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I

(Acts whose publication is obligatory)

COMMISSION REGULATION (EC) No 118/1999
of 20 January 1999
establishing the standard import values for determining the entry price of certain
fruit and vegetables

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

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

Having regard to Council Regulation (EEC) No 3813/92 of 28 December 1992 on the unit of account and the conversion rates to be applied for the purposes of the common agricultural policy ⁽³⁾, as last amended by Regulation (EC) No 150/95 ⁽⁴⁾, and in particular Article 3 (3) thereof,

Whereas Regulation (EC) No 3223/94 lays down, pursuant to the outcome of the Uruguay Round multilateral trade negotiations, the criteria whereby the Commission fixes the standard values for imports from third

countries, in respect of the products and periods stipulated in the Annex thereto;

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

HAS ADOPTED THIS REGULATION:

Article 1

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

Article 2

This Regulation shall enter into force on 21 January 1999.

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

Done at Brussels, 20 January 1999.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ L 337, 24. 12. 1994, p. 66.

⁽²⁾ OJ L 198, 15. 7. 1998, p. 4.

⁽³⁾ OJ L 387, 31. 12. 1992, p. 1.

⁽⁴⁾ OJ L 22, 31. 1. 1995, p. 1.

ANNEX

to the Commission Regulation of 20 January 1999 establishing the standard import values for determining the entry price of certain fruit and vegetables

(EUR/100 kg)

CN code	Third country code ⁽¹⁾	Standard import value
0702 00 00	052	85,8
	204	53,7
	624	151,0
	999	96,8
0707 00 05	052	99,2
	053	102,9
	999	101,0
0709 10 00	220	68,8
	999	68,8
0709 90 70	052	136,9
	204	141,8
	628	122,8
	999	133,8
0805 10 10, 0805 10 30, 0805 10 50	052	50,1
	204	40,1
	212	44,1
	220	31,7
	600	47,3
	624	43,6
	999	42,8
0805 20 10	052	34,1
	204	64,7
	999	49,4
0805 20 30, 0805 20 50, 0805 20 70, 0805 20 90	052	61,0
	204	61,0
	464	74,1
	624	71,8
	999	67,0
0805 30 10	052	48,8
	600	78,3
	999	63,6
0808 10 20, 0808 10 50, 0808 10 90	060	40,4
	400	74,5
	404	74,8
	720	91,7
	728	101,1
	999	76,5
0808 20 50	052	137,9
	064	59,1
	400	81,9
	720	40,2
	999	79,8

⁽¹⁾ Country nomenclature as fixed by Commission Regulation (EC) No 2317/97 (OJ L 321, 22. 11. 1997, p. 19). Code '999' stands for 'of other origin'.

COMMISSION REGULATION (EC) No 119/1999
of 20 January 1999

fixing the maximum export refund for white sugar for the 23rd partial invitation to tender issued within the framework of the standing invitation to tender provided for in Regulation (EC) No 1574/98

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

Having regard to Council Regulation (EEC) No 1785/81 of 30 June 1981 on the common organization of the markets in the sugar sector⁽¹⁾, as last amended by Commission Regulation (EC) No 1148/98⁽²⁾, and in particular the second subparagraph of Article 17 (5)(b) thereof,

Whereas Commission Regulation (EC) No 1574/98 of 22 July 1998 on a standing invitation to tender to determine levies and/or refunds on exports of white sugar⁽³⁾, requires partial invitations to tender to be issued for the export of this sugar;

Whereas, pursuant to Article 9 (1) of Regulation (EC) No 1574/98 a maximum export refund shall be fixed, as the case may be, account being taken in particular of the state and foreseeable development of the Community and world markets in sugar, for the partial invitation to tender in question;

Whereas, following an examination of the tenders submitted in response to the 23rd partial invitation to tender, the provisions set out in Article 1 should be adopted;

Whereas the measures provided for in this Regulation are in accordance with the opinion of the Management Committee for Sugar,

HAS ADOPTED THIS REGULATION:

Article 1

For the 23rd partial invitation to tender for white sugar issued pursuant to Regulation (EC) No 1574/98 the maximum amount of the export refund is fixed at EUR 49,939 per 100 kilograms.

Article 2

This Regulation shall enter into force on 21 January 1999.

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

Done at Brussels, 20 January 1999.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ L 177, 1. 7. 1981, p. 4.

⁽²⁾ OJ L 159, 3. 6. 1998, p. 38.

⁽³⁾ OJ L 206, 23. 7. 1998, p. 7.

COMMISSION REGULATION (EC) No 120/1999

of 20 January 1999

fixing the export refunds on white sugar and raw sugar exported in its unaltered state

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EEC) No 1785/81 of 1 June 1981 on the common organization of the markets in the sugar sector ⁽¹⁾, as last amended by Regulation (EC) No 1148/98 ⁽²⁾, and in particular point (a) of the first subparagraph of Article 19 (4) thereof,

Whereas Article 19 of Regulation (EEC) No 1785/81 provides that the difference between quotations or prices on the world market for the products listed in Article 1 (1) (a) of that Regulation and prices for those products within the Community may be covered by an export refund;

Whereas Regulation (EEC) No 1785/81 provides that when refunds on white and raw sugar, undenatured and exported in its unaltered state, are being fixed account must be taken of the situation on the Community and world markets in sugar and in particular of the price and cost factors set out in Article 17a of that Regulation; whereas the same Article provides that the economic aspect of the proposed exports should also be taken into account;

Whereas the refund on raw sugar must be fixed in respect of the standard quality; whereas the latter is defined in Article 1 of Council Regulation (EEC) No 431/68 of 9 April 1968 determining the standard quality for raw sugar and fixing the Community frontier crossing point for calculating cif prices for sugar ⁽³⁾, as amended by Regulation (EC) No 3290/94 ⁽⁴⁾; whereas, furthermore, this refund should be fixed in accordance with Article 17a (4) of Regulation (EEC) No 1785/81; whereas candy sugar is defined in Commission Regulation (EC) No 2135/95 of 7 September 1995 laying down detailed rules of application

for the grant of export refunds in the sugar sector ⁽⁵⁾; whereas the refund thus calculated for sugar containing added flavouring or colouring matter must apply to their sucrose content and, accordingly, be fixed per 1 % of the said content;

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

Whereas, in special cases, the amount of the refund may be fixed by other legal instruments;

Whereas the refund must be fixed every two weeks; whereas it may be altered in the intervening period;

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

Whereas the measures provided for in this Regulation are in accordance with the opinion of the Management Committee for Sugar,

HAS ADOPTED THIS REGULATION:

Article 1

The export refunds on the products listed in Article 1 (1) (a) of Regulation (EEC) No 1785/81, undenatured and exported in the natural state, are hereby fixed to the amounts shown in the Annex hereto.

Article 2

This Regulation shall enter into force on 21 January 1999.

⁽¹⁾ OJ L 177, 1. 7. 1981, p. 4.

⁽²⁾ OJ L 159, 3. 6. 1998, p. 38.

⁽³⁾ OJ L 89, 10. 4. 1968, p. 3.

⁽⁴⁾ OJ L 349, 31. 12. 1994, p. 105.

⁽⁵⁾ OJ L 214, 8. 9. 1995, p. 16.

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

Done at Brussels, 20 January 1999.

For the Commission
 Franz FISCHLER
Member of the Commission

ANNEX

to the Commission Regulation of 20 January 1999 fixing the export refunds on white sugar and raw sugar exported in its unaltered state

Product code	Amount of refund
	— EUR/100 kg —
1701 11 90 9100	42,53 ⁽¹⁾
1701 11 90 9910	42,09 ⁽¹⁾
1701 11 90 9950	⁽²⁾
1701 12 90 9100	42,53 ⁽¹⁾
1701 12 90 9910	42,09 ⁽¹⁾
1701 12 90 9950	⁽²⁾
	— EUR/1 % of sucrose × 100 kg —
1701 91 00 9000	0,4623
	— EUR/100 kg —
1701 99 10 9100	46,23
1701 99 10 9910	46,89
1701 99 10 9950	46,89
	— EUR/1 % of sucrose × 100 kg —
1701 99 90 9100	0,4623

⁽¹⁾ Applicable to raw sugar with a yield of 92 %; if the yield is other than 92 %, the refund applicable is calculated in accordance with the provisions of Article 17a (4) of Regulation (EEC) No 1785/81.

⁽²⁾ Fixing suspended by Commission Regulation (EEC) No 2689/85 (OJ L 255, 26. 9. 1985, p. 12), as amended by Regulation (EEC) No 3251/85 (OJ L 309, 21. 11. 1985, p. 14).

COMMISSION REGULATION (EC) No 121/1999

of 20 January 1999

fixing the representative prices and the additional import duties for molasses in the sugar sector

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

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

Having regard to Commission Regulation (EC) No 1422/95 of 23 June 1995 laying down detailed rules of application for imports of molasses in the sugar sector and amending Regulation (EEC) No 785/68⁽³⁾, and in particular Articles 1 (2) and 3 (1) thereof,

Whereas Regulation (EC) No 1422/95 stipulates that the cif import price for molasses, hereinafter referred to as the 'representative price', should be set in accordance with Commission Regulation (EEC) No 785/68⁽⁴⁾; whereas that price should be fixed for the standard quality defined in Article 1 of the above Regulation;

Whereas the representative price for molasses is calculated at the frontier crossing point into the Community, in this case Amsterdam; whereas that price must be based on the most favourable purchasing opportunities on the world market established on the basis of the quotations or prices on that market adjusted for any deviations from the standard quality; whereas the standard quality for molasses is defined in Regulation (EEC) No 785/68;

Whereas, when the most favourable purchasing opportunities on the world market are being established, account must be taken of all available information on offers on the world market, on the prices recorded on important third-country markets and on sales concluded in international trade of which the Commission is aware, either directly or through the Member States; whereas, under Article 7 of Regulation (EEC) No 785/68, the Commission may for this purpose take an average of several prices as a basis, provided that this average is representative of actual market trends;

Whereas the information must be disregarded if the goods concerned are not of sound and fair marketable quality or if the price quoted in the offer relates only to a small quantity that is not representative of the market;

whereas offer prices which can be regarded as not representative of actual market trends must also be disregarded;

Whereas, if information on molasses of the standard quality is to be comparable, prices must, depending on the quality of the molasses offered, be increased or reduced in the light of the results achieved by applying Article 6 of Regulation (EEC) No 785/68;

Whereas a representative price may be left unchanged by way of exception for a limited period if the offer price which served as a basis for the previous calculation of the representative price is not available to the Commission and if the offer prices which are available and which appear not to be sufficiently representative of actual market trends would entail sudden and considerable changes in the representative price;

Whereas where there is a difference between the trigger price for the product in question and the representative price, additional import duties should be fixed under the conditions set out in Article 3 of Regulation (EC) No 1422/95; whereas should the import duties be suspended pursuant to Article 5 of Regulation (EC) No 1422/95, specific amounts for these duties should be fixed;

Whereas application of these provisions will have the effect of fixing the representative prices and the additional import duties for the products in question as set out in the Annex to this Regulation;

Whereas the measures provided for in this Regulation are in accordance with the opinion of the Management Committee for Sugar,

HAS ADOPTED THIS REGULATION:

Article 1

The representative prices and the additional duties applying to imports of the products referred to in Article 1 of Regulation (EC) No 1422/95 are fixed in the Annex hereto.

Article 2

This Regulation shall enter into force on 21 January 1999.

⁽¹⁾ OJ L 177, 1. 7. 1981, p. 4.

⁽²⁾ OJ L 159, 3. 6. 1998, p. 38.

⁽³⁾ OJ L 141, 24. 6. 1995, p. 12.

⁽⁴⁾ OJ L 145, 27. 6. 1968, p. 12.

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

Done at Brussels, 20 January 1999.

For the Commission

Franz FISCHLER

Member of the Commission

ANNEX

fixing the representative prices and additional import duties applying to imports of molasses in the sugar sector

CN code	Amount of the representative price in EUR per 100 kg net of the product in question	Amount of the additional duty in EUR per 100 kg net of the product in question	Amount of the duty to be applied to imports in EUR per 100 kg net of the product in question because of suspension as referred to in Article 5 of Regulation (EC) No 1422/95 ⁽²⁾
1703 10 00 ⁽¹⁾	6,16	0,29	—
1703 90 00 ⁽¹⁾	7,15	0,07	—

⁽¹⁾ For the standard quality as defined in Article 1 of amended Regulation (EEC) No 785/68.

⁽²⁾ This amount replaces, in accordance with Article 5 of Regulation (EC) No 1422/95, the rate of the Common Customs Tariff duty fixed for these products.

COMMISSION REGULATION (EC) No 122/1999
of 19 January 1999
establishing unit values for the determination of the customs value of certain
perishable goods

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EEC) No 2913/92 of 12 October 1992 establishing the Community Customs Code ⁽¹⁾, as last amended by Regulation (EC) No 82/97 ⁽²⁾,

Having regard to Commission Regulation (EEC) No 2454/93 of 2 July 1993 laying down provisions for the implementation of Council Regulation (EEC) No 2913/92 establishing the Community Customs Code ⁽³⁾, as last amended by Regulation (EC) No 46/1999 ⁽⁴⁾, and in particular Article 173 (1) thereof,

Whereas Articles 173 to 177 of Regulation (EEC) No 2454/93 provide that the Commission shall periodically establish unit values for the products referred to in the classification in Annex 26 to that Regulation;

Whereas the result of applying the rules and criteria laid down in the abovementioned Articles to the elements communicated to the Commission in accordance with Article 173 (2) of Regulation (EEC) No 2454/93 is that unit values set out in the Annex to this Regulation should be established in regard to the products in question,

HAS ADOPTED THIS REGULATION:

Article 1

The unit values provided for in Article 173 (1) of Regulation (EEC) No 2454/93 are hereby established as set out in the table in the Annex hereto.

Article 2

This Regulation shall enter into force on 22 January 1999.

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

Done at Brussels, 19 January 1999.

For the Commission
Martin BANGEMANN
Member of the Commission

⁽¹⁾ OJ L 302, 19. 10. 1992, p. 1.

⁽²⁾ OJ L 17, 21. 1. 1997, p. 1.

⁽³⁾ OJ L 253, 11. 10. 1993, p. 1.

⁽⁴⁾ OJ L 10, 15. 1. 1999, p. 1.

ANNEX

Code	Description	Amount of unit values per 100 kg						
	Species, varieties, CN code	a) b) c)	EUR FIM SEK	ATS FRF BEF/LUF	DEM IEP GBP	DKK ITL	GRD NLG	ESP PTE
1.10	New potatoes 0701 90 51 0701 90 59	a) b) c)	53,39 317,44 488,89	734,66 350,22 2 153,75	104,42 42,05 37,58	397,44 103 377,46	17 349,08 117,66	8 883,35 10 703,73
1.30	Onions (other than seed) 0703 10 19	a) b) c)	15,73 93,53 144,04	216,45 103,18 634,55	30,77 12,39 11,07	117,10 30 457,53	5 111,46 34,66	2 617,25 3 153,58
1.40	Garlic 0703 20 00	a) b) c)	136,17 809,63 1 246,91	1 873,74 893,22 5 493,08	266,33 107,24 95,85	1 013,66 263 661,89	44 248,44 300,08	22 656,78 27 299,63
1.50	Leeks ex 0703 90 00	a) b) c)	59,79 355,50 547,50	822,73 392,20 2 411,92	116,94 47,09 42,09	445,08 115 769,58	19 428,76 131,76	9 948,22 11 986,82
1.60	Cauliflowers 0704 10 10 0704 10 05 0704 10 80	a) b) c)	75,84 450,92 694,47	1 043,58 497,48 3 059,38	148,33 59,73 53,38	564,56 146 846,72	24 644,21 167,13	12 618,71 15 204,55
1.70	Brussels sprouts 0704 20 00	a) b) c)	59,69 354,90 546,58	821,35 391,54 2 407,89	116,74 47,01 42,02	444,34 115 575,96	19 396,27 131,54	9 931,58 11 966,77
1.80	White cabbages and red cabbages 0704 90 10	a) b) c)	44,91 267,02 411,24	617,98 294,59 1 811,66	87,84 35,37 31,61	334,31 86 957,89	14 593,50 98,97	7 472,40 9 003,65
1.90	Sprouting broccoli or calabrese (<i>Brassica oleracea</i> L. <i>convar. botrytis</i> (L.) Alef var. <i>italica</i> Plenck) ex 0704 90 90	a) b) c)	105,95 629,95 970,18	1 457,90 694,99 4 274,01	207,22 83,44 74,58	788,70 205 147,81	34 428,45 233,48	17 628,60 21 241,07
1.100	Chinese cabbage ex 0704 90 90	a) b) c)	57,59 342,41 527,35	792,46 377,77 2 323,17	112,64 45,36 40,54	428,71 111 509,79	18 713,87 126,91	9 582,17 11 545,76
1.110	Cabbage lettuce (head lettuce) 0705 11 10 0705 11 05 0705 11 80	a) b) c)	152,67 907,73 1 398,00	2 100,79 1 001,45 6 158,69	298,60 120,24 107,46	1 136,49 295 610,34	49 610,12 336,44	25 402,15 30 607,59
1.120	Endives ex 0705 29 00	a) b) c)	21,82 129,74 199,81	300,25 143,13 880,22	42,68 17,18 15,36	162,53 42 249,41	7 090,41 48,08	3 630,54 4 374,52
1.130	Carrots ex 0706 10 00	a) b) c)	42,68 253,76 390,82	587,29 279,96 1 721,71	83,47 33,61 30,04	317,71 82 640,00	13 868,87 94,05	7 101,35 8 556,57
1.140	Radishes ex 0706 90 90	a) b) c)	173,89 1 033,90 1 592,31	2 392,78 1 140,64 7 014,71	340,10 136,95 122,40	1 294,45 336 697,99	56 505,56 383,20	28 932,86 34 861,81
1.160	Peas (<i>Pisum sativum</i>) 0708 10 90 0708 10 20 0708 10 95	a) b) c)	290,27 1 725,87 2 658,00	3 994,20 1 904,05 11 709,46	567,72 228,61 204,32	2 160,80 562 041,09	94 323,24 639,67	48 296,86 58 193,91

Code	Description	Amount of unit values per 100 kg						
	Species, varieties, CN code	a) b) c)	EUR FIM SEK	ATS FRF BEF/LUF	DEM IEP GBP	DKK ITL	GRD NLG	ESP PTE
1.170	Beans:							
1.170.1	Beans (<i>Vigna</i> spp., <i>Phaseolus</i> spp.) ex 0708 20 90 ex 0708 20 20 ex 0708 20 95	a) b) c)	105,40 626,68 965,15	1 450,34 691,38 4 251,83	206,14 83,01 74,19	784,61 204 082,86	34 249,73 232,27	17 537,08 21 130,80
1.170.2	Beans (<i>Phaseolus</i> spp., <i>vulgaris</i> var. <i>Compressus</i> Savi) ex 0708 20 90 ex 0708 20 20 ex 0708 20 95	a) b) c)	125,44 745,83 1 148,65	1 726,09 822,83 5 060,24	245,34 98,79 88,30	933,79 242 885,71	40 761,73 276,43	20 871,46 25 148,46
1.180	Broad beans ex 0708 90 00	a) b) c)	157,74 937,88 1 444,43	2 170,55 1 034,71 6 363,22	308,51 124,23 111,03	1 174,23 305 427,23	51 257,61 347,61	26 245,73 31 624,03
1.190	Globe artichokes 0709 10 00	a) b) c)	— — —	— — —	— — —	— — —	— — —	— — —
1.200	Asparagus:							
1.200.1	— green ex 0709 20 00	a) b) c)	466,13 2 771,48 4 268,35	6 414,09 3 057,61 18 803,64	911,67 367,11 328,11	3 469,92 902 553,54	151 468,94 1 027,22	77 557,51 93 450,67
1.200.2	— other ex 0709 20 00	a) b) c)	341,06 2 027,85 3 123,09	4 693,09 2 237,21 13 758,33	667,06 268,61 240,07	2 538,88 660 384,25	110 827,45 751,60	56 747,61 68 376,39
1.210	Aubergines (eggplants) 0709 30 00	a) b) c)	116,45 692,38 1 066,33	1 602,39 763,86 4 697,58	227,76 91,71 81,97	866,87 225 478,64	37 840,43 256,62	19 375,65 23 346,13
1.220	Ribbed celery (<i>Apium graveolens</i> L., var. <i>dulce</i> (Mill.) Pers.) ex 0709 40 00	a) b) c)	90,20 536,30 825,96	1 241,18 591,67 3 638,66	176,42 71,04 63,49	671,46 174 651,55	29 310,49 198,77	15 008,02 18 083,48
1.230	Chantarelles 0709 51 30	a) b) c)	1 193,55 7 096,53 10 929,34	16 423,61 7 829,17 48 147,69	2 334,38 940,00 840,14	8 884,91 2 311 035,06	387 844,07 2 630,24	198 590,01 239 285,29
1.240	Sweet peppers 0709 60 10	a) b) c)	148,08 880,44 1 355,97	2 037,63 971,34 5 973,53	289,62 116,62 104,23	1 102,32 286 722,86	48 118,60 326,33	24 638,44 29 687,37
1.250	Fennel 0709 90 50	a) b) c)	73,55 437,31 673,50	1 012,07 482,46 2 967,00	143,85 57,93 51,77	547,51 142 412,66	23 900,07 162,08	12 237,69 14 745,45
1.270	Sweet potatoes, whole, fresh (intended for human consumption) 0714 20 10	a) b) c)	47,50 282,42 434,96	653,61 311,58 1 916,15	92,90 37,41 33,44	353,59 91 972,82	15 435,13 104,68	7 903,34 9 522,90
2.10	Chestnuts (<i>Castanea</i> spp.), fresh ex 0802 40 00	a) b) c)	176,48 1 049,30 1 616,03	2 428,42 1 157,63 7 119,19	345,16 138,99 124,22	1 313,73 341 712,93	57 347,18 388,91	29 363,80 35 381,06
2.30	Pineapples, fresh ex 0804 30 00	a) b) c)	52,88 314,41 484,22	727,64 346,87 2 133,17	103,42 41,65 37,22	393,64 102 389,96	17 183,36 116,53	8 798,49 10 601,49

Code	Description	Amount of unit values per 100 kg						
	Species, varieties, CN code	a) b) c)	EUR FIM SEK	ATS FRF BEF/LUF	DEM IEP GBP	DKK ITL	GRD NLG	ESP PTE
2.40	Avocados, fresh ex 0804 40 90 ex 0804 40 20 ex 0804 40 95	a) b) c)	110,02 654,15 1 007,45	1 513,91 721,68 4 438,20	215,18 86,65 77,44	819,00 213 028,43	35 751,00 242,45	18 305,79 22 057,03
2.50	Guavas and mangoes, fresh ex 0804 50 00	a) b) c)	90,85 540,17 831,91	1 250,12 595,94 3 664,88	177,69 71,55 63,95	676,30 175 910,13	29 521,71 200,21	15 116,17 18 213,79
2.60	Sweet oranges, fresh:							
2.60.1	— Sanguines and semi-sanguines 0805 10 10	a) b) c)	— — —	— — —	— — —	— — —	— — —	— — —
2.60.2	— Navels, navelines, navelates, salustianas, vernas, Valencia lates, Maltese, shamou- tis, ovalis, trovita and hamlins 0805 10 30	a) b) c)	— — —	— — —	— — —	— — —	— — —	— — —
2.60.3	— Others 0805 10 50	a) b) c)	— — —	— — —	— — —	— — —	— — —	— — —
2.70	Mandarins (including tangerines and satsu- mas), fresh; clementines, wilkings and simi- lar citrus hybrids, fresh:							
2.70.1	— Clementines 0805 20 10	a) b) c)	— — —	— — —	— — —	— — —	— — —	— — —
2.70.2	— Monreales and satsumas 0805 20 30	a) b) c)	— — —	— — —	— — —	— — —	— — —	— — —
2.70.3	— Mandarines and wilkings 0805 20 50	a) b) c)	— — —	— — —	— — —	— — —	— — —	— — —
2.70.4	— Tangerines and others ex 0805 20 70 ex 0805 20 90	a) b) c)	— — —	— — —	— — —	— — —	— — —	— — —
2.85	Limes (<i>Citrus aurantifolia</i>), fresh ex 0805 30 90	a) b) c)	145,34 864,15 1 330,88	1 999,92 953,37 5 863,00	284,26 114,46 102,30	1 081,93 281 417,48	47 228,23 320,29	24 182,54 29 138,05
2.90	Grapefruit, fresh:							
2.90.1	— white ex 0805 40 90 ex 0805 40 20 ex 0805 40 95	a) b) c)	39,46 234,62 361,34	542,98 258,84 1 591,81	77,18 31,08 27,78	293,74 76 405,21	12 822,53 86,96	6 565,59 7 911,02
2.90.2	— pink ex 0805 40 90 ex 0805 40 20 ex 0805 40 95	a) b) c)	41,18 244,85 377,09	566,65 270,12 1 661,20	80,54 32,43 28,99	306,55 79 735,60	13 381,44 90,75	6 851,78 8 255,85
2.100	Table grapes ex 0806 10 10	a) b) c)	140,74 836,80 1 288,76	1 936,62 923,19 5 677,44	275,26 110,84 99,07	1 047,68 272 510,64	45 733,46 310,15	23 417,17 28 215,84

Code	Description	Amount of unit values per 100 kg						
	Species, varieties, CN code	a) b) c)	EUR FIM SEK	ATS FRF BEF/LUF	DEM IEP GBP	DKK ITL	GRD NLG	ESP PTE
2.110	Water melons 0807 11 00	a) b) c)	67,09 398,90 614,34	923,18 440,08 2 706,40	131,22 52,84 47,22	499,42 129 904,35	21 800,90 147,85	11 162,84 13 450,34
2.120	Melons (other than water melons):							
2.120.1	— Amarillo, cuper, honey dew (including cantalene), onteniente, piel de sapo (including verde liso), rochet, tendral, futuro ex 0807 19 00	a) b) c)	42,07 250,14 385,23	578,90 275,96 1 697,10	82,28 33,13 29,61	313,17 81 458,88	13 670,65 92,71	6 999,86 8 434,28
2.120.2	— other ex 0807 19 00	a) b) c)	133,54 793,99 1 222,83	1 837,55 875,96 5 386,99	261,18 105,17 94,00	994,09 258 569,50	43 393,82 294,28	22 219,19 26 772,37
2.140	Pears							
2.140.1	Pears — nashi (<i>Pyrus pyrifolia</i>) ex 0808 20 50	a) b) c)	— — —	— — —	— — —	— — —	— — —	— — —
2.140.2	Other ex 0808 20 50	a) b) c)	— — —	— — —	— — —	— — —	— — —	— — —
2.150	Apricots 0809 10 00	a) b) c)	156,09 928,07 1 429,32	2 147,85 1 023,88 6 296,65	305,29 122,93 109,87	1 161,95 302 232,38	50 721,45 343,98	25 971,19 31 293,24
2.160	Cherries 0809 20 05 0809 20 95	a) b) c)	614,36 3 652,82 5 625,69	8 453,78 4 029,94 24 783,22	1 201,58 483,85 432,45	4 573,36 1 189 566,84	199 636,28 1 353,87	102 220,90 123 168,12
2.170	Peaches 0809 30 90	a) b) c)	128,49 763,97 1 176,58	1 768,06 842,84 5 183,27	251,30 101,19 90,44	956,49 248 791,33	41 752,83 283,15	21 378,94 25 759,93
2.180	Nectarines ex 0809 30 10	a) b) c)	248,31 1 476,38 2 273,77	3 416,82 1 628,81 10 016,80	485,65 195,56 174,79	1 848,44 480 795,20	80 688,33 547,20	41 315,31 49 781,69
2.190	Plums 0809 40 05	a) b) c)	142,42 846,79 1 304,14	1 959,74 934,21 5 745,21	278,55 112,16 100,25	1 060,19 275 763,57	46 279,38 313,85	23 696,69 28 552,65
2.200	Strawberries 0810 10 10 0810 10 05 0810 10 80	a) b) c)	440,86 2 621,23 4 036,96	6 066,37 2 891,85 17 784,25	862,25 347,21 310,32	3 281,81 853 623,99	143 257,46 971,53	73 352,93 88 384,49
2.205	Raspberries 0810 20 10	a) b) c)	1 603,87 9 536,18 14 686,64	22 069,73 10 520,70 64 699,96	3 136,90 1 263,15 1 128,96	11 939,37 3 105 525,36	521 177,56 3 534,46	266 861,51 321 547,07
2.210	Fruit of the species <i>Vaccinium myrtillus</i> 0810 40 30	a) b) c)	1 185,06 7 046,05 10 851,59	16 306,78 7 773,48 47 805,20	2 317,78 933,31 834,16	8 821,71 2 294 596,13	385 085,25 2 611,53	197 177,39 237 583,20
2.220	Kiwi fruit (<i>Actinidia chinensis</i> Planch.) 0810 50 10 0810 50 20 0810 50 30	a) b) c)	163,15 970,05 1 493,96	2 244,99 1 070,19 6 581,45	319,09 128,49 114,84	1 214,50 315 902,45	53 015,59 359,54	27 145,88 32 708,64

Code	Description	Amount of unit values per 100 kg						
	Species, varieties, CN code	a) b) c)	EUR FIM SEK	ATS FRF BEF/LUF	DEM IEP GBP	DKK ITL	GRD NLG	ESP PTE
2.230	Pomegranates ex 0810 90 85	a)	133,10	1 831,50	260,32	990,81	43 250,84	22 145,98
		b)	791,38	873,08	104,82	257 717,54	293,31	26 684,15
		c)	1 218,80	5 369,24	93,69			
2.240	Khakis (including sharon fruit) ex 0810 90 85	a)	183,39	2 523,50	358,68	1 365,17	59 592,58	30 513,53
		b)	1 090,39	1 202,96	144,43	355 092,56	404,14	36 766,39
		c)	1 679,30	7 397,93	129,09			
2.250	Lychees ex 0810 90 30	a)	159,53	2 195,18	312,01	1 187,56	51 839,27	26 543,56
		b)	948,52	1 046,45	125,64	308 893,15	351,56	31 982,89
		c)	1 460,82	6 435,42	112,29			

COMMISSION REGULATION (EC) No 123/1999

of 20 January 1999

on the sale by tender of beef held by certain intervention agencies and intended for the production of minced meat

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

HAS ADOPTED THIS REGULATION:

Having regard to the Treaty establishing the European Community,

Article 1

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

Whereas the application of intervention measures in respect of beef has created stocks in several Member States; whereas, in order to prevent an excessive prolongation of storage, part of these stocks should be sold by tender for the production of minced meat in the Community;

Whereas to ensure efficient management of the markets, sales of intervention stocks should be extended to producers of minced meat approved in accordance with Article 8 of Council Directive 94/65/EC of 14 December 1994 laying down the requirements for the production and placing on the market of minced meat and meat preparations ⁽³⁾;

Whereas the sale should be made subject to the rules laid down by Commission Regulation (EEC) No 2173/79 ⁽⁴⁾, as last amended by Regulation (EC) No 2417/95 ⁽⁵⁾, in particular Titles II and III thereof, subject to certain special exceptions on account of the particular use to which the products in question are to be put;

Whereas, with a view to ensuring a regular and uniform tendering procedure, measures should be taken in addition to those laid down in Article 8(1) of Regulation (EEC) No 2173/79;

Whereas provision should be made for derogations from Article 8(2)(b) of Regulation (EEC) No 2173/79, in view of the administrative difficulties which application of this point creates in the Member States concerned;

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

1. The sale shall take place of:

- approximately 800 tonnes of boneless beef held by the Irish intervention agency, brought into intervention pursuant to Article 6 of Regulation (EEC) No 805/68 between November 1997 and January 1998 inclusive,
- approximately 1 500 tonnes of boneless beef held by the United Kingdom intervention agency, brought into intervention pursuant to Article 6 of Regulation (EEC) No 805/68 between November 1997 and March 1998 inclusive.

Detailed information concerning quantities is given in Annex I.

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

Article 2

1. Notwithstanding Articles 6 and 7 of Regulation (EEC) No 2173/79, the provisions of and Annexes to this Regulation shall serve as a general notice of invitation to tender.

The intervention agencies concerned shall draw up a notice of invitation to tender which shall include the following:

- (a) the quantities of beef offered for sale;
- and
- (b) the deadline and place for submitting tenders.

2. Interested parties may obtain the details of the quantities available and the places where the products are stored from the addresses listed in Annex II to this Regulation. The intervention agencies shall, in addition, display the notice referred to in paragraph 1 at their head offices and may publish it in other ways.

3. For each product mentioned in Annex I the intervention agencies concerned shall sell first the meat which has been stored the longest. However, with a view to better stock management and after notifying the Commission, the Member States may designate only certain cold stores or parts thereof for deliveries of meat sold under this Regulation.

⁽¹⁾ OJ L 148, 28. 6. 1968, p. 24.

⁽²⁾ OJ L 210, 28. 7. 1998, p. 17.

⁽³⁾ OJ L 368, 31. 12. 1994, p. 10.

⁽⁴⁾ OJ L 251, 5. 10. 1979, p. 12.

⁽⁵⁾ OJ L 248, 14. 10. 1995, p. 39.

4. Only tenders which reach the intervention agencies concerned by 12 noon on 25 January 1999 shall be considered.

5. Notwithstanding Article 8(1) of Regulation (EEC) No 2173/79, a tender shall be submitted to the intervention agency concerned in a closed envelope, bearing the reference to the Regulation concerned. The closed envelope shall not be opened by the intervention agency before the expiry of the tender deadline referred to in paragraph 4.

6. Notwithstanding Article 8(2)(b) of Regulation (EEC) No 2173/79, tenders shall not indicate in which cold store or stores the products are held.

Article 3

1. Member States shall provide the Commission with information concerning the tenders received not later than the working day following the deadline set for the submission of tenders.

2. After the tenders received have been examined a minimum selling price shall be set for each product or the sale will not proceed.

Article 4

1. A tender shall be valid only if presented by or on behalf of an establishment approved in accordance with Article 8(1) of Directive 94/65/EC as a producer of minced meat or minced meat preparations. Member States shall consult with each other where necessary for the application of this paragraph.

2. Tenders shall be accompanied by:

- a written undertaking by the tenderer to use all the meat concerned for the production of minced meat as defined by Article 2(2)(a) and (b) of Directive 94/65/EC within three months of the date of conclusion of the contract of sale with the intervention agency,
- details of the exact location of the establishment or establishments of the tenderer in which the minced meat is to be produced.

3. The tenderers referred to in paragraph 1 may instruct an agent in writing to take delivery, on their behalf, of the products which they purchase. In this case the agent shall submit the bids of the tenderers whom he represents with the written instruction referred to above.

4. The purchasers and agents referred to in the preceding paragraphs shall maintain and keep up to date an accounting system which permits the destination and use of the products to be ascertained with a view in particular to ensuring that the quantities of products purchased and the quantities of minced meat produced correspond. For the purposes of administrative supervision, where appropriate the intervention agency holding the products concerned shall send the competent

authority of the Member State in which the minced meat is to be produced a certified copy of the sales contract.

Article 5

1. The mincing of meat purchased under this Regulation shall be carried out within three months of the date of conclusion of the contract of sale.

2. Documentation to prove compliance with the requirement referred to in paragraph 1 shall be provided to the competent authority of the Member State in which the minced meat is produced within five months of the date of conclusion of the contract of sale.

Article 6

Member States shall set up a system of physical and documentary supervision to ensure that all meat is minced in accordance with Article 5(1).

To this end, processors shall at any time be able to demonstrate the identity and use of the meat through appropriate production records.

Article 7

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

2. A security intended to cover the mincing of the products shall be lodged with the competent authority of the Member State in which the mincing is to take place, prior to taking over the meat.

The amount shall be the difference in euros between the tender price per tonne and EUR 2 700.

The mincing of all meat purchased shall constitute a primary requirement within the meaning of Article 20 of Commission Regulation (EEC) No 2220/85⁽¹⁾.

Article 8

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

⁽¹⁾ OJ L 205, 3. 8. 1985, p. 5.

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

Done at Brussels, 20 January 1999.

For the Commission

Franz FISCHLER

Member of the Commission

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

Estado miembro	Productos ⁽¹⁾	Cantidad aproximada (toneladas)
Medlemsstat	Produkter ⁽¹⁾	Tilnærmet mængde (tons)
Mitgliedstaat	Erzeugnisse ⁽¹⁾	Ungefähre Mengen (Tonnen)
Κράτος μέλος	Προϊόντα ⁽¹⁾	Κατά προσέγγιση ποσότητα (τόνοι)
Member State	Products ⁽¹⁾	Approximate quantity (tonnes)
État membre	Produits ⁽¹⁾	Quantité approximative (tonnes)
Stato membro	Prodotti ⁽¹⁾	Quantità approssimativa (tonnellate)
Lidstaat	Producten ⁽¹⁾	Hoeveelheid bij benadering (ton)
Estado-membro	Produtos ⁽¹⁾	Quantidade aproximada (toneladas)
Jäsenvaltio	Tuotteet ⁽¹⁾	Arvioitu määrä (tonneina)
Medlemsstat	Produkter ⁽¹⁾	Ungefärlig kvantitet (ton)

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

IRELAND	— Intervention flank (INT 18)	400
	— Intervention forequarter (INT 24)	400
UNITED KINGDOM	— Intervention flank (INT 18)	1 000
	— Intervention forequarter (INT 24)	500

⁽¹⁾ Véanse los anexos V y VII del Reglamento (CEE) n° 2456/93 de la Comisión (DO L 225 de 4. 9. 1993, p. 4), cuya última modificación la constituye el Reglamento (CE) n° 2812/98 (DO L 349 de 24. 12. 1998, p. 47).

⁽¹⁾ Se bilag V og VII til Kommissionens forordning (EØF) nr. 2456/93 (EFT L 225 af 4. 9. 1993, s. 4), senest ændret ved forordning (EF) nr. 2812/98 (EFT L 349 af 24. 12. 1998, s. 47).

⁽¹⁾ Vgl. Anhänge V und VII der Verordnung (EWG) Nr. 2456/93 der Kommission (ABl. L 225 vom 4. 9. 1993, S. 4), zuletzt geändert durch die Verordnung (EG) Nr. 2812/98 (ABl. L 349 vom 24. 12. 1998, S. 47).

⁽¹⁾ Βλέπε παραρτήματα V και VII του κανονισμού (ΕΟΚ) αριθ. 2456/93 της Επιτροπής (ΕΕ L 225 της 4. 9. 1993, σ. 4), όπως τροποποιήθηκε τελευταία από τον κανονισμό (ΕΚ) αριθ. 2812/98 (ΕΕ L 349 της 24. 12. 1998, σ. 47).

⁽¹⁾ See Annexes V and VII to Commission Regulation (EEC) No 2456/93 (OJ L 225, 4.9.1993, p. 4), as last amended by Regulation (EC) No 2812/98 (OJ L 349, 24.12.1998, p. 47).

⁽¹⁾ Voir annexes V et VII du règlement (CEE) n° 2456/93 de la Commission (JO L 225 du 4. 9. 1993, p. 4). Règlement modifié en dernier lieu par le règlement (CE) n° 2812/98 (JO L 349 du 24. 12. 1998, p. 47).

⁽¹⁾ Cfr. allegati V e VII del regolamento (CEE) n. 2456/93 della Commissione (GU L 225 del 4. 9. 1993, pag. 4), modificato da ultimo dal regolamento (CE) n. 2812/98 (GU L 349 del 24. 12. 1998, pag. 47).

⁽¹⁾ Zie de bijlagen V en VII van Verordening (EEG) nr. 2456/93 van de Commissie (PB L 225 van 4. 9. 1993, blz. 4), laatstelijk gewijzigd bij Verordening (EG) nr. 2812/98 (PB L 349 van 24. 12. 1998, blz. 47).

⁽¹⁾ Ver anexos V e VII do Regulamento (CEE) n.º 2456/93 da Comissão (JO L 225 de 4. 9. 1993, p. 4). Regulamento com a última redacção que lhe foi dada pelo Regulamento (CE) n.º 2812/98 (JO L 349 de 24. 12. 1998, p. 47).

⁽¹⁾ Katso komission asetuksen (ETY) N:o 2456/93 (EYVL L 225, 4.9.1993, s. 4), sellaisena kuin se on viimeksi muutettuna asetuksella (EY) N:o 2812/98 (EYVL L 349, 24.12.1998, s. 47) liitteet V ja VII.

⁽¹⁾ Se bilaga V och VII i förordning (EEG) nr 2456/93 (EGT L 225, 4.9.1993, s. 4), senast ändrad genom förordning (EG) nr 2812/98 (EGT L 349, 24.12.1998, s. 47).

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

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

IRELAND

Department of Agriculture, Food and Forestry
Agriculture House
Kildare Street
Dublin 2
Ireland
Tel. (01) 678 90 11, ext. 2278 and 3806;
telex 93292 and 93607, telefax (01) 661 62 63, (01) 678 52 14 and (01) 662 01 98

UNITED KINGDOM

Intervention Board Executive Agency
Kings House
33, Kings Road
Reading RG1 3BU
Berkshire
United Kingdom
Tel. (01 189) 58 36 26
Fax (01 189) 56 67 50

COMMISSION REGULATION (EC) No 124/1999

of 20 January 1999

amending Regulations (EEC) No 1589/87, (EEC) No 429/90, (EEC) No 1158/91, (EEC) No 3378/91, (EEC) No 3398/91 and (EC) No 2571/97 as regards the time limit for submission of tenders

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EEC) No 804/68 of 27 June 1968 on the common organisation of the market in milk and milk products ⁽¹⁾, as last amended by Regulation (EC) No 1587/96 ⁽²⁾, and in particular Article 6(6), Article 7(5), the first subparagraph of Article 7a(1), Article 7a(3) and Article 12(3) thereof,

Whereas Commission Regulations (EEC) No 1589/87 of 5 June 1987 on the sale by tender of butter to intervention agencies ⁽³⁾, as last amended by Regulation (EC) No 455/95 ⁽⁴⁾, (EEC) No 429/90 of 20 February 1990 on the granting by invitation to tender of an aid for concentrated butter intended for direct consumption in the Community ⁽⁵⁾, as last amended by Regulation (EC) No 417/98 ⁽⁶⁾, (EEC) No 1158/91 of 3 May 1991 on the buying in by tender of skimmed-milk powder to intervention agencies ⁽⁷⁾, as last amended by Regulation (EC) No 569/96 ⁽⁸⁾, (EEC) No 3378/91 of 20 November 1991 laying down detailed rules for the sale of butter from intervention stocks for export and amending Regulation (EEC) No 569/88 ⁽⁹⁾, as last amended by Regulation (EC) No 1802/95 ⁽¹⁰⁾, (EEC) No 3398/91 of 20 November 1991 on the sale by invitation to tender of skimmed-milk powder for the manufacture of compound feedingstuffs and amending Regulation (EEC) No 569/88 ⁽¹¹⁾, as last amended by Regulation (EC) No 2080/96 ⁽¹²⁾, and (EC) No 2571/97 of 15 December 1997 on the sale of butter at reduced prices and the granting of aid for cream, butter and concentrated butter for use in the manufacture of pastry products, ice-cream and other foodstuffs ⁽¹³⁾, as last amended by Regulation (EC) No 1982/98 ⁽¹⁴⁾, set provisions on tendering procedures that include time limits; whereas given the slowdown in economic activity during August it made practical sense to alter for August 1998

the time limits for submission of tenders under Regulation (EC) No 2571/97; whereas the experience gained indicates the desirability of making this adjustment permanent and issuing only one invitation to tender for the month of August under each of the abovementioned Regulations; whereas if the time limit for submission of tenders would fall on a holiday it should for market reasons be made instead to fall on the previous working day;

Whereas the measures provided for in this Regulation are in accordance with the opinion of the Management Committee for Milk and Milk Products,

HAS ADOPTED THIS REGULATION:

Article 1

The text of Article 2 of Regulation (EEC) No 1589/87, Article 3(2) of Regulation (EEC) No 429/90, Article 2 of Regulation (EEC) No 1158/91, Article 3(2) of Regulation (EEC) No 3378/91, Article 4(3) of Regulation (EEC) No 3398/91 and Article 14(2) of Regulation (EC) No 2571/97 is hereby replaced by:

‘The time limit for submission of tenders in response to the individual invitations to tender shall be 12 noon (Brussels time) on the second and fourth Tuesday of the month except for the second Tuesday of August and the fourth Tuesday of December. If Tuesday is a public holiday the time limit shall be 12 noon (Brussels time) on the previous working day.’

Article 2

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

⁽¹⁾ OJ L 148, 28. 6. 1968, p. 13.

⁽²⁾ OJ L 206, 16. 8. 1996, p. 21.

⁽³⁾ OJ L 146, 6. 6. 1987, p. 27.

⁽⁴⁾ OJ L 46, 1. 3. 1995, p. 31.

⁽⁵⁾ OJ L 45, 21. 2. 1990, p. 8.

⁽⁶⁾ OJ L 52, 21. 2. 1998, p. 18.

⁽⁷⁾ OJ L 112, 4. 5. 1991, p. 65.

⁽⁸⁾ OJ L 80, 30. 3. 1996, p. 48.

⁽⁹⁾ OJ L 319, 21. 11. 1991, p. 40.

⁽¹⁰⁾ OJ L 174, 26. 7. 1995, p. 27.

⁽¹¹⁾ OJ L 320, 22. 11. 1991, p. 16.

⁽¹²⁾ OJ L 279, 31. 10. 1996, p. 15.

⁽¹³⁾ OJ L 350, 20. 12. 1997, p. 3.

⁽¹⁴⁾ OJ L 256, 18. 9. 1998, p. 9.

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

Done at Brussels, 20 January 1999.

For the Commission

Franz FISCHLER

Member of the Commission

COMMISSION REGULATION (EC) No 125/1999
of 20 January 1999

determining to what extent applications for import rights lodged pursuant to Regulation (EC) No 2620/98 can be met as regards the tariff quota for certain beef and veal sector products originating in the former Yugoslav Republic of Macedonia

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

Having regard to Commission Regulation (EC) No 2620/98 of 4 December 1998 laying down detailed rules for the application in 1999 of the arrangements applicable to imports laid down in Council Decision 97/831/EC as regards certain beef and veal products⁽¹⁾, and in particular Article 4 thereof,

Whereas Article 1(1) of Regulation (EC) No 2620/98 fixes the quantity of certain beef and veal products originating in the former Yugoslav Republic of Macedonia that can be imported under special terms in 1999;

Whereas Article 4 of Regulation (EC) No 2620/98 stipulates that the quantities applied for may be reduced; whereas the quantities applied for exceed the quantities

available; whereas, under the circumstances and with a view to ensuring an equitable shareout of the available quantities, the quantities applied for should be reduced on a proportional basis,

HAS ADOPTED THIS REGULATION:

Article 1

All applications for import rights lodged pursuant to Article 3 of Regulation (EC) No 2620/98 shall be met to the extent of 0,2873 % of the quantity applied for.

Article 2

This Regulation shall enter into force on 21 January 1999.

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

Done at Brussels, 20 January 1999.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ L 329, 5. 12. 1998, p. 10.

COMMISSION REGULATION (EC) No 126/1999
of 20 January 1999
fixing the import duties in the rice sector

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

Having regard to Council Regulation (EC) No 3072/95 of 22 December 1995 on the common organisation of the market in rice ⁽¹⁾, as last amended by Regulation (EC) No 2072/98 ⁽²⁾,

Having regard to Commission Regulation (EC) No 1503/96 of 29 July 1996 laying down detailed rules for the application of Council Regulation (EC) No 3072/95 as regards import duties in the rice sector ⁽³⁾, as last amended by Regulation (EC) No 2831/98 ⁽⁴⁾, and in particular Article 4(1) thereof,

Whereas Article 11 of Regulation (EC) No 3072/95 provides that the rates of duty in the Common Customs Tariff are to be charged on import of the products referred to in Article 1 of that Regulation; whereas, however, in the case of the products referred to in paragraph 2 of that Article, the import duty is to be equal to the intervention price valid for such products on importation and increased by a certain percentage according to whether it is husked or milled rice, minus the cif import price provided that duty does not exceed the rate of the Common Customs Tariff duties;

Whereas, pursuant to Article 12(3) of Regulation (EC) No 3072/95, the cif import prices are calculated on the basis of the representative prices for the product in question on the world market or on the Community import market for the product;

Whereas Regulation (EC) No 1503/96 lays down detailed rules for the application of Regulation (EC) No 3072/95 as regards import duties in the rice sector;

Whereas the import duties are applicable until new duties are fixed and enter into force; whereas they also remain in force in cases where no quotation is available from the source referred to in Article 5 of Regulation (EC) No 1503/96 during the two weeks preceding the next periodical fixing;

Whereas, in order to allow the import duty system to function normally, the market rates recorded during a reference period should be used for calculating the duties;

Whereas application of Regulation (EC) No 1503/96 results in import duties being fixed as set out in the Annexes to this Regulation,

HAS ADOPTED THIS REGULATION:

Article 1

The import duties in the rice sector referred to in Article 11(1) and (2) of Regulation (EC) No 3072/95 shall be those fixed in Annex I to this Regulation on the basis of the information given in Annex II.

Article 2

This Regulation shall enter into force on 21 January 1999.

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

Done at Brussels, 20 January 1999.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ L 329, 30. 12. 1995, p. 18.

⁽²⁾ OJ L 265, 30. 9. 1998, p. 4.

⁽³⁾ OJ L 189, 30. 7. 1996, p. 71.

⁽⁴⁾ OJ L 351, 29. 12. 1998, p. 25.

ANNEX I

Import duties on rice and broken rice

(EUR/tonne)

CN code	Duties ⁽¹⁾				
	Third countries (except ACP and Bangladesh) ⁽²⁾ ⁽⁷⁾	ACP ⁽¹⁾ ⁽²⁾ ⁽³⁾	Bangladesh ⁽⁴⁾	Basmati India and Pakistan ⁽⁵⁾	Egypt ⁽⁶⁾
1006 10 21	(7)	83,41	121,01		188,03
1006 10 23	(7)	83,41	121,01		188,03
1006 10 25	(7)	83,41	121,01		188,03
1006 10 27	(7)	83,41	121,01		188,03
1006 10 92	(7)	83,41	121,01		188,03
1006 10 94	(7)	83,41	121,01		188,03
1006 10 96	(7)	83,41	121,01		188,03
1006 10 98	(7)	83,41	121,01		188,03
1006 20 11	245,23	81,49	118,28		183,92
1006 20 13	245,23	81,49	118,28		183,92
1006 20 15	245,23	81,49	118,28		183,92
1006 20 17	227,89	75,42	109,61	0,00	170,92
1006 20 92	245,23	81,49	118,28		183,92
1006 20 94	245,23	81,49	118,28		183,92
1006 20 96	245,23	81,49	118,28		183,92
1006 20 98	227,89	75,42	109,61	0,00	170,92
1006 30 21	451,75	145,72	210,97		338,81
1006 30 23	451,75	145,72	210,97		338,81
1006 30 25	451,75	145,72	210,97		338,81
1006 30 27	(7)	160,51	232,09		370,50
1006 30 42	451,75	145,72	210,97		338,81
1006 30 44	451,75	145,72	210,97		338,81
1006 30 46	451,75	145,72	210,97		338,81
1006 30 48	(7)	160,51	232,09		370,50
1006 30 61	451,75	145,72	210,97		338,81
1006 30 63	451,75	145,72	210,97		338,81
1006 30 65	451,75	145,72	210,97		338,81
1006 30 67	(7)	160,51	232,09		370,50
1006 30 92	451,75	145,72	210,97		338,81
1006 30 94	451,75	145,72	210,97		338,81
1006 30 96	451,75	145,72	210,97		338,81
1006 30 98	(7)	160,51	232,09		370,50
1006 40 00	(7)	49,58	(7)		114,00

⁽¹⁾ The duty on imports of rice originating in the ACP States is applicable, under the arrangements laid down in Council Regulation (EC) No 1706/98 (OJ L 215, 1.8.1998, p. 12) and amended Commission Regulation (EC) No 2603/97 (OJ L 351, 23.12.1997, p. 22).

⁽²⁾ In accordance with Regulation (EC) No 1706/98, the duties are not applied to products originating in the African, Caribbean and Pacific States and imported directly into the overseas department of Réunion.

⁽³⁾ The import levy on rice entering the overseas department of Réunion is specified in Article 11(3) of Regulation (EC) No 3072/95.

⁽⁴⁾ The duty on imports of rice not including broken rice (CN code 1006 40 00), originating in Bangladesh is applicable under the arrangements laid down in Council Regulation (EEC) No 3491/90 (OJ L 337, 4.12.1990, p. 1) and amended Commission Regulation (EEC) No 862/91 (OJ L 88, 9.4.1991, p. 7).

⁽⁵⁾ No import duty applies to products originating in the OCT pursuant to Article 101(1) of amended Council Decision 91/482/EEC (OJ L 263, 19.9.1991, p. 1).

⁽⁶⁾ For husked rice of the Basmati variety originating in India and Pakistan, a reduction of EUR 250 per tonne applies (Article 4a of amended Regulation (EC) No 1503/96).

⁽⁷⁾ Duties fixed in the Common Customs Tariff.

⁽⁸⁾ The duty on imports of rice originating in and coming from Egypt is applicable under the arrangements laid down in Council Regulation (EC) No 2184/96 (OJ L 292, 15.11.1996, p. 1) and Commission Regulation (EC) No 196/97 (OJ L 31, 1.2.1997, p. 53).

ANNEX II

Calculation of import duties for rice

	Paddy	Indica rice		Japonica rice		Broken rice
		Husked	Milled	Husked	Milled	
1. Import duty (EUR/tonne)	(¹)	227,89	494,00	245,23	451,75	(¹)
2. Elements of calculation:						
(a) Arag cif price (EUR/tonne)	—	340,73	290,56	348,66	391,70	—
(b) fob price (EUR/tonne)	—	—	—	322,83	365,87	—
(c) Sea freight (EUR/tonne)	—	—	—	25,83	25,83	—
(d) Source	—	USDA	USDA	Operators	Operators	—

(¹) Duties fixed in the Common Customs Tariff.

COMMISSION REGULATION (EC) No 127/1999
of 20 January 1999
amending representative prices and additional duties for the import of certain
products in the sugar sector

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

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

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

Whereas the amounts of the representative prices and additional duties applicable to the import of white sugar, raw sugar and certain syrups are fixed by Commission Regulation (EC) No 1379/98⁽⁵⁾, as last amended by Regulation (EC) No 43/1999⁽⁶⁾;

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

HAS ADOPTED THIS REGULATION:

Article 1

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

Article 2

This Regulation shall enter into force on 21 January 1999.

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

Done at Brussels, 20 January 1999.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ L 177, 1. 7. 1981, p. 4.

⁽²⁾ OJ L 159, 3. 6. 1998, p. 38.

⁽³⁾ OJ L 141, 24. 6. 1995, p. 16.

⁽⁴⁾ OJ L 85, 20. 3. 1998, p. 5.

⁽⁵⁾ OJ L 187, 1. 7. 1998, p. 6.

⁽⁶⁾ OJ L 5, 9. 1. 1999, p. 69.

ANNEX

to the Commission Regulation of 20 January 1999 amending representative prices and the amounts of additional duties applicable to imports of white sugar, raw sugar and products covered by CN code 1702 90 99

(EUR)

CN code	Amount of representative prices per 100 kg net of product concerned	Amount of additional duty per 100 kg net of product concerned
1701 11 10 ⁽¹⁾	16,54	8,07
1701 11 90 ⁽¹⁾	16,54	14,37
1701 12 10 ⁽¹⁾	16,54	7,84
1701 12 90 ⁽¹⁾	16,54	13,85
1701 91 00 ⁽²⁾	19,42	16,81
1701 99 10 ⁽²⁾	19,42	11,36
1701 99 90 ⁽²⁾	19,42	11,36
1702 90 99 ⁽³⁾	0,19	0,45

⁽¹⁾ For the standard quality as defined in Article 1 of amended Council Regulation (EEC) No 431/68 (OJ L 89, 10. 4. 1968, p. 3).

⁽²⁾ For the standard quality as defined in Article 1 of Council Regulation (EEC) No 793/72 (OJ L 94, 21. 4. 1972, p. 1).

⁽³⁾ By 1 % sucrose content.

II

(Acts whose publication is not obligatory)

COMMISSION

COMMISSION DECISION

of 29 December 1998

amending the information contained in the list in the Annex to Commission Regulation (EEC) No 55/87 establishing the list of vessels exceeding eight metres length overall permitted to use beam trawls within certain coastal areas of the Community

(notified under document number C(1998) 4550)

(Text with EEA relevance)

(1999/48/EC)

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

Having regard to Council Regulation (EC) No 894/97 of 29 April 1997 laying down certain technical measures for the conservation of fishery resources⁽¹⁾,

Having regard to Commission Regulation (EEC) No 55/87 of 30 December 1986 establishing the list of vessels exceeding eight metres length overall permitted to use beam trawls within certain coastal areas of the Community⁽²⁾, as last amended by Regulation (EC) No 3410/93⁽³⁾, and in particular Article 3 thereof,

Whereas authorities of the Member States concerned have applied for the information in the list provided for in Article 10(3)(b) of Regulation (EC) No 894/97 to be amended; whereas the said authorities have provided all the information supporting their applications pursuant to Article 3 of Regulation (EEC) No 55/87; whereas it has been found that the information complies with the

requirements and whereas, therefore, the information in the list annexed to the Regulation should be amended,

HAS ADOPTED THIS DECISION:

Article 1

The information in the list annexed to Regulation (EEC) No 55/87 is amended as shown in the Annex hereto.

Article 2

This Decision is addressed to the Member States.

Done at Brussels, 29 December 1998.

For the Commission

Karel VAN MIERT

Member of the Commission

⁽¹⁾ OJ L 132, 23. 5. 1997, p. 1.

⁽²⁾ OJ L 8, 10. 1. 1987, p. 1.

⁽³⁾ OJ L 310, 14. 12. 1993, p. 27.

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

A. Datos que se retiran de la lista — Oplysninger, der skal slettes i listen — Aus der Liste herauszunehmende Angaben — Στοιχεία που διαγράφονται από τον κατάλογο — Information to be deleted from the list — Renseignements à retirer de la liste — Dati da togliere dall'elenco — Inlichtingen te schrappen uit de lijst — Informações a retirar da lista — Luettelosta poistettavat tiedot — Uppgifter som skall tas bort från förteckningen

1	2	3	4	5
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BÉLGICA / BELGIEN / BELGIEN / БЕΛΓΙΟ / BELGIUM / BELGIQUE / BELGIO /
BELGIË / BÉLGICA / BELGIA / BELGIEN

BOU	4	Astrid	OPAD	Boekhout	79
N	408	Speranza	OPQH	Nieuwpoort	213
N	512	Ingrid	OPUH	Nieuwpoort	220
N	590	Horizon	OPXH	Nieuwpoort	107
N	599	Zeevogel	OPXQ	Nieuwpoort	165
N	736	Lucky	OQDJ	Nieuwpoort	221
O	49	Steve	OPBW	Oostende	144
O	142	Hermes	OPFL	Oostende	191
O	172	Jean Glenn	OPGP	Oostende	147
O	192	Lydie Madeleine	OPHJ	Oostende	221
O	349	Wilma	OPNK	Oostende	221
O	468	Aran	OPSP	Oostende	132
O	481	Bi Si Ti	OPTC	Oostende	165
O	520	Manuela	OPUP	Oostende	129
O	552	Marathon	OPVV	Oostende	99
Z	31	Doe Stille Voort	OPBE	Zeebrugge	132
Z	38	Manta	OPBL	Zeebrugge	220
Z	102	Octopus	OPDX	Zeebrugge	220
Z	114	Zeeëngel	OPEJ	Zeebrugge	221
Z	300	Veerman	OPLN	Zeebrugge	220
Z	445	Marina	OPRS	Zeebrugge	221
Z	447	Hurricane	OPRU	Zeebrugge	143
Z	472	Condor	OPST	Zeebrugge	132
Z	502	Regine	OPTX	Zeebrugge	221
Z	509	Telstar	OPUE	Zeebrugge	221
Z	578	Carohein	OPWV	Zeebrugge	217

PAÍSES BAJOS / NEDERLANDENE / NIEDERLANDE / ΚΑΤΩ ΧΩΡΕΣ / NETHERLANDS / PAYS-BAS /
PAESI BASSI / NEDERLAND / PAÍSES BAIXOS / ALANKOMAAAT / NEDERLÄNDERNA

WR	68	Jan Cornelis	PEYX	Wieringen	221
WR	71	Marry An	PFVJ	Wieringen	220
WR	106	Alida Catherina	PCLM	Wieringen	221

B. Datos que se añaden a la lista — Oplysninger, der skal anføres i listen — In die Liste hinzuzufügende Angaben — Στοιχεία που προστίθενται στον κατάλογο — Information to be added to the list — Renseignements à ajouter à la liste — Dati da aggiungere all'elenco — Inlichtingen toe te voegen aan de lijst — Informações a aditar à lista — Luetteloön lisättävät tiedot — Uppgifter som skall läggas till i förteckningen

1	2	3	4	5
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ALEMANIA / TYSKLAND / DEUTSCHLAND / ΓΕΡΜΑΝΙΑ / GERMANY / ALLEMAGNE / GERMANIA / DUITSLAND / ALEMANHA / SAKSA / TYSKLAND

OTT	1	Mareike	DIRQ	Otterndorf	107
ST	6	Hilke-Maritta	DNHA	Tönning	221

PAÍSES BAJOS / NEDERLANDENE / NIEDERLANDE / ΚΑΤΩ ΧΩΡΕΣ / NETHERLANDS / PAYS-BAS / PAESI BASSI / NEDERLAND / PAÍSES BAIXOS / ALANKOMAAT / NEDERLÄNDERNA

GO	65	Maartje	PDGH	Goedereede	221
WR	68	Jan Cornelis	PEXR	Wieringen	221
WR	71	Marry-An	PFVJ	Wieringen	220
WR	106	Alida Catharina	PCLM	Wieringen	221
WR	212	Rikjelle	PDNF	Wieringen	208

COMMISSION DECISION

of 11 January 1999

extending the period referred to in Article 15(2a) of Directive 66/403/EEC on the marketing of seed potatoes

(notified under document number C(1998) 4561)

(1999/49/EC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Directive 66/403/EEC of 14 June 1966 on the marketing of seed potatoes ⁽¹⁾, as last amended by Commission Decision 98/111/EC ⁽²⁾, and in particular Article 15(2a) thereof,

Whereas in principle, with effect from certain dates, Member States may no longer determine for themselves the equivalence of seed potatoes harvested in third countries with seed potatoes harvested within the Community and complying with that Directive;

Whereas, however, since work to establish Community equivalence for all the third countries concerned had not been completed, Article 15(2a) of that Directive permitted Member States to extend to 31 March 98 the period of validity of equivalence decisions which they had already taken for certain countries not covered by the Community equivalence;

Whereas the said work is still incomplete;

Whereas the authorisation may only be extended in accordance with Member States' obligations under the common rules on plant health, laid down by Council Directive 77/93/EEC ⁽³⁾, as last amended by Directive 98/2/EC ⁽⁴⁾;Whereas by Commission Decision 1999/50/EC ⁽⁵⁾ derogations provided for by certain Member States from certain provisions of Directive 77/93/EEC in respect of seed potatoes originating in Canada have been authorised until 31 March 1999;

Whereas the authorisation granted to Member States by Article 15(2a) should accordingly be extended;

Whereas the measures provided for in this Decision are in accordance with the opinion of the Standing Committee on Seeds and Propagating Material for Agriculture, Horticulture and Forestry,

HAS ADOPTED THIS DECISION:

Article 1

In Article 15(2a) of Directive 66/403/EEC, the date '31 March 1998' is replaced by '31 March 1999'.

Article 2

This Decision is addressed to the Member States.

Done at Brussels, 11 January 1999.

For the Commission

Franz FISCHLER

Member of the Commission⁽¹⁾ OJ 125, 11. 7. 1966, p. 2320/66.⁽²⁾ OJ L 28, 4. 2. 1998, p. 42.⁽³⁾ OJ L 26, 31. 1. 1977, p. 20.⁽⁴⁾ OJ L 15, 21. 1. 1998, p. 34.⁽⁵⁾ See page 31 of this Official Journal.

COMMISSION DECISION

of 11 January 1999

authorising certain Member States to provide for derogations from certain provisions of Council Directive 77/93/EEC in respect of seed potatoes originating in Canada

(notified under document number C(1998) 4562)

(Only the Spanish, Greek, Italian and Portuguese texts are authentic)

(1999/50/EC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Directive 77/93/EEC of 21 December 1976 on protective measures against the introduction into the Community of organisms harmful to plants or plant products and against their spread within the Community ⁽¹⁾, as last amended by Council Directive 98/2/EC ⁽²⁾, and in particular Article 14(1) thereof,

Having regard to the request made by Greece, Italy and Portugal,

Whereas, pursuant to the provisions of Directive 77/93/EEC, seed potato tubers originating in the American continent may not, in principle, be introduced into the Community;

Whereas, however, Directive 77/93/EEC permits derogations from that rule, provided that it is established that there is no risk of spreading harmful organisms;

Whereas in Greece, Italy and Portugal the planting and growing of seed potatoes of certain North American varieties for ware potato production has been an established practice; whereas part of the supply of seed potatoes of these varieties has been ensured by imports from Canada;

Whereas, by Decisions 96/6/EC ⁽³⁾, 97/89/EC ⁽⁴⁾ and 98/92/EC ⁽⁵⁾, the Commission approved derogations based on the concept of 'area freedom', subject to certain technical conditions to prevent the risk of harmful organisms spreading; whereas that approval expired on 31 March 1998; whereas the Commission also provided that those derogations would provide for the opportunity to seek confirmation of the proper functioning of the concept of 'area freedom';

Whereas it is known that Canada is still not completely free from potato spindle tuber viroid or from *Clavibacter*

michiganensis (Smith) Davis *et al.* ssp. *sepedonicus* (Spieckermann *et* Kotthoff) Davis *et al.*;

Whereas information supplied by Canada has shown that Canada has further developed its programme to eradicate these harmful organisms in the provinces of New Brunswick and Prince Edward Island; whereas there are good reasons to believe that the programme to eradicate potato spindle tuber viroid has become fully effective in those provinces, and that the programme to eradicate *Clavibacter michiganensis* ssp. *sepedonicus* has become largely effective in certain areas of Prince Edward Island and New Brunswick; whereas there had been no confirmed findings of the disease on samples drawn from seed potatoes originating in Prince Edward Island and New Brunswick and introduced pursuant to Decision 98/92/EC; whereas therefore it has not been established that there are sufficient elements which would militate against the proper functioning of the aforementioned concept of 'area freedom' and therefore against the recognition of the provisions implemented there as equivalent to the Community provisions on combating *Clavibacter michiganensis* spp. *sepedonicus*;

Whereas, moreover, as a result of inspections carried out in 1998 by the Food and Veterinary Office in the importing Member State, it became apparent that the technical conditions imposed on the importing Member State should not be modified;

Whereas it can therefore be established that there is no risk of the harmful organisms in question spreading, provided that the seed potatoes originate in areas declared, on scientific evidence, free from both potato spindle tuber viroid and from *Clavibacter michiganensis* ssp. *sepedonicus*, and that certain special technical conditions are complied with;

Whereas the Commission will ensure that Canada makes all technical information available which is necessary to monitor the functioning of the protective measures required under the aforementioned technical conditions and to assess the functioning of the aforementioned concept of 'area freedom';

⁽¹⁾ OJ L 26, 31. 1. 1977, p. 20.

⁽²⁾ OJ L 15, 21. 1. 1998, p. 34.

⁽³⁾ OJ L 2, 4. 1. 1996, p. 24.

⁽⁴⁾ OJ L 27, 30. 1. 1997, p. 45.

⁽⁵⁾ OJ L 18, 23. 1. 1998, p. 30.

Whereas, the risk of establishing and spreading *Clavibacter michiganensis* ssp. *sepedonicus* is high in wet and cold regions; consequently the derogation should not apply to Member States which are particularly exposed to such risks, i.e. Austria, Belgium, Denmark, Finland, France, Germany, Ireland, Luxembourg, the Netherlands, Sweden and the United Kingdom; whereas, therefore, the authorisation should not apply to the abovementioned Member States, taking into account the differences in agricultural and ecological conditions;

Whereas, therefore, derogations should be authorised for the next seed-potato marketing season, provided that they include the aforementioned conditions and without prejudice to Council Directive 66/403/EEC ⁽¹⁾, as last amended by Directive 98/111/EC ⁽²⁾, and to Council Directive 70/457/EEC ⁽³⁾, as last amended by the Act of Accession of Austria, Finland and Sweden;

Whereas the measures provided for in this Decision are in accordance with the opinion of the Standing Committee on Plant Health,

HAS ADOPTED THIS DECISION:

Article 1

1. The Hellenic Republic, the Kingdom of Spain, the Italian Republic and the Portuguese Republic are hereby authorised to provide, under the conditions laid down in paragraph 2, for derogations from Article 4(1) of Directive 77/93/EEC, with regard to Annex III(A)(10) and from Article 5(1) and the third indent of Article 12(1)(a) of that Directive as regards the requirements referred to in part A, Section I, points 25.2 and 25.3 of Annex IV thereto, for seed potatoes of the varieties 'Atlantic', 'Donna', 'Kennebec', 'Russet Burbank', 'Sebago', 'Yacon Gold' and 'Shepody' originating in Canada.

2. In addition to the requirements laid down in Annexes I, II and IV to Directive 77/93/EEC in relation to potatoes the following conditions shall be satisfied:

- (a) the seed potatoes shall have been produced in fields located in areas of Prince Edward Island or New Brunswick which have been officially declared, by the Canadian Food Inspection Agency, free from both potato spindle tuber viroid and from *Clavibacter michiganensis* ssp. *sepedonicus* and which satisfy the following conditions, irrespective of whether the fields are operated by producers inside or outside the area:

- (i) the areas either,
 - consist of fields owned or rented by at least three distinct potato producers, or
 - cover an area of at least four km², surrounded entirely by water or by fields where the organisms concerned have not been found within the previous three years, and
- (ii) all potatoes produced in the area are the first direct progeny of seed potatoes of the category 'Pre-elite', 'Elite I', 'Elite II' or 'Elite III' which were produced in establishments qualified to produce seed potatoes of the 'Pre-elite' or 'Elite I' categories and which are either official establishments or officially designated and controlled for that purpose, and
- (iii) the surface used for the production of potatoes which are not finally certified as seed potatoes does not exceed one-fifth of that used for the production of potatoes certified as seed potatoes, and
- (iv) systematic and representative annual surveys which have been carried out over at least the previous five years under appropriate conditions for the detection of the organisms concerned, on all potato fields located in the area and on potatoes harvested there, including appropriate laboratory testing, did not show any positive finding, or any other element which could militate against the recognition as disease-free, and
- (v) legislative, administrative or other arrangements have been made to ensure that:
 - no potatoes originating in areas of Canada other than those declared disease-free, or in countries where the organisms concerned are known to occur, can be introduced into such areas, and
 - neither potatoes originating in such areas nor any containers, packaging material, vehicles and handling, grading and preparation equipment used there can be brought into contact with potatoes originating, or material or equipment as specified used, in areas other than those declared disease-free.

This provision shall also apply to cases where fields located inside the areas declared disease-free are operated by establishments outside such areas or where establishments inside such areas operate fields located outside them,

⁽¹⁾ OJ 125, 11. 7. 1966, p. 2320/66.

⁽²⁾ OJ L 28, 4. 2. 1998, p. 42.

⁽³⁾ OJ L 225, 12. 10. 1970, p. 1.

- (vi) the Canadian Food Inspection Agency shall provide the Commission with a complete list of the areas declared as free, supported by a map updated each year of the provinces concerned, showing through appropriate marks the geographical distribution of the areas;
- (b) the seed potatoes shall be certified officially as seed potatoes meeting at least the conditions laid down for the 'Foundation' category;
- (c) samples shall be taken officially in respect of each lot intended for export to the Community; a lot shall consist only of tubers of one single variety and class which have been produced on one single farm and with the same reference number. The samples shall be examined by official laboratories in order to detect any presence of potato spindle tuber viroid or *Clavibacter michiganensis* ssp. *sepedonicus*; the samples for the detection of potato spindle tuber viroid shall be tubers, or leaves taken from the crop which produced the lot; for the detection of *Clavibacter michiganensis* ssp. *sepedonicus* a sample of at least 200 tubers per lot of 25 tonnes or less shall be taken; examinations shall be carried out on the entire sample, using the following methods:
- as regards potato spindle tuber viroid: the 'reverse-page' method, or c-DNA hybridisation procedure, and
 - as regards *Clavibacter michiganensis* ssp. *sepedonicus*: at least that set out in the method for the detection and diagnosis of the ring rot bacterium in batches of potato tubers as laid down in Council Directive 93/85/EEC ⁽¹⁾;
- (d) legislative, administrative or other arrangements shall have been made to ensure:
- a direct supervision and control by the certification authority (i.e. the Canadian Food Inspection Agency) of the sampling process, i.e. collection, tagging and sealing, and in the labelling system through appropriate label accountability procedures, to ensure that for each seed lot within each consignment shipped to the Community a numbered label is used and stitched on the bags separately from the certification labels, as well as the relevant colour code corresponding to a specified importer in the importing Member State, and
 - that at the time of loading the vessel, two sealed bags of potatoes of each lot shipped to the Community are kept aside and stored under the jurisdiction of the Canadian Food Inspection Agency, at least until the results of the examinations referred to in (i) are completed,
- that the lots shall be kept separate in all operations including transport, at least until delivery to the premises of the importers referred to in (f);
- (e) the phytosanitary certificate required shall be made out separately for each consignment and only if it has been established by the scientists involved that the examinations referred to in (c) did not give rise to suspicions or to the detection of the presence of potato spindle tuber viroid or *Clavibacter michiganensis* ssp. *sepedonicus* in the consignment and that, in particular, the IF-testing was shown to be negative.
- It shall state, under 'Additional declaration', that the conditions laid down in (a), (b) and (c) have been complied with, and shall give the name of the establishment or establishments which have produced the seed potato lots and the relevant seed potato certification lot numbers, as well as the name of the area referred to in (a), of the establishment referred to in (a) (ii) and the number of bags. It shall give under 'Distinguishing marks', the colour code corresponding to a specified importer in the importing Member State as well as the details of the numbered label used for each seed lot within each consignment. Documents attached to the said phytosanitary certificate as an integral part of the certificate shall relate precisely to that certificate in both description and quantity of commodity;
- (f) prior to introduction into the Community, the importer shall notify each introduction sufficiently in advance to the responsible official bodies in the Member State concerned, and that Member State shall then, without delay, convey the details of the notification to the Commission, indicating:
- the variety,
 - the quantity,
 - the declared date of import,
 - the names and addresses of the premises of the importers of the potatoes, and those listed in accordance with the provisions of Commission Directive 93/50/EEC ⁽²⁾.
- Modifications in respect of the above details which occur after the said advance notification shall be, without delay, conveyed by the relevant Member State to the Commission.
- At the moment of import the importer shall provide confirmation of the details of the aforementioned advance notification to the responsible official bodies in the Member State concerned;

⁽¹⁾ OJ L 259, 18. 10. 1993, p. 1.

⁽²⁾ OJ L 205, 17. 8. 1993, p. 22.

(g) the potatoes may be introduced into the Community only via the following ports of unloading:

— Genova	— Aveiro	— Pireaus
— La Spezia	— Lisbon	— Patras;
— Livorno	— Porto	
— Napoli		
— Ravenna		
— Salerno		
— Savona		

(h) the inspections required pursuant to Article 12 of Directive 77/93/EEC shall be made by responsible official bodies referred to in the said Directive. Without prejudice to the monitoring referred to in Article 19a(3) second indent, first possibility, the Commission shall determine to which extent the inspections referred to in Article 19a(3) second indent, second possibility of the said Directive shall be integrated into the inspection programme in accordance with Article 19a(5)(c) of that Directive. The said official bodies and, as appropriate, the experts referred to in Article 19a(3) shall check the importers' premises to confirm details of the quantities of potatoes imported from Canada, the colour coding, the numbered labels and those destinations for planting at premises listed under Directive 93/50/EEC;

(i) the responsible official bodies of the importing Member States shall take a sample of at least 200 tubers per lot of 25 tonnes or less from each of the non-bulk lots intended to be imported pursuant to this Decision for official examination in respect of *Clavibacter michiganensis* spp. *sepedonicus* in accordance with the Community established method for the detection and diagnosis of *Clavibacter michiganensis* spp. *sepedonicus*; the lots shall remain separate under official control and may not be marketed or used until it has been established that the presence of *Clavibacter michiganensis* spp. *sepedonicus* was not suspected or detected in those examinations; the total lots imported shall not exceed an amount which is adequate for the abovementioned examinations, taking into account the facilities available for that purpose; sub-samples shall be kept available for subsequent examination by other Member States and the responsible official bodies referred to in the said Directive of the importing Member State shall by 15 April 1999 inform the Commission, with a view to organising that examination and the recording thereof;

(j) the potatoes shall be planted only at premises in the Member State of import, for which it is possible to trace the names and addresses; this provision shall not apply in the case of final users planting the imported seed potatoes or for users who will sell only onto the local market;

(k) in the growing period following introduction, a suitable proportion of the plants shall be inspected by the said responsible official bodies, at appropriate times, at the premises listed in accordance with the provisions of Directive 93/50/EEC or referred to in (j);

(l) potatoes grown from seed potatoes introduced pursuant to this Decision shall not be certified as seed potatoes, and shall be used only as potatoes for consumption.

For the premises referred to in under (j) the potatoes grown from such seed potatoes shall be packaged and labelled accordingly and shall bear the number of the premises listed in accordance with the provisions of Directive 93/50/EEC, as well as the Canadian origin of the seed potatoes used. Such potatoes may be moved within the Member States, only after approval by the said responsible official bodies taking into account the results of the inspection referred to in (k).

Article 2

Member States shall inform the other Member States and the Commission by means of the notification referred to in Article 1(2)(f), first sentence of any use of the authorisation. The importing Member States shall provide the Commission and the other Member States, before 1 June 1999, with information on the amounts imported pursuant to this Decision and with a detailed technical report on the official examination referred to in Article 1(2)(i); in those cases where Member States have made official examinations on sub-samples as referred to in Article 1(2)(i), the detailed technical reports thereof shall also be submitted to the Commission before 1 June 1999; copies of each phytosanitary certificate shall be transmitted to the Commission.

Article 3

The authorisation granted in Article 1 shall apply from 15 January 1999 until 31 March 1999. It shall be revoked prior to 31 March 1999 if it is found that the conditions laid down in Article 1(2) have been insufficient to prevent the introduction of the harmful organisms in question or have not been complied with. It may be revoked prior to that date if it is found that there are elements which would militate against the proper functioning of the 'area freedom' concept in Canada.

Article 4

This Decision is addressed to the Hellenic Republic, the Kingdom of Spain, the Italian Republic and the Portuguese Republic.

Done at Brussels, 11 January 1999.

For the Commission

Franz FISCHLER

Member of the Commission

CORRIGENDA

Corrigendum to Directive 98/37/EC of the European Parliament and of the Council of 22 June 1998 on the approximation of the laws of the Member States relating to machinery

(Official Journal of the European Communities L 207 of 23 July 1998)

On page 9, in Annex I:

for: '1.2.2. Principles of safety integration',

read: '1.1.2. Principles of safety integration'.
