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Legislation

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

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[1] Text with EEA relevance

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Corrigenda

I

(Acts whose publication is obligatory)

COMMISSION REGULATION (EC) No 2408/2000
of 30 October 2000
establishing the standard import values for determining the entry price of certain fruit and vegetables

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

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

Whereas:

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

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

HAS ADOPTED THIS REGULATION:

Article 1

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

Article 2

This Regulation shall enter into force on 31 October 2000.

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

Done at Brussels, 30 October 2000.

For the Commission
Franz FISCHLER
Member of the Commission

[1] OJ L 337, 24.12.1994, p. 66.
[2] OJ L 198, 15.7.1998, p. 4.

ANNEX

to the Commission Regulation of 30 October 2000 establishing the standard import values for determining the entry price of certain fruit and vegetables

(EUR/100 kg)

CN code	Third country code (1)	Standard import value
0702 00 00	052	98,4
	060	144,4
	064	121,3
	204	101,0
	999	116,3
0707 00 05	052	85,5
	628	132,0
	999	108,8
0709 90 70	052	83,7
	999	83,7
0805 30 10	052	56,2
	388	69,5
	524	58,5
	528	57,4
	999	60,4
0806 10 10	052	89,2
	064	95,3
	400	265,7
	632	45,2
	999	123,8
0808 10 20, 0808 10 50, 0808 10 90	388	47,8
	400	60,1
	999	54,0
0808 20 50	052	85,5
	064	59,4
	999	72,5

(1) Country nomenclature as fixed by Commission Regulation (EC) No 2543/1999 (OJ L 307, 2.12.1999, p. 46). Code '999' stands for 'of other origin'.

COMMISSION REGULATION (EC) No 2409/2000

of 30 October 2000

amending Regulation (EC) No 1623/2000 laying down detailed rules for implementing Council Regulation (EC) No 1493/1999 on the common organisation of the market in wine with regard to market mechanisms

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EC) No 1493/1999 of 17 May 1999 on the common organisation of the market in wine [1], and in particular Article 33 thereof,

Whereas:

(1) Article 2(2) of Commission Regulation (EC) No 1623/2000 [2] lays down that operators subject to compulsory distillation measures may only benefit from the measures provided for in that Regulation if they have fulfilled their obligations. Those provisions should be supplemented for the 2000/01 wine year with a reference to the same compulsory distillation measures to be carried out during the previous wine year under Council Regulation (EEC) No 822/87 [3], as last amended by Regulation (EC) No 1677/1999 [4].

(2) Article 55(2) of Regulation (EC) No 1623/2000 allows France to vary the buying-in price for wine under the distillation measure provided for in Article 28 of Regulation (EC) No 1493/1999. In order to cancel out the economic impact of this on distillers, an equal adjustment should be made to distillation aid. Such a provision should therefore be inserted in the Articles fixing the level of aid.

(3) A tolerance should be laid down for the volumes delivered for compulsory distillation under Articles 27 and 28 of Regulation (EC) No 1493/1999. In Regulation (EC) No 1623/2000, a tolerance is laid down only in Article 48 for the distillation of by-products of wine-making. That same provision should be inserted in Article 56 for the distillation of wine from dual-purpose grapes.

(4) Article 57 of Regulation (EC) No 1623/2000 lays down special rules for the product of direct distillation of wines obtained from grapes of varieties classified for the same administrative unit as both wine-grape varieties and varieties intended for the production of wine spirits. The purpose of those rules is to prevent the production of spirits from wine subject to a compulsory or voluntary distillation measure. The provision was inserted by error in Section II of Chapter I, which refers only to one compulsory distillation measure. The Article concerned should therefore be moved to Chapter III on common provisions applicable to distillation measures.

(5) The deadline laid down in Article 63(5) of Regulation (EC) No 1623/2000 for Member States to notify the total volume of contracts approved for distillation under Article 29 of Regulation (EC) No 1493/1999 is too short and cannot always be met. That deadline should therefore be changed.

(6) It is no longer compulsory to indicate the actual alcoholic strength in contracts for delivery for distillation. However, Article 65 of Regulation (EC) No 1623/2000 should lay down a tolerance for that alcoholic strength where Member States lay down that it must be indicated.

(7) These amendments must apply from the date of entry into force of Regulation (EC) No 1623/2000.

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

HAS ADOPTED THIS REGULATION:

Article 1

Regulation (EC) No 1623/2000 is amended as follows:

1. In Article 2(2), the following subparagraph is added:

'For the 2000/01 wine year, the obligations referred to in the first subparagraph shall be those laid down in Articles 35 and 36 of Regulation (EEC) No 822/87.'

2. In Article 56, the following subparagraphs are added:

'Where the buying-in price is varied as provided for in Article 55(2), the aid referred to in the first subparagraph shall be varied in the same manner.

No aid shall be due for quantities of wine delivered for distillation exceeding the producer's obligation as provided for in Article 52 of this Regulation by more than 2 %.'

[1] OJ L 179, 14.7.1999, p. 1.
[2] OJ L 194, 31.7.2000, p. 45.
[3] OJ L 84, 27.3.1987, p. 1.
[4] OJ L 199, 30.7.1999, p. 8.

3. Article 57 is deleted.

4. In Article 63(5), the final sentence is replaced by the following:

'Member States shall notify the Commission of the total volume of contracts approved at the time of the first notification in accordance with paragraph 4 following that approval.'

5. In Article 65(10), the following subparagraph is added:

'Where the actual alcoholic strength by volume is indicated in the contract, a discrepancy of 1 % vol shall be permitted between the strength indicated and that determined when the check is carried out.'

6. The following Article 65a is added:

'*Article 65a*

Requirements for alcohol obtained by the distillation of certain wines

Only a product with an alcoholic strength of 92 % vol or more may be obtained by the direct distillation of wines obtained from grapes of varieties classified for the same administrative unit as both wine-grape varieties and varieties intended for the production of wine spirits.'

7. In Article 69(3), the following subparagraph is added after the third subparagraph:

'Where the buying-in price is varied as provided for in Article 55(2), the aid referred to in the second indent of the previous subparagraph shall be varied in the same manner.'

Article 2

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

It shall apply from 1 August 2000.

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

Done at Brussels, 30 October 2000.

For the Commission

Franz FISCHLER

Member of the Commission

COMMISSION REGULATION (EC) No 2410/2000

of 30 October 2000

amending Regulation (EC) No 1555/96 on rules of application for additional import duties on fruit and vegetables

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EC) No 2200/96 of 28 October 1996 on the common organisation of the market in fruit and vegetables [1], as last amended by Regulation (EC) No 1257/1999 [2], and in particular Article 33(4) thereof,

Whereas:

(1) Commission Regulation (EC) No 1555/96 [3], as last amended by Regulation (EC) No 2108/2000 [4], provides for surveillance of imports of the products listed in the Annex thereto. That surveillance is to be carried out in accordance with the rules on the surveillance of preferential imports laid down in Article 308d of Commission Regulation (EEC) No 2454/93 [5], as last amended by Regulation (EC) No 1602/2000 [6].

(2) For the purposes of Article 5(4) of the Agreement on Agriculture [7] concluded during the Uruguay Round of multilateral trade negotiations and in the light of the latest data available for 1997, 1998 and 1999, the trigger levels for additional duties on cucumbers and artichokes should be amended.

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

HAS ADOPTED THIS REGULATION:

Article 1

The Annex to Regulation (EC) No 1555/96 is replaced by the Annex hereto.

Article 2

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

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

Done at Brussels, 30 October 2000.

For the Commission

Franz FISCHLER

Member of the Commission

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[1] OJ L 297, 21.11.1996, p. 1.
[2] OJ L 160, 26.6.1999, p. 80.
[3] OJ L 193, 3.8.1996, p. 1.
[4] OJ L 250, 5.10.2000, p. 19.
[5] OJ L 253, 11.10.1993, p. 1.
[6] OJ L 188, 26.7.2000, p. 1.
[7] OJ L 336, 23.12.1994, p. 22.

ANNEX

'*ANNEX*

Without prejudice to the rules for the interpretation of the Combined Nomenclature, the description of the products is deemed to be indicative only. The scope of the additional duties for the purposes of this Annex is determined by the scope of the CN codes as they exist at the time of the adoption of this Regulation. Where "ex" appears before the CN code, the scope of the additional duties is determined both by the scope of the CN code and the corresponding trigger period.

Serial No	CN code	Description	Trigger period	Trigger level (tonnes)
78.0015	ex 0702 00 00	Tomatoes	— 1 October to 31 March	501 111
78.0020			— 1 April to 30 September	639 884
78.0065	ex 0707 00 05	Cucumbers	— 1 May to 31 October	22 411
78.0075			— 1 November to 30 April	11 658
78.0085	ex 0709 10 00	Artichokes	— 1 November to 30 June	661
78.0100	0709 90 70	Courgettes	— 1 January to 31 December	9 879
78.0110	ex 0805 10 10 ex 0805 10 30 ex 0805 10 50	Oranges	— 1 December to 31 May	753 719
78.0120	ex 0805 20 10	Clementines	— 1 November to end of February	100 949
78.0130	ex 0805 20 30 ex 0805 20 50 ex 0805 20 70 ex 0805 20 90	Mandarins (including tangerines and satsumas); wilkings and similar citrus hybrids	— 1 November to end of February	93 803
78.0155	ex 0805 30 10	Lemons	— 1 June to 31 December	186 300
78.0160			— 1 January to 31 May	69 813
78.0170	ex 0806 10 10	Table grapes	— 21 July to 20 November	256 320
78.0175	ex 0808 10 20 ex 0808 10 50 ex 0808 10 90	Apples	— 1 January to 31 August	625 202
78.0180			— 1 September to 31 December	88 229
78.0220	ex 0808 20 50	Pears	— 1 January to 30 April	269 259
78.0235			— 1 July to 31 December	106 018
78.0250	ex 0809 10 00	Apricots	— 1 June to 31 July	2 236
78.0265	ex 0809 20 95	Cherries, other than sour cherries	— 21 May to 10 August	20 048
78.0270	ex 0809 30	Peaches, including nectarines	— 11 June to 30 September	349 940
78.0280	ex 0809 40 05	Plums	— 11 June to 30 September	41 539'

COMMISSION REGULATION (EC) No 2411/2000

of 30 October 2000

repealing Regulation (EC) No 2015/2000 prohibiting fishing for Northern prawn by vessels flying the flag of Sweden

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EEC) No 2847/93 of 12 October 1993 establishing a control system applicable to the common fisheries policy [1], as last amended by Regulation (EC) No 2846/98 [2], and in particular Article 21(3) thereof,

Whereas:

(1) Commission Regulation (EC) No 2015/2000 [3] prohibits fishing for Northern prawn in Norwegian waters south of 62° 00' N by vessels flying the flag of Sweden or registered in Sweden.

(2) On 12 October 2000, Denmark transferred to Sweden 25 tonnes of Northern prawn in Norwegian waters south of 62° 00' N. Fishing for Northern prawn in Norwegian waters south of 62° 00' N by vessels flying the flag of Sweden or registered in Sweden should therefore be authorised. Regulation (EC) No 2015/2000 should therefore be repealed,

HAS ADOPTED THIS REGULATION:

Article 1

Regulation (EC) No 2015/2000 is hereby repealed.

Article 2

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

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

Done at Brussels, 30 October 2000.

For the Commission

Franz FISCHLER

Member of the Commission

[1] OJ L 261, 20.10.1993, p. 1.
[2] OJ L 358, 31.12.1998, p. 5.
[3] OJ L 241, 26.9.2000, p. 26.

COMMISSION REGULATION (EC) No 2412/2000

of 30 October 2000

determining the extent to which applications lodged in October 2000 for import licences for certain egg sector products and poultrymeat pursuant to Regulations (EC) No 1474/95 and (EC) No 1251/96 can be accepted

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Commission Regulation (EC) No 1474/95 [1] opening and providing for the administration of the tariff quotas in the egg sector and for egg albumin, as last amended by Regulation (EC) No 1356/2000 [2], and in particular Article 5(5) thereof,

Having regard to Commission Regulation (EC) No 1251/96 of 28 June 1996 opening and providing for the administration of tariff quotas in the poultrymeat sector and albumin [3], as last amended by Regulation (EC) No 1357/2000 [4] and in particular Article 5(5) thereof,

Whereas:

The applications for import licences lodged for the fourth quarter of 2000 are, in the case of certain products, for quantities less than or equal to the quantities available and can therefore be met in full, but in the case of other products the said applications are for quantities greater than the quantities available and must therefore be reduced by a fixed percentage to ensure a fair distribution,

HAS ADOPTED THIS REGULATION:

Article 1

1. Applications for import licences for the period 1 October to 31 December 2000 submitted pursuant to Regulations (EC) No 1474/95 and (EC) No 1251/96 shall be met as referred to in Annex I.

2. During the first 10 days of the period 1 January to 31 March 2001 applications may be lodged pursuant to Regulations (EC) No 1474/95 and (EC) No 1251/96 for import licences for the total quantity as referred to in Annex II.

Article 2

This Regulation shall enter into force on 31 October 2000.

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

Done at Brussels, 30 October 2000.

For the Commission

Franz FISCHLER

Member of the Commission

[1] OJ L 145, 29.6.1995, p. 19.
[2] OJ L 155, 28.6.2000, p. 36.
[3] OJ L 161, 29.6.1996, p. 136.
[4] OJ L 155, 28.6.2000, p. 38.

ANNEX I

Group	Percentage of acceptance of import licences submitted for the period 1 October to 31 December 2000
E1	100,00
E2	69,73
E3	100,00
P1	100,00
P2	100,00
P3	2,87
P4	4,78

ANNEX II

(t)

Group	Total quantity available for the period 1 January to 31 March 2001
E1	105 115,00
E2	1 750,00
E3	10 172,33
P1	4 146,50
P2	2 343,00
P3	175,00
P4	250,00

COMMISSION REGULATION (EC) No 2413/2000

of 30 October 2000

determining the extent to which applications lodged in October 2000 for import licences for certain poultrymeat products under the regime provided for in Council Regulation (EC) No 774/94 opening and providing for the administration of certain Community tariff quotas for poultrymeat and certain other agricultural products can be accepted

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Commission Regulation (EC) No 1431/94 of 22 June 1994, laying down detailed rules for the application in the poultrymeat sector of the import arrangements provided for in Council Regulation (EC) No 774/94 opening and providing for the administration of certain Community tariff quotas for poultrymeat and certain other agricultural products [1], as last amended by Regulation (EC) No 2719/1999 [2], and in particular Article 4(4) thereof,

Whereas:

The applications for import licences lodged for the period 1 October to 31 December 2000 are greater than the quantities available and must therefore be reduced by a fixed percentage to ensure a fair distribution,

HAS ADOPTED THIS REGULATION:

Article 1

Applications for import licences for the period 1 October to 31 December 2000 submitted under Regulation (EC) No 1431/94 shall be met as referred to in the Annex.

Article 2

This Regulation shall enter into force on 31 October 2000.

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

Done at Brussels, 30 October 2000.

For the Commission
Franz FISCHLER
Member of the Commission

ANNEX

Group No	Percentage of acceptance of import certificates submitted for the period 1 October to 31 December 2000
1	1,77
2	1,77
3	2,88
4	2,43
5	2,56

[1] OJ L 156, 23.6.1994, p. 9.
[2] OJ L 327, 21.12.1999, p. 48.

COMMISSION REGULATION (EC) No 2414/2000

of 30 October 2000

determining the extent to which applications lodged in October 2000 for import licences for certain poultrymeat sector products pursuant to Regulation (EC) No 509/97 can be accepted

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Commission Regulation (EC) No 509/97 of 20 March 1997 laying down procedures for applying in the poultrymeat sector the Interim Agreement on trade and accompanying measures between the European Community, the European Coal and Steel Community and the European Atomic Energy Community, of the one part, and the Republic of Slovenia, of the other part [1], as amended by Regulation (EC) No 1514/97 [2], and in particular Article 4(5) thereof,

Whereas:

The applications for import licences lodged for the fourth quarter of 2000 are, in the case of some products, for quantities less than or equal to the quantities available and can therefore be met in full, but in the case of other products the said applications are for quantities greater than the quantities available and must therefore be reduced by a fixed percentage to ensure a fair distribution,

HAS ADOPTED THIS REGULATION:

Article 1

Applications for import licences for the period 1 October to 31 December 2000 submitted pursuant to Regulation (EC) No 509/97 shall be met as referred to in the Annex.

Article 2

This Regulation shall enter into force on 31 October 2000.

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

Done at Brussels, 30 October 2000.

For the Commission

Franz FISCHLER

Member of the Commission

ANNEX

Group No	Percentage of acceptance of import licences submitted for the period 1 October to 31 December 2000
80	100,00
90	83,33
100	100,00

[1] OJ L 80, 21.3.1997, p. 3.
[2] OJ L 204, 31.7.1997, p. 16.

COMMISSION REGULATION (EC) No 2415/2000

of 30 October 2000

determining the extent to which applications lodged in October 2000 for licences for certain eggs and poultrymeat products under the regime provided for by the Interim Agreements concluded by the Community with the Republic of Poland, the Republic of Hungary, the Czech Republic, Slovakia, Romania and Bulgaria can be accepted

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Commission Regulation (EC) No 1899/97, of 29 September 1997, setting rules of application in the poultrymeat and egg sectors for the arrangements covered by Council Regulation (EC) No 3066/95 and repealing Regulations (EEC) No 2699/93 and (EC) No 1559/94 [1], as last amended by Regulation (EC) No 1773/2000 [2] and in particular Article 4(5) thereof,

Whereas:

The applications for import licences lodged for the fourth quarter of 2000 are, in the case of some products, for quantities less than or equal to the quantities available and can therefore be met in full, but in the case of other products the said applications are for quantities greater than the quantities available and must therefore be reduced by a fixed percentage to ensure a fair distribution,

HAS ADOPTED THIS REGULATION:

Article 1

Applications for import licences for the period 1 October to 31 December 2000 submitted under Regulation (EC) No 1899/97 shall be met as referred to in the Annex.

Article 2

This Regulation shall enter into force on 31 October 2000.

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

Done at Brussels, 30 October 2000.

For the Commission

Franz FISCHLER

Member of the Commission

[1] OJ L 267, 30.9.1997, p. 67.
[2] OJ L 205, 12.8.2000, p. 3.

ANNEX

Group No	Percentage of acceptance of import licences submitted for the period 1 October to 31 December 2000
10	100,00
11	100,00
12	—
14	—
15	100,00
16	2,62
17	—
18	—
19	—
21	100,00
23	100,00
24	3,66
25	—
26	100,00
27	—
28	—
30	—
32	—
33	—
34	—
35	—
36	—
37	6,85
38	100,00
39	—
40	—
43	—

COMMISSION REGULATION (EC) No 2416/2000
of 30 October 2000
on the issue of system B export licences in the fruit and vegetables sector

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

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

Whereas:

(1) Commission Regulation (EC) No 1877/2000 [3] fixes the indicative quantities for system B export licences other than those sought in the context of food aid.

(2) In the light of the information available to the Commission today, there is a risk that the indicative quantities laid down for the current export period for shelled almonds and walnuts in shell will shortly be exceeded. This overrun will prejudice the proper working of the export refund scheme in the fruit and vegetables sector.

(3) To avoid this situation, applications for system B licences for shelled almonds and walnuts in shell exported after 30 October 2000 should be rejected until the end of the current export period,

HAS ADOPTED THIS REGULATION:

Article 1

Applications for system B export licences for shelled almonds and walnuts in shell submitted pursuant to Article 1 of Regulation (EC) No 1877/2000, export declarations for which are accepted after 30 October 2000 and before 16 November 2000, are hereby rejected.

Article 2

This Regulation shall enter into force on 31 October 2000.

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

Done at Brussels, 30 October 2000.

For the Commission
Franz FISCHLER
Member of the Commission

[1] OJ L 292, 15.11.1996, p. 12.
[2] OJ L 34, 9.2.2000, p. 16.
[3] OJ L 225, 5.9.2000, p. 10.

COMMISSION REGULATION (EC) No 2417/2000

of 30 October 2000

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

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

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

Whereas:

Pursuant to Article 2 (2) and Article 3 of abovementioned Regulation (EEC) No 4088/87, Community import and producer prices are fixed each fortnight for uniflorous (bloom) carnations, multiflorous (spray) carnations, large-flowered roses and small-flowered roses and apply for two-weekly periods. Pursuant to Article 1b of Commission Regulation (EEC) No 700/88 of 17 March 1988 laying down detailed rules for the application of the arrangements for the import into the Community of certain floricultural products originating in Cyprus, Israel, Jordan, Morocco and the West Bank and the Gaza Strip [3], as last amended by Regulation (EC) No 2062/97 [4], those prices are determined for fortnightly periods on the basis of weighted prices provided by the Member States. Those prices should be fixed immediately so the customs duties applicable can be determined. Whereas, to that end, provision should be made for this Regulation to enter into force immediately,

HAS ADOPTED THIS REGULATION:

Article 1

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

Article 2

This Regulation shall enter into force on 31 October 2000.

It shall apply from 1 to 14 November 2000.

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

Done at Brussels, 30 October 2000.

For the Commission

Franz FISCHLER

Member of the Commission

[1] OJ L 382, 31.12.1987, p. 22.
[2] OJ L 177, 5.7.1997, p. 1.
[3] OJ L 72, 18.3.1988, p. 16.
[4] OJ L 289, 22.10.1997, p. 1.

ANNEX

to the Commission Regulation of 30 October 2000 fixing Community producer and import prices for carnations and roses with a view to the application of the arrangements governing imports of certain floricultural products originating in Cyprus, Israel, Jordan, Morocco and the West Bank and the Gaza Strip

(EUR/100 pieces)

Period: from 1 to 14 November 2000

Community producer price	Uniflorous (bloom) carnations	Multiflorous (spray) carnations	Large-flowered roses	Small-flowered roses
	21,55	15,61	38,12	16,24
Community import prices	**Uniflorous (bloom) carnations**	**Multiflorous (spray) carnations**	**Large-flowered roses**	**Small-flowered roses**
Israel	—	—	11,67	9,63
Morocco	23,52	20,45	—	—
Cyprus	—	—	—	—
Jordan	—	—	—	—
West Bank and Gaza Strip	—	—	—	—

II

(Acts whose publication is not obligatory)

COUNCIL

DECISION No 2/2000 OF THE EU-SLOVAK ASSOCIATION COUNCIL of 24 July 2000 adopting the terms and conditions for the participation of the Slovak Republic in Community programmes in the fields of training and education

(2000/662/EC)

THE ASSOCIATION COUNCIL,

Having regard to the Additional Protocol to the Europe Agreement establishing an association between the European Communities and their Member States, of the one part, and the Slovak Republic, of the other part, concerning the Slovak Republic's participation in Community programmes, and in particular Articles 1 and 2 thereof [1],

Whereas:

(1) According to Article 1 of the Additional Protocol, the Slovak Republic may participate in Community framework programmes, specific programmes, projects or other actions notably in the fields of training and education.

(2) According to Article 2 of the Additional Protocol, the terms and conditions for the participation of the Slovak Republic in these activities shall be decided by the Association Council.

(3) Following Decision No 1/98 of the Association Council between the European Communities and their Member States, of the one part, and the Slovak Republic, of the other part, of 3 March 1998 adopting the terms and conditions for the participation of the Slovak Republic [2] in Community programmes in the fields of training, youth and education, the Slovak Republic has been participating in the first phase of the Leonardo da Vinci [3] and Socrates [4] programmes since 1 April 1998, and has expressed the wish to participate in the second phase of the programmes,

HAS DECIDED AS FOLLOWS:

Article 1

The Slovak Republic shall participate in the second phase of the European Community programmes Leonardo da Vinci and Socrates set out respectively in Council Decision 1999/382/EC of 26 April 1999 establishing the second phase of the Community vocational training action programme 'Leonardo da Vinci' [5] and Decision No 253/2000/EC of the European Parliament and of the Council of 24 January 2000 establishing the second phase of the Community action programme in the field of education 'Socrates' [6] (hereinafter called 'Leonardo da Vinci II' and 'Socrates II') according to the terms and conditions set out in Annexes I and II which shall form an integral part of this Decision.

Article 2

This Decision shall apply for the duration of the Leonardo da Vinci II and Socrates II programmes, starting from 1 January 2000.

Article 3

This Decision shall enter into force on the day of its adoption by the Association Council.

Done at Brussels, 24 July 2000.

For the Association Council

The President

E. KUKAN

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[1] OJ L 115, 9.5.1996, p. 43.
[2] OJ L 88, 24.3.1998, p. 49.
[3] OJ L 340, 29.12.1994, p. 8.
[4] OJ L 87, 20.4.1995, p. 10. Decision as amended by Decision No 576/98/EC (OJ L 77, 14.3.1998, p. 1).
[5] OJ L 146, 11.6.1999, p. 33.
[6] OJ L 28, 3.2.2000, p. 1.

ANNEX I

TERMS AND CONDITIONS FOR THE PARTICIPATION OF THE SLOVAK REPUBLIC IN THE LEONARDO DA VINCI II AND SOCRATES II PROGRAMMES

1. The Slovak Republic will participate in the activities of the Leonardo da Vinci II and Socrates II programmes (hereinafter referred to as 'the Programmes') in conformity, unless otherwise provided for in this Decision, with the objectives, criteria, procedures and deadlines as defined in Council Decision 1999/382/EC and Decision No 253/2000/EC of the European Parliament and of the Council establishing these Community action programmes.

2. In conformity with the terms of the Articles 5 of the Decisions on Leonardo da Vinci II and Socrates II and with the provisions relating to the responsibilities of the Member States and of the Commission concerning the Leonardo da Vinci and Socrates National Agencies adopted by the Commission, the Slovak Republic will establish the appropriate structures for the coordinated management of the implementation of the programme actions at national level, and will take the measures needed to ensure the adequate funding of these Agencies which will receive programme grants for their activities. The Slovak Republic will take all other necessary steps for the efficient running of the Programmes at national level.

3. To participate in the Programmes, the Slovak Republic will pay each year a contribution to the general budget of the European Communities according to the arrangements set out in Annex II.

   If necessary in order to take account of programme developments, or the evolution of the Slovak Republic's absorption capacity, the Association Committee is entitled to adapt this contribution, so as to avoid a budgetary imbalance in the implementation of the Programmes.

4. The terms and conditions for the submission, assessment and selection of applications related to eligible institutions, organisations and individuals of the Slovak Republic will be the same as those applicable to eligible institutions, organisations and individuals of the Community.

   Slovak experts may be taken into consideration by the Commission when appointing independent experts according to the relevant provisions of the Decisions establishing the Programmes to assist it in project evaluation.

5. With a view to ensuring the Community dimension of the Programmes, in order to be eligible for Community financial support, projects and activities will have to include a partner from at least one of the Member States of the Community.

6. For the mobility activities referred to in Annex I, section III.1 of the Leonardo da Vinci II Decision, and for the Socrates decentralised actions, as well as for financial support to the activities of the National Agencies set up in accordance with point 2, funds will be allocated to the Slovak Republic on the basis of the annual programme budget breakdown decided at Community level and the Slovak Republic's contribution to the Programme. The maximum amount of financial support to the activities of the National Agencies will not exceed 50 % of the budget for the National Agencies' work programmes.

7. The Member States of the Community and the Slovak Republic will make every effort, within the framework of existing provisions, to facilitate the free movement and residence of students, teachers, trainees, trainers, university administrators, young people and other eligible persons moving between the Slovak Republic and the Member States of the Community for the purpose of participating in activities covered by this Decision.

8. Activities covered by this Decision will be exempt from imposition by the Slovak Republic of indirect taxes, customs duties, prohibitions and restrictions on imports and exports in respect of goods and services intended for use under such activities.

9. Without prejudice to the responsibilities of the Commission of the European Communities and the Court of Auditors of the European Communities in relation to the monitoring and evaluation of the Programmes pursuant to the Decisions on Leonardo da Vinci II and Socrates II (Articles 13 and 14 respectively), the participation of the Slovak Republic in the Programmes will be continuously monitored on a partnership basis involving the Commission of the European Communities and the Slovak Republic. The Slovak Republic will submit to the Commission relevant reports and take part in other specific activities set out by the Community in that context.

10. In conformity with the Community's Financial Regulations, contractual arrangements concluded with, or by, entities of the Slovak Republic shall provide for controls and audits to be carried out by, or under the authority of, the Commission and the Court of Auditors. As far as financial audits are concerned, they may be carried out with the purpose of controlling such entities' income and expenditures, related to the contractual obligations towards the Community. In a spirit of cooperation and mutual interest, the relevant authorities of the Slovak Republic shall provide any reasonable and feasible assistance as may be necessary or helpful under the circumstances to perform such controls and audits.

    The provisions relating to the responsibilities of the Member States and of the Commission concerning the Leonardo da Vinci and the Socrates National Agencies adopted by the Commission will apply to the relations between the Slovak Republic, the Commission and the Slovak National Agencies. In the event of irregularity, negligence or fraud imputable to the Slovak National Agencies, the Slovak authorities shall be responsible for the funds not recovered.

11. Without prejudice to the procedures referred to in Article 7 of the Decision on Leonardo da Vinci II and Article 8 of the Decision on Socrates II, representatives of the Slovak Republic will participate as observers in the Programme Committees, for the points which concern them. These committees shall meet without the presence of representatives of the Slovak Republic for the rest of the points, as well as, at the time of voting.

12. The language to be used in contacts with the Commission, as regards the application process, contracts, reports to be submitted and other administrative arrangements for the Programmes, will be any one of the official languages of the Community.

13. The Community and the Slovak Republic may terminate activities under this Decision at any time on 12 months' notice in writing. Projects and activities in progress at the time of termination shall continue until their completion under the conditions laid down in this Decision.

ANNEX II

FINANCIAL CONTRIBUTION OF THE SLOVAK REPUBLIC TO LEONARDO DA VINCI II AND SOCRATES II

1. **Leonardo da Vinci**

The financial contribution to be paid by the Slovak Republic to the budget of the European Union to participate in the Leonardo da Vinci II programme will be the following (in euro):

Year 2000	Year 2001	Year 2002	Year 2003	Year 2004	Year 2005	Year 2006
2 068 000	2 126 000	2 268 000	2 369 000	2 469 000	2 597 000	2 697 000

2. **Socrates**

The financial contribution to be paid by the Slovak Republic to the budget of the European Union to participate in the Socrates II programme in 2000 will be EUR 2 131 000.

The contribution to be paid by the Slovak Republic for the following years of the Programme will be decided by the Association Council in the course of the year 2000.

3. The Slovak Republic will pay the contribution mentioned above, partly from the Slovak national budget, and partly from the Slovak Republic's Phare National Programme. Subject to a Phare separate programming procedure, the request Phare funds will be transferred to the Slovak Republic by means of a separate Financing Memorandum. Together with the part coming from the Slovak Republic's State budget, these funds will constitue the Slovak Republic's national contribution, out of which it will make payments in response to annual calls for funds from the Commission.

4. Phare funds will be requested according to the following schedule:

— EUR 1 456 700 for the contribution to the Socrates II programme in 2000,

— for the contribution to the Leonardo da Vinci II programme, the following yearly amounts (in euro):

Year 2000	Year 2001	Year 2002	Year 2003	Year 2004	Year 2005	Year 2006
1 430 800	1 262 000	1 122 000	Amount to be specified later	Amount to be specified later	Amount to be specified later	Amount to be specified later

The remaining part of the contribution of the Slovak Republic will be covered from the Slovak State budget.

5. The Financial Regulation applicable to the General Budget of the European Communities [1] will apply, notably as regards the management of the contribution of the Slovak Republic.

Travel costs and subsistence costs incurred by representatives and experts of the Slovak Republic for the purposes of taking part as observers in the work of the committees referred to in Annex I, Point 11 or other meetings related to the implementation of the Programmes shall be reimbursed by the Commission on the same basis as and in accordance with the procedures currently in force for nongovernmental experts of the Member States of the European Union.

6. After the entry into force of this Decision and at the beginning of each following year, the Commission will send to the Slovak Republic a call for funds corresponding to its contribution to each of the respective Programmes under this Decision.

This contribution shall be expressed in euro and paid into a euro bank account of the Commission.

The Slovak Republic will pay its contribution according to the call for funds:

— by 1 May for the part financed from its national budget, provided that the call for funds is sent by the Commission before 1 April, or at the latest one month after the call for funds is sent if later,

— by 1 May for the part financed from Phare, provided that the corresponding amounts have been sent to the Slovak Republic by this time, or at the latest in a period of 30 days after these funds have been sent to the Slovak Republic.

Any delay in the payment of the contribution shall give rise to the payment of interest by the Slovak Republic on the outstanding amount from the due date. The interest rate corresponds to the rate applied by the European Central Bank, on the due date, for its operations in euro, increased by 1,5 percentage points.

[1] OJ L 356, 31.12.1977, p. 1. Financial Regulation as last amended by Regulation (EC, ECSC, Euratom) No 2673/1999 (OJ L 326, 18.12.1999, p. 1).

DECISION No 4/2000 OF THE UE-LATVIA ASSOCIATION COUNCIL

of 9 October 2000

adopting the terms and conditions for the participation of the Republic of Latvia in the Community programme in the field of small and medium-sized enterprises

(2000/663/EC)

THE ASSOCIATION COUNCIL,

Having regard to the Europe Agreement establishing an association between the European Communities and their member States, of the one part, and the Republic of Latvia, of the other part [1], and in particular Article 109 thereof,

Whereas:

(1) According to Article 109 of the Europe Agreement, Latvia may participate in Community framework programmes, projects or other Community actions in the fields laid down in Annex XVIII, which include the field of small and medium-sized enterprises.

(2) Council Decision 97/15/EC of 9 December 1996 on a third multiannual programme for small and medium-sized enterprises (SMEs) in the European Union (1997 to 2000) [2] adopts a programme for Community policy for SMEs, including craft and very small enterprises, for a period of four years from 1 January 1997, and Article 7(1) thereof provides that this programme is to be open to the participation of the associated Central European countries.

(3) According to Article 109 of the Europe Agreement the terms and conditions for the participation of Latvia in the activities referred to in Annex XVIII are to be decided by the Association Council,

HAS DECIDED AS FOLLOWS:

Article 1

The Republic of Latvia shall participate in the Third Multiannual Programme for Small and Medium-sized Enterprises (SMEs) in the European Union (1997 to 2000) in accordance with the terms and conditions set out in Annexes I and II which shall form an integral part of this Decision.

Article 2

This Decision shall apply for the duration of the programme.

Article 3

This Decision shall enter into force on the first day of the month following its adoption.

Done at Brussels, 9 October 2000.

For the Association Council

The President

H. VÉDRINE

[1] OJ L 26, 2.2.1998, p. 1.
[2] OJ L 6, 10.1.1997, p. 25.

ANNEX I

Terms and conditions for the participation of Latvia in the Third Multiannual Programme for Small and Medium-sized Enterprises (SMEs) in the European Union (1997 to 2000)

1. Latvia will participate in the activities of the Third Multiannual Programme for Small and Medium-sized Enterprises (SMEs) in the European Union (1997 to 2000) (hereinafter called 'the Programmes') in conformity, unless otherwise provided in this Decision, with the objectives, criteria, procedures and time limits laid down in Council Decision (97/15/EC) of 9 December 1996 on a Third Multiannual Programme for Small and Medium-sized Enterprises (SMEs) in the European Union (1997 to 2000) and in particular Article 7(1) thereof.

2. The terms and conditions for the submission, assessment and selection of applications related to eligible institutions, organisations and individuals of Latvia will be the same as those applicable to eligible institutions, organisations and individuals of the Community.

3. Where appropriate, in order to ensure the Community dimension of the Programme, transitional projects and activities proposed by Latvia will be required to include a minimum number of partners from the Member States of the Community. This minimum number will be decided in the framework of the implementation of the Programme, taking into account the nature of the various activities, the number of partners in a given project, and the number of countries participating in the Programme.

4. Latvia will pay each year a contribution to the general budget of the European Union to cover the costs resulting from its participation in the Programme (see Annex II). The Association Committee is entitled to adapt this contribution whenever necessary.

5. The Member States of the Community and Latvia will make every effort, within the framework of the existing provisions, to facilitate the free movement and residence of all eligible persons to the Programme moving between Latvia and the Member States of the Community for the purpose of participating in activities covered by the Decision.

6. Without prejudice to the responsibilities of the Commission and the Court of Auditors of the European Community in relation to the evaluation of the Programme according to the Decision on a Third Multiannual Programme for Small and Medium-sized Enterprises (SMEs) in the European Union (Article 6), the participation of Latvia in the Programme will be continuously evaluated on a partnership basis involving Latvia and the Commission of the European Communities. Latvia will submit the necessary reports to the Commission and take part in other specific activities set out by the Community in that context.

7. Without prejudice to the procedures referred to in Article 4 of the Decision on a Third Multiannual Programme for Small and Medium-sized Enterprises (SMEs) in the European Union, Latvia will be invited to coordination meetings on any question concerning the implementation of this Decision prior to regular meetings of the Programme Committee. The Commission will inform Latvia about the results of such regular meetings.

8. The language to be used as regards the application process, contracts, reports to be submitted and other administrative arrangements for the Programme, will be one of the official languages of the Community.

ANNEX II

Financial contribution of Latvia to the Third Multiannual Programme for Small and Medium-sized Enterprises (SMEs) in the European Union (1997 to 2000)

1. The financial contribution of Latvia will cover:

   (a) financial support from the Programme to the participation of Latvian entities in activities as defined in Annex I.1,

   (b) supplementary costs of an administrative nature related to the management of the Programme by the Commission stemming from Latvia's participation.

2. For every financial year, the aggregated amount of subsidies or any other financial support received from the Programme by the Latvian beneficiaries will not exceed the contribution paid by Latvia, after deduction of the supplementary administrative costs.

   Should the contribution paid by Latvia to the general budget of the European Union, after deduction of the supplementary administrative costs, be higher than the aggregated amount of subsidies or other financial support received by the Latvian beneficiaries from the Programme, the Commission will transfer the balance to the next budgetary exercise, and it will be deducted from the following year's contribution. Should such a balance be left when the Programme comes to an end, the corresponding amount will be reimbursed to Latvia.

3. Latvia's annual contribution will be of EUR 479 360 from 1999. From this sum, an amount of EUR 31 360 will cover supplementary administrative costs related to the management of the Programme by the Commission stemming from Latvia's participation.

4. The financial regulations applicable to the general budget of the European Union will apply, notably to the management of the contribution of Latvia.

   Upon entry into force of this Decision and at the beginning of each following year, the Commission will send to Latvia a call for funds corresponding to its contribution to the costs under this Decision.

   This contribution will be expressed in euro and paid into a euro bank account of the Commission.

   Latvia will pay its contribution to the annual costs under this Decision according to the call for funds and at the latest three months after the call for funds is sent. Any delay in the payment of the contribution shall give rise to the payment of interest by Latvia on the outstanding amount from the due date. The interest rate corresponds to the rate applied by the ECB, for the month of the due date, for its operations in euro, increased by 1,5 percentage points.

5. Latvia will pay the supplementary administrative costs referred to in paragraph 3 from its national budget.

6. Latvia will pay EUR 448 000 of the remaining costs of its participation in the Programme from its national budget.

COUNCIL DECISION

of 23 October 2000

amending Decision 2000/265/EC on the establishment of a financial regulation governing the budgetary aspects of the management by the Deputy Secretary-General of the Council of contracts concluded in his name, on behalf of certain Member States, relating to the installation and the functioning of the communication infrastructure for the Schengen environment, 'SISNET'

(2000/664/EC)

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the first sentence of the second subparagraph of Article 2(1) of the Protocol annexed to the Treaty on European Union and to the Treaty establishing the European Community, integrating the Schengen acquis into the framework of the European Union (hereinafter referred to as 'the Schengen Protocol'),

Whereas:

(1) Decision 1999/870/EC [1] authorised the Deputy Secretary-General of the Council to act, in the context of the integration of the Schengen acquis within the European Union, as representative of certain Member States for the purposes of concluding contracts relating to the installation and the functioning of the communication infrastructure for the Schengen environment, 'SISNET', and to manage such contracts.

(2) The financial obligations arising under those contracts are not borne by the general budget of the European Union. Therefore, the provisions of the Financial Regulation of 21 December 1997 applicable to the general budget of the European Communities [2] do not apply.

(3) Accordingly, a financial regulation was adopted under Decision 2000/265/EC [3] setting out specific rules to define the detailed procedures for establishing and implementing the budget required to meet any expenses incurred in the course of concluding the contracts, the obligations arising under those contracts once concluded, for recovering the contributions to be paid by the States concerned and for the presentation and auditing of the accounts.

(4) Good accountancy practices require some minor formal amendments to the said financial regulation.

(5) This Decision is a development of the Schengen acquis within the meaning of the Schengen Protocol,

HAS DECIDED AS FOLLOWS:

Article 1

Council Decision 2000/265/EC is hereby amended as follows:

1. Article 7(1)(b) shall be replaced by the following:

   '(b) appropriations in respect of payments still outstanding at 31 December by virtue of commitments duly entered into between 1 January and 15 December shall be carried over automatically to the next financial year only.'

2. The first subparagraph of Article 7(2) shall be replaced by the following:

   '2. Notwithstanding paragraph 1, the Deputy Secretary-General of the Council may forward to the Schengen Information System Working Group, hereafter referred to as the "SIS Working Group", before 31 January, duly substantiated requests to carry over to the next financial year appropriatons not committed at 15 December when the appropriations provided for the headings concerned in the budget for the following financial year do not cover requirements.'

3. The first sentence of Article 21 shall be replaced by the following:

   'Payments shall be effected through a bank account specifically opened for that purpose in the name of the General Secretariat of the Council.'

Article 2

1. This Decision shall take effect on the day of its adoption.

2. It shall be published in the *Official Journal of the European Communities*.

Done at Luxembourg, 23 October 2000.

For the Council

The President

J. GLAVANY

[1] OJ L 337, 30.12.1999, p. 41.
[2] OJ L 356, 31.12.1977, p. 1. Regulation as last amended by Regulation (EC) No 2673/1999 (OJ L 326, 18.12.1999, p. 1).
[3] OJ L 85, 6.4.2000, p. 12.

COUNCIL DECISION

of 23 October 2000

extending the period of application of Decision 82/530/EEC authorising the United Kingdom to permit the Isle of Man authorities to apply a system of special import licences to sheepmeat and beef and veal

(2000/665/EC)

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty establishing the European Community,

Having regard to Protocol 3 to the 1972 Act of Accession, and in particular Article 1(2) and the second subparagraph of Article 5 thereof,

Having regard to the proposal from the Commission,

Whereas:

(1) Community rules concerning trade with third countries in agricultural products subject to a common organisation of the market apply to the Isle of Man in accordance with Article 1(2) of Protocol 3 to the Act of Accession and with Council Regulation (EEC) No 706/73 of 12 March 1973 concerning the Community arrangements applicable to the Channel Islands and the Isle of Man for trade in agricultural products [1].

(2) Livestock production is a traditional activity in the Isle of Man and plays a central part in the Island's agriculture.

(3) Before the introduction of the common organisation of the market in sheepmeat and goatmeat within the Community, the Isle of Man, as part of its local market organisation, applied certain mechanisms to control imports of sheepmeat into the Island in order to ensure that the need to supply the requirements of the trade could be met whilst avoiding distortions in the pattern of sheep production and, indirectly, in cattle production on the Island and in its own agricultural support system.

(4) In the context of the trade arrangements with certain third countries pursuant to the common organisation of the market applicable to the Isle of Man, subject to the Community provisions which governed the relationship between the Island and the Community, it was desirable to permit the Island authorities to apply certain measures in order to protect its own production and the working of its own agricultural support system.

(5) Therefore, Council Decision 82/530/EEC [2] authorised the United Kingdom to permit the Isle of Man Government to apply a system of special licences for imports of sheepmeat and beef and veal originating in third countries and in Member States of the Community, without prejudice to the measures concerning trade with third countries provided for by Council Regulations (EC) No 1254/1999 of 17 May 1999 on the common organisation of the market in beef and veal [3] and (EC) No 2467/98 of 3 November 1998 on the common organisation of the market in sheepmeat and goatmeat [4]. This authorisation was granted for a period ending on 31 December 2000.

(6) Under the Agreement on Agriculture concluded in the framework of the Uruguay Round of multilateral trade negotiations [5], the Community replaced the special trade arrangements with third countries on imports of products in the sheep and beef sector by a system of quotas. However, it is desirable in the light of experience gained during the application of Decision 82/530/EEC to extend the system of special import licences for a further period with the possibility of further reviewing the situation before the end of that period and without prejudice to the international obligations of the Community. Article 2 of Decision 82/530/EEC should therefore be amended accordingly,

HAS DECIDED AS FOLLOWS:

Article 1

Article 2 of Decision 82/530/EEC is hereby replaced by the following:

'*Article 2*

This Decision shall apply until 31 December 2005.

Before 1 July 2005 the Commission shall present to the Council a report on the application of the system, together with any proposals for the retention of, or amendment to, this Decision.'

Article 2

This Decision is addressed to the United Kingdom.

Done at Luxembourg, 23 October 2000.

For the Council

The President

J. GLAVANY

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[1] OJ L 68, 15.3.1973, p. 1. Regulation as amended by Regulation (EEC) No 1174186 (OJ L 167, 24.4.1986, p. 1)

[2] OJ L 234, 9.8.1982, p. 7. Decision as last amended by Decision 96/90/EC (OJ L 21, 27.1.1996, p. 67).

[3] OJ L 160, 26.6.1999, p. 21.

[4] OJ L 312, 20.11.1998, p. 1. Regulation as last amended by Regulation (EC) No 1669/2000 (OJ L 193, 29.7.2000, p. 8).

[5] OJ L 336, 23.12.1994, p. 22.

COMMISSION

COMMISSION DECISION

of 16 October 2000

laying down the animal health requirements and the veterinary certification for the import of birds, other than poultry and the conditions for quarantine

(notified under document number C(2000) 3012)

(Text with EEA relevance)

(2000/666/EC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Directive 92/65/EEC of 13 July 1992 laying down animal health requirements governing trade and imports into the Community of animals, semen, ova and embryos not subject to animal health requirements laid down in specific Community rules referred to in Annex A(I) to Directive 90/425/EEC [1] as last amended by Commission Decision 95/176/EC [2] and in particular Article 17 paragraph 2(b) and 3 and Article 18 paragraph 1, first end fourth indents thereof,

Whereas:

(1) It is necessary to lay down the animal health conditions and the certification requirements for imports of birds other than poultry from certain third countries.

(2) After their entry onto the territory of the Community birds other than poultry shall be quarantined in accordance with Article 7 paragraph A number 1(c) of Directive 92/65/EEC in quarantine facilities or centres in the Community before being placed on the market. Special conditions for the approval of quarantine facilities or centres for birds have to be laid down.

(3) A positive finding for avian influenza or Newcastle disease or the confirmation of these diseases in the quarantined birds or the sentinel chickens shall not be reported as an outbreak within the context of Council Directive 82/894/EEC [3] on the notification of animal diseases within the Community, but should nevertheless be reported to the Commission.

(4) Candidate countries for exporting birds to the Community must be members of the Office International des Epizooties (OIE.) and must comply with the general requirements of the section on veterinary ethics and certification for international trade.

(5) The measures provided for in this Decision have followed the notification procedure of the Agreement on the Application of the Sanitary and Phytosanitary Measures (SPS) laid down within the framework of the World Trade Organisation (WTO).

(6) The measures provided for in this Decision are in accordance with the opinion of the Standing Veterinary Committee,

HAS ADOPTED THIS DECISION:

Article 1

For the purposes of this Decision, the definitions of Council Directive 92/40/EEC [4] shall apply for avian influenza and Council Directive 92/66/EEC [5] for Newcastle disease.

In addition:

— 'quarantine facility' means premises which are separated from poultry holdings and other bird holdings by a reasonable distance, when taking into account the epidemiology of Newcastle disease and avian influenza as regards airborne spread, and in which quarantine of imported birds is carried out on an 'all-in, all-out' basis,

[1] OJ L 268, 14.9.1992, p. 54.
[2] OJ L 117, 24.5.1995, p. 23.
[3] OJ L 378, 31.12.1982, p. 58.
[4] OJ L 167, 22.6.1992, p. 2.
[5] OJ L 260, 5.9.1992, p. 2.

— 'quarantine centre' means premises containing a number of units, which are operationa!ly and physically separated from each other and in which each unit contains only birds of the same consignment, with the same health status and being therefore one epidemiological unit; and within each unit of which the quarantine of imported birds is carried out on an 'all-in, all-out' basis; and which are separated from poultry holdings and other bird holdings by a reasonable distance, when taking into account the epidemiology of Newcastle disease and avian influenza as regards airborne spread,

— 'birds' mean: animals of avian species not covered by Article 2 number 1 of Council Directive 90/539/EEC [1] excluding birds referred to in Article 1 third paragraph (relating to pet birds accompanying their owner) and Article 19 of Directive 92/65/EEC (relating to birds for zoos, circuses, amusement parks and experimental laboratories),

— 'sentinel chickens' mean poultry which are to be used as a diagnostic aid during quarantine.

This decision shall not apply to birds taken directly from the wild for conservation programmes approved by the competent authority in the Member State of destination.

Article 2

Member States shall authorise the import of birds from countries listed in Annex D to this Decision only if:

1. they originate from holdings which are registered by the competent authority of the exporting country;

2. they are accompanied by an animal health certificate as laid down in Annex A;

3. they are transported in cages or crates which are individually identified with the identification number that must correspond with the identification number indicated on the animal health certificate;

4. the importer can prove at the border inspection post that an approved quarantine facility or centre will accept the birds. The written proof shall contain the name and the address of the approved facility issued by an official designated by the competent authority.

Article 3

1. The birds shall be transported directly from the border inspection post to an approved quarantine facility or centre in cages or crates, without prejudice to Council Directive 91/628/EEC [2].

2. Following the inspection of the birds the crates or cages or the transport vehicle must be sealed by the official responsible for the border inspection post in such a way as to avoid any possibility of substitution of the contents during transport to the quarantine facility or centre.

3. The birds must be quarantined for at least 30 days in an approved quarantine facility or centre.

4. A quarantine facility or centre for imported birds shall be approved by the competent authority in accordance with the conditions laid down in Annex B.

5. At least at the beginning and at the end of quarantine of each consignment the official veterinarian shall inspect the quarantine provisions including an examination of the mortality records and a clinical inspection of the birds in each unit of the quarantine centre or in the quarantine facility. The official veterinarian or an authorised veterinarian must carry out inspection more frequently if the disease situation requires it.

Article 4

1. After the birds have been placed in quarantine, the sampling and testing of the birds and/or the sentinel chickens, as set out in Annex C, shall be carried out.

2. When sentinel chickens are used they must be used only once, be unvaccinated, have been found sero-negative for Newcastle Disease and avian influenza not less than seven days and not more than 14 days before the start of quarantine, be at least three weeks old, be placed in the quarantine unit before the arrival of the birds, be leg-banded for identification purposes or identified with another non-removable identification and placed in the quarantine unit as close as possible to the birds in such a way that contact between the sentinel chickens and the excrements of the quarantine birds is ensured. A minimum of four sentinel chickens must be used in the quarantine facility or in each unit of the quarantine centre.

3. If during quarantine as provided for in Article 3 it is suspected that one or more birds are infected with avian influenza or Newcastle disease, samples for virological examination as set out in Annex C(2) shall be taken from birds in the facility or suspect unit and shall be analysed accordingly.

4. If during quarantine as provided for in Article 3 one or more birds or the sentinel chickens are found to be infected with avian influenza or Newcastle disease the following rules apply:

(a) all birds of the infected quarantine facility or unit have to be killed and destroyed;

(b) the infected quarantine facility or unit has to be cleaned and disinfected;

(c) in the case of quarantine centres, not earlier than 21 days after final cleansing and disinfection, samples for serological examination shall be taken from sentinel chickens in the other quarantine units; or

[1] OJ L 303, 31.10.1990, p. 6.
[2] OJ L 340, 11.12.1991, p. 17.

(d) in the case of quarantine centres, where no sentinel chickens are used, during 7 to 15 days after final cleaning and disinfection, samples for virological examination have to be taken from birds in the other quarantine units;

(e) no birds shall leave the quarantine centre until the results of the sampling described in the previous indents have been confirmed as negative;

(f) no birds shall enter the previously infected quarantine facility or unit until 21 days after the final cleaning and disinfection.

5. By way of derogation from paragraph 4 the competent authority may decide that after positive findings for Newcastle disease in one or more birds or in the sentinel chickens that the birds need not be destroyed, if, at least 30 days after the death or clinical recovery of the last case, sampling according to Annex C(1)(B) (ignoring the reference to the time period specified) has been carried out with negative results. The birds may not be released from quarantine before at least 60 days have elapsed after the clinical signs of Newcastle disease have disappeared. Any matter or waste likely to be contaminated has to be destroyed in such a way that guarantees the destruction of any Newcastle disease virus present as well as all the waste that has accumulated during the 60-day period. The Commission shall be informed of the measures taken in each case.

Article 5

If during quarantine as provided for in Article 3 it is suspected or confirmed that psittaciformes are infected with *Chlamydia psittaci* all birds of the consignment must be treated by a method approved by the competent authority and the quarantine must be prolonged for at least two months following the last recorded case.

Article 6

Psittaciformes must be identified individually at arrival in quarantine in accordance with Chapter 2B of Annex B. These identification numbers must be listed in the records which have to be kept according to Article 7.

Article 7

The management provisions of the quarantine centre or facility including the disposal of waste materials and the keeping of records must be in accordance with the requirements of, Chapter 2A of Annex B.

Article 8

All quarantine costs occasioned by the application of the present Decision shall be borne by the importer.

Article 9

Birds can be released from quarantine only on written authorisation by an official veterinarian.

Article 10

This Decision shall apply as from 1 May 2001.

Article 11

This Decision is adressed to all the Member States.

Done at Brussels, 16 October 2000.

For the Commission

David BYRNE

Member of the Commission

ANNEX A

SPECIMEN ANIMAL HEALTH CERTIFICATE

for birds other than poultry intended for dispatch to the European Community

After the import control, this consignment must be transported directly to an approved quarantine facility or centre.

Health certificate reference No:

Exporting country:	Region of origin ([1]):
COMPETENT AUTHORITY (CENTRAL LEVEL): Ministry: Service:	COMPETENT AUTHORITY (LOCAL LEVEL):
Member State of destination:	Accompanying export CITES permit No, if required:
Consignor (name and address in full):	Consignee (name and address in full):
Address of holding of origin and registration No:	Importer (if different from above, name and address in full):
Place of loading:	Name and address of the final destination of the birds:
Approved quarantine facility (name and address in full) in the country of destination:	Means of transport ([2]):

I. **Identification**

Quantity (in words and figures):

Number of birds:

Number of crates or cages:

Identification No on crates or cages	Indentification of compartment	Number of birds (by each species)	Species (scientific name)

([1]) Only to be completed if the authorisation to export to the Community is restricted to certain regions of the third country concerned.
([2]) Indicate means of transport and registration marks or registered name, as appropriate.

Notes:

(a) A separate certificate must be provided for each consignment of birds.
(b) The original of the certificate must accompany the consignment until it reaches the border inspection post.
(c) It must be completed on the day of loading and all time limits referred to relate to that date.

II. **Health information**

I, the undersigned official veterinarian, hereby certify that:

1. The birds have been kept on a holding on the territory of the exporting country for at least 21 days or since hatching.
2. The birds must come from a holding, which is not under animal health restrictions in connection with any diseases referred to in paragraph 3 to which these birds are susceptible.
3. Newcastle Disease and avian influenza in poultry and other birds kept in captivity and psittacosis in psittaciforme [3] are notifiable diseases.
4. Avian influenza and Newcastle Disease outbreaks have not been notified either in the holding of origin or in the surrounding area within a radius of 10 km for at least 30 days.
5. Only in the case of psittaciforme [4]: outbreaks of psittacosis have not been reported in the holding of origin during the last 60 days.
6. The birds described in this certificate meet the following requirements:
   (a) they have been examined on the day of loading and show no clinical signs or suspicion of infectious disease and are fit to travel:
   (b) they have not been vaccinated against Newcastle Disease.

III. **Transport information**

The birds described in this certificate are transported in crates or cages which:

— contain only birds coming from the same establishment,
— contain only birds of the same species or which consist of different compartments, each compartment containing only birds of the same species,
— bear the name, the address and a specific registration number of the holding of origin and a specific identification number of the individual crate or cage,
— are constructed in such a way so as to:
  — preclude the loss of excrement and to minimise the loss of feathers during transport,
  — allow visual inspection of the birds,
  — allow cleansing and disinfection,
— are being used for the first time or have been, as well as the vehicle in which they are loaded, cleansed and disinfected before loading in accordance with the instructions of the competent auhtority,
— in case of air transport, are at least in accordance with the most recent IATA (International Air Transport Association) rules governing the transport of live animals,
— in case of CITES-listed species the birds are to be transported according to the 'CITES guidelines for transport'.

This certificate is valid for five days.

Done at (place) ……., (date) ……

Stamp [5]

……
(signature of official veterinarian) [5]

……
(name in capital letters, qualifications and title)

[3] Only applicable in case of psittaciformes.
[4] Delete if not applicable.
[5] Stamp and signature in a colour different from that of the printing.

IV. **Supplementary health information**

From the official veterinarian present at the time of loading in the final means of transport, (for example aeroplane) if means of transport is different from above.

I, the undersigned official veterinarian, hereby certify, that I have inspected the birds on …… (date) at …… (time) and found no clinical signs or suspicion of infectious disease, and that they are fit to travel.

Flight details: airline …… flight No ……

This certificate is valid for five days.

Done at (place) ……, on (date) ……

Stamp ([5])

……
(signature of official veterinarian) ([5])

……
(name in capital letters, qualifications and title)

([5]) Stamp and signature in a colour different from that of the printing.

ANNEX B

MINIMUM CONDITIONS FOR THE APPROVAL OF QUARANTINE FACILITIES AND CENTRES FOR BIRDS

CHAPTER 1

Construction and equipment of the quarantine facility or centre

1. The quarantine facility or centre must be a separate building which is separated from poultry holdings and other bird holdings by a reasonable distance when taking into account the epidemiology of Newcastle disease and avian influenza as regards airborne spread. Entry/exit doors should be lockable with signs indicating: 'QUARANTINE — No admission for unauthorised persons'.

2. Each quarantine unit of the centre must occupy a separate airspace.

3. The quarantine facility or centre must be bird, fly and vermin proof and sealable so as to permit fumigation.

4. The facility or each quarantine unit has to be equipped with handwashing facilities.

5. Entry and exit doors to the facility and to each quarantine unit must be double door systems.

6. Hygiene barriers have to be installed at all entrances/exits to the facility and the different units.

7. All equipment must be constructed in a way that it can be cleansed and disinfected.

8. The feed store must be bird and rodent proof and should be protected against insects.

9. A container must be available to store litter and must be bird and rodent proof.

10. A refrigerator and/or freezer must be provided for holding carcases.

CHAPTER 2

A. Management provisions

1. Quarantine facilities or centres must:
   - have an efficient control system so as to ensure adequate surveillance of the animals,
   - be under the control and responsibility of the official veterinarian,
   - be cleaned and disinfected in accordance with a programme approved by the competent authority after which there shall be an appropriate resting period; the disinfectants used must be approved for the purpose by the competent authority.

2. An 'all-in, all-out' policy must be followed in each quarantine facility or quarantine unit.

3. Precautions should be taken to prevent cross-contamination between incoming and outgoing consignments.

4. No unauthorised persons may enter the quarantine facility.

5. Persons entering the quarantine facility must wear protective clothing including footwear.

6. No contacts of personnel shall take place, which may cause contamination between units.

7. Appropriate equipment has to be available for cleaning and disinfection.

8. Cleansing and disinfection of the cages or crates used for the transport must be carried out at the quarantine facility or centre unless they are destroyed. If reused, they have to be made of a material that allows effective cleaning and disinfection. The cages and crates have to be destroyed in such a way so as to avoid spread of disease agents.

9. Litter and waste material has to be collected regularly, stored in the litter container and subsequently has to be treated in such a way as to avoid spread of disease-causing agents.

10. Carcases of dead birds must be examined in an official laboratory designated by the competent authority.

11. The necessary analyses and treatments must be carried out in consultation with and under the control of the official veterinarian.

12. The official veterinarian must be informed of diseases and death of birds and/or sentinel chickens during the quarantine period.

13. The person in charge of the facility or centre must keep a record of:

(a) the date, number and species of birds entering and leaving for each consignment,

(b) copies of the health and border crossing certificates accompanying the imported birds,

(c) individual identification numbers of psittaciformes,

(d) any significant observation: cases of illness and number of deaths on a daily basis,

(e) dates and results of testing; type and dates of treatment,

(f) persons entering the quarantine centre.

14. This record has to be kept for at least one year.

B. **Identification of psittaciformes**

Individual identification of psittaciformes shall be carried out on arrival in quarantine by means of a leg-ring or a microchip.

1. The leg-ring shall be tamper-proof and its diameter shall be adequate for the species.

2. The leg-ring or the microchip shall bear at least the following information:

(a) the ISO code of the Member State performing the identification;

(b) a unique serial number.

3. An appropriate microchip reader if identification by microchipping is used must be available at the quarantine facility or centre.

4. The details of the type of microchip and the reader used shall be recorded.

ANNEX C

EXAMINATION, SAMPLING AND TESTING PROCEDURES FOR NEWCASTLE DISEASE AND AVIAN INFLUENZA

1. During quarantine either the sentinel chickens or if sentinel chickens are not used the imported birds must be subjected to the following procedures:

   A. With use of sentinel chickens:

      (i) blood samples for serological examination must be taken from all sentinel chickens not less then 21 days after the imported birds entered quarantine and at least three days before the end of the quarantine period;

      (ii) if sentinel chickens show positive or inconclusive serological results the imported birds must be subjected to virological examination. Cloacal swabs (or faeces) must be taken from all birds if the consignment is less than 60, or from 60 birds from larger consignments.

   B. Without use of sentinel chickens:

      imported birds have to be examined virologically (serological testing is. not appropriate). Cloacal swabs (or faeces) must be taken from all birds if the consignment is less than 60 or from 60 birds from larger consignments during the first 7 to 15 days of the quarantine period.

2. In addition to the testing set out in 1A or B the following samples for virological examination have to be taken:

   (i) cloacal swabs (or faeces) and tracheal swabs (if possible) from clinically ill birds or ill sentinel chickens;

   (ii) from the intestinal contents, brain, trachea, lungs, liver, spleen, kidneys and other obviously affected organs as soon as possible after the death from either;

      — dead sentinel chickens and all birds dead on arrival and those which die during quarantine,
      or
      — in the case of high mortality in small birds of large consignments from at least 10 % of the dead birds.

3. All virological and serological testing of samples taken during quarantine must be carried out in official laboratories designated by the competent authority using diagnostic procedures according to Annex III to Directive 92/66/EEC and Annex III to Directive 92/40/EEC. For virological examination pooling of samples up to a maximum of five samples of individual birds in one pool is allowed. Faecal material must be pooled separately from other organ and tissue samples.

4. Virus isolates must be submitted to the national reference laboratory.

ANNEX D

LIST OF THIRD COUNTRIES WHICH CAN USE THE ANIMAL HEALTH CERTIFICATE IN ANNEX A

Countries listed as members of the Office International des Epizooties OIE. in the OIE. Bulletin.

COMMISSION DECISION

of 20 October 2000

terminating the examination procedure concerning changes made by the United States of America in their rules of origin for textiles and apparel products

(notified under document number C(2000) 3070)

(2000/667/EC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EC) No 3286/94 of 22 December 1994 laying down Community procedures in the field of the common commercial policy in order to ensure the exercise of the Community's rights under international trade rules, in particular those established under the auspices of the World Trade Organisation [1], as last amended by Regulation (EC) No 356/95 [2], and in particular Article 11(1) thereof,

After consulting the Advisory Committee.

Whereas:

A. PROCEDURAL BACKGROUND

(1) On 11 October 1996, Federtessile (Italian Federation of Textile Industries) lodged a complaint under Article 4 of Regulation (EC) No 3286/94 (hereinafter 'the Regulation') on behalf of the association representing the Italian silk industry and the association representing the Italian luxury finishing textile industry and their members, concerning the new US rules of origin for textile and apparel products, as foreseen under the Uruguay Round Agreements Act adopted by the US Congress in July 1995.

(2) The complainant alleged that the changes made by the USA to their rules of origin legislation for textile products constituted an obstacle to trade within the meaning of Article 2(1) of the Regulation. More specifically, the complainant referred to two Agreements annexed to the Agreement Establishing the World Trade Organisation (hereinafter 'the WTO Agreement'): Article 4(2) of the Agreement on Textiles and Clothing and Article 2(b) and (c) of the Agreement on Rules of Origin. According to the complainant, these new rules refused Community originating status to products which have been dyed, printed and finished in the Community on loom-state fabrics produced in non-member countries. Under previous US legislation, that was prior to July 1995, these products had Community origin. Under the new 1995 rules, certain fabrics, silk handkerchiefs and scarves were considered to originate where the base fabric was knit and woven, notwithstanding any further processing.

(3) The complainant pointed out that this change threatened Community exports of textile products. Community exports no longer benefited from the free access to the US market that they had enjoyed previously but were subject to any quantitative restrictions that the USA was maintaining vis-à-vis the third country where the weaving of the grey cloth (i.e. the fabric on which subsequent finishing operations were made in the EC) took place. A second category of effects invoked by the complainant concerned the labelling of the Community products exported into the USA. For instance, silk scarves made of Chinese fabrics processed in Italy could no longer be sold under the label 'made in Italy' but had to indicate 'made in China', in some cases just next to the trade mark. This marking requirement clearly affected the brand image, in particular since products exported from the European Communities to the USA are in the high-quality/high-value bracket.

(4) After having examined the admissibility of the complaint, the European Commission considered that the complaint contained sufficient evidence to justify the initiation of a procedure under the Regulation. The European Commission considered that Article 4(2) of the Agreement on Textiles and Clothing could provide the basis for an action for all Community textile exports to the USA which would have been or may have been subject to the quantitative restrictions imposed by the USA on fibre producers. This situation is expressly provided for by Article 4(2) of the Agreement on Textiles and Clothing, which specifies, *inter alia*, that the introduction of changes in rules on the implementation or administration of those restrictions notified or applied under the Agreement should not adversely affect the access available to a member or disrupt trade in textiles products.

[1] OJ L 349, 31.12.1994, p. 71.
[2] OJ L 41, 23.2.1995, p. 3.

(5) The Commission also considered that a significant aspect of the problem lay in the requirement to label the products in question as originating in the country which produced the loom-state fabric and not in the European Community or one of its Member States. This practice was likely to turn the US consumer away from Community exports of the textiles in question because they could no longer be identified as such. Hence the Commission considered that the Agreement on Rules of Origin should also be used as a basis of the action, because Article 2 of that Agreement provides that rules of origin may not be used to pursue trade objectives directly or indirectly and may not themselves create restrictive, distorting or disruptive effects on international trade.

(6) An examination procedure was therefore initiated on 22 November 1996 ([1]).

B. **THE INITIATION OF A DISPUTE SETTLEMENT PROCEDURE IN THE WORLD TRADE ORGANISATION**

(7) On publishing the notice of initiation of the examination procedure, the Commission commenced an investigation in order to complete its legal analysis and to determine the actual extent to which exports of Community textiles would be affected by the new US rules. In March 1997, it appeared that the factual information so far gathered by the Commission already provided sufficient proof of certain adverse trade effects and their possible build-up.

(8) Moreover, it had emerged from the many consultations held before and after the initiation of an examination procedure between representatives of the European Commission and the USA in view of finding a satisfactory solution to the problem, that only a further change to US legislation on origin rules for textiles would restore the security of Community exporters. Therefore, the European Commission took the view that until the US Congress examined such an amendment, further consultations with the US administration would not produce final and satisfactory results since it did not have the power to enter into any undertaking.

(9) Hence, in the absence of a bill to amend US rules of origin for textiles put before the US Congress and resulting in the adoption of legislation in full compliance with US commitments arising from the Uruguay Round, the Commission considered that it was in the Community's interest to act rapidly against the US through official action.

(10) A Commission Decision to initiate a WTO dispute settlement procedure, taken in accordance with Article 14 of the Regulation, was published in the *Official Journal of the European Communities* on 4 March 1997 ([2]).

(11) On 22 May 1997, the European Community requested consultations with the United States of America in the World Trade Organisation (WT/DS85/1) pursuant to Article 4 of the Understanding on Rules and Procedures Governing the Settlement of Disputes, Article 8(4) of the Agreement on Textiles and Clothing, Article 7 of the Agreement on Rules of Origin, Article 14(1) of the Agreement on Technical Barriers to Trade (TBT Agreement) and Article XXII of the General Agreement on Tariffs and Trade 1994 (GATT 94) regarding the change to US rules of origin for textiles and apparel products.

(12) The request for consultations first pointed out that Article 2.4 of the Agreement on Textile and Clothing requires that no new restriction in terms of products or Members shall be introduced. Article 4(2) of the same Agreement prescribes that the introduction of changes in the implementation or administration of restrictions notified to the WTO shall not: upset the balance of rights and obligations between the members; adversely affect the access available to a member; impede the full utilisation of such access; or disrupt trade under the Agreement. In this respect, the European Communities took the view that the 1995 change in US rules of origin caused precisely those effects and that the United States should have initiated consultations with the European Communities prior to the implementation of such changes, in accordance with Article 4(4) of the Agreement.

(13) The request for consultations further questioned the compatibility of the above mentioned changes in US rules of origin with Article 2 of the Agreement on Rules of Origin which contains disciplines that a Member must abide by when changing its rules of origin during the transitional period. These disciplines prescribe, *inter alia*, that the rules may not be used as instruments to pursue trade objectives, directly or indirectly; that they should not themselves create restrictive, distorting or disruptive effects on international trade; and that they must be administered in a consistent, uniform, impartial and reasonable manner. The European Communities expressed the view that the 1995 US rules of origin did not respect such requirements.

([1]) OJ C 351, 22.11.1996, p. 6.

([2]) OJ L 62, 4.3.1997, p. 43.

(14) Finally, the request for consultations expressed the view that the US requirements on country of origin marking corresponded to a technical regulation as defined in Annex I to be TBT Agreement and, as applied since the changes to the US rules of origin, do not guarantee to imported Community products a treatment equivalent to the one granted to domestic products; a difference in treatment which was not compatible with Article III of GATT 94 and Article 2 of the TBT Agreement.

C. **CONTINUATION OF THE INVESTIGATION**

(15) Meanwhile the investigation was continued with a view to establishing more accurately the effects of the US practice on Community exports of the products in question.

(16) An investigation report was transmitted to the EC Member States on 28 May 1997. The findings of the investigation confirmed that the new US origin rules introduced on 1 July 1996 were contrary to Articles 2(4) and 4(2) of the WTO Agreement on Textiles and Clothing, Article 2 of the WTO Agreement on Rules of Origin, Article 2 of the TBT and Article III of GATT 94. According to the Commission, the implementation of this system was adversely affecting EC exports into the USA of dyed and printed fabrics and flat products resulting therefrom (such as scarves, bed and table linen, handkerchiefs, etc) and that Italy was particularly affected.

D. **NEGOTIATED SOLUTION TO THE DISPUTE**

(17) The WTO dispute settlement procedure was suspended on 15 July 1997, in the light of an apparent negotiated solution to the dispute, laid down in a *procès-verbal* concluded between the two parties that same day. In this *procès-verbal*, the US Administration agreed to bring about legislative change in view of reintroducing the pre-Uruguay Round Act rules of origin for those textiles affected by the procedure. This solution was notified to the Chairman of the WTO Dispute Settlement Body on 11 February 1998. Unfortunately, the United States did not implement the commitments as contained in this notification. Thus, in the European Communities' view, the situation remained inconsistent with the US obligations under the WTO rules.

(18) A new request for WTO consultations was therefore circulated on 25 November 1998 (WT/DS151/1). Consultations were held in Geneva on 15 January 1999, in presence of El Salvador, Honduras, Hong Kong, China, India, Japan, Pakistan and Switzerland. These consultations failed to solve the dispute.

(19) As a result of further bilateral negotiations, the United States and the EC finally found common ground to settle the dispute and on 16 August 1999 both parties signed a second *procès-verbal*. This new compromise took note of the fact that the 1997 *procès-verbal* had not led to a rapid solution and that it was therefore agreed to amend the 1997 *procès-verbal*. The new arrangement obligated the US Administration to submit legislation which amends the rule-of-origin requirements in section 334 of the Uruguay Round Agreements Act in order to allow dyeing, printing, and two or more finishing operations to confer origin on certain fabrics and goods. In particular, it was agreed that: (1) the US Administration would propose to Congress that it adopt a Bill as annexed to the *procès-verbal*, containing an amendment to the US origin rules, set forth in 19 U.S.C. 3592 and to make its best efforts to ensure that the Congress enact this Bill expeditiously, and (2) new rules on visas would provide that a single import visaed invoice/licence could be used on multiple shipments of textile products of cotton or consisting of fibre blends containing 16 % or more by weight of cotton exported from the EC or products of cotton when these products are made up in the EC from fabric which is dyed and printed in the EC and has undergone in the EC two or more finishing operations.

(20) In implementation of point (2) of the *procès-verbal*, the US Administration published in the Federal Register of 6 December 1999 (Vol. 64 NO 233/Notices) an 'Amendment of export visa and quota requirements for certain textile products produced and manufactured in all countries and made up in the European Community'. It amends the United States' visa and quota systems to permit the use of a single visaed document for certain types of products exported from the EC on and after 16 August 1999. These products are: textile products of cotton or consisting of fibre blends containing 16 % or more by weight of cotton exported from the EC or products of cotton made up in the EC from fabric, if they are dyed and printed in the EC and have undergone in the EC two or more finishing operations, and provided that the original visaed invoice/licence is valid and the quantity is not exceeded.

(21) In implementation of point (1) of the *procès-verbal*, an amendment to the US origin rules was attached to the Bill on the Trade and Development Act of 2000. The Trade and Development Act of 2000 was adopted by the US House of Representatives on 2 May 2000, by the US Senate on 11 May 2000 and enacted by the US President on 21 May 2000.

(22) Section 405 thereof, entitled 'Clarification of Section 33 of the Uruguay Round Agreements Act', reinstates the rules of origin that existed prior to the Uruguay Round Agreements Act for certain products. Specifically, the new rules confer origin as to the country in which dyeing, printing, and two or more finishing operations were done on fabrics classified under the HTS as silk, cotton, man-made and vegetable fibres. It also applies to various products classified in 18 identified HS headings (mostly flat products) except for goods made from cotton, wool or fibre blends containing 16 % or more cotton.

(23) After careful examination of the 'Amendment of export visa and quota requirements for certain textile products produced and manufactured in all countries and made up in the European Community' and section 405 of the Trade and Development Act of 2000, and after consultations with the complainant, who expressed his satisfaction, the European Commission concluded that section 405 of the Trade and Development Act of 2000 was in conformity with the US commitments under the *procès-verbal* of 16 August 1999 and effectively removed the obstacles to trade addressed in Federtessile's complaint of 11 October 1996.

E. **RECOMMENDATION**

(24) The examination procedure concerning changes made by the United States of America in their rules of origin for textiles and apparel products should therefore be terminated,

HAS DECIDED AS FOLLOWS:

Sole Article

The examination procedure concerning changes made by the United States of America in their rules of origin for textiles and apparel products initiated on 22 November 1996 is hereby terminated.

Done at Brussels, 20 October 2000.

For the Commission

Pascal LAMY

Member of the Commission

CORRIGENDA

Corrigendum to Council Regulation (EC) No 1522/2000 of 10 July 2000 imposing a definitive anti-dumping duty on imports of synthetic staple fibres of polyester originating in Australia, Indonesia and Thailand and collecting definitively the provisional duty imposed

(Official Journal of the European Communities L 175 of 14 July 2000)

On page 26, in Article 1(2), in the table, in the column headed 'Company', against 'Indonesia':

for: 'Graha Idma, 17th floor,
Jl. HR Rasuna Said Blok Z-1,',

read: 'Graha Irama, 17th floor,
Jl. H.R. Rasuna Said Blok Z-1,'.

Corrigendum to Recommendation ECB/2000/10 of the European Central Bank of 5 October 2000 on the external auditors of the national central banks

(Official Journal of the European Communities L 259 of 13 October 2000)

On page 65, in the second recital:

for: '… Council Decision 98/317/EC (2) in accordance with Article 109j(4) of the Treaty…',

read: '… Council Decision 98/317/EC of 3 May 1998 in accordance with Article 109j(4) of the Treaty(2)…'.
