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I

(Acts whose publication is obligatory)

**COMMISSION REGULATION (EC) No 2615/2000
of 30 November 2000
establishing the standard import values for determining the entry price of certain fruit and
vegetables**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Commission Regulation (EC) No 3223/94 of 21 December 1994 on detailed rules for the application of the import arrangements for fruit and vegetables ⁽¹⁾, as last amended by Regulation (EC) No 1498/98 ⁽²⁾, and in particular Article 4(1) thereof,

Whereas:

- (1) Regulation (EC) No 3223/94 lays down, pursuant to the outcome of the Uruguay Round multilateral trade negotiations, the criteria whereby the Commission fixes the standard values for imports from third countries, in respect of the products and periods stipulated in the Annex thereto.

- (2) In compliance with the above criteria, the standard import values must be fixed at the levels set out in the Annex to this Regulation,

HAS ADOPTED THIS REGULATION:

Article 1

The standard import values referred to in Article 4 of Regulation (EC) No 3223/94 shall be fixed as indicated in the Annex hereto.

Article 2

This Regulation shall enter into force on 1 December 2000.

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

Done at Brussels, 30 November 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 30 November 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	105,3
	204	112,9
	999	109,1
0707 00 05	624	195,0
	999	195,0
0709 90 70	052	81,7
	999	81,7
0805 20 10	204	73,6
	999	73,6
0805 20 30, 0805 20 50, 0805 20 70, 0805 20 90	052	63,4
	999	63,4
	052	74,3
0805 30 10	600	60,4
	999	67,3
	052	76,5
	400	84,1
0808 10 20, 0808 10 50, 0808 10 90	404	89,1
	999	83,2
	052	77,1
	064	58,5
0808 20 50	400	90,8
	720	129,7
	999	89,0

⁽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 2616/2000
of 30 November 2000
fixing the import duties in the cereals sector

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

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

Having regard to Commission Regulation (EC) No 1249/96 of 28 June 1996 laying down detailed rules for the application of Council Regulation (EEC) No 1766/92 as regards import duties in the cereals sector ⁽³⁾, as last amended by Regulation (EC) No 2235/2000 ⁽⁴⁾, and in particular Article 2 (1) thereof,

Whereas:

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

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

HAS ADOPTED THIS REGULATION:

Article 1

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

Article 2

This Regulation shall enter into force on 1 December 2000.

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

Done at Brussels, 30 November 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 161, 29.6.1996, p. 125.

⁽⁴⁾ OJ L 256, 10.10.2000, p. 13.

ANNEX I

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

CN code	Description	Import duty by land inland waterway or sea from Mediterranean, the Black Sea or Baltic Sea ports (EUR/tonne)	Import duty by air or by sea from other ports ⁽²⁾ (EUR/tonne)
1001 10 00	Durum wheat high quality	0,00	0,00
	medium quality ⁽¹⁾	0,00	0,00
1001 90 91	Common wheat seed	0,00	0,00
1001 90 99	Common high quality wheat other than for sowing ⁽³⁾	0,00	0,00
	medium quality	13,07	3,07
	low quality	43,73	33,73
1002 00 00	Rye	32,45	22,45
1003 00 10	Barley, seed	32,45	22,45
1003 00 90	Barley, other ⁽³⁾	32,45	22,45
1005 10 90	Maize seed other than hybrid	63,56	53,56
1005 90 00	Maize other than seed ⁽³⁾	63,56	53,56
1007 00 90	Grain sorghum other than hybrids for sowing	32,45	22,45

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

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

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

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

⁽³⁾ The importer may benefit from a flat-rate reduction of EUR 24 or 8 per tonne, where the conditions laid down in Article 2(5) of Regulation (EC) No 1249/96 are met.

ANNEX II

Factors for calculating duties

(period from 15 November 2000 to 29 November 2000)

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

Exchange quotations	Minneapolis	Kansas-City	Chicago	Chicago	Minneapolis	Minneapolis	Minneapolis
Product (% proteins at 12 % humidity)	HRS2. 14 %	HRW2. 11,5 %	SRW2	YC3	HAD2	Medium quality (*)	US barley 2
Quotation (EUR/t)	137,54	134,09	110,40	96,84	194,85 (**)	184,85 (**)	120,12 (**)
Gulf premium (EUR/t)	—	18,33	11,36	5,09	—	—	—
Great Lakes premium (EUR/t)	29,58	—	—	—	—	—	—

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

(**) Fob Great Lakes.

2. Freight/cost: Gulf of Mexico — Rotterdam: 18,50 EUR/t; Great Lakes — Rotterdam: 31,42 EUR/t.

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

COMMISSION REGULATION (EC) No 2617/2000
of 30 November 2000
fixing the refunds applicable to cereal and rice sector products supplied as Community and national food aid

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EEC) No 1766/92 of 30 June 1992 on the common organisation of the market in cereals ⁽¹⁾, as last amended by Commission Regulation (EC) No 1666/2000 ⁽²⁾, and in particular the third subparagraph of Article 13(2) 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 2 of Council Regulation (EEC) No 2681/74 of 21 October 1974 on Community financing of expenditure incurred in respect of the supply of agricultural products as food aid ⁽⁵⁾ lays down that the portion of the expenditure corresponding to the export refunds on the products in question fixed under Community rules is to be charged to the European Agricultural Guidance and Guarantee Fund, Guarantee Section.
- (2) In order to make it easier to draw up and manage the budget for Community food aid actions and to enable the Member States to know the extent of Community participation in the financing of national food aid

actions, the level of the refunds granted for these actions should be determined.

- (3) The general and implementing rules provided for in Article 13 of Regulation (EEC) No 1766/92 and in Article 13 of Regulation (EC) No 3072/95 on export refunds are applicable *mutatis mutandis* to the abovementioned operations.
- (4) The specific criteria to be used for calculating the export refund on rice are set out in Article 13 of Regulation (EC) No 3072/95.
- (5) 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 Community and national food aid operations under international agreements or other supplementary programmes, and other Community free supply measures, the refunds applicable to cereals and rice sector products shall be as set out in the Annex.

Article 2

This Regulation shall enter into force on 1 December 2000.

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

Done at Brussels, 30 November 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 329, 30.12.1995, p. 18.

⁽⁴⁾ OJ L 193, 29.7.2000, p. 3.

⁽⁵⁾ OJ L 288, 25.10.1974, p. 1.

ANNEX

to the Commission Regulation of 30 November 2000 fixing the refunds applicable to cereal and rice sector products supplied as Community and national food aid

(EUR/t)

Product code	Refund
1001 10 00 9400	0,00
1001 90 99 9000	0,00
1002 00 00 9000	27,00
1003 00 90 9000	0,00
1004 00 00 9400	30,00
1005 90 00 9000	30,00
1006 30 92 9100	185,00
1006 30 92 9900	185,00
1006 30 94 9100	185,00
1006 30 94 9900	185,00
1006 30 96 9100	185,00
1006 30 96 9900	185,00
1006 30 98 9100	185,00
1006 30 98 9900	185,00
1006 30 65 9900	185,00
1006 40 00 9000	—
1007 00 90 9000	30,00
1101 00 15 9100	0,00
1101 00 15 9130	0,00
1102 20 10 9200	39,28
1102 20 10 9400	33,67
1102 30 00 9000	—
1102 90 10 9100	0,00
1103 11 10 9200	0,00
1103 11 90 9200	0,00
1103 13 10 9100	50,51
1103 14 00 9000	—
1104 12 90 9100	63,34
1104 21 50 9100	0,00

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

COMMISSION REGULATION (EC) No 2618/2000
of 30 November 2000
amending Regulation (EEC) No 391/92 setting the amounts of aid for the supply of cereals products
from the Community to the French overseas departments

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EEC) No 3763/91 of 16 December 1991 introducing specific measures in respect of certain agricultural products for the benefit of the French overseas departments ⁽¹⁾, as last amended by Regulation (EC) No 1257/1999 ⁽²⁾, and in particular Article 2(6) thereof,

Whereas:

- (1) The amounts of aid for the supply of cereals products to the French overseas departments (FOD) has been settled by Commission Regulation (EEC) No 391/92 ⁽³⁾, as last amended by Regulation (EC) No 2394/2000 ⁽⁴⁾; as a consequence of the changes of the rates and prices for cereals products in the European part of the Community

and on the world market, the aid for supply to the FOD should be set at the amounts given in the Annex.

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

HAS ADOPTED THIS REGULATION:

Article 1

The Annex of amended Regulation (EEC) No 391/92 is replaced by the Annex to the present Regulation.

Article 2

This Regulation shall enter into force on 1 December 2000.

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

Done at Brussels, 30 November 2000.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ L 356, 24.12.1991, p. 1.

⁽²⁾ OJ L 160, 26.6.1999, p. 80.

⁽³⁾ OJ L 43, 19.2.1992, p. 23.

⁽⁴⁾ OJ L 276, 28.10.2000, p. 12.

ANNEX

to the Commission Regulation of 30 November 2000 amending Regulation (EEC) No 391/92 setting the amounts of aid for the supply of cereals products from the Community to the French overseas departments

(EUR/t)

Product (CN code)	Amount of aid			
	Destination			
	Guadeloupe	Martinique	French Guiana	Réunion
Common wheat (1001 90 99)	21,00	21,00	21,00	25,00
Barley (1003 00 90)	21,00	21,00	21,00	25,00
Maize (1005 90 00)	36,00	36,00	36,00	39,00
Durum wheat (1001 10 00)	21,00	21,00	21,00	25,00
Oats (1004 00 00)	36,00	36,00	—	—

COMMISSION REGULATION (EC) No 2619/2000
of 30 November 2000
amending Regulation (EEC) No 1832/92 setting the amounts of aid for the supply of cereals
products from the Community to the Canary Islands

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

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

Whereas:

- (1) The amounts of aid for the supply of cereals products to the Canary Islands has been settled by Commission Regulation (EEC) No 1832/92 ⁽³⁾, as last amended by Regulation (EC) No 2393/2000 ⁽⁴⁾; as a consequence of the changes of the rates and prices for cereals products in the European part of the Community and on the

world market, the aid for supply to the Canary Islands should be set at the amounts given in the Annex.

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

HAS ADOPTED THIS REGULATION:

Article 1

The Annex of amended Regulation (EEC) No 1832/92 is replaced by the Annex to the present Regulation.

Article 2

This Regulation shall enter into force on 1 December 2000.

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

Done at Brussels, 30 November 2000.

For the Commission
Franz FISCHLER
Member of the Commission

⁽¹⁾ OJ L 173, 27.6.1992, p. 13.

⁽²⁾ OJ L 160, 26.6.1999, p. 80.

⁽³⁾ OJ L 185, 4.7.1992, p. 26.

⁽⁴⁾ OJ L 276, 28.10.2000, p. 10.

ANNEX

to the Commission Regulation of 30 November 2000 amending Regulation (EEC) No 1832/92 setting the amounts of aid for the supply of cereals products from the Community to the Canary Islands

		(EUR/t)
Product (CN code)		Amount of aid
Common wheat	(1001 90 99)	17,00
Barley	(1003 00 90)	17,00
Maize	(1005 90 00)	33,00
Durum wheat	(1001 10 00)	17,00
Oats	(1004 00 00)	33,00

COMMISSION REGULATION (EC) No 2620/2000
of 30 November 2000
amending Regulation (EEC) No 1833/92 setting the amounts of aid for the supply of cereals
products from the Community to the Azores and Madeira

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

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

Whereas:

- (1) The amounts of aid for the supply of cereals products to the Azores and Madeira has been settled by Commission Regulation (EEC) No 1833/92 ⁽³⁾, as last amended by Regulation (EC) No 2404/2000 ⁽⁴⁾; whereas, as a consequence of the changes of the rates and prices for cereals products in the European part of the Community and on the world market, the aid for supply to the Azores and

Madeira should be set at the amounts given in the Annex.

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

HAS ADOPTED THIS REGULATION:

Article 1

The Annex of amended Regulation (EEC) No 1833/92 is replaced by the Annex to the present Regulation.

Article 2

This Regulation shall enter into force on 1 December 2000.

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

Done at Brussels, 30 November 2000.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ L 173, 27.6.1992, p. 1.

⁽²⁾ OJ L 160, 26.6.1999, p. 80.

⁽³⁾ OJ L 185, 4.7.1992, p. 28.

⁽⁴⁾ OJ L 276, 28.10.2000, p. 27.

ANNEX

to the Commission Regulation of 30 November 2000 amending Regulation (EEC) No 1833/92 setting the amounts of aid for the supply of cereals products from the Community to the Azores and Madeira

(EUR/t)

Product (CN code)		Amount of aid	
		Destination	
		Azores	Madeira
Common wheat	(1001 90 99)	17,00	17,00
Barley	(1003 00 90)	17,00	17,00
Maize	(1005 90 00)	33,00	33,00
Durum wheat	(1001 10 00)	17,00	17,00

**COMMISSION REGULATION (EC) No 2621/2000
of 30 November 2000**

setting the amounts of aid for the supply of rice products from the Community to the Canary Islands

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

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

Whereas:

- (1) Pursuant to Article 3 of Regulation (EEC) No 1601/92, the requirements of the Canary Islands for rice are to be covered in terms of quantity, price and quality by the mobilisation, on disposal terms equivalent to exemption from the levy, of Community rice, which involves the grant of an aid for supplies of Community origin. This aid is to be fixed with particular reference to the costs of the various sources of supply and in particular is to be based on the prices applied to exports to third countries.
- (2) Commission Regulation (EC) No 2790/94 ⁽³⁾, as last amended by Regulation (EC) No 1620/1999 ⁽⁴⁾, lays down common detailed rules for implementation of the

specific arrangements for the supply of certain agricultural products, including rice, to the Canary Islands.

- (3) As a result of the application of these detailed rules to the current market situation in the rice sector, and in particular to the rates of prices for these products in the European part of the Community and on the world market, the aid for supply to the Canary Islands should be set at the amounts given in the Annex.
- (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

Pursuant to Article 3 of Regulation (EEC) No 1601/92, the amount of aid for the supply of rice of Community origin under the specific arrangements for the supply of the Canary Islands shall be as set out in the Annex hereto.

Article 2

This Regulation shall enter into force on 1 December 2000.

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

Done at Brussels, 30 November 2000.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ L 173, 27.6.1992, p. 13.

⁽²⁾ OJ L 160, 26.6.1999, p. 80.

⁽³⁾ OJ L 296, 17.11.1994, p. 23.

⁽⁴⁾ OJ L 192, 24.7.1999, p. 19.

ANNEX

**to the Commission Regulation of 30 November 2000 setting the amounts of aid for the supply of rice products
from the Community to the Canary Islands**

(EUR/t)

Product (CN code)	Amount of aid
Milled rice (1006 30)	182,00
Broken rice (1006 40)	40,00

**COMMISSION REGULATION (EC) No 2622/2000
of 30 November 2000**

setting the amounts of aid for the supply of rice products from the Community to the Azores and Madeira

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

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

Whereas:

- (1) Pursuant to Article 10 of Regulation (EEC) No 1600/92, the requirements of the Azores and Madeira for rice are to be covered in terms of quantity, price and quality by the mobilization, on disposal terms equivalent to exemption from the levy, of Community rice, which involves the grant of an aid for supplies of Community origin. This aid is to be fixed with particular reference to the costs of the various sources of supply and in particular is to be based on the prices applied to exports to third countries.
- (2) Commission Regulation (EEC) No 1696/92 ⁽³⁾, as last amended by Regulation (EEC) No 2596/93 ⁽⁴⁾, lays down common detailed rules for implementation of the specific arrangements for the supply of certain agricultural products, including rice, to the Azores and Madeira. Commission Regulation (EEC) No 1983/92 of 16 July 1992 laying down detailed rules for implementation of the specific arrangements for the supply of rice

products to the Azores and Madeira and establishing the forecast supply balance for these products ⁽⁵⁾, as last amended by Regulation (EC) No 1683/94 ⁽⁶⁾, lays down detailed rules which complement or derogate from the provisions of the aforementioned Regulation.

- (3) As a result of the application of these detailed rules to the current market situation in the rice sector, and in particular to the rates of prices for these products in the European part of the Community and on the world market the aid for supply to the Azores and Madeira should be set at the amounts given in the Annex.
- (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

Pursuant to Article 10 of Regulation (EEC) No 1600/92, the amount of aid for the supply of rice of Community origin under the specific arrangements for the supply of the Azores and Madeira shall be as set out in the Annex hereto.

Article 2

This Regulation shall enter into force on 1 December 2000.

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

Done at Brussels, 30 November 2000.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ L 173, 27.6.1992, p. 1.

⁽²⁾ OJ L 160, 26.6.1999, p. 80.

⁽³⁾ OJ L 179, 1.7.1992, p. 6.

⁽⁴⁾ OJ L 238, 23.9.1993, p. 24.

⁽⁵⁾ OJ L 198, 17.7.1992, p. 37.

⁽⁶⁾ OJ L 178, 12.7.1994, p. 53.

ANNEX

**to the Commission Regulation of 30 November 2000 setting the amounts of aid for the supply of rice products
from the Community to the Azores and Madeira**

(EUR/t)

Product (CN code)	Amount of aid	
	Destination	
	Azores	Madeira
Milled rice (1006 30)	182,00	182,00

**COMMISSION REGULATION (EC) No 2623/2000
of 30 November 2000**

fixing the export refunds on rice and broken rice and suspending the issue of export licences

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EC) No 3072/95 of 22 December 1995 on the common organisation of the market in rice ⁽¹⁾, as last amended by Regulation (EC) No 1667/2000 ⁽²⁾, and in particular the second subparagraph of Article 13(3) and (15) thereof,

Whereas:

- (1) Article 13 of Regulation (EC) No 3072/95 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) Article 13(4) 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 rice and broken rice on the Community market on the one hand and prices for rice and broken rice on the world market on the other. The same Article provides that it is also important to ensure equilibrium and the natural development of prices and trade on the rice market and, furthermore, to take into account the economic aspect of the proposed exports and the need to avoid disturbances of the Community market with limits resulting from agreements concluded in accordance with Article 300 of the Treaty.
- (3) Commission Regulation (EEC) No 1361/76 ⁽³⁾ lays down the maximum percentage of broken rice allowed in rice for which an export refund is fixed and specifies the percentage by which that refund is to be reduced where the proportion of broken rice in the rice exported exceeds that maximum.
- (4) Export possibilities exist for a quantity of 15 310 tonnes of rice to certain destinations. The procedure laid down in Article 7(4) of Commission Regulation (EC) No 1162/95 ⁽⁴⁾, as last amended by Regulation (EC) No 2110/2000 ⁽⁵⁾ should be used. Account should be taken of this when the refunds are fixed.
- (5) Article 13(5) of Regulation (EC) No 3072/95 defines the specific criteria to be taken into account when the export refund on rice and broken rice is being calculated.
- (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) A separate refund should be fixed for packaged long grain rice to accommodate current demand for the product on certain markets.
- (8) The refund must be fixed at least once a month; whereas it may be altered in the intervening period.
- (9) It follows from applying these rules and criteria to the present situation on the market in rice and in particular to quotations or prices for rice and broken rice within the Community and on the world market, that the refund should be fixed as set out in the Annex hereto.
- (10) For the purposes of administering the volume restrictions resulting from Community commitments in the context of the WTO, the issue of export licences with advance fixing of the refund should be restricted.
- (11) 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 of Regulation (EC) No 3072/95 with the exception of those listed in paragraph 1(c) of that Article, exported in the natural state, shall be as set out in the Annex hereto.

Article 2

With the exception of the quantity of 15 310 tonnes provided for in the Annex, the issue of export licences with advance fixing of the refund is suspended.

Article 3

This Regulation shall enter into force on 1 December 2000.

⁽¹⁾ OJ L 329, 30.12.1995, p. 18.

⁽²⁾ OJ L 193, 29.7.2000, p. 3.

⁽³⁾ OJ L 154, 15.6.1976, p. 11.

⁽⁴⁾ OJ L 117, 24.5.1995, p. 2.

⁽⁵⁾ OJ L 250, 5.10.2000, p. 23.

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

Done at Brussels, 30 November 2000.

For the Commission

Franz FISCHLER

Member of the Commission

ANNEX

to the Commission Regulation of 30 November 2000 fixing the export refunds on rice and broken rice and suspending the issue of export licences

Product code	Destination	Unit of measurement	Amount of refunds (¹)	Product code	Destination	Unit of measurement	Amount of refunds (¹)
1006 20 11 9000	R01	EUR/t	135,00	1006 30 65 9100	R01	EUR/t	169,00
1006 20 13 9000	R01	EUR/t	135,00		R02	EUR/t	174,00
1006 20 15 9000	R01	EUR/t	135,00		R03	EUR/t	179,00
1006 20 17 9000	—	EUR/t	—		064	EUR/t	131,00
1006 20 92 9000	R01	EUR/t	135,00		A97	EUR/t	174,00
1006 20 94 9000	R01	EUR/t	135,00		021 and 023	EUR/t	174,00
1006 20 96 9000	R01	EUR/t	135,00	1006 30 65 9900	R01	EUR/t	169,00
1006 20 98 9000	—	EUR/t	—		064	EUR/t	131,00
1006 30 21 9000	R01	EUR/t	135,00		A97	EUR/t	174,00
1006 30 23 9000	R01	EUR/t	135,00	1006 30 67 9100	021 and 023	EUR/t	174,00
1006 30 25 9000	R01	EUR/t	135,00		064	EUR/t	131,00
1006 30 27 9000	—	EUR/t	—	1006 30 67 9900	064	EUR/t	131,00
1006 30 42 9000	R01	EUR/t	135,00	1006 30 92 9100	R01	EUR/t	169,00
1006 30 44 9000	R01	EUR/t	135,00		R02	EUR/t	174,00
1006 30 46 9000	R01	EUR/t	135,00		R03	EUR/t	179,00
1006 30 48 9000	—	EUR/t	—		064	EUR/t	131,00
1006 30 61 9100	R01	EUR/t	169,00		A97	EUR/t	174,00
	R02	EUR/t	174,00		064	EUR/t	131,00
	R03	EUR/t	179,00	1006 30 94 9100	R01	EUR/t	169,00
	064	EUR/t	131,00		R02	EUR/t	174,00
	A97	EUR/t	174,00		R03	EUR/t	179,00
	021 and 023	EUR/t	174,00		064	EUR/t	131,00
1006 30 61 9900	R01	EUR/t	169,00		A97	EUR/t	174,00
	A97	EUR/t	174,00		021 and 023	EUR/t	174,00
	064	EUR/t	131,00	1006 30 94 9900	R01	EUR/t	169,00
1006 30 63 9100	R01	EUR/t	169,00		A97	EUR/t	174,00
	R02	EUR/t	174,00		064	EUR/t	131,00
	R03	EUR/t	179,00	1006 30 96 9100	R01	EUR/t	169,00
	064	EUR/t	131,00		R02	EUR/t	174,00
	A97	EUR/t	174,00		R03	EUR/t	179,00
	021 and 023	EUR/t	174,00		064	EUR/t	131,00
1006 30 63 9900	R01	EUR/t	169,00		A97	EUR/t	174,00
	064	EUR/t	131,00	1006 30 96 9900	021 and 023	EUR/t	174,00
	A97	EUR/t	174,00		R01	EUR/t	169,00
					A97	EUR/t	174,00
					064	EUR/t	131,00
				1006 30 98 9100	021 and 023	EUR/t	174,00
				1006 30 98 9900	—	EUR/t	—
				1006 40 00 9000	—	EUR/t	—

(¹) The procedure laid down in Article 7(4) of Regulation (EC) No 1162/95 applies to licences applied for under that Regulation for the following quantities, depending on destination:

Destination R01: 3 320 t
Destinations R02, R03: 1 750 t
Destinations 021 and 023: 440 t
Destination 064: 9 500 t
Destination A97: 300 t.

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).

The other destinations are defined as follows:

R01 Switzerland, Liechtenstein, communes of Livigno and Campione d'Italia.

R02 Morocco, Algeria, Tunisia, Malta, Egypt, Israel, Lebanon, Libya, Syria, Ex-Spanish Sahara, Cyprus, Jordan, Iraq, Iran, Yemen, Kuwait, United Arab Emirates, Oman, Bahrain, Qatar, Saudi Arabia, Eritrea, West Bank/Gaza Strip, Estonia, Latvia, Lithuania, Poland, Czech Republic, Slovenia, Slovakia, Norway, Faroe Islands, Iceland, Russia, Belarus, Bosnia and Herzegovina, Croatia, Yugoslavia, Former Yugoslav Republic of Macedonia, Albania, Romania, Bulgaria, Georgia, Armenia, Azerbaijan, Moldova, Ukraine, Kazakstan, Turkmenistan, Uzbekistan, Tajikistan, Kyrgyzstan.

R03 Colombia, Ecuador, Peru, Bolivia, Chile, Argentina, Uruguay, Paraguay, Brazil, Venezuela, Canada, Mexico, Guatemala, Honduras, El Salvador, Nicaragua, Costa Rica, Panama, Cuba, Bermuda, South Africa, Australia, New Zealand, Hong Kong SAR, A40, A11 except Suriname, Guyana, Madagascar.

COMMISSION REGULATION (EC) No 2624/2000**of 30 November 2000****fixing the export refunds on syrups and certain other sugar products exported in the natural state**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EC) No 2038/1999 of 13 September 1999 on the common organisation of the markets in the sugar sector ⁽¹⁾, as amended by Commission Regulation (EC) No 1527/2000 ⁽²⁾, and in particular the second subparagraph of Article 18(5) thereof,

Whereas:

- (1) Article 18 of Regulation (EC) No 2038/1999 provides that the difference between quotations or prices on the world market for the products listed in Article 1(1)(d) of that Regulation and prices for those products within the Community may be covered by an export refund.
- (2) Article 3 of Commission Regulation (EC) No 2135/95 of 7 September 1995 laying down detailed rules of application for the grant of export refunds in the sugar sector ⁽³⁾, provides that the export refund on 100 kilograms of the products listed in Article 1(1)(d) of Regulation (EC) No 2038/1999 is equal to the basic amount multiplied by the sucrose content, including, where appropriate, other sugars expressed as sucrose; the sucrose content of the product in question is determined in accordance with Article 3 of Commission Regulation (EC) No 2135/95.
- (3) Article 21(3) of Regulation (EC) No 2038/1999 provides that the basic amount of the refund on sorbose exported in the natural state must be equal to the basic amount of the refund less one-hundredth of the production refund applicable, pursuant to Council Regulation (EEC) No 1010/86 of 25 March 1986 laying down general rules for the production refund on sugar used in the chemical industry ⁽⁴⁾, as last amended by Commission Regulation (EC) No 1888/2000 ⁽⁵⁾, to the products listed in the Annex to the last mentioned Regulation;
- (4) According to the terms of Article 21(1) of Regulation (EC) No 2038/1999, the basic amount of the refund on the other products listed in Article 1(1)(d) of the said

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

- (5) According to the terms of Article 21(4) of Regulation (EC) No 2038/1999, the application of the basic amount may be limited to some of the products listed in Article 1(1)(d) of the said Regulation.
- (6) Article 18 of Regulation (EC) No 2038/1999 makes provision for setting refunds for export in the natural state of products referred to in Article 1(1)(f) and (g) and (h) of that Regulation; the refund must be fixed per 100 kilograms of dry matter, taking account of the export refund for products falling within CN code 1702 30 91 and for products referred to in Article 1(1)(d) of Regulation (EC) No 2038/1999 and of the economic aspects of the intended exports; in the case of the products referred to in the said Article 1(1)(f) and (g), the refund is to be granted only for products complying with the conditions in Article 5 of Regulation (EC) No 2135/95; for the products referred to in Article 1(1)(h), the refund shall be granted only for products complying with the conditions in Article 6 of Regulation (EC) No 2135/95.
- (7) The refunds referred to above must be fixed every month; they may be altered in the intervening period.
- (8) Application of these quotas results in fixing refunds for the products in question at the levels given in the Annex to this Regulation.
- (9) The measures provided for in this Regulation are in accordance with the opinion of the Management Committee for Sugar,

⁽¹⁾ OJ L 252, 25.9.1999, p. 1.

⁽²⁾ OJ L 175, 14.7.2000, p. 59.

⁽³⁾ OJ L 214, 8.9.1995, p. 16.

⁽⁴⁾ OJ L 94, 9.4.1986, p. 9.

⁽⁵⁾ OJ L 227, 7.9.2000, p. 15.

HAS ADOPTED THIS REGULATION:

Article 1

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

Article 2

This Regulation shall enter into force on 1 December 2000.

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

Done at Brussels, 30 November 2000.

For the Commission

Franz FISCHLER

Member of the Commission

ANNEX

to the Commission Regulation of 30 November 2000 altering the export refunds on syrups and certain other sugar products exported in the natural state

Product code	Destination	Unit of measurement	Amount of refund
1702 40 10 9100	A00	EUR/100 kg dry matter	38,22 ⁽²⁾
1702 60 10 9000	A00	EUR/100 kg dry matter	38,22 ⁽²⁾
1702 60 80 9100	A00	EUR/100 kg dry matter	72,62 ⁽⁴⁾
1702 60 95 9000	A00	EUR/1 % sucrose × net 100 kg of product	0,3822 ⁽¹⁾
1702 90 30 9000	A00	EUR/100 kg dry matter	38,22 ⁽²⁾
1702 90 60 9000	A00	EUR/1 % sucrose × net 100 kg of product	0,3822 ⁽¹⁾
1702 90 71 9000	A00	EUR/1 % sucrose × net 100 kg of product	0,3822 ⁽¹⁾
1702 90 99 9900	A00	EUR/1 % sucrose × net 100 kg of product	0,3822 ⁽¹⁾ ⁽³⁾
2106 90 30 9000	A00	EUR/100 kg dry matter	38,22 ⁽²⁾
2106 90 59 9000	A00	EUR/1 % sucrose × net 100 kg of product	0,3822 ⁽¹⁾

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

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

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

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

NB: The product codes and the '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 2625/2000
of 30 November 2000
altering the export refunds on white sugar and raw sugar exported in the natural state

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EC) No 2038/1999 of 13 September 1999 on the common organisation of the markets in the sugar sector ⁽¹⁾, as amended by Commission Regulation (EC) No 1527/2000 ⁽²⁾, and in particular the third subparagraph of Article 18(5) thereof,

Whereas:

- (1) The refunds on white sugar and raw sugar exported in the natural state were fixed by Commission Regulation (EC) No 2459/2000 ⁽³⁾, as last amended by Regulation (EC) No 2610/2000 ⁽⁴⁾.
- (2) It follows from applying the detailed rules contained in amended Regulation (EC) No 2459/2000 to the information known to the Commission that the export

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

HAS ADOPTED THIS REGULATION:

Article 1

The export refunds on the products listed in Article 1(1)(a) of Regulation (EC) No 2038/1999, undenatured and exported in the natural state, as fixed in the Annex to amended Regulation (EC) No 2459/2000 are hereby altered to the amounts shown in the Annex hereto.

Article 2

This Regulation shall enter into force on 1 December 2000.

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

Done at Brussels, 30 November 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 283, 9.11.2000, p. 6.

⁽⁴⁾ OJ L 301, 30.11.2000, p. 72.

ANNEX

to the Commission Regulation of 30 November 2000 altering the export refunds on white sugar and raw sugar exported in its unaltered state

Product code	Destination	Unit of measurement	Amount of refund
1701 11 90 9100	A00	EUR/100 kg	35,16 ⁽¹⁾
1701 11 90 9910	A00	EUR/100 kg	31,09 ⁽¹⁾
1701 11 90 9950	A00	EUR/100 kg	⁽²⁾
1701 12 90 9100	A00	EUR/100 kg	35,16 ⁽¹⁾
1701 12 90 9910	A00	EUR/100 kg	31,09 ⁽¹⁾
1701 12 90 9950	A00	EUR/100 kg	⁽²⁾
1701 91 00 9000	A00	EUR/1 % of sucrose × net 100 kg of product	0,3822
1701 99 10 9100	A00	EUR/100 kg	38,22
1701 99 10 9910	A00	EUR/100 kg	38,22
1701 99 10 9950	A00	EUR/100 kg	38,22
1701 99 90 9100	A00	EUR/1 % of sucrose × net 100 kg of product	0,3822

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

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

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 2626/2000
of 30 November 2000**

determining the world market price for unginned cotton and the rate for the aid

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to the Act of Accession of Greece, and in particular paragraphs 3 and 10 of Protocol 4 on cotton, as last amended by Council Regulation (EC) No 1553/95 ⁽¹⁾,

Having regard to Council Regulation (EC) No 1554/95 of 29 June 1995 ⁽²⁾ laying down general rules for the system of aid for cotton and repealing Regulation (EEC) No 2169/81, as last amended by Regulation (EC) No 1419/98 ⁽³⁾, and in particular Articles 3, 4 and 5 thereof,

Whereas:

- (1) Article 3 of Regulation (EC) No 1554/95 requires a world market price for unginned cotton to be periodically determined from the world market price determined for ginned cotton, using the historical relationship between the two prices as specified in Article 1(2) of Commission Regulation (EEC) No 1201/89 of 3 May 1989 laying down rules for implementing the system of aid for cotton ⁽⁴⁾, as last amended by Regulation (EC) No 1624/1999 ⁽⁵⁾. If it cannot be determined in this way it is to be based on the last price determined.
- (2) Article 4 of Regulation (EC) No 1554/95 requires the world market price for ginned cotton to be determined for a product of specific characteristics using the most favourable offers and quotations on the world market of those considered representative of the real market trend. To this end an average is to be calculated of offers and quotations on one or more European exchanges for a cif product to a North European port from the supplier countries considered most representative as regards international trade. These rules for determination of the world market price for ginned cotton provide for adjust-

ments to reflect differences in product quality and the nature of offers and quotations; whereas these adjustments are specified in Article 2 of Regulation (EEC) No 1201/89.

- (3) Application of the above rules gives the world market price for unginned cotton indicated hereunder.
- (4) The first subparagraph of Article 5(3a) of Regulation (EC) No 1554/95 stipulates that the advance payment rate for the aid is to be the guide price less the world market price and less a further amount calculated by the formula applicable when the guaranteed maximum quantity based on the production estimated for unginned cotton plus at least 15 %. Commission Regulation (EC) No 1842/2000 ⁽⁶⁾ fixes the production estimated for the 2000/2001 marketing year. The application of this method results in the fixing of the advance payment rate for each Member State at the levels set out below,

HAS ADOPTED THIS REGULATION:

Article 1

1. The world market price for unginned cotton as indicated in Article 3 of Regulation (EC) No 1554/95 is set at 40,889 EUR/100 kg.
2. The advance payment of the aid referred to in Article 5(3a), first subparagraph, of Regulation (EC) No 1554/95 is fixed at:
 - 39,899 EUR/100 kg in Spain,
 - 20,871 EUR/100 kg in Greece,
 - 65,411 EUR/100 kg in other Member States.

Article 2

This Regulation shall enter into force on 1 December 2000.

⁽¹⁾ OJ L 148, 30.6.1995, p. 45.

⁽²⁾ OJ L 148, 30.6.1995, p. 48.

⁽³⁾ OJ L 190, 4.7.1998, p. 4.

⁽⁴⁾ OJ L 123, 4.5.1989, p. 23.

⁽⁵⁾ OJ L 192, 24.7.1999, p. 39.

⁽⁶⁾ OJ L 220, 31.8.2000, p. 14.

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

Done at Brussels, 30 November 2000.

For the Commission
Franz FISCHLER
Member of the Commission

COMMISSION REGULATION (EC) No 2627/2000
of 30 November 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 1 December 2000.

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

Done at Brussels, 30 November 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 30 November 2000 fixing the corrective amount applicable to the refund on cereals

(EUR/t)

Product code	Destination	Current 12	1st period 1	2nd period 2	3rd period 3	4th period 4	5th period 5	6th period 6
1001 10 00 9200	—	—	—	—	—	—	—	—
1001 10 00 9400	—	—	—	—	—	—	—	—
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	0,00	0,00	0,00	0,00	—	—
1005 10 90 9000	—	—	—	—	—	—	—	—
1005 90 00 9000	A00	0	-1,00	-2,00	-3,00	-4,00	—	—
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 2628/2000
of 30 November 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 Management Committee for Cereals has not delivered an opinion within the time limit set by its chairman,

HAS ADOPTED THIS REGULATION:

Article 1

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

⁽¹⁾ OJ L 181, 1.7.1992, p. 21.

⁽²⁾ OJ L 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 1 December 2000.

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

Done at Brussels, 30 November 2000.

For the Commission

Franz FISCHLER

Member of the Commission

ANNEX

to the Commission Regulation of 30 November 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	39,28	1104 23 10 9100	A00	EUR/t	42,09
1102 20 10 9400 ⁽¹⁾	A00	EUR/t	33,67	1104 23 10 9300	A00	EUR/t	32,27
1102 20 90 9200 ⁽¹⁾	A00	EUR/t	33,67	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	57,01	1104 30 10 9000	A00	EUR/t	0,00
1103 12 00 9100	A00	EUR/t	57,01	1104 30 90 9000	A00	EUR/t	7,02
1103 13 10 9100 ⁽¹⁾	A00	EUR/t	50,51	1107 10 11 9000	A00	EUR/t	0,00
1103 13 10 9300 ⁽¹⁾	A00	EUR/t	39,28	1107 10 91 9000	A00	EUR/t	0,00
1103 13 10 9500 ⁽¹⁾	A00	EUR/t	33,67	1108 11 00 9200	A00	EUR/t	0,00
1103 13 90 9100 ⁽¹⁾	A00	EUR/t	33,67	1108 11 00 9300	A00	EUR/t	0,00
1103 19 10 9000	A00	EUR/t	35,02	1108 12 00 9200	A00	EUR/t	44,90
1103 19 30 9100	A00	EUR/t	0,00	1108 12 00 9300	A00	EUR/t	44,90
1103 21 00 9000	A00	EUR/t	0,00	1108 13 00 9200	A00	EUR/t	44,90
1103 29 20 9000	A00	EUR/t	0,00	1108 13 00 9300	A00	EUR/t	44,90
1104 11 90 9100	A00	EUR/t	0,00	1108 19 10 9200	A00	EUR/t	60,80
1104 12 90 9100	A00	EUR/t	63,34	1108 19 10 9300	A00	EUR/t	60,80
1104 12 90 9300	A00	EUR/t	50,67	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	43,98
1104 19 50 9110	A00	EUR/t	44,90	1702 30 59 9000 ⁽²⁾	A00	EUR/t	33,67
1104 19 50 9130	A00	EUR/t	36,48	1702 30 91 9000	A00	EUR/t	43,98
1104 21 10 9100	A00	EUR/t	0,00	1702 30 99 9000	A00	EUR/t	33,67
1104 21 30 9100	A00	EUR/t	0,00	1702 40 90 9000	A00	EUR/t	33,67
1104 21 50 9100	A00	EUR/t	0,00	1702 90 50 9100	A00	EUR/t	43,98
1104 21 50 9300	A00	EUR/t	0,00	1702 90 50 9900	A00	EUR/t	33,67
1104 22 20 9100	A00	EUR/t	50,67	1702 90 75 9000	A00	EUR/t	46,09
1104 22 30 9100	A00	EUR/t	53,84	1702 90 79 9000	A00	EUR/t	31,99
				2106 90 55 9000	A00	EUR/t	33,67

⁽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 2629/2000
of 30 November 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 Management Committee for Cereals has not delivered an opinion within the time limit set by its chairman,

HAS ADOPTED THIS REGULATION:

Article 1

The export refunds on the 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 1 December 2000.

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

Done at Brussels, 30 November 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 30 November 2000 fixing the export refunds on cereal-based compound feedingstuffs

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	28,06
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 2630/2000
of 30 November 2000**

amending Council Regulation (EC) No 1420/1999 establishing common rules and procedures to apply to shipments of certain types of waste from the European Community to Bahrain, Haiti, Honduras, Libya, Namibia, Qatar, Uzbekistan and the Vatican City

(Text with EEA relevance)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EEC) No 259/93 of 1 February 1993 on the supervision and control of shipments of waste within, into and out of the European Community ⁽¹⁾, as last amended by Commission Decision 1999/816/EC ⁽²⁾, and in particular Article 17(3) thereof,

Whereas:

(1) In January, the European Commission sent a 'note verbale' to all non-OECD countries (plus Hungary and Poland, which do not yet apply OECD Decision C(92)39 final). The purpose of this 'note verbale' was threefold: (i) to inform these countries of the Community's new Regulations; (ii) to ask for confirmation of the respective positions as outlined in the Annexes to both Regulations; and (iii) to have an answer from those countries which did not reply in 1994.

(2) Among the countries that replied, the following notified the Commission that they do not wish to receive any shipment of waste listed in Annex II to Regulation (EEC) No 259/93:

1. Bahrain (reply of 29 February 2000);
2. Haiti (reply of 1 March 2000);
3. Honduras (reply of 23 March 2000);
4. Libya (reply of 22 February 2000);
5. Namibia (reply of 20 February 2000);
6. Qatar (reply of 9 May 2000);
7. Uzbekistan (reply of 6 March 2000);

8. Vatican City (reply of 16 March 2000).

(3) In accordance with Article 17(3) of Regulation (EEC) No 259/93, the Committee instituted by Article 18 of Council Directive 75/442/EEC of 15 July 1975 on waste ⁽³⁾, as last amended by Commission Decision 96/350/EC ⁽⁴⁾, was notified of the official request of these countries on 19 June 2000.

(4) In order to take into account the new situation of these countries, it is necessary to amend Council Regulation (EC) No 1420/1999 ⁽⁵⁾ establishing common rules and procedures to apply to shipments of certain types of waste,

HAS ADOPTED THIS REGULATION:

Article 1

Regulation (EC) No 1420/1999 is hereby amended as follows:

1. The following countries are added to those listed in Annex A with the mention 'All types':
'Bahrain, Haiti, Honduras, Libya, Namibia, Qatar, Uzbekistan and the Vatican City.'
2. The following countries are deleted from the list in Annex B:
'Bahrain, Haiti, Honduras, Namibia, Qatar, Uzbekistan and the Vatican City.'

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, 30 November 2000.

For the Commission

Pascal LAMY

Member of the Commission

⁽¹⁾ OJ L 30, 6.2.1993, p. 1.

⁽²⁾ OJ L 316, 10.12.1999, p. 45.

⁽³⁾ OJ L 194, 25.7.1975, p. 39.

⁽⁴⁾ OJ L 135, 6.6.1996, p. 32.

⁽⁵⁾ OJ L 166, 1.7.1999, p. 6.

**COMMISSION REGULATION (EC) No 2631/2000
of 30 November 2000**

amending Regulation (EC) No 1608/2000 laying down transitional measures pending the definitive measures implementing Council Regulation (EC) No 1493/1999 on the common organisation of the market in wine

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

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

Whereas:

- (1) Commission Regulation (EC) No 1608/2000 ⁽²⁾, as amended by Regulation (EC) No 2237/2000 ⁽³⁾, extends the applicability of certain Council provisions repealed by Article 81 of Regulation (EC) No 1493/1999 until 30 November 2000 pending the finalisation and adoption of measures implementing that Regulation. The finalisation and adoption of those implementing measures will not be completed by 30 November 2000. Certain Council provisions repealed by Article 81 of Regulation (EC) No 1493/1999 should accordingly be allowed to stand for a short additional period.
- (2) The extra transitional period does not affect the implementation of the bulk of the reform of the common organisation of the market in wine on the date set by the Council since the main points concerning the areas covered by those Regulations have been settled in Regulation (EC) No 1493/1999 or in the implementing regulations already adopted.
- (3) More progress has been made in adopting implementing measures in certain areas than in others. Provision

should therefore be made for an extra transitional period that depends on the area concerned.

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

HAS ADOPTED THIS REGULATION:

Article 1

Regulation (EC) No 1608/2000 is hereby amended as follows:

1. Article 1 is replaced by the following:

'Article 1

Notwithstanding certain provisions of Regulation (EC) No 1493/1999, the provisions listed in Part A of the Annex hereto shall remain applicable until 31 January 2001 while those listed in Part B of the Annex shall remain applicable until 31 March 2001.'

2. The date '30 November 2000' in Article 3 is replaced by '31 March 2001'.
3. The Annex is replaced by the Annex hereto.

Article 2

This Regulation shall enter into force on the day following its publication in the *Official Journal of the European Communities*. It shall apply from 1 December 2000.

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

Done at Brussels, 30 November 2000.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ L 179, 14.7.1999, p. 1.

⁽²⁾ OJ L 185, 25.7.2000, p. 24.

⁽³⁾ OJ L 256, 10.10.2000, p. 18.

ANNEX

Part A

Provisions that remain applicable until 31 January 2001

- (a) Articles 1 and 3 of, and the Annex to, Regulation (EEC) No 1873/84
- (b) Regulation (EEC) No 2390/89
- (c) Articles 1 and 2 of Regulation (EEC) No 2391/89
- (d) Articles 3, 31 and 71 of Regulation (EEC) No 822/87

Part B

Provisions that remain applicable until 31 March 2001

- (a) Article 15(2) and (7) of Regulation (EEC) No 823/87
 - (b) Regulation (EEC) No 2392/89
 - (c) Article 2 of Regulation (EEC) No 3895/91
 - (d) Articles 8, 9 and 11 of Regulation (EEC) No 2333/92
 - (e) Article 72 of Regulation (EEC) No 822/87
-

COMMISSION REGULATION (EC) No 2632/2000**of 30 November 2000****fixing the rates of the refunds applicable to certain milk products exported in the form of goods not covered by Annex I to the Treaty**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EC) No 1255/1999 of 15 May 1999 on the common organisation of the market in milk and milk products ⁽¹⁾, as last amended by Commission Regulation (EC) No 1526/2000 ⁽²⁾, and in particular Article 31(3) thereof,

Whereas:

(1) Article 31(1) of Regulation (EC) No 1255/1999 provides that the difference between prices in international trade for the products listed in Article 1 (a), (b), (c), (d), (e), and (g) of that Regulation and prices within the Community may be covered by an export refund. Whereas Commission Regulation (EC) No 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 criteria for fixing the amount of such refunds ⁽³⁾, as amended by Regulation (EC) No 2390/2000 ⁽⁴⁾, specifies the products for which a rate of refund should be fixed, to be applied where these products are exported in the form of goods listed in the Annex to Regulation (EC) No 1255/1999.

(2) In accordance with the first subparagraph of Article 4 (1) of Regulation (EC) No 1520/2000, the rate of the refund per 100 kilograms for each of the basic products in question must be fixed for each month.

(3) Article 4(3) of Regulation (EC) No 1520/2000 provides that, when the rate of the refund is being fixed, account should be taken, where necessary, of production refunds, aids or other measures having equivalent effect applicable in all Member States in accordance with the Regulation on the common organisation of the market in the product in question to the basic products listed in Annex A to that Regulation or to assimilated products.

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

(5) Commission Regulation (EC) No 2571/97 of 15 December 1997 on the sale of butter at reduced prices and the granting of aid for cream, butter and concentrated butter for use in the manufacture of pastry products, ice-cream and other foodstuffs ⁽⁵⁾, as last amended by Regulation (EC) No 635/2000 ⁽⁶⁾, lays down that butter and cream at reduced prices should be made available to industries which manufacture certain goods.

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

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

HAS ADOPTED THIS REGULATION:

Article 1

1. The rates of the refunds applicable to the basic products appearing in Annex A to Regulation (EC) No 1520/2000 and listed in Article 1 of Regulation (EC) No 1255/1999, exported in the form of goods listed in the Annex to Regulation (EC) No 1255/1999, are hereby fixed as shown in the Annex to this Regulation.

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

Article 2

This Regulation shall enter into force on 1 December 2000.

⁽¹⁾ OJ L 160, 26.6.1999, p. 48.

⁽²⁾ OJ L 175, 14.7.2000, p. 55.

⁽³⁾ OJ L 177, 15.7.2000, p. 1.

⁽⁴⁾ OJ L 276, 28.10.2000, p. 3.

⁽⁵⁾ OJ L 350, 20.12.1997, p. 3.

⁽⁶⁾ OJ L 76, 25.3.2000, p. 9.

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

Done at Brussels, 30 November 2000.

For the Commission

Erkki LIIKANEN

Member of the Commission

ANNEX

to the Commission Regulation of 30 November 2000 altering the rates of the refunds applicable to certain milk products exported in the form of goods not covered by Annex I to the Treaty

(EUR/100 kg)

CN code	Description	Rate of refund
ex 0402 10 19	Powdered milk, in granules or other solid forms, not containing added sugar or other sweetening matter, with a fat content not exceeding 1,5 % by weight (PG 2):	
	(a) On exportation of goods of CN code 3501	—
	(b) On exportation of other goods	15,00
ex 0402 21 19	Powdered milk, in granules or other solid forms, not containing added sugar or other sweetening matter, with a fat content of 26 % by weight (PG 3):	
	(a) Where goods incorporating, in the form of products assimilated to PG 3, reduced-price butter or cream obtained pursuant to Regulation (EC) No 2571/97 are exported	34,88
	(b) On exportation of other goods	68,00
ex 0405 10	Butter, with a fat content by weight of 82 % (PG 6):	
	(a) Where goods containing reduced-price butter or cream which have been manufactured in accordance with the conditions provided for in Regulation (EC) No 2571/97 are exported	75,00
	(b) On exportation of goods of CN code 2106 90 98 containing 40 % or more by weight of milk fat	177,25
	(c) On exportation of other goods	170,00

COMMISSION REGULATION (EC) No 2633/2000**of 30 November 2000****fixing the rates of refunds applicable to certain products from the sugar sector exported in the form of goods not covered by Annex I to the Treaty**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EC) No 2038/1999 of 13 September 1999 on the common organisation of the market in sugar ⁽¹⁾, as amended by Commission Regulation (EC) No 1527/2000 ⁽²⁾, and in particular Article 18(5)(a) and (15),

Whereas:

- (1) Article 18(1) and (2) of Regulation (EEC) No 1785/81 provides that the differences between the prices in international trade for the products listed in Article 1(1)(a), (c), (d), (f), (g) and (h) of that Regulation and prices within the Community may be covered by an export refund where these products are exported in the form of goods listed in the Annex to that Regulation. Commission Regulation (EC) No 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 ⁽³⁾, as amended by Regulation (EC) No 2390/2000 ⁽⁴⁾, specifies the products for which a rate of refund should be fixed, to be applied where these products are exported in the form of goods listed in Annex I to Regulation (EC) No 2038/1999.
- (2) In accordance with Article 4(1) of Regulation (EC) No 1520/2000, the rate of the refund per 100 kilograms for each of the basic products in question must be fixed for each month.
- (3) Article 18(3) of Regulation (EC) No 2038/1999 and Article 11 of the Agreement on Agriculture concluded under the Uruguay Round lay down that the export refund for a product contained in a good may not

exceed the refund applicable to that product when exported without further processing.

- (4) The refunds fixed under this Regulation may be fixed in advance as the market situation over the next few months cannot be established at the moment.
- (5) The commitments entered into with regard to refunds which may be granted for the export of agricultural products contained in goods not covered by Annex I to the Treaty may be jeopardized by the fixing in advance of high refund rates. It is therefore necessary to take precautionary measures in such situations without, however, preventing the conclusion of long-term contracts. The fixing of a specific refund rate for the advance fixing of refunds is a measure which enables these various objectives to be met.
- (6) It is necessary to ensure continuity of strict management taking account of expenditure forecasts and funds available in the budget.
- (7) The measures provided for in this Regulation are in accordance with the opinion of the Management Committee for Sugar,

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 in Article 1(1) and (2) of Regulation (EC) No 2038/1999, exported in the form of goods listed in Annex I to Regulation (EC) No 2038/1999, are fixed as shown in the Annex hereto.

Article 2

This Regulation shall enter into force on 1 December 2000.

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

Done at Brussels, 30 November 2000.

For the Commission

Erkki LIIKANEN

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 177, 15.7.2000, p. 1.

⁽⁴⁾ OJ L 276, 28.10.2000, p. 3.

ANNEX

to the Commission Regulation of 30 November 2000 altering the rates of the refunds applicable to certain products in the sugar sector exported in the form of goods not covered by Annex I to the Treaty

Product	Rate of refund in EUR/100 kg	
	In case of advance fixing of refunds	Other
White sugar:	38,22	38,22

COMMISSION REGULATION (EC) No 2634/2000
of 30 November 2000
on the issue of import licences for garlic originating in China

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

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

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

Whereas:

- (1) Pursuant to Commission Regulation (EEC) No 1859/93 ⁽⁴⁾, as amended by Regulation (EC) No 1662/94 ⁽⁵⁾, the release for free circulation in the Community of garlic imported from third countries is subject to presentation of an import licence.
- (2) Article 1(1) of Regulation (EC) No 1104/2000, restricts the issue of import licences for garlic originating in China to a maximum monthly quantity in the case of applications lodged from 29 May 2000 to 31 May 2001.
- (3) Given the criteria laid down in Article 1(2) of that Regulation and the import licences already issued, the quantity applied for on 27 November 2000 is in excess

of the maximum quantity given in the Annex to that Regulation for the months of December 2000 and January 2001. It is therefore necessary to determine to what extent import licences may be issued in response to these applications. The issue of licences in response to applications lodged after 28 November 2000 and before 29 January 2001 should be refused,

HAS ADOPTED THIS REGULATION:

Article 1

Import licences applied for on 27 November 2000 pursuant to Article 1 of Regulation (EEC) No 1859/93 for garlic falling within CN code 0703 20 00 originating in China shall be issued for 0,4454 % of the quantity applied for, having regard to the information available to the Commission on 29 November 2000.

For the abovementioned products applications for import licences lodged after 28 November 2000 and before 29 January 2001 shall be refused.

Article 2

This Regulation shall enter into force on 1 December 2000.

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

Done at Brussels, 30 November 2000.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ L 297, 21.11.1996, p. 1.

⁽²⁾ OJ L 160, 26.6.1999, p. 80.

⁽³⁾ OJ L 125, 26.5.2000, p. 21.

⁽⁴⁾ OJ L 170, 13.7.1993, p. 10.

⁽⁵⁾ OJ L 176, 9.7.1994, p. 1.

**COMMISSION REGULATION (EC) No 2635/2000
of 30 November 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⁾, as amended by Regulation (EC) No 2390/2000 ⁽⁶⁾, specifies the products for which a rate of refund should be fixed, to be applied where these products are exported in the form of goods listed in Annex B to Regulation (EEC) No 1766/92 or in Annex B to Regulation (EC) No 3072/95 as appropriate.
- (3) In accordance with the first subparagraph of Article 4(1) of Regulation (EC) No 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 ⁽⁷⁾, it is necessary to differentiate the refund on goods falling within CN codes 1902 11 00 and 1902 19 according to their destination.
- (6) 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 ⁽⁸⁾, as last amended by Commission Regulation (EC) No 87/1999 ⁽⁹⁾, 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 Management Committee for Cereals has not delivered an opinion within the time limit set by its chairman,

HAS ADOPTED THIS REGULATION:

Article 1

The rates of the refunds applicable to the basic products appearing in Annex A to Regulation (EC) No 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.

Article 2

This Regulation shall enter into force on 1 December 2000.

⁽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 276, 28.10.2000, p. 3.

⁽⁷⁾ OJ L 275, 29.9.1987, p. 36.

⁽⁸⁾ OJ L 159, 1.7.1993, p. 112.

⁽⁹⁾ OJ L 9, 15.1.1999, p. 8.

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

Done at Brussels, 30 November 2000.

For the Commission

Erkki LIIKANEN

Member of the Commission

ANNEX

**to the Commission Regulation of 30 November 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 goods falling within subheading 2208 ⁽³⁾ are exported – – in other cases	— — — — —	— — — — —
1002 00 00	Rye	3,502	3,502
1003 00 90	Barley – where goods falling within subheading 2208 ⁽³⁾ are exported – in other cases	— —	— —
1004 00 00	Oats	3,167	3,167
1005 90 00	Maize (corn) used in the form of: – starch: – – where Article 4(5) of Regulation (EC) No 1520/2000 applies ⁽²⁾ – – 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 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 goods falling within subheading 2208 ⁽³⁾ are exported – in other cases	2,806 0,952 2,806 2,105 0,714 2,105 0,952 2,806 2,806 0,952 2,806	2,806 0,952 2,806 2,105 0,714 2,105 0,952 2,806 2,806 0,952 2,806

(EUR/100 kg)

(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	13,700	13,700
	– medium grain	13,700	13,700
	– long grain	13,700	13,700
1006 40 00	Broken rice	4,000	4,000
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.

⁽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 2636/2000
of 30 November 2000
fixing production refunds on cereals and rice

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EEC) No 1766/92 of 30 June 1992, on the common organisation of the market in cereals ⁽¹⁾, as last amended by Regulation (EC) No 1666/2000 ⁽²⁾, and in particular Article 7 ⁽³⁾ thereof,

Having regard to Council Regulation (EC) No 3072/95 of 22 December 1995 on the common organisation of the market in rice ⁽³⁾, as last amended by Regulation (EC) No 1667/2000 ⁽⁴⁾, and in particular Article 7(2) thereof,

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

Whereas:

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

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

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

HAS ADOPTED THIS REGULATION:

Article 1

The refund referred to in Article 3(2) of Regulation (EEC) No 1722/93, expressed per tonne of starch extracted from maize, wheat, barley, oats, potatoes, rice or broken rice, shall be EUR 7,23/t.

Article 2

This Regulation shall enter into force on 1 December 2000.

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

Done at Brussels, 30 November 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 329, 30.12.1995, p. 18.

⁽⁴⁾ OJ L 193, 29.7.2000, p. 3.

⁽⁵⁾ OJ L 159, 1.7.1993, p. 112.

⁽⁶⁾ OJ L 9, 15.1.1999, p. 8.

COMMISSION REGULATION (EC) No 2637/2000
of 30 November 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 1 December 2000.

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

Done at Brussels, 30 November 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 30 November 2000 fixing the corrective amount applicable to the refund on malt

(EUR/t)

Product code	Destination	Current 12	1st period 1	2nd period 2	3rd period 3	4th period 4	5th period 5
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 6	7th period 7	8th period 8	9th period 9	10th period 10	11th period 11
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).

**COMMISSION REGULATION (EC) No 2638/2000
of 30 November 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 with the exclusion of certain ACP States was opened pursuant to Commission Regulation (EC) No 1701/2000⁽⁵⁾, as amended by Regulation (EC) No 2019/2000⁽⁶⁾.
- (2) Article 7 of Regulation (EC) No 1501/95 provides that the Commission may, on the basis of the tenders notified, in accordance with the procedure laid down in

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

- (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 24 to 30 November 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 1 December 2000.

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

Done at Brussels, 30 November 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.

⁽⁶⁾ OJ L 241, 26.9.2000, p. 37.

**COMMISSION REGULATION (EC) No 2639/2000
of 30 November 2000**

**fixing the maximum export refund on common wheat in connection with the invitation to tender
issued in Regulation (EC) No 2014/2000**

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 common wheat to certain ACP States was opened pursuant to Commission Regulation (EC) No 2014/2000 ⁽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.

- (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 24 to 30 November 2000, pursuant to the invitation to tender issued in Regulation (EC) No 2014/2000, the maximum refund on exportation of common wheat shall be EUR 3,00/t.

Article 2

This Regulation shall enter into force on 1 December 2000.

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

Done at Brussels, 30 November 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 241, 26.9.2000, p. 23.

COMMISSION REGULATION (EC) No 2640/2000
of 30 November 2000
fixing the maximum export refund on barley in connection with the invitation to tender issued in
Regulation (EC) No 2317/2000

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 for the export of barley to all third countries except for the United States of America and Canada was opened pursuant to Commission Regulation (EC) No 2317/2000 ⁽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 24 to 30 November 2000, pursuant to the invitation to tender issued in Regulation (EC) No 2317/2000, the maximum refund on exportation of barley shall be EUR 0,00/t.

Article 2

This Regulation shall enter into force on 1 December 2000.

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

Done at Brussels, 30 November 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 267, 20.10.2000, p. 23.

COMMISSION REGULATION (EC) No 2641/2000
of 30 November 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 third 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.

- (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 24 to 30 November 2000, pursuant to the invitation to tender issued in Regulation (EC) No 1740/2000, the maximum refund on exportation of rye shall be EUR 26,90/t.

Article 2

This Regulation shall enter into force on 1 December 2000.

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

Done at Brussels, 30 November 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 2642/2000
of 30 November 2000**

**fixing the maximum export refund on oats in connection with the invitation to tender issued in
Regulation (EC) No 2097/2000**

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⁾,

Having regard to Commission Regulation (EC) No 2097/2000 of 3 October 2000 on a special intervention measure for cereals in Finland and Sweden ⁽⁵⁾ and in particular Article 8 thereof,

Whereas:

- (1) An invitation to tender for the refund for the export of oats produced in Finland and Sweden for export from Finland or Sweden to all third countries was opened pursuant to Regulation (EC) No 2097/2000.
- (2) Article 8 of Regulation (EC) No 2097/2000 provides that the Commission may, on the basis of the tenders notified, in accordance with the procedure laid down in

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

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

HAS ADOPTED THIS REGULATION:

Article 1

For tenders notified from 24 to 30 November 2000, pursuant to the invitation to tender issued in Regulation (EC) No 2097/2000, the maximum refund on exportation of oats shall be EUR 29,95/t.

Article 2

This Regulation shall enter into force on 1 December 2000.

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

Done at Brussels, 30 November 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 249, 4.10.2000, p. 15.

**COMMISSION REGULATION (EC) No 2643/2000
of 30 November 2000
on the issue of system B export licences in the fruit and vegetables sector**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

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

Whereas:

- (1) Commission Regulation (EC) No 2432/2000 ⁽³⁾ fixes the indicative quantities for system B export licences other than those sought in the context of food aid.
- (2) In the light of the information available to the Commission today, there is a risk that the indicative quantities laid down for the current export period for table grapes will shortly be exceeded. This overrun will prejudice the

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

- (3) To avoid this situation, applications for system B licences for table grapes exported after 30 November 2000 should be rejected until the end of the current export period,

HAS ADOPTED THIS REGULATION:

Article 1

Applications for system B export licences for table grapes submitted pursuant to Article 1 of Regulation (EC) No 2432/2000, export declarations for which are accepted after 30 November 2000 and before 16 January 2001 are hereby rejected.

Article 2

This Regulation shall enter into force on 1 December 2000.

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

Done at Brussels, 30 November 2000.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ L 292, 15.11.1996, p. 12.

⁽²⁾ OJ L 34, 9.2.2000, p. 16.

⁽³⁾ OJ L 279, 1.11.2000, p. 30.

**COUNCIL DIRECTIVE 2000/79/EC
of 27 November 2000**

concerning the European Agreement on the Organisation of Working Time of Mobile Workers in Civil Aviation concluded by the Association of European Airlines (AEA), the European Transport Workers' Federation (ETF), the European Cockpit Association (ECA), the European Regions Airline Association (ERA) and the International Air Carrier Association (IACA)

(Text with EEA relevance)

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty establishing the European Community, and in particular Article 139(2) thereof,

Having regard to the proposal from the Commission,

Whereas:

- (1) Management and labour may, in accordance with Article 139(2) of the Treaty, request jointly that agreements concluded at Community level be implemented by a Council decision on a proposal from the Commission.
- (2) The Council adopted Directive 93/104/EC ⁽¹⁾ concerning certain aspects of the organisation of working time. Civil aviation was one of the sectors and activities excluded from the scope of that Directive. The European Parliament and the Council adopted Directive 2000/34/EC amending Directive 93/104/EC in order to cover sectors and activities previously excluded.
- (3) The Commission, in accordance with Article 138(2) of the Treaty, has consulted management and labour on the possible direction of Community action with regard to the sectors and activities excluded from Directive 93/104/EC.
- (4) The Commission, considering after such consultation that Community action was desirable, once again consulted management and labour at Community level on the substance of the envisaged proposal in accordance with Article 138(3) of the Treaty.
- (5) The Association of European Airlines (AEA), the European Transport Workers' Federation (ETF), the European Cockpit Association (ECA), the European Regions Airline Association (ERA) and the International Air Carrier Association (IACA) have informed the Commission of their desire to enter into negotiations in accordance with Article 138(4) of the Treaty.
- (6) The said organisations concluded, on 22 March 2000, a European Agreement on the Organisation of Working Time of Mobile Staff in Civil Aviation.
- (7) This Agreement contains a joint request to the Commission to implement the Agreement by a Council decision on a proposal from the Commission, in accordance with Article 139(2) of the Treaty.
- (8) This Directive and the Agreement lay down more specific requirements within the meaning of Article 14 of Directive 93/104/EC as regards the organisation of working time of mobile staff in civil aviation.
- (9) Article 2(7) of Directive 93/104/EC defines mobile workers as any worker employed as a member of travelling or flying personnel by an undertaking which operates transport services for passengers or goods by road, air or inland waterway.
- (10) The proper instrument for implementing the Agreement is a Directive within the meaning of Article 249 of the Treaty.
- (11) In view of the highly integrated nature of the civil aviation sector and the conditions of competition prevailing in it, the objectives of this Directive to protect workers' health and safety cannot be sufficiently achieved by the Member States and Community action is therefore required in accordance with the subsidiarity principle laid down in Article 5 of the Treaty. This Directive does not go beyond what is necessary to achieve those objectives.
- (12) With regard to terms used in the Agreement which are not specifically defined therein, this Directive leaves Member States free to define those terms in accordance with national law and practice, as is the case for other social policy Directives using similar terms, providing that the said definitions are compatible with the Agreement.
- (13) The Commission has drafted its proposal for a Directive, in accordance with its Communication of 20 May 1998 'Adapting and promoting the social dialogue at Community level', taking into account the representative status of the signatory parties and the legality of each clause of the Agreement. The signatory parties together have a sufficiently representative status for flying personnel employed by an undertaking which operates transport services for passengers or goods in civil aviation.
- (14) The Commission has drafted its proposal for a Directive in compliance with Article 137(2) of the Treaty which provides that directives in the social policy domain 'shall avoid imposing administrative, financial and legal constraints in a way which would hold back the creation and development of small and medium-sized undertakings'.

⁽¹⁾ OJ L 307, 13.12.1993, p. 18. Directive as amended by Directive 2000/34/EC (OJ L 195, 1.8.2000, p. 41).

- (15) This Directive and the Agreement establish minimum standards. Member States and/or management and labour may maintain or introduce more favourable provisions.
- (16) Implementation of this Directive should not serve to justify any regression in relation to the situation which already exists in each Member State.
- (17) The Commission has informed the European Parliament, the Economic and Social Committee and the Committee of the Regions by sending them the text of its proposal for a Directive incorporating the Agreement.
- (18) The European Parliament adopted a Resolution on the social partners' framework agreement on 3 October 2000.
- (19) The implementation of the Agreement contributes to achieving the objectives under Article 136 of the Treaty,

HAS ADOPTED THIS DIRECTIVE:

Article 1

The purpose of this Directive is to implement the European Agreement on the organisation of working time of mobile staff in civil aviation concluded on 22 March 2000 between the organisations representing management and labour in the civil aviation sector: the Association of European Airlines (AEA), the European Transport Workers' Federation (ETF), the European Cockpit Association (ECA), the European Regions Airline Association (ERA) and the International Air Carrier Association (IACA).

The text of the Agreement appears in the Annex.

Article 2

1. Member States may maintain or introduce more favourable provisions than those laid down in this Directive.
2. The implementation of this Directive shall under no circumstances constitute sufficient grounds for justifying a reduction in the general level of protection of workers in the

fields covered by this Directive. This shall be without prejudice to the rights of Member States and/or management and labour to lay down, in the light of changing circumstances, different legislative, regulatory or contractual arrangements to those prevailing at the time of the adoption of this Directive, provided always that the minimum requirements laid down in this Directive are complied with.

Article 3

Member States shall bring into force the laws, regulations and administrative provisions necessary to comply with this Directive not later than 1 December 2003 or shall ensure that, by that date at the latest, management and labour have introduced the necessary measures by agreement. The Member States shall take any necessary measure to enable them at any time to be in a position to guarantee the results imposed by this Directive. They shall forthwith inform the Commission thereof.

When Member States adopt these measures, they shall contain a reference to this Directive or be accompanied by such a reference on the occasion of their official publication. The methods of making such a reference shall be laid down by the Member States.

Article 4

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

Article 5

This Directive is addressed to the Member States.

Done at Brussels, 27 November 2000.

For the Council

The President

É. GUIGOU

ANNEX

European Agreement on the Organisation of Working Time of Mobile Staff in Civil Aviation concluded by the Association of European Airlines (AEA), the European Transport Workers' Federation (ETF), the European Cockpit Association (ECA), the European Regions Airline Association (ERA) and the International Air Carrier Association (IACA)

Having regard to the Treaty establishing the European Community and in particular Articles 138 and 139(2) thereof,

Having regard to the fact that Article 139(2) of the Treaty provides that agreements concluded at European level may be implemented at the joint request of the signatory parties by a Council decision on a proposal from the Commission,

Having regard to the fact that the signatory parties hereby make such a request,

Having regard to the fact that the signatory parties consider that the provisions of this Agreement are 'more specific requirements' within the meaning of Article 14 of Council Directive 93/104/EC, and that the provisions of that Directive should not apply,

THE SIGNATORY PARTIES HAVE AGREED THE FOLLOWING:

Clause 1

1. The Agreement applies to the working time of mobile staff in civil aviation.
2. It lays down more specific requirements within the meaning of Article 14 of Council Directive 93/104/EC relating to the organisation of working time of mobile staff in civil aviation.

Clause 2

1. 'Working time' means any period during which the worker is working, at the employer's disposal and carrying out his activity or duties, in accordance with national laws and/or practice.
2. 'Mobile staff in civil aviation' means crew members on board a civil aircraft, employed by an undertaking established in a Member State.
3. 'Block flying time' means the time between an aircraft first moving from its parking place for the purpose of taking off until it comes to rest on the designated parking position and until all engines are stopped.

Clause 3

1. Mobile staff in civil aviation are entitled to paid annual leave of at least four weeks, in accordance with the conditions for entitlement to, and granting of, such leave laid down by national legislation and/or practice.
2. The minimum period of paid annual leave may not be replaced by an allowance in lieu, except where the employment relationship is terminated.

Clause 4

1. (a) Mobile staff in civil aviation are entitled to a free health assessment before their assignment and thereafter at regular intervals.
(b) Mobile staff in civil aviation suffering from health problems recognised as being connected with the fact that they also work at night will be transferred whenever possible to mobile or non-mobile day work to which they are suited.
2. The free health assessment referred to in paragraph 1(a) shall comply with medical confidentiality.
3. The free health assessment referred to in paragraph 1(a) may be conducted within the national health system.

Clause 5

1. Mobile staff in civil aviation will have safety and health protection appropriate to the nature of their work.
2. Adequate protection and prevention services or facilities with regard to the safety and health of mobile staff in civil aviation will be available at all times.

Clause 6

Necessary measures will be taken to ensure that an employer, who intends to organise work according to a certain pattern, takes account of the general principle of adapting work to the worker.

Clause 7

Information concerning specific working patterns of mobile staff in civil aviation should be provided to the competent authorities, if they so request.

Clause 8

1. Working time should be looked at without prejudice to any future Community legislation on flight and duty time limitations and rest requirements and in conjunction with national legislation on this subject which should be taken into consideration in all related matters.
2. The maximum annual working time, including some elements of standby for duty assignment as determined by the applicable law, shall be 2 000 hours in which the block flying time shall be limited to 900 hours.
3. The maximum annual working time shall be spread as evenly as practicable throughout the year.

Clause 9

Without prejudice to Clause 3, mobile staff in civil aviation shall be given days free of all duty and standby, which are notified in advance, as follows:

- (a) at least seven local days in each calendar month, which may include any rest periods required by law; and
- (b) at least 96 local days in each calendar year, which may include any rest periods required by law.

Clause 10

The parties shall review the above provisions two years after the end of the implementation period laid down in the Council Decision putting this Agreement into effect.

Brussels, 22 March 2000.

Association of European Airlines (AEA)

Karl-Heinz Neumeister, Secretary General
Manfred Merz, Vice Chairman of AEA Social Affairs Committee, Chairman of the Negotiating Team

European Transport Workers' Federation (ETF)

Brenda O'Brien, Assistant General Secretary
Betty Lecouturier, President, Cabin Crew Committee
Bent Gehlsen, Negotiating Group Member, Cabin Crew Committee

European Cockpit Association (ECA)

Captain Francesco Gentile, Chairman
Captain Bill Archer, Vice Chairman
Giancarlo Crivellaro, General Secretary

European Regions Airline Association (ERA)

Mike Ambrose, Director General

The International Air Carrier Association (IACA)

Marc Frisque, Director General
Allan Brown, Director, Aeropolitical and Industry Affairs

II

(Acts whose publication is not obligatory)

COUNCIL

COUNCIL DECISION

of 27 November 2000

authorising the French Republic to apply a measure derogating from Article 11 of the sixth Directive (77/388/EEC) relating to the common system of value added tax

(2000/746/EC)

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty establishing the European Community,

Having regard to the sixth Council Directive (77/388/EEC) of 17 May 1977 on the harmonisation of the laws of Member States relating to turnover taxes — Common system of value added tax: uniform basis of assessment ⁽¹⁾, hereinafter referred to as 'the sixth VAT Directive', and in particular Article 27 thereof,

Having regard to the proposal from the Commission,

Whereas:

- (1) In a letter registered by the Commission's Secretariat-General on 17 May 2000, the Government of the French Republic requested authorisation on the basis of Article 27 of the Sixth VAT Directive to apply a measure derogating from Article 11(A)(1)(a) of the Directive.
- (2) Under Article 27(1) of the sixth VAT Directive, the Council, acting unanimously on a proposal from the Commission, may authorise any Member State to introduce special measures for derogation from the provisions of the Directive, in order to simplify the procedure for charging the tax or to prevent certain types of tax evasion or avoidance.
- (3) In accordance with the said Article 27, the other Member States were informed of the request from the French Republic by letter dated 14 June 2000.
- (4) Article 11(A)(1)(a) of the sixth VAT Directive states that, in principle, the taxable amount in respect of supplies of goods and services shall be everything which constitutes

the consideration which has been or is to be obtained by the supplier for such supplies from the purchaser, the customer or a third party.

- (5) The French Republic, by way of derogation from these provisions, has requested authorisation to include in the taxable amount for a transaction involving the working of investment gold the value of the raw material provided by the purchaser of the service and used to make the finished product.
- (6) The aim of the derogation is to avoid abuse of the exemption for investment gold and thus to prevent certain types of tax evasion or avoidance. It therefore meets the conditions set out in Article 27 of the sixth VAT Directive.
- (7) The forms of tax evasion or avoidance in question consist mainly of the initial purchase of VAT-exempt investment gold which is then worked to make jewellery or other goods, without VAT being charged on the value of investment gold included in the transaction concerned.
- (8) The derogation is granted until 31 December 2004, so that an assessment can be made as to whether it is appropriate in the light of changes in the practical application of the special system for investment gold established by Directive 98/80/EC ⁽²⁾.
- (9) The derogation has no negative impact on the European Communities' own resources derived from value added tax,

⁽¹⁾ OJ L 145, 13.6.1977, p. 1. Directive as last amended by Directive 2000/65/EC (OJ L 269, 21.10.2000, p. 44).

⁽²⁾ OJ L 281, 17.10.1998, p. 31.

HAS ADOPTED THIS DECISION:

Article 3

Article 1

The French Republic is authorised, by derogation from Article 11(A)(1)(a) of the sixth VAT Directive, to include in the taxable amount in respect of the supply of goods or services comprising the working of tax-exempt investment gold the value of the gold contained in the finished product based on the current market value of the investment gold.

This Decision is addressed to the French Republic.

Done at Brussels, 27 November 2000.

Article 2

The authorisation granted under Article 1 shall expire on 31 December 2004.

For the Council

The President

L. FABIUS

COUNCIL DECISION
of 27 November 2000

amending Article 3 of Decision 98/198/EC authorising the United Kingdom to extend application of a measure derogating from Articles 6 and 17 of the sixth Directive (77/388/EEC) on the harmonisation of the laws of the Member States relating to turnover taxes

(2000/747/EC)

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty establishing the European Community,

Having regard to the sixth Council Directive (77/388/EEC) of 17 May 1977 on the harmonisation of the laws of the Member States relating to turnover taxes — Common system of value added tax: uniform basis of assessment ⁽¹⁾, hereinafter referred to as the 'Sixth VAT Directive', and in particular Article 27 thereof,

Having regard to the proposal from the Commission,

Whereas:

- (1) Pursuant to Article 27(1) of the sixth VAT Directive, the Council, acting unanimously on a proposal from the Commission, may authorise any Member State to introduce or extend special measures for derogation from that Directive in order to simplify the procedure for charging the tax or to prevent certain types of tax evasion or avoidance.
- (2) By letter registered with the Commission's Secretariat-General on 16 June 2000, the United Kingdom Government requested authorisation to extend the application of the derogation previously granted to it by Decisions 95/252/EC ⁽²⁾, 98/198/EC ⁽³⁾ and 1999/79/EC ⁽⁴⁾.
- (3) The other Member States were informed on 28 July 2000 of the United Kingdom's request.
- (4) The derogation in question is designed, firstly, to restrict to 50 % the right of the hirer or lessee of a passenger car to deduct the VAT on the hire or leasing transaction where the car is used for private purposes and, secondly, to waive the VAT payable on the private use of the car in question.
- (5) The legal and factual circumstances which justified granting authorisation to apply a derogation have not changed and still obtain.
- (6) On 17 June 1998 the Commission presented a proposal for a Directive ⁽⁵⁾ amending the sixth VAT Directive as regards the rules governing the right to deduct VAT.

(7) The objective of that proposal is to bring about an approximation of the limitations of the right to deduct VAT in order to reduce the disparities between the rules applicable in the Community, particularly where expenditure on passenger cars is concerned.

(8) It is appropriate, therefore, to extend the period of the authorisation granted until the abovementioned Directive enters into force. However, this authorisation will expire on 31 December 2003 at the latest if the Directive has not entered into force by that date, enabling an assessment to be made at that time of the necessity for a derogation in the light of the discussions held within the Council.

(9) The derogation has no adverse impact on the European Communities' own resources accruing from VAT,

HAS ADOPTED THIS DECISION:

Article 1

Article 3 of Decision 98/198/EC shall be replaced by the following:

'Article 3

This authorisation shall expire on the date of the entry into force of the Community rules determining what expenditure is not to be eligible for the deduction of value added tax, in accordance with the first subparagraph of Article 17(6) of the sixth VAT Directive, but on 31 December 2003 at the latest.'

Article 2

This Decision is addressed to the United Kingdom of Great Britain and Northern Ireland.

Done at Brussels, 27 November 2000.

For the Council

The President

L. FABIUS

⁽¹⁾ OJ L 145, 13.6.1977, p. 1. Directive as last amended by Directive 2000/65/EC (OJ L 269, 21.10.2000, p. 44).

⁽²⁾ OJ L 159, 11.7.1995, p. 19.

⁽³⁾ OJ L 76, 13.3.1998, p. 31.

⁽⁴⁾ OJ L 27, 2.2.1999, p. 22.

⁽⁵⁾ OJ C 219, 15.7.1998, p. 16.

COMMISSION

ADMINISTRATIVE COMMISSION OF THE EUROPEAN COMMUNITIES ON SOCIAL SECURITY FOR MIGRANT WORKERS

DECISION No 177

of 5 October 1999

on the forms necessary for the application of Council Regulations (EEC) No 1408/71 and (EEC) No 574/72 (E 128 and E 128 B)

(Text with EEA relevance)

(2000/748/EC)

THE ADMINISTRATIVE COMMISSION ON SOCIAL SECURITY FOR MIGRANT WORKERS,

Having regard to Article 81(a) of Council Regulation (EEC) No 1408/71 of 14 June 1971 on the application of social security schemes to employed persons, to self-employed persons and to members of their family moving within the Community ⁽¹⁾, under which it is the duty of the Administrative Commission to deal with all administrative questions or questions of interpretation arising from Regulation (EEC) No 1408/71 and subsequent Regulations,

Having regard to Article 2(1) of Council Regulation (EEC) No 574/72 of 21 March 1972, under which it is the duty of the Administrative Commission to draw up models of certificates, certified statements, declarations, applications and other documents necessary for the application of the Regulations,

Having regard to Decision No 165 of 30 June 1997 laying down and adapting certain model forms necessary for the application of the said Regulations,

Whereas:

- (1) Forms E 128 and E 128 B are to be amended in order to take account of Council Regulation (EC) No 307/1999 of 8 February 1999 which extended to students the provisions governing entitlement to sickness benefits in kind.
- (2) The Agreement on the European Economic Area of 2 May 1992, as supplemented by the Protocol of 17 March 1993, Annex VI, implements Regulations (EEC) No 1408/71 and (EEC) No 574/72 within the European Economic Area.
- (3) By Decision of the EEA Joint Committee, the model forms necessary for the application of Regulations (EEC) No 1408/71 and (EEC) No 574/72 shall be adapted and used within the European Economic Area.
- (4) For practical reasons, identical forms should be used within the Community and within the European Economic Area.
- (5) The language in which the forms should be drawn up has been decided by Recommendation No 15 of the Administrative Commission,

⁽¹⁾ OJ L 149, 5.7.1971, p. 2.

HAS DECIDED AS FOLLOWS:

1. Forms E 128 and E 128 B, concerning benefits in kind required during a stay in a Member State without imposing a condition of immediate need, as contained in Decision No 165 of 30 June 1997, shall be replaced by the attached models.
2. The competent authorities of the Member States shall make available to those concerned (rightful claimants, institutions, employers, etc.) the forms according to the attached models.
3. Each form shall be available in the official languages of the Community and laid out in such a manner that the different versions are perfectly superposable, thereby making it possible for each person or body to which a form is addressed (rightful claimants, institution, employer, etc.) to receive the printed form in their own language.
4. This Decision shall be published in the *Official Journal of the European Communities*. It shall be applicable from the first day of the month following its publication.

*The Chairman of the Administrative
Commission*

Jorma PERÄLÄ

CERTIFICATE OF ENTITLEMENT TO NECESSARY BENEFITS IN KIND DURING A STAY IN A MEMBER STATE

(Note: this document establishes no entitlement if the purpose of the journey is to receive medical treatment abroad)

Social Security Regulations: Regulation No 1408/71: Articles 22(b) and 34(b)

The competent institution is to complete this form in block letters and issue it to the person concerned, or send it to the institution in the place of stay if the form has been drawn up at the latter's request

1.	Beneficiary:	<input type="checkbox"/> activity in a Member State other than the competent State: employed/self-employed person ⁽²⁾ <input type="checkbox"/> student
1.1	Surname ⁽³⁾ : Previous names ⁽³⁾ : Forenames: Date of birth ⁽⁴⁾ : Permanent address: Street: Town: Postcode: Country ⁽¹⁾ :	
1.2	D.N.I. ⁽⁵⁾ : Identification No ⁽⁶⁾ :	

2.	Members of the family travelling temporarily to another Member State				
2.1	Surname ⁽³⁾	Previous names ⁽³⁾	Forenames	Date of birth ⁽⁴⁾	Identification No ⁽⁶⁾

2.2	Permanent address ⁽⁷⁾ : Street: Town: Postcode: Country ⁽¹⁾ :				

3. This document enables the above-named persons to obtain the **necessary benefits in kind** from insurance bodies in the country of stay in the event of sickness or maternity and, provisionally, in the case of an accident at work or occupational disease,

in ⁽¹⁾: from ⁽⁴⁾: to: inclusive

4.	Competent institution	
4.1	Name:	Code No ⁽⁸⁾ :
4.2	Address: Street: Town: Postcode: Country ⁽¹⁾ :	
4.3	Stamp:	Date ⁽⁴⁾ : Signature:

5.	Extension of period of validity	
5.1	From: to:	5.3 From: to:
5.2	Stamp: Date: Signature:	5.4 Stamp: Date: Signature:

INSTRUCTIONS FOR THE INSURED PERSON AND THE MEMBERS OF HIS FAMILY

- a) When one of the persons concerned has to seek benefits, including hospitalisation, he should submit this form to the insurance body in the country in which he is staying, i.e.:

in **Belgium**: the 'mutualité' (local sickness insurance fund) of his choice;

in **Denmark**: general practitioners, dentists and hospitals belonging to the public health service. Specialist treatment may be obtained on the basis of a referral from the general practitioner. Further information may be obtained from the local regional authority;

in **Germany**: the sickness insurance fund of his choice, which will, on receipt of the form, issue a certificate establishing entitlement to all care without imposing a condition of immediate need;

in **Greece**: normally the regional or local office of the Social Insurance Institute (IKA), which issues the person concerned with a 'health book', without which no benefits in kind can be provided;

in **Spain**: the medical and hospital services of the Spanish public health service. The form must be submitted, together with a photocopy;

in **France**: when applying for reimbursement, to the 'Caisse primaire d'assurance maladie' (local sickness insurance fund) or directly to the hospital in the event of hospitalisation;

in **Ireland**: the Health Board in whose area the benefit is claimed;

in **Italy**: normally the 'Azienda sanitaria locale' (ASL, the local health administration unit) responsible for the area concerned; for mariners and for civilian aircrews, the 'Ministero della sanità — Ufficio di sanità marittima o aerea' (Ministry of Health, the navy or aviation health office responsible for the area in question);

in **Luxembourg**: the 'Caisse de maladie des ouvriers' (Sickness Fund for Manual Workers);

in the **Netherlands**: the 'ANOV Verzekeringen' (Netherlands General Sickness Insurance Fund), Utrecht, which will, on receipt of the form, issue a certificate establishing entitlement to all care without imposing a condition of immediate need;

in **Austria**: the 'Gebietskrankenkasse' (Regional Fund for Sickness Insurance) responsible for the place of stay;

in **Portugal**: for metropolitan Portugal: the 'Administração Regional de Saúde' (Regional Health Administration) of the place of stay; for Madeira: the 'Direcção Regional de Saúde Pública' (Regional Public Health Directorate) in Funchal; for the Azores: the 'Direcção Regional de Saúde' (Regional Health Directorate) in Angra do Heroísmo;

in **Finland**: the local office of the 'Kansaneläkelaitos' (Social Insurance Institution), if reimbursement is sought for medical expenses incurred in the private sector. Benefits in kind can be obtained from municipal health centres and public hospitals by presenting this certificate;

in **Sweden**: the 'försäkringskassan' (Social Insurance Office). Assistance from the medical services (hospital, doctor, dentist, etc.) may be sought without first contacting the said institution;

in the **United Kingdom**: assistance may be obtained from the medical services without first contacting the competent institution; this form should be presented when assistance is sought;

in **Iceland**: the 'Tryggingastofnun ríkisins' (State Social Security Institute), Reykjavik; assistance may be obtained from the medical services without first contacting the said institution; this form should be presented when assistance is sought;

in **Liechtenstein**: directly from the medical services (doctor, hospital, etc.);

in **Norway**: the 'lokale Trygdekantor' (local Insurance Office). Assistance may be obtained from the medical services without first contacting the said institution; this form should be presented when assistance is sought.

- b) In order to receive cash benefits, the person concerned shall, within three days of commencement of incapacity for work, apply to the institution of the place of stay by submitting a notification of having ceased work or, if the legislation administered by the competent institution or by the institution of the place of stay so provides, a certificate of incapacity for work issued by the doctor providing treatment for the person concerned.

NOTES

- (*) For the purposes of the EEA Agreement on the European Economic Area, Annex VI, Social Security, this form is also valid for Iceland, Liechtenstein and Norway.
- (1) Symbol of the country: B = Belgium; DK = Denmark; D = Germany; GR = Greece; E = Spain; F = France; IRL = Ireland; I = Italy; L = Luxembourg; NL = the Netherlands; A = Austria; P = Portugal; FIN = Finland; S = Sweden; GB = United Kingdom; IS = Iceland; FL = Liechtenstein; N = Norway.
- (2) Delete as appropriate.
- (3) In the case of Spanish nationals state both names at birth.
In the case of Portuguese nationals state all names (forenames, surname, maiden name) in the order of civil status in which they appear on the identity card or passport.
- (4) Give the date in the following order: day/month/year.
- (5) In the case of Spanish nationals state the number appearing on the national identity card (DNI) if available, even if the card is out of date. Failing this, state 'none'.
- (6) In the case of Italian nationals indicate, if possible, the insurance number and/or 'codice fiscale'.
- (7) Complete only if the address of the members of the family differs from that of the worker or student.
- (8) To be completed where this exists.

CERTIFICATE OF ENTITLEMENT TO NECESSARY BENEFITS IN KIND DURING A STAY IN A MEMBER STATE

(Note: this document establishes no entitlement if the purpose of the journey is to receive medical treatment abroad)

Social Security Regulations: Regulation No 1408/71: Articles 22(b) and 34(b)

The competent institution is to complete this form in block letters and issue it to the person concerned, or send it to the institution in the place of stay if the form has been drawn up at the latter's request

1.	<input type="checkbox"/> Self-employed person pursuing an activity in a Member State other than the competent State <input type="checkbox"/> Student under the terms of Article 34(b)
1.1	Surname (²): Previous names (²): Forenames: Date of birth (³): Permanent address: Street: No: Box: Town: Postcode: Country (¹):
1.2	Identification No:

2.	Members of the family																														
2.1	<table><thead><tr><th>Surname (²)</th><th>Previous names (²)</th><th>Forenames</th><th>Date of birth (³)</th><th>Identification No</th></tr></thead><tbody><tr><td>.....</td><td>.....</td><td>.....</td><td>.....</td><td>.....</td></tr><tr><td>.....</td><td>.....</td><td>.....</td><td>.....</td><td>.....</td></tr><tr><td>.....</td><td>.....</td><td>.....</td><td>.....</td><td>.....</td></tr><tr><td>.....</td><td>.....</td><td>.....</td><td>.....</td><td>.....</td></tr><tr><td>.....</td><td>.....</td><td>.....</td><td>.....</td><td>.....</td></tr></tbody></table>	Surname (²)	Previous names (²)	Forenames	Date of birth (³)	Identification No
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2.2	Permanent address (⁴): Street: Town: Postcode: Country (¹):																														

3. This document enables the persons referred to in box 1 and/or box 2 who are **staying temporarily** in a Member State other than the competent State to obtain **necessary benefits in kind only in the event of hospitalisation** from insurance bodies in the country of stay:

in (¹): from (³): to: inclusive

4.	Competent institution
4.1	Name: Code No:
4.2	Address: Street: Town: Postcode: Country: BELGIUM
4.3	Stamp: Date (³): Signature:

INSTRUCTIONS FOR THE INSURED PERSON AND THE MEMBER OF HIS FAMILY

When one of the persons concerned has to enter hospital, he should submit this form to the insurance body in the country in which he is staying, i.e.:

in **Denmark**: general practitioners, dentists and hospitals belonging to the public health service. Specialist treatment may be obtained on the basis of a referral from the general practitioner. Further information may be obtained from the local/regional authority;

in **Germany**: the sickness insurance fund of his choice in the place of stay;

in **Greece**: normally the regional or local office of the Social Insurance Institute (IKA), which issues the person concerned with a 'health book', without which no benefits in kind can be provided;

in **Spain**: the medical and hospital services of the Spanish public health service. The form must be submitted, together with a photocopy;

in **France**: when applying for reimbursement, to the 'Caisse primaire d'assurance maladie' (local sickness insurance fund) or directly to the hospital in the event of hospitalisation;

in **Ireland**: the Health Board in whose area the benefit is claimed;

in **Italy**: normally the 'Azienda sanitaria locale' (ASL, the local health administration unit) responsible for the area concerned; for mariners and for civilian aircrews, the 'Ministero della sanità — Ufficio di sanità marittima o aerea' (Ministry of Health, the navy or aviation health office responsible for the area in question);

in **Luxembourg**: the 'Caisse de maladie des ouvriers' (Sickness Fund for Manual Workers);

in the **Netherlands**: the 'ANOZ Verzekeringen' (Netherlands General Sickness Insurance Fund), Utrecht, which will, on receipt of the form, issue a certificate establishing entitlement to all care without imposing a condition of immediate need;

in **Austria**: the 'Gebietskrankenkasse' (Regional Fund for Sickness Insurance) responsible for the place of stay;

in **Portugal**: for metropolitan Portugal: the 'Administração Regional de Saúde' (Regional Health Administration) of the place of stay; for Madeira: the 'Direcção Regional de Saúde Pública' (Regional Public Health Directorate) in Funchal; for the Azores: the 'Direcção Regional de Saúde' (Regional Health Directorate) in Angra do Heroísmo;

in **Finland**: the local office of the 'Kansaneläkelaitos' (Social Insurance Institution), if reimbursement is sought for medical expenses incurred in the private sector. Benefits in kind can be obtained from municipal health centres and public hospitals by presenting this certificate;

in **Sweden**: the 'försäkringskassan' (Social Insurance Office). Assistance from the medical services (hospital, doctor, dentist, etc.) may be sought without first contacting the said institution;

in the **United Kingdom**: assistance may be obtained from the medical services without first contacting the competent institution; this form should be presented when assistance is sought;

in **Iceland**: the 'Tryggingastofnun ríkisins' (State Social Security Institute), Reykjavik; assistance may be obtained from the medical services without first contacting the said institution; this form should be presented when assistance is sought;

in **Liechtenstein**: the 'Amt für Volkswirtschaft' (Office of National Economy), Vaduz;

in **Norway**: the 'lokale Trygdekontor' (local Insurance Office). Assistance may be obtained from the medical services without first contacting the said institution; this form should be presented when assistance is sought.

NOTES

(*) For the purposes of the EEA Agreement on the European Economic Area, Annex VI, Social Security, this form is also valid for Iceland, Liechtenstein and Norway.

(1) Symbol of the country: B = Belgium; DK = Denmark; D = Germany; GR = Greece; E = Spain; F = France; IRL = Ireland; I = Italy; L = Luxembourg; NL = the Netherlands; A = Austria; P = Portugal; FIN = Finland; S = Sweden; GB = United Kingdom; IS = Iceland; FL = Liechtenstein; N = Norway.

(2) In the case of Spanish nationals state both names at birth.

In the case of Portuguese nationals state all names (forenames, surname, maiden name) in the order of civil status in which they appear on the identity card or passport.

(3) Give the date in the following order: day/month/year.

(4) Complete only if the address of the members of the family differs from that of the worker or pensioner.

DECISION No 178
of 9 December 1999
on the interpretation of Article 111(1) and (2) of Regulation (EEC) No 574/72

(2000/749/EC)

THE ADMINISTRATIVE COMMISSION OF THE EUROPEAN COMMUNITIES ON SOCIAL SECURITY FOR MIGRANT WORKERS,

Having regard to Article 81(a) of Council Regulation (EEC) No 1408/71 ⁽¹⁾, according to which the Administrative Commission shall deal with all administrative questions and questions of interpretation arising from the provisions of Regulations (EEC) No 1408/71 and (EEC) No 574/72,

Whereas:

- (1) The interpretation of Article 111(1) and (2) of Regulation (EEC) No 574/72 has given rise to repeated difficulties.
- (2) A uniform interpretation in all Member States is required.
- (3) Acting in accordance with the conditions laid down in Article 80(3) of Regulation (EEC) No 1408/71,

HAS DECIDED AS FOLLOWS:

1. The words 'recipient of benefits' in Article 111(1) and (2) of Regulation (EEC) No 574/72 shall be taken to mean:
 - the person, who under the national legislation of a Member State has entitlement to benefit regardless of the fact that the benefit may be calculated or provided on the basis of periods of insurance and/or residence completed by another person, and, consequently, to whom the actual payment is directed, but not necessarily collected.

'Recipient of benefits' should not be taken to mean a parent, agent, proxyholder or legal guardian, who collects the benefit on behalf of the recipient.
2. Any deductions made by virtue of Article 111(2) of Regulation (EEC) No 574/72 may be from arrears or on-going payments to a recipient of benefits regardless of the social security branch under which the benefit is paid on the condition that the deduction fulfils the requirements in both the legislation of the Member State which seeks to recover the overpayment and in the Member State which is requested to make the deduction.
3. This Decision shall be published in the *Official Journal of the European Communities*. It shall be applicable from the first day of the month following its publication.

*The Chairman of the Administrative
Commission*

Jorma PERÄLÄ

⁽¹⁾ Amended and updated by Council Regulation (EC) No 118/97 of 2 December 1996 (OJ L 28, 30.1.1997, p. 1).

CORRIGENDA

Corrigendum to Council Regulation (EC) No 1257/1999 of 17 May 1999 on support for rural development from the European Agricultural Guidance and Guarantee Fund (EAGGF) and amending and repealing certain Regulations

(Official Journal of the European Communities L 160 of 26 June 1999)

On page 94, in Article 36(2):

for: '... Regulation (EC) No 1260/1999⁽¹⁾...';

read: '... Regulation (EC) No 1258/1999⁽¹⁾...';

The footnote remains unchanged.

On page 97, in particle 45(1):

for: '... Regulations (EC) No 1262/1999⁽¹⁾, (EC) No 1261/1999⁽²⁾ and...';

read: '... Regulations (EC) No 1783/1999⁽¹⁾, (EC) No 1784/1999⁽²⁾ and...';

On page 97, in the footnotes:

for: '⁽¹⁾OJ L 161, 26.6.1999, p. 48';

read: '⁽¹⁾OJ L 213, 13.8.1999, p. 1'

and

for: '⁽²⁾OJ L 161, 26.6.1999, p. 43';

read: '⁽²⁾OJ L 213, 13.8.1999, p. 5'.

On page 100, in Article 54(3)(b) (replacement of Article 52 of Regulation (EC) No 2200/96):

in new Article 52(1):

for: '... Regulation (EC) No 1257/1999 (*)';

read: '... Regulation (EC) No 1258/1999 (*)';

in new Article 52(2):

for: '... Regulation (EC) No 1257/1999';

read: '... Regulation (EC) No 1258/1999';

and in the footnotes to new Article 52:

for: '(*)OJ L 160, 26.6.1999, p. 80';

read: '(*)OJ L 160, 26.6.1999, p. 103'.
