

English edition

Legislation

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Price: EUR 19,50

⁽¹⁾ Text with EEA relevance

(Continued overleaf)

EN

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I

(Acts whose publication is obligatory)

COMMISSION REGULATION (EC) No 1893/2000
of 7 September 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 8 September 2000.

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

Done at Brussels, 7 September 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 7 September 2000 establishing the standard import values for determining the entry price of certain fruit and vegetables

(EUR/100 kg)

CN code	Third country code ⁽¹⁾	Standard import value
0702 00 00	052	77,6
	999	77,6
0707 00 05	052	85,5
	628	142,3
	999	113,9
0709 90 70	052	58,1
	628	96,2
	999	77,2
0805 30 10	388	56,6
	524	60,1
	528	62,8
	999	59,8
0806 10 10	052	70,3
	064	41,6
	400	174,9
	999	95,6
0808 10 20, 0808 10 50, 0808 10 90	388	77,9
	400	57,0
	508	69,9
	512	69,9
	528	59,2
	720	66,1
	728	63,8
	800	192,9
	804	92,6
	999	83,3
	0808 20 50	052
388		64,7
999		75,0
0809 30 10, 0809 30 90	052	106,1
	999	106,1
0809 40 05	052	71,3
	064	62,6
	066	69,5
	068	47,5
	094	46,7
	400	138,9
	999	72,8

⁽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 1894/2000**of 26 July 2000****amending, for the second time, Annex V to Council Regulation (EC) No 2111/1999 prohibiting the sale and supply of petroleum and certain petroleum products to certain parts of the Federal Republic of Yugoslavia**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EC) No 2111/1999 of 4 October 1999 prohibiting the sale and supply of petroleum products to certain parts of the Federal Republic of Yugoslavia (FRY) and repealing Regulation (EC) No 900/1999 ⁽¹⁾, as last amended by Regulation (EC) No 607/2000 ⁽²⁾, and in particular Article 2b thereof,

Whereas:

- (1) Further to Council Common Position 1999/691/CFSP ⁽³⁾, the Council adopted Regulation (EC) No 2421/1999 ⁽⁴⁾, amending Regulation (EC) No 2111/1999 in order to allow supplies of petroleum and petroleum products to certain municipalities and other destinations within the Republic of Serbia, in the framework of the 'Energy for democracy' initiative.
- (2) On that occasion, the Council added an Annex V to Regulation (EC) No 2111/1999 containing a list of

municipalities or final destinations in the Republic of Serbia, that would be eligible for such supplies.

- (3) By means of Council Decision 2000/457/CFSP ⁽⁵⁾, the Council determined that the list of municipalities and other destinations within the Republic of Serbia, should be expanded.
- (4) It is, therefore, necessary to amend Annex V to Regulation (EC) No 2111/1999,

HAS ADOPTED THIS REGULATION:

Article 1

Annex V to Regulation (EC) No 2111/1999 is replaced by the text in the Annex to this Regulation.

*Article 2*This Regulation shall enter into force on the day of its publication in the *Official Journal of the European Communities*.

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

Done at Brussels, 26 July 2000.

For the Commission
Christopher PATTEN
Member of the Commission

⁽¹⁾ OJ L 258, 5.10.1999, p. 12.⁽²⁾ OJ L 73, 22.3.2000, p. 4.⁽³⁾ OJ L 273, 23.10.1999, p. 1.⁽⁴⁾ OJ L 294, 16.11.1999, p. 7.⁽⁵⁾ OJ L 183, 22.7.2000, p. 4.

ANNEX

'ANNEX V

List of municipalities or final destinations in the Republic of Serbia referred to in Article 2a(1)

1. Arilje
 2. Cacak
 3. Kikinda
 4. Kragujevac
 5. Kraljevo
 6. The city of Nis
 7. Novi Sad
 8. The city of Pirot
 9. Pancevo
 10. Pozega
 11. Presevo
 12. Sabac
 13. Sombor
 14. Subotica
 15. Uzice'
-

COMMISSION REGULATION (EC) No 1895/2000
of 7 September 2000
applying a reduction coefficient to refund certificates for goods not covered by Annex I to the
Treaty, as provided for by Article 5 of Regulation (EC) No 1520/2000

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

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

Having regard to Commission Regulation (EC) No 1520/2000 of 13 July 2000 laying down common detailed rules for the application of the system of granting export refunds on certain agricultural products exported in the form of goods not covered by Annex I to the Treaty and the criteria for fixing the amount of such refunds ⁽³⁾, and in particular Article 8(3), (4), (5) and (6) thereof.

Whereas:

- (1) The total amount of applications valid from 1 October 2000 exceeds the maximum referred to in Article 8(4) of Regulation (EC) No 1520/2000.
- (2) A reduction coefficient calculated on the basis of Article 8(3) and (4) of Regulation (EC) No 1520/2000 should therefore be applied to amounts requested in the form of refund certificates during the abovementioned period,

HAS ADOPTED THIS REGULATION:

Article 1

The amounts for applications of refund certificates valid from 1 October 2000 are subject to a reduction coefficient of 0,31.

Article 2

This Regulation shall enter into force on 8 September 2000.

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

Done at Brussels, 7 September 2000.

For the Commission
Erkki LIIKANEN
Member of the Commission

⁽¹⁾ OJ L 318, 20.12.1993, p. 18.

⁽²⁾ OJ L 309, 19.11.1998, p. 28.

⁽³⁾ OJ L 177, 15.7.2000, p. 1.

COMMISSION REGULATION (EC) No 1896/2000
of 7 September 2000
on the first phase of the programme referred to in Article 16(2) of Directive 98/8/EC of the
European Parliament and of the Council on biocidal products
(Text with EEA relevance)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Directive 98/8/EC of the European Parliament and of the Council of 16 February 1998 concerning the placing of biocidal products on the market ⁽¹⁾, and in particular Article 16(2) thereof,

Whereas:

- (1) Pursuant to Directive 98/8/EC (hereinafter referred to as 'the Directive'), a programme of work is to be initiated for the review of all active substances of biocidal products already on the market on 14 May 2000 (hereinafter referred to as 'existing active substances').
- (2) The first phase of the review programme is intended to enable the Commission to identify existing active substances of biocidal products and specify those which should be evaluated for a possible inclusion in Annex I, Annex IA or Annex IB to the Directive. Given the expected high number of existing active substances which are candidates for such inclusion, information is needed to set priorities for a further phase of the review programme, which is planned to be initiated in 2002.
- (3) It is necessary to specify the relationship between producers, formulators, Member States and the Commission and the obligation on each of the parties for the implementation of the review programme.
- (4) In order to establish an exhaustive list of existing active substances, an identification procedure should be laid down by which all producers are to submit information on existing active substances of biocidal products to the Commission. Formulators should also have the opportunity of identifying existing active substances.
- (5) A notification procedure should be laid down by which producers and formulators have the right to inform the Commission of their interest in securing the possible inclusion of an existing active substance in Annex I, Annex IA or Annex IB to the Directive for one or more specific product types and of their commitment to

submit all the requisite information for a proper evaluation of, and decision on, that active substance.

- (6) The information submitted with the notification on active substances should be linked to one or more specific product types or subgroups of product types and should be the minimum necessary for priority setting.
- (7) Member States should have the opportunity of indicating an interest in the inclusion in Annex I or Annex IA to the Directive of essential existing active substances that have not been notified by producers or formulators. Member States which have indicated such an interest should carry out all the duties of a notifier.
- (8) Existing active substances notified in one or more product types should be allowed to remain on the market in accordance with Article 16(1) of the Directive for those notified product types until a date to be set in the decision on inclusion or non-inclusion of the active substance for that product type in Annex I or Annex IA to the Directive.
- (9) For existing active substances not notified in specific product types, decisions should be adopted, in accordance with the procedure laid down in Article 28(3) of the Directive, stating that those substances cannot be included in Annex I or Annex IA to the Directive for those product types under the review programme. A reasonable phase-out period should be allowed for those existing active substances and for biocidal products containing them.
- (10) For active substances not identified within the time limits laid down in this Regulation, as well as for biocidal products containing them, no further phase-out period should be allowed after the establishment of the list of existing active substances.
- (11) In view of the time limit for the transitional period of 10 years and the time needed to compile complete dossiers, the identification of the first existing active substances to be evaluated should not be delayed until the general priorities are set. In the interests of successful implementation of the Directive, it is advisable to start the evaluation of existing active substances in product types for which experience is already available.

⁽¹⁾ OJ L 123, 24.4.1998, p. 1.

- (12) Some existing active substances used in wood preservatives which are used in large volumes in the Community are known to pose potential risks for humans and the environment. The need to establish a harmonised market for wood preservatives was one of the main reasons for the adoption of the Directive. Having regard to national rules in some Member States, the necessary experience to evaluate wood preservatives is available. Experience regarding rodenticides is available in many Member States. The existing active substances in those two specific product types should, therefore, be included in the first list of existing active substances to be evaluated.
- (13) The evaluation of the first active substances should also be used to gain experience on the risk assessment process and on the appropriateness of the data requirements in order to carry out an adequate risk assessment. Among other issues, it is necessary to ensure that the risk assessment is carried out in a cost-effective way. For this purpose, notifiers should be encouraged to provide information on the costs of compiling a complete dossier. This information, together with any appropriate recommendations, should be integrated in the report referred to in Article 18(5) of the Directive. However this should not prevent earlier modifications of data requirements or procedures.
- (14) In order to avoid duplication of work, and in particular experiments involving vertebrate animals, specific provisions should be adopted to encourage producers to act collectively, in particular by submitting collective notifications and dossiers.
- (15) The need to address the concern for the possible effects of existing active substances directly or indirectly entering the food chain will be considered when setting priorities for the further phase of the review programme.
- (16) The measures provided for in this Regulation are in accordance with the opinion of the Standing Committee on Biocidal Products,

HAS ADOPTED THIS REGULATION:

Article 1

Scope

This Regulation lays down provisions for the establishment and implementation of the first phase of the programme of work for the systematic examination of all active substances already on the market on 14 May 2000 as active substances of biocidal products (hereinafter referred to as 'the review programme') referred to in Article 16(2) of the Directive

Article 2

Definitions

For the purposes of this Regulation, the definitions in Article 2 of the Directive shall apply.

The following definitions shall also apply:

- (a) 'existing active substance' means an active substance on the market before 14 May 2000 as an active substance of a biocidal product for purposes other than those referred to in Article 2(2)(c) and (d) of the Directive;
- (b) 'producer' means:
- in the case of an active substance produced within the Community and placed on the market, the manufacturer of that active substance or a person established within the Community designated by the manufacturer as his sole representative for the purposes of this Regulation,
 - in the case of an active substance produced outside the Community, the person established within the Community and designated by the manufacturer of that active substance as his sole representative for the purposes of this Regulation or, where no such person has been so designated, the importer into the Community of that active substance,
 - in the case of a biocidal product produced outside the Community, the person established within the Community and designated by the manufacturer of that biocidal product as his sole representative for the purposes of this Regulation or, where no such person has been so designated, the importer into the Community of that biocidal product;
- (c) 'formulator' means, in the case of a biocidal product manufactured within the Community, the manufacturer of that biocidal product, or a person established within the Community designated by the manufacturer as his sole representative for the purposes of this Regulation;
- (d) 'identification' of an active substance means the submission to the Commission of the information referred to in Annex I. The person or the association of producers/formulators submitting the identification is an 'identifier';
- (e) 'notification' of an active substance means the submission to the Commission of the information referred to in Annex II. The submitter of the notification is a 'notifier'.

The notifier may be:

- the producer or the formulator who has made a notification in accordance with Article 4 or Article 8,
- the association of producer(s) and/or formulator(s) established within the Community and designated by the producers and/or formulators for the purpose of complying with this Regulation, which has made a joint notification in accordance with Article 4 or Article 8.

*Article 3***Identification of existing active substances**

1. Each producer of an existing active substance placed on the market for use in biocidal products shall identify that active substance by submitting to the Commission the information on the active substance referred to in Annex I to be received not later than 18 months after this Regulation enters into force. This requirement shall not apply to existing active substances which are no longer on the market after 13 May 2000 either as such or in biocidal products.

Any formulator may identify an existing active substance in accordance with the first subparagraph, except for the requirements in points 5 and 6 of Annex I.

In submitting the information, the identifier shall use the special software package made available free of charge by the Commission.

Member States may require identifiers established in their territory to submit simultaneously to their competent authorities the same information as is submitted to the Commission.

2. Any producer or formulator who notifies an existing active substance in accordance with Article 4 shall not make a separate identification of that active substance in accordance with paragraph 1 of this Article.

3. A working document containing a non-exhaustive list with examples of possible existing active substances shall be made available by the Commission on its Internet website and shall also be made available as a hard-copy at the competent authorities of the Member States not later than 30 days after this Regulation enters into force.

*Article 4***Notification of existing active substances**

1. Producers, formulators and associations wishing to apply for the inclusion in Annex I or Annex IA to the Directive of an existing active substance in one or more product types shall notify that active substance to the Commission by submitting the information referred to in Annex II to this Regulation to be received not later than 18 months after this Regulation enters into force.

Whenever a formulator or a producer is aware of another notifier's possible intention to notify the same active substance, they shall undertake all reasonable efforts to present a common notification, in whole or in part, in order to minimise animal testing.

In submitting the notification, the notifier shall use the special software package (IUCRID) made available free of charge by the Commission.

Member States may require notifiers established in their territory to submit simultaneously to their competent authorities the same information as is submitted to the Commission.

2. The Commission in cooperation with Member States shall check that a notification submitted to it complies with the requirements of paragraph 1.

If the notification complies with those requirements, the Commission shall accept it.

If the notification does not comply with those requirements, the Commission shall grant the notifier a period of 30 days in which to complete or correct his notification. If, after the expiry of that 30-day period, the notification fails to comply with those requirements, the Commission shall inform the notifier that his notification has been rejected and give the reasons therefor.

Where a notification has been rejected, the notifier may within 30 days address a request to the Commission for a Decision to be taken in accordance with the procedure laid down in Article 28(3) of the Directive.

3. If a notification is accepted by the Commission, the notifier shall provide to the Commission all data and information necessary for the evaluation of the existing active substance with a view to its possible inclusion in Annex I or Annex IA to the Directive during the second phase of the review programme.

4. A notifier may only withdraw his notification if an objective change in the assumptions for the notification justifies the withdrawal. The notifier shall inform the Commission without delay, mentioning the reasons. If the Commission accepts the withdrawal, the notifier shall no longer be subject to the requirement set out in paragraph 3.

Where a withdrawal has been rejected, the notifier may within 30 days address a request to the Commission for a Decision to be taken in accordance with the procedure laid down in Article 28(3) of the Directive.

A Decision shall be taken in accordance with the procedure laid down in Article 28(3) of the Directive not to include in Annex I or Annex IA to the Directive an active substance for which the notification has been withdrawn and for which no other notification has been accepted with the consequences referred to in Article 6(3) of this Regulation.

In the event of non-compliance with paragraph 3 of this Article in relation to any product type, a Decision may be taken in accordance with the procedure laid down in Article 28(3) of the Directive with the consequences referred to in Article 6(3) of this Regulation for the placing of the active substance on the market in other product types according to Annex V to the Directive.

*Article 5***Indication of interest by Member States**

1. The Commission shall communicate to the Member States a list of all active substances which have been identified as existing active substances under Article 3 or Article 4, indicating those in respect of which a notification has been submitted in accordance with Article 4(1) and accepted by the Commission.

2. Within three months after receiving the list referred to in paragraph 1 and in accordance with the procedure laid down in Article 3(1), Member States may identify additional existing active substances.

3. Within three months after receiving the list referred to in paragraph 1, Member States, alone or collectively, may indicate their interest in the possible inclusion in Annex I or Annex IA to the Directive of an existing active substance in product types where it has uses which the Member State considers essential in particular for the protection of human health or the environment, and for which no notification has been accepted by the Commission.

By indicating such an interest a Member State shall be deemed to carry out the duties of an applicant as set out in the Directive, and the active substance shall without notification in accordance with Article 4(1) of this Regulation, be included in the list referred to in Article 6(1)(b).

Article 6

Consequences of identification and notification

1. In accordance with the procedure laid down in Article 28(3) of the Directive, a Regulation shall be adopted containing:

- (a) an exhaustive list of existing active substances placed on the market for use in biocidal products, for which substances at least one identification complies with the requirements of Article 3(1) or Article 5(2) or equivalent information submitted in a notification according to Article 4(1); and
- (b) an exhaustive list of existing active substances to be reviewed during the second phase of the review programme containing those existing active substances
 - (i) for which the Commission has accepted at least one notification in accordance with Article 4(1) or Article 8(1); or
 - (ii) that Member States have indicated in accordance with Article 5(3); or
 - (iii) for which, following indications in accordance with Article 8(3) or (4), Member States, alone or collectively, have agreed to provide the necessary data to carry out evaluations for possible inclusion in Annex IB to the Directive in the second phase of the review programme.

The Commission shall make the lists publicly available by electronic means.

2. Without prejudice to Article 16(1), (2) or (3) of the Directive, all producers of an active substance included in the list referred to in paragraph 1(b) and all formulators of biocidal products containing that active substance may start or continue to place on the market the active substance, as such or in

biocidal products, in the product type or types for which the Commission has accepted at least one notification.

3. In accordance with the procedure laid down in Article 28(3) of the Directive, Decisions addressed to Member States shall be adopted stating that the following active substances shall not be included in Annex I, Annex IA or Annex IB to the Directive under the review programme and that these active substances, solely or in biocidal products, shall no longer be placed on the market for biocidal purposes:

- (a) active substances not included in the list referred to in paragraph 1(b);
- (b) active substances included in the list referred to in paragraph 1(b) in product types for which the Commission has not accepted at least one notification.

However if the active substance is included in the list of existing active substances referred to in paragraph 1(a), a reasonable phase-out period shall be allowed of not more than three years from the date on which the Decision referred to in the first subparagraph takes effect.

4. The following applications for inclusion of existing active substances in Annex I, Annex IA or Annex IB to the Directive shall be treated as if the substance was not placed on the market for use in biocidal products before 14 May 2000:

- (a) an application for inclusion of an active substance not included in the list referred to in paragraph 1(b);
- (b) an application for inclusion of an active substance in product types other than those for which it is included in the list referred to in paragraph 1(b).

Article 7

Submission of dossiers for the inclusion in Annex I, Annex IA or Annex IB to the Directive of active substances in certain product types

1. Existing active substances of biocidal product types 8 (wood preservatives) and 14 (rodenticides) according to Annex V to the Directive that are included in the list referred to in Article 6(1)(b) of this Regulation shall be included in the first list of existing active substances to be reviewed. Notifiers whose notifications have been accepted by the Commission in accordance with Article 4(2) of this Regulation shall submit complete dossiers according to Article 11(1)(a) of the Directive concerning the inclusion in Annex I, Annex IA or Annex IB to the Directive of active substances in those product types. The dossiers referred to in Article 11(1)(a)(ii) of the Directive shall cover representative uses in particular with respect to exposure of humans and the environment to the active substance.

2. Member States may require that advance payment of a charge according to Article 25 of the Directive covering the costs of the work resulting from the requirement set out in Article 11(1)(b) of the Directive concerning the acceptance of the dossier shall be part of a complete dossier.

3. In order to minimise both animal testing and the costs of compilation of complete dossiers, the applicant may ask Member States' advice on the acceptability of justifications submitted by the applicant to waive certain studies.

The advice shall not predetermine the verification in accordance with Article 11(1)(b) of the Directive on whether the dossier can be regarded as complete.

To provide information on the costs related to the application of the Directive's requirements, the notifier may submit to the competent authority together with the complete dossier a breakdown of the costs of the respective actions and studies carried out. The competent authority shall submit this information to the Commission when submitting the evaluation report referred to in Article 11(2) of the Directive.

The Commission shall include in the report referred to in Article 18(5) of the Directive information on the costs related to compilation of complete dossiers, together with any appropriate recommendations concerning modifications of data requirements in order to ensure cost effectiveness.

4. Whenever several notifiers have notified the same active substance, they shall undertake all reasonable efforts to present a collective dossier. Where a collective dossier is not presented by all the notifiers concerned with that active substance, the dossier shall detail the efforts made to secure their participation and the reasons for their non-participation.

5. The dossiers shall be received by the competent authority of the designated Member State not later than 42 months after this Regulation enters into force. The designation shall be carried out by the Commission when the list referred to in Article 6(1)(b) of this Regulation is established.

6. Within a reasonable period after the receipt of the dossier and in any event not later than 45 months after this Regulation enters into force, Member States shall complete the steps referred to in Article 11(1)(b) of the Directive concerning the acceptance of the dossiers for which they have been designated.

If a complete dossier as referred to in paragraph 1 is not received within the time limit referred to in paragraph 5, the designated Member State shall inform the Commission, giving the reasons pleaded by the notifier.

In exceptional cases and on the basis of the report of the designated Member State, a new time limit may be established in accordance with the procedure laid down in Article 28(3) of the Directive, where the notifier demonstrates that the delay was due to *force majeure*.

If, on the expiry of the time limit, a dossier on an active substance is incomplete and no other dossier concerning that active substance in the same product type has been accepted, a

Decision shall be adopted, in accordance with the procedure laid down in Article 28(3) of the Directive, not to include that active substance in Annex I or Annex IA to the Directive.

Article 8

Basic substances

1. Any person wishing to apply for the inclusion of an existing active substance in Annex IB to the Directive in one or more specific product types shall notify the substance to the Commission in accordance with the procedure laid down in Article 4(1) and (2).

2. If a notification is accepted by the Commission, the notifier shall provide to the Commission all data and information necessary for the evaluation of the existing active substance with a view to its possible inclusion in Annex IB to the Directive during the second phase of the review programme.

A notifier may only withdraw his notification, if an objective change in the assumptions for the notification justifies the withdrawal. The notifier shall inform the Commission thereof without delay mentioning the reasons. If the Commission accepts the withdrawal, the notifier shall no longer be subject to the requirement set out in the first subparagraph.

Where a withdrawal has been rejected, the notifier may within 30 days address a request to the Commission for a Decision to be taken in accordance with the procedure laid down in Article 28(3) of the Directive.

3. Member States may indicate existing active substances as potential basic substances for inclusion in Annex IB to the Directive. To this end they shall submit to the Commission not later than six months after the entry into force of this Regulation their indication together with the information referred to in Annex I to this Regulation.

4. The Commission shall communicate to the Member States a list of potential basic substances which have been indicated as existing basic substances. Within three months after receiving that list, Member States may indicate further existing basic substances in accordance with the requirements of paragraph 3.

Article 9

Entry into force

This Regulation shall enter into force on the 20th 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, 7 September 2000.

For the Commission
Margot WALLSTRÖM
Member of the Commission

ANNEX I

INFORMATION REQUIRED FOR IDENTIFICATION IN ACCORDANCE WITH ARTICLE 3 OR INDICATION IN ACCORDANCE WITH ARTICLE 8(3) OR (4)

1. Identity of the identifier ⁽¹⁾ etc.:
 - 1.1. Name and address etc. of the identifier and his status as producer, formulator or Member State.
 - 1.2. If the identifier is a producer who is not the manufacturer of the active substance: the authorisation by the manufacturer of the identifier to act as his sole representative within the Community.
 - 1.3. If the identifier is not the manufacturer of the active substance: the name and address of that manufacturer.
2. Identity of the substance:
 - 2.1. Common name proposed or accepted by ISO and synonyms.
 - 2.2. Chemical name (IUPAC nomenclature).
 - 2.3. Manufacturer's development code number(s) (if available).
 - 2.4. CAS and EC numbers.
 - 2.5. Molecular and structural formula (including full details of any isomeric composition), molecular mass.
 - 2.6. Specification of purity of the active substance in g/kg or g/l, as appropriate.
3. Proof that the substance was already on the market as an active substance of a biocidal product before 14 May 2000. Apart from EC number also evidence that the substance was used as an active substance in at least one biocidal product, e.g. in form of an invoice and the composition of a product and/or a label.
4. Member States where the active substance is placed on the market. For basic substances the Member States where the basic substance is used.
5. If the identifier is a producer: average annual quantities of the active substance placed on the market for the years 1998-2000 per product type according to Annex V to the Directive. If relevant, quantities shall be specified by subgroup as listed below. If statistics are not available, estimation shall be sufficient.
6. By way of derogation from paragraph 5 for potential basic substances: annual quantities placed on the market in total and used as biocidal products per product type according to Annex V to the Directive. If relevant the quantities shall be specified by subgroups as listed below.

Product type according to Annex V to the Directive and subgroups relevant for the priority setting

Product type 1: Human hygiene biocidal products

Product type 2: Private area and public health area disinfectants and other biocidal products

- 2.01. Disinfectants for medical equipment, biocidal products for accommodation for man or in industrial areas
- 2.02. Biocidal products to be used in swimming pools etc.
- 2.03. Biocidal products to be used in air-conditioning system
- 2.04. Biocidal products for chemical toilets, treatment of waste water or treatment of hospital waste.
- 2.05. Other biocidal products within product type 2

Product type 3: Veterinary hygiene biocidal products

Product type 4: Food and feed area disinfectants

Product type 5: Drinking water disinfectants

Product type 6: In-can preservatives

- 6.01. Preservatives for detergents
- 6.02. Other in-can preservatives

⁽¹⁾ In the case of identification in accordance with Article 5 or indication in accordance with Article 8: the identity of the Member State.

Product type 7: Film preservatives

Product type 8: Wood preservatives

8.01. Pre-treatment in industrial premises (pressure and vacuum impregnation and dipping)

8.02. Other wood preservatives

Product type 9: Fibre, leather, rubber and polymerised materials preservatives

9.01. Preservatives for textiles and leather

9.02. Preservatives for paper

9.03. Preservatives for rubber and polymerised materials and other biocidal products covered by product type 09

Product type 10: Masonry preservatives

Product type 11: Preservatives for liquid-cooling and processing systems

11.01. Preservatives used in once-through systems

11.02. Preservatives used in recirculating systems

Product type 12: Slimicides

12.01. Slimicides for paperpulp

12.02. Slimicides for mineral oil extraction

12.03. Other slimicides

Product type 13: Metalworking-fluid preservatives

Product type 14: Rodenticides

Product type 15: Avicides

Product type 16: Molluscicides

Product type 17: Piscicides

Product type 18: Insecticides, acaricides and products to control other arthropods

18.01. Used by professionals

18.02. Used by non-professionals

Product type 19: Repellents and attractants

19.01. Repellents applied directly on human or animal skin

19.02. Attractants and repellents not applied directly on human or animal skin

Product type 20: Preservatives for food or feedstocks

Product type 21: Anti-fouling products

Product type 22: Embalming and taxidermist fluids

Product type 23: Control of other vertebrate

ANNEX II

INFORMATION REQUIRED FOR NOTIFICATION IN ACCORDANCE WITH ARTICLE 4 OR ARTICLE 8(1)

1. Product type(s) according to Annex V to the Directive for which the notification is submitted.
2. Summary studies, information, relevant endpoints and information on the date of completion of ongoing or committed studies as specified in Table 1 of Annex II. Only information which has to be included in the complete dossier for the use and the nature of the biocidal product shall be submitted.
3. Proof that the substance was already on the market as an active substance of a biocidal product before 14 May 2000. Apart from EC number also evidence that the substance was used as an active substance in at least one biocidal product, e.g. in form of an invoice and the composition of a product and/or a label.
4. Member States where the active substance is placed on the market. For substances applied for as basic substances the Member States where the basic substance is used.
5. If the identifier is a producer. The information shall also include information on quantities in product types not notified:
 - (a) average annual quantities of the active substance placed on the market for the years 1998-2000 per product type according to Annex V to the Directive. If relevant, quantities shall be specified by subgroup as listed in Annex I. If statistics are not available, estimation shall be sufficient;
 - (b) an estimation of the notifier's market share percentage for the years 1998-2000 in the EU of:
 - (i) the total use of the active substance for that product type, if relevant specified by subgroups; and of
 - (ii) the total use of the substance within the EU.
6. By way of derogation from paragraph 5 for potential basic substances: annual quantities placed on the market in total and used as biocidal products per product type according to Annex V to the Directive and subgroups as listed in Annex I.
7. Declaration confirming that the information provided is honest and correct and that the notifier commits to submit to the competent authorities of the designated reporting Member State the complete dossiers according to Article 11(1)(a) of the Directive within the time period laid down by the Commission. He confirms that the information submitted the notification is based on studies which are available to the notifier and which will be submitted to the rapporteur Member State as part of the dossier referred to in Article 11(1).

Table (1)

Number (2)	Issue	Mandatory information (3)	To be submitted if available	State of finalisation of dossier: (IA, Fin. Date, NR) (4)
Identity of the notifier				
1.1.	Name and address etc. of the notifier and his status as producer or not-producer according to the definition in Article 2	×		
1.1.	If the notifier is a producer who is not the manufacturer of the active substance: the authorisation by the manufacturer of the notifier to act as his sole representative within the Community	×		
1.2.	If the notifier is not the manufacturer of the active substance: the name and address of that manufacturer	×		
Identity of the active substance				
2.1.	Common name proposed or accepted by ISO and synonyms	×		
2.2.	Chemical name (IUPAC-nomenclature)	×		

Number (?)	Issue	Mandatory information (?)	To be submitted if available	State of finalisation of dossier: (IA, Fin. Date, NR) (*)
2.3.	Manufacturer's development code number(s) (if available)	×		
2.4.	CAS and EC numbers	×		
2.5.	Molecular and structural formula	×		
2.6.	Method of manufacture (syntheses pathway in brief terms) of the active substance	×		
2.7.	Specification of purity of the active substance in g/kg or g/l, as appropriate	×		
2.8.	Identity of impurities and additives, together with the structural formula and the possible range expressed as g/kg or g/l, as appropriate	×		
2.9.	The origin of the natural active substance or the precursor(s) of the active substance	×		

Physical and chemical properties

3.1.	Melting point, boiling point, relative density	×		
3.2.	Vapour pressure (in Pa)	×		
3.5.	Solubility in water including effect of pH (5 to 9) and temperature on solubility, if relevant	×		
3.6. (3.9.)	Partition coefficient n-octanol/water	×		

Toxicological and metabolic studies

6.1.1.	Acute toxicity — Oral	×		
6.1.2.-6.1.3.	Acute toxicity — Dermal or inhalation	×		
6.1.4.	Acute toxicity — Skin and eye irritation	×		
6.1.5.	Acute toxicity — Skin sensitisation	×		
6.2.	Metabolism studies in mammals		×	×
6.3.-6.4.	Subchronic toxicity 90-day study or a short-term repeated dose toxicity study (28 days). The 90-day study shall be submitted if available. The 28-day-study shall not be conducted if not available	×		×
6.5.	Chronic toxicity		×	×
6.6.1.	<i>In vitro</i> gene mutation study in bacteria	×		
6.6.2.	<i>In vitro</i> cytogenicity study in mammalian cells	×		
6.6.3.	<i>In vitro</i> gene mutation assay in mammalian cells	×		

Number (?)	Issue	Mandatory information (?)	To be submitted if available	State of finalisation of dossier: (IA, Fin. Date, NR) (*)
6.6.4.	<i>In vivo</i> genotoxicity study (if positive in 6.6.1, 6.6.2 or 6.6.3)	×		
6.6.5.	A second <i>in vivo</i> genotoxicity study (if negative in 6.6.4 but positive <i>in vitro</i> tests)	×		
6.6.6.	If positive in 6.6.4 then a test to assess possible germ cell effect may be required	×		
6.7.	Carcinogenicity study		×	×
6.8.1.	Teratogenicity tests		×	×
6.8.2.	Fertility study		×	×
6.9.4. (6.12.4.)	Epidemiological studies on the general population, if available		×	
Ecotoxicological studies				
7.1.1. (7.4.1.1.)	Acute toxicity to fish	×		
7.2. (7.4.1.2.)	Acute toxicity to <i>Daphnia magna</i> /invertebrates	×		
7.3. (7.4.1.3.)	Growth inhibition test on algae	×		
7.4. (7.4.1.4.)	Inhibition to microbiological activity	×		
7.5. (7.4.2.)	Bioconcentration		×	×
7.6.1.1. (7.1.1.2.1.)	Degradation — Biotic — Ready biodegradability	×		
7.6.1.2. (7.1.1.2.2.)	Degradation — Biotic — Inherent biodegradability, where appropriate		×	×
7.6.2.1. (7.1.1.1.1.)	Degradation — Abiotic — Hydrolysis as a function of pH and identification of breakdown products	×		
7.6.2.2. (7.1.1.1.2.)	Degradation — Abiotic — Phototransformation in water including identity of the products of transformation		×	×
7.7. (7.1.3.)	Adsorption/desorption screening test	×		
	Proposals including justification for the proposals for the classification and labelling of the active substance according to Directive 67/548/EEC	×		
	Risk phrases	×		
	Other information related to Annex IIA and IIIA to the Directive relevant for the decision on when the complete dossier on the active substance should be submitted in the review programme		×	

Number ⁽²⁾	Issue	Mandatory information ⁽³⁾	To be submitted if available	State of finalisation of dossier: (IA, Fin. Date, NR) ⁽⁴⁾
	Information on the result of studies which might give rise for concern and which is not included above		×	
	Information on the duration of studies necessary for a proper risk assessment that can not be submitted to the designated Member State within 42 months from the date when the list referred to in Article 6(1)(b) of this Regulation is published		×	

⁽¹⁾ Information on active substances which are micro-organisms shall be given when appropriate in accordance with Annex IVA to the Directive.

⁽²⁾ The numbering in the table follows the Directive 98/8/EC, Annex IIA. Brackets are used if the number differs from that of the corresponding number in the 'Technical guidance document in support of the Directive 98/8/EC concerning the placing of biocidal products on the market — Part I — Guidance on data requirements for active substances and biocidal products', draft December 1999.

⁽³⁾ Information on an endpoint is only mandatory if the endpoint is required for a complete dossier for the notified product type/field of use. Justification shall be provided, if information on an endpoint is not submitted because it is not scientifically necessary or technically possible to supply.

⁽⁴⁾ IA: information available; Fin. Date: note the target finalisation date for ongoing or commissioned studies; NR: information which the applicant does not believe is necessary for a proper risk assessment and for which a justification is provided; this shall not predetermine the verification in accordance with Article 11(1)(b) of the Directive.

COMMISSION REGULATION (EC) No 1897/2000
of 7 September 2000
implementing Council Regulation (EC) No 577/98 on the organisation of a labour force sample survey in the Community concerning the operational definition of unemployment

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EC) No 577/98 of 9 March 1998 on the organisation of a labour force sample survey in the Community ⁽¹⁾, and in particular Article 4(3) thereof,

Whereas:

- (1) In accordance with Article 4(3) of Regulation (EC) No 577/98, the definition of the variables and a list of principles for the formulation of questions concerning the labour status is to be drawn up.
- (2) The international comparability of labour statistics requires that the Member States and the Community institutions measure employment and unemployment according to the International Labour Organisation (ILO) definition of employment and unemployment.
- (3) The Commission needs comparable indicators to monitor and assess progress as an effect of the implementation of the Employment Guidelines ⁽²⁾.
- (4) A common definition of unemployment in all Member States, combined with a greater harmonisation of labour force survey questionnaires, is therefore needed.
- (5) The measures provided for in this Regulation are in accordance with the opinion of the Statistical

Programme Committee established by Council Decision 89/382/EEC, Euratom ⁽³⁾,

HAS ADOPTED THIS REGULATION:

Article 1

1. The definition of unemployment is laid down in Annex I to this Regulation.
2. The principles for the formulation of the questions on the labour status are laid down in Annex II to this Regulation.

Article 2

1. The questions on the labour status for the purposes of the Community labour force sample survey shall comply with the principles laid down in Annex II to this Regulation, and allow the measurement of unemployment as defined in Annex I therein.
2. However, paragraph 1 may not apply during the time needed to adapt the labour force sample survey. In such case, Member States shall accompany the transmission to Eurostat of the Community labour force sample survey results with a clear identification of the deviations from the definition and principles referred to in paragraph 1.

Article 3

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

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

Done at Brussels, 7 September 2000.

For the Commission
Pedro SOLBES MIRA
Member of the Commission

⁽¹⁾ OJ L 77, 14.3.1998, p. 3.
⁽²⁾ OJ C 69, 12.3.1999, p. 2.

⁽³⁾ OJ L 181, 28.6.1989, p. 47.

ANNEX I

Labour force survey: definition of unemployment

1. In accordance with the ILO standards adopted by the 13th and 14th International Conference of Labour Statisticians (ICLS), for the purposes of the Community labour force sample survey, unemployed persons comprise persons aged 15 to 74 who were:
 - (a) without work during the reference week, i.e. neither had a job nor were at work (for one hour or more) in paid employment or self-employment;
 - (b) currently available for work, i.e. were available for paid employment or self-employment before the end of the two weeks following the reference week;
 - (c) actively seeking work, i.e. had taken specific steps in the four week period ending with the reference week to seek paid employment or self-employment or who found a job to start later, i.e. within a period of at most three months.

For the purposes of point 1(c), the following are considered as specific steps:

- having been in contact with a public employment office **to find work**, whoever took the initiative (renewing registration for administrative reasons only is not an active step),
 - having been in contact with a private agency (temporary work agency, firm specialising in recruitment, etc.) to find work,
 - applying to employers directly,
 - asking among friends, relatives, unions, etc., to find work,
 - placing or answering job advertisements,
 - studying job advertisements,
 - taking a recruitment test or examination or being interviewed,
 - looking for land, premises or equipment,
 - applying for permits, licences or financial resources.
2. Education and training are considered as ways of improving employability but not as methods of seeking work. Persons without work and in education or training will only be classified as unemployed if they are 'currently available for work' and 'seeking work', as defined in points 1(b) and (c).
 3. Lay-offs are classified as unemployed if they do not receive any significant wage or salary (significant is set at $\geq 50\%$) from their employer and if they are 'currently available for work' and 'seeking work'. Lay-offs are treated as a case of unpaid leave initiated by the employer — including leave paid out of government budget or by funds (16th ICLS). In this case, lay-offs are classified as employed if they have an agreed date of return to work and if this date falls within a period of three months.
 4. During the off-season, seasonal workers cannot be considered as having a formal attachment to their high-season job — because they do not continue to receive a wage or salary from their employer although they may have an assurance of return to work. If they are not at work during the off-season, they are classified as unemployed only if they are 'currently available for work' and 'seeking work', as defined in points 1(b) and (c).

ANNEX II

Labour force survey: principles for the formulation of the questions on the labour status

1. The questions on the labour status according to the ILO definition (employed, unemployed or inactive) are in general the first questions in the individual questionnaire, immediately following the questions on the demographic characteristics of the household members. In particular, they are not preceded by questions on the main or the usual activity (student, housekeeping, retired, etc.) or on the administrative status of a registration at the public employment office to claim unemployment benefits, where this would prejudice the response to the questions on the ILO labour status.

In the case of dependent interviewing in later waves and when the labour status as an employed or inactive person is apparently permanent or stable, their labour status can be shortly verified with reference to their status in the previous wave.

2. The sequence of the questions on employment consists of at least two separate questions: one question on currently working and another question on having a job when being temporarily absent from work (persons on leave). The question on being at work must precede the question on having a job so that the contrast between both questions contributes to a complete identification of the temporarily absent.

The identification of lay-offs (unpaid leave initiated by the employer) and their classification as employed (or unemployed) persons depends on two conditions of a formal job attachment: an assurance of return to work after the end of the contingency and the short duration (≤ 3 months) of the suspension of the labour contract. Both conditions are determined by a question following the question about the reason for their temporary absence or the season why they did not look for a job in the previous four weeks or by response categories in these questions.

3. The questions on employment and job search must contain a cue for the identification of persons with a minor job of just a few or even one hour.
4. The questions on employment must contain a cue for the identification of unpaid family workers. Alternatively, they are identified by a separate question about being at work.
5. The questions on employment must clearly indicate that only work for pay or profit is considered as an economic activity within the ILO framework.
6. The reference period of employment must be clearly specified. The question on employment refers as a rule to the last week, defined as 'from Monday to Sunday', giving the exact date. The reference periods of job search and availability must be clearly specified. The two questions on job search and job search methods refer to the past four weeks including the reference week and the question on availability to the period until the end of the two weeks following the reference week.
7. All persons who were asked the questions on employment and were identified as having no job are asked the question on job search. No other filter question precedes this question. In the case of dependent interviewing in later waves and when the labour status as an employed or inactive person is apparently permanent or stable, their labour status can be shortly verified with reference to their status in the previous wave.
8. The question on job search must refer to any effort, even irregular, by the respondent to find a job or to establish her/his own business. The wording of the question must avoid that only a continuous search throughout the entire reference period is considered as a sufficient condition of job search.
9. The question on job search methods must contain active and passive search methods. The following are considered as active search methods:
 - having been in contact with the public employment office to find work,
 - having been in contact with a private agency to find work,
 - applying to employers directly,
 - asking among friends, relatives, trade unions, etc., to find work,
 - placing or answering job advertisements,
 - studying job advertisements,
 - taking a recruitment test or examination or being interviewed,
 - looking for land, premises or equipment,
 - applying for permits, licenses of financial resources.

-
10. The 'contact with the public employment office to find work' is a two-way contact. It can be initiated by the registered unemployed person or by the employment office. This contact must be included as the first (response category in the) question on job search methods. It is distinct from the administrative renewal of a registration to claim unemployment benefits (when this was not preceded by a spell of employment or inactivity). It is also distinct from the assistance provided by the employment office to improve the employability of the registered unemployed person. The 'contact with the public employment office to find work' as an active step only involves:
- putting the respondent's name in the employment office file for the first time (after a spell of employment or inactivity),
 - finding out about possible job vacancies, or
 - 'at the initiative of the employment office a suggestion of a job opportunity', which may be accepted or refused by the job searcher.
11. Job search methods are enumerated until at least three active methods have been mentioned.
12. Persons who are currently not employed and who are not looking for a job because they have already found a job which will start later, i.e. within a period of at most three months must be identified as a separate category.
-

COMMISSION REGULATION (EC) No 1898/2000
of 7 September 2000
amending Regulation (EC) No 2630/97 as regards the model for reporting the annual controls
foreseen by Article 5(1) of that Regulation

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(d) thereof,

Whereas:

- (1) Commission Regulation (EC) No 2630/97 ⁽²⁾, as amended by Regulation (EC) No 132/1999 ⁽³⁾, lays down detailed rules for the implementation of Regulation (EC) No 820/97 as regards the minimum level of controls to be carried out in the framework of the system for the identification and registration of bovine animals.
- (2) With a view to securing efficient cooperation between Member States and the Commission regarding the presentation to the Commission of the results of the controls in the bovine sector in the framework of the annual reports foreseen in Article 5(1) of Regulation

(EC) No 2630/97, it is important to provide for the model for the transmission of these reports.

- (3) Regulation (EC) No 2630/97 should be amended accordingly.
- (4) The measures provided for in this Regulation are in accordance with the opinion of the European Agricultural Guidance and Guarantee Fund Committee,

HAS ADOPTED THIS REGULATION:

Article 1

Article 5(2) of Regulation (EC) No 2630/97 is hereby replaced by the following:

‘2. The information referred to in paragraph 1 shall be transmitted to the Commission following the model structure presented in the Annex to this Regulation.’

Article 2

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

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

Done at Brussels, 7 September 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. 23.

⁽³⁾ OJ L 17, 22.1.1999, p. 20.

ANNEX

REPORT ON THE RESULTS OF CONTROLS MADE IN THE BOVINE SECTOR REGARDING COMMUNITY PROVISIONS FOR IDENTIFICATION AND REGISTRATION

1. Information linked to results according to Article 5(1)(a), (b) and (c):
 - (a) total number of holdings registered in Member State's territory as registered at the beginning of the reporting/inspection period;
 - (b) total number of holdings inspected;
 - (c) total number of inspections made;
 - (d) criteria of risk analysis as provided for by Article 2(4) for the selection of the holdings inspected, with reference to the authority that undertook these inspections; and, if possible, a breakdown of that selection according to the risk analysis criteria;
 - (e) total number of bovine livestock as registered at the beginning of the reporting/inspection period;
 - (f) total number of bovines which have been inspected;
 - (g) type of checks made, i.e. physical check, documentary check, check on delays of notification of movements.
2. Information linked to results according to Article 5(1)(d) and (e):
 - (a) number of breaches found and, in particular, the types of discrepancies observed per type of checks made in accordance with point 1(g);
 - (b) sanctions (including types of and information regarding the status of their follow-up) imposed according to Commission Regulation (EC) No 494/98 (*) presented according to the type of checks made and breaches found in accordance with points 1(g) and 2(a).

(*) OJ L 60, 28.2.1998, p. 78.

COMMISSION REGULATION (EC) No 1899/2000
of 7 September 2000
amending Regulation (EC) No 1472/2000 imposing a provisional anti-dumping duty on imports of polyester staple fibres originating in India and the Republic of Korea

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

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⁾, as last amended by Regulation (EC) No 905/98 ⁽²⁾, and in particular Article 7 thereof,

After consulting the Advisory Committee,

Whereas:

- (1) By Commission Regulation (EC) No 1472/2000 ⁽³⁾, the Commission imposed a provisional anti-dumping duty on imports of polyester staple fibres originating in India and the Republic of Korea ('Korea').
- (2) In respect of one cooperating exporting producer in Korea, together with a related trading company in Korea, the dumping margin, upon which the measure was based, was inaccurately recorded due to a computer spreadsheet formula error.
- (3) In particular, the dumping margin of 9,7 % for SK Chemicals Co. Ltd, Seoul, and SK Global Co. Ltd, Seoul, stated in recital 59 should read 5,3 %.

- (4) Furthermore, in the operative part of the Regulation the anti-dumping duty to be imposed for these two companies was incorrectly stated,

HAS ADOPTED THIS REGULATION:

Article 1

In the table in Article 1(2) of Regulation (EC) No 1472/2000, the rate of duty of '9,7 %' for SK Chemicals Co. Ltd, 948/1, Daechi 3-dong, Kangnam-ku, Seoul 135-283, Korea, and for SK Global Co. Ltd, 36-1, 2Ga, Ulchiro, Chung-Gu, Seoul, Korea, is replaced by '5,3 %'.

Article 2

The amendment referred to in Article 1 shall have effect from the entry into force of Regulation (EC) No 1472/2000.

Article 3

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

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

Done at Brussels, 7 September 2000.

For the Commission

Pascal LAMY

Member of the Commission

⁽¹⁾ OJ L 56, 6.3.1996, p. 1.

⁽²⁾ OJ L 128, 30.4.1998, p. 18.

⁽³⁾ OJ L 166, 6.7.2000, p. 1.

COMMISSION REGULATION (EC) No 1900/2000

of 7 September 2000

amending Regulation (EC) No 2342/1999 laying down detailed rules for the application of premium schemes in the beef and veal sector

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EC) No 1254/1999 of 17 May 1999 on the common organisation of the market in beef and veal ⁽¹⁾, and in particular Article 11(5), Article 13(5), Article 20 and the second indent of Article 50 thereof,

Whereas:

(1) For the purpose of the extensification payment provided for in Article 32 of Commission Regulation (EC) No 2342/1999 of 28 October 1999 laying down detailed rules for the application of Council Regulation (EC) No 1254/1999 on the common organisation of the market in beef and veal as regards premium schemes ⁽²⁾, as amended by Regulation (EC) No 1042/2000 ⁽³⁾, a holding's stocking density is to be determined on the basis of the number of male bovines, cows and heifers present on the holding during the calendar year concerned. In the event of an epizootic, no animal may leave a production unit if the competent veterinary authorities decide to prohibit any movement from the production unit, except for the purpose of slaughter. Such animals are taken into account for the purpose of determining the holding's stocking density and the producer could therefore be excluded from eligibility for the extensification payment. So as not to penalise a diligent producer for circumstances beyond his control, a flat-rate correcting coefficient should be applied, from the time of the introduction of the new premium schemes, to the number of livestock units recorded on the holding during the period in question, increased by a certain number of days to permit disposal of the animals, with a view to determining the stocking density, on condition that the producer fulfils certain obligations and without otherwise affecting the principle of extensification.

(2) Article 4 of Council Regulation (EEC) No 3950/92 of 28 December 1992 establishing an additional levy in the milk and milk products sector ⁽⁴⁾, as amended by Commission Regulation (EC) No 749/2000 ⁽⁵⁾, and Article 16(3) of Council Regulation (EC) No 1255/1999 of 17 May 1999 on the common organisation of the market in milk and milk products ⁽⁶⁾, as amended by Regulation (EEC) No 1670/2000 ⁽⁷⁾, mention the word 'available' when referring to the individual reference quantity of milk. In contrast, Article 32(8)(a) of Regulation (EC) No 2342/1999 uses the word 'allocated' in

referring to the same criterion. For the purposes of legal clarity the same word should always be used when referring to the same criterion. That matter of wording should therefore be settled, to apply from the time of the introduction of the new premium schemes.

(3) Under the slaughter premium, the maximum time limit of six months for submission of the 'livestock' aid application provided for in Article 35(1) of Regulation (EC) No 2342/1999 has proved inadequate because of problems in managing the measure in its first year of application linked to the operation of the computerised database. Consequently, for animals slaughtered or exported during the first few months of 2000, Member States should be granted the possibility of extending that time limit, from the time of the introduction of the new premium schemes, and to set a final date for that extension.

(4) For the special, suckler cow and slaughter premiums, Article 41 of Regulation (EC) No 2342/1999 provides for the possibility of paying producers an advance of a certain percentage of the aid amount. That possibility is not available for the additional payments referred to in Article 14 of Regulation (EC) No 1254/1999. To facilitate correct administration of the payment of those amounts Member States should be allowed to pay a maximum advance on the additional payments.

(5) Article 43 of Regulation (EC) No 2342/1999 lays down the rule applicable to conversion into national currency of the amounts of premiums and of the extensification payment. For reasons of clarity and consistency in the booking of the additional payments to the budget, that rule should also be applied to them.

(6) The number of dairy cows eligible for the extensification payment in favour of producers whose holdings are located in mountain areas as provided for in Article 13(4) of Regulation (EC) No 1254/1999 is fixed by Article 32(8) of Regulation (EC) No 2342/1999. Pursuant to that Article, that number is equivalent to the number of dairy cows needed to produce the individual milk reference quantity allocated to the producer on 31 March preceding the beginning of the 12-month period of application of the additional levy scheme beginning in the calendar year concerned. Producers located in mountain areas who have both dairy cows eligible for the extensification payment and animals eligible for other direct payments may be forced to refer to two different dates for determination of their individual milk reference quantities. In that case, special measures should be laid

⁽¹⁾ OJ L 160, 26.6.1999, p. 21.

⁽²⁾ OJ L 281, 4.11.1999, p. 30.

⁽³⁾ OJ L 118, 19.5.2000, p. 4.

⁽⁴⁾ OJ L 405, 31.12.1992, p. 1.

⁽⁵⁾ OJ L 90, 12.4.2000, p. 4.

⁽⁶⁾ OJ L 160, 26.6.1999, p. 48.

⁽⁷⁾ OJ L 193, 29.7.2000, p. 10.

down, in accordance with Article 50 of Regulation (EC) No 1254/1999, to simplify the administration of that scheme and its application by such producers. The Member States concerned should be given the possibility, as already provided for under Article 44a of Regulation (EC) No 2342/1999 under other circumstances, to make 1 April the reference date for the number of dairy cows needed to produce the individual milk reference quantity allocated to the producer. That measure applies from 2001 until the end of 2004, the actual date of application of direct payments in the milk and milk products sector.

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

HAS ADOPTED THIS REGULATION:

Article 1

Regulation (EC) No 2342/1999 is hereby amended as follows:

1. In Article 32:

1. In paragraph 8(a), the word 'allocated' is replaced by 'available'.

2. The following paragraph is added:

'11. In the event that the competent veterinary authorities decide that no animal may leave the production unit except for the purpose of slaughter, the number of livestock units recorded on the holding shall be multiplied by the coefficient 0,8 for the purpose of applying this Article.

This measure shall be restricted to the period, plus 20 days, within which the abovementioned decision applies, provided that the producer has informed the competent authority, by writing within 10 working days of the decision, of the presence of the animals concerned and has taken all the measures necessary to prevent and/or limit the occurrence of the epizootic.'

2. The following is added to the end of the second subparagraph of Article 35(1):

'For 2000, Member States may decide in respect of animals slaughtered or exported during the first quarter that the time limit set for the submission of aid applications is to be extended until 30 September 2000 at the latest.'

3. In Article 41:

1. In paragraph 1, the following third subparagraph is added:

'In addition, on the basis of administrative and on-the-spot checks, Member States may decide to pay producers an advance of a maximum 60 % on the amount of the additional payments referred to in Article 14 Regulation (EC) No 1254/1999.'

2. In paragraph 1, the last subparagraph is replaced by the following:

'The advance may not be paid before 16 October of the calendar year in respect of which the premium is applied for or the additional payment is granted.'

3. Paragraph 2 is replaced by the following:

'2. The definitive payment of the premium or the additional payment shall be an amount equal to the difference between the advance payment and the amount of the premium or the additional payment to which the producer is entitled.'

4. Article 43 is replaced by the following:

'Article 43

Conversion into national currency

Conversion into national currency of premium amounts, the extensification payment and the additional payments shall be carried out in accordance with the average, calculated *pro rata temporis*, of the exchange rates applicable in the month of December preceding the allocation year determined in accordance with Article 42.'

5. In Article 44a:

1. The phrase 'and 31(2)(a)', is replaced by the following:

'31(2)(a) and 32(8)(a)'

2. The following third indent is added:

'— the number of dairy cows with a view to the granting of the extensification payment for dairy cows kept on holdings located in mountain areas.'

Article 2

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

It shall apply from the date of entry into force. However:

- Article 1(1) and (2) shall apply from 1 January 2000. However, with regard to the information obligation referred to in point 2 of Article 1(1), where cases occurred before the entry into force of this Regulation the 10 day time limit shall start with that entry into force,
- Article 1(5) shall apply from 1 January 2001.

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

Done at Brussels, 7 September 2000.

For the Commission
Franz FISCHLER
Member of the Commission

COMMISSION REGULATION (EC) No 1901/2000**of 7 September 2000****laying down certain provisions for the implementation of Council Regulation (EEC) No 3330/91 on the statistics relating to the trading of goods between Member States**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EEC) No 3330/91 of 7 November 1991 on the statistics relating to the trading of goods between Member States ⁽¹⁾, as last amended by European Parliament and Council Regulation (EC) No 1624/2000 ⁽²⁾, and in particular Article 30 thereof,

Whereas:

- (1) Commission Regulation (EEC) No 3046/92 ⁽³⁾ laying down provisions implementing and amending Regulation (EEC) No 3330/91, as last amended by Regulation (EC) No 2535/98 ⁽⁴⁾, has been substantially amended on several occasions.
- (2) Commission Regulations (EEC) No 2256/92 ⁽⁵⁾, (EC) No 1125/94 ⁽⁶⁾ and (EC) No 2820/94 ⁽⁷⁾ lay down additional provisions for the implementation of Regulation (EEC) No 3330/91, concerning in particular statistical thresholds, deadlines for forwarding results, and threshold values for individual transactions in the context of statistics relating to trade between Member States.
- (3) When further amendments are made to Regulation (EEC) No 3046/92, the relevant regulations should be drawn up in such a way which lightens the burden on enterprises and administrations affected by these regulations.
- (4) With a view to establishing the statistics relating to the trading of goods between Member States, the field of application of the Intrastat system should be precisely defined in relation to both the goods to be included and those to be excluded.
- (5) The date from which the intra-Community operator is in practice to comply with his obligations to supply information must be determined and the extent of the obligations of the third party to whom the party responsible for providing the information may transfer that task should be defined.
- (6) Certain rules to be complied with by the departments concerned must be specified in detail in particular to allow efficient management of the registers of intra-Community operators.
- (7) A key element of the Intrastat system consists in the use of value added tax information on intra-Community transactions. In order to ensure that the exhaustiveness

of the statistics can be checked, it is appropriate to specify in a restrictive manner the information which may be passed between the administrative authorities in the Member States responsible for the application of laws on value added tax and those responsible for the establishment of statistics relating to the trading of goods between Member States.

- (8) The burden on intra-Community operators must be lightened as much as possible, either by exempting them from statistical obligations or by simplifying procedures. This lightening of the burden must be limited only by the demands of statistics of a satisfactory quality, which must consequently be defined. All the Member States must have the instruments needed to ensure quality, while taking into account their own economic and commercial structure.
- (9) There is a need to specify the way in which the thresholds applying to certain data will be calculated. For the statistical procedure, this information needs to be distinguished from the procedure used for the statistical and tax declarations.
- (10) Despite the existence of statistical thresholds, there remain parties responsible for providing information effecting a large number of low-value transactions who are obliged to communicate these in the greatest detail, an obligation which represents a burden out of all proportion to the usefulness of the information thus obtained. It is necessary to reduce the burden.
- (11) A list should be drawn up of the goods to be excluded from the statistical returns relating to the trading of goods.
- (12) The data to be reported and the arrangements for reporting such data should be defined in more detail.
- (13) Of the units of quantity, net mass, in kilograms, is the main indicator and should in principle be mentioned for every type of goods. However, for certain products, it is not the most appropriate unit of measurement. The party responsible for providing information should therefore be exempted from indicating net mass in such cases.
- (14) Specific movements of goods may account for a substantial share of the statistics on the trading of goods between Member States. The absence of harmonised provisions at Community level is prejudicial to the comparability of statistics between Member States. Wherever possible, harmonisation of statistical legislation in the field of specific movements should be improved by complying with the relevant international recommendations.

⁽¹⁾ OJ L 316, 16.11.1991, p. 1.

⁽²⁾ OJ L 187, 26.7.2000, p. 1.

⁽³⁾ OJ L 307, 23.10.1992, p. 27.

⁽⁴⁾ OJ L 318, 27.11.1998, p. 22.

⁽⁵⁾ OJ L 219, 4.8.1992, p. 40.

⁽⁶⁾ OJ L 124, 18.5.1994, p. 1.

⁽⁷⁾ OJ L 299, 22.11.1994, p. 1.

- (15) In order to ensure that Community statistics on trade between the Member States are compiled regularly and within a reasonable time, the Member States must forward their results according to a common timetable. A distinction must be made between overall results and detailed results in order to ensure optimum satisfaction of user needs and take account of data collection and processing requirements.
- (16) The measures provided for in this Regulation are in accordance with the opinion of the Committee on the statistics relating to the trading of goods between Member States,

2. The Member States shall be responsible for collecting data on the goods referred to in paragraph 1 on the basis of the customs procedures applicable to such goods.

3. If the statistical copy of the Single Administrative Document containing the data listed in Article 23(1) and (2) of the Basic Regulation is not available, the customs departments shall send the relevant statistical departments a periodic list of those same data by type of goods at least once a month, in accordance with the arrangements agreed upon by the said departments.

CHAPTER 2

HAS ADOPTED THIS REGULATION:

INFORMATION PROVIDERS AND REGISTERS

TITLE I

GENERAL PROVISIONS

CHAPTER 1

GENERAL CONSIDERATIONS

Article 1

With a view to establishing the statistics relating to the trading of goods between Member States, the Community and its Member States shall apply Regulation (EEC) No 3330/91, hereinafter referred to as 'the Basic Regulation', in accordance with the rules laid down in this Regulation.

Article 2

The Intrastat system shall apply also to the products referred to in Article 3(1) of Council Directive 92/12/EEC ⁽¹⁾ regardless of the form and content of the document accompanying them, when they move between the territories of the Member States.

Article 3

1. The Intrastat system shall not apply:
- (a) to goods placed or obtained under the inward processing customs procedure (suspension system) or the procedure of processing under customs control;
- (b) to goods circulating between parts of the statistical territory of the Community, at least one of which is not part of the territory of the Community pursuant to Council Directive 77/388/EEC ⁽²⁾.

However, without prejudice to customs regulations, provisions of this Regulation shall apply to these goods except Articles 2, 4, 5, 8 to 20, 24(1), (2) (except indent 3), (3) and (4), and 28, 29, 30 and 47.

⁽¹⁾ OJ L 76, 23.3.1992, p. 1.

⁽²⁾ OJ L 145, 13.6.1977, p. 1.

Article 4

1. Any natural or legal person carrying out an intra-Community operation for the first time, whether the goods are arriving or being dispatched, shall become responsible for providing the required information within the meaning of Article 20(5) of the Basic Regulation.

2. The party referred to in paragraph 1 shall provide the data on his intra-Community operations via the periodic declarations referred to in Article 13 of the Basic Regulation as from the month during which the assimilation threshold is exceeded, in accordance with the provisions relating to the threshold which become applicable to him.

3. When the VAT registration number of a party responsible for providing the information is amended as a result of a change of ownership, name, address, legal status or similar change which does not affect his intra-Community operations to a significant extent, the rule defined in paragraph 1 need not be applied to the party in question at the time of the change. It shall remain subject to the statistical obligations to which it was subject before the change.

Article 5

1. The third party referred to in Article 9(1) of the Basic Regulation is hereinafter referred to as 'the declaring third party'.

2. The declaring third party shall provide the competent national departments with the following information:

- (a) in accordance with Article 6(1), the information necessary:
- to identify himself,
 - to identify each of the parties responsible for providing the information who have transferred this task to him;
- (b) for each of the parties responsible for providing information, the data required by the Basic Regulation and in implementation thereof.

Article 6

1. The information necessary to identify an intra-Community operator within the meaning of Article 10 of the Basic Regulation shall be the following:

- full name of the person or firm,
- full address including post code,
- under the circumstances laid down in Article 10(6) of the Basic Regulation, the VAT registration number.

However, the statistical departments referred to in Article 10(1) of the Basic Regulation may dispense with one or more of the abovementioned items of information or, under circumstances to be determined by them, exempt the intra-Community operators from providing them.

In the Member States referred to in Article 10(3) of the Basic Regulation, the information which serves to identify an intra-Community operator shall be supplied to the abovementioned statistical departments by the tax authorities referred to in the said Article as and when it becomes available to the latter, unless there is an agreement to the contrary between the departments concerned.

2. The minimum list of data to be recorded in the register of intra-Community operators, within the meaning of Article 10 of the Basic Regulation, shall contain, for each intra-Community operator, the following:

- (a) the year and month of entry in the register;
- (b) the information necessary to identify the operator as laid down in paragraph 1;
- (c) where applicable, whether the operator is a party responsible for providing information or a declaring third party, upon either consignment or receipt;
- (d) in the case of a party responsible for providing information, the total value of his intra-Community operations, by month and by flow, together with the value referred to in Article 11(3) of the Basic Regulation. However, this information need not be recorded if the checking of the information recorded as statistics using the information referred to in Article 11(3) of the Basic Regulation and the functioning of the statistical thresholds referred to in Article 28 of the said Regulation are organised separately from the management of the register of intra-Community operators.

The competent national departments may record other data in the register in accordance with their requirements.

Article 7

With a view to implementing Article 10(6) of the Basic Regulation, the case where responsibility for the information, for given operations, lies not with the operator as a legal entity *per se* but with a constituent part of this entity, such as a branch office, a kind of activity unit or local unit, may be considered a justified exception.

Article 8

1. In the lists referred to in Article 11(1) of the Basic Regulation, the tax authorities responsible shall mention intra-Community operators who, as a result of a scission, merger or cessation of activity during the period under review, will no longer appear on the said lists.

2. The provision of information of a fiscal nature referred to in Article 11(4) of the Basic Regulation by a Member State's administrative authorities responsible for the application of laws on value added tax to the departments in that Member State responsible for compiling statistics relating to the trading of goods between Member States is limited to information which those liable to account for VAT are required to provide in accordance with Article 22 of Directive 77/388/EEC.

Article 9

1. The party responsible for providing information shall transmit the data required under the Basic Regulation and in implementation thereof:

- (a) in accordance with the Community provision in force;
- (b) direct to the competent national departments or via the collection offices which the Member States have set up for this or for other statistical or administrative purposes;
- (c) for a given reference period, at his discretion:
 - either by means of a single declaration, within a time limit which the competent national departments shall lay down in their instructions to the parties responsible for providing information,
 - or by means of several part-declarations. In this case, the competent national departments may require agreement to be reached with them on the frequency of transmission and deadlines, but the last part-declaration must be transmitted within the time limit laid down under the first indent above.

2. By way of derogation from paragraph 1, a party responsible for providing information who benefits from exemption by virtue of application of the assimilation threshold provided for in Article 28(4) of the Basic Regulation must, when transmitting the information, conform only to the regulations of the tax authorities responsible.

3. Pursuant to Article 34 of the Basic Regulation, the provisions of this Article relating to the periodicity of the declaration shall not prevent the conclusion of an agreement providing for the supply of data in real time, when the data are transmitted electronically.

4. By way of derogation to paragraph 1 above, in those Member States where the periodic statistical declaration is the same as the periodic tax declaration, the provisions relating to the transmission of the statistical declaration shall be drawn up in line with Community or national tax regulations.

CHAPTER 3

STATISTICAL THRESHOLDS AND EXEMPTIONS

Section 1

Overall functioning of thresholds

Article 10

The Member States shall set annually the assimilation and simplification thresholds referred to in Article 28 of the Basic Regulation. They shall ensure when setting these thresholds that, first, they meet the quality requirements laid down in this chapter and, secondly, they exploit to the full the ensuing opportunities to relieve the burden on intra-Community operators.

Article 11

For the purposes of this section:

- (a) 'error' means the discrepancy between the results obtained with and without application of the thresholds referred to in Article 10. When a correction procedure is applied to the results obtained following application of the thresholds, the error is calculated in relation to the corrected results;
- (b) 'total value' means, for the purposes of threshold adjustment, the value of either of the outgoing goods or of the incoming goods accounted for by intra-Community operators over a 12-month period, other than those who are exempt under Article 5 of the Basic Regulation;
- (c) 'coverage' means, in relation to a given total value, the proportionate value of the outgoing goods or of the incoming goods accounted for by the intra-Community operators who lie above the assimilation threshold.

Article 12

1. The assimilation thresholds set by the Member States shall meet the following quality requirements:

(a) Results by goods category

Each Member State shall ensure that the error in annual values does not exceed 5 % for 90 % of the eight-digit sub-headings of the Combined Nomenclature which represent 0,005 % or more of the total value of its outgoing or incoming goods.

However, each Member State may raise this quality requirement up to the point that the error in annual values does not exceed 5 % for 90 % of the eight-digit sub-headings of the Combined Nomenclature which represent 0,001 % or more of the total value of its outgoing or incoming goods.

(b) Results by partner country

Each Member State shall ensure that the error in the annual values of its results by partner country, excluding countries

which represent less than 3 % of the total value of its outgoing or incoming goods, does not exceed 1 %.

2. When a Member State's share of the total value of outgoing or incoming goods in the Community is less than 3 %, that Member State may depart from the quality requirements laid down in the first subparagraph of paragraph 1(a). In such cases, the 90 % and 0,005 % shares shall be replaced by 70 % and 0,01 % respectively.

3. To meet the quality requirements set out in paragraphs 1 and 2, the Member States shall base the calculation of their thresholds on the results of trade with the other Member States for 12-month periods prior to the introduction of the thresholds.

For Member States unable to make this calculation because figures are incomplete, the assimilation thresholds shall be fixed at a level not lower than the lowest, nor higher than the highest, thresholds set by the other Member States. However, this provision shall not be binding for Member States which are exempt under paragraph 2.

4. If, for certain groups of goods, the application of the thresholds calculated in accordance with the provisions of this Article yields results which, *mutatis mutandis*, fail to meet the quality requirements set out in paragraphs 1 and 2, and if the thresholds cannot be lowered without reducing the relief which Article 10 guarantees to intra-Community operators, appropriate measures may be taken, at the initiative of the Commission or the request of a Member State, in accordance with the procedure laid down in Article 30 of the Basic Regulation.

Article 13

1. For the introduction of the simplification thresholds, the Member States may set these:

- at levels above EUR 100 000 pursuant to the first subparagraph of Article 28(9) of the Basic Regulation, provided that they ensure that at least 95 % of the total value of their outgoing or incoming goods is covered by periodic declarations containing all the information required under Article 23 of the Basic Regulation,
- where they are exempt under Article 12(2), at levels below EUR 100 000 pursuant to the second subparagraph of Article 28(9) of the Basic Regulation, to the extent necessary to ensure that at least 95 % of the total value of their outgoing or incoming goods is covered by periodic declarations containing all the information required under Article 23 of the Basic Regulation.

2. The party responsible for providing information according to the simplified rules of Article 28(5) of the Basic Regulation, shall report in the declaration a maximum of ten of the finest relevant subheadings of the Combined Nomenclature that are the most important in terms of value for the period covered by the declaration. For the residual products, the code 9950 00 00 shall be used.

Article 14

1. For the adjustment of the assimilation thresholds, the quality requirements specified in Article 12 shall be regarded as met if the coverage is maintained at the level obtained when the thresholds were introduced.

2. The condition laid down in paragraph 1 shall be met if Member States:

- (a) calculate their thresholds for the year following the current year on the basis of the latest available results for their trade with the other Member States over a 12-month period, and
- (b) set their thresholds at a level which allows the same coverage for the period thus defined as for the period used as a basis for calculating their thresholds for the current year.

Member States shall notify the Commission if they use a different method, to meet this condition.

3. Member States may lower their coverage provided that the quality requirements laid down in Article 12 continue to be met.

4. Member States shall calculate adjustments to their assimilation thresholds each year. The thresholds shall be adjusted if the adjustment involves a change of at least 10 % in the threshold values for the current year.

Article 15

1. For the adjustment of the simplification thresholds, the Member States who set these:

- at levels higher than the values laid down in by Article 28(8) of the Basic Regulation, shall ensure that the condition laid down in the first indent of Article 13(1) of this Regulation is met,
- at levels below these values, since they are exempt pursuant to Article 12(2) above, shall ensure that they comply with the limit laid down in the second indent of Article 13 of this Regulation.

2. To ensure that the condition referred to in the first indent of Article 13(1) is met or that the limit referred to in the second indent of Article 13(1) is complied with, it shall be sufficient for Member States to calculate the adjustment of the simplification thresholds using the method laid down in Article 14(2) for adjusting the assimilation thresholds. Member States shall notify the Commission if they use a different method.

Article 16

The information relating to the adjustment of assimilation and simplification thresholds shall be published not later than 31 October of the preceding year.

Article 17

1. Parties responsible for providing information shall be freed from their obligations to the extent allowed by application of the assimilation and simplification thresholds set for a

given year, provided they have not exceeded these thresholds during the previous year.

2. For each statistical threshold, the provisions adopted shall apply for the whole year.

However, if the value of the intra-Community transactions carried out by a party responsible for providing information at some time during the year exceeds the threshold applicable to him, he shall provide information on his intra-Community transactions from the month in which this threshold was exceeded in accordance with the provisions applying to the threshold which becomes applicable. If this provision involves the transmission of the periodic declarations referred to in Article 13 of the Basic Regulation, the Member States shall lay down the time limit for transmitting these declarations in accordance with their particular administrative arrangements.

Article 18

The Member States shall communicate to the Commission the information regarding the thresholds they have calculated at least two weeks before publication. At the Commission's request, they shall also communicate the information required for assessing these thresholds, both for the period on which their calculation is based and for a given calendar year.

Section 2

Specific thresholds and exemptions*Article 19*

For the implementation of Article 24(3) of this Regulation and Article 23(3) of the Basic Regulation, Member States shall set separate thresholds for arrivals and dispatches at such values that at least 95 % of information providers are exempted from the requirement to provide the 'statistical value', 'delivery terms', 'mode of transport' and 'statistical procedure' data.

As far as the 'statistical value' is concerned, the Member States shall ensure that at least 70 % of the total value of their dispatches or arrivals is covered. The limit of 95 % of information providers may be lowered to 90 % if the coverage rate of 70 % of the total value of their dispatches or arrivals is not reached.

The Member States shall calculate these limits from the last available results for their trade with the other Member States over a 12-month period.

The information relating to the introduction of these thresholds shall be published not later than 31 October 2000.

Member States may adjust their thresholds every calendar year provided that the quality requirement laid down in this Article continue to be met. The Member States concerned shall publish the information relating to the adjustment of the thresholds not later than 31 October of the preceding year.

Article 20

1. A threshold value for individual transactions may be applied under conditions defined in paragraphs 2 and 3. Without prejudice to paragraph 2, this threshold shall give the parties responsible for providing information the option of entering all transactions whose value is below this threshold under a global heading of the Combined Nomenclature, in which case the application of Article 23 of the Basic Regulation shall be limited to the provision of the following data:

- in the case of arrivals, the Member State of dispatch,
- in the case of dispatches, the Member State of consignment,
- the value of the goods.

The global heading referred to in paragraph 1 shall be identified by CN code 9950 00 00.

For the purposes of this Article, 'transaction' means any operation described under Article 25(1)(a) of this Regulation.

The threshold for each transaction shall be EUR 100.

2. In the context of this Article, Member States may refuse or limit application of the option provided for in paragraph 1 if they consider that the aim of maintaining a satisfactory quality of statistical information overrides the desirability of reducing the reporting burden.

3. Member States may require parties responsible for providing information to ask the national department responsible for compiling statistics on the trading of goods between Member States, in advance, to be allowed to make use of the option referred to in paragraph 1.

4. When requested to do so by the Commission, Member States shall transmit such information as is necessary for monitoring the application of this Regulation.

Article 21

Data relating to the goods listed in Annex I shall be excluded from compilation and, consequently, pursuant to Article 25(4) of the Basic Regulation, from collection.

CHAPTER 4

STATISTICAL DATA

Article 22

In the medium for the information, the Member States whose statistical territory is described in the nomenclature of countries adopted each year pursuant to Article 9(1) of Council

Regulation (EC) No 1172/95⁽¹⁾ shall be designated by the following codes:

Belgium	BE or 017
Denmark	DK or 008
Germany	DE or 004
Greece	GR or 009
Spain	ES or 011
France	FR or 001
Ireland	IE or 007
Italy	IT or 005
Luxembourg	LU or 018
Netherlands	NL or 003
Austria	AT or 038
Portugal	PT or 010
Finland	FI or 032
Sweden	SE or 030
United Kingdom	GB or 006

Article 23

When the quantity of goods to be mentioned on the data medium is determined:

- (a) 'net mass' means the actual mass of the good excluding all packaging. It shall be given in kilograms. However, the specification of net mass for the subheadings of the combined nomenclature set out in Annex II shall be optional for the parties responsible for providing information. In order to inform the party responsible for providing the information about possible updates of the annex, resulting from the annual changes in the Combined Nomenclature, an explanatory note will be published in the *Official Journal of the European Communities* (C series);
- (b) 'supplementary units' means the units measuring quantity, other than the units measuring mass expressed in kilograms. They must be mentioned in accordance with the information set out in the current version of the Combined Nomenclature, opposite the subheadings concerned, the list of which is published in Part I 'Preliminary provisions' of the said nomenclature.

Article 24

1. The value of the goods referred to in Article 23(1)(d) of the Basic Regulation shall be reported in the statistical information medium on the conditions defined in paragraphs 2 and 3.

2. The value of the goods to be reported in the 'invoiced amount' field in the statistical information medium shall be the taxable amount to be determined for taxation purposes in accordance with Directive 77/388/EEC. For products subject to excise duties, however, the amount of these duties should be excluded from the value of the goods.

⁽¹⁾ OJ L 118, 25.5.1995, p. 12.

Whenever the taxable amount does not have to be declared for taxation purposes, the value of the goods to be reported shall correspond to the invoice value, excluding VAT, or, failing this, to an amount which would have been invoiced in the event of any sale or purchase.

In the case of work under contract, the value of the goods to be reported, with a view to and following such operations, shall be the total amount to be invoiced in the event of any sale or purchase.

3. The statistical value of the goods, as defined in paragraph 5, shall also be reported in the field provided to this end in the statistical information medium by information providers whose annual arrivals or dispatches exceed the limits set by each Member State, in accordance with Article 19.

4. By way of derogation to paragraph 3, the Member States may exempt information providers from reporting the statistical value of goods.

In this case, the Member States concerned shall calculate the statistical value of goods, as defined in paragraph 5, by kinds of goods.

5. The statistical value shall be based on the goods reported by the information providers pursuant to paragraph 2. It shall include only incidental expenses, such as transport and insurance costs, referring to the part of the route which:

- for dispatches, is within the statistical territory of the Member State of dispatch,
- for arrivals, is outside the statistical territory of the Member State of arrival.

6. The value of the goods defined in the preceding paragraphs shall be expressed in the national currency, whereupon the exchange rate to be applied shall be:

- that applicable for determining the taxable amount for taxation purposes, when this is established,
- otherwise, the official rate of exchange at the time of completing the declaration or that applicable to calculating the value for customs purposes, in the absence of any special provisions decided by the Member States.

7. In accordance with Article 26 of the Basic Regulation, the value of the goods given in the results to be transmitted to the Commission shall be the statistical value defined in paragraph 5.

8. At the Commission's request, the Member States shall provide it with the information enabling it to assess the application of paragraph 3.

Article 25

1. For the purposes of this Chapter,

(a) 'transaction' shall mean any operation, whether commercial or not, which leads to a movement of goods covered by statistics on the trading of goods between Member States;

(b) 'nature of the transaction' means all those characteristics which distinguish one transaction from another.

2. A distinction shall be made between transactions which differ in nature, in accordance with the list in Annex III.

The nature of the transaction shall be specified, on the information medium, by the code number corresponding to the appropriate category of column A in the abovementioned list.

3. Within the limits of the list referred to in paragraph 2, the Member States may prescribe the collection of data on the nature of the transaction up to the level which they use for the collection of data on trade third countries, regardless of whether they collect them in this connection as data on the nature of the transaction or as data on customs procedures.

Article 26

1. 'Country of origin' shall mean the country where the goods originate.

Goods which are entirely obtained in a country originate in that country.

An item in the production of which two or more countries are involved originates in the country where the last significant processing or working, economically justified and carried out in an enterprise equipped for this purpose and leading to the manufacture of a new product or representing an important stage of manufacture, takes place.

2. The country of origin is designated by the code assigned in the current version of the nomenclature of countries discussed in Article 9 of Regulation (EC) No 1172/95, as last amended by Council Regulation (EC) No 374/98⁽¹⁾.

Article 27

1. 'Region of origin' shall mean the region of the Member State of dispatch where the goods were produced or were erected, assembled, processed, repaired or maintained. Failing this, the region of origin shall be replaced either by the region where the commercial process took place or by the region where the goods were dispatched.

2. 'Region of destination' shall mean the region of the Member States of arrival where the goods are to be consumed or erected, assembled, processed, repaired or maintained. Failing this, the region of destination shall be replaced either by the region where the commercial process is to take place or by the region to which the goods are to be dispatched.

3. Each Member State exercising the option provided for in Article 23(2)(b) of the Basic Regulation shall draw up a list of its regions and determine the code, which shall have a maximum of two characters, by which those regions shall be indicated on the information medium.

⁽¹⁾ OJ L 48, 19.2.1998, p. 6.

Article 28

1. For the purposes of this Regulation, 'delivery terms' shall mean those provisions of the sales contract which lay down the obligations of the seller and the buyer respectively, in accordance with the Incoterms of the International Chamber of Commerce listed in Annex IV.

2. Within the limits set in Article 19 and those of the list referred to in paragraph 1, Member States may prescribe that data on delivery terms be collected on the information medium and shall give details of how they are to be mentioned.

Article 29

1. 'Presumed mode of transport' shall indicate, upon dispatch, the mode of transport determined by the active means of transport by which the goods are presumed to be going to leave the statistical territory of the Member State of dispatch and, upon arrival, the mode of transport determined by the active means of transport by which the goods are presumed to have entered the statistical territory of the Member State of arrival.

2. Within the limits set in Article 19, the modes of transport to be mentioned on the information medium are as follows:

Code	Title
1	Sea transport
2	Rail transport
3	Road transport
4	Air transport
5	Postal consignment
7	Fixed transport installations
8	Inland waterway transport
9	Own propulsion

The mode of transport shall be designated on the said medium by the corresponding code number.

Article 30

1. 'Statistical procedure' shall mean the category of dispatch or arrival which is not adequately referred to in column A or column B of the list of transactions in Annex III.

2. Within the limits set in Article 19, Member States may prescribe that data on statistical procedures be collected on the information medium and shall give details of how they are to be reported.

TITLE II

SPECIAL PROVISIONS

CHAPTER 1

DEFINITION OF SPECIFIC MOVEMENT AND GENERAL CONSIDERATIONS

Article 31

1. The 'specific movements of goods' referred to in Article 33 of the Basic Regulation have specific features which have some significance for the interpretation of the information and stem, either from the movement as such, from the nature of the goods, from the transaction which results in the movement of the goods or from the information provider.

2. Specific movements of goods are as follows:

- (a) industrial plants;
- (b) vessels and aircraft, as defined in Chapter 3;
- (c) sea products;
- (d) ships' and aircraft's stores and supplies;
- (e) staggered consignments;
- (f) military goods;
- (g) offshore installations;
- (h) spacecraft and spacecraft launchers;
- (i) motor vehicle and aircraft parts;
- (j) waste products.

3. Subject to contrary provision in this Regulation or in the absence of provisions laid down in accordance with Article 30 of the Basic Regulation, specific movements shall be mentioned according to the relevant national provisions.

4. Without prejudice to Article 13 of the Basic Regulation, the Member States shall adopt the appropriate provisions in order to apply this Title and may use, if necessary, statistical sources other than those laid down by Commission Regulation (EEC) No 3590/92 ⁽¹⁾.

CHAPTER 2

INDUSTRIAL PLANTS

Article 32

1. 'Complete industrial plant' means a combination of machines, apparatus, appliances, equipment, instruments and materials, hereinafter referred to as 'component parts', which fall under various headings of the Harmonised System classification and which are designed to function together as a large-scale unit to produce goods or provide services.

⁽¹⁾ OJ L 364, 12.12.1992, p. 32.

All other goods which are used in constructing a complete industrial plant may be treated as component parts thereof, provided they are not excluded from the statistical compilation by virtue of the Basic Regulation.

2. A simplified declaration procedure may be used for recording arrivals or dispatches of complete industrial plants. Those responsible for supplying the statistical information shall be authorised, at their request, to use such simplified procedure in accordance with the conditions laid down in this section.

3. The simplified procedure may be applied only to complete industrial plants, the total statistical value of each of which exceeds EUR 1,5 million, unless they are complete industrial plants for re-use.

The total value of an industrial plant is calculated by adding the respective statistical values of its component parts and the respective statistical values of the goods referred to in the second subparagraph of paragraph 1. The value to be taken into account is the invoice value of the good or, if this is not available, the amount which would be invoiced in the event of a sale or purchase.

Article 33

1. For the purposes of this chapter, component parts falling within a given chapter shall be classified under the relevant complete industrial plant subheading of Chapter 98 unless the competent department referred to in Article 35 requires the goods to be classified, in Chapter 98, under the relevant complete industrial plant subheadings of the Harmonised System classification headings, or requires the provisions of paragraph 2 to be applied.

However, the simplified procedure shall not prevent the competent department from classifying certain component parts under the relevant Combined Nomenclature subheadings within the meaning of Article 1(2)(b) of Council Regulation (EEC) No 2658/87⁽¹⁾.

2. Where the competent department referred to in paragraph 1 considers the value of the items of complete industrial plants to be too low to justify recording them under the complete industrial plant subheadings of the relevant chapters, specific complete industrial plant subheadings, as provided for in the Combined Nomenclature, shall apply.

Article 34

In accordance with the Combined Nomenclature, the code numbers for complete industrial plant subheadings shall be composed in conformity with the following rules.

1. The code shall comprise eight digits.
2. The first two digits shall be 9 and 8 respectively.
3. The third digit, which shall serve to identify complete industrial plant, shall be 8.
4. The fourth digit shall vary from 0 to 9 according to the main economic activity carried out by the complete industrial plant and in accordance with the classification given:

<i>Code</i>	<i>Economic activities</i>
0	Energy (including production and distribution of steam and hot water)
1	Extraction of non-energy-producing minerals (including preparation of metalliferous ores and peat extraction); manufacture of non-metallic mineral products (including manufacture of glass and glassware)
2	Iron and steel industry; manufacture of metal articles (excluding mechanical engineering and construction of means of transport)
3	Mechanical engineering and construction of means of transport; instrument engineering
4	Chemical industry (including man-made fibres industry); rubber and plastics industry
5	Food, drink and tobacco industry
6	Textile, leather, footwear and clothing industry
7	Timber and paper industry (including printing and publishing); manufacturing industries not classified elsewhere
8	Transport (excluding services connected with transport, services of travel agents, freight brokers and other agents facilitating the transport of passengers or goods, storage and warehousing) and communications
9	Collection, purification and distribution of water; services connected with transport; economic activities not classified elsewhere.

5. The fifth and sixth digits shall correspond to the number of the chapter of the Combined Nomenclature to which the complete industrial plant subheading relates. However, for the purposes of Article 33(2), these fifth and sixth digits shall be 9.
6. For complete industrial plant subheadings which are situated:
 - at Combined Nomenclature chapter level, the seventh and eighth digits shall be 0,
 - at Harmonised System heading level, the seventh and eighth digits shall correspond to the third and fourth digits of that heading.
7. The competent department referred to in Article 33(2) shall prescribe the designation and the Combined Nomenclature code number to be used in the statistical information medium to identify the component parts of a complete industrial plant.

Article 35

1. Those responsible for supplying statistical information may not use the simplified declaration procedure without the prior authorisation of the department responsible for compiling statistics on trade between Member States in accordance with the detailed rules which each Member State shall lay down within the framework of this chapter.

⁽¹⁾ OJ L 256, 7.9.1987, p. 1.

2. In the case of a complete industrial plant whose component parts are traded by several Member States, authorisation to use the simplified declaration procedure shall be given by each Member State for the flows which concern it.

CHAPTER 3

VESSELS AND AIRCRAFT

Article 36

For the purposes of this chapter,

- (a) 'vessels' means the vessels used for sea transport, referred to in Additional Notes 1 and 2 of Chapter 89 of the Combined Nomenclature, and warships;
- (b) 'aircraft' means aeroplanes falling within CN code 8802 for civilian use, provided they are used by an airline, or for military use;
- (c) 'ownership of a vessel or an aircraft' means the fact of a physical or legal person's registration as owner of a vessel or an aircraft;
- (d) 'partner country' means:
 - on arrival, the Member State of construction if the vessel or aircraft is new and has been constructed in the Community. In other cases, it shall mean the Member State where the natural or legal person transferring the ownership of the vessel or aircraft is established,
 - on dispatch, the Member State where the natural or legal person to whom the ownership of the vessel or aircraft is transferred is established.

Article 37

1. In a given Member State, statistics on trade between Member States, and transmission of results to the Commission, shall cover:

- (a) the transfer of ownership of a vessel or aircraft from a natural or legal person established in one Member State to a natural or legal person established in this Member State. This transaction shall be treated as an arrival;
- (b) the transfer of ownership of a vessel or aircraft from a natural or legal person established in this Member State to a natural or legal person established in another Member State. This transaction shall be treated as a dispatch.

If the vessel or aircraft is new the dispatch is recorded in the Member State of construction;

- (c) the dispatch or arrival of a vessel or aircraft pending or following work under contract.

2. The monthly returns on the transactions referred to in paragraph 1(a) and (b), which are transmitted to the Commission by the Member States, shall include the following data:

- (a) the code corresponding to the subdivision of the product classification referred to in Article 21 of the Basic Regulation;

- (b) the code of the partner Member State;
- (c) the quantity, as number of items and in any other supplementary units laid down in the nomenclature, for vessels, and the quantity, in net mass and in supplementary units, for aircraft;
- (d) the statistical value.

CHAPTER 4

SHIPS' AND AIRCRAFT'S STORES AND SUPPLIES

Article 38

For the purposes of this chapter,

- 'ships' and aircraft's stores' means the various products for consumption by the crew and passengers of vessels or aircraft,
- 'ships' and aircraft's supplies' means the products for the operation of the engines, machines and other equipment on vessels or aircraft, such as fuel, oil and lubricants,
- 'vessels or aircraft from another Member State' for a given Member State, as opposed to a 'national' vessel or aircraft, means those vessels or aircraft for which the natural or legal person responsible for their commercial use is established in another Member State.

Article 39

1. In a given Member State, statistics on trade between Member States, and transmission of results to the Commission, shall cover:

- (a) any delivery of ships' and aircraft's stores and supplies to vessels or aircraft from another Member State, which are stationed in a port or airport of the reporting Member State, provided that they are Community goods or non-Community goods which have been placed under inward processing customs arrangements or under arrangements for processing under customs control. This operation shall be treated as a dispatch;
- (b) any direct delivery of ships' and aircraft's stores and supplies from another Member State to national vessels or aircraft which are stationed in a port or airport of the reporting Member State. This operation shall be treated as an arrival.

2. The monthly returns on the operations referred to in paragraph 1(a), which are transmitted by the Member States to the Commission, shall include the following data:

- (a) the product code, according to the following simplified coding as a minimum:
 - 9930 24 00: goods from Chapters 1 to 24 of the Harmonised System,
 - 9930 27 00: goods from Chapter 27 of the Harmonised System,
 - 9930 99 00: goods classified elsewhere;

- (b) the specific country code QR (or 951);
- (c) the quantity in net mass;
- (d) the statistical value.

CHAPTER 5

STAGGERED CONSIGNMENTS*Article 40*

For the purposes of this chapter, 'staggered consignments' mean arrivals or dispatches of components of complete goods in a disassembled state over several reporting periods for commercial or transport-related reasons.

Article 41

In the monthly returns transmitted to the Commission by the Member States, data on arrivals and dispatches of staggered consignments shall be reported once only, i.e. in the month of arrival or dispatch of the last consignment, with an indication of the full value of the complete assembled good and using the classification code for that good.

CHAPTER 6

MILITARY GOODS*Article 42*

1. Statistics on the trading of goods between Member States, and transmission of results to the Commission, shall cover dispatches and arrivals of goods intended for military use in compliance with the definition in force in the Member States.

2. The monthly returns covering the operations referred to in paragraph 1, which are transmitted to the Commission by the Member States, shall include the following data:

- (a) the code corresponding to the subdivision of the product classification referred to in Article 21 of the Basic Regulation;
- (b) the code of the partner Member State;
- (c) the quantity in net mass and, where appropriate, in supplementary units;
- (d) the statistical value.

3. In the Member States unable to apply the provisions of paragraph 2 owing to military secrecy, appropriate measures shall be taken to ensure that, at a minimum, the statistical value of the dispatches and arrivals of goods intended for military use are included in the monthly returns transmitted to the Commission.

CHAPTER 7

OFFSHORE INSTALLATIONS*Article 43*

1. For the purposes of this chapter, 'offshore installations' means the equipment and devices installed in the high sea in order to search for and exploit mineral resources.

2. 'Foreign' installations, as opposed to 'national' installations, mean those installations for which the natural or legal person responsible for their commercial use is established in another Member State.

Article 44

1. In a given Member State, statistics on trade between Member States, and transmission of results to the Commission, shall cover:

- (a) the delivery of goods to a national installation, directly from another Member State or from a foreign installation. This operation shall be treated as an arrival;
- (b) the delivery of goods from a national installation to another Member State or to a foreign installation. This operation shall be treated as a dispatch;
- (c) the arrival of goods from a foreign installation on the statistical territory of this Member State;
- (d) the dispatch of goods to a foreign installation from the statistical territory of this Member State.

2. The monthly returns covering the operations referred to in paragraph 1, which are transmitted to the Commission by the Member States, shall include the following data:

- (a) the code corresponding to the subdivision of the product classification referred to in Article 21 of the Basic Regulation.

However, without prejudice to the Customs Regulations, if the goods are those referred to in Article 38, the Member States shall have the option of using the simplified codes set out in Article 39(2)(a);

- (b) the code of the partner Member State.

However, without prejudice to the Customs Regulations, in the case of goods coming from or destined for installations, the partner country shall be the country where the natural or legal person responsible for the commercial use of the installation in question is established. Where this information is not available, code QV (or 959) shall be used;

- (c) the quantity in net mass;
- (d) the statistical value.

CHAPTER 8

SPACECRAFT*Article 45*

For the purposes of this Chapter,

- (a) 'spacecraft' means craft such as satellites which travel in space outside the earth's atmosphere;

- (b) 'ownership of a spacecraft' means the fact of a natural or legal person's registration as owner of a spacecraft.

Article 46

1. Statistics on trade between Member States, and transmission of results to the Commission, shall cover:

- (a) the dispatch or arrival of a spacecraft pending or following work under contract;
- (b) the launch into space of a spacecraft which was the subject of a transfer of ownership between two natural or legal persons established in different Member States. This operation is recorded:
- as a dispatch in the Member State of construction of the finished spacecraft,
 - as an arrival in the Member State where the new owner is established;
- (c) the transfer of ownership of a spacecraft, in orbit, between two natural or legal persons established in different Member States. This operation is recorded:
- as a dispatch in the Member State where the former owner is established,
 - as an arrival in the Member State where the new owner is established.

2. The monthly returns on the operations referred to in Article 1(b) and (c), which are transmitted to the Commission by the Member States, shall include the following data:

- (a) the code corresponding to the subdivision of the product classification referred to in Article 21 of the Basic Regulation;
- (b) the code of the partner Member State.

For the dispatches referred to in paragraph 1(b) and (c), the partner Member State is the country in which the natural or legal person to whom ownership of the spacecraft is transferred is established.

For the arrivals referred to in paragraph 1(b), the partner Member State is the country of construction of the finished spacecraft.

For the arrivals referred to in paragraph 1(c), the partner Member State is the country where the natural or legal persons transferring ownership of the spacecraft is established;

- (c) the quantity in net mass and in supplementary units;
- (d) the statistical value.

For the arrivals referred to in paragraph 1(b), the statistical value includes the transport and insurance costs connected with conveyance to the launch base and the space journey.

CHAPTER 9

OTHER PROVISIONS

Article 47

Those Member States wishing to have more detailed information than that resulting from the application of Article 21 of the Basic Regulation may, by way of derogation from that Article, organise the collection of that information, for one or more specific product groups, provided that the party responsible for providing the information is allowed to elect to supply it in accordance with either the Combined Nomenclature or the additional subdivisions.

Those Member States exercising that option shall notify the Commission that they are doing so. At the same time, they shall state the reasons for their decision, supply the list of relevant Combined Nomenclature subheadings and describe the collection method they are using.

TITLE III

FINAL PROVISIONS

Article 48

The Member States shall forward to the Commission (Eurostat) the monthly results of their statistics on trade between the Member States, compiled in accordance with the Basic Regulation, no later than:

- eight weeks after the end of the reference month in the case of the total values, broken down by the Member State of destination on dispatch and the Member State of consignment on arrival,
- 10 weeks after the end of the reference month in the case of detailed results which present all the data referred to in Article 23(1) of the Basic Regulation.

Article 49

1. Regulation (EEC) No 3046/92, with the exception of Article 22, and the regulations amending it ⁽¹⁾, Regulation (EEC) No 2256/92 and Regulations (EC) No 1125/94 and No 2820/94 are repealed effective from 1 January 2001.

2. References to the repealed Regulations shall be deemed to refer to this Regulation and read according to the correspondence table in Annex V.

Article 50

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

It shall apply from 1 January 2001.

⁽¹⁾ Commission Regulations (EC) No 2385/96 (OJ L 326, 17.12.1996, p. 10), (EC) No 860/97 (OJ L 123, 15.5.1997, p. 12), (EC) No 1894/98 (OJ L 245, 4.9.1998, p. 36) and (EC) No 2535/98.

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

Done at Brussels, 7 September 2000.

For the Commission
Pedro SOLBES MIRA
Member of the Commission

ANNEX I

List of exemptions referred to in Article 21

Data shall not be required for the following goods:

- (a) means of payment which are legal tender, and securities;
- (b) monetary gold;
- (c) emergency aid for disaster areas;
- (d) because of the diplomatic or similar nature of their intended use:
 - 1. goods benefiting from diplomatic and consular or similar immunity;
 - 2. gifts to a head of state or to members of a government or parliament;
 - 3. items being circulated within the framework of administrative mutual aid;
- (e) provided that the trade is temporary:
 - 1. goods intended for fairs and exhibitions;
 - 2. theatrical scenery;
 - 3. merry-go-rounds and other fairgrounds attractions;
 - 4. professional equipment within the meaning of the International Convention of 8 June 1968;
 - 5. cinematographic films;
 - 6. apparatus and equipment for experimental purposes;
 - 7. animals for show, breeding, racing, etc.;
 - 8. commercial samples;
 - 9. means of transport, containers and equipment connected with transport;
 - 10. goods for the repair of the means of transport, containers and related transport equipment and parts replaced during the repairs;
 - 11. packaging;
 - 12. goods on hire;
 - 13. plant and equipment for civil engineering works;
 - 14. goods destined for examination, analysis or test purposes;
- (f) provided that they are not the subject of a commercial transaction:
 - 1. decorations, honorary distinctions and prizes, commemorative badges and medals;
 - 2. travel equipment, provisions and other items, including sports equipment, intended for personal use or consumption which accompany, precede or follow the traveller;
 - 3. bridal outfits, items involved in moving house, or heirlooms;
 - 4. coffins, funerary urns, ornamental funerary articles and items for the upkeep of graves and funeral monuments;
 - 5. printed advertising material, instructions for use, price lists and other advertising items;
 - 6. goods which have become unusable, or which cannot be used for industrial purposes;
 - 7. ballast;
 - 8. postage stamps;
 - 9. pharmaceutical products used at international sporting events;
- (g) products used as part of exceptional common measures for the protection of persons or of the environment;
- (h) goods which are the subject of non-commercial traffic between persons resident in the adjacent zone of the Member States (frontier traffic); products obtained by agricultural producers on properties located outside, but adjacent to, the statistical territory within which they have their principal undertaking;
- (i) goods leaving a given statistical territory to return after crossing a foreign territory, either directly, or with halts inherent in the transport;
- (j) goods dispatched to national armed forces stationed outside the statistical territory as well as goods received from another Member State which had been conveyed outside the statistical territory by the national armed forces, as well as goods acquired or disposed of on the statistical territory of a Member State by the armed forces of another Member State which are stationed there;

- (k) goods used as carriers of information such as floppy disks, computer tapes, films, plans, audio and videotapes, CD-ROMs which are traded in order to provide information, where developed to order for a particular client or where they are not the subject of a commercial transaction, as well as goods which complement a previous delivery, e.g. an update, and for which the consignee is not invoiced;
 - (l) satellite launchers,
 - on dispatch and on arrival pending launching into space,
 - at the time of launching into space.
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ANNEX II

List of Combined Nomenclature subheadings referred to in point (a) of Article 23

0105 11 11	2204 21 91	5701 10 10	6103 29 00
0105 11 19	2204 21 92	5701 10 91	6103 31 00
0105 11 91	2204 21 93	5701 10 93	6103 32 00
0105 11 99	2204 21 94	5701 10 99	6103 33 00
0105 12 00	2204 21 95	5701 90 10	6103 39 00
0105 19 20	2204 21 96	5701 90 90	6103 41 10
0105 19 90	2204 21 97		6103 41 90
	2204 21 98	5702 20 00	6103 42 10
0407 00 11	2204 21 99	5702 31 00	6103 42 90
	2204 29 10	5702 32 00	6103 43 10
2202 10 00	2204 29 12	5702 39 10	6103 43 90
2202 90 10	2204 29 13	5702 39 90	6103 49 10
2202 90 91	2204 29 17	5702 41 00	6103 49 91
2202 90 95	2204 29 18	5702 42 00	6103 49 99
2202 90 99	2204 29 42	5702 49 10	
	2204 29 43	5702 49 90	
	2204 29 44	5702 51 00	6104 11 00
2203 00 01	2204 29 46	5702 52 00	6104 12 00
2203 00 09	2204 29 47	5702 59 00	6104 13 00
2203 00 10	2204 29 48	5702 91 00	6104 19 00
	2204 29 58	5702 92 00	6104 21 00
2204 10 11	2204 29 62	5702 99 00	6104 22 00
2204 10 19			6104 23 00
2204 10 91	2204 29 64		6104 29 00
2204 10 99	2204 29 65	5703 10 00	6104 31 00
2204 21 10	2204 29 71	5703 20 11	6104 32 00
2204 21 11	2204 29 72	5703 20 19	6104 33 00
2204 21 12	2204 29 75	5703 20 91	6104 39 00
2204 21 13	2204 29 81	5703 20 99	6104 41 00
2204 21 17	2204 29 82	5703 30 11	6104 42 00
2204 21 18	2204 29 83	5703 30 19	6104 43 00
2204 21 19	2204 29 84	5703 30 51	6104 44 00
2204 21 22	2204 29 87	5703 30 59	6104 49 00
2204 21 24	2204 29 88	5703 30 91	6104 51 00
2204 21 26	2204 29 89	5703 30 99	6104 52 00
2204 21 27	2204 29 91	5703 90 00	6104 53 00
2204 21 28	2204 29 92		6104 59 00
2204 21 32	2204 29 93	5704 10 00	6104 61 10
2204 21 34	2204 29 94	5704 90 00	6104 61 90
2204 21 36	2204 29 95		6104 62 10
2204 21 37	2204 29 96	5705 00 10	6104 62 90
2204 21 38	2204 29 97	5705 00 30	6104 63 10
2204 21 42	2204 29 98	5705 00 90	6104 63 90
2204 21 43	2204 29 99		6104 69 10
2204 21 44		6101 10 10	6104 69 91
2204 21 46	2205 10 10	6101 10 90	6104 69 99
2204 21 47	2205 10 90	6101 20 10	
2204 21 48	2205 90 10	6101 20 90	
2204 21 62	2205 90 90	6101 30 10	
2204 21 66		6101 30 90	6105 10 00
2204 21 67	2206 00 10	6101 90 10	6105 20 10
2204 21 68	2206 00 31	6101 90 90	6105 20 90
2204 21 69	2206 00 39		6105 90 10
2204 21 71	2206 00 51	6102 10 10	6105 90 90
2204 21 74	2206 00 59	6102 10 90	
2204 21 76	2206 00 81	6102 20 10	6106 10 00
2204 21 77		6102 20 90	6106 20 00
2204 21 78	2207 10 00	6102 30 10	6106 90 10
2204 21 79	2207 20 00	6102 30 90	6106 90 30
2204 21 80		6102 90 10	6106 90 50
2204 21 81	2209 00 99	6102 90 90	6106 90 90
2204 21 82			
2204 21 83	2716 00 00	6103 11 00	
2204 21 84		6103 12 00	6107 11 00
2204 21 87	3702 51 00	6103 19 00	6107 12 00
2204 21 88	3702 53 00	6103 21 00	6107 19 00
2204 21 89	3702 54 10	6103 22 00	6107 21 00
	3702 54 90	6103 23 00	6107 22 00

6107 29 00	6211 33 42	6403 99 38	8504 31 39
6107 91 10	6211 42 31	6403 99 50	8504 31 90
6107 91 90	6211 42 41	6403 99 91	8504 32 10
6107 92 00	6211 42 42	6403 99 93	8504 32 30
6107 99 00	6211 43 31	6403 99 96	8504 32 90
	6211 43 41	6403 99 98	8504 33 10
6108 11 00	6211 43 42		8504 33 90
6108 19 00		6404 11 00	8504 34 00
6108 21 00		6404 19 10	8504 40 10
6108 22 00	6212 10 10	6404 19 90	8504 40 20
6108 29 00	6212 10 90	6404 20 10	8504 40 50
6108 31 10	6212 20 00	6404 20 90	8504 40 93
6108 31 90	6212 30 00		8504 50 10
6108 32 11		6405 10 10	
6108 32 19		6405 10 90	
6108 32 90	6401 10 10	6405 20 10	8518 21 90
6108 39 00	6401 10 90	6405 20 91	8518 22 90
6108 91 10	6401 91 10	6405 20 99	8518 29 20
6108 91 90	6401 91 90	6405 90 10	8518 29 80
6108 92 00	6401 92 10	6405 90 90	
6108 99 10	6401 92 90		
6108 99 90	6401 99 10	7101 10 00	8539 10 10
	6401 99 90	7101 21 00	8539 10 90
6109 10 00		7101 22 00	8539 21 30
6109 90 10	6402 12 10		8539 21 92
6109 90 30	6402 12 90	7103 91 00	8539 21 98
6109 90 90	6402 19 00	7103 99 00	8539 22 10
	6402 20 00		8539 29 30
6110 10 10	6402 30 00	7104 10 00	8539 29 92
6110 10 31	6402 91 00	7104 20 00	8539 29 98
6110 10 35	6402 99 10	7104 90 00	8539 31 10
6110 10 38	6402 99 31		8539 31 90
6110 10 91	6402 99 39	7105 10 00	8539 32 10
6110 10 95	6402 99 50	7105 90 00	8539 32 50
6110 10 98	6402 99 91		8539 32 90
6110 20 10	6402 99 93	7106 10 00	8539 39 00
6110 20 91	6402 99 96	7106 91 10	8539 41 00
6110 20 99	6402 99 98	7106 91 90	8539 49 10
6110 30 91		7106 92 20	8539 49 30
6110 30 99		7106 92 80	
6110 90 10	6403 12 00		
6110 90 90	6403 19 00	7108 11 00	8540 11 11
	6403 20 00	7108 12 00	8540 11 13
6112 11 00	6403 30 00	7108 13 10	8540 11 15
6112 12 00	6403 40 00	7108 13 80	8540 11 19
6112 19 00	6403 51 11	7108 20 00	8540 11 91
6112 31 10	6403 51 15		8540 11 99
6112 31 90	6403 51 19	7110 11 00	8540 12 00
6112 39 10	6403 51 91	7110 19 10	8540 20 10
6112 39 90	6403 51 95	7110 19 80	8540 20 80
6112 41 10	6403 51 99	7110 21 00	8540 40 00
6112 41 90	6403 59 11	7110 29 00	8540 50 00
6112 49 10	6403 59 31	7110 31 00	8540 71 00
6112 49 90	6403 59 35	7110 39 00	8540 72 00
	6403 59 39	7110 41 00	8540 79 00
6115 11 00	6403 59 50	7110 49 00	8540 81 00
6115 12 00	6403 59 91		8540 89 00
6115 19 00	6403 59 95	7116 10 00	
	6403 59 99	7116 20 11	
6210 20 00	6403 91 11	7116 20 19	8542 13 11
6210 30 00	6403 91 13	7116 20 90	8542 13 13
	6403 91 16		8542 13 15
6211 11 00	6403 91 18	8504 10 10	8542 13 17
6211 12 00	6403 91 91	8504 10 91	8542 13 20
6211 20 00	6403 91 93	8504 10 99	8542 13 30
6211 32 31	6403 91 96	8504 21 00	8542 13 42
6211 32 41	6403 91 98	8504 22 10	8542 13 45
6211 32 42	6403 99 11	8504 22 90	8542 13 46
6211 33 31	6403 99 31	8504 23 00	8542 13 48
6211 33 41	6403 99 33	8504 31 10	8542 13 49
	6403 99 36	8504 31 31	8542 13 55

8542 13 60	8903 99 10	9001 50 49	9202 90 10
8542 19 40	8903 99 91	9001 50 80	9202 90 30
8542 19 55	8903 99 99	9003 11 00	9202 90 90
8542 19 66		9003 19 10	9203 00 90
8903 91 10	9001 30 00	9003 19 30	
8903 91 91	9001 40 20	9003 19 90	9204 10 00
8903 91 93	9001 40 41		9204 20 00
8903 91 99	9001 40 49	9006 53 10	
8903 92 10	9001 40 80	9006 53 90	9205 10 00
8903 92 91	9001 50 20	9202 10 10	9207 90 10
8903 92 99	9001 50 41	9202 10 90	

ANNEX III

List of transactions referred to in Article 25(2)

A	B
1. Transactions involving actual or intended transfer of ownership against compensation (financial or otherwise) (except the transactions listed under 2, 7, 8) ⁽¹⁾ ⁽²⁾ ⁽³⁾	1. Outright/purchase/sale ⁽²⁾ 2. Supply for sale on approval or after trial, for consignment or with the intermediation of a commission agent 3. Barter trade (compensation in kind) 4. Personal purchases by travellers 5. Financial leasing (hire purchase) ⁽³⁾
2. Return of goods after registration of the original transaction under code 1 ⁽⁴⁾ ; replacement of goods free of charge ⁽⁴⁾	1. Return of goods 2. Replacement for returned goods 3. Replacement (e.g. under warranty) for goods not being returned
3. Transactions (not temporary) involving transfer of ownership but without compensation (financial or other)	1. Goods delivered under aid programmes operated or financed partly or wholly by the European Community 2. Other general government aid deliveries 3. Other aid deliveries (individuals, non-governmental organisations) 4. Others
4. Operations with a view to processing under contract ⁽⁵⁾ or repair ⁽⁶⁾ (except those recorded under 7)	1. Processing under contract 2. Repair and maintenance against payment 3. Repair and maintenance free of charge
5. Operations following processing under contract ⁽⁵⁾ or repair ⁽⁶⁾ (except those recorded under 7)	1. Processing under contract 2. Repair and maintenance against payment 3. Repair and maintenance free of charge
6. Transactions not involving transfer of ownership, e.g. hire, loan, operational leasing ⁽⁷⁾ and other temporary uses ⁽⁸⁾ , except processing under contract or repair (delivery or return)	1. Hire, loan, operational leasing 2. Other goods for temporary use
7. Operations under joint defence projects or other joint intergovernmental production programmes (e.g. Airbus)	
8. Supply of building materials and equipment for works that are part of a general construction or engineering contract ⁽⁹⁾	
9. Other transactions	

-
- (¹) This item covers most dispatches and arrivals, i.e. transactions in respect of which:
- ownership is transferred from resident to non-resident, and
 - payment or compensation in kind is or will be made.
- It should be noted that this also applies to goods sent between related enterprises or from/to central distribution depots, even if no immediate payment is made.
- (²) Including spare parts and other replacements made against payment.
- (³) Including financial leasing: the lease instalments are calculated in such a way as to cover all or virtually all of the value of the goods. The risks and rewards of ownership are transferred to the lessee. At the end of the contract the lessee becomes the legal owner of the goods.
- (⁴) Return and replacement dispatches of goods originally recorded under items 3 to 9 of column A should be registered under the corresponding items.
- (⁵) Processing operations (whether or not under customs supervision) should be recorded under items 4 and 5 of column A. Processing activities on processor's own account are not covered by this item; they should be registered under item 1 of column A.
- (⁶) Repair entails the restoration of goods to their original function; this may involve some rebuilding or enhancements.
- (⁷) Operational leasing: leasing contracts other than financial leasing (see note (³)).
- (⁸) This item covers goods that are exported/imported with the intention of subsequent re-import/re-export without any change of ownership taking place.
- (⁹) The transactions recorded under item 8 of column A involve only goods which are not separately invoiced, but for which a single invoice covers the total value of the works. Where this is not the case, the transactions should be recorded under item 1.
-

ANNEX IV

List of delivery terms referred to in Article 28

First sub-box	Meaning	Place to be indicated ⁽¹⁾
Incoterm code	Incoterm ICC/ECE Geneva	
EXW	ex-works	location of works
FCA	free carrier	... agreed place
FAS	free alongside ship	agreed port of loading
FOB	free on board	agreed port of loading
CFR	cost and freight (C & F)	agreed port of destination
CIF	cost, insurance and freight	agreed port of destination
CPT	carriage paid to	agreed place of destination
CIP	carriage and insurance paid to	agreed place of destination
DAF	delivered at frontier	agreed place of delivery at frontier
DES	delivered ex-ship	agreed port of destination
DEQ	delivered ex-quay	after customs clearance, ... agreed port
DDU	delivered duty unpaid	agreed place of destination in importing country
DDP	delivered duty paid	agreed place of delivery in importing country
XXX	delivery terms other than the above	precise statement of terms specified in the contract ⁽¹⁾

⁽¹⁾ Provide details in box 6 if necessary (Intrastat N form only).

Second sub-box

1. place located in the territory of the Member State concerned
2. place located in another Member State
3. other (place located outside the Community).

ANNEX V

Table of correspondences between the Articles of this Regulation and the Articles of the repealed regulations

Regulation Articles	Reference Articles
Article 1	Article 1 of Regulation (EEC) No 3046/92
Article 2	Article 2(2) of Regulation (EEC) No 3046/92
Article 3	Article 3 of Regulation (EEC) No 3046/92 (amended)
Article 4	Article 4 of Regulation (EEC) No 3046/92
Article 5	Article 5 of Regulation (EEC) No 3046/92
Article 6	Article 6 of Regulation (EEC) No 3046/92
Article 7	Article 7 of Regulation (EEC) No 3046/92
Article 8	Article 8 of Regulation (EEC) No 3046/92
Article 9	Article 9 of Regulation (EEC) No 3046/92
Article 10	Article 1 of Regulation (EEC) No 2256/92
Article 11	Article 2 of Regulation (EEC) No 2256/92
Article 12	Article 3 of Regulation (EEC) No 2256/92 (amended)
Article 13	Article 4 of Regulation (EEC) No 2256/92 (amended)
Article 14	Article 6 of Regulation (EEC) No 2256/92
Article 15	Article 7 of Regulation (EEC) No 2256/92
Article 16	Article 8 of Regulation (EEC) No 2256/92
Article 17	Article 9 of Regulation (EEC) No 2256/92
Article 18	Article 10 of Regulation (EEC) No 2256/92
Article 19	(New)
Article 20	Articles 1 and 2 of Regulation (EC) No 2820/94 (amended)
Article 21	Article 20 of Regulation (EEC) No 3046/92
Article 22	Article 10 of Regulation (EEC) No 3046/92 (amended)
Article 23	Article 11 of Regulation (EEC) No 3046/92 (amended)
Article 24	Article 12 of Regulation (EEC) No 3046/92 (amended)
Article 25	Article 13 of Regulation (EEC) No 3046/92
Article 26	Article 16 of Regulation (EEC) No 3046/92
Article 27	Article 17 of Regulation (EEC) No 3046/92
Article 28	Article 14(1) and (2) of Regulation (EEC) No 3046/92 (amended)
Article 29	Article 15 of Regulation (EEC) No 3046/92 (amended)
Article 30	Article 19 of Regulation (EEC) No 3046/92 (amended)
Articles 31 to 46	(New articles)
Article 47	Article 21(3) of Regulation (EEC) No 3046/92
Article 48	Article 1 of Regulation (EC) No 1125/94
Articles 49 and 50	(New articles)

COMMISSION REGULATION (EC) No 1902/2000

of 7 September 2000

adapting certain fish quotas for 2000 pursuant to Council Regulation (EC) No 847/96 introducing additional conditions for year-to-year management of TACs and quotas

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EEC) No 2847/93 of 12 October 1993 establishing a control system applicable to the common fisheries policy ⁽¹⁾, as last amended by Regulation (EC) No 2846/98 ⁽²⁾, and in particular Article 23 thereof,

Having regard to Council Regulation (EC) No 847/96 of 6 May 1996 introducing additional conditions for year-to-year management of TACs and quotas ⁽³⁾, and in particular Article 4(2) thereof,

Whereas:

(1) Council Regulations (EC) No 48/1999 ⁽⁴⁾, as last amended by Regulation (EC) No 2598/1999 ⁽⁵⁾, (EC) No 49/1999 ⁽⁶⁾, (EC) No 51/1999 ⁽⁷⁾, as last amended by Commission Regulation (EC) No 1619/1999 ⁽⁸⁾, (EC) No 53/1999 ⁽⁹⁾, as last amended by Regulation (EC) No 1619/1999, (EC) No 54/1999 ⁽¹⁰⁾, as last amended by Regulation (EC) No 2472/1999 ⁽¹¹⁾, (EC) No 55/1999 ⁽¹²⁾, (EC) No 57/1999 ⁽¹³⁾, (EC) No 59/1999 ⁽¹⁴⁾, (EC) No 61/1999 ⁽¹⁵⁾, as last amended by Regulation (EC) No 2473/1999 ⁽¹⁶⁾, (EC) No 63/1999 ⁽¹⁷⁾, as last amended by Regulation (EC) No 1619/1999, (EC) No 65/1999 ⁽¹⁸⁾, as last amended by Regulation (EC) No 1619/1999, (EC) No 66/1999 ⁽¹⁹⁾ and (EC) No 67/1999 ⁽²⁰⁾ stipulate which stocks may be subject to the measures foreseen by Regulation (EC) No 847/96.

(2) Council Regulation (EC) No 2742/1999 ⁽²¹⁾, as last amended by Regulation (EC) No 1696/2000 ⁽²²⁾, fixes fish quotas for certain stocks in 2000.

(3) Within the terms of Article 4(2) of Regulation (EC) No 847/96, certain Member States have asked to withhold a fraction of their quotas to be transferred to the following year. Within the limits indicated in that Article, the Commission shall add to the quota for 2000 the quantities withheld.

(4) According to the information communicated to the Commission, certain Member States have fished in excess of permitted landings for some stocks in 1999. In accordance with Article 5(1) of Regulation (EC) No 847/96, deductions from national quotas for 2000 shall be made at a level equivalent to the quantity fished in excess, without prejudice to the application of Article 5(2).

(5) In conformity with Article 5(2) of Regulation (EC) No 847/96, weighted deductions from national quotas for 2000 shall be made in the case of overfishing of permitted landings in 1998 for those stocks identified as such in Article 5 of and Annex III to Regulation (EC) No 48/1999.

(6) The measures provided for in this Regulation are in accordance with the opinion of the Management Committee for Fisheries and Aquaculture,

HAS ADOPTED THIS REGULATION:

Article 1

The quotas fixed in Regulation (EC) No 2742/1999 are increased or reduced as shown 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*.

⁽¹⁾ OJ L 261, 20.10.1993, p. 1.

⁽²⁾ OJ L 358, 31.12.1998, p. 5.

⁽³⁾ OJ L 115, 9.5.1996, p. 3.

⁽⁴⁾ OJ L 13, 18.1.1999, p. 1.

⁽⁵⁾ OJ L 316, 10.12.1999, p. 15.

⁽⁶⁾ OJ L 13, 18.1.1999, p. 54.

⁽⁷⁾ OJ L 13, 18.1.1999, p. 67.

⁽⁸⁾ OJ L 192, 24.7.1999, p. 14.

⁽⁹⁾ OJ L 13, 18.1.1999, p. 79.

⁽¹⁰⁾ OJ L 13, 18.1.1999, p. 81.

⁽¹¹⁾ OJ L 302, 25.11.1999, p. 1.

⁽¹²⁾ OJ L 13, 18.1.1999, p. 84.

⁽¹³⁾ OJ L 13, 18.1.1999, p. 93.

⁽¹⁴⁾ OJ L 13, 18.1.1999, p. 102.

⁽¹⁵⁾ OJ L 13, 18.1.1999, p. 111.

⁽¹⁶⁾ OJ L 302, 25.11.1999, p. 3.

⁽¹⁷⁾ OJ L 13, 18.1.1999, p. 120.

⁽¹⁸⁾ OJ L 13, 18.1.1999, p. 128.

⁽¹⁹⁾ OJ L 13, 18.1.1999, p. 130.

⁽²⁰⁾ OJ L 13, 18.1.1999, p. 145.

⁽²¹⁾ OJ L 341, 31.12.1999, p. 1.

⁽²²⁾ OJ L 195, 1.8.2000, p. 1.

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

Done at Brussels, 7 September 2000.

For the Commission
Franz FISCHLER
Member of the Commission

ANNEX

Species	Zone	Member State	Withheld quantities ⁽¹⁾	Catch in excess of permitted landings in 1999	Deductions ⁽²⁾	Weighted deductions %, quantity ⁽³⁾	Additional deductions ⁽⁴⁾	2000 quota	Revised value of 2000 quota
Herring	IV c, VII d	DK	n.a.	231	231	40 %, 92	n.a.	339	16
Herring	IV c, VII d	FR	n.a.	218	218	n.a.	n.a.	8 472	8 254
Herring	IV c, VII d	UK	n.a.	37	37	n.a.	n.a.	1 693	1 656
Herring	VII h g j k	FR	130	n.a.	n.a.	n.a.	n.a.	1 300	1 430
Cod	III a Kattegat	SW	n.a.	23	23	n.a.	n.a.	2 590	2 567
Megrim	VII	BE	61	n.a.	n.a.	n.a.	n.a.	480	541
Megrim	VII	ES	672	n.a.	n.a.	n.a.	n.a.	5 380	6 052
Megrim	VII	FR	815	n.a.	n.a.	n.a.	n.a.	6 520	7 335
Megrim	VII	IRL	371	n.a.	n.a.	n.a.	n.a.	2 970	3 341
Megrim	VII	UK	321	n.a.	n.a.	n.a.	n.a.	2 570	2 891
Megrim	VIII a b d e	ES	144	n.a.	n.a.	n.a.	n.a.	1 150	1 294
Megrim	VIII a b d e	FR	98	n.a.	n.a.	n.a.	n.a.	930	1 028
Megrim	VIII c, IX	ES	554	n.a.	n.a.	n.a.	n.a.	4 620	5 174
Anglerfish	VII	BE	246	n.a.	n.a.	n.a.	n.a.	2 130	2 376
Anglerfish	VII	ES	98	n.a.	n.a.	n.a.	n.a.	840	938
Anglerfish	VII	FR	791	n.a.	n.a.	n.a.	n.a.	13 630	14 421
Anglerfish	VII	NL	32	n.a.	n.a.	n.a.	n.a.	280	312
Anglerfish	VII	UK	480	n.a.	n.a.	n.a.	n.a.	4 140	4 620

Species	Zone	Member State	Withheld quantities ⁽¹⁾	Catch in excess of permitted landings in 1999	Deductions ⁽²⁾	Weighted deductions %, quantity ⁽³⁾	Additional deductions ⁽⁴⁾	2000 quota	Revised value of 2000 quota
Anglerfish	VIII a b d e	ES	116	n.a.	n.a.	n.a.	n.a.	1 000	1 116
Anglerfish	VIII a b d e	DR	323	n.a.	n.a.	n.a.	n.a.	5 570	5 893
Whiting	VII b and k	FR	n.a.	103	103	n.a.	n.a.	13 500	13 397
Blue whiting	Ila (*), North Sea (*)	NL	15	n.a.	n.a.	n.a.	n.a.	145	160
Blue whiting	V b, VI, VII	ES	2 000	n.a.	n.a.	n.a.	n.a.	21 730	23 730
Blue whiting	V b, VI, VII	FR	1 670	n.a.	n.a.	n.a.	n.a.	18 150	19 820
Blue whiting	VIII a b d e	ES	1 000	n.a.	n.a.	n.a.	n.a.	10 000	11 000
Blue whiting	VIII a b d e	FR	775	n.a.	n.a.	n.a.	n.a.	7 759	8 534
Blue whiting	VIII c, IX, X, CEECAF 34.1.1	ES	4 400	n.a.	n.a.	n.a.	n.a.	44 000	48 400
European plaice	VII a	BE	9	n.a.	n.a.	n.a.	n.a.	85	94
European plaice	VII a	IRL	136	n.a.	n.a.	n.a.	n.a.	1 365	1 501
European plaice	VII a	NL	3	n.a.	n.a.	n.a.	n.a.	30	33
European plaice	VII a	UK	88	n.a.	n.a.	n.a.	n.a.	885	973
Saithe	I, II (Norwegian waters)	FR	n.a.	58	58	n.a.	n.a.	386	328
Mackerel	V b (Faroese waters)	DK	n.a.	29	29	n.a.	n.a.	3 890	3 861
Common sole	VIII a b	BE	7	n.a.	n.a.	n.a.	n.a.	70	77
Common sole	VIII a b	ES	1	n.a.	n.a.	n.a.	n.a.	15	16
Common sole	VIII a b	FR	495	n.a.	n.a.	n.a.	n.a.	5 315	5 810
Horse mackerel	V b (*), VI, VII, VIII a b d e, XII, XIV	ES	1 500	n.a.	n.a.	n.a.	n.a.	23 080	24 580

Species	Zone	Member State	Withheld quantities ⁽¹⁾	Catch in excess of permitted landings in 1999	Deductions ⁽²⁾	Weighted deductions %, quantity ⁽³⁾	Additional deductions ⁽⁴⁾	2000 quota	Revised value of 2000 quota
Horse mackerel	V b (*), VI, VII, VIII a b d e, XII, XIV	UK	1 750	n.a.	n.a.	n.a.	n.a.	22 850	24 600
Horse mackerel	VIII c, IX	ES	3 927	n.a.	n.a.	n.a.	n.a.	36 580	40 507
Swordfish	Atlantic Ocean, north of 5° N	ES	441	n.a.	n.a.	n.a.	n.a.	4 198	4 639
Swordfish	Atlantic Ocean, north of 5° N	ES	584	n.a.	n.a.	n.a.	n.a.	5 848	6 432

n.a. Not applicable.

(*) Community waters.

⁽¹⁾ In accordance with Article 4(2) of Regulation (EC) No 847/96.

⁽²⁾ In accordance with Article 5(1) of Regulation (EC) No 847/96.

⁽³⁾ In accordance with Article 5(2) of Regulation (EC) No 847/96.

⁽⁴⁾ Due to relapse, in accordance with Article 5(2) of Regulation (EC) No 847/96.

COMMISSION REGULATION (EC) No 1903/2000

of 7 September 2000

supplementing the Annex to Regulation (EC) No 2400/96 on the entry of certain names in the 'Register of protected designations of origin and protected geographical indications' provided for in Council Regulation (EEC) No 2081/92 on the protection of geographical indications and designations of origin for agricultural products and foodstuffs

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EEC) No 2081/92 of 14 July 1992 on the protection of geographical indications and designations of origin for agricultural products and foodstuffs ⁽¹⁾, as last amended by Commission Regulation (EC) No 1509/2000 ⁽²⁾, and in particular Article 6(3) and (4) thereof,

Whereas:

- (1) Under Article 5 of Regulation (EEC) No 2081/92, the Netherlands have sent the Commission an application for the registration of a name as a designation of origin.
- (2) In accordance with Article 6(1) of that Regulation, the application has been found to meet all the requirements laid down therein and in particular to contain all the information required in accordance with Article 4 thereof.
- (3) No statements of objection have been received by the Commission under Article 7 of that Regulation in respect of the name given in the Annex to this Regulation following its publication in the *Official Journal of the European Communities* ⁽³⁾.

- (4) The name should therefore be entered in the 'Register of protected designations of origin and protected geographical indications' and hence be protected throughout the Community as a protected designation of origin.
- (5) The Annex to this Regulation supplements the Annex to Commission Regulation (EC) No 2400/96 ⁽⁴⁾, as last amended by Regulation (EC) No 1651/2000 ⁽⁵⁾,

HAS ADOPTED THIS REGULATION:

Article 1

The name in the Annex hereto is added to the Annex to Regulation (EC) No 2400/96 and entered as a protected designation of origin (PDO) in the 'Register of protected designations of origin and protected geographical indications' provided for in Article 6(3) of Regulation (EEC) No 2081/92.

Article 2

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

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

Done at Brussels, 7 September 2000.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ L 208, 24.7.1992, p. 1.
⁽²⁾ OJ L 174, 13.7.2000, p. 7.

⁽³⁾ OJ C 378, 30.12.1999, p. 2.
⁽⁴⁾ OJ L 327, 18.12.1996, p. 11.
⁽⁵⁾ OJ L 189, 27.7.2000, p. 15.

ANNEX

PRODUCTS LISTED IN ANNEX I TO THE EC TREATY, INTENDED FOR HUMAN CONSUMPTION**Cheeses**

THE NETHERLANDS

Kanterkaas, Kanternagelkaas, Kanterkomijnekaas (PDO)

COMMISSION REGULATION (EC) No 1904/2000**of 7 September 2000****supplementing the Annex to Regulation (EC) No 2400/96 on the entry of certain names in the 'Register of protected designations of origin and protected geographical indications' provided for in Council Regulation (EEC) No 2081/92 on the protection of geographical indications and designations of origin for agricultural products and foodstuffs**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EEC) No 2081/92 of 14 July 1992 on the protection of geographical indications and designations of origin for agricultural products and foodstuffs ⁽¹⁾, as last amended by Commission Regulation (EC) No 1509/2000 ⁽²⁾, and in particular Article 6(3) and (4) thereof,

Whereas:

- (1) Under Article 5 of Regulation (EEC) No 2081/92, Italy has sent the Commission applications for the registration of certain names as designations of origin and geographical indications.
- (2) In accordance with Article 6(1) of that Regulation, the applications have been found to meet all the requirements laid down therein and in particular to contain all the information required in accordance with Article 4 thereof.
- (3) No statements of objection have been received by the Commission under Article 7 of that Regulation in respect of the names given in the Annex to this Regulation following their publication in the *Official Journal of the European Communities* ⁽³⁾.

(4) The names should therefore be entered in the 'Register of protected designations of origin and protected geographical indications' and hence be protected throughout the Community as protected designations of origin or protected geographical indications.

(5) The Annex to this Regulation supplements the Annex to Commission Regulation (EC) No 2400/96 ⁽⁴⁾, as last amended by Regulation (EC) No 1651/2000 ⁽⁵⁾,

HAS ADOPTED THIS REGULATION:

Article 1

The names in the Annex hereto are added to the Annex to Regulation (EC) No 2400/96 and entered as protected designations of origin (PDO) or protected geographical indications (PGI) in the 'Register of protected designations of origin and protected geographical indications' provided for in Article 6(3) of Regulation (EEC) No 2081/92.

Article 2

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

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

Done at Brussels, 7 September 2000.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ L 208, 24.7.1992, p. 1.

⁽²⁾ OJ L 174, 13.7.2000, p. 7.

⁽³⁾ OJ C 347, 3.12.1999, p. 2 and
OJ C 358, 10.12.1999, p. 2.

⁽⁴⁾ OJ L 327, 18.12.1996, p. 11.

⁽⁵⁾ OJ L 189, 27.7.2000, p. 15.

ANNEX

PRODUCTS LISTED IN ANNEX I TO THE EC TREATY, INTENDED FOR HUMAN CONSUMPTION**Fruit, vegetables and cereals**

ITALY

Castagna del Monte Amiata (PGI)

La Bella della Daunia (PDO)

COMMISSION REGULATION (EC) No 1905/2000**of 7 September 2000****fixing, for August 2000, the specific exchange rate for the amount of the reimbursement of storage costs in the sugar sector**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

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

Having regard to Council Regulation (EC) No 2799/98 of 15 December 1998 establishing agrimonetary arrangements for the euro ⁽³⁾,

Having regard to Commission Regulation (EEC) No 1713/93 of 30 July 1993 establishing special detailed rules for applying the agricultural conversion rate in the sugar sector ⁽⁴⁾, as last amended by Regulation (EC) No 1642/1999 ⁽⁵⁾, and in particular Article 1(3) thereof,

Whereas:

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

amounts applying from 1 January 1999, as a result of the introduction of the agrimonetary arrangements for the euro from that date, the fixing of the conversion rate should be limited to the specific exchange rates prevailing between the euro and the national currencies of the Member States that have not adopted the single currency.

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

HAS ADOPTED THIS REGULATION:

Article 1

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

Article 2

This Regulation shall enter into force on 8 September 2000.

It shall apply with effect from 1 August 2000.

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

Done at Brussels, 7 September 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 349, 24.12.1998, p. 1.

⁽⁴⁾ OJ L 159, 1.7.1993, p. 94.

⁽⁵⁾ OJ L 195, 28.7.1999, p. 3.

ANNEX

to the Commission Regulation of 7 September 2000 fixing, for August 2000, the exchange rate for the amount of the reimbursement of storage costs in the sugar sector

Specific exchange rate		
EUR 1 =	7,45788	Danish kroner
	337,252	Greek drachma
	8,39311	Swedish kroner
	0,607287	Pound sterling

COMMISSION REGULATION (EC) No 1906/2000
of 7 September 2000
on the issue of import licences for high-quality fresh, chilled or frozen beef and veal

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Commission Regulation (EC) No 936/97 of 27 May 1997 opening and providing for the administration of tariff quotas for high-quality fresh, chilled and frozen beef and for frozen buffalo meat ⁽¹⁾, as last amended by Regulation (EC) No 134/1999 ⁽²⁾,

Whereas:

- (1) Regulation (EC) No 936/97 provides in Articles 4 and 5 the conditions for applications and for the issue of import licences for meat referred to in Article 2(f).
- (2) Article 2(f) of Regulation (EC) No 936/97 fixes the amount of high-quality fresh, chilled or frozen beef and veal originating in and imported from the United States of America and Canada which may be imported on special terms for the period 1 July 2000 to 30 June 2001 at 11 500 t.

- (3) It should be recalled that licences issued pursuant to this Regulation will, throughout the period of validity, be open for use only in so far as provisions on health protection in force permit,

HAS ADOPTED THIS REGULATION:

Article 1

1. All applications for import licences from 1 to 5 September 2000 for high-quality fresh, chilled or frozen beef and veal as referred to in Article 2(f) of Regulation (EC) No 936/97 shall be granted in full.
2. Applications for licences may be submitted, in accordance with Article 5 of Regulation (EC) No 936/97, during the first five days of October 2000 for 3 489,503 t.

Article 2

This Regulation shall enter into force on 11 September 2000.

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

Done at Brussels, 7 September 2000.

For the Commission
Franz FISCHLER
Member of the Commission

⁽¹⁾ OJ L 137, 28.5.1997, p. 10.

⁽²⁾ OJ L 17, 22.1.1999, p. 22.

COMMISSION REGULATION (EC) No 1907/2000

of 7 September 2000

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

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EEC) No 1766/92 of 30 June 1992 on the common organisation of the market in cereals ⁽¹⁾, as last amended by Regulation (EC) No 1666/2000 ⁽²⁾, and in particular Article 13(3) thereof,

Having regard to Council Regulation (EC) No 3072/95 of 22 December 1995 on the common organisation of the market in rice ⁽³⁾, as last amended by Regulation (EC) No 1667/2000 ⁽⁴⁾, and in particular Article 13(3) thereof,

Whereas:

- (1) Article 13(1) of Regulation (EEC) No 1766/92 and Article 13(1) of Regulation (EC) No 3072/95 provide that the difference between quotations of prices on the world market for the products listed in Article 1 of each of those Regulations and the prices within the Community may be covered by an export refund.
- (2) Commission Regulation (EC) No 1520/2000 of 13 July 2000 laying down common implementing rules for granting export refunds on certain agricultural products exported in the form of goods not covered by Annex I to the Treaty, and the criteria for fixing the amount of such refunds ⁽⁵⁾, specifies the products for which a rate of refund should be fixed, to be applied where these products are exported in the form of goods listed in Annex B to Regulation (EEC) No 1766/92 or in Annex B to Regulation (EC) No 3072/95 as appropriate.
- (3) In accordance with the first subparagraph of Article 4(1) of Regulation (EC) No 1520/2000, the rate of the refund per 100 kilograms for each of the basic products in question must be fixed for each month.
- (4) The commitments entered into with regard to refunds which may be granted for the export of agricultural products contained in goods not covered by Annex I to the Treaty may be jeopardised by the fixing in advance of high refund rates. Whereas it is therefore necessary to take precautionary measures in such situations without, however, preventing the conclusion of long-term contracts. Whereas the fixing of a specific refund rate for the advance fixing of refunds is a measure which enables these various objectives to be met.

(5) Now that a settlement has been reached between the European Community and the United States of America on Community exports of pasta products to the United States and has been approved by Council Decision 87/482/EEC ⁽⁶⁾, it is necessary to differentiate the refund on goods falling within CN codes 1902 11 00 and 1902 19 according to their destination.

(6) Pursuant to Article 4(3) and (5) of Regulation (EC) No 1520/2000 provides that a reduced rate of export refund has to be fixed, taking account of the amount of the production refund applicable, pursuant to Council Regulation (EEC) No 1722/93 ⁽⁷⁾, as last amended by Commission Regulation (EC) No 87/1999 ⁽⁸⁾, for the basic product in question, used during the assumed period of manufacture of the goods.

(7) Spirituous beverages are considered less sensitive to the price of the cereals used in their manufacture. However, Protocol 19 of the Act of Accession of the United Kingdom, Ireland and Denmark stipulates that the necessary measures must be decided to facilitate the use of Community cereals in the manufacture of spirituous beverages obtained from cereals. Accordingly, it is necessary to adapt the refund rate applying to cereals exported in the form of spirituous beverages.

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

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

HAS ADOPTED THIS REGULATION:

Article 1

The rates of the refunds applicable to the basic products appearing in Annex A to Regulation (EC) No 1520/2000 and listed either in Article 1 of Regulation (EEC) No 1766/92 or in Article 1(1) of Regulation (EC) No 3072/95, exported in the form of goods listed in Annex B to Regulation (EEC) No 1766/92 or in Annex B to amended Regulation (EC) No 3072/95 respectively, are hereby fixed as shown in the Annex to this Regulation.

⁽¹⁾ OJ L 181, 1.7.1992, p. 21.

⁽²⁾ OJ L 193, 29.7.2000, p. 1.

⁽³⁾ OJ L 329, 30.12.1995, p. 18.

⁽⁴⁾ OJ L 193, 29.7.2000, p. 3.

⁽⁵⁾ OJ L 177, 15.7.2000, p. 1.

⁽⁶⁾ OJ L 275, 29.9.1987, p. 36.

⁽⁷⁾ OJ L 159, 1.7.1993, p. 112.

⁽⁸⁾ OJ L 9, 15.1.1999, p. 8.

Article 2

Where a refund certificate issued before 14 July 2000 is used, and with regard to the goods listed in the Annex to Regulation (EEC) No 1722/1993, a reduced rate of refund which takes account of the amount of the production refund shall apply.

However, if, at the time the export declaration is accepted and, in support of his application for payment of the export refund, the operator provides proof that, with regard to the basic products used to manufacture the goods to be exported, the production refund provided for under Regulation (EEC) No 1722/93 has not been and will not be applied for, the rate of

refund which does not take account of the amount of the production refund shall apply.

The proof referred to in the previous paragraph shall consist of the presentation by the exporter of a declaration by the processor of the basic product in question which attests that, with regard to this product, the production refund provided for under Regulation (EEC) No 1722/93 has not been and will not be applied for. This declaration shall be verified in accordance with Article 16(1) of Regulation (EC) No 1520/2000.

Article 3

This Regulation shall enter into force on 8 September 2000.

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

Done at Brussels, 7 September 2000.

For the Commission

Erkki LIIKANEN

Member of the Commission

ANNEX

**to the Commission Regulation of 7 September 2000 fixing the rates of the refunds applicable to certain cereals
and rice products exported in the form of goods not covered by Annex I to the Treaty**

CN code	Description of products ⁽¹⁾	Rate of refund per 100 kg of basic product	
		In case of advance fixing of refunds	Other
1001 10 00	Durum wheat: – on exports of goods falling within CN codes 1902 11 and 1902 19 to the United States of America – in other cases	— —	— —
1001 90 99	Common wheat and meslin: – on exports of goods falling within CN codes 1902 11 and 1902 19 to the United States of America – in other cases: – – where Article 4(5) of Regulation (EC) No 1520/2000 applies ⁽²⁾ – – where the first paragraph of Article 2 applies – – where goods falling within subheading 2208 ⁽³⁾ are exported – – in other cases	— — — — —	— — — — —
1002 00 00	Rye	4,683	4,683
1003 00 90	Barley – where goods falling within subheading 2208 ⁽³⁾ are exported – in other cases	— —	— —
1004 00 00	Oats	4,226	4,226
1005 90 00	Maize (corn) used in the form of: – starch: – – where Article 4(5) of Regulation (EC) No 1520/2000 applies ⁽²⁾ – – where the first paragraph of Article 2 applies – – where goods falling within subheading 2208 ⁽³⁾ are exported – – in other cases – glucose, glucose syrup, maltodextrine, maltodextrine syrup of CN codes 1702 30 51, 1702 30 59, 1702 30 91, 1702 30 99, 1702 40 90, 1702 90 50, 1702 90 75, 1702 90 79, 2106 90 55 ⁽⁴⁾ : – – where Article 4(5) of Regulation (EC) No 1520/2000 applies ⁽²⁾ – – where the first paragraph of Article 2 applies – – where goods falling within subheading 2208 ⁽³⁾ are exported – – in other cases – where goods falling within subheading 2208 ⁽³⁾ are exported – other (including unprocessed) Potato starch of CN code 1108 13 00 similar to a product obtained from processed maize: – where Article 4(5) of Regulation (EC) No 1520/2000 applies ⁽²⁾ – – where the first paragraph of Article 2 applies – – where goods falling within subheading 2208 ⁽³⁾ are exported – in other cases	2,001 2,001 1,831 3,800 1,051 1,051 1,373 2,850 1,831 3,800 2,001 2,001 1,831 3,800	2,001 2,001 1,831 3,800 1,051 1,051 1,373 2,850 1,831 3,800 2,001 2,001 1,831 3,800

(EUR/100 kg)

CN code	Description of products ⁽¹⁾	Rate of refund per 100 kg of basic product	
		In case of advance fixing of refunds	Other
ex 1006 30	Wholly-milled rice: – round grain	12,500	12,500
	– medium grain	12,500	12,500
	– long grain	12,500	12,500
1006 40 00	Broken rice	2,400	2,400
1007 00 90	Sorghum	—	—

⁽¹⁾ As far as agricultural products obtained from the processing of a basic product or/and assimilated products are concerned, the coefficients shown in Annex E of amended Commission Regulation (EC) No 1520/2000 shall be applied (OJ L 177, 15.7.2000, p. 1).

⁽²⁾ The goods concerned fall under CN code 3505 10 50, unless Article 2 applies.

⁽³⁾ Goods listed in Annex B of Council Regulation (EEC) No 1766/92 or referred to in Article 2 of Regulation (EEC) No 2825/93.

⁽⁴⁾ For syrups of CN codes NC 1702 30 99, 1702 40 90 and 1702 60 90, obtained from mixing glucose and fructose syrup, the export refund may be granted only for the glucose syrup.

COMMISSION REGULATION (EC) No 1908/2000
of 7 September 2000
fixing the export refunds on products processed from cereals and rice

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EEC) No 1766/92 of 30 June 1992 on the common organization of the market in cereals ⁽¹⁾, as last amended by Regulation (EC) No 1666/2000 ⁽²⁾, and in particular Article 13(3) thereof,

Having regard to Council Regulation (EC) No 3072/95 of 22 December 1995 on the common organization of the market in rice ⁽³⁾, as last amended by Regulation (EC) No 1667/2000 ⁽⁴⁾, and in particular Article 13(3) thereof,

Whereas:

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

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

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

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

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

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

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

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

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

HAS ADOPTED THIS REGULATION:

Article 1

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

⁽¹⁾ OJ L 181, 1.7.1992, p. 21.

⁽²⁾ OJ L 193, 29.7.2000, p. 1.

⁽³⁾ OJ L 329, 30.12.1995, p. 18.

⁽⁴⁾ OJ L 193, 29.7.2000, p. 3.

⁽⁵⁾ OJ L 147, 30.6.1995, p. 55.

⁽⁶⁾ OJ L 312, 23.12.1995, p. 25.

Article 2

This Regulation shall enter into force on 8 September 2000.

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

Done at Brussels, 7 September 2000.

For the Commission
Franz FISCHLER
Member of the Commission

ANNEX

to the Commission Regulation of 7 September 2000 fixing the export refunds on products processed from cereals and rice

Product code	Destination	Unit of measurement	Refunds	Product code	Destination	Unit of measurement	Refunds
1102 20 10 9200 ⁽¹⁾	A00	EUR/t	53,20	1104 23 10 9100	A00	EUR/t	57,00
1102 20 10 9400 ⁽¹⁾	A00	EUR/t	45,60	1104 23 10 9300	A00	EUR/t	43,70
1102 20 90 9200 ⁽¹⁾	A00	EUR/t	45,60	1104 29 11 9000	A00	EUR/t	0,00
1102 90 10 9100	A00	EUR/t	0,00	1104 29 51 9000	A00	EUR/t	0,00
1102 90 10 9900	A00	EUR/t	0,00	1104 29 55 9000	A00	EUR/t	0,00
1102 90 30 9100	A00	EUR/t	76,07	1104 30 10 9000	A00	EUR/t	0,00
1103 12 00 9100	A00	EUR/t	76,07	1104 30 90 9000	A00	EUR/t	9,50
1103 13 10 9100 ⁽¹⁾	A00	EUR/t	68,40	1107 10 11 9000	A00	EUR/t	0,00
1103 13 10 9300 ⁽¹⁾	A00	EUR/t	53,20	1107 10 91 9000	A00	EUR/t	0,00
1103 13 10 9500 ⁽¹⁾	A00	EUR/t	45,60	1108 11 00 9200	A00	EUR/t	0,00
1103 13 90 9100 ⁽¹⁾	A00	EUR/t	45,60	1108 11 00 9300	A00	EUR/t	0,00
1103 19 10 9000	A00	EUR/t	46,83	1108 12 00 9200	A00	EUR/t	60,80
1103 19 30 9100	A00	EUR/t	0,00	1108 12 00 9300	A00	EUR/t	60,80
1103 21 00 9000	A00	EUR/t	0,00	1108 13 00 9200	A00	EUR/t	60,80
1103 29 20 9000	A00	EUR/t	0,00	1108 13 00 9300	A00	EUR/t	60,80
1104 11 90 9100	A00	EUR/t	0,00	1108 19 10 9200	A00	EUR/t	36,48
1104 12 90 9100	A00	EUR/t	84,52	1108 19 10 9300	A00	EUR/t	36,48
1104 12 90 9300	A00	EUR/t	67,62	1109 00 00 9100	A00	EUR/t	0,00
1104 19 10 9000	A00	EUR/t	0,00	1702 30 51 9000 ⁽²⁾	A00	EUR/t	59,57
1104 19 50 9110	A00	EUR/t	60,80	1702 30 59 9000 ⁽²⁾	A00	EUR/t	45,60
1104 19 50 9130	A00	EUR/t	49,40	1702 30 91 9000	A00	EUR/t	59,57
1104 21 10 9100	A00	EUR/t	0,00	1702 30 99 9000	A00	EUR/t	45,60
1104 21 30 9100	A00	EUR/t	0,00	1702 40 90 9000	A00	EUR/t	45,60
1104 21 50 9100	A00	EUR/t	0,00	1702 90 50 9100	A00	EUR/t	59,57
1104 21 50 9300	A00	EUR/t	0,00	1702 90 50 9900	A00	EUR/t	45,60
1104 22 20 9100	A00	EUR/t	67,62	1702 90 75 9000	A00	EUR/t	62,42
1104 22 30 9100	A00	EUR/t	71,84	1702 90 79 9000	A00	EUR/t	43,32
				2106 90 55 9000	A00	EUR/t	45,60

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

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

NB: The product codes and the 'A' series destination codes are set out in Commission Regulation (EEC) No 3846/87 (OJ L 366, 24.12.1987, p. 1) as amended.

The numeric destination codes are set out in Regulation (EC) No 2543/1999 (OJ L 307, 2.12.1999, p. 46).

COMMISSION REGULATION (EC) No 1909/2000
of 7 September 2000
fixing the export refunds on cereal-based compound feedingstuffs

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EEC) No 1766/92 of 30 June 1992 on the common organization of the market in cereals⁽¹⁾, as last amended by Regulation (EC) No 1666/2000⁽²⁾, and in particular Article 13(3) thereof,

Whereas:

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

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

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

HAS ADOPTED THIS REGULATION:

Article 1

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

Article 2

This Regulation shall enter into force on 8 September 2000.

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

Done at Brussels, 7 September 2000.

For the Commission
Franz FISCHLER
Member of the Commission

⁽¹⁾ OJ L 181, 1.7.1992, p. 21.

⁽²⁾ OJ L 193, 29.7.2000, p. 1.

⁽³⁾ OJ L 147, 30.6.1995, p. 51.

ANNEX

to the Commission Regulation of 7 September 2000 fixing the export refunds on cereal-based compound feedingsuffs

Product codes benefiting from export refund:

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

Cereal products	Destination	Unit of measurement	Amount of refunds
Maize and maize products: CN codes 0709 90 60, 0712 90 19, 1005, 1102 20, 1103 13, 1103 29 40, 1104 19 50, 1104 23, 1904 10 10	A00	EUR/t	38,00
Cereal products excluding maize and maize products	A00	EUR/t	0,00

NB: The product codes and the 'A' series destination codes are set out in Commission Regulation (EEC) No 3846/87 (OJ L 366, 24.12.1987, p. 1) as amended.

COMMISSION REGULATION (EC) No 1910/2000**of 7 September 2000****fixing the maximum export refund on common wheat in connection with the invitation to tender issued in Regulation (EC) No 1701/2000**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EEC) No 1766/92 of 30 June 1992 on the common organisation of the market in cereals ⁽¹⁾, as last amended by Regulation (EC) No 1666/2000 ⁽²⁾,

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

Whereas:

- (1) An invitation to tender for the refund on exportation of common wheat to all third countries was opened pursuant to Commission Regulation (EC) No 1701/2000 ⁽⁵⁾.
- (2) Article 7 of Regulation (EC) No 1501/95 provides that the Commission may, on the basis of the tenders notified, in accordance with the procedure laid down in Article 23 of Regulation (EEC) No 1766/92, decide to fix a maximum export refund taking account of the criteria

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

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

HAS ADOPTED THIS REGULATION:

Article 1

For tenders notified from 1 to 7 September 2000, pursuant to the invitation to tender issued in Regulation (EC) No 1701/2000, the maximum refund on exportation of common wheat shall be EUR 0,00/t.

Article 2

This Regulation shall enter into force on 8 September 2000.

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

Done at Brussels, 7 September 2000.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ L 181, 1.7.1992, p. 21.

⁽²⁾ OJ L 193, 29.7.2000, p. 1.

⁽³⁾ OJ L 147, 30.6.1995, p. 7.

⁽⁴⁾ OJ L 313, 21.11.1998, p. 16.

⁽⁵⁾ OJ L 195, 1.8.2000, p. 18.

COMMISSION REGULATION (EC) No 1911/2000
of 7 September 2000
fixing the maximum export refund on rye in connection with the invitation to tender issued in
Regulation (EC) No 1740/2000

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EEC) No 1766/92 of 30 June 1992 on the common organisation of the market in cereals ⁽¹⁾, as last amended by Regulation (EC) No 1666/2000 ⁽²⁾,

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

Whereas:

- (1) An invitation to tender for the refund for the export of rye to all countries was opened pursuant to Commission Regulation (EC) No 1740/2000 ⁽⁵⁾.
- (2) Article 7 of Regulation (EC) No 1501/95 provides that the Commission may, on the basis of the tenders notified, in accordance with the procedure laid down in Article 23 of Regulation (EEC) No 1766/92, decide to fix a maximum export refund taking account of the criteria

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

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

HAS ADOPTED THIS REGULATION:

Article 1

For tenders notified from 1 to 7 September 2000, pursuant to the invitation to tender issued in Regulation (EC) No 1740/2000, the maximum refund on exportation of rye shall be EUR 32,25/t.

Article 2

This Regulation shall enter into force on 8 September 2000.

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

Done at Brussels, 7 September 2000.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ L 181, 1.7.1992, p. 21.

⁽²⁾ OJ L 193, 29.7.2000, p. 1.

⁽³⁾ OJ L 147, 30.6.1995, p. 7.

⁽⁴⁾ OJ L 313, 21.11.1998, p. 16.

⁽⁵⁾ OJ L 199, 5.8.2000, p. 3.

COMMISSION REGULATION (EC) No 1912/2000**of 7 September 2000****fixing the export refunds on cereals and on wheat or rye flour, groats and meal**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EEC) No 1766/92 of 30 June 1992 on the common organisation of the market in cereals ⁽¹⁾, as last amended by Regulation (EC) No 1666/2000 ⁽²⁾, and in particular Article 13(2) thereof,

Whereas:

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

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

HAS ADOPTED THIS REGULATION:

Article 1

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

Article 2

This Regulation shall enter into force on 8 September 2000.

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

Done at Brussels, 7 September 2000.

For the Commission
Franz FISCHLER
Member of the Commission

⁽¹⁾ OJ L 181, 1.7.1992, p. 21.

⁽²⁾ OJ L 193, 29.7.2000, p. 1.

⁽³⁾ OJ L 147, 30.6.1995, p. 7.

⁽⁴⁾ OJ L 313, 21.11.1998, p. 16.

ANNEX

to the Commission Regulation of 7 September 2000 fixing the export refunds on cereals and on wheat or rye flour, groats and meal

Product code	Destination	Unit of measurement	Amount of refunds	Product code	Destination	Unit of measurement	Amount of refunds
1001 10 00 9200	—	EUR/t	—	1101 00 11 9000	—	EUR/t	—
1001 10 00 9400	A00	EUR/t	0	1101 00 15 9100	A00	EUR/t	0
1001 90 91 9000	—	EUR/t	—	1101 00 15 9130	A00	EUR/t	0
1001 90 99 9000	A00	EUR/t	0	1101 00 15 9150	A00	EUR/t	0
1002 00 00 9000	A00	EUR/t	0	1101 00 15 9170	A00	EUR/t	0
1003 00 10 9000	—	EUR/t	—	1101 00 15 9180	A00	EUR/t	0
1003 00 90 9000	A00	EUR/t	0	1101 00 15 9190	—	EUR/t	—
1004 00 00 9200	—	EUR/t	—	1101 00 90 9000	—	EUR/t	—
1004 00 00 9400	—	EUR/t	—	1102 10 00 9500	A00	EUR/t	42,75
1005 10 90 9000	—	EUR/t	—	1102 10 00 9700	A00	EUR/t	33,75
1005 90 00 9000	A00	EUR/t	0	1102 10 00 9900	—	EUR/t	—
1007 00 90 9000	—	EUR/t	—	1103 11 10 9200	A00	EUR/t	0 ⁽¹⁾
1008 20 00 9000	—	EUR/t	—	1103 11 10 9400	A00	EUR/t	0 ⁽¹⁾
				1103 11 10 9900	—	EUR/t	—
				1103 11 90 9200	A00	EUR/t	0 ⁽¹⁾
				1103 11 90 9800	—	EUR/t	—

⁽¹⁾ No refund is granted when this product contains compressed meal.

NB: The product codes and the 'A' series destination codes are set out in Commission Regulation (EEC) No 3846/87 (OJ L 366, 24.12.1987, p. 1) as amended.

The numeric destination codes are set out in Commission Regulation (EC) No 2543/1999 (OJ L 307, 2.12.1999, p. 46).

COMMISSION REGULATION (EC) No 1913/2000
of 7 September 2000
fixing the corrective amount applicable to the refund on cereals

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EEC) No 1766/92 of 30 June 1992 on the common organization of the market in cereals ⁽¹⁾, as last amended by Regulation (EC) No 1666/2000 ⁽²⁾, and in particular Article 13 (8) thereof,

Whereas:

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

- (3) The world market situation or the specific requirements of certain markets may make it necessary to vary the corrective amount according to destination.
- (4) The corrective amount must be fixed at the same time as the refund and according to the same procedure; it may be altered in the period between fixings.
- (5) It follows from applying the provisions set out above that the corrective amount must be as set out in the Annex hereto.
- (6) The measures provided for in this Regulation are in accordance with the opinion of the Management Committee for Cereals,

HAS ADOPTED THIS REGULATION:

Article 1

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

Article 2

This Regulation shall enter into force on 8 September 2000.

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

Done at Brussels, 7 September 2000.

For the Commission
Franz FISCHLER
Member of the Commission

⁽¹⁾ OJ L 181, 1.7.1992, p. 21.

⁽²⁾ OJ L 193, 29.7.2000, p. 1.

⁽³⁾ OJ L 147, 30.6.1995, p. 7.

⁽⁴⁾ OJ L 313, 21.11.1998, p. 16.

ANNEX

to the Commission Regulation of 7 September 2000 fixing the corrective amount applicable to the refund on cereals

(EUR/t)

Product code	Destination	Current 9	1st period 10	2nd period 11	3rd period 12	4th period 1	5th period 2	6th period 3
1001 10 00 9200	—	—	—	—	—	—	—	—
1001 10 00 9400	A00	0	-1,00	-2,00	-3,00	-4,00	—	—
1001 90 91 9000	—	—	—	—	—	—	—	—
1001 90 99 9000	A00	0	-1,00	-2,00	-3,00	-4,00	—	—
1002 00 00 9000	A00	0	0,00	0,00	0,00	0,00	—	—
1003 00 10 9000	—	—	—	—	—	—	—	—
1003 00 90 9000	A00	0	-1,00	-2,00	-3,00	-4,00	—	—
1004 00 00 9200	—	—	—	—	—	—	—	—
1004 00 00 9400	A00	0	-1,00	-2,00	-3,00	-4,00	—	—
1005 10 90 9000	—	—	—	—	—	—	—	—
1005 90 00 9000	—	—	—	—	—	—	—	—
1007 00 90 9000	—	—	—	—	—	—	—	—
1008 20 00 9000	—	—	—	—	—	—	—	—
1101 00 11 9000	—	—	—	—	—	—	—	—
1101 00 15 9100	A00	0	-1,37	-2,74	-4,11	-5,48	—	—
1101 00 15 9130	A00	0	-1,28	-2,56	-3,84	-5,12	—	—
1101 00 15 9150	A00	0	-1,18	-2,36	-3,54	-4,72	—	—
1101 00 15 9170	A00	0	-1,09	-2,18	-3,27	-4,36	—	—
1101 00 15 9180	A00	0	-1,02	-2,04	-3,06	-4,08	—	—
1101 00 15 9190	—	—	—	—	—	—	—	—
1101 00 90 9000	—	—	—	—	—	—	—	—
1102 10 00 9500	A00	0	0,00	0,00	0,00	0,00	—	—
1102 10 00 9700	A00	0	0,00	0,00	0,00	0,00	—	—
1102 10 00 9900	—	—	—	—	—	—	—	—
1103 11 10 9200	A00	0	-1,50	-3,00	-4,50	-6,00	—	—
1103 11 10 9400	A00	0	-1,34	-2,68	-4,02	-5,36	—	—
1103 11 10 9900	—	—	—	—	—	—	—	—
1103 11 90 9200	A00	0	-1,37	-2,74	-4,11	-5,48	—	—
1103 11 90 9800	—	—	—	—	—	—	—	—

NB: The product codes and the 'A' series destination codes are set out in Commission Regulation (EEC) No 3846/87 (OJ L 366, 24.12.1987, p. 1) as amended.

The numeric destination codes are set out in Commission Regulation (EC) No 2543/1999 (OJ L 307, 2.12.1999, p. 46).

COMMISSION REGULATION (EC) No 1914/2000
of 7 September 2000
fixing the corrective amount applicable to the refund on malt

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EEC) No 1766/92 of 30 June 1992 on the common organization of the market in cereals ⁽¹⁾, as last amended by Regulation (EC) No 1666/2000 ⁽²⁾, and in particular Article 13(8),

Whereas:

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

in Article 1(1)(c) of Regulation (EEC) No 1766/92. That corrective amount must be calculated taking account of the factors referred to in Article 1 of Regulation (EC) No 1501/95.

- (3) It follows from applying the provisions set out above that the corrective amount must be as set out in the Annex hereto.
- (4) The measures provided for in this Regulation are in accordance with the opinion of the Management Committee for Cereals,

HAS ADOPTED THIS REGULATION:

Article 1

The corrective amount referred to in Article 13(4) of Regulation (EEC) No 1766/92 which is applicable to export refunds fixed in advance in respect of malt shall be as set out in the Annex hereto.

Article 2

This Regulation shall enter into force on 8 September 2000.

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

Done at Brussels, 7 September 2000.

For the Commission
Franz FISCHLER
Member of the Commission

⁽¹⁾ OJ L 181, 1.7.1992, p. 21.

⁽²⁾ OJ L 193, 29.7.2000, p. 1.

⁽³⁾ OJ L 147, 30.6.1995, p. 7.

⁽⁴⁾ OJ L 313, 21.11.1998, p. 16.

ANNEX

to the Commission Regulation of 7 September 2000 fixing the corrective amount applicable to the refund on malt

(EUR/t)

Product code	Destination	Current 9	1st period 10	2nd period 11	3rd period 12	4th period 1	5th period 2
1107 10 11 9000	A00	0	0	0	0	0	0
1107 10 19 9000	A00	0	-1,27	-2,54	-3,81	-5,08	-6,35
1107 10 91 9000	A00	0	0	0	0	0	0
1107 10 99 9000	A00	0	-1,27	-2,54	-3,81	-5,08	-6,35
1107 20 00 9000	A00	0	-1,49	-2,98	-4,47	-5,96	-7,45

(EUR/t)

Product code	Destination	6th period 3	7th period 4	8th period 5	9th period 6	10th period 7	11th period 8
1107 10 11 9000	A00	0	0	0	0	0	0
1107 10 19 9000	A00	-7,62	-8,89	-10,16	-11,43	-12,70	-13,97
1107 10 91 9000	A00	0	0	0	0	0	0
1107 10 99 9000	A00	-7,62	-8,89	-10,16	-11,43	-12,70	-13,97
1107 20 00 9000	A00	-8,94	-10,43	-11,92	-13,41	-14,90	-16,39

NB: The product codes and the 'A' series destination codes are set out in Commission Regulation (EEC) No 3846/87 (OJ L 366, 24.12.1987, p. 1) as amended.

The numeric destination codes are set out in Commission Regulation (EC) No 2543/1999 (OJ L 307, 2.12.1999, p. 46).

CORRIGENDA**Corrigendum to Commission Regulation (EC) No 1889/2000 of 6 September 2000 amending the import duties in the cereals sector**

(Official Journal of the European Communities L 227 of 7 September 2000)

On page 16 in Article 1:

for: '... Regulation (EC) No 1870/2000 ...'

read: '... Regulation (EC) No 1861/2000 ...'.
