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(Acts adopted pursuant to Title VI of the Treaty on European Union)

COMMON POSITION

of 27 May 1999

adopted by the Council on the basis of Article 34 of the Treaty on European Union, on negotiations relating to the Draft Convention on Cyber Crime held in the Council of Europe

(1999/364/JHA)

THE COUNCIL OF THE EUROPEAN UNION,

HAS ADOPTED THIS COMMON POSITION:

Having regard to the Treaty on European Union, and in particular Article 34(2)(a) thereof,

Recognising the importance of developing effective means of preventing and combating the misuse of new technologies which are increasingly being used,

Whereas the European Council meeting in Amsterdam in June 1997 approved the action plan of the High-Level Group on Organised Crime, which, *inter alia*, contains proposals for strengthening the fight against high-tech crime;

Taking into account the measures that have already been adopted by the European Union or are in the course of preparation or adoption relating to the fight against high-tech crime;

Whereas arrangements have been made for the development and negotiation of a Council of Europe Convention on Cyber Crime;

Whereas in the paper 'Elements of the Union's strategy against high-tech crime', which was approved by the Council on 3 December 1998, Member States were requested to concentrate their efforts in this field, for example through the adoption of common positions regarding the work of other international forums in the area of high-tech crime;

Taking into account the European Union's Joint Action concerning action to combat racism and xenophobia;

Having regard to the European Union's 'Action plan on promoting the safe use of the Internet',

Desiring to contribute as fully as possible to the negotiations of the proposed Convention on Cyber Crime and to avoid incompatibility between that Convention and instruments drawn up in the European Union,

Article 1

1. Member States shall support the drawing up of the Council of Europe's draft Convention on Cyber Crime (hereinafter referred to as 'the Convention'). They shall advocate the inclusion in the Convention of provisions which will facilitate the effective investigation and prosecution of criminal offences related to computer systems and data.

2. The provisions of the Convention should adequately supplement the substantive criminal law and should encompass crimes against the confidentiality, integrity and availability of computer data, computer-related offences such as computer fraud and forgery and content-related offences such as in the field of child pornography. Member States should ensure that the definition of the offences related to the field of child pornography deal with a wide range of specific criminal activities. Furthermore, Member States shall advocate, where appropriate, the inclusion of rules which call for the application of content-related offences to conduct committed by means of a computer system.

3. Member States shall ensure that appropriate jurisdiction is established over the offences provided for in the Convention.

4. Member States should support the establishment of provisions, which will facilitate international cooperation including provisions concerning mutual legal assistance to the widest extent possible. The Convention should facilitate the swift cooperation regarding computer-related and computer-aided offences. This form of cooperation may include the setting of 24-hour law enforcement points of contact, which supplement existing structures of mutual assistance.

5. Member States should support provisions which, as a subsidiary measure, provide for Parties to the Convention to preserve as far as necessary stored data on request of another Party, the procedure of preservation being in accordance with their national law.

6. Member States should support the inclusion of provisions by which the Contracting Parties to the Convention undertake to provide for an expedited search of data stored in their own territory regarding the investigation of serious criminal offences.

7. Subject to constitutional principles and specific safeguards in order to respect appropriately the sovereignty, security, public policy or other essential interests of other States, a transborder computer search for the purpose of the investigation of a serious criminal offence, to be further defined in the Convention, may be considered in exceptional cases, and in particular where there is an emergency, for example, as far as necessary to prevent the destruction or alteration of evidence of the serious offence, or to prevent the commission of an offence that is likely to result in the death of or serious physical injury to, a person.

8. Provisions for transborder computer searches relating to serious criminal offences should be fully

consistent with the instruments of the European Union regarding the access to and use of traffic data.

Article 2

In the consultations on the Convention, Member States shall, as far as is practicable, coordinate their positions, at the Presidency's initiative, and seek to arrive at common standpoints on all issues which have significant implications for the interests of the European Union. The Commission shall be fully associated with this work.

Article 3

The Council shall endeavour to achieve further common positions, as necessary, in relation to the Convention.

Article 4

This Common Position shall be published in the Official Journal.

Done at Brussels, 27 May 1999.

For the Council

The President

O. SCHILY

I

(Acts whose publication is obligatory)

COMMISSION REGULATION (EC) No 1174/1999
of 4 June 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 5 June 1999.

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

Done at Brussels, 4 June 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 4 June 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	56,9
	999	56,9
0707 00 05	052	71,1
	628	132,3
	999	101,7
0709 90 70	052	52,6
	999	52,6
0805 30 10	382	45,5
	388	46,8
	528	44,7
0808 10 20, 0808 10 50, 0808 10 90	999	45,7
	388	72,9
	400	78,8
	508	77,5
	512	74,5
	524	80,2
	528	56,1
	804	101,5
	999	77,4
	052	274,9
0809 20 95	400	214,5
	999	244,7

⁽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 1175/1999

of 4 June 1999

fixing the maximum export refund on wholly milled medium round grain and long grain A rice in connection with the invitation to tender issued in Regulation (EC) No 2565/98

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

Having regard to Council Regulation (EC) No 3072/95 of 22 December 1995 on the common organisation of the market in rice ⁽¹⁾, as last amended by Regulation (EC) No 2072/98 ⁽²⁾, and in particular Article 13(3) thereof,

Whereas an invitation to tender for the export refund on rice was issued pursuant to Commission Regulation (EC) No 2565/98 ⁽³⁾;

Whereas Article 5 of Commission Regulation (EEC) No 584/75 ⁽⁴⁾, as last amended by Regulation (EC) No 299/95 ⁽⁵⁾, allows the Commission to fix, in accordance with the procedure laid down in Article 22 of Regulation (EC) No 3072/95 and on the basis of the tenders submitted, a maximum export refund; whereas in fixing this maximum, the criteria provided for in Article 13 of Regulation (EC) No 3072/95 must be taken into account; whereas a contract is awarded to any tenderer whose tender is equal to or less than the maximum export refund;

Whereas the application of the abovementioned criteria to the current market situation for the rice 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

The maximum export refund on wholly milled medium round grain and long grain A rice to be exported to certain third countries of Europe pursuant to the invitation to tender issued in Regulation (EC) No 2565/98 is hereby fixed on the basis of the tenders submitted from 31 May to 3 June at EUR/t 170,00.

Article 2

This Regulation shall enter into force on 5 June 1999.

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

Done at Brussels, 4 June 1999.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ L 329, 30.12.1995, p. 18.

⁽²⁾ OJ L 265, 30.9.1998, p. 4.

⁽³⁾ OJ L 320, 28.11.1998, p. 46.

⁽⁴⁾ OJ L 61, 7.3.1975, p. 25.

⁽⁵⁾ OJ L 35, 15.2.1995, p. 8.

**COMMISSION REGULATION (EC) No 1176/1999
of 4 June 1999**

**fixing the maximum export refund on wholly milled round grain, medium grain
and long grain A rice in connection with the invitation to tender issued in
Regulation (EC) No 2564/98**

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

Having regard to Council Regulation (EC) No 3072/95 of 22 December 1995 on the common organisation of the market in rice ⁽¹⁾, as last amended by Regulation (EC) No 2072/98 ⁽²⁾, and in particular Article 13(3) thereof,

Whereas an invitation to tender for the export refund on rice was issued pursuant to Commission Regulation (EC) No 2564/98 ⁽³⁾;

Whereas Article 5 of Commission Regulation (EEC) No 584/75 ⁽⁴⁾, as last amended by Regulation (EC) No 299/95 ⁽⁵⁾, allows the Commission to fix, in accordance with the procedure laid down in Article 22 of Regulation (EC) No 3072/95 and on the basis of the tenders submitted, a maximum export refund; whereas in fixing this maximum, the criteria provided for in Article 13 of Regulation (EC) No 3072/95 must be taken into account; whereas a contract is awarded to any tenderer whose tender is equal to or less than the maximum export refund;

Whereas the application of the abovementioned criteria to the current market situation for the rice 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

The maximum export refund on wholly milled round grain, medium grain and long grain A rice to be exported to certain third countries pursuant to the invitation to tender issued in Regulation (EC) No 2564/98 is hereby fixed on the basis of the tenders submitted from 31 May to 3 June 1999 at EUR/t 140,00.

Article 2

This Regulation shall enter into force on 5 June 1999.

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

Done at Brussels, 4 June 1999.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ L 329, 30.12.1995, p. 18.

⁽²⁾ OJ L 265, 30.9.1998, p. 4.

⁽³⁾ OJ L 320, 28.11.1998, p. 43.

⁽⁴⁾ OJ L 61, 7.3.1975, p. 25.

⁽⁵⁾ OJ L 35, 15.2.1995, p. 8.

COMMISSION REGULATION (EC) No 1177/1999

of 4 June 1999

fixing the maximum export refund on wholly milled round grain rice in connection with the invitation to tender issued in Regulation (EC) No 770/1999

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

Having regard to Council Regulation (EC) No 3072/95 of 22 December 1995 on the common organization of the market in rice ⁽¹⁾, as last amended by Regulation (EC) No 2072/98 ⁽²⁾, and in particular Article 13 (3) thereof,

Whereas an invitation to tender for the export refund on rice was issued pursuant to Commission Regulation (EC) No 770/1999 ⁽³⁾;

Whereas Article 5 of Commission Regulation (EEC) No 584/75 ⁽⁴⁾, as last amended by Regulation (EC) No 299/95 ⁽⁵⁾, allows the Commission to fix, in accordance with the procedure laid down in Article 22 of Regulation (EC) No 3072/95 and on the basis of the tenders submitted, a maximum export refund; whereas in fixing this maximum, the criteria provided for in Article 13 of Regulation (EC) No 3072/95 must be taken into account; whereas a contract is awarded to any tenderer whose tender is equal to or less than the maximum export refund;

Whereas the application of the abovementioned criteria to the current market situation for the rice 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

The maximum export refund on wholly milled round grain rice to be exported to certain third countries pursuant to the invitation to tender issued in Regulation (EC) No 770/1999 is hereby fixed on the basis of the tenders submitted from 31 May to 3 June 1999 at 195,00 EUR/t.

Article 2

This Regulation shall enter into force on 5 June 1999.

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

Done at Brussels, 4 June 1999.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ L 329, 30.12.1995, p. 18.

⁽²⁾ OJ L 265, 30.9.1998, p. 4.

⁽³⁾ OJ L 100, 15.4.1999, p. 14.

⁽⁴⁾ OJ L 61, 7.3.1975, p. 25.

⁽⁵⁾ OJ L 35, 15.2.1995, p. 8.

COMMISSION REGULATION (EC) No 1178/1999

of 4 June 1999

fixing the maximum export refund on wholly milled long grain rice in connection with the invitation to tender issued in Regulation (EC) No 2566/98

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

Having regard to Council Regulation (EC) No 3072/95 of 22 December 1995 on the common organisation of the market in rice ⁽¹⁾, as amended by Regulation (EC) No 2072/98 ⁽²⁾, and in particular Article 13 (3) thereof,

Whereas an invitation to tender for the export refund on rice was issued pursuant to Commission Regulation (EC) No 2566/98 ⁽³⁾;

Whereas, Article 5 of Commission Regulation (EEC) No 584/75 ⁽⁴⁾, as last amended by Regulation (EC) No 299/95 ⁽⁵⁾, allows the Commission to fix, in accordance with the procedure laid down in Article 22 of Regulation (EC) No 3072/95 and on the basis of the tenders submitted, a maximum export refund; whereas in fixing this maximum, the criteria provided for in Article 13 of Regulation (EC) No 3072/95 must be taken into account; whereas a contract is awarded to any tenderer whose tender is equal to or less than the maximum export refund;

Whereas the application of the abovementioned criteria to the current market situation for the rice 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

The maximum export refund on wholly milled long grain rice falling within CN code 1006 30 67 to be exported to certain third countries pursuant to the invitation to tender issued in Regulation (EC) No 2566/98 is hereby fixed on the basis of the tenders submitted from 31 May to 3 June 1999 at EUR/t 314,00.

Article 2

This Regulation shall enter into force on 5 June 1999.

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

Done at Brussels, 4 June 1999.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ L 329, 30.12.1995, p. 18.

⁽²⁾ OJ L 265, 30.9.1998, p. 4.

⁽³⁾ OJ L 320, 28.11.1998, p. 49.

⁽⁴⁾ OJ L 61, 7.3.1975, p. 25.

⁽⁵⁾ OJ L 35, 15.2.1995, p. 8.

COMMISSION REGULATION (EC) No 1179/1999
of 4 June 1999

determining the reduced amounts of agricultural components and additional duties applicable from 1 July 1999 to 30 June 2000 inclusive to imports into the Community of certain goods covered by Council Regulation (EC) No 3448/93 under an Interim Agreement between the European Union and Israel

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EC) No 3448/93 of 6 December 1993 laying down the trade arrangements applicable to certain goods resulting from the processing of agricultural products ⁽¹⁾, as last amended by Commission Regulation (EC) No 2491/98 ⁽²⁾, and in particular Article 7 thereof,

- (1) Whereas, pending the entry into force of the Euro-Mediterranean Agreement establishing an association between the European Communities and their Member States, of the one part, and the State of Israel, of the other part, signed in Brussels on 20 November 1995, an Interim Agreement between the European Community and the European Coal and Steel Community, of the one part, and the State of Israel, of the other part, on trade and accompanying measures was signed on 18 December 1995 ⁽³⁾ and entered into force on 1 January 1996; whereas this Agreement provides within the quota limits for reductions in the agricultural component for certain processed agricultural products;
- (2) Whereas Council Regulation (EC) No 1981/94 of 25 July 1994 opening and providing for the administration of Community tariff quotas for certain products originating in Algeria, Cyprus, Egypt, Israel, Jordan, Malta, Morocco, the West Bank and the Gaza Strip, Tunisia and Turkey, and providing detailed rules for extending and adapting these tariff quotas ⁽⁴⁾, as last amended by Regulation

(EC) No 650/98 ⁽⁵⁾, opened the quotas within which certain processed agricultural products originating in Israel are granted a reduction in the agricultural components; whereas the reduced agricultural components and additional duties must be fixed;

- (3) Whereas Commission Regulation (EC) No 1460/96 ⁽⁶⁾, amended by Regulation (EC) No 2495/97 ⁽⁷⁾, establishes detailed rules for the application of preferential trade arrangements applicable to certain goods resulting from the processing of agricultural products, referred to in Article 7 of Council Regulation (EC) No 3448/93,

HAS ADOPTED THIS REGULATION:

Article 1

For the period from 1 July 1999 to 30 June 2000, the reduced agricultural components applicable to imports of goods covered by Regulation (EC) No 3448/93 for which a reduction in the agricultural component is provided for in the Interim Agreement concluded with Israel and the corresponding reduced additional duties shall be fixed in the Annexes to this Regulation.

Article 2

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

It shall apply from 1 July 1999.

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

Done at Brussels, 4 June 1999.

For the Commission

Martin BANGEMANN

Member of the Commission

⁽¹⁾ OJ L 318, 20.12.1993, p. 18.

⁽²⁾ OJ L 309, 19.11.1998, p. 28.

⁽³⁾ OJ L 71, 20.3.1996, p. 1.

⁽⁴⁾ OJ L 199, 2.8.1994, p. 1.

⁽⁵⁾ OJ L 88, 24.3.1998, p. 8.

⁽⁶⁾ OJ L 187, 26.7.1996, p. 18.

⁽⁷⁾ OJ L 343, 13.12.1997, p. 18.

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

Elementos agrícolas (por 100 kilogramos de peso neto)
Landbrugselementer (pr. 100 kg nettovægt)
Landwirtschaftliche Teilbeträge (für 100 kg Eigengewicht)
Αγροτικά στοιχεία (για 100 kg καθαρού βάρους)
Agricultural components (per 100 kilograms net weight)
Éléments agricoles (par 100 kilogrammes poids net)
Elementi agricoli (per 100 kg peso netto)
Landbouwelementen (per 100 kg nettogewicht)
Elementos agrícolas (por 100 quilogramas de peso líquido)
Maatalousosat (100 nettopainokilolta)
Jordbruksbeståndsdelar (per 100 kg nettovikt)

PARTE 1 — DEL 1 — TEIL 1 — ΜΕΡΟΣ 1 — PART 1 — PARTIE 1 — PARTE 1 — DEEL 1 — PARTE 1 — OSA 1 — DEL 1

Código NC KN-kode KN-Code Κωδικός ΣΟ CN code Code NC Codice NC GN-code Código NC CN-koodi KN-nummer	EUR/ 100 kg	Código NC KN-kode KN-Code Κωδικός ΣΟ CN code Code NC Codice NC GN-code Código NC CN-koodi KN-nummer	EUR/ 100 kg	Código NC KN-kode KN-Code Κωδικός ΣΟ CN code Code NC Codice NC GN-code Código NC CN-koodi KN-nummer	EUR/ 100 kg
0710 40 00 ⁽¹⁾	7,21	1806 90 70	(^{**})	1905 30 51	([°])
0711 90 30 ⁽¹⁾	7,21	1806 90 90	(^{**})	1905 30 59	([°])
1704 90 30	33,81	1901 10 00 ⁽²⁾	([°])	1905 30 91	([°])
1806 10 20	22,36	1901 90 99 ⁽²⁾	([°])	1905 30 99	([°])
1806 10 30	27,80	1904 10 10	15,33	1905 40 10	([°])
1806 10 90	37,15	1904 10 30	35,21	1905 40 90	([°])
1806 20 10	(^{**})	1904 10 90	25,76	1905 90 10	12,18
1806 20 30	(^{**})	1904 20 10	([°])	1905 90 20	46,34
1806 20 50	(^{**})	1904 20 91	15,33	1905 90 30	([°])
1806 20 70	(^{**})	1904 20 95	35,21	1905 90 40	([°])
1806 20 80	(^{**})	1904 20 99	25,76	1905 90 45	([°])
1806 20 95	(^{**})	1904 90 10	35,21	1905 90 55	([°])
1806 31 00	(^{**})	1904 90 90	19,67	1905 90 60	([°])
1806 32 10	(^{**})	1905 10 00	9,94	1905 90 90	([°])
1806 32 90	(^{**})	1905 20 10	13,65	2001 90 30	7,21
1806 90 11	(^{**})	1905 20 30	18,20	2004 90 10	7,21
1806 90 19	(^{**})	1905 20 90	23,03	2005 80 00	7,21
1806 90 31	(^{**})	1905 30 11	([°])	2106 10 80 ⁽²⁾	([°])
1806 90 39	(^{**})	1905 30 19	([°])	2106 90 98 ⁽²⁾	([°])
1806 90 50	(^{**})	1905 30 30	([°])		
1806 90 60	(^{**})				

([°]) Véase parte 2 / Se del 2 / Siehe Teil 2 / Βλέπε μέρος 2 / See Part 2 / Voir partie 2 / Vedi parte 2 / Zie deel 2 / Ver parte 2 / Katso osa 2 / Se del 2.

(^{**}) Véase parte 3 / Se del 3 / Siehe Teil 3 / Βλέπε μέρος 3 / See Part 3 / Voir partie 3 / Vedi parte 3 / Zie deel 3 / Ver parte 3 / Katso osa 3 / Se del 3.

(¹) Por 100 kg de boniatos, etc. o de maíz escurridos. / Pr. 100 kg afløbne søde kartofler osv. eller majs. / Pro 100 kg Süßkartoffeln usw. oder Mais, abgetropft. / Avá 100 kg στραγγισμένων γλυκοπατατών κ.λπ. ή καλαμποκιού στραγγισμένου. / Per 100 kilograms of drained sweet potatoes, etc., or maize. / Par 100 kilogrammes de patates douces, etc., ou de maïs égouttés. / Per 100 kg di patate dolci, ecc. o granturco sgocciolati. / Per 100 kg zoete aardappelen enz. of maïs, uitgedropen. / Por 100 kg de batatas-doces, etc., ou de milho, escorridos. / 100aa kilogrammaa valutettua bataattia jne. tai maissia kohden. / Per 100 kg torkad sötspotatis etc. eller majs.

(²) Alimentos para niños que contengan leche y productos a base de leche. / Næringsmidler til børn, med indhold af mælk og mælkeprodukter. / Kindernahrung, Milch und auf der Grundlage von Milch hergestellte Erzeugnisse enthaltend. / Τροφές για παιδιά, που περιέχουν γάλα και προϊόντα με βάση το γάλα. / Preparations for infant use, containing milk and products from milk. / Aliments pour enfants, contenant du lait et des produits à base de lait. / Alimenti per bambini contenenti latte e prodotti a base di latte. / Voeding voor kinderen, die melk en producten op basis van melk bevat. / Alimentos para crianças contendo leite e produtos à base de leite. / Vauvanvalmisteet, jotka sisältävät maitoa, ja maitotuotteet. / Beredningar avsedda för barn innehållande mjölk och mjölkprodukter.

PARTE 2 — DEL 2 — TEIL 2 — ΜΕΡΟΣ 2 — PART 2 — PARTIE 2 — PARTE 2 — DEEL 2 — PARTE 2 — OSA 2 — DEL 2

Código adicional Yderligere kodenummer Zusatzcode Πρόσθετος κωδικός Additional code Code additionnel Codice complementare Aanvullende code Código adicional Lisäkoodi Tilläggskod	EUR/ 100 kg	Código adicional Yderligere kodenummer Zusatzcode Πρόσθετος κωδικός Additional code Code additionnel Codice complementare Aanvullende code Código adicional Lisäkoodi Tilläggskod	EUR/ 100 kg	Código adicional Yderligere kodenummer Zusatzcode Πρόσθετος κωδικός Additional code Code additionnel Codice complementare Aanvullende code Código adicional Lisäkoodi Tilläggskod	EUR/ 100 kg
7000	0	7062	78,73	7127	33,42
7001	7,34	7063	70,67	7128	37,60
7002	13,76	7064	83,01	7129	46,16
7003	19,87	7065	68,15	7130	23,28
7004	28,43	7066	75,49	7131	30,62
7005	3,19	7067	81,91	7132	37,04
7006	10,52	7068	77,63	7133	41,22
7007	16,95	7069	86,19	7135	25,25
7008	23,06	7070	71,76	7136	32,59
7009	31,62	7071	79,11	7137	39,01
7010	6,80	7072	85,53	7140	40,73
7011	14,14	7073	81,25	7141	48,08
7012	20,56	7075	65,28	7142	54,50
7013	26,68	7076	72,62	7143	54,79
7015	10,71	7077	79,04	7144	63,35
7016	18,05	7080	126,48	7145	43,92
7017	24,47	7081	133,81	7146	51,25
7020	12,12	7082	140,23	7147	57,68
7021	19,46	7083	126,11	7148	57,97
7022	25,89	7084	134,67	7149	66,53
7023	30,06	7085	129,65	7150	47,54
7024	38,62	7086	137,00	7151	54,87
7025	15,31	7087	143,41	7152	64,97
7026	22,65	7088	129,29	7153	61,59
7027	29,07	7090	133,27	7155	45,63
7028	33,24	7091	140,61	7156	52,96
7029	41,80	7092	147,03	7157	59,38
7030	18,93	7095	116,94	7160	69,33
7031	26,27	7096	124,29	7161	76,66
7032	32,68	7100	4,35	7162	83,08
7033	36,86	7101	11,69	7163	78,80
7035	20,90	7102	18,11	7164	87,36
7036	28,23	7103	24,23	7165	72,51
7037	34,65	7104	32,79	7166	79,91
7040	36,39	7105	7,53	7167	86,26
7041	43,72	7106	14,88	7168	81,98
7042	50,14	7107	21,29	7169	90,55
7043	50,44	7108	27,41	7170	76,13
7044	59,00	7109	35,97	7171	83,46
7045	39,56	7110	11,15	7172	89,88
7046	46,91	7111	18,49	7173	85,60
7047	53,32	7112	24,91	7175	69,64
7048	53,62	7113	31,02	7176	76,97
7049	62,18	7115	15,06	7177	83,39
7050	43,18	7116	22,39	7180	130,82
7051	50,52	7117	28,82	7181	138,17
7052	56,95	7120	16,49	7182	144,59
7053	57,23	7121	23,81	7183	130,47
7055	41,27	7122	30,24	7185	134,00
7056	48,60	7123	34,42	7186	141,35
7057	55,03	7124	42,97	7187	147,76
7060	64,97	7125	19,66	7188	133,65
7061	72,30	7126	27,01	7190	137,63

Código adicional Yderligere kodenummer Zusatzcode Πρόσθετος κωδικός Additional code Code additionnel Codice complementare Aanvullende code Código adicional Lisäkoodi Tilläggskod	EUR/ 100 kg	Código adicional Yderligere kodenummer Zusatzcode Πρόσθετος κωδικός Additional code Code additionnel Codice complementare Aanvullende code Código adicional Lisäkoodi Tilläggskod	EUR/ 100 kg	Código adicional Yderligere kodenummer Zusatzcode Πρόσθετος κωδικός Additional code Code additionnel Codice complementare Aanvullende code Código adicional Lisäkoodi Tilläggskod	EUR/ 100 kg
7191	144,96	7307	56,18	7420	64,11
7192	151,39	7308	62,29	7421	71,44
7195	121,30	7309	70,85	7460	71,26
7196	128,63	7310	46,03	7461	78,60
7200	28,70	7311	53,38	7462	85,01
7201	36,04	7312	59,79	7463	91,13
7202	42,46	7313	65,91	7464	99,69
7203	48,57	7315	49,95	7465	74,43
7204	57,13	7316	57,27	7466	81,77
7205	31,89	7317	63,70	7467	88,19
7206	39,22	7320	53,84	7468	94,31
7207	45,65	7321	61,18	7470	78,06
7208	51,76	7360	66,17	7471	85,39
7209	60,32	7361	73,51	7472	91,81
7210	35,50	7362	79,93	7475	81,96
7211	42,85	7363	86,05	7476	89,29
7212	49,26	7364	94,61	7500	58,82
7213	55,38	7365	69,36	7501	66,16
7215	39,41	7366	76,70	7502	72,58
7216	46,75	7367	83,12	7503	78,70
7217	53,17	7368	89,24	7504	87,26
7220	43,32	7369	97,80	7505	62,01
7221	50,65	7370	72,98	7506	69,34
7260	60,37	7371	80,31	7507	75,78
7261	67,70	7372	86,73	7508	81,88
7262	74,13	7373	92,85	7509	90,44
7263	80,25	7375	76,88	7510	65,63
7264	88,81	7376	84,22	7511	72,97
7265	63,55	7378	80,79	7512	79,38
7266	70,89	7400	49,49	7513	85,50
7267	77,32	7401	56,83	7515	69,53
7268	83,43	7402	63,25	7516	76,87
7269	91,99	7403	69,36	7517	83,29
7270	67,17	7404	77,92	7520	73,44
7271	74,51	7405	52,68	7521	80,78
7272	80,93	7406	60,01	7560	76,33
7273	87,05	7407	66,43	7561	83,66
7275	71,08	7408	72,55	7562	90,08
7276	78,41	7409	81,11	7563	96,19
7300	39,24	7410	56,29	7564	104,76
7301	46,56	7411	63,62	7565	79,51
7302	52,99	7412	70,05	7566	86,85
7303	59,11	7413	76,17	7567	93,26
7304	67,67	7415	60,19	7568	99,38
7305	42,41	7416	67,54	7570	83,13
7306	49,75	7417	73,96	7571	90,46

Código adicional Yderligere kodenummer Zusatzcode Πρόσθετος κωδικός Additional code Code additionnel Codice complementare Aanvullende code Código adicional Lisäkoodi Tilläggskod	EUR/ 100 kg	Código adicional Yderligere kodenummer Zusatzcode Πρόσθετος κωδικός Additional code Code additionnel Codice complementare Aanvullende code Código adicional Lisäkoodi Tilläggskod	EUR/ 100 kg	Código adicional Yderligere kodenummer Zusatzcode Πρόσθετος κωδικός Additional code Code additionnel Codice complementare Aanvullende code Código adicional Lisäkoodi Tilläggskod	EUR/ 100 kg
7572	96,89	7746	128,08	7842	22,46
7575	87,03	7747	134,50	7843	28,58
7576	94,37	7750	124,36	7844	37,14
7600	78,47	7751	131,69	7845	11,89
7601	85,81	7758	14,62	7846	19,23
7602	92,23	7759	21,95	7847	25,65
7603	98,34	7760	143,68	7848	31,76
7604	106,91	7761	151,02	7849	40,32
7605	81,66	7762	157,44	7850	15,51
7606	88,99	7765	146,86	7851	22,85
7607	95,42	7766	154,20	7852	29,27
7608	101,53	7768	24,80	7853	35,39
7609	110,08	7769	32,14	7855	19,42
7610	85,27	7770	150,49	7856	26,75
7611	92,61	7771	157,82	7857	33,17
7612	99,03	7778	45,17	7858	23,32
7613	105,15	7779	52,51	7859	30,66
7615	89,18	7780	169,81	7860	14,52
7616	96,52	7781	177,14	7861	21,85
7620	93,09	7785	172,98	7862	28,27
7700	92,96	7786	180,33	7863	34,38
7701	100,30	7788	69,19	7864	42,95
7702	106,72	7789	76,52	7865	17,70
7703	112,83	7798	18,97	7866	25,03
7705	96,15	7799	26,31	7867	31,45
7706	103,48	7800	180,18	7868	37,57
7707	109,90	7801	187,52	7869	46,13
7708	116,02	7802	193,94	7870	21,32
7710	99,76	7805	183,37	7871	28,65
7711	107,10	7806	190,70	7872	35,08
7712	113,52	7807	197,12	7873	41,18
7715	103,66	7808	29,16	7875	25,22
7716	111,01	7809	36,49	7876	32,56
7720	91,43	7810	186,98	7877	38,98
7721	98,78	7811	194,32	7878	29,13
7722	105,19	7818	49,53	7879	36,47
7723	111,31	7819	56,86	7900	20,32
7725	94,62	7820	184,53	7901	27,66
7726	101,95	7821	191,87	7902	34,08
7727	108,37	7822	198,30	7903	40,19
7728	114,49	7825	187,72	7904	48,75
7730	98,24	7826	195,06	7905	23,51
7731	105,57	7827	201,48	7906	30,84
7732	111,99	7828	73,55	7907	37,25
7735	102,14	7829	80,88	7908	43,37
7736	109,48	7830	191,33	7909	51,93
7740	117,55	7831	198,67	7910	27,12
7741	124,89	7838	74,98	7911	34,45
7742	131,31	7840	8,71	7912	40,88
7745	120,74	7841	16,05	7913	46,99

Código adicional Yderligere kodenummer Zusatzcode Πρόσθετος κωδικός Additional code Code additionnel Codice complementare Aanvullende code Código adicional Lisäkoodi Tilläggskod	EUR/ 100 kg	Código adicional Yderligere kodenummer Zusatzcode Πρόσθετος κωδικός Additional code Code additionnel Codice complementare Aanvullende code Código adicional Lisäkoodi Tilläggskod	EUR/ 100 kg	Código adicional Yderligere kodenummer Zusatzcode Πρόσθετος κωδικός Additional code Code additionnel Codice complementare Aanvullende code Código adicional Lisäkoodi Tilläggskod	EUR/ 100 kg
7915	31,02	7955	39,74	7975	52,80
7916	38,37	7956	47,07	7976	60,13
7917	44,79	7957	53,49	7977	66,56
7918	34,94	7958	43,64	7978	56,70
7919	42,27	7959	50,97	7979	64,04
7940	29,03	7960	42,09	7980	65,31
7941	36,37	7961	49,43	7981	72,65
7942	42,78	7962	55,85	7982	79,07
7943	48,90	7963	61,96	7983	85,18
7944	57,46	7964	70,53	7984	93,74
7945	32,21	7965	45,27	7985	68,50
7946	39,54	7966	52,61	7986	75,83
7947	45,97	7967	59,03	7987	82,25
7948	52,08	7968	65,14	7988	88,36
7949	60,64	7969	73,70	7990	72,11
7950	35,83	7970	48,89	7991	79,45
7951	43,17	7971	56,23	7992	85,87
7952	49,58	7972	62,64	7995	76,02
7953	55,70	7973	68,76	7996	83,36

PARTE 3 — DEL 3 — TEIL 3 — ΜΕΡΟΣ 3 — PART 3 — PARTIE 3 — PARTE 3 — DEEL 3 — PARTE 3 — OSA 3 — DEL 3

Código adicional Yderligere kodenummer Zusatzcode Πρόσθετος κωδικός Additional code Code additionnel Codice complementare Aanvullende code Código adicional Lisäkoodi Tilläggskod	EUR/ 100 kg	Código adicional Yderligere kodenummer Zusatzcode Πρόσθετος κωδικός Additional code Code additionnel Codice complementare Aanvullende code Código adicional Lisäkoodi Tilläggskod	EUR/ 100 kg	Código adicional Yderligere kodenummer Zusatzcode Πρόσθετος κωδικός Additional code Code additionnel Codice complementare Aanvullende code Código adicional Lisäkoodi Tilläggskod	EUR/ 100 kg
7000	0	7061	87,80	7125	23,88
7001	8,91	7062	95,60	7126	32,79
7002	16,70	7063	85,81	7127	40,58
7003	24,13	7064	100,79	7128	45,65
7004	34,52	7065	82,76	7129	56,05
7005	3,87	7066	91,66	7130	28,27
7006	12,78	7067	99,47	7131	37,18
7007	20,58	7068	94,27	7132	44,97
7008	28,00	7069	104,66	7133	50,05
7009	38,39	7070	87,14	7135	30,66
7010	8,25	7071	96,06	7136	39,57
7011	17,17	7072	103,85	7137	47,37
7012	24,96	7073	98,66	7140	49,46
7013	32,39	7075	79,27	7141	58,38
7015	13,01	7076	88,18	7142	66,17
7016	21,91	7077	95,97	7143	66,53
7017	29,71	7080	153,58	7144	76,93
7020	14,72	7081	162,49	7145	53,33
7021	23,63	7082	170,28	7146	62,24
7022	31,43	7083	153,14	7147	70,04
7023	36,50	7084	163,52	7148	70,39
7024	46,89	7085	157,44	7149	80,78
7025	18,59	7086	166,35	7150	57,72
7026	27,50	7087	174,14	7151	66,63
7027	35,30	7088	157,00	7152	78,89
7028	40,37	7090	161,83	7153	74,78
7029	50,76	7091	170,74	7155	55,40
7030	22,98	7092	178,53	7156	64,31
7031	31,90	7095	142,00	7157	72,11
7032	39,69	7096	150,92	7160	84,18
7033	44,76	7100	5,29	7161	93,08
7035	25,37	7101	14,20	7162	100,88
7036	34,28	7102	21,99	7163	95,68
7037	42,08	7103	29,42	7164	106,08
7040	44,18	7104	39,81	7165	88,04
7041	53,09	7105	9,15	7166	97,04
7042	60,89	7106	18,06	7167	104,75
7043	61,24	7107	25,86	7168	99,55
7044	71,64	7108	33,29	7169	109,95
7045	48,04	7109	43,68	7170	92,44
7046	56,96	7110	13,54	7171	101,35
7047	64,74	7111	22,46	7172	109,14
7048	65,11	7112	30,25	7173	103,94
7049	75,51	7113	37,67	7175	84,56
7050	52,44	7115	18,28	7176	93,47
7051	61,34	7116	27,19	7177	101,26
7052	69,15	7117	34,99	7180	158,86
7053	69,50	7120	20,02	7181	167,77
7055	50,11	7121	28,92	7182	175,57
7056	59,02	7122	36,72	7183	158,42
7057	66,82	7123	41,79	7185	162,72
7060	78,89	7124	52,18	7186	171,64

Código adicional Yderligere kodenummer Zusatzcode Πρόσθετος κωδικός Additional code Code additionnel Codice complementare Aanvullende code Código adicional Lisäkoodi Tilläggskod	EUR/ 100 kg	Código adicional Yderligere kodenummer Zusatzcode Πρόσθετος κωδικός Additional code Code additionnel Codice complementare Aanvullende code Código adicional Lisäkoodi Tilläggskod	EUR/ 100 kg	Código adicional Yderligere kodenummer Zusatzcode Πρόσθετος κωδικός Additional code Code additionnel Codice complementare Aanvullende code Código adicional Lisäkoodi Tilläggskod	EUR/ 100 kg
7187	179,43	7305	51,50	7417	89,80
7188	162,29	7306	60,41	7420	77,84
7190	167,12	7307	68,21	7421	86,75
7191	176,03	7308	75,63	7460	86,53
7192	183,83	7309	86,03	7461	95,44
7195	147,29	7310	55,90	7462	103,22
7196	156,20	7311	64,81	7463	110,65
7200	34,85	7312	72,60	7464	121,05
7201	43,77	7313	80,03	7465	90,38
7202	51,56	7315	60,65	7466	99,30
7203	58,98	7316	69,55	7467	107,09
7204	69,38	7317	77,35	7468	114,52
7205	38,72	7320	65,38	7470	94,78
7206	47,63	7321	74,29	7471	103,69
7207	55,43	7360	80,35	7472	111,49
7208	62,85	7361	89,27	7475	99,53
7209	73,24	7362	97,06	7476	108,43
7210	43,11	7363	104,49	7500	71,43
7211	52,03	7364	114,89	7501	80,34
7212	59,81	7365	84,22	7502	88,14
7213	67,24	7366	93,13	7503	95,57
7215	47,86	7367	100,93	7504	105,96
7216	56,77	7368	108,36	7505	75,29
7217	64,56	7369	118,75	7506	84,20
7220	52,60	7370	88,62	7507	92,02
7221	61,51	7371	97,52	7508	99,42
7260	73,30	7372	105,32	7509	109,82
7261	82,21	7373	112,74	7510	79,70
7262	90,02	7375	93,36	7511	88,60
7263	97,44	7376	102,26	7512	96,39
7264	107,84	7378	98,10	7513	103,82
7265	77,17	7400	60,10	7515	84,43
7266	86,08	7401	69,00	7516	93,34
7267	93,88	7402	76,81	7517	101,14
7268	101,30	7403	84,23	7520	89,17
7269	111,70	7404	94,61	7521	98,09
7270	81,57	7405	63,96	7560	92,68
7271	90,47	7406	72,87	7561	101,58
7272	98,27	7407	80,67	7562	109,39
7273	105,70	7408	88,09	7563	116,81
7275	86,31	7409	98,49	7564	127,20
7276	95,22	7410	68,35	7565	96,55
7300	47,64	7411	77,26	7566	105,46
7301	56,54	7412	85,06	7567	113,25
7302	64,35	7413	92,49	7568	120,67
7303	71,77	7415	73,09	7570	100,94
7304	82,17	7416	82,01	7571	109,85

Código adicional Yderligere kodenummer Zusatzcode Πρόσθετος κωδικός Additional code Code additionnel Codice complementare Aanvullende code Código adicional Lisäkoodi Tilläggskod	EUR/ 100 kg	Código adicional Yderligere kodenummer Zusatzcode Πρόσθετος κωδικός Additional code Code additionnel Codice complementare Aanvullende code Código adicional Lisäkoodi Tilläggskod	EUR/ 100 kg	Código adicional Yderligere kodenummer Zusatzcode Πρόσθετος κωδικός Additional code Code additionnel Codice complementare Aanvullende code Código adicional Lisäkoodi Tilläggskod	EUR/ 100 kg
7572	117,65	7746	155,52	7842	27,28
7575	105,68	7747	163,32	7843	34,71
7576	114,60	7750	151,01	7844	45,10
7600	95,29	7751	159,91	7845	14,44
7601	104,20	7758	17,75	7846	23,35
7602	112,00	7759	26,66	7847	31,14
7603	119,42	7760	174,47	7848	38,56
7604	129,82	7761	183,38	7849	48,96
7605	99,15	7762	191,17	7850	18,84
7606	108,06	7765	178,33	7851	27,74
7607	115,86	7766	187,25	7852	35,54
7608	123,28	7768	30,12	7853	42,97
7609	133,67	7769	39,03	7855	23,58
7610	103,55	7770	182,73	7856	32,49
7611	112,46	7771	191,64	7857	40,28
7612	120,25	7778	54,85	7858	28,32
7613	127,68	7779	63,77	7859	37,23
7615	108,29	7780	206,19	7860	17,63
7616	117,20	7781	215,10	7861	26,54
7620	113,03	7785	210,05	7862	34,32
7700	112,88	7786	218,97	7863	41,75
7701	121,79	7788	84,01	7864	52,15
7702	129,59	7789	92,92	7865	21,49
7703	137,01	7798	23,04	7866	30,40
7705	116,75	7799	31,94	7867	38,19
7706	125,66	7800	218,79	7868	45,62
7707	133,45	7801	227,71	7869	56,02
7708	140,88	7802	235,49	7870	25,88
7710	121,14	7805	222,66	7871	34,79
7711	130,05	7806	231,57	7872	42,59
7712	137,84	7807	239,36	7873	50,01
7715	125,88	7808	35,40	7875	30,63
7716	134,79	7809	44,31	7876	39,53
7720	111,03	7810	227,05	7877	47,34
7721	119,94	7811	235,96	7878	35,37
7722	127,73	7818	60,14	7879	44,29
7723	135,16	7819	69,05	7900	24,68
7725	114,89	7820	224,08	7901	33,58
7726	123,79	7821	232,99	7902	41,38
7727	131,60	7822	240,79	7903	48,80
7728	139,02	7825	227,94	7904	59,19
7730	119,29	7826	236,85	7905	28,54
7731	128,20	7827	244,66	7906	37,45
7732	135,99	7828	89,31	7907	45,24
7735	124,03	7829	98,21	7908	52,67
7736	132,94	7830	232,33	7909	63,06
7740	142,74	7831	241,25	7910	32,93
7741	151,66	7838	91,05	7911	41,84
7742	159,45	7840	10,57	7912	49,64
7745	146,61	7841	19,49	7913	57,06

Código adicional Yderligere kodenummer Zusatzcode Πρόσθετος κωδικός Additional code Code additionnel Codice complementare Aanvullende code Código adicional Lisäkoodi Tilläggskod	EUR/ 100 kg	Código adicional Yderligere kodenummer Zusatzcode Πρόσθετος κωδικός Additional code Code additionnel Codice complementare Aanvullende code Código adicional Lisäkoodi Tilläggskod	EUR/ 100 kg	Código adicional Yderligere kodenummer Zusatzcode Πρόσθετος κωδικός Additional code Code additionnel Codice complementare Aanvullende code Código adicional Lisäkoodi Tilläggskod	EUR/ 100 kg
7915	37,67	7955	48,25	7975	64,12
7916	46,59	7956	57,15	7976	73,02
7917	54,38	7957	64,96	7977	80,82
7918	42,42	7958	52,99	7978	68,85
7919	51,33	7959	61,90	7979	77,76
7940	35,25	7960	51,11	7980	79,31
7941	44,16	7961	60,02	7981	88,22
7942	51,95	7962	67,81	7982	96,01
7943	59,38	7963	75,24	7983	103,44
7944	69,78	7964	85,64	7984	113,83
7945	39,11	7965	54,97	7985	83,17
7946	48,02	7966	63,88	7986	92,08
7947	55,82	7967	71,68	7987	99,88
7948	63,24	7968	79,10	7988	107,30
7949	73,64	7969	89,50	7990	87,57
7950	43,50	7970	59,36	7991	96,48
7951	52,42	7971	68,28	7992	104,27
7952	60,21	7972	76,07	7995	92,31
7953	67,63	7973	83,50	7996	101,22

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

Importes de los derechos adicionales sobre el azúcar (AD S/Z) y sobre la harina (AD F/M) (por 100 kilogramos de peso neto)

Tillægstold for sukker (AD S/Z) og for mel (AD F/M) (pr. 100 kg nettovægt)

Beträge der Zusatzzölle für Zucker (AD S/Z) und für Mehl (AD F/M) (für 100 kg Nettogewicht)

Ποσά πρόσθετων δασμών στη ζάχαρη (AD S/Z) και στο αλεύρι (AD F/M) (για 100 kg καθαρού δάρους)

Amounts of additional duties on sugar (AD S/Z) and on flour (AD F/M) (per 100 kilograms net weight)

Montants des droits additionnels sur le sucre (AD S/Z) et sur la farine (AD F/M) (par 100 kilogrammes poids net)

Importi dei dazi aggiuntivi sullo zucchero (AD S/Z) e sulla farina (AD F/M) (per 100 kg peso netto)

Bedragen der aanvullende invoerrechten op suiker (AD S/Z) en op meel (AD F/M) (per 100 kg nettogewicht)

Montantes dos direitos adicionais sobre o açúcar (AD S/Z) e sobre a farinha (AD F/M) (por 100 quilogramas de peso líquido)

Sokeriin (AD S/Z) ja jauhoihin (AD F/M) (100 nettopainokilolta) sovellettavat lisätullit

Tilläggstull för socker (AD S/Z) och för mjöl (AD F/M) (per 100 kg nettovikt)

PART 1 — DEL 1 — TEIL 1 — ΜΕΡΟΣ 1 — PART 1 — PARTIE 1 — PARTE 1 — DEEL 1 — PARTE 1 — OSA 1 — DEL 1

Código NC KN-kode KN-Code Κωδικός ΣΟ CN code Code NC Codice NC GN-code Código NC CN-koodi KN-nummer	AD S/Z	AD F/M	Código NC KN-kode KN-Code Κωδικός ΣΟ CN code Code NC Codice NC GN-code Código NC CN-koodi KN-nummer	AD S/Z	AD F/M
	EUR/100 kg	EUR/100 kg		EUR/100 kg	EUR/100 kg
1704 90 30	12,39		1806 90 70	(**)	
1806 20 10	(**)		1806 90 90	(**)	
1806 20 30	(**)		1905 30 11	(*)	
1806 20 50	(**)		1905 30 19	(*)	
1806 20 80	(**)		1905 30 30	(*)	
1806 20 95	(**)		1905 30 51	(*)	
1806 31 00	(**)		1905 30 59	(*)	
1806 32 10	(**)		1905 30 91		(*)
1806 32 90	(**)		1905 30 99	(*)	
1806 90 11	(**)		1905 90 40		(*)
1806 90 19	(**)		1905 90 45		(*)
1806 90 31	(**)		1905 90 55		(*)
1806 90 39	(**)		1905 90 60	(*)	
1806 90 50	(**)		1905 90 90		(*)
1806 90 60	(**)				

(*) Véase parte 2 / Se del 2 / Siehe Teil 2 / Βλέπε μέρος 2 / See Part 2 / Voir partie 2 / Vedi parte 2 / Zie deel 2 / Ver parte 2 / Katso osa 2 / Se del 2.

(**) Véase parte 3 / Se del 3 / Siehe Teil 3 / Βλέπε μέρος 3 / See Part 3 / Voir partie 3 / Vedi parte 3 / Zie deel 3 / Ver parte 3 / Katso osa 3 / Se del 3.

PARTE 2 — DEL 2 — TEIL 2 — ΜΕΡΟΣ 2 — PART 2 — PARTIE 2 — PARTE 2 — DEEL 2 — PARTE 2 — OSA 2 — DEL 2

Contenido en sacarosa, azúcar invertido y/o isoglucosa Indhold af saccharose, invertsukker og/eller isoglucose Gehalt an Saccharose, Invertzucker und/oder Isoglucose Περιεκτικότητα σε ζαχαρόζη, ιμβερτοποιημένο ζάχαρο ή/και ισογλυκόζη Weight of sucrose, invert sugar and/or isoglucose Teneur en saccharose, sucre interverti et/ou isoglucose Tenore del saccarosio, dello zucchero invertito e/o dell'isoglucosio Gehalte aan saccharose, invertsuiker en/of isoglucose Teor de saccharose, açúcar invertido e/ou isoglicose Sakkarooosipitoisuus, inverttisokeri ja/tai isoglukoosi Halt av sackaros, invertsocker och/eller isoglukos	AD S/Z
> = 00 — < 05 > = 05 — < 30 > = 30 — < 50 > = 50 — < 70 > = 70	EUR/100 kg 0 7,34 13,76 19,87 28,43

Contenido en almidón o en fécula y/o glucosa Indhold af stivelse og/eller glucose Gehalt an Stärke und/oder Glucose Περιεκτικότητα σε παντός είδους άμυλα ή/και γλυκόζη Weight of starch or glucose Teneur en amidon ou fécule et/ou glucose Tenore dell'amido, della fecola e/o glucosio Gehalte aan zetmeel en/of glucose Teor de amido ou de fécula e/ou glicose Tärkkelys- ja/tai glukoosipitoisuus Halt av stärkelse och/eller glukos	AD F/M
> = 00 — < 05 > = 05 — < 25 > = 25 — < 50 > = 50 — < 75 > = 75	EUR/100 kg 0 3,19 6,80 10,71 14,62

PARTE 3 — DEL 3 — TEIL 3 — ΜΕΡΟΣ 3 — PART 3 — PARTIE 3 — PARTE 3 — DEEL 3 — PARTE 3 — OSA 3 — DEL 3

Contenido en sacarosa, azúcar invertido y/o isoglucosa Indhold af saccharose, invertsukker og/eller isoglucose Gehalt an Saccharose, Invertzucker und/oder Isoglucose Περιεκτικότητα σε ζαχαρόζη, ιμβερτοποιημένο ζάχαρο ή/και ισογλυκόζη Weight of sucrose, invert sugar and/or isoglucose Teneur en saccharose, sucre interverti et/ou isoglucose Tenore del saccarosio, dello zucchero invertito e/o dell'isoglucosio Gehalte aan saccharose, invertsuiker en/of isoglucose Teor de sacarose, açúcar invertido e/ou isoglicose Sakkarooisipitoisuus, inverttisokeri ja/tai isoglukoosi Halt av sackaros, invertsocker och/eller isoglukos	AD S/Z
> = 00 — < 05 > = 05 — < 30 > = 30 — < 50 > = 50 — < 70 > = 70	0 8,91 16,70 24,13 34,52

Contenido en almidón o en fécula y/o glucosa Indhold af stivelse og/eller glucose Gehalt an Stärke und/oder Glucose Περιεκτικότητα σε παντός είδους άμυλα ή/και γλυκόζη Weight of starch or glucose Teneur en amidon ou fécule et/ou glucose Tenore dell'amido, della fecola e/o glucosio Gehalte aan zetmeel en/of glucose Teor de amido ou de fécula e/ou glicose Tärkkelys- ja/tai glukoosipitoisuus Halt av stärkelse och/eller glukos	AD F/M
> = 00 — < 05 > = 05 — < 25 > = 25 — < 50 > = 50 — < 75 > = 75	0 3,87 8,25 13,01 17,75

COMMISSION DIRECTIVE 1999/51/EC

of 26 May 1999

adapting to technical progress for the fifth time Annex I to Council Directive 76/769/EEC on the approximations of the laws, regulations, and administrative provisions of the Member States relating to restrictions on the marketing and use of certain dangerous substances and preparations (tin, PCP and cadmium)

(Text with EEA relevance)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Directive 76/769/EEC of 27 July 1976 on the approximations of the laws, regulations, and administrative provisions of the Member States relating to restrictions on the marketing and use of certain dangerous substances and preparations⁽¹⁾, as last amended by Commission Directive 97/64/EC⁽²⁾, and in particular Article 2a thereof, introduced by Council Directive 89/678/EEC⁽³⁾,

(1) Whereas within the framework of the Act of Accession of Austria, Finland and Sweden to the European Union, in particular in Articles 69, 84 and 112 respectively, it is foreseen that during a period of four years from 1 January 1995 certain provisions of Annex I to Directive 76/769/EEC do not apply to Austria, Finland and Sweden and shall be reviewed in accordance with the procedures laid down in the EC Treaty;

(2) Whereas some organostannic compounds, in particular tributyltin (TBT), used for antifouling still pose a risk to the aquatic environment and to human health including possible endocrine disrupting activity; whereas the International Maritime Organisation (IMO) has recognised the risk posed by TBT and the Marine Environment Protection Committee of the IMO has called for a global prohibition of the application of organotin compounds which act as biocides in antifouling systems on ships by 1 January 2003; whereas the provisions on TBT shall be reviewed taking full account of developments in the IMO; whereas antifouling products providing for controlled release of TBT have been developed and these should be used in place of free association paint;

(3) Whereas inland waters and the Baltic Sea are especially sensitive environments; whereas the use of TBT in the inland waters of the Community should be prohibited; whereas, as an interim measure, Austria and Sweden shall be allowed to keep stricter provisions on the use of TBT in these sensitive environments;

(4) Whereas pentachlorophenol (PCP) still poses a risk to health and to the environment despite the restrictions introduced by Directive 76/769/EEC; whereas the use of PCP should be further restricted; whereas, nevertheless, certain uses of PCP are still necessary, for technical reasons, in the oceanic maritime Member States;

(5) Whereas the Council resolution of 25 January 1988 calls for an overall strategy to combat environmental pollution by cadmium, including measures to restrict the use of cadmium and stimulate development of substitutes; whereas the risks posed by cadmium are being assessed under Council Regulation (EEC) No 793/93⁽⁴⁾ and the Commission will review the restrictions on cadmium in light of the results; whereas as an interim measure Sweden and Austria which apply more far reaching restrictions may retain these;

(6) Whereas the Scientific Committee on Toxicity, Ecotoxicity and the Environment issued opinions on organotin compounds and on PCP;

(7) Whereas this Directive does not affect Community legislation laying down minimum requirements for the protection of workers contained in Council Directive 89/391/EEC⁽⁵⁾ and in individual directives based thereon, in particular Council Directive 90/394/EEC⁽⁶⁾ and Council Directive 98/24/EC⁽⁷⁾ on protection of health and safety of workers from the risk related to chemical agents at work;

⁽¹⁾ OJ L 262, 27.9.1976, p. 24.

⁽²⁾ OJ L 315, 19.11.1997, p. 13.

⁽³⁾ OJ L 398, 30.12.1989, p. 24.

⁽⁴⁾ OJ L 84, 5.4.1993, p. 1.

⁽⁵⁾ OJ L 183, 29.6.1989, p. 1.

⁽⁶⁾ OJ L 196, 26.7.1990, p. 1.

⁽⁷⁾ OJ L 131, 5.5.1998, p. 11.

- (8) Whereas the measures provided for in this Directive are in accordance with the opinion of the Committee for the adaptation to technical progress of Directives on the removal of technical barriers to trade in dangerous substances and preparations,

HAS ADOPTED THIS DIRECTIVE:

Article 1

Annex 1 to Directive 76/769/EEC is hereby adapted to technical progress as set out in the Annex hereto.

Article 2

1. Member States shall adopt and publish the provisions necessary to comply with this Directive by 29 February 2000 at the latest and shall forthwith inform the Commission thereof. They shall apply these provisions as from 1 September 2000. However, Austria, Finland and Sweden may apply these provisions from 1 January 1999 except where otherwise specified in the Annex.

When Member States adopt these provisions, these shall contain a reference to this Directive or shall be accompanied by such reference at the time of their official publi-

cation. The procedure for such reference shall be adopted by Member States.

2. Member States shall communicate to the Commission the main provisions of national law which they adopt in the field covered by this Directive.

Article 3

This Directive shall enter into force on the 20th day following its publication in the *Official Journal of the European Communities*.

Article 4

This Directive is addressed to the Member States.

Done at Brussels, 26 May 1999.

For the Commission

Martin BANGEMANN

Member of the Commission

ANNEX

In Annex I to Directive 79/769/EEC, points 21, 23 and 24 are amended as follows:

1. Point 21 is replaced by the following:

‘21. Organostannic compounds

1. May not be placed on the market for use as substances and constituents of preparations when acting as biocides in free association antifouling paint.

2. May not be used as substances and constituents of preparations when acting as biocides to prevent the fouling by microorganisms, plants or animals of:

(a) the hulls of:

— boats of an overall length, as defined by ISO 8666, of less than 25 metres,

— vessels of any length for use predominantly on inland waterways and lakes;

(b) cages, floats, net and any other appliances or equipment used for fish or shellfish farming;

(c) any totally or partly submerged appliance or equipment.

Such substances and preparations

— may be placed on the market only in packages of a capacity equal to or greater than 20 litres,

— may not be sold to the general public but only to professional users.

Without prejudice to the application of other Community provisions on the classification, packaging and labelling of dangerous substances and preparations, the packaging of such preparations shall be legible and indelibly marked as follows:

“Not to be used on boats of an overall length of less than 25 metres, or on vessels of any length for use predominantly on inland waterways and lakes, or on any appliances or equipment used in fish or shellfish farming

Restricted to professional users”.

3. The provisions referred to in Section 2(a) and the special labelling provisions of Section 2 are applicable to Sweden and Austria from 1 January 2003 and will be reviewed by the Commission in cooperation with Member States and stakeholders before this date.

4. May not be used as substances and constituents of preparations intended for the use in the treatment of industrial waters.’

2. Point 23 is replaced by the following:

‘23. Pentachlorophenol (CAS No 87-86-5) and its salts and esters

Shall not be used in a concentration equal to or greater than 0,1 % by mass in substances or preparations placed on the market.

By way of derogation until 31 December 2008 France, Ireland, Portugal, Spain and the United Kingdom may choose not to apply this provision to substances and preparations intended for use in industrial installations not permitting the emission and/or discharge of pentachlorophenol (PCP) in quantities greater than those prescribed by existing legislation:

(a) in the treatment of wood.

However, treated wood may not be used:

- inside buildings whether for decorative purposes or not, whatever their purpose (residence, employment, leisure),
- for the manufacture and re-treatment of:
 - (i) containers intended for growing purposes;
 - (ii) packaging that may come into contact with raw materials, intermediate or finished products destined for human and/or animal consumption;
 - (iii) other materials that may contaminate the products mentioned in (i) and (ii);

(b) in the impregnation of fibres and heavy-duty textiles not intended in any case for clothing or for decorative furnishings;

(c) by way of special exception, Member States may on a case-by-case basis, authorise on their territory specialised professionals to carry out *in situ* and for buildings of cultural, artistic and historical interest, or in emergencies, a remedial treatment of timber and masonry infected by dry rot fungus (*Serpula lacrymans*) and cubic rot fungi.

In any case:

- (a) Pentachlorophenol used alone or as a component of preparations employed within the framework of the above exceptions must have a total hexachlorodibenzoparadioxin (HCDD) content of not more than two parts per million (ppm);
- (b) these substances and preparations may not:
- be placed on the market except in packages of 20 litres or more;
 - be sold to the general public.

Without prejudice to the implementation of other Community provisions concerning the classification, packaging and labelling of dangerous substances and preparations, the packaging of such preparations should be marked clearly and indelibly:

“Reserved for industrial and professional use”

In addition, this provision shall not apply to waste covered by Directives 75/442/EEC⁽¹⁾ and 91/689/EEC⁽²⁾.

⁽¹⁾ OJ L 194, 25.7.1975, p. 39.

⁽²⁾ OJ L 377, 31.12.1991, p. 20.

3. The following section is added to Point 24 (cadmium) after Section 3:

‘4. Austria and Sweden, which already apply restrictions to cadmium going further than those prescribed in Sections 1, 2 and 3 may continue to apply these restrictions until 31 December 2002. The Commission will review the provisions on cadmium in Annex I to Directive 76/769/EEC before this date in light of the results of risk assessment for cadmium and of development of knowledge and techniques in respect of substitutes for cadmium.’

COMMISSION DIRECTIVE 1999/52/EC**of 26 May 1999****adapting to technical progress Council Directive 96/96/EC on the approximation of the laws of the Member States relating to roadworthiness tests for motor vehicles and their trailers****(Text with EEA relevance)**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Directive 96/96/EC of 20 December 1996 and Article 7(2) thereof on the approximation of the laws of the Member States relating to roadworthiness tests for motor vehicles and their trailers⁽¹⁾,

- (1) Whereas the first auto-oil programme⁽²⁾ identified the standard of motor vehicles' maintenance as a key constituent in traffic's effect on air quality;
- (2) Whereas Section 8.2 of Annex II Directive 96/96/EC to specifies the tests to be carried out at periodic inspections to check that vehicles are properly maintained;
- (3) Whereas Section 8.2.2 of Annex II Council Directive 92/55/EEC⁽³⁾ to specifies that, from 1 January 1996, diesel vehicles need to be tested for the opacity of the generated exhaust smoke during a transient, 'free acceleration' engine test where the engine is accelerated against its own inertia;
- (4) Whereas, this Directive establishes a technical adaptation that will improve the performance of roadworthiness testing of diesel engined vehicle emissions;
- (5) Whereas, further work needs to be done in the field of developing alternative test procedures to check the maintenance conditions of diesel engined vehicles, particularly concerning particulates and NO_x;
- (6) Whereas, the provisions of this Directive are in accordance with the opinion of the Committee for the Adaptation to Technical Progress of the Directive on Motor Vehicle Roadworthiness testing established under Article 8 of Directive 96/96/EC,

HAS ADOPTED THIS DIRECTIVE:

Article 1

Directive 96/96/EC is modified as follows:

Annex II, point 8.2.2 is replaced by the following:

‘8.2.2. Motor vehicles equipped with compression ignition (diesel) engines:

- (a) Exhaust gas opacity to be measured during free acceleration (no load from idle up to cut-off speed) with gear lever in neutral and clutch engaged.
- (b) Vehicle preconditioning:
 1. Vehicles may be tested without preconditioning although for safety reasons checks should be made that the engine is warm and in a satisfactory mechanical condition.

⁽¹⁾ OJ L 46, 17.2.1997, p. 1.⁽²⁾ Tripartite programme between the oil and motor industries and the European Commission services aimed at developing vehicle emission and fuel quality standards for the year 2000.⁽³⁾ OJ L 225, 10.8.1992, p. 68.

2. Except as specified in subparagraph (d)(5), no vehicle will be failed unless it has been preconditioned according to the following requirements.
3. Engine shall be fully warm, for instance the engine oil temperature measured by a probe in the oil level dipstick tube to be at least 80° C, or normal operating temperature if lower, or the engine block temperature measured by the level of infrared radiation to be at least an equivalent temperature. If, owing to vehicle configuration, this measurement is impractical, the establishment of the engine's normal operating temperature may be made by other means, for example by the operation of the engine cooling fan.
4. Exhaust system shall be purged by at least three free acceleration cycles or by an equivalent method.

(c) Test procedure:

1. Visual inspection of the relevant parts of the motor vehicle's emission system to check that there are no leaks.
2. Engine, and any turbocharger fitted, to be at idle before the start of each free acceleration cycle. For heavy-duty diesels, this means waiting for at least 10 seconds after the release of the throttle.
3. To initiate each free acceleration cycle, the throttle pedal must be fully depressed quickly and continuously (in less than one second) but not violently, so as to obtain maximum delivery from the injection pump.
4. During each free acceleration cycle, the engine shall reach cut-off speed or, for vehicles with automatic transmissions, the speed specified by the manufacturer or if this data is not available then two thirds of the cut off speed, before the throttle is released. This could be checked, for instance, by monitoring engine speed or by allowing a sufficient time to elapse between initial throttle depression and release, which in the case of vehicles in categories 1 and 2 of Annex I, should be at least two seconds.

(d) Limit values:

1. The level of concentration must not exceed the level recorded on the plate pursuant to Council Directive 72/306/EEC⁽²⁾.
2. Where this information is not available or where Member States' competent authorities decide not to use it as a reference, the limit values of the coefficient of absorption are as follows: maximum coefficient of absorption for:

— naturally aspirated diesel engines = 2,5 m⁻¹,

— turbo-charged diesel engines = 3,0 m⁻¹

or equivalent values where use is made of equipment of a type different from that used for EC type-approval.

3. Vehicles registered or put into service for the first time before 1 January 1980 are exempted from these requirements.
4. Vehicles shall only be failed if the arithmetic means of at least the last three free acceleration cycles are in excess of the limit value. This may be calculated by ignoring any measurements that depart significantly from the measured mean, or the result of any other statistical calculation that takes account of the scattering of the measurements. Member States may limit the maximum number of test cycles.

5. To avoid unnecessary testing, Member States may, by way of exception from the provisions of paragraph 8.2.2(d)(4), fail vehicles which have measured values significantly in excess of the limit values after less than three free acceleration cycles or after the purging cycles (or equivalent) specified in subparagraph (b)(3). Equally to avoid unnecessary testing, Member States may, by way of exception from the provisions of paragraph 8.2.2(d)(4), pass vehicles which have measured values significantly below the limit values after less than three free acceleration cycles or after the purging cycles (or equivalent) specified in subparagraph (b)(3).'

Article 2

1. Member States shall bring into force the laws, regulations and administrative provisions necessary to comply with this Directive before 1 October 2000. They shall forthwith inform the Commission thereof.

When the Member States adopt these measures they shall contain a reference to this Directive or shall be accompanied by such reference on the occasion of their official publication. The methods of making such reference shall be laid down by Member States.

2. Member States shall communicate to the Commission the texts of the provisions of national law which they adopt in the field governed by this Directive.

Article 3

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

Article 4

This Directive is addressed to the Member States.

Done at Brussels, 26 May 1999.

For the Commission

Neil KINNOCK

Member of the Commission

COMMISSION DIRECTIVE 1999/53/EC

of 26 May 1999

amending Annex III to Council Directive 77/93/EEC on protective measures against the introduction into the Community of organisms harmful to plants or plant products and against their spread within the Community

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

HAS ADOPTED THIS DIRECTIVE:

Having regard to the Treaty establishing the European Community,

Having regard to Council Directive 77/93/EEC of 21 December 1976 on protective measures against the introduction into the Community of organisms harmful to plants or plant products and against their spread within the Community⁽¹⁾, as last amended by Commission Directive 98/2/EC⁽²⁾, and in particular Article 13, second paragraph, third indent, thereof,

(1) Whereas by Commission Directive 92/76/EEC⁽³⁾, as last amended by Directive 98/100/EC⁽⁴⁾, Greece and France (Corsica) were provisionally recognised as protected zones against unknown non-European harmful organisms on fruits of *Citrus* L., *Fortunella* Swingle, *Poncirus* Raf., and their hybrids; whereas Italy was also provisionally recognised as a protected zone against unknown non-European harmful organisms on fruits of *Citrus* L., *Fortunella* Swingle, *Poncirus* Raf., and their hybrids, except *Citrus paradisi* Macf.; whereas Commission Directive 95/40/EC⁽⁵⁾ extended this provisional recognition only until 1 April 1996; whereas the provisions in Directive 77/93/EEC relating to the said protected zones are therefore obsolete and should be repealed for the sake of legal clarity;

(2) Whereas this amendment is in accordance with the requests of the Member States concerned;

(3) Whereas, therefore, the relevant Annex III to Directive 77/93/EEC should be amended accordingly;

(4) Whereas the measures provided for in this Directive are in accordance with the opinion of the Standing Committee on Plant Health,

Article 1

Annex III Part B to Directive 77/93/EEC, points 2 and 3 are deleted.

Article 2

1. Member States shall bring into force the laws, regulations and administrative provisions necessary to comply with this Directive no later than 15 July 1999. They shall forthwith inform the Commission thereof.

When Member States adopt these provisions, these shall contain a reference to this Directive or shall be accompanied by such reference at the time of their official publication. The procedure for such reference shall be adopted by Member States.

2. Member States shall immediately communicate to the Commission the main provisions of domestic law which they adopt in the field covered by this Directive. The Commission shall inform the other Member States thereof.

Article 3

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

Article 4

This Directive is addressed to the Member States.

Done at Brussels, 26 May 1999.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ L 26, 31.1.1977, p. 20.

⁽²⁾ OJ L 15, 21.1.1998, p. 34.

⁽³⁾ OJ L 305, 21.10.1992, p. 12.

⁽⁴⁾ OJ L 351, 29.12.1998, p. 35.

⁽⁵⁾ OJ L 182, 2.8.1995, p. 14.

COMMISSION DIRECTIVE 1999/54/EC
of 26 May 1999
amending Council Directive 66/402/EEC on the marketing of cereal seed

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

HAS ADOPTED THIS DIRECTIVE:

Having regard to the Treaty establishing the European Community,

Article 1

Directive 66/402/EEC is hereby amended as follows:

Having regard to Council Directive 66/402/EEC of 14 June 1966 on the marketing of cereal seed⁽¹⁾, as last amended by Directive 1999/8/EC⁽²⁾, and in particular Articles 2(1b) and 21b thereof,

(1) Whereas the abovementioned Directive makes provisions for including hybrids of self-pollinating triticale within its scope and empowers the Commission to adopt the necessary amendments to the definitions in Article 2(1) of that Directive; whereas, owing to the increased importance in the Community of the hybrids of self-pollinating triticale, they should be included within the scope of the Directive and consequently amendments to the definitions of 'basic seed' and 'certified seed' should be adopted;

(2) Whereas the abovementioned Directive does not establish the conditions to be satisfied by the crop and the seed of hybrids of *Avena sativa*, *Hordeum vulgare*, *Oryza sativa*, *Triticum aestivum*, *Triticum durum*, *Triticum spelta* and self-pollinating *Triticosecale*; whereas such conditions may be established and Annexes I and II to Directive 66/402/EEC amended accordingly; whereas, owing to the increased importance in the Community of the abovementioned hybrids, the conditions to be satisfied by the crop and by the seed, in particular where seed is produced by use of a chemical hybridisation agent, should be established;

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

1. in Article 2(1)Ca, the introductory sentence is replaced by the following:

'Basic seed (hybrids of oats, barley, rice, rye, wheat, durum wheat, spelt wheat and self-pollinating triticale)';

2. in Article 2(1)E the introductory sentence is replaced by the following:

'Certified seed (canary grass, other than hybrids, rye, sorghum, sudan grass, maize and hybrids of oats, barley, rice, wheat, durum wheat, spelt wheat and self pollinating triticale): seed';

3. in point 3 of Annex I the first and the second sentences are replaced by the following:

'The crop shall have sufficient varietal identity and varietal purity or, in the case of a crop of an inbred line, sufficient identity and purity as regards its characteristics. For the production of seed of hybrid varieties, the abovementioned provisions shall also apply to the characteristics of the components, including male sterility or fertility restoration';

4. the following point 3b is inserted in Annex I:

'3b. Crops to produce certified seed of hybrids of oats, barley, rice, wheat, durum wheat, spelt wheat and self-pollinating triticale

(a) The crop shall conform to the following standards as regards distances from neighbouring sources of pollen which may result in undesirable foreign pollination:

— the minimum distance of the female component shall be 25 m from any other variety of the same species except from a crop of the male component,

— this distance can be disregarded if there is sufficient protection from any undesirable foreign pollination.

⁽¹⁾ OJ 125, 11.7.1966, p.2309/66.

⁽²⁾ OJ L 50, 26.2.1999, p. 26.

- (b) The crop shall have sufficient identity and purity as regards the characteristics of the components.

Where seed is produced by use of a chemical hybridisation agent, the crop shall conform to the following standards or other conditions:

- (i) the minimum varietal purity of each component shall be:
- oats, barley, rice, wheat, durum wheat and spelt wheat: 99,7 %;
 - self-pollinating triticale: 99,0 %;
- (ii) the minimum hybridity must be 95 %. The percentage hybridity shall be assessed in accordance with current international methods, in so far as such methods exist. In cases where the hybridity is determined during seed testing prior to certification, the determination of the hybridity during field inspection need not be done.;

5. in point 1 of Annex II, the first and the second sentences are replaced by the following:

‘The seed shall have sufficient varietal identity and varietal purity or, in the case of seed of an inbred line, sufficient identity and purity as regards its characteristics. For the seed of hybrid varieties, the abovementioned provisions shall also apply to the characteristics of the components.’;

6. in the heading of Section 1.Aa of Annex II, ‘other than hybrids’ is inserted after ‘*Triticosecalé*’;
7. the following section is added to Section 1.Aa of Annex II:

‘Ab. Hybrids of oats, barley, rice, wheat, durum wheat, spelt wheat and self-pollinating triticale.

The minimum varietal purity of the seed of the category “certified seed” shall be 90 %. It shall be examined in official post control tests on an appropriate proportion of samples.’

Article 2

1. Member States shall bring into force the laws, regulations and administrative provisions necessary to comply with the provisions of this Directive not later than 1 July 2000. They shall forthwith inform the Commission thereof.
2. When Member States adopt these measures, they shall contain a reference to this Directive or shall be accompanied by such reference on the occasion of their official publication. The procedure for such reference shall be adopted by Member States.
3. Member States shall communicate to the Commission the text of the main provisions of domestic law they adopt in the field covered by this Directive.

Article 3

This Directive shall enter into force on the 20th day following its publication in the *Official Journal of the European Communities*.

Done at Brussels, 26 May 1999.

For the Commission

Franz FISCHLER

Member of the Commission

II

(Acts whose publication is not obligatory)

COMMISSION

COMMISSION DECISION

of 14 October 1998

on a proposal by Austria to grant aid to LiftgmbH

(notified under document number C(1998) 3212)

(Only the German text is authentic)

(Text with EEA relevance)

(1999/365/EC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community, and in particular the first subparagraph of Article 93(2) thereof,

Having regard to the Agreement establishing the European Economic Area, and in particular point (a) of Article 62(1) thereof,

Having given notice in accordance with Article 93 of the EC Treaty to the parties concerned to submit their comments,

Whereas:

I

LiftgmbH is a subsidiary of the Austrian group of companies Doppelmayr-Seilbahnvertriebsgesellschaft mbH. The group's main activities focus on the manufacture and installation of surface and aerial cableways, funicular railways, urban transit systems, elevators, mechanical garaging systems and stacker cranes for high-rise warehouses. According to the Austrian authorities, the group's turnover amounts to ATS 2,5 billion (ECU 180,5 million) and its balance sheet total comes to ATS 1,6 billion (ECU 115,5 million). The group employs 950 people.

The ropeways business area is the group's most important one in terms of number of employees and turnover. LiftgmbH is part of this business area. It has set up a Chinese subsidiary, SanHe Doppelmayr Transport Systems Co. Ltd, and invested ATS 54,1 million (ECU 3,9 million) in a small-scale production plant in SanHe, Hebei Region.

The subsidiary produces fixed-grip chairlifts for the Chinese market. In 1997 it made three lifts with 20 employees. In the medium term it plans to make 15 lifts a year with 50 employees.

Austria proposes to grant LiftgmbH a soft loan of ATS 25 million (ECU 1,8 million), the grant equivalent of which is ATS 1,8 million (ECU 130 500) ⁽¹⁾. The loan's duration is eight years, a two-year grace period being followed by a six-year-long half yearly repayment scheme; the loan bears an interest rate of 3,5 % for the first two years, 4 % for the next three years and 6,25 % for the last three years. The aid intensity of this amount is 3,2 % gross. The aid is to be disbursed under the ERP internationalisation scheme. In its Decision 97/240/EC ⁽²⁾ the Commission approved the scheme subject to aid being granted only for direct foreign investment by SMEs and to any aid for large enterprises being notified individually.

⁽¹⁾ In determining the grant equivalent of the soft loan, the Commission applied the reference interest rate currently applicable to Austria of 5,96 %.

⁽²⁾ OJ L 96, 11.4.1997, p. 15.

II

Since, according to the independence criterion set out in Commission Recommendation 96/280/EC concerning the definition of small and medium-sized enterprises⁽¹⁾, LiftgmbH is a large enterprise, Austria notified the aid proposal to the Commission by letter dated 23 January 1997. The Commission requested additional information by letter dated 24 February 1997, and this was furnished by Austria by letters received on 12 and 18 June 1997. The Commission requested yet more information by letter dated 28 July 1997. Following a reminder dated 30 September 1997, Austria sent the information by letter received on 10 October 1997.

On 2 December 1997 the Commission decided to initiate proceedings in this case, and Austria was informed accordingly by letter dated 16 December 1997. Austria submitted its comments by letter dated 8 May 1998. The notice informing the Austrian Government of the Commission's decision and inviting interested parties to submit observations on the measure in question was published in the *Official Journal of the European Communities*⁽²⁾. No observations from third parties were forthcoming.

III

The key factor in deciding to initiate proceedings in this case was the conclusion that the ATS 25 million (ECU 1,8 million) soft loan from the ERP Fund for a direct foreign investment by LiftgmbH in China constituted State aid within the meaning of Article 92(1) of the EC Treaty and Article 61(1) of the EEA Agreement.

Doppelmayr, which is headquartered in Wolfurth, Vorarlberg, is a global player in the ropeways market with a market share in Europe of approximately 20 %. Its main competitors are the Swiss firm Garaventa AG, the Italian firm Leitner and the French firm Pomagalski SA. These four firms together hold a market share in the European market of almost 90 %. They also dominate the world market. In terms of volume of sales, however, the European market remains the largest regional market.

The aid planned by Austria is of such a character as to strengthen the financial and strategic position of the recipient enterprise as a whole. The Austrian authorities stated *inter alia* that Doppelmayr could increase the return on its investment in R&D and that the strengthening of the earnings of the Austrian parent company would be reflected in dividends. It is obvious that a strengthening of the financial and strategic position of a European enterprise which does business in the EEA is

likely to affect trading conditions in the Community. Such is the view expressed by the Court of Justice of the European Communities in its judgment in Case 142/87 *Tubemeuse*⁽³⁾. The effect on trading conditions is particularly strong in this case since in terms of sales volume the EEA market is the largest regional market and two of Doppelmayr's main competitors are established in the EEA.

There is evidence to suggest that these competitors of Doppelmayr are trying to increase their market shares in China and are considering investing in Chinese production facilities. The State aid may therefore strengthen Doppelmayr's position in the EEA market compared with its competitors in that market, who have received no aid for direct foreign investment.

Austria has indirectly acknowledged the granting of aid in this case by saying that, in its view, the soft loan to LiftgmbH would improve the strategic position of the Doppelmayr group and have a favourable impact on the Austrian economy.

Aid within the meaning of Article 92(1) of the EC Treaty and Article 61(1) of the EEA Agreement is in principle incompatible with the common market. Paragraphs 2 and 3 of those Articles set out the circumstances, however, in which such aid may be considered compatible with the common market.

The exceptions laid down in Article 92(2) of the EC Treaty are not applicable in this case. No aid having a social character, granted to individual consumers, and no aid to make good the damage caused by natural disasters is involved.

Since Wolfurth, where LiftgmbH is located, is not in an assisted area, the exceptions laid down in Article 92(3)(a) of the EC Treaty and the regional aspects of the exceptions in Article 92(3)(c) are likewise not applicable. The Commission is of the opinion that these exceptions do not apply to investments in a non-Community country⁽⁴⁾.

As regards the exceptions laid down in Article 92(3)(b) of the EC Treaty, the Commission finds that the project does not satisfy the criteria normally required of a 'project of common European interest' and that the aid is not intended to remedy a serious disturbance in the economy of a Member State.

The exceptions laid down in Article 92(3)(d) do not apply either, as the aid is not intended to promote culture and heritage conservation.

⁽¹⁾ OJ L 107, 30.4.1996, p. 4.

⁽²⁾ OJ C 109, 8.4.1998, p. 8.

⁽³⁾ [1990] ECR, I-959, paragraph 35.

⁽⁴⁾ OJ L 96, 11.4.1997, p. 15.

Nor has Austria sought to justify the grant of the aid on the basis of the above exceptions.

Only the first alternative in the first sentence of Article 92(3)(c) of the EC Treaty may be applicable in so far as the aid helps to facilitate the development of certain economic activities — in this case the internationalisation of the Doppelmayr group through its expansion into the Chinese market — without trading conditions being adversely affected to an extent contrary to the common interest⁽¹⁾.

This is the first time that aid for a direct foreign investment by a large enterprise has been notified by Austria. The Commission has in the past not authorised State aid for direct foreign investments by large enterprises.

In its decision initiating the proceedings, the Commission set forth the criteria according to which aid for direct foreign investments by large enterprises must be assessed. The Commission must in particular:

1. ensure that the aid does not contain any disguised export elements,
2. take into account the effects on employment in both the source country and the host country,
3. consider the risks of subsidiaries or production plants being relocated out of Member States to non-Community countries,
4. consider any local content requirements, and
5. examine the necessity of the aid, including the envisaged aid intensity, in the light of the international competitiveness of European industry and/or of the risks run by investment projects in certain non-member countries.

The Commission's concerns about the fulfilment of the criterion in point 5 were decisive when it came to initiating proceedings. The Commission accordingly sought proof from the Austrian Government that the aid was intended to reduce or offset the negative effects of market deficiencies, such as the usual difficulties facing a small or medium-sized enterprise, economic risks and political risks. It also sought proof that the aid was essential to LiftgmbH pursuing its internationalisation objectives. It queried, lastly, whether the allegedly insufficient level of internationalisation on the part of the Doppelmayr group was sufficient grounds for granting aid to LiftgmbH.

The Austrian Government replied that the Doppelmayr group had to be enabled to internationalise its business and strengthen its competitiveness in the world market.

In view of the political and economic risks connected with the investment, the group would not carry out the project without the soft loan. The economic risks were especially high during the first five years of operation. They included lengthy approval procedures, delays in starting up, no or inadequate infrastructure, the training of staff, the procurement of inputs, the achievement of the necessary product quality and wide exchange rate variations. According to the Austrian Government, the economic risks had already caused additional costs of ATS 1 million (ECU 72 000) and might cause further costs of ATS 5 million (ECU 361 000) over the next two years. With regard to the political risks, reference was made to the crisis in Asia and to as yet unforeseeable political setbacks.

The Commission notes that the plan to start production in China is based on a strategic decision by the Doppelmayr group. According to the Austrian Government, LiftgmbH was set up solely with a view to carrying out this investment in China. It therefore has to be proved that economic and/or political risks have prevented the Doppelmayr group from producing goods in China and that the investment would not be undertaken unaided.

The Commission takes into account the fact that the risks inherent in direct foreign investment depend on the enterprise's size, its experience in the area concerned and its position in the market.

Doppelmayr is a profitable enterprise with sound finances. The cost of the investment project is equivalent to 2,2 % of group turnover and 3,4 % of its balance sheet total. In the Commission's opinion, compared with the group's turnover and net asset value the investment is a minor undertaking for Doppelmayr.

Doppelmayr has a worldwide presence in the ropeways business and has been active internationally for decades. The group exports its products to more than 45 countries and has built up an extensive international network of subsidiaries and joint ventures in 25 countries. The Doppelmayr group thus has a foothold in, for example, the United States of America, Canada, Australia, New Zealand, Turkey, Russia, Chile, Japan, Korea and China. It is already present in countries where there is a fairly high-risk economic environment, and as far as the Commission is aware it did not receive any State aid to open up these markets. It can be concluded from this that the Doppelmayr group is familiar with international practices and has considerable experience of setting up production facilities abroad.

⁽¹⁾ OJ L 96, 11.4.1997, p. 15.

For ropeway manufacturers, China is a strategically important and promising market. In order to be able to enter the Chinese market effectively and satisfy the local content requirements, the building of production facilities in China is essential. A ropeway manufacturer with subsidiaries or joint ventures in this market undoubtedly has a competitive advantage over rivals with no Chinese plants. From a strategic point of view, it is crucial to enter this market early so as to be sure of being in a strong position in future. This is especially true of a global market leader like Doppelmayr.

Austria announced by letter dated 8 May 1998 that LiftgmbH had already started production in rented premises. In order to enter the Chinese market, it is therefore immaterial whether a ropeway manufacturer uses rented or its own premises. Austria's objective of encouraging the Doppelmayr group to expand into the Chinese market has manifestly already been attained without State aid.

Against this background, the Austrian authorities have not proved that, for a globally active enterprise with a turnover of ATS 2,5 billion (ECU 180,5 million), aid of ATS 1,8 million (ECU 0,13 million) is the decisive factor when it comes to setting up a plant in China; this investment is, rather, part of a strategic plan to enter a promising market worth ATS 200 million (ECU 27 million). Nor has the aid been shown to be essential to encouraging the Doppelmayr group to expand into the Chinese market⁽¹⁾.

Lastly, the Commission takes into account with regard to the international competitiveness of the relevant European industry the fact that the enterprises which dominate the world market are European. There is therefore no plausible evidence to suggest that favouring one of the European competitors in respect of an investment project in a non-Community country may help to improve the competitiveness of European industry.

The Commission has accordingly reached the conclusion that the proposed aid for direct foreign investment by LiftgmbH in China does not contribute to the development of certain economic activities within the meaning of Article 92(3)(c) of the EC Treaty and hence is incompatible with the common market.

The granting by Austria to LiftgmbH of aid in the form of a soft loan of ATS 25 million (ECU 1,8 million) can therefore not be authorised.

The Commission does not intend to use this Decision to lay down its future policy on direct foreign investment. This Decision does not rule out the possibility that direct foreign investment by large enterprises, in particular in the countries of Central and Eastern Europe, may be considered eligible for assistance where it can be proved that a project is in the interests of European industry and that competition in the EEA will not be restricted as a result,

HAS ADOPTED THIS DECISION:

Article 1

The proposal by Austria to grant aid in the form of an ATS 25 million (ECU 1,8 million) soft loan from the ERP Fund for direct foreign investment by LiftgmbH, Wohlfurth, in China is incompatible, pursuant to Article 92(1) of the EC Treaty, with the common market and, pursuant to Article 61(1) of the EEA Agreement, with the functioning of that Agreement.

The aid may accordingly not be granted.

Article 2

Austria shall inform the Commission within two months of the date of notification of this Decision of the measures taken to comply therewith.

Article 3

This Decision is addressed to the Republic of Austria.

Done at Brussels, 14 October 1998.

For the Commission

Karel VAN MIERT

Member of the Commission

⁽¹⁾ See the judgment of the Court of Justice in Case 730/79 Philip Morris [1980] ECR, p. 2671, paragraph 17.

COMMISSION DECISION

of 4 June 1999

terminating the anti-dumping proceeding concerning imports of ferro-silicon
originating in Egypt and Poland

(notified under document number C(1999) 1466)

(1999/366/EC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

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⁾, as last amended by Regulation (EC) No
905/98⁽²⁾, and in particular Articles 9 and 10 thereof,

After Consulting the Advisory Committee,

Whereas:

A. PROCEDURE

1. Measures in force

- (1) Anti-dumping duties of 32 % on imports of ferro-silicon originating in Egypt and Poland have been in force since 1992, when definitive anti-dumping duties were imposed by Council Regulation (EEC) No 3642/92⁽³⁾. The duties did not apply to exports by one Egyptian and one Polish exporting producer from which price undertakings were accepted by the Commission by Decisions 92/331/EEC⁽⁴⁾ and 92/572/EEC⁽⁵⁾ respectively.
- (2) As regards other anti-dumping measures currently in force, definitive anti-dumping measures on ferro-silicon were imposed against Kazakhstan, Russia, Ukraine, Norway, Iceland, Brazil and Venezuela by Council Regulation (EC) No 3359/93⁽⁶⁾ in December 1993. Measures on imports from Iceland and Norway were suspended with the application of Council Regulation (EC) No 5/94 of 22 December 1993 on the suspension of anti-dumping measures against EFTA countries from 1 January 1994⁽⁷⁾. Measures on imports from Brazil were partially reviewed and, by Council Regulation (EC) No 351/98⁽⁸⁾ the duty on two Brazilian exporting producers was reduced to 0 % because of a finding of no dumping.

Definitive anti-dumping measures were also imposed against imports from China and South Africa by Council Regulation (EC) No 621/94⁽⁹⁾ in March 1994.

2. Request for Review

- (3) Following the publication of the notice of impending expiry⁽¹⁰⁾ of the anti-dumping measures, the complainant in the original investigation, the Liaison Committee of the Ferro-Alloy Industry ('Euroalliages', hereinafter 'the applicant'), requested an expiry review of the measures pursuant to Article 11(2) of Regulation (EC) No 384/96 (hereinafter the 'basic Regulation').
- (4) Having determined, after consultation of the Advisory Committee, that sufficient evidence existed for the initiation of an expiry review, the Commission published a notice of initiation in the *Official Journal of the European Communities*⁽¹¹⁾ and commenced the investigation.
3. Investigation
- (5) The investigation of dumping covered the period from 1 July 1996 to 30 June 1997 (hereinafter the 'investigation period'). The examination of injury covered the period from 1993 up to the end of the investigation period.
- (6) At the time of the original investigation, the Community industry on behalf of which the complaint was lodged consisted of six producers; Pechiney Electrometallurgie, France; SKW Trostberg AG, Germany; Ferrolegerungswerk Lippendorf GmbH, Germany; Carbueros Metalicos, Spain; Industria Elettrica Indel Spa, Italy; and Utilizzazioni Elettro Industriali UEI, Italy.
- (7) After the imposition of the measures under review, the structure of the Community industry changed as a result, on the one hand, of the accession of the new Member States, and, on the other, of economic

⁽¹⁾ OJ L 56, 6.3.1996, p. 1.⁽²⁾ OJ L 128, 30.4.1998, p. 18.⁽³⁾ OJ L 369, 18.12.1992, p. 1.⁽⁴⁾ OJ L 183, 3.7.1992, p. 40.⁽⁵⁾ OJ L 369, 18.12.1992, p. 32.⁽⁶⁾ OJ L 302, 9.12.1993, p. 1.⁽⁷⁾ OJ L 3, 5.1.1994, p. 1.⁽⁸⁾ OJ L 42, 14.2.1998, p. 1.⁽⁹⁾ OJ L 77, 19.3.1994, p. 48.⁽¹⁰⁾ OJ C 387, 21.12.1996, p. 3.⁽¹¹⁾ OJ C 204, 4.7.1997, p. 2.

changes within the industry. This resulted in there being four Community producers of the product concerned producing for sale on the Community market. The present expiry review was requested on behalf of these four producers representing all of the Community's non-captive production of the product concerned.

- (8) Three of the four Community producers (Vargön Alloys AB in Sweden, Ferroatlantica in Spain, formerly Carburros Metalicos, and Pechiney Electro-metallurgie in France), representing 96 % and thus a major proportion of Community production, cooperated actively in the investigation and responded to the Commission's questionnaire. The fourth producer, Industria Elettrica Indel Spa (Italy) was not able to cooperate since it was undergoing a restructuring process. Hereinafter the 'Community industry' is defined as the three abovementioned cooperating Community producers.

- (9) The Commission officially advised the applicant Community producers, exporting producers and importers known to be concerned, representatives of the exporting countries concerned, as well as the applicant, of the initiation of the review investigation, and gave interested parties the opportunity to make their views known and to request a hearing within the time limit set in the notice of initiation.

The Commission sent questionnaires to all parties known to be concerned and received replies from Community producers and importers, as well as from exporting producers in Egypt and Poland.

A number of exporting producers in the countries concerned, as well as Community producers, Community users and importers made their views known in writing. All parties who so requested within the above time limit, and indicated that there were particular reasons why they should be heard, were granted hearings.

- (10) The Commission sought and verified all the information deemed necessary for its investigation, and carried out verifications at the premises of the following companies:

- (a) Community producers:

— Vargön Alloys AB, Sweden,
— Ferroatlantica, Spain,
— Pechiney Electrometallurgie, France.

- (b) Importers:

Deutsche Erz- and Metall-Union GmbH, Germany.

- (c) Exporting producers in Egypt:

EFACO, KIMA.

- (d) Exporting producers in Poland:

Huta Laziska.

B. PRODUCT UNDER CONSIDERATION

1. Product concerned

- (11) The product concerned by this investigation is the same as that concerned by the original investigation, i.e. ferro-silicon. Production of ferro-silicon takes place in electric arc furnaces by means of reducing quartz using carbon bearing products.

The product is used as a deoxidiser and as an alloying component by the iron and steel industry.

Ferro-silicon is sold in the form of lumps, grains or powder and exists in various qualities depending on the silicon content and the impurity content (i.e. aluminium, carbon, etc.).

- (12) It was found that all different forms and qualities of ferro-silicon exported from the countries concerned had the same basic physical and chemical characteristics and essentially the same end uses. They were therefore considered to form a single product. The product under consideration currently falls within CN codes 7202 21 10, 7202 21 90 and 7202 29 90.

2. Like product

- (13) It was established that the ferro-silicon produced and sold in the Egyptian and Polish markets was alike within the meaning of Article 1(4) of the basic Regulation to the ferro-silicon exported, from Egypt and Poland to the Community as they were identical, or closely resembling, in terms of physical characteristics and end uses. Furthermore, ferro-silicon produced and sold in the Community market by the Community industry was found equally to be alike to that exported from Egypt and Poland within the meaning of Article 1(4) of the basic Regulation.

C. DUMPING

- (14) The question of dumping was not pursued, given the findings on the situation of the Community industry and recurrence of injury below.

D. SITUATION IN THE COMMUNITY MARKET OF FERRO-SILICON

1. Community market for ferro-silicon

- (15) Taking into account the production of the complainant Community producers, and an estimate of the production of the non-cooperating producer, together with the total imports of the product concerned into the Community minus exports from the Community, the development of Community apparent consumption of the product concerned is shown below:

(tonnes)

	1993	1994	1995	1996	Investigation period 1.7.1996 to 30.6.1997
Community apparent consumption	618 805	494 750	595 586	603 394	630 623

2. Volumes and market shares of the imports concerned

- (16) The development of import volumes from the two exporting countries concerned based on the data reported by Eurostat was as follows:

(tonnes)

	1993	1994	1995	1996	Investigation period 1.7.1996 to 30.6.1997
Imports from Poland	1 029	3 835	21 742	21 172	30 303
Imports from Egypt	10 712	21 873	29 851	15 252	11 098

- (17) The differences in the development of imports from Egypt and Poland are reflected in the market shares of the countries concerned. The share of the Community market for ferro-silicon accounted for by Poland was:

(%)

	1993	1994	1995	1996	Investigation period 1.7.1996 to 30.6.1997
Poland's market share	0,2	0,8	3,7	3,5	4,8

It should be noted that at the time of the previous investigation the market share of Poland was around 5 %.

The market share accounted for by Egypt, on the other hand, peaked in 1995, but by the investigation period had fallen back to the levels prevailing in 1993. The market share of Egypt was as follows:

(%)

	1993	1994	1995	1996	Investigation period 1.7.1996 to 30.6.1997
Egypt's market share	1,7	4,4	5,0	2,5	1,8

The market share of Egypt, at the time of the previous investigation, was about 4 %.

3. Prices of the imports concerned

- (18) The investigation found that the prices of the exporting producers in both Egypt and Poland for exports to the Community were, during the investigation period, above the non-injurious levels which determined the price undertakings accepted with respect to both Egypt and Poland (Commission Decisions 92/331/EEC and 92/572/EEC respectively).
- (19) As to the development of the prices of the imports subject to investigation over the period examined as a whole, the Commission established trends using Eurostat figures. On this basis, import prices were as follows, with 1993 = 100 in both cases:

	1993	1994	1995	1996	Investigation period 1.7.1996 to 30.6.1997
Egypt	100	106	111	138	129
Poland	100	143	121	132	131

- (20) Price undercutting was established at the same level of trade on the basis of a comparison of the ex-works prices of the Community producers and the cif price, Community frontier duty paid, for the imports from the countries concerned.
- (21) The exporting producer in Poland claimed an adjustment for quality differences and for the cost of packaging for the purposes of calculating the margin of undercutting.

As far as the adjustment for quality differences is concerned, it was claimed that the silicon content of the imports from Poland was often lower than that of Community-made ferro-silicon. Second, it was alleged that the types of ferro-silicon produced in Poland and exported to the Community were of a lower quality than the types typically produced by the Community industry, due to the high impurity content of the Polish ferro-silicon that made it unsuitable for certain uses.

- (22) These claims were confirmed by the investigation. The transactions listing submitted by the company showed that the ferro-silicon exported from Poland in the investigation period had, in around one third of the cases, a silicon content lower than 75 %, which is the standard of Community production. Moreover, it was found that the degree of impurity of aluminium and carbon in the ferro-silicon exported was higher than that sold by the Community producers in the Community.

As to the differences in the packaging of the product, the exporting producer claimed that an adjustment should be made to take into account the different costs between the goods which were delivered in bulk and those delivered in drums or bags. This claim was also considered justified, and the adjustment agreed. Since these adjustments for differences in silicon content, impurities and packaging were already reflected in the existing price undertaking, it was decided to confirm the levels set out in the price undertaking.

- (23) The same adjustments were made for imports from Egypt, since the same differences were found with regard to the Egyptian exporting producer.
- (24) Therefore, the sales prices of all types of ferro-silicon sold on the Community market during the investigation period were, where necessary, adjusted to the price for a single reference type of ferro-silicon, for the sales of both the exporting producers concerned and those of the Community industry. Undercutting was then calculated by comparing the ex-works sales price of this standard, reference type of ferro-silicon sold by the Community industry, and the cif Community frontier price, duty paid, for the same product sold by the exporting producers concerned.

On this basis, the weighted average level of price undercutting found was 4,6 % for Polish exports, and 4,5 % for the Egyptian exports.

4. The situation of the Community industry

- (25) The sales volume of the Community industry was as follows:

(tonnes)

	1993	1994	1995	1996	Investigation period 1.7.1996 to 30.6.1997
Sales volume of the Community industry	84 499	92 094	101 040	99 647	101 603

- (26) The corresponding market share over the period was:

(%)

	1993	1994	1995	1996	Investigation period 1.7.1996 to 30.6.1997
Market share of the Community industry	13,6	18,6	17,0	16,5	16,1

- (27) The trend in prices of the cooperating Community industry, in index form (1993 = 100) is shown below:

	1993	1994	1995	1996	Investigation period 1.7.1996 to 30.6.1997
Community industry's prices	100	108	123	132	128

- (28) The turnover of the Community industry (in 000's ecus) was as follows:

(ECU 1 000)

	1993	1994	1995	1996	Investigation period 1.7.1996 to 30.6.1997
Turnover of the Community industry	48 718	57 324	71 367	75 799	74 790

Thus, over the period considered, turnover increased by 53 %.

- (29) The investigation has established that, on a weighted average basis, the profitability of the Community industry, calculated as the return on sales, showed an improvement of almost 18 percentage points, as shown in the following table:

(%)

	1993	1994	1995	1996	Investigation period 1.7.1996 to 30.6.1997
Weighted average profitability of the Community industry	-5,38	8,1	10,1	11,2	12,2

- (30) Production of the Community industry was as follows:

(tonnes)

	1993	1994	1995	1996	Investigation period 1.7.1996 to 30.6.1997
Community industry production	79 935	93 188	100 757	96 004	100 066

The above table shows that production increased by 25 % over the period considered.

- (31) The development of production capacity is shown below:

(tonnes)

	1993	1994	1995	1996	Investigation period 1.7.1996 to 30.6.1997
Production capacity	137 000	141 700	141 200	144 800	144 500

From this it can be seen that capacity grew by 5 % over the period considered.

- (32) Capacity utilisation, on a weighted average basis, was therefore:

	1993	1994	1995	1996	(%) Investigation period 1.7.1996 to 30.6.1997
Capacity utilisation	58	66	71	66	69

Capacity utilisation increased by 19 %, or 11 percentage points, over the period concerned.

It should be noted that it is normal for part of the ferro-silicon industry to shut down its manufacturing plants during the winter months. The process of manufacturing ferro-silicon is extremely energy-intensive, and in order to reduce costs, production ceases during the time when the cost of electricity rises — i.e. during winter. This production organisation is not reflected in the production capacity table shown above which reflects a maximum production capacity over a full 12 month period. This also explains the relatively low levels of capacity utilisation.

A certain amount of stock-piling occurs therefore before the onset of winter so that deliveries can continue.

- (33) The level of employment directly connected with ferro-silicon production was relatively stable, as can be seen in the following table:

	1993	1994	1995	1996	Investigation period 1.7.1996 to 30.6.1997
Employment	635	635	627	630	610

5. Conclusion

in removing injury caused by imports from the two exporting countries concerned.

- (34) While some of the major economic indicators showed a clear positive development over the period, with a particular improvement throughout in financial performance, where the losses of more than 5 % on turnover in 1993 had become profits of over 12 % in the investigation period, other indicators, particularly market share, show a less positive development. It has also been established that imports from Egypt and Poland taken together remained significant, and in the case of Poland increased, although from a low basis, and were made at prices slightly undercutting those of the Community industry. It should be noted, however, that the relative strengthening of the position of Polish imports occurred after the imposition in the Community of definitive anti-dumping measures on other third countries as mentioned above at recital 2 and that the exports made by the exporting producers were covered by undertakings which were fully respected, i.e. export prices obtained were above the undertaking prices.

Therefore, it was concluded that the Community industry has benefited from the anti-dumping measures in force which have served their purpose

E. LIKELIHOOD OF CONTINUATION OR RECURRENCE OF INJURY

1. Egypt

- (35) The development of imports from Egypt is described at recital 20. After rising to a peak in 1995, import levels and market share sharply declined to the levels prevailing in 1993. The market share in the investigation period (1,8 %), was well below the market share found at the time of the previous investigation.
- (36) As to prices for exports to the Community market, these still undercut those of the Community industry, although they constantly increased after the introduction of the anti-dumping measures and they were also higher than the undertaking price.

In addition, prices at which exports were made to non-Community markets were higher than for exports to the Community market during the investigation period, indicating that a redirection

of such exports to the Community market was not likely from an economic point of view.

- (37) In the Egyptian industry, capacity utilisation is currently very high; at 94 %, capacity is effectively fully used, and there were no plans to increase capacity in 1998.

Further, while in 1995 exports to the Community represented 68 % of the total sales volume, this proportion had fallen to 45 % in the investigation period; this decline has been compensated by export sales to non-Community markets which almost doubled over the same period (from 15 to 35 % of the total sales volume), while domestic sales rose slightly in percentage terms (17 to 20 %).

2. Poland

- (38) Community imports from Poland showed a large increase in volume terms between 1993 and the investigation period. However, it has been pointed out by the Polish exporting producer that, in 1993, the company suffered a major factory breakdown which resulted in virtually no ferro-silicon production that year. Production only resumed in 1994 but was significantly below the levels reached prior to 1993. Therefore, the Polish producer submitted that a 1993 benchmark is not appropriate and that comparisons should be made on the basis of 1995 figures where production was again at a normal level.

- (39) On the basis of the above, the Commission examined the development of volumes and export prices between 1995 and the investigation period and found a rising trend of these two parameters. It should be noted, however, that the market share of Poland at the end of the period examined was still below the market share found in the previous investigation. The increase in Polish exports to the Community also coincided with the imposition of definitive anti-dumping measures on imports from Russia, Ukraine and Kazakhstan and the consequent reduction of imports from these countries.

- (40) As to the capacity utilisation of the Polish exporting producer, this was 93 % in the investigation period, thus making an increase in the volumes produced in the short term unlikely. As to the proportion of sales to the Community, this rose from 39 % of total sales in 1995 to 45 % in the investigation period.

In the light of these developments, the Commission examined the possibility of a change in the distribution of the Polish exporting producer's sales, i.e. whether there would be a further rise in the proportion destined for export to the Community. In particular, it was examined whether the restructuring of the Polish steel industry prior to any accession to the European Union would lead to a collapse in domestic demand for ferro-silicon, and consequently to an increase in the supply available for exports to, *inter alia*, the Community. Given that domestic sales in the investigation period accounted for 37 % of the sales of the Polish exporting producer, the potential effect of a fall in domestic demand appeared to be substantial. Statistics relating to the steel market in Poland, however, show that the production of steel increased by 31 % over the period 1992 to 1996, and estimates for 1997 indicate a further increase.

As to the possibility of reducing exports to non-Community third countries, it was found that average prices for standard 75 % ferro-silicon are higher on non-Community markets than on the Community market, with no substantial alteration in the pattern of exports from Poland to the Community and other countries expected.

- (41) In the light of the foregoing, Polish exports to the Community are not expected to further increase to any substantial degree, nor are their prices expected to fall should anti-dumping measures be removed. Even with measures in force, and with prices in excess of those in the undertaking, the Polish exporting producer recovered, after the factory breakdown in 1993/94, a consolidated position on the Community market, maintaining at the same time strong domestic sales; it has therefore shown itself able to compete in the Community with prices at a non-injurious level. Indeed, the level of the price-undertaking offered by the Polish producer was determined by the injury threshold in the investigation leading to the measures reviewed. It would not be economically rational behaviour, if the anti-dumping measures are allowed to expire, to try to gain further market share on the Community market by cutting export prices. Moreover, given that production capacity is fully utilised, an increase of exports to the Community could only be achieved at the expense of domestic sales or of exports to other third countries, which makes such a strategy even more unlikely.

3. Conclusion

- (42) In the light of the above findings, notwithstanding the fact that the prices of the imports concerned, though having increased by around 30 % since 1993, still undercut slightly the prices of the Community industry, and on the basis of the substantially improved financial situation of this industry, the Commission concludes that the expiry of the measures on Egyptian and Polish imports is not likely to lead to a continuation or recurrence of injury.

In reaching this conclusion, the Commission also took into account the arguments presented by the Community industry that, even in the absence of an expansion of exports to the Community, the exporting producers in the countries concerned could still cause material injury by concentrating sales and depressing prices on the spot market, with subsequent downwards pressure on the Community industry's prices.

In the view of the Commission, this argument is not well-founded. The exporting producers' prices on the Community market were well above the undertaking prices, which were, at the time of acceptance, set at the levels required to remove the injury due to dumping. This, combined with their fully-utilised production capacities and improving or stable demand in their domestic and non-Community export markets, makes it unlikely that the Community spot market will be affected by exports from the countries concerned to the extent that injury would re-occur.

In this respect, it is recalled that, should the situation of the Community industry deteriorate due to dumped imports from the countries concerned, the industry is free to lodge a new anti-dumping

complaint as provided for in Article 5 of the basic Regulation.

- (43) The Commission informed interested parties, including the Community industry, of its conclusions. After being informed by the Commission of the above facts and conclusions, representatives of the Community industry made further representations, both in writing and orally, concerning the impact of the imports in question on the Community industry. However, no information or argument was provided which could, on examination, revise the above conclusions.

F. TERMINATION OF THE PROCEEDING

- (44) It is concluded, therefore, that this proceeding should be terminated and that the anti-dumping measures adopted on 14 December 1992 by Regulation (EEC) No 3642/92 and by Decisions 92/331/EEC and 92/572/EEC should be allowed to expire,

HAS ADOPTED THIS DECISION:

Sole Article

The anti-dumping proceeding concerning imports of ferro-silicon falling within CN codes 7202 21 10, 7202 21 90 and 7202 29 90 originating in Egypt and Poland is hereby terminated.

Done at Brussels, 4 June 1999.

For the Commission

Leon BRITTAN

Vice-President

COMMISSION DECISION
of 4 June 1999
appointing replacement members of the Energy Consultative Committee
(notified under document number C(1999) 1462)

(1999/367/EC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Decision 96/642/EC of 8 November 1996 setting up an Energy Consultative Committee ⁽¹⁾,

Having regard to Decision 98/134/EC of 3 February 1998 appointing the members of the Energy Consultative Committee set up by Decision 96/642/EC ⁽²⁾,

- (1) Whereas Mr D. Declercq (IFIEC), Mr J.A. Alvarez Ercilla (Euriscoal), Mr T. Udo (UEAPME), H.W. Knoche (Europia) and Mr E. Mc Carthy (Eurelectric) have resigned and Mr G. Erlandsson (EPSU) has died;
- (2) Whereas new members should now be appointed to the Committee after consultation of the parties concerned,

HAS DECIDED:

Article 1

Mr D. Williams (IFIEC), Mr F. Santoro (Euriscoal), Mr J. Mayer (UEAPME), Ms V. Callaud (Europia), Mr M. Cabellos Velasco (Eurelectric) and Mr B. Dahlsten (EPSU) are hereby appointed members of the Energy Consultative Committee in place of, respectively, Mr D. Declercq, Mr J.A. Alvarez Ercilla, Mr T. Udo, Mr H.W. Knoche, Mr E. Mc Carthy and Mr G. Erlandsson.

Article 2

This Decision shall take effect on the day following that of its publication in the *Official Journal of the European Communities*.

Done at Brussels, 4 June 1999.

For the Commission

Christos PAPOUTSIS

Member of the Commission

⁽¹⁾ OJ L 292, 15.11.1996, p. 34.

⁽²⁾ OJ L 36, 10.2.1998, p. 14.

COMMISSION DECISION

of 4 June 1999

on protective measures with regards to contamination by dioxins of products intended for human or animal consumption derived from bovine animals and pigs

(notified under document number C(1999) 1538)

(Text with EEA relevance)

(1999/368/EC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Directive 89/662/EEC of 11 December 1989 concerning veterinary checks in intra-Community trade with a view to the completion of the internal market⁽¹⁾, as last amended by Directive 92/118/EEC⁽²⁾, and in particular Article 9(3) thereof,

Having regard to Council Directive 90/425/EEC of 26 June 1990 concerning veterinary and zootechnical checks applicable in intra-Community trade in certain live animal and products with a view to the completion of the internal market⁽³⁾, as last amended by Directive 92/118/EEC, and in particular Article 10(3) thereof,

(1) Whereas following information on contamination on poultry products with dioxin the Commission adopted Decision 1999/363/EC⁽⁴⁾; whereas this Decision establishes, in particular, that the Belgian authorities shall investigate possible distribution of contaminated feedingstuffs with dioxins to other farm animals and inform without delay the Commission and other Member States and concerned third countries of the results of such investigation;

(2) Whereas, on 2 June 1999, the Belgian authorities informed the Commission that they had placed under restriction approximately 500 pig holdings which may have received contaminated feeding-stuff; whereas, on 3 June 1999, they also informed the Commission that contaminated feedingstuffs had been distributed to a number of bovine holdings as well;

(3) Whereas the body of toxicological and epidemiological evidence today have led the International Agency for Research on Cancer (IARC) of the World Health Organisation (WHO) to consider TCDD a class 1 carcinogen (highest class in IARC ranking);

(4) Whereas, in the light of the above, it is necessary to take similar measures as those laid down by Decision 1999/363/EC to protect consumers from risks associated to products derived from pigs and bovine animals; whereas, however, the Belgian authorities have not yet taken action on pigs and bovine animals and derived products similar to those applied in the case of poultry; whereas it is therefore not appropriate to set an end-date for the application of measures in respect of pigs and bovine animals and products derived therefrom; whereas, consequently, these measures should apply to pigs and bovine animals reared in Belgium starting from 15 January 1999, and products derived therefrom; whereas these measures should not apply to products derived from animals which have not been reared in holdings placed under restrictions by the Belgian authorities or which are not contaminated by dioxins following the results of analysis;

(5) Whereas the Commission may, in collaboration with the Member State concerned, pending the meeting of the Standing Veterinary Committee, take safeguard measures with regards to live animals and products of animal origin originating in that Member State,

HAS ADOPTED THIS DECISION:

Article 1

1. A. Belgium shall prohibit the placing on the market, including distribution to the final consumer, the trade and the export to third countries, of all the following products intended for human or animal consumption derived from pigs and bovine animals, which were reared in Belgium starting from 15 January 1999:

- fresh meat, as defined by Council Directive 64/433/EEC⁽⁵⁾,
- mechanically recovered meat,
- minced meat and meat preparation, as defined by Council Directive 94/65/EC^{AST},

⁽¹⁾ OJ L 395, 30.12.1989, p. 13.

⁽²⁾ OJ L 62, 15.3.1993, p. 49.

⁽³⁾ OJ L 224, 18.8.1990, p. 20.

⁽⁴⁾ OJ L 141, 4.6.1999, p. 24.

⁽⁵⁾ OJ 121, 29.7.1964, p. 2012/64.

- meat products and other products of animal origin as defined by Council Directive 77/99/EEC ⁽¹⁾,
- raw milk, heat-treated milk and milk based products as defined by Council Directive 92/46/EEC ⁽²⁾,
- rendered fats, as referred to by Directive 92/118/EEC,
- processed animal proteins, as referred to by Directive 92/118/EEC,
- raw material for the manufacture of animal feedingstuffs, as referred to by Directive 92/118/EEC,

unless:

- (i) the products are not derived from animals reared in holdings put under restriction by the Belgian authorities; or
- (ii) the results of analysis demonstrate that the products are not contaminated with dioxin.

B. Belgium shall prohibit the placing on the market, the trade and the export to third countries, of pigs and bovine animals reared starting from 15 January 1999, unless they have not been reared or produced in holdings put under restriction by the Belgian authorities.

2. Belgium shall ensure that all the products listed in paragraph 1 which do not fulfil the conditions established in paragraph 1, point (i) or (ii), are destroyed by means approved by the competent authorities.

3. Belgium shall inform immediately the Commission and the Member States, if appropriate in accordance with Council Directive 92/59/EEC ⁽³⁾ (rapid alert system), and third countries who have received the live animals or products covered by paragraph 2 of this Article.

Article 2

For the purpose of trade, the commercial document or, if appropriate, the veterinary certificate accompanying each consignment of live animals or products listed in Article 1 must be completed by an official declaration signed by the Belgian competent authority certifying that the live

animals or the products of Belgian origin are in compliance with this Decision.

Article 3

Member States which received pigs or bovine animals which have been reared or produced in holdings put under restriction by the Belgian authorities and/or products of Belgian origin covered by paragraph 2 of Article 1, shall immediately

- trace and place under restriction such animals and products arising therefrom,
- trace back all products of Belgian origin to which this Decision applies and products destined for human or animal consumption containing those products,
- ensure that the above products are destroyed by a means approved by the competent authority, unless it can be proved they are not contaminated with dioxins,
- inform immediately the Commission and the Member States, if appropriate in accordance with Directive 92/59/EEC, and concerned third countries on the findings of their investigation and on the eventual actions taken.

Article 4

Commission inspections may be carried out in order to verify the implementation of this Decision.

Article 5

Member States shall alter the measures they apply to trade in order to bring them into line with this Decision. They shall immediately inform the Commission thereof.

Article 6

This Decision is addressed to the Member States.

Done at Brussels, 4 June 1999.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ L 368, 31.12.1994, p. 10.

⁽²⁾ OJ L 26, 31.1.1977, p. 85.

⁽³⁾ OJ L 268, 14.9.1992, p. 1.

CORRIGENDA

**Corrigendum to Commission Regulation (EC) No 1134/1999 of 28 May 1999 on the supply to Russia
of common wheat and rye of bread-making quality**

(Official Journal of the European Communities L 135 of 29 May 1999)

On page 80, Annex II,

for:

Member State Lot No	Storage location	Quantity	Minimum daily loading rate	Stores/Contract No
Belgium Lot No 2: 20 000 t — Arkhangelsk	SMEG Scheepzaterstraat B-Gent	20 000	2 500	P 96005
Lot No 3(a): 25 000 t — St Petersburg	Ghent Grain Terminal Pleistraat z/n B-9042 Gent	25 000	2 600	P 96002
Lot No 3(b): 20 000 t — St Petersburg	Ghent Grain Terminal Pleistraat z/n B-9042 Gent	20 000	2 600	P 96002
Lot No 4(a): 25 000 t — St Petersburg	Stukwerkershavenbedrijf NV B-Gent	25 000	2 400	P 96004
Lot No 4(b): 25 000 t — St Petersburg	Manuport Handling B-Antwerpen	25 000	8 000	P 96007',

read:

Member State Lot No	Storage location	Quantity	Minimum daily loading rate	Stores/Contract No
France Lot No 2: 20 000 t — Arkhangelsk	SMEG Scheepzaterstraat B-Gent	20 000	2 500	P 96005
France Lot No 3(a): 25 000 t — St Petersburg	Ghent Grain Terminal Pleistraat z/n B-9042 Gent	25 000	2 600	P 96002
Lot No 3(b): 20 000 t — St Petersburg	Ghent Grain Terminal Pleistraat z/n B-9042 Gent	20 000	2 600	P 96002
France Lot No 4(a): 25 000 t — St Petersburg	Stukwerkershavenbedrijf NV B-Gent	25 000	2 400	P 96004
Lot No 4(b): 25 000 t — St Petersburg	Manuport Handling B-Antwerpen	25 000	3 000	P 96007'.