

English edition

Legislation

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⁽¹⁾ Text with EEA relevance

I

(Acts whose publication is obligatory)

COUNCIL REGULATION (EC, EURATOM) No 1149/1999
of 25 May 1999
amending Regulation (EC, Euratom) No 2728/94 establishing a Guarantee Fund
for external actions

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty establishing the European Community, and in particular Article 308 thereof,

Having regard to the Treaty establishing the European Atomic Energy Community, and in particular Article 203 thereof,

Having regard to the proposal from the Commission ⁽¹⁾,

Having regard to the opinion of the European Parliament ⁽²⁾,

Having regard to the opinion of the Court of Auditors ⁽³⁾,

Whereas:

- (1) the Guarantee Fund is endowed by payments from the general budget of the European Communities, by the interest on its invested resources and by the amounts recovered from defaulting debtors where the Fund has already honoured the guarantee;
- (2) experience of the functioning of the Guarantee Fund indicates that a ratio of 9 % between the Fund's resources and guaranteed liabilities in principal, increased by unpaid interest due, would be adequate;
- (3) payments to the Guarantee Fund equal to 9 % of the amount of each operation would seem sufficient to attain the target amount;
- (4) the Guarantee Fund attained its target amount on 31 December 1997 and therefore the provisioning rate should be reviewed;
- (5) if the Guarantee Fund exceeds the target amount the surplus is paid back to the general budget of the European Communities;

(6) the Commission should report to the European Parliament and the Council on the functioning of the Fund and take into account possible changes of risks to which the Guarantee Fund is exposed following enlargement of the Community;

(7) Regulation (EC, Euratom) No 2728/94 ⁽⁴⁾ should be amended accordingly;

(8) the Treaties do not provide any powers other than those pursuant to Article 308 of the EC Treaty and Article 203 of the Euratom Treaty for the adoption of this Regulation,

HAS ADOPTED THIS REGULATION:

Article 1

Regulation (EC, Euratom) No 2728/94 is hereby amended as follows:

1. in Article 3 the second paragraph shall be replaced by the following:
 'The target amount shall be 9 % of the Community total outstanding capital liabilities arising from each operation, increased by unpaid interest due.;
2. Article 4(1) shall be replaced by the following:
 'The payments provided for under the first indent of Article 2 shall be equivalent to 9 % of the capital value of the operations.;
3. in Article 5 the first paragraph shall be replaced by the following:
 'If, as a result of the activation of guarantees following default, resources in the Fund stand below 75 % of the target amount, the rate of provisioning on new operations shall be raised to 10 % until the target amount has once more been reached.;

⁽¹⁾ OJ C 32, 6.2.1999, p. 11.

⁽²⁾ OJ C 379, 7.12.1998, p. 155.

⁽³⁾ Opinion delivered on 30 October 1998.

⁽⁴⁾ OJ L 293, 12.11.1994, p. 1.

4. Article 9 shall be replaced by the following:

‘The Commission shall submit to the European Parliament and the Council comprehensive reports on the functioning of the Fund, both at the time of the conclusion of the first accession agreement with the applicant States, and before 31 December 2006. The

Commission shall, if necessary, submit to the Council appropriate proposals for modification of the parameters of the Fund.’

Article 2

This Regulation shall enter into force on 1 January 2000.

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

Done at Brussels, 25 May 1999.

For the Council

The President

H. EICHEL

COMMISSION REGULATION (EC) No 1150/1999
of 1 June 1999
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 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;

Whereas, 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 2 June 1999.

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

Done at Brussels, 1 June 1999.

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 1 June 1999 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	61,0
	999	61,0
0707 00 05	052	80,9
	628	129,4
	999	105,1
0709 90 70	052	53,5
	999	53,5
0805 30 10	382	44,2
	388	48,3
	528	47,6
	999	46,7
0808 10 20, 0808 10 50, 0808 10 90	388	75,9
	400	106,6
	508	68,7
	512	56,8
	524	66,1
	528	58,0
	804	99,1
	999	75,9
0809 20 95	052	279,3
	400	174,9
	999	227,1

⁽¹⁾ Country nomenclature as fixed by Commission Regulation (EC) No 2317/97 (OJ L 321, 22.11.1997, p. 19). Code '999' stands for 'of other origin'.

COMMISSION REGULATION (EC) No 1151/1999

of 1 June 1999

on the sale, at prices fixed in advance, of beef held by certain intervention agencies, with a view to its processing in the Community, and repealing Regulation (EC) No 515/1999

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EEC) No 805/68 of 27 June 1968 on the common organisation of the market in beef and veal⁽¹⁾, as last amended by Regulation (EC) No 1633/98⁽²⁾, and in particular Article 7(3) thereof,

(1) Whereas the introduction of intervention in beef has resulted in a build-up of stocks in several Member States; whereas, in order to prevent storage being prolonged excessively, part of these stocks should be sold for processing in the Community;

(2) Whereas this sale should be subject to the rules laid down in Commission Regulations (EEC) No 2173/79⁽³⁾, as last amended by Regulation (EC) No 2417/95⁽⁴⁾, (EEC) No 3002/92⁽⁵⁾, as last amended by Regulation (EC) No 770/96⁽⁶⁾, and (EEC) No 2182/77⁽⁷⁾, as last amended by Regulation (EC) No 2417/95, subject to certain special exceptions on account of the particular use to which the products in question are to be put;

(3) Whereas, in order to ensure regular and continuous sales, Title I of Regulation (EEC) No 2173/79, in particular, should be applied;

(4) Whereas, to ensure economic management of stocks, the intervention agencies should give priority to selling the meat which has been stored the longest;

(5) Whereas provision should be made for derogations from the second subparagraph of Article 2(2) of Regulation (EEC) No 2173/79 in view of the administrative difficulties which the application of this rule is creating in certain Member States;

(6) Whereas, to ensure optimum monitoring of the destination of beef from intervention stocks, control measures should be taken, in addition to the measures provided for in Regulation (EEC) No

3002/92, based on physical inspection of quantities and qualities;

(7) Whereas Commission Regulation (EC) No 515/1999⁽⁸⁾, as last amended by Regulations (EC) No 958/1999⁽⁹⁾, should be repealed;

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

HAS ADOPTED THIS REGULATION:

Article 1

1. The sale shall take place, for processing in the Community, of products bought into intervention under Article 6 of Regulation (EEC) No 805/68 amounting to approximately:

- 200 tonnes of bone-in beef held by the Dutch intervention agency,
- 2 500 tonnes of bone-in beef held by the German intervention agency,
- 1 000 tonnes of bone-in beef held by the Austrian intervention agency,
- 1 380 tonnes of bone-in beef held by the Danish intervention agency,
- 2 000 tonnes of bone-in beef held by the French intervention agency,
- 2 000 tonnes of bone-in beef held by the Italian intervention agency,
- 1 500 tonnes of bone-in beef held by the Spanish intervention agency,
- 3 000 tonnes of deboned beef held by the Irish intervention agency,
- 1 500 tonnes of deboned beef held by the French intervention agency,
- 9 000 tonnes of deboned beef held by the United Kingdom intervention agency.

⁽¹⁾ OJ L 148, 28.6.1968, p. 24.

⁽²⁾ OJ L 210, 28.7.1997, p. 17.

⁽³⁾ OJ L 251, 5.10.1979, p. 12.

⁽⁴⁾ OJ L 248, 14.10.1995, p. 39.

⁽⁵⁾ OJ L 301, 17.10.1992, p. 17.

⁽⁶⁾ OJ L 104, 27.4.1996, p. 13.

⁽⁷⁾ OJ L 251, 1.10.1977, p. 60.

Detailed information concerning the products and their selling prices is given in Annex I.

⁽⁸⁾ OJ L 61, 10.3.1999, p. 8.

⁽⁹⁾ OJ L 119, 7.5.1999, p. 12.

2. Subject to the provisions of this Regulation the products referred to in paragraph 1 shall be sold in accordance with Regulations (EEC) No 2173/79, and in particular Titles I and III thereof, (EEC) No 2182/77 and (EEC) No 3002/92.

3. Particulars of the quantities and the places where the products are stored may be obtained by interested parties at the addresses given in Annex II hereto.

4. For each product listed in Annex I hereto, the intervention agencies shall sell first the meat which has been stored the longest.

5. Notwithstanding the second subparagraph of Article 2(2) of Regulation (EEC) No 2173/79, purchase applications shall not indicate in which store or stores the meat is held.

Article 2

1. Purchase applications shall be valid only if presented by or on behalf of a natural or legal person who, for the 12 months prior to the entry into force of this Regulation, has been engaged in the processing of products containing beef and who is entered in a national VAT register. In addition, applications must be presented by or on behalf of a processing establishment approved in accordance with Article 8 of Council Directive 77/99/EEC⁽¹⁾.

2. Notwithstanding Article 3(1) and (2) of Regulation (EEC) No 2182/77, applications shall be accompanied by:

- an indication of the product covered, as referred to in either Article 3(2) or (3),
- a written undertaking by the purchaser to process the meat into the product as specified above within the period referred to in Article 5(1) of Regulation (EEC) No 2182/77,
- precise details of the establishment or establishments where the meat purchased is to be processed.

3. The purchasers referred to in paragraph 1 may instruct an agent in writing to take delivery, on their behalf, of the products which they purchase. In this case

agents shall submit the purchase application of the purchaser whom they represent together with the written instruction referred to above.

4. Notwithstanding Article 18(1) of Regulation (EEC) No 2173/79, taking over must be completed within two months.

5. The purchasers and agents referred to in the preceding paragraphs shall maintain and keep up to date an accounting system which permits the destination and use of the products to be ascertained with a view in particular to ensuring that the quantities of products purchased and processed tally with each other.

Article 3

1. Meat purchased in accordance with this Regulation shall be processed into products which comply with the definitions for A products and B products set out in paragraphs 2 and 3 below.

2. An 'A' product means a processed product falling within CN code 1602 10 00, 1602 50 31, 1602 50 39 or 1602 50 80, not containing meat other than that of animals of the bovine species, with a collagen/protein ratio of no more than 0,45 %⁽²⁾ and containing by weight at least 20 %⁽³⁾ of lean meat excluding offal⁽⁴⁾ and fat, with meat and jelly accounting for at least 85 % of the total net weight.

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

3. A 'B' product means a processed product containing beef, other than:

- one specified in Article 1(1)(a) of Regulation (EEC) No 805/68, or
- one referred to in paragraph 2.

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

Article 4

1. Member States shall set up a system of physical and documentary supervision to ensure that all meat is processed in accordance with Articles 2 and 3.

⁽²⁾ Determination of collagen content: the collagen content shall be taken to mean the hydroxyproline content multiplied by the factor 8. The hydroxyproline content must be determined according to ISO method 3496-1994.

⁽³⁾ The lean bovine meat content excluding fat is determined in accordance with the procedure described in the Annex to Commission Regulation (EEC) No 2496/86 (OJ L 210, 1.8.1986, p. 39).

⁽⁴⁾ Offal includes the following: heads and cuts thereof (including ears), feet, hearts, udders, livers, kidneys, sweetbreads (thymus gland with pancreas), brains, lungs, throats, thick skirts, spleens, tongues, caul, spinal cords, edible skin, reproductive organs (i.e. uteri, ovaries, and testes), thyroid glands, pituitary glands.

⁽¹⁾ OJ L 26, 31.1.1977, p. 85.

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

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

In order to verify the quality of the finished product and establish its conformity with the processor's recipe, Member States shall undertake representative sampling and analysis of the product. The costs of such operations shall be borne by the processor concerned.

2. Member States may, at the request of the processor, authorise the deboning of bone-in quarters in an establishment other than that provided for in respect of processing provided the relevant operations take place in the same Member State under appropriate supervision.

3. Article 1 of Regulation (EEC) No 2182/77 shall not apply. However, the processing of hindquarters may be undertaken after the removal of fillet and striploin.

Article 5

1. The security provided for in Article 15(1) of Regulation (EEC) No 2173/79 shall be EUR 12 per 100 kilograms.

2. The security provided for in Article 4(1) of Regulation (EEC) No 2182/77 shall be per tonne:

- 1 000 EUR for bone-in hindquarters processed into A products,
- 900 EUR for bone-in hindquarters processed into B products or a mixture of A and B products,
- 700 EUR for bone-in forequarters processed into A products,
- 600 EUR for bone-in forequarters processed into B products or a mixture of A and B products,
- 1 600 EUR for deboned beef processed into A products,
- 1 500 EUR for deboned beef processed into B products or a mixture of A and B products.

3. Notwithstanding Article 5(3) of Regulation (EEC) No 2182/77, the processing of all beef purchased into finished products as indicated in the purchase application shall constitute a principal requirement.

Article 6

Notwithstanding Article 9 of Regulation (EEC) No 2182/77, in addition to the entries provided for in Regulation (EEC) No 3002/92:

- Section 104 of T5 control copies must be completed with one or more of the following:
 - Para transformación [Reglamentos (CEE) n° 2182/77 y (CE) n° 1151/1999]
 - Til forarbejdning (forordning (EØF) nr. 2182/77 og (EF) nr. 1151/1999)
 - Zur Verarbeitung bestimmt (Verordnungen (EWG) Nr. 2182/77 und (EG) Nr. 1151/1999)
 - Για μεταποίηση [κανονισμοί (ΕΟΚ) αριθ. 2182/77 και (ΕΚ) αριθ. 1151/1999]
 - For processing (Regulations (EEC) No 2182/77 and (EC) No 1151/1999)
 - Destinés à la transformation [règlements (CEE) n° 2182/77 et (CE) n° 1151/1999]
 - Destinate alla trasformazione [regolamenti (CEE) n. 2182/77 e (CE) n. 1151/1999]
 - Bestemd om te worden verwerkt (Verordeningen (EEG) nr. 2182/77 en (EG) nr. 1151/1999)
 - Para transformação [Regulamentos (CEE) n.º 2182/77 e (CE) n.º 1151/1999]
 - Jalostettavaksi (Asetukset (ETY) N:o 2182/77 ja (EY) N:o 1151/1999)
 - För bearbetning (Förordningarna (EEG) nr 2182/77 och (EG) nr 1151/1999).
- Section 106 of T5 control copies must be completed with the date of conclusion of the contract of sale.

Article 7

Regulation (EC) No 515/1999 is hereby repealed.

Article 8

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

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

Done at Brussels, 1 June 1999.

For the Commission
Franz FISCHLER
Member of the Commission

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

Estado miembro	Productos (1)	Cantidad aproximada (toneladas)	Precio de venta expresado en euros por tonelada (2) (3)
Medlemsstat	Produkter (1)	Tilnærmet mængde (tons)	Salgspriser i EUR/ton (2) (3)
Mitgliedstaat	Erzeugnisse (1)	Ungefähre Mengen (Tonnen)	Verkaufspreise, ausgedrückt in EUR/Tonne (2) (3)
Κράτος μέλος	Προϊόντα (1)	Κατά προσέγγιση ποσότητα (τόνοι)	Τιμές πώλησης εκφραζόμενες σε Ευρώ ανά τόνο (2) (3)
Member State	Products (1)	Approximate quantity (tonnes)	Selling prices expressed in EUR per tonne (2) (3)
État membre	Produits (1)	Quantité approximative (tonnes)	Prix de vente exprimés en euros par tonne (2) (3)
Stato membro	Prodotti (1)	Quantità approssimativa (tonnellate)	Prezzi di vendita espressi in euro per tonnellata (2) (3)
Lidstaat	Producten (1)	Hoeveelheid bij benadering (ton)	Verkoopprijzen uitgedrukt in euro per ton (2) (3)
Estado-Membro	Produtos (1)	Quantidade aproximada (toneladas)	Preço de venda expresso em euros por tonelada (2) (3)
Jäsenvaltio	Tuotteet (1)	Arvioitu määrä (tonneina)	Myyntihinta euroina tonnilta (2) (3)
Medlemsstat	Produkter (1)	Ungefärlig kvantitet (ton)	Försäljningspris i euro per ton (2) (3)

a) Carne con hueso — Kød, ikke udbenet — Fleisch mit Knochen — Κρέατα με κόκαλα — Bone-in beef — Viande avec os — Carni non disossate — Vlees met been — Carne com osso — Luullinen naudanliha — Kött med ben

FRANCE	— Quartiers avant	1 000	550	650
	— Quartiers arrière	1 000	700	800
DEUTSCHLAND	— Vorderviertel	1 500	550	650
	— Hinterviertel	1 000	700	800
DANMARK	— Forfjerdinger	880	550	650
	— Bagfjerdinger	500	700	800
ITALIA	— Quarti posteriori	2 000	700	800
ÖSTERREICH	— Hinterviertel	1 000	700	800
NEDERLAND	— Achtervoeten	200	700	800
ESPAÑA	— Cuartos delanteros	500	550	650
	— Cuartos traseros	1 000	700	800

b) Carne deshuesada — Udbenet kød — Fleisch ohne Knochen — Κρέατα χωρίς κόκαλα — Boneless beef — Viande désossée — Carni senza osso — Vlees zonder been — Carne desossada — Luuton naudanliha — Benfritt kött

FRANCE	— Flanchet d'intervention (INT 18)	1 500	550	650
UNITED KINGDOM	— Intervention shank (INT 11)	1 000	650	750
	— Intervention topside (INT 13)	1 000	1 450	1 550
	— Intervention rump (INT 16)	500	1 450	1 550

Estado miembro	Productos (1)	Cantidad aproximada (toneladas)	Precio de venta expresado en euros por tonelada (2) (3)
Medlemsstat	Produkter (1)	Tilnærmet mængde (tons)	Salgspriser i EUR/ton (2) (3)
Mitgliedstaat	Erzeugnisse (1)	Ungefähre Mengen (Tonnen)	Verkaufspreise, ausgedrückt in EUR/Tonne (2) (3)
Κράτος μέλος	Προϊόντα (1)	Κατά προσέγγιση ποσότητα (τόνοι)	Τιμές πώλησης εκφραζόμενες σε Ευρώ ανά τόνο (2) (3)
Member State	Products (1)	Approximate quantity (tonnes)	Selling prices expressed in EUR per tonne (2) (3)
État membre	Produits (1)	Quantité approximative (tonnes)	Prix de vente exprimés en euros par tonne (2) (3)
Stato membro	Prodotti (1)	Quantità approssimativa (tonnellate)	Prezzi di vendita espressi in euro per tonnellata (2) (3)
Lidstaat	Producten (1)	Hoeveelheid bij benadering (ton)	Verkoopprijzen uitgedrukt in euro per ton (2) (3)
Estado-Membro	Produtos (1)	Quantidade aproximada (toneladas)	Preço de venda expresso em euros por tonelada (2) (3)
Jäsenvaltio	Tuotteet (1)	Arvioitu määrä (tonneina)	Myyntihinta euroina tonnilla (2) (3)
Medlemsstat	Produkter (1)	Ungefärlig kvantitet (ton)	Försäljningspris i euro per ton (2) (3)
IRELAND	— Intervention flank (INT 18)	1 000	550 650
	— Intervention forerib (INT 19)	500	1 000 1 100
	— Intervention shin (INT 21)	500	650 750
	— Intervention shoulder (INT 22)	1 500	950 1 050
	— Intervention brisket (INT 23)	1 000	550 650
	— Intervention forequarter (INT 24)	2 000	1 050 1 150
	— Intervention flank (INT 18)	500	600 700
	— Intervention shoulder (INT 22)	1 500	1 000 1 100
	— Intervention brisket (INT 23)	500	600 700
	— Intervention forequarter (INT 24)	500	1 050 1 150

(1) Véanse los anexos V y VII del Reglamento (CEE) n° 2456/93 de la Comisión (DO L 225 de 4.9.1993, p. 4), cuya última modificación la constituye el Reglamento (CE) n° 2812/98 (DO L 349 de 24.12.1998, p. 47).

(2) Se bilag V og VII til Kommissionens forordning (EØF) nr. 2456/93 (EFT L 225 af 4.9.1993, s. 4), senest ændret ved forordning (EF) nr. 2812/98 (EFT L 349 af 24.12.1998, s. 47).

(3) Vgl. Anhänge V und VII der Verordnung (EWG) Nr. 2456/93 der Kommission (ABl. L 225 vom 4.9.1993, S. 4), zuletzt geändert durch die Verordnung (EG) Nr. 2812/98 (ABl. L 349 vom 24.12.1998, S. 47).

(4) Βλέπε παραρτήματα V και VII του κανονισμού (ΕΟΚ) αριθ. 2456/93 της Επιτροπής (ΕΕ L 225 της 4.9.1993, σ. 4), όπως τροποποιήθηκε τελευταία από τον κανονισμό (ΕΚ) αριθ. 2812/98 (ΕΕ L 349 της 24.12.1998, σ. 47).

(5) See Annexes V and VII to Commission Regulation (EEC) No 2456/93 (OJ L 225, 4.9.1993, p. 4), as last amended by Regulation (EC) No 2812/98 (OJ L 349, 24.12.1998, p. 47).

(6) Voir annexes V et VII du règlement (CEE) n° 2456/93 de la Commission (JO L 225 du 4.9.1993, p. 4). Règlement modifié en dernier lieu par le règlement (CE) n° 2812/98 (JO L 349 du 24.12.1998, p. 47).

(7) Cfr. allegato V e VII del regolamento (CEE) n. 2456/93 della Commissione (GU L 225 del 4.9.1993, pag. 4), modificato da ultimo dal regolamento (CE) n. 2812/98 (GU L 349 del 24.12.1998, pag. 47).

(8) Zie de bijlagen V en VII van Verordening (EEG) nr. 2456/93 van de Commissie (PB L 225 van 4.9.1993, blz. 4), laatstelijk gewijzigd bij Verordening (EG) nr. 2812/98 (PB L 349 van 24.12.1998, blz. 47).

(9) Ver anexos V e VII do Regulamento (CEE) n.º 2456/93 da Comissão (JO L 225 de 4.9.1993, p. 4). Regulamento com a última redacção que lhe foi dada pelo Regulamento (CE) n.º 2812/98 (JO L 349 de 24.12.1998, p. 47).

(10) Katso komission asetuksen (ETY) N:o 2456/93 (EYVL L 225, 4.9.1993, s. 4), sellaisena kuin se on viimeksi muutettuna asetuksella (EY) N:o 2812/98 (EYVL L 349, 24.12.1998, s. 47) liitteet V ja VII.

(11) Se bilagorna V och VII i kommissionens förordning (EEG) nr 2456/93 (EGT L 225, 4.9.1993, s. 4), senast ändrad genom förordning (EG) nr 2812/98 (EGT L 349, 24.12.1998, s. 47).

- (²) Precio aplicable a la transformación exclusivamente en los productos A contemplados en el apartado 2 del artículo 3.
- (²) Pris udelukkende for forarbejdning til A-produkter som omhandlet i artikel 3, stk. 2.
- (²) Geltender Preis nur für die Verarbeitung zu A-Erzeugnissen gemäß Artikel 3 Absatz 2.
- (²) Τιμή που εφαρμόζεται για τη μεταποίηση, μόνο σε προϊόντα Α που αναφέρονται στο άρθρο 3 παράγραφος 2.
- (²) Price applying for processing solely into A products as referred to in Article 3(2).
- (²) Prix applicable uniquement pour la transformation en produits A visés à l'article 3, paragraphe 2.
- (²) Prezzo applicabile unicamente per la trasformazione in prodotti A di cui all'articolo 3, paragrafo 2.
- (²) Prijs uitsluitend voor verwerking tot de in artikel 3, lid 2, bedoelde A-producten.
- (²) Preço aplicável para a transformação apenas em produtos A referidos no n.º 2 do artigo 3.º
- (²) Hintta, jota sovelletaan jalostettaessa ainoastaan 3 artiklan 2 kohdassa tarkoitetuiksi A-luokan tuotteiksi.
- (²) Pris för bearbetning endast till A-produkter i enlighet med artikel 3.2.
- (²) Precio aplicable a la transformación en los productos B contemplados en el apartado 3 del artículo 3, o en una mezcla de productos A y productos B.
- (²) Pris for forarbejdning til B-produkter som omhandlet i artikel 3, stk. 3, eller en blanding af A- og B-produkter.
- (²) Geltender Preis für die Verarbeitung zu B-Erzeugnissen gemäß Artikel 3 Absatz 3 oder eine Mischung aus A- und B-Erzeugnissen.
- (²) Τιμή που εφαρμόζεται για τη μεταποίηση σε προϊόντα Β που αναφέρονται στο άρθρο 3 παράγραφος 3, ή σε μείγμα προϊόντων Α και προϊόντων Β.
- (²) Price applying for processing into B products as referred to in Article 3(3) or a mix of A products and B products.
- (²) Prix applicable pour la transformation en produits B visés à l'article 3, paragraphe 3, ou pour un mélange de produits A et de produits B.
- (²) Prezzo applicabile per la trasformazione in prodotti B di cui all'articolo 3, paragrafo 3, o per un miscuglio di prodotti A e di prodotti B.
- (²) Prijs voor verwerking tot de in artikel 3, lid 3, bedoelde B-producten of tot een mengeling van A-producten en B-producten.
- (²) Preço aplicável para a transformação em produtos B referidos no n.º 3 do artigo 3.º, ou uma mistura de produtos A e produtos B.
- (²) Hintta, jota sovelletaan jalostettaessa 3 artiklan 3 kohdassa tarkoitetuiksi B-luokan tuotteiksi, tai A- ja B-luokan tuotteiden seokseksi.
- (²) Pris för bearbetning till B-produkter i enlighet med artikel 3.3 eller en blandning av A- och B-produkter.

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

Direcciones de los organismos de intervención — Interventionsorganernes adresser — Anschriften der Interventionsstellen — Διευθύνσεις των οργανισμών παρεμβάσεως — Addresses of the intervention agencies — Adresses des organismes d'intervention — Indirizzi degli organismi d'intervento — Adressen van de interventiebureaus — Endereços dos organismos de intervenção — Interventioelinten osoitteet — Interventionsorganens adresser

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COMMISSION REGULATION (EC) No 1152/1999
of 1 June 1999
fixing the intervention threshold for lemons for the 1999/2000 marketing year

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 857/1999⁽²⁾, and in particular Article 27(1) and (2) thereof,

(1) Whereas Article 27(1) of Regulation (EC) No 2200/96 provides for an intervention threshold to be fixed if the market in a product listed in Annex II is suffering or is at risk of suffering from widespread structural imbalances giving or liable to give rise to too large a volume of withdrawals; whereas such a development might cause budget problems for the Community;

(2) Whereas Commission Regulation (EC) No 1068/98⁽³⁾ has fixed an intervention threshold for lemons for the 1998/1999 marketing year; whereas the conditions laid down by the abovementioned Article 27 have been met for this product; whereas an intervention threshold must therefore be set for lemons for the 1999/2000 marketing year;

(3) Whereas the intervention threshold for each product has to be fixed on the basis of a percentage of the average production intended for consumption in the natural state over the last five marketing years for which data are available; whereas the period to be taken into account for assessing the overrun of the intervention threshold must also be established for this product;

(4) Whereas, under the abovementioned Article 27, an overrun of the intervention threshold gives rise to a reduction in the Community withdrawal

compensation in the marketing year following the overrun; whereas the implications of this overrun for the product in question should be determined and a reduction proportional to the size of the overrun should be fixed, up to a certain percentage;

(5) Whereas the measures provided for in this Regulation are in accordance with the opinion of the Management Committee for Fresh Fruit and Vegetables,

HAS ADOPTED THIS REGULATION:

Article 1

1. The intervention threshold for the 1999/2000 marketing year shall be fixed at 73 100 tonnes.

2. The overrun of the intervention threshold shall be assessed on the basis of the withdrawals carried out between 1 April 1999 and 31 March 2000.

Article 2

If the quantity subject to withdrawals in the period laid down in Article 1(2) exceeds the threshold fixed in Article 1(1), the Community withdrawal compensation fixed pursuant to Article 26 of Regulation (EC) No 2200/96 shall be reduced in the following marketing year in proportion to the size of the overrun, based on the production used to calculate the threshold in question.

The Community withdrawal compensation shall not, however, be reduced by more than 30 %.

Article 3

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

⁽¹⁾ OJ L 297, 21.11.1996, p. 1.

⁽²⁾ OJ L 108, 27.4.1999, p. 7.

⁽³⁾ OJ L 153, 27.5.1998, p. 9.

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

Done at Brussels, 1 June 1999.

For the Commission
Franz FISCHLER
Member of the Commission

COMMISSION REGULATION (EC) No 1153/1999
of 1 June 1999
amending Regulation (EC) No 1666/98 increasing to 305 229 tonnes the quantity of barley held by the Austrian intervention agency for which a standing invitation to tender for export has been opened

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 923/96 ⁽²⁾, and in particular Article 5 thereof,

- (1) Whereas Commission Regulation (EEC) No 2131/93 ⁽³⁾, as last amended by Regulation (EC) No 39/1999 ⁽⁴⁾, lays down the procedures and conditions for the disposal of cereals held by the intervention agencies;
- (2) Whereas Commission Regulation (EC) No 1666/98 ⁽⁵⁾, as last amended by Regulation (EC) No 1144/1999 ⁽⁶⁾, opened a standing invitation to tender for the export of 203 081 tonnes of barley held by the Austrian intervention agency; whereas, Austria informed the Commission of the intention of its intervention agency to increase by 102 148 tonnes the quantity for which a standing invitation to tender for export has been opened; whereas the total quantity of barley held by the Austrian intervention agency for which a standing invitation to tender for export has been opened should be increased to 305 229 tonnes;
- (3) Whereas this increase in the quantity put out to tender makes it necessary to alter the list of regions

and quantities in store; whereas Annex I to Regulation (EC) No 1666/98 must therefore be amended;

- (4) Whereas 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

Regulation (EC) No 1666/98 is hereby amended as follows:

1. Article 2 is replaced by the following:

Article 2

1. The invitation to tender shall cover a maximum of 305 229 tonnes of barley to be exported to all third countries, with the exception of the United States, Canada and Mexico.
 2. The regions in which the 305 229 tonnes of barley are stored are stated in Annex I to this Regulation.⁷
2. Annex I is replaced by the Annex hereto.

Article 2

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

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

Done at Brussels, 1 June 1999.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ L 181, 1.7.1992, p. 21.

⁽²⁾ OJ L 126, 24.5.1996, p. 37.

⁽³⁾ OJ L 191, 31.7.1993, p. 76.

⁽⁴⁾ OJ L 5, 9.1.1999, p. 64.

⁽⁵⁾ OJ L 211, 29.7.1998, p. 12.

⁽⁶⁾ OJ L 137, 1.6.1999, p. 20.

*ANNEX**ANNEX I**(tonnes)*

Place of storage	Quantity
Niederösterreich, Wien, nördliches Burgenland	214 491
Steiermark, südliches Burgenland	22 081
Oberösterreich	68 657'

COMMISSION REGULATION (EC) No 1154/1999
of 1 June 1999

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

THE COMMISSION OF THE EUROPEAN COMMUNITIES,
Having regard to the Treaty establishing the European Community,

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

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

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

HAS ADOPTED THIS REGULATION:

Article 1

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

Article 2

This Regulation shall enter into force on 2 June 1999.

It shall apply from 2 to 15 June 1999.

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

Done at Brussels, 1 June 1999.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ L 382, 31.12.1987, p. 22.

⁽²⁾ OJ L 177, 5.7.1997, p. 1.

⁽³⁾ OJ L 72, 18.3.1988, p. 16.

⁽⁴⁾ OJ L 289, 22.10.1997, p. 1.

ANNEX

(EUR/100 pieces)

Period from 2 June to 15 June 1999				
Community producer price	Uniflorous (bloom) carnations	Multiflorous (spray) carnations	Large-flowered roses	Small-flowered roses
	12,99	9,68	27,37	13,87
Community import prices	Uniflorous (bloom) carnations	Multiflorous (spray) carnations	Large-flowered roses	Small-flowered roses
Israel	10,39	9,15	11,41	10,90
Morocco	11,88	12,58	—	—
Cyprus	—	—	—	—
Jordan	—	—	—	—
West Bank and Gaza Strip	—	—	—	—

COMMISSION REGULATION (EC) No 1155/1999
of 1 June 1999
suspending the preferential customs duties and re-establishing the Common
Customs Tariff duty on imports of small-flowered roses originating in Israel

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

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

Whereas Regulation (EEC) No 4088/87 lays down the conditions for applying a preferential duty on large-flowered roses, small-flowered roses, uniflorous (bloom) carnations and multiflorous (spray) carnations within the limit of tariff quotas opened annually for imports into the Community of fresh cut flowers;

Whereas Council Regulation (EC) No 1981/94 ⁽³⁾, as last amended by Commission Regulation (EC) No 650/98 ⁽⁴⁾, opens and provides for the administration of Community tariff quotas for cut flowers and flower buds, fresh, originating in Cyprus, Egypt, Israel, Malta, Morocco and the West Bank and the Gaza Strip;

Whereas Commission Regulation (EC) No 1154/1999 ⁽⁵⁾ fixes the Community producer and import prices for carnations and roses for the application of the import arrangements;

Whereas Commission Regulation (EEC) No 700/88 ⁽⁶⁾, as last amended by Regulation (EC) No 2062/97 ⁽⁷⁾, lays down the detailed rules for the application of the arrangements;

Whereas, on the basis of prices recorded pursuant to Regulations (EEC) No 4088/87 and (EEC) No 700/88, it must be concluded that the conditions laid down in Article 2 (2) of Regulation (EEC) No 4088/87 for suspension of the preferential customs duty are met for small-flowered roses originating in Israel; whereas the Common Customs Tariff duty should be re-established;

Whereas the quota for the products in question covers the period 1 January to 31 December 1998; whereas, as a result, the suspension of the preferential duty and the reintroduction of the Common Customs Tariff duty apply up to the end of that period at the latest;

Whereas, in between meetings of the Management Committee, the Commission must adopt such measures,

HAS ADOPTED THIS REGULATION:

Article 1

For imports of small-flowered roses (CN codes ex 0603 10 11 and ex 0603 10 51) originating in Israel, the preferential customs duty fixed by Regulation (EC) No 1981/94 is hereby suspended and the Common Customs Tariff duty is hereby re-established.

Article 2

This Regulation shall enter into force on 3 June 1999.

⁽¹⁾ OJ L 382, 31.12.1987, p. 22.

⁽²⁾ OJ L 177, 5.7.1997, p. 1.

⁽³⁾ OJ L 199, 2.8.1994, p. 1.

⁽⁴⁾ OJ L 88, 24.3.1998, p. 8.

⁽⁵⁾ See page 18 of this Official Journal

⁽⁶⁾ OJ L 72, 18.3.1988, p. 16.

⁽⁷⁾ OJ L 289, 22.10.1997, p. 1.

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

Done at Brussels, 1 June 1999.

For the Commission
Franz FISCHLER
Member of the Commission

COMMISSION REGULATION (EC) No 1156/1999
of 1 June 1999
amending representative prices and additional duties for the import of certain
products in the sugar sector

THE COMMISSION OF THE EUROPEAN COMMUNITIES,
Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EEC) No 1785/81 of 30 June 1981 on the common organization of the markets in the sugar sector⁽¹⁾, as last amended by Commission Regulation (EC) No 1148/98⁽²⁾,

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

Whereas the amounts of the representative prices and additional duties applicable to the import of white sugar, raw sugar and certain syrups are fixed by Commission Regulation (EC) No 1379/98⁽⁵⁾, as last amended by Regulation (EC) No 1001/1999⁽⁶⁾;

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

HAS ADOPTED THIS REGULATION:

Article 1

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

Article 2

This Regulation shall enter into force on 2 June 1999.

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

Done at Brussels, 1 June 1999.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ L 177, 1.7.1981, p. 4.

⁽²⁾ OJ L 159, 3.6.1998, p. 38.

⁽³⁾ OJ L 141, 24.6.1995, p. 16.

⁽⁴⁾ OJ L 85, 20.3.1998, p. 5.

⁽⁵⁾ OJ L 187, 1.7.1998, p. 6.

⁽⁶⁾ OJ L 122, 12.5.1999, p. 38.

ANNEX

to the Commission Regulation of 1 June 1999 amending representative prices and the amounts of additional duties applicable to imports of white sugar, raw sugar and products covered by CN code 1702 90 99

(EUR)

CN code	Amount of representative prices per 100 kg net of product concerned	Amount of additional duty per 100 kg net of product concerned
1701 11 10 ⁽¹⁾	14,96	9,17
1701 11 90 ⁽¹⁾	14,96	15,47
1701 12 10 ⁽¹⁾	14,96	8,94
1701 12 90 ⁽¹⁾	14,96	14,96
1701 91 00 ⁽²⁾	16,55	18,82
1701 99 10 ⁽²⁾	16,55	13,37
1701 99 90 ⁽²⁾	16,55	13,37
1702 90 99 ⁽³⁾	0,17	0,47

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

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

⁽³⁾ By 1 % sucrose content.

COMMISSION REGULATION (EC) No 1157/1999
of 1 June 1999
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 (EEC) No 1035/72 as regards export refunds on fruit and vegetables ⁽¹⁾, as last amended by Regulation (EC) No 1287/98 ⁽²⁾, and in particular Article 5(5) thereof,

Whereas Commission Regulation (EC) No 927/1999 ⁽³⁾ fixes the indicative quantities for system B export licences other than those sought in the context of food aid;

Whereas, 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 peaches and nectarines will shortly be exceeded; whereas this overrun will prejudice the proper working of the export refund scheme in the fruit and vegetables sector;

Whereas, to avoid this situation, applications for system B licences for peaches and nectarines exported after 1 June 1999 should be rejected until the end of the current export period,

HAS ADOPTED THIS REGULATION:

Article 1

Applications for system B export licences for peaches and nectarines submitted pursuant to Article 1 of Regulation (EC) No 927/1999, export declarations for which are accepted after 1 June and before 1 July 1999, are hereby rejected.

Article 2

This Regulation shall enter into force on 2 June 1999.

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

Done at Brussels, 1 June 1999.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ L 292, 15.11.1996, p. 12.

⁽²⁾ OJ L 178, 23.6.1998, p. 11.

⁽³⁾ OJ L 115, 4.5.1999, p. 7.

COMMISSION DIRECTIVE 1999/46/EC

of 21 May 1999

amending Council Directive 93/16/EEC to facilitate the free movement of doctors and the mutual recognition of their diplomas, certificates and other evidence of formal qualifications

(Text with EEA relevance)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

HAS ADOPTED THIS DIRECTIVE:

Having regard to the Treaty establishing the European Community, and in particular Article 40, Article 47(1) and (2), first and third sentences, and Article 55 thereof,

Article 1

Having regard to Council Directive 93/16/EEC of 5 April 1993 to facilitate the free movement of doctors and the mutual recognition of their diplomas, certificates and other evidence of formal qualifications ⁽¹⁾, as last amended by Commission Directive 98/63/EC ⁽²⁾, and in particular Article 44a thereof,

Article 5(3) of Directive 93/16/EEC is hereby amended as follows:

(1) Whereas Italy has made a reasoned request for the designations of gynaecology-obstetrics, ophthalmology and respiratory medicine to be amended for that Member State in the list of specialised medicine common to all Member States, and for the designations of clinical biology, microbiology-bacteriology, plastic surgery, gastro-enterology, endocrinology and physiotherapy to be amended for that Member State in the list of specialised medicine peculiar to two or more Member States;

- (a) under 'gynaecology-obstetrics', the designation 'ostetricia e ginecologia' appearing opposite 'Italy' is replaced by the designation 'ginecologia e ostetricia';
- (b) under 'ophthalmology', the designation 'oculistica' appearing opposite 'Italy' is replaced by the designation 'oftalmologia';
- (c) under 'respiratory medicine', the designation 'tisiologia e malattie dell'apparato respiratorio' appearing opposite 'Italy' is replaced by the designation 'malattie dell'apparato respiratorio';

(d) the following two items are added:

— *diagnostic radiology*

(2) Whereas Italy has made a reasoned request for the designations of biological chemistry, diagnostic radiology, radiotherapy and geriatrics to be included for that Member State in the list of specialised medicine peculiar to two or more Member States: whereas, with regard to diagnostic radiology and radiotherapy, the list of specialised medicine common to all the Member States should therefore be amended;

Belgium:	radiodiagnostic/röntgendiagnose,
Denmark:	diagnostisk radiologi eller røntgenundersøgelse,
Germany:	Radiologische Diagnostik,
Greece:	ακτινοδιαγνωστική,
Spain:	radiodiagnóstico,
France:	radiodiagnostic et imagerie médicale,
Ireland:	diagnostic radiology,
Italy:	radiodiagnostica,
Luxembourg:	radiodiagnostic,
Netherlands:	radiodiagnostiek,
Austria:	Medizinische Radiologie-Diagnostik,
Portugal:	radiodiagnóstico,
Finland:	radiologia/radiologi,
Sweden:	medicinsk radiologi,
United Kingdom:	diagnostic radiology.

(3) Whereas Spain and Italy have made a reasoned request for community medicine to be included for these Member States in the list of specialised medicine peculiar to two or more Member States;

(4) Whereas the measures laid down by this Directive conform with the opinion of the Committee of Senior Officials on Public Health set up by Council Decision 75/365/EEC ⁽³⁾,

⁽¹⁾ OJ L 165, 7.7.1993, p. 1.

⁽²⁾ OJ L 253, 15.9.1998, p. 24.

⁽³⁾ OJ L 167, 30.6.1975, p. 19.

— *radiotherapy*

Belgium:	radio- et radiumthérapie/radon radiumtherapie,
Denmark:	terapeutisk radiologi eller strålebehandling,
Germany:	Strahlentherapie,
Greece:	ακτινοθεραπευτική,
Spain:	oncología radioterápica,
France:	oncologie, option radiothérapie,
Ireland:	radiotherapy,
Italy:	radioterapia,
Luxembourg:	radiothérapie,
Netherlands:	radiotherapie,
Austria:	Strahlentherapie-Radioonkologie,
Portugal:	radiotherapy radiodiagnóstico,
Finland:	syöpätaudit ja sädehoito-cancer-sjukdomar och radioterapi,
Sweden:	onkology,
United Kingdom:	radiotherapy.'

Article 2

Article 7(2), of Directive 93/16/EEC is hereby modified as follows:

- under 'clinical biology', the designation 'patologia diagnostica di laboratorio' appearing opposite 'Italy' is replaced by the designation 'patologia clinica';
- under 'microbiology-bacteriology', the designation 'microbiologia' appearing opposite 'Italy' is replaced by the designation 'microbiologia e virologia';
- under 'biological chemistry', the following is added:
'Italy: biochimica clinica'.
- under 'plastic surgery', the designation 'chirurgia plastica' appearing opposite 'Italy' is replaced by the designation 'chirurgia plastica e ricostruttiva';
- under 'gastro-enterology', the designation 'malattie dell'apparato digerente, della nutrizione e del ricambio' appearing opposite 'Italy' is replaced by the designation 'gastroenterologia';
- under 'endocrinology', the designation 'endocrinologia' appearing opposite 'Italy' is replaced by the designation 'endocrinologia e malattie del ricambio';
- under 'physiotherapy', the designation 'fisioterapia' appearing opposite 'Italy' is replaced by the designation 'medicina fisica e riabilitazione';

(h) under 'geriatrics', the following is added:

'Italy: geriatria';

(i) under 'Community medicine', the following is added:

'Spain: medicina preventiva y salud pública
Italy: igiene e medicina sociale'.

(j) the items 'diagnostic radiology' and 'radiotherapy' are deleted.

Article 3

The following are added to the second group (four years) in Article 26 of Directive 93/16/EEC:

'— diagnostic radiology
— radiotherapy'.

Article 4

The following are deleted from the second group (four years) in Article 27 of Directive 93/16/EEC:

'— diagnostic radiology
— radiotherapy'.

Article 5

1. Member States shall bring into force the laws, regulations and administrative provisions necessary to comply with this Directive by 31 December 1999 at the latest. They shall inform the Commission as soon as they have done so.

When the Member States adopt these provisions, the provisions shall contain a reference to this Directive or shall be accompanied by such reference at the time of their official publication. The arrangements for such reference shall be adopted by the Member States.

2. Member States shall communicate to the Commission the texts of the provisions of national law which they adopt in the field covered by this Directive.

Article 6

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

Article 7

This Directive is addressed to the Member States.

Done at Brussels, 21 May 1999.

For the Commission

Mario MONTI

Member of the Commission

COUNCIL DIRECTIVE 1999/49/EC

of 25 May 1999

amending, with regard to the level of the standard rate, Directive 77/388/EEC on the common system of value added tax

THE COUNCIL OF THE EUROPEAN UNION,

at a later stage to decide on the levels of both the standard rate and reduced rate or rates,

Having regard to the Treaty establishing the European Community, and in particular Article 93 thereof,

Having regard to the proposal from the Commission ⁽¹⁾,

HAS ADOPTED THIS DIRECTIVE:

Having regard to the opinion of the European Parliament ⁽²⁾,

Article 1

Having regard to the opinion of the Economic and Social Committee ⁽³⁾,

Article 12(3)(a) of Directive 77/388/EEC shall be replaced by the following:

(1) Whereas Article 12(3)(a) of 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 ⁽⁴⁾, lays down that the Council shall decide on the level of the standard rate to be applied after 31 December 1998; whereas the standard rate of value added tax is fixed by each Member State as a percentage of the taxable amount and is the same for the supply of goods and for the supply of services; whereas from 1 January 1993 until 31 December 1998, this percentage may not be less than 15 %;

(a) The standard rate of value added tax shall be fixed by each Member State as a percentage of the taxable amount and shall be the same for the supply of goods and for the supply of services. From 1 January 1999 until 31 December 2000, this percentage may not be less than 15 %.

On a proposal from the Commission and after consulting the European Parliament and the Economic and Social Committee, the Council shall decide unanimously on the level of the standard rate to be applied after 31 December 2000.

(2) Whereas experience has shown that the standard rate of value added tax currently in force in the various Member States, combined with the mechanism of the transitional system, have ensured that this transitional system has functioned satisfactorily; whereas it seems therefore appropriate, with regard to the standard rate, to maintain the current level of the minimum rate for a further period of time;

Member States may also apply either one or two reduced rates. These rates shall be fixed as a percentage of the taxable amount, which may not be less than 5 %, and shall apply only to supplies of the categories of goods and services specified in Annex H.'

(3) Whereas, however, the Commission report on rates highlighted the fact that distortions of competition exist and are likely to be accentuated by the introduction of the single currency; whereas the period of application of the standard rate should be limited to two years in order to enable the Council

Article 2

1. Member States shall bring into force the laws, regulations and administrative provisions necessary to comply with this Directive by 1 January 1999 at the latest. They shall forthwith inform the Commission thereof.

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

2. Member States shall communicate to the Commission the text of the provisions of domestic law which they adopt in the field covered by this Directive.

⁽¹⁾ OJ C 409, 30.12.1998, p. 13.

⁽²⁾ Opinion of 23 March 1999 (not yet published in the Official Journal).

⁽³⁾ OJ C 101, 12.4.1999, p. 73.

⁽⁴⁾ OJ L 145, 13.6.1977, p. 1. Directive as last amended by Directive 98/80/EC (OJ L 281, 17.10.1998, p. 31).

Article 3

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

It shall apply from 1 January 1999.

Article 4

This Directive is addressed to the Member States.

Done at Brussels, 25 May 1999.

For the Council

The President

H. EICHEL

COMMISSION DIRECTIVE 1999/50/EC

of 25 May 1999

amending Directive 91/321/EEC on infant formulae and follow-on formulae

(Text with EEA relevance)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Directive 89/398/EEC of 3 May 1989 on the approximation of the laws of the Member States relating to foodstuffs for particular nutritional uses ⁽¹⁾, as amended by Directive 96/84/EC of the European Parliament and of the Council ⁽²⁾, and in particular Article 4(1) thereof,

After consulting the Scientific Committee for Food,

- (1) Whereas Article 6 of Commission Directive 91/321/EEC ⁽³⁾, as last amended by Directive 96/4/EC ⁽⁴⁾, provides that infant formulae and follow-on formulae shall not contain any substance in such quantity as to endanger the health of infants and young children and that necessary maximum levels for such substances shall be established without delay;
- (2) Whereas different regulations on the maximum levels of pesticide residues in such products cause trade barriers between certain Member States;
- (3) Whereas maximum levels for pesticide residues stipulated in Council Directive 76/895/EEC of 23 November 1976 relating to the fixing of maximum levels for pesticide residues in and on fruit and vegetables ⁽⁵⁾, as last amended by Directive 97/41/EC ⁽⁶⁾, 86/362/EEC of 24 July 1986 on the fixing of maximum levels for pesticide residues in and on cereals ⁽⁷⁾, as last amended by Commission Directive 98/82/EC ⁽⁸⁾, 86/363/EEC of 24 July 1986 on the fixing of maximum levels for pesticide residues in and on foodstuffs of animal origin ⁽⁹⁾, as last amended by Directive 98/82/EC, and 90/642/EEC of 27 November 1990 on the fixing of maximum levels for pesticide residues in and on certain products of plant origin, including fruit and

vegetables ⁽¹⁰⁾, as last amended by Directive 98/82/EC, are without prejudice to specific provisions applicable to infant formulae and follow-on formulae;

- (4) Whereas, taking into account the Community's international obligations, in cases where the relevant scientific evidence is insufficient, the precautionary principle allows the Community to provisionally adopt measures on the basis of available pertinent information, pending an additional assessment of risk and a review of the measure within a reasonable period of time;
- (5) Whereas on the basis of the two opinions given by the Scientific Committee for Food on 19 September 1997 and 4 June 1998 there are at present doubts as to the adequacy of existing acceptable daily intake values (ADI) for the protection of the health of infants and young children; whereas the doubts expressed concern not only pesticides and pesticide residues, but also dangerous chemical substances, and consequently the Commission will examine the possibility of fixing, as soon as possible, maximum levels for heavy metals in foods intended for infants and young children;
- (6) Whereas, therefore, as far as foods for particular nutritional uses intended for infants and young children are concerned, it is appropriate to adopt a very low common limit for all pesticides;
- (7) Whereas this very low common limit should be fixed at 0,01 mg/kg which is in practice the minimum detectable level;
- (8) Whereas severe limitations on pesticide residues should be required; whereas, with careful selection of raw materials, and given that infant formulae and follow-on formulae undergo extensive

⁽¹⁾ OJ L 186, 30.6.1989, p. 27.

⁽²⁾ OJ L 48, 19.2.1997, p. 20.

⁽³⁾ OJ L 175, 4.7.1991, p. 35.

⁽⁴⁾ OJ L 49, 28.2.1996, p. 12.

⁽⁵⁾ OJ L 340, 9.12.1976, p. 26.

⁽⁶⁾ OJ L 184, 12.7.1997, p. 33.

⁽⁷⁾ OJ L 221, 7.8.1986, p. 37.

⁽⁸⁾ OJ L 290, 29.10.1998, p. 25.

⁽⁹⁾ OJ L 221, 7.8.1986, p. 43.

⁽¹⁰⁾ OJ L 350, 14.12.1990, p. 71.

processing during their manufacture, it is feasible to produce products containing very low levels of pesticide residues;

- (9) Whereas, however, for a small number of pesticides even such low levels might allow the possibility that under worst-case intake conditions the ADI of these pesticides is exceeded; whereas, therefore, infant formulae and follow-on formulae should be free of those particular pesticides and should be produced without the use of such pesticides;
- (10) Whereas this Directive reflects current knowledge about these substances; whereas any amendment, based on scientific or technical progress, will be decided by the procedure laid down in Article 13 of Directive 89/398/EEC;
- (11) Whereas Directive 91/321/EEC should be amended accordingly;
- (12) Whereas the measures provided for in this Directive are in accordance with the opinion of the Standing Committee on Foodstuffs,

ready for consumption or as reconstituted according to the instructions of the manufacturer.

Analytical methods for determining the levels of pesticide residues shall be generally acceptable standardised methods.

3. Those pesticides listed in Annex IX shall not be used in agricultural products intended for the production of infant formulae and follow-on formulae.

4. Microbiological criteria shall be established as necessary.;

3. the following is added as Annex IX:

ANNEX IX

Pesticides which shall not be used in agricultural products intended for the production of infant formulae and follow-on formulae

Chemical name of the substance

...'

HAS ADOPTED THIS DIRECTIVE:

Article 2

Article 1

Directive 91/321/EEC is hereby amended as follows:

1. the following point (e) is added to Article 1(2):

(e) "pesticide residue" means the residue in infant formulae and follow-on formulae of a plant protection product, as defined in point 1 of Article 2 of Council Directive 91/414/EEC (*), including its metabolites and products resulting from its degradation or reaction;

(*) OJ L 230, 19.8.1991, p. 1.;

2. Article 6 is replaced by the following:

Article 6

1. Infant formulae and follow-on formulae shall not contain any substance in such quantity as to endanger the health of infants and young children. Necessary maximum levels shall be established without delay.

2. Infant formulae and follow-on formulae shall not contain residues of individual pesticides at levels exceeding 0,01 mg/kg of the product as proposed

Member States shall bring into force the laws, regulations and administrative provisions necessary to comply with this Directive not later than 30 June 2000. They shall forthwith inform the Commission thereof.

Those laws, regulations and administrative provisions shall be applied in such a way as to:

- (a) permit trade in products conforming to this Directive no later than 30 June 2000,
- (b) prohibit trade in products which do not comply with this Directive, with effect from 1 July 2002.

When Member States adopt those provisions, they shall contain a reference to this Directive or be accompanied by such a reference on the occasion of their official publication. Member States shall determine how such reference is to be made.

Article 3

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

Article 4

This Directive is addressed to the Member States.

Done at Brussels, 25 May 1999.

For the Commission
Martin BANGEMANN
Member of the Commission

II

(Acts whose publication is not obligatory)

COMMISSION

COMMISSION DECISION

of 28 May 1999

on the temporary suspension of imports of peanuts and certain products derived from peanuts originating in or consigned from Egypt (Rev. 1)

(notified under document number C(1999) 1382)

(Text with EEA relevance)

(1999/356/EC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Directive 93/43/EEC of 14 June 1993 on the hygiene of foodstuffs ⁽¹⁾, and in particular Article 10(1) thereof,

After consulting the Member States,

- (1) Whereas peanuts originating in or consigned from Egypt have been found to be contaminated with Aflatoxin B1 at high levels; whereas sampling indicates serious and recurring aflatoxin contamination of peanuts originating in or consigned from Egypt;
- (2) Whereas the Scientific Committee for Food has noted that aflatoxins, in particular Aflatoxin B1, are carcinogenic substances and even at low doses, cause cancer of the liver and in addition are genotoxic;
- (3) Whereas Commission Regulation (EC) No 1525/98 ⁽²⁾, amending Regulation (EC) No 194/97 sets maximum levels for certain contaminants and in particular aflatoxins in foodstuffs; whereas these limits have been exceeded to an excessive amount in samples of peanuts originating in, or consigned from Egypt; whereas the limits for Aflatoxin B1 in ground nuts which are intended for direct consumption, and those which may be sorted or

subject to further processing, are set in this Regulation at 2 and 8 parts per billion (ppb) respectively; whereas contamination of Aflatoxin B1 at levels as high as 485 ppb have been detected in peanuts from Egypt;

- (4) Whereas a full and effective refining process is known to remove aflatoxin contamination from peanuts, so that the resultant oil does not present a risk to the health of the consumer;
- (5) Whereas Egypt is a major exporter of peanuts to the Community and the exposure of the population to peanuts or peanut products contaminated with aflatoxin constitutes a serious threat to public health within the Community;
- (6) Whereas, it is necessary to suspend imports of peanuts and certain products derived from peanuts originating in, or consigned from Egypt; whereas, however, the importation of peanuts originating in or consigned from Egypt may still be permitted provided that such peanuts are subject to a full and effective refining process;
- (7) Whereas the Egyptian authorities were informed of unacceptably high aflatoxin levels in peanuts originating in or consigned from Egypt; whereas the improvements the Egyptian authorities indicated would be put in place have not materially reduced the levels of aflatoxin contamination;

⁽¹⁾ OJ L 175, 19.7.1993, p. 1.

⁽²⁾ OJ L 201, 17.7.1998, p. 43.

(8) Whereas these measures should be limited initially to a short period, and should be re-examined during this period, in order to verify with the Egyptian authorities, whether they are in a position to offer, in the future, guarantees permitting the lifting of the suspension of imports and its replacement with the establishment of special conditions, in accordance with Article 10(1), second indent of Directive 93/43/EEC,

HAS ADOPTED THIS DECISION:

Article 1

1. Member States shall subject to the exceptions in paragraphs 2 and 3 of this Article, suspend imports of:

- peanuts falling within CN code 1202 10 90 in shell or 1202 20 00 shelled, whether or not broken,
- roasted peanuts falling within CN code 2008 11 92 (in immediate packs of a net content exceeding 1 kg) or 2008 11 96 (not exceeding 1 kg)

originating in or consigned from Egypt which are intended for human consumption or to be used as an ingredient in foodstuffs. Hereinafter referred to as the consignment.

2. Consignments may be imported into the Community provided they are:

- subjected to a full and effective refining process before being considered suitable for use as food or as a food ingredient,
- are marked in a clearly visible and indelible fashion, in one or more Community languages with, 'This product must be refined before being used for human consumption'.

3. Consignments which left Egypt prior to the entry into force of this Decision, may be imported into the Community provided they are presented at a Community entry point for importation within a period of 20 days from the entry into force of this Decision and, having been submitted to a sampling programme representative of the consignment, the sampling does not indicate the presence of aflatoxin at levels in excess of those foreseen in Regulation (EC) No 1525/98.

Article 2

The present Decision shall be re-examined within four months from its adoption, in order to verify the continuing need for the measures referred to in Article 1.

Article 3

Member States shall take the measures concerning imports necessary to comply with this Decision. They shall inform the Commission thereof.

Article 4

This Decision is applicable until 1 December 1999.

Article 5

This Decision is addressed to the Member States.

Done at Brussels, 28 May 1999.

For the Commission

Martin BANGEMANN

Member of the Commission

CORRIGENDA

Corrigendum to Commission Directive 98/15/EC of 27 February 1998 amending Council Directive 91/271/EEC with respect to certain requirements established in Annex I thereof

(Official Journal of the European Communities L 67 of 7 March 1998)

On page 30, in Table 2 of Annex I, column 2, row 2 (Concentration — Total phosphorus):

for: '2 mg/l (10 000 — 100 000 p.e.)',

read: '2 mg/l (10 000 — 100 000 p.e.)'.
