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I

(Acts whose publication is obligatory)

**COUNCIL REGULATION (EC, EURATOM) No 1026/1999
of 10 May 1999**

**determining the powers and obligations of agents authorised by the Commission
to carry out controls and inspections of the Communities' own resources**

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty establishing the European Community, and in particular Article 209 thereof,

Having regard to the Treaty establishing the European Atomic Energy Community, and in particular Article 183 thereof,

Having regard to Council Decision 94/728/EC, Euratom, of 31 October 1994 on the system of the Communities' own resources ⁽¹⁾, and in particular Article 8(2) thereof,

Having regard to the Commission proposal ⁽²⁾,

Having regard to the opinion of the European Parliament ⁽³⁾,

Having regard to the opinion of the Court of Auditors ⁽⁴⁾,

(1) Whereas Council Regulation EEC, Euratom, ECSC ⁽⁵⁾ No 165/74 determined the powers and obligations of officials authorised by the Commission in connection with carrying out the inspections necessary for establishing and making available the own resources, other than those accruing from VAT, with which the Commission is associated;

(2) Whereas, pursuant to Article 18(1) of Regulation (EEC, Euratom) No 1552/89 of 29 May 1989 implementing Decision 88/376/EEC, Euratom on the system of the Communities own resources ⁽⁶⁾, Member States conduct the checks and enquiries concerning the establishment and making available of the own resources referred to in Article 2(1)(a) and (b) of Decision 94/728/EC, Euratom; whereas pursuant to Article 18(2) of Regulation (EEC, Euratom) No 1552/89 the Member States are required to conduct additional inspections in

response to a reasoned request from the Commission and to associate the Commission with all the inspections they carry out; whereas, pursuant to Article 18(3) of Regulation (EEC, Euratom) No 1552/89, the Commission may itself carry out inspection measures on the spot, with agents of the Member State concerned participating in such measures;

(3) Whereas Article 11(2) of Council Regulation (EEC, Euratom) No 1553/89 of 29 May 1989 on the definitive uniform arrangements for the collection of own resources accruing from VAT ⁽⁷⁾ extended the application of Regulation (EEC, Euratom, ECSC) No 165/74 to controls on the own resources accruing from VAT;

(4) Whereas Article 19 of Regulation (EEC, Euratom) No 1552/89 lays down that the Commission, together with the Member State concerned, shall carry out inspections relating to the own resource based on GNP;

(5) Whereas, for the sake of clarity, Regulation (EEC, Euratom, ECSC) No 165/74 and Article 11(2) of Regulation (EEC, Euratom) No 1553/89 should be repealed, and provisions should be laid down covering the powers and obligations of authorised agents applicable to all own resources, taking into account the specific nature of the own resource accruing from VAT and that based on GNP;

(6) Whereas the conditions under which authorised agents carry out their tasks should be defined, and in particular the rules should be laid down which all the Community's officials and servants and also national experts on secondment, must observe with regard to professional confidentiality and the protection of personal data;

⁽¹⁾ OJ L 293, 12.11.1994, p. 9.

⁽²⁾ OJ C 95, 24.3.1997, p. 33 and OJ C 4, 8.1.1998, p. 5.

⁽³⁾ OJ C 304, 6.10.1997, p. 36.

⁽⁴⁾ OJ C 175, 9.6.1997, p. 1.

⁽⁵⁾ OJ L 20, 24.1.1974, p. 1.

⁽⁶⁾ OJ L 155, 7.6.1989, p. 1. Regulation as last amended by Council Regulation (Euratom, EC) No 1355/96 (OJ L 175, 13.7.1996, p. 3).

⁽⁷⁾ OJ L 155, 7.6.1989, p. 9.

- (7) Whereas it must be established that detached national experts act under the responsibility of the Commission under the same conditions as its agents and that the Member State concerned may raise a duly substantiated objection to the presence, at an inspection or control, of a detached national expert,

HAS ADOPTED THIS REGULATION:

Article 1

The Commission shall:

- (a) be associated with the inspection measures carried out by Member States in respect of own resources, as referred to in the second indent of Article 18(2) of Regulation (EEC, Euratom) No 1552/89,
- (b) carry out on-the-spot inspections of own resources, as referred to in Article 18(3) of Regulation (EC, Euratom) No 1552/89,
- (c) carry out the controls on own resources accruing from VAT, as referred to in Article 11 of Regulation (EEC, Euratom) No 1553/89,
- (d) carry out inspections of GNP-based own resources under Article 19 of Regulation (EEC, Euratom) No 1552/89

in the person of those of its officials or servants whom it has specifically appointed for this purpose, hereinafter referred to as 'authorised agents'.

Persons placed at the disposal of the Commission by the Member States as national experts on secondment may be present at such checks and inspections.

With the explicit and prior agreement of the Member State concerned, the Commission may seek the assistance of officials from other Member States as observers. The Commission shall ensure that the aforementioned officials give every guarantee as regards technical competence, independence and observance of professional secrecy.

Article 2

1. Member States and the Commission shall regularly maintain the contacts required to carry out the controls and inspections referred to in Article 1.
2. Each on-the-spot control or inspection shall be preceded, in good time, by contacts between the Member State concerned and the Commission in order to lay down detailed procedures.
3. For each visit, the authorised agents must be given written terms of reference by the Commission stating their identity and official capacity. For the on-the-spot

inspections referred to in Article 1(b), the terms of reference shall be accompanied by a document indicating the aim and purpose of the inspection.

Article 3

1. The authorised agents shall:

- (a) conduct themselves during the on-the-spot controls and inspections in a manner compatible with the rules and usages prescribed for officials of the Member State concerned;
- (b) be bound by professional secrecy, under the conditions laid down in Article 5;
- (c) be entitled, if necessary, to have contact, with debtors solely in the context of the inspections referred to in Article 1(a) and (b) and only through the competent authorities of the Member States in which the on-the-spot inspections take place.

2. The preparation and management of:

- (a) the inspections referred to under Article 1(a) as regards organisation of the work and, more generally, relations with the departments involved in the measures, by the department designated by the Member State pursuant to Article 4(1);
- (b) the on-the-spot inspections referred to under Article 1(b) shall be carried out by the authorised agents; as regards organisation of the work and relations with the departments and, where appropriate, the debtors involved in the inspection, these agents shall, prior to any on-the-spot inspections, establish the necessary contacts with the officials designated by the Member State concerned in accordance with Article 4(2);
- (c) the controls and inspections referred to respectively under Article 1(1)(c) and (d) shall be carried out by the authorised agents, who shall establish, as regards organisation of the work, the necessary contacts with the competent administrations in the Member States.

Article 4

1. The Member States shall ensure that the departments or agencies responsible for establishing, collecting and making available their own resources, and the authorities which they have instructed to carry out the controls and inspections thereon, afford the authorised agents every assistance necessary for carrying out their duties.
2. As regards the on-the-spot inspections referred to under Article 1(b), the Member State concerned shall inform the Commission, in good time, of the identity and capacity of the officials whom it has appointed to take part in these inspections and to afford the authorised agents every assistance necessary for carrying out their duties.

Article 5

1. Information communicated or obtained under this Regulation, in whatever form, shall be subject to professional secrecy and receive the protection granted to similar information under the national law of the Member State in which it was gathered and under the corresponding provisions applicable to the Community institutions.

This information may not be communicated to persons other than those within the institutions of the Community or the Member States whose duty it is to know, neither may it be used for purposes other than those laid down in Regulations (EEC, Euratom) No 1552/89 and (EEC, Euratom) No 1553/89 without the prior consent of the Member State in which it was gathered.

2. This Article shall apply to all officials and servants of the Community and also to national experts.

3. The Commission shall ensure that authorised agents and other persons acting under its authority comply with Community and national provisions concerning the protection of personal data, in particular those laid down by Directive 95/46/EC of the European Parliament and of the Council of 24 October 1995 on the protection of individuals with regard to the processing of personal data and on the free movement of such data⁽¹⁾.

Article 6

1. The results of the on-the-spot controls and inspections carried out shall be brought to the attention of the Member State concerned through the appropriate channels within a period of three months, and the Member State shall submit its observations within the three months following receipt of the communication.

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

Done at Brussels, 10 May 1999.

However, for duly substantiated reasons, the Commission may request the Member State concerned to submit its observations on specific points within a period of one month following receipt of the results of the control or inspection. The Member State may decline to respond by means of a communication setting out the reasons which prevent it from responding to the Commission's request.

2. Following the procedure provided for in paragraph 1, these results and observations, together with the summary report prepared in connection with controls on own resources accruing from VAT, shall be brought to the attention of the other Member States within the Advisory Committee on Own Resources. However, the results of inspections of GNP-based own resources shall be brought to the attention of the other Member States within the GNP Committee provided for in Article 6 of Council Directive 89/130/EEC, Euratom, of 13 February 1989 on the harmonisation of the compilation of gross national product at market prices⁽²⁾.

Article 7

1. Regulation (EEC, Euratom, ECSC) No 165/74 is hereby repealed.

References to the repealed Regulation shall be construed as references to this Regulation.

2. Article 11(2) of Regulation (EEC, Euratom) No 1553/89 is hereby repealed.

Article 8

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

For the Council

The President

H. EICHEL

⁽¹⁾ OJ L 281, 23.11.1995, p. 31.

⁽²⁾ OJ L 49, 21.2.1989, p. 26.

COMMISSION REGULATION (EC) No 1027/1999
of 19 May 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 20 May 1999.

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

Done at Brussels, 19 May 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 19 May 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	105,2
	068	72,3
	999	88,8
0707 00 05	052	85,7
	064	41,3
	628	129,4
	999	85,5
0709 90 70	052	52,0
	999	52,0
0805 10 10, 0805 10 30, 0805 10 50	204	45,2
	212	63,8
	600	46,0
	624	47,3
	999	50,6
0805 30 10	388	113,6
	999	113,6
0808 10 20, 0808 10 50, 0808 10 90	388	79,4
	400	103,3
	508	69,1
	512	81,0
	524	77,7
	528	67,7
	804	102,2
	999	82,9

⁽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 1028/1999
of 19 May 1999
fixing the representative prices and the additional import duties for molasses in
the sugar sector

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

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

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

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

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

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

Whereas the information must be disregarded if the goods concerned are not of sound and fair marketable quality or if the price quoted in the offer relates only to a

small quantity that is not representative of the market; whereas offer prices which can be regarded as not representative of actual market trends must also be disregarded;

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

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

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

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

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

HAS ADOPTED THIS REGULATION:

Article 1

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

Article 2

This Regulation shall enter into force on 20 May 1999.

⁽¹⁾ OJ L 177, 1.7.1981, p. 4.

⁽²⁾ OJ L 159, 3.6.1998, p. 38.

⁽³⁾ OJ L 141, 24.6.1995, p. 12.

⁽⁴⁾ OJ L 145, 27.6.1968, p. 12.

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

Done at Brussels, 19 May 1999.

For the Commission

Franz FISCHLER

Member of the Commission

ANNEX

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

(in EUR)

CN code	Amount of the representative price in 100 kg net of the product in question	Amount of the additional duty in 100 kg net of the product in question	Amount of the duty to be applied to imports in 100 kg net of the product in question because of suspension as referred to in Article 5 of Regulation (EC) No 1422/95 ⁽²⁾
1703 10 00 ⁽¹⁾	5,85	0,38	—
1703 90 00 ⁽¹⁾	7,25	0,04	—

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

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

COMMISSION REGULATION (EC) No 1029/1999
of 19 May 1999
fixing the export refunds on white sugar and raw sugar exported in its unaltered state

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

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

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

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

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

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

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

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

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

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

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

HAS ADOPTED THIS REGULATION:

Article 1

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

Article 2

This Regulation shall enter into force on 20 May 1999.

⁽¹⁾ OJ L 177, 1.7.1981, p. 4.

⁽²⁾ OJ L 159, 3.6.1998, p. 38.

⁽³⁾ OJ L 89, 10.4.1968, p. 3.

⁽⁴⁾ OJ L 349, 31.12.1994, p. 105.

⁽⁵⁾ OJ L 214, 8.9.1995, p. 16.

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

Done at Brussels, 19 May 1999.

For the Commission

Franz FISCHLER

Member of the Commission

ANNEX

to the Commission Regulation of 19 May 1999 fixing the export refunds on white sugar and raw sugar exported in its unaltered state

Product code	Amount of refund
	— EUR/100 kg —
1701 11 90 9100	47,78 ⁽¹⁾
1701 11 90 9910	46,60 ⁽¹⁾
1701 11 90 9950	⁽²⁾
1701 12 90 9100	47,78 ⁽¹⁾
1701 12 90 9910	46,60 ⁽¹⁾
1701 12 90 9950	⁽²⁾
	— EUR/1 % of sucrose × 100 kg —
1701 91 00 9000	0,5194
	— EUR/100 kg —
1701 99 10 9100	51,94
1701 99 10 9910	50,66
1701 99 10 9950	50,66
	— EUR/1 % of sucrose × 100 kg —
1701 99 90 9100	0,5194

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

⁽²⁾ Fixing suspended by Commission Regulation (EEC) No 2689/85 (OJ L 255, 26.9.1985, p. 12), as amended by Regulation (EEC) No 3251/85 (OJ L 309, 21.11.1985, p. 14).

**COMMISSION REGULATION (EC) No 1030/1999
of 19 May 1999**

**fixing the maximum export refund for white sugar for the 39th partial invitation
to tender issued within the framework of the standing invitation to tender
provided for in Regulation (EC) No 1574/98**

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

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

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

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

Whereas, following an examination of the tenders submitted in response to the 39th partial invitation to tender, the provisions set out in Article 1 should be adopted;

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

HAS ADOPTED THIS REGULATION:

Article 1

For the 39th partial invitation to tender for white sugar issued pursuant to Regulation (EC) No 1574/98 the maximum amount of the export refund is fixed at 53,703 EUR/100 kg.

Article 2

This Regulation shall enter into force on 20 May 1999.

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

Done at Brussels, 19 May 1999.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ L 177, 1.7.1981, p. 4.

⁽²⁾ OJ L 159, 3.6.1998, p. 38.

⁽³⁾ OJ L 206, 23.7.1998, p. 7.

COMMISSION REGULATION (EC) No 1031/1999
of 19 May 1999

**fixing certain indicative quantities and individual ceilings for the issue of
licences for the import of bananas into the Community in the third quarter of
1999 under the tariff quotas or as part of the quantity of traditional ACP bananas**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EEC) No 404/93 of 13 February 1993 on the common organisation of the market in bananas ⁽¹⁾, as last amended by Regulation (EC) No 1637/98 ⁽²⁾, and in particular Article 20 thereof,

(1) Whereas Article 14(1) of Commission Regulation (EC) No 2362/98 of 28 October 1998 laying down detailed rules for the implementation of Council Regulation (EEC) No 404/93 regarding imports of bananas into the Community ⁽³⁾, as amended by Regulation (EC) No 756/1999 ⁽⁴⁾, provides that, for each of the first three quarters of the year, an indicative quantity expressed as the same percentage of available quantities for each of the origins listed in Annex I may be fixed for the purposes of issuing import licences;

(2) Whereas analysis of the data on quantities of bananas marketed in the Community in 1998, in particular actual imports during the third quarter of that year, and on supply and consumption forecasts for the Community market during the third quarter of 1999 indicates that, in order to guarantee a satisfactory supply to the entire Community, and indicative quantity for each of the origins listed in Annex I to Regulation (EC) No 2362/98 should be fixed at 25 % of the quantity allocated to that origin;

(3) Whereas the same data indicate that, in application of Article 14(2) of Regulation (EC) No 2362/98, the maximum quantity for which each operator may submit licence applications for the third quarter of 1999 should be fixed;

(4) Whereas this Regulation should enter into force without delay, before the start of the period for the submission of licence applications for the third quarter of 1999;

(5) Whereas the provisions adopted in this Regulation aim to ensure uninterrupted supplies to the market in the third quarter of 1999 and continued trade with supplying countries but are without prejudice to any measures that may subsequently be adopted, above all to comply with international commitments entered into by the Community within the World Trade Organisation (WTO), and cannot be invoked by operators as grounds for legitimate expectations regarding the extension of the import arrangements;

(6) Whereas the measures provided for in this Regulation are in accordance with the opinion of the Management Committee for Bananas,

HAS ADOPTED THIS REGULATION:

Article 1

The indicative quantity referred to in Article 14(1) of Regulation (EC) No 2362/98 for imports of bananas under the tariff quotas or as part of the quantity of traditional ACP bananas, provided for in Articles 18 and 19 of Regulation (EEC) No 404/93 is fixed for the third quarter of 1999 at 25 % of the quantities established for each of the origins mentioned in Annex I to Regulation (EC) No 2362/98.

Article 2

The quantity authorised for each traditional operator and new entrant, referred to in Article 14(2) of Regulation (EC) No 2362/98, is fixed for the third quarter of 1999 at 27 % of the quantity which was allocated to him under Article 6(4) and Article 9(4) of that Regulation.

Article 3

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

⁽¹⁾ OJ L 47, 25.2.1993, p. 1.

⁽²⁾ OJ L 210, 28.7.1998, p. 28.

⁽³⁾ OJ L 293, 31.10.1998, p. 32.

⁽⁴⁾ OJ L 98, 13.4.1999, p. 10.

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

Done at Brussels, 19 May 1999.

For the Commission

Franz FISCHLER

Member of the Commission

COMMISSION REGULATION (EC) No 1032/1999
of 19 May 1999
on issuing A2 export licences for 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 2190/96 of 14 November 1996 on detailed rules for implementing Council Regulation (EC) No 2200/96 as regards export refunds on fruit and vegetables ⁽¹⁾, as last amended by Regulation (EC) No 1287/98 ⁽²⁾, and in particular Article 3(4) thereof,

Whereas Commission Regulation (EC) No 927/1999 ⁽³⁾, sets the indicative refund rates and the indicative quantities for A2 export licences, other than those applied for in the context of food aid;

Whereas, for oranges and lemons in view of the economic situation in the various destination groups indicated in the Annex to Regulation (EC) No 927/1999 and taking account of information received by operators via their applications for A2 licences, the definitive refund rates should be set at a different rate from the indicative rates; whereas the percentages for the issuing of licences for the quantities applied for should also be set; whereas the definitive rates may not be more than double the indicative rates;

Whereas, pursuant to Article 3(5) of Regulation (EC) No 2190/96, applications for rates in excess of the corresponding definitive rates shall be considered null and void,

HAS ADOPTED THIS REGULATION:

Article 1

1. For A2 export licences for which applications have been submitted pursuant to Article 1 of Regulation (EC) No 927/1999, the actual date of application referred to in the second subparagraph of Article 3(1) of Regulation (EC) No 2190/96 is hereby set at 20 May 1999.

2. The licences referred to in the first paragraph shall be issued at the definitive refund rates and at the percentages for the quantities applied for as indicated in the Annex to this Regulation.

3. Pursuant to Article 3(5) of Regulation (EC) No 2190/96, applications referred to in the first paragraph for rates in excess of the corresponding definitive rates set out in the Annex shall be considered null and void.

Article 2

This Regulation shall enter into force on 20 May 1999.

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

Done at Brussels, 19 May 1999.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ L 292, 15.11.1996, p. 12.

⁽²⁾ OJ L 178, 23.6.1998, p. 11.

⁽³⁾ OJ L 115, 4.5.1999, p. 7.

ANNEX

Product	Destination or group of destinations ⁽¹⁾	Definitive refund rates (EUR/tonne net)	Percentages for the issuing of licences
Tomatoes	F	20	100 %
Oranges	XYC	100	100 %
Lemons	F	40	100 %
Apples	X	40	100 %
	Y	40	100 %
Peaches and nectarines	E	27	100 %

⁽¹⁾ The destination codes are defined as follows:

X: Norway, Iceland, Greenland, Faeroes, Poland, Hungary, Romania, Bulgaria, Albania, Estonia, Latvia, Lithuania, Bosnia-Herzegovina, Croatia, Slovenia, Former Yugoslav Republic of Macedonia, Federal Republic of Yugoslavia (Serbia and Montenegro), Malta.

Y: Armenia, Azerbaijan, Belarus, Georgia, Kazakhstan, Kyrgyzstan, Moldova, Russia, Tajikistan, Turkmenistan, Uzbekistan, Ukraine, destinations mentioned in Article 34 of Commission Regulation (EEC) No 3665/87, as amended.

C: Switzerland, Czech Republic, Slovakia.

E: All destinations other than Switzerland.

F: All destinations.

COMMISSION REGULATION (EC) No 1033/1999
of 19 May 1999
fixing the export refunds on poultrymeat

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

Having regard to Council Regulation (EEC) No 2777/75 of 29 October 1975 on the common organization of the market in poultrymeat ⁽¹⁾, as last amended by Commission Regulation (EC) No 2916/95 ⁽²⁾, and in particular Article 8(3) thereof,

Whereas Article 8 of Regulation (EEC) No 2777/75 provides that the difference between prices on the world market for the products listed in Article 1(1) of that Regulation and prices for those products within the Community may be covered by an export refund;

Whereas it follows from applying these rules and criteria to the present situation on the market in poultrymeat that the refund should be fixed at an amount which would permit Community participation in world trade and

would also take account of the nature of these exports and their importance at the present time;

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

HAS ADOPTED THIS REGULATION:

Article 1

The list of product codes for which, when they are exported, the export refund referred to in Article 8 of Regulation (EEC) No 2777/75 is granted, and the amount of that refund shall be as shown in the Annex hereto.

Article 2

This Regulation shall enter into force on 20 May 1999.

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

Done at Brussels, 19 May 1999.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ L 282, 1.11.1975, p. 77.

⁽²⁾ OJ L 305, 19.12.1995, p. 49.

ANNEX

to the Commission Regulation of 19 May 1999 fixing the export refunds on poultrymeat

Product code	Destination of refund ⁽¹⁾	Amount of refund
		EUR/100 units
0105 11 11 9000	01	1,40
0105 11 19 9000	01	1,40
0105 11 91 9000	01	1,40
0105 11 99 9000	01	1,40
		EUR/100 kg
0207 12 10 9900	02	25,00
0207 12 90 9190	02	25,00
0207 12 90 9990	02	25,00

⁽¹⁾ The destinations are as follows:

01 All destinations except the United States of America,

02 Angola, Saudi Arabia, Kuwait, Bahrain, Qatar, Oman, the United Arab Emirates, Jordan, Yemen, Lebanon, Iraq and Iran.

NB: The product codes and the footnotes are defined in amended Commission Regulation (EEC) No 3846/87.

COMMISSION REGULATION (EC) No 1034/1999
of 19 May 1999
fixing representative prices in the poultrymeat and egg sectors and for egg
albumin, and amending Regulation (EC) No 1484/95

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

Having regard to Council Regulation (EEC) No 2771/75 of 29 October 1975 on the common organisation of the market in eggs ⁽¹⁾, as last amended by Commission Regulation (EC) No 1516/96 ⁽²⁾, and in particular Article 5(4) thereof,

Having regard to Council Regulation (EEC) No 2777/75 of 29 October 1975 on the common organisation of the market in poultrymeat ⁽³⁾, as last amended by Commission Regulation (EC) No 2916/95 ⁽⁴⁾, and in particular Article 5(4) thereof,

Having regard to Council Regulation (EEC) No 2783/75 of 29 October 1975 on the common system of trade for ovalbumin and lactalbumin ⁽⁵⁾, as last amended by Commission Regulation (EC) No 2916/95, and in particular Article 3(4) thereof,

Whereas Commission Regulation (EC) No 1484/95 ⁽⁶⁾, as last amended by Regulation (EC) No 820/1999 ⁽⁷⁾, fixes detailed rules for implementing the system of additional import duties and fixes representative prices in the poultrymeat and egg sectors and for egg albumin;

Whereas it results from regular monitoring of the information providing the basis for the verification of the import prices in the poultrymeat and egg sectors and for egg albumin that the representative prices for imports of certain products should be amended taking into account variations of prices according to origin; whereas, therefore, representative prices should be published;

Whereas it is necessary to apply this amendment as soon as possible, given the situation on the market;

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

HAS ADOPTED THIS REGULATION:

Article 1

Annex I to Regulation (EC) No 1484/95 is hereby replaced by the Annex hereto.

Article 2

This Regulation shall enter into force on 20 May 1999.

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

Done at Brussels, 19 May 1999.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ L 282, 1.11.1975, p. 49.
⁽²⁾ OJ L 189, 30.7.1996, p. 99.
⁽³⁾ OJ L 282, 1.11.1975, p. 77.
⁽⁴⁾ OJ L 305, 19.12.1995, p. 49.
⁽⁵⁾ OJ L 282, 1.11.1975, p. 104.
⁽⁶⁾ OJ L 145, 29.6.1995, p. 47.
⁽⁷⁾ OJ L 104, 21.4.1999, p. 5.

ANNEX

ANNEX I

CN code	Description	Representative price EUR/100 kg	Security referred to in Article 3(3) EUR/100 kg	Origin (¹)
0207 14 10	Boneless cuts of fowls of the species <i>gallus domesticus</i> , frozen	209,8	27	01
		209,8	27	02
		295,9	1	03
		295,9	1	04
1602 32 11	Preparations uncooked of Fowls of the species <i>gallus domesticus</i>	217,4	21	01
		214,0	22	02

(¹) Origin of imports:

- 01 Brazil
- 02 Thailand
- 03 Chile
- 04 Argentina.

II

(Acts whose publication is not obligatory)

COMMISSION

COMMISSION DECISION

of 7 May 1999

on certain protection measures with regard to registered horses coming from South Africa

(notified under document number C(1999) 1176)

(Text with EEA relevance)

(1999/334/EC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Directive 91/496/EEC of 15 July 1991 laying down the principles governing the organisation of veterinary checks on animals entering the Community from third countries and amending Directives 89/662/EEC, 90/425/EEC and 90/675/EEC ⁽¹⁾, as last amended by Directive 96/43/EC ⁽²⁾, and in particular Article 18(1) thereof,

- (1) Whereas Council Directive 90/426/EEC on animal health conditions governing the movement and imports from third countries of equidae ⁽³⁾, as last amended by the Act of Accession of Austria, Finland and Sweden, lays down the measures to be taken in relation to African horse sickness;
- (2) Whereas import conditions have been established by Commission Decision 97/10/EC ⁽⁴⁾ for registered horses in relation to temporary admission and imports into the Community from South Africa;
- (3) Whereas fatal cases of African horse sickness (AHS) have been declared in horses kept within the surveillance zone in Western Cape Province of South Africa, which was established by Decision

97/10/EC with regard to imports of registered horses from the disease free Metropolitan area of Cape Town;

- (4) Whereas the competent veterinary authorities in South Africa have taken the necessary measures to control the disease, including vaccination of susceptible animals within an area at risk situated within the surveillance zone;
- (5) Whereas the presence of this disease in the surveillance zone of the Western Cape province is liable to constitute a serious danger for Community equidae; whereas moreover the recourse to vaccination in an area close to the disease free zone precludes from further regionalisation in accordance with Community legislation and internationally accepted health standards;
- (6) Whereas the authorities have suspended any exports of registered horses from the disease free zone to Member States of the European Union; whereas it is nevertheless necessary to adopt protection measures at Community level with regard to imports of registered horses from South Africa;
- (7) Whereas temporary admission, permanent imports and transits of registered horses from the Metropolitan area of Cape Town must be suspended;

⁽¹⁾ OJ L 268, 24.9.1991, p. 56.

⁽²⁾ OJ L 162, 1.7.1996, p. 1.

⁽³⁾ OJ L 224, 18.8.1990, p. 42.

⁽⁴⁾ OJ L 3, 7.1.1997, p. 28.

- (8) Whereas this decision is in accordance with the opinion of the Standing Veterinary Committee,

They shall inform the Commission thereof.

HAS ADOPTED THIS DECISION:

Article 3

This Decision is addressed to the Member States.

Article 1

Member States shall prohibit the temporary admission, transits and imports of registered horses from the Metropolitan area of Cape Town in South Africa.

Done at Brussels, 7 May 1999.

Article 2

Member States shall amend the measures they apply with regard to South Africa to bring them into line with this Decision.

For the Commission

Franz FISCHLER

Member of the Commission

COMMISSION DECISION

of 7 May 1999

approving the plans presented by Germany for the eradication of classical swine fever in feral pigs in Baden Württemberg and Rhineland-Palatinate*(notified under document number C(1999) 1177)***(Only the German text is authentic)****(Text with EEA relevance)**

(1999/335/EC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

HAS ADOPTED THIS DECISION:

Having regard to the Treaty establishing the European Community,

Having regard to Council Directive 80/217/EEC of 22 January 1980 introducing Community measures for the control of classical swine fever⁽¹⁾, as last amended by the Act of Accession of Austria, Finland and Sweden, and in particular Article 6a, paragraph 4 thereof,

- (1) Whereas classical swine fever has occurred in the feral pig population in two areas of Baden-Württemberg and Rhineland-Palatinate, Germany;
- (2) Whereas German authorities have presented plans for the eradication of classical swine fever in feral pigs covering the concerned areas of Baden-Württemberg and Rhineland-Palatinate;
- (3) Whereas the submitted plans have been examined and found to comply with the provisions of Directive 80/217/EEC;
- (4) Whereas the measures provided for in this Decision are in accordance with the opinion of the Standing Veterinary Committee,

Article 1

The plans submitted by Germany for the eradication of classical swine fever in feral pigs in Baden-Württemberg and Rhineland-Palatinate are hereby approved.

Article 2

Germany shall bring into force the laws, regulations and administrative provisions for implementing the plans referred to in Article 1.

Article 3

This Decision is addressed to the Federal Republic of Germany.

Done at Brussels, 7 May 1999.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ L 47, 21.2.1980, p. 11.

CORRIGENDA

Corrigendum to Council Regulation (EC, ECSC, Euratom) No 2548/98 of 23 November 1998 amending the Financial Regulation of 21 December 1977 applicable to the general budget of the European Communities*(Official Journal of the European Communities L 320 of 28 November 1998)*

On page 1 footnote ⁽³⁾ shall read as follows:

⁽³⁾ OJ C 57, 23.2.1998, p. 1.'

Corrigendum to Council Regulation (EC) No 48/1999 of 18 December 1998 fixing, for certain fish stocks and groups of fish stocks, the total allowable catches for 1999 and certain conditions under which they may be fished*(Official Journal of the European Communities L 13 of 18 January 1999)*

On page 4, in Article 13(2), second line:

for: '... carry on board only towed nets ...',

read: '... carry on board towed nets ...'.

On page 16, in Annex I, third TAC (Dab), first column, first line:

for: 'Species: Dab',

read: 'Species: Dab ⁽³⁾'.

On page 20, in Annex I, first TAC (Haddock), first column:

<i>for:</i>	'België/Belgique	220 ⁽³⁾ ⁽³⁾
	France	13 340 ⁽³⁾ ⁽⁴⁾
	Ireland	4 440 ⁽³⁾ ⁽⁵⁾
	United Kingdom	2 000 ⁽³⁾ ⁽⁶⁾
	EC	20 000
	TAC	20 000'

<i>read:</i>	'België/Belgique	240 ⁽³⁾ ⁽³⁾
	France	14 670 ⁽³⁾ ⁽⁴⁾
	Ireland	4 890 ⁽³⁾ ⁽⁵⁾
	United Kingdom	2 200 ⁽³⁾ ⁽⁶⁾
	EC	22 000
	TAC	22 000'

Corrigendum to Council Directive 98/95/EC of 14 December 1998 amending, in respect of the consolidation of the internal market, genetically modified plant varieties and plant genetic resources, Directives 66/400/EEC, 66/401/EEC, 66/402/EEC, 66/403/EEC, 69/208/EEC, 70/457/EEC and 70/458/EEC on the marketing of beet seed, fodder plant seed, cereal seed, seed potatoes, seed of oil and fibre plants and vegetable seed and on the common catalogue of varieties of agricultural plant species

(Official Journal of the European Communities L 25 of 1 February 1999)

On page 26, in Article 9(1), first subparagraph:

for: '1. Member States shall bring into force the laws, regulations or administrative provisions necessary to comply with this Directive not later than twelve months after the date of notification of this Directive.'

read: '1. Member States shall bring into force the laws, regulations or administrative provisions necessary to comply with this Directive not later than twelve months after the date of publication of this Directive.'
