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## Legislation

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## I

*(Acts whose publication is obligatory)*

**COUNCIL REGULATION (EC, EURATOM) No 99/2000  
of 29 December 1999  
concerning the provision of assistance to the partner States in Eastern Europe and Central Asia**

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 <sup>(1)</sup>,

Having regard to the opinion of the European Parliament,

Whereas

- (1) Pursuant to the European Council in Dublin and in Rome in 1990, the Community introduced a technical assistance programme in favour of economic reform and recovery in the former Union of Soviet Socialist Republics;
- (2) Council Regulation (Euratom, EC) No 1279/96 of 25 June 1996 concerning the provision of assistance to economic reform and recovery in the New Independent States and Mongolia <sup>(2)</sup> laid down the conditions for the provision of such assistance and envisaged such an operation from 1 January 1996 to 31 December 1999;
- (3) Such assistance has already generated significant impact on reform in the partner States in Eastern Europe and Central Asia listed in Annex I ('the partner States');
- (4) A financial reference amount within the meaning of point 34 of the Interinstitutional Agreement of 6 May 1999 between the European Parliament, the Council and the Commission on budgetary discipline and improvement of the budgetary procedure <sup>(3)</sup> is included in this Regulation for its entire duration, without thereby affecting the powers of the budgetary authority as they are defined by the Treaty;
- (5) Such assistance will be fully effective only in the context of progress towards free and open democratic societies that respect human rights, minority rights and the rights

of the indigenous people, and towards market-oriented economic systems;

- (6) Further assistance is required to promote nuclear safety in the partner States;
- (7) The continued provision of assistance will contribute to the attainment of shared objectives, notably in the context of the Partnership and Cooperation Agreements and Economic Cooperation Agreements concluded with the partner States;
- (8) Where applicable provisions of assistance under this Regulation will take due account of the Common Strategies adopted by the European Council;
- (9) It is appropriate to establish priorities for this assistance which are determined, *inter alia*, by the common interests of the Community and the partner States;
- (10) The assistance should take into account the differing needs and priorities of the principal regions covered by this Regulation;
- (11) Experience has shown that Community assistance will be all the more effective when it is concentrated on a restricted number of areas within each partner State;
- (12) The development of inter-State economic links and trade flows conducive to economic reform and restructuring should be encouraged;
- (13) Regional and subregional cooperation, particularly in relation to the Northern Dimension and in the Black Sea region, should be encouraged;
- (14) Cross-border cooperation, particularly in the context of borders between the partner States and the European Union, between the partner States and Central and Eastern Europe, and between the partner States themselves, should be encouraged;

<sup>(1)</sup> OJ C 37, 11.2.1999, p. 8.

<sup>(2)</sup> OJ L 165, 4.7.1996, p. 1.

<sup>(3)</sup> OJ C 172, 18.6.1999, p. 1.

- (15) The requirements of economic reform and restructuring now in progress, and the effective management of this programme, require a multi-annual approach;
- (16) The long-term sustainability of reform will require due emphasis on the social aspects of reform and the development of the civil society;
- (17) The integration of environmental aspects into the assistance is central to the long term sustainability of the economic reforms and development;
- (18) The development of human resources, including education and training, has a significance for reform and restructuring;
- (19) The quality of the assistance should be improved by selecting a proportion of projects on a competitive basis;
- (20) In order properly to meet the most acute needs of the partner States at the present stage of their economic transformation, it is necessary to permit a certain amount of the financial allocation to be used for economically sound investment-financing, notably in the areas of cross-border cooperation, promotion of small and medium-sized enterprises (SMEs), environmental infrastructure and networks of strategic importance to the Community;
- (21) Community assistance could, where appropriate, be more effective, efficient and visible when it is implemented on a decentralised basis;
- (22) Effective competition amongst firms, organisations and institutions interested in participating in the initiatives financed by the programme should be ensured;
- (23) Community assistance will be all the more effective when the commitment of the partner States is ensured;
- (24) It is appropriate that the Commission be assisted in the implementation of Community aid by a committee made up of Member States' representatives;
- (25) The measures necessary for the implementation of this Regulation should be adopted in accordance with Council Decision 1999/468/EC of 28 June 1999 laying down the procedures for the exercise of implementing powers conferred on the Commission <sup>(1)</sup>;
- (26) Procedures for tenders and the award of contracts should be in accordance with the Financial Regulation applicable to the General Budget of the European Union (the 'Financial Regulation');
- (27) The provisions concerning tendering and the award of contracts as well as the principles governing the award of contracts should be applied until such time as legislation amending Title IX of the Financial Regulation enters into force, in order to provide the basis for implementing provisions that will apply to all Community external assistance programmes;
- (28) Along with natural and legal persons from the Member States and the partner States, participation in tenders should also be open to natural and legal persons from countries benefiting from the PHARE programme, and, where specific types of expertise are required, from Mediterranean countries;
- (29) Progress reports on the implementation of the assistance programme should be established annually;
- (30) The Treaties have not provided, for the adoption of this Regulation, powers other than those of Article 308 of the EC Treaty and Article 203 of the EAEC Treaty,

HAS ADOPTED THIS REGULATION:

#### *Article 1*

A programme to promote the transition to a market economy and to reinforce democracy and the rule of law in the partner States listed in Annex I (hereinafter called 'the partner States') shall be implemented by the Community from 1 January 2000 to 31 December 2006 in accordance with the criteria laid down in this Regulation.

#### *Article 2*

1. The programme shall be based on the principles and objectives set out in the Partnership and Cooperation Agreements and Trade and Economic Cooperation Agreements, in the context of which the Community, its Member States and the partner States work together to support initiatives of common interest.

2. The programme shall aim to maximise impact through concentration on a limited number of significant initiatives, not precluding small-scale projects where such projects are appropriate. To this end, the indicative and action programmes referred to below shall cover at most three of the eligible cross-cutting areas of cooperation listed in Annex II. Where applicable, support for nuclear safety shall be provided in addition to the three areas. The programme shall take into account the differing needs and priorities of the principal regions covered by the Regulation and in particular the need to promote democracy and the rule of law.

3. Particular attention shall be paid:

- to the need to reduce environmental risks and pollution, including transboundary pollution,
- to the need to promote the sustainable use of natural resources, including energy resources, and
- to the social aspects of transition.

4. The programme shall aim to promote inter-State, inter-regional and cross-border cooperation between the partner States themselves, between the partner States and the European Union and between the partner States and Central and Eastern Europe.

<sup>(1)</sup> OJ L 184, 17.7.1999, p. 23.

Interstate and inter-regional cooperation shall primarily serve to assist the partner States to identify and pursue actions which are best undertaken on a multi-country, rather than a national level such as the promotion of networks, environmental cooperation and actions in the area of justice and home affairs.

Cross-border cooperation shall primarily serve to:

- (a) assist border regions in overcoming their specific developmental problems;
  - (b) encourage the linking of networks on both sides of the border, e.g. border-crossing facilities;
  - (c) accelerate the transformation process in the partner States through their cooperation with border regions in the European Union or Central and Eastern Europe;
  - (d) reduce transboundary environmental risks and pollution.
5. In the area of nuclear safety, the programme shall focus on three priorities.
- (a) Supporting the promotion of an effective nuclear safety culture in line with the principles of the Convention on nuclear safety, in particular through continuous support for regulatory bodies and, at the plant level, through on site-assistance, including equipment supplies, where such assistance is most needed;
  - (b) Supporting the development and implementation of spent fuel, decommissioning and nuclear waste management strategies, including in Northwest Russia in the context of wider international cooperation;
  - (c) Contributing to relevant EU supported international initiatives such as the G7/EU initiative on the closure of Chernobyl.

The programme shall also support the application of efficient safeguards of nuclear materials.

6. The programme shall take into account:
- the evolving and differing needs and priorities of partner States, individually and as regions, and among other considerations, the context of enlargement,
  - absorptive capacity of partner States,
  - progress towards democratic and market-oriented reform in partner States.

Measures shall be implemented taking into account the following criteria:

- the need for sustainable economic development,
- the social impact of reform measures,
- the promotion of equal opportunities for women,
- the sustainable use of natural resources and respect for the environment.

## TITLE I

### INDICATIVE AND ACTION PROGRAMMES

#### Article 3

1. The assistance shall be applied in the framework of national, multi-country and other programmes.
2. The national and multi-country programmes shall comprise indicative and action programmes.
3. Indicative programmes covering three to four year periods shall be established in accordance with the procedure referred to in Article 13(2). These programmes shall define the principal objectives of, and guidelines for, Community assistance in the areas of cooperation set out in Annex II and would, as far as possible, include indicative financial estimates. Before the establishment of indicative programmes, the Commission shall discuss with the Committee referred to in Article 13(1) the priorities to be identified with the partner States.
4. Action programmes based on the indicative programmes referred to in paragraph 3 shall be adopted on an annual or biannual basis in accordance with the procedure referred to in Article 13(2). These action programmes shall include a list of the projects to be financed within the areas of cooperation set out in Annex II. The content of the programmes shall be determined in sufficient detail, so as to enable the Committee referred to in Article 13(1) to deliver its opinion.
5. The measures outlined in the national action programmes shall be reflected in financing memoranda agreed between the Commission and each partner State. These shall be based on a dialogue addressing the joint interests of the Community and the partner States, particularly in the context of the Partnership and Cooperation Agreements.
6. If circumstances require, the indicative and action programmes may be amended in accordance with the procedure referred to in Article 13(2) during the period of their application.

#### Article 4

1. In addition to the national action programmes, an incentive scheme is established to introduce an element of competition into the allocation of resources, in order to promote quality. In order to ensure concentration, projects financed under this scheme should be linked to the cross-cutting areas of cooperation established in the national indicative programmes referred to in Article 3.
2. The scheme shall be introduced gradually and take into account the administrative capacity of the different partner States. In the first year of operation, the size of the scheme shall not exceed 10 % of the overall budget of the programme. In subsequent years, this proportion might be increased by up to 5 % per year.

3. Taking into account the experience of the preceding years including geographical distribution, special efforts shall be made to promote the participation in this scheme of all the partner States, especially those experiencing most difficulties in achieving success in this scheme.

4. The annual incentive scheme programme, including the criteria for the selection of projects and its size, shall be agreed in accordance with the procedure referred to in Article 13(2).

## TITLE II

### MEASURES TO BE SUPPORTED

#### Article 5

1. In the framework of the programmes referred to in Title I which consists primarily of technical assistance, the following shall be supported:

- transfer of expertise and know-how, including training,
- industrial cooperation and partnerships for institution building based on cooperation between public and private organisations from the European Union and partner States,
- on a case by case basis, the reasonable cost of supplies required in the implementation of the assistance. In particular cases, including nuclear safety, justice and home affairs and cross-border cooperation, a significant supply element may be included,
- investment and investment-related activities. Assistance may include technical assistance to catalyse and support investments. Assistance may also include investment financing as described in Annex III, notably in the areas of cross-border cooperation, promotion of small and medium-sized enterprises, environmental infrastructure and networks.

2. The assistance shall also cover costs related to the preparation, implementation, monitoring, audit and evaluation of the programme, as well as costs concerning information.

3. The measures can be carried out, where appropriate, on a decentralised basis. The final recipients of Community assistance shall be closely involved in the preparation and execution of the projects. Wherever possible, the identification and preparation of the projects shall be carried out at regional and local level.

4. Projects will, where appropriate and in such a way that avoids disrupting the continuity of actions, be implemented in phases. Support for subsequent phases will depend upon the successful implementation of previous phases.

5. The involvement of local experts in project implementation will be encouraged.

## TITLE III

### FINANCIAL PROVISIONS

#### Article 6

1. The financial reference amount for the implementation of this programme for the period 2000 to 2006 shall be EUR 3 138 million.

The annual appropriations shall be authorised by the budgetary authority within the limits of the financial perspective.

2. A maximum of 20 % of the annual budget could be allocated to investment financing as described in Annex III. A maximum of 20 % of the annual budget could be allocated to the 'Incentive scheme' as outlined in Article 4.

#### Article 7

1. Measures referred to in this Regulation which are financed from the general budget of the European Union shall be administered by the Commission in accordance with the Financial Regulation applicable thereto.

2. The Commission shall abide by the principles of sound financial management and, in particular, those of economy and cost-effectiveness referred to in the Financial Regulation.

#### Article 8

1. Community assistance shall in general be in the form of grants. They may generate funds that can be used for financing other cooperation projects or measures.

2. Financial decisions and contracts resulting therefrom shall expressly provide for the monitoring and financial supervision and control by the Commission and the Court of Auditors to be carried out on the spot, if necessary.

#### Article 9

1. The cost of the project in local currency shall be covered by the Community only to the extent strictly necessary.

2. The co-financing of projects by the partner States shall be actively encouraged.

3. Taxes, duties and the purchase of immovable property shall not be funded by the Community.

#### Article 10

The following provisions concerning tendering and the award of contracts as well as the principles governing the award of contracts set out in Annex IV shall be applied until such time as legislation amending Title IX of the Financial Regulation enters into force, in order to provide the basis for implementing provisions that will apply to all Community external assistance programmes.

*Article 11*

1. The Commission shall implement operations in accordance with the action programmes referred to in Article 3(4) and in accordance with Title IX of the Financial Regulation as well as Article 12 of this Regulation.
2. The Commission shall provide the partner States with a set of rules on project definition.
3. Supply and works contracts shall be awarded by means of open invitations to tender except in the cases provided for in Article 116 of the Financial Regulation.
4. Participation in invitations to tender and contracts shall be open on equal terms to all natural and legal persons in the Member States, in the partner States, and in countries benefiting from the Phare programme. Participation by natural and legal persons from Mediterranean countries with traditional economic, trade or geographical links may be authorised by the Commission on a case-by-case basis if the programmes or projects concerned require specific forms of expertise specifically available in such countries.
5. In the case of co-financing, the participation of third countries concerned in invitations to tender and contracts may be authorised by the Commission, but on a case-by-case basis. In these cases the participation of undertakings from third countries shall be acceptable only if reciprocity is granted.

*Article 12*

Open invitations to tender for the award of supply contracts in accordance with Article 114 of the Financial Regulation shall allow for a time limit to submit an offer of not less than 52 days from the date of dispatch of the notice to the *Official Journal of the European Communities*.

Service contracts shall, as a general rule, be awarded by restricted invitations to tender and by private treaty for operations up to EUR 200 000.

## TITLE IV

**GENERAL PROVISIONS***Article 13*

1. The Commission shall be assisted by the Committee for assistance to the New Independent States and Mongolia (hereinafter referred to as 'the Committee').
2. Where reference is made to this paragraph, Articles 4 and 7 of Decision 1999/468/EC shall apply.

The period laid down in Article 4(3) of Decision 1999/468/EC shall be set at three months.

3. The Committee shall adopt its rules of procedure.

*Article 14*

The Commission shall, together with the Member States and on the basis of a reciprocal and regular exchange of information, including exchange of information on the spot, seek the effective

coordination of the assistance efforts undertaken by the Community and individual Member States, in order to increase the coherence and complementarity of their cooperation programmes.

Regular coordination shall be established between the Commission and the Member States; including on-the-spot coordination in their contacts with the partner States, both in the programme-definition and the programme-implementation stage.

In the implementation of cross border cooperation programmes involving Member States, PHARE countries and partner States, the Commission shall seek effective coordination and consistency with programmes financed through the structural funds, Community external assistance programmes and bilateral assistance initiatives.

In addition, the Commission shall ensure coordination and cooperation with the international financial institutions and other donors.

In the framework of the assistance provided pursuant to this Regulation, the Commission shall promote cofinancing with public or private bodies in the Member States.

*Article 15*

1. Each year the Commission shall present a progress report on the implementation of the assistance programme. This report shall include an evaluation of the assistance already provided including the effectiveness of the programme as well as information on the results of the monitoring activities undertaken during the course of the year. The report shall be addressed to the Member States, the European Parliament, the Council, the Economic and Social Committee and the Committee of the Regions.

2. In the light of these reports, the Commission may make proposals to the Council to amend this Regulation.

3. In addition, the Commission shall make available statistical information to the bodies referred to in paragraph 1 on the award of the contracts. The content and form of statistical information to be provided will be discussed with the Committee referred to in Article 13(1).

*Article 16*

When an essential element for the continuation of cooperation through assistance is missing, in particular in cases of violation of democratic principles and human rights, the Council may, on a proposal from the Commission, acting by a qualified majority, decide upon appropriate measures concerning assistance to a partner State.

The same procedure may apply as a last resort in cases of a serious violation of the obligations of the partner States as set out in the Partnership and Cooperation Agreements.

*Article 17*

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

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

Done at Brussels, 29 December 1999.

*For the Council*

*The President*

K. HEMILÄ

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ANNEX I

**PARTNER STATES REFERRED TO IN ARTICLE 1**

Armenia	Mongolia
Azerbaijan	Russian Federation
Belarus	Tajikistan
Georgia	Turkmenistan
Kazakhstan	Ukraine
Kyrgyzstan	Uzbekistan
Moldova	

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## ANNEX II

**AREAS OF COOPERATION REFERRED TO IN ARTICLE 2(2) AND ARTICLE 3(3) AND (4)**

1. Support for institutional, legal and administrative reform:
  - development of the rule of law,
  - support for effective policy making,
  - reform of public administration at national, regional and local level,
  - support for executive and legislative bodies (national, regional, local),
  - support for justice and home affairs activities,
  - reinforcement of the legal and regulatory framework,
  - support for the implementation of international commitments,
  - support for the civil society,
  - support for education and training.
2. Support to the private sector and assistance for economic development:
  - promotion of small and medium-sized enterprises,
  - development of the banking and financial services systems,
  - promotion of private entrepreneurship including joint ventures,
  - industrial cooperation, including research,
  - privatisation,
  - enterprise restructuring,
  - promotion of market-orientated framework for trade and investment.
3. Support in addressing the social consequences of transition:
  - reform of the health, pension, social protection and insurance systems,
  - assistance to alleviate the social impact of industrial restructuring,
  - assistance for social reconstruction,
  - development of employment services, including re-training.
4. Development of infrastructure networks:
  - transport networks,
  - telecommunication networks,
  - energy pipelines and transmission networks,
  - border-crossings.
5. Promotion of environmental protection and management of natural resources:
  - development of sustainable environmental policies and practices,
  - promotion of harmonisation of environmental standards with European Union norms,
  - improvement of energy technologies in supply and end use,
  - promotion of sustainable use and management of natural resources, including energy, saving, efficient energy usage and improvement of environmental infrastructure.
6. Development of the rural economy:
  - legal and regulatory framework, including land privatisation,
  - increasing access to finance and promotion of training,
  - improvement of distribution and access to markets.

Where applicable, support for nuclear safety shall be provided in accordance with the priorities outlined in Article 2(5).

*ANNEX III***INVESTMENT FINANCING**

Investment financing shall be justified by the following criteria:

- the multiplier effect, according to which Community assistance would be accompanied by a multiple of investment from other sources,
- additionality, when Community assistance would encourage investment which would not otherwise have taken place,
- areas of interest to the Community.

Investment financing can take the form of co-financing with other sources of investment financing or, on an exceptional basis, investing alone.

Priority sectors for investment financing would include: cross-border cooperation including border infrastructure, promotion of SMEs, environmental infrastructure and networks. Direct funding of equity and stakes in individual companies shall be excluded.

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## ANNEX IV

**PRINCIPLES GOVERNING THE AWARD OF CONTRACTS BY MEANS OF TENDERING, IN PARTICULAR RESTRICTED TENDERING**

1. All necessary information shall be made available with the 'Invitation to tenderers' to each of the tenderers which have been registered on the short-list or which so request in reply to the publication of a notice of an open tender. This information shall contain, in particular, the evaluation criteria. The technical evaluation of the tender may include interviews with the persons proposed in the tender.
2. The Commission shall chair all evaluation committees and shall appoint a sufficient number of evaluators before the tenders are launched. One evaluator should come from the recipient institution of the beneficiary countries. All evaluators shall sign a declaration of impartiality.
3. The tender is evaluated on the basis of a weighing of technical quality against price. The weighing of the two criteria shall be announced in each invitation to tender. The technical evaluation shall be carried out according, in particular, to the following criteria: organisation, time schedule, methods and plan of work proposed for providing the services, the qualifications, experience, skills of the staff proposed for the provision of the services and the use made of local companies or experts, their integration into the project, and their contribution to the sustainability of the project results. Specific experience of the tenderer in TACIS shall not be taken into account.
4. Unsuccessful tenderers shall be informed by letter, including an indication of the reasons for their failure and the name of the successful tenderer.
5. Any natural or legal person involved in the preparation of a project shall be excluded from participation in the project implementation. If any participating tenderer employs such persons, in any capacity, within six months of the termination of their involvement in the tender process, that tenderer may be excluded from participation in the project. Any tenderer included on a short-list shall be excluded from participation in the evaluation of that tender.
6. The Commission shall ensure that all commercially sensitive information relating to a proposed tender remains confidential.
7. Whenever a firm, organisation or institution has serious reasons to ask for review of a tender, there will always be the possibility of addressing the Commission. In that event, a reasoned reply should be given to this request.
8. In the cases of award of contracts after restricted invitations to tender as referred to in Article 116 of the Financial Regulation, all written expressions of interest shall be registered by the Commission, which will use this registration when drawing up the short-list.  

In addition, other information, in particular from the TACIS central consultancy register, may be considered when the short-list is drawn up. This register shall be open to all interested firms, organisations and institutions for registration.
9. When drawing up the short-list, the Commission shall be guided by qualifications, interest and availability of the firm, organisation or institution. The number of firms, organisations and institutions on a short-list shall depend on the size and the complexity of the project and should offer the widest possible choice.  

Firms, organisations and institutions which have expressed their interest in writing in a project shall be informed whether or not they have been included on the short-list.
10. Each year the Commission shall give to the Committee referred to in Article 13(1) a list of the firms, organisations and institutions which have been selected.
11. In highly complex projects, the Commission may suggest to firms, organisations and institutions which have been retained on a short-list the formation of consortia among them. In these cases this suggestion, as well as the complete short-list, shall be transmitted to all firms, organisations and institutions having been retained on it.
12. In restricted tendering there shall be a minimum period of 60 calendar days between the final opinion delivered by the Committee referred to in Article 13(1) and the launching of the tender. Nevertheless, in case of urgency this period may be shortened by the Commission, provided that a detailed explanation is forwarded to that Committee.

An invitation to a restricted tender shall allow for a time limit of 60 calendar days from the date of delivery of the letter of invitation. In urgent cases this period may be reduced, but it may never be less than 40 calendar days. In exceptional cases this time limit may be extended by the Commission, provided that a detailed explanation is forwarded to the Committee referred to in Article 13(1). All changes of time limit must be duly notified to the firms, organisations or institutions concerned.

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**COMMISSION REGULATION (EC) No 100/2000**  
**of 17 January 2000**  
**establishing the standard import values for determining the entry price of certain fruit and vegetables**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

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

Whereas:

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

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

HAS ADOPTED THIS REGULATION:

*Article 1*

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

*Article 2*

This Regulation shall enter into force on 18 January 2000.

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

Done at Brussels, 17 January 2000.

*For the Commission*  
Franz FISCHLER  
*Member of the Commission*

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<sup>(1)</sup> OJ L 337, 24.12.1994, p. 66.

<sup>(2)</sup> OJ L 198, 15.7.1998, p. 4.

## ANNEX

**to the Commission Regulation of 17 January 2000 establishing the standard import values for determining the entry price of certain fruit and vegetables**

(EUR/100 kg)

CN code	Third country code <sup>(1)</sup>	Standard import value
0702 00 00	052	94,2
	204	57,7
	624	99,6
	999	83,8
0707 00 05	052	107,9
	628	152,7
	999	130,3
0709 90 70	052	123,1
	204	110,0
	999	116,6
0805 10 10, 0805 10 30, 0805 10 50	052	40,6
	204	40,9
	212	44,2
	220	24,3
	624	38,0
	999	37,6
0805 20 10	052	74,1
	204	58,1
	999	66,1
0805 20 30, 0805 20 50, 0805 20 70, 0805 20 90	052	73,3
	204	54,4
	464	100,4
	624	66,7
	999	73,7
	999	64,6
0805 30 10	052	64,6
	600	63,8
	999	64,2
0808 10 20, 0808 10 50, 0808 10 90	400	82,8
	404	80,9
	720	71,3
	728	66,1
	999	75,3
	999	142,9
0808 20 50	052	142,9
	064	62,1
	400	90,0
	720	111,3
	999	101,6

<sup>(1)</sup> Country nomenclature as fixed by Commission Regulation (EC) No 2645/98 (OJ L 335, 10.12.1998, p. 22). Code '999' stands for 'of other origin'.

**COMMISSION REGULATION (EC) No 101/2000**  
**of 17 January 2000**

**laying down to what extent applications for issue of export licences submitted during January 2000 for beef products which may benefit from special import treatment in a third country may be accepted**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Commission Regulation (EC) No 1445/95 of 26 June 1995 on rules of application for import and export licences in the beef sector and repealing Regulation (EEC) No 2377/80 <sup>(1)</sup>, as last amended by Regulation (EC) No 2648/98 <sup>(2)</sup>, and in particular Article 12(8) thereof,

Whereas:

- (1) Regulation (EC) No 1445/95 lays down, in Article 12, detailed rules for export licence applications for the products referred to in Article 1 of Commission Regulation (EEC) No 2973/79 <sup>(3)</sup>, as last amended by Regulation (EEC) No 3434/87 <sup>(4)</sup>;
- (2) Regulation (EEC) No 2973/79 fixed the quantities of meat which might be exported on special terms for the first quarter of 2000; whereas no applications were submitted for export licences for beef,

HAS ADOPTED THIS REGULATION:

*Article 1*

No applications for export licences were lodged for the beef referred to in Regulation (EEC) No 2973/79 for the first quarter of 2000.

*Article 2*

Applications for licences in respect of the meat referred to in Article 1 may be lodged in accordance with Article 12 of Regulation (EC) No 1445/95 during the first 10 days of the second quarter of 2000 the total quantity available being 2 500 tonnes.

*Article 3*

This Regulation shall enter into force on 18 January 2000.

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

Done at Brussels, 17 January 2000.

*For the Commission*

Franz FISCHLER

*Member of the Commission*

<sup>(1)</sup> OJ L 143, 27.6.1995, p. 35.

<sup>(2)</sup> OJ L 335, 10.12.1998, p. 39.

<sup>(3)</sup> OJ L 336, 29.12.1979, p. 44.

<sup>(4)</sup> OJ L 327, 18.11.1987, p. 7.

**COMMISSION REGULATION (EC) No 102/2000**  
**of 17 January 2000**  
**amending the import duties in the cereals sector**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EEC) No 1766/92 of 30 June 1992 on the common organisation of the market in cereals <sup>(1)</sup>, as last amended by Regulation (EC) No 1253/1999 <sup>(2)</sup>,

Having regard to Commission Regulation (EC) No 1249/96 of 28 June 1996 laying down detailed rules for the application of Council Regulation (EEC) No 1766/92 as regards import duties in the cereals sector <sup>(3)</sup>, as last amended by Regulation (EC) No 2519/98 <sup>(4)</sup>, and in particular Article 2 (1) thereof,

Whereas:

(1) the import duties in the cereals sector are fixed by Commission Regulation (EC) No 98/2000 <sup>(5)</sup>;

(2) Article 2, (1) of Regulation (EC) No 1249/96 provides that if during the period of application, the average import duty calculated differs by EUR 5 per tonne from the duty fixed, a corresponding adjustment is to be made; such a difference has arisen; whereas it is therefore necessary to adjust the import duties fixed in Regulation (EC) No 98/2000,

HAS ADOPTED THIS REGULATION:

*Article 1*

Annexes I and II to Regulation (EC) No 98/2000 are hereby replaced by Annexes I and II to this Regulation.

*Article 2*

This Regulation shall enter into force on 18 January 2000.

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

Done at Brussels, 17 January 2000.

*For the Commission*

Franz FISCHLER

*Member of the Commission*

<sup>(1)</sup> OJ L 181, 1.7.1992, p. 21.

<sup>(2)</sup> OJ L 160, 26.6.1999, p. 18.

<sup>(3)</sup> OJ L 161, 29.6.1996, p. 125.

<sup>(4)</sup> OJ L 315, 25.11.1998, p. 7.

<sup>(5)</sup> OJ L 11, 15.1.2000, p. 14.

## ANNEX I

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

CN code	Description	Import duty by land inland waterway or sea from Mediterranean, the Black Sea or Baltic Sea ports (EUR/tonne)	Import duty by air or by sea from other ports <sup>(2)</sup> (EUR/tonne)
1001 10 00	Durum wheat high quality	35,06	25,06
	medium quality <sup>(1)</sup>	45,06	35,06
1001 90 91	Common wheat seed	34,70	24,70
1001 90 99	Common high quality wheat other than for sowing <sup>(3)</sup>	34,70	24,70
	medium quality	78,22	68,22
	low quality	91,18	81,18
1002 00 00	Rye	85,34	75,34
1003 00 10	Barley, seed	85,34	75,34
1003 00 90	Barley, other <sup>(3)</sup>	85,34	75,34
1005 10 90	Maize seed other than hybrid	90,67	80,67
1005 90 00	Maize other than seed <sup>(3)</sup>	90,67	80,67
1007 00 90	Grain sorghum other than hybrids for sowing	85,34	75,34

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

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

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

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

<sup>(3)</sup> The importer may benefit from a flat-rate reduction of EUR 14 or 8 per tonne, where the conditions laid down in Article 2(5) of Regulation (EC) No 1249/96 are met.

## ANNEX II

**Factors for calculating duties**

(for 14 January 2000)

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

Exchange quotations	Minneapolis	Kansas-City	Chicago	Chicago	Minneapolis	Minneapolis	Minneapolis
Product (% proteins at 12 % humidity)	HRS2. 14 %	HRW2. 11,5 %	SRW2	YC3	HAD2	Medium quality (*)	US barley 2
Quotation (EUR/t)	114,18	99,94	90,39	84,32	149,21 (**)	139,21 (**)	98,93 (**)
Gulf premium (EUR/t)	35,39	6,12	2,70	9,24	—	—	—
Great Lakes premium (EUR/t)	—	—	—	—	—	—	—

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

(\*\*) Fob Gulf.

2. Freight/cost: Gulf of Mexico — Rotterdam: 15,16 EUR/t; Great Lakes — Rotterdam: 27,55 EUR/t.

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

**DIRECTIVE 1999/94/EC OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL  
of 13 December 1999**

**relating to the availability of consumer information on fuel economy and CO<sub>2</sub> emissions in respect  
of the marketing of new passenger cars**

THE EUROPEAN PARLIAMENT AND THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty establishing the European Community, and in particular Article 175(1) thereof,

Having regard to the proposal from the Commission <sup>(1)</sup>,

Having regard to the opinion of the Economic and Social Committee <sup>(2)</sup>,

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

- (1) Whereas Article 174 of the Treaty requires prudent and rational utilisation of natural resources; whereas the rational use of energy is one of the principal means by which this objective can be achieved and environmental pollution reduced;
- (2) Whereas the ultimate objective of the UN Framework Convention on Climate Change is to achieve stabilisation of greenhouse gas concentrations in the atmosphere at a level that prevents dangerous anthropogenic interference with the climate system;
- (3) Whereas under the Kyoto Protocol to the United Nations Framework Convention on Climate Change agreed at the December 1997 Kyoto Conference, the Community has accepted the target of reducing its emissions during the period 2008 to 2012 in respect of a basket of greenhouse gases by 8 % relative to 1990 levels;
- (4) Whereas in recognition of the importance of passenger cars as a source of CO<sub>2</sub> emissions, the Commission has proposed a Community strategy to reduce CO<sub>2</sub> emissions from passenger cars and to improve fuel economy; whereas in its Conclusions of 25 June 1996 the Council welcomed the Commission's approach;
- (5) Whereas information plays a key role in the operation of market forces; whereas the provision of accurate, relevant and comparable information on the specific fuel consumption and CO<sub>2</sub> emissions of passenger cars may influence consumer choice in favour of those cars which use less fuel and thereby emit less CO<sub>2</sub>, thereby encour-

aging manufacturers to take steps to reduce the fuel consumption of the cars that they manufacture;

- (6) Whereas the presence of labels on used cars at the point of sale could influence buyers of new passenger cars towards low consumption cars, since this characteristic will be taken into account when the car is re-sold; whereas it is therefore appropriate, in connection with the first review of this Directive, to consider enlarging the scope to used cars covered by Commission Directive 93/116/EC of 17 December 1993 adapting to technical progress Council Directive 80/1268/EEC relating to the fuel consumption of motor vehicles <sup>(4)</sup>;
- (7) Whereas it is therefore necessary to develop a fuel economy label for all new passenger cars displayed at the point of sale;
- (8) Whereas a fuel economy label should contain information on fuel consumption and specific emissions of CO<sub>2</sub> that have been determined in accordance with the harmonised standards and methods laid down in Council Directive 80/1268/EEC of 16 December 1980 relating to the carbon dioxide emissions and fuel consumption of motor vehicles <sup>(5)</sup>;
- (9) Whereas it is necessary that supplementary standardised information on the fuel consumption and specific CO<sub>2</sub> emissions of all versions on the new car market is available in a suitable form both at the point of sale and from a designated body in each Member State; whereas such information may be useful to consumers who formulate their purchase decision before entering the showroom or who choose not to use the services of a dealer or visit a showroom when purchasing a passenger car;
- (10) Whereas it is important that potential customers are made aware, at the point of sale, of the most fuel efficient passenger car models available through that point of sale;
- (11) Whereas all promotional literature, and, as appropriate, all other promotional material, used in the marketing of new passenger cars, should contain data on the relevant fuel consumption and CO<sub>2</sub> emissions for the passenger car models to which it pertains,

<sup>(1)</sup> OJ C 305, 3.10.1998, p. 2 and OJ C 83, 25.3.1999, p. 1.

<sup>(2)</sup> OJ C 40, 15.2.1999, p. 45.

<sup>(3)</sup> Opinion of the European Parliament of 17 December 1998 (OJ C 98, 9.4.1999, p. 252), Council Common Position of 23 February 1999 (OJ C 123, 4.5.1999, p. 1) and Decision of the European Parliament of 4 November 1999 (not yet published in the Official Journal).

<sup>(4)</sup> OJ L 329, 30.12.1993, p. 39.

<sup>(5)</sup> OJ L 375, 31.12.1980, p. 36. Directive as last amended by Commission Directive 93/116/EC.

HAVE ADOPTED THIS DIRECTIVE:

#### Article 1

The purpose of this Directive is to ensure that information relating to the fuel economy and CO<sub>2</sub> emissions of new passenger cars offered for sale or lease in the Community is made available to consumers in order to enable consumers to make an informed choice.

#### Article 2

For the purposes of this Directive:

1. 'passenger car' means any motor vehicle of category M1, as defined in Annex II to Directive 70/156/EEC<sup>(1)</sup> and which falls under the scope of Directive 80/1268/EEC. It does not include vehicles falling under the scope of Directive 92/61/EEC<sup>(2)</sup> and special purpose vehicles as defined in the second indent of Article 4(1)(a) of Directive 70/156/EEC;
2. 'new passenger car' means any passenger car which has not previously been sold to a person who bought it for a purpose other than that of selling or supplying it;
3. 'certificate of conformity' means the certificate referred to in Article 6 of Directive 70/156/EEC;
4. 'point of sale' means a location, such as a car showroom or forecourt, where new passenger cars are displayed or offered for sale or lease to potential customers. Trade fairs where new passenger cars are presented to the public are included in this definition;
5. 'official fuel consumption' means the fuel consumption type-approved by the approval authority in accordance with the provisions of Directive 80/1268/EEC and mentioned in Annex VIII of Directive 70/156/EEC and attached to the EC vehicle type-approval certificate or in the certificate of conformity. Where several variants and/or versions are grouped under one model, the value to be given for fuel consumption of that model shall be based on the variant and/or version with the highest official fuel consumption within that group;
6. 'official specific emissions of CO<sub>2</sub>' for a given passenger car means those measured in accordance with the provisions of Directive 80/1268/EEC and mentioned in Annex VIII of Directive 70/156/EEC and attached to the EC vehicle type-approval certificate or in the certificate of conformity. Where several variants and/or versions are grouped under one model, the values to be given for CO<sub>2</sub> of that model shall be based on the variant and/or version with the highest official CO<sub>2</sub> emissions within that group;

(1) Council Directive 70/156/EEC of 6 February 1970 on the approximation of the laws of the Member States relating to the type-approval of motor vehicles and their trailers (OJ L 42, 23.2.1970, p. 1). Directive as last amended by European Parliament and Council Directive 98/91/EC (OJ L 11, 16.1.1999, p. 25).

(2) Council Directive 92/61/EEC of 30 June 1992 relating to the type-approval of two or three-wheel motor vehicles (OJ L 225, 10.8.1992, p. 72). Directive as amended by the 1994 Act of Accession.

7. 'fuel economy label' means a label which contains consumer information regarding the official fuel consumption and the official specific emissions of CO<sub>2</sub> of the car to which the label is attached;
8. 'fuel economy guide' means a compilation of the official fuel consumption data and official specific emissions of CO<sub>2</sub> for each model available on the new car market;
9. 'promotional literature' means all printed matter used in the marketing, advertising and promotion of vehicles to the general public. It includes, as a minimum, technical manuals, brochures, advertisements in newspapers, magazines and trade press and posters;
10. 'make' means the trade name of the manufacturer and is that which appears on the certificate of conformity and the type-approval documentation;
11. 'model' means the commercial description of the make, type, and, if available and appropriate, variant and version of a passenger car;
12. 'type', 'variant' and 'version' mean the differentiated vehicles of a given make that are declared by the manufacturer, as described in Annex II.B to Directive 70/156/EEC, and uniquely identified by type, variant and version alphanumeric characters.

#### Article 3

The Member States shall ensure that a label on fuel economy and CO<sub>2</sub> emissions, which is in accordance with the requirements described in Annex I, is attached to or displayed, in a clearly visible manner, near each new passenger car model at the point of sale.

#### Article 4

Without prejudice to the establishment by the Commission of an Internet guide at Community level, the Member States shall ensure that a guide on fuel economy and CO<sub>2</sub> emissions is produced in consultation with manufacturers on at least an annual basis in accordance with the requirements of Annex II. The guide shall be portable, compact and available free of charge to consumers upon request both at the point of sale and also from a designated body within each Member State.

The authority or authorities referred to in Article 8 may cooperate in the preparation of the guide.

#### Article 5

The Member States shall ensure that, for each make of car, a poster (or alternatively, a display) is exhibited with a list of the official fuel consumption data and the official specific CO<sub>2</sub> emissions data of all new passenger car models displayed or offered for sale or lease at or through that point of sale. This data shall be displayed in a prominent position and in accordance with the format in Annex III.

*Article 6*

The Member States shall ensure that all promotional literature contains the official fuel consumption and the official specific CO<sub>2</sub> emission data of the passenger car models to which it refers in accordance with the requirements of Annex IV.

Member States shall, as appropriate, provide for promotional material other than the promotional literature referred to above to indicate the official CO<sub>2</sub> emission data and the official fuel consumption data of the specific car model to which it refers.

*Article 7*

The Member States shall ensure that the presence on labels, guides, posters or promotional literature and material referred to in Articles 3, 4, 5 and 6 of other marks, symbols or inscriptions relating to fuel consumption or CO<sub>2</sub> emissions which do not comply with the requirements of this Directive is prohibited, if their display might cause confusion to potential consumers of new passenger cars.

*Article 8*

The Member States shall notify the Commission of the competent authority or authorities responsible for the implementation and functioning of the consumer information scheme described in this Directive.

*Article 9*

Any amendments which are necessary in order to adapt the Annexes to this Directive shall be adopted by the Commission in accordance with the procedure set out in Article 10 and following consultation with consumer organisations and other interested parties.

In order to assist this adaptation process, each Member State shall transmit to the Commission, by 31 December 2003, a report on the effectiveness of the provisions of this Directive, covering the period from 18 January 2001 until 31 December 2002. The format of this report shall be established in accordance with the procedure set out in Article 10 not later than 18 January 2001.

Furthermore, the Commission shall, in accordance with the procedure laid down in Article 10, take measures aiming at:

- (a) further specifying the format of the label referred to in Article 3 by amending Annex I;
- (b) further specifying the requirements concerning the guide referred to in Article 4 with a view to classifying new car models thus enabling a listing of the models according to CO<sub>2</sub> emissions and fuel consumption in specified classes including a class for a listing of the most fuel efficient new car models;

- (c) establishing recommendations in order to enable the application of the principles of the provisions on promotional literature referred to in the first paragraph of Article 6 to other media and material.

*Article 10***Committee**

The Commission shall be assisted by a committee composed of the representatives of the Member States and chaired by a representative of the Commission.

The representative of the Commission shall submit to the committee a draft of the measures to be taken. The committee shall deliver its opinion on that draft within a time limit which the chairman may lay down according to the urgency of the matter. The opinion shall be delivered by the majority laid down in Article 205 of the Treaty in the case of decisions which the Council is required to adopt on a proposal from the Commission. The votes of the representatives of the Member States within the committee shall be weighted in the manner laid down in that Article. The chairman shall not vote.

The Commission shall adopt the measures envisaged if they are in accordance with the opinion of the committee.

If the measures envisaged are not in accordance with the opinion of the committee, or if no opinion is delivered, the Commission shall, without delay, submit to the Council a proposal relating to the measures to be taken. The Council shall act by a qualified majority.

If, on the expiry of a period of three months from the date of referral to the Council, the Council has not acted, the proposed measures shall be adopted by the Commission.

*Article 11*

Member States shall determine the penalties applicable to breaches of the national provisions adopted pursuant to this Directive. The penalties shall be effective, proportionate and dissuasive.

*Article 12*

1. Member States shall bring into force the laws, regulations and administrative provisions necessary to comply with this Directive by 18 January 2001. They shall forthwith inform the Commission thereof.

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

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

*Article 13*

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

*Article 14*

This Directive is addressed to the Member States.

Done at Brussels, 13 December 1999.

*For the European Parliament*  
*The President*  
N. FONTAINE

*For the Council*  
*The President*  
S. HASSI

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## ANNEX I

**DESCRIPTION OF THE LABEL ON FUEL ECONOMY AND CO<sub>2</sub> EMISSIONS**

The Member States must ensure, as a minimum, that all fuel economy labels in their territory:

1. comply to a standardised format in order to allow greater recognition by consumers;
2. are of a size of 297 mm × 210 mm (A4);
3. contain a reference to the model and fuel type of the passenger car to which they are attached;
4. contain the numerical value of the official fuel consumption and the official specific emissions of CO<sub>2</sub>. The value of the official fuel consumption is expressed in either litres per 100 kilometres (l/100 km), or an appropriate combination of these and is quoted to one decimal place. The official specific emissions of CO<sub>2</sub> are quoted to the nearest whole number in grams per kilometre (g/km).

Such values can be expressed in different units (gallons and miles) to the extent compatible with the provisions of Directive 80/181/EEC <sup>(1)</sup>.

5. contain the following text regarding the availability of the guide on fuel consumption and CO<sub>2</sub> emissions:  
'A guide on fuel economy and CO<sub>2</sub> emissions which contains data for all new passenger car models is available at any point of sale free of charge'
6. contain the following text:  
'In addition to the fuel efficiency of a car, driving behaviour as well as other non-technical factors play a role in determining a car's fuel consumption and CO<sub>2</sub> emissions. CO<sub>2</sub> is the main greenhouse gas responsible for global warming'

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<sup>(1)</sup> Council Directive 80/181/EEC of 20 December 1979 on the approximation of the laws of the Member States relating to units of measurement and on the repeal of Directive 71/354/EEC (OJ L 39, 15.2.1980, p. 40). Directive as last amended by Directive 89/617/EEC (OJ L 357, 7.12.1989, p. 28).

## ANNEX II

**DESCRIPTION OF THE GUIDE ON FUEL ECONOMY AND CO<sub>2</sub> EMISSIONS**

The Member States must ensure that the guide on fuel economy and CO<sub>2</sub> emissions contains, as a minimum, the following information:

1. a listing of all new passenger car models available for purchase within the Member States on a yearly basis, grouped by makes in alphabetic order. If in a Member State the guide is updated more than once a year, then the guide should contain a listing of all new passenger car models available on the date of the publication of this update;
2. for each model that appears in the guide, the fuel type, the numerical value of the official fuel consumption and the official specific emissions of CO<sub>2</sub>. The value of the official fuel consumption is expressed in either litres per 100 kilometres (l/100 km) or kilometres per litre (km/l), or an appropriate combination of these, and is quoted to one decimal place. The official specific emissions of CO<sub>2</sub> are quoted to the nearest whole number in grams per kilometre (g/km).

Such values can be expressed in different units (gallons and miles) to the extent compatible with the provisions of Directive 80/181/EEC;

3. a prominent listing of the 10 most fuel-efficient new passenger car models ranked in order of increasing specific emissions of CO<sub>2</sub> for each fuel type. The listing must contain the model, the numerical value of the official fuel consumption and the official specific emissions of CO<sub>2</sub>;
4. advice to motorists that correct use and regular maintenance of the vehicle and driving behaviour, such as avoiding aggressive driving, travelling at lower speeds, anticipation braking, correctly inflating tyres, reducing periods of idling, not carrying excessive weight, improve the fuel consumption and reduce the CO<sub>2</sub> emissions of their passenger car;
5. an explanation of the effects of greenhouse gas emissions, potential climate change and the relevance of motor cars as well as a reference to the different fuel options available to the consumer and their environmental implications based on the latest scientific evidence and legislative requirements;
6. a reference to the Community's target for the average emissions of CO<sub>2</sub> from new passenger cars and the date of which the target should be achieved;
7. a reference to the Commission's guide on fuel economy and CO<sub>2</sub> emissions on the Internet, when available.

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## ANNEX III

**DESCRIPTION OF THE POSTER TO BE DISPLAYED AT THE POINT OF SALE**

The Member States must ensure that the poster(s) meets, as a minimum, the following requirements:

1. the poster is a minimum size of 70 cm × 50 cm;
2. the information in the poster is easy to read;
3. the passenger car models are grouped and listed separately according to fuel type (e.g. petrol or diesel). Within each fuel type, models are ranked in order of increasing CO<sub>2</sub> emissions, with the model with the lowest official fuel consumption being placed at the top of the list;
4. for each passenger car model in the list the make, the numerical value of the official fuel consumption and the official specific emissions of CO<sub>2</sub> are given. The value of the official fuel consumption is expressed in either litres per 100 kilometers (l/100 km), kilometers per litre (km/l), or an appropriate combination of these, and is quoted to one decimal place. The official specific emissions of CO<sub>2</sub> are quoted to the nearest whole number in grams per kilometre (g/km).

Such values may be expressed in different units (gallons and miles) to the extent compatible with the provisions of Directive 80/181/EEC.

A suggested format is shown below:

Fuel type	Ranking	Model	CO <sub>2</sub> emission	Fuel consumption
Petrol	1			
	2			
	...			
Diesel	1			
	2			
	...			

5. the poster contains the following text regarding the availability of the guide on fuel economy and CO<sub>2</sub> emissions:  
'A guide on fuel economy and CO<sub>2</sub> emissions which contains data for all new passenger car models is available at any point of sale free of charge.'
6. the poster contains the following text:  
'In addition to the fuel efficiency of a car, driving behaviour as well as other non-technical factors play a role in determining a car's fuel consumption and CO<sub>2</sub> emissions. CO<sub>2</sub> is the main greenhouse gas responsible for global warming.'
7. the poster will be completely updated at least every six months. Between two updates, new cars will be added to the bottom of the list.

## ANNEX IV

**THE PROVISION OF DATA ON FUEL CONSUMPTION AND CO<sub>2</sub> EMISSIONS IN PROMOTIONAL LITERATURE**

The Member States must ensure that all promotional literature contains the official fuel consumption and official specific CO<sub>2</sub> emissions data of the vehicles to which it refers. This information should, as a minimum, meet the following requirements:

1. be easy to read and no less prominent than the main part of the information provided in the promotional literature;
2. be easy to understand even on superficial contact;
3. official fuel consumption data should be provided for all different car models to which the promotional material covers. If more than one model is specified then either the official fuel consumption data for all the models specified is included or the range between the worst and best fuel consumption is stated. Fuel consumption is expressed in either litres per 100 kilometers (l/100 km), kilometers per litre (km/l) or an appropriate combination of these. All numerical data are quoted to one decimal place.

Such values may be expressed in different units (gallons and miles) to the extent compatible with the provisions of Directive 80/181/EEC.

If the promotional literature only contains reference to the make, and not to any particular model, then fuel consumption data need not be provided.

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## II

(Acts whose publication is not obligatory)

## COUNCIL

**COUNCIL DECISION  
of 17 December 1999**

**abrogating the Decision on the existence of an excessive deficit in Greece**

(2000/33/EC)

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty establishing the European Community, and in particular Article 104(12) thereof,

Having regard to the recommendation from the Commission,

Whereas:

- (1) Article 104(1) of the Treaty lays down that Member States shall avoid excessive government deficits;
- (2) Article 104 of the Treaty defines an excessive deficit procedure providing for a Decision on the existence of an excessive deficit and, after the excessive deficit has been corrected, for the abrogation of that Decision; the excessive deficit procedure is determined by Article 104 of the Treaty; the Protocol on the excessive deficit procedure annexed to the Treaty sets out further provisions relating to the implementation of the excessive deficit procedure; Regulation (EC) No 3605/93 <sup>(1)</sup> lays down detailed rules and definitions for the application of the provisions of the said Protocol; the Stability and Growth Pact, consisting of European Council Resolution of Amsterdam of 17 June 1999 <sup>(2)</sup> and Regulations (EC) Nos 1466/97 <sup>(3)</sup> and 1467/1999 <sup>(4)</sup>, lays down the guiding principles and provides rules and clarifications for the implementation of the excessive deficit procedure, the surveillance of budgetary positions and the surveillance and coordination of economic policies in stage three of EMU;
- (3) following a recommendation from the Commission in accordance with Article 104(6) of the Treaty the Council decided on 26 September 1994 that an excessive deficit existed in Greece; in accordance with Article 104(7) of the Treaty the Council made recommendations to

Greece on 7 November 1994, 24 July 1995, 16 September 1996, 15 September 1997 and 29 May 1998 with a view to bringing the excessive situation to an end;

- (4) a Council Decision on the existence of an excessive deficit is to be abrogated, in accordance with Article 104(12) of the Treaty, when the excessive deficit in the Member State concerned has, in the view of the Council, been corrected;
- (5) when abrogating the Decision, the Council shall act on a recommendation from the Commission; the definitions of 'government', 'deficit' and 'investment' are laid down in the Protocol on the excessive deficit procedure by reference to the European system of integrated economic accounts (ESA), second edition; based on the data provided by the Commission after reporting by Greece in September 1999 in accordance with Regulation (EC) No 3605/93, the following conclusions are warranted.

The general government deficit was reduced to 2,5 % of GDP in 1998 from 4,0 % in 1997 and 13,8 % in 1993. The outcome for 1998 was slightly above the 2,4 % deficit target recommended by the Council for that year. Government investment expenditure, at 3,7 % of GDP in 1998, exceeded the government deficit for the first time. Fiscal adjustment in recent years was based on large and increasing primary surpluses while the interest burden declined progressively under the combined effect of lower interest rates and of the reduction in the government debt to GDP ratio. The deficit in 1999 is estimated at 1,9 % of GDP. According to the 1998 update of the Greek convergence programme submitted under the Stability and Growth Pact requirements, the general government deficit is expected to decline further to 0,8 % of GDP in 2001.

<sup>(1)</sup> OJ L 332, 31.12.1993, p. 7.

<sup>(2)</sup> OJ C 236, 2.8.1997, p. 1.

<sup>(3)</sup> OJ L 209, 2.8.1997, p. 1.

<sup>(4)</sup> OJ L 209, 2.8.1997, p. 6.

The general government debt reached a peak of 112,3 % of GDP in 1996; it was reduced by 6 percentage points in the following two years, to 106,3 % of GDP in 1998. The debt ratio is estimated at 104,5 % of GDP in 1999. According to the 1998 update of the Greek convergence programme, the debt ratio may decline to below 100 % of GDP in 2001. The Greek Government has confirmed its commitment to keeping the primary surplus at a level that contributes strongly to the decline of the debt ratio. This primary surplus is essential to maintaining the debt ratio on its sustainable downward path.

The deficit was below the Treaty reference value in 1998 and is expected to remain so in 1999 and to decline further in the medium term; the gross debt ratio is currently decreasing and is expected to be on a declining path in the coming years,

HAS ADOPTED THIS DECISION:

*Article 1*

From an overall assessment it follows that the excessive deficit situation in Greece has been corrected.

*Article 2*

The Council Decision of 26 September 1994 on the existence of an excessive deficit in Greece is hereby abrogated.

This Decision is addressed to the Hellenic Republic.

Done at Brussels, 17 December 1999.

*For the Council*

*The President*

K. HEMILÄ

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# COMMISSION

## COMMISSION DECISION

of 16 December 1999

### on a Community financial contribution to cover expenditure incurred by Portugal for the purpose of combating organisms harmful to plants or plant products

(notified under document number C(1999) 4516)

(Only the Portuguese text is authentic)

(2000/34/EC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Directive 77/93/EEC of 21 December 1976 on protective measures against the introduction into the Community of organisms harmful to plants or plant products and against their spread within the Community <sup>(1)</sup>, as last amended by Commission Directive 1999/53/EC <sup>(2)</sup>, and in particular Article 19c thereof,

Whereas:

- (1) Pursuant to Directive 77/93/EEC, a financial contribution from the Community may be granted to Member States to cover expenditure relating directly to the necessary measures which have been taken or are planned to be taken for the purpose of combating harmful organisms introduced from third countries or from other areas in the Community, in order to eradicate or, if that is not possible, to contain them;
- (2) Portugal has applied for the allocation of such a Community financial contribution and supplied a programme of actions to eradicate *Ralstonia solanacearum* (Smith) Yabuuchi et al., the causal agent of potato brown rot, introduced in Portugal in 1995. This programme specifies the objectives to be achieved, the measures carried out, their duration and their cost so that the Community may contribute to financing it;
- (3) The Community financial contribution may cover up to 50 % of eligible expenditure;
- (4) The expenditure which Portugal has incurred in the years 1996 and 1997 relates directly to the destruction of infected potatoes, the disinfection of machinery and

premises, the weed control of the infected area, plant health inspections, potato sampling and analyses;

- (5) The technical information provided by Portugal has enabled the Standing Committee on Plant Health to analyse the situation accurately and comprehensively;
- (6) The Region of Madeira benefits of a specific Community financial contribution for the implementation of a programme for the eradication and control of harmful organisms for plants and plant products, other than *Ralstonia solanacearum* (Smith) Yabuuchi et al;
- (7) The contribution referred to in Article 2 is without prejudice to a possible contribution for further actions taken or to be taken necessary for the achievement of the objective of eradication or control of the relevant harmful organisms; such a contribution would be the subject of a subsequent Decision;
- (8) The present Decision is without prejudice to the outcome of the verification by the Commission under Article 19d of Directive 77/93/EEC on whether the introduction of the relevant harmful organism has been caused by inadequate examinations or inspections and the consequences of such verification;
- (9) The measures provided in this Decision are in accordance with the opinion of the Standing Committee on Plant Health,

HAS ADOPTED THIS DECISION:

#### Article 1

The allocation of a Community financial contribution to cover expenditure incurred by Portugal relating directly to necessary measures as specified in Article 19c(2) of Directive 77/93/EEC and taken for the purpose of combating *Ralstonia solanacearum*, is hereby approved.

<sup>(1)</sup> OJ L 26, 31.1.1977, p. 20.

<sup>(2)</sup> OJ L 142, 5.6.1999, p. 29.

*Article 2*

The maximum amount of the Community financial contribution shall be EUR 137 819.

*Article 3*

1. Subject to the verifications of the Commission under Article 19d(1) of Directive 77/93/EEC, the Community financial contribution shall be paid only when evidence of the measures taken has been given to the Commission through documentation related to the occurrence and the eradication of *Ralstonia solanacearum*.

2. The documentation referred to in paragraph 1 shall include:

- (a) an eradication report in respect of each holding on which plants and plant products were destroyed. The report shall contain information on:
- location and address of the holding,
  - date on which the presence of *Ralstonia solanacearum* was suspected and the date on which its presence was confirmed,

- quantity of plants and plant products destroyed,
- method of destruction and disinfection,
- amount of samples taken for examination and for testing for the presence of *Ralstonia solanacearum*,
- method of testing,
- results of examinations and/or testing,
- presumed origin of the occurrence in Portugal;

- (b) a monitoring report on the presence of *Ralstonia solanacearum* and on the extent of the contamination by *Ralstonia solanacearum* including detailed data of inspections and tests carried out thereon;
- (c) a financial report including the list of beneficiaries and their addresses, and the amounts paid (excluding VAT and taxes).

*Article 4*

This Decision is addressed to the Portuguese Republic.

Done at Brussels, 16 December 1999.

*For the Commission*

David BYRNE

*Member of the Commission*

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## COMMISSION DECISION

of 16 December 1999

**on a Community financial contribution to cover expenditure incurred by Italy for the purpose of combating organisms harmful to plants or plant products**

(notified under document number C(1999) 4517)

(Only the Italian text is authentic)

(2000/35/EC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Directive 77/93/EEC of 21 December 1976 on protective measures against the introduction into the Community of organisms harmful to plants or plant products and against their spread within the Community <sup>(1)</sup>, as last amended by Commission Directive 1999/53/EC <sup>(2)</sup>, and in particular Article 19c thereof,

Whereas:

(1) Pursuant to Directive 77/93/EEC, a financial contribution from the Community may be granted to Member States to cover expenditure relating directly to the necessary measures which have been taken or are planned to be taken for the purpose of combating harmful organisms introduced from third countries or from other areas in the Community, in order to eradicate or, if that is not possible, to contain them;

(2) Italy has applied for the allocation of such a Community financial contribution and supplied a programme of actions to eradicate *Ralstonia solanacearum* (Smith) Yabuuchi et al., the causal agent of potato brown rot, introduced in Italy in 1995. This programme specifies the objectives to be achieved, the measures carried out, their duration and their cost so that the Community may contribute to financing it;

(3) The Community financial contribution may cover up to 50 % of eligible expenditure;

(4) The expenditure, which Italy has incurred in the years 1995 and 1996, and taken into account in this Decision, relates directly to the plant health inspections, potato sampling and analyses;

(5) The technical information provided by Italy has enabled the Standing Committee on Plant Health to analyse the situation accurately and comprehensively;

(6) The contribution referred to in Article 2 is without prejudice to a possible contribution for other expenditure specified in the application by Italy, but not taken into account in this Decision, or for further actions

taken or to be taken and necessary for the achievement of the objective of eradication or control of the relevant harmful organisms; such a contribution would be the subject of a subsequent Decision;

(7) The present Decision is without prejudice to the outcome of the verification by the Commission under Article 19d of Directive 77/93/EEC on whether the introduction of the relevant harmful organism has been caused by inadequate examinations or inspections and the consequences of such verification;

(8) The measures provided in this Decision are in accordance with the opinion of the Standing Committee on Plant Health,

HAS ADOPTED THIS DECISION:

*Article 1*

The allocation of a Community financial contribution to cover expenditure incurred by Italy relating directly to necessary measures as specified in Article 19c(2) of Directive 77/93/EEC and taken for the purpose of combating *Ralstonia solanacearum*, is hereby approved.

*Article 2*

The maximum amount of the Community financial contribution shall be EUR 18 365.

The repartition of this contribution shall be:

- EUR 9 585 for measures taken for the purpose of combating *Ralstonia solanacearum* in Veneto,
- EUR 8 780 for measures taken for the purpose of combating *Ralstonia solanacearum* in Emilia-Romagna.

*Article 3*

1. Subject to the verifications of the Commission under Article 19d(1) of Directive 77/93/EEC, the Community financial contribution shall be paid only when evidence of the measures taken has been given to the Commission through documentation related to the occurrence and the eradication of *Ralstonia solanacearum*.

<sup>(1)</sup> OJ L 26, 31.1.1977, p. 20.

<sup>(2)</sup> OJ L 142, 5.6.1999, p. 29.

2. The documentation referred to in paragraph 1 shall include:

- (a) an eradication report in respect of each holding on which plants and plant products were destroyed. The report shall contain information on:
- location and address of the holding,
  - date on which the presence of *Ralstonia solanacearum* was suspected and the date on which its presence was confirmed,
  - quantity of plants and plant products destroyed,
  - method of destruction and disinfection,
  - amount of samples taken for examination and for testing for the presence of *Ralstonia solanacearum*,
  - method of testing,
  - results of examinations and/or testing,
  - presumed origin of the occurrence in Italy;
- (b) a monitoring report on the presence of *Ralstonia solanacearum*, and on the extent of the contamination by *Ralstonia*

*solanacearum* including detailed data of inspections and tests carried out thereon;

- (c) a financial report including the list of beneficiaries and their addresses, and the amounts paid (excluding VAT and taxes).

*Article 4*

This Decision is addressed to the Italian Republic.

Done at Brussels, 16 December 1999.

*For the Commission*

David BYRNE

*Member of the Commission*

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## COMMISSION DECISION

of 16 December 1999

**on a Community financial contribution to cover expenditure incurred by Spain for the purpose of combating organisms harmful to plants or plant products**

(notified under document number C(1999) 4518)

(Only the Spanish text is authentic)

(2000/36/EC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Directive 77/93/EEC of 21 December 1976 on protective measures against the introduction into the Community of organisms harmful to plants or plant products and against their spread within the Community <sup>(1)</sup>, as last amended by Commission Directive 1999/53/EC <sup>(2)</sup>, and in particular Article 19c thereof,

Whereas:

- (1) Pursuant to Directive 77/93/EEC, a financial contribution from the Community may be granted to Member States to cover expenditure relating directly to the necessary measures which have been taken or are planned to be taken for the purpose of combating harmful organisms introduced from third countries or from other areas in the Community, in order to eradicate or, if that is not possible, to contain them;
- (2) Spain has applied for the allocation of such a Community financial contribution and supplied programmes of actions to eradicate: *Clavibacter michiganensis* ssp. *sepedonicus* (Smith) Davis et al., the causal agent of potato ring rot, introduced in Spain in 1995; *Ralstonia solanacearum* (Smith) Yabuuchi et al., the causal agent of potato brown rot, introduced in Spain in 1996; *Erwinia amylovora* (Burrill) Winslow et al., introduced in Spain in 1996. These programmes specify the objectives to be achieved, the measures carried out, their duration and their cost so that the Community may contribute to financing them;
- (3) The Community financial contribution may cover up to 50 % of eligible expenditure;
- (4) The expenditure which Spain has incurred in the years 1996 and 1997 relates directly to the destruction of infected plants and plant products and to plant health inspections, sampling and analyses;
- (5) The technical information provided by Spain has enabled the Standing Committee on Plant Health to analyse the situation accurately and comprehensively;
- (6) the contribution referred to in Article 2 is without prejudice to a possible contribution for other expenditure specified in the application by Spain, but not taken into account in this Decision, or for further actions taken or to be taken and necessary for the achievement of the objective of eradication or control of the relevant harmful organisms; such a contribution would be the object of a subsequent Decision;
- (7) The present Decision is without prejudice to the outcome of the verifications by the Commission under Article 19d of Directive 77/93/EEC on whether the introduction of the relevant harmful organisms has been caused by inadequate examinations or inspections and the consequences of such verifications;
- (8) The measures provided in this Decision are in accordance with the opinion of the Standing Committee on Plant Health,

HAS ADOPTED THIS DECISION:

## Article 1

The allocation of a Community financial contribution to cover expenditure incurred by Spain relating directly to necessary measures as specified in Article 19c(2) of Directive 77/93/EEC and taken for the purpose of combating *Clavibacter michiganensis* and *Ralstonia solanacearum* and *Erwinia amylovora*, is hereby approved.

## Article 2

The maximum amount of the Community financial contribution shall be EUR 18 102.

The repartition of the contribution shall be:

- EUR 8 806 for the measures taken for the purpose of combating *Clavibacter michiganensis*,
- EUR 5 644 for the measures taken for the purpose of combating *Ralstonia solanacearum*,
- EUR 3 652 for measures taken for the purpose of combating *Erwinia amylovora*.

<sup>(1)</sup> OJ L 26, 31.1.1977, p. 20.

<sup>(2)</sup> OJ L 142, 5.6.1999, p. 29.

*Article 3*

1. Subject to the verifications of the Commission under Article 19d(1) of Directive 77/93/EEC, the Community's financial contribution shall be paid only when evidence of the measures taken has been given to the Commission through documentation related to the occurrence and the eradication of the harmful organisms referred to in Article 1.

2. The documentation referred to in paragraph 1 shall include:

- (a) an eradication report in respect of each holding on which plants and plant products were destroyed. The report shall contain information on:
- location and address of the holding,
  - date on which the presence of harmful organism was suspected and the date on which its presence was confirmed,
  - quantity of plants and plant products destroyed,
  - method of destruction and disinfection,
  - amount of samples taken for examination and for testing for the presence of the harmful organism,

- method of testing,
  - results of examinations and/or testing,
  - presumed origin of the occurrence in Spain;
- (b) a monitoring report on the presence of the harmful organisms in Article 1, and on the extent of the contamination by these organisms including detailed data of inspections and tests carried out thereon.
- (c) a financial report including the list of beneficiaries and their addresses, and the amounts paid (excluding VAT and taxes).

*Article 4*

This Decision is addressed to the Kingdom of Spain.

Done at Brussels, 16 December 1999.

*For the Commission*

David BYRNE

*Member of the Commission*

## COMMISSION DECISION

of 16 December 1999

**on a Community financial contribution to cover expenditure incurred by Greece for the purpose of combating organisms harmful to plants or plant products**

(notified under document number C(1999) 4519)

(Only the Greek text is authentic)

(2000/37/EC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Directive 77/93/EEC of 21 December 1976 on protective measures against the introduction into the Community of organisms harmful to plants or plant products and against their spread within the Community <sup>(1)</sup>, as last amended by Commission Directive 1999/53/EC <sup>(2)</sup>, and in particular Article 19c thereof,

Whereas:

- (1) Pursuant to Directive 77/93/EEC, a financial contribution from the Community may be granted to Member States to cover expenditure relating directly to the necessary measures which have been taken or are planned to be taken for the purpose of combating harmful organisms introduced from third countries or from other areas in the Community, in order to eradicate or, if that is not possible, to contain them;
- (2) Greece has applied for the allocation of such a Community financial contribution and supplied programmes of actions to eradicate: *Clavibacter michiganensis* ssp. *sepedonicus* (Smith) Davis et al., the causal agent of potato ring rot, introduced in Greece in 1997; *Ralstonia solanacearum* (Smith) Yabuuchi et al., the causal agent of potato brown rot, introduced in Greece in 1997. These programmes specify the objectives to be achieved, the measures carried out, their duration and their cost so that the Community may contribute to financing them;
- (3) The Community financial contribution may cover up to 50 % of eligible expenditure;
- (4) The expenditure which Greece has incurred in the years 1997 and 1998 relate directly to the destruction of infected potatoes, disinfection of machinery and premises, plant health inspections, potato sampling and analyses;
- (5) The technical information provided by Greece has enabled the Standing Committee on Plant Health to analyse the situation accurately and comprehensively;

- (6) The contribution referred to in Article 2 is without prejudice to a possible contribution for further actions taken or to be taken necessary for the achievement of the objective of eradication or control of the relevant harmful organisms; such a contribution would be the subject of a subsequent Decision;
- (7) The present Decision is without prejudice to the outcome of the verifications by the Commission under Article 19d of Directive 77/93/EEC on whether the introduction of the relevant harmful organisms has been caused by inadequate examinations or inspections and the consequences of such verifications;
- (8) The measures provided in this Decision are in accordance with the opinion of the Standing Committee on Plant Health,

HAS ADOPTED THIS DECISION:

*Article 1*

The allocation of a Community financial contribution to cover expenditure incurred by Greece relating directly to necessary measures as specified in Article 19c(2) of Directive 77/93/EEC and taken for the purpose of combating *Clavibacter michiganensis* and *Ralstonia solanacearum*, is hereby approved.

*Article 2*

The maximum amount of the Community financial contribution shall be EUR 32 352.

The repartition of the contribution shall be:

- EUR 30 885 for the measures taken for the purpose of combating *Clavibacter michiganensis*,
- EUR 1 467 for the measures taken for the purpose of combating *Ralstonia solanacearum*.

*Article 3*

1. Subject to the verifications of the Commission under Article 19d(1) of Directive 77/93/EEC, the Community's financial contribution shall be paid only when evidence of the measures taken has been given to the Commission through documentation related to the occurrence and the eradication of the harmful organisms referred to in Article 1.

<sup>(1)</sup> OJ L 26, 31.1.1977, p. 20.

<sup>(2)</sup> OJ L 142, 5.6.1999, p. 29.

2. The documentation referred to in paragraph 1 shall include:

- (a) an eradication report in respect of each holding on which plants and plant products were destroyed. The report shall contain information on:
- location and address of the holding,
  - date on which the presence of harmful organism was suspected and the date on which its presence was confirmed,
  - quantity of plants and plant products destroyed,
  - method of destruction and disinfection,
  - amount of samples taken for examination and for testing for the presence of the harmful organism,
  - method of testing,
  - results of examinations and/or testing,
  - presumed origin of the occurrence in Greece;
- (b) a monitoring report on the presence of the harmful organisms in Article 1, and on the extent of the contamination

by these organisms including detailed data of inspections and tests carried out thereon.

- (c) a financial report including the list of beneficiaries and their addresses, and the amounts paid (excluding VAT and taxes).

*Article 4*

This Decision is addressed to the Republic of Greece.

Done at Brussels, 16 December 1999.

*For the Commission*

David BYRNE

*Member of the Commission*

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## COMMISSION DECISION

of 16 December 1999

## on a Community financial contribution to cover expenditure incurred by France for the purpose of combating organisms harmful to plants or plant products

(notified under document number C(1999) 4520)

(Only the French text is authentic)

(2000/38/EC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Directive 77/93/EEC of 21 December 1976 on protective measures against the introduction into the Community of organisms harmful to plants or plant products and against their spread within the Community <sup>(1)</sup>, as last amended by Commission Directive 1999/53/EC <sup>(2)</sup>, and in particular Article 19c thereof,

Whereas:

- (1) Pursuant to Directive 77/93/EEC, a financial contribution from the Community may be granted to Member States to cover expenditure relating directly to the necessary measures which have been taken or are planned to be taken for the purpose of combating harmful organisms introduced from third countries or from other areas in the Community, in order to eradicate or, if that is not possible, to contain them;
- (2) France has applied for the allocation of such a Community financial contribution and supplied programmes of actions to eradicate: *Clavibacter michiganensis* ssp. *sepedonicus* (Smith) Davis et al., the causal agent of potato ring rot, introduced in France in 1997; *Globodera pallida* (Wollenweber) Behrens and *Globodera rostochiensis* (Stone) Behrens, introduced in France in 1997; *Xanthomonas axonopolis* pv. *dieffenbachiae* (Mc Culloch & Pirone) Vauterin et al., introduced in France in 1997. These programmes specify the objectives to be achieved, the measures carried out, their duration and their cost so that the Community may contribute to financing them;
- (3) The Community financial contribution may cover up to 50 % of eligible expenditure;
- (4) The expenditure which France has incurred in the years 1997, 1998 and 1999 relates directly to the destruction of infected plants and plant products, the disinfection of machinery and premises, plant health inspections, plant sampling and analyses and financial losses;

- (5) The technical information provided by France has enabled the Standing Committee on Plant Health to analyse the situation accurately and comprehensively;
- (6) The Overseas Departments benefit of a specific Community financial contribution for the implementation of a programme for the eradication and control of harmful organisms for plants and plant products, other than *Xanthomonas axonopodis*;
- (7) The contribution referred to in Article 2 is without prejudice to a possible contribution for other expenditure specified in the application by France, but not taken into account in this Decision, or for further actions taken or to be taken and necessary for the achievement of the objective of eradication or control of the relevant harmful organisms; such a contribution would be the subject of a subsequent Decision;
- (8) The present Decision is without prejudice to the outcome of the verifications by the Commission under Article 19d of Directive 77/93/EEC on whether the introduction of the relevant harmful organisms has been caused by inadequate examinations or inspections and the consequences of such verifications;
- (9) The measures provided in this Decision are in accordance with the opinion of the Standing Committee on Plant Health,

HAS ADOPTED THIS DECISION:

## Article 1

The allocation of a Community financial contribution to cover expenditure incurred by France relating directly to necessary measures as specified in Article 19c(2) of Directive 77/93/EEC and taken for the purpose of combating *Clavibacter michiganensis*, *Globodera pallida* and *Globodera rostochiensis*, *Xanthomonas axonopodis*, is hereby approved.

## Article 2

The maximum amount of the Community financial contribution shall be EUR 89 972.

<sup>(1)</sup> OJ L 26, 31.1.1977, p. 20.

<sup>(2)</sup> OJ L 142, 5.6.1999, p. 29.

The repartition of the contribution shall be:

- EUR 5 437 for the measures taken for the purpose of combating *Clavibacter michiganensis*,
- EUR 3 821 for the measures taken for the purpose of combating *G. pallida* and *G. rostochiensis*,
- EUR 80 714 for measures taken for the purpose of combating *Xanthomonas axonopodis*.

*Article 3*

1. Subject to the verifications of the Commission under Article 19d(1) of Directive 77/93/EEC, the Community financial contribution shall be paid only when evidence of the measures taken has been given to the Commission through documentation related to the occurrence and the eradication of the harmful organisms referred to in Article 1.

2. The documentation referred to in paragraph 1 shall include:

- (a) an eradication report in respect of each holding on which plants and plant products were destroyed. The report shall contain information on:
  - location and address of the holding,
  - date on which the presence of harmful organism was suspected and the date on which its presence was confirmed,

- quantity of plants and plant products destroyed,
- method of destruction and disinfection,
- amount of samples taken for examination and for testing for the presence of the harmful organism,
- method of testing,
- results of examinations and/or testing,
- presumed origin of the occurrence in France;

- (b) a monitoring report on the presence of the harmful organisms in Article 1, and on the extent of the contamination by these organisms including detailed data of inspections and tests carried out thereon.
- (c) a financial report including the list of beneficiaries and their addresses, and the amounts paid (excluding VAT and taxes).

*Article 4*

This Decision is addressed to the French Republic.

Done at Brussels, 16 December 1999.

*For the Commission*

David BYRNE

*Member of the Commission*

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## CORRIGENDA

**Corrigendum to Commission Regulation (EC) No 2204/1999 of 12 October 1999 amending Annex I to Council Regulation (EEC) No 2658/87 on the tariff and statistical nomenclature and on the Common Customs Tariff**

(Official Journal of the European Communities L 278 of 28 October 1999)

On page 310, against CN code 3505 10 90, in column 4:

for: '9,1 + 19,4 €/',

read: '9,8 + 19,4 €/';

on page 364, against CN code 4408 10 15, in column 5, add:

'—';

on page 365, against CN code 4408 39 55, in column 5, add:

'—';

on page 654, after CN code 8504 40 20, delete:

' | 8504 40 35 | ---- Other ..... | Free | Free | p/st | ';

on page 667, against CN code 8523 90 00, in column 4:

for: '1',

read: 'Free'.

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**Corrigendum to Commission Regulation (EC) No 2737/1999 of 21 December 1999 amending Regulation (EEC) No 2807/83 laying down detailed rules for recording information on Member States' catches of fish**

(Official Journal of the European Communities L 328 of 22 December 1999)

The following Regulation annuls and replaces Commission Regulation (EC) No 2737/1999.

**COMMISSION REGULATION (EC) No 2737/1999**  
**of 21 December 1999**  
**amending Regulation (EEC) No 2807/83 laying down detailed rules for recording information on**  
**Member States' catches of fish**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EEC) No 2847/93 establishing a control system applicable to the common fisheries policy <sup>(1)</sup>, as amended by Regulation (EC) No 2846/98 <sup>(2)</sup>, and in particular Article 6(8) thereof,

Whereas:

- (1) Article 6(2) of Regulation (EEC) No 2847/93 provides that from 1 January 2000 catches of an amount greater than 50 kg of live-weight equivalent of any species retained on board must be recorded in the logbook. However, for fisheries operations in the Mediterranean Sea, only the species indicated on a list adopted under that Article must be recorded in the logbook.
- (2) According to Article 40 of Regulation (EEC) No 2847/93, the provisions contained in that Regulation concerning the logbook and the landing declaration will apply, with effect from 1 January 2000, to fisheries operations in the Mediterranean.
- (3) It is necessary, therefore, to amend, with effect from 1 January 2000, Commission Regulation (EEC) No 2807/83 of 22 September 1983 laying down detailed rules for recording information on Member States' catches of fish <sup>(3)</sup>, as last amended by Regulation (EC) No 1488/98 <sup>(4)</sup>, in order to ensure that the requirements are met.
- (4) The measures provided for in this Regulation are in accordance with the opinion of the Management Committee for Fisheries and Aquaculture,

HAS ADOPTED THIS REGULATION:

*Article 1*

Regulation (EEC) No 2807/83 is hereby amended as follows:

1. Article 1 is replaced by the following:

*'Article 1*

1. The masters of Community fishing vessels whose length overall exceeds 10 metres shall record the information referred to in Article 6 of Regulation (EEC) No 2847/

93 in their logbook in accordance with the model shown in Annex I, for all fishing zones except those comprised in NAFO 1 and ICES V(a) and XIV, and in accordance with the model shown in Annex II, for the latter zones. However, the model shown in Annex IIa may be used for fisheries operations carried on exclusively in the Mediterranean by the masters of Community fishing vessels whose length overall does not exceed 18 metres and which make daily fishing trips in a single fishing zone.

2. The logbook shown in Annex I, II or IIa shall also be kept in the manner prescribed in paragraph 1 when such vessels are operating in the waters of a non-member country, unless the non-member country in question specifically requires a different kind of logbook.

3. For fisheries operations in the Mediterranean, any amount greater than 50 kg of live-weight equivalent of any species retained on board shall be recorded in the logbook.

4. The codes given in Annex VI and the Three-Alpha codes established by the FAO or the names shall be used for indicating, under the appropriate headings of the logbook, the fishing gear used and the species caught.'

2. The following is added to Article 2(1):

'However, the model shown in Annex IIa may be used if the landing takes place in a port of another Mediterranean coastal Member State, by the masters of Community fishing vessels whose length overall does not exceed 18 metres and which make daily fishing trips in a single fishing zone.'

3. In Annex I, the denominations 'Cod', 'Haddock', 'Saithe', 'Whiting', 'Plaice', 'Common sole', 'Herring' and 'Mackerel' are deleted.

4. In the title of Annex IV, the words 'Or Annex IIa' are inserted after 'Annex I'.

<sup>(1)</sup> OJ L 261, 20.10.1993, p. 1.

<sup>(2)</sup> OJ L 358, 31.12.1998, p. 5.

<sup>(3)</sup> OJ L 276, 10.10.1983, p. 1.

<sup>(4)</sup> OJ L 196, 14.7.1998, p. 3.

5. In Annex IV, point 2.4.2 is replaced by the following:
- '2.4.2. Quantities caught and retained on board (reference No in logbook: (15))
- Catches of an amount greater than 50 kg of live-weight equivalent of any species retained on board must be recorded in the logbook. However, for fisheries operations in the Mediterranean Sea, only the species indicated on the list contained in Annex VII must be recorded in the logbook.
- If the number of columns is insufficient, use a new page.
- Give the unit used (basket, box, etc.) and the net weight in kilograms live weight of the unit used.'
6. In Annex IV, point 3, third indent, the first paragraph is replaced by the following:
- 'Give the weight or quantities actually landed or transhipped for all species.'
7. In Annex IV, point 3, fourth indent, the letters 'GFCM' are inserted after 'CECAF', in the title and the paragraph.
8. In Annex V, point 2.4.2 is replaced by the following:
- '2.4.2. Quantities caught and retained on board
- Catches of an amount greater than 50 kg of live-weight equivalent of any species retained on board must be recorded in the logbook. However, for fisheries operations in the Mediterranean, only the species indicated on the list contained in Annex VII must be recorded in the logbook.
- If the number of columns is insufficient, use a new page.'
9. In Annex V, point 3, fourth indent, the first paragraph is replaced by the following:
- 'Give the weight or quantities actually landed or transhipped for all species.'
10. Annex I to this Regulation is inserted as Annex IIa after Annex II.
11. Annex VII is replaced by Annex II to this Regulation.

#### Article 2

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

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

Done at Brussels, 21 December 1999.

For the Commission  
Franz FISCHLER  
Member of the Commission

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## ANNEX II

## 'ANNEX VII

## TABLE

**List of species to be recorded in the fishing logbook and the landing declaration by vessels operating exclusively in the Mediterranean Sea**

Name	Latin name	FAO Three-Alpha code
Albacore (*)	<i>Thunnus alalunga</i>	ALB
Anchovy	<i>Engraulis encrasicolus</i>	ANE
Bigeye tuna (*)	<i>Thunnus obesus</i>	BET
Blue whiting (*)	<i>Micromesistius poutassou</i>	WHB
Bluefin tuna	<i>Thunnus thynnus</i>	BFT
Gilt-head seabream	<i>Sparus aurata</i>	SBG
Hake	<i>Merluccius merluccius</i>	HKE
Horse mackerel (*)	<i>Trachurus</i> spp.	JAX
Mackerel	<i>Scomber scombrus</i>	MAC
Monkfish (*)	<i>Lophius piscatorius</i>	ANF
Red mullet	<i>Mullus surmuletus</i>	MUR
Sardine	<i>Sardina pilchardus</i>	PIL
Seabass	<i>Dicentrarchus labrax</i>	BSS
Striped mullet	<i>Mullus barbatus</i>	MUT
Swordfish	<i>Xiphias gladius</i>	SWO

(\*) Only in the landing declaration.