems and seeds over 2 mm in size from the dried samples.

Grind the dried samples to obtain a semi-fine powder (passing through a 1 mm mesh sieve).

The powder may be stored for 10 weeks at below 25 °C in a dark, dry place.

3.2. Reagents and extraction solution

Reagents:

— Δ^9 -tetrahydrocannabinol, pure for chromatographic purposes,

— Squalane, pure for chromatographic purposes, as an internal standard.

Extraction solution:

— 35 mg of squalane per 100 ml hexane.

3.3. Extraction of Δ^9 -THC

Weigh 100 mg of the powdered test sample, place in a centrifuge tube and add 5 ml of extraction solution containing the internal standard.

Place in an ultrasound bath and leave for 20 minutes. Centrifuge for five minutes at 3 000 r.p.m. and then remove the supernatant THC solution. Inject the solution into the chromatograph and carry out a quantitative analysis.

3.4. Gas chromatography

(a) Apparatus:

— gas chromatograph with a flame ionisation detector and a split/splitless injector,

— column allowing good separation of cannabinoids, for example a glass capillary column 25 m long and 0,22 mm in diameter impregnated with a 5 % non-polar phenyl-methyl-siloxane phase.

(b) Calibration ranges:

At least three points for procedure A and five points for procedure B, including points 0,04 and 0,50 mg/ml Δ^9 -THC in extraction solution.

(c) Experimental conditions:

The following conditions are given as an example for the column referred to in (a):

— Oven temperature: 260 °C

— Injector temperature: 300 °C

— Detector temperature: 300 °C

(d) Volume injected: 1 μ l

4. Findings

The findings are to be expressed to two decimal places in grams of Δ^9 -THC per 100 grams of analytical sample dried to constant weight. A tolerance of 0,03 g per 100 g applies.

— Procedure A: one determination per test sample.

However, where the result obtained is above the limit laid down in Article 3(1) of Regulation (EEC) No 619/71, a second determination must be carried out per analysis sample and the mean value of the two determinations will be taken as the result.

— Procedure B: the result corresponds to the mean value of two determinations per test sample.'

COMMISSION REGULATION (EC) No 1178/2000
of 31 May 2000
on the issue of system B export licences in the fruit and vegetables sector

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Commission Regulation (EC) No 2190/96 of 14 November 1996 on detailed rules for implementing Council Regulation (EC) No 2200/96 as regards export refunds on fruit and vegetables ⁽¹⁾, as last amended by Regulation (EC) No 298/2000 ⁽²⁾, and in particular Article 5(5) thereof,

Whereas:

- (1) Commission Regulation (EC) No 888/2000 ⁽³⁾ fixes the indicative quantities for system B export licences other than those sought in the context of food aid.
- (2) In the light of the information available to the Commission today, there is a risk that the indicative quantities laid down for the current export period for lemons will shortly be exceeded. This overrun will prejudice the

proper working of the export refund scheme in the fruit and vegetables sector.

- (3) To avoid this situation, applications for system B licences for lemons exported after 31 May 2000 should be rejected until the end of the current export period,

HAS ADOPTED THIS REGULATION:

Article 1

Applications for system B export licences for lemons submitted pursuant to Article 1 of Regulation (EC) No 888/2000, export declarations for which are accepted after 31 May 2000 and before 1 July 2000, are hereby rejected.

Article 2

This Regulation shall enter into force on 1 June 2000.

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

Done at Brussels, 31 May 2000.

For the Commission
Franz FISCHLER
Member of the Commission

⁽¹⁾ OJ L 292, 15.11.1996, p. 12.

⁽²⁾ OJ L 34, 9.2.2000, p. 16.

⁽³⁾ OJ L 104, 29.4.2000, p. 50.

COMMISSION REGULATION (EC) No 1179/2000
of 31 May 2000
on the issue of import licences for garlic originating in China

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EC) No 2200/96 of 28 October 1996 on the common organisation of the market in fruit and vegetables ⁽¹⁾, as last amended by Regulation (EC) No 1257/1999 ⁽²⁾,

Having regard to Commission Regulation (EC) No 1104/2000 of 25 May 2000 concerning a protective measure applicable to imports of garlic from China ⁽³⁾, and in particular Article 1(3) thereof,

Whereas:

- (1) Pursuant to Commission Regulation (EEC) No 1859/93 ⁽⁴⁾, as amended by Regulation (EC) No 1662/94 ⁽⁵⁾, the release for free circulation in the Community of garlic imported from third countries is subject to presentation of an import licence.
- (2) Article 1(1) of Regulation (EC) No 1104/2000, restricts the issue of import licences for garlic originating in China to a maximum monthly quantity in the case of applications lodged from 29 May 2000 to 31 May 2001.

- (3) Given the criteria laid down in Article 1(2) of that Regulation and the import licences already issued, the quantity applied for on 29 May 2000 is in excess of the maximum quantity given in the Annex to that Regulation for the month of June 2000. It is therefore necessary to determine to what extent import licences may be issued in response to these applications. The issue of licences in response to applications lodged after 29 May 2000 and before 3 July 2000 should be refused,

HAS ADOPTED THIS REGULATION:

Article 1

Import licences applied for from 29 May 2000 pursuant to Article 1 of Regulation (EEC) No 1859/93 for garlic falling within CN code 0703 20 00 originating in China shall be issued for 0,8643 % of the quantity applied for, having regard to the information available to the Commission on 31 May 2000.

For the abovementioned products applications for import licences lodged after 29 May 2000 and before 3 July 2000 shall be refused.

Article 2

This Regulation shall enter into force on 1 June 2000.

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

Done at Brussels, 31 May 2000.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ L 297, 21.11.1996, p. 1.

⁽²⁾ OJ L 160, 26.6.1999, p. 80.

⁽³⁾ OJ L 125, 26.5.2000, p. 21.

⁽⁴⁾ OJ L 170, 13.7.1993, p. 10.

⁽⁵⁾ OJ L 176, 9.7.1994, p. 1.

II

(Acts whose publication is not obligatory)

COUNCIL

COUNCIL DECISION

of 29 May 2000

concerning the request of the United Kingdom of Great Britain and Northern Ireland to take part in some of the provisions of the Schengen acquis

(2000/365/EC)

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to Article 4 of the Protocol integrating the Schengen acquis into the framework of the European Union annexed to the Treaty on European Union and to the Treaty establishing the European Community, (hereinafter referred to as 'the Schengen Protocol'),

Having regard to the request by the Government of the United Kingdom of Great Britain and Northern Ireland, by its letters to the President of the Council of 20 May 1999, 9 July 1999 and 6 October 1999, to participate in certain provisions of the Schengen acquis, as specified in the said letters,

Having regard to the Opinion of 20 July 1999 of the Commission of the European Communities on the request,

Whereas the United Kingdom of Great Britain and Northern Ireland has a special position in respect of matters covered by Title IV of Part Three of the Treaty establishing the European Community, as recognised in the Protocol on the position of the United Kingdom and Ireland and in the Protocol on the application of certain aspects of Article 14 of the Treaty establishing the European Community to the United Kingdom and to Ireland, annexed by the Treaty of Amsterdam to the Treaty on European Union and to the Treaty establishing the European Community;

Whereas the Schengen acquis was conceived and functions as a coherent ensemble which has to be fully accepted and applied by all States supporting the principle of the abolition of checks on persons at their common borders;

Whereas the Schengen Protocol provides for the possibility of the United Kingdom of Great Britain and Northern Ireland to participate in some of the provisions of the Schengen acquis, because of the said special position of the United Kingdom;

Whereas the United Kingdom will assume the obligations of a Member State arising from the Articles of the 1990 Schengen Convention listed in this Decision;

Whereas having regard to the aforementioned special position of the United Kingdom, neither the United Kingdom nor the territories referred to in Article 5 participate by virtue of this Decision in the frontiers provisions of the 1990 Schengen Convention;

Whereas taking account of the serious matters addressed by Articles 26 and 27 of the 1990 Schengen Convention, the United Kingdom and Gibraltar will apply these articles;

Whereas the United Kingdom has requested to participate in the ensemble of the provisions of the Schengen acquis concerning the establishment and operation of the Schengen Information System (hereinafter referred to as the 'SIS'), except in respect of the provisions concerning the alerts referred to in Article 96 of the Schengen Convention of 1990 and the other provisions which relate to those alerts;

Whereas it is the view of the Council that any partial participation by the United Kingdom in the Schengen acquis must respect the coherence of the subject areas which constitute the ensemble of this acquis;

Whereas the Council thus recognises the right of the United Kingdom to make, in accordance with Article 4 of the Schengen Protocol, a request for partial participation, noting at the same time that it is necessary to consider the impact of such participation of the United Kingdom in the provisions concerning the establishment and operation of the SIS on the interpretation of the other relevant provisions of the Schengen acquis and on its financial implications;

Whereas the Mixed Committee, established pursuant to Article 3 of the Agreement concluded by the Council of the European Union and the Republic of Iceland and the Kingdom of Norway concerning the latter's association with the implementation, application, and development of the Schengen acquis ⁽¹⁾, has been informed about the preparation of this Decision in accordance with Article 5 of that Agreement,

HAS DECIDED AS FOLLOWS:

Article 1

The United Kingdom of Great Britain and Northern Ireland shall participate in the following provisions of the Schengen acquis:

(a) In respect of the provisions of the 1990 Convention implementing the Schengen Agreement of 14 June 1985, its related Final Act and Joint Statements:

(i) Articles 26 and 27;

Articles 39 and 40;

Articles 42 and 43 to the extent that they relate to Article 40;

Article 44;

Articles 46 and 47, except for Article 47(2)(c);

Articles 48 to 51;

Articles 52 and 53;

Articles 54 to 58;

Article 59;

Articles 61 to 66;

Articles 67 to 69;

Articles 71 to 73;

Articles 75 and 76;

Articles 126 to 130 to the extent that they relate to the provisions in which the United Kingdom participates by virtue of this subparagraph;

Declaration 3 to the Final Act concerning Article 71(2);

(ii) the following provisions concerning the Schengen information system to the extent that they do not relate to Article 96:

Article 92;

Articles 93 to 95;

Articles 97 to 100;

Article 101, except paragraph 2 thereof;

Articles 102 to 108;

Articles 109 to 111, in respect of personal data registered in the national part of the SIS of the United Kingdom;

Articles 112 and 113;

Article 114, in respect of personal data registered in the national part of the SIS of the United Kingdom;

Articles 115 to 118;

(iii) other provisions concerning the Schengen information system:

Article 119;

(b) in respect of the provisions of the Agreements of Accession to the 1990 Convention implementing the Schengen Agreement of 14 June 1985, their Final Acts and Common Declarations:

(i) the Agreement signed on 27 November 1990 on Accession of the Italian Republic: Articles 2 and 4 and Common Declaration on Articles 2 and 3 to the extent that it relates to Article 2;

(ii) the Agreement signed on 25 June 1991 on Accession of the Kingdom of Spain: Articles 2 and 4 and Final Act, Part III, Declaration 2;

(iii) the Agreement signed on 25 June 1991 on Accession of the Portuguese Republic: Articles 2, 4, 5 and 6;

(iv) the Agreement signed on 6 November 1992 on Accession of the Hellenic Republic: Articles 2, 3, 4 and 5 and Final Act, Part III, Declaration 2;

(v) the Agreement signed on 28 April 1995 on Accession of the Republic of Austria: Articles 2 and 4;

(vi) the Agreement signed on 19 December 1996 on Accession of the Kingdom of Denmark: Articles 2, 4 and 6 and Final Act, Part II, Joint Declaration 3;

(vii) the Agreement signed on 19 December 1996 on Accession of the Republic of Finland: Articles 2, 4 and 5 and Final Act, Part II, Joint Declaration 3;

(viii) the Agreement signed on 19 December 1996 on Accession of the Kingdom of Sweden: Articles 2, 4 and 5 and Final Act, Part II, Joint Declaration 3;

(c) in respect of the provisions of the following Decisions of the Executive Committee established by the 1990 Convention implementing the Schengen Agreement of 14 June 1985 to the extent that they relate to the provisions in which the United Kingdom participates by virtue of subparagraph (a) above:

(i) SCH/Com-ex (93) 14 (improving practical cooperation between the judicial authorities to combat drug trafficking);

SCH/Com-ex (94) 28 rev (certificate provided for in Article 75 for transport of drugs and/or psychotropic substances);

SCH/Com-ex (98) 26 def (setting up the Schengen implementing Convention Standing Committee), subject to an internal arrangement specifying the modalities of participation of United Kingdom experts in missions carried out under the auspices of the relevant Council Working Party;

⁽¹⁾ OJ L 176, 10.7.1999, p. 36.

SCH/Com-ex (98) 51 rev 3 (cross border police-cooperation in the area of crime prevention and detection when requested);

SCH/Com-ex (98) 52 (handbook on cross border police-cooperation);

SCH/Com-ex (99) 1 rev 2 (drugs situation);

SCH/Com-ex (99) 6 (telecommunication);

SCH/Com-ex (99) 8 rev 2 (payment to informers);

SCH/Com-ex (99) 11 rev 2 (agreement on cooperation in proceedings for road traffic offences);

SCH/Com-ex (99) 18 (improvement of police cooperation in preventing and detecting crimes);

(ii) SCH/Com-ex (97) 2 rev 2 (awarding the tender for the SIS II preliminary study);

SCH/Com-ex (97) 18 (contributions from Norway and Iceland to the C.SIS operation costs);

SCH/Com-ex (97) 24 (future of SIS);

SCH/Com-ex (97) 35 (C.SIS Financial Regulations);

SCH/Com-ex (98) 11 (C.SIS with 15/18 connections);

SCH/Com-ex (99) 5 (SIRENE Manual);

(d) in respect of the provisions of the following Declarations of the Executive Committee established by the 1990 Convention implementing the Schengen Agreement of 14 June 1985 to the extent that they relate to the provisions in which the United Kingdom participates by virtue of subparagraph (a) above:

(i) SCH/Com-ex (96) decl 6 rev 2 (declaration on extradition).

(ii) SCH/Com-ex (97) decl 13 rev 2 (abduction of minors);

SCH/Com-ex (99) decl 2 rev (SIS structure).

Article 2

1. The officers referred to in the provision of Article 40(4) of the 1990 Convention as regards the United Kingdom shall be officers from police forces in the United Kingdom and officers of Her Majesty's Customs and Excise.

2. The authority referred to in the provision of Article 40(5) of the 1990 Convention as regards the United Kingdom shall be the National Criminal Intelligence Service.

Article 3

The competent Ministry referred to in the provision of Article 65(2) of the 1990 Convention shall be the Home Office as regards England, Wales and Northern Ireland and the Scottish Executive as regards Scotland.

Article 4

The delegation in the Joint Supervisory Authority, set up under Article 115 of the 1990 Convention, representing the national supervisory authority of the United Kingdom shall not be

entitled to take part in voting procedures within the Joint Supervisory Authority on matters relating to the application of provisions of the Schengen acquis, or building upon the Schengen acquis, in which the United Kingdom does not participate.

Article 5

1. The United Kingdom shall notify in writing the President of the Council which of the provisions referred to in Article 1 it wishes to apply to the Channel Islands and the Isle of Man. A decision on this request shall be taken by the Council acting with the unanimity of its Members referred to in Article 1 of the Schengen Protocol and of the representative of the Government of the United Kingdom.

2. The following of the provisions of Article 1 shall apply to Gibraltar:

(a) As far as the provisions of the 1990 Convention implementing the Schengen Agreement of 14 June 1985, its related Final Act and Joint Statements are concerned:

Articles 26 and 27;

Article 39;

Article 44 to the extent that it does not relate to hot pursuit and cross border surveillance;

Articles 46 and 47, except for 47(2)(c);

Articles 48 to 51;

Articles 52 and 53;

Articles 54 to 58;

Article 59;

Articles 61 to 63;

Articles 65 to 66;

Articles 67 to 69;

Articles 71 to 73;

Articles 75 and 76;

Articles 126 to 130 to the extent that they relate to the provisions in which Gibraltar participates by virtue of this sub-paragraph;

Declaration 3 to the Final Act concerning Article 71(2).

(b) In respect of the provisions of the Agreements of Accession to the 1990 Convention implementing the Schengen Agreement of 14 June 1985, their Final Acts and Common Declarations:

(i) the Agreement signed on 27 November 1990 on Accession of the Italian Republic: Article 4;

(ii) the Agreement signed on 25 June 1991 on Accession of the Kingdom of Spain: Article 4 and Final Act, Part III, Declaration 2.

- (iii) the Agreement signed on 25 June 1991 on Accession of the Portuguese Republic: Articles 4, 5 and 6.
 - (iv) the Agreement signed on 6 November 1992 on Accession of the Hellenic Republic: Articles 3, 4 and 5 and Final Act, Part III, Declaration 2.
 - (v) the Agreement signed on 28 April 1995 on Accession of the Republic of Austria: Article 4.
 - (vi) the Agreement signed on 19 December 1996 on Accession of the Kingdom of Denmark: Articles 4 and 6 and Final Act, Part II, Joint Declaration 3.
 - (vii) the Agreement signed on 19 December 1996 on Accession of the Republic of Finland: Articles 4 and 5 and Final Act, Part II, Joint Declaration 3.
 - (viii) the Agreement signed on 19 December 1996 on Accession of the Kingdom of Sweden: Articles 4 and 5 and Final Act, Part II, Joint Declaration 3.
- (c) As far as the provisions of the Decisions of the Executive Committee established by the 1990 Convention implementing the Schengen Agreement of 14 June 1985 are concerned:

SCH/Com-ex (93) 14 (improving practical cooperation between the judicial authorities to combat drug trafficking);

SCH/Com-ex (94) 28 rev (certificate provided for in Article 75 for transport of drugs and/or psychotropic substances);

SCH/Com-ex (98) 51 rev 3 (cross border police-cooperation in the area of crime prevention and detection when requested);

SCH/Com-ex (98) 52 (handbook on cross border police-cooperation);

SCH/Com-ex (99) 1 rev 2 (drugs situation);

SCH/Com-ex (99) 6 (telecommunication);

SCH/Com-ex (99) 8 rev 2 (payment to informers);

SCH/Com-ex (99) 11 rev 2 (agreement on cooperation in proceedings for road traffic offences);

SCH/Com-ex (99) 18 (improvement of police cooperation in preventing and detecting crimes).

- (d) As far as the provisions of the following Declaration of the Executive Committee established by the 1990 Convention implementing the Schengen Agreement of 14 June 1985 are concerned:

SCH/Com-ex (96) decl 6 rev 2 (declaration on extradition).

3. Article 8(3) shall apply to the territories referred to in paragraphs 1 and 2 above.

Article 6

1. Without prejudice to Article 8(3), the provisions referred to in Article 1 shall be put into effect, between the United Kingdom and the Member States and other States for which

these provisions have already been put into effect when the preconditions for the implementation of those provisions have been fulfilled in all of these Member States and other States, by a decision taken by the Council. The Council may decide to set different dates for the putting into effect of different provisions by subject area.

2. Before the provisions referred to in Article 1 are put into effect in accordance with paragraph 1, the Council shall decide on the detailed legal and technical arrangements, including provisions relating to data protection, concerning the participation of the United Kingdom in the provisions referred to in paragraphs (a)(ii) and (iii), (c)(ii) and (d)(ii) of Article 1.

3. Paragraph 1 shall apply *mutatis mutandis* to the putting into effect of the provisions referred to in Article 5 in respect of the territories concerned.

4. Any decision under paragraphs 1, 2 and 3 shall be taken by the Council, acting with the unanimity of its members referred to in Article 1 of the Schengen Protocol and of the representative of the Government of the United Kingdom.

5. The provisions of Article 75 of the 1990 Convention implementing the Schengen Agreement of 14 June 1985 and of Executive Committee Decision SCH/Com-ex (94) 28 rev (certificate provided for in Article 75 for transportation of drugs and/or psychotropic substances) shall be directly applicable in the United Kingdom.

Article 7

1. The United Kingdom shall be bound by:

- (a) Council Decision (1999/323/CE) of 3 May 1999 on the establishment of a financial regulation governing the budgetary aspects of the management by the Secretary-General of the Council, of contracts concluded in his name, on behalf of certain Member States, relating to the installation and the functioning of the Help Desk Server of the Management Unit and of the Sirene Network Phase II ⁽¹⁾, and any subsequent amendments thereto.
- (b) Council Decision (2000/265/CE) of 27 March 2000 on the establishment of a financial regulation governing the budgetary aspects of the management by the Deputy Secretary-General of the Council, of contracts concluded in his name, on behalf of certain Member States, relating to the installation and the functioning of the communication infrastructure for the Schengen environment, 'Sisnet' ⁽²⁾.

2. The United Kingdom shall bear all the costs involved in the technical achievement of its partial participation in the operation of the SIS.

Article 8

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

⁽¹⁾ OJ L 123, 13.5.1999, p. 51.

⁽²⁾ OJ L 85, 6.4.2000, p. 12.

2. From the date of adoption of this Decision the United Kingdom of Great Britain and Northern Ireland shall be deemed irrevocably to have notified the President of the Council under Article 5 of the Schengen Protocol that it wishes to take part in all proposals and initiatives which build upon the Schengen acquis referred to in Article 1. Such participation shall cover the territories referred to in Article 5(1) and (2) respectively, to the extent that the proposals and initiatives build upon the provisions of the Schengen acquis to which those territories become bound.

3. Measures building upon the Schengen acquis referred to in Article 1 which have been adopted prior to the adoption of the Council decision referred to in Article 6 shall take effect for the United Kingdom on the date or dates on which the Council decides under Article 6 to put the acquis referred to in Article 1 into effect for the United Kingdom unless the measure itself provides for a later date.

Done at Brussels, 29 May 2000.

For the Council

The President

A. COSTA

DECISION No 1/2000 OF THE EU-SLOVENIA ASSOCIATION COUNCIL
of 5 May 2000
adopting the terms and conditions for the participation of Slovenia in the Community programme
for energy efficiency, SAVE II
(2000/366/EC)

THE ASSOCIATION COUNCIL,

Having regard to the Europe Agreement establishing an association between the European Communities and their Member States, acting within the framework of the European Union, of the one part, and the Republic of Slovenia, of the other part ⁽¹⁾, and in particular Article 106 thereof,

Whereas according to Article 106 of the said Europe Agreement, Slovenia may participate in Community framework programmes, specific programmes, projects or other actions including those in the field of energy and the terms and conditions for the participation of Slovenia in the activities referred to in the said Article are to be decided by the Association Council,

HAS DECIDED AS FOLLOWS:

Article 1

Slovenia shall participate in the European Community programme SAVE II in accordance with the terms and conditions set out in Annexes I and II which shall form an integral part of this Decision.

Article 2

This Decision shall apply for the duration of the SAVE II programme.

Article 3

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

Done at Brussels, 5 May 2000.

For the Association Council

The President

D. RUPEL

⁽¹⁾ OJ L 51, 26.2.1999, p. 3. Agreement as amended by an Amending Protocol (OJ L 51, 26.2.1999, p. 208).

ANNEX I

TERMS AND CONDITIONS FOR THE PARTICIPATION OF SLOVENIA IN THE MULTIANNUAL COMMUNITY PROGRAMME FOR ENERGY EFFICIENCY, SAVE II

1. Slovenia will participate in all actions of the multiannual Community programme for energy efficiency, SAVE II (hereinafter called 'SAVE II') in accordance, unless otherwise provided in this Decision, with the objectives, criteria, procedures and time limits laid down in Council Decision 96/737/EC⁽¹⁾ establishing a five-year programme for the preparation and implementation of measures and actions in a cost-effective manner in order to promote energy efficiency within the Community.
2. The terms and conditions for the submission, assessment and selection of applications related to eligible institutions, organisations and individuals of Slovenia will be the same as those applicable to eligible institutions, organisations and individuals of the Community, set within the limits of the financial contribution of Slovenia less administrative costs as provided in Annex II.
3. Where applicable, to ensure the Community dimension of SAVE II, transnational projects and activities proposed by Slovenia will be required to include a minimum number of partners from the Member States of the Community. This minimum will be decided in the framework of the implementation of SAVE II, taking into account the nature of the various activities, the number of partners in a given project, and the number of countries participating in the activity.
4. Slovenia will take all necessary steps to ensure national coordination and organisation of participation in SAVE II.
5. Slovenia will pay each year a contribution to the general budget of the European Union to cover the costs resulting from its participation in SAVE II (see Annex II). The Association Committee is entitled to adapt this contribution whenever necessary.
6. The Member States of the Community and Slovenia will make every effort, within the framework of existing provisions, to facilitate the free movement and residence of persons moving between Slovenia and the Member States of the Community for the purpose of participating in activities covered by this Decision.
7. Without prejudice to the responsibilities of the Commission and the European Court of Auditors in relation to the monitoring and evaluation of SAVE II pursuant to Article 5 of the Decision 96/737/EC, the participation of Slovenia in the programme will be continuously monitored on a partnership basis involving Slovenia and the Commission of the European Communities. Slovenia will submit the necessary reports to the Commission and take part in other specific activities set out by the Community in that context.
8. Without prejudice to the procedures referred to in Articles 4 and 5 of the Decision 96/737/EC, Slovenia will be invited to coordination meetings on any question concerning the implementation of this Decision prior to the regular meetings of the SAVE Committee. The Commission will inform Slovenia about the results of such regular meetings.
9. The language to be used as regards the application process, contracts, reports to be submitted and other administrative arrangements for the SAVE II programme, will be one of the official languages of the Community.

⁽¹⁾ OJ L 335, 24.12.1996, p. 50.

ANNEX II

FINANCIAL CONTRIBUTION OF SLOVENIA TO SAVE II

1. The financial contribution of Slovenia will cover:
 - subsidies or any other financial support from the programme to Slovenian participants,
 - supplementary administrative costs related to the management of the programme by the Commission of the European Communities stemming from Slovenia's participation.
2. For every financial year, the aggregated amount of subsidies or any other financial support received from the programme by Slovenian beneficiaries will not exceed the contribution paid by Slovenia, after deduction of the supplementary administrative costs.

Should the contribution paid by Slovenia to the general budget of the European Union, after deduction of the supplementary administrative costs, be higher than the aggregated amount of the subsidies or other financial support received by the Slovenian beneficiaries from the programme, the Commission will transfer the balance to the next budgetary exercise, and it will be deducted from the following year's contribution. Should such a balance be left when the programme comes to an end, the corresponding amount will be reimbursed to Slovenia.

3. Slovenia's annual contribution will be of EUR 57 942 from 1999. From this sum, an amount of EUR 3 942 will cover supplementary administrative costs related to the management of the programme by the Commission stemming from Slovenia's participation.
4. The financial regulation applicable to the general budget of the European Union will apply, notably to the management of the contribution of Slovenia.

Upon the entry into force of this Decision and at the beginning of each year, the Commission will send to Slovenia a call for funds corresponding to its contribution to the costs under this Decision.

This contribution will be expressed in EUR and paid into a euro bank account of the Commission.

Slovenia will pay its contribution to the annual costs under this Decision according to the call for funds and at the latest three months after the call for funds is sent. Any delay in the payment of the contribution shall give rise to the payment of interest by Slovenia on the outstanding amount from the due date. The interest rate corresponds to the rate applied by the ECB for the month of the due date, for its operations in EUR, increased by 1,5 percentage points.

5. Slovenia will pay the supplementary administrative costs referred to in paragraph 3 (EUR 3 942) from its national budget.
 6. Slovenia will pay the remaining cost of its participation in SAVE II, i.e. EUR 54 000 from its national budget.
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