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I

(Acts whose publication is obligatory)

COUNCIL REGULATION (EC) No 1603/2000

of 20 July 2000

imposing a definitive anti-dumping duty on imports of ethanalamines originating in the United States of America

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EC) No 384/96 of 22 December 1995 on protection against dumped imports from countries not members of the European Community ⁽¹⁾, and in particular Articles 11(2) and 11(3) thereof,

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

Whereas:

A. PROCEDURE

1. Measures in force

(1) In February 1994, the Council imposed definitive anti-dumping duties on imports of ethanalamines originating in the United States (Regulation (EC) No 229/94 ⁽²⁾). The duties took the form of minimum-price-based variable duties for the three types of ethanalamines, i.e. monoethanolamine (MEA), diethanolamine (DEA) and triethanolamine (TEA).

2. Request for a review

(2) Following the publication on 23 July 1998 ⁽³⁾ of a notice of impending expiry of the anti-dumping measures in force with regard to imports of ethanalamines originating in the USA, the Commission received a request to review these measures pursuant to Article 11(2) and 11(3) of Regulation (EC) No 384/96 (the 'Basic Regulation'), i.e. a request for an expiry and interim review.

(3) The request was lodged on 30 October 1998 by the Conseil européen des fédérations de l'industrie chimique (CEFIC) on behalf of Community producers whose collective output constituted a major proportion of the total Community production of ethanalamines.

(4) The CEFIC argued that expiry of the measures would be likely to result in a continuation or recurrence of increased dumping and injury to the Community industry and that there were reasons to review the measures because they lacked effectiveness. Having determined, after consulting the Advisory Committee, that the evidence was sufficient, the Commission initiated an investigation ⁽⁴⁾ pursuant to Articles 11(2) and 11(3) of the Basic Regulation. The investigation therefore covered not only the question of what would happen if the measures were allowed to lapse (see Article 11(2)), but also whether a modification of the existing anti-dumping measures (minimum-price-based variable duties) was warranted (see Article 11(3)).

3. Investigation

(5) The Commission officially advised the Community producers supporting the request for review (the 'applicant Community producers'), the exporting producers and their related importers, as well as the users known to be concerned, and gave them the opportunity to make their views known in writing and/or to request a hearing.

(6) The Commission sent questionnaires to the parties known to be concerned and received replies from the four applicant Community producers, four US exporting producers and five of their related importers. Questionnaires were also sent to a large number of users of the product; two of their replies were considered complete.

⁽¹⁾ OJ L 56, 6.3.1996, p. 1. Regulation as last amended by Regulation (EC) No 905/98 (OJ L 128, 30.4.98, p.18).

⁽²⁾ OJ L 28, 2.2.1994, p. 40.

⁽³⁾ OJ C 231, 23.7.1998, p. 3.

⁽⁴⁾ OJ C 27, 2.2.1999, p. 3.

- (7) One US exporting producer declared its intention to cooperate in the investigation, although it had not exported to the Community during the investigation period (IP). The interest of this producer in the investigation stemmed from its involvement in the original investigation.
- (8) The Commission sought and verified all information deemed necessary for the determination of the likely continuation and recurrence of dumping and injury and the analysis of the Community interest. Verification visits were carried out at the premises of the following companies:
- (a) *exporting producers*
- Dow Chemical Company, Midland, Michigan (USA)
Huntsman Chemical Company, Houston, Texas (USA)
Union Carbide Corporation, Danbury, Connecticut (USA)
- (b) *importers in the Community related to the exporting producers*
- Huntsman Co. Belgium CVBA, Brussels, Belgium
Union Carbide Benelux, Antwerp, Belgium
Union Carbide Europe SA, Geneva, Switzerland
- (c) *applicant Community producers*
- BASF AG, Ludwigshafen, Germany
BP Chemicals Ltd, London, UK and Lavera, France
- (d) *Community users*
- Krems Chemie AG, Krems a.d. Donau, Austria
Synthesia Española SA, Barcelona, Spain
- (9) The investigation of continuation and recurrence of dumping covered the period from 1 January to 31 December 1998 (the 'investigation period' or 'IP'). The examination of continuation and recurrence of injury covered the period from 1 January 1995 to the end of the IP (the 'IIP').

B. PRODUCT CONCERNED AND LIKE PRODUCT

1. Product concerned

- (10) The product concerned here is the same as that covered by the previous investigation. It is recalled that ethanolamines are obtained by making ethylene oxide react with ammonia. As a result of this synthesis, three competing reactions occur, resulting in three different types of ethanolamine: mono- (MEA), di- (DEA) and tri-ethanolamines (TEA). The proportions of the three types in the total output are determined by the production installation design, but can, to a certain extent, be controlled by the choice of the ammonia/ethylene oxide ratio. The

product concerned is used as an intermediate for surfactants (used in detergents and personal care products), fertilisers, crop protection agents, corrosion inhibitors, lubrication oils, photographic chemicals, cosmetics and polyurethane, and as a gas scrubber absorption aid or additive for the cement, metal-works and paper industries. Because of the combined production process (see above), when DEA is produced, the other types of ethanolamine (MEA and TEA) are produced as well and in larger quantities.

2. Like product

- (11) Production installations of the Community industry will typically produce 30-33 % DEA. Either MEA or TEA can account for as much as 54 % of total ethanolamines production. Given the combined production process, the claim of one exporting producer that the different types of ethanolamine should be treated separately with respect to the injury analysis cannot be justified.
- (12) Since the imposition of the anti-dumping measures under review, the market has been characterised by strong growth in the demand for DEA, especially in the USA. This has been triggered by the use of DEA in the production of glyphosate herbicides, which are suited to crops genetically modified to be resistant to such herbicides.
- (13) The product concerned imported from the country under investigation is identical in terms of physical and technical characteristics to the Community-produced product. There is no difference in use between the Community-produced products and the imported products. It has further been found that the product concerned imported from the country under investigation is identical to that sold on its domestic market. Therefore, all these products must be considered as one product.

C. LIKELIHOOD OF CONTINUATION OF DUMPING

1. Preliminary remarks

- (14) Following the allegation made in the complaint that circumstances had changed since the original investigation, the level of dumping for the IP was examined.
- (15) Of the four US exporting producers who replied to the questionnaire, two had significant exports to the Community during the IP, while another two declared no or only very few exports.
- (16) For the exporting producer which had a small quantity of exports it was decided in the absence of any other information that a dumping margin could reasonably be based on this small volume of exports.

2. Normal value

- (17) Normal value was established for each type of the product concerned, based on the price of all actual domestic sales in the USA (see Article 2(1) of the Basic Regulation: 'prices paid or payable, in the ordinary course of trade, by independent customers in the exporting country'). For product types which were not sold in representative quantities or not in the ordinary course of trade on the domestic market, the normal value was calculated in accordance with Article 2(3) of the Basic Regulation.
- (18) With regard to the three US exporting producers, the domestic sales of the product under consideration were found, in accordance with Article 2(2) of the Basic Regulation, to represent more than 5 % of the sales volume of exports of the product from the USA to the Community. It was also established that for the same three exporting producers, sufficient domestic sales of the product had been made in the ordinary course of trade in accordance with Article 2(4) of the Basic Regulation to permit the prices of such sales to be used to determine normal value.

3. Export price

- (19) In all cases, the imports of the product concerned were made by companies which are related to the US exporting producers. It was therefore considered that the prices of the sales from the producing companies to the importing companies were unreliable. For that reason, and in accordance with the provisions of Article 2(9) of the Basic Regulation, the export prices were constructed on the basis of the price at which the imported product was first resold to independent buyers in the Community. Allowance was made for all costs incurred between importation and resale, including commissions and a profit margin of 5 %, which was considered reasonable on the basis of information from interested parties on imports of the product concerned.

4. Comparison

- (20) The normal value was compared with the export price on a transaction-by-transaction basis at ex-works level and at the same level of trade. For the purpose of ensuring a fair comparison between normal value and export price, differences in factors which were claimed and demonstrated to affect comparability (see Article 2(10) of the Basic Regulation) were taken into account. Thus, adjustments were made for inland and ocean freight, insurance, handling, loading and ancillary costs, credit costs and commissions.

- (21) A comparison of normal values with export prices was made for all types covered by the present investigation. For the cooperating exporting producers, this comparison showed the existence of a weighted average dumping margin, expressed as a percentage of cif value, of 33 % for Dow Chemical, 38,2 % for Union Carbide and 40,1 % for Huntsman.

5. Lasting nature of changed circumstances

- (22) The Commission examined whether the changes in dumping margins were likely to prove lasting. It was found that the lower dumping margins were largely due to increased export prices, which have applied for at least two years. For this reason, and as the export quantities involved were viewed as representative, the Commission concludes that the findings represent a lasting change in the circumstances of these imports from the USA. No evidence was submitted which contradicted these findings.

6. Conclusion

- (23) The expiry review initiated under Article 11(2) of the Basic Regulation indicated that, if measures were removed, there would be a likelihood of continuation of dumping, mainly on the grounds that substantial dumping was found to exist during the IP and that it was reasonable to conclude that such dumping would continue.
- (24) The Article 11(3) interim review, initiated on the basis of a request to revise measures in order to take into due account the current market conditions, concluded that the circumstances which led to the existing measures have changed significantly and that such changes are to be considered sufficiently lasting to warrant a downward revision of the dumping margins established during the original investigation.

D. DEFINITION OF THE COMMUNITY INDUSTRY

1. Total Community production

- (25) The complaint was lodged on behalf of four out of the five EU ethanalamine manufacturers. One company, Union Carbide Ltd. (UK), did not participate in the investigation, nor did it support the complaint. It should be noted that this company is related to the US producer Union Carbide Corp. USA. An assessment was made, therefore, as to whether this company should be excluded from the definition of Community production in accordance with Article 4(1) of the Basic Regulation. It was found that the manufacturer concerned itself imported the dumped product in significant quantities. As there could therefore be no guarantee that the

economic situation of this manufacturer was not affected by its relationship to the US producer, it was considered that it should be excluded from the determination of Community production. Total Community production therefore is accounted for by the following companies: BASF AG, Ludwigshafen, Germany; BP Chemicals Ltd, London, United Kingdom; Condea Chemie GmbH, Marl, Germany and Akzo Nobel Surface Chemistry AB, Stenungsund, Sweden.

2. Community industry

- (26) The Commission sent questionnaires to the applicant Community producers and received replies from three of them. One reply that failed to provide cost of production data for the period 1995 to 1997 was accepted on the grounds that the company took over the ethanolamines business on 1 July 1998 from another company and therefore did not have access to the data. The fourth producer sent only an incomplete questionnaire reply and was consequently considered a non-cooperator. The three applicant Community producers which co-operated in the investigation constitute the Community industry within the meaning of Article 4(1) of the Basic Regulation, as they represent 77,5 % of the total Community production. They are referred to below as the 'Community industry'.

3. Determination of the relevant Community market

- (27) Part of the Community industry's production (around 28 %) is for internal, i.e. captive, use. Of this amount, the great majority (around 95 %) is for use at one Community producer's plant, earmarked and used for that sole purpose. The investigation confirmed that the applicant Community producers do not purchase the product concerned from independent parties, either inside or outside the Community, for their captive use. Ethanolamines intended for captive use are therefore not considered to be in competition with ethanolamines otherwise available in the Community, the latter being the relevant Community market for the product concerned.

E. ANALYSIS OF THE SITUATION ON THE COMMUNITY MARKET

1. Community consumption

- (28) Community consumption was based on the volume of sales of the Community industry, the sales volume of the non-cooperating Community producer, Eurostat-information on the import volume and an estimate of the sales of the Community-based manufacturer related to

the US exporting producer Union Carbide⁽¹⁾ on this market.

- (29) Consumption calculated on this basis increased by 14 % during the IIP: from around 152 000 tonnes in 1995 to around 172 000 tonnes in the IP. This increase is attributed to DEA and TEA sales, which rose by 19 % and 21 % respectively. The demand for MEA has remained stable. MEA and DEA each represent around 29 % of overall consumption in the IP and TEA around 42 %.

2. Imports from the country concerned

(a) Volume, price trend and market share

- (30) Imports from the USA increased by 14 % over the IIP, in line with the trend of overall Community consumption. However, the figures contain an underlying downward trend in DEA-imports (-38 % over the IIP), which accounted for only 12,6 % of total imports in the IP. This should be seen in light of the high DEA demand on the US domestic market. On the other hand, notwithstanding the stable demand for MEA on the Community market during the IIP, imports from the USA increased by 86 % over the same period. Imports of TEA during this period grew by 11 %.
- (31) Since imports are made by related importers, prices for imports from the USA, whether established on the basis of information submitted by the exporting producers or Eurostat figures, were not deemed reliable for the purpose of establishing price trends. In order to establish more reliably the pricing behaviour of the exporting producers concerned, their related importers' resale prices were analysed — more specifically prices to industrial end-users found to be representative for overall sales. These prices declined 10 % on average from 1995 to 1996 and were found to be substantially lower than the Community industry sales prices during both those years. This trend was most pronounced for MEA, with a 14 % decrease of the resale price. Towards the end of the IIP, the resale price of TEA was back at the 1995 level, whereas DEA became 13 % more expensive and MEA was still 4 % cheaper. In the IP, the price levels of the related importers and the Community industry were comparable.

⁽¹⁾ Based on the complaint and information from the US exporting producer. The sales correspond to 10 % of the total sales of all ethanolamines produced within the Community market.

(32) The overall market share for imports from the USA is stable over the IIP at 29 %. However, the figures contain an underlying increase in market share for MEA from 17 % to 32 % and a decrease of DEA market share from 25 % to 13 %. TEA decreased slightly from 42 % to 39 %.

(b) Price behaviour of exporting producers

(33) In order to assess the price behaviour of US exporting producers, their sales as well as those of the Community industry were analysed. In a first step, sales prices to first independent customers were compared on the Community market. Given that the Community industry sells only to industrial end-users, and that these customers also cover a significant share (over 50 %) of the sales of the US exporting producers, a comparison at this level of trade was considered representative. For the determination of dumping, this comparison was made on the basis of data for the two main US exporting producers.

(34) Since all imports into the Community originating in the USA were made via related importers, the above comparison used the prices charged to the first independent buyers in the Community at an ex-related-importer level, i.e. after deduction of freight costs in the Community, discounts and rebates. The comparison showed that during the IP, the overall average price levels for imports from the USA and Community industry sales were comparable.

(35) In a second step, an analysis was made of the import prices of ethanolamines originating in the USA, i. e. the prices between the exporting producers and their related importers, as compared to the minimum prices determining the variable duties. This showed that no significant amounts of anti-dumping duties had been collected, as these import prices were significantly above minimum prices for most of the IIP.

(36) In a third step, given the relation between exporting producers and the importers, it was established for the IP whether the resale prices received by these importers from their first independent customers and the respective actual import prices reflected the related importers' costs between importation and resale. All costs actually incurred between importation and resale, such as freight from the Community border, handling, insurance, packaging, credit expenses, import duties, SGA costs and a 5 % profit margin were therefore deducted from the resale prices. This resulted in import prices constructed

independently of the relationship between the exporting producers and their related importers.

(37) These constructed import prices for both exporting producers were not only significantly lower than the actual import prices declared by their related importers, but were also significantly lower than the applicable minimum prices for the various types of ethanolamine. This finding is confirmed by the fact that the related importers incurred significant financial losses during the IP. Indeed, the margins they realised between purchase price (actual import price) and resale price on the Community market were not sufficient to cover the costs incurred between importation and resale. It should be noted that the pattern established for the IP has also been observed for the remainder of the period considered, i.e. 1995 to 1997.

(38) On the basis of the above three-step analysis, it is concluded that the resale prices of US exporting producers on the Community market were in line with those of the Community industry. Furthermore, it has been found that actual import price levels were situated above the minimum prices. However, these actual import prices have not, or at least not fully, reflected the anti-dumping measures in force if account is taken of the costs incurred between importation and resale. Therefore, it can be concluded that the US exporting producers and their related importers absorbed the anti-dumping measures, at least partially, by setting artificially high actual import prices which constitute transfer prices.

3. Situation of the Community industry

(a) Production, production capacity and capacity utilisation

(39) Production increased by 38 % during the IIP, particularly from 1996 to 1997, following an expansion of capacity from roughly 117 000 to 139 000 tons. The increase in production, combined with the more moderate increase in capacity, improved the overall Community industry's capacity utilisation from 81,8 % to 91,1 % over the IIP.

(40) As mentioned above, the capacity installed at one Community producer's plant in 1997 accounts for around 95 % of Community production for captive purposes and was designed to serve only that purpose. The above mentioned increase in production capacity, however, is a result of this investment in captive use production as this reduced the captive use at another plant of the same company. This in turn liberated capacity for free market sales.

(b) Sales volume

- (41) The sales volume of the Community industry on the Community market increased by 27 % over the IIP to approximately 96 000 tons, driven by the increase of DEA and TEA sales (by 32 % and 28 % respectively) over this period.

(c) Market share

- (42) The Community industry increased its market share overall from 50 % to 56 % during the period 1995 to 1997, gaining 11 % for MEA, 5 % for DEA and 3 % for TEA. Between 1997 and the IP market share overall and for TEA remained stable, increased further for DEA (from 61 % to 63 %), but fell for MEA (from 53 % to 49 %).

(d) Stocks

- (43) Stocks increased by 10 % over the IIP. This increase is lower than the production increase of 38 %.

(e) Development of sales price and manufacturing cost

- (44) Overall sales price dropped 17 % from 1995 to 1996. This was followed by increases in 1997 and 1998 respectively of 3 % and 9 % over 1996 prices. In contrast to the minimum prices and the situation in 1995, DEA has become the most expensive product over the IIP.

- (45) Resale prices of US imports in the Community were substantially below the Community industry's sales prices in 1995 and 1996. The downward pressure of 17 % on the Community industry's sales prices from 1995 to 1996 occurred at the same time MEA imports from the USA almost doubled and the resale price of US imports of MEA dropped by 14 % to ECU 605 per tonne, lowering the Community industry's sales price by 22 % to ECU 647 per tonne.

- (46) Apart from market conditions, sales prices are essentially driven by the cost of raw materials. The overall manufacturing cost dropped by 7 % from 1995 to 1996 and, compared to 1996, increased slightly by between 1 % and 2 % for the year 1997 and the IP. Over the whole period, manufacturing costs fell by 6 % but prices declined by 10 %. DEA is the only exception here: the average price fell by only 1 % while manufacturing costs decreased by 4 %.

- (47) It should also be underlined that the production of ethanolamines for the Community industry is important since it allows to use own-produced upstream ethylene oxide, providing economies of scale for this upstream production process, and to use the ethanolamines as an intermediate for other products (captive use). It was

claimed that purchase prices for ethylene oxide were overstated causing a downward pressure on the ethanolamines business. It was found, however, that the companies involved organise their ethylene oxide and ethanolamines businesses as separate profit centres, making cross-subsidisation unlikely, and checks were carried out as to whether the transfer price at which this raw material was incorporated in the cost of production of ethanolamines reflected market value. In all cases it was found that the transfer prices used reflected the sales prices of ethylene oxide quoted to independent customers purchasing similar quantities.

(f) Profitability

- (48) Profitability has been affected by sales prices and manufacturing costs. Profits fell from 3,94 % in 1995 to loss-making levels of -8,64 % in 1996 and -8,49 % in 1997. The price recovery in the IP was insufficient to generate a profit and profitability remained negative at -1,37 %.

(g) Investments

- (49) Investment in ethanolamines for the free market remained fairly stable between 1995 and 1998 at around ECU 4 million a year, except for 1996, when the figure was twice that. In that year, major changes were made to one plant after the group's captive production was taken over by another plant belonging to the same Community producer.

(h) Employment

- (50) The production of ethanolamines is not a labour intensive process. Overall, employment rose by 23 % and reached 166 persons in 1998.

4. Import volumes and prices from other third countries

- (51) On the basis of Eurostat information, Bulgarian export prices are lower than actual US import prices from the same source. As explained above, it should however be noted that Eurostat prices for imports originating in the US are not considered reliable. One Bulgarian producer, Burgas, has had a stable 3 % share of the Community market since 1996. Based on Eurostat information, approximately 70 % of its exports are MEA — a market share of 6 % in this segment during the IP (compared to 49 % for the Community industry and 32 % for US exporting producers).

- (52) The market share of all other countries declined to 2 % across all types of ethanolamines and 6 % for MEA. However, these imports originate from a variety of sources, none of which holds a significant market share.

5. Conclusion on the situation of the Community market

- (53) Production volume and capacity of the Community industry show a positive trend. Sales volumes increased, especially for DEA and TEA. Market share increased overall but dropped for MEA, when compared with 1997. Although better than in 1996 and 1997, profitability remained insufficient in 1998 because of continued pressure on sales prices. Indeed, the initial fall in sales prices from 1995 to 1996 has still not been compensated and there is still price pressure from the imports concerned.
- (54) The continuation of the downward pressure on the Community industry's sales prices and the consequent negative profitability are directly linked to the pricing behaviour of the US exporting producers, in particular the absorption of the measures in force and the resulting price pressure.

F. LIKELIHOOD OF CONTINUATION OF INJURIOUS DUMPING

1. Analysis of demand for ethanolamines

- (55) Because of the combined production process, the increased consumption of DEA and TEA in the Community leads to a significant supply of MEA. Upward price pressure has been most pronounced for DEA, accentuated by the gradual withdrawal by the US exporting producers from this market (illustrated by a corresponding drop in US market share from 25 % to 13 % over the IIP).
- (56) At the same time, worldwide ethanolamine production capacity is further increasing in anticipation of continued growth in demand for DEA, with major producers both in the Community and in the USA investing at similar rates. High demand for DEA has led to corresponding upward price adjustments in this segment, while DEA consumption — and thus prices — during the previous investigation were low. The effect on sales prices (and consequently on profitability) of increasing capacity and increasing demand for DEA remains unclear, but the (worldwide) excess production of MEA, in particular, threatens to depress market conditions.

2. Analysis of the situation of the US exporting producers

- (57) The world-wide capacity increase threatens to create excess production, especially of MEA, while the Community market, with a price level higher than other third countries, is attractive for US exporting producers. US production capacity increased by more than one third over the 1995 to 1998 period. From 1997 to the

IP, capacity installed rose 19,9 % to 524 000 tons for the three US producers Union Carbide, Huntsman and Dow Chemical and, although production increased by 9 %, the capacity utilisation rate fell from 90,4 % to 83 %. New capacity installed is generally aimed at DEA, bringing excess production of MEA.

- (58) Furthermore, the investigation showed that US producers exported significant quantities of the product concerned to the Community throughout the period examined, indicating that the Community market is an important outlet for their production. From 1997 to the IP corresponding US exports to the Community increased by 12,4 %, whereas domestic sales increased only 4,9 % and exports to other third countries decreased by 2,7 %. During the IP, US domestic sales represented 67,1 % of total sales by the three US producers mentioned above, exports to the Community 13,6 % and exports to third countries 19,3 %.
- (59) The investigation also demonstrated that US domestic prices are at a higher level than sales prices in the Community market. The higher price level in the USA can be directly attributed to the high consumption of DEA on the US market.
- (60) Finally, it should be noted that South Korea has imposed measures against imports of ethanolamines from the USA. While it is not considered that the quantities involved, even if they were entirely deflected, are such as to disrupt the Community market, the fact that anti-dumping measures have been imposed shows that US exporting producers are prepared to carry out exports at dumped prices.
- (61) The prices of both the Community industry and the exporting producers over the IIP have constantly been above the minimum-price-based variable anti-dumping measures. It has been shown that actual import prices do not reflect the resale prices of the related importers concerned and that import prices reflecting costs incurred between importation and resale have systematically been below minimum prices, indicating that the US exporting producers have partially absorbed the anti-dumping measures imposed. At the same time, the Community industry has not been able to recover from the negative situation it has experienced and still faces an unsatisfactory situation in terms of profits during the IP.
- (62) The investigation confirmed that, as in the previous investigation period (1991 to 1992) before imposition of measures, US producers exported significant quantities onto the Community market. From 48 000 tons in the previous IP, these dropped to 44 000 tons at the beginning of the IIP, before rising to 51 000 tons at the end. They represent 40 % of total Community production during the IP.

(63) It was found that in line with growing demand for DEA in the USA which put upward pressure on US sales prices for DEA and ethanolamines in general, a somewhat less pronounced price change was observed on the Community market. This trend in consumption has at the same time meant that MEA is produced in increasing quantities, with the risk that due to a lack of commensurate demand it will be sold at lower and lower prices. The effect on the price of TEA is expected to be less, as smaller production surpluses are predicted.

(64) One US exporting producer contended that the Community industry itself has an overcapacity of MEA that creates a downward pressure on prices. It was, however, unable to substantiate this claim. It should also be noted that one US producer alleged that the Community industry undercut its prices for DEA in 1998. The investigation showed, however, that the Community company quoted did not sell any DEA to the client mentioned.

3. Conclusion on likelihood of continuation of injurious dumping

(65) The investigation showed that, despite the anti-dumping measures in force and increased production, production capacity, consumption and sales volumes, the Community industry is still in a fragile state, in particular as far as its sales prices and profitability are concerned. The Community industry was allowed to fill the gap left by the partial retreat by US exporting producers from the DEA Community market. However, due to the partial absorption by US exporting producers of the measures in force, their excess production of MEA and the resulting growth in EU imports of MEA from the USA at dumped prices, prices for all ethanolamines remained too low to restore the profitability of the Community industry, even with anti-dumping measures.

(66) The investigation established that the imports concerned are still taking place at significantly dumped prices. It has been found that domestic US prices have increased since the previous investigation, although to a lesser extent than the prices of US exports to the Community. This has led to smaller dumping margins than those in the initial investigation, not least because of the absorption. It was further found that export quantities are significant, being equivalent to 40 % of total Community production during the IP.

(67) The Community industry has been unable to recover from the negative situation affecting it since the previous investigation; prices of imports from the USA have been below minimum prices, (given actual costs between importation and resale), thereby partially absorbing the

anti-dumping measures in force and preventing the Community industry from improving its situation; capacity increases in the USA are likely to depress market conditions in the Community, in particular due to excess MEA; and the Community market, as compared to other markets, remains attractive to the US exporting producers, who continue to export significant quantities to the Community at dumped prices — it is therefore concluded that there is a likelihood of continuation of injurious dumping.

G. COMMUNITY INTEREST

1. Introduction

(68) In the previous investigation, the adoption of measures was considered not to be against the interest of the Community. The present investigation is a review, analysing a situation in which anti-dumping measures were already in place and its remit is thus to assess any undue negative impact of the measures on the parties concerned. It was therefore examined whether, despite the conclusions on the likelihood of continuation of injurious dumping, there were compelling reasons to conclude that it was not in the Community interest to maintain measures. For this purpose, and pursuant to Article 21(1) of the Basic Regulation, account was taken of the impact on all parties involved in the proceedings of maintaining the existing measures, imposing alternative measures or dropping the measures.

2. Interest of the Community industry

(69) The existing measures have not led to a price level on the Community market that would allow the Community producers to regain profitability. The investigation showed that the measures have never become fully effective — while actual import prices have been above the minimum prices set, the latter have not been reflected in related importers' resale prices. The outlook for the situation in the Community market is not favourable given the distinct possibility of an inflow of MEA, produced in recently installed production sites, and continuing pressure on prices, which in 1999 in some instances even went below set minimum prices.

(70) In view of the above, continuing measures to limit the downward pressure on ethanolamine prices would be in the interest of the Community industry.

3. Interest of users

(71) The Commission received four questionnaire replies from ethanolamines users, two of which were considered complete and were followed up by an on-site investigation. As those four users represent only 1,4 % of Community consumption during the IP, the information submitted could not be considered representative. The users argued that any increase in their cost of production should be avoided, since this affects their profitability.

(72) Information collected in the course of the investigation indicated an incidence of the purchase price of ethanolamines in the cost of production of the finished product during the IP ranging from 2,21 % to 18,82 % (the latter figure relating to an extreme case, for a product for which ethanolamine can be perfectly substituted by another unrelated chemical). The overall weighted average stands at 4,33 % of the cost of production. The maximum impact of the measures proposed is on average less than one percent and can therefore be considered limited.

(73) One additional user of the product concerned claimed that it planned to produce a chemical product, glyphosate intermediate, in the Community using DEA. This company claimed it was unable to do so because of the artificially high import prices (due to anti-dumping measures) and the absence of local (Community) supply of DEA. It should be noted here that the minimum price on which the variable duty is based was always lower than the purchase prices established for the various interested parties during the IP. This showed that this user's first claim did not reflect reality. The investigation further showed that DEA was not sufficiently available in the USA and that exports to the Community decreased as a result. It took some time for the Community producers to adapt to the increase in demand, but DEA supply has never been so short that prices were affected significantly and the company's second claim must be considered as ill-founded.

4. Conclusion on Community interest

(74) Maintaining measures would be in the interest of the Community industry in ensuring that prices, especially for MEA, are raised to a non-injurious level. The users of the product which came forward did not represent an important share of Community consumption and/or could not substantiate their claims. In any event, the

incidence of measures on their cost of production is limited. On the basis of these considerations, it was concluded that there were no compelling reasons not to continue measures, in order to ensure competitive conditions of fair pricing and avoid the continuation of injury to the Community industry.

H. ANTI-DUMPING MEASURES

(75) Since it was determined that US exporting producers absorbed the measures over an extended period and the import volume remained significant, it was concluded that the underlying trends were lasting. In these circumstances, it had to be decided on which basis the investigation carried out pursuant to both Article 11(2) and 11 (3) of the Basic Regulation had to be concluded. As the measures presently in force had not led to the anticipated positive effect for the Community industry, it was decided that:

- the anti-dumping measures should be renewed,
- their form should be revised,
- their level should be adapted to the level of dumping and injury found.

(76) It should be noted here that actual import prices are used in anti-dumping proceedings to determine both dumping and injury margins. The investigation demonstrated that the actual import prices do not reflect the related importers' resale prices. Using such data would underestimate the actual dumping and injury margins for the IP. Therefore, it was concluded that the dumping and injury margins determined pursuant to Article 11(3) of the Basic Regulation needed to be based on the constructed import price.

(77) In order to calculate the injury threshold, a non-injurious sales price for the Community industry was determined, allowing for an 8 % profit margin, and compared with the US related importers' resale prices. Any difference was expressed as a percentage of the constructed CIF import value. On the basis of this methodology the underselling margins, which were lower than the corresponding dumping margins, were 10,4 % for Union Carbide Corporation, 13,9 % for Dow Chemical Company and 20,5 % for Huntsman Chemical Company. In the previous investigation, by comparison, the minimum-price-based variable duties were based on overall underselling margins of 45,2 % for Union Carbide, 53,5 % for Dow Chemical and 39,5 % for Huntsman.

- (78) Specific fixed duties based on the difference between the non-injurious price and the US related importers' resale prices, amount to EUR 59,25 per tonne for Union Carbide Corporation, EUR 69,40 per tonne for Dow Chemical Company and EUR 111,25 per tonne for Huntsman Chemical Company. This type of measure is considered appropriate, as imports from the USA take place mainly through related sales companies. The residual specific fixed duty is set at EUR 111,25 per tonne.
- (79) All parties concerned were informed of the essential facts and considerations on which the continuation of measures at an updated level and in an updated form is based. They were granted a period within which to make representations subsequent to disclosures.

HAS ADOPTED THIS REGULATION:

Article 1

1. A definitive anti-dumping duty is hereby imposed on imports of ethanolamines currently classifiable within CN codes ex 2922 11 00 (monoethanolamine) (TARIC code 2922 11 00 10), ex 2922 12 00 (diethanolamine) (TARIC code 2922 12 00 10) and 2922 13 10 (triethanolamine), originating in the United States of America.

2. The rate of the definitive duty applicable to the net free-at-Community-frontier price, before duty, for the following companies' products shall be as follows:

Country	Company	Specific fixed duty
United States of America	Union Carbide Corporation Old Ridgebury Road Danbury Connecticut 06817 (TARIC additional code: A115)	EUR 59,25 per ton
	Huntsman Chemical Corporation 3040 Post Oak Boulevard PO Box 27707 Houston Texas 77056 (TARIC additional code: A116)	EUR 111,25 per ton
	Dow Chemical Company 2040 Dow Center Midland Michigan 48674 (TARIC additional code: A145)	EUR 69,40 per ton
	All other companies (TARIC additional code: A999)	EUR 111,25 per ton

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

Article 2

This Regulation shall enter into force on the 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, 20 July 2000.

For the Council

The President

F. PARLY

COMMISSION REGULATION (EC) No 1604/2000
of 24 July 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 25 July 2000.

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

Done at Brussels, 24 July 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 24 July 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
0707 00 05	628	136,5
	999	136,5
0709 90 70	052	68,2
	528	65,2
	999	66,7
0805 30 10	388	53,7
	524	92,4
	528	62,9
	999	69,7
0806 10 10	052	116,4
	220	170,1
	400	206,4
	508	92,0
	600	112,5
	624	136,1
	999	138,9
0808 10 20, 0808 10 50, 0808 10 90	388	82,9
	400	113,9
	508	88,8
	512	77,9
	528	82,4
	720	69,6
	800	203,0
	804	87,1
	999	100,7
	0808 20 50	388
512		62,6
528		78,0
720		128,2
804		107,7
999		92,6
0809 10 00	052	186,8
	064	104,3
	066	109,3
	999	133,5
0809 20 95	052	343,6
	400	250,9
	404	574,4
	616	255,0
	999	356,0
0809 40 05	064	60,2
	624	171,3
	999	115,8

⁽¹⁾ Country nomenclature as fixed by Commission Regulation (EC) No 2543/1999 (OJ L 307, 2.12.1999, p. 46). Code '999' stands for 'of other origin'.

COMMISSION REGULATION (EC) No 1605/2000
of 24 July 2000
on the supply of cereals as food aid

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EC) No 1292/96 of 27 June 1996 on food-aid policy and food-aid management and special operations in support of food security ⁽¹⁾, and in particular Article 24(1)(b) thereof,

Whereas:

- (1) The abovementioned Regulation lays down the list of countries and organisations eligible for Community aid and specifies the general criteria on the transport of food aid beyond the fob stage.
- (2) Following the taking of a number of decisions on the allocation of food aid, the Commission has allocated cereals to certain beneficiaries.
- (3) It is necessary to make these supplies in accordance with the rules laid down by Commission Regulation (EC) No 2519/97 of 16 December 1997 laying down general rules for the mobilisation of products to be supplied

under Council Regulation (EC) No 1292/96 as Community food aid ⁽²⁾. It is necessary to specify the time limits and conditions of supply to determine the resultant costs,

HAS ADOPTED THIS REGULATION:

Article 1

Cereals shall be mobilised in the Community, as Community food aid for supply to the recipient listed in the Annex, in accordance with Regulation (EC) No 2519/97 and under the conditions set out in the Annex.

The tenderer is deemed to have noted and accepted all the general and specific conditions applicable. Any other condition or reservation included in his tender is deemed unwritten.

Article 2

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

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

Done at Brussels, 24 July 2000.

For the Commission
Franz FISCHLER
Member of the Commission

⁽¹⁾ OJ L 166, 5.7.1996, p. 1.

⁽²⁾ OJ L 346, 17.12.1997, p. 23.

ANNEX

LOT A

1. **Action No:** 102/99
2. **Beneficiary** ⁽²⁾: Ethiopia
3. **Beneficiary's representative:** Food Security Unit of the European Communities, Addis Ababa, PO box 5570; Tel. (251-1) 61 09 12, fax 61 26 55
4. **Country of destination:** Ethiopia
5. **Product to be mobilised:** Common wheat
6. **Total quantity (tonnes net):** 16 500
7. **Number of lots:** 1
8. **Characteristics and quality of the product** ⁽³⁾ ⁽⁵⁾: See OJ C 114, 29.4.1991, p. 1 (II.A(1)(a))
9. **Packaging** ⁽⁷⁾ ⁽⁸⁾: See OJ C 267, 13.9.1996, p. 1 (1.0 A.1.c and 2.c and B.3)
10. **Labelling or marking** ⁽⁶⁾: See OJ C 114, 29.4.1991, p. 1 (II.A(3))
 - language to be used for the markings: English
 - supplementary markings: —
11. **Method of mobilisation of the product:** The Community market
12. **Specified delivery stage:** Free at destination ⁽⁹⁾
13. **Alternative delivery stage:** Free at port of shipment — fob stowed
14. a) **Port of shipment:** —
b) **Loading address:** —
15. **Port of landing:** —
16. **Place of destination:** EFSR warehouse in Dire Dawa, Shinille, Ethiopia. Contact: Ato Sirak Hailu, tel. (251-1) 51 71 62, fax 51 83 63
 - port or warehouse of transit: Berbera
 - overland transport route: —
17. **Period or deadline of supply at the specified stage:**
 - first deadline: 5.11.2000
 - second deadline: 19.11.2000
18. **Period or deadline of supply at the alternative stage:**
 - first deadline: 28.8-10.9.2000
 - second deadline: 11-24.9.2000
19. **Deadline for the submission of tenders (at 12 noon, Brussels time):**
 - first deadline: 8.8.2000
 - second deadline: 22.8.2000
20. **Amount of tendering guarantee:** EUR 5 per tonne
21. **Address for submission of tenders and tendering guarantees** ⁽¹⁾: Bureau de l'aide alimentaire, Attn. Mr T. Vestergaard, Bâtiment Loi 130, Bureau 7/46, Rue de la Loi/Wetstraat 200, B-1049 Brussels; Telex 25670 AGREC B; fax (32-2) 296 70 03/296 70 04 (exclusively)
22. **Export refund** ⁽⁴⁾: refund applicable on 31.7.2000, fixed by Commission Regulation (EC) No 1407/2000 (OJ L 161, 1.7.2000, p. 13)

Notes:

- (¹) Supplementary information: Torben Vestergaard (tel. (32-2) 299 30 50).
- (²) The supplier shall contact the beneficiary or its representative as soon as possible to establish which consignment documents are required.
- (³) The supplier shall deliver to the beneficiary a certificate from an official entity certifying that for the product to be delivered the standards applicable, relative to nuclear radiation, in the Member State concerned, have not been exceeded. The radioactivity certificate must indicate the caesium-134 and -137 and iodine-131 levels.
- (⁴) Commission Regulation (EC) No 259/98 (OJ L 25, 31.1.1998, p. 39), is applicable as regards the export refund. The date referred to in Article 2 of the said Regulation is that indicated in point 22 of this Annex.
The supplier's attention is drawn to the last subparagraph of Article 4(1) of the above Regulation.
The photocopy of the export licence shall be sent as soon as the export declaration has been accepted (fax (32-2) 296 20 05).
- (⁵) The supplier shall supply to the beneficiary or its representative, on delivery, the following document:
— phytosanitary certificate.
- (⁶) Notwithstanding OJ C 114 of 29 April 1991, point II.A(3)(c) or II.B(3)(c) is replaced by the following: 'the words "European Community"'
- (⁷) Since the goods may be rebagged, the successful tenderer must provide 2 % of empty bags of the same quality as those containing the goods, with the marking followed by a capital 'R'.
- (⁸) Bagging must be carried out before shipment.
- (⁹) In addition to the provisions of Article 14(3) of Regulation (EC) No 2519/97, vessels chartered shall not appear on any of the four most recent quarterly lists of detained vessels as published by the Paris memorandum of Understanding on Port State Control (Council Directive 95/2/EC (OJ L 157, 7.7.1995, p. 1)).
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COMMISSION REGULATION (EC) No 1606/2000
of 24 July 2000
amending Regulation (EC) No 2629/97 with regard to the use of the animal identification code by
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 820/97 of 21 April 1997 establishing a system for the identification and registration of bovine animals and regarding the labelling of beef and beef products⁽¹⁾, and in particular Article 10(a) thereof,

Whereas:

- (1) Commission Regulation (EC) No 2629/97⁽²⁾ as last amended by Regulation (EC) No 1663/1999⁽³⁾ lays down detailed rules regarding eartags, holding registers and passports as part of the system for the identification and registration of bovine animals.
- (2) As far as the code for the identification of bovine animals is concerned, it seems appropriate to take into account practical difficulties pointed out by the United Kingdom authorities and to permit those authorities to use eartags containing the alpha-numeric code until 30 June 2000.

(3) Regulation (EC) No 2629/97 should therefore be amended accordingly.

(4) The measures provided for in this Regulation are in accordance with the opinion of the Committee for the European Agricultural Guidance and Guarantee Fund,

HAS ADOPTED THIS REGULATION:

Article 1

In paragraph 2, (b), of Article 1 of Regulation (EC) No 2629/97 the following sentence is added:

‘The United Kingdom may postpone this date until 30 June 2000;’.

Article 2

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, 24 July 2000.

For the Commission

David BYRNE

Member of the Commission

⁽¹⁾ OJ L 117, 7.5.1997, p. 1.

⁽²⁾ OJ L 354, 30.12.1997, p. 19.

⁽³⁾ OJ L 197, 29.7.1999, p. 27.

COMMISSION REGULATION (EC) No 1607/2000

of 24 July 2000

laying down detailed rules for implementing Regulation (EC) No 1493/1999 on the common organisation of the market in wine, in particular the Title relating to quality wine produced in specified regions

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EC) No 1493/1999 of 17 May 1999 on the common organisation of the market in wine ⁽¹⁾, and in particular Articles 56 and 58 thereof,

Whereas:

- (1) General rules for quality wine produced in specified regions (psr) are laid down in Title VI of Regulation (EC) No 1493/1999, and in several of the annexes thereto. These rules should be supplemented with implementing rules and the Regulations which previously dealt with that matter, Commission Regulations (EEC) No 1698/70 ⁽²⁾, as last amended by Regulation (EEC) No 986/89 ⁽³⁾, (EEC) No 2236/73 ⁽⁴⁾, (EEC) No 2082/74 ⁽⁵⁾, as last amended by the Act concerning the conditions of accession of the Hellenic Republic and the adjustments to the Treaties ⁽⁶⁾ and (EEC) No 2903/79 ⁽⁷⁾, as last amended by Regulation (EEC) No 418/86 ⁽⁸⁾, should be repealed.
- (2) These rules were previously dispersed throughout a number of Community Regulations. It would be in the interests of economic operators in the Community and of the authorities responsible for applying Community rules to collate all these provisions in a single Regulation.
- (3) That Regulation should include the current rules adapted to the new requirements of Regulation (EC) No 1493/1999. It should also be simpler and more consistent, and provide complete coverage of the subject, which means that certain gaps must be filled in. In addition, some rules should be more specifically worded, to ensure greater legal certainty when they are applied.
- (4) It should be specified that this Regulation applies without prejudice to any special provisions laid down in other areas.
- (5) Annex VI to Regulation (EC) No 1493/1999 provides for a number of lists of quality wines psr. Those lists must be established.
- (6) Paragraph 3 of Annex VI of Regulation (EC) No 1493/1999 requires the producer Member States to carry out

systematic organoleptic tests for each quality wine psr produced on their territory.

- (7) The task of comparing the results of tests with the specifications prescribed and of carrying out organoleptic tests should be entrusted to inspection boards.
- (8) There should be provision regarding the use to be made of wines suitable for yielding quality wines psr that are not accepted as quality wines psr by the board concerned.
- (9) The Commission should be informed of the measures taken by the Member States and of the manner in which they are applied.
- (10) Pursuant to Article 56(2) of Regulation (EC) No 1493/1999, a quality wine psr may be downgraded at the marketing stage in certain circumstances only. These circumstances should be specified and the use to which quality wines psr so downgraded may be put should be stated, as should the conditions for those uses. The competent authorities having the right to downgrade wines should be indicated.
- (11) To avoid distorting competition, a downgraded quality wine psr must not be marketed under a designation similar to the designation which can no longer be allocated to it. For monitoring to operate smoothly, entries in stock movement registers must record the downgrading.
- (12) For the Commission to be able to monitor the application by the competent authorities in the Member States of the provisions governing the downgrading of quality wines psr, the Member States should notify the Commission each year of the quantities of quality wine psr downgraded on their territory.
- (13) The downgrading of a quality wine psr on the territory of a Member State other than that in which it originated should be carried out by a competent body of the Member State of origin. To that end, direct cooperation should be ensured between the bodies responsible in the Member States for the supervision of the production and marketing of quality wines psr and rules for such cooperation should be laid down. However, in order to simplify the administrative task of the Member States, it should be possible for the competent body of the Member State which has on its territory a small quantity of the quality wine psr in question to downgrade this quantity itself.

⁽¹⁾ OJ L 179, 14.7.1999, p. 1.

⁽²⁾ OJ L 190, 26.8.1970, p. 4.

⁽³⁾ OJ L 106, 18.4.1989, p. 1.

⁽⁴⁾ OJ L 229, 17.8.1973, p. 26.

⁽⁵⁾ OJ L 217, 8.8.1974, p. 14.

⁽⁶⁾ OJ L 291, 19.11.1979, p. 80.

⁽⁷⁾ OJ L 326, 22.12.1979, p. 14.

⁽⁸⁾ OJ L 48, 26.2.1986, p. 8.

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

HAS ADOPTED THIS REGULATION:

Article 1

Purpose

This Regulation lays down detailed rules for implementing the provisions of Regulation (EC) No 1493/1999 relating to quality wine produced in specified regions (quality wine psr).

TITLE I

RULES RELATING TO SPECIFIED REGIONS

Article 2

Demarcation of areas in immediate proximity to a specified region

Notwithstanding the rule in point 1(b) of paragraph D of Annex VI to Regulation (EC) No 1493/1999, but pursuant to point 3 of paragraph D of Annex VI to that Regulation, the area in immediate proximity to a specified region where a quality wine psr may be obtained or manufactured shall be demarcated by each Member State concerned and for each quality wine psr concerned. The Member State shall take account, among other things, of the geographical situation, administrative structures and traditional situations prior to demarcation.

The Member States shall notify the Commission of such demarcation decisions taken, and the Commission shall publicise such decisions in all Member States by appropriate means.

TITLE II

RULES RELATING TO ALCOHOLIC STRENGTH

Article 3

List of quality white wines psr whose total alcoholic strength by volume may be less than 9 % vol. but not less than 8,5 % vol.

The lists referred to in point 5 of paragraph F of Annex VI to Regulation (EC) No 1493/1999 are set out in Annex I hereto.

Article 4

List of quality liqueur wines psr whose natural alcoholic strength by volume may be less than 12 % vol.

The list referred to in point 3(a) of paragraph L of Annex VI to Regulation (EC) No 1493/1999 is set out in paragraph A of Annex II hereto.

Article 5

List of quality liqueur wines psr whose total alcoholic strength by volume may be less than 17,5 % vol. but not less than 15 % vol.

The list referred to in point 4 of paragraph L of Annex VI to Regulation (EC) No 1493/1999 is set out in paragraph B of Annex II hereto.

Article 6

List of varieties which can be used to make quality liqueur wines psr using the special traditional indications 'vino dulce natural', 'vino dolce naturale', 'vinho doce natural' and 'οίνος γλυκός φυσικός'

The list referred to in point 5 of paragraph L of Annex VI to Regulation (EC) No 1493/1999 is set out in Annex III hereto.

Article 7

List of cuvées intended for the manufacture of quality sparkling wines psr, and of quality sparkling wines psr, whose alcoholic strength may be less than 9,5 % vol. but not less than 8,5 % vol.

The lists referred to in points 2 and 3 of paragraph K of Annex VI to Regulation (EC) No 1493/1999 are set out in Annex IV hereto.

TITLE III

RULES GOVERNING ANALYTICAL AND ORGANOLEPTIC TESTS

Article 8

General rules

1. For the purposes of applying point (d) of the second paragraph of Article 58 of Regulation (EC) No 1493/1999, each producer Member State shall set up one or more boards to carry out organoleptic tests of the quality wines psr produced on its territory.

When such boards are set up pursuant to the above provision and to point 1(b) of paragraph J of Annex VI to Regulation (EC) No 1493/1999, the Member States shall ensure that interested parties are represented thereon.

2. The Member States shall lay down rules to ensure that analytical and organoleptic tests are carried out systematically for all quality wines psr produced on their territory. However, for wines from the 2000/2001 wine year, the tests may be carried out by sampling.

They shall ensure that each sample taken is representative of each of the quality wines psr held by the producer.

3. For all wines liable to become quality wines psr, the tests referred to in paragraph 2 shall be carried out at the production stage before the wine is classified as a quality wine psr.

4. Wine may be classified as a quality wine psr only where:
- (a) the results of the analytical tests carried out in accordance with the methods referred to in Article 46 of Regulation (EC) No 1493/1999 prove that the wine falls within the required limits referred to in point 1(a) of paragraph J of Annex VI to that Regulation, and
 - (b) the organoleptic test shows that the wine possesses all the appropriate features.

Article 9

Use of wine that does not pass the analytical and organoleptic tests

Where the analytical and organoleptic tests show that the wine is not suitable to be classified as the quality wine psr claimed, then the wine may, if it has the required characteristics, be classified:

- (a) as another quality wine psr, if the conditions for its classification as such are met, or
- (b) as table wine, provided that enrichment, if any, has been carried out in accordance with Article 43(2) of and paragraphs C and G of Annex V to Regulation (EC) No 1493/1999, or
- (c) as wine of another category, as referred to in Annex I to Regulation (EC) No 1493/1999.

TITLE IV

RULES APPLICABLE TO DOWNGRADING

Article 10

Conditions for certain cases of downgrading quality wines psr at the marketing stage

1. For the purposes of applying Article 56 of Regulation (EC) No 1493/1999, 'the downgrading of a quality wine psr' means 'prohibiting the use for the wine concerned of any reference to Community or national indications reserved for a quality wine psr'.
2. For the purposes of applying Article 56(3) of that Regulation, a quality wine psr shall be deemed to have undergone a change such as to justify downgrading in particular when it is found that:
 - (a) it no longer meets the requirements for at least one of the features referred to in point 1(a) of paragraph J of Annex VI to the Regulation, or
 - (b) it no longer has at least one of the characteristics of quality wine psr from the region whose name it bears.
3. Downgrading of quality wine psr at the marketing stage shall be declared by the competent body referred to, as applicable, in Article 12(1) or (3) of this Regulation.

4. The procedure for downgrading a quality wine psr shall be initiated by:

- (a) the competent body referred to in Article 56(1) and (2) of the Regulation, at the time of any appropriate check, or
- (b) the trader holding the wine if he observes that the wine fulfils the conditions referred to in paragraph 2 above.

5. Member States shall notify the Commission of the names and addresses of the competent bodies authorised by them to downgrade quality wines psr. The Commission shall take all appropriate steps to publish the notifications in all Member States.

6. Where necessary, any competent body may declare that the accompanying document issued for a downgraded wine is in breach of the rules.

Stock movement registers kept by the holder of a downgraded wine shall specify that the wine has been downgraded from a quality wine psr.

Article 11

Notification by Member States of the downgrading of quality wines psr

For each wine marketing year, the Member States shall collect data on quantities of quality wine psr downgraded on their territory.

They shall notify these data to the Commission no later than 1 November following the wine year in which downgrading is declared.

The data shall distinguish between wine downgraded from quality wine psr

- (a) at the production stage:
 - (i) on the initiative of the competent body, or
 - (ii) at the request of the producer;
- (b) at the marketing stage:
 - (i) on the initiative of the competent body, or
 - (ii) at the request of the trader.

They shall indicate the quantities broken down by product category resulting from the downgrading.

Article 12

Direct collaboration of the Member States' competent bodies as regards the downgrading of quality wine psr

1. The competent body in a Member State that has on its territory a quality wine psr being considered for downgrading shall inform the competent body of the Member State on whose territory the wine was produced ('the Member State of origin') accordingly.

The exchange of information may be accompanied by:

- (a) dispatch of samples to an official laboratory in the Member State of origin at the request of one of the Member States concerned; where the wine is a quality wine psr in containers holding no more than 60 litres, the sample shall bear the labelling under which the wine was put into circulation,
- (b) presence of a qualified expert from the Member State of origin at checks,
- (c) participation of different Member States in concerted tests,
- (d) verification of the documents and register entries laid down pursuant to Article 70 of Regulation (EC) No 1493/1999.

2. The competent body to which the request is addressed shall promptly inform the competent body sending the request of its decision on downgrading.

3. When the total quantity of wine involved does not exceed two hectolitres, the competent body of the Member State that has on its territory a quality wine psr liable to be downgraded may itself decide to downgrade the wine.

4. Any natural or legal person or group of persons affected by a decision taken under paragraph 2 or 3 above may ask the competent body of the Member State that has on its territory the quality wine psr concerned to reconsider the decision. If that body finds that the request to reconsider the decision is founded, it shall request the competent body of the Member

State of origin of the quality wine psr concerned to reconsider the decision, or, in the case referred to in paragraph 3, it shall itself reconsider the decision.

5. Member States that have downgraded a quality wine psr originating in another Member State in the course of a year shall, by 31 March of the following year, notify the Commission and the Member States of origin of the quality wines psr concerned of the volume of each quality wine psr downgraded.

TITLE V

FINAL PROVISIONS

Article 13

Repeal

Regulations (EEC) No 1698/70, (EEC) No 2236/73, (EEC) No 2082/74 and (EEC) No 2903/79 are repealed.

Article 14

Entry into force

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

It shall apply from 1 August 2000.

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

Done at Brussels, 24 July 2000.

For the Commission

Franz FISCHLER

Member of the Commission

ANNEX I

List of quality white wines psr whose total alcoholic strength by volume may be less than 9 % but not less than 8,5 % vol.

PORTUGAL

— Vinho Verde

ANNEX II

A. List referred to in point 3 (a) of paragraph L of Annex VI to Regulation (EC) No 1493/1999

1. List of quality liqueur wines psr produced from grape must with a natural alcoholic strength by volume of not less than 10 % vol. obtained by the addition of sprit obtained from wine or grape marc with a registered designation of origin, possibly from the same holding.

(Point 3 (a) (i) of paragraph L of Annex VI to Regulation (Ec) No 1493/1999)

FRANCE

Pineau de Charantes or Pineau charentais, Floc de Gascogne, Macvin du Jura.

2. List of quality liqueur wines psr produced from fermenting grape must with an initial natural alcoholic strength by volume of not less than 11 % vol. obtained by the addition of neutral alcohol or of a distillate of wine with an actual alcoholic strength by volume of not less than 70 % vol., or spirit of vinous origin.

(First indent of point 3 (a) (ii) of paragraph L of Annex VI to Regulation (EC) No 1493/1999)

PORTUGAL

Porto, vin de Porto, Oporto Port, Port wine, Portwein, Portvin, Portwijn

Moscatel de Setúbal, Setúbal

Carcavelos

ITALY

Moscato di Noto

Trentino.

3. List of quality liqueur wines psr produced from wine with an initial natural alcoholic strength by volume of not less than 10,5 % vol.

(Second indent of point 3 (a) (ii) of paragraph L of Annex VI to Regulation (EC) No 1493/1999)

SPAIN

Jerez-Xérès-Sherry

Manzanilla-Sanlúcar de Barrameda

Contado de Huelva

Rueda

4. List of quality liqueur wines psr obtained from fermenting grape must with an initial natural alcoholic strength by volume of not less than 9 % vol.

(Third indent of point 3 (a) (ii) of paragraph L of Annex VI to Regulation (EC) No 1493/1999)

PORTUGAL

Madeira, Madeira Wein, Madeira wine, vin de Madère, Madera, vino di Madera, Madeira wijn

B. List referred to in point 4 of paragraph L of Annex VI to Regulation (EC) No 1493/1999

5. List of quality liqueur wines psr having a total alcoholic strength by volume less than 17,5 % vol. but not less than 15 % vol., where national laws applicable thereto before 1 January 1985 expressly so provided

(Point 4 of paragraph L of Annex VI to Regulation (EC) No 1493/1999)

SPAIN

Quality liqueur wine psr	Description of product as established by Community rules or national legislation
Condado de Huelva	Vino generoso
Jerez-Xérès-Sherry	Vino generoso
Manzanilla-Sanlúcar de Barrameda	Vino generoso
Málaga	Seco
Montilla-Moriles	Vino generoso
Priorato	Rancio seco
Rueda	Vino generoso
Tarragona	Rancio seco

ITALY

Trentino

PORTUGAL

Quality liqueur wine psr	Description of product as established by Community rules or national legislation
Porto, vin de Porto, Oporto, Port, Port wine, Portwein, Portvin, Portwijn	Branco leve seco

ANNEX III

List of varieties which can be used to make quality liqueur wines psr which use the special traditional indications 'vino dulce natural', 'vino dolce naturale', 'vino doce natural' and 'οίνος γλυκός φυσικός'

Muscats — Grenache — Maccabéo — Malvoisies — Mavrodaphne — Assirtiko — Liatiko — Garnacha tintorera — Monastrell — Pedro Ximénez — Albarola — Aleatico — Bosco — Cannonau — Corinto nero — Giró — Monica — Nasco — Primitivo — Vermentino — Zibibbo.

ANNEX IV

List of quality sparkling wines psr the cuvée of which may have an alcoholic strength of less than 9,5 % vol.

ITALY

- Prosecco di Conegliano-Valdobbiadene
- Montello e Colli Asolani.

COMMISSION REGULATION (EC) No 1608/2000

of 24 July 2000

**laying down transitional measures pending the definitive measures implementing Regulation (EC)
No 1493/1999 on the common organisation of the market in wine**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EC) No 1493/1999 of 17 May 1999 on the common organisation of the market in wine ⁽¹⁾, and in particular Article 80 thereof,

Whereas:

(1) Article 81 of Regulation (EC) No 1493/1999 repeals the following Regulations with effect from 1 August 2000: Council Regulation (EEC) No 1873/84 of 28 June 1984 authorising the offer or disposal for direct human consumption of certain imported wines which may have undergone oenological processes not provided for in Regulation (EEC) No 337/79 ⁽²⁾, as last amended by Regulation (EC) No 2839/98 ⁽³⁾, Council Regulation (EEC) No 823/87 of 16 March 1987 laying down special provisions relating to quality wines produced in specified regions ⁽⁴⁾, as last amended by Regulation (EC) No 1426/96 ⁽⁵⁾, Council Regulation (EEC) No 4252/88 of 21 December 1988 on the preparation and marketing of liqueur wines produced in the Community ⁽⁶⁾, as last amended by Regulation (EC) No 1678/1999 ⁽⁷⁾, Council Regulation (EEC) No 2048/89 of 19 June 1989 laying down general rules on controls in the wine sector ⁽⁸⁾, Council Regulation (EEC) No 2390/89 of 24 July 1989 laying down general rules for the import of wines, grape juice and grape must ⁽⁹⁾, as last amended by Regulation (EC) No 2838/98 ⁽¹⁰⁾, Council Regulation (EEC) No 2391/89 of 24 July 1989 defining certain products in the wine sector falling within CN codes 2009 and 2204, and originating in third countries ⁽¹¹⁾, Council Regulation (EEC) No 2392/89 of 24 July 1989 laying down general rules for the description and presentation of

wines and grape musts ⁽¹²⁾, as last amended by Regulation (EC) No 1427/96 ⁽¹³⁾, Council Regulation (EEC) No 3895/91 of 11 December 1991 laying down rules for the description and presentation of special wines ⁽¹⁴⁾, and Council Regulation (EEC) No 2333/92 of 13 July 1992 laying down general rules for the description and presentation of sparkling wines and aerated sparkling wines ⁽¹⁵⁾, as last amended by Regulation (EC) No 1429/96 ⁽¹⁶⁾.

(2) Nevertheless, operators and administrations concerned should be assured of a smooth transition between the often old provisions adopted on the basis of Council Regulation (EEC) No 337/79 of 5 February 1979 on the common organisation of the market in wine ⁽¹⁷⁾, repealed by Council Regulation (EEC) No 822/87 of 16 March 1987 on the common organisation of the market in wine ⁽¹⁸⁾, in its turn repealed by Regulations (EC) No 1493/1999 and (EEC) No 823/87 and the rules of application of Regulation (EC) No 1493/1999.

(3) In order to permit a smooth transition and continuity of the applicable arrangements pending the imminent finalisation and adoption of the implementing measures, provision should therefore be made for some of the Council provisions repealed by the said Article 81 to continue in force for a brief transitional period. The temporary continuation in force of those provisions entails the Commission Regulations adopted on their basis remaining in force; those Regulations will, however, be explicitly repealed at the end of the transitional period.

(4) Since the key elements of the subject matter of the Regulations referred to in Article 81 have already been regulated in Regulation (EC) No 1493/1999 or in the implementing Regulations adopted to date by the Commission, the transitional period in question does not affect the implementation by the Council on the planned date of the main features of the reform of the common organisation of the market in wine.

(5) However, in order not to burden economic operators and national administrations with measures entering into force on different dates, the date of entry into force of Commission Regulation (EC) No 881/98 of 24 April 1998 laying down detailed rules for the protection of

⁽¹⁾ OJ L 179, 14.7.1999, p. 1.

⁽²⁾ OJ L 176, 3.7.1984, p. 6.

⁽³⁾ OJ L 354, 30.12.1998, p. 12.

⁽⁴⁾ OJ L 84, 27.3.1987, p. 59.

⁽⁵⁾ OJ L 184, 24.7.1996, p. 1.

⁽⁶⁾ OJ L 373, 31.12.1988, p. 59.

⁽⁷⁾ OJ L 199, 30.7.1999, p. 10.

⁽⁸⁾ OJ L 202, 14.7.1989, p. 32.

⁽⁹⁾ OJ L 232, 9.8.1989, p. 7.

⁽¹⁰⁾ OJ L 354, 30.12.1998, p. 11.

⁽¹¹⁾ OJ L 232, 9.8.1989, p. 10.

⁽¹²⁾ OJ L 232, 9.8.1989, p. 13.

⁽¹³⁾ OJ L 184, 24.7.1996, p. 3.

⁽¹⁴⁾ OJ L 368, 31.12.1991, p. 1.

⁽¹⁵⁾ OJ L 231, 13.8.1992, p. 9.

⁽¹⁶⁾ OJ L 184, 24.7.1996, p. 9.

⁽¹⁷⁾ OJ L 54, 5.3.1979, p. 1.

⁽¹⁸⁾ OJ L 84, 27.3.1987, p. 1.

the additional traditional terms used to designate certain types of quality wine produced in specified regions (quality wine psr) ⁽¹⁾, as last amended by Regulation (EC) No 2253/1999 ⁽²⁾, should be postponed so that all the measures resulting from the reform of the common organisation of the market can be adopted at the same time.

- (6) In view of the fact that Regulation (EC) No 1493/1999 repeals the above Council Regulations with effect from 1 August 2000, it is essential that the transitional period begins on that date.
- (7) The measures provided for in this Regulation are in accordance with the opinion of the Management Committee for Wine,

HAS ADOPTED THIS REGULATION:

Article 1

By derogation from certain provisions of Regulation (EC) No 1493/1999, only the provisions listed in the Annex hereto shall remain in force until 30 November 2000.

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

Done at Brussels, 24 July 2000.

Article 2

In the Regulations listed in the Annex, reference to Regulations (EEC) No 337/79, (EEC) No 822/87, (EEC) No 823/87 and (EEC) No 2332/92 shall be understood as reference to the corresponding provisions of Regulation (EC) No 1493/1999.

Article 3

In the second paragraph of Article 7 of Regulation (EC) No 881/98, the date '1 August 2000' is replaced by '30 November 2000'.

Article 4

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

It shall apply from 1 August 2000.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ L 124, 25.4.1998, p. 22.

⁽²⁾ OJ L 275, 26.10.1999, p. 8.

ANNEX

List of provisions remaining in force until 30 November 2000

- (a) Articles 1 and 3 of, and the Annex to, Regulation (EEC) No 1873/84
 - (b) Article 15(2) and (7) of Regulation (EEC) No 823/87
 - (c) Regulation (EEC) No 2048/89
 - (d) Regulation (EEC) No 2390/89
 - (e) Articles 1 and 2 of Regulation (EEC) No 2391/89
 - (f) Regulation (EEC) No 2392/89
 - (g) Article 2 of Regulation (EEC) No 3895/91
 - (h) Articles 8, 9 and 11 of Regulation (EEC) No 2333/92
 - (i) Articles 3, 31, 71 and 72 of Regulation (EEC) No 822/87.
-

COMMISSION REGULATION (EC) No 1609/2000**of 24 July 2000****establishing a list of products excluded from the application of Council Regulation (EEC) No 737/90 on the conditions governing imports of agricultural products originating in third countries following the accident at the Chernobyl nuclear power station**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EEC) No 737/90 of 22 March 1990 on the conditions governing imports of agricultural products originating in third countries following the accident at the Chernobyl nuclear power station⁽¹⁾, as last amended by Regulation (EC) No 616/2000⁽²⁾ and in particular Article 6 thereof,

Whereas:

- (1) According to Article 6 of Regulation (EEC) No 737/90, the Commission shall adopt a list of products excluded from its application.
- (2) Most agricultural products currently imported from third countries are free of radioactive contamination from the Chernobyl accident or so slightly contaminated as to present a negligible risk to health.
- (3) The list of products excluded from the application of Regulation (EEC) No 737/90 was established by Commission Regulation (EC) 727/97⁽³⁾ to take this into account.
- (4) The results obtained from a study carried out for the Commission assessing the potential for imports by Member States of agricultural products containing radio-caesium in excess of the limits laid down in Regulation

(EEC) No 737/90 indicate that two further food products (tea and certain herbs) should be excluded.

- (5) A modified style of presentation of the list of products to which Council Regulation (EEC) No 737/90 is applicable has already been introduced in Commission Regulation (EC) No 1661/1999 of 27 July 1999 laying down detailed rules for the application of Regulation (EEC) No 737/90⁽⁴⁾ and will facilitate the use of the list by the customs offices.
- (6) The measures provided for in this Regulation are in accordance with the opinion of the Committee under Article 7 of Regulation (EEC) No 737/90,

HAS ADOPTED THIS REGULATION:

Article 1

Regulation (EC) No 727/97 is hereby repealed.

Article 2

All products other than those listed in the Annex are excluded from the scope of Regulation (EEC) No 737/90.

Article 3

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

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

Done at Brussels, 24 July 2000.

For the Commission
Margot WALLSTRÖM
Member of the Commission

⁽¹⁾ OJ L 82, 29.3.1990, p. 1.

⁽²⁾ OJ L 75, 24.3.2000, p. 1.

⁽³⁾ OJ L 108, 25.4.1997, p. 16.

⁽⁴⁾ OJ L 197, 29.7.1999, p. 17.

ANNEX

LIST OF PRODUCTS TO WHICH REGULATION (EEC) No 737/90 IS APPLICABLE

CN code	Description
0101 19 10	Live horses, other than pure-bred breeding animals, for slaughter
0102 90	Live bovine animals, other than pure-bred breeding animals, domestic species
0103 91	Live swine, other than pure-bred breeding animals, weighing less than 50 kg
0103 92	Live swine, other than pure-bred breeding animals, weighing 50 kg or more
0104 10	Live sheep, other than pure-bred breeding animals
0104 20 90	Live goats, other than pure-bred breeding animals
0105	Live poultry, that is to say, fowls of the species <i>Gallus domesticus</i> , ducks, geese, turkeys and guinea fowls
0106 00	Other live animals
Chapter 2	Meat and edible meat offal
ex Chapter 4	Dairy produce; birds' eggs; natural honey; edible products of animal origin, not elsewhere specified or included, except products of CN codes 0408 11 20, 0408 19 20, 0408 91 20 and 0408 99 20
ex 0709 51	Mushrooms, fresh or chilled, other than cultivated mushrooms
ex 0710 80 69	Mushrooms (uncooked or cooked by steaming or boiling in water), frozen, other than cultivated mushrooms
ex 0711 90 60	Mushrooms provisionally preserved (for example, by sulphur dioxide gas, in brine, in sulphur water or in other preservative solutions), but unsuitable in that state for immediate consumption, other than cultivated mushrooms
ex 0712 30 00	Dried mushrooms, whole, cut, sliced, broken or in powder, but not further prepared, other than cultivated mushrooms
0810 40	Cranberries, bilberries and other fruits of the genus <i>Vaccinium</i> , fresh
0811 90 50	Fruits of the species <i>Vaccinium myrtillus</i> , uncooked or cooked by steaming or boiling in water, frozen, whether or not containing added sugar or other sweetening matter
0811 90 70	Fruits of the species <i>Vaccinium myrtilloides</i> and <i>Vaccinium angustifolium</i> , uncooked or cooked by steaming or boiling in water, frozen, whether or not containing added sugar or other sweetening matter
0812 90 40	Fruits of the species <i>Vaccinium myrtillus</i> , provisionally preserved (for example, by sulphur dioxide gas, in brine, in sulphur water or in other preservative solutions), but unsuitable in that state for immediate consumption
1601 00	Sausages and similar products, of meat, offal or blood; food preparations based on these products

CN code	Description
1602	Other prepared or preserved meat, meat offal or blood
ex 1603 00	Extracts and juices of meat
ex 2001 90 50	Mushrooms, prepared or preserved by vinegar or acetic acid, other than cultivated mushrooms
ex 2003 10 80	Mushrooms, prepared or preserved otherwise than by vinegar or acetic acid, other than cultivated mushrooms

COMMISSION REGULATION (EC) No 1610/2000

of 24 July 2000

amending Regulation (EEC) No 3769/92 implementing and amending Council Regulation (EEC) No 3677/90 laying down measures to be taken to discourage the diversion of certain substances to the illicit manufacture of narcotic drugs and psychotropic substances

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

the Agreement or referred to in the pre-export notification requests.

Having regard to the Treaty establishing the European Community,

- (3) Argentina, Benin, Bolivia, Brazil, the Cayman Islands, Costa Rica, Cyprus, the Czech Republic, Ethiopia, Indonesia, Japan, Jordan, Macao, Malaysia, Moldova, Nigeria, Paraguay, Peru, the Philippines, the Russian Federation, Saudi Arabia, South Africa, Sri Lanka, Tajikistan, Turkey and Venezuela have invoked Article 12.10 of the United Nations Convention against Illicit Traffic in Narcotic Drugs and Psychotropic Substances by requesting pre-export notifications for substances in Table 1 to that Convention, and in a number of cases, acetic anhydride and potassium permanganate.

Having regard to Council Regulation (EEC) No 3677/90 of 13 December 1990 laying down measures to be taken to discourage the diversion of certain substances to the illicit manufacture of narcotic drugs and psychotropic substances ⁽¹⁾, as last amended by Commission Regulation (EEC) No 3769/92 ⁽²⁾, and in particular Article 10(3) thereof,

Having regard to Regulation (EEC) No 3769/92, as last amended by Regulation (EEC) No 2093/97 ⁽³⁾, implementing and amending Regulation (EEC) No 3677/90,

- (4) Annexes II and III to this Regulation must thus be updated to ensure full compliance with the abovementioned Agreement and the requests for pre-export notification.

Having regard to the Agreement on precursors and chemical substances concluded between the Community and Chile ⁽⁴⁾,

- (5) For reasons of transparency, these Annexes need to be replaced.

Having regard to Section 7(a)(i) of Part B of the United Nations General Assembly Resolution S-20/4 as adopted at the 20th Special Session of the United Nations, whereby pre-export notifications can be requested for acetic anhydride and potassium permanganate by contracting parties to the United Nations Convention against Illicit Traffic in Narcotic Drugs and Psychotropic Substances,

- (6) The measures provided for in this Regulation are in accordance with the opinion of the Drugs Precursors Committee,

Whereas:

HAS ADOPTED THIS REGULATION:

- (1) The Community is contracting party to the United Nations Convention against Illicit Traffic in Narcotic Drugs and Psychotropic Substances ⁽⁵⁾.

Article 1

- (2) The obligations from the abovementioned Agreement as well as the mentioned requests for pre-export notifications for acetic anhydride and potassium permanganate can be complied with only in so far as prior export authorisation requirements are introduced for the substances and countries concerned listed in Annex A to

Annexes II and III to Regulation (EEC) No 3769/92 are replaced by the Annex hereto.

Article 2

⁽¹⁾ OJ L 357, 20.12.1990, p. 1.

⁽²⁾ OJ L 383, 29.12.1992, p. 17.

⁽³⁾ OJ L 292, 25.10.1997, p. 11.

⁽⁴⁾ OJ L 336, 11.12.1998, p. 48.

⁽⁵⁾ Council Decision of 22 October 1990 concerning the conclusion, on behalf of the European Community, of the United Nations Convention against Illicit Traffic in Narcotic Drugs and Psychotropic Substances (OJ L 326, 24.11.1990, p. 56).

This Regulation enters into force on the twentieth 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, 24 July 2000.

For the Commission
Frederik BOLKESTEIN
Member of the Commission

ANNEX

ANNEX II

Substance	Destination	
Acetic anhydride ⁽¹⁾	Argentina Benin Bolivia Brazil Colombia Chile Costa Rica Cyprus Czech Republic Ecuador Ethiopia Guatemala Hong Kong India Indonesia Iran Jordan Lebanon Macao Malaysia	Mexico Moldova Myanmar (Burma) Nigeria Paraguay Peru Singapore Saudi Arabia South Africa Sri Lanka Syria Tajikistan Thailand The Cayman Islands Philippines Russian Federation Turkey United Arab Emirates Venezuela
Anthranilic acid ⁽¹⁾	Bolivia Chile Colombia Ecuador India	Mexico Peru United Arab Emirates Venezuela
Phenylacetic Acid ⁽¹⁾ Piperidine ⁽¹⁾	Bolivia Chile Colombia Ecuador Mexico	Peru United Arab Emirates United States of America Venezuela

⁽¹⁾ This includes the salts of these substances, except for sulphuric acid and hydrochloric acid whenever the existence of such salts is possible.

ANNEX III

Substance	Destination
Methylethyl ketone ⁽¹⁾ Toluene ⁽¹⁾ Sulphuric acid ⁽¹⁾	Argentina Bolivia Brazil Chile Colombia Costa Rica Ecuador El Salvador Guatemala Honduras Hong Kong Panama Paraguay Peru Syria Thailand Uruguay United Arab Emirates Venezuela
Potassium permanganate ⁽¹⁾	Argentina Benin Bolivia Brazil Chile Colombia Costa Rica Cyprus Czech Republic Ecuador El Salvador Ethiopia Guatemala Honduras Hong Kong Jordan Macao Malaysia Moldova Nigeria Panama Paraguay Peru Saudi Arabia South Africa Sri Lanka Syria Tajikistan Thailand Cayman Islands Philippines Russian Federation Turkey Uruguay United Arab Emirates Venezuela
Acetone ⁽¹⁾ Ethyl ether ⁽¹⁾	Argentina Bolivia Brazil Chile Colombia Costa Rica Ecuador El Salvador Guatemala Honduras Hong Kong Iran Lebanon Mexico Myanmar (Burma) Panama Paraguay Peru Singapore Syria Thailand Turkey United Arab Emirates Uruguay Venezuela
Hydrochloric acid	Argentina Bolivia Brazil Chile Colombia Costa Rica Ecuador El Salvador Guatemala Honduras Hong Kong Iran Lebanon Myanmar (Burma) Panama Paraguay Peru Singapore Syria Thailand Turkey United Arab Emirates Uruguay Venezuela

⁽¹⁾ This includes the salts of these substances, except for sulphuric acid and hydrochloric acid whenever the existence of such salts is possible.

COMMISSION REGULATION (EC) No 1611/2000
of 24 July 2000
adjusting the compensatory agrimonetary aid granted to Denmark

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EC) No 2799/98 of 15 December 1998 establishing agrimonetary arrangements for the euro ⁽¹⁾, and in particular Article 9 thereof,

Whereas:

- (1) For various Member States, the maximum amount of the compensatory aid resulting from the rates for converting the euro into national currency units and the exchange rates applicable on 1 July 1999 is laid down in Commission Regulation (EC) No 1639/1999 ⁽²⁾.
- (2) Article 5(4) of Regulation (EC) No 2799/98 provides that the maximum amount of the compensatory aid is to be reduced or cancelled if necessary as a function of the effect on income of the development of the exchange rates recorded on the first day of the second and third tranche.
- (3) The conversion rate applicable to certain direct aids whose operative event is 1 July 2000 is laid down in Commission Regulation (EC) No 1577/2000 ⁽³⁾. The rate

laid down for the Danish krone indicates a depreciation of that currency, and the amount of the second tranche of compensatory aid for Denmark should therefore be reduced.

- (4) The measures provided for in this Regulation are in accordance with the opinions of the Management Committees concerned,

HAS ADOPTED THIS REGULATION:

Article 1

The reduced amounts of the second tranche of compensatory aid for Denmark resulting from the maximum amounts of the first tranche provided for in Regulation (EC) No 1639/1999 are set out in the Annex.

Article 2

This Regulation shall enter into force on the seventh 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, 24 July 2000.

For the Commission
Franz FISCHLER
Member of the Commission

⁽¹⁾ OJ L 349, 24.12.1998, p. 1.

⁽²⁾ OJ L 194, 27.7.1999, p. 33.

⁽³⁾ OJ L 181, 20.7.2000, p. 37.

ANNEX

Reduced amounts of the second tranche of compensatory aid for Denmark expressed in million euro

Measure		
Type	Regulation	
Aid maize 'base area maize' (small production)	(EC) No 1251/1999 of Council ⁽¹⁾	0,000000
Aid cereal other than base area maize (small production)	(EC) No 1251/1999	1,758475
Aid rape, sunflower, soya (small production)	(EC) No 1251/1999	0,000000
Aid peas, field beans (small production)	(EC) No 1251/1999	0,000000
Aid linseed (small production)	(EC) No 1251/1999	0,000000
Aid maize 'base area maize' (professional production)	(EC) No 1251/1999	0,000000
Aid cereal other than base area maize (professional production)	(EC) No 1251/1999	9,751541
Aid rape, sunflower, soya (professional production)	(EC) No 1251/1999	1,084773
Aid peas, field beans (professional production)	(EC) No 1251/1999	1,050517
Aid linseed (professional production)	(EC) No 1251/1999	0,074221
Additional aid durum wheat (professional production)	(EC) No 1251/1999	0,000000
Set-aside linked to aid/ha	(EC) No 1251/1999	1,347403
Aid/ha dried vegetables	(EC) No 1577/96 of Council ⁽²⁾	0,000000
Aid/ha hops	(EEC) No 1696/71 of Council ⁽³⁾	0,000000

⁽¹⁾ OJ L 160, 26.6.1999, p. 1.⁽²⁾ OJ L 206, 16.8.1996, p. 4.⁽³⁾ OJ L 175, 4.8.1971, p. 1.

COMMISSION REGULATION (EC) No 1612/2000**of 24 July 2000****setting the maximum amount of compensatory aid resulting from the conversion rates for the Swedish krona and the pound sterling applicable on 1 July 2000**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EC) No 2799/98 of 15 December 1998 establishing agrimonetary arrangements for the euro ⁽¹⁾, and in particular Article 5(2) thereof,

Whereas:

- (1) Article 5(1) of Regulation (EC) No 2799/98 provides that compensatory payments may be made in cases where the exchange rate applicable on the date of the operative event is below that previously applicable. However, that provision is not applicable to amounts to which a rate lower than the new rate was applicable during the twenty-four months immediately before the new rate took effect.
- (2) The exchange rates for the Swedish krona and the pound sterling applicable on the operative event date of 1 July 2000 were lower than those previously applicable.
- (3) The compensatory aid is to be determined and paid in accordance with Regulation (EC) No 2799/98 and Commission Regulation (EC) No 2808/98 of 22

December 1998 laying down detailed rules for the application of the agrimonetary system for the euro in agriculture ⁽²⁾, as amended by Regulation (EC) No 1410/1999 ⁽³⁾.

- (4) The measures provided for in this Regulation are in accordance with the opinions of the Management Committees concerned,

HAS ADOPTED THIS REGULATION:

Article 1

The maximum amounts of the first tranche of compensatory aid which may be paid as a result of the reduction recorded on the operative event date of 1 July 2000 in the exchange rates for the Swedish krona and the pound sterling compared to the exchange rates previously applicable are listed in the Annex.

Article 2

This Regulation shall enter into force on the seventh 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, 24 July 2000.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ L 349, 24.12.1998, p. 1.

⁽²⁾ OJ L 349, 24.12.1998, p. 36.

⁽³⁾ OJ L 164, 30.3.1999, p. 53.

ANNEX

Maximum amounts of the first tranche of compensatory aid expressed in million euro

Measure		Sweden	United Kingdom
Type	Regulation		
Aid maize 'base area maize' (small production)	(EC) No 1251/1999 of Council ⁽¹⁾	0,000000	0,071253
Aid cereals other than base area maize (small production)	(EC) No 1251/1999	2,853340	1,984905
Aid rape, sunflower, soya (small production)	(EC) No 1251/1999	0,018690	0,000000
Aid peas, field beans (small production)	(EC) No 1251/1999	0,018690	0,000000
Aid linseed (small production)	(EC) No 1251/1999	0,006230	0,000000
Aid maize 'base area maize' (professional production)	(EC) No 1251/1999	0,000000	0,183222
Aid cereals other than base area maize (professional production)	(EC) No 1251/1999	13,444340	31,083273
Aid rape, sunflower, soya (professional production)	(EC) No 1251/1999	1,495200	6,511167
Aid peas, field beans (professional production)	(EC) No 1251/1999	0,623000	3,175848
Aid linseed (professional production)	(EC) No 1251/1999	0,953190	4,682340
Additional aid durum wheat (professional production)	(EC) No 1251/1999	0,000000	0,020358
Set-aside linked to aid/ha	(EC) No 1251/1999	4,759720	6,670638
Aid/ha dried vegetables	(EC) No 1577/96 of Council ⁽²⁾	0,000000	0,000000
Aid/ha hops	(EEC) No 1696/71 of Council ⁽³⁾	0,000000	0,033930

⁽¹⁾ OJ L 160, 26.6.1999, p. 1.⁽²⁾ OJ L 206, 16.8.1996, p. 4.⁽³⁾ OJ L 175, 4.8.1971, p. 1.

COMMISSION REGULATION (EC) No 1613/2000

of 24 July 2000

derogating from Regulation (EEC) No 2454/93 in respect of the definition of the concept of originating products used for the purposes of the scheme of generalised preferences to take account of the special situation of Laos regarding certain exports of textiles to the Community

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Community industry. The derogation should be adapted, however, with reference to the economic needs.

Having regard to the Treaty establishing the European Community,

(5) In order to encourage regional cooperation among beneficiary countries, it is desirable to provide that the raw materials to be used in Laos in the context of this derogation should originate in countries belonging to the Association of South-East Asian Nations (ASEAN) (except Myanmar), to the South Asian Association for Regional Cooperation (SAARC) or to the ACP-EC Partnership Agreement.

Having regard to Council Regulation (EEC) No 2913/92 of 12 October 1992 establishing the Community Customs Code ⁽¹⁾, as last amended by Regulation (EC) No 955/1999 of the European Parliament and of the Council ⁽²⁾, and in particular Article 249 thereof,

(6) The open and effective administration of these measures should be ensured by applying the relevant provisions, for the management of tariff quotas, laid down in Regulation (EEC) No 2454/93, as amended by Regulation (EC) No 1427/97 ⁽⁸⁾.

Having regard to Commission Regulation (EEC) No 2454/93 of 2 July 1993 laying down provisions for the implementation of Council Regulation (EEC) No 2913/92 establishing the Community Customs Code ⁽³⁾, as last amended by Regulation (EC) No 1662/1999 ⁽⁴⁾, and in particular Article 76 thereof,

(7) Any demand to extend application of the derogation beyond the quantities provided for must be considered in consultation with the Lao authorities.

Whereas:

(1) By Council Regulation (EC) No 2820/98 of 21 December 1998 applying a multiannual scheme of generalised tariff preferences for the period 1 July 1999 to 31 December 2001 ⁽⁵⁾, as last amended by Commission Regulation (EC) No 1310/2000 ⁽⁶⁾, the Community gave such preferences to Laos.

(8) To be fully effective, the derogation should be granted for a reasonable length of time, that is, until 31 December 2001 when Regulation (EC) No 2820/98 expires.

(2) Articles 67 to 97 of Regulation (EEC) No 2454/93 establish the definition of the concept of originating products to be used for the purposes of generalised tariff preferences. Article 76 of that Regulation provides, however, for derogations to those provisions in favour of least-developed GSP-beneficiary countries which submit an appropriate request to that effect to the Community.

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

(3) By Commission Regulation (EC) No 1537/1999 ⁽⁷⁾, Laos obtained such a derogation for certain textiles, for the period from 15 July 1999 to 14 July 2000.

HAS ADOPTED THIS REGULATION:

(4) The request submitted by Laos satisfies the requirements of Article 76 of Regulation (EEC) No 2454/93. In particular the introduction of quantitative conditions (on an annual basis) reflecting the Community market's capacity to absorb the Lao products, Laos's export-capacity and actual recorded trade flows, is such as to prevent injury to the corresponding branches of

Article 1

1. By way of derogation from Articles 67 to 97 of Regulation (EEC) No 2454/93, products listed in the Annex to this Regulation which are manufactured in Laos from woven fabric (woven items) or yarn (knitted items) imported into that country and originating in a country belonging to the Association of South-East Asian Nations (ASEAN) (except Myanmar), to the South Asian Association for Regional Cooperation (SAARC) or to the ACP-EC Partnership Agreement shall be regarded as originating in Laos in accordance with the arrangements set out below.

⁽¹⁾ OJ L 302, 19.10.1992, p. 1.

⁽²⁾ OJ L 119, 7.5.1999, p. 1.

⁽³⁾ OJ L 253, 11.10.1993, p. 1.

⁽⁴⁾ OJ L 197, 29.7.1999, p. 25.

⁽⁵⁾ OJ L 357, 30.12.1998, p. 1.

⁽⁶⁾ OJ L 148, 22.6.2000, p. 28.

⁽⁷⁾ OJ L 178, 14.7.1999, p. 26.

⁽⁸⁾ OJ L 196, 24.7.1997, p. 31.

2. For the purposes of paragraph 1, products shall be considered as originating in ASEAN or SAARC when they are obtained in these countries according to the rules of origin provided for in Articles 67 to 97 of Regulation (EEC) No 2454/93, or as originating in the beneficiary countries of the ACP-EC Partnership Agreement when they are obtained in those countries according to the rules of origin provided in Protocol No 1 to the ACP-EC Partnership Agreement ⁽¹⁾.

3. The competent authorities of Laos shall undertake to take all of the necessary measures to ensure compliance with the provisions of paragraph 2.

Article 2

The derogation provided for in Article 1 shall apply to products transported directly from Laos and imported into the Community during the period from 15 July 2000 to 31 December 2001, up to the annual quantities listed in the Annex against each product.

Article 3

The quantities referred to in Article 2 shall be managed by the Commission, in accordance with the provisions laid down in Articles 308a to 308c of Regulation (EEC) No 2454/93.

Article 4

When drawings under Article 3 account for 80 % of the quantities shown in the Annex, the Commission, in consultation with the Lao authorities, shall consider whether it is necessary to extend application of the derogation beyond those quantities.

Article 5

The following shall be entered in box 4 of certificates of origin Form A issued by the competent authorities of Laos pursuant to this Regulation:

'Derogation — Regulation (EC) No 1613/2000'.

Article 6

In case of doubt, the Member States may demand a copy of the document certifying the origin of the materials used in Laos under this derogation. Such a demand may be made at the time of entry into free circulation of the goods benefiting from this Regulation, or within the framework of the administrative cooperation for which provision is made in Article 94 of Regulation (EEC) No 2454/93.

Article 7

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, 24 July 2000.

For the Commission
Frederik BOLKESTEIN
Member of the Commission

⁽¹⁾ Not yet published in the Official Journal.

ANNEX

Order No	Textile category	Combined Nomenclature	Description of goods	Quantity (1.1 to 31.12)
09.8003	6	6203 41 10 6203 41 90 6203 42 31 6203 42 33 6203 42 35 6203 42 90 6203 43 19 6203 43 90 6203 49 19 6203 49 50 6204 61 10 6204 62 31 6204 62 33 6204 62 39 6204 63 18 6204 69 18 6211 32 42 6211 33 42 6211 42 42 6211 43 42	Men's or boys' woven breeches, shorts other than swimwear and trousers (including slacks); women's or girls' woven trousers and slacks, of wool, of cotton or of man-made fibres; lower parts of tracksuits with lining, other than category 16 or 29, of cotton or of man-made fibres	4 068 169 pieces
09.8004	7	6106 10 00 6106 20 00 6106 90 10 6206 20 00 6206 30 00 6206 40 00	Women's or girls' blouses, shirts and shirt-blouses, whether or not knitted or crocheted, of wool, of cotton or of man-made fibres	477 193 pieces
09.8005	8	6205 10 00 6205 20 00 6205 30 00	Men's or boys' shirts, other than knitted or crocheted, of wool, of cotton or of man-made fibres	597 073 pieces
09.8006	10	6111 10 10 6111 20 10 6111 30 10 ex 6111 90 00 6116 10 20 6116 10 80 6116 91 00 6116 92 00 6116 93 00 6116 99 00	Gloves, mittens and mitts, knitted or crocheted	1 110 pairs
09.8007	12	6115 12 00 6115 19 00 6115 20 11 6115 20 90 6115 91 00 6115 92 00 6115 93 10 6115 93 30 6115 93 99 6115 99 00	Panty-hose and tights, stockings, understockings, socks, ankle-socks, sockettes and the like, knitted or crocheted, other than for babies, including stockings for varicose veins, other than products of category 70	1 100 pairs

Order No	Textile category	Combined Nomenclature	Description of goods	Quantity (1.1 to 31.12)
09.8009	14	6201 11 00 ex 6201 12 10 ex 6201 12 90 ex 6201 13 10 ex 6201 13 90 6210 20 00	Men's or boys' woven overcoats, raincoats and other coats, cloaks and capes, of wool, of cotton or of man-made fibres (other than parkas of category 21)	26 112 pieces
09.8010	15	6202 11 00 ex 6202 12 10 ex 6202 12 90 ex 6202 13 10 ex 6202 13 90 6204 31 00 6204 32 90 6204 33 90 6204 39 19 6210 30 00	Women's or girls' woven overcoats, raincoats and other coats, cloaks and capes; jackets and blazers, of wool, of cotton or of man-made fibres (other than parkas of category 21)	268 877 pieces
09.8011	16	6203 11 00 6203 12 00 6203 19 10 6203 19 30 6203 21 00 6203 22 80 6203 23 80 6203 29 18 6211 32 31 6211 33 31	Men's or boys' suits and ensembles, other than knitted or crocheted, of wool, of cotton or of man-made fibres, excluding ski-suits; men's or boys' tracksuits with lining, with an outer shell of a single identical fabric, of cotton or of man-made fibres	84 516 pieces
09.8012	17	6203 31 00 6203 32 90 6203 33 90 6203 39 19	Men's or boys' jackets and blazers, other than knitted or crocheted, of wool, of cotton or of man-made fibres	46 016 pieces
09.8013	18	6207 11 00 6207 19 00 6207 21 00 6207 22 00 6207 29 00 6207 91 10 6207 91 90 6207 92 00 6207 99 00 6208 11 00 6208 19 10 6208 19 90 6208 21 00 6208 22 00 6208 29 00 6208 91 11 6208 91 19 6208 91 90 6208 92 00 6208 99 00 ex 6212 10 10	Men's or boys' singlets and other vests, underpants, briefs, nightshirts, pyjamas, bathrobes, dressing-gowns and similar articles, other than knitted or crocheted Women's or girls' singlets and other vests, slips, petticoats, briefs, panties, nightdresses, pyjamas, negligees, bathrobes, dressing-gowns and similar articles, other than knitted or crocheted	54 tonnes

Order No	Textile category	Combined Nomenclature	Description of goods	Quantity (1.1 to 31.12)
09.8014	21	ex 6201 12 10 ex 6201 12 90 ex 6201 13 10 ex 6201 13 90 6201 91 00 6201 92 00 6201 93 00 ex 6202 12 10 ex 6202 12 90 ex 6202 13 10 ex 6202 13 90 6202 91 00 6202 92 00 6202 93 00 6211 32 41 6211 33 41 6211 42 41 6211 43 41	Parkas; anoraks, wind-cheaters, waister jackets and the like, other than knitted or crocheted, of wool, of cotton or of man-made fibres; upper parts of tracksuits with lining, other than category 16 or 29, of cotton or of man-made fibres	576 236 pieces
09.8016	26	6104 41 00 6104 42 00 6104 43 00 6104 44 00 6204 41 00 6204 42 00 6204 43 00 6204 44 00	Women's or girls' dresses, of wool, of cotton or of man-made fibres	173 262 pieces
09.8017	27	6104 51 00 6104 52 00 6104 53 00 6104 59 00 6204 51 00 6204 52 00 6204 53 00 6204 59 10	Women's or girls' skirts, including divided skirts	355 733 pieces
09.8019	29	6204 11 00 6204 12 00 6204 13 00 6204 19 10 6204 21 00 6204 22 80 6204 23 80 6204 29 18 6211 42 31 6211 43 31	Women's or girls' suits and ensembles, other than knitted or crocheted, of wool, of cotton or of man-made fibres, excluding ski-suits; women's or girls' tracksuits with lining, with an outer shell of an identical fabric, of cotton or of man-made fibres	112 953 pieces
09.8020	31	ex 6212 10 10 6212 10 90	Brassières, woven, knitted or crocheted	1 100 pieces
09.8021	68	6111 10 90 6111 20 90 6111 30 90 ex 6111 90 00 ex 6209 10 00 ex 6209 20 00 ex 6209 30 00 ex 6209 90 00	Babies' garments and clothing accessories, excluding babies' gloves, mittens and mitts of categories 10 and 87, and babies' stockings, socks and sockettes, other than knitted or crocheted, of category 88	443 tonnes

Order No	Textile category	Combined Nomenclature	Description of goods	Quantity (1.1 to 31.12)
09.8023	72	6112 31 10 6112 31 90 6112 39 10 6112 39 90 6112 41 10 6112 41 90 6112 49 10 6112 49 90 6211 11 00 6211 12 00	Swimwear, of wool, of cotton or of man-made fibres	15 196 pieces
09.8027	76	6203 22 10 6203 23 10 6203 29 11 6203 32 10 6203 33 10 6203 39 11 6203 42 11 6203 42 51 6203 43 11 6203 43 31 6203 49 11 6203 49 31 6211 32 10 6211 33 10 6204 22 10 6204 23 10 6204 29 11 6204 32 10 6204 33 10 6204 39 11 6204 62 11 6204 62 51 6204 63 11 6204 63 31 6204 69 11 6204 69 31 6211 42 10 6211 43 10	Men's or boys' industrial or occupational clothing, other than knitted or crocheted Women's or girls' aprons, smock-overalls and other industrial or occupational clothing, other than knitted or crocheted	41 tonnes
09.8028	78	6203 41 30 6203 42 59 6203 43 39 6203 49 39 6204 61 80 6204 61 90 6204 62 59 6204 62 90 6204 63 39 6204 63 90 6204 69 39 6204 69 50 6210 40 00 6210 50 00 6211 31 00 6211 32 90 6211 33 90 6211 41 00 6211 42 90 6211 43 90	Garments, other than knitted or crocheted, excluding garments of categories 6, 7, 8, 14, 15, 16, 17, 18, 21, 26, 27, 29, 68, 72, 76 and 77	452 tonnes

Order No	Textile category	Combined Nomenclature	Description of goods	Quantity (1.1 to 31.12)
09.8030	84	6214 20 00 6214 30 00 6214 40 00 6214 90 10	Shawls, scarves, mufflers, mantillas, veils and the like, other than knitted or crocheted, of wool, of cotton or of man-made fibres	1,1 tonnes
09.8031	86	6212 20 00 6212 30 00 6212 90 00	Corsets, corset-belts, suspender-belts, braces, suspenders, garters and the like, and parts thereof, whether or not knitted or crocheted	1 100 pieces
09.8034	159	6204 49 10 6206 10 00 6214 10 00 6215 10 00	Dresses, blouses and shirt-blouses, not knitted or crocheted, of silk-waste Shawls, scarves, mufflers, mantillas, veils and the like, not knitted or crocheted, of silk or of silk-waste Ties, bow-ties and cravats, of silk or of silk-waste	4 tonnes
09.8035	161	6201 19 00 6201 99 00 6202 19 00 6202 99 00 6203 19 90 6203 29 90 6203 39 90 6203 49 90 6204 19 90 6204 29 90 6204 39 90 6204 49 90 6204 59 90 6204 69 90 6205 90 10 6205 90 90 6206 90 10 6206 90 90 ex 6211 20 00 6211 39 00 6211 49 00	Garments, not knitted or crocheted, other than those of categories 1 to 123 and of category 159	69 tonnes
09.8036	20	6302 21 00 6302 22 90 6302 29 90 6302 31 10 6302 31 90 6302 32 90 6302 39 90	Bed linen, other than knitted or crocheted	1,1 tonnes
09.8037	40	ex 6303 91 00 ex 6303 92 90 ex 6303 99 90 6304 19 10 ex 6304 19 90 6304 92 00 ex 6304 93 00 ex 6304 99 00	Woven curtains (including drapes, interior blinds, curtain and bed valances and other furnishing articles), other than knitted or crocheted, of wool, of cotton or of man-made fibres	1,1 tonnes
09.8038	91	6306 21 00 6306 22 00 6306 29 00	Tents	1,1 tonnes

Order No	Textile category	Combined Nomenclature	Description of goods	Quantity (1.1 to 31.12)
09.8039	109	6306 11 00 6306 12 00 6306 19 00 6306 31 00 6306 39 00	Tarpaulins, sails, awnings and sunblinds	11 tonnes
09.8040	110	6306 41 00 6306 49 00	Woven pneumatic mattresses	1,1 tonnes
09.8041	111	6306 91 00 6306 99 00	Camping goods, woven, other than pneumatic mattresses and tents	1,1 tonnes

COMMISSION REGULATION (EC) No 1614/2000

of 24 July 2000

derogating from Regulation (EEC) No 2454/93 in respect of the definition of the concept of originating products used for the purposes of the scheme of generalised preferences to take account of the special situation of Cambodia regarding certain exports of textiles to the Community

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EEC) No 2913/92 of 12 October 1992 establishing the Community Customs Code ⁽¹⁾, as last amended by Regulation (EC) No 955/1999 of the European Parliament and of the Council ⁽²⁾, and in particular Article 249 thereof,

Having regard to Commission Regulation (EEC) No 2454/93 of 2 July 1993 laying down provisions for the implementation of Council Regulation (EEC) No 2913/92 establishing the Community Customs Code ⁽³⁾, as last amended by Regulation (EC) No 1662/1999 ⁽⁴⁾, and in particular Article 76 thereof,

Whereas:

- (1) By Council Regulation (EC) No 2820/98 of 21 December 1998 applying a multiannual scheme of generalised tariff preferences for the period 1 July 1999 to 31 December 2001 ⁽⁵⁾, as last amended by Commission Regulation (EC) No 1310/2000 ⁽⁶⁾, the Community gave such preferences to Cambodia.
- (2) Articles 67 to 97 of Regulation (EEC) No 2454/93 establish the definition of the concept of originating products to be used for the purposes of generalised tariff preferences. Article 76 of that Regulation provides, however, for derogations to those provisions in favour of least-developed GSP-beneficiary countries which submit an appropriate request to that effect to the Community.
- (3) By Commission Regulation (EC) No 1538/1999 ⁽⁷⁾, Cambodia obtained such a derogation for certain textiles, for the period from 15 July 1999 to 14 July 2000.
- (4) The request submitted by Cambodia satisfies the requirements of Article 76 of Regulation (EEC) No 2454/93. In particular the introduction of quantitative conditions (on an annual basis) reflecting the Community market's capacity to absorb the Cambodian products, Cambodia's export-capacity and actual recorded trade flows, is such as to prevent injury to the corresponding branches of

Community industry. The derogation should be adapted, however, with reference to the economic needs.

- (5) In order to encourage regional cooperation among beneficiary countries, it is desirable to provide that the raw materials to be used in Cambodia in the context of this derogation should originate in countries belonging to the Association of South-East Asian Nations (ASEAN) (except Myanmar), to the South Asian Association for Regional Cooperation (SAARC) or to the ACP-EC Partnership Agreement.
- (6) The open and effective administration of these measures should be ensured by applying the relevant provisions, for the management of tariff quotas, laid down in Regulation (EEC) No 2454/93, as amended by Regulation (EC) No 1427/97 ⁽⁸⁾.
- (7) Any demand to extend application of the derogation beyond the quantities provided for must be considered in consultation with the Cambodian authorities.
- (8) To be fully effective, the derogation should be granted for a reasonable length of time, that is, until 31 December 2001 when Regulation (EC) No 2820/98 expires.
- (9) The measures provided for in this Regulation are in accordance with the opinion of the Customs Code Committee,

HAS ADOPTED THIS REGULATION:

Article 1

1. By way of derogation from Articles 67 to 97 of Regulation (EEC) No 2454/93, products listed in the Annex to this Regulation which are manufactured in Cambodia from woven fabric (woven items) or yarn (knitted items) imported into that country and originating in a country belonging to the Association of South-East Asian Nations (ASEAN) (except Myanmar), to the South Asian Association for Regional Cooperation (SAARC) or to the ACP-EC Partnership Agreement shall be regarded as originating in Cambodia in accordance with the arrangements set out below.

⁽¹⁾ OJ L 302, 19.10.1992, p. 1.

⁽²⁾ OJ L 119, 7.5.1999, p. 1.

⁽³⁾ OJ L 253, 11.10.1993, p. 1.

⁽⁴⁾ OJ L 197, 29.7.1999, p. 25.

⁽⁵⁾ OJ L 357, 30.12.1998, p. 1.

⁽⁶⁾ OJ L 148, 22.6.2000, p. 28.

⁽⁷⁾ OJ L 178, 14.7.1999, p. 34.

⁽⁸⁾ OJ L 196, 24.7.1997, p. 31.

2. For the purposes of paragraph 1, products shall be considered as originating in ASEAN or SAARC when they are obtained in these countries according to the rules of origin provided for in Articles 67 to 97 of Regulation (EEC) No 2454/93, or as originating in the beneficiary countries of the ACP-EC Partnership Agreement when they are obtained in those countries according to the rules of origin provided in Protocol No 1 to the ACP-EC Partnership Agreement ⁽¹⁾.

3. The competent authorities of Cambodia shall undertake to take all of the necessary measures to ensure compliance with the provisions of paragraph 2.

Article 2

The derogation provided for in Article 1 shall apply to products transported directly from Cambodia and imported into the Community during the period from 15 July 2000 to 31 December 2001, up to the annual quantities listed in the Annex against each product.

Article 3

The quantities referred to in Article 2 shall be managed by the Commission, in accordance with the provisions laid down in Articles 308a to 308c of Regulation (EEC) No 2454/93.

Article 4

When drawings under Article 3 account for 80 % of the quantities shown in the Annex, the Commission, in consultation with the Cambodian authorities, shall consider whether it is necessary to extend application of the derogation beyond those quantities.

Article 5

The following shall be entered in box 4 of certificates of origin Form A issued by the competent authorities of Cambodia pursuant to this Regulation:

'Derogation — Regulation (EC) No 1614/2000'

Article 6

In case of doubt, the Member States may demand a copy of the document certifying the origin of the materials used in Cambodia under this derogation. Such a demand may be made at the time of entry into free circulation of the goods benefiting from this Regulation, or within the framework of the administrative cooperation for which provision is made in Article 94 of Regulation (EEC) No 2454/93.

Article 7

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, 24 July 2000.

For the Commission
Frederik BOLKESTEIN
Member of the Commission

⁽¹⁾ Not yet published in the Official Journal.

ANNEX

Order No	Textile category	Combined Nomenclature	Description of goods	Quantity (1.1 to 31.12)
09.8052	6	6203 41 10 6203 41 90 6203 42 31 6203 42 33 6203 42 35 6203 42 90 6203 43 19 6203 43 90 6203 49 19 6203 49 50 6204 61 10 6204 62 31 6204 62 33 6204 62 39 6204 63 18 6204 69 18 6211 32 42 6211 33 42 6211 42 42 6211 43 42	Men's or boys' woven breeches, shorts other than swimwear and trousers (including slacks); women's or girls' woven trousers and slacks, of wool, of cotton or of man-made fibres; lower parts of tracksuits with lining, other than category 16 or 29, of cotton or of man-made fibres	2 746 832 pieces
09.8053	7	6106 10 00 6106 20 00 6106 90 10 6206 20 00 6206 30 00 6206 40 00	Women's or girls' blouses, shirts and shirt-blouses, whether or not knitted or crocheted, of wool, of cotton or of man-made fibres	4 009 804 pieces
09.8054	8	6205 10 00 6205 20 00 6205 30 00	Men's or boys' shirts, other than knitted or crocheted, of wool, of cotton or of man-made fibres	302 566 pieces
09.8055	10	6111 10 10 6111 20 10 6111 30 10 ex 6111 90 00 6116 10 20 6116 10 80 6116 91 00 6116 92 00 6116 93 00 6116 99 00	Gloves, mittens and mitts, knitted or crocheted	2 084 846 pairs
09.8056	12	6115 12 00 6115 19 00 6115 20 11 6115 20 90 6115 91 00 6115 92 00 6115 93 10 6115 93 30 6115 93 99 6115 99 00	Panty-hose and tights, stockings, understockings, socks, ankle-socks, sockettes and the like, knitted or crocheted, other than for babies, including stockings for varicose veins, other than products of category 70	1 100 pairs

Order No	Textile category	Combined Nomenclature	Description of goods	Quantity (1.1 to 31.12)
09.8058	14	6201 11 00 ex 6201 12 10 ex 6201 12 90 ex 6201 13 10 ex 6201 13 90 6210 20 00	Men's or boys' woven overcoats, raincoats and other coats, cloaks and capes, of wool, of cotton or of man-made fibres (other than parkas of category 21)	213 931 pieces
09.8059	15	6202 11 00 ex 6202 12 10 ex 6202 12 90 ex 6202 13 10 ex 6202 13 90 6204 31 00 6204 32 90 6204 33 90 6204 39 19 6210 30 00	Women's or girls' woven overcoats, raincoats and other coats, cloaks and capes; jackets and blazers, of wool, of cotton or of man-made fibres (other than parkas of category 21)	1 684 566 pieces
09.8060	16	6203 11 00 6203 12 00 6203 19 10 6203 19 30 6203 21 00 6203 22 80 6203 23 80 6203 29 18 6211 32 31 6211 33 31	Men's or boys' suits and ensembles, other than knitted or crocheted, of wool, of cotton or of man-made fibres, excluding ski-suits; men's or boys' tracksuits with lining, with an outer shell of a single identical fabric, of cotton or of man-made fibres	85 415 pieces
09.8061	17	6203 31 00 6203 32 90 6203 33 90 6203 39 19	Men's or boys' jackets and blazers, other than knitted or crocheted, of wool, of cotton or of man-made fibres	68 299 pieces
09.8062	18	6207 11 00 6207 19 00 6207 21 00 6207 22 00 6207 29 00 6207 91 10 6207 91 90 6207 92 00 6207 99 00 6208 11 00 6208 19 10 6208 19 90 6208 21 00 6208 22 00 6208 29 00 6208 91 11 6208 91 19 6208 91 90 6208 92 00 6208 99 00 ex 6212 10 10	Men's or boys' singlets and other vests, underpants, briefs, nightshirts, pyjamas, bathrobes, dressing-gowns and similar articles, other than knitted or crocheted Women's or girls' singlets and other vests, slips, petticoats, briefs, panties, nightdresses, pyjamas, negligees, bathrobes, dressing-gowns and similar articles, other than knitted or crocheted	683 tonnes

Order No	Textile category	Combined Nomenclature	Description of goods	Quantity (1.1 to 31.12)
09.8063	21	ex 6201 12 10 ex 6201 12 90 ex 6201 13 10 ex 6201 13 90 6201 91 00 6201 92 00 6201 93 00 ex 6202 12 10 ex 6202 12 90 ex 6202 13 10 ex 6202 13 90 6202 91 00 6202 92 00 6202 93 00 6211 32 41 6211 33 41 6211 42 41 6211 43 41	Parkas; anoraks, wind-cheaters, waister jackets and the like, other than knitted or crocheted, of wool, of cotton or of man-made fibres; upper parts of tracksuits with lining, other than category 16 or 29, of cotton or of man-made fibres	475 973 pieces
09.8065	26	6104 41 00 6104 42 00 6104 43 00 6104 44 00 6204 41 00 6204 42 00 6204 43 00 6204 44 00	Women's or girls' dresses, of wool, of cotton or of man-made fibres	760 932 pieces
09.8066	27	6104 51 00 6104 52 00 6104 53 00 6104 59 00 6204 51 00 6204 52 00 6204 53 00 6204 59 10	Women's or girls' skirts, including divided skirts	796 790 pieces
09.8068	29	6204 11 00 6204 12 00 6204 13 00 6204 19 10 6204 21 00 6204 22 80 6204 23 80 6204 29 18 6211 42 31 6211 43 31	Women's or girls' suits and ensembles, other than knitted or crocheted, or wool, of cotton or of man-made fibres, excluding ski-suits; women's or girls' tracksuits with lining, with an outer shell of an identical fabric, of cotton or of man-made fibres	620 077 pieces
09.8069	31	ex 6212 10 10 6212 10 90	Brassières, woven, knitted or crocheted	1 632 263 pieces
09.8070	68	6111 10 90 6111 20 90 6111 30 90 ex 6111 90 00 ex 6209 10 00 ex 6209 20 00 ex 6209 30 00 ex 6209 90 00	Babies' garments and clothing accessories, excluding babies' gloves, mittens and mitts of categories 10 and 87, and babies' stockings, socks and sockettes, other than knitted or crocheted, of category 88	177 tonnes

Order No	Textile category	Combined Nomenclature	Description of goods	Quantity (1.1 to 31.12)
09.8072	72	6112 31 10 6112 31 90 6112 39 10 6112 39 90 6112 41 10 6112 41 90 6112 49 10 6112 49 90 6211 11 00 6211 12 00	Swimwear, of wool, of cotton or of man-made fibres	223 299 pieces
09.8076	76	6203 22 10 6203 23 10 6203 29 11 6203 32 10 6203 33 10 6203 39 11 6203 42 11 6203 42 51 6203 43 11 6203 43 31 6203 49 11 6203 49 31 6211 32 10 6211 33 10 6204 22 10 6204 23 10 6204 29 11 6204 32 10 6204 33 10 6204 39 11 6204 62 11 6204 62 51 6204 63 11 6204 63 31 6204 69 11 6204 69 31 6211 42 10 6211 43 10	Men's or boys' industrial or occupational clothing, other than knitted or crocheted Women's or girls' aprons, smock-overalls and other industrial or occupational clothing, other than knitted or crocheted	562 tonnes
09.8077	78	6203 41 30 6203 42 59 6203 43 39 6203 49 39 6204 61 80 6204 61 90 6204 62 59 6204 62 90 6204 63 39 6204 63 90 6204 69 39 6204 69 50 6210 40 00 6210 50 00 6211 31 00 6211 32 90 6211 33 90 6211 41 00 6211 42 90 6211 43 90	Garments, other than knitted or crocheted, excluding garments of categories 6, 7, 8, 14, 15, 16, 17, 18, 21, 26, 27, 29, 68, 72, 76 and 77	430 tonnes

Order No	Textile category	Combined Nomenclature	Description of goods	Quantity (1.1 to 31.12)
09.8079	84	6214 20 00 6214 30 00 6214 40 00 6214 90 10	Shawls, scarves, mufflers, mantillas, veils and the like, other than knitted or crocheted, of wool, of cotton or of man-made fibres	1,1 tonnes
09.8080	86	6212 20 00 6212 30 00 6212 90 00	Corsets, corset-belts, suspender-belts, braces, suspenders, garters and the like, and parts thereof, whether or not knitted or crocheted	1 100 pieces
09.8083	159	6204 49 10 6206 10 00 6214 10 00 6215 10 00	Dresses, blouses and shirt-blouses, not knitted or crocheted, of silk-waste Shawls, scarves, mufflers, mantillas, veils and the like, not knitted or crocheted, of silk or of silk-waste Ties, bow-ties and cravats, of silk or of silk-waste	1,1 tonnes
09.8084	161	6201 19 00 6201 99 00 6202 19 00 6202 99 00 6203 19 90 6203 29 90 6203 39 90 6203 49 90 6204 19 90 6204 29 90 6204 39 90 6204 49 90 6204 59 90 6204 69 90 6205 90 10 6205 90 90 6206 90 10 6206 90 90 ex 6211 20 00 6211 39 00 6211 49 00	Garments, not knitted or crocheted, other than those of categories 1 to 123 and of category 159	64 tonnes
09.8085	20	6302 21 00 6302 22 90 6302 29 90 6302 31 10 6302 31 90 6302 32 90 6302 39 90	Bed linen, other than knitted or crocheted	2 tonnes
09.8086	40	ex 6303 91 00 ex 6303 92 90 ex 6303 99 90 6304 19 10 ex 6304 19 90 6304 92 00 ex 6304 93 00 ex 6304 99 00	Woven curtains (including drapes, interior blinds, curtain and bed valances and other furnishing articles), other than knitted or crocheted, of wool, of cotton or of man-made fibres	24 tonnes
09.8087	91	6306 21 00 6306 22 00 6306 29 00	Tents	826 tonnes

Order No	Textile category	Combined Nomenclature	Description of goods	Quantity (1.1 to 31.12)
09.8088	109	6306 11 00 6306 12 00 6306 19 00 6306 31 00 6306 39 00	Tarpaulins, sails, awnings and sunblinds	1,1 tonnes
09.8089	110	6306 41 00 6306 49 00	Woven pneumatic mattresses	1,1 tonnes
09.8090	111	6306 91 00 6306 99 00	Camping goods, woven, other than pneumatic mattresses and tents	1,1 tonnes

COMMISSION REGULATION (EC) No 1615/2000

of 24 July 2000

derogating from Regulation (EEC) No 2454/93 in respect of the definition of the concept of originating products used for the purposes of the scheme of generalised preferences to take account of the special situation of Nepal regarding certain exports of textiles to the Community

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Community industry. The derogation should be adapted, however, with reference to the economic needs.

Having regard to the Treaty establishing the European Community,

(5) In order to encourage regional cooperation among beneficiary countries, it is desirable to provide that the raw materials to be used in Nepal in the context of this derogation should originate in countries belonging to the Association of South-East Asian Nations (ASEAN) (except Myanmar), to the South Asian Association for Regional Cooperation (SAARC) or to the ACP-EC Partnership Agreement.

Having regard to Council Regulation (EEC) No 2913/92 of 12 October 1992 establishing the Community Customs Code ⁽¹⁾, as last amended by Regulation (EC) No 955/1999 of the European Parliament and of the Council ⁽²⁾, and in particular Article 249 thereof,

(6) The open and effective administration of these measures should be ensured by applying the relevant provisions, for the management of tariff quotas, laid down in Regulation (EEC) No 2454/93, as amended by Regulation (EC) No 1427/97 ⁽⁸⁾.

Having regard to Commission Regulation (EEC) No 2454/93 of 2 July 1993 laying down provisions for the implementation of Council Regulation (EEC) No 2913/92 establishing the Community Customs Code ⁽³⁾, as last amended by Regulation (EC) No 1662/1999 ⁽⁴⁾, and in particular Article 76 thereof,

(7) Any demand to extend application of the derogation beyond the quantities provided for must be considered in consultation with the Nepalese authorities.

Whereas:

(1) By Council Regulation (EC) No 2820/98 of 21 December 1998 applying a multiannual scheme of generalised tariff preferences for the period 1 July 1999 to 31 December 2001 ⁽⁵⁾, as last amended by Commission Regulation (EC) No 1310/2000 ⁽⁶⁾, the Community gave such preferences to Nepal.

(8) To be fully effective, the derogation should be granted for a reasonable length of time, that is, until 31 December 2001 when Regulation (EC) No 2820/98 expires.

(2) Articles 67 to 97 of Regulation (EEC) No 2454/93 establish the definition of the concept of originating products to be used for the purposes of generalised tariff preferences. Article 76 of that Regulation provides, however, for derogations to those provisions in favour of least-developed GSP-beneficiary countries which submit an appropriate request to that effect to the Community.

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

(3) By Commission Regulation (EC) No 1539/1999 ⁽⁷⁾, Nepal obtained such a derogation for certain textiles, for the period from 15 July 1999 to 14 July 2000.

HAS ADOPTED THIS REGULATION:

(4) The request submitted by Nepal satisfies the requirements of Article 76 of Regulation (EEC) No 2454/93. In particular the introduction of quantitative conditions (on an annual basis) reflecting the Community market's capacity to absorb the Nepalese products, Nepal's export-capacity and actual recorded trade flows, is such as to prevent injury to the corresponding branches of

Article 1

1. By way of derogation from Articles 67 to 97 of Regulation (EEC) No 2454/93, products listed in the Annex to this Regulation which are manufactured in Nepal from woven fabric (woven items) or yarn (knitted items) imported into that country and originating in a country belonging to the Association of South-East Asian Nations (ASEAN) (except Myanmar), to the South Asian Association for Regional Cooperation (SAARC) or to the ACP-EC Partnership Agreement shall be regarded as originating in Nepal in accordance with the arrangements set out below.

⁽¹⁾ OJ L 302, 19.10.1992, p. 1.

⁽²⁾ OJ L 119, 7.5.1999, p. 1.

⁽³⁾ OJ L 253, 11.10.1993, p. 1.

⁽⁴⁾ OJ L 197, 29.7.1999, p. 25.

⁽⁵⁾ OJ L 357, 30.12.1998, p. 1.

⁽⁶⁾ OJ L 148, 22.6.2000, p. 28.

⁽⁷⁾ OJ L 178, 14.7.1999, p. 42.

⁽⁸⁾ OJ L 196, 24.7.1997, p. 31.

2. For the purposes of paragraph 1, products shall be considered as originating in ASEAN or SAARC when they are obtained in these countries according to the rules of origin provided for in Articles 67 to 97 of Regulation (EEC) No 2454/93, or as originating in the beneficiary countries of the ACP-EC Partnership Agreement when they are obtained in those countries according to the rules of origin provided in Protocol No 1 to the ACP-EC Partnership Agreement ⁽¹⁾.

3. The competent authorities of Nepal shall undertake to take all of the necessary measures to ensure compliance with the provisions of paragraph 2.

Article 2

The derogation provided for in Article 1 shall apply to products transported directly from Nepal and imported into the Community during the period from 15 July 2000 to 31 December 2001, up to the annual quantities listed in the Annex against each product.

Article 3

The quantities referred to in Article 2 shall be managed by the Commission, in accordance with the provisions laid down in Articles 308a to 308c of Regulation (EEC) No 2454/93.

Article 4

When drawings under Article 3 account for 80 % of the quantities shown in the Annex, the Commission, in consultation with the Nepalese authorities, shall consider whether it is necessary to extend application of the derogation beyond those quantities.

Article 5

The following shall be entered in box 4 of certificates of origin Form A issued by the competent authorities of Nepal pursuant to this Regulation:

'Derogation — Regulation (EC) No 1615/2000'

Article 6

In case of doubt, the Member States may demand a copy of the document certifying the origin of the materials used in Nepal under this derogation. Such a demand may be made at the time of entry into free circulation of the goods benefiting from this Regulation, or within the framework of the administrative cooperation for which provision is made in Article 94 of Regulation (EEC) No 2454/93.

Article 7

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, 24 July 2000.

For the Commission

Frederik BOLKESTEIN

Member of the Commission

⁽¹⁾ Not yet published in the Official Journal.

ANNEX

Order No	Textile category	Combined Nomenclature	Description of goods	Quantity (1.1 to 31.12)
09.8003	6	6203 41 10 6203 41 90 6203 42 31 6203 42 33 6203 42 35 6203 42 90 6203 43 19 6203 43 90 6203 49 19 6203 49 50 6204 61 10 6204 62 31 6204 62 33 6204 62 39 6204 63 18 6204 69 18 6211 32 42 6211 33 42 6211 42 42 6211 43 42	Men's or boys' woven breeches, shorts other than swimwear and trousers (including slacks); women's or girls' woven trousers and slacks, of wool, of cotton or of man-made fibres; lower parts of tracksuits with lining, other than category 16 or 29, of cotton or of man-made fibres	573 674 pieces
09.8004	7	6106 10 00 6106 20 00 6106 90 10 6206 20 00 6206 30 00 6206 40 00	Women's or girls' blouses, shirts and shirt-blouses, whether or not knitted or crocheted, of wool, of cotton or of man-made fibres	445 688 pieces
09.8005	8	6205 10 00 6205 20 00 6205 30 00	Men's or boys' shirts, other than knitted or crocheted, of wool, of cotton or of man-made fibres	97 747 pieces
09.8006	10	6111 10 10 6111 20 10 6111 30 10 ex 6111 90 00 6116 10 20 6116 10 80 6116 91 00 6116 92 00 6116 93 00 6116 99 00	Gloves, mittens and mitts, knitted or crocheted	1 246 351 pairs
09.8007	12	6115 12 00 6115 19 00 6115 20 11 6115 20 90 6115 91 00 6115 92 00 6115 93 10 6115 93 30 6115 93 99 6115 99 00	Panty-hose and tights, stockings, understockings, socks, ankle-socks, sockettes and the like, knitted or crocheted, other than for babies, including stockings for varicose veins, other than products of category 70	553 615 pairs

Order No	Textile category	Combined Nomenclature	Description of goods	Quantity (1.1 to 31.12)
09.8009	14	6201 11 00 ex 6201 12 10 ex 6201 12 90 ex 6201 13 10 ex 6201 13 90 6210 20 00	Men's or boys' woven overcoats, raincoats and other coats, cloaks and capes, of wool, of cotton or of man-made fibres (other than parkas of category 21)	55 003 pieces
09.8010	15	6202 11 00 ex 6202 12 10 ex 6202 12 90 ex 6202 13 10 ex 6202 13 90 6204 31 00 6204 32 90 6204 33 90 6204 39 19 6210 30 00	Women's or girls' woven overcoats, raincoats and other coats, cloaks and capes; jackets and blazers, of wool, of cotton or of man-made fibres (other than parkas of category 21)	380 049 pieces
09.8011	16	6203 11 00 6203 12 00 6203 19 10 6203 19 30 6203 21 00 6203 22 80 6203 23 80 6203 29 18 6211 32 31 6211 33 31	Men's or boys' suits and ensembles, other than knitted or crocheted, of wool, of cotton or of man-made fibres, excluding ski-suits; men's or boys' tracksuits with lining, with an outer shell of a single identical fabric, of cotton or of man-made fibres	32 985 pieces
09.8012	17	6203 31 00 6203 32 90 6203 33 90 6203 39 19	Men's or boys' jackets and blazers, other than knitted or crocheted, of wool, of cotton or of man-made fibres	123 685 pieces
09.8013	18	6207 11 00 6207 19 00 6207 21 00 6207 22 00 6207 29 00 6207 91 10 6207 91 90 6207 92 00 6207 99 00 6208 11 00 6208 19 10 6208 19 90 6208 21 00 6208 22 00 6208 29 00 6208 91 11 6208 91 19 6208 91 90 6208 92 00 6208 99 00 ex 6212 10 10	Men's or boys' singlets and other vests, underpants, briefs, nightshirts, pyjamas, bathrobes, dressing-gowns and similar articles, other than knitted or crocheted Women's or girls' singlets and other vests, slips, petticoats, briefs, panties, nightdresses, pyjamas, negligees, bathrobes, dressing-gowns and similar articles, other than knitted or crocheted	252 tonnes

Order No	Textile category	Combined Nomenclature	Description of goods	Quantity (1.1 to 31.12)
09.8014	21	ex 6201 12 10 ex 6201 12 90 ex 6201 13 10 ex 6201 13 90 6201 91 00 6201 92 00 6201 93 00 ex 6202 12 10 ex 6202 12 90 ex 6202 13 10 ex 6202 13 90 6202 91 00 6202 92 00 6202 93 00 6211 32 41 6211 33 41 6211 42 41 6211 43 41	Parkas; anoraks, wind-cheaters, waister jackets and the like, other than knitted or crocheted, of wool, of cotton or of man-made fibres; upper parts of tracksuits with lining, other than category 16 or 29, of cotton or of man-made fibres	30 083 pieces
09.8016	26	6104 41 00 6104 42 00 6104 43 00 6104 44 00 6204 41 00 6204 42 00 6204 43 00 6204 44 00	Women's or girls' dresses, of wool, of cotton or of man-made fibres	1 615 767 pieces
09.8017	27	6104 51 00 6104 52 00 6104 53 00 6104 59 00 6204 51 00 6204 52 00 6204 53 00 6204 59 10	Women's or girls' skirts, including divided skirts	349 416 pieces
09.8019	29	6204 11 00 6204 12 00 6204 13 00 6204 19 10 6204 21 00 6204 22 80 6204 23 80 6204 29 18 6211 42 31 6211 43 31	Women's or girls' suits and ensembles, other than knitted or crocheted, or wool, of cotton or of man-made fibres, excluding ski-suits; women's or girls' tracksuits with lining, with an outer shell of an identical fabric, of cotton or of man-made fibres	135 935 pieces
09.8020	31	ex 6212 10 10 6212 10 90	Brassières, woven, knitted or crocheted	1 100 pieces
09.8021	68	6111 10 90 6111 20 90 6111 30 90 ex 6111 90 00 ex 6209 10 00 ex 6209 20 00 ex 6209 30 00 ex 6209 90 00	Babies' garments and clothing accessories, excluding babies' gloves, mittens and mitts of categories 10 and 87, and babies' stockings, socks and sockettes, other than knitted or crocheted, of category 88	19 tonnes

Order No	Textile category	Combined Nomenclature	Description of goods	Quantity (1.1 to 31.12)
09.8023	72	6112 31 10 6112 31 90 6112 39 10 6112 39 90 6112 41 10 6112 41 90 6112 49 10 6112 49 90 6211 11 00 6211 12 00	Swimwear, of wool, of cotton or of man-made fibres	7 112 pieces
09.8027	76	6203 22 10 6203 23 10 6203 29 11 6203 32 10 6203 33 10 6203 39 11 6203 42 11 6203 42 51 6203 43 11 6203 43 31 6203 49 11 6203 49 31 6211 32 10 6211 33 10 6204 22 10 6204 23 10 6204 29 11 6204 32 10 6204 33 10 6204 39 11 6204 62 11 6204 62 51 6204 63 11 6204 63 31 6204 69 11 6204 69 31 6211 42 10 6211 43 10	Men's or boys' industrial or occupational clothing, other than knitted or crocheted Women's or girls' aprons, smock-overalls and other industrial or occupational clothing, other than knitted or crocheted	6 tonnes
09.8028	78	6203 41 30 6203 42 59 6203 43 39 6203 49 39 6204 61 80 6204 61 90 6204 62 59 6204 62 90 6204 63 39 6204 63 90 6204 69 39 6204 69 50 6210 40 00 6210 50 00 6211 31 00 6211 32 90 6211 33 90 6211 41 00 6211 42 90 6211 43 90	Garments, other than knitted or crocheted, excluding garments of categories 6, 7, 8, 14, 15, 16, 17, 18, 21, 26, 27, 29, 68, 72, 76 and 77	95 tonnes

Order No	Textile category	Combined Nomenclature	Description of goods	Quantity (1.1 to 31.12)
09.8030	84	6214 20 00 6214 30 00 6214 40 00 6214 90 10	Shawls, scarves, mufflers, mantillas, veils and the like, other than knitted or crocheted, of wool, of cotton or of man-made fibres	75 tonnes
09.8031	86	6212 20 00 6212 30 00 6212 90 00	Corsets, corset-belts, suspender-belts, braces, suspenders, garters and the like, and parts thereof, whether or not knitted or crocheted	1 100 pieces
09.8034	159	6204 49 10 6206 10 00 6214 10 00 6215 10 00	Dresses, blouses and shirt-blouses, not knitted or crocheted, of silk-waste Shawls, scarves, mufflers, mantillas, veils and the like, not knitted or crocheted, of silk or of silk-waste Ties, bow-ties and cravats, of silk or of silk-waste	5 tonnes
09.8035	161	6201 19 00 6201 99 00 6202 19 00 6202 99 00 6203 19 90 6203 29 90 6203 39 90 6203 49 90 6204 19 90 6204 29 90 6204 39 90 6204 49 90 6204 59 90 6204 69 90 6205 90 10 6205 90 90 6206 90 10 6206 90 90 ex 6211 20 00 6211 39 00 6211 49 00	Garments, not knitted or crocheted, other than those of categories 1 to 123 and of category 159	62 tonnes
09.8036	20	6302 21 00 6302 22 90 6302 29 90 6302 31 10 6302 31 90 6302 32 90 6302 39 90	Bed linen, other than knitted or crocheted	3 tonnes
09.8037	40	ex 6303 91 00 ex 6303 92 90 ex 6303 99 90 6304 19 10 ex 6304 19 90 6304 92 00 ex 6304 93 00 ex 6304 99 00	Woven curtains (including drapes, interior blinds, curtain and bed valances and other furnishing articles), other than knitted or crocheted, of wool, of cotton or of man-made fibres	80 tonnes
09.8038	91	6306 21 00 6306 22 00 6306 29 00	Tents	1,1 tonnes

Order No	Textile category	Combined Nomenclature	Description of goods	Quantity (1.1 to 31.12)
09.8039	109	6306 11 00 6306 12 00 6306 19 00 6306 31 00 6306 39 00	Tarpaulins, sails, awnings and sunblinds	11 tonnes
09.8040	110	6306 41 00 6306 49 00	Woven pneumatic mattresses	1,1 tonnes
09.8041	111	6306 91 00 6306 99 00	Camping goods, woven, other than pneumatic mattresses and tents	1,1 tonnes

COMMISSION REGULATION (EC) No 1616/2000**of 24 July 2000****amending Regulation (EEC) No 94/92 laying down detailed rules for implementing the arrangements for imports from third countries provided for in Council Regulation (EEC) No 2092/91**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EEC) No 2092/91 of 24 June 1991 on organic production of agricultural products and indications referring thereto on agricultural products and foodstuffs ⁽¹⁾, as last amended by: Commission Regulation (EC) No 1437/2000 ⁽²⁾, and in particular Article 11(1) thereof,

Whereas:

- (1) Article 11(1) of Regulation (EEC) No 2092/91 stipulates that products which are imported from a third country may be marketed only where they originate from a third country appearing in a list drawn up in accordance with the conditions laid down in Article 11(2) of the Regulation (EEC) No 2092/91. Such list has been laid down in the Annex to Commission Regulation (EEC) No 94/92 ⁽³⁾, as last amended by Regulation (EC) No 548/2000 ⁽⁴⁾.
- (2) Argentina, and Switzerland introduced in the Commission a request to extend the product categories, included in the list provided for in Article 11(1) of Regulation (EEC) No 2092/91, in order to include livestock and livestock products. They submitted the information required pursuant to Article 2(2) of Regulation (EEC) No 94/92.
- (3) The examination of this information and consequent discussion with their authorities has led to the conclusion that in these countries the rules governing produc-

tion and inspection of livestock and livestock products are equivalent to those laid down in Regulation (EEC) No 2092/91. However certain assurances are expected from the Argentinean authorities, therefore the equivalency for livestock and livestock products should be limited to a period of six months.

- (4) Israel has applied to the Commission to amend the terms of its inclusion in the list in order to permit the import of organically grown raw material. Israel has submitted the information required pursuant to Article 2(5) of Regulation (EEC) No 94/92. The examination of the information submitted has led to the conclusion that the requirements are equivalent to those resulting from the Community legislation.
- (5) The measures provided for in this Regulation are in accordance with the opinion of the Committee mentioned in Article 14 of Regulation (EEC) No 2092/91,

HAS ADOPTED THIS REGULATION:

Article 1

The Annex to Regulation (EEC) No 94/92 is hereby amended as regards Argentina, Israel and Switzerland as shown in the Annex to the current Regulation.

Article 2

This Regulation shall enter into force on 24 August 2000.

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

Done at Brussels, 24 July 2000.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ L 198, 22.7.1991, p. 1.

⁽²⁾ OJ L 161, 1.7.2000, p. 62.

⁽³⁾ OJ L 11, 17.1.1992, p. 14.

⁽⁴⁾ OJ L 67, 15.3.2000, p. 12.

ANNEX

ARGENTINA

1. Product categories:

- (a) unprocessed crop products and livestock and unprocessed livestock products within the meaning of Article 1(1)(a) of Regulation (EEC) No 2092/91, with the exception of:
 - livestock and livestock products, bearing or intended to bear indications referring to conversion;
 - (b) processed agricultural crop and livestock products intended for human consumption within the meaning of Article 1(1)(b) of Regulation (EEC) No 2092/91 with the exception of:
 - livestock products bearing or intended to bear indications referring to conversion.
2. Origin: Products of category 1(a) and organically produced ingredients in products of category 1(b) that have been produced in Argentina.
 3. Inspection bodies: 'Instituto Argentino para la Certificación y Promoción de Productos Agropecuarios Orgánicos SRL' (Argencert) and 'Organización Internacional Agropecuaria'(OIA).
 4. Certificate issuing bodies: as at point 3.
 5. Duration of the inclusion for crop and crop products: 30 June 2003. Duration of the inclusion for livestock and livestock products: 28 February 2001.

ISRAEL

Point 2 of the text referring to Israel is replaced by the following text:

'Origin: Products of category 1(a) and organically produced ingredients in products of category 1(b) that have been produced in Israel or have been imported into Israel:

- either from the European Community,
- or from a third country in the framework of a regime which is recognised equivalent in accordance with the provisions of Article 11(1) of Regulation (EEC) No 2092/91.'

SWITZERLAND

1. Product categories:

- (a) unprocessed crop products and livestock and unprocessed livestock products within the meaning of Article 1(1)(a) of Regulation (EEC) No 2092/91, with the exception of:
 - products, produced during the conversion period, as referred to in Article 5(5) of that Regulation,
 - products from beekeeping;
 - (b) processed agricultural crop and livestock products intended for human consumption within the meaning of Article 1(1)(b) of Regulation (EEC) No 2092/91, with the exception of:
 - products, as referred to in Article 5(5) of that Regulation, containing an ingredient of agricultural origin produced during the conversion period,
 - products containing beekeeping products, produced in Switzerland, within the ingredients from organic production.
2. Origin: Products of category 1(a) and organically produced ingredients in products of category 1(b) that have been produced in Switzerland or have been imported into Switzerland:
 - either from the European Community,
 - or from a third country in the framework of a regime which is recognised equivalent in accordance with the provisions of Article 11(1) of Regulation (EEC) No 2092/91,
 - or from a third country for which an EC Member State has recognised in accordance with the provisions of Article 11(6) of Regulation (EEC) No 2092/91 that the same product has been produced and inspected in that country under the same arrangements as accepted by the EC Member State.
 3. Inspection bodies: Institut für Marktökologie (IMO), bio.inspecta AG and Schweizerische Vereinigung für Qualitäts- und Management-Systeme (SQS).
 4. Certificate issuing bodies: as at point 3.
 5. Duration of the inclusion: 31 December 2002.
-

COMMISSION REGULATION (EC) No 1617/2000
of 24 July 2000
amending Regulations (EEC) No 3105/88 and (EEC) No 2721/88 for the purpose of setting the time
limits for certain distillation operations in the wine sector

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EEC) No 822/87 of 16 March 1987 on the common organisation of the market in wine ⁽¹⁾, as last amended by Regulation (EC) No 1677/1999 ⁽²⁾, and in particular Articles 35(8), 36(6) and 38(5) thereof,

Having regard to Council Regulation (EC) No 1493/1999 of 17 May 1999 on the common organisation of the market in wine ⁽³⁾, and in particular Article 80 thereof,

Whereas:

- (1) Certain wine distillation operations are laid down as measures to manage the market in wine. Time limits are laid down for those operations so as to guarantee their proper execution.
- (2) In December 1999 France suffered from exceptionally bad weather. Storms and floods caused severe material damage to vine-growers' and distillers' installations. As a result France's economic operators are in no position to fulfil their distillation obligations within the time limits laid down, and for that reason those time limits should be extended for the territory of the French Republic.
- (3) The measures provided for in this Regulation are in accordance with the opinion of the Management Committee for Wine,

HAS ADOPTED THIS REGULATION:

Article 1

The following sentence is added to Article 12(1) of Commission Regulation (EEC) No 3105/88 ⁽⁴⁾ laying down detailed rules for the application of compulsory distillation as provided for in Articles 35 and 36 of Regulation (EEC) No 822/87:

'As regards the distillation operations provided for in Articles 35 and 36 of Regulation (EEC) No 822/87, the time limit for the distillation of the products in question for the 1999/2000 wine year shall be extended to 20 September, for France only.'

Article 2

The following sentence is added to Article 7(1) of Commission Regulation (EEC) No 2721/88 ⁽⁵⁾ laying down detailed rules for voluntary distillation as provided for in Articles 38, 41 and 42 of Regulation (EEC) No 822/87:

'As regards the distillation operation provided for in Article 38 of Regulation (EEC) No 822/87, the time limit for the distillation of the products in question for the 1999/2000 wine year shall be extended to 20 September, for France only.'

Article 3

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

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

Done at Brussels, 24 July 2000.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ L 84, 27.3.1987, p. 1.

⁽²⁾ OJ L 199, 30.7.1999, p. 8.

⁽³⁾ OJ L 179, 14.7.1999, p. 1.

⁽⁴⁾ OJ L 277, 8.10.1988, p. 21.

⁽⁵⁾ OJ L 241, 1.9.1988, p. 88.

**COMMISSION REGULATION (EC) No 1618/2000
of 24 July 2000**

determining the extent to which applications for import licences submitted in July 2000 for certain products in the milk and milk products sector under the schemes provided for in the Europe Agreements between the Community and the Republic of Hungary, the Republic of Poland, the Czech Republic, the Slovak Republic, Bulgaria, Romania and Slovenia and in the Agreements on free trade between the Community and the Baltic States may be accepted

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EC) No 1255/1999 of 17 May 1999 on the common organisation of the market in milk and milk products ⁽¹⁾, as last amended by Commission Regulation (EC) No 1526/2000 ⁽²⁾,

Having regard to Commission Regulation (EC) No 2508/97 of 15 December 1997 laying down detailed rules for the application to milk and milk products of the schemes provided for in the Europe Agreements between the Community and the Republic of Hungary, the Republic of Poland, the Czech Republic, the Slovak Republic, Bulgaria, Romania and Slovenia and the Agreements on free trade between the Community and the Baltic States ⁽³⁾, as last amended by Regulation (EC) No 1431/2000 ⁽⁴⁾, and in particular Article 4(4) thereof,

Whereas the applications for import licences submitted for the products listed in Regulation (EC) No 2508/97 exceed the quantities available for certain products; whereas allocation coefficients should therefore be set for the period 1 July to 31 December 2000 for certain quantities applied for,

HAS ADOPTED THIS REGULATION:

Article 1

Applications for import licences submitted for the period 1 July to 31 December 2000 pursuant to Regulation (EC) No 2508/97, shall be accepted by country of origin and by product covered by the CN codes set out in the Annex for the quantities applied for, multiplied by the allocation coefficients shown.

Article 2

This Regulation shall enter into force on 25 July 2000.

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

Done at Brussels, 24 July 2000.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ L 160, 26.6.1999, p. 48.

⁽²⁾ OJ L 175, 14.7.2000, p. 55.

⁽³⁾ OJ L 345, 16.12.1997, p. 31.

⁽⁴⁾ OJ L 161, 1.7.2000, p. 53.

ANNEX

(in %)

Country	Poland			Czech Republic			Slovakia			Hungary		
	0402 10 19 0402 21 19 0402 21 99	0405 10 11 0405 10 19 0405 10 30 0405 10 50 0405 10 90 0405 20 90	0406	0402 10 19 0402 21 19 0402 21 91	0405 10 11 0405 10 19 0405 10 30 0405 10 50 0405 20 90	0406	0402 10 19 0402 21 19 0402 21 91	0405 10 11 0405 10 19 0405 10 30 0405 10 50 0405 20 90	0406	0402 10	0406 90 29	0406
Allocation coefficient	0,0048	0,0066	0,5714	0,0048	0,0047	0,0109	0,0051	0,0048	0,0091	0,0072	—	0,0076
Country	Latvia											
CN codes	0401 30	0402 10 19 0402 21 19	0403 10 11 0403 10 13 0403 10 19	0403 90 59 0403 90 61 0403 90 63 0403 90 69	0405 10 11 0405 10 19	0406	0406 10	0402 10 19 0402 21 19	0405 10	0406	0406 29	ex 0402 29
Allocation coefficient	0,0519	0,0050	—	0,0701	0,0049	0,0139	0,2000	0,0056	0,0049	0,0068	—	—
Country	Republic of Estonia											
CN codes	0402 10 19 0402 21 19	0405 10 11 0405 10 19	0406 90	0402 99 11	0406	0406 10	0402 10 19 0402 21 19	0403 10	0406 90	—	0,0236	0,0413
Allocation coefficient	0,0062	0,0051	0,0078	—	0,8726	—	0,0236	—	—	—	0,0236	0,0413
Country	Slovenia											
CN codes	0402 10 19 0402 21 19	0405 10 11 0405 10 19	0406 90	0402 99 11	0406	0406 10	0402 10 19 0402 21 19	0403 10	0406 90	—	0,0236	0,0413
Allocation coefficient	0,0062	0,0051	0,0078	—	0,8726	—	0,0236	—	—	—	0,0236	0,0413

COMMISSION REGULATION (EC) No 1619/2000**of 24 July 2000****determining the extent to which the applications for import licences submitted in July 2000 for certain dairy products under certain tariff quotas opened by Regulation (EC) No 1374/98 can be accepted**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EC) No 1255/1999 of 17 May 1999 on the common organisation of the market in milk and milk products ⁽¹⁾, as last amended by Commission Regulation (EC) No 1526/2000 ⁽²⁾,Having regard to Commission Regulation (EC) No 1374/98 of 29 June 1998 laying down detailed rules for the application of the import arrangements and opening tariff quotas for milk and milk products ⁽³⁾, as last amended by Regulation (EC) No 1491/2000 ⁽⁴⁾, and in particular Article 14(4) thereof,

Whereas:

Applications lodged for the products referred to in Annex III to Regulation (EC) No 1374/98 concern quantities greater than those available; therefore, the allocation factors should be fixed for the quantities applied for,

HAS ADOPTED THIS REGULATION:

Article 1

1. Import licences applied for for products falling within the order numbers in Annex III B to Regulation (EC) No 1374/98 listed in Annex I lodged pursuant to Regulation (EC) No 1374/98 for the period 1 July to 31 December 2000, shall be awarded in accordance with the allocation factors indicated.

2. Import licences applied for for products falling within the order numbers in Annex III C to Regulation (EC) No 1374/98 listed in Annex II lodged pursuant to Regulation (EC) No 1374/98 for the period 1 July to 31 December 2000, shall be awarded in accordance with the allocation factors indicated.

Article 2

This Regulation shall enter into force on 25 July 2000.

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

Done at Brussels, 24 July 2000.

For the Commission
Franz FISCHLER
Member of the Commission

⁽¹⁾ OJ L 160, 26.6.1999, p. 48.

⁽²⁾ OJ L 175, 14.7.2000, p. 55.

⁽³⁾ OJ L 185, 30.6.1998, p. 21.

⁽⁴⁾ OJ L 168, 8.7.2000, p. 10.

ANNEX I

Order number in Annex III B to Regulation (EC) No 1374/98	TARIC order number	Period: July to December 2000 Allocation factor
13	09.4101	—

ANNEX II

Order number in Annex III C to Regulation (EC) No 1374/98	TARIC order number	Period: July to December 2000 Allocation factor
15	09.4151	0,0666

COMMISSION REGULATION (EC) No 1620/2000**of 24 July 2000****fixing Community producer and import prices for carnations and roses with a view to the application of the arrangements governing imports of certain floricultural products originating in Cyprus, Israel, Jordan, Morocco and the West Bank and the Gaza Strip**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EEC) No 4088/87 of 21 December 1987 fixing conditions for the application of preferential customs duties on imports of certain flowers originating in Cyprus, Israel, Jordan, Morocco and the West Bank and the Gaza Strip ⁽¹⁾, as last amended by Regulation (EC) No 1300/97 ⁽²⁾, and in particular Article 5 (2) (a) thereof,

Whereas:

Pursuant to Article 2 (2) and Article 3 of abovementioned Regulation (EEC) No 4088/87, Community import and producer prices are fixed each fortnight for uniflorous (bloom) carnations, multiflorous (spray) carnations, large-flowered roses and small-flowered roses and apply for two-weekly periods. Pursuant to Article 1b of Commission Regulation (EEC) No 700/88 of 17 March 1988 laying down detailed rules for the application of the arrangements for the import into the Community of certain floricultural products originating in Cyprus, Israel, Jordan, Morocco and the West Bank and the Gaza Strip ⁽³⁾, as last amended by Regulation (EC) No 2062/

97 ⁽⁴⁾, those prices are determined for fortnightly periods on the basis of weighted prices provided by the Member States. Those prices should be fixed immediately so the customs duties applicable can be determined. Whereas, to that end, provision should be made for this Regulation to enter into force immediately,

HAS ADOPTED THIS REGULATION:

Article 1

The Community producer and import prices for uniflorous (bloom) carnations, multiflorous (spray) carnations, large-flowered roses and small-flowered roses as referred to in Article 1b of Regulation (EEC) No 700/88 for a fortnightly period shall be as set out in the Annex.

Article 2

This Regulation shall enter into force on 25 July 2000.

It shall apply from 26 July to 8 August 2000.

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

Done at Brussels, 24 July 2000.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ L 382, 31.12.1987, p. 22.

⁽²⁾ OJ L 177, 5.7.1997, p. 1.

⁽³⁾ OJ L 72, 18.3.1988, p. 16.

⁽⁴⁾ OJ L 289, 22.10.1997, p. 1.

ANNEX

to the Commission Regulation of 24 July 2000 fixing Community producer and import prices for carnations and roses with a view to the application of the arrangements governing imports of certain floricultural products originating in Cyprus, Israel, Jordan, Morocco and the West Bank and the Gaza Strip

(EUR/100 pieces)

Period: from 26 July to 8 August 2000

Community producer price	Uniflorous (bloom) carnations	Multiflorous (spray) carnations	Large-flowered roses	Small-flowered roses
	17,58	13,77	24,69	13,52
Community import prices	Uniflorous (bloom) carnations	Multiflorous (spray) carnations	Large-flowered roses	Small-flowered roses
Israel	—	—	12,66	10,02
Morocco	11,35	16,22	—	—
Cyprus	—	—	—	—
Jordan	—	—	—	—
West Bank and Gaza Strip	—	—	—	—

COMMISSION REGULATION (EC) No 1621/2000
of 24 July 2000
amending representative prices and additional duties for the import of certain products in the
sugar sector

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EC) No 2038/1999 of 13 September 1999 on the common organisation of the markets in the sugar sector ⁽¹⁾, as amended by Commission Regulation (EC) No 1527/2000 ⁽²⁾,

Having regard to Commission Regulation (EC) No 1423/95 of 23 June 1995 laying down detailed implementing rules for the import of products in the sugar sector other than molasses ⁽³⁾, as last amended by Regulation (EC) No 624/98 ⁽⁴⁾, and in particular the second subparagraph of Article 1(2), and Article 3(1) thereof,

Whereas:

- (1) The amounts of the representative prices and additional duties applicable to the import of white sugar, raw sugar and certain syrups are fixed by Commission Regulation

(EC) No 1441/1999 ⁽⁵⁾, as last amended by Regulation (EC) No 1568/2000 ⁽⁶⁾.

- (2) It follows from applying the general and detailed fixing rules contained in Regulation (EC) No 1423/95 to the information known to the Commission that the representative prices and additional duties at present in force should be altered to the amounts set out in the Annex hereto,

HAS ADOPTED THIS REGULATION:

Article 1

The representative prices and additional duties on imports of the products referred to in Article 1 of Regulation (EC) No 1423/95 shall be as set out in the Annex hereto.

Article 2

This Regulation shall enter into force on 25 July 2000.

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

Done at Brussels, 24 July 2000.

For the Commission
Franz FISCHLER
Member of the Commission

⁽¹⁾ OJ L 252, 25.9.1999, p. 1.

⁽²⁾ OJ L 175, 14.7.2000, p. 59.

⁽³⁾ OJ L 141, 24.6.1995, p. 16.

⁽⁴⁾ OJ L 85, 20.3.1998, p. 5.

⁽⁵⁾ OJ L 166, 1.7.1999, p. 77.

⁽⁶⁾ OJ L 180, 19.7.2000, p. 20.

ANNEX

to the Commission Regulation of 24 July 2000 amending representative prices and the amounts of additional duties applicable to imports of white sugar, raw sugar and products covered by CN code 1702 90 99

(EUR)

CN code	Amount of representative prices per 100 kg net of product concerned	Amount of additional duty per 100 kg net of product concerned
1701 11 10 ⁽¹⁾	27,45	3,05
1701 11 90 ⁽¹⁾	27,45	7,81
1701 12 10 ⁽¹⁾	27,45	2,92
1701 12 90 ⁽¹⁾	27,45	7,38
1701 91 00 ⁽²⁾	26,38	12,04
1701 99 10 ⁽²⁾	26,38	7,52
1701 99 90 ⁽²⁾	26,38	7,52
1702 90 99 ⁽³⁾	0,26	0,39

⁽¹⁾ For the standard quality as defined in Article 1 of amended Council Regulation (EEC) No 431/68 (OJ L 89, 10.4.1968, p. 3).

⁽²⁾ For the standard quality as defined in Article 1 of Council Regulation (EEC) No 793/72 (OJ L 94, 21.4.1972, p. 1).

⁽³⁾ By 1 % sucrose content.