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1999/254/EC:

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I

(Acts whose publication is obligatory)

COMMISSION REGULATION (EC) No 759/1999
of 13 April 1999
establishing the standard import values for determining the entry price of certain
fruit and vegetables

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

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

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

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

HAS ADOPTED THIS REGULATION:

Article 1

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

Article 2

This Regulation shall enter into force on 14 April 1999.

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

Done at Brussels, 13 April 1999.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ L 337, 24.12.1994, p. 66.

⁽²⁾ OJ L 198, 15.7.1998, p. 4.

ANNEX

to the Commission Regulation of 13 April 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	49,1
	204	58,3
	999	53,7
0707 00 05	052	118,3
	068	107,2
	999	112,8
0709 10 00	220	241,4
	999	241,4
0709 90 70	052	82,4
	204	103,8
	999	93,1
0805 10 10, 0805 10 30, 0805 10 50	052	26,7
	204	39,7
	212	59,2
	600	69,4
	624	46,3
	999	48,3
0805 30 10	052	31,3
	999	31,3
0808 10 20, 0808 10 50, 0808 10 90	039	103,3
	388	91,4
	400	92,7
	404	97,3
	508	75,7
	512	72,9
	524	68,6
	528	66,9
	720	82,3
	804	104,1
	999	85,5
0808 20 50	388	75,3
	400	65,2
	512	66,4
	528	65,4
	720	79,6
	999	70,4

⁽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 760/1999
of 13 April 1999

amending Regulation (EC) No 575/1999 increasing to 400 000 tonnes the quantity of maize held by the French intervention agency for which a standing invitation to tender for the sale on the internal market has been opened

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

HAS ADOPTED THIS REGULATION:

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EEC) No 1766/92 of 30 June 1992 on the common organisation of the market in cereals⁽¹⁾, as last amended by Commission Regulation (EC) No 923/96⁽²⁾, and in particular Article 5 thereof,

Whereas Commission Regulation (EEC) No 2131/93⁽³⁾, as last amended by Regulation (EC) No 39/1999⁽⁴⁾, lays down the procedures and conditions for the disposal of cereals held by the intervention agencies;

Whereas Commission Regulation (EC) No 575/1999⁽⁵⁾, opened a standing invitation to tender for the sale on the internal market of 200 000 tonnes of maize held by the French intervention agency; whereas France informed the Commission of the intention of its intervention agency to increase by 200 000 tonnes the quantity for which a standing invitation to tender has been opened; whereas the total quantity of maize held by the French intervention agency for which a standing invitation to tender for the sale on the internal market has been opened should be increased to 400 000 tonnes;

Whereas the last partial invitation to tender pursuant to Commission Regulation (EC) No 575/1999 should be postponed;

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

Article 1

Regulation (EC) No 575/1999 is hereby amended as follows:

1. Article 1 is replaced by the following:

'Article 1

The French intervention agency shall issue pursuant to Regulation (EEC) No 2131/93 a standing invitation to tender for the resale on the internal market of 400 000 tonnes of maize held by it.'

2. Article 2(2) is replaced by the following:

'2. The final date for the submission of tenders for the last partial invitation to tender shall expire on 12 May 1999.'

3. Article 2(3) is replaced by the following:

'3. Tenders must be lodged with the French intervention agency at the following address:

Office national interprofessionnel des céréales
21, avenue Bosquet
F-75341 Paris Cedex 07
(Telex: OFICE 20 04 90F/OFIDM 20 36 62F; telefax: 0144 18 20 80).'

Article 2

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

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

Done at Brussels, 13 April 1999.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ L 181, 1.7.1992, p. 21.

⁽²⁾ OJ L 126, 24.5.1996, p. 37.

⁽³⁾ OJ L 191, 31.7.1993, p. 76.

⁽⁴⁾ OJ L 5, 9.1.1999, p. 64.

⁽⁵⁾ OJ L 72, 18.3.1999, p. 6.

COMMISSION REGULATION (EC) No 761/1999
of 12 April 1999
amending Regulation (EEC) No 2676/90 determining Community methods for
the analysis of wines

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

Having regard to Council Regulation (EEC) No 822/87 of 16 March 1987 on the common organisation of the market in wine ⁽¹⁾, as last amended by Regulation (EC) No 1627/98 ⁽²⁾, and in particular Article 74 thereof,

Whereas the Annex to Commission Regulation (EEC) No 2676/90 ⁽³⁾, as last amended by Regulation (EC) No 822/97 ⁽⁴⁾, describes methods of analysis; whereas the method of analysis for D-malic acid described in Chapter 20 has proved to be somewhat imprecise, and a new more accurate method has been developed; whereas a new method has been developed for the analysis of cyanide derivatives which is more sensitive and easier to apply; whereas a new method for determination of ethyl carbamate in wine has been developed at international level; whereas these three methods have been validated in accordance with internationally recognised criteria; whereas the use of these methods can ensure better control of wine quality and authenticity and prevent disputes due to the application of outdated and somewhat unreliable methods of analysis; whereas the descriptions of the new methods have been approved by the International Vine and Wine

Office; whereas they should be incorporated into the Regulation;

Whereas 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

The Annex to Regulation (EEC) No 2676/90 is hereby amended as follows:

1. Chapter 20 (D-malic acid) is replaced by Annex I to this Regulation;
2. Chapter 38 (Cyanide derivatives) is replaced by Annex II to this Regulation;
3. Annex III to this Regulation is added as Chapter 44.

Article 2

This Regulation shall enter into force on the seventh 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, 12 April 1999.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ L 84, 27.3.1987, p. 1.

⁽²⁾ OJ L 210, 28.7.1998, p. 10.

⁽³⁾ OJ L 272, 3.10.1990, p. 1.

⁽⁴⁾ OJ L 117, 7.5.1997, p. 10.

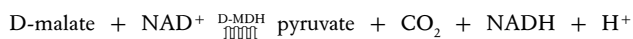
ANNEX I

20. D-MALIC ACID

(enzymatic method)

1. PRINCIPLE

In the presence of D-malate dehydrogenase (D-MDH), D-malic acid (D-malate) is oxidised by nicotinamide adenine dinucleotide (NAD) to oxaloacetate. The oxaloacetate formed is split into pyruvate and carbon dioxide.



The quantity of NADH formed is proportional to the concentration of D-malic acid and is measured at a wavelength of 334, 340 or 365 nm.

2. REAGENTS

Test combination for approximately 30 determinations:

- (a) Bottle 1 with about 30 ml of solution consisting of Hepes buffer [N-(2-hydroxyethyl)piperazine-N'-2-ethanesulfonic acid] pH = 9,0 and stabilisers;
- (b) Bottle 2 with about 210 mg of NAD lyophilisate;
- (c) Three bottles 3 with D-MDH lyophilisate, about 8 U each.

Preparation of the solutions

- 1. Use content of bottle 1 undiluted. Before using bring solution to 20 to 25 °C.
- 2. Dissolve content of bottle 2 in 4 ml double-distilled water.
- 3. Dissolve content of one of bottles 3 in 0,6 ml double-distilled water. Before using bring solution to 20 to 25 °C.

Stability of the solutions

The content of bottle 1 is stable for at least one year if stored at +4 °C; solution 2 is stable for three weeks if stored at +4 °C, and for two months if stored at -20 °C; solution 3 is stable for five days if stored at +4 °C.

3. APPARATUS

- 3.1. A spectrophotometer permitting measurement to be made at 340 nm, the wavelength at which NADH absorption is at a maximum. Failing that, a spectrophotometer with a discontinuous spectrum source permitting measurements to be made at 334 or 365 nm may be used. Since absolute absorbance measurements are involved (i.e. no set of calibration solutions but reference to the extinction coefficient of NADH), the wavelength scales and spectral absorbance of the apparatus must be checked.
- 3.2. Glass cuvettes with optical path lengths of 1 cm (if preferred disposable cuvettes may be used).
- 3.3. Micropipettes for pipetting volumes in the range 0,01 to 2 ml.

4. PREPARATION OF THE SAMPLE

D-malate analysis is normally carried out directly on the wine, without preliminary decolorisation.

The amount of D-malate in the cuvette should be between 2 and 50 µg. The wine therefore must be diluted to yield a D-malate concentration between 0,02 and 0,5 g/l or 0,02 and 0,3 g/l, respectively (depending on the apparatus used).

Dilution table:

Estimated quantity of D-malate/litre		Dilution with water	Dilution factor F
Measured at:			
340 or 334 nm	365 nm		
< 0,3 g	< 0,5 g	—	1
0,3 – 3,0 g	0,5 – 5,0 g	1 + 9	10

5. PROCEDURE

With the spectrophotometer adjusted to a wavelength of 340 nm, determine the absorbance using the 1 cm cuvettes, either using air to set zero absorbance (no cuvette in the optical path) or using water.

Pipette into the cuvettes:

	Reference	Test
Solution 1	1,00 ml	1,00 ml
Solution 2	0,10 ml	0,10 ml
Double-distilled water	1,80 ml	1,70 ml
Sample for measurement	—	0,10 ml

Mix, and after about six minutes measure the absorbance of the reference and test solutions (A_1).

Add:

	Reference	Test
Solution 3	0,05 ml	0,05 ml

Mix; wait until the reaction is completed (about 20 minutes) and measure the absorbances of the reference and test solutions (A_2).

Calculate the absorbance difference ($A_2 - A_1$) for the reference (ΔA_T) and test (ΔA_E) solutions. Finally, calculate the difference between those differences: $\Delta A = \Delta A_E - \Delta A_T$.

Note: The time needed for the completion of enzyme activity can vary from one batch to another. The above time is given only for guidance and it is recommended that it be determined for each batch.

D-malic acid reacts rapidly. The enzyme also transforms L-tartaric acid, although very much more slowly. This explains the slight side reaction, which can be corrected by means of extrapolation (see Appendix A).

6. EXPRESSION OF THE RESULTS

The general formula for calculating the concentration in mg/l is:

$$C = \frac{V \times PM}{\varepsilon \times d \times v} \times \Delta A$$

where:

V = volume of test solution in ml (2,95 ml)

v = volume of the sample in ml (0,1 ml)

PM = molecular mass of the substance to be determined (for D-malic acid, PM = 134,09)

d = optical path of the cuvette in cm (1 cm)

ε = absorption coefficient of NADH:

at 340 nm = 6,3 (1 mmol⁻¹ cm⁻¹)

at 365 nm = 3,4 (1 mmol⁻¹ cm⁻¹)

at 334 nm = 6,18 (1 mmol⁻¹ cm⁻¹).

If the sample was diluted during its preparation, multiply the result by the dilution factor.

The D-malic acid concentration is given in milligrams per litre (mg/l), with no decimal places.

7. ACCURACY

Details of the interlaboratory trial on the accuracy of the method are summarised in Appendix B. The values derived from the interlaboratory trial may not be applicable to ranges of analyte concentration and matrices other than those in Appendix B.

7.1. Repeatability

The absolute difference between two individual results obtained on identical matter submitted to a trial by an operator using the same apparatus, within the shortest time interval, will not exceed repeatability value r in more than 5 % of cases.

r = 11 mg/l.

7.2. Reproducibility

The absolute difference between two individual results obtained on identical matter submitted to a trial in two different laboratories will not exceed reproducibility value R in more than 5 % of cases.

R = 20 mg/l.

8. COMMENTS

In view of the degree of accuracy of this method, values of D-malic acid below 50 mg/l should be confirmed if necessary by another analytical method using another measuring principle such as that of Przyborski *et al.* (Mitteilungen Klosterneuburg 43, 1993; 215-218. 1993).

The wine sample in the cuvette should not exceed 0,1 ml, to avoid possible inhibition of enzymatic activity by polyphenols.

Appendix A

How to deal with side reactions

Side reactions are generally due to secondary reactions of the enzyme, to the presence of other enzymes in the sample matrix, or to interaction of one or more elements of the matrix with a co-factor in the enzymatic reaction.

With a normal reaction, absorbance reaches a constant value after a certain time, generally 10 to 20 minutes, depending on the speed of the specific enzymatic reaction. However, when secondary reactions occur, absorbance does not reach a constant value, but increases regularly with time. This type of process is commonly called a "side reaction".

When side reaction occurs, the absorbance of the solution should be measured at regular intervals (every two to five minutes) after the required time for the standard solution to reach its final absorbance has elapsed. If the absorbance increases regularly, five or six measurements should be made, and extrapolated back by means of a graph or of calculation, to determine the absorbance that would have been observed when the final enzyme was added (T_0). The substrate concentration is calculated on the basis of the difference in absorbance extrapolated at that time ($A_f - A_i$).

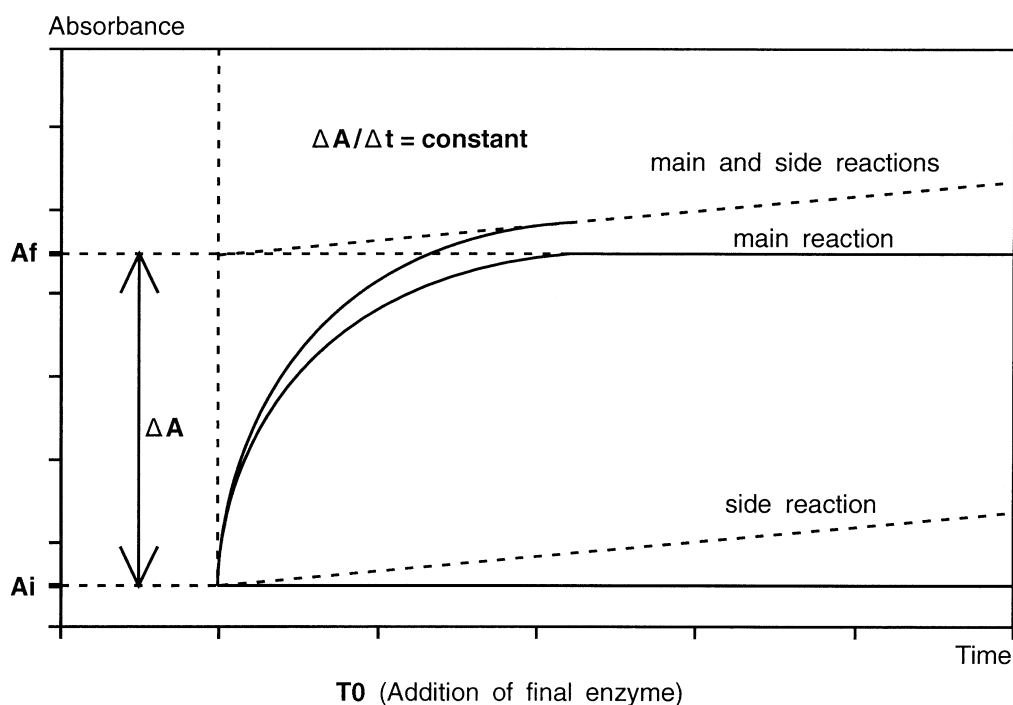


Figure 1. Side reaction

*Appendix B***Statistical results of interlaboratory trial**

Year of the interlaboratory trial: 1995

Number of laboratories: 8

Number of samples: 5 with addition of D-malic acid

Sample	A	B	C	D	E
Number of laboratories retained after elimination of laboratories presenting aberrant results	7	8	7	8	7
Number of laboratories presenting aberrant results	1	—	1	—	1
Number of results accepted	35	41	35	41	36
Average value ($\bar{x}$) (mg/l)	161,7	65,9	33,1	106,9	111,0
Standard deviation of repeatability (s_r) (mg/l)	4,53	4,24	1,93	4,36	4,47
Relative standard deviation of repeatability (RSD_r) (%)	2,8	6,4	5,8	4,1	4,00
Repeatability limit (r) (mg/l)	12,7	11,9	5,4	12,2	12,5
Standard deviation of reproducibility (s_R) (mg/l)	9,26	7,24	5,89	6,36	6,08
Relative standard deviation of reproducibility (RSD_R) (%)	5,7	11	17,8	5,9	5,5
Reproducibility limit (R) (mg/l)	25,9	20,3	16,5	17,8	17,0

Types of samples:

A: red wine; B: red wine; C: white wine; D: white wine; E: white wine;'

ANNEX II

38. CYANIDE DERIVATIVES

(*Caution:* comply with safety measures for handling chemicals chloramine T, pyridine, potassium cyanide, hydrochloric acid, and phosphoric acid. Dispose of used products in the proper way, in compliance with environmental rules in force. Caution with hydrocyanic acid released during the distillation of acidified wine.)

1. PRINCIPLE

The total free hydrocyanic acid in the wine is released by acid hydrolysis and separated by distillation. After reacting with chloramine-T and pyridine, the glutamic dialdehyde formed is determined by colorimetry on the basis of the blue coloration it gives with 1,3-dimethyl-barbituric acid.

2. APPARATUS

2.1. Distillation apparatus

Use the distillation apparatus described for determining the alcohol content of wine

2.2. 500-ml round-bottomed flask with standardised ground joints

2.3. Water bath thermostatically controlled at 20 °C

2.4. Spectrophotometer allowing absorbance to be measured at wavelength of 590 nm

2.5. Glass cells or single-use cells with optical paths of 20 mm

3. REAGENTS

3.1. Phosphoric acid (H_3PO_4) at 25 % (m/v)

3.2. Chloramine-T solution ($\text{C}_7\text{H}_7\text{ClNNa O}_2\text{S} \cdot 3\text{H}_2\text{O}$) 3 % (m/v)

3.3. Solution of 1,3-dimethyl-barbituric acid: dissolve 3,658 g 1,3-dimethyl-barbituric acid ($\text{C}_6\text{H}_8\text{N}_2\text{O}_3$) in 15 ml pyridine and 3 ml hydrochloric acid ($\rho_{20} = 1,19 \text{ g/ml}$) and add 50 ml distilled water

3.4. Potassium cyanide (KCN)

3.5. Potassium iodide (KI) solution at 10 % (m/v)

3.6. Silver nitrate solution (AgNO_3), 0,1 M

4. PROCEDURE

4.1. Distillation

Put 25 ml wine, 50 ml distilled water, 1 ml phosphoric acid (3.1) and a few glass beads into the 500-ml flask (2.2). Place flask immediately on the distillation apparatus. Use a tapering tube to conduct the distillate into a 50-ml calibrated flask containing 10 ml water. Immerse calibrated flask in iced water. Collect 30 to 35 ml of distillate (or around 45 ml liquid in total) in the calibrated flask.

Flush the tapering tube of the condenser with a few millilitres of distilled water, bring distillate to 20 °C and fill to the calibration line with distilled water.

4.2. Measurement

Put 25 ml distillate in a 50-ml conical flask with a ground glass stopper, add 1 ml chloramine-T solution (3.2) and seal with the stopper. After exactly 60 seconds add 3 ml of 1,3-dimethyl-barbituric acid solution (3.3), seal with stopper and leave for 10 minutes. Then measure absorbance against a control (25 ml distilled water instead of 25 ml distillate) at wavelength of 590 nm in cells with optical paths of 20 mm.

5. DETERMINING THE CALIBRATION CURVE

5.1. Argentometric titration of the potassium cyanide

Dissolve around 0,2 g KCN (3.4), carefully measured, in 100 ml distilled water in a 300-ml calibrated flask. Add 0,2 ml of potassium iodide solution (3.5) and titrate with the 0,1 M silver nitrate solution (3.6) until a stable yellowish colouring is obtained.

Taking 1 ml of 0,1 M silver nitrate solution as corresponding to 13,2 mg KCN, calculate the concentration of the KCN sample.

5.2. Standard curve

5.2.1. Preparation of standard solutions

Having established the concentration of the KCN according to the procedure set out in 5.1, prepare a standard solution containing 30 mg/l hydrocyanic acid (30 mg HCN $\cong$ 72,3 mg KCN). Dilute the solution to 1/10.

Introduce 1,0 ml, 2,0 ml, 3,0 ml, 4,0 ml and 5,0 ml of the diluted sample solution into the 100-ml calibrated flasks and fill to the calibration line with distilled water. The solutions prepared contain 30 μ g, 60 μ g, 90 μ g, 120 μ g and 150 μ g of hydrocyanic acid per litre respectively.

5.2.2. Titration

Take 25-ml samples of the solutions thus obtained and continue as indicated above at 4.1 and 4.2.

The values obtained for absorbance with regard to the standard solutions as a function of the corresponding hydrocyanic acid content should produce a straight line passing through the origin.

6. EXPRESSION OF RESULTS

The hydrocyanic acid is expressed in micrograms per litre (μ g/l) with no decimal places.

6.1. Method of calculation

Read off the hydrocyanic acid content on the calibration curve. If the sample has been diluted, multiply the result by the dilution factor.

Repeatability (r) and reproducibility (R)

White wine = $r = 3,1 \mu\text{g/l}$ or approximately 6 % $\cdot x_i$

$R = 12 \mu\text{g/l}$ or approximately 25 % $\cdot x_i$

Red wine = $r = 6,4 \mu\text{g/l}$ or approximately 8 % $\cdot x_i$

$R = 23 \mu\text{g/l}$ or approximately 29 % $\cdot x_i$

x_i = average concentration of HCN in the wine

$x_i = 48,4 \mu\text{g/l}$ for white wine

$x_i = 80,5 \mu\text{g/l}$ for red wine.'

ANNEX III

44. DETERMINATION OF ETHYL CARBAMATE IN WINE: SELECTIVE DETECTION METHOD USING GAS CHROMATOGRAPHY/MASS SPECTROMETRY

(Applicable to the determination of ethyl carbamate for concentrations between 10 and 200 µg/l)

(*Caution:* comply with safety measures for handling chemicals, ethanol, acetone and carcinogenic products (ethyl carbamate and dichloromethane). Dispose of used solvents in the proper way, in compliance with environmental rules in force).

A. Principle

Propyl carbamate is added to a sample as an internal standard, the solution is diluted with water and placed in a 50 ml solid phase extraction column. Ethyl carbamate and propyl carbamate are eluted with dichloromethane.

The eluate is concentrated in a vacuum rotary evaporator. The concentrate is analysed by gas chromatography (GC). Detection is by mass spectrometry using fragmentometry in SIM (selected ion monitoring) mode.

B. Apparatus and chromatographic conditions (example)

- (a) Gas chromatogram/mass spectrometer (GC/MS) and if necessary a sample filter and data treatment system or equivalent

Capillary column of fused silica 30 m (*) × 0,25 mm internal diameter, 0,25 µm of Carbowax 20M

Operation: injector 180 °C, helium gas vector at 1 ml/minute at 25 °C, injection by splitless method

Temperature programme: 40 °C for 0,75 minutes, rising thereafter by 10 °C/minute up to 60 °C, then by 3 °C/minute up to 150 °C (**), rising to 220 °C and maintaining that temperature for 4,25 minutes. Specific retention time for ethyl carbamate is 23 to 27 minutes, that for propyl carbamate is 27 to 31 minutes.

Gas chromatogram/spectrometer (GC/MS) interface: transfer line 220 °C. Mass spectrometer parameters manually tuned with perfluorotributylamine and optimised for a lower mass sensitivity, SIM acquisition mode, solvent delay and acquisition start time 22 minutes, dwell time/ion 100 ms.

- (b) Vacuum rotary evaporator or concentration system similar to Kuderna Danish.

(NB: the rate of recovery of ethyl carbamate from the test sample, C(g) must be between 90 and 110 % during the process.)

- (c) Flask — pear-shaped, 300 ml, single ground neck

- (d) Concentration tube — 4 ml, graduated, with a teflon-coated joint and a cork

C. Reagents

- (a) Acetone — quality LC

(NB: check each batch before use in GC/MS for absence of response for m/z 62, 74 and 89 ions.)

- (b) Dichloromethane

(NB: analyse each batch before use in GC/MS after 200-fold concentration, to check for absence of response for m/z 62, 74 and 89 ions.)

- (c) Ethanol — anhydrous

(*) For certain particularly rich wines, a 50 m capillary column may be desirable.

(**) For certain particularly rich wines, a temperature programme of 2 °C/minute may be desirable.

(d) Ethyl carbamate (EC) standard solutions

1. Stock solution — 1,00 mg/ml. Weigh 100 mg EC (purity $\geq 99\%$) in a 100 ml volumetric flask and dilute with acetone.
2. Standard working solution — 10,0 $\mu\text{g/ml}$. Transfer 1 ml of the stock EC solution to a 100 ml volumetric flask and dilute with acetone up to the mark.

(e) Propyl carbamate (PC), standard solutions

1. Stock solution — 1,00 mg/ml. Weigh 100 mg PC (reagent grade) in a 100 ml volumetric flask and dilute with acetone up to the mark.
2. Standard working solution — 10,0 $\mu\text{g/ml}$. Transfer 1 ml of the stock PC solution to a 100 ml volumetric flask and dilute with acetone up to the mark.
3. Internal standard solution PC — 400 ng/ml. Transfer 4 ml of the standard PC working solution to a 100 ml volumetric flask and dilute with water up to the mark.

(f) Standard calibrated solutions EC-PC

Dilute EC standard working solution (d)(2) and PC standard working solution (e)(2), with dichloromethane to obtain:

1. (100 ng EC and 400 ng PC)/ml;
2. (200 ng EC and 400 ng PC)/ml;
3. (400 ng EC and 400 ng PC)/ml;
4. (800 ng EC and 400 ng PC)/ml;
5. (1 600 ng EC and 400 ng PC)/ml.

(g) Test sample — 100 ng EC/ml in 40 % of ethanol

Transfer 1 ml of EC standard working solution (d)(2) to a 100 ml volumetric flask and dilute with 40 % of ethanol up to the mark.

(h) Solid phase extraction column — disposable material, pre-packed with diatomaceous earth, capacity 50 ml

NB: Before analysis, check each batch of extraction columns for the recovery of EC and PC and the absence of response for ions of 62,74 and 89 m/z. Prepare 100 ng EC/ml of test sample (g). Analyse 5,00 ml of the test sample as described in D(a), E and F. The recovery of 90 to 110 ng of EC/ml is satisfactory. Absorbents whose particle diameter is irregular can lead to a slow flow which affects the recovery of EC and PC. If 90 to 110 % of the test sample value is not obtained after several trials, change the column or use a corrected calibration recovery curve to quantify EC. To obtain the corrected calibration curve, prepare standard solutions as described in (f) by using 40 % ethanol instead of dichloromethane.

Analyse 1 ml of the standard calibration solution as described in D, E and F.

Establish a new calibration curve by using the EC/PC ratio of the extracted standards.

D. Preparation of the test sample

Place the following volumes of test material in two separate 100 ml beakers:

- (a) wines containing over 14 % vol of alcohol: $5,00 \pm 0,01$ ml;
- (b) wines containing maximum 14 % vol of alcohol: $20,00 \pm 0,01$ ml.

To each beaker, add 1 ml of internal standard PC solution C(e)(3) and water, to obtain a total volume of 40 ml (or 40 g).

E. Extraction

Extraction should be carried out under an extractor hood, with adequate ventilation.

Transfer the sample prepared under heading D to the extraction column.

Rinse the beaker with 10 ml of water and transfer the rinsing water to the column.

Leave the liquid to absorb for four minutes. Elute with 2×80 ml of dichloromethane. Collect the eluate in a 300 ml conical flask.

Evaporate the eluate from 2 to 3 ml in a water bath rotary evaporator at 30 °C. (*NB*: do not allow to boil dry.)

Transfer the concentrated residue to a 4 ml graduated tube with a Pasteur pipette.

Rinse the flask with 1 ml of dichloromethane and transfer the rinsing liquid to the tube. Concentrate the sample to 1 ml under a weak nitrogen stream.

If necessary, transfer the concentrate to auto sampler flask for GC/MS analysis.

F. GC/MS analysis

(a) Calibration curve

Inject 1 µl of each standard calibration solution C(f) into the GC/MS. Plot the graph of EC-PC area ratio for the m/z 62 ion response on the vertical axis and the quantity of EC in ng/ml on the horizontal axis (100, 200, 400, 800, 1 600 ng/ml).

(b) EC quantification

Inject 1 µl of concentrated extract prepared under E into the GC/MS system and calculate the EC-PC area ratio for the m/z 62 ion. Establish the concentration of EC (ng/ml) in the extract by using the internal standard calibration curve. Calculate the EC concentration in the test sample (ng/ml) by dividing the quantity of EC (ng) in the extract by the test sample volume (ml).

(c) Confirmation of EC identity

Determine whether the responses for the m/z 62, 74 and 89 ions appear during the period of EC retention. These responses are features of the main fragments $(M - C_2H_5)^+$ and $(M - CH_3)^+$ and molecular ion $(M)^+$ respectively. The presence of EC is confirmed if the relative ratios of these ions are within 20 % of the ratios for an EC standard. The extract may need to be further concentrated in order to obtain a sufficient response for the m/z 89 ion.

G. Collaborative analysis

The table shows individual results for the practical entrainment sample and for both types of wine.

The Cochran test led to the elimination of only one pair of results, for wine of alcoholic strength over 14 % vol and for wine of alcoholic strength of 14 % vol or less, from two different laboratories.

Relative reproducibility (RSD_R) tends to decrease as the concentration of ethyl carbamate increases.

Performance of the method for the determination of ethyl carbamate EC in alcoholic beverages by GC/MS

Sample	Average EC found (ng/ml)	Recovery of added EC (%)	S_r	S_R	RSD_r (%)	RSD_R (%)
Wines > 14 % vol	40		1,59	4,77	4,01	12,02
	80	89	3,32	7,00	4,14	8,74
	162	90	8,20	11,11	5,05	6,84
Wines ≤ 14 % vol	11		0,43	2,03	3,94	18,47
	25	93	1,67	2,67	6,73	10,73
	48	93	1,97	4,25	4,10	8,86

COMMISSION REGULATION (EC) No 762/1999

of 13 April 1999

laying down detailed rules governing the grant of private storage aid for Kefalotyri and Kasseri cheeses

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 products ⁽¹⁾, as last amended by Regulation (EC) No 1587/96 ⁽²⁾, and in particular Articles 9(3) and 28 thereof,

Whereas Council Regulation (EEC) No 508/71 of 8 March 1971 laying down general rules on private storage aid for long-keeping cheeses ⁽³⁾ permits the granting of private storage aid for sheep's milk cheeses requiring at least six months for maturing where a serious market imbalance could be eliminated or reduced by seasonal storage;

Whereas the seasonal nature of Kefalotyri and Kasseri cheese production results in the building up of stocks which are difficult to sell and which risk causing a lowering of prices; whereas seasonal storage should therefore be introduced for the quantities to improve the situation and allow producers time to find outlets for their cheese;

Whereas the detailed rules of this measure should determine the maximum quantity to benefit from it as well as the duration of the contracts in relation to the real requirements of the market and the keeping qualities of the cheeses in question; whereas it is necessary to specify the terms of the storage contract so as to enable the identification of the cheese and to maintain checks on the stock in respect of which aid is granted; whereas the aid should be fixed taking into account storage costs and the foreseeable trend of market prices;

Whereas experience shows that provisions on checks should be laid down, particularly as regards the documents to be submitted and checks to be made on the spot; whereas, therefore, it should be provided that Member States require the costs of checks be fully or partly borne by the contractor;

Whereas Article 1(1) of Commission Regulation (EEC) No 1756/93 of 30 June 1993 fixing the operative events for the agricultural conversion rate applicable to milk and milk products ⁽⁴⁾, as last amended by Regulation (EC) No 569/1999 ⁽⁵⁾, fixes the conversion rate to be applied in the framework of private storage aid schemes in the milk products sector;

Whereas it is appropriate to guarantee the continuation of the storage operations in question;

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

Aid shall be granted in respect of the private storage of 3 200 tonnes of Kefalotyri and Kasseri cheeses made from Community-produced ewes' or goats' milk or a mixture of the two and satisfying the requirements of Articles 2 and 3.

Article 2

1. The intervention agency shall conclude storage contracts only when the following conditions are met:

- (a) the quantity of cheese to which the contract relates is not less than 2 tonnes;
- (b) the cheese was manufactured at least 90 days before the date specified in the contract as being the date of commencement of storage, and after 30 November 1998;
- (c) the cheese has undergone tests which show that it meets the condition laid down in (b) and that it is of first quality;
- (d) the storer undertakes:

⁽¹⁾ OJ L 148, 28.6.1968, p. 13.

⁽²⁾ OJ L 206, 16.8.1996, p. 21.

⁽³⁾ OJ L 58, 11.3.1971, p. 1.

⁽⁴⁾ OJ L 161, 2.7.1993, p. 48.

⁽⁵⁾ OJ L 70, 17.3.1999, p. 12.

- not, during the term of the contract, to alter the composition of the batch which is the subject of the contract without authorisation from the intervention agency. If the condition concerning the minimum quantity fixed for each batch continues to be met, the intervention agency may authorise an alteration which is limited to the removal or replacement of cheeses which are found to have deteriorated to such an extent that they can no longer be stored.

In the event of release from store of certain quantities:

- (i) if the aforesaid quantities are replaced with the authorisation of the intervention agency, the contract is deemed not to have undergone any alteration;
- (ii) if the aforesaid quantities are not replaced, the contract is deemed to have been concluded *ab initio* for the quantity permanently retained.

Any supervisory costs arising from an alteration shall be met by the storer,

- to keep stock accounts and to inform the intervention agency each week of the quantity of cheese put into storage during the previous week, and of any planned withdrawals.

2. The storage contract shall be concluded:

- (a) in writing, stating the date when storage covered by the contract begins; this may not be earlier than the day following that on which the operations connected with putting the batch of cheese covered by the contract into storage were completed;
- (b) after completion by the operations connected with putting the batch of cheese covered by the contract into storage and at the latest 40 days after the date on which the storage covered by the contract begins.

Article 3

1. Aid shall be granted only for cheese put into storage during the period 15 May to 30 November 1999.

2. No aid shall be granted in respect of storage under contract for less than 60 days.

3. The aid payable may not exceed an amount corresponding to 150 days' storage under contract terminating before 31 March 2000. By way of derogation from the first indent of Article 2(1)(d), when the period of 60 days specified in paragraph 2 has elapsed, the storer may remove all or part of the batch under contract. The minimum quantity that may be removed shall be 500 kilograms. The Member States may, however, increase this quantity to 2 tonnes.

The date of the start of operations to remove cheese covered by the contract shall not be included in the period of storage under contract.

Article 4

1. The aid shall be as follows:

- (a) EUR 100/t for the fixed costs;
- (b) EUR 0,35/t per day of storage under contract for the warehousing costs;
- (c) EUR 0,58/t per day of storage under contract for the financial costs.

2. Aid shall be paid not later than 90 days from the last day of storage under contract.

Article 5

1. The Member States shall ensure that the conditions granting entitlement to payment of the aid are fulfilled.

2. The contractor shall make available to the national authorities responsible for verifying execution of the measure any documentation permitting in particular the following particulars of products placed in private storage to be verified:

- (a) ownership at the time of entry into storage;
- (b) the origin and date of manufacture of the cheeses;
- (c) the date of entry into storage;
- (d) presence in the store;
- (e) the date of removal from storage.

3. The contractor or, where applicable, the operator of the store, shall keep stock accounts available at the store, covering:

- (a) identification, by contract number, of the products placed in private storage;
- (b) the dates of entry into and removal from storage;
- (c) the number of cheeses and their weight shown for each lot;
- (d) the location of the products in the store.

4. Products stored must be easily identifiable and must be identified individually by contract. A special mark shall be affixed to cheeses covered by contract.

5. Without prejudice to Article 2(1)(d), on entry into storage, the competent bodies shall conduct checks in particular to ensure that products stored are eligible for the aid and to prevent any possibility of substitution of products during storage under contract.

6. The national authorities responsible for controls shall undertake:

- (a) an unannounced check to see that the products are present in the store. The sample concerned must be representative and must correspond to at least 10 % of the overall quantity under contract for a private storage aid measure. Such checks must include, in addition to an examination of the accounts referred to in paragraph 3, a physical check of the weight and type of product and their identification. Such physical checks must relate to at least 5 % of the quantity subject to the unannounced check;
- (b) a check to see that the products are present at the end of the storage period under contract.

7. Checks conducted pursuant to paragraphs 5 and 6 must be the subject of a report stating:

- the date of the check,
- its duration,
- the operations conducted.

The report on checks must be signed by the official responsible and countersigned by the contractor or, where applicable, by the store operator.

8. In the case of irregularities affecting at least 5 % of the quantities of products subject to the checks the latter shall be extended to a larger sample to be determined by the competent body.

The Member States shall notify such cases to the Commission within four weeks.

9. The Member States may provide that the costs of checks will be borne partly or fully by the contractor.

Article 6

Member States shall communicate to the Commission before 15 January 2000:

- (a) the quantity of cheese for which storage contracts have been concluded;
- (b) any quantities in respect of which the authorisation referred to in Article 2(1)(d) has been given.

Article 7

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

It shall apply with effect from 15 May 1999.

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

Done at Brussels, 13 April 1999.

For the Commission

Franz FISCHLER

Member of the Commission

COMMISSION REGULATION (EC) No 763/1999
of 13 April 1999
on the transport of pigmeat to Russia

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EC) No 2802/98 of 17 December 1998 on a programme to supply agricultural products to the Russian Federation⁽¹⁾, and in particular Article 4(2) thereof,

Whereas Commission Regulation (EC) No 111/1999⁽²⁾ lays down general rules for the application of Regulation (EC) No 2802/98;

Whereas an initial invitation to tender was opened by Regulation (EC) No 190/1999⁽³⁾, as amended by Regulation (EC) No 439/1999⁽⁴⁾, for the purpose of awarding contracts for the supply of a number of lots of pigmeat to be delivered to Community warehouses; whereas a new invitation to tender should be opened to award contracts for the transport of that pigmeat from the Community warehouses to Russia;

Whereas the supply of 8 000 tonnes in two separate lots should be organised;

Whereas the special conditions applicable to that supply should be defined as a supplement to the provisions laid down in Regulation (EC) No 111/1999; whereas the entry of force of those conditions should be immediate;

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

HAS ADOPTED THIS REGULATION:

Article 1

An invitation to tender is hereby opened to establish the costs of supplying transport for a total of 8 000 tonnes net of pigmeat in two separate lots as defined in Annex I as a

supply operation covered by Article 2(1)(b) of Regulation (EC) No 111/1999, in accordance with that Regulation and this Regulation.

Article 2

1. For each of the lots, supply shall comprise:

- take-over at the stage laid down in paragraph 2, and
- transport by suitable means to the destinations and within the time limits laid down in Annex I.

2. The pigmeat lots must be kept available for the successful tenderers in the coldstores listed in Annex II.

Removal must take place from 3 May 1999.

With effect from 10 days after the above date, the successful tenderer shall be obliged to reimburse the Commission for all costs incurred by the latter as a result of a delay in take-over (parking, insurance, security, securities, etc) as laid down in Article 5(1)(f)(4) of Regulation (EC) No 111/1999.

Article 3

1. Tenders shall be lodged with the following agencies, whose addresses are given in Annex II:

- for lot No 1: the German intervention agency,
- for lot No 2: the Dutch intervention agency.

The time limit for lodging tenders shall expire on 20 April 1999 at 12 p.m. (Brussels time).

Should a lot not be successfully tendered for by the end of this period, tenders may be lodged for a second period expiring on 4 May 1999 at 12 p.m. (Brussels time).

In that case, all the dates in Article 2 and Annex I shall be extended by two weeks.

2. Tenders shall cover the cost of transport of all the quantities in one lot to be taken over at the coldstores laid down in Article 2(2) and to be supplied to the destination laid down in Annex I.

⁽¹⁾ OJ L 349, 24.12.1998, p. 12.

⁽²⁾ OJ L 14, 19.1.1999, p. 3.

⁽³⁾ OJ L 21, 28.1.1999, p. 14.

⁽⁴⁾ OJ L 52, 27.2.1999, p. 33.

Article 4

1. The tendering security shall be EUR 25/tonne of pigmeat to be delivered.
2. The supply security shall be EUR 1718/tonne of pigmeat to be delivered. It must be lodged in accordance with Article 7(1) of Regulation (EC) No 111/1999 in favour of the intervention agency indicated in Article 3 for the lot in question.

Article 5

The take-over certificate drawn up in accordance with Annex I of Regulation (EC) No 111/1999 shall be issued by the beneficiary country at the destinations and by the authorities listed in Annex III.

Article 6

For the purposes of Article 13 of Regulation (EC) No 111/1999 the advance shall be paid on presentation of a

take-over certificate covering the entire quantity to be delivered to a given destination on a given date.

Payment shall be made within 30 days of presentation of the application for the advance accompanied by the requisite documentary evidence.

Article 7

The successful tenderer shall insert in the transport documents the special stamp established in the Annex to Commission Regulation (EC) No 385/1999 ⁽¹⁾.

Article 8

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, 13 April 1999.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ L 46, 20.2.1999, p. 48.

ANNEX I

PIGMEAT

Final destinations

These destinations are indicated for the purposes of drawing up the transport documents and of selecting the means of transport (railway wagons/trucks). However, the price to be tendered must not take account of the final destination, only the frontier point.

	Lot No 1	Lot No 2
Republic of Karelia	200	
Republic of Komi	200	
Arkhangelskaya oblast	200	
Murmanskaya oblast	200	
Bryanskaya oblast	200	
Vladimirskaia oblast	400	
Ivanovskaya oblast	400	
Smolenskaya oblast	400	
Tverskaya oblast	400	
Tul'skaya oblast	400	
Yaroslavskaya oblast	400	
Kirovskaya oblast	400	
Nizhegorodskaya oblast	400	
Astrakhanskaya oblast	200	
Samarskaya oblast	100	300
Republic of Dagestan		200
Republic of Udmurtia		400
Permskaya oblast		400
Sverdloskaya oblast		800
Chelyabinskaya oblast		500
Kemerovskaya oblast		900
Total	4 500	3 500

— Delivery stage: product not unloaded at frontier point Krasnoye or Susemka.

— Transport means: by land.

In the event that certain final destination regions are supplied by rail and others by truck, tenders must be accompanied by two breakdowns drawn up in accordance with Annex II to Regulation (EC) No 111/1999 and the sum tendered must be equivalent to the weighted average of the costs per tonne.

— Time limits for arrival at frontier points:

Lot No 1: 15 June 1999

Lot No 2: 4 June 1999.

*ANNEX II***Lot No 1**

- 3 000 t: Nordfrost Kühl- und Lagerhaus GmbH & Co. KG
Rosslauerstr. 51
D-39261 Zerbst
- 1 500 t: Nordfrost Kühl- und Lagerhaus GmbH & Co. KG
Postfach 1340
D-26412 Schortens

Lot No 2

- 1 000 t: Nordfrost Kühl- und Lagerhaus GmbH & Co. KG
Im Gewerbegebiet Heidmühle
D-26419 Schortens
- 500 t: Nordfrost Kühl- und Lagerhaus GmbH & Co. KG
Thielebachstr. 6
D-34346 Hann Münden
- 500 t: Nordfrost Kühl- und Lagerhaus GmbH & Co. KG
Max-Plank-Str. 14
D-27283 Verden
- 500 t: Horafrost NV
Voermanstraat 5
B-8840 Staden
- 500 t: Grolleman Exploitatie Maatschappij B.V.
Industrieweg 23
NL-8121 B2 Olst
- 500 t: Daalimpex Coldstores B.V.
Noorderkade 36 B
NL-1948 NR Beverwijk

Addresses of intervention agencies:

Lot No 1

BLE
Bundesanstalt für Landwirtschaft und Ernährung
Adickesallee 40
D-60322 Frankfurt am Main
Postfach 18 02 03
Tel.: (49 228) 68 20
Fax: (49 228) 682 72 72

Lot No 2

Laser Regio Zuidoost
Slachthuisstraat 72
Postbus 965
6040 AZ Roermond
Nederland
Tel.: (31 475) 35 54 44
Fax: (31 475) 31 89 39.

ANNEX III

Place of take-over: Susemka, Krasnoye
 Bryansk and Smolensk for customs formalities.

Authority empowered to issue the take-over certificates:

V.O. Prodintorg
103084 Moscow
Mjasnitskaya nl 47

M. Belokopytov
M. Perekatev

**COMMISSION REGULATION (EC) No 764/1999
of 13 April 1999**

**determining the extent to which applications lodged in April 1999 for import
rights in respect of frozen beef intended for processing may be accepted**

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

Having regard to Commission Regulation (EC) No 1045/98 of 19 May 1998 opening and administering an import tariff quota for frozen beef intended for processing for the period 1 July 1998 to 30 June 1999 ⁽¹⁾ and in particular the second subparagraph of Article 3(3) thereof,

Whereas Article 6(1) of Regulation (EC) No 1045/98 provides, where applicable, for a further allocation of quantities not covered by licence applications submitted by 26 February 1999;

Whereas Article 1 of Commission Regulation (EC) No 586/1999 of 18 March 1999 providing for reallocation of import rights under Regulation (EC) No 1045/98 opening and providing for the administration of an import tariff quota for frozen beef intended for processing ⁽²⁾ establishes the quantities of frozen beef for processing which may be imported under special conditions until 30 June 1999;

Whereas Article 3(3) of Regulation (EC) No 1045/98 lays down that the quantities applied for may be reduced; whereas the applications lodged relate to total quantities

which exceed the quantities available; whereas under these circumstances and taking care to ensure an equitable distribution of the available quantities, it is appropriate to reduce proportionally the quantities applied for,

HAS ADOPTED THIS REGULATION:

Article 1

Every application for import rights lodged in accordance with Article 6 of Regulation (EC) No 1045/98 shall be granted to the following extent, expressed as bone-in beef:

- 0,972 % of the quantity requested for beef imports intended for the manufacture of 'preserves' as defined by Article 7(a) of Regulation (EC) No 1045/98,
- 19,822 % of the quantity requested for beef imports intended for the manufacture of products as defined by Article 7(b) of Regulation (EC) No 1045/98.

Article 2

This Regulation shall enter into force on 14 April 1999.

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

Done at Brussels, 13 April 1999.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ L 149, 20.5.1998, p. 12.

⁽²⁾ OJ L 74, 19.3.1999, p. 3.

II

(Acts whose publication is not obligatory)

COUNCIL

DECISION OF THE COUNCIL

of 30 March 1999

authorising the French Republic to apply or to continue to apply reductions in, or exemptions from, excise duties on certain mineral oils used for specific purposes, in accordance with the procedure provided for in Article 8(4) of Directive 92/81/EEC

(1999/254/EC)

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty establishing the European Community,

Having regard to Council Directive 92/81/EEC of 19 October 1992 on the harmonisation of the structures of excise duties on mineral oils ⁽¹⁾, and in particular Article 8(4) thereof,

Having regard to the proposal from the Commission,

Whereas, pursuant to Article 8(4) of Directive 92/81/EEC, the Council, acting unanimously on a proposal from the Commission, may authorise any Member State to introduce exemptions from, or reductions in, excise duties on mineral oils on grounds of specific policy considerations;

Whereas the French authorities have notified the Commission that they wish to apply as from 1 January 1999, a differentiated rate of excise duty on a new fuel composed of a water-and-antifreeze/diesel emulsion stabilised by surfactants; whereas the procedure provided for in Article 8(4) should apply to such a scheme;

Whereas the other Member States have been informed thereof;

Whereas the Commission and all the Member States accept that the application of a differentiated rate of excise duty on a new fuel composed of a water-and-antifreeze/diesel emulsion is justified on environmental policy grounds and that it will not give rise to distortions

of competition or hinder the operation of the internal market;

Whereas the Commission regularly reviews reductions and exemptions to check that they are compatible with the operation of the internal market or with Community policy on protection of the environment;

Whereas France has requested authorisation to apply this differentiated rate of excise duty from 1 January 1999 at the earliest; whereas the Council is to review their application on the basis of a report from the Commission no later than 31 December 1999, when the authorisation granted by this Decision expires,

HAS ADOPTED THIS DECISION:

Article 1

In accordance with Article 8(4) of Directive 92/81/EEC, the French Republic is authorised to apply a differentiated rate of excise duty on a new fuel composed of a water-and-antifreeze/diesel emulsion stabilised by surfactants from 1 January 1999 until 31 December 1999 provided that this differentiated rate is in accordance with the obligations laid down in Council Directive 92/82/EEC of 19 October 1992 on the approximation of the rates of excise duties on mineral oils ⁽²⁾, and in particular the minimum rates of excise duty provided for in Article 5 thereof.

⁽¹⁾ OJ L 316, 31.10.1992, p. 12.

⁽²⁾ OJ L 316, 31.10.1992, p. 19.

Article 2

This Decision is addressed to the French Republic.

Done at Brussels, 30 March 1999.

For the Council

The President

K.-H. FUNKE

COUNCIL DECISION

of 30 March 1999

authorising, in accordance with Directive 92/81/EEC, certain Member States to apply and to continue to apply to certain mineral oils, reduced rates of excise duty or exemptions from excise duty, and amending Decision 97/425/EC

(1999/255/EC)

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty establishing the European Community,

Having regard to Council Directive 92/81/EEC of 19 October 1992 on the harmonisation of the structures of excise duties on mineral oils ⁽¹⁾, and in particular Article 8(4) and (5) thereof,

Having regard to the proposal from the Commission,

Whereas, pursuant to Article 8(4) of Directive 92/81/EEC, the Council, acting unanimously on a proposal from the Commission, authorised Member States to introduce exemptions or reductions in the excise duty charged on mineral oils for special policy considerations;

Whereas, pursuant to Article 3 of Decision 97/425/EC ⁽²⁾, the Council is required to decide before 31 December 1998 on the basis of a proposal from the Commission whether those derogations which expire on 31 December 1998 should be extended for a further specific period;

Whereas the Commission has been informed by Member States of their intention to continue to apply certain such exemptions or reductions which are already provided for in their taxation law or to introduce exemptions or reductions;

Whereas, for specific policy considerations, certain exemptions and reductions should continue to have effect until 31 December 1999; whereas there should be provisions for an extension beyond the abovementioned dates and whereas the reductions or exemptions are regularly reviewed by the Commission to ensure that they are compatible with the operation of the internal market and other objectives of the Treaty,

HAS ADOPTED THIS DECISION:

Article 1

By way of derogation from the obligations imposed by Council Directive 92/82/EEC of 19 October 1992 on the approximation of the rates of excise duties on mineral

oils ⁽³⁾, the following Member States are authorised to apply or to continue to apply the reductions in rates of excise duties or exemptions from excise duty herein specified until 31 December 1999 unless the Council unanimously determines before that date on a proposal from the Commission whether any or all of these derogations shall be modified or extended for a further specific period:

1. *France:*

- for consumption on the island of Corsica, provided that the reduced rates at all times respect the minimum rates of duty on mineral oils as provided for under Community law,
- for a differentiated diesel rate for commercial vehicles provided that the rate of duty respects the minimum rate provided for under Community law,
- for an exemption for heavy fuel oil used as fuel for the production of alumina in the region of Gardanne.

2. *Italy:*

- for a reduction in excise duty on petrol consumed on the territory of Friuli-Venezia Giulia, provided that the rate of duty respects the minimum rate provided for under Community law,
- for a reduction in the rate of duty for mineral oils consumed in the regions of Udine and Trieste, provided that the reduced rates at all times respect the minimum rates of duty on mineral oils as provided for under Community law,
- for an exemption from excise duty on mineral oils used as fuel for alumina production in Sardinia,
- for a reduction in the excise duty on fuel oil for the production of steam, and for gas oil used in ovens, for drying and 'activating' molecular sieves in Reggio Calabria, provided that the rate of duty respects the minimum rate provided for under Community law.

⁽¹⁾ OJ L 316, 31.10.1992, p. 12. Directive as last amended by Directive 94/74/EC (OJ L 365, 31.12.1994, p. 46).

⁽²⁾ OJ L 182, 10.7.1997, p. 22.

⁽³⁾ OJ L 316, 31.10.1992, p. 19. Directive as last amended by Directive 94/74/EC (OJ L 365, 31.12.1994, p. 46).

3. *The Netherlands:*

- for a differentiated diesel rate for commercial vehicles, provided that the rate of duty respects the minimum rate provided for under Community law.

Article 2

This Decision shall apply from 1 January 1999.

Article 3

This Decision is addressed to the Member States.

Done at Brussels, 30 March 1999.

For the Council

The President

K.-H. FUNKE

DECISION No 2/99 OF THE ASSOCIATION COUNCIL

**between the European Communities and their Member States, of the one part,
and the Republic of Bulgaria, of the other part**

of 15 March 1999

**adopting the terms and conditions for the participation of Bulgaria in
Community programmes in the fields of vocational training and education**

(1999/256/EC)

THE ASSOCIATION COUNCIL,

HAS DECIDED AS FOLLOWS:

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 Bulgaria, of the other part⁽¹⁾,

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 Republic of Bulgaria⁽²⁾, of the other part concerning Bulgaria's participation in Community programmes, and in particular Articles 1 and 2 thereof,

Whereas according to Article 1 of the said Additional Protocol, Bulgaria may participate in Community framework programmes, specific programmes, projects or other actions in particular in the fields of vocational training and education;

Whereas pursuant to Article 2 of the said Additional Protocol the terms and conditions for the participation of Bulgaria in the activities referred to in Article 1 are to be decided by the Association Council,

Article 1

Bulgaria shall participate in the Community programmes Leonardo da Vinci⁽³⁾ and Socrates⁽⁴⁾ in accordance with the terms and conditions set out in Annex 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 and Socrates programmes.

Article 3

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

Done at Brussels, 15 March 1999.

For the Association Council

The President

J. FISCHER

⁽¹⁾ OJ L 358, 31.12.1994, p. 3.
⁽²⁾ OJ L 317, 30.12.1995, p. 25.

⁽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).

ANNEX I

TERMS AND CONDITIONS FOR THE PARTICIPATION OF BULGARIA IN THE
LEONARDO DA VINCI AND SOCRATES PROGRAMMES

1. Bulgaria will participate in all activities of the Leonardo da Vinci and Socrates programmes (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 94/819/EC of 6 December 1994 establishing an action programme for the implementation of a European Community vocational training policy⁽¹⁾ and Decision No 819/95/EC of the European Parliament and of the Council of 14 March 1995 establishing the European Community action programme 'Socrates'⁽²⁾.
2. The terms and conditions for the submission, assessment and selection of applications by eligible institutions, organisations and individuals of Bulgaria shall be the same as those applicable to eligible institutions, organisations and individuals of the Community.

Language preparation and vocational training activities concern the official languages of the Community. In exceptional circumstances, other languages could be accepted if the implementation of the programmes so requires.

3. To ensure the Community dimension of the programmes, transnational projects and activities proposed by Bulgaria 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 programmes, 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 programmes. Projects and activities carried out solely between Bulgaria and EFTA States which are parties to the EEA Agreement or any other third countries, including those with an Association Agreement with the Community, to which participation in the programmes is open, are not eligible for Community financial support.
4. In conformity with the terms of the relevant provisions of the Decisions on the programmes, Bulgaria will lay down the appropriate structures and mechanisms at national level and will take all other necessary steps to ensure national coordination and organisation of the implementation of the programmes.
5. Bulgaria will pay each year a contribution to the general budget of the European Communities to cover the costs resulting from its participation in the programmes (see Annex II).

The Association Committee is entitled to adapt this contribution whenever necessary.
6. The Member States of the Community and Bulgaria will make every effort within the framework of the existing provisions, to facilitate the free movement and residence of students, teachers, university administrators and other eligible persons moving between Bulgaria and the Member States of the Community for the purpose of participating in activities covered by this Decision.
7. Without prejudice to the responsibilities of the Commission and the Court of Auditors of the European Communities in relation to the monitoring and evaluation of the programmes pursuant to Decisions 94/819/EC and No 819/95/EC concerning Leonardo da Vinci and Socrates programmes (Articles 10 and 8 respectively), the participation of Bulgaria in the programmes will be continuously monitored on a partnership basis involving Bulgaria and the Commission of the European Communities. Bulgaria will submit the necessary reports to the Commission and take part in other specific activities undertaken by the Community in that context.
8. Without prejudice to the procedures referred to in Article 6 of Decision 94/819/EC on Leonardo da Vinci and Article 4 of Decision No 819/95/EC on Socrates, Bulgaria will be invited to coordination meetings on any question concerning the implementation of this Decision prior to the regular meetings of the committees. The Commission will inform Bulgaria about the results of such regular meetings.
9. The language to be used as regards the application process, contracts, reports to be submitted and other administrative arrangements for the programmes, will be one of the official languages of the Community.

⁽¹⁾ OJ L 340, 29.12.1994, p. 8.

⁽²⁾ 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).

ANNEX II

FINANCIAL CONTRIBUTION OF BULGARIA TO THE LEONARDO DA VINCI AND SOCRATES PROGRAMMES

1. The financial contribution of Bulgaria will cover:

subsidies or any other financial support from the programmes to Bulgarian participants;
financial support from the Leonardo da Vinci programme to the functioning of the national agency;
supplementary administrative costs related to the management of the programmes by the Commission stemming from Bulgaria's participation.

2. For every financial year, the aggregated amount of subsidies or any other financial support received from the programmes by the Bulgarian beneficiaries and by the Leonardo da Vinci national agencies of Bulgaria will not exceed the contribution paid by Bulgaria, after deduction of the supplementary administrative costs.

Should the contribution paid by Bulgaria to the general budget of the European Communities, after deduction of the supplementary administrative costs, be higher than the aggregated amount of the subsidies or other financial support received from the programmes by the Bulgarian beneficiaries and by the Leonardo da Vinci national agency, the Commission of the European Communities 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 programmes come to an end, the corresponding amount will be reimbursed to Bulgaria.

3. **Leonardo da Vinci**

Bulgaria's contribution for participating in 1999 will be EUR 1 114 000. Of this sum, an amount of EUR 72 000 will cover supplementary administrative costs related to the management of the programme by the Commission stemming from Bulgaria's participation.

4. **Socrates**

Bulgaria's contribution will be EUR 4 140 000 in 1999 for its participation in the entire Socrates programme, including Chapter I (Erasmus). Of this sum, an amount of EUR 270 000 will cover supplementary administrative costs related to the management of the programme by the Commission stemming from Bulgaria's participation.

5. The Financial Regulation applicable to the general budget of the European Communities will apply, notably to the management of the contribution of Bulgaria.

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

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

The calculation of the annual contribution is based on a participation during a full financial year. Should the Association Council Decision enter into force in the course of a year, the contribution for that year will be adapted taking into account the state of implementation of the programmes for that particular year.

Bulgaria will pay its contribution to the annual costs under this Decision according to the call for funds, 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 Bulgaria on the outstanding amount from the due date. The interest rate corresponds to the rate applied by the European Monetary Cooperation Fund, for the month of the due date, for its operations in euro⁽¹⁾, increased by 1,5 percentage points.

6. Bulgaria will pay the supplementary administrative costs referred to in paragraphs 3 and 4 from its national budget.

7. Of the remainder of its annual contribution to the Leonardo da Vinci programme, referred to in paragraph 3, Bulgaria will pay EUR 31 000 from its national budget in 1999. Subject to regular PHARE programming procedures, EUR 1 011 000 will be paid from Bulgaria's PHARE national programme of 1999.

Of the remainder of its annual contribution to Socrates, referred to in paragraph 4, Bulgaria will pay EUR 116 000 from its national budget in 1999. Subject to regular PHARE programming procedures, EUR 3 754 000 will be paid from Bulgaria's PHARE national programme of 1999.

⁽¹⁾ Rate published monthly in the *Official Journal of the European Communities* — C Series.

CORRIGENDA**Corrigendum to Commission Decision 1999/253/EC of 12 April 1999 on protective measures with regard to certain fishery products from or originating in Kenya and Tanzania**

(Official Journal of the European Communities L 98 of 13 April 1999)

In the table of contents, after the title, and on page 13, under the title:

for: 'notified under document number C(1999) 497',

read: 'notified under document number C(1999) 913'.
