

Official Journal

of the European Communities

ISSN 0378-6978

L 101

Volume 42

16 April 1999

English edition

Legislation

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Price: EUR 19,50

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I

(Acts whose publication is obligatory)

COUNCIL REGULATION (EC) No 772/1999

of 30 March 1999

imposing definitive anti-dumping and countervailing duties on imports of farmed Atlantic salmon originating in Norway and repealing Regulations (EC) No 1890/97 and (EC) No 1891/97

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EC) No 384/96 of 22 December 1995 on protection against dumped imports from countries not members of the European Community⁽¹⁾, and in particular Article 11(3) thereof,

Having regard to Council Regulation (EC) No 2026/97 of 6 October 1997 on protection against subsidised imports from countries not members of the European Community⁽²⁾, and in particular Article 19 thereof,

Having regard to the proposal submitted by the Commission after consulting the Advisory Committee,

Whereas:

from which undertakings had been accepted by the Commission. The rate of the definitive anti-dumping duty was set at EUR 0,32⁽⁵⁾ per kilo net product weight, and the rate of the definitive countervailing duty at the level of 3,8 % *ad valorem* applicable to the net free-at-Community-frontier price, before duties.

(2) By Decision 97/634/EC⁽⁶⁾, the Commission accepted an undertaking from the Kingdom of Norway and price undertakings from 190 Norwegian exporters.

(3) Pursuant to Article 8(9) and (10) of Regulation (EC) No 384/96 (hereinafter 'the basic anti-dumping Regulation') and Article 13(9) and (10) of Regulation (EC) No 2026/97 (hereinafter 'the basic countervailing Regulation'), provisional⁽⁷⁾ and/or definitive⁽⁸⁾ anti-dumping and countervailing duties have been imposed on imports of salmon exported by a number of companies which have either violated or withdrawn their undertakings. The duty rates applied in all these cases are those mentioned in recital 1 above.

2. REVIEW INVESTIGATION

1. PREVIOUS PROCEDURE

(1) By Regulations (EC) No 1890/97⁽³⁾ (hereinafter 'the anti-dumping Regulation') and 1891/97⁽⁴⁾ (hereinafter 'the countervailing Regulation'), definitive anti-dumping and countervailing duties (hereinafter 'the duties') were imposed on imports of farmed (other than wild Atlantic salmon from Norway (hereinafter 'salmon'), with the exception of imports of salmon exported by the companies

(4) In the course of the monitoring of the price undertakings by the Commission, it became apparent that the effectiveness of the different measures was being undermined as, under certain circumstances, certain exporters which were not subject to the price undertakings were able to sell salmon on the Community market at injurious prices, even after payment of the duties. This situation increased the

⁽¹⁾ OJ L 56, 6.3.1996, p. 1. Regulation as last amended by Regulation (EC) No 905/98 (OJ L 128, 30.4.1998, p. 18).

⁽²⁾ OJ L 288, 21.10.1997, p. 1.

⁽³⁾ OJ L 267, 30.9.1997, p. 1. Regulation as last amended by Regulation (EC) No 297/1999 (OJ L 37, 11.2.1999, p. 1).

⁽⁴⁾ OJ L 267, 30.9.1997, p. 19. Regulation as last amended by Regulation (EC) No 297/1999.

⁽⁵⁾ In accordance with Article 2(1) of Regulation (EC) No 1103/97 (OJ L 162, 19.6.1997, p. 1), every reference in a legal instrument to the ecu shall be replaced by a reference to the euro at a rate of EUR 1 to ECU 1.

⁽⁶⁾ OJ L 267, 30.9.1997, p. 81.

⁽⁷⁾ Regulation (EC) No 82/1999 (OJ L 8, 14.1.1999, p. 8).

⁽⁸⁾ Regulation (EC) No 772/98 (OJ L 111, 9.4.1998, p. 10).

Regulation (EC) No 2039/98 (OJ L 263, 26.9.1998, p. 3).

Regulation (EC) No 2052/98 (OJ L 264, 29.9.1998, p. 17).

Regulation (EC) No 2678/98 (OJ L 337, 12.12.1998, p. 1).

Regulation (EC) No 297/1999 (OJ L 37, 11.2.1999, p. 1).

risk that other exporters which were bound by undertakings would almost be forced to lower their prices to compete with these comparatively cheap imports would therefore act in violation of their undertakings. With more than 80 % of salmon being exported by companies bound by undertakings, this would therefore undermine the overall effectiveness of the existing measures.

- (5) Therefore, the Commission announced, by notice published in the *Official Journal of the European Communities*⁽¹⁾, the initiation of an *ex officio* investigation pursuant to Article 11(3) of the basic anti-dumping Regulation and Article 19(1) of the basic countervailing Regulation in order to review the possibility of a change in the form of the duties so that imports of salmon at injurious prices would be prevented.
- (6) The Commission advised the producers, exporters and importers known to be concerned, the representatives of the exporting country, the producing and exporting industries in Norway, and the complainant Community producers of the initiation of the review investigation. In the notice of initiation, the Commission already indicated that, for low priced imports, the form of the duties might be changed to a variable duty at the level published in that notice. Interested parties were given an opportunity to make their views known in writing and to request a hearing within a set time limit. Several parties made comments in writing but no hearings were requested.

3. APPRAISAL OF THE CURRENT MARKET SITUATION

- (7) It should first be recalled that the product concerned by the proceeding is farmed Atlantic salmon, whether or not filleted, fresh, chilled or frozen, currently classified under CN codes ex 0302 12 00, ex 0304 10 13, ex 0303 22 00 and ex 0304 20 12, corresponding to fresh or chilled whole fish, fresh or chilled fillets, frozen whole fish, and frozen fillets, respectively.
- (8) In monitoring the undertakings, the Commission found that during the second half of 1998, the price level reported for exports of salmon gradually deteriorated, on a weekly basis, to a level which was below the non-injurious price level established during the investigations which led to the anti-dumping and countervailing measures. This development is confirmed by the Norwegian export statistics and by wholesale selling prices found in the Community. The prices of salmon imports from Norway were therefore lower than could have been

expected after the imposition of the original measures and under normal market conditions.

- (9) The monitoring of the undertakings and the present investigation have shown that the downward price pressure towards an injurious level was caused, to a large extent, by Norwegian exporters not bound by price undertakings which started to sell salmon at prices which, even after payment of the duties, are below the non-injurious price level. Indeed, as was established during the investigations which led to the anti-dumping and countervailing measures, salmon is traded as a commodity in a relatively transparent and competitive market.

Under these market conditions, increasing sales of salmon on the Community market at prices below the non-injurious price levels set in the undertakings would make it more and more difficult for exporters bound by undertakings to continue to respect their price obligations. Consequently, these exporters find themselves under pressure to act in breach of their undertakings by selling at an injurious price level, or face a situation where their market share is lost to other exporters which sell outside the framework of the undertakings at an injurious price level. The Community industry, the Norwegian Government and the Norwegian producers and exporters associations all shared this assessment.

- (10) In addition, comments received from certain Norwegian exporters on the findings of the present review investigation also corroborate this assessment. All parties which made submissions following the initiation of the present investigation confirmed that the measures had not led to the intended price stabilisation, and most of them supported the need to review the form of the duties.
- (11) It is therefore concluded that, in their current form, the duties are not having the intended effect, notably as regards underpinning the undertakings, which were initially accepted from all known exporters and thus constitute the principal measure adopted to counteract injurious dumping and subsidisation.

4. REVISION OF THE FORM OF DUTIES

- (12) It is the purpose of anti-dumping or countervailing measures to eliminate injurious dumping or subsidisation respectively. The choice of the appropriate form of anti-dumping or countervailing duties for achieving this purpose depends on the circumstances of the case under consideration.

⁽¹⁾ OJ C 400, 22.12.1998, p. 4.

(13) Since the early 1990s, the Community salmon market has suffered recurrent crises caused by abnormally low import prices. Therefore, on the basis of Council Regulation (EEC) No 3687/91 of 28 November 1991 on the common organisation of the market in fishery products ⁽¹⁾, the Community, starting with Regulation (EEC) No 3270/91 ⁽²⁾, repeatedly established minimum prices, initially for Atlantic salmon and, since March 1994, for farmed Atlantic salmon. In December 1995, on the basis of Articles 112(1) and 113(3) of the Agreement on the European Economic Area ⁽³⁾, a safeguard measure in the form of a floor price was imposed on farmed Atlantic salmon by Commission Regulation (EC) No 2907/95 ⁽⁴⁾. Customs investigations revealed that, over the whole period, the declared values on importation frequently did not correspond with the prices actually charged by the Norwegian exporters to independent EU customers ⁽⁵⁾. It was noted, that this happened particularly where salmon was traded between related parties in Norway and the Community.

(14) Based on the above experience, it was decided in 1997 to impose the anti-dumping duty in the form of a specific duty, and the countervailing duty in the form of an *ad valorem* duty in order to ensure the effectiveness of these duties. Given the prevalence of trade between related parties, these duties should, in principle, be maintained to prevent circumvention of the duties.

(15) However, the present investigation has shown that these duties leave open the possibility for exporters not bound by undertaking to export salmon at very low prices, which is likely to prejudice respect for the undertakings and thus their continued general use.

(16) The current form of the duties should therefore be partially revised in order to deal with such low priced imports and thereby ensure that all salmon originating in Norway is imported at a non-injurious price level. Consequently, in circumstances

where the existing duties would be insufficient to ensure a non-injurious import price, the anti-dumping duty should be replaced by a minimum price and become a variable duty.

(17) Salmon is commonly traded in different presentations (gutted head-on, gutted head-off, whole fish fillets, other fillets or fillet portions, or off-cuts or trimmings). Therefore, when translating the existing duties into their new form, a non-injurious minimum price level had to be established for each of these presentations with a view to ensuring a level of protection similar to the minimum prices set in the undertakings. The different minimum prices are essentially derived from the weight conversion factor relevant to each presentation by reference to its whole fish equivalent. The presentations and the corresponding weight conversion rates and minimum price levels were published in the Annex to the Commission notice announcing the initiation of the present investigation. No comments have been received in this respect.

5. DURATION OF THE REVISED DUTIES

(18) It should be recalled that according to Article 11(2) of the basic anti-dumping Regulation and Article 18(1) of the basic countervailing Regulation, the revision of the form of the duty resulting from the present investigation does not change the normal duration of the anti-dumping and countervailing measures since the review has not covered issues of dumping and injury.

6. REPLACEMENT OF REGULATION (EC) No 1890/97 AND REGULATION (EC) No 1891/97

(19) The separate anti-dumping and countervailing Regulations were adopted following the initiation of two separate investigations concerning imports of dumped and subsidised salmon ⁽⁶⁾. In order to simplify the application of the duties, it is appropriate to replace those Regulations by a single Regulation. However, the facts and considerations established in the anti-dumping and countervailing Regulations remain valid as constituting the facts and considerations of the present Regulation,

⁽¹⁾ OJ L 354, 23.12.1991, p. 1. Regulation as replaced by Regulation (EC) No 3759/92 (OJ L 388, 31.12.1992, p. 1).

⁽²⁾ OJ L 308, 9.11.1991, p. 34. Regulation as last amended by Regulation (EEC) No 992/92 (OJ L 105, 23.4.1992, p. 14).

⁽³⁾ OJ L 1, 3.1.1994, p. 3.

⁽⁴⁾ OJ L 304, 16.12.1995, p. 38.

⁽⁵⁾ In March 1996, it became known that the minimum or floor prices imposed had failed to halt the continued decline in the price of salmon to a level below the minimum import price — European Parliament, resolution on the crisis in the EU salmon market (OJ C 65, 4.3.1996, p. 212).

⁽⁶⁾ OJ C 253, 31.8.1996, p. 18 and p. 20.

HAS ADOPTED THIS REGULATION:

Article 1

1. (a) Definitive countervailing and anti-dumping duties are hereby imposed on imports of farmed (other than wild) Atlantic salmon falling within CN codes ex 0302 12 00, ex 0304 10 13, ex 0303 22 00, and ex 0304 20 13, originating in Norway.
- (b) These duties shall not apply to wild Atlantic salmon (TARIC codes 0302 12 00*11, 0304 10 13*11, 0303 22 00*11 and 0304 20 13*11). For the purpose of this Regulation, wild salmon shall be that in respect of which the competent authorities of the Member States of landing are satisfied, by means of all customs and transport documents to be provided by interested parties, that it was caught at sea.

2. (a) The rate of the countervailing duty applicable to the net free-at-Community-frontier prices, before duty shall be 3,8 % (TARIC code 8900).
- (b) The rate of the anti-dumping duty applicable to the net free-at-Community-frontier price, before duty, shall be EUR 0,32 per kilogram net product weight (TARIC code 8900). However, if the free-at-Community-frontier price, including the countervailing and anti-dumping duties, is less than the relevant minimum price set out in paragraph 3, the anti-dumping duty to be collected shall be the difference between that minimum price and the free-at-Community-frontier price, including the countervailing duty.
3. For the purpose of paragraph 2, the following minimum prices shall apply per kilogram net product weight:

Presentation of salmon	Minimum price EUR/kg net product weight	TARIC code
Whole fish, fresh or chilled	2,925	0302 12 00*21
Gutted, head-on, fresh or chilled	3,25	0302 12 00*22
Gutted, headless, fresh or chilled	3,65	0302 12 00*23
Other, fresh or chilled, including 'steaks'	3,65	0302 12 00*29
Whole fish, frozen	2,925	0303 22 00*21
Gutted, head-on, frozen	3,25	0303 22 00*22
Gutted, headless, frozen	3,65	0303 22 00*23
Other, frozen, including 'steaks'	3,65	0303 22 00*29
Whole fish fillets, more than 300 g each, fresh or chilled	5,19	0304 10 13*21
Other fish fillets or fillet portions, 300 g or less each, fresh or chilled	6,55	0304 10 13*29
Whole fish fillets, more than 300 g each, frozen	5,19	0304 20 13*21
Other fish fillets or fillet portions, weighing 300 g or less each, frozen	6,55	0304 20 13*29

4. These duties shall not apply to imports of farmed Atlantic salmon exported by the companies listed in the Annex to this Regulation.

appropriate amend by Regulation the Annex in order to extend the exemption from the payment of the duties to the new exporter.

5. Unless otherwise specified, the provisions in force concerning customs duties shall apply.

Article 3

Article 2

Where any new exporter in the exporting country in question provides sufficient evidence to the Commission that it did not export the goods described in Article 1(1) during the original investigation period, the Commission, after consulting the Advisory Committee, may where

1. Regulation (EC) No 1890/97 shall be repealed.
2. Regulation (EC) No 1891/97 shall be repealed.
3. References to Regulation (EC) No 1890/97 and Regulation (EC) No 1891/97 shall be construed as references to this Regulation, where appropriate.

Article 4

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

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

Done at Brussels, 30 March 1999.

For the Council

The President

K.-H. FUNKE

ANNEX

List of the 119 companies exempted from the definitive anti-dumping and countervailing duties as from the date of entry into force of Regulation (EC) No 297/1999

UT No	Company name	TARIC additional code
1	A. Ovreskotnes AS	8095
3	Agnefest Seafood	8325
5	Alsvag Fiskeprodukter A/S	8098
7	Aqua Export A/S	8100
8	Aqua Partner A/S	8101
11	Arctic Group International	8109
13	Artic Superior A/S	8111
14	Arne Mathiesen A/S	8112
15	A/S Aalesundfisk	8113
16	A/S Austevoll Fiskeindustri	8114
17	A/S Keco	8115
20	A/S Refsnes Fiskeindustri	8118
21	A/S West Fish Ltd	8119
22	Astor A/S	8120
23	Atlantic King Stranda A/S	8121
24	Atlantic Seafood A/S	8122
26	Borkowski & Rosnes A/S	8124
27	Brødrene Aasjord A/S	8125
28	Brødrene Eilertsen A/S	8126
30	Brødrene Remo A/S	8128
31	Christiansen Partner A/S	8129
32	Clipper Seafood A/S	8130
33	Coast Seafood A/S	8131
35	Dafjord Laks A/S	8133
36	Delfa Norge A/S	8134
39	Domstein Salmon A/S	8136
41	Ecco Fisk & Delikatesse	8138
42	Edvard Johnsen A/S	8139
43	Eurolaks AS	8140
44	Euronor AS	8141
46	Fiskeforsyningen AS	8143
47	Fjord Aqua Group AS	8144
48	Fjord Trading Ltd. AS	8145
50	Fossen AS	8147
51	Fresh Atlantic AS	8148
52	Fresh Marine Company AS	8149
53	Fryseriet AS	8150

UT No	Company name	TARIC additional code
58	Grieg Seafood AS	8300
60	Haafa fisk AS	8302
61	Hallvard Lerøy AS	8303
62	Herøy Filetfabrikk AS	8304
65	Hitramat & Delikatesse AS	8154
66	Hydro Seafood Sales AS	8159
67	Hydrotech-gruppen AS	8428
72	Inter Sea AS	8174
75	Janas AS	8177
76	Joh. H. Pettersen AS	8178
77	Johan J. Helland AS	8179
79	Karsten J. Ellingsen AS	8181
80	Kr. Kleiven & Co. AS	8182
82	Labeyrie Norge AS	8184
83	Lafjord Group AS	8185
85	Leica Fiskeprodukter	8187
87	Lofoten Seafood Export AS	8188
92	Marine Seafood AS	8196
93	Marstein Seafood AS	8197
96	Memo Food AS	8200
98	Midsundfisk AS	8202
99	Myre Sjømat AS	8203
100	Naco Trading AS	8206
101	Namdal Salmon AS	8207
104	Nergård AS	8210
105	Nils Williksen AS	8211
107	Nisja Trading AS	8213
108	Nor-Food AS	8214
111	Nordic Group ASA	8217
112	Nordreisa Laks AS	8218
113	Norexport AS	8223
114	Norfi Produkter AS	8227
115	Norfood Group AS	8228
116	Norfra Eksport AS	8229
119	Norsk Akvakultur AS	8232
120	Norsk Sjømat AS	8233
121	Northern Seafood AS	8307
122	Nortrade AS	8308
123	Norway Royal Salmon Sales AS	8309
124	Norway Royal Salmon AS	8312
126	Norway Seafoods ASA	8314

UT No	Company name	TARIC additional code
128	Norwell AS	8316
130	Nova Sea AS	8235
134	Ok-Fish Kvalheim AS	8239
137	Pan Fish Sales AS	8242
140	Polar Seafood Norway AS	8247
141	Prilam Norvège AS	8248
142	Pundslett Fisk	8251
144	Rolf Olsen Seafood AS	8254
145	Ryfisk AS	8256
146	Rørvik Fisk- og fiskematforretning AS	8257
147	Saga Lax Norge AS	8258
148	Saga Lax Nord A/S	8259
151	Sangoltgruppa AS	8262
153	Scanfood AS	8264
154	Sea Eagle Group AS	8265
155	Sea Star International AS	8266
156	Sea-Bell AS	8267
157	Seaco AS	8268
158	Seacom AS	8269
159	Seacom Nord AS	8270
160	Seafood Farmers of Norway Ltd AS	8271
161	Seanor AS	8272
162	Sekkingstad AS	8273
164	Sirena Norway AS	8275
165	Kinn Salmon AS	8276
167	SL Fjordgruppen AS	8278
168	SMP Marine Produkter AS	8279
171	Stavanger Røkeri AS	8282
172	Stjernelaks AS	8283
174	Stolt Sea Farm AS	8285
175	Storm Company AS	8286
176	Superior AS	8287
178	Terra Seafood AS	8289
180	Timar Seafood AS	8294
182	Torris Products Ltd. AS	8298
183	Troll Salmon AS	8317
187	Vie de France Norway AS	8321
188	Vikenco AS	8322
189	Wannebo International AS	8323
190	West Fish Norwegian Salmon AS	8324
191	Nor-Fa Food AS	8102

COMMISSION REGULATION (EC) No 773/1999
of 15 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 16 April 1999.

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

Done at Brussels, 15 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 15 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	49,1
	999	49,1
0707 00 05	052	114,3
	999	114,3
0709 10 00	052	86,4
	220	241,4
	999	163,9
0709 90 70	052	81,4
	204	94,5
	999	88,0
0805 10 10, 0805 10 30, 0805 10 50	052	43,4
	204	41,9
	212	59,6
	600	63,1
	624	49,8
	999	51,6
0805 30 10	052	35,7
	999	35,7
0808 10 20, 0808 10 50, 0808 10 90	039	103,3
	388	84,9
	400	77,2
	404	94,3
	508	79,9
	512	81,3
	524	68,6
	528	70,9
	720	108,6
	804	106,2
	999	87,5
0808 20 50	388	61,7
	400	65,2
	512	75,3
	528	79,1
	999	70,3

⁽¹⁾ Country nomenclature as fixed by Commission Regulation (EC) No 2317/97 (OJ L 321, 22.11.1997, p. 19). Code '999' stands for 'of other origin'.

COMMISSION REGULATION (EC) No 774/1999
of 15 April 1999
fixing the export refunds on milk and milk products

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 17(3) thereof,

Whereas Article 17 of Regulation (EEC) No 804/68 provides that the difference between prices in international trade for the products listed in Article 1 of that Regulation and prices for those products within the Community may be covered by an export refund within the limits resulting from agreements concluded in accordance with Article 228 of the Treaty;

Whereas Regulation (EEC) No 804/68 provides that when the refunds on the products listed in Article 1 of the abovementioned Regulation, exported in the natural state, are being fixed, account must be taken of:

- the existing situation and the future trend with regard to prices and availabilities of milk and milk products on the Community market and prices for milk and milk products in international trade,
- marketing costs and the most favourable transport charges from Community markets to ports or other points of export in the Community, as well as costs incurred in placing the goods on the market of the country of destination,
- the aims of the common organisation of the market in milk and milk products which are to ensure equilibrium and the natural development of prices and trade on this market,
- the limits resulting from agreements concluded in accordance with Article 228 of the Treaty, and
- the need to avoid disturbances on the Community market, and
- the economic aspect of the proposed exports;

Whereas Article 17(5) of Regulation (EEC) No 804/68 provides that when prices within the Community are being determined account should be taken of the ruling prices which are most favourable for exportation, and that

when prices in international trade are being determined particular account should be taken of:

- (a) prices ruling on third country markets;
- (b) the most favourable prices in third countries of destination for third country imports;
- (c) producer prices recorded in exporting third countries, account being taken, where appropriate, of subsidies granted by those countries; and
- (d) free-at-Community-frontier offer prices;

Whereas Article 17(3) of Regulation (EEC) No 804/68 provides that the world market situation or the specific requirements of certain markets may make it necessary to vary the refund on the products listed in Article 1 of the abovementioned Regulation according to destination;

Whereas Article 17(3) of Regulation (EEC) No 804/68 provides that the list of products on which export refunds are granted and the amount of such refunds should be fixed at least once every four weeks; whereas the amount of the refund may, however, remain at the same level for more than four weeks;

Whereas, in accordance with Article 16 of Commission Regulation (EC) No 174/1999 of 26 January 1999 on specific detailed rules for the application of Council Regulation (EEC) No 804/68 as regards export licences and export refunds on milk and milk products ⁽³⁾, the refund granted for milk products containing added sugar is equal to the sum of the two components; whereas one is intended to take account of the quantity of milk products and is calculated by multiplying the basic amount by the milk products content in the product concerned; whereas the other is intended to take account of the quantity of added sucrose and is calculated by multiplying the sucrose content of the entire product by the basic amount of the refund valid on the day of exportation for the products listed in Article 1(1)(d) of Council Regulation (EEC) No 1785/81 of 30 June 1981 on the common organisation of the markets in the sugar sector ⁽⁴⁾, as last amended by Commission Regulation (EC) No 1148/98 ⁽⁵⁾; whereas, however, this second component is applied only if the added sucrose has been produced using sugar beet or cane harvested in the Community;

⁽¹⁾ OJ L 148, 28.6.1968, p. 13.

⁽²⁾ OJ L 206, 16.8.1996, p. 21.

⁽³⁾ OJ L 20, 27.1.1999, p. 8.

⁽⁴⁾ OJ L 177, 1.7.1981, p. 4.

⁽⁵⁾ OJ L 159, 3.6.1998, p. 38.

Whereas the level of refund for cheeses is calculated for products intended for direct consumption; whereas the cheese rinds and cheese wastes are not products intended for this purpose; whereas, to avoid any confusion in interpretation, it should be specified that there will be no refund for cheeses of a free-at-frontier value less than EUR 230,00 per 100 kilograms;

Whereas Commission Regulation (EEC) No 896/84 ⁽¹⁾, as last amended by Regulation (EEC) No 222/88 ⁽²⁾, laid down additional provisions concerning the granting of refunds on the change from one milk year to another; whereas those provisions provide for the possibility of varying refunds according to the date of manufacture of the products;

Whereas for the calculation of the refund for processed cheese provision must be made where casein or caseinates are added for that quantity not to be taken into account;

Whereas it follows from applying the rules set out above to the present situation on the market in milk and in particular to quotations or prices for milk products within the Community and on the world market that the refund should be 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 Milk and Milk Products,

HAS ADOPTED THIS REGULATION:

Article 1

1. The export refunds referred to in Article 17 of Regulation (EEC) No 804/68 on products exported in the natural state shall be as set out in the Annex.
2. There shall be no refunds for exports to destination No 400 for products falling within CN codes 0401, 0402, 0403, 0404, 0405 and 2309.
3. There shall be no refunds for exports to destinations No 021, 023, 024, 028, 043, 044, 045, 046, 052, 404, 600, 800 and 804 for products falling within CN code 0406.

Article 2

This Regulation shall enter into force on 16 April 1999.

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

Done at Brussels, 15 April 1999.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ L 91, 1.4.1984, p. 71.

⁽²⁾ OJ L 28, 1.2.1988, p. 1.

ANNEX

to the Commission Regulation of 15 April 1999 fixing the export refunds on milk and milk products

(in EUR/100 kg net weight unless otherwise indicated)

Product code	Destination (*)	Amount of refund	Product code	Destination (*)	Amount of refund
0401 10 10 9000	970	2,327	0402 21 91 9900	+	159,96
	***	—	0402 21 99 9100	+	120,86
0401 10 90 9000	970	2,327	0402 21 99 9200	+	121,69
	***	—	0402 21 99 9300	+	123,20
0401 20 11 9100	970	2,327	0402 21 99 9400	+	131,67
	***	—	0402 21 99 9500	+	134,61
0401 20 11 9500	970	3,597	0402 21 99 9600	+	145,88
	***	—	0402 21 99 9700	+	152,49
0401 20 19 9100	970	2,327	0402 21 99 9900	+	159,96
	***	—	0402 29 15 9200	+	0,9000
0401 20 19 9500	970	3,597	0402 29 15 9300	+	1,0589
	***	—	0402 29 15 9500	+	1,1156
0401 20 91 9100	970	4,551	0402 29 15 9900	+	1,2002
	***	—	0402 29 19 9200	+	0,9000
0401 20 91 9500	+	—	0402 29 19 9300	+	1,0589
0401 20 99 9100	970	4,551	0402 29 19 9500	+	1,1156
	***	—	0402 29 19 9900	+	1,2002
0401 20 99 9500	+	—	0402 29 91 9100	+	1,2086
0401 30 11 9100	+	—	0402 29 91 9500	+	1,3167
0401 30 11 9400	970	10,50	0402 29 99 9100	+	1,2086
	***	—	0402 29 99 9500	+	1,3167
0401 30 11 9700	970	15,77	0402 91 11 9110	+	—
	***	—	0402 91 11 9120	+	—
0401 30 19 9100	+	—	0402 91 11 9310	+	11,31
0401 30 19 9400	+	—	0402 91 11 9350	+	13,85
0401 30 19 9700	970	15,77	0402 91 11 9370	+	16,84
	***	—	0402 91 19 9110	+	—
0401 30 31 9100	+	38,32	0402 91 19 9120	+	—
0401 30 31 9400	+	59,85	0402 91 19 9310	+	11,31
0401 30 31 9700	+	66,00	0402 91 19 9350	+	13,85
0401 30 39 9100	+	38,32	0402 91 19 9370	+	16,84
0401 30 39 9400	+	59,85	0402 91 31 9100	+	—
0401 30 39 9700	+	66,00	0402 91 31 9300	+	19,91
0401 30 91 9100	+	75,22	0402 91 39 9100	+	—
0401 30 91 9400	+	110,55	0402 91 39 9300	+	19,91
0401 30 91 9700	+	129,01	0402 91 51 9000	+	—
0401 30 99 9100	+	75,22	0402 91 59 9000	+	—
0401 30 99 9400	+	110,55	0402 91 91 9000	+	63,94
0401 30 99 9700	+	129,01	0402 91 99 9000	+	63,94
0402 10 11 9000	+	90,00	0402 99 11 9110	+	—
0402 10 19 9000	+	90,00	0402 99 11 9130	+	—
0402 10 91 9000	+	0,9000	0402 99 11 9150	+	—
0402 10 99 9000	+	0,9000	0402 99 11 9310	+	0,2689
0402 21 11 9200	+	90,00	0402 99 11 9330	+	0,3228
0402 21 11 9300	+	105,89	0402 99 11 9350	+	0,4291
0402 21 11 9500	+	111,56	0402 99 19 9110	+	—
0402 21 11 9900	+	120,00	0402 99 19 9130	+	—
0402 21 17 9000	+	90,00	0402 99 19 9150	+	—
0402 21 19 9300	+	105,89	0402 99 19 9310	+	0,2689
0402 21 19 9500	+	111,56	0402 99 19 9330	+	0,3228
0402 21 19 9900	+	120,00	0402 99 19 9350	+	0,4291
0402 21 91 9100	+	120,86	0402 99 31 9110	+	—
0402 21 91 9200	+	121,69	0402 99 31 9150	+	0,4467
0402 21 91 9300	+	123,20	0402 99 31 9300	+	0,3832
0402 21 91 9400	+	131,67	0402 99 31 9500	+	0,6600
0402 21 91 9500	+	134,61	0402 99 39 9110	+	—
0402 21 91 9600	+	145,88	0402 99 39 9150	+	0,4467
0402 21 91 9700	+	152,49	0402 99 39 9300	+	0,3832

Product code	Destination (*)	Amount of refund	Product code	Destination (*)	Amount of refund
0402 99 39 9500	+	0,6600	0404 90 29 9160	+	152,49
0402 99 91 9000	+	0,7522	0404 90 29 9180	+	159,96
0402 99 99 9000	+	0,7522	0404 90 81 9100	+	0,9000
0403 10 11 9400	+	—	0404 90 81 9910	+	—
0403 10 11 9800	+	—	0404 90 81 9950	+	0,2689
0403 10 13 9800	+	—	0404 90 83 9110	+	0,9000
0403 10 19 9800	+	—	0404 90 83 9130	+	1,0589
0403 10 31 9400	+	—	0404 90 83 9150	+	1,1156
0403 10 31 9800	+	—	0404 90 83 9170	+	1,2002
0403 10 33 9800	+	—	0404 90 83 9911	+	—
0403 10 39 9800	+	—	0404 90 83 9913	+	—
0403 90 11 9000	+	88,48	0404 90 83 9915	+	—
0403 90 13 9200	+	88,48	0404 90 83 9917	+	—
0403 90 13 9300	+	104,95	0404 90 83 9919	+	—
0403 90 13 9500	+	110,56	0404 90 83 9931	+	0,2689
0403 90 13 9900	+	118,93	0404 90 83 9933	+	0,3228
0403 90 19 9000	+	119,81	0404 90 83 9935	+	0,4291
0403 90 31 9000	+	0,8848	0404 90 83 9937	+	0,4467
0403 90 33 9200	+	0,8848	0404 90 89 9130	+	1,2086
0403 90 33 9300	+	1,0495	0404 90 89 9150	+	1,3167
0403 90 33 9500	+	1,1056	0404 90 89 9930	+	0,4601
0403 90 33 9900	+	1,1893	0404 90 89 9950	+	0,6600
0403 90 39 9000	+	1,1981	0404 90 89 9990	+	0,7522
0403 90 51 9100	970	2,327	0405 10 11 9500	+	165,85
	***	—	0405 10 11 9700	+	170,00
0403 90 51 9300	+	—	0405 10 19 9500	+	165,85
0403 90 53 9000	+	—	0405 10 19 9700	+	170,00
0403 90 59 9110	+	—	0405 10 30 9100	+	165,85
0403 90 59 9140	+	—	0405 10 30 9300	+	170,00
0403 90 59 9170	970	15,77	0405 10 30 9500	+	165,85
	***	—	0405 10 30 9700	+	170,00
0403 90 59 9310	+	38,32	0405 10 50 9100	+	165,85
0403 90 59 9340	+	59,85	0405 10 50 9300	+	170,00
0403 90 59 9370	+	64,80	0405 10 50 9500	+	165,85
0403 90 59 9510	+	64,80	0405 10 50 9700	+	170,00
0403 90 59 9540	+	64,80	0405 10 90 9000	+	176,22
0403 90 59 9570	+	64,80	0405 20 90 9500	+	155,49
0403 90 61 9100	+	—	0405 20 90 9700	+	161,71
0403 90 61 9300	+	—	0405 90 10 9000	+	216,00
0403 90 63 9000	+	—	0405 90 90 9000	+	170,00
0403 90 69 9000	+	—	0406 10 20 9100	+	—
0404 90 21 9100	+	90,00	0406 10 20 9230	037	—
0404 90 21 9910	+	—		039	—
0404 90 21 9950	+	11,31		099	37,68
0404 90 23 9120	+	90,00		400	22,83
0404 90 23 9130	+	105,89		***	37,68
0404 90 23 9140	+	111,56			
0404 90 23 9150	+	120,00	0406 10 20 9290	037	—
0404 90 23 9911	+	—		039	—
0404 90 23 9913	+	—		099	35,05
0404 90 23 9915	+	—		400	15,29
0404 90 23 9917	+	—		***	35,05
0404 90 23 9919	+	—			
0404 90 23 9931	+	11,31			
0404 90 23 9933	+	13,85			
0404 90 23 9935	+	16,84			
0404 90 23 9937	+	19,91			
0404 90 23 9939	+	20,81			
0404 90 29 9110	+	120,86	0406 10 20 9300	037	—
0404 90 29 9115	+	121,69		039	—
0404 90 29 9120	+	123,20		099	15,39
0404 90 29 9130	+	131,67		400	7,834
0404 90 29 9135	+	134,61		***	15,39
0404 90 29 9150	+	145,88			

Product code	Destination (*)	Amount of refund	Product code	Destination (*)	Amount of refund
0406 10 20 9610	037	—	0406 20 90 9990	+	—
	039	—	0406 30 31 9710	037	—
	099	51,11		039	—
	400	30,98		099	9,536
	***	51,11		400	8,346
0406 10 20 9620				***	17,88
	037	—	0406 30 31 9730	037	—
	039	—		039	—
	099	51,83		099	13,99
	400	31,42		400	12,25
	***	51,83		***	26,24
0406 10 20 9630	037	—	0406 30 31 9910	037	—
	039	—		039	—
	099	57,86		099	9,536
	400	35,06		400	8,346
	***	57,86		***	17,88
0406 10 20 9640	037	—	0406 30 31 9930	037	—
	039	—		039	—
	099	85,03		099	13,99
	400	48,35		400	12,25
	***	85,03		***	26,24
0406 10 20 9650	037	—	0406 30 31 9950	037	—
	039	—		039	—
	099	70,86		099	20,36
	400	25,44		400	17,81
	***	70,86		***	38,17
0406 10 20 9660	+	—	0406 30 39 9500	037	—
0406 10 20 9830	037	—		039	—
	039	—		099	13,99
	099	26,28		400	12,25
	400	13,38		***	26,24
	***	26,28	0406 30 39 9700	037	—
0406 10 20 9850	037	—		039	—
	039	—		099	20,36
	099	31,87		400	17,81
	400	16,22		***	38,17
	***	31,87	0406 30 39 9930	037	—
0406 10 20 9870	+	—		039	—
0406 10 20 9900	+	—		099	20,36
0406 20 90 9100	+	—		400	17,81
0406 20 90 9913	037	—		***	38,17
	039	—	0406 30 39 9950	037	—
	099	58,77		039	—
	400	31,59		099	23,02
	***	58,77		400	21,14
0406 20 90 9915	037	—		***	43,16
	039	—	0406 30 90 9000	037	—
	099	77,56		039	—
	400	42,12		099	24,15
	***	77,56		400	21,14
0406 20 90 9917	037	—		***	45,28
	039	—	0406 40 50 9000	037	—
	099	82,41		039	—
	400	44,75		099	90,00
	***	82,41		400	32,98
0406 20 90 9919	037	—		***	90,00
	039	—			
	099	92,10			
	400	50,02			
	***	92,10			

Product code	Destination (°)	Amount of refund	Product code	Destination (°)	Amount of refund
0406 40 90 9000	037	—	0406 90 33 9951	037	—
	039	—		039	—
	099	92,42		099	68,98
	400	32,98		400	20,01
	***	92,42		***	78,66
0406 90 13 9000	037	—	0406 90 35 9190	037	33,29
	039	—		039	33,29
	099	101,62		099	105,71
	400	60,16		400	61,40
	***	116,37		***	121,56
0406 90 15 9100	037	—	0406 90 35 9990	037	—
	039	—		039	—
	099	105,01		099	105,71
	400	62,17		400	40,19
	***	120,25		***	121,56
0406 90 17 9100	037	—	0406 90 37 9000	037	—
	039	—		039	—
	099	105,01		099	101,62
	400	62,17		400	60,16
	***	120,25		***	116,37
0406 90 21 9900	037	—	0406 90 61 9000	037	47,01
	039	—		039	47,01
	099	102,90		099	112,00
	400	44,53		400	57,27
	***	117,54		***	129,64
0406 90 23 9900	037	—	0406 90 63 9100	037	42,83
	039	—		039	42,83
	099	90,36		099	111,41
	400	18,57		400	63,89
	***	103,92		***	128,55
0406 90 25 9900	037	—	0406 90 63 9900	037	34,22
	039	—		039	34,22
	099	89,77		099	107,11
	400	21,16		400	48,93
	***	102,80		***	124,18
0406 90 27 9900	037	—	0406 90 69 9100	+	—
	039	—	0406 90 69 9910	037	—
	099	81,30		039	—
	400	18,57		099	107,11
	***	93,10		400	48,93
0406 90 31 9119	037	—		***	124,18
	039	—	0406 90 73 9900	037	—
	099	74,72		039	—
	400	25,56		099	93,28
	***	85,71		400	52,63
0406 90 33 9119	037	—		***	106,91
	039	—	0406 90 75 9900	037	—
	099	74,72		039	—
	400	25,56		099	93,90
	***	85,71		400	22,27
0406 90 33 9919	037	—		***	108,07
	039	—	0406 90 76 9300	037	—
	099	68,29		039	—
	400	20,33		099	84,68
	***	78,60		400	20,12
				***	96,98

Product code	Destination (*)	Amount of refund	Product code	Destination (*)	Amount of refund
0406 90 76 9400	037	—	0406 90 85 9999	+	—
	039	—	0406 90 86 9100	+	—
	099	94,85	0406 90 86 9200	037	—
	400	23,22		039	—
	***	108,62		099	86,17
0406 90 76 9500	037	—		400	27,65
	039	—		***	102,23
	099	90,24	0406 90 86 9300	037	—
	400	23,22		039	—
	***	102,45		099	87,41
0406 90 78 9100	037	—		400	30,30
	039	—		***	103,32
	099	87,50	0406 90 86 9400	037	—
	400	18,14		039	—
	***	102,26		099	92,87
0406 90 78 9300	037	—		400	34,28
	039	—		***	108,62
	099	92,78	0406 90 86 9900	037	—
	400	20,12		039	—
	***	105,98		099	102,43
0406 90 78 9500	037	—		400	40,24
	039	—		***	117,90
	099	91,91	0406 90 87 9100	+	—
	400	23,22	0406 90 87 9200	037	—
	***	104,35		039	—
0406 90 79 9900	037	—		099	71,81
	039	—		400	24,78
	099	75,02		***	85,19
	400	19,23	0406 90 87 9300	037	—
	***	86,27		039	—
0406 90 81 9900	037	—		099	80,27
	039	—		400	28,02
	099	94,85		***	94,89
	400	47,61	0406 90 87 9400	037	—
	***	108,62		039	—
0406 90 85 9910	037	33,32		099	82,36
	039	33,32		400	30,66
	099	102,43		***	96,33
	400	59,27	0406 90 87 9951	037	—
	***	117,90		039	—
0406 90 85 9991	037	—		099	93,15
	039	—		400	42,19
	099	102,43		***	106,68
	400	40,19	0406 90 87 9971	037	—
	***	117,90		039	—
0406 90 85 9995	037	—		099	93,15
	039	—		400	34,41
	099	93,90		***	106,68
	400	21,16	0406 90 87 9972	099	39,68
	***	108,07		400	13,67
				***	45,63

Product code	Destination (*)	Amount of refund	Product code	Destination (*)	Amount of refund
0406 90 87 9973	037	—	2309 10 19 9100	+	—
	039	—	2309 10 19 9200	+	—
	099	91,46	2309 10 19 9300	+	—
	400	24,08	2309 10 19 9400	+	—
	***	104,74	2309 10 19 9500	+	—
0406 90 87 9974	037	—	2309 10 19 9600	+	—
	039	—	2309 10 19 9700	+	—
	099	99,26	2309 10 19 9800	+	—
	400	24,08	2309 10 70 9010	+	—
	***	113,19	2309 10 70 9100	+	13,85
0406 90 87 9975	037	—	2309 10 70 9200	+	18,47
	039	—	2309 10 70 9300	+	23,09
	099	101,25	2309 10 70 9500	+	27,70
	400	31,87	2309 10 70 9600	+	32,32
	***	114,45	2309 10 70 9700	+	36,94
0406 90 87 9979	037	—	2309 10 70 9800	+	40,63
	039	—	2309 90 35 9010	+	—
	099	90,36	2309 90 35 9100	+	—
	400	24,08	2309 90 35 9200	+	—
	***	103,92	2309 90 35 9300	+	—
0406 90 88 9100	+	—	2309 90 35 9400	+	—
0406 90 88 9300	037	—	2309 90 35 9500	+	—
	039	—	2309 90 35 9700	+	—
	099	70,90	2309 90 39 9010	+	—
	400	30,30	2309 90 39 9100	+	—
	***	83,50	2309 90 39 9200	+	—
2309 10 15 9010	+	—	2309 90 39 9300	+	—
2309 10 15 9100	+	—	2309 90 39 9400	+	—
2309 10 15 9200	+	—	2309 90 39 9500	+	—
2309 10 15 9300	+	—	2309 90 39 9600	+	—
2309 10 15 9400	+	—	2309 90 39 9700	+	—
2309 10 15 9500	+	—	2309 90 39 9800	+	—
2309 10 15 9700	+	—	2309 90 70 9010	+	—
2309 10 19 9010	+	—	2309 90 70 9100	+	13,85
			2309 90 70 9200	+	18,47
			2309 90 70 9300	+	23,09
			2309 90 70 9500	+	27,70
			2309 90 70 9600	+	32,32
			2309 90 70 9700	+	36,94
			2309 90 70 9800	+	40,63

(*) The code numbers for the destinations are those set out in the Annex to Commission Regulation (EC) No 2317/97 (OJ L 321, 22.11.1997, p. 19). However:

— '099' covers all destination codes from 053 to 096 inclusive,

— '970' covers the exports referred to in Articles 34(1)(a) and (c) and 42(1)(a) and (b) of Commission Regulation (EEC) No 3665/87 (OJ L 351, 14.12.1987, p. 1).

For destinations other than those indicated for each 'product code', the amount of the refund applying is indicated by ***.

Where no destination ('+') is indicated, the amount of the refund is applicable for exports to any destination other than those referred to in Article 1(2) and (3).

NB: The product codes and the footnotes are defined in Commission Regulation (EEC) No 3846/87 (OJ L 366, 24.12.1987, p. 1), as amended.

COMMISSION REGULATION (EC) No 775/1999
of 15 April 1999

amending Regulation (EC) No 2993/94 fixing the aid for the supply of milk products to the Canary Islands under the arrangements provided for in Articles 2 to 4 of Council Regulation (EEC) No 1601/92

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EEC) No 1601/92 of 15 June 1992 concerning specific measures for the Canary Islands with regard to certain agricultural products⁽¹⁾, as last amended by Regulation (EC) No 2348/96⁽²⁾, and in particular Article 3(4) thereof,

Whereas Commission Regulation (EC) No 2790/94⁽³⁾, as last amended by Regulation (EC) No 825/98⁽⁴⁾, lays down in particular the detailed rules for the application of the specific arrangements for the supply of certain agricultural products to the Canary Islands;

Whereas Commission Regulation (EC) No 2993/94⁽⁵⁾, as last amended by Regulation (EC) No 313/1999⁽⁶⁾, fixed the amount of aid for milk products;

Whereas Commission Regulation (EC) No 774/1999 of 15 April 1999 fixing the export refunds on milk and milk products⁽⁷⁾, fixes the refunds on those products; whereas the Annex to Regulation (EC) No 2993/94 should be adapted to take account of those adjustments;

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 Annex to Regulation (EC) No 2993/94 is hereby replaced by the Annex hereto.

Article 2

This Regulation shall enter into force on 16 April 1999.

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

Done at Brussels, 15 April 1999.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ L 173, 27.6.1992, p. 13.
⁽²⁾ OJ L 320, 11.12.1996, p. 1.
⁽³⁾ OJ L 296, 17.11.1994, p. 23.
⁽⁴⁾ OJ L 117, 21.4.1998, p. 5.
⁽⁵⁾ OJ L 316, 9.12.1994, p. 11.
⁽⁶⁾ OJ L 38, 12.2.1999, p. 23.

⁽⁷⁾ See page 11 of this Official Journal.

ANNEX

(in EUR/100 kg weight, if no other indication)

CN code	Description of goods	Product code	Notes	Amount of aid
0401	Milk and cream, not concentrated nor containing added sugar or other sweetening matter:			
0401 10	— Of a fat content, by weight, not exceeding 1 %:			
0401 10 10	— — In immediate packings of a net content not exceeding 2 litres	0401 10 10 9000		2,327
0401 10 90	— — Other	0401 10 90 9000		2,327
0401 20	— Of a fat content, by weight, exceeding 1 % but not exceeding 6 %:			
	— — Not exceeding 3 %:			
0401 20 11	— — — In immediate packings of a net content not exceeding 2 litres:			
	— — — — Of a fat content, by weight, not exceeding 1,5 %	0401 20 11 9100		2,327
	— — — — Of a fat content, by weight, exceeding 1,5 %	0401 20 11 9500		3,597
0401 20 19	— — — Other:			
	— — — — Of a fat content, by weight, not exceeding 1,5 %	0401 20 19 9100		2,327
	— — — — Of a fat content, by weight, exceeding 1,5 %	0401 20 19 9500		3,597
	— — Exceeding 3 %:			
0401 20 91	— — — In immediate packings of a net content not exceeding 2 litres:			
	— — — — Of a fat content, by weight, not exceeding 4 %	0401 20 91 9100		4,551
	— — — — Of a fat content, by weight, exceeding 4 %	0401 20 91 9500		5,302
0401 20 99	— — — Other:			
	— — — — Of a fat content, by weight, not exceeding 4 %	0401 20 99 9100		4,551
	— — — — Of a fat content, by weight, exceeding 4 %	0401 20 99 9500		5,302
0401 30	— Of a fat content, by weight, exceeding 6 %:			
	— — Not exceeding 21 %:			
0401 30 11	— — — In immediate packings of a net content not exceeding 2 litres:			
	— — — — Of a fat content, by weight:			
	— — — — — Not exceeding 10 %	0401 30 11 9100		6,803
	— — — — — Exceeding 10 % but not exceeding 17 %	0401 30 11 9400		10,50
	— — — — — Exceeding 17 %	0401 30 11 9700		15,77
0401 30 19	— — — Other:			
	— — — — Of a fat content, by weight:			
	— — — — — Not exceeding 10 %	0401 30 19 9100		6,803
	— — — — — Exceeding 10 % but not exceeding 17 %	0401 30 19 9400		10,50
	— — — — — Exceeding 17 %	0401 30 19 9700		15,77
	— — Exceeding 21 % but not exceeding 45 %:			
0401 30 31	— — — In immediate packings of a net content not exceeding 2 litres:			
	— — — — Of a fat content, by weight:			
	— — — — — Not exceeding 35 %	0401 30 31 9100		38,32
	— — — — — Exceeding 35 % but not exceeding 39 %	0401 30 31 9400		59,85
	— — — — — Exceeding 39 %	0401 30 31 9700		66,00

(in EUR/100 kg weight, if no other indication)

CN code	Description of goods	Product code	Notes	Amount of aid
0401 30 39	— — — Other: — Of a fat content, by weight: — Not exceeding 35 % — Exceeding 35 % but not exceeding 39 % — Exceeding 39 % — — Exceeding 45 %:	0401 30 39 9100 0401 30 39 9400 0401 30 39 9700		38,32 59,85 66,00
0401 30 91	— — — In immediate packings of a net content not exceeding 2 litres: — Of a fat content, by weight: — Not exceeding 68 % — Exceeding 68 % but not exceeding 80 % — Exceeding 80 %	0401 30 91 9100 0401 30 91 9400 0401 30 91 9700		75,22 110,55 129,01
0401 30 99	— — — Other: — Of a fat content, by weight: — Not exceeding 68 % — Exceeding 68 % but not exceeding 80 % — Exceeding 80 %	0401 30 99 9100 0401 30 99 9400 0401 30 99 9700		75,22 110,55 129,01
0402	Milk and cream, concentrated or containing added sugar or other sweetening matter:			
0402 10	— In powder, granules or other solid forms, of a fat content, by weight, not exceeding 1,5 % (?): — — Not containing added sugar or other sweetening matter:			
0402 10 11	— — — In immediate packings of a net content not exceeding 2,5 kg	0402 10 11 9000	(13)	90,00
0402 10 19	— — — Other — — Other:	0402 10 19 9000	(13)	90,00
0402 10 91	— — — In immediate packings of a net content not exceeding 2,5 kg	0402 10 91 9000	(14)	0,9000
0402 10 99	— — — Other — In powder, granules or other solid forms, of a fat content, by weight, exceeding 1,5 % (?):	0402 10 99 9000	(14)	0,9000
0402 21	— — Not containing added sugar or other sweetening matter: — — — Of a fat content, by weight, not exceeding 27 %:			
0402 21 11	— — — — In immediate packings of a net content not exceeding 2,5 kg: — Of a fat content, by weight: — Not exceeding 11 % — Exceeding 11 % but not exceeding 17 % — Exceeding 17 % but not exceeding 25 % — Exceeding 25 % — — — — Other:	0402 21 11 9200 0402 21 11 9300 0402 21 11 9500 0402 21 11 9900	(13) (13) (13) (13)	90,00 105,89 111,56 120,00
0402 21 17	— — — — — Of a fat content, by weight, not exceeding 11 %	0402 21 17 9000	(13)	90,00
0402 21 19	— — — — — Of a fat content, by weight, exceeding 11 % but not exceeding 27 %: — Not exceeding 17 % — Exceeding 17 % but not exceeding 25 % — Exceeding 25 % — — — — Of a fat content, by weight, exceeding 27 %:	0402 21 19 9300 0402 21 19 9500 0402 21 19 9900	(13) (13) (13)	105,89 111,56 120,00

(in EUR/100 kg weight, if no other indication)

CN code	Description of goods	Product code	Notes	Amount of aid
0402 21 91	— — — — In immediate packings of a net content not exceeding 2,5 kg: — Of a fat content, by weight: — Not 28 % — Exceeding 28 % but not exceeding 29 % — Exceeding 29 % but not exceeding 41 % — Exceeding 41 % but not exceeding 45 % — Exceeding 45 % but not exceeding 59 % — Exceeding 59 % but not exceeding 69 % — Exceeding 69 % but not exceeding 79 % — Exceeding 7 %	0402 21 91 9100 0402 21 91 9200 0402 21 91 9300 0402 21 91 9400 0402 21 91 9500 0402 21 91 9600 0402 21 91 9700 0402 21 91 9900	(¹³) (¹³) (¹³) (¹³) (¹³) (¹³) (¹³) (¹³)	120,86 121,69 123,20 131,67 134,61 145,88 152,49 159,96
0402 21 99	— — — — Other: — Of a fat content, by weight: — Not exceeding 28 % — Exceeding 28 % but not exceeding 29 % — Exceeding 29 % but not exceeding 41 % — Exceeding 41 % but not exceeding 45 % — Exceeding 45 % but not exceeding 59 % — Exceeding 59 % but not exceeding 69 % — Exceeding 69 % but not exceeding 79 % — Exceeding 79 %	0402 21 99 9100 0402 21 99 9200 0402 21 99 9300 0402 21 99 9400 0402 21 99 9500 0402 21 99 9600 0402 21 99 9700 0402 21 99 9900	(¹³) (¹³) (¹³) (¹³) (¹³) (¹³) (¹³) (¹³)	120,86 121,69 123,20 131,67 134,61 145,88 152,49 159,96
ex 0402 29	— — Other: — — — Of a fat content, by weight, not exceeding 27 %: — — — — Other:			
0402 29 15	— — — — — In immediate packings of a net content not exceeding 2,5 kg: — Of a fat content, by weight: — Not exceeding 11 % — Exceeding 11 % but not exceeding 17 % — Exceeding 17 % but not exceeding 25 % — Exceeding 25 %	0402 29 15 9200 0402 29 15 9300 0402 29 15 9500 0402 29 15 9900	(¹⁴) (¹⁴) (¹⁴) (¹⁴)	0,9000 1,0589 1,1156 1,2002
0402 29 19	— — — — — Other: — Of a fat content, by weight: — Not exceeding 11 % — Exceeding 11 % but not exceeding 17 % — Exceeding 17 % but not exceeding 25 % — Exceeding 25 %	0402 29 19 9200 0402 29 19 9300 0402 29 19 9500 0402 29 19 9900	(¹⁴) (¹⁴) (¹⁴) (¹⁴)	0,9000 1,0589 1,1156 1,2002
0402 29 91	— — — — Of a fat content, by weight, exceeding 27 %: — — — — In immediate packings of a net content not exceeding 2,5 kg: — Of a fat content, by weight: — Not exceeding 41 % — Exceeding 41 %	0402 29 91 9100 0402 29 91 9500	(¹⁴) (¹⁴)	1,2086 1,3167
0402 29 99	— — — — Other: — Of a fat content, by weight: — Not exceeding 41 % — Exceeding 41 %	0402 29 99 9100 0402 29 99 9500	(¹⁴) (¹⁴)	1,2086 1,3167

(in EUR/100 kg weight, if no other indication)

CN code	Description of goods	Product code	Notes	Amount of aid
0402 91	— Other:			
	— — Not containing added sugar or other sweetening matter:			
	— — — Of a fat content, by weight, not exceeding 8 %:			
0402 91 11	— — — — In immediate packings of a net content not exceeding 2,5 kg:			
	— Of a non-fat lactic dry matter content:			
	— Of less than 15 % and of a fat content, by weight:			
	— Not exceeding 3 %	0402 91 11 9110	(13)	2,327
	— Exceeding 3 %	0402 91 11 9120	(13)	4,551
	— Of 15 % or more and of a fat content, by weight:			
	— Not exceeding 3 %	0402 91 11 9310	(13)	13,30
	— Exceeding 3 % but not exceeding 7,4 %	0402 91 11 9350	(13)	16,29
	— Exceeding 7,4 %	0402 91 11 9370	(13)	19,81
0402 91 19	— — — — Other:			
	— Of a non-fat lactic dry matter content:			
	— Of less than 15 % and of a fat content, by weight:			
	— Not exceeding 3 %	0402 91 19 9110	(13)	2,327
	— Exceeding 3 %	0402 91 19 9120	(13)	4,551
	— Of 15 % or more and of a fat content, by weight:			
	— Not exceeding 3 %	0402 91 19 9310	(13)	13,30
	— Exceeding 3 % but not exceeding 7,4 %	0402 91 19 9350	(13)	16,29
	— Exceeding 7,4 %	0402 91 19 9370	(13)	19,81
	— — — Of a fat content, by weight, exceeding 8 % but not exceeding 10 %:			
0402 91 31	— — — — In immediate packings of a net content not exceeding 2,5 kg:			
	— Of a non-fat lactic dry matter content:			
	— Of less than 15 %	0402 91 31 9100	(13)	8,991
	— Of 15 % or more	0402 91 31 9300	(13)	23,42
0402 91 39	— — — — Other:			
	— Of a non-fat lactic dry matter content:			
	— Of less than 15 %	0402 91 39 9100	(13)	8,991
	— Of 15 % or more	0402 91 39 9300	(13)	23,42
	— — — Of a fat content, by weight, exceeding 10 % but not exceeding 45 %:			
0402 91 51	— — — — In immediate packings of a net content not exceeding 2,5 kg	0402 91 51 9000	(13)	10,50
0402 91 59	— — — — Other	0402 91 59 9000	(13)	10,50
	— — — Of a fat content, by weight, exceeding 45 %:			
0402 91 91	— — — — In immediate packings of a net content not exceeding 2,5 kg	0402 91 91 9000	(13)	75,22
0402 91 99	— — — — Other	0402 91 99 9000	(13)	75,22

(in EUR/100 kg weight, if no other indication)

CN code	Description of goods	Product code	Notes	Amount of aid
0402 99	— — Other:			
	— — — Of a fat content, by weight, not exceeding 9,5 %:			
0402 99 11	— — — — In immediate packings of a net content not exceeding 2,5 kg:			
	— Of a non-fat lactic dry matter content of less than 15 % and of a fat content, by weight:			
	— Not exceeding 3 %	0402 99 11 9110	(14)	0,0233
	— Exceeding 3 % but not exceeding 6,9 %	0402 99 11 9130	(14)	0,0456
	— Exceeding 6,9 %	0402 99 11 9150	(14)	0,1269
	— Of a non-fat lactic dry matter content of 15 % or more and of a fat content, by weight:			
	— Not exceeding 3 %	0402 99 11 9310	(14)	0,2689
	— Exceeding 3 % but not exceeding 6,9 %	0402 99 11 9330	(14)	0,3228
	— Exceeding 6,9 %	0402 99 11 9350	(14)	0,4291
0402 99 19	— — — — Other:			
	— Of a non-fat lactic dry matter content of less than 15 % and of a fat content, by weight:			
	— Not exceeding 3 %	0402 99 19 9110	(14)	0,0233
	— Exceeding 3 % but not exceeding 6,9 %	0402 99 19 9130	(14)	0,0456
	— Exceeding 6,9 %	0402 99 19 9150	(14)	0,1269
	— Of a non-fat lactic dry matter content of 15 % or more and of a fat content, by weight:			
	— Not exceeding 3 %	0402 99 19 9310	(14)	0,2689
	— Exceeding 3 % but not exceeding 6,9 %	0402 99 19 9330	(14)	0,3228
	— Exceeding 6,9 %	0402 99 19 9350	(14)	0,4291
	— — — Of a fat content, by weight, exceeding 9,5 % but not exceeding 45 %:			
0402 99 31	— — — — In immediate packings not exceeding 2,5 kg:			
	— Of a fat content, by weight, not exceeding 21 %:			
	— Of a non-fat lactic dry matter content, by weight, of less than 15 %	0402 99 31 9110	(14)	0,0975
	— Of a non-fat lactic dry matter content, by weight, of 15 % or more	0402 99 31 9150	(14)	0,4467
	— Of a fat content, by weight, exceeding 21 % but not exceeding 39 %	0402 99 31 9300	(14)	0,3832
	— Of a fat content, by weight, exceeding 39 %	0402 99 31 9500	(14)	0,6600
0402 99 39	— — — — Other:			
	— Of a fat content, by weight, not exceeding 21 %:			
	— Of a non-fat lactic dry matter content, by weight, of less than 15 %	0402 99 39 9110	(14)	0,0975
	— Of a non-fat lactic dry matter content, by weight, of 15 % or more	0402 99 39 9150	(14)	0,4467
	— Of a fat content, by weight, exceeding 21 % but not exceeding 39 %	0402 99 39 9300	(14)	0,3832
	— Of a fat content, by weight, exceeding 39 %	0402 99 39 9500	(14)	0,6600

(in EUR/100 kg weight, if no other indication)

CN code	Description of goods	Product code	Notes	Amount of aid
	— — — Of a fat content, by weight, exceeding 45 %:			
0402 99 91	— — — — In immediate packings not exceeding 2,5 kg	0402 99 91 9000	(¹⁴)	0,7522
0402 99 99	— — — — Other	0402 99 99 9000	(¹⁴)	0,7522
ex 0405	Butter and other fats and oils derived from milk; dairy spreads:			
0405 10	— Butter:			
	— — Of a fat content, by weight, not exceeding 85 %:			
	— — — Natural butter:			
0405 10 11	— — — — In immediate packings of a net content not exceeding 1 kg:			
	— — — — — Of a fat content by weight:			
	— — — — — — Of 80 % or more but less than 82 %	0405 10 11 9500		176,10
	— — — — — — Of 82 % or more	0405 10 11 9700		180,50
0405 10 19	— — — — Other:			
	— — — — — Of a fat content by weight:			
	— — — — — — Of 80 % or more but less than 82 %	0405 10 19 9500		176,10
	— — — — — — Of 82 % or more	0405 10 19 9700		180,50
0405 10 30	— — — Recombined butter:			
	— — — — In immediate packings of a net content not exceeding 1 kg:			
	— — — — — Of a fat content by weight:			
	— — — — — — Of 80 % or more but less than 82 %	0405 10 30 9100		176,10
	— — — — — — Of 82 % or more	0405 10 30 9300		180,50
	— — — — Other:			
	— — — — — Of a fat content by weight:			
	— — — — — — Of 80 % or more but less than 82 %	0405 10 30 9500		176,10
	— — — — — — Of 82 % or more	0405 10 30 9700		180,50
0405 10 50	— — — Whey butter:			
	— — — — In immediate packings of a net content not exceeding 1 kg:			
	— — — — — Of a fat content by weight:			
	— — — — — — Of 80 % or more but less than 82 %	0405 10 50 9100		176,10
	— — — — — — Of 82 % or more	0405 10 50 9300		180,50
	— — — — Other:			
	— — — — — Of a fat content by weight:			
	— — — — — — Of 80 % or more but less than 82 %	0405 10 50 9500		176,10
	— — — — — — Of 82 % or more	0405 10 50 9700		180,50
0405 10 90	— — Other	0405 10 90 9000		187,10
ex 0405 20	— Dairy spreads:			
0405 20 90	— — Of a fat content by weight of more than 75 % but less than 80 %:			
	— — — Of a fat content by weight:			
	— — — — Of more than 75 % but less than 78 %	0405 20 90 9500		165,09
	— — — — Of 78 % or more	0405 20 90 9700		171,69
0405 90	— Other:			
0405 90 10	— — Of a fat content by weight of 99,3 % or more and of a water content by weight not exceeding 0,5 %:	0405 90 10 9000		228,00
0405 90 90	— — Other	0405 90 90 9000		180,50

(in EUR/100 kg weight, if no other indication)

CN code	Description of goods	Additional requirements for using the product code		Product code	Notes	Amount of aid
		Maximum water content in product weight (%)	Minimum fat content in the dry matter (%)			
ex 0406	Cheese and curd (°):					
ex 0406 30	— Processed cheese, not grated or powdered (°):					
	— — Other:					
	— — — Of a fat content, by weight, not exceeding 36 % and of a fat content, by weight, in the dry matter:					
ex 0406 30 31	— — — — Not exceeding 48 %:					
	— — — — — Of a dry matter content, by weight:					
	— — — — — — Of 40 % or more but less than 43 %, and of a fat content, by weight, in the dry matter:					
	— — — — — — — Of less than 20 %	60		0406 30 31 9710	(°)	17,88
	— — — — — — — Of 20 % or more	60	20	0406 30 31 9730	(°)	26,24
	— — — — — — — Of 43 % or more and with a fat content, by weight, in the dry matter:					
	— — — — — — — Of less than 20 %	57		0406 30 31 9910	(°)	17,88
	— — — — — — — Of 20 % or more but less than 40 %	57	20	0406 30 31 9930	(°)	26,24
	— — — — — — — Of 40 % or more	57	40	0406 30 31 9950	(°)	38,17
ex 0406 30 39	— — — — Exceeding 48 %:					
	— — — — — Of a dry matter, content, by weight:					
	— — — — — — Of 40 % or more but less than 43 %	60	48	0406 30 39 9500	(°)	26,24
	— — — — — — Of 43 % or more but less than 46 %	57	48	0406 30 39 9700	(°)	38,17
	— — — — — — Of 46 % or more and with a fat content, by weight, in the dry matter:					
	— — — — — — — Of less than 55 %	54	48	0406 30 39 9930	(°)	38,17
	— — — — — — — Of 55 % or more	54	55	0406 30 39 9950	(°)	43,16
ex 0406 30 90	— — — Of a list content exceeding 36 %	54	79	0406 30 90 9000	(°)	45,28
ex 0406 90 23	— — — Edam	47	40	0406 90 23 9900	(°)	103,92
ex 0406 90 25	— — — Tilsit	47	45	0406 90 25 9900	(°)	102,80
ex 0406 90 27	— — — Butterkäse	52	45	0406 90 27 9900	(°)	93,10
ex 0406 90 76	— — — — — — Danbo, Fontal, Fontina, Fynbo, Havarti, Maribo, Samsøe:					
	— — — — — — — Of a fat content, by weight, in the dry matter of 45 % or more but less than 55 %:					
	— — — — — — — — Of a dry matter content, by weight, of 50 % or more but less than 56 %	50	45	0406 90 76 9300	(°)	96,98
	— — — — — — — — Of a dry matter content, by weight, of 56 % or more	46	55	0406 90 76 9400	(°)	108,62
	— — — — — — — — Of a fat content, by weight, in the dry matter of 55 % or more	46	55	0406 90 76 9500	(°)	102,45

(in EUR/100 kg weight, if no other indication)

CN code	Description of goods	Additional requirements for using the product code		Product code	Notes	Amount of aid
		Maximum water content in product weight (%)	Minimum fat content in the dry matter (%)			
ex 0406 90 78	— — — — — — — — Gouda:					
	— — — — — — — — Of a fat content, by weight, in the dry matter of less than 48 %	50	20	0406 90 78 9100	(⁵)	102,26
	— — — — — — — — Of a fat content by weight, in the dry matter of 48 % or more but less 55 %	45	48	0406 90 78 9300	(⁵)	105,98
	— — — — — — — — Other	45	55	0406 90 78 9500	(⁵)	104,35
ex 0406 90 79	— — — — — — — — Esrom, Italico, Kernhem, Saint-Nectaire, Saint-Paulin, Taleggio	56	40	0406 90 79 9900	(⁵)	86,27
ex 0406 90 81	— — — — — — — — Cantal, Cheshire, Wensleydale, Lancashire, Double Gloucester, Blarney, Colby, Monterey	44	45	0406 90 81 9900	(⁵)	108,62
ex 0406 90 86	— — — — — — — — Exceeding 47 % but not exceeding 52 %:					
	— — — — — — — — cheeses produced from whey			0406 90 86 9100		—
	— — — — — — — — Other, of a fat content, by weight, in the dry matter:					
	— — — — — — — — — Of less than 5 %	52		0406 90 86 9200	(⁵)	102,23
	— — — — — — — — — Of 5 % or more but less than 19 %	51	5	0406 90 86 9300	(⁵)	103,32
	— — — — — — — — — Of 19 % or more but less than 39 %	47	19	0406 90 86 9400	(⁵)	108,62
	— — — — — — — — — Of 39 % or more	40	39	0406 90 86 9900	(⁵)	117,90
ex 0406 90 87	— — — — — — — — Exceeding 52 % but not exceeding 62 %:					
	— — — — — — — — cheeses produced from whey, except for Manouri			0406 90 87 9100		—
	— — — — — — — — Other, of a fat content, by weight, in the dry matter:					
	— — — — — — — — — Of less than 5 %	60		0406 90 87 9200	(⁵)	85,19
	— — — — — — — — — Of 5 % or more but less than 19 %	55	5	0406 90 87 9300	(⁵)	94,89
	— — — — — — — — — Of 19 % or more but less than 40 %	53	19	0406 90 87 9400	(⁵)	96,33
	— — — — — — — — — Of 40 % or more:					
	— — — — — — — — — Idiazabal, Manchego and Roncal manufactured exclusively from sheep's milk	45	45	0406 90 87 9951	(⁵)	106,68
	— — — — — — — — — Maasdam	45	45	0406 90 87 9971	(⁵)	106,68
	— — — — — — — — — Manouri	43	53	0406 90 87 9972	(⁵)	45,63
	— — — — — — — — — Hushallsost	46	45	0406 90 87 9973	(⁵)	104,74
	— — — — — — — — — Murukoloinen	41	50	0406 90 87 9974	(⁵)	113,19
	— — — — — — — — — Other	47	40	0406 90 87 9979	(⁵)	103,92

When completing customs formalities, the applicant must state on the declaration provided for that purpose the maximum content by weight of sucrose and/or other non-lactic matter added per 100 kilograms of finished product.

**COMMISSION REGULATION (EC) No 776/1999
of 15 April 1999**

**amending Regulation (EEC) No 2219/92 laying down detailed rules for the
application of the specific supply arrangements for Madeira relating to milk
products regarding the amounts of aid**

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

Having regard to Council Regulation (EEC) No 1600/92
of 15 June 1992 concerning specific measures for the
Azores and Madeira relating to certain agricultural prod-
ucts ⁽¹⁾, as last amended by Commission Regulation (EC)
No 562/98 ⁽²⁾, and in particular Article 10 thereof,

Whereas Commission Regulation (EEC) No 1696/92 ⁽³⁾,
as last amended by Regulation (EEC) No 2596/93 ⁽⁴⁾, lays
down in particular the detailed rules for the application of
the specific arrangements for the supply of certain agri-
cultural products to the Azores and Madeira;

Whereas Annex II to Regulation (EEC) No 2219/92 of 30
July 1992 laying down detailed rules for the application
of the specific supply arrangements for Madeira relating
to milk products and establishing the forecast supply
balance ⁽⁵⁾, as last amended by Regulation (EC) No 314/
1999 ⁽⁶⁾, fixes the aid for milk products;

Whereas Commission Regulation (EC) No 774/1999 of
15 April 1999 fixing the export refunds on milk and milk
products ⁽⁷⁾, fixes the refunds on those products; whereas
Annex II to Regulation (EEC) No 2219/92 should be
adapted to take account of those adjustments;

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

Annex II to Regulation (EEC) No 2219/92 is hereby
replaced by the Annex hereto.

Article 2

This Regulation shall enter into force on 16 April 1999.

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

Done at Brussels, 15 April 1999.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ L 173, 27.6.1992, p. 1.

⁽²⁾ OJ L 76, 13.3.1998, p. 6.

⁽³⁾ OJ L 179, 1.7.1992, p. 6.

⁽⁴⁾ OJ L 238, 23.9.1993, p. 24.

⁽⁵⁾ OJ L 218, 1.8.1992, p. 75.

⁽⁶⁾ OJ L 38, 12.2.1999, p. 33.

⁽⁷⁾ See page 11 of this Official Journal.

ANNEX

ANNEX II

(in EUR/100 kg weight, if no other indication)

CN code	Description of goods	Product code	Notes	Amount of aid
0401	Milk and cream, not concentrated nor containing added sugar or other sweetening matter:			
0401 10	— Of a fat content, by weight, not exceeding 1 %:			
0401 10 10	— — In immediate packings of a net content not exceeding 2 litres	0401 10 10 9000		2,327
0401 10 90	— — Other	0401 10 90 9000		2,327
0401 20	— Of a fat content, by weight, exceeding 1 % but not exceeding 6 %:			
	— — Not exceeding 3 %:			
0401 20 11	— — — In immediate packings of a net content not exceeding 2 litres:			
	— — — — Of a fat content, by weight, not exceeding 1,5 %	0401 20 11 9100		2,327
	— — — — Of a fat content, by weight, exceeding 1,5 %	0401 20 11 9500		3,597
0401 20 19	— — — Other:			
	— — — — Of a fat content, by weight, not exceeding 1,5 %	0401 20 19 9100		2,327
	— — — — Of a fat content, by weight, exceeding 1,5 %	0401 20 19 9500		3,597
	— — Exceeding 3 %:			
0401 20 91	— — — In immediate packings of a net content not exceeding 2 litres:			
	— — — — Of a fat content, by weight, not exceeding 4 %	0401 20 91 9100		4,551
	— — — — Of a fat content, by weight, exceeding 4 %	0401 20 91 9500		5,302
0401 20 99	— — — Other:			
	— — — — Of a fat content, by weight, not exceeding 4 %	0401 20 99 9100		4,551
	— — — — Of a fat content, by weight, exceeding 4 %	0401 20 99 9500		5,302
0401 30	— Of a fat content, by weight, exceeding 6 %:			
	— — Not exceeding 21 %:			
0401 30 11	— — — In immediate packings of a net content not exceeding 2 litres:			
	— — — — Of a fat content, by weight:			
	— — — — — Not exceeding 10 %	0401 30 11 9100		6,803
	— — — — — Exceeding 10 % but not exceeding 17 %	0401 30 11 9400		10,50
	— — — — — Exceeding 17 %	0401 30 11 9700		15,77
0401 30 19	— — — Other:			
	— — — — Of a fat content, by weight:			
	— — — — — Not exceeding 10 %	0401 30 19 9100		6,803
	— — — — — Exceeding 10 % but not exceeding 17 %	0401 30 19 9400		10,50
	— — — — — Exceeding 17 %	0401 30 19 9700		15,77
	— — Exceeding 21 % but not exceeding 45 %:			

(in EUR/100 kg weight, if no other indication)

CN code	Description of goods	Product code	Notes	Amount of aid
0401 30 31	— — — In immediate packings of a net content not exceeding 2 litres: — Of a fat content, by weight: — Not exceeding 35 % — Exceeding 35 % but not exceeding 39 % — Exceeding 39 %	0401 30 31 9100 0401 30 31 9400 0401 30 31 9700		38,32 59,85 66,00
0401 30 39	— — — Other: — Of a fat content, by weight: — Not exceeding 35 % — Exceeding 35 % but not exceeding 39 % — Exceeding 39 % — — Exceeding 45 %:	0401 30 39 9100 0401 30 39 9400 0401 30 39 9700		38,32 59,85 66,00
0401 30 91	— — — In immediate packings of a net content not exceeding 2 litres: — Of a fat content, by weight: — Not exceeding 68 % — Exceeding 68 % but not exceeding 80 % — Exceeding 80 %	0401 30 91 9100 0401 30 91 9400 0401 30 91 9700		75,22 110,55 129,01
0401 30 99	— — — Other: — Of a fat content, by weight: — Not exceeding 68 % — Exceeding 68 % but not exceeding 80 % — Exceeding 80 %	0401 30 99 9100 0401 30 99 9400 0401 30 99 9700		75,22 110,55 129,01
ex 0402	Skimmed-milk powder of a fat content, by weight, not exceeding 1,5 %	0402 10 11 9000 0402 10 19 9000	(13)	90,00
ex 0402	Whole milk powder of a fat content, by weight, not exceeding 27 %	0402 21 11 9900 0402 21 19 9900	(13)	120,00
0402 21 11	— — — — In immediate packings of a net content not exceeding 2,5 kg: — Of a fat content, by weight: — Not exceeding 11 % — Exceeding 11 % but not exceeding 17 % — Exceeding 17 % but not exceeding 25 % — Exceeding 25 %	0402 21 11 9200 0402 21 11 9300 0402 21 11 9500 0402 21 11 9900	(13) (13) (13) (13)	90,00 105,89 111,56 120,00
0402 21 19	— — — — Other: — — — — Of a fat content, by weight, exceeding 11 % but not exceeding 27 %: — Not exceeding 17 % — Exceeding 17 % but not exceeding 25 % — Exceeding 25 %	0402 21 19 9300 0402 21 19 9500 0402 21 19 9900	(13) (13) (13)	105,89 111,56 120,00

(in EUR/100 kg weight, if no other indication)

CN code	Description of goods	Product code	Notes	Amount of aid
ex 0405	Butter and other fats and oils derived from milk; dairy spreads:			
0405 10	— Butter:			
	— — Of a fat content, by weight, not exceeding 85 %:			
	— — — Natural butter:			
0405 10 11	— — — — In immediate packings of a net content not exceeding 1 kg:			
	— — — — — Of a fat content by weight:			
	— — — — — — Of 80 % or more but less than 82 %	0405 10 11 9500		176,10
	— — — — — — Of 82 % or more	0405 10 11 9700		180,50
0405 10 19	— — — — Other:			
	— — — — — Of a fat content by weight:			
	— — — — — — Of 80 % or more but less than 82 %	0405 10 19 9500		176,10
	— — — — — — Of 82 % or more	0405 10 19 9700		180,50
0405 10 30	— — — Recombined butter:			
	— — — — In immediate packings of a net content not exceeding 1 kg:			
	— — — — — Of a fat content by weight:			
	— — — — — — Of 80 % or more but less than 82 %	0405 10 30 9100		176,10
	— — — — — — Of 82 % or more	0405 10 30 9300		180,50
	— — — — Other:			
	— — — — — Of a fat content by weight:			
	— — — — — — Of 80 % or more but less than 82 %	0405 10 30 9500		176,10
	— — — — — — Of 82 % or more	0405 10 30 9700		180,50
0405 10 50	— — — Whey butter:			
	— — — — In immediate packings of a net content not exceeding 1 kg:			
	— — — — — Of a fat content by weight:			
	— — — — — — Of 80 % or more but less than 82 %	0405 10 50 9100		176,10
	— — — — — — Of 82 % or more	0405 10 50 9300		180,50
	— — — — Other:			
	— — — — — Of a fat content by weight:			
	— — — — — — Of 80 % or more but less than 82 %	0405 10 50 9500		176,10
	— — — — — — Of 82 % or more	0405 10 50 9700		180,50
0405 10 90	— — Other	0405 10 90 9000		187,10
ex 0405 20	— Dairy spreads:			
0405 20 90	— — Of a fat content by weight of more than 75 % but less than 80 %:			
	— — — Of a fat content by weight:			
	— — — — Of more than 75 % but less than 78 %	0405 20 90 9500		165,09
	— — — — Of 78 % or more	0405 20 90 9700		171,69
0405 90	— Other:			
0405 90 10	— — Of a fat content by weight of 99,3 % or more and of a water content by weight not exceeding 0,5 %:	0405 90 10 9000		228,00
0405 90 90	— — Other	0405 90 90 9000		180,50

(in EUR/100 kg weight, if no other indication)

CN code	Description of goods	Additional requirements for using the product code		Product code	Notes	Amount of aid
		Maximum water content in product weight (%)	Minimum fat content in the dry matter (%)			
ex 0406	Cheese and curd ⁽³⁾ :					
ex 0406 90 23	— — — Edam	47	40	0406 90 23 9900	⁽³⁾	103,92
ex 0406 90 25	— — — Tilsit	47	45	0406 90 25 9900	⁽³⁾	102,80
ex 0406 90 76	— — — — — — — Danbo, Fontal, Fontina, Fynbo, Havarti, Maribo, Samsoe:					
	— — — — — — — Of a fat content, by weight, in the dry matter of 45 % or more but less than 55 %:					
	— — — — — — — Of a dry matter content, by weight, of 50 % or more but less than 56 %	50	45	0406 90 76 9300	⁽³⁾	96,98
	— — — — — — — Of a dry matter content, by weight, of 56 % or more	44	45	0406 90 76 9400	⁽³⁾	108,62
	— — — — — — — Of a fat content, by weight, in the dry matter of 55 % or more	46	55	0406 90 76 9500	⁽³⁾	102,45
ex 0406 90 78	— — — — — — — Gouda:					
	— — — — — — — Of a fat content, by weight, in the dry matter of less than 48 %	50	20	0406 90 78 9100	⁽³⁾	102,26
	— — — — — — — Of a fat content by weight, in the dry matter of 48 % or more but less than 55 %	45	48	0406 90 78 9300	⁽³⁾	105,98
	— — — — — — — Other	45	55	0406 90 78 9500	⁽³⁾	104,35
ex 0406 90 79	— — — — — — — Esrom, Italico, Kernhem, Saint-Nectaire, Saint-Paulin, Taleggio	56	40	0406 90 79 9900	⁽³⁾	86,27
ex 0406 90 81	— — — — — — — Cantal, Cheshire, Wensleydale, Lancashire, Double Gloucester, Blarney, Colby, Monterey	44	44	0406 90 81 9900	⁽³⁾	108,62
ex 0406 90 86	— — — — — — — Exceeding 47 % but not exceeding 52 %:					
	— — — — — — — cheeses produced from whey			0406 90 86 9100		—
	— — — — — — — Other, of a fat content, by weight, in the dry matter:					
	— — — — — — — Of less than 5 %	52		0406 90 86 9200	⁽³⁾	102,23
	— — — — — — — Of 5 % or more but less than 19 %	51	5	0406 90 86 9300	⁽³⁾	103,32
	— — — — — — — Of 19 % or more but less than 39 %	47	19	0406 90 86 9400	⁽³⁾	108,62
	— — — — — — — Of 39 % or more	40	39	0406 90 86 9900	⁽³⁾	117,90
ex 0406 90 87	— — — — — — — Exceeding 52 % but not exceeding 62 %:					
	— — — — — — — cheeses produced from whey, except for Manouri			0406 90 87 9100		—
	— — — — — — — Other, of a fat content, by weight, in the dry matter:					
	— — — — — — — Of less than 5 %	60		0406 90 87 9200	⁽³⁾	85,19
	— — — — — — — Of 5 % or more but less than 19 %	55	5	0406 90 87 9300	⁽³⁾	94,89
	— — — — — — — Of 19 % or more but less than 40 %	53	19	0406 90 87 9400	⁽³⁾	96,33

(in EUR/100 kg weight, if no other indication)

CN code	Description of goods	Additional requirements for using the product code		Product code	Notes	Amount of aid
		Maximum water content in product weight (%)	Minimum fat content in the dry matter (%)			
ex 0406 90 87 (cont'd.)	— — — — — — — — — — Of 40 % or more:					
	— — — — — — — — — — Idiazabal, Manchego and Roncal manufactured exclusively from sheep's milk	45	45	0406 90 87 9951	(³)	106,68
	— — — — — — — — — — Maasdam	45	45	0406 90 87 9971	(³)	106,68
	— — — — — — — — — — Manouri	43	53	0406 90 87 9972	(³)	45,63
	— — — — — — — — — — Hushallsost	46	45	0406 90 87 9973	(³)	104,74
	— — — — — — — — — — Murukoloinen	41	50	0406 90 87 9974	(³)	113,19
	— — — — — — — — — — Other:	47	40	0406 90 87 9979	(³)	103,92
ex 0406 90 88	— — — — — — — — — — Exceeding 62 % but not exceeding 72 %:					
	— — — — — — — — — — cheese produced from whey			0406 90 88 9100		—
	— — — — — — — — — — Other:					
	— — — — — — — — — — Other:					
	— — — — — — — — — — Of a fat content, by weight, in the dry matter:					
	— — — — — — — — — — Of 10 % or more but less than 19 %	60	10	0406 90 88 9300	(³)	83,50

(³) In the case of cheese presented in containers which also contain conserving liquid, in particular brine, the aid is granted on the net weight, the weight of the liquid being deducted.

(¹³) Where the product contains non-lactic matter, the non-lactic matter is not to be taken into account for the purposes of calculating the aid.

When completing customs formalities, the applicant must state on the declaration provided for that purpose whether or not non-lactic matter has been added and, where this is the case, the maximum content by weight of the non-lactic matter added per 100 kilograms of finished product.'

COMMISSION REGULATION (EC) No 777/1999
of 15 April 1999

**amending Regulation (EC) No 2486/98 introducing preventive distillation as
provided for in Article 38 of Council Regulation (EEC) No 822/87 for the 1998/99
wine year**

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 38(5) thereof,

Whereas Commission Regulation (EEC) No 2721/88 ⁽³⁾,
as last amended by Regulation (EEC) No 2181/91 ⁽⁴⁾, lays
down detailed rules for voluntary distillation as provided
for in Articles 38, 41 and 42 of Regulation (EEC) No
822/87; whereas Commission Regulation (EC) No 1648/
98 ⁽⁵⁾ fixes the prices, the aid and certain other factors
applicable to preventive distillation for the 1998/99 wine
year;

Whereas Article 1(6) of Commission Regulation (EC) No
2486/98 ⁽⁶⁾, as last amended by Regulation (EC) No 573/
1999 ⁽⁷⁾, sets 12 March 1999 as the date for the approval
of contracts and declarations by the competent author-

ities; whereas that date should be put back on account of
the administrative difficulties arising from the large
number of contracts;

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

In the first subparagraph of Article 1(6) of Regulation (EC)
No 2486/98, '12 March 1999' is replaced by '22 March
1999'.

Article 2

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

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

Done at Brussels, 15 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. 8.

⁽³⁾ OJ L 241, 1.9.1988, p. 88.

⁽⁴⁾ OJ L 202, 24.7.1991, p. 16.

⁽⁵⁾ OJ L 210, 28.7.1998, p. 63.

⁽⁶⁾ OJ L 309, 19.11.1998, p. 18.

⁽⁷⁾ OJ L 70, 17.3.1999, p. 18.

COMMISSION REGULATION (EC) No 778/1999
of 15 April 1999

**opening and providing for the administration of tariff quotas for 300 000 tonnes
of quality wheat and 50 000 tonnes of durum wheat and repealing Regulations
(EC) No 529/97 and (EC) No 2228/96**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EC) No 1095/96 of 18 June 1996 on the implementation of the concessions set out in schedule CXL drawn up in the wake of the conclusion of the GATT XXIV.6 negotiations⁽¹⁾, and in particular Article 1 thereof,

Whereas the Community, as part of its World Trade Organisation (WTO) commitments, undertook to establish for each calendar year a zero-duty tariff quota for 300 000 tonnes of quality wheat falling within CN codes 1001 10 00 and 1001 90 99 and, for each marketing year, a zero-duty tariff quota for 50 000 tonnes of durum wheat with a minimum vitreous kernel content of 73 %; whereas imports under those quotas are governed by Commission Regulations (EC) No 529/97⁽²⁾, amended by Regulation (EC) No 850/97⁽³⁾, and (EC) No 2228/96⁽⁴⁾, amended by Regulation (EC) No 2410/98⁽⁵⁾, respectively; whereas those Regulations have failed to prevent speculation; whereas they should therefore be repealed;

Whereas speculation can be prevented by requiring that the cereals be available for import at the time applications are submitted; whereas this requirement must be applied so as not to prevent the Community from meeting its international commitments;

Whereas an import licence must be presented for these imports; whereas, in order to prevent discrimination between importers, import licences must be issued to applicants for licences after a date fixed in advance by the Commission; whereas, in view of the quality of wheat required for these quotas, applicants for import licences must be able to prove that the goods they hold are of adequate quality to qualify for a licence and that they are in a position actually to carry out the import operation during the period laid down for that purpose by the Commission; whereas, to enable the goods to be imported to be transported, that period has been set at 45 days;

whereas, therefore, the conditions for granting such licences should be laid down;

Whereas, in order to ensure the proper administration of the imports, a system of securities should be introduced; whereas, given the likelihood of speculation inherent in the system because no duty is payable, access to the quotas in question should be restricted to those who lodge an import security, who provide proof that they have been operating commercially in the cereals sector for at least twelve months and who are registered in the Member State where the application is made;

Whereas in order to prevent speculation, import licences should be valid for no more than seven days;

Whereas the special provisions on organisation of the imports and, in particular, on the notices opening periods during which application may be made for import licences are to be adopted in accordance with the procedure laid down in Article 23 of Council Regulation (EEC) No 1766/92⁽⁶⁾, as last amended by Commission Regulation (EC) No 923/96⁽⁷⁾;

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

HAS ADOPTED THIS REGULATION:

Article 1

1. The importation each calendar year at zero duty of 300 000 tonnes of durum wheat falling within CN code 1001 10 00 and common wheat falling within CN code 1001 90 99, of a minimum quality satisfying the criteria laid down in Annex I, shall be subject to an import licence issued in accordance with this Regulation.

2. The importation each marketing year at zero duty of 50 000 tonnes of durum wheat falling within CN code 1001 10 00 with a minimum vitreous kernel content of 73 % shall be subject to an import licence issued in accordance with this Regulation.

⁽¹⁾ OJ L 146, 20.6.1996, p. 1.

⁽²⁾ OJ L 82, 22.3.1997, p. 44.

⁽³⁾ OJ L 122, 14.5.1997, p. 10.

⁽⁴⁾ OJ L 298, 22.11.1996, p. 8.

⁽⁵⁾ OJ L 298, 7.11.1998, p. 45.

⁽⁶⁾ OJ L 181, 1.7.1992, p. 21.

⁽⁷⁾ OJ L 126, 24.5.1996, p. 37.

3. In order to ensure the quality of the imported product, eligibility for the zero import duty shall be conditional on importers lodging with the competent authorities, on the day the declaration of release for free circulation is accepted, an import security equal to the import duty on low-quality common wheat, plus EUR 5 per tonne.

4. Commission Regulation (EC) No 1249/96⁽¹⁾ shall not apply to import licences applied for under this Regulation, save as otherwise provided herein.

5. The periods during which application may be made for import licences shall be opened by the Commission in accordance with the procedure laid down in Article 23 of Regulation (EEC) No 1766/92.

Article 2

1. Licence applications shall relate to a single product under a single quota.

2. Applications for import licences under the quotas referred to in Article 1 shall be admissible provided they comply with the following conditions:

- (a) they relate to a quantity of wheat of between 500 tonnes and 10 000 tonnes;
- (b) where applications are submitted by an agent, they contain the name and address of the principal;
- (c) they are accompanied by:
 - proof that the applicant is a natural or legal person who has been operating commercially in the cereals sector for at least twelve months and is registered in the Member State where the application is made,
 - proof, in the form of the original of the document issued only once by the customs authorities of the place of release for free circulation, that the goods to which the import licence application relates are held by the applicant in the Community and are ready for importation during the period fixed in advance by the Commission,
 - proof that the quality of the goods held meets the criteria laid down in this Regulation, in the form of an analysis certificate drawn up by a surveillance company demonstrating that the wheat concerned is of adequate quality or a quality certificate recognised by the Commission in accordance with Article 6 of Regulation (EC) No 1249/96.

3. Where one or more of the terms of an application differ from those provided for in the notice inviting applications for import licences, such application shall be inadmissible.

4. Applications may not be withdrawn.

Article 3

1. Member States shall notify the Commission by telex, fax or telegram within two working days of the end of the period laid down for submitting applications, which itself shall be at least 45 days, using the model in Annex II:

- of the number of admissible applications submitted by product and by quota
and
- of the quantity of wheat for which licence applications have been submitted.

This information shall be forwarded even where no application has been submitted.

2. In the event that the total quantity applied for exceeds the quantity of one or other type of wheat available or the import quota for the period concerned, the Commission shall notify the Member States within three working days of the end of the notification period referred to in paragraph 1 by what percentage(s) they must scale down the quantities applied for when issuing licences.

3. Import licences shall be issued as soon as possible after expiry of the period referred to in paragraph 2, and in any event within three working days.

4. Notwithstanding Article 10 of Commission Regulation (EC) No 1162/95⁽²⁾, the security for import licences shall be EUR 10 per tonne.

5. Notwithstanding Article 6(1) of Regulation (EC) No 1162/95, import licences shall be valid for no more than seven days. Validity shall start on the day licences are issued.

Article 4

Import licences shall contain the following entries and be subject to the following conditions:

- (a) boxes 7 and 8 shall indicate, respectively, the country of provenance and the country of origin of the wheat concerned;
- (b) notwithstanding Article 8(4) of Commission Regulation (EEC) No 3719/88⁽³⁾, the quantity placed in free circulation at zero duty shall not exceed that stated in boxes 17 and 18, and the figure 0 shall accordingly be entered in box 19;
- (c) in box 20, for the product concerned (delete as appropriate), one of the following:
 - Trigo duro, código NC 1001 10 00/trigo común, código NC 1001 90 99 cuya calidad cumple las disposiciones del Reglamento (CE) n° 778/1999

⁽¹⁾ OJ L 161, 29.6.1996, p. 125.

⁽²⁾ OJ L 117, 24.5.1995, p. 2.

⁽³⁾ OJ L 331, 2.12.1988, p. 1.

- Hård hvede, KN-kode 1001 10 00/blød hvede, KN-kode 1001 90 99 af kvalitet som fastsat i forordning (EF) nr. 778/1999
- Hartweizen der KN-Codes 1001 10 00/Weichweizen der KN-Codes 1001 90 99 von einer Qualität gemäß den Bestimmungen der Verordnung (EG) Nr. 778/1999
- Σκληρός σίτος, κωδικός ΣΟ 1001 10 00/μαλακός σίτος κωδικός ΣΟ 1001 90 99, του οποίου η ποιότητα είναι σύμφωνη με τις διατάξεις του κανονισμού (ΕΚ) αριθ. 778/1999
- Durum wheat CN code 1001 10 00/Common wheat CN code 1001 90 99, of which the quality conforms with the provisions of Regulation (EC) No 778/1999
- Blé dur du code NC 1001 10 00/blé tendre du code NC 1001 90 99, de qualité conforme aux dispositions du règlement (CE) n° 778/1999
- Frumento duro, codice NC 1001 10 00/frumento tenero, codice NC 1001 90 99, di qualità conforme a quanto prescritto dal regolamento (CE) n. 778/1999
- Harde tarwe, GN-code 1001 10 00/zachte tarwe, GN-code 1001 90 99, waarvan de kwaliteit aan de bepalingen van Verordening (EG) nr. 778/1999 beantwoordt
- Trigo duro do código NC 1001 10 00/trigo mole do código NC 1001 90 99, de qualidade conforme às disposições do Regulamento (CE) n.º 778/1999
- CN-koodiin 1001 10 00 kuuluva durumvehnä/CN-koodiin 1001 90 99 kuuluva vehnä, joka on laadultaan asetuksen (EY) N:o 778/1999 mukainen
- Durumvete med KN-nummer 1001 10 00/vete med KN-nummer 1001 90 99 av en kvalitet som överensstämmer med bestämmelserna i förordning (EG) nr 778/1999.

(d) in box 24, with the serial number for the quota in question, one of the following:

- Derecho cero. Reglamento (CE) n° 1095/96. Contingente arancelario n°
- Toldfritagelse. Forordning (EF) nr. 1095/96. Toldkontingent nr.
- Zollfrei. Verordnung (EG) Nr. 1095/96. Zollkontingent Nr.
- Μηδενικός δασμός. Κανονισμός (ΕΚ) αριθ. 1095/96. Δασμολογική ποσόστωση αριθ.
- Zero duty. Regulation (EC) No 1095/96. Tariff quota No
- Droit zéro. Règlement (CE) n° 1095/96. Contingent tarifaire n°
- Dazio zero. Regolamento (CE) n. 1095/96. Contingente tariffario n.
- Nulrecht. Verordening (EG) nr. 1095/96. Tariefcontingent nr.
- Direito igual a zero. Regulamento (CE) n.º 1095/96. Contingente pautal n.º
- Tulliton. Asetus (EY) N:o 1095/96. Tariffikiintiö N:o
- Tullsats 0. Förordning (EG) nr 1095/96. Tullkvot nr.

The serial number of the quota for 300 000 tonnes of quality wheat shall be 09.4049 and that of the quota for 50 000 tonnes of durum wheat shall be 09.4059;

(e) notwithstanding Regulation (EEC) No 3719/88, rights deriving from the licence shall not be transferable.

Article 5

Representative samples of each import shall be taken by the customs authorities with a view to carrying out the necessary tests to establish that the quality imported complies with the quality criteria referred to in Article 1(1) and (2), in accordance with Article 6(2) and (4) of Regulation (EC) No 1249/96. Irrespective of the results of the analyses carried out under Article 2(2)(c), only the tests carried out by the customs authorities shall be valid for the purposes of attesting to the quality of the product concerned. If, however, the Commission officially recognises a quality certificate issued by the State of origin of the goods, samples shall be taken only in verification of the certified quality of at least 3 % of the imported goods for each port of entry.

The cost of inspection and sampling shall be borne by the holder of the import licence.

Article 6

On the basis of the tests referred to in Article 5, the import security referred to in Article 1(3) shall be released in respect of the quantity of wheat of a quality complying with:

- the criteria referred to in Article 1(1), in the case of the quota for 300 000 tonnes of quality wheat, and
- the criteria referred to in Article 1(2), in the case of the quota for 50 000 tonnes of durum wheat.

Should the tests referred to in Article 5 show that the quality of the imported product is below that required, Regulation (EC) No 1249/96 shall apply. In such cases the import duty in force for wheat of the quality in question shall be held back from the security referred to in Article 1. The additional amount of EUR 5 per tonne referred to in Article 1 shall be held back as a penalty and the balance of the security shall be released.

Article 7

Within two working days following the issue of import licences, Member States shall inform the Commission by telex, fax or telegram, using the model in Annex II, of the quantity of wheat for which licences have been issued and the country of origin of the product.

The notifications referred to in paragraph 1 shall be made even where no applications have been submitted, nor licences issued.

Article 8

Regulations (EC) No 2228/96 and (EC) No 529/97 are hereby repealed.

Article 9

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

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

Done at Brussels, 15 April 1999.

For the Commission

Franz FISCHLER

Member of the Commission

ANNEX I

Minimum quality criteria for wheat imported under the tariff quota for 300 000 tonnes of quality wheat opened by Regulation (EC) No 1095/96

Quality criteria	Type of wheat	
	Durum wheat	Common wheat
	CN code 1001 10 00	CN code 1001 90 99
Specific weight in kg/hl greater than or equal to	80	78
Grains which have lost their vitreous aspect	maximum 20,0 %	—
Matter which is not quality wheat grains of unimpaired quality, of which:	maximum 10,0 %	maximum 10,0 %
— broken and/or shrivelled grains	maximum 7,0 %	maximum 7,0 %
— grains damaged by pests	maximum 2,0 %	maximum 2,0 %
— grains affected with fusariosis and/or mottled grains	maximum 5,0 %	—
— sprouted grains	maximum 0,5 %	maximum 0,5 %
Miscellaneous impurities (Schwarzbesatz)	maximum 1,0 %	maximum 1,0 %
Hagberg falling number	minimum 250	minimum 230
Protein content (13,5 % moisture content)	—	minimum 14,6 %

ANNEX II

Model for the notifications referred to in Articles 3 and 7

Quota for 300 000 tonnes of quality wheat Serial No: 09.4049	Application No	Quantity (tonnes)	Country of origin
Common wheat CN 1001 90 99	1. 2. ...		
Durum wheat CN 1001 10 00	1. 2. ...		
Quota for 50 000 tonnes of durum wheat Serial No: 09.4059	Application No	Quantity (tonnes)	Country of origin
Durum wheat CN 1001 10 00	1. 2. ...		

**COMMISSION REGULATION (EC) No 779/1999
of 15 April 1999**

**laying down detailed rules for the application in 1999 of Council Regulation (EC)
No 2275/96 introducing specific measures for live plants and floricultural
products**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EC) No 2275/96 of 22 November 1996 introducing specific measures for live plants and floricultural products⁽¹⁾, and in particular Article 5 thereof,

Whereas Regulation (EC) No 2275/96 provides for a Community financial contribution towards measures to increase the consumption of Community live plants and floricultural products within the Community and abroad;

Whereas the principal measures eligible for a Community financial contribution should be defined;

Whereas such measures must form part of a coherent strategy and provide guarantees as to the achievement in the medium term of the planned objectives and as to the satisfaction of Community interests; whereas they must commit the main operators in the sector, be presented in a standard form and contain the information necessary for their assessment;

Whereas the revenue from compulsory charges levied on operators may serve as the contribution from the professional organisations;

Whereas the procedure to be followed and the criteria to be applied for determining for 1999 the Member States in which the promotional measures are to be implemented and for allocating among them the overall amount available for the measures should be laid down;

Whereas the procedures for the submission of applications for assistance by the professional organisations and for the assessment and selection of the measures by the bodies authorised by the Member States should be laid down; whereas the procedures should allow the Commission to forward its observations to the Member States;

Whereas provision should be made for the possibility of a second round of financing;

Whereas the administrative and financial management of the contracts is covered by Commission Regulation (EC) No 481/1999 of 4 March 1999 laying down general rules

for the management of promotional programmes for certain agricultural products⁽²⁾; whereas there is accordingly no need for this Regulation to lay down such rules;

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

HAS ADOPTED THIS REGULATION:

Article 1

1. Measures to increase the consumption of live plants and floricultural products within the Community and abroad as provided for in Article 1 of Regulation (EC) No 2275/96 shall be presented in the form of programmes.
2. 'Programme' means a coherent set of measures which are of sufficient scope to contribute to increasing the disposal of production and consumption and, where appropriate to that end, to help target production and adapt it to market requirements.
3. The period covered by programmes may not exceed one year from the date of signing of the contract.

Article 2

1. Programmes may cover the following measures:
 - (a) the organisation of generic publicity campaigns on radio and television, in the press and by means of posters;
 - (b) the organisation of information measures at points of sale;
 - (c) the organisation of and participation in fairs and other events;
 - (d) the production of publications and audiovisual material;
 - (e) the organisation of public relations campaigns for opinion-formers and the general public;
 - (f) the preparation of teaching aids.

⁽¹⁾ OJ L 308, 29.11.1996, p. 7.

⁽²⁾ OJ L 57, 5.3.1999, p. 8.

2. The programmes may be accompanied by the following additional measures:

- (a) the conducting of market studies and consumer surveys;
- (b) the distribution of the results of marketing research to operators;
- (c) the development of new packaging and presentations.

3. Measures attracting other Community assistance or other national or regional assistance shall not be eligible.

The use of funds raised from the compulsory charges on operators in the live plants and floricultural products sector and levied on products entirely obtained in the Member State concerned shall not be considered national or regional assistance for the purposes of this Article.

However, measures attracting other national or regional assistance not exceeding 20 % of the total budget may be taken into account for 1999.

Article 3

1. For 1999, the available Community financial contribution shall be distributed as follows.

Country	Allocation (EUR thousands)	Allocation (%)
Netherlands	4 443,225	29,62
Germany	2 637,805	17,59
Italy	2 614,916	17,43
France	1 534,418	10,23
United Kingdom	934,024	6,23
Spain	693,024	4,62
Denmark	565,477	3,77
Belgium	504,574	3,36
Austria	250,220	1,67
Sweden	199,229	1,33
Greece	188,341	1,26
Finland	134,283	0,90
Portugal	100,000	0,67
Ireland	100,000	0,67
Luxembourg	100,000	0,67
EUR 15	15 000,002	100,00

2. In the event that all or part of the amount allocated to a Member State for a given year is not used, that Member State may choose to allocate that amount to another selected project pending as a result of insufficient funding or to forego payment of the amount concerned. In that case, the available amount shall be redistributed

pro rata by the Commission among the Member States concerned.

Article 4

1. Programmes as referred to in Article 1 shall be presented by representative groups of operators in one or more branches of the live plant and floricultural products sector, such as producer organisations or associations thereof and traders' organisations and associations thereof.

2. Groups submitting applications for assistance shall have sole responsibility for implementing the measures granted financial assistance. The groups must have the legal capacity necessary to implement the measures and shall have their head offices in the Community.

Article 5

1. Applications for assistance shall be submitted by 10 May 1999 to the competent body in the Member State where the group has its head office.

In the event of a second round of financing, the Commission shall specify the closing date for the submission of applications.

Applications shall contain all the information listed in the Annex and be accompanied by:

- (a) details of the situation with regard to the marketing and consumption of live plants and floricultural products in the regions concerned;
- (b) the anticipated results of the proposed measures and their capacity to achieve the general and specific objectives laid down in the programme.

2. The competent body shall verify the accuracy of the information given in applications and their compliance with Regulation (EC) No 2275/96 and this Regulation. Before 15 June 1999, the Member State concerned shall draw up, on the basis of the criteria referred to in Article 6, a provisional list of the measures selected to receive Community financial assistance within the limit of the amounts determined in accordance with Article 3. The financial assistance shall amount to 60 % of the actual eligible cost of the selected measures.

3. The Member State shall immediately forward the provisional list of measures selected with a copy of the relevant applications to the Commission. The Commission shall send the Member States any observations it may have on the measures in question with a view to guaranteeing their legality and their coordination at Community level. From the 31st day following the date specified in paragraph 2, each Member State shall draw up a final list of measures selected and shall forward it to the Commission without delay.

Article 6

The list of selected measures shall be drawn up, in particular, on the basis of the coherence of the strategies presented, the merits of the proposed measures, the expected impact of their implementation, and the groups' capacity to implement the measures and the guarantees presented as to the groups' efficiency and representativeness.

Member States shall give preference to measures to be implemented in the territories of more than one Member State.

Article 7

Save as otherwise provided in this Regulation, Regulation (EC) No 481/1999 laying down general rules for the management of promotional programmes for certain agricultural products shall apply.

Article 8

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

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

Done at Brussels, 15 April 1999.

For the Commission

Franz FISCHLER

Member of the Commission

ANNEX

AID APPLICATION

I

GENERAL INFORMATION

1. **Title:**

2. **Products concerned:**

3. **Measures:**

.....

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.....

.....

4. **Duration:** 1 year ☐ 2 years ☐ 3 years ☐

5. **Identification of applicant:**

5.1. *Group*

— Name or company name:

— Legal status:

..... Date established:

— Registered place of business:

Street: No Box:

Postal code: Town: Country:

Telephone: Telex: Fax:

— Bank details:

Name: Agency or branch:

Street: No Box: Town: Country:

Account No:

5.2. *Partners* (one form for each)

Name or company name:	
Legal status:	Type: ⁽¹⁾ OP ☐ IT ☐ D ☐ AS ☐ C ☐ O ☐
Main activity:	
Role in the group: — Partner ☐ — Prime contractor ☐	
Responsibility and contribution to implementation of the programme:	
Experience and references (field of activity):	
Contribution to financing of programme (in national currency): — first year: — second year: — third year: Total:	
Right to use the results:	

(¹) OP = Producers' organisation.
 IT = Processing firm.
 AS = Association.

C = Trader
 D = Retailer
 O = Other

6. Financing of the programme6.1. Total cost of programme ⁽¹⁾ ⁽²⁾: EUR

6.2. Community contribution requested: EUR

(a) year 1: EUR

(b) year 2: EUR

(c) year 3: EUR

6.3. Contribution of the group: EUR

of which:

— own funds:

— loans:

— payments in kind:

— other contributions:

7. General information:Subcontractors: Yes ☐ No ☐

If yes, specify which:

.....

Specify task(s):

.....

.....

Type of commitment: Contract ⁽³⁾ ☐ Other ⁽³⁾ ☐

If other, specify which:

.....

8. Declaration

The undersigned declare(s):

(a) that he/they have the necessary funds to ensure full financing of the programme;

(b) that he/they are not receiving any other Community financial assistance or any other national or regional grant or subsidy equal to more the 20 % of the total budget.

.....
(Date) (Signature) ⁽⁴⁾⁽¹⁾ Exclusive of VAT.⁽²⁾ For the duration of implementation of the programme.⁽³⁾ Attach copy.⁽⁴⁾ Of the person authorised by the group or partners.

II**DESCRIPTION OF THE PROGRAMME**

Programmes must contain at least the following:

1. A summary of the programme concerning the aspects referred to in points 3 to 6 (not more than two pages).
2. Reasons and objectives.
3. The proposed measures.
4. Strategy: targets, methods, the phases of implementation and the timetable.
5. Implementation of the measures: details of the technical, scientific, economic, financial, media, logistic aspects.
6. The anticipated results and advantages for the sector and the Community market.
7. The criteria for assessing progress and results on completion of the programme.
8. Outlook as regards use and dissemination of results.

III**BUDGET**

The net budget for the measures, before tax, expressed in EUR, broken down and reasoned ⁽¹⁾, showing how the amount is to be allocated by category and by year.

⁽¹⁾ On the basis of estimations, fees etc. and in the case of subcontractors' offers.

COMMISSION REGULATION (EC) No 780/1999
of 15 April 1999
fixing the import duties in the cereals sector

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

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

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

Whereas Article 10 of Regulation (EEC) No 1766/92 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 55 %, minus the cif import price applicable to the consignment in question; however, that duty may not exceed the rate of duty in the Common Customs Tariff;

Whereas, pursuant to Article 10 (3) of Regulation (EEC) No 1766/92, the cif import prices are calculated on the basis of the representative prices for the product in question on the world market;

Whereas Regulation (EC) No 1249/96 lays down detailed rules for the application of Council Regulation (EEC) No 1766/92 as regards import duties in the cereals 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 for the reference exchange referred to in Annex II to Regulation (EC) No 1249/96 during the two weeks preceding the next periodical fixing;

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

Whereas application of Regulation (EC) No 1249/96 results in import duties being fixed as set out in the Annex to this Regulation,

HAS ADOPTED THIS REGULATION:

Article 1

The import duties in the cereals sector referred to in Article 10 (2) of Regulation (EEC) No 1766/92 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 16 April 1999.

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

Done at Brussels, 15 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 161, 29.6.1996, p. 125.

⁽⁴⁾ OJ L 135, 25.11.1998, p. 7.

ANNEX I

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

CN code	Description	Import duty by land inland waterway or sea from Mediterranean, the Black Sea or Baltic Sea ports (EUR/tonne)	Import duty by air or by sea from other ports ⁽²⁾ (EUR/tonne)
1001 10 00	Durum wheat high quality	53,75	43,75
	medium quality ⁽¹⁾	63,75	53,75
1001 90 91	Common wheat seed	58,77	48,77
1001 90 99	Common high quality wheat other than for sowing ⁽³⁾	58,77	48,77
	medium quality	82,84	72,84
	low quality	99,27	89,27
1002 00 00	Rye	107,20	97,20
1003 00 10	Barley, seed	107,20	97,20
1003 00 90	Barley, other ⁽³⁾	107,20	97,20
1005 10 90	Maize seed other than hybrid	105,43	95,43
1005 90 00	Maize other than seed ⁽³⁾	105,43	95,43
1007 00 90	Grain sorghum other than hybrids for sowing	107,20	97,20

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

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

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

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

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

ANNEX II

Factors for calculating duties

(period from 31 March 1999 to 14 April 1999)

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

Exchange quotations	Minneapolis	Kansas-City	Chicago	Chicago	Minneapolis	Minneapolis	Minneapolis
Product (% proteins at 12 % humidity)	HRS2. 14 %	HRW2. 11,5 %	SRW2	YC3	HAD2	Medium quality (*)	US barley 2
Quotation (EUR/tonne)	113,59	101,19	91,97	79,69	135,50 (**)	125,50 (**)	82,05 (**)
Gulf premium (EUR/tonne)	21,01	9,12	1,90	8,02	—	—	—
Great Lakes premium (EUR/tonne)	6,91	—	—	—	—	—	—

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

(**) Fob Gulf.

2. Freight/cost: Gulf of Mexico — Rotterdam: EUR 10,90 per tonne; Great Lakes — Rotterdam: EUR 23,88 per tonne.

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

COMMISSION REGULATION (EC) No 781/1999

of 15 April 1999

fixing the export refunds on products processed from cereals and rice

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EEC) No 1766/92 of 30 June 1992 on the common organization of the market in cereals⁽¹⁾, as last amended by Commission Regulation (EC) No 923/96⁽²⁾, and in particular Article 13(3) thereof,

Having regard to Council Regulation (EC) No 3072/95 of 22 December 1995 on the common organization of the market in rice⁽³⁾, as last amended by Regulation (EC) No 2072/98⁽⁴⁾, and in particular Article 13(3) thereof,

Whereas Article 13 of Regulation (EEC) No 1766/92 and Article 13 of Regulation (EC) No 3072/95 provide that the difference between quotations or prices on the world market for the products listed in Article 1 of those Regulations and prices for those products within the Community may be covered by an export refund;

Whereas Article 13 of Regulation (EC) No 3072/95 provides that when refunds are being fixed account must be taken of the existing situation and the future trend with regard to prices and availabilities of cereals, rice and broken rice on the Community market on the one hand and prices for cereals, rice, broken rice and cereal products on the world market on the other; whereas the same Articles provide that it is also important to ensure equilibrium and the natural development of prices and trade on the markets in cereals and rice and, furthermore, to take into account the economic aspect of the proposed exports, and the need to avoid disturbances on the Community market;

Whereas Article 4 of Commission Regulation (EC) No 1518/95⁽⁵⁾, as amended by Regulation (EC) No 2993/95⁽⁶⁾, on the import and export system for products processed from cereals and from rice defines the specific criteria to be taken into account when the refund on these products is being calculated;

Whereas the refund to be granted in respect of certain processed products should be graduated on the basis of the ash, crude fibre, tegument, protein, fat and starch content of the individual product concerned, this content being a particularly good indicator of the quantity of basic product actually incorporated in the processed product;

Whereas there is no need at present to fix an export refund for manioc, other tropical roots and tubers or flours obtained therefrom, given the economic aspect of potential exports and in particular the nature and origin of these products; whereas, for certain products processed from cereals, the insignificance of Community participation in world trade makes it unnecessary to fix an export refund at the present time;

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

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

Whereas certain processed maize products may undergo a heat treatment following which a refund might be granted that does not correspond to the quality of the product; whereas it should therefore be specified that on these products, containing pregelatinized starch, no export refund is to be granted;

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

HAS ADOPTED THIS REGULATION:

Article 1

The export refunds on the products listed in Article 1(1)(d) of Regulation (EEC) No 1766/92 and in Article 1(1)(c) of Regulation (EC) No 3072/95 and subject to Regulation (EC) No 1518/95 are hereby fixed as shown in the Annex to this Regulation.

⁽¹⁾ OJ L 181, 1.7.1992, p. 21.

⁽²⁾ OJ L 126, 24.5.1996, p. 37.

⁽³⁾ OJ L 329, 30.12.1995, p. 18.

⁽⁴⁾ OJ L 265, 30.9.1998, p. 4.

⁽⁵⁾ OJ L 147, 30.6.1995, p. 55.

⁽⁶⁾ OJ L 312, 23.12.1995, p. 25.

Article 2

This Regulation shall enter into force on 16 April 1999.

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

Done at Brussels, 15 April 1999.

For the Commission

Franz FISCHLER

Member of the Commission

ANNEX

to the Commission Regulation of 15 April 1999 fixing the export refunds on products processed from cereals and rice

<i>(EUR/tonne)</i>		<i>(EUR/tonne)</i>	
Product code	Refund	Product code	Refund
1102 20 10 9200 ⁽¹⁾	74,30	1104 23 10 9100	79,61
1102 20 10 9400 ⁽¹⁾	63,68	1104 23 10 9300	61,03
1102 20 90 9200 ⁽¹⁾	63,68	1104 29 11 9000	30,45
1102 90 10 9100	68,63	1104 29 51 9000	29,85
1102 90 10 9900	46,67	1104 29 55 9000	29,85
1102 90 30 9100	85,41	1104 30 10 9000	7,46
1103 12 00 9100	85,41	1104 30 90 9000	13,27
1103 13 10 9100 ⁽¹⁾	95,53	1107 10 11 9000	53,13
1103 13 10 9300 ⁽¹⁾	74,30	1107 10 91 9000	81,44
1103 13 10 9500 ⁽¹⁾	63,68	1108 11 00 9200	59,70
1103 13 90 9100 ⁽¹⁾	63,68	1108 11 00 9300	59,70
1103 19 10 9000	54,13	1108 12 00 9200	84,91
1103 19 30 9100	70,91	1108 12 00 9300	84,91
1103 21 00 9000	30,45	1108 13 00 9200	84,91
1103 29 20 9000	46,67	1108 13 00 9300	84,91
1104 11 90 9100	68,63	1108 19 10 9200	41,04
1104 12 90 9100	94,90	1108 19 10 9300	41,04
1104 12 90 9300	75,92	1109 00 00 9100	0,00
1104 19 10 9000	30,45	1702 30 51 9000 ⁽²⁾	98,78
1104 19 50 9110	84,91	1702 30 59 9000 ⁽²⁾	75,62
1104 19 50 9130	68,99	1702 30 91 9000	98,78
1104 21 10 9100	68,63	1702 30 99 9000	75,62
1104 21 30 9100	68,63	1702 40 90 9000	75,62
1104 21 50 9100	91,50	1702 90 50 9100	98,78
1104 21 50 9300	73,20	1702 90 50 9900	75,62
1104 22 20 9100	75,92	1702 90 75 9000	103,51
1104 22 30 9100	80,67	1702 90 79 9000	71,84
		2106 90 55 9000	75,62

⁽¹⁾ No refund shall be granted on products given a heat treatment resulting in pregelatinization of the starch.

⁽²⁾ Refunds are granted in accordance with Council Regulation (EEC) No 2730/75 (OJ L 281, 1. 11. 1975, p. 20), amended.

NB: The product codes and the footnotes are defined in Commission Regulation (EEC) No 3846/87 (OJ L 366, 24. 12. 1987, p. 1), amended.

COMMISSION REGULATION (EC) No 782/1999

of 15 April 1999

fixing the export refunds on cereal-based compound feedingstuffs

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

Having regard to Council Regulation (EEC) No 1766/92 of 30 June 1992 on the common organization of the market in cereals⁽¹⁾, as last amended by Commission Regulation (EC) No 923/96⁽²⁾, and in particular Article 13(3) thereof,

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

Whereas Regulation (EC) No 1517/95 of 29 June 1995 laying down detailed rules for the application of Regulation (EEC) No 1766/92 as regards the arrangements for the export and import of compound feedingstuffs based on cereals and amending Regulation (EC) No 1162/95 laying down special detailed rules for the application of the system of import and export licences for cereals and rice⁽³⁾ in Article 2 lays down general rules for fixing the amount of such refunds;

Whereas that calculation must also take account of the cereal products content; whereas in the interest of simplification, the refund should be paid in respect of two categories of 'cereal products', namely for maize, the most commonly used cereal in exported compound feeds and maize products, and for 'other cereals', these being eligible cereal products excluding maize and maize products; whereas a refund should be granted in respect of the

quantity of cereal products present in the compound feedingstuff;

Whereas furthermore, the amount of the refund must also take into account the possibilities and conditions for the sale of those products on the world market, the need to avoid disturbances on the Community market and the economic aspect of the export;

Whereas, however, in fixing the rate of refund it would seem advisable to base it at this time on the difference in the cost of raw inputs widely used in compound feedingstuffs as the Community and world markets, allowing more accurate account to be taken of the commercial conditions under which such products are exported;

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

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

HAS ADOPTED THIS REGULATION:

Article 1

The export refunds on the compound feedingstuffs covered by Regulation (EEC) No 1766/92 and subject to Regulation (EC) No 1517/95 are hereby fixed as shown in the Annex to this Regulation.

Article 2

This Regulation shall enter into force on 16 April 1999.

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

Done at Brussels, 15 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 147, 30.6.1995, p. 51.

ANNEX

to the Commission Regulation 15 April 1999 fixing the export refunds on cereal-based compound feedingstuffs

Product code benefiting from export refund ⁽¹⁾:

2309 10 11 9000, 2309 10 13 9000, 2309 10 31 9000,
2309 10 33 9000, 2309 10 51 9000, 2309 10 53 9000,
2309 90 31 9000, 2309 90 33 9000, 2309 90 41 9000,
2309 90 43 9000, 2309 90 51 9000, 2309 90 53 9000.

(EUR/t)

Cereal products ⁽²⁾	Amount of refund ⁽²⁾
Maize and maize products: CN codes 0709 90 60, 0712 90 19, 1005, 1102 20, 1103 13, 1103 29 40, 1104 19 50, 1104 23, 1904 10 10	53,07
Cereal products ⁽²⁾ excluding maize and maize products	37,80

⁽¹⁾ The product codes are defined in Sector 5 of the Annex to Commission Regulation (EEC) No 3846/87 (OJ L 366, 24. 12. 1987, p 1), amended.

⁽²⁾ For the purposes of the refund only the starch coming from cereal products is taken into account.

Cereal products means the products falling within subheadings 0709 90 60 and 0712 90 19, Chapter 10, and headings Nos 1101, 1102, 1103 and 1104 (unprocessed and not reconstituted) excluding subheading 1104 30) and the cereals content of the products falling within subheadings 1904 10 10 and 1904 10 90 of the combined nomenclature. The cereals content in products under subheadings 1904 10 10 and 1904 10 90 of the combined nomenclature is considered to be equal to the weight of this final product.

No refund is paid for cereals where the origin of the starch cannot be clearly established by analysis.

COMMISSION REGULATION (EC) No 783/1999
of 15 April 1999
fixing production refunds on cereals and rice

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

Having regard to Council Regulation (EEC) No 1766/92 of 30 June 1992, on the common organisation of the market in cereals⁽¹⁾, as last amended by Commission Regulation (EC) No 923/96⁽²⁾, and in particular Article 7 (3) thereof,

Having regard to Council Regulation (EC) No 3072/95 of 22 December 1995 on the common organisation of the market in rice⁽³⁾, as last amended by Regulation (EC) No 2072/98⁽⁴⁾, and in particular Article 7(2) thereof,

Having regard to Commission Regulation (EEC) No 1722/93 of 30 June 1993 laying down detailed rules for the arrangements concerning production refunds in the cereals and rice sectors⁽⁵⁾, as last amended by Regulation (EC) No 87/1999⁽⁶⁾, and in particular Article 3 thereof,

Whereas Regulation (EEC) No 1722/93 establishes the conditions for granting the production refund; whereas the basis for the calculation is established in Article 3 of the said Regulation; whereas the refund thus calculated

must be fixed once a month and may be altered if the price of maize and/or wheat changes significantly;

Whereas the production refunds to be fixed in this Regulation should be adjusted by the coefficients listed in the Annex II to Regulation (EEC) No 1722/93 to establish the exact amount payable;

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

HAS ADOPTED THIS REGULATION:

Article 1

The refund referred to in Article 3(2) of Regulation (EEC) No 1722/93, expressed per tonne of starch extracted from maize, wheat, barley, oats, potatoes, rice or broken rice, shall be EUR 59,52/t.

Article 2

This Regulation shall enter into force on 16 April 1999.

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

Done at Brussels, 15 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 329, 30.12.1995, p. 18.

⁽⁴⁾ OJ L 265, 30.9.1998, p. 4.

⁽⁵⁾ OJ L 159, 1.7.1993, p. 112.

⁽⁶⁾ OJ L 9, 15.1.1999, p. 8.

COMMISSION REGULATION (EC) No 784/1999
of 15 April 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 692/1999⁽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 16 April 1999.

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

Done at Brussels, 15 April 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 87, 31.3.1999, p. 11.

ANNEX

to the Commission Regulation of 15 April 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⁾	13,60	10,12
1701 11 90 ⁽¹⁾	13,60	16,47
1701 12 10 ⁽¹⁾	13,60	9,89
1701 12 90 ⁽¹⁾	13,60	15,91
1701 91 00 ⁽²⁾	16,25	19,03
1701 99 10 ⁽²⁾	16,25	13,58
1701 99 90 ⁽²⁾	16,25	13,58
1702 90 99 ⁽³⁾	0,16	0,48

⁽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.

COMMISSION REGULATION (EC) No 785/1999
of 15 April 1999

fixing the export refunds on cereals and on wheat or rye flour, groats and meal

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

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

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

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

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

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

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

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

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

HAS ADOPTED THIS REGULATION:

Article 1

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

Article 2

This Regulation shall enter into force on 16 April 1999.

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

Done at Brussels, 15 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 147, 30.6.1995, p. 7.

⁽⁴⁾ OJ L 313, 21.11.1998, p. 16.

ANNEX

to the Commission Regulation of 15 April 1999 fixing the export refunds on cereals and on wheat or rye flour, groats and meal

(EUR/tonne)			(EUR/tonne)		
Product code	Destination ⁽¹⁾	Amount of refund	Product code	Destination ⁽¹⁾	Amount of refund
1001 10 00 9200	—	—	1101 00 11 9000	—	—
1001 10 00 9400	01	0	1101 00 15 9100	01	49,25
1001 90 91 9000	—	—	1101 00 15 9130	01	46,00
1001 90 99 9000	03	26,00	1101 00 15 9150	01	42,50
	02	0	1101 00 15 9170	01	39,25
1002 00 00 9000	03	61,50	1101 00 15 9180	01	36,75
	02	0	1101 00 15 9190	—	—
1003 00 10 9000	—	—	1101 00 90 9000	—	—
1003 00 90 9000	03	42,00	1102 10 00 9500	01	82,00
	02	0	1102 10 00 9700	—	—
1004 00 00 9200	—	—	1102 10 00 9900	—	—
1004 00 00 9400	—	—	1103 11 10 9200	01	30,00 ⁽²⁾
1005 10 90 9000	—	—	1103 11 10 9400	01	27,00 ⁽²⁾
1005 90 00 9000	04	38,00	1103 11 10 9900	—	—
	02	0	1103 11 90 9200	01	30,00 ⁽²⁾
1007 00 90 9000	—	—	1103 11 90 9800	—	—
1008 20 00 9000	—	—			

⁽¹⁾ The destinations are identified as follows:

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

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

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

COMMISSION REGULATION (EC) No 786/1999
of 15 April 1999
concerning tenders notified in response to the invitation to tender for the export
of barley issued in Regulation (EC) No 1078/98

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

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

Having regard to Commission Regulation (EC) No 1501/95 of 29 June 1995 laying down certain detailed rules for the application of Council Regulation (EEC) No 1766/92 on the granting of export refunds on cereals and the measures to be taken in the event of disturbance on the market for cereals ⁽³⁾, as last amended by Regulation (EC) No 2513/98 ⁽⁴⁾, and in particular Article 4 thereof,

Whereas an invitation to tender for the refund and or the tax for the export of barley to all third countries was opened pursuant to Commission Regulation (EC) No 1078/98 ⁽⁵⁾;

Whereas Article 7 of Regulation (EC) No 1501/95, allows the Commission to decide, in accordance with the procedure laid down in Article 23 of Regulation (EEC) No

1766/92 and on the basis of the tenders notified, to make no award;

Whereas on the basis of the criteria laid down in Article 1 of Regulation (EC) No 1501/95 a maximum refund or a minimum tax should not be fixed;

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

HAS ADOPTED THIS REGULATION:

Article 1

No action shall be taken on the tenders notified from 9 to 15 April 1999 in response to the invitation to tender for the refund or the tax for the export of barley issued in Regulation (EC) No 1078/98.

Article 2

This Regulation shall enter into force on 16 April 1999.

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

Done at Brussels, 15 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 147, 30.6.1995, p. 7.

⁽⁴⁾ OJ L 313, 21.11.1998, p. 16.

⁽⁵⁾ OJ L 154, 28.5.1998, p. 20.

COMMISSION REGULATION (EC) No 787/1999
of 15 April 1999

**fixing the maximum export refund on rye in connection with the invitation to
tender issued in Regulation (EC) No 1746/98**

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

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

Having regard to Commission Regulation (EC) No 1501/95 of 29 June 1995 laying down certain detailed rules for the application of Council Regulation (EEC) No 1766/92 on the granting of export refunds on cereals and the measures to be taken in the event of disturbance on the market for cereals ⁽³⁾, as last amended by Regulation (EC) No 2513/98 ⁽⁴⁾, and in particular Article 7 thereof,

Whereas an invitation to tender for the refund and/or the tax for the export of rye to all third countries was opened pursuant to Commission Regulation (EC) No 1746/98 ⁽⁵⁾;

Whereas Article 7 of Regulation (EC) No 1501/95 provides that the Commission may, on the basis of the tenders notified, in accordance with the procedure laid down in Article 23 of Regulation (EEC) No 1766/92, decide to fix a maximum export refund taking account of the criteria referred to in Article 1 of Regulation (EC) No

1501/95; whereas in that case a contract is awarded to any tenderer whose bid is equal to or lower than the maximum refund, as well as to any tenderer whose bid relates to an export tax;

Whereas the application of the abovementioned criteria to the current market situation for the cereal in question results in the maximum export refund being fixed at the amount specified in Article 1;

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

HAS ADOPTED THIS REGULATION:

Article 1

For tenders notified from 9 to 15 April 1999, pursuant to the invitation to tender issued in Regulation (EC) No 1746/98, the maximum refund on exportation of rye shall be EUR 71,45/t.

Article 2

This Regulation shall enter into force on 16 April 1999.

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

Done at Brussels, 15 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 147, 30.6.1995, p. 7.

⁽⁴⁾ OJ L 313, 21.11.1998, p. 16.

⁽⁵⁾ OJ L 219, 7.8.1998, p. 3.

COMMISSION REGULATION (EC) No 788/1999
of 15 April 1999

**fixing the maximum export refund on common wheat in connection with the
invitation to tender issued in Regulation (EC) No 1079/98**

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

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

Having regard to Commission Regulation (EC) No 1501/95 of 29 June 1995 laying down certain detailed rules for the application of Council Regulation (EEC) No 1766/92 on the granting of export refunds on cereals and the measures to be taken in the event of disturbance on the market for cereals⁽³⁾, as last amended by Regulation (EC) No 2513/98⁽⁴⁾, and in particular Article 4 thereof,

Whereas an invitation to tender for the refund and/or the tax for the export of common wheat to all third countries with the exception of certain ACP States was opened pursuant to Commission Regulation (EC) No 1079/98⁽⁵⁾, as amended by Regulation (EC) No 2005/98⁽⁶⁾;

Whereas Article 7 of Regulation (EC) No 1501/95 provides that the Commission may, on the basis of the tenders notified, in accordance with the procedure laid down in Article 23 of Regulation (EEC) No 1766/92, decide to fix a maximum export refund taking account of

the criteria referred to in Article 1 of Regulation (EC) No 1501/95; whereas in that case a contract is awarded to any tenderer whose bid is equal to or lower than the maximum refund, as well as to any tenderer whose bid relates to an export tax;

Whereas the application of the abovementioned criteria to the current market situation for the cereal in question results in the maximum export refund being fixed at the amount specified in Article 1;

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

HAS ADOPTED THIS REGULATION:

Article 1

For tenders notified from 9 to 15 April 1999, pursuant to the invitation to tender issued in Regulation (EC) No 1079/98, the maximum refund on exportation of common wheat shall be EUR 35,95/t.

Article 2

This Regulation shall enter into force on 16 April 1999.

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

Done at Brussels, 15 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 147, 30.6.1995, p. 7.

⁽⁴⁾ OJ L 313, 21.11.1998, p. 16.

⁽⁵⁾ OJ L 154, 28.5.1998, p. 24.

⁽⁶⁾ OJ L 258, 22.9.1998, p. 8.

COMMISSION REGULATION (EC) No 789/1999
of 15 April 1999

**fixing the maximum export refund on common wheat in connection with the
invitation to tender issued in Regulation (EC) No 2004/98**

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

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

Having regard to Commission Regulation (EC) No 1501/95 of 29 June 1995 laying down certain detailed rules for the application of Council Regulation (EEC) No 1766/92 on the granting of export refunds on cereals and the measures to be taken in the event of disturbance on the market for cereals ⁽³⁾, as last amended by Regulation (EC) No 2513/98 ⁽⁴⁾, and in particular Article 7 thereof,

Whereas an invitation to tender for the refund and/or the tax for the export of common wheat to certain ACP States was opened pursuant to Commission Regulation (EC) No 2004/98 ⁽⁵⁾, as amended by Regulation (EC) No 456/1999 ⁽⁶⁾;

Whereas Article 7 of Regulation (EC) No 1501/95 provides that the Commission may, on the basis of the tenders notified, in accordance with the procedure laid down in Article 23 of Regulation (EEC) No 1766/92, decide to fix a maximum export refund taking account of

the criteria referred to in Article 1 of Regulation (EC) No 1501/95; whereas in that case a contract is awarded to any tenderer whose bid is equal to or lower than the maximum refund, as well as to any tenderer whose bid relates to an export tax;

Whereas the application of the abovementioned criteria to the current market situation for the cereal in question results in the maximum export refund being fixed at the amount specified in Article 1;

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

HAS ADOPTED THIS REGULATION:

Article 1

For tenders notified from 9 to 15 April 1999, pursuant to the invitation to tender issued in Regulation (EC) No 2004/98, the maximum refund on exportation of common wheat shall be EUR 40,50 EUR/t.

Article 2

This Regulation shall enter into force on 16 April 1999.

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

Done at Brussels, 15 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 147, 30.6.1995, p. 7.

⁽⁴⁾ OJ L 313, 21.11.1998, p. 16.

⁽⁵⁾ OJ L 258, 22.9.1998, p. 4.

⁽⁶⁾ OJ L 55, 3.3.1999, p. 5.

**COMMISSION REGULATION (EC) No 790/1999
of 15 April 1999**

**fixing the maximum reduction in the duty on maize imported in connection
with the invitation to tender issued in Regulation (EC) No 566/1999**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EEC) No 1766/92 of 30 June 1992 on the common organisation of the market in cereals ⁽¹⁾, as last amended by Commission Regulation (EC) No 923/96 ⁽²⁾, and in particular Article 12(1) thereof,

Whereas an invitation to tender for the maximum reduction in the duty on maize imported into Spain was opened pursuant to Commission Regulation (EC) No 566/1999 ⁽³⁾;

Whereas, pursuant to Article 5 of Commission Regulation (EC) No 1839/95 ⁽⁴⁾, as amended by Regulation (EC) No 1963/95 ⁽⁵⁾, the Commission, acting under the procedure laid down in Article 23 of Regulation (EEC) No 1766/92, may decide to fix maximum reduction in the import duty; whereas in fixing this maximum the criteria provided for in Articles 6 and 7 of Regulation (EC) No 1839/95 must be taken into account; whereas a contract is awarded to

any tenderer whose tender is equal to or less than the maximum reduction in the duty;

Whereas the application of the abovementioned criteria to the current market situation for the cereal in question results in the maximum reduction in the import duty being fixed at the amount specified in Article 1;

Whereas the Management Committee for Cereals has not delivered an opinion within the time limit set by its chairman,

HAS ADOPTED THIS REGULATION:

Article 1

For tenders notified from 9 to 15 April 1999, pursuant to the invitation to tender issued in Regulation (EC) No 566/1999, the maximum reduction in the duty on maize imported shall be 68,95 EUR/t and be valid for a total maximum quantity of 235 000 tonnes.

Article 2

This Regulation shall enter into force on 16 April 1999.

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

Done at Brussels, 15 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 70, 17.3.1999, p. 9.

⁽⁴⁾ OJ L 177, 28.7.1995, p. 4.

⁽⁵⁾ OJ L 189, 10.8.1995, p. 22.

COMMISSION REGULATION (EC) No 791/1999**of 15 April 1999****fixing the rates of the refunds applicable to certain cereal and rice-products
exported in the form of goods not covered by Annex II to the Treaty**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EEC) No 1766/92 of 30 June 1992 on the common organization of the market in cereals⁽¹⁾, as last amended by Commission Regulation (EC) No 923/96⁽²⁾, and in particular Article 13(3) thereof,Having regard to Council Regulation (EC) No 3072/95 of 22 December 1995 on the common organization of the market in rice⁽³⁾, as amended by Regulation (EC) No 192/98⁽⁴⁾, and in particular Article 13(3) thereof,

Whereas Article 13(1) of Regulation (EEC) No 1766/92 and Article 13(1) of Regulation (EC) No 3072/95 provide that the difference between quotations of prices on the world market for the products listed in Article 1 of each of those Regulations and the prices within the Community may be covered by an export refund;

Whereas Commission Regulation (EC) No 1222/94 of 30 May 1994 laying down common implementing rules for granting export refunds on certain agricultural products exported in the form of goods not covered by Annex II to the Treaty, and the criteria for fixing the amount of such refunds⁽⁵⁾, as last amended by Regulation (EC) No 1909/97⁽⁶⁾, specifies the products for which a rate of refund should be fixed, to be applied where these products are exported in the form of goods listed in Annex B to Regulation (EEC) No 1766/92 or in Annex B to Regulation (EC) No 3072/95 as appropriate;

Whereas, in accordance with the first subparagraph of Article 4(1) of Regulation (EC) No 1222/94, the rate of the refund per 100 kilograms for each of the basic products in question must be fixed for each month;

Whereas, now that a settlement has been reached between the European Community and the United States of America on Community exports of pasta products to the United States and has been approved by Council Decision 87/482/EEC⁽⁷⁾, it is necessary to differentiate the refund on goods falling within CN codes 1902 11 00 and 1902 19 according to their destination;Whereas Article 4(5)(b) of Regulation (EC) No 1222/94 provides that, in the absence of the proof referred to in Article 4(5)(a) of that Regulation, a reduced rate of export refund has to be fixed, taking account of the amount of the production refund applicable, pursuant to Commission Regulation (EEC) No 1722/93⁽⁸⁾, as last amended by Regulation (EC) No 1516/95⁽⁹⁾, for the basic product in question, used during the assumed period of manufacture of the goods;

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

HAS ADOPTED THIS REGULATION:

Article 1

The rates of the refunds applicable to the basic products appearing in Annex A to Regulation (EC) No 1222/94 and listed either in Article 1 of Regulation (EEC) No 1766/92 or in Article 1(1) of Regulation (EC) No 3072/95, exported in the form of goods listed in Annex B to Regulation (EEC) No 1766/92 or in Annex B to amended Regulation (EC) No 3072/95 respectively, are hereby fixed as shown in the Annex to this Regulation.

Article 2

This Regulation shall enter into force on 16 April 1999.

⁽¹⁾ OJ L 181, 1.7.1992, p. 21.⁽²⁾ OJ L 126, 24.5.1996, p. 37.⁽³⁾ OJ L 329, 30.12.1995, p. 18.⁽⁴⁾ OJ L 265, 30.9.1998, p. 4.⁽⁵⁾ OJ L 136, 31.5.1994, p. 5.⁽⁶⁾ OJ L 184, 27.6.1998, p. 25.⁽⁷⁾ OJ L 275, 29.9.1987, p. 36.⁽⁸⁾ OJ L 159, 1.7.1993, p. 112.⁽⁹⁾ OJ L 9, 15.1.1999, p. 8.

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

Done at Brussels, 15 April 1999.

For the Commission

Martin BANGEMANN

Member of the Commission

ANNEX

to the Commission Regulation of 15 April 1999 fixing the rates of the refunds applicable to certain cereals and rice products exported in the form of goods not covered by Annex II to the Treaty

(EUR/100 kg)

CN code	Description of products ⁽¹⁾	Rate of refund per 100 kg of basic product
1001 10 00	Durum wheat: — on exports of goods falling within CN codes 1902 11 and 1902 19 to the United States of America — in other cases	0,910 1,400
1001 90 99	Common wheat and meslin: — on exports of goods falling within CN codes 1902 11 and 1902 19 to the United States of America — in other cases: — — where pursuant to Article 4 (5) of Regulation (EC) No 1222/94 ⁽²⁾ — — in other cases	1,940 0,750 2,985
1002 00 00	Rye	5,413
1003 00 90	Barley	4,885
1004 00 00	Oats	4,745
1005 90 00	Maize (corn) used in the form of: — starch: — — where pursuant to Article 4 (5) of Regulation (EC) No 1222/94 ⁽²⁾ — — in other cases — glucose, glucose syrup, maltodextrine, maltodextrine syrup of CN codes 1702 30 51, 1702 30 59, 1702 30 91, 1702 30 99, 1702 40 90, 1702 90 50, 1702 90 75, 1702 90 79, 2106 90 55 ⁽³⁾ : — — where pursuant to Article 4 (5) of Regulation (EC) No 1222/94 ⁽²⁾ — — in other cases — other (including unprocessed) Potato starch of CN code 1108 13 00 similar to a product obtained from processed maize: — where pursuant to Article 4 (5) of Regulation (EC) No 1222/94 ⁽²⁾ — in other cases	2,513 5,307 1,933 4,727 5,307 2,513 5,307
ex 1006 30	Wholly-milled rice: — round grain — medium grain — long grain	11,500 11,500 11,500
1006 40 00	Broken rice	2,700
1007 00 90	Sorghum	4,885

⁽¹⁾ As far as agricultural products obtained from the processing of a basic product or/and assimilated products are concerned, the coefficients shown in Annex E of amended Commission Regulation (EC) No 1222/94 shall be applied (OJ L 136, 31. 5. 1994, p. 5).

⁽²⁾ The goods concerned are listed in Annex I of amended Regulation (EEC) No 1722/93 (OJ L 159, 1. 7. 1993, p. 112).

⁽³⁾ For syrups of CN codes NC 1702 30 99, 1702 40 90 and 1702 60 90, obtained from mixing glucose and fructose syrup, the export refund may be granted only for the glucose syrup.

COMMISSION REGULATION (EC) No 792/1999
of 15 April 1999

amending Regulation (EC) No 1300/98 establishing a forecast balance for the supply to the Canary Islands of agricultural products covered by the specific measures provided for in Articles 2, 3, 4 and 5 of Council Regulation (EEC) No 1601/92

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

Having regard to Council Regulation (EEC) No 1601/92 of 15 June 1992 concerning specific measures for the Canary Islands with regard to certain agricultural products ⁽¹⁾, as last amended by Regulation (EC) No 2348/96 ⁽²⁾,

Whereas Commission Regulation (EC) No 2790/94 ⁽³⁾, as last amended by Regulation (EC) No 825/98 ⁽⁴⁾, lays down the detailed rules for implementation of the specific arrangements for the supply of certain agricultural products to the Canary Islands;

Whereas Regulation (EC) No 1300/98 ⁽⁵⁾ establishes the supply balance for milk products for the Canary Islands; whereas that balance may be revised where necessary, by means of adjustments during the year to the quantities, within the total quantity laid down, on the basis of the region's requirements; whereas in order to satisfy the requirements of the Canary Islands for milk products, and

in particular liquid milk, concentrated milk and cheese, the quantities set down in the forecast supply balance for these products must be adjusted; whereas Annex IV to Regulation (EC) No 2883/94 should consequently be amended;

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

Annex IV to Regulation (EC) No 1300/98 is hereby replaced by the Annex hereto.

Article 2

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

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

Done at Brussels, 15 April 1999.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ L 173, 27.6.1992, p. 13.
⁽²⁾ OJ L 320, 11.12.1996, p. 1.
⁽³⁾ OJ L 296, 17.11.1994, p. 23.
⁽⁴⁾ OJ L 117, 21.4.1998, p. 5.
⁽⁵⁾ OJ L 180, 24.6.1998, p. 8.

ANNEX

ANNEX IV

Forecast supply balance for milk and milk products for the Canary Islands for the period 1 July 1998 to 30 June 1999

(in tonnes)

CN code	Designation of goods	Quantity
0401	Milk and cream, not concentrated nor containing added sugar or other sweetening matter	103 500 ⁽¹⁾
0402	Milk and cream, concentrated or containing added sugar or other sweetening matter	27 500 ⁽²⁾
0405	Butter and other fats and oils derived from milk; dairy spreads	4 000
0406	Cheeses	} 14 000
0406 30		
0406 90 23		
0406 90 25		
0406 90 27		
0406 90 76		
0406 90 78		
0406 90 79		
0406 90 81		
0406 90 86		
0406 90 87		} 1 850
0406 90 88		
1901 90 99	Milk-based preparations without fat	5 000 ⁽³⁾
2106 90 92	Milk-based preparations for children not containing milk fat	200

⁽¹⁾ Of which 1 250 tonnes are for the processing and/or packaging sector.

⁽²⁾ Of which 16 000 tonnes are for the processing and/or packaging sector.

⁽³⁾ The entire amount (5 000 tonnes) is for the processing and/or packaging sector.

**COMMISSION REGULATION (EC) No 793/1999
of 15 April 1999**

**amending Regulation (EEC) No 2219/92 laying down detailed rules for the
application of the specific supply arrangements for Madeira relating to milk
products and establishing the forecast supply balance**

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

Having regard to Council Regulation (EEC) No 1600/92
of 15 June 1992 concerning specific measures for the
Azores and Madeira relating to certain agricultural prod-
ucts ⁽¹⁾, as last amended by Commission Regulation (EC)
No 562/98 ⁽²⁾ and in particular Article 10 thereof

Whereas Commission Regulation (EEC) No 1696/92 ⁽³⁾,
as last amended by Regulation (EEC) No 2596/93 ⁽⁴⁾, lays
down in particular the detailed rules for implementation
of the specific arrangements for the supply of certain
agricultural products to the Azores and Madeira;

Whereas Commission Regulation (EEC) No 2219/92 of
30 July 1992 laying down detailed rules for the applica-
tion of the specific supply arrangements for Madeira
relating to milk products and establishing the forecast
supply balance ⁽⁵⁾, as last amended by Regulation (EC) No
314/1999 ⁽⁶⁾, establishes the forecast supply balance for
milk products for Madeira for the period 1 July 1997 to

30 June 1998; whereas, in order to continue to satisfy
requirements for milk and milk products, in particular
cheese, the abovementioned quantities should be fixed for
the period 1 July 1998 to 30 June 1999;

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

Annex I to Regulation (EEC) No 2219/92 is replaced by
the Annex hereto.

Article 2

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

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

Done at Brussels, 15 April 1999.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ L 173, 27.6.1992, p. 1.

⁽²⁾ OJ L 76, 13.3.1998, p. 6.

⁽³⁾ OJ L 179, 1.7.1992, p. 6.

⁽⁴⁾ OJ L 238, 23.9.1993, p. 24.

⁽⁵⁾ OJ L 218, 1.8.1992, p. 75.

⁽⁶⁾ OJ L 38, 12.2.1999, p. 33.

ANNEX

ANNEX I

Forecast supply balance for Madeira relating to milk products for the period 1 July 1998 to 30 June 1999

<i>(tonnes)</i>		
CN code	Description	Quantity
0401	Milk and cream, not concentrated nor containing added sugar or other sweetening matter	12 000
ex 0402	Skimmed-milk powder	800
ex 0402	Whole-milk powder	700
0405	Butter and other fats and oils derived from milk, dairy spreads	1 200
0406	Cheese	1 550'