

Official Journal

of the European Communities

ISSN 0378-6978

L 148

Volume 42

15 June 1999

English edition

Legislation

Contents

I *Acts whose publication is obligatory*

- ★ **Council Regulation (EC) No 1215/1999 of 10 June 1999 amending Regulation No 19/65/EEC on the application of Article 81(3) of the Treaty to certain categories of agreements and concerted practices** 1
- ★ **Council Regulation (EC) No 1216/1999 of 10 June 1999 amending Regulation No 17: first Regulation implementing Articles 81 and 82 of the Treaty** 5
- Commission Regulation (EC) No 1217/1999 of 14 June 1999 establishing the standard import values for determining the entry price of certain fruit and vegetables 7
- ★ **Commission Regulation (EC) No 1218/1999 of 14 June 1999 concerning the classification of certain goods in the Combined Nomenclature** 9
- Commission Regulation (EC) No 1219/1999 of 14 June 1999 on the supply of white sugar as food aid 14
- Commission Regulation (EC) No 1220/1999 of 14 June 1999 on the supply of cereals as food aid 17
- ★ **Commission Regulation (EC) No 1221/1999 of 14 June 1999 on the sale by tender of beef held by certain intervention agencies and repealing Regulation (EC) No 383/1999** 21
- ★ **Commission Regulation (EC) No 1222/1999 of 14 June 1999 on periodical sales by tender of beef held by certain intervention agencies for export and repealing Regulation (EC) No 951/1999** 27

Contents (continued)

Commission Regulation (EC) No 1223/1999 of 14 June 1999 fixing Community producer and import prices for carnations and roses with a view to the application of the arrangements governing imports of certain floricultural products originating in Cyprus, Israel, Jordan, Morocco and the West Bank and the Gaza Strip	31
Commission Regulation (EC) No 1224/1999 of 14 June 1999 amending representative prices and additional duties for the import of certain products in the sugar sector	33
★ Commission Directive 1999/57/EC of 7 June 1999 adapting to technical progress Council Directive 78/764/EEC relating to the driver's seat on wheeled agricultural or forestry tractors ⁽¹⁾	35
★ Commission Directive 1999/58/EC of 7 June 1999 adapting to technical progress Council Directive 79/533/EEC relating to coupling and reversing devices for wheeled agricultural or forestry tractors ⁽¹⁾	37

II Acts whose publication is not obligatory

Commission

1999/391/EC:

★ Commission Decision of 31 May 1999 concerning the questionnaire relating to Council Directive 96/61/EC concerning integrated pollution prevention and control (IPPC) (implementation of Council Directive 91/692/EEC) ⁽¹⁾ (notified under document number C(1999) 1395)	39
--	----

1999/392/EC:

★ Commission Decision of 31 May 1999 recognising in principle the completeness of the dossiers submitted for detailed examination in view of the possible inclusion of ZA 1296 (mesotrione), Iodosulfuron-methyl-sodium (AEF 115008) Silthiopham (MON 65500) and <i>Gliocladium catenulatum</i> in Annex I to Council Directive 91/414/EEC concerning the placing of plant-protection products on the market ⁽¹⁾ (notified under document number C(1999) 1400)	44
---	----

I

(Acts whose publication is obligatory)

COUNCIL REGULATION (EC) No 1215/1999

of 10 June 1999

amending Regulation No 19/65/EEC on the application of Article 81(3) of the Treaty to certain categories of agreements and concerted practices^(*)

THE COUNCIL OF THE EUROPEAN UNION,

into such obligations with each other in respect of exclusive supply and purchase for resale;

Having regard to the Treaty establishing the European Community, and in particular Article 83 thereof,

Having regard to the proposal from the Commission⁽¹⁾,

Having regard to the opinion of the European Parliament⁽²⁾,

Having regard to the opinion of the Economic and Social Committee⁽³⁾,

(2) Whereas, pursuant to Regulation No 19/65/EEC, the Commission has in particular adopted Regulation (EEC) No 1983/83 of 22 June 1983 on the application of Article 81(3) of the Treaty to categories of exclusive distribution agreements⁽⁶⁾, Regulation (EEC) No 1984/83 of 22 June 1983 on the application of Article 81(3) of the Treaty to categories of exclusive purchasing agreements⁽⁷⁾ and Regulation (EEC) No 4087/88 of 30 November 1988 on the application of Article 81(3) of the Treaty to categories of franchise agreements⁽⁸⁾ (exemption regulations);

(1) Whereas by Regulation No 19/65/EEC⁽⁴⁾, the Council empowered the Commission, without prejudice to the application of Council Regulation No 17: first Regulation implementing Articles 81 and 82 of the Treaty⁽⁵⁾, and in accordance with Article 81(3) of the Treaty, to adopt regulations declaring that Article 81(1) does not apply to certain categories of agreements, and in particular to categories of agreements to which only two undertakings are party and whereby one party agrees with the other to supply only to that other certain goods for resale within a defined area of the common market, or whereby one party agrees with the other to purchase only from that other certain goods for resale, or whereby the two undertakings enter into

(3) Whereas on 22 January 1997 the Commission published a Green Paper on Vertical Restraints in EC Competition Policy, which generated a wide-ranging public debate on the application of Article 81(1) and (3) of the Treaty to vertical agreements or concerted practices;

(4) Whereas the response to the Green Paper from the Member States, the European Parliament, the Economic and Social Committee, the Committee of the Regions and interested parties has been generally in favour of reform of Community competition policy on vertical agreements; whereas the block exemption regulations already referred to should accordingly be revised;

(*) Editorial Note: The title of Regulation No 19/65/EEC has been adjusted to take account of the renumbering of the Articles of the Treaty establishing the European Community in accordance with Article 12 of the Treaty of Amsterdam; the original reference was to Article 85(3) of the Treaty.

(1) OJ C 365, 26.11.1998, p. 27.

(2) Opinion delivered on 15 April 1999 (not yet published in the Official Journal).

(3) OJ C 116, 28.4.1999.

(4) OJ 36, 6.3.1965, p. 533/65. Regulation as last amended by the 1994 Act of Accession.

(5) OJ 13, 21.2.1962, p. 204/62. Regulation as last amended by the 1994 Act of Accession.

(6) OJ L 173, 30.6.1983, p. 1. Regulation as last amended by Regulation (EC) No 1582/97 (OJ L 214, 6.8.1997, p. 27).

(7) OJ L 173, 30.6.1983, p. 5. Regulation as last amended by Regulation (EC) No 1582/97.

(8) OJ L 359, 28.12.1988, p. 46. Regulation as amended by the 1994 Act of Accession.

- (5) Whereas any such reform must meet the two requirements of ensuring effective protection of competition and providing adequate legal certainty for firms; whereas the pursuit of those objectives should take account of the need as far as possible to simplify administrative supervision and the legislative framework; whereas at the same level of market power vertical restraints are generally considered less harmful to competition than horizontal restraints;
- (6) Whereas the exemption regulations referred to do not confine themselves to defining the categories of agreements to which they apply and to specifying the restrictions or clauses which are not to be contained in the agreements, but they also list the exempted clauses; whereas this legislative approach to contractual relations is generally perceived to be over rigid in an economic context where distribution structures and techniques are rapidly changing;
- (7) Whereas the said exemption regulations cover only those categories of bilateral exclusive agreements entered into with a view to resale which are concerned with the exclusive distribution or purchase of goods, or both, or which include restrictions imposed in relation to the assignment or use of industrial property rights; whereas they exclude from their scope, *inter alia*, vertical agreements between more than two undertakings, selective distribution agreements, agreements concerning services, and agreements concerning the supply or purchase, or both, of goods or services intended for processing or incorporation; whereas a substantial number of vertical agreements consequently cannot qualify for exemption under Article 81(3) of the Treaty until they have been examined individually by the Commission, which may reduce the legal certainty available to the undertakings concerned and make administrative supervision unnecessarily burdensome;
- (8) Whereas the debate which followed the publication of the Green Paper also drew attention to the fact that in determining the manner in which Article 81(1) and (3) are to apply proper account needs to be taken of the economic effects of vertical agreements; whereas any economic criteria limiting the scope of a block exemption by reason of the anti-competitive effects which an agreement may produce should take into account the share of the relevant market accounted for by the undertaking concerned;
- (9) Whereas, therefore, the Commission should be empowered to replace the existing legislation with legislation which is simpler, more flexible and better targeted, and which may cover all types of vertical agreements; whereas if the scope of the exemption regulation covering such agreements is to be broadened in this way, there should be criteria such as market-share thresholds to specify the circumstances where, in view of the possible economic effects of the agreements, the regulation ceases to be applicable; whereas the setting of such market share thresholds should take account of the market power of the undertaking concerned; whereas certain severe anticompetitive vertical restraints like minimum and fixed resale prices and certain types of territorial protection should be excluded from the application of the regulation irrespective of the market share of the undertaking concerned;
- (10) Whereas the powers conferred on the Commission by Regulation No 19/65/EEC do not allow it to conduct a reform of the rules currently in force which would cover all types of vertical agreements; whereas the scope of Article 1(1)(a) and (2)(b) thereof should consequently be broadened to cover all agreements caught by Article 81(1) of the Treaty which are entered into by two or more undertakings, each operating, for the purposes of the agreement, at a different level of the production or distribution chain and which relate to the conditions under which the parties may purchase, sell or resell certain goods or services (vertical agreements), including exclusive distribution agreements, exclusive purchasing agreements, franchising agreements and selective distribution agreements, or any combination of these, and certain non-reciprocal vertical agreements entered into between competing undertakings, as well as vertical agreements between an association of small and medium-sized retailers and its members or between such an association and its suppliers;
- (11) Whereas the exemption regulations referred to empower the Commission, in accordance with Article 7 of Regulation No 19/65/EEC, to withdraw the benefit of application of those regulations wherever, in a particular case, an agreement or a network of similar agreements has certain effects

which are incompatible with the conditions laid down in Article 81(3); whereas in order to ensure effective supervision of markets and greater decentralisation in the application of the Community competition rules, it is appropriate to provide that where the effects of such an agreement are felt in the territory of a Member State, or in a part thereof, which has all the characteristics of a distinct market the competent authority in that Member State may withdraw the benefit of the block exemption in its territory and adopt a decision aimed at eliminating those effects; whereas the said Article 7 should accordingly be supplemented so as to specify the circumstances in which the competent authorities in the Member States can withdraw the benefit of application of the block-exemption regulation;

- (12) Whereas, in order to guarantee an effective control of the effects arising in a given market from the existence of parallel networks of similar agreements, a block-exemption regulation may establish the conditions under which those networks of agreements may be excluded from its application by means of regulation; whereas such conditions may be based on criteria such as the market coverage rate of these networks of agreements; whereas the Commission will accordingly be empowered to establish by means of regulation that in a given market the relevant agreements fulfil the said conditions; whereas in such a case, the Commission will have to fix a transitional period of not less than six months, at the expiry of which the block exemption will cease to be applicable to the relevant agreements on that market; whereas this regulation establishing the non-application of the block-exemption regulation for the relevant agreements on a particular market has as effect the application of Article 81 of the Treaty by individual examination; whereas the Commission will consult the Advisory Committee before the adoption of such a regulation and, on request of a Member State, also before the publication of the draft regulation,

HAS ADOPTED THIS REGULATION:

Article 1

Regulation No 19/65/EEC is hereby amended as follows:

1. Article 1 shall be amended as follows:

- (a) paragraph 1 shall be replaced by the following:

‘1. Without prejudice to the application of Regulation No 17 and in accordance with Article 81(3) of the Treaty the Commission may by regulation declare that Article 81(1) shall not apply to:

- (a) categories of agreements which are entered into by two or more undertakings, each operating, for the purposes of the agreement, at a different level of the production or distribution chain, and which relate to the conditions under which the parties may purchase, sell or resell certain goods or services,
 - (b) categories of agreements to which only two undertakings are party and which include restrictions imposed in relation to the acquisition or use of industrial property rights, in particular of patents, utility models, designs or trade marks, or to the rights arising out of contracts for assignment of, or the right to use, a method of manufacture or knowledge relating to the use or to the application of industrial processes’;
 - (b) in paragraph 2(b), the words ‘the clauses which must be contained in the agreements, or’ shall be deleted;
 - (c) paragraph 3 shall be replaced by the following:
- ‘3. Paragraphs 1 and 2 shall apply by analogy to categories of concerted practices’.

2. The following Article shall be inserted:

‘Article 1a

A regulation pursuant to Article 1 may stipulate the conditions which may lead to the exclusion from its application of certain parallel networks of similar agreements or concerted practices operating on particular market; when these circumstances are fulfilled the Commission may establish this by means of regulation and fix a period at the expiry of which the Regulation pursuant to Article 1 would no longer be applicable in respect of the relevant agreements or concerted practices on that market; such period must not be shorter than six months’.

3. Article 6(1) shall be replaced by the following:

‘1. The Commission shall consult the Advisory Committee on Restrictive Practices and Monopolies:

- (a) with regard to a regulation pursuant to Article 1 before publishing a draft regulation and before adopting a regulation;
- (b) with regard to a regulation pursuant to Article 1a before publishing a draft regulation if requested by a Member State, and before adopting a regulation'.
4. In Article 7 the existing paragraph shall become paragraph 1 and the following paragraph shall be added:
- '2. When in any particular case agreements or concerted practices to which a regulation adopted pursuant to Article 1 applies have certain effects

which are incompatible with the conditions laid down in Article 81(3) of the Treaty in the territory of a Member State, or in part thereof, which has all the characteristics of a distinct market, the competent authority in that Member State may on its own initiative or at the request of the Commission or of natural or legal persons claiming a legitimate interest withdraw the benefit of application of that regulation'.

Article 2

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

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

Done at Luxembourg, 10 June 1999.

For the Council
The President
K.-H. FUNKE

COUNCIL REGULATION (EC) No 1216/1999
of 10 June 1999
amending Regulation No 17: first Regulation implementing Articles 81 and 82 of
the Treaty (*)

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty establishing the European Community, and in particular Article 83 thereof,

Having regard to the proposal from the Commission ⁽¹⁾,

Having regard to the opinion of the European Parliament ⁽²⁾,

Having regard to the opinion of the Economic and Social Committee ⁽³⁾,

(1) Whereas Article 4(2) of Regulation No 17 ⁽⁴⁾ dispenses a number of agreements, decisions and concerted practices from the requirement of notification prior to exemption under Article 4(1);

(2) Whereas this dispensation relates in particular to agreements, decisions and concerted practices where the only parties thereto are undertakings from one Member State and the agreements, decisions or practices do not relate either to imports or exports between Member States, or where not more than two undertakings are party thereto and the agreements only restrict the freedom of one party to the contract in determining the prices or conditions of business on which the goods he has obtained from the other party to the contract may be resold; whereas this dispensation does not cover not agreements caught by Articles 81(1) of the Treaty which are entered into by two or more undertakings, each operating, for the purposes of the agreement, at a different level of the production or distribution chain, and which relate to the conditions under which the parties may purchase, sell or resell certain goods or services ('vertical agreements');

(3) Whereas on 22 January 1997 the Commission published a Green Paper on Vertical Restraints in EC Competition Policy which generated a wide-ranging public debate on the application of Article 81(1) and (3) of the Treaty to vertical agreements;

whereas the response from Member States, the European Parliament, the Economic and Social Committee, the Committee of the Regions and interested parties has been generally in favour of reform of Community competition policy in this area;

(4) Whereas any such reform must meet the two requirements of ensuring effective protection of competition and providing adequate legal certainty for firms; whereas, in order to achieve these objectives, the Commission has been empowered by the Council to declare, by regulation and in accordance with Article 81(3) of the Treaty, that Article 81(1) is not applicable to categories of vertical agreements;

(5) Whereas reform of the regulatory framework applicable to vertical agreements must in addition take account of the need to simplify administrative supervision which would result in a reduction of the number of notifications of vertical agreements; whereas there should be a reduction of the incentive to notify vertical agreements which are in compliance with the policy of the Commission and the case-law of the Court of Justice and the Court of first instance; whereas, to achieve that objective, the Commission should be empowered to grant individual exemption for vertical agreements caught by Article 81(1) of the Treaty from the date on which they were entered into;

(6) Whereas the requirement of notification prior to exemption imposes on firms which are party to vertical agreements an unnecessary administrative burden;

(7) Whereas the agreements referred to in Article 4(2) of Regulation No 17 are dispensed from the requirement of notification prior to exemption; whereas the purpose of this dispensation is to reduce the number of notifications, which enables the Commission to concentrate its efforts on supervising those restrictive agreements which are the most damaging to competition; whereas, therefore, this amendment does not entail any relaxation in the supervision which the Commission has a duty to exercise under Article 81(1);

(*) Editorial Note: The title of Regulation No 17 has been adjusted to take account of the renumbering of the Articles of the Treaty establishing the European Community in accordance with Article 12 of the Treaty of Amsterdam; the original reference was to Articles 85 and 86 of the Treaty.

⁽¹⁾ OJ C 365, 26.11.1998, p. 30.

⁽²⁾ Opinion delivered on 15 April 1999 (not yet published in the Official Journal).

⁽³⁾ OJ C 116, 28.4.1999.

⁽⁴⁾ OJ 13, 21.2.1962, p. 204/62. Regulation as last amended by the 1994 Act of Accession.

- (8) Whereas the scope of Article 4(2) of Regulation No 17 should therefore be extended, and all vertical agreements should be dispensed from the requirement of notification prior to exemption,

HAS ADOPTED THIS REGULATION:

Article 1

Point 2 of Article 4(2) of Regulation No 17 shall be replaced by the following:

- ‘2. (a) the agreements or concerted practices are entered into by two or more undertakings, each operating, for the purposes of the agreement, at a different level of the production or distribution chain, and relate to the conditions under which the parties

may purchase, sell or resell certain goods or services;

- (b) not more than two undertakings are party thereto, and the agreements only impose restrictions on the exercise of the rights of the assignee or user of industrial property rights, in particular patents, utility models, designs or trade marks, or of the person entitled under a contract to the assignment, or grant, of the right to use a method of manufacture or knowledge relating to the use and to the application of industrial processes’.

Article 2

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

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

Done at Luxembourg, 10 June 1999.

For the Council

The President

K.-H. FUNKE

COMMISSION REGULATION (EC) No 1217/1999
of 14 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 15 June 1999.

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

Done at Brussels, 14 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 14 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	60,4
	999	60,4
0707 00 05	052	83,6
	628	125,4
	999	104,5
0709 90 70	052	62,1
	999	62,1
0805 30 10	382	48,9
	388	51,4
	528	50,4
	999	50,2
0808 10 20, 0808 10 50, 0808 10 90	388	76,4
	400	62,8
	508	80,6
	512	84,4
	524	71,0
	528	58,4
	804	98,6
	999	76,0
	052	223,3
	064	190,7
0809 20 95	068	139,9
	400	202,8
	616	153,1
	999	182,0
	624	249,2
	999	249,2
	999	249,2

⁽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 1218/1999
of 14 June 1999
concerning the classification of certain goods in the Combined Nomenclature

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

Having regard to Council Regulation (EEC) No 2658/87 of 23 July 1987 on the tariff and statistical nomenclature and on the Common Customs Tariff⁽¹⁾, as last amended by Commission Regulation (EC) No 861/1999⁽²⁾, and in particular Article 9 thereof,

- (1) Whereas in order to ensure uniform application of the Combined Nomenclature annexed to the said Regulation, it is necessary to adopt measures concerning the classification of the goods referred to in the Annex to this Regulation;
- (2) Whereas Regulation (EEC) No 2658/87 has set down the general rules for the interpretation of the Combined Nomenclature and these rules also apply to any other nomenclature which is wholly or partly based on it or which adds any additional subdivisions to it and which is established by specific Community provisions, with a view to the application of tariff or other measures relating to trade in goods;
- (3) Whereas, pursuant to the said general rules, the goods described in column 1 of the table annexed to this Regulation must be classified under the appropriate CN codes indicated in column 2, by virtue of the reasons set out in column 3;
- (4) Whereas it is appropriate that, subject to the measures in force in the Community relating to double-checking systems and to prior and retrospective Community surveillance of textile products on importation into the community, binding tariff information in the matter of classification of goods in the Combined Nomenclature issued by the customs authorities of the Member States which do not conform to this Regulation may continue to be

invoked in accordance with the provisions of Article 12(6) of Council Regulation (EEC) No 2913/92 of 12 October 1992, establishing the Community Customs Code⁽³⁾, for a period of 60 days by the holder;

- (5) Whereas the measures provided for in this Regulation are in accordance with the opinion of the tariff and statistical nomenclature section of the Customs Code Committee,

HAS ADOPTED THIS REGULATION:

Article 1

The goods described in column 1 of the annexed table are now classified within the Combined Nomenclature under the appropriate CN codes indicated in column 2 of the said table.

Article 2

Subject to the measures in force in the Community relating to double-checking systems and to prior and retrospective Community surveillance of textile products on importation into the Community, binding tariff information in the matter of classification of goods in the Combined Nomenclature issued by the customs authorities of the Member States which no longer conform to this Regulation may continue to be invoked in accordance with the provisions of Article 12(6) of Regulation (EEC) No 2913/92 for a period of 60 days.

Article 3

This Regulation shall enter into force on the 21st day following its publication in the *Official Journal of the European Communities*.

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

Done at Brussels, 14 June 1999.

For the Commission

Mario MONTI

Member of the Commission

⁽¹⁾ OJ L 256, 7.9.1987, p. 1.

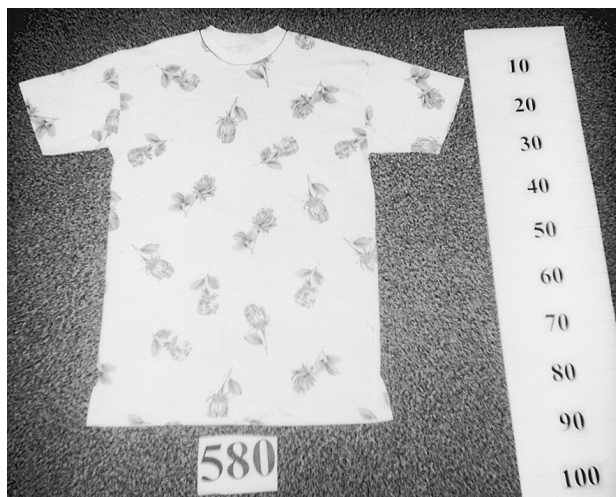
⁽²⁾ OJ L 108, 27.4.1999, p. 11.

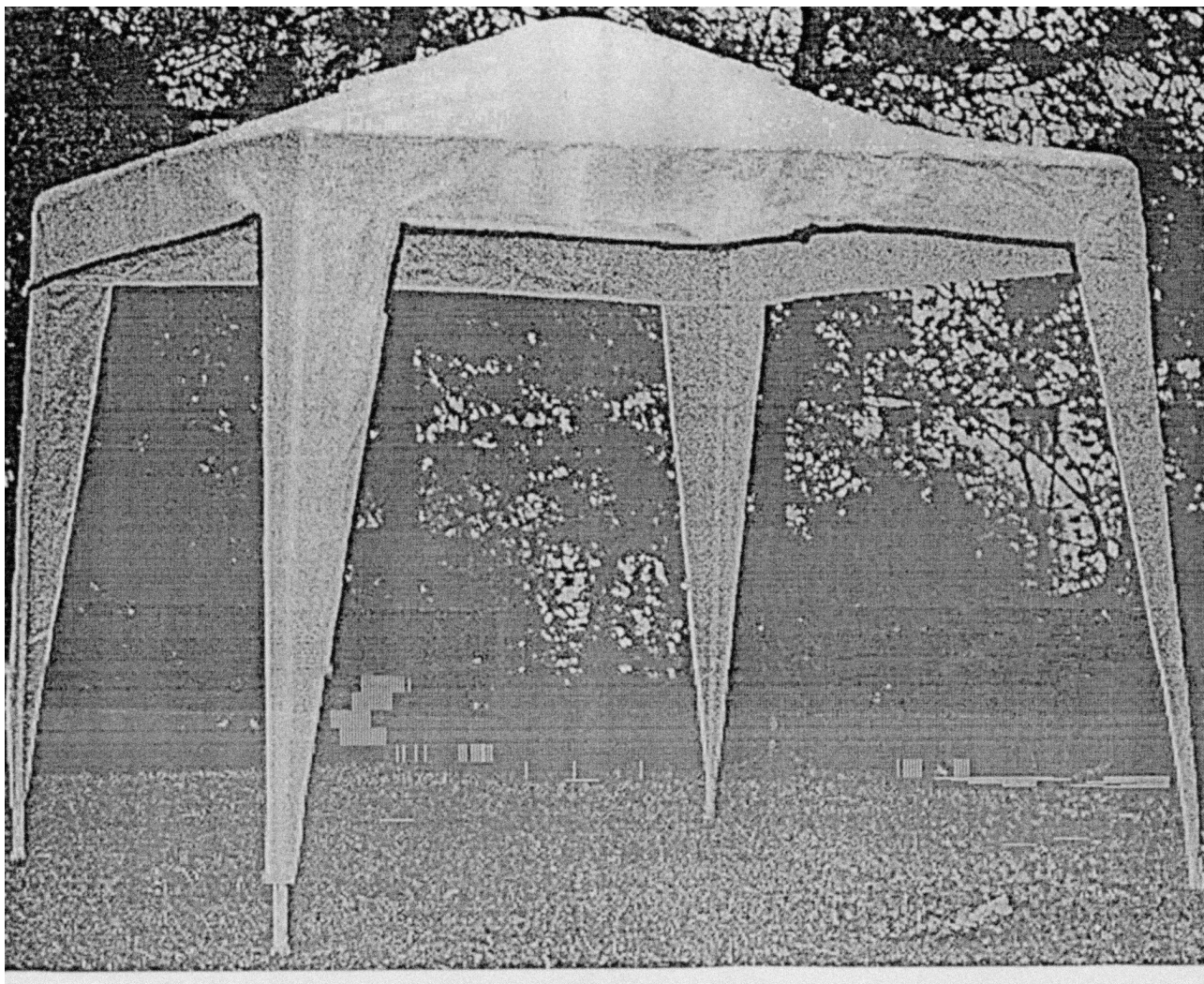
⁽³⁾ OJ L 302, 19.10.1992, p. 1.

ANNEX

Description	Classification CN code	Grounds
(1)	(2)	(3)
1. Garden canopy measuring 3 m × 3 m, consisting of a woven fabric made of polyethylene strip less than 5 mm wide, coated on both sides with plastic material, which is visible to the naked eye. The article is presented with metal uprights which make up its framework and tensioning devices by means of which it can be fixed to the ground	3926 90 91	Classification is determined by General Rules 1, 3(b) and 6 for the interpretation of the Combined Nomenclature, Note 2(a) to Chapter 59 and the wording of CN codes 3926, 3926 90 and 3926 90 91
2. Lightweight, loose-fitting knitted garment (100 % cotton), covered with printed decorative motifs, going down to mid-thigh length (total length 90 cm). It has a round neckline with an applied welt of knitted fabric, and short sleeves. The sleeve-ends and the bottom of the garment are hemmed and there are side slits of approximately 10 cm at the bottom (Dress) (See photograph No 580)(*)	6104 42 00	Classification is determined by General Rules 1 and 6 for the interpretation of the Combined Nomenclature and the wording of CN codes 6104 and 6104 42 00. See also the Combined Nomenclature Explanatory Notes to codes CN 6104 41 00 to 6104 49 00. Classification as a nightdress is excluded, because the garment in question, by reason of its objective characteristics, may be worn equally in bed and elsewhere and, therefore, is not intended to be worn exclusively or essentially as nightwear. Because of the length of this garment, it cannot be classified under CN code 6109
3. Lightweight, loose-fitting knitted garment (100 % cotton), covered with printed decorative motifs, going down to below the knees (total length 120 cm), and sleeveless. It has a low, round neckline with an applied welt of knit fabric. The bottom of the garment is hemmed and has side slits of approximately 22 cm (Dress) (See photograph No 581)(*)	6104 42 00	Classification is determined by General Rules 1 and 6 for the interpretation of the Combined Nomenclature and the wording of CN codes 6104 and 6104 42 00. See also the Combined Nomenclature Explanatory Notes to codes CN 6104 41 00 to 6104 49 00. Classification as a nightdress is excluded, because the garment in question, by reason of its objective characteristics, may be worn equally in bed and elsewhere and, therefore, is not intended to be worn exclusively or essentially as nightwear. Because of the length of this garment, it cannot be classified under CN code 6109.
4. Garment of self-coloured 100 % polyamide woven fabric of a thickness of 0,1 mm, coated on the inside with non-cellular plastic material (polyurethane) and with quilted lining. The garment has two collars, one of which is made of a knitted brushed-pile fabric, and a complete opening at the front, fastening left over right by means of press-studs. It has long sleeves with zips at the ends and two inset pockets at waist level. The garment reaches down to the hips (total length 75 cm), and has a tightening facility at the bottom. (Garment similar to an anorak) (See photograph No 583)(*)	6201 93 00	Classification is determined by General Rules 1 and 6 for the interpretation of the Combined Nomenclature, Note 2(a)(1) to Chapter 59, Note 8 to Chapter 62 and the wording of CN codes 6201 and 6201 93 00. The garment is made from a fabric whose coating is not visible to the naked eye

Description	Classification CN code	Grounds
(1)	(2)	(3)
5. Woven garment of two-tone synthetic (100 % nylon), fabric, sleeveless, covering the upper part of the body to the hips. It has a V-neck and a full opening at the front with a zip fastener and is tightened at the bottom by elastic. The lower parts of the wide armholes are partly elasticated. The garment has an outside pocket with a 'Velcro-type' fastening, belt loops and an adjustable fabric belt with a fastening device. The garment is entirely lined. It contains two panels at the front and one panel at the back all of which are made of cellular plastic material. (Other garment) (See photograph No 582)(*)	6211 43 90	Classification is determined by General Rules 1 and 6 for the interpretation of the Combined Nomenclature, Note 8 to Chapter 62 and the wording of CN codes 6211, 6211 43 and 6211 43 90. See also the Harmonised System Explanatory Notes to heading 6211. The garment, by virtue of its objective characteristics, may not be considered as a life-jacket of heading 6307
6. Garden canopy measuring 3 m × 3 m, consisting of a covering made of thick 100 % cotton woven fabric, presented with metal uprights which make up its framework and tensioning devices by means of which it can be fixed to the ground. The fabric forms a roof, covering the four uprights. (See photograph No 588)(*)	6306 91 00	Classification is determined by General Rules 1, 3(b) and 6 for the interpretation of the Combined Nomenclature, Note 1 to Chapter 63 and the wording of CN codes 6306 and 6306 91 00. This article cannot be considered a tent because it is open on all four sides





(*) The photographs are purely for information.

COMMISSION REGULATION (EC) No 1219/1999
of 14 June 1999
on the supply of white sugar as food aid

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

Having regard to Council Regulation (EC) No 1292/96 of 27 June 1996 on food-aid policy and food-aid management and special operations in support of food security ⁽¹⁾, and in particular Article 24(1)(b) thereof,

- (1) Whereas the abovementioned Regulation lays down the list of countries and organisations eligible for Community aid and specifies the general criteria on the transport of food aid beyond the fob stage;
- (2) Whereas, following the taking of a number of decisions on the allocation of food aid, the Commission has allocated white sugar to certain beneficiaries;
- (3) Whereas it is necessary to make these supplies in accordance with the rules laid down by Commission Regulation (EC) No 2519/97 of 16 December 1997 laying down general rules for the mobilisation of products to be supplied pursuant to Council

Regulation (EC) No 1292/96 as Community food aid ⁽²⁾; whereas it is necessary to specify the time limits and conditions of supply to determine the resultant costs,

HAS ADOPTED THIS REGULATION:

Article 1

White sugar shall be mobilised in the Community, as Community food aid for supply to the recipient listed in the Annex, in accordance with Regulation (EC) No 2519/97 and under the conditions set out in the Annex.

The tenderer is deemed to have noted and accepted all the general and specific conditions applicable. Any other condition or reservation included in his tender is deemed unwritten.

Article 2

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

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

Done at Brussels, 14 June 1999.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ L 166, 5.7.1996, p. 1.

⁽²⁾ OJ L 346, 17.12.1997, p. 23.

ANNEX

LOTS A, B, C, D, E

1. **Action Nos:** 160/98 (A); 161/98 (B); 162/98 (C); 163/98 (D); 164/98 (E)
2. **Beneficiary** ^(?): UNRWA, Supply division, Amman Office, PO Box 140157, Amman — Jordan
telex 21170 UNRWA JC; fax (962-6) 86 41 27
3. **Beneficiary's representative:** UNRWA Field Supply and Transport Officer
A + E: PO Box 19149, Jerusalem, Israel (tel. (972-2) 589 05 55; telex 26194 UNRWA IL; fax 581 65 64)
B: PO Box 947, Beirut, Lebanon (tel. (961-1) 840 460-9; fax 603 683)
C: PO Box 4313 Damascus, Syria (tel. (963-11) 613 30 35; telex 412006 UNRWA SY; fax 613 30 47)
D: PO Box 484, Amman, Jordan (tel. (962-6) 74 19 14/77 22 26; telex 23402 UNRWAJFO JO; fax 74 63 61)
4. **Country of destination:** A and E: Israel (A: Gaza; E: West Bank); B: Lebanon; C: Syria; D: Jordan
5. **Product to be mobilised:** white sugar
6. **Total quantity (tonnes net):** 1 720
7. **Number of lots:** Five (A: 660 t; B: 260 t; C: 180 t; D: 400 t; E: 220 t)
8. **Characteristics and quality of the product** ⁽³⁾ ⁽⁵⁾ ⁽⁹⁾ ⁽¹⁰⁾: see OJ C 114, 29.4.1991, p. 1 (V.A.(1))
9. **Packaging** ⁽⁷⁾: see OJ C 267, 13.9.1996, p. 1 (11.2, A (1)(b), (2)(b) and B(4))
10. **Labelling or marking** ⁽⁶⁾: see OJ C 114, 29.4.1991, p. 1 (V.A(3))
— Language to be used for the markings: English
— Supplementary markings: 'NOT FOR SALE'
11. **Method of mobilisation of the product:** sugar produced in the Community in accordance with the sixth subparagraph of Article 24(1a) of Council Regulation (EEC) No 1785/81 as follows: A or B sugar (points (a) and (b))
12. **Specified delivery stage** ⁽⁸⁾ ⁽¹¹⁾: A, C, E: free at port of landing — container terminal; B and D: free at destination
13. **Alternative delivery stage:** free at port of shipment
14. a) **Port of shipment:** —
b) **Loading address:** —
15. **Port of landing:** A and E: Ashdod; C: Lattakia
16. **Place of destination:** UNRWA warehouse in Beirut (B) and Amman (D)
— port or warehouse of transit: —
— overland transport route: —
17. **Period or deadline of supply at the specified stage:**
— first deadline: A, B, C, E: 15.8.1999; D: 22.8.1999
— second deadline: A, B, C, E: 29.8.1999; D: 4.9.1999
18. **Period or deadline of supply at the alternative stage:**
— first deadline: 19.7 to 1.8.1999
— second deadline: 2 to 15.8.1999
19. **Deadline for the submission of tenders (at 12 noon, Brussels time):**
— first deadline: 29.6.1999
— second deadline: 13.7.1999
20. **Amount of tendering guarantee:** EUR 15/t
21. **Address for submission of tenders and tendering guarantees** ⁽¹⁾: Bureau de l'aide alimentaire, Attn. Mr T. Vestergaard, Bâtiment Loi 130, bureau 7/46, Rue de la Loi/Wetstraat 200, B-1049 Bruxelles/Brussel
telex 25670 AGREC B; fax (32-2) 296 70 03 / 296 70 04 (exclusively)
22. **Export refund** ⁽⁴⁾: Refund applicable to white sugar on 4.6.1999, fixed by Commission Regulation (EC) No 1160/1999 (OJ L 140, 3.6.1999, p. 14)

Notes:

- (¹) Supplementary information: André Debongnie (tel. (32-2) 295 14 65)
Torben Vestergaard (tel. (32-2) 299 30 50).
- (²) The supplier shall contact the beneficiary or its representative as soon as possible to establish which consignment documents are required.
- (³) The supplier shall deliver to the beneficiary a certificate from an official entity certifying that for the product to be delivered the standards applicable, relative to nuclear radiation, in the Member State concerned, have not been exceeded. The radioactivity certificate must indicate the caesium-134 and -137 and iodine-131 levels.
- (⁴) Commission Regulation (EC) No 259/98 (OJ L 25, 31.1.1998, p. 39), is applicable as regards the export refund. The date referred to in Article 2 of the said Regulation is that indicated in point 22 of this Annex.
The supplier's attention is drawn to the last subparagraph of Article 4(1) of the above Regulation. The photocopy of the export licence shall be sent as soon as the export declaration has been accepted (fax: (32-2) 296 20 05)).
- (⁵) The supplier shall supply to the beneficiary or its representative, on delivery, the following documents — health certificate.
- (⁶) Notwithstanding OJ C 114, point V.A(3)(c) is replaced by the following, 'the words "European Community"'.

(⁷) Since the goods may be rebagged, the supplier must provide 2 % of empty bags of the same quality as those containing the goods, with the marking followed by a capital 'R'.
- (⁸) Shipment to take place in 20-foot containers: Lots A, C and E: The contracted shipping terms shall be considered full liner terms (liner in/liner out) free port of landing container yard and is understood to cover 15 days — Saturdays, and official public and religious holidays excluded — free of container detention charges at the port of discharge taken from the day/time of the arrival of the vessel. The 15 day period should be clearly marked on the bill of lading. Bona fide detention charges levied in respect of container detention(s) in excess of the said 15 days as detailed above will be borne by UNRWA. UNRWA shall not pay/not be charged any container deposit fees.

After take-over of the goods at the delivery stage, the recipient will bear all costs of shifting the containers for destuffing outside the port area and of returning them to the container yard.

Ashdod: consignment to be stowed in 20-foot containers containing not more than 17 tonnes each, net.
- (⁹) The rule provided at the second indent of Article 18(2)(a) of Commission Regulation (EEC) No 2103/77 (OJ L 246, 27.9.1977, p. 12), as last amended by Regulation (EC) No 260/96 (OJ L 34, 13.2.1996, p. 16), is binding for determination of the sugar category.
- (¹⁰) Lot C: The health certificate and the certificate of origin must be signed and stamped by a Syrian Consulate, including the statement that consular fees and charges have been paid.
- (¹¹) In addition to the provisions of Article 14(3) of Regulation (EC) No 2519/97, vessels chartered shall not appear on any of the four most recent quarterly lists of detained vessels as published by the Paris Memorandum of Understanding on Port State Control (Council Directive 95/21/EC, (OJ L 157, 7.7.1995, p. 1)).
-

COMMISSION REGULATION (EC) No 1220/1999
of 14 June 1999
on the supply of cereals as food aid

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

Having regard to Council Regulation (EC) No 1292/96 of 27 June 1996 on food-aid policy and food-aid management and special operations in support of food security ⁽¹⁾, and in particular Article 24(1)(b) thereof,

- (1) Whereas the abovementioned Regulation lays down the list of countries and organisations eligible for Community aid and specifies the general for Community aid and specifies the general criteria on the transport of food aid beyond the fob stage;
- (2) Whereas, following the taking of a number of decisions on the allocation of food aid, the Commission has allocated cereals to certain beneficiaries;
- (3) Whereas it is necessary to make these supplies in accordance with the rules laid down by Commission Regulation (EC) No 2519/97 of 16 December 1997 laying down general rules for the mobilisation of products to be supplied under Council Regulation (EC) No 1292/96 as Community food aid ⁽²⁾;

whereas it is necessary to specify the time limits and conditions of supply to determine the resultant costs,

HAS ADOPTED THIS REGULATION:

Article 1

Cereals shall be mobilised in the Community, as Community food aid for supply to the recipient listed in the Annex, in accordance with Regulation (EC) No 2519/97 and under the conditions set out in the Annex.

The tenderer is deemed to have noted and accepted all the general and specific conditions applicable. Any other condition or reservation included in his tender is deemed unwritten.

Article 2

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

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

Done at Brussels, 14 June 1999.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ L 166, 5.7.1996, p. 1.

⁽²⁾ OJ L 346, 17.12.1997, p. 23.

ANNEX

LOT A

1. **Action No** 159/98
2. **Beneficiary** ⁽²⁾: WFP (World Food Programme), via Cristoforo Colombo 426, I-00145 Roma
tel.: (39 6) 65 13 2988; fax: 6513 2844/3; telex: 626 675 WFP I
3. **Beneficiary's representative**: to be designated by the recipient
4. **Country of destination**: Sudan
5. **Product to be mobilized**: common wheat
6. **Total quantity (tonnes net)**: 5 000
7. **Number of lots**: One
8. **Characteristics and quality of the product** ⁽³⁾ ⁽⁵⁾: see OJ C 114, 29.4.1991, p. 1 (II.A.(1)(a))
9. **Packaging**: see OJ C 267, 13.9.1996, p. 1 (1.0 A.1.c, 2.c and B.2)
10. **Labelling or marking** ⁽⁶⁾: see OJ C 114, 29.4.1991, p. 1 (II.A.(3))
 - Language to be used for the markings: English
 - Supplementary markings: —
11. **Method of mobilization of the product**: the Community market
12. **Specified delivery stage**: free at port of shipment — fob stowed and trimmed
13. **Alternative delivery stage**: —
14. (a) **Port of shipment**: —
 - (b) **Loading address**: —
15. **Port of landing**: —
16. **Place of destination**: —
 - port or warehouse of transit: —
 - overland transport route: —
17. **Period or deadline of supply at the specified stage**:
 - first deadline: 12.7 to 1.8.1999
 - second deadline: 26.7 to 15.8.1999
18. **Period or deadline of supply at the alternative stage**:
 - first deadline: —
 - second deadline: —
19. **Deadline for the submission of tenders (at 12 noon, Brussels time)**:
 - first deadline: 29.6.1999
 - second deadline: 13.7.1999
20. **Amount of tendering guarantee**: EUR 5/t
21. **Address for submission of tenders and tendering guarantees** ⁽¹⁾: Bureau de l'aide alimentaire, Attn. Mr T. Vestergaard, Bâtiment Loi 130, bureau 7/46, Rue de la Loi/Wetstraat 200, B-1049 Bruxelles/Brussel
telex: 25670 AGREC B; fax: (32 2) 296 70 03 / 296 70 04 (exclusively)
22. **Export refund** ⁽⁴⁾: Refund applicable on 25.6.1999, fixed by Commission Regulation (EC) No 1131/1999 (OJ L 135, 29.5.1999, p. 60)

LOT B

1. **Action Nos:** 617/97 (B1); 618/97 (B2)
2. **Beneficiary** ⁽²⁾: Euronaid, PO Box 12, NL-2501 CA Den Haag, Nederland
tel. (31-70) 33 05 757; fax 36 41 701; telex 30960 EURON NL
3. **Beneficiary's representative:** to be designated by the recipient
4. **Country of destination:** Rwanda
5. **Product to be mobilised:** milled rice (product code 1006 30 92 9900, 1006 30 94 9900, 1006 30 96 9900, 1006 30 98 9900)
6. **Total quantity (tonnes net):** 2 998
7. **Number of lots:** One in two parts (B1: 1 750 t; B2: 1 248 t)
8. **Characteristics and quality of the product** ⁽³⁾ ⁽⁵⁾: see OJ C 114, 29.4.1991, p. 1 (II.A.(1)(f))
9. **Packaging** ⁽⁷⁾ ⁽⁸⁾: see OJ C 267, 13.9.1996, p. 1 (1.0 A1.c, 2.c and B.6)
10. **Labelling or marking** ⁽⁶⁾: see OJ C 114, 29.4.1991, p. 1 (II.A.(3))
— Language to be used for the markings: French
— Supplementary markings: —
11. **Method of mobilization of the product:** the Community market
12. **Specified delivery stage:** free at port of shipment
13. **Alternative delivery stage:** —
14. (a) **Port of shipment:** —
(b) **Loading address:** —
15. **Port of landing:** —
16. **Place of destination:** —
— port or warehouse of transit: —
— overland transport route: —
17. **Period or deadline of supply at the specified stage:**
— first deadline: 19.7 to 8.8.1999
— second deadline: 2 to 22.8.1999
18. **Period or deadline of supply at the alternative stage:**
— first deadline: —
— second deadline: —
19. **Deadline for the submission of tenders (at 12 noon, Brussels time):**
— first deadline: 29.6.1999
— second deadline: 13.7.1999
20. **Amount of tendering guarantee:** EUR 5/t
21. **Address for submission of tenders and tendering guarantees** ⁽¹⁾: Bureau de l'aide alimentaire, Attn. Mr T. Vestergaard, Bâtiment Loi 130, bureau 7/46, Rue de la Loi/Wetstraat 200, B-1049 Bruxelles/Brussel
telex: 25670 AGREC B; fax: (32-2) 296 70 03 / 296 70 04 (exclusively)
22. **Export refund** ⁽⁴⁾: Refund applicable on 25.6.1999, fixed by Commission Regulation (EC) No 1131/1999 (OJ L 135, 29.5.1999, p. 60)

Notes:

- (¹) Supplementary information: André Debongnie (tel. (32-2) 295 14 65),
Torben Vestergaard (tel. (32-2) 299 30 50).
- (²) The supplier shall contact the beneficiary or its representative as soon as possible to establish which consignment documents are required.
- (³) The supplier shall deliver to the beneficiary a certificate from an official entity certifying that for the product to be delivered the standards applicable, relative to nuclear radiation, in the Member State concerned, have not been exceeded. The radioactivity certificate must indicate the caesium-134 and -137 and iodine-131 levels.
- (⁴) Commission Regulation (EC) No 259/98 (OJ L 25, 31.1.1998, p. 39), is applicable as regards the export refund. The date referred to in Article 2 of the said Regulation is that indicated in point 22 of this Annex.
The supplier's attention is drawn to the last subparagraph of Article 4(1) of the above Regulation. The photocopy of the export licence shall be sent as soon as the export declaration has been accepted (fax 32 2) 296 20 05)).
- (⁵) The supplier shall supply to the beneficiary or its representative, on delivery, the following document:
— phytosanitary certificate,
- (⁶) Notwithstanding OJ C 114 of 29.4.1991, point IIA(3)(c) is replaced by the following: 'the words "European Community"'.
- (⁷) Since the goods may be rebagged, the supplier must provide 2 % of empty bags of the same quality as those containing the goods, with the marking followed by a capital 'R'.
- (⁸) Shipment to take place in 20-foot containers, condition FCL/FCL.
The supplier shall be responsible for the cost of making the container available in the stack position at the container terminal at the port of shipment. The beneficiary shall be responsible for all subsequent loading costs, including the cost of moving the containers from the container terminal.
The supplier has to submit to the beneficiary's agent a complete packing list of each container, specifying the number of bags belonging to each action number as specified in the invitation to tender.
The supplier has to seal each container with a numbered locktainer (Oneseal, Sysko, Locktainer 180 or a similar high-security seal) the number of which is to be provided to the beneficiary's representative.
-

COMMISSION REGULATION (EC) No 1221/1999

of 14 June 1999

on the sale by tender of beef held by certain intervention agencies and repealing
Regulation (EC) No 383/1999

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

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

- (1) Whereas the application of intervention measures in respect of beef has created stocks in several Member States; whereas, in order to prevent an excessive prolongation of storage, part of these stocks should be sold by tender;
- (2) Whereas the sale should be made subject to the rules laid down by Commission Regulation (EEC) No 2173/79 ⁽³⁾, as last amended by Regulation (EC) No 2417/95 ⁽⁴⁾, subject to certain special exceptions which are necessary;
- (3) Whereas, with a view to ensuring a regular and uniform tendering procedure, measures should be taken in addition to those laid down in Article 8(1) of Regulation (EEC) No 2173/79;
- (4) Whereas provision should be made for derogations from Article 8(2)(b) of Regulation (EEC) No 2173/79, in view of the administration difficulties which application of this point creates in the Member States concerned;
- (5) Whereas Commission Regulation (EC) No 383/1999 ⁽⁵⁾, as last amended by Regulation (EC) No 828/1999 ⁽⁶⁾, should be repeated;
- (6) Whereas the measures provided for in this Regulation are in accordance with the opinion of the Management Committee for beef and veal,

- approximately 600 tonnes of bone-in hindquarters held by the German intervention agency,
- approximately 600 tonnes of bone-in hindquarters held by the Spanish intervention agency,
- approximately 600 tonnes of bone-in hindquarters held by the French intervention agency,
- approximately 600 tonnes of bone-in hindquarters held by the Italian intervention agency,
- approximately 600 tonnes of bone-in hindquarters held by the Dutch intervention agency,
- approximately 600 tonnes of bone-in hindquarters held by the Austrian intervention agency, and stored in Germany,
- approximately 2 583 tonnes of boneless beef held by the United Kingdom intervention agency,
- approximately 185 tonnes of boneless beef held by the Irish intervention agency,
- approximately 500 tonnes of boneless beef held by the French intervention agency.

Detailed information concerning quantities is given in Annex I.

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

Article 2

HAS ADOPTED THIS REGULATION:

Article 1

1. The sale shall take place of:

- approximately 600 tonnes of bone-in hindquarters held by the Danish intervention agency,

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

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

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

⁽¹⁾ OJ L 148, 28.6.1968, p. 24.

⁽²⁾ OJ L 210, 28.7.1998, p. 17.

⁽³⁾ OJ L 251, 5.10.1979, p. 12.

⁽⁴⁾ OJ L 248, 14.10.1995, p. 39.

⁽⁵⁾ OJ L 46, 20.2.1999, p. 34.

⁽⁶⁾ OJ L 105, 22.4.1999, p. 9.

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

3. For each product mentioned in Annex I the intervention agencies concerned shall sell first the meat which has been stored the longest.

4. Only tenders which reach the intervention agencies concerned by 12 noon on 21 June 1999 shall be considered.

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

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

Article 3

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

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

Article 4

The security provided for in Article 15(1) of Regulation (EEC) No 2173/79 shall be EUR 120/t.

Article 5

Regulation (EC) No 383/1999 is hereby repealed.

Article 6

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

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

Done at Brussels, 14 June 1999.

For the Commission

Franz FISCHLER

Member of the Commission

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

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

a) **Carne con hueso — Kød, ikke udbenet — Fleisch mit Knochen — Κρέατα με κόκαλα — Bone-in beef — Viande avec os — Carni non disossate — Vlees met been — Carne com osso — Luullinen naudanliha — Kött med ben**

DANMARK	— Bagfjerdinger	600
DEUTSCHLAND	— Hinterviertel	600
ESPAÑA	— Cuartos traseros	600
FRANCE	— Quartiers arrière	600
ITALIA	— Quarti posteriori	600
NEDERLAND	— Achtervoeten	600
ÖSTERREICH	— Hinterviertel	600

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

UNITED KINGDOM	— Intervention Thick Flank (INT 12)	360
	— Intervention Topside (INT 13)	1 000
	— Intervention Rump (INT 16)	350
	— Intervention Striploin (INT 17)	518
	— Intervention Forerib (INT 19)	355
IRELAND	— Intervention Silverside (INT 14)	135
	— Intervention Rump (INT 16)	50
FRANCE	— Flanchet d'intervention (INT 18)	500

-
- (¹) Véanse los anexos V y VII del Reglamento (CEE) n° 2456/93 de la Comisión (DO L 225 de 4.9.1993, p. 4), cuya última modificación la constituye el Reglamento (CE) n° 2812/98 (DO L 349 de 24.12.1998, p. 47).
- (¹) Se bilag V og VII til Kommissionens forordning (EØF) nr. 2456/93 (EFT L 225 af 4.9.1993, s. 4), senest ændret ved forordning (EF) nr. 2812/98 (EFT L 349 af 24.12.1998, s. 47).
- (¹) Vgl. Anhänge V und VII der Verordnung (EWG) Nr. 2456/93 der Kommission (ABl. L 225 vom 4.9.1993, S. 4), zuletzt geändert durch die Verordnung (EG) Nr. 2812/98 (ABl. L 349 vom 24.12.1998, S. 47).
- (¹) Βλέπε παραρτήματα V και VII του κανονισμού (ΕΟΚ) αριθ. 2456/93 της Επιτροπής (ΕΕ L 225 της 4.9.1993, σ. 4), όπως τροποποιήθηκε τελευταία από τον κανονισμό (ΕΚ) αριθ. 2812/98 (ΕΕ L 349 της 24.12.1998, σ. 47).
- (¹) See Annexes V and VII to Commission Regulation (EEC) No 2456/93 (OJ L 225, 4.9.1993, p. 4), as last amended by Regulation (EC) No 2812/98 (OJ L 349, 24.12.1998, p. 47).
- (¹) Voir annexes V et VII du règlement (CEE) n° 2456/93 de la Commission (JO L 225 du 4.9.1993, p. 4). Règlement modifié en dernier lieu par le règlement (CE) n° 2812/98 (JO L 349 du 24.12.1998, p. 47).
- (¹) Cfr. allegati V e VII del regolamento (CEE) n. 2456/93 della Commissione (GU L 225 del 4.9.1993, pag. 4), modificato da ultimo dal regolamento (CE) n. 2812/98 (GU L 349 del 24.12.1998, pag. 47).
- (¹) Zie de bijlagen V en VII bij Verordening (EEG) nr. 2456/93 van de Commissie (PB L 225 van 4.9.1993, blz. 4), laatstelijk gewijzigd bij Verordening (EG) nr. 2812/98 (PB L 349 van 24.12.1998, blz. 47).
- (¹) Ver anexos V e VII do Regulamento (CEE) n.º 2456/93 da Comissão (JO L 225 de 4.9.1993, p. 4). Regulamento com a última redacção que lhe foi dada pelo Regulamento (CE) n.º 2812/98 (JO L 349 de 24.12.1998, p. 47).
- (¹) Katso komission asetuksen (ETY) N:o 2456/93 (EYVL L 225, 4.9.1993, s. 4), sellaisena kuin se on viimeksi muutettuna asetuksella (EY) N:o 2812/98 (EYVL L 349, 24.12.1998, s. 47) liitteet V ja VII.
- (¹) Se bilaga V och VII i förordning (EEG) nr 2456/93 (EGT L 225, 4.9.1993, s. 4), senast ändrad genom förordning (EG) nr 2812/98 (EGT L 349, 24.12.1998, s. 47).
-

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

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

BUNDESREPUBLIK DEUTSCHLAND

Bundesanstalt für Landwirtschaft und Ernährung (BLE)
Postfach 180203, D-60083 Frankfurt am Main
Adickesallee 40
D-60322 Frankfurt am Main
Tel.: (49) 69 15 64-704/772; Telex: 411727; Telefax: (49) 69 15 64-790/791

DANMARK

Ministeriet for Fødevarer, Landbrug og Fiskeri
EU-direktoratet
Kampmannsgade 3
DK-1780 København V
Tlf. (45) 33 92 70 00; telex 151317 DK; fax (45) 33 92 69 48, (45) 33 92 69 23

ESPAÑA

FEGA (Fondo Español de Garantía Agraria)
Beneficencia, 8
E-28005 Madrid
Teléfono: (34) 913 47 65 00, 913 47 63 10; télex: FEGA 23427 E, FEGA 41818 E; fax: (34) 915 21 98 32, 915 22 43 87

FRANCE

OFIVAL
80, avenue des Terroirs-de-France
F-75607 Paris Cedex 12
Téléphone: (33 1) 44 68 50 00; télex: 215330; télécopieur: (33 1) 44 68 52 33

ITALIA

AIMA (Azienda di Stato per gli interventi nel mercato agricolo)
Via Palestro 81
I-00185 Roma
Tel. 49 49 91; telex 61 30 03; telefax: 445 39 40/445 19 58

IRELAND

Department of Agriculture and Food
Johnstown Castle Estate
County Wexford
Ireland
Tel. (353 53) 634 00
Fax (353 53) 428 42

NEDERLAND

Ministerie van Landbouw, Natuurbeheer en Visserij
p/a LASER, Zuidoost
Slachthuisstraat 71
Postbus 965
6040 AZ Roermond
Tel.: (31-475) 35 54 44; telex: 56396 VIBNL; telefax: (31-475) 31 89 39.

ÖSTERREICH

AMA-Agrarmarkt Austria

Dresdner Straße 70

A-1201 Wien

Tel.: (431) 33 15 12 20; Telefax: (431) 33 15 1297

UNITED KINGDOM

Intervention Board Executive Agency

Kings House

33 Kings Road

Reading RG1 3BU

Berkshire

United Kingdom

Tel. (01-189) 58 36 26

Fax (01-189) 56 67 50

COMMISSION REGULATION (EC) No 1222/1999

of 14 June 1999

on periodical sales by tender of beef held by certain intervention agencies for export and repealing Regulation (EC) No 951/1999

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

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

(1) Whereas the application of intervention measures in respect of beef has resulted in a build-up of stocks in several Member States; whereas outlets for those products exist in certain third countries; whereas, in order to prevent storage being prolonged excessively, part of those stocks should be put up for sale by periodical tender for export to those countries; whereas, in order to ensure that the products sold are of a uniform quality, the meat put up for sale should have been bought in pursuant to Article 6 of Regulation (EEC) No 805/68;

(2) Whereas the sale should be conducted in accordance with Commission Regulation (EEC) No 2173/79 of 4 October 1979 on detailed rules of application for the disposal of beef bought in by intervention agencies ⁽³⁾, as last amended by Regulation (EC) No 2417/95 ⁽⁴⁾, and in particular Titles II and III thereof, and Commission Regulation (EEC) No 3002/92 of 16 October 1992 laying down common detailed rules for verifying the use and/or destination of products from intervention ⁽⁵⁾, as last amended by Regulation (EC) No 770/96 ⁽⁶⁾, subject to certain special exceptions on account of the particular use to which the products in question are to be put;

(3) Whereas, in order to ensure that the sales by tender are conducted properly and uniformly, measures in addition to those provided for in Article 8(1) of Regulation (EEC) No 2173/79 should be adopted;

(4) Whereas provision should be made for derogations from Article 8(2)(b) of Regulation (EEC) No 2173/79 in view of the administrative difficulties which

the application of that point is creating in the Member States concerned; whereas, with a view to better stock management, the Member States should be able to stipulate only certain cold stores or parts thereof for deliveries of the meat sold;

(5) Whereas, for practical reasons, export refunds will not be granted on beef sold under this Regulation; whereas, however, successful tenderers will be required to apply for export licences for the quantity awarded, in accordance with Commission Regulation (EC) No 1445/95 of 26 June 1995 on rules of application for import and export licences in the beef and veal sector ⁽⁷⁾, as last amended by Regulation (EC) No 2648/98 ⁽⁸⁾;

(6) Whereas, in order to ensure that the beef sold is exported to the eligible third countries, provision should be made for a security to be lodged before the goods are taken over and the primary requirements should be determined;

(7) Whereas products from intervention stocks may in certain cases have undergone several handling operations; whereas, to help ensure satisfactory presentation and marketing, the repackaging of the products should be authorised in certain circumstances;

(8) Whereas Commission Regulation (EC) No 951/1999 ⁽⁹⁾, should be repealed;

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

HAS ADOPTED THIS REGULATION:

Article 1

1. The following approximate quantities of intervention products bought in pursuant to Article 6 of Regulation (EEC) No 805/68 shall be put up for sale:

⁽¹⁾ OJ L 148, 28.6.1968, p. 24.

⁽²⁾ OJ L 210, 28.7.1998, p. 17.

⁽³⁾ OJ L 251, 5.10.1979, p. 12.

⁽⁴⁾ OJ L 248, 14.10.1995, p. 39.

⁽⁵⁾ OJ L 301, 17.10.1992, p. 17.

⁽⁶⁾ OJ L 104, 27.4.1996, p. 13.

⁽⁷⁾ OJ L 143, 27.6.1995, p. 35.

⁽⁸⁾ OJ L 335, 10.12.1998, p. 39.

⁽⁹⁾ OJ L 118, 6.5.1999, p. 16.

- 8 000 tonnes of bone-in beef held by the German intervention agency, to be sold as 'compensated' quarters,
- 8 000 tonnes of bone-in hindquarters held by the German intervention agency,
- 8 000 tonnes of bone-in forequarters held by the German intervention agency,
- 2 000 tonnes of bone-in beef held by the French intervention agency, to be sold as 'compensated' quarters,
- 2 000 tonnes of bone-in hindquarters held by the French intervention agency,
- 2 000 tonnes of bone-in forequarters held by the French intervention agency,

'Compensated' quarters shall comprise an equal number of forequarters and hindquarters.

2. The beef shall be exported to the zone 08 destinations listed in Annex II to Commission Regulation (EC) No 565/1999 ⁽¹⁾

3. Subject to the provisions of this Regulation, the sale shall be conducted in accordance with Regulation (EEC) No 2173/79, and in particular Titles II and III thereof, and Regulation (EEC) No 3002/92.

Article 2

1. Tenders shall be submitted for the following dates:

- (a) 22 June 1999;
- (b) 12 July 1999;
- (c) 26 July 1999;
- (d) 23 August 1999;

until the quantities put up for sale are used up.

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

The intervention agencies concerned shall draw up notices of invitation to tender for each sale, setting out in particular:

- the quantities of beef put up for sale, and
- the deadline and place for the submission of tenders.

3. Particulars of the quantities and the places where the products are stored may be obtained by the parties concerned at the addresses set out in the Annex. The

intervention agencies shall, in addition, display the notices referred to in paragraph 2 at their head offices and may also publish them in other ways.

4. The intervention agencies concerned shall sell first meat which has been in storage for the longest time. However, with a view to better stock management and after notifying the Commission, the Member States may designate only certain cold stores or parts thereof for deliveries of meat sold under this Regulation.

5. Only tenders reaching the intervention agencies concerned by 12 noon on the relevant closing date for each sale by tender shall be considered.

6. Tenders for compensated quarters shall cover an equal number of forequarters and hindquarters and shall quote a single price per tonne for the whole quantity of bone-in beef for which they are submitted.

7. Notwithstanding Article 8(1) of Regulation (EEC) No 2173/79, tenders must be submitted to the intervention agency concerned in sealed envelopes bearing a reference to this Regulation and the relevant date. The sealed envelopes must not be opened by the intervention agency before the deadline for submission as referred to in paragraph 5 has expired.

8. Notwithstanding Article 8(2)(b) of Regulation (EEC) No 2173/79, tenders shall not specify the store or stores where the products are held.

9. Notwithstanding Article 15(1) of Regulation (EEC) No 2173/79, the security shall be EUR 12/100 kg.

The submission of an application for an export licence as referred to in Article 4(2) shall constitute a primary requirement in addition to the requirements laid down in Article 15(3) of Regulation (EEC) No 2173/79.

Article 3

1. Not later than the day following the closing date for the submission of tenders, the Member States shall send the Commission details of tenders received.

2. Following scrutiny of the tenders, a minimum selling price shall be set or no award shall be made.

Article 4

1. The intervention agency shall send each tenderer the information referred to in Article 11 of Regulation (EEC) No 2173/79 by fax.

⁽¹⁾ OJ L 70, 17.3.1999, p. 3.

2. Within five working days of the date on which the information as referred to in paragraph 1 is forwarded, the successful tenderers shall apply for one or more export licences as referred to in the first indent of Article 8(2) of Regulation (EC) No 1445/95 in respect of the quantity awarded. Applications shall be accompanied by the fax as referred to in paragraph 1 and shall contain in box 7 the name of one of the zone 08 countries referred to in Article 1(2). In addition, one of the following shall be entered in box 20 of applications:

- Productos de intervención sin restitución [Reglamento (CE) n° 1222/1999]
- Interventionsvarer uden restitution [Forordning (EF) nr. 1222/1999]
- Interventionserzeugnisse ohne Erstattung [Verordnung (EG) Nr. 1222/1999]
- Προϊόντα παρέμβασης χωρίς επιστροφή [κανονισμός (ΕΚ) αριθ. 1222/1999]
- Intervention products without refund (Regulation (EC) No 1222/1999)
- Produits d'intervention sans restitution [règlement (CE) n° 1222/1999]
- Prodotti d'intervento senza restituzione [Regolamento (CE) n. 1222/1999]
- Producten uit interventievoorraden zonder restitutie [Verordening (EG) nr. 1222/1999]
- Produtos de intervenção sem restituição [Regulamento (CE) n.º 1222/1999]
- Interventiotuotteita – ei vientitukea [Asetus (EY) N:o 1222/1999]
- Interventionsprodukt utan exportbidrag [Förordning (EG) nr 1222/1999].

Article 5

1. Notwithstanding Article 18(1) of Regulation (EEC) No 2173/79, the delivery period shall run for two months from the date of the notification as referred to in Article 4(1) of this Regulation.

2. Notwithstanding the first indent of Article 8(2) of Regulation (EC) No 1445/95, export licences applied for in accordance with Article 4(2) of this Regulation shall be valid for 60 days.

Article 6

1. A security shall be lodged by the buyer before the goods are taken over to ensure they are exported to the third countries referred to in Article 1(2). Import into one

of those countries shall constitute a primary requirement within the meaning of Article 20 of Commission Regulation (EEC) No 2220/85⁽¹⁾.

2. The security provided for in paragraph 1 shall be equal to the difference between the price tendered per tonne and

- EUR 2 000 for 'compensated' quarters,
- EUR 2 000 for hindquarters,
- EUR 1 300 for forequarters.

Article 7

The competent authorities may permit intervention products with torn or soiled packaging to be put up in new packaging of the same type, under their supervision and before being presented for dispatch at the customs office of departure.

Article 8

No export refund shall be granted on meat sold under this Regulation.

Removal orders as referred to in Article 3(1)(b) of Regulation (EEC) No 3002/92, export declarations and, where appropriate, T5 control copies shall contain one of the following entries:

- Productos de intervención sin restitución [Reglamento (CE) n° 1222/1999]
- Interventionsvarer uden restitution [Forordning (EF) nr. 1222/1999]
- Interventionserzeugnisse ohne Erstattung [Verordnung (EG) Nr. 1222/1999]
- Προϊόντα παρέμβασης χωρίς επιστροφή [κανονισμός (ΕΚ) αριθ. 1222/1999]
- Intervention products without refund (Regulation (EC) No 1222/1999)
- Produits d'intervention sans restitution [règlement (CE) n° 1222/1999]
- Prodotti d'intervento senza restituzione [Regolamento (CE) n. 1222/1999]
- Producten uit interventievoorraden zonder restitutie [Verordening (EG) nr. 1222/1999]
- Produtos de intervenção sem restituição [Regulamento (CE) n.º 1222/1999]
- Interventiotuotteita – ei vientitukea [Asetus (EY) N:o 1222/1999]
- Interventionsprodukt utan exportbidrag [Förordning (EG) nr 1222/1999].

Article 9

Regulation (EC) No 951/1999 is hereby repealed.

Article 10

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

⁽¹⁾ OJ L 205, 3.8.1985, p. 5.

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

Done at Brussels, 14 June 1999.

For the Commission

Franz FISCHLER

Member of the Commission

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

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

BUNDESREPUBLIK DEUTSCHLAND

Bundesanstalt für Landwirtschaft und Ernährung (BLE)

Postfach 180203, D-60083 Frankfurt am Main

Adickesallee 40

D-60322 Frankfurt am Main

Tel.: (49) 69 1564-704/772; Telex: 411727; Telefax: (49) 69 15 64-790/791

FRANCE

Ofival

80, avenue des Terroirs-de-France

F-75607 Paris Cedex 12

Téléphone: (33 1) 44 68 50 00; télex: 215330; télécopieur: (33 1) 44 68 52 33

COMMISSION REGULATION (EC) No 1223/1999
of 14 June 1999

fixing Community producer and import prices for carnations and roses with a view to the application of the arrangements governing imports of certain floricultural products originating in Cyprus, Israel, Jordan, Morocco and the West Bank and the Gaza Strip

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

Having regard to Council Regulation (EEC) No 4088/87 of 21 December 1987 fixing conditions for the application of preferential customs duties on imports of certain flowers originating in Cyprus, Israel, Jordan, Morocco and the West Bank and the Gaza Strip ⁽¹⁾, as last amended by Regulation (EC) No 1300/97 ⁽²⁾, and in particular Article 5 (2) (a) thereof,

Whereas, pursuant to Article 2 (2) and Article 3 of above-mentioned Regulation (EEC) No 4088/87, Community import and producer prices are fixed each fortnight for uniflorous (bloom) carnations, multiflorous (spray) carnations, large-flowered roses and small-flowered roses and apply for two-weekly periods; whereas, pursuant to Article 1b of Commission Regulation (EEC) No 700/88 of 17 March 1988 laying down detailed rules for the application of the arrangements for the import into the Community of certain floricultural products originating in Cyprus, Israel, Jordan, Morocco and the West Bank and the Gaza Strip ⁽³⁾, as last amended by Regulation (EC) No 2062/

97 ⁽⁴⁾, those prices are determined for fortnightly periods on the basis of weighted prices provided by the Member States; whereas those prices should be fixed immediately so the customs duties applicable can be determined; whereas, to that end, provision should be made for this Regulation to enter into force immediately,

HAS ADOPTED THIS REGULATION:

Article 1

The Community producer and import prices for uniflorous (bloom) carnations, multiflorous (spray) carnations, large-flowered roses and small-flowered roses as referred to in Article 1b of Regulation (EEC) No 700/88 for a fortnightly period shall be as set out in the Annex.

Article 2

This Regulation shall enter into force on 15 June 1999.

It shall apply from 16 to 29 June 1999.

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

Done at Brussels, 14 June 1999.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ L 382, 31.12.1987, p. 22.

⁽²⁾ OJ L 177, 5.7.1997, p. 1.

⁽³⁾ OJ L 72, 18.3.1988, p. 16.

⁽⁴⁾ OJ L 289, 22.10.1997, p. 1.

ANNEX

(EUR/100 pieces)

Period from 16 June to 29 June 1999				
Community producer price	Uniflorous (bloom) carnations	Multiflorous (spray) carnations	Large-flowered roses	Small-flowered roses
	14,60	13,49	21,30	10,94
Community import prices	Uniflorous (bloom) carnations	Multiflorous (spray) carnations	Large-flowered roses	Small-flowered roses
Israel	8,18	—	8,38	8,79
Morocco	12,29	12,78	—	—
Cyprus	—	—	—	—
Jordan	—	—	—	—
West Bank and Gaza Strip	—	—	—	—

COMMISSION REGULATION (EC) No 1224/1999
of 14 June 1999
amending representative prices and additional duties for the import of certain
products in the sugar sector

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

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

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

Whereas the amounts of the representative prices and additional duties applicable to the import of white sugar, raw sugar and certain syrups are fixed by Commission Regulation (EC) No 1379/98⁽⁵⁾, as last amended by Regulation (EC) No 1156/1999⁽⁶⁾;

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

HAS ADOPTED THIS REGULATION:

Article 1

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

Article 2

This Regulation shall enter into force on 15 June 1999.

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

Done at Brussels, 14 June 1999.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ L 177, 1.7.1981, p. 4.

⁽²⁾ OJ L 159, 3.6.1998, p. 38.

⁽³⁾ OJ L 141, 24.6.1995, p. 16.

⁽⁴⁾ OJ L 85, 20.3.1998, p. 5.

⁽⁵⁾ OJ L 187, 1.7.1998, p. 6.

⁽⁶⁾ OJ L 139, 2.6.1999, p. 22.

ANNEX

to the Commission Regulation of 14 June 1999 amending representative prices and the amounts of additional duties applicable to imports of white sugar, raw sugar and products covered by CN code 1702 90 99

(EUR)

CN code	Amount of representative prices per 100 kg net of product concerned	Amount of additional duty per 100 kg net of product concerned
1701 11 10 ⁽¹⁾	14,96	9,17
1701 11 90 ⁽¹⁾	14,96	15,47
1701 12 10 ⁽¹⁾	14,96	8,94
1701 12 90 ⁽¹⁾	14,96	14,96
1701 91 00 ⁽²⁾	17,83	17,93
1701 99 10 ⁽²⁾	17,83	12,48
1701 99 90 ⁽²⁾	17,83	12,48
1702 90 99 ⁽³⁾	0,18	0,46

⁽¹⁾ For the standard quality as defined in Article 1 of amended Council Regulation (EEC) No 431/68 (OJ L 89, 10.4.1968, p. 3).

⁽²⁾ For the standard quality as defined in Article 1 of Council Regulation (EEC) No 793/72 (OJ L 94, 21.4.1972, p. 1).

⁽³⁾ By 1 % sucrose content.

COMMISSION DIRECTIVE 1999/57/EC

of 7 June 1999

adapting to technical progress Council Directive 78/764/EEC relating to the driver's seat on wheeled agricultural or forestry tractors

(Text with EEA relevance)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

wheel and not more than 100 mm from that plane;'.¹

Having regard to the Treaty establishing the European Community,

Having regard to Council Directive 74/150/EEC of 4 March 1974 on the approximation of the laws of the Member States relating to the type-approval of wheeled agricultural or forestry tractors⁽¹⁾, as last amended by Directive 97/54/EC of the European Parliament and of the Council⁽²⁾, and in particular Article 11 thereof,

Having regard to Council Directive 78/764/EEC of 25 July 1978 on the approximation of the laws of the Member States relating to the driver's seat on wheeled agricultural or forestry tractors⁽³⁾, as last amended by Directive 97/54/EC, and in particular Article 10 thereof,

- (1) Whereas, in order to improve safety, it is now necessary to specify in detail how the driver's seat is to be fitted while avoiding poor ergonomics;
- (2) Whereas the measures provided for in this Directive are in accordance with the opinion of the Committee for Adaptation to Technical Progress established by Article 12 of Directive 74/150/EEC,

HAS ADOPTED THIS DIRECTIVE:

Article 1

Item 1.1.5 of Annex IV to Directive 78/764/EEC is hereby replaced by the following:

- '1.1.5. where the position of the seat is adjustable only lengthwise and vertically, the longitudinal axis passing through the seat reference point shall be parallel with the vertical longitudinal plane of the tractor passing through the centre of the steering

Article 2

1. From 1 July 2000, Member States may not:

- refuse to grant EC type-approval, to issue the document provided for in the third indent of Article 10(1) of Directive 74/150/EEC, or to grant national type-approval, in respect of any of tractor, or
- prohibit the entry into service of tractors,

if the tractors in question meet the requirements of Directive 78/764/EEC, as amended by this Directive.

2. From 1 January 2001, Member States:

- may no longer issue the document provided for in the third indent of Article 10(1) of Directive 74/150/EEC in respect of a type of tractor which does not meet the requirements of Directive 78/764/EEC, as amended by this Directive,
- may refuse to grant national type-approval in respect of a type of tractor which does not meet the requirements of Directive 78/764/EEC, as amended by this Directive.

Article 3

1. Member States shall bring into force the laws, regulations and administrative provisions necessary to comply with this Directive by 30 June 2000 at the latest. They shall forthwith inform the Commission thereof.

When Member States adopt those provisions, they shall contain a reference to this Directive or be accompanied by such a reference on the occasion of their official publication. Member States shall determine how such reference is to be made.

2. Member States shall communicate to the Commission the text of the main provisions of domestic law that they adopt in the field governed by this Directive.

⁽¹⁾ OJ L 84, 28.3.1974, p. 10.

⁽²⁾ OJ L 277, 10.10.1997, p. 24.

⁽³⁾ OJ L 255, 18.9.1978, p. 1.

Article 4

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

Article 5

This Directive is addressed to the Member States.

Done at Brussels, 7 June 1999.

For the Commission

Martin BANGEMANN

Member of the Commission

COMMISSION DIRECTIVE 1999/58/EC

of 7 June 1999

adapting to technical progress Council Directive 79/533/EEC relating to coupling and reversing devices for wheeled agricultural or forestry tractors

(Text with EEA relevance)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

2. the diagram is deleted.

Having regard to the Treaty establishing the European Community,

Article 2

Having regard to Council Directive 74/150/EEC of 4 March 1974 on the approximation of the laws of the Member States relating to the type-approval of wheeled agricultural or forestry tractors⁽¹⁾, as last amended by Directive 97/54/EC of the European Parliament and of the Council⁽²⁾, and in particular Article 11 thereof,

Having regard to Council Directive 79/533/EEC of 17 May 1979 on the approximation of the laws of the Member States relating to the coupling device and the reverse of wheeled agricultural or forestry tractors⁽³⁾, as last amended by Directive 97/54/EC, and in particular Article 4 thereof,

- (1) Whereas, in order to improve safety, it is now necessary to clarify the requirements for the coupling device;
- (2) Whereas the measures provided for in this Directive are in accordance with the opinion of the Committee for Adaptation to Technical Progress established by Article 12 of Directive 74/150/EEC,

1. From 1 July 2000, Member States may not:

- refuse to grant EC type-approval, to issue the document provided for in the third indent of Article 10(1) of Directive 74/150/EEC, or to grant national type-approval, in respect of a type of tractor, or
- prohibit the entry into service of tractors,

if the tractors in question comply with the requirements of Directive 79/533/EEC, as amended by this Directive.

2. From 1 January 2001, Member States:

- may no longer issue the document provided for in the third indent of Article 10(1) of Directive 74/150/EEC in respect of a type of tractor which does not meet the requirements of Directive 79/533/EEC, as amended by this Directive,
- may refuse to grant national type-approval in respect of a type of tractor which does not meet the requirements of Directive 79/533/EEC, as amended by this Directive.

Article 3

HAS ADOPTED THIS DIRECTIVE:

1. Member States shall bring into force the laws, regulations and administrative provisions necessary to comply with this Directive by 30 June 2000 at the latest. They shall forthwith inform the Commission thereof.

Article 1

Item 3 of Annex I to Directive 79/533/EEC is hereby amended as follows:

1. the first paragraph is replaced by the following:

‘The device shall be of the slotted-jaw type. The opening at the centre of the locking pin shall be 60 mm + 0,5/– 1,5 mm and the depth of the jaw measured from the centre of the pin shall be 62 mm ± 0,5 mm.’;

When Member States adopt those provision, they shall contain a reference to this Directive or be accompanied by such a reference on the occasion of their official publication. Member States shall determine how such reference is to be made.

2. Member States shall communicate to the Commission the text of the main provisions of domestic law that they adopt in the field governed by this Directive.

Article 4

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

⁽¹⁾ OJ L 84, 28.3.1974, p. 10.

⁽²⁾ OJ L 277, 10.10.1997, p. 24.

⁽³⁾ OJ L 145, 13.6.1979, p. 20.

Article 5

This Directive is addressed to the Member States.

Done at Brussels, 7 June 1999.

For the Commission

Martin BANGEMANN

Member of the Commission

II

(Acts whose publication is not obligatory)

COMMISSION

COMMISSION DECISION

of 31 May 1999

concerning the questionnaire relating to Council Directive 96/61/EC concerning integrated pollution prevention and control (IPPC) (implementation of Council Directive 91/692/EEC)

(notified under document number C(1999) 1395)

(Text with EEA relevance)

(1999/391/EC)

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

Having regard to Council Directive 96/61/EC of 24 September 1996 concerning integrated pollution prevention and control ⁽¹⁾, and in particular Article 16(3) thereof,

Having regard to Council Directive 91/692/EEC of 23 December 1991 on standardising and rationalising reports on the implementation of certain Directives relating to the environment ⁽²⁾,

- (1) Whereas Article 16(3) of Directive 96/61/EC requires that reports on the implementation of the Directive and its effectiveness compared with other Community environmental instruments be established in accordance with the procedure laid down in Articles 5 and 6 of Directive 91/692/EEC;
- (2) Whereas Article 5 of Directive 91/692/EEC requires that the report be drawn up on the basis of either a questionnaire or outline drafted by the Commission with the assistance of the Committee set up in Article 6 of the Directive;
- (3) Whereas the first report will cover the period 2000 to 2002 inclusive;
- (4) Whereas the measures envisaged by this Decision are in accordance with the opinion expressed by

the Committee in accordance with Article 6 of Directive 91/692/EEC,

HAS ADOPTED THIS DECISION:

Article 1

The questionnaire attached to this Decision, which related to Council Directive 96/61/EC concerning integrated pollution prevention and control, is hereby adopted.

Article 2

The Member States shall use this questionnaire as a basis for drawing up the report to be submitted to the Commission pursuant to Article 5 of Directive 91/692/EEC and Article 16(3) of Directive 96/61/EC.

Article 3

This Decision is addressed to the Member States.

Done at Brussels, 31 May 1999.

For the Commission

Ritt BJERREGAARD

Member of the Commission

⁽¹⁾ OJ L 257, 10.10.1996, p. 26.

⁽²⁾ OJ L 377, 31.12.1991, p. 48.

*ANNEX***QUESTIONNAIRE ON THE IMPLEMENTATION OF DIRECTIVE 96/61/EC CONCERNING INTEGRATED POLLUTION PREVENTION AND CONTROL (IPPC)****1. General description**

- 1.1. What are the main changes to national legislation and to the licensing system that were necessary in order to meet the overall aim of achieving integrated prevention and control of pollution arising from the activities listed in Annex I of the Directive?

2. Coverage of installations

- 2.1. For each of the six sections of Annex I, how many installations fall into the categories set out below?

- all existing installations, within the meaning of Article 2(4), in operation at the end of the reporting period,
- existing installations for which a substantial change was notified to the competent authority and for which a permit was granted during the reporting period,
- new installations (including those not yet in operation (for which a permit was granted during the reporting period)).

3. Basic operator obligations

- 3.1. What measures have been taken to provide that the competent authorities ensure that the installations are operated in accordance with the general principles set out in Article 3?

4. Existing installations

- 4.1. Is it envisaged to apply the requirements referred to in Article 5(1) to certain categories of existing installations before the end of the transition period mentioned therein?
- 4.2. By what date will new applications or supplementary information from existing installations be required in order to ensure that the requirements referred to in Article 5(1) are complied with by the end of the transition period mentioned therein?

5. Permit applications

- 5.1. How does national law ensure that permit applications contain all the information required by Article 6?

6. Coordination of the permitting procedure and conditions

- 6.1. Which competent authority or authorities are involved in permitting IPPC installations?
- 6.2. How does national law ensure that the permitting procedure and conditions are fully coordinated where more than one competent authorities are involved? How does this coordination work in practice?

7. Permit conditions

- 7.1. Completeness of permit conditions

- 7.1.1. How does national law ensure that the permit contains all the requirements specified in Article 9? In particular, give details on how each of the following items is provided for:
- limit values for emissions to air and water,
 - minimisation of long-distance or transboundary pollution,

- protection of soil and groundwater,
- waste management,
- release monitoring requirements,
- measures relating to abnormal operating conditions.

7.2. Appropriateness and adequacy of permit conditions

- 7.2.1. What are the legislative provisions, procedures and criteria for setting emission limit values and other permit conditions, ensuring that they lead to a high level of protection for the environment as a whole?
- 7.2.2. What kind of (binding or non-binding) guidance exists in Member States for determining best available techniques?
- 7.2.3. How are the considerations mentioned in Annex IV of the Directive taken into account generally or in specific cases when determining best available techniques?
- 7.2.4. In particular, how is the information published by the Commission pursuant to Article 16(2) or by international organisations taken into account generally or in specific cases when determining best available techniques?
- 7.2.5. What measures have been taken to ensure that the emission limit values and the equivalent parameters and technical measures referred to in Article 9(3) are based on the best available techniques, without prescribing the use of any technique or specific technology, but taking into account the technical characteristics of the installation, its geographical location, and the local environmental conditions?
- 7.2.6. What kind of (binding or non-binding) guidance exists in Member States concerning the release monitoring requirements to be included in the permit?

7.3. Available representative data

- 7.3.1. Provide available representative data on the limits values laid down by specific category of activities in accordance with Annex I and, if appropriate, the best available techniques from which those values are derived. Describe how these data have been chosen and collected.

The Commission may, before or during the reporting period, suggest guidance for responding to this question, for certain sectors, in particular on the basis of the information published pursuant to Article 16(2). In the absence of such guidance, the data may for example be expressed as ranges of limit values.

- 7.3.2. What types of permit conditions other than emission limit values have been set? In particular, give examples of:
 - equivalent parameters and technical measures that supplement emission limit values set in the permit,
 - equivalent parameters and technical measures that replace emission limit values,
 - conditions concerning the protection of soil and groundwater, waste management, release monitoring requirements and measures relating to abnormal operating conditions.

8. General binding rules

- 8.1. Does national law contain the possibility of laying down certain requirements for certain categories of installations in general binding rules instead of including them in individual permit conditions?
- 8.2. For which categories of installations have general binding rules been established? What form do such rules take?

9. Environmental quality standards

- 9.1. How does national law address the need for additional measures in cases where use of best available techniques is sufficient to satisfy an environmental quality standard set out in or defined pursuant to Community legislation?
- 9.2. Have such cases arisen? If so, what kind of additional measures were taken?

10. Developments in best available techniques

- 10.1. What steps have been taken to ensure that competent authorities follow or are informed of developments in best available techniques?

11. Changes to installations

- 11.1. What are the legislative provisions, procedures and practice for dealing with changes made by operators to installations?
- 11.2. How do competent authorities decide whether a change in operation may have consequences for the environment (Article 2(10)(a), and/or whether such a change may have significant negative effects on human beings or the environment (Article 2(10)(b))?

12. Reconsideration and updating of permit conditions

- 12.1. What are the legislative provisions, procedures and practice concerning reconsideration and updating of permits conditions by the competent authority?
- 12.2. Is the frequency of reconsideration and, where necessary, updating of permits specified in national law, or is this determined by other means?
- 12.3. How do competent authorities decide whether the criteria specified in Article 13(2) are met?

13. Compliance with permit conditions

- 13.1. Describe in general terms the legislative provisions, procedures and practice ensuring compliance with the permit requirements.
- 13.2. Which legislative provisions, procedures and practice ensure that operators regularly inform authorities of the results of release monitoring, and without delay of any incident or accident significantly affecting the environment?
- 13.3. Does national law give the competent authorities the right and/or the obligation to carry out on-site inspections?
- 13.4. What are the procedures and practice concerning regular on-site inspections by competent authorities? If regular on-site inspections are not carried out, how do competent authorities verify the information provided by the operator?
- 13.5. What sanctions or other measures are available in cases of non-compliance with the permit conditions? Where such sanctions or other measures applied during the reporting period?

14. Information and participation of the public

- 14.1. How does national law provide for information and participation of the public in the permit procedure?
- 14.2. How is the information about applications, decisions, and the results of release monitoring made available to the public?
- 14.3. What measures have been taken to ensure that the public is aware of its right to comment on the documents referred to in Article 15(1)?
- 14.4. How much time is there for the public to comment on permit applications before the competent authority reaches its decision?
- 14.5. How do the authorities consider the comments of the public when taking their decisions?
- 14.6. In what circumstances can members of the public lodge an appeal to another authority or court against a permit?

- 14.7. What influence have the restrictions laid down in Article 3(2) and (3) of Directive 90/313/EEC had on access to information and public participation in the permit procedure?

15. Transboundary cooperation

- 15.1. Does national law provide for transboundary information and cooperation or is the subject being left to bilateral or multilateral relations between Member State or to administrative practice?
- 15.2. How is it established in practice whether the operation of an installation is likely to have significant negative effects on the environment of another Member State?
- 15.3. How does national legislation and/or practice ensure adequate access to information and participation in the permit procedure of the public in the Member State likely to be affected? Is such participation supplemented by a right of appeal?
- 15.4. How many such cases arose during the reporting period?

16. Relationship with other Community instruments

- 16.1. How do Member States view the effectiveness of the Directive, *inter alia* in comparison with other Community environmental instruments?
- 16.2. What measures have been taken to ensure that implementation of the Directive is coherent with the implementation of other Community environmental instruments?
-

COMMISSION DECISION

of 31 May 1999

recognising in principle the completeness of the dossiers submitted for detailed examination in view of the possible inclusion of ZA 1296 (mesotrione), Iodosulfuron-methyl-sodium (AEF 115008) Silthiopham (MON 65500) and *Gliocladium catenulatum* in Annex I to Council Directive 91/414/EEC concerning the placing of plant-protection products on the market

(notified under document number C(1999) 1400)

(Text with EEA relevance)

(1999/392/EC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Directive 91/414/EEC⁽¹⁾ of 15 July 1991 concerning the placing of plant-protection products on the market as last amended by Commission Directive 1999/1/EC⁽²⁾ and in particular Article 6(3) thereof,

- (1) Whereas Directive 91/414/EEC (hereinafter 'the Directive') has provided for the development of a Community list of active substances authorised for incorporation in plant-protection products;
- (2) Whereas applicants have submitted dossiers for four active substances to Member States' authorities in view of obtaining inclusion of the active substances in Annex I to the Directive;
- (3) Whereas a dossier for the active substance ZA 1296 (mesotrione) was submitted by Zeneca Agrochemicals to the United Kingdom authorities on 23 April 1998;
- (4) Whereas a dossier for the active substance Iodosulfuron-methyl-sodium (AEF 115008) was submitted by Hoechst Schering Agrevo GmbH to the German authorities on 14 December 1998;
- (5) Whereas a dossier for the active substance Silthiopham (MON 65500) was submitted by Monsanto Crop Protection to the Irish authorities on 14 December 1998;
- (6) Whereas a dossier for the active substance *Gliocladium catenulatum* was submitted by Kemira Agro Oy to the Finnish authorities on 19 May 1998;
- (7) Whereas the said authorities indicated to the Commission the results of a first examination of the completeness of the dossier with regard to the

data and information requirements provided for in Annex II and, for at least one plant protection product containing the active substance concerned, in Annex III to the Directive; whereas subsequently, in accordance with the provisions of Article 6(2), the dossiers were submitted by the applicant to the Commission and other Member States;

- (8) Whereas the dossiers for ZA 1296 (mesotrione), Iodosulfuron-methyl-sodium (AEF 115008), Silthiopham (MON 65500) and *Gliocladium catenulatum* were referred to the Standing Committee on Plant Health on 11 February 1999;
- (9) Whereas Article 6(3) of the Directive requires it being confirmed at the level of the Community that each dossier is to be considered as satisfying in principle the data and information requirements provided for in Annex II and, for at least one plant-protection product containing the active substance concerned, in Annex III to the Directive;
- (10) Whereas such confirmation is necessary in order to pursue the detailed examination of the dossier as well as in order to open to Member States the possibility of granting provisional authorisation for plant-protection products containing this active substance in due respect of the conditions laid down in Article 8(1) of the Directive, and in particular the condition to make a detailed assessment of the active substances and the plant-protection products with regard to the requirements of the Directive;
- (11) Whereas such Decision does not prejudice that further data or information may be requested from the applicant where it would appear during the detailed examination that such information or data are required for a Decision to be taken;

⁽¹⁾ OJ L 230, 19.8.1991, p. 1.

⁽²⁾ OJ L 21, 28.1.1999, p. 21.

- (12) Whereas it is understood between the Member States and the Commission that the United Kingdom will pursue the detailed examination for the dossier for ZA 1296 (mesotrione), that Germany will pursue the detailed examination for the dossier for Iodosulfuron-methyl-sodium (AEF 115008), that Ireland will pursue the detailed examination for the dossier for Silthiopham (MON 65500), and that Finland will pursue the detailed examination for the dossier for *Gliocladium catenulatum*;
- (13) Whereas the United Kingdom, Germany, Ireland and Finland will report the conclusions of their examinations accompanied by any recommendations on the inclusion or non-inclusion and any conditions related thereto to the Commission as possible and at the latest within a period of one year; whereas on receipt of this report the detailed examination will be continued with the expertise from all Member States within the framework of the Standing Committee on Plant Health;
- (14) Whereas the measures provided for in this Decision are in accordance with the opinion of the Standing Committee on Plant Health,

HAS ADOPTED THIS DECISION:

Article 1

The following dossiers satisfy in principle the data and information requirements provided for in Annex II and, for at least one plant protection product containing the active substance concerned, in Annex III to the Directive, taking into account the uses proposed:

1. The dossier submitted by Zeneca Agrochemicals to the Commission and the Member States with a view to the inclusion of ZA 1296 (mesotrione) as an active substance in Annex I to Directive 91/414/EEC and which was referred to the Standing Committee on Plant Health on 11 February 1999.
2. The dossier submitted by Hoechst Schering Agrevo GmbH to the Commission and the Member States with a view to the inclusion of Iodosulfuron-methyl-sodium (AEF 115008) as an active substance in Annex I to Directive 91/414/EEC and which was referred to the Standing Committee on Plant Health on 11 February 1999.
3. The dossier submitted by Monsanto Crop Protection to the Commission and the Member States with a view to the inclusion of Silthiopham (MON 65500) as an active substance in Annex I to Directive 91/414/EEC and which was referred to the Standing Committee on Plant Health on 11 February 1999.
4. The dossier submitted by Kemira Agro Oy to the Commission and the Member States with a view to the inclusion of *Gliocladium catenulatum* as an active substance in Annex I to Directive 91/414/EEC and which was referred to the Standing Committee on Plant Health on 11 February 1999.

Article 2

This Decision is addressed to the Member States.

Done at Brussels, 31 May 1999.

For the Commission

Franz FISCHLER

Member of the Commission