

Official Journal

of the European Communities

ISSN 0378-6978

L 141

Volume 42

4 June 1999

English edition

Legislation

Contents

Acts adopted pursuant to Title V of the Treaty on European Union

1999/361/CFSP:

- ★ **Council Decision of 31 May 1999 implementing Common Position 98/633/CFSP defined by the Council on the basis of Article J.2 of the Treaty on European Union concerning the process on stability and good-neighbourliness in South-East Europe** 1

I *Acts whose publication is obligatory*

- Commission Regulation (EC) No 1166/1999 of 3 June 1999 establishing the standard import values for determining the entry price of certain fruit and vegetables 2
- ★ **Commission Regulation (EC) No 1167/1999 of 3 June 1999 amending Regulation (EC) No 831/97 laying down marketing standards applicable to avocados** 4
- ★ **Commission Regulation (EC) No 1168/1999 of 3 June 1999 laying down marketing standards for plums** 5
- Commission Regulation (EC) No 1169/1999 of 3 June 1999 on the issue of system B export licences in the fruit and vegetables sector 11
- Commission Regulation (EC) No 1170/1999 of 3 June 1999 fixing the export refunds on cereals and on wheat or rye flour, groats and meal 12
- Commission Regulation (EC) No 1171/1999 of 3 June 1999 fixing the export refunds on malt 14
- Commission Regulation (EC) No 1172/1999 of 3 June 1999 fixing the corrective amount applicable to the refund on cereals 16

1

(Continued overleaf)

EN

Acts whose titles are printed in light type are those relating to day-to-day management of agricultural matters, and are generally valid for a limited period.

The titles of all other acts are printed in bold type and preceded by an asterisk.

Commission Regulation (EC) No 1173/1999 of 3 June 1999 fixing, for May 1999, the specific exchange rate for the amount of the reimbursement of storage costs in the sugar sector 18

* **Directive 1999/34/EC of the European Parliament and of the Council of 10 May 1999 amending Council Directive 85/374/EEC on the approximation of the laws, regulations and administrative provisions of the Member States concerning liability for defective products** 20

II *Acts whose publication is not obligatory*

Commission

1999/362/EC:

Commission Decision of 19 May 1999 on import licences in respect of beef and veal products originating in Botswana, Kenya, Madagascar, Swaziland, Zimbabwe and Namibia (*notified under document number C(1999) 1322*) 22

1999/363/EC:

* **Commission Decision of 3 June 1999 on protective measures with regards to contamination by dioxins of certain animal products intended for human or animal consumption ⁽¹⁾ (*notified under document number C(1999) 1500*)** 24

Corrigenda

* **Corrigendum to Council Regulation (EC) No 26/1999 of 21 December 1998 adopting autonomous and transitional measures for Europe Agreements with Lithuania, Latvia and Estonia in certain processed agricultural products (OJ L 5 of 9.1.1999)** 27

* **Corrigendum to Council Regulation (EC) No 27/1999 of 21 December 1998 adopting autonomous and transitional measures for preferential trade arrangements with Poland, Hungary, Slovakia, the Czech Republic, Romania and Bulgaria in certain processed agricultural products (OJ L 5 of 9.1.1999)** 27

⁽¹⁾ Text with EEA relevance

(Acts adopted pursuant to Title V of the Treaty on European Union)

COUNCIL DECISION

of 31 May 1999

implementing Common Position 98/633/CFSP defined by the Council on the basis of Article J.2 of the Treaty on European Union concerning the process on stability and good-neighbourliness in South-East Europe

(1999/361/CFSP)

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty on European Union and in particular Article 18(5) thereof,

Having regard to Common Position 98/633/CFSP⁽¹⁾,

- (1) Whereas Common Position 98/633/CFSP aims at consolidating support for the Royaumont Process on stability and good-neighbourliness in South-East Europe;
- (2) Whereas the contribution of the Royaumont Process Coordinator, Mr Roumeliotis, has been instrumental in the development of the Process;
- (3) Whereas with a view to the consolidation and continuation of the work carried out so far, the Coordinator should be provided with the logistical base and the human resources needed to continue to carry out his functions,

HAS DECIDED AS FOLLOWS:

Article 1

In order to provide support for the Coordinator in the fulfilment of his tasks, Mr Roumeliotis is appointed EU Special Representative for the Royaumont Process. The Special Representative shall perform his tasks under the responsibility of the EU Presidency and in full association with the Commission, in accordance with the terms of reference and the action plan set out at Annexes I and II to Common Position 98/633/CFSP.

Article 2

The EU Special Representative shall be guided by and report under the authority of the Presidency to the Council on a regular basis, and as the need arises. The Commission shall be fully associated therewith.

Article 3

1. The financial reference amount for the implementation of this Decision during the period 31 May 1999 to 31 May 2000 shall be EUR 550 000. This amount shall cover costs related to the remuneration of the Special Representative and his team, travel expenses and communication expenditure.
2. Member States and EU institutions may propose the secondment of staff to work with the EU Special Representative. The remuneration of personnel who might be seconded by a Member State or a European Union institution to the EU Special Representative shall be covered respectively by the Member State or the European Union institution concerned.
3. The Council notes that the Presidency, European institutions and/or Member States as appropriate will offer logistical support to the Coordinator in the fulfilment of his tasks.

Article 4

This Decision shall enter into force on the date of its adoption.

It shall expire on 31 May 2000.

Article 5

This Decision shall be published in the Official Journal.

Done at Brussels, 31 May 1999.

For the Council

The President

J. FISCHER

⁽¹⁾ OJ L 302, 12.11.1998, p. 1.

I

(Acts whose publication is obligatory)

**COMMISSION REGULATION (EC) No 1166/1999
of 3 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 4 June 1999.

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

Done at Brussels, 3 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 3 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	56,9
	999	56,9
0707 00 05	052	76,1
	628	129,4
	999	102,7
0709 90 70	052	49,9
	999	49,9
0805 30 10	382	46,0
	388	47,8
	528	47,9
0808 10 20, 0808 10 50, 0808 10 90	999	47,2
	388	71,5
	400	111,4
	508	79,7
	512	93,9
	524	80,2
	528	59,4
	804	105,0
	999	85,9
	0809 20 95	052
400		193,8
999		210,3

⁽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 1167/1999
of 3 June 1999
amending Regulation (EC) No 831/97 laying down marketing standards applicable to avocados

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 2(2) thereof,

- (1) Whereas the Annex to Commission Regulation (EC) No 831/97⁽³⁾ lays down the marketing standard applicable to avocados;
- (2) Whereas UN/ECE (United Nations Economic Commission for Europe) Standard FFV-42 concerning the marketing and commercial quality control of avocados moving in international trade between and to UN/ECE member countries has been amended at recent meetings of the ECE Working Party on Standardisation of Perishable Produce and Quality Development; whereas Article 2(2) of Regulation (EC) No 2200/96 provides that account is to be taken of the UN/ECE standards recommended by that Working Party when standards are adopted on fruit and vegetables; whereas the Community standard for avocados should accordingly be brought into line with the corresponding UN/ECE standard;
- (3) 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

The Annex to Regulation (EC) No 831/97 is amended as follows:

1. in Title II 'PROVISIONS CONCERNING QUALITY', point A 'Minimum requirements', second paragraph, first sentence, 'firm at the point of dispatch, and' is added after 'must be';
2. in Title V 'PROVISIONS CONCERNING PRESENTATION', point A 'Uniformity', the first paragraph is replaced by the following (including footnote⁽¹⁾):
'The contents of each package must be uniform and contain only avocados of the same origin, variety, quality, coloration⁽¹⁾ and size.

⁽¹⁾ A change in the colour of the dark-skinned varieties is not considered as a defect, but the colouring of the fruit in each package must be uniform at the point of dispatch.'

Article 2

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, 3 June 1999.

For the Commission
Franz FISCHLER
Member of the Commission

⁽¹⁾ OJ L 297, 21.11.1996, p. 1.

⁽²⁾ OJ L 108, 27.4.1999, p. 7.

⁽³⁾ OJ L 119, 8.5.1997, p. 13.

COMMISSION REGULATION (EC) No 1168/1999
of 3 June 1999
laying down marketing standards for plums

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 Commission Regulation (EC) No 857/1999⁽²⁾, and in particular Article 2(2) thereof,

(1) Whereas plums are among the products listed in Annex I to Regulation (EC) No 2200/96 for which standards must be adopted; whereas Commission Regulation (EEC) No 1591/87 of 5 June 1987 laying down marketing standards for cabbages, Brussels sprouts, ribbed celery, spinach and plums⁽³⁾, as last amended by Regulation (EC) No 888/97⁽⁴⁾, has been amended frequently and can no longer ensure legal clarity;

(2) Whereas, in the interests of clarity, the rules on plums should be separated from those on other products under Regulation (EEC) No 1591/87; whereas the rules in question should therefore be recast and Annex V to Regulation (EEC) No 1591/87 on plums deleted; whereas, to that end and in the interests of preserving transparency on the world market, account should be taken of the standard for plums recommended by the Working Party on Standardisation of Perishable Produce and Quality Development of the United Nations Economic Commission for Europe (UN/ECE);

(3) Whereas the result of applying these standards should be to remove products of unsatisfactory quality from the market, to bring production into line with consumer requirements, to facilitate trade relationships based on fair competition, and thereby to help make production more profitable;

(4) Whereas the standards are applicable at all stages of marketing; whereas carriage over a great distance, storage for a certain length of time and the various handling operations which the products undergo may bring about deterioration due to the biological development of the products or their perishability;

whereas account should be taken of such deterioration when the standards are applied at marketing stages following dispatch; whereas, as products in the 'Extra' class have to be particularly carefully sorted and packaged, only lack of freshness and turgidity is to be taken into account in their case;

(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

The marketing standard for plums falling within CN code 0809 40 05 shall be as set out in the Annex.

This standard shall apply at all marketing stages, under the conditions laid down in Regulation (EC) No 2200/96.

However, at stages following dispatch, the products may show in relation to the provisions of the standard:

- a slight lack of freshness and turgidity,
- for products graded in classes other than the 'Extra' class, slight deteriorations due to their development and their tendency to perish.

Article 2

Regulation (EEC) No 1591/87 is amended as follows:

1. In the title, the words 'ribbed celery, spinach and plums' are replaced by 'ribbed celery and spinach'.
2. The fifth indent in the first subparagraph of Article 1 is deleted.
3. Annex V is deleted.

Article 3

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

It shall apply from 1 July 1999.

⁽¹⁾ OJ L 297, 21.11.1996, p. 1.

⁽²⁾ OJ L 108, 27.4.1999, p. 7.

⁽³⁾ OJ L 146, 6.6.1987, p. 36.

⁽⁴⁾ OJ L 126, 17.5.1997, p. 11.

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

Done at Brussels, 3 June 1999.

For the Commission
Franz FISCHLER
Member of the Commission

ANNEX

STANDARD FOR PLUMS

I. DEFINITION OF PRODUCE

This standard applies to plums of varieties (cultivars) grown from:

- *Prunus domestica* L. ssp. *domestica*,
- *Prunus domestica* L. ssp. *insititia* (L.) Schneid.,
- *Prunus domestica* L. ssp. *italica* (Borkh.) Gams,
- *Prunus domestica* L. ssp. *syriaca* (Borkh.) Janchen, and
- *Prunus salicina* Lindl.

to be supplied fresh to the consumer, plums for industrial processing being excluded.

II. PROVISIONS CONCERNING QUALITY

The purpose of the standard is to define the quality requirements for plums after preparation and packaging.

A. Minimum requirements

In all classes, subject to the special provisions for each class and the tolerances allowed, the plums must be:

- intact,
- sound; produce affected by rotting or deterioration such as to make it unfit for consumption is excluded,
- clean, practically free of any visible foreign matter,
- practically free from pests,
- practically free from damage caused by pests,
- free of abnormal external moisture,
- free of any foreign smell and/or taste.

The plums must have been carefully picked. They must be sufficiently developed and display satisfactory ripeness.

The development and condition of the plums must be such as to enable them to:

- withstand transport and handling, and
- arrive in satisfactory condition at the place of destination.

B. Classification

Plums are classified into the three classes defined below:

(i) 'Extra' class

Plums in this class must be of superior quality. In shape, development and colouring they must be characteristic of the variety. They must be:

- practically covered by their bloom, according to variety,
- of firm flesh.

They must be free from defects, with the exception of very slight superficial defects, provided these do not affect the general appearance of the produce, the quality, the keeping quality and presentation in the package.

(ii) *Class I*

Plums in this class must be of good quality. They must be characteristic of the variety.

The following slight defects, however, may be allowed, provided these do not affect the general appearance of the produce, the quality, the keeping quality and presentation in the package:

- a slight defect in shape,
- a slight defect in development,
- slight defects in colouring,
- skin defects of elongated shape must not exceed in length one third of the maximum diameter of the fruit. In particular, healed cracks may be allowed for 'Golden gage' varieties⁽¹⁾,
- other skin defects of which the total area affected must not exceed one sixteenth of the whole surface.

(iii) *Class II*

This class includes plums which do not qualify for inclusion in the higher classes, but satisfy the minimum requirements specified above.

The following defects may be allowed, provided the plums retain their essential characteristics as regards the quality, the keeping quality and presentation:

- defects in shape,
- defects in development,
- defects in colouring,
- skin defects of which the total area affected must not exceed one quarter of the whole surface.

III. PROVISIONS CONCERNING SIZING

Size is determined by the maximum diameter of the equatorial section.

Minimum sizes are fixed as follows:

	'Extra' and I	II
Large-fruited varieties ⁽¹⁾	35 mm	30 mm
Other varieties	28 mm	25 mm
Mirabelles and Damsons	20 mm	17 mm

⁽¹⁾ See list annexed to this standard.

For the 'Extra' class, the maximum difference in diameter between fruit in any one package is fixed at 10 mm.

IV. PROVISIONS CONCERNING TOLERANCES

Tolerances in respect of quality and size shall be allowed in each package for produce not satisfying the requirements for the class indicated.

A. **Quality tolerances**(i) *'Extra' class:*

5 % by number or weight of plums not satisfying the requirements of the class but meeting those of Class I or, exceptionally, coming within the tolerances for that class.

⁽¹⁾ Definition: gages (green apricots, dauphines, greengages) having a green skin with a yellowish sheen.

(ii) *Class I*

10 % by number or weight of plums not satisfying the requirements of the class but meeting those of Class II or, exceptionally, coming within the tolerances for that class. Within this tolerance, not more than 2 % in total may consist of split and/or worm-eaten fruit.

(iii) *Class II*

10 % by number or weight of plums satisfying neither the requirements of the class nor the minimum requirements, with the exception of produce affected by rotting, market bruising or any other deterioration rendering it unfit for consumption. Within this tolerance, not more than 4 % in total may consist of split and/or worm-eaten fruit.

B. Size tolerances

For all classes, 10 % by number or weight of plums deviating from the minimum size or the size stated on the package, the deviation not exceeding 3 mm above or below.

V. PROVISIONS CONCERNING PRESENTATION

A. Uniformity

The contents of each package must be uniform and contain only plums of the same origin, variety, quality and size (i) sized), and for the 'Extra' class, the contents must also be uniform in colour.

The visible part of the contents of each package must be representative of the entire contents.

B. Packaging

Plums must be packed in such a way as to protect the produce properly.

The materials used inside the package must be new, clean and of a quality such as to avoid causing any external or internal damage to the produce. The use of materials, particularly of paper or stamps bearing trade specifications is allowed provided that the printing or labelling has been done with non-toxic ink or glue.

Packages must be free from all foreign matter.

C. Presentation

The plums may be presented:

- in small packages,
- arranged in one or more layers separated from each other,
- in bulk in the package, except for the 'Extra' class.

VI. PROVISIONS CONCERNING MARKING

Each package must bear the following particulars in letters grouped on the same side, legibly and indelibly marked and visible from the outside:

A. Identification

Packer and/or dispatcher: name and address or officially issued or accepted code mark. However, in the case where a code mark is used, the reference 'packer and/or dispatcher (or equivalent abbreviations)' has to be indicated in close connection with the code mark.

B. Nature of produce

- 'Plums', if the contents are not visible from the outside
- name of the variety.

C. Origin of produce

Country of origin and, optionally, district where grown or national, regional or local place name.

D. Commercial specifications

- class,
- size (if sized) expressed in minimum and maximum diameter.

E. Official control mark (optional)

Non-exhaustive list of large-fruited varieties

Andy's Pride	Merton Gage (Merton)
Ariel	Merton Gem
Apple	Monarch
Beauty	Morettini 355 (Cœur de Lion)
Belle de Louvain (Bella di Lovanio)	Nubiana
Bernardina	Nueva Extremadura
Bleue de Belgique	Oneida
Blue Fré	Ontario
Burmosa	Ozark Premier
Cacanska lepotica (Belle de Cacak)	Pond's Seedling
Cacanska najbolja (Meilleure de Cacak)	President
Cacanska rana (Précoce de Cacak)	Prince Engelbert
California Blue (Blu, California)	Prince of Wales (Prince de Galles)
Calita	Prof. Collumbien
Coe's Golden Drop	Prune Martin
De Fraile (Fraila)	Queen Rosa
Denniston Superb	Queen's Crown (Cox's Emperor)
Early Orleans (Monsieur Hâtif)	Quetsche Blanche de Létricourt
Edwards (Colbus)	Red Beauty
Eldorado	Redgold
Emma Leppermann	Redroy
Empress	Regina Claudia Mostruosa
Formosa	Regina d'Italia
Friar	Reine-Claude d'Althan (Falso)
Frontier	Reine-Claude d'Oullins (Oullin's Gage)
Gaviota	Rosar Premier
Giant (Burbank Giant Prune)	Royale de Montauban
Goccia d'Oro	Royale de Tours
Golden Japan	Ruth Gerstetter
Grand Prix (Grand Prize)	Sangue di Drago
Grand Rosa	Santa Rosa
Hackman	Satsuma Improved
Hall	Seneca
Harris Monarch	Simka
Harry Pickstone	Songold
Heron	Starking Delicious
Impérial Epineuse	Sultan
Jefferson (Jefferson's Gage)	Swan Gage
Jori's Plum	Tragedy
June Blood	Utility (Laxton's Utility)
Kelsey	Valor
Kirke's Plum (Kirke)	Victoria
Laroda	Vision
Late Santa Rosa	Washington
Magna Glauca	Wickson
Manns Number One	Yakima
Marjorie's Seedling	Zimmers Frühzwetsche
Mariposa	

COMMISSION REGULATION (EC) No 1169/1999
of 3 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 lemons 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 lemons exported after 3 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 lemons submitted pursuant to Article 1 of Regulation (EC) No 927/1999, export declarations for which are accepted after 3 June and before 1 July 1999, are hereby rejected.

Article 2

This Regulation shall enter into force on 4 June 1999.

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

Done at Brussels, 3 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 REGULATION (EC) No 1170/1999
of 3 June 1999
fixing the export refunds on cereals and on wheat or rye flour, groats and meal

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

Having regard to Council Regulation (EEC) No 1766/92 of 30 June 1992 on the common organisation of the market in cereals⁽¹⁾, as last amended by Commission Regulation (EC) No 923/96⁽²⁾, and in particular Article 13 (2) thereof,

Whereas Article 13 of Regulation (EEC) No 1766/92 provides that the difference between quotations or prices on the world market for the products listed in Article 1 of that Regulation and prices for those products in the Community may be covered by an export refund;

Whereas the refunds must be fixed taking into account the factors referred to in Article 1 of Commission Regulation (EC) No 1501/95 of 29 June 1995 laying down certain detailed rules under Council Regulation (EEC) No 1766/92 on the granting of export refunds on cereals and the measures to be taken in the event of disturbance on the market for cereals⁽³⁾, as last amended by Regulation (EC) No 2513/98⁽⁴⁾;

Whereas, as far as wheat and rye flour, groats and meal are concerned, when the refund on these products is being calculated, account must be taken of the quantities of cereals required for their manufacture; whereas these quantities were fixed in Regulation (EC) No 1501/95;

Whereas 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;

Whereas the refund must be fixed once a month; whereas it may be altered in the intervening period;

Whereas it follows from applying the detailed rules set out above to the present situation on the market in cereals, and in particular to quotations or prices for these products within the Community and on the world market, that the refunds should be as set out in the Annex hereto;

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

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

Article 2

This Regulation shall enter into force on 4 June 1999.

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

Done at Brussels, 3 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 147, 30.6.1995, p. 7.

⁽⁴⁾ OJ L 313, 21.11.1998, p. 16.

ANNEX

to the Commission Regulation of 3 June 1999 fixing the export refunds on cereals and on wheat or rye flour, groats and meal

<i>(EUR/tonne)</i>			<i>(EUR/tonne)</i>		
Product code	Destination (1)	Amount of refund	Product code	Destination (1)	Amount of refund
1001 10 00 9200	—	—	1101 00 11 9000	—	—
1001 10 00 9400	01	0	1101 00 15 9100	01	56,00
1001 90 91 9000	—	—	1101 00 15 9130	01	52,50
1001 90 99 9000	03	31,00	1101 00 15 9150	01	48,25
	02	0	1101 00 15 9170	01	44,50
1002 00 00 9000	03	62,00	1101 00 15 9180	01	41,75
	02	0	1101 00 15 9190	—	—
1003 00 10 9000	—	—	1101 00 90 9000	—	—
1003 00 90 9000	03	41,00	1102 10 00 9500	01	82,00
	02	0	1102 10 00 9700	—	—
1004 00 00 9200	—	—	1102 10 00 9900	—	—
1004 00 00 9400	—	—	1103 11 10 9200	01	30,00 (2)
1005 10 90 9000	—	—	1103 11 10 9400	01	27,00 (2)
1005 90 00 9000	04	40,00	1103 11 10 9900	—	—
	02	0	1103 11 90 9200	01	30,00 (2)
1007 00 90 9000	—	—	1103 11 90 9800	—	—
1008 20 00 9000	—	—			

(1) The destinations are identified as follows:

- 01 All third countries,
- 02 Other third countries,
- 03 Switzerland, Liechtenstein,
- 04 Switzerland, Liechtenstein and Slovenia.

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

NB: The zones are those defined in amended Commission Regulation (EEC) No 2145/92 (OJ L 214, 30.7.1992, p. 20).

COMMISSION REGULATION (EC) No 1171/1999
of 3 June 1999
fixing the export refunds 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 Commission Regulation (EC) No 923/96⁽²⁾, and in particular the third subparagraph of Article 13(2) thereof,

Whereas 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;

Whereas the refunds must be fixed taking into account the factors referred to in Article 1 of Commission Regulation (EC) No 1501/95 of 29 June 1995 laying down certain detailed rules under Council Regulation (EEC) No 1766/92 on the granting of export refunds on cereals and the measures to be taken in the event of disturbance on the market for cereals⁽³⁾, as last amended by Regulation (EC) No 2513/98⁽⁴⁾;

Whereas the refund applicable in the case of malts must be calculated with amount taken of the quantity of cereals required to manufacture the products in question; whereas the said quantities are laid down in Regulation (EC) No 1501/95;

Whereas 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;

Whereas the refund must be fixed once a month; whereas it may be altered in the intervening period;

Whereas in follows from applying these rules to the present situation on markets in cereals, and in particular to quotations or prices for these products within the Community and on the world market, that the refunds should be as set out in the Annex hereto;

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

The export refunds on malt listed in Article 1(c) of Regulation (EEC) No 1766/92 shall be as set out in the Annex hereto.

Article 2

This Regulation shall enter into force on 4 June 1999.

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

Done at Brussels, 3 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 147, 30.6.1995, p. 7.

⁽⁴⁾ OJ L 313, 21.11.1998, p. 16.

ANNEX

to the Commission Regulation of 3 June 1999 fixing the export refunds on malt

(EUR/tonne)

Product code	Refund
1107 10 19 9000	52,00
1107 10 99 9000	65,00
1107 20 00 9000	76,00

COMMISSION REGULATION (EC) No 1172/1999
of 3 June 1999
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 Commission Regulation (EC) No 923/96⁽²⁾, and in particular Article 13 (8) thereof,

Whereas 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;

Whereas 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; whereas that corrective amount must be calculated taking account of the factors referred to in Article 1 of Regulation (EC) No 1501/95;

Whereas the world market situation or the specific requirements of certain markets may make it necessary to vary the corrective amount according to destination;

Whereas the corrective amount must be fixed at the same time as the refund and according to the same procedure; whereas it may be altered in the period between fixings;

Whereas it follows from applying the provisions set out above that the corrective amount must be as set out in the Annex hereto;

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

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 in respect of malt shall be as set out in the Annex hereto.

Article 2

This Regulation shall enter into force on 4 June 1999.

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

Done at Brussels, 3 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 147, 30.6.1995, p. 7.

⁽⁴⁾ OJ L 313, 21.11.1998, p. 16.

ANNEX

to the Commission Regulation of 3 June 1999 fixing the corrective amount applicable to the refund on cereals

(EUR/t)

Product code	Destination (1)	Current 6	1st period 7	2nd period 8	3rd period 9	4th period 10	5th period 11	6th period 12
1001 10 00 9200	—	—	—	—	—	—	—	—
1001 10 00 9400	01	0	0	-1,00	-2,00	-3,00	—	—
1001 90 91 9000	—	—	—	—	—	—	—	—
1001 90 99 9000	01	0	-10,00	-10,00	-10,00	-10,00	—	—
1002 00 00 9000	01	0	-10,00	-10,00	-10,00	-10,00	—	—
1003 00 10 9000	—	—	—	—	—	—	—	—
1003 00 90 9000	03	0	-35,00	-35,00	-35,00	-35,00	—	—
	02	0	-10,00	-10,00	-10,00	-10,00	—	—
1004 00 00 9200	—	—	—	—	—	—	—	—
1004 00 00 9400	01	0	-10,00	-10,00	-10,00	-10,00	—	—
1005 10 90 9000	—	—	—	—	—	—	—	—
1005 90 00 9000	04	0	0	0	0	0	—	—
	02	0	-1,00	-2,00	-3,00	0	—	—
1007 00 90 9000	—	—	—	—	—	—	—	—
1008 20 00 9000	—	—	—	—	—	—	—	—
1101 00 11 9000	—	—	—	—	—	—	—	—
1101 00 15 9100	01	0	-10,00	-10,00	-10,00	-10,00	—	—
1101 00 15 9130	01	0	-10,00	-10,00	-10,00	-10,00	—	—
1101 00 15 9150	01	0	-10,00	-10,00	-10,00	-10,00	—	—
1101 00 15 9170	01	0	-10,00	-10,00	-10,00	-10,00	—	—
1101 00 15 9180	01	0	-10,00	-10,00	-10,00	-10,00	—	—
1101 00 15 9190	—	—	—	—	—	—	—	—
1101 00 90 9000	—	—	—	—	—	—	—	—
1102 10 00 9500	01	0	0	0	0	0	—	—
1102 10 00 9700	—	—	—	—	—	—	—	—
1102 10 00 9900	—	—	—	—	—	—	—	—
1103 11 10 9200	01	0	-10,00	-10,00	-10,00	-10,00	—	—
1103 11 10 9400	01	0	-10,00	-10,00	-10,00	-10,00	—	—
1103 11 10 9900	—	—	—	—	—	—	—	—
1103 11 90 9200	01	0	-10,00	-10,00	-10,00	-10,00	—	—
1103 11 90 9800	—	—	—	—	—	—	—	—

(1) The destinations are identified as follows:

01 all third countries

02 other third countries

03 United States of America, Canada and Mexico

04 Switzerland, Liechtenstein and Slovenia.

NB: The zones are those defined in amended Commission Regulation (EEC) No 2145/92 (OJ L 214, 30.7.1992, p. 20).

COMMISSION REGULATION (EC) No 1173/1999
of 3 June 1999
fixing, for May 1999, the specific exchange rate for the amount of the reimbursement of storage costs in the sugar sector

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

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

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

Having regard to Commission Regulation (EEC) No 1713/93 of 30 June 1993 establishing special detailed rules for applying the agricultural conversion rate in the sugar sector⁽⁴⁾, as last amended by Regulation (EC) No 624/1999⁽⁵⁾, and in particular Article 1(3) thereof,

Whereas Article 1(2) of Regulation (EEC) No 1713/93 provides that the amount of the reimbursement of storage costs referred to in Article 8 of Regulation (EEC) No 1785/81 is to be converted into national currency using a specific agricultural conversion rate equal to the average, calculated *pro rata temporis*, of the agricultural conversion rates applicable during the month of storage; whereas that specific rate must be fixed each month for the previous month; whereas, however, in the case of the reimbursable amounts applying from 1 January 1999, as a

result of the introduction of the agrimonetary arrangements for the euro from that date, the fixing of the conversion rate should be limited to the specific exchange rates prevailing between the euro and the national currencies of the Member States that have not adopted the single currency;

Whereas application of these provisions will lead to the fixing, for May 1999, of the specific exchange rate for the amount of the reimbursement of storage costs in the various national currencies as indicated in the Annex to this Regulation,

HAS ADOPTED THIS REGULATION:

Article 1

The specific exchange rate to be used for converting the amount of the reimbursement of the storage costs referred to in Article 8 of Regulation (EEC) No 1785/81 into national currency for May 1999 shall be as indicated in the Annex hereto.

Article 2

This Regulation shall enter into force on 4 June 1999.

It shall apply with effect from 1 May 1999.

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

Done at Brussels, 3 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 349, 24.12.1998, p. 1.

⁽⁴⁾ OJ L 159, 1.7.1993, p. 94.

⁽⁵⁾ OJ L 78, 24.3.1999, p. 9.

ANNEX

to the Commission Regulation of 3 June 1999 fixing, for April 1999, the exchange rate for the amount of the reimbursement of storage costs in the sugar sector

Specific exchange rate		
EUR 1 =	7,46231	Danish kroner
	325,267	Greek drachma
	8,96446	Swedish kroner
	0,658394	Pound sterling

DIRECTIVE 1999/34/EC OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL

of 10 May 1999

amending Council Directive 85/374/EEC on the approximation of the laws, regulations and administrative provisions of the Member States concerning liability for defective products

THE EUROPEAN PARLIAMENT AND THE COUNCIL
OF THE EUROPEAN UNION,

Having regard to the Treaty establishing the European Community, and in particular Article 95 thereof,

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

Having regard to the opinion of the Economic and Social Committee ⁽²⁾,

Acting in accordance with the procedure laid down in Article 251 of the Treaty ⁽³⁾,

(1) Whereas product safety and compensation for damage caused by defective products are social imperatives which must be met within the internal market; whereas the Community has responded to those requirements by means of Directive 85/374/EEC ⁽⁴⁾ and Council Directive 92/59/EEC of 29 June 1992 on general product safety ⁽⁵⁾;

(2) Whereas Directive 85/374/EEC established a fair apportionment of the risks inherent in a modern society in which there is a high degree of technicality; whereas that Directive therefore struck a reasonable balance between the interests involved, in particular the protection of consumer health, encouraging innovation and scientific and technological development, guaranteeing undistorted competition and facilitating trade under a harmonised system of civil liability; whereas that Directive has thus helped to raise awareness among traders of the issue of product safety and the importance accorded to it;

(3) Whereas the degree of harmonisation of Member States' laws achieved by Directive 85/374/EEC is not complete in view of the derogations provided for, in particular with regard to its scope, from which unprocessed agricultural products are excluded;

(4) Whereas the Commission monitors the implementation and effects of Directive 85/374/EEC and in particular its aspects relating to consumer protection and the functioning of the internal market, which have already been the subject of a first report; whereas, in this context, the Commission is required by Article 21 of that Directive to submit a second report on its application;

(5) Whereas including primary agricultural products within the scope of Directive 85/374/EEC would help restore consumer confidence in the safety of agricultural products; whereas such a measure would meet the requirements of a high level of consumer protection;

(6) Whereas circumstances call for Directive 85/374/EEC to be amended in order to facilitate, for the benefit of consumers, legitimate compensation for damage to health caused by defective agricultural products;

(7) Whereas this Directive has an impact on the functioning of the internal market in so far as trade in agricultural products will no longer be affected by differences between rules on producer liability;

(8) Whereas the principle of liability without fault laid down in Directive 85/374/EEC must be extended to all types of product, including agricultural products as defined by the second sentence of Article 32 of the Treaty and those listed in Annex II to the said Treaty;

(9) Whereas, in accordance with the principle of proportionality, it is necessary and appropriate in order to achieve the fundamental objectives of increased protection for all consumers and the proper functioning of the internal market to include agricultural products within the scope of Directive 85/374/EEC; whereas this Directive is limited to what is necessary to achieve the objectives pursued in accordance with the third paragraph of Article 5 of the Treaty,

⁽¹⁾ OJ C 337, 7.11.1997, p. 54.

⁽²⁾ OJ C 95, 30.3.1998, p. 69.

⁽³⁾ Opinion of the European Parliament of 5 November 1998 (OJ C 359, 23.11.1998, p. 25), Council Common Position of 17 December 1998 (OJ C 49, 22.2.1999, p. 1) and Decision of the European Parliament of 23 March 1999 (not yet published in the Official Journal). Council Decision of 29 April 1999.

⁽⁴⁾ OJ L 210, 7.8.1985, p. 29. Directive as amended by the 1994 Act of Accession.

⁽⁵⁾ OJ L 228, 11.8.1992, p. 24.

HAVE ADOPTED THIS DIRECTIVE:

Article 1

Directive 85/374/EEC is hereby amended as follows:

1. Article 2 shall be replaced by the following:

Article 2

For the purpose of this Directive, "product" means all movables even if incorporated into another movable or into an immovable. "Product" includes electricity'.

2. In Article 15, paragraph 1(a) shall be deleted.

Article 2

1. Member States shall adopt and publish the laws, regulations and administrative provisions necessary to comply with this Directive. They shall forthwith inform the Commission thereof.

They shall apply these measures as from 4 December 2000.

When the Member States adopt these measures, they shall contain a reference to this Directive or shall be accompanied by such reference on the occasion of their official

publication. The methods of making such reference shall be laid down by the Member States.

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

Article 3

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

Article 4

This Directive is addressed to the Member States.

Done at Brussels, 10 May 1999.

*For the European Parlia-
ment*

The President

J. M. GIL-ROBLES

For the Council

The President

H. EICHEL

II

(Acts whose publication is not obligatory)

COMMISSION

COMMISSION DECISION

of 19 May 1999

on import licences in respect of beef and veal products originating in Botswana, Kenya, Madagascar, Swaziland, Zimbabwe and Namibia

(notified under document number C(1999) 1322)

(1999/362/EC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EC) No 1706/98 of 20 July 1998 on the arrangements applicable to agricultural products and goods resulting from the processing of agricultural products originating in the African, Caribbean and Pacific States (ACP States) and repealing Regulation (EEC) No 715/90⁽¹⁾, and in particular Article 30 thereof,

Having regard to Commission Regulation (EC) No 1918/98 of 9 September 1998 laying down detailed rules for the application in the beef and veal sector of Council Regulation (EC) No 1706/98 on the arrangements applicable to agricultural products and certain goods resulting from the processing of agricultural products originating in the African, Caribbean and Pacific States and repealing Regulation (EC) No 589/96⁽²⁾, and in particular Article 4 thereof,

Whereas Article 1 of Regulation (EC) No 1918/98 provides for the possibility of issuing import licences for beef and veal products; whereas, however, imports must take place within the limits of the quantities specified for each of these exporting non-member countries;

Whereas the applications for import licences submitted between 1 and 10 May 1999, expressed in terms of deboned meat, in accordance with Regulation (EC) No 1918/98, do not exceed, in respect of products originating in Botswana, Kenya, Madagascar, Swaziland, Zimbabwe and Namibia, the quantities available from those States; whereas it is therefore possible to issue import licences in respect of the quantities applied for;

Whereas the quantities in respect of which licences may be applied for from 1 June 1999 should be fixed within the scope of the total quantity of 52 100 tonnes;

Whereas this Decision is without prejudice to Council Directive 72/462/EEC of 12 December 1972 on health and veterinary inspection problems on importation of bovine, ovine and caprine animals and swine, fresh meat or meat products from third countries⁽³⁾, as last amended by Directive 97/79/EC⁽⁴⁾,

HAS ADOPTED THIS DECISION:

Article 1

The following Member States shall issue on 21 May 1999 import licences for beef and veal products, expressed as deboned meat, originating in certain African, Caribbean and Pacific States, in respect of the following quantities and countries of origin:

⁽¹⁾ OJ L 215, 1.8.1998, p. 12.

⁽²⁾ OJ L 250, 10.9.1998, p. 16.

⁽³⁾ OJ L 302, 31.12.1972, p. 28.

⁽⁴⁾ OJ L 24, 30.1.1998, p. 31.

Germany:

- 600,000 tonnes originating in Botswana,
- 125,000 tonnes originating in Namibia.

United Kingdom:

- 650,000 tonnes originating in Botswana,
- 450,000 tonnes originating in Zimbabwe,
- 1 500,000 tonnes originating in Namibia,
- 40,000 tonnes originating in Swaziland.

Article 2

Licence applications may be submitted, pursuant to Article 3(2) of Regulation (EC) No 1918/98, during the first 10 days of June 1999 for the following quantities of deboned beef and veal:

— Botswana:	14 431,000 tonnes,
— Kenya:	142,000 tonnes,
— Madagascar:	7 579,00 tonnes,
— Swaziland:	3 213,000 tonnes,
— Zimbabwe:	6 413,000 tonnes,
— Namibia:	8 870,000 tonnes.

Article 3

This Decision is addressed to the Member States.

Done at Brussels, 19 May 1999.

For the Commission

Franz FISCHLER

Member of the Commission

COMMISSION DECISION

of 3 June 1999

on protective measures with regards to contamination by dioxins of certain animal products intended for human or animal consumption

(notified under document number C(1999) 1500)

(Text with EEA relevance)

(1999/363/EC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Directive 89/662/EEC of 11 December 1989 concerning veterinary checks in intra-Community trade with a view to the completion of the internal market⁽¹⁾, as last amended by Directive 92/118/EEC⁽²⁾, and in particular Article 9(4) thereof,

Having regard to Council Directive 90/425/EEC of 26 June 1990 concerning veterinary and zootechnical checks applicable in intra-Community trade in certain live animal and products with a view to the completion of the internal market⁽³⁾, as last amended by Directive 92/118/EEC, and in particular Article 10(4) thereof,

- (1) Whereas on 27 May 1999, the Belgian authorities have informed the Commission of a case of heavy contamination of compound feedingstuffs with dioxins; whereas these feedingstuffs have been distributed to a considerable number (approximately 25 %) of domestic fowl farms in Belgium beginning after 15 January 1999; whereas the origin of this contamination is not yet ascertained;
- (2) Whereas beginning from 26 May 1999, the Belgian authorities have put under restriction all the domestic fowl holdings which received these feedingstuffs; whereas the Belgian authorities have prohibited the slaughter of poultry for 1 June 1999 only; whereas, products intended for human or animal consumption derived from animals reared in those farms before that date might be still on the market; whereas at present the Belgium authorities have not yet taken all appropriate measures to ensure that those products are withdrawn from the market;
- (3) Whereas it appears that this feedingstuff, live animals which were fed with these feedingstuffs and products derived from these animals have been traded to other Member States and third countries;
- (4) Whereas other animal species may have been fed with these contaminated feedingstuffs, whereas it is necessary to establish a monitoring plan to evaluate

the presence of contamination of dioxins in products of animal origin;

- (5) Whereas the body of toxicological and epidemiological evidence today have led the International Agency for Research on Cancer (IARC) of the World Health Organisation (WHO) to consider TCDD a class 1 carcinogen (highest class in IARC ranking); whereas the WHO has recommended that a Tolerable Daily Intake (TDI) of 1-4pg/Kg bw/day be respected for dioxins; whereas no limits for dioxins contamination have been set for individual commodities and food products; whereas data on background levels of contamination exist; whereas, in the absence of international or community or national limits for dioxins, the data on background levels should be used as reference by the authorities;
- (6) Whereas Council Directive 92/59/EEC of 29 June 1992 on general product safety has set up the Rapid Alert System⁽⁴⁾;
- (7) Whereas Council Directive 1999/29/EEC of 22 April 1999 on the undesirable substances and products in animal nutrition⁽⁵⁾ establishes that feed materials may only be put into circulation in the Community if they are sound, genuine and of merchantable quality;
- (8) Whereas, in the light of the above, it is necessary to take urgent measures in order to protect consumers' health; whereas, however, it has not yet been possible to trace the exact source of the contamination nor to trace the distribution of all potentially contaminated products thus necessitating the application of such measures to all poultry products of Belgian origin and products produced in other Member States which might have received the same feedingstuffs or poultry products of Belgian origin;
- (9) Whereas the measures provided for in this Decision are in accordance with the opinion of the Standing Veterinary Committee,

⁽¹⁾ OJ L 395, 30.12.1989, p. 13.

⁽²⁾ OJ L 62, 15.3.1993, p. 49.

⁽³⁾ OJ L 224, 18.8.1990, p. 20.

⁽⁴⁾ OJ L 228, 11.8.1992, p. 24.

⁽⁵⁾ OJ L 115, 4.5.1999, p. 32.

HAS ADOPTED THIS DECISION:

Article 1

1. A. Belgium shall prohibit the placing on the market, including distribution to the final consumer, the trade and the export to third countries, of all the following products intended for human or animal consumption derived from domestic fowl which were reared in Belgium between 15 January 1999 and 1 June 1999:

- fresh poultrymeat, as defined by Council Directive 71/118/EEC⁽¹⁾,
- mechanically recovered meat,
- minced meat and meat preparation, as defined by Council Directive 94/65/EC⁽²⁾,
- meat products and other products of animal origin as defined by Council Directive 77/99/EEC⁽³⁾,
- eggs and eggproducts, as defined by Council Directive 89/437/EEC⁽⁴⁾ and products intended for human consumption which contain more than 2 % of eggs and eggproducts,
- rendered fats, as referred to by Council Directive 92/118/EEC,
- processed animal proteins, as referred to by Council Directive 92/118/EEC,
- raw material for the manufacture of animal feedingstuffs, as referred to by Council Directive 92/118/EEC;

unless:

- (i) the products are not derived from animals reared in holdings put under restriction by the Belgian authorities; or
- (ii) the results of analysis demonstrate that the products are not contaminated with dioxin.

B. Belgium shall prohibit the placing on the market, the trade and the export to third countries, of live domestic fowls reared between 15 January 1999 and 1 June 1999 or hatching eggs laid by these animals during that period, unless they have not reared or produced in holdings put under restriction by the Belgian authorities.

2. Belgium shall ensure that all the products listed in paragraph 1(A) which do not fulfil the conditions established in paragraph 1(A), point (i) or (ii), are destroyed by means approved by the competent authorities.

3. Belgium shall inform immediately the Commission and the Member States, if appropriate in accordance to Directive 92/59/EEC (rapid alert system), and third countries who have received the live animals, hatching eggs listed in paragraph 1(B) or products covered by paragraph 2 of this Article.

4. Belgium shall investigate:

- possible remaining stock of contaminated feedingstuffs, and
- possible distribution of contaminated feedingstuffs with dioxins to other farm animals and to other Member States and third countries, and

shall inform without delay the Commission and other Member States and concerned third countries of the results of such investigations.

5. Belgium shall monitor the level of dioxins in products of animal origin.

For this purpose, Belgium shall submit without delay a monitoring plan to the Commission.

6. Belgium shall inform the Commission and the Member States on the result of the investigation on the source of the contamination of feedingstuffs by dioxins.

Article 2

For the purpose of trade, the commercial document or, if appropriate, the veterinary certificate accompanying each consignment of live animals, hatching eggs or products listed in Article 1 must be completed by an official declaration signed by the Belgian competent authority certifying that the live animals or or the products of Belgian origin are in compliance with this Decision.

Article 3

Member States which received feedingstuffs suspected to be contaminated with dioxins, live animals or hatching eggs which have been reared or produced in holdings put under restriction by the Belgian authorities and/or products on Belgian origin covered by paragraph 2 of Article 1, shall immediately:

- carry out an investigation on the distribution of those feedingstuffs and on possible remaining stock,
- trace and place under restriction such animals and hatching eggs and products arising therefrom,
- trace back all products derived from animals fed with those feedingstuffs and products destined to human or animal consumption which contain those products,
- trace back all products of Belgian origin to which this Decision applies and products destined to human or animal consumption containing those products,

⁽¹⁾ OJ L 55, 8.3.1971, p. 23.

⁽²⁾ OJ L 368, 31.12.1994, p. 10.

⁽³⁾ OJ L 26, 31.1.1977, p. 85.

⁽⁴⁾ OJ L 212, 22.7.1989, p. 87.

- ensure that the above products are destroyed by a mean approved by the competent authority, unless it can be proved they are not contaminated with dioxins,
- inform immediately the Commission and the Member States, if appropriate in accordance to Directive 92/59/EEC (rapid alert system), and concerned third countries on the findings of their investigation and on the eventual actions taken,
- monitor the level of dioxins in products of animal origin.

For this purpose, the concerned Member States shall submit without delay a monitoring plan to the Commission.

Article 4

Commission inspections may be carried out in order to verify the implementation of this Decision.

Article 5

Member States shall alter the measures they apply to trade in order to bring them into line with this Decision. They shall immediately inform the Commission thereof.

Article 6

This Decision may be reviewed in the light of the results of Commission inspections and of information received by Member States.

Article 7

This Decision is addressed to the Member States.

Done at Brussels, 3 June 1999.

For the Commission

Franz FISCHLER

Member of the Commission

CORRIGENDA

Corrigendum to Council Regulation (EC) No 26/1999 of 21 December 1998 adopting autonomous and transitional measures for Europe Agreements with Lithuania, Latvia and Estonia in certain processed agricultural products

(Official Journal of the European Communities L 5 of 9 January 1999)

On page 5, in Annex III, LATVIA, against Order No 09.6527, in the column 'Preference from 1.1 to 30.6.1999':

for: '5,9 %',

read: '5,3 %'.

Corrigendum to Council Regulation (EC) No 27/1999 of 21 December 1998 adopting autonomous and transitional measures for preferential trade arrangements with Poland, Hungary, Slovakia, the Czech Republic, Romania and Bulgaria in certain processed agricultural products

(Official Journal of the European Communities L 5 of 9 January 1999)

On page 11, in Annex I, HUNGARY, Table 1, 'Quotas in favour of Hungary', against Order No 09.5227, in the column '1999 quota (tonnes)':

for: '2 040',

read: '2 200';

and on page 13, against Order No 09.5253, in the column 'Preference from 1.1 to 30.6.1999':

for: '5,3 %',

read: '3,5 %'.

On page 28, in Annex III, REPUBLIC OF POLAND, this table shall be replaced by the following:

‘Código NC / KN-kode / KN-Code / Κωδικός ΣΟ / CN code / Code NC / Codice NC / GN-code / Código NC / CN-koodi / KN-nr	Derecho / Told / Zoll / Δασμός / Duty / Droit / Dazio / Invoerrecht / Direito / Tullit / Tull	
	1. 1. — 30.6.1999	1. 7. — 31.12.1999
1704 90 10	6,8 %	6,3 %
1806 10 15	0	0
1901 90 91	0	0
Taric code 2005 90 80*60	0	0
2008 11 10	6,2 %	5,7 %
2008 91 00	4,7 %	4,1 %
2101 20 20	2,9 %	2,6 %
2101 20 92	0	0
2101 30 11	5,9 %	5,4 %
2101 30 91	6,5 %	6,0 %
2102 10 10	5,6 %	5,2 %
2102 10 90	6,7 %	6,2 %
2102 20 11	2,3 %	2,1 %
2102 20 19	5,1 %	5,1 %
2102 20 90	0	0
2102 30 00	2,3 %	2,1 %
2103 10	3,3 %	3,1 %
2103 20	4,6 %	4,2 %
2103 30 90	4,9 %	4,6 %
2103 90 90	3,8 %	3,5 %
2106 10 20	6,2 %	5,7 %
2106 90 92	3,3 %	3,1 %
2203	3,5 %	2,6 %
3302 10 21	3,3 %	3,1 %
3823 11 00	5,1 %	5,1 %
3823 12 00	0	0
3823 13 00	2,9 %	2,9 %
3823 19	0	0
3823 70 00	3,8 %	3,8 %