

Official Journal

of the European Communities

ISSN 0378-6978

L 166

Volume 42

1 July 1999

English edition

Legislation

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Price: EUR 24,50

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I

(Acts whose publication is obligatory)

DECISION 1419/1999/EC OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL

of 25 May 1999

establishing a Community action for the European Capital of Culture event for the years 2005 to 2019

THE EUROPEAN PARLIAMENT AND THE COUNCIL
OF THE EUROPEAN UNION,

Having regard to the Treaty establishing the European Community, and in particular Article 151 thereof,

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

Having regard to the opinion of the Committee of the Regions ⁽²⁾,

Acting in accordance with the procedure laid down in Article 251 of the Treaty ⁽³⁾,

(1) Whereas, throughout its history, Europe has been the site of exceptionally prolific and varied artistic activity; whereas urban life has played a major role in the growth and influence of the European cultures;

(2) Whereas Article 151 of the Treaty grants powers to the Community in the cultural field; whereas all Community activity designed to promote cultural activities should therefore be undertaken on this legal basis, in accordance with the objectives and means assigned to the Community by the Treaty;

(3) Whereas, on 13 June 1985, the Ministers responsible for Cultural Affairs meeting within the Council, adopted a resolution concerning the annual event 'European City of Culture' ⁽⁴⁾, the main aim of which was to open up to the European public particular aspects of the culture of the city, region or country concerned, an event for which the Community has provided financial support;

(4) Whereas a study which has been carried out into the results achieved by European Cities of Culture shows that the event has a positive impact in terms of media resonance, the development of culture and tourism and the recognition by inhabitants of the importance of their city having been chosen;

(5) Whereas the positive impact has none the less not always produced results lasting beyond the duration of the project itself and whereas, while recognising their competence to decide about the content of their project, the attention of public decision-makers in the cities chosen should be drawn to the need to integrate the cultural project into a dynamic medium-term process;

(6) Whereas this initiative is important both for strengthening local and regional identity and for fostering European integration;

(7) Whereas, in the discussions leading up to its opinion of 7 April 1995 ⁽⁵⁾ on the Kaleidoscope programme established by Decision No 719/96/EC ⁽⁶⁾, the European Parliament asked the Commission to present a specific programme on the European City of Culture after the year 2000 on the basis of Article 151 of the Treaty;

(8) Whereas the importance and impact of the City of Culture event calls for the creation of a rotational system of designation which will ensure that each Member State will have one of its cities chosen at regular intervals; whereas a predictable, consistent and transparent rotational system is best achieved through a single decision whereby the order in which Member States will hold the event is decided;

⁽¹⁾ OJ C 362, 28.11.1997, p. 12.

⁽²⁾ OJ C 180, 11.6.1998, p. 70.

⁽³⁾ Opinion of the European Parliament of 30 April 1998 (OJ C 152, 18.5.1998, p. 55), Council Common Position of 24 July 1998 (OJ C 285, 14.9.1998, p. 5) and Decision of the European Parliament of 11 March 1999 (OJ C 175, 21. 6. 1999), Council Decision of 10 May 1999.

⁽⁴⁾ OJ C 153, 22.6.1985, p. 2.

⁽⁵⁾ OJ C 109, 1.5.1995, p. 281.

⁽⁶⁾ Decision No 719/96/EC of the European Parliament and of the Council of 29 March 1996 establishing a programme to support artistic and cultural activities having a European dimension (Kaleidoscope) (OJ L 99, 20.4.1996, p. 20).

- (9) Whereas it is appropriate for the Council to designate the Capitals of Culture in view of the great symbolic importance in the Member States of such a designation;
- (10) Whereas any Community initiative to promote the European City of Culture must satisfy predefined objectives and use the resources provided for by the Treaty;
- (11) Whereas the Community has in the past made a contribution to the European City of Culture and the European Cultural Month events under the Kaleidoscope Programme, which is due to expire in 1999;
- (12) Whereas on 22 September 1997 the Council adopted a Decision regarding the future of European cultural action⁽¹⁾ in which it called on the Commission, in accordance with Article 208 of the Treaty, to table proposals for a single programme for culture by May 1998, into which an action European Capital of Culture will be incorporated, including funding arrangements;
- (13) Whereas the Commission has submitted to the European Parliament and the Council a communication on the first European Community framework programme in support of culture, including a proposal for a decision establishing a single financing and programming instrument for cultural cooperation,

HAVE DECIDED AS FOLLOWS:

Article 1

A Community action entitled 'European Capital of Culture' shall be established. Its objective shall be to highlight the richness and diversity of European cultures and the features they share, as well as to promote greater mutual acquaintance between European citizens.

Article 2

1. One city of a Member State shall be designated as European Capital of Culture, in turn, as set out in Annex I. The chronological order set out in Annex I may be altered by mutual agreement between the Member States concerned. The nomination or nominations shall be notified to the European Parliament, the Council, the Commission and the Committee of the Regions by the Member State concerned, possibly accompanied by a recommendation from the latter, no later than four years before the event in question is due to begin.

2. The Commission shall each year form a selection panel which shall issue a report on the nomination or nominations judged against the objectives and characteristics of this action. The selection panel shall be composed of seven leading independent figures who are experts on the cultural sector, of whom two shall be

appointed by the European Parliament, two by the Council, two by the Commission and one by the Committee of the Regions. The selection panel shall submit its report to the Commission, the European Parliament and the Council.

3. The European Parliament may forward an opinion to the Commission on the nomination or nominations not later than three months after receipt of the report. The Council, acting on a recommendation from the Commission drawn up in the light of the opinion of the European Parliament and of the selection panel's report, shall officially designate the city in question as a European Capital of Culture for the year for which it has been nominated.

Article 3

The nomination shall include a cultural project of European dimension, based principally on cultural cooperation, in accordance with the objectives and action provided for by Article 151 of the Treaty.

The submission shall specify how the nominated city intends:

- to highlight artistic movements and styles shared by Europeans which it has inspired or to which it has made a significant contribution,
- to promote events involving people active in culture from other cities in Member States and leading to lasting cultural cooperation, and to foster their movement within the European Union,
- to support and develop creative work, which is an essential element in any cultural policy,
- to ensure the mobilisation and participation of large sections of the population and, as a consequence, the social impact of the action and its continuity beyond the year of the events,
- to encourage the reception of citizens of the Union and the widest possible dissemination of the various events by employing all forms of multimedia,
- to promote dialogue between European cultures and those from other parts of the world and, in that spirit, to optimise the opening up to, and understanding of others, which are fundamental cultural values,
- to exploit the historic heritage, urban architecture and quality of life in the city.

Article 4

European non-member countries may participate in this action. Any such country may nominate one city as a European Capital of Culture and should notify its nomination to the European Parliament, the Council, the Commission and the Committee of the Regions. The Council, acting unanimously on a recommendation from the Commission, shall officially designate one of these nominated cities as a European Capital of Culture for each year, bearing in mind the desirability of four years' preparation time.

⁽¹⁾ OJ C 305, 7.10.1997, p. 1.

Article 5

Each city shall organise a programme of cultural events highlighting the city's own culture and cultural heritage as well as its place in the common cultural heritage, and involving people concerned with cultural activities from other European countries with a view to establishing lasting cooperation. In addition to the foregoing, the list indicating planning and evaluation criteria set out in Annex II should be taken into account to the greatest possible extent by the designated city in planning its programme. In principle this programme should last one year but as an exception designated cities may opt for a shorter period of time. Cities may choose to involve their surrounding region in their programme. A linkage between the programmes of the designated cities of the same year should be made.

Article 6

Each year the Commission shall produce a report evaluating the results of the previous year's event, including an analysis by the organisers of the latter. This report shall be presented to the European Parliament, the Council and the Committee of the Regions. The Commission may also make any proposals for revision of this Decision which it judges necessary for the smooth operation of this action and, in particular, with a view to the future enlargement of the Union.

Done at Brussels, 25 May 1999.

For the European Parliament

The President

J. M. GIL-ROBLES

For the Council

The President

H. EICHEL

*ANNEX I***ORDER OF ENTITLEMENT TO NOMINATE A EUROPEAN CAPITAL OF CULTURE**

2005	Ireland
2006	Netherlands
2007	Luxembourg
2008	United Kingdom
2009	Austria
2010	Germany
2011	Finland
2012	Portugal
2013	France
2014	Sweden
2015	Belgium
2016	Spain
2017	Denmark
2018	Greece
2019	Italy

*ANNEX II***LIST INDICATING PLANNING AND EVALUATION CRITERIA**

Possible elements of designated cities' programmes:

- promotion of shared artistic movements and styles in the development of which the city has played a particular role,
 - organisation of artistic events (music, dance, theatre, visual arts, cinema, etc.) and improvement of the promotion and management of the arts,
 - promotion of European public awareness of the figures and events which have marked the history and culture of the city,
 - organisation of specific activities designed to encourage artistic innovation and to generate new forms of cultural action and dialogue,
 - organisation of measures to increase access to and awareness of fixed and movable artistic assets and artistic productions specific to the city,
 - organisation of specific cultural projects designed to bring young people to the arts,
 - organisation of specific cultural projects designed to increase social cohesion,
 - taking the planned activities to a wider public, particularly through the use of multimedia and audiovisual means and a multilingual approach,
 - contribution to the development of economic activity, particularly in terms of employment and tourism,
 - need to develop high-quality and innovative cultural tourism with due allowance being made for the importance in this connection of managing the cultural heritage on a sustainable basis and reconciling the wishes of visitors with those of the local population,
 - organisation of projects designed to encourage the development of links between the architectural heritage and strategies for new urban development,
 - joint organisation of initiatives designed to promote dialogue between the cultures of Europe and the cultures of other parts of the world.
-

COUNCIL REGULATION (EC) No 1420/1999
of 29 April 1999

**establishing common rules and procedures to apply to shipments to certain
non-OECD countries of certain types of waste**

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty establishing the European Community, and in particular Articles 113 and 130s(1) thereof,

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

Having regard to the opinion of the Economic and Social Committee ⁽²⁾,

Acting in accordance with the procedure laid down in Article 189c of the Treaty ⁽³⁾,

- (1) Whereas Article 1(3)(a) of Council Regulation (EEC) No 259/93 of 1 February 1993 on the supervision and control of shipments of waste within, into and out of the European Community ⁽⁴⁾ excludes from the scope of application of that Regulation shipments of waste destined for recovery only and listed in Annex II thereto, except as provided for in, *inter alia*, Article 17(1), (2) and (3);
- (2) Whereas, in accordance with Article 17(1) of Regulation (EEC) No 259/93, the Commission has notified to every country to which the OECD Council Decision of 30 March 1992 on the control of trans-frontier movements of waste destined for recovery operation does not apply the list of waste set out in Annex II to the said Regulation and has requested confirmation that such waste is not subject to control in the country of destination, or has asked that such countries indicate whether such waste should be subject to the control procedures which apply to waste listed in Annex III or IV to the said Regulation or to the procedure laid down in Article 15 thereof;
- (3) Whereas certain countries have indicated that such waste should be subject to one or other of those control procedures and the Commission on 20 July 1994, pursuant to the provisions of Article 17(3) of

the said Regulation adopted Decision 94/575/EC ⁽⁵⁾ to determine the appropriate control procedures;

- (4) Whereas the second subparagraph of Article 17(1) of Regulation (EEC) No 259/93 provides that if such confirmation is not received, the Commission is to make appropriate proposals to the Council; whereas it is therefore necessary to establish, on a Community-wide basis, a system to regulate trade in such waste from the Community by establishing the appropriate common rules and procedures relating to exports thereof;
- (5) Whereas, in the case of countries which have replied that they do not wish to receive some or all types of waste listed in Annex II to the said Regulation, their will must be respected and therefore those types of waste cannot be exported to those countries;
- (6) Whereas, in the case of countries which have not replied, silence cannot be taken as implying consent and therefore it is appropriate to adopt a similar regulatory framework in order to enable such countries to evaluate such shipments on a case-by-case basis;
- (7) Whereas, in the case of countries which have replied that they do not wish to receive some or all types of waste listed in Annex II or have not replied, the possibility exists that they will change their position, or will reply in the future, and a mechanism must, therefore, exist within a comitology procedure, to change this Regulation;
- (8) Whereas the Commission will, as soon as possible and at the latest before 1 July 1998, review and amend Annex V to Regulation (EEC) No 259/93 taking into full consideration those wastes featuring on the list of wastes adopted in accordance with Article 1(4) of Council Directive 91/689/EEC of 12 December 1991 on hazardous waste ⁽⁶⁾, and any list of wastes characterised as hazardous for the purposes of the Basel Convention, and will adapt Regulation (EEC) No 259/93 accordingly;

⁽¹⁾ OJ C 214, 10.7.1998, p. 74.

⁽²⁾ Opinion delivered on 29 April 1998 (OJ C 169, 16.6.1999).

⁽³⁾ Opinion of the European Parliament of 17 July 1997 (OJ C 286, 22.9.1997, p. 23), Council common position of 4 June 1998 (OJ C 333, 30.10.1998, p. 1) and Decision of the European Parliament of 9 February 1999 (OJ C 250, 28.5.1999).

⁽⁴⁾ OJ L 30, 6.2.1993, p. 1. Regulation as last amended by Regulation (EC) No 120/97 (OJ L 22, 24.1.1997, p.14).

⁽⁵⁾ OJ L 220, 25.8.1994, p. 15.

⁽⁶⁾ OJ L 377, 31.12.11, p. 20. Directive amended by Directive 94/31 /EC (OJ L 168, 2.7.1994, p. 28).

- (9) Whereas the Commission should provide information to countries covered by this Regulation on changes to Annexes A and B on a regular basis;
- (10) Whereas with regard to shipments to ACP countries, Article 39 of the Fourth ACP-EC Convention prohibits exports of all waste listed in Annexes I and II of the Basel Convention; whereas, furthermore, certain items of such waste can be found in Annex II to Regulation (EEC) No 259/93; whereas, in these circumstances and in order to respect the Community's international obligations shipments of such items to ACP countries have to be prohibited;
- (11) Whereas it must be made clear that such items are excluded from the scope of this Regulation;
- (12) Whereas the arrangements covered by this Regulation should be subject to periodic review by the Commission,

HAS ADOPTED THIS REGULATION:

Article 1

The export of waste listed in Annex II to Regulation (EEC) No 259/93 and mentioned in Annex A to this Regulation to countries listed in said Annex A shall be prohibited.

Article 2

The control procedure laid down in Article 15 of Regulation (EEC) No 259/93 shall apply to exports to the countries listed in Annex B to this Regulation with respect to those categories of waste destined for recovery only and listed in Annex II to Regulation (EEC) No 259/93.

Article 3

1. Upon request by the country of destination the control procedure applicable to that country under this Regulation shall be amended in accordance with this Article.

2. The Commission shall determine, in accordance with the procedure laid down in Article 18 of Council Directive 75/442/EEC of 15 July 1975 on waste ⁽¹⁾, and in cooperation with the country concerned, which of the control procedures shall apply, that is to say:

- (i) the procedure applicable to wastes listed in Annex III or Annex IV to Regulation (EEC) No 259/93, or

- (ii) the procedure laid down in Article 15 of Regulation (EEC) No 259/93, or
- (iii) none of the procedures referred to in paragraphs (i) and (ii) above.

3. The Commission shall inform the Member States of the change of position of a country of destination within 21 days of receipt of the request from that country and shall submit its proposed determination to the Committee established under said Article 18 of Directive 75/442/EEC as soon as possible within three months of receipt of the request.

4. Furthermore, where there is any other exceptional change of circumstances, for example, war, natural disaster or a trade embargo decided by the United Nations, which would affect the control procedure applicable under this Regulation, this control procedure may be amended. The Commission may determine, after consultation with the country of destination, as appropriate, and in accordance with the procedure laid down in Article 18 of Directive 75/442/EEC, which of the procedures referred to in paragraph 2 of this Article shall apply.

5. The Commission shall, in accordance with the procedure laid down in Article 18 of Directive 75/442/EEC, regularly review Annexes A and B of this Regulation, in order to bring them into line with the amendments made to the Annexes to Regulation (EEC) No 259/93.

Article 4

The control procedures established by this Regulation shall be subject to periodic review by the Commission and for the first time no later than nine months following its publication in the Official Journal, taking into account the experience gained. If the results of the review lead to the conclusion that it would be appropriate, the Commission may, without prejudice to the provisions of Article 3, make new proposals to the Council.

Article 5

The Commission, in accordance with the procedure laid down in Article 18 of Directive 75/442/EEC, shall, as soon as possible, review and amend this Regulation in order to bring it into line with Regulation (EEC) No 259/93.

Article 6

This Regulation shall enter into force on the 90th day following that of its publication in the *Official Journal of the European Communities*.

⁽¹⁾ OJ L 194, 25.7.1975, p. 39. Directive as last amended by Commission Decision 96/350/EC (OJ L 135, 6.6.1996, p. 32).

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

Done at Luxembourg, 29 April 1999.

For the Council

The President

W. MÜLLER

ANNEX A

Countries and territories which have indicated to the Commission that they do not wish to receive shipments for recovery of certain types of waste listed in Annex II to Council Regulation (EEC) No 259/93

ALBANIA

All types except:

1. In Section GA ('Metal and metal-alloy wastes in metallic, no-dispersible form'):

- (a) the following ferrous waste and scrap of iron and steel:

GA 040	7204 10	Waste and scrap of cast iron
GA 050	7204 21	Waste and scrap of stainless steel
GA 060	7204 29	Waste and scrap of other alloy steels
GA 070	7204 30	Waste and scrap of tinned iron or steel
GA 080	7204 41	Turnings, shavings, chips, milling waste, filings, trimmings and stampings, whether or not in bundles
GA 090	7204 49	Other ferrous scrap and waste
GA 100	7204 50	Remelting scrap ingots
GA 110	ex 7302 10	Used iron and steel rails

- (b) the following waste and scrap of non-ferrous metals and their alloys:

GA 120	7404 00	Copper waste and scrap
GA 150	7802 00	Lead waste and scrap
GA 160	7902 00	Zinc waste and scrap
GA 170	8002 00	Tin waste and scrap.

2. All types included in section GB ('Metal bearing wastes arising from melting, smelting and refining of metals');

3. All types included in section GE ('Glass waste in non-dispersible form').

4. In section GG ('Other wastes containing principally inorganic constituents, which may contain metals and organic materials'):

GG 080	ex 2621 00	Slag from copper production, chemically stabilised, having a high iron content (above 20 %) and processed according to industrial specifications (e.g. DIN 4301 and DIN 8201) mainly for construction and abrasive applications.
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5. All types in section GI ('Paper, paperboard and paper product wastes').

6. In section GJ ('Textile wastes'):

GJ 020	5103	Waste of wool or of fine or coarse animal hair, including yarn waste but excluding garnetted stock:
GJ 021	5103 10	— Noils of wool or of fine animal hair
GJ 022	5103 20	— Other waste of wool or of fine animal hair
GJ 023	5103 30	— Waste of coarse animal hair
GJ 030	5202	Cotton waste (including yarn waste and garnetted stock):
GJ 031	5202 10	— Yarn waste (including thread waste)
GJ 032	5202 91	— Garnetted stock
GJ 033	5202 99	— Other.

ANDORRA

All types

ANTIGUA and BARBUDA

All types

ARUBA

All types

BAHAMAS

All types

BARBADOS

All types

BELIZE

All types

BHUTAN

All types

BOLIVIA

All types

BOTSWANA

All types

BRAZIL

All types except:

1. In Section GA ('Metal and metal-alloy wastes in metallic, non-dispersible form'):

(a) the following ferrous waste and scrap of iron and steel:

GA 040	7204 10	Waste and scrap of cast iron
GA 050	7204 21	Waste and scrap of stainless steel
GA 060	7204 29	Waste and scrap of other alloy steels
GA 070	7204 30	Waste and scrap of tinned iron or steel
GA 080	7204 41	Turnings, shavings, chips, milling waste, filings, trimmings and stampings, whether or not in bundles
GA 090	7204 49	Other ferrous scrap and waste
GA 100	7204 50	Remelting scrap ingots

(b) the following waste and scrap of non-ferrous metals and their alloys:

GA 120	7404 00	Copper waste and scrap
GA 130	7503 00	Nickel waste and scrap
GA 140	7602 00	Aluminium waste and scrap
GA 150	7802 00	Lead waste and scrap
GA 160	7902 00	Zinc waste and scrap
GA 170	8002 00	Tin waste and scrap
GA 180	ex 8101 91	Tungsten waste and scrap
GA 190	ex 8102 91	Molybdenum waste and scrap
GA 200	ex 8103 10	Tantalum waste and scrap
GA 210	8104 20	Magnesium waste and scrap (excluding those listed in AA 190) (*)

GA 220	ex 8105 10	Cobalt waste and scrap
GA 230	ex 8106 00	Bismuth waste and scrap
GA 240	ex 8107 10	Cadmium waste and scrap
GA 250	ex 8108 10	Titanium waste and scrap
GA 260	ex 8109 10	Zirconium waste and scrap
GA 270	ex 8110 00	Antimony waste and scrap
GA 280	ex 8111 00	Manganese waste and scrap
GA 290	ex 8112 11	Beryllium waste and scrap
GA 300	ex 8112 20	Chromium waste and scrap
GA 310	ex 8112 30	Germanium waste and scrap
GA 320	ex 8112 40	Vanadium waste and scrap
	ex 8112 91	Waste and scrap of:
GA 330		— Hafnium
GA 340		— Indium
GA 350		— Niobium
GA 360		— Rhenium
GA 370		— Gallium
GA 400	ex 2804 90	Selenium waste and scrap
GA 410	ex 2804 50	Tellurium waste and scrap
GA 420	ex 2805 30	Rare earth waste and scrap

(¹) See Annex III of Commission Decision 98/368/EC of 18 May 1998 (OJ L 165, 10.6.1998, p. 20).

2. In section GB ('Metal bearing wastes arising from melting, smelting and refining of metals'):

GB 040 ex 2620 90 Slags from precious metals and copper processing for further refining

3. In section GC ('Other wastes containing metals')

[...]

GC 070 [...] ex 2619 00 Slag arising from the manufacture of iron and carbon steel (including low alloy steel) excluding those slags which have been specifically produced to meet both national and relevant international requirements and standards (¹)

(¹) This entry covers the use of such slags as a source of titanium dioxide and vanadium.

4. In section GD ('Wastes from mining operations: these wastes to be in non-dispersible form').

GD 040 ex 2529 30 Leucite, nepheline and nepheline syenite waste
 GD 050 ex 2529 10 Feldspar waste
 GD 060 ex 2529 21 Fluorspar waste
 ex 2529 22

5. In section GG ('Other wastes containing principally inorganic constituents, which may contain metals and organic materials')

GG 030	ex 2621	Bottom ash and slag tap from coal-fired power plants
GG 040	ex 2621	Coal-fired power plants fly ash
GG 060	ex 2803	Spent activated carbon, resulting from the treatment of potable water and processes of the food industry and vitamin production
GG 080	ex 2621 00	Slag from copper production, chemically stabilised, having a high iron content (above 20 %) and processed according to industrial specifications (e.g. DIN 4301 and DIN 8201) mainly for construction and abrasive applications
GG 100		Limestone from the production of calcium cyanamide (having a pH less than 9)

6. In section GH ('Solid plastic wastes'):

GH 013	ex 3915 30	Waste, parings and scrap of plastics of — Polymers of vinyl chloride
GH 015	ex 3915 90	Waste, parings and scrap of plastics of — Resins or condensation products, for example: — Urea formaldehyde resins — Phenol formaldehyde resins — Melamine formaldehyde resins — Epoxy resins — Alkyd resins — Polyamides

7. In section GJ ('Textile wastes')

GJ 050	ex 5302 30	Tow and waste (including yarn waste and garnetted stock) of true hemp (<i>Cannabis sativa</i> L.)
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8. In section GK ('Rubber wastes'):

GK 020	4012 20	Used pneumatic tyres
GK 030	ex 4017 00	Waste and scrap of hard rubber (for example, ebonite)

9. In section GO ('Other wastes containing principally organic constituents, which may contain metals and inorganic materials'):

GO 040		Waste photographic film base and photographic film not containing silver
GO 050		Single-use cameras without batteries

BULGARIA

All types except:

1. In Section GA ('Metal and metal-alloy wastes in metallic, non-dispersible form'):

(a) The following waste and scrap of precious metals and their alloys:

GA 010	ex 7112 10	— of gold
GA 030	ex 7112 90	— of other precious metals, e.g. silver

N.B.: Mercury is specifically excluded as a contaminant of these metals or their alloys or amalgams

(b) The following ferrous waste and scrap of iron or steel:

GA 040	7204 10	Waste and scrap of cast iron
GA 060	7204 29	Waste and scrap of other alloy steels
GA 070	7204 30	Waste and scrap of tinned iron or steel
GA 080	7204 41	Turnings, shavings, chips, milling waste, filings, trimmings and stampings, whether or not in bundles
GA 090	7204 49	Other ferrous waste and scrap
GA 100	7204 50	Re-melting scrap ingots
GA 110	ex 7302 10	Used iron and steel rails

(c) The following waste and scrap of non-ferrous metals and their alloys:

GA 120	7404 00	Copper waste and scrap
GA 140	7602 00	Aluminium waste and scrap
GA 150	7802 00	Lead waste and scrap
GA 160	7902 00	Zinc waste and scrap
GA 170	8002 00	Tin waste and scrap

2. In section GB ('Metal bearing wastes arising from melting, smelting and refining of metals'):

GB 010	2620 11	Hard zinc spelter
GB 020		Zinc containing drosses:
GB 021		— Galvanising slab zinc top dross (> 90 % Zn)
GB 022		— Galvanising slab zinc bottom dross (> 92 % Zn)
GB 023		— Zinc die cast dross (> 85 % Zn)
GB 024		— Hot dip galvanisers slab zinc dross (batch) (> 92 % Zn)
GB 025		— Zinc skimmings
GB 030		Aluminium skimmings
GB 040	ex 2620 90	Slags from precious metals and copper processing for further refining

3. In section GC ('Other wastes containing metals')

GC 060		Spent metal bearing catalysts containing any of:
		— Precious metals: gold, silver
		— Platinum-group metals: ruthenium, rhodium, palladium, osmium, iridium, platinum
		— Transition metals: scandium, vanadium, manganese, cobalt, copper, yttrium, niobium, hafnium, tungsten, titanium, chromium, iron, nickel, zinc, zirconium, molybdenum, tantalum, rhenium
		— Lanthanides (rare earth metals): lanthanum, praeodymium, samarium, gadolinium, dysprosium, erbium, ytterbium, cerium, neodymium, europium, terbium, holmium, thulium, lutetium

4. In section GH ('Solid plastic wastes'):

GH 010	3915	Waste, parings and scrap of plastics of:
GH 011	ex 3915 10	— Polymers of ethylene
GH 012	ex 3915 20	— Polymers of styrene
GH 013	ex 3915 30	— Polymers of vinyl chloride

5. All types in section GI ('Paper, paperboard and paper product wastes').

BURKINA FASO

All types except:

All types in section GA ('Metal and metal-alloy wastes in metallic, non-dispersible (*) from')

CAMEROON

All types except:

1. In section GA ('Metal and metal-alloy wastes in metallic, non-dispersible form')

(a) The following waste and scrap of precious metals and their alloys:

GA 010	ex 7112 10	— Of gold
GA 020	ex 7112 20	— Of platinum (the expression 'platinum' includes platinum, iridium, osmium, palladium, rhodium and ruthenium)
GA 030	ex 7112 90	— Of other precious metals, e.g. silver

N.B. Mercury is specifically excluded as a contaminant of these metals or their alloys or amalgams

(b) The following ferrous waste and scrap of iron or steel:

GA 040	7204 10	— Waste and scrap of cast iron
GA 050	7204 21	— Waste and scrap of stainless steel
GA 060	7204 29	— Waste and scrap of other alloy steels
GA 070	7204 30	— Waste and scrap of tined iron or steel
GA 080	7204 41	— Turnings, shavings, chips, milling waste, filings, trimmings and stampings, whether or not in bundles
GA 090	7204 49	— Other ferrous waste and scrap
GA 100	7204 50	— Re-melting scrap ingots
GA 110	ex 7302 10	— Used iron and steel rails
GA 120	7404 00	Copper waste and scrap
GA 130	7503 00	Nickel waste and scrap
GA 150	7802 00	Lead waste and scrap
GA 160	7902 00	Zinc waste and scrap
GA 170	8002 00	Tin waste and scrap
GA 210	8104 20	Magnesium waste and scrap (excluding those listed in AA 190) (*)
GA 220	ex 8105 10	Cobalt waste and scrap
GA 280	ex 8111 00	Manganese waste and scrap
GA 300	ex 8112 20	Chromium waste and scrap

(*) See Annex III of Decision 98/368/EC.

2. In section GB ('Metal bearing wastes arising from melting, smelting and refining of metals')

GB 050	ex 2620 90	Tantalum bearing tin slags with less than 0,5 % tin
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(*) 'Non-dispersible' does not include any wastes in the form of powder, sludge, dust or solid items containing encased hazardous waste liquids.

3. In section GC ('Other wastes containing metals')

GC 030	ex 8908 00	Vessels and other floating structures for breaking up, properly emptied of any cargo and other materials arising from the operation of the vessel which may have been classified as a dangerous substance or waste
GC 040		Motor vehicle wrecks, drained of liquids

4. In section GE ('Glass waste in non-dispersible form')

GE 010	ex 7001 00	Cullet and other waste and scrap of glass except for glass from cathode-ray tubes and other activated glasses
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5. In section GF ('Ceramic wastes in non-dispersible form')

GF 010		Ceramic wastes which have been fired after shaping, including ceramic vessels (before and/or after use)
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6. In section GH ('Solid plastic wastes')

GH 010	3915	Waste, parings and scrap of plastics of:
GH 011	ex 3915 10	— Polymers of ethylene
GH 012	ex 3915 20	— Polymers of styrene
GH 013	ex 3915 30	— Polymers of vinyl chloride

7. All types in section GI ('Paper, paperboard and paper product wastes')

8. In section GJ ('Textile wastes')

GJ 010	5003	Silk waste (including cocoons unsuitable for reeling, yarn waste and garnetted stock):
GJ 011	5003 10	— Not carded or combed
GJ 012	5003 90	— Other
GJ 020	5103	Waste of wool or of fine or coarse animal hair, including yarn waste but excluding garnetted stock:
GJ 021	5103 10	— Noils of wool of fine animal hair
GJ 022	5103 20	— Other waste of wool or of fine animal hair
GJ 023	5103 30	— Waste of coarse animal hair
GJ 030	5202	Cotton waste (including yarn waste and garnetted stock):
GJ 031	5202 10	— Yarn waste (including thread waste)
GJ 032	5202 91	— Garnetted stock
GJ 033	5202 99	— Other
GJ 090	ex 5305 29	Tow, noils and waste (including yarn waste and garnetted stock) of abaca (Manila hemp or <i>Musa textilis</i> Nee)
GJ 110	5505	Waste (including noils, yarn waste and garnetted stock) of man-made fibres:
GJ 111	5505 10	— Of synthetic fibres
GJ 112	5505 20	— Of artificial fibres
GJ 120	6309 00	Worn clothing and other worn textile articles
GJ 130	ex 6310	Used rags, scrap twine, cordage, rope and cables and worn out articles of twine, cordage, rope or cables of textile materials:
GJ 131	ex 6310 10	— Sorted
GJ 132	ex 6310 90	— Other

9. In section GK ('Rubber wastes')

GK 020	4012 20	Used pneumatic tyres
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10. All types in section GL ('Untreated cork and wood wastes')

11. In section GM ('Waste products from agro-food industries')

GM 080	ex 2308	Dried and sterilised vegetable waste, residues and by-products, whether or not in the form of pellets, of a kind used in animal feeding, not elsewhere specified or included
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CAPE VERDE

All types

COLOMBIA

1. In section GA ('Metal and metal-alloy wastes in metallic, non-dispersible (*) form'):

All types of waste and scrap of non-ferrous metals and their alloys:

[...]

2. In section GB ('Metal bearing wastes arising from melting, smelting and refining of metals'):

GB 040	ex 2620 90	Slags from precious metals and copper processing for further refining.
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3. In section GC ('Other wastes containing metals'):

GC 070	ex 2619 00	Slags arising from the manufacture of iron and steel (including low alloy steel) excluding those slags which have been specifically produced to meet both national and relevant international requirements and standards (*)
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(*) This entry covers the use of such slags as a source of titanium dioxide and vanadium.

4. In section GD ('Wastes from mining operations: these wastes to be in non-dispersible form'):

GD 040	ex 2529 30	Leucite, nepheline and nepheline syenite waste
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[...]

GD 060	ex 2529 21	Fluorspar waste
	ex 2529 22	

5. In section GG ('Other wastes containing principally inorganic constituents, which may contain metals and organic materials'):

GG 030	ex 2621	Bottom ash and slag tap from coal-fired power plants
GG 040	ex 2621	Coal-fired power plants fly ash
GG 060	ex 2803	Spent activated carbon, resulting from the treatment of potable water and processes of the food industry and vitamin production
GG 080	ex 2621 00	Slag from copper production, chemically stabilised, having a high iron content (above 20 %) and processed according to industrial specifications (e.g. DIN 4301 and DIN 8201) mainly for construction and abrasive applications
GG 100		Limestone from production of calcium cyanamide (having a pH less than 9)

(*) 'Non-dispersible' does not include any wastes in the form of powder, sludge, dust or solid items containing encased hazardous waste liquids.

6. In section GH ('Solid plastic wastes'):

GH 013	ex 3915 30	Waste, parings and scrap of plastics of polymers of vinyl chloride
GH 015	ex 3915 90	— Resins or condensation products, for example: — Urea formaldehyde resins — Phenol formaldehyde resins — Melamine formaldehyde resins — Epoxy resins — Alkyd resins — Polyamides

7. In section GJ ('Textile wastes'):

GJ 050	ex 5302 90	Tow and waste (including yarn waste and garnetted stock of true hemp (<i>Cannabis sativa</i> L.)
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8. In section GK ('Rubber wastes'):

GK 020	4012 20	Used pneumatic tyres
GK 030	ex 4017 00	Waste and scrap of hard rubber (for example, ebonite)

9. In section GO ('Other wastes containing principally organic constituents, which may contain metals and inorganic materials'):

GO 040		Waste photographic film base and waste photographic film not containing silver
GO 050		Single-use cameras without batteries

COMOROS, Federal Islamic republic

All types except:

In section GJ ('Textile wastes'):

GJ 120	6309 00	Worn clothing and other worn textile articles
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COSTA RICA

All types

DOMINICA

All types

DOMINICAN REPUBLIC

All types

DJIBOUTH

All types

EGYPT

All types except:

1. All types in section GA ('Metal and metal-alloy wastes in metallic non-dispersible form').
2. All types in section GI ('Paper, paperboard and paper product wastes').
3. All types in section GJ ('Textile wastes').

FIJI

All types

GAMBIA

All types except:

In section GJ ('Textile wastes'):

GJ 120 6309 00 Worn clothing and other worn textile articles

GHANA

All types

GRENADA

All types except:

In section GK ('Rubber wastes'):

GK 020 4012 20 Used pneumatic tyres

GUYANA

All types

KIRIBATI

All types

KUWAIT

All types except:

In section GH ('Solid plastic wastes'):

GH 011 ex 3915 10 Waste, parings and scrap of plastics of
— Polymers of ethylene

LEBANON

All types except:

In section GJ ('Textile wastes'):

GJ 120 6309 00 Worn clothing and other worn textile articles

MALAWI

All types excepts:

1. All types in section GA ('Metal and metal-alloy wastes in metallic, non-dispersible form').
2. All types in section GE ('Glass waste in non-dispersible form').
3. All types in section GI ('Paper, paperboard and paper product wastes').
4. In section GJ ('Textile wastes'):
GJ 120 6309 00 Worn clothing and other worn textile articles

MALDIVES

All types

MALI

1. In section GA ('Metal and metal-alloy wastes in metallic, non dispersible ⁽¹⁾ form')

All types of waste and scrap of non-ferrous metals and their alloys.

2. All types in section GE ('Glass waste in non-dispersible form').
3. All types in section GF ('Ceramic wastes in non-dispersible form')
4. All types in section GH ('Solid plastic wastes')
5. All types in section GN ('Wastes arising from tanning and fellmongery operations and leather use')

MOLDOVA

All types

MONGOLIA

All types

MYANMAR

All types

NICRAGUA

All types

NIGER

All types except:

1. In section GJ ('Textile wastes')

GJ 120 6309 00 Worn clothing and other worn textile articles

2. In section GK ('Rubber wastes')

GK 020 4012 20 Used pneumatic tyres

NIGERIA

All types except:

All types in section GH ('Solid plastic wastes')

PAKISTAN

1. In section GK ('Rubber wastes):

GK 020 4012 20 Used pneumatic tyres

2. In section GM ('Wastes arising from agro-food industries):

GM 070 ex 2307 Wine lees

3. In section GN ('Wastes arising from tanning and fellmongery operations and leather use):

GN 010 ex 0502 00 Waste of pigs', hogs' or boars' bristles and hair or of badger hair and other brush-making hair

⁽¹⁾ 'Non-dispersible' does not include any wastes in the form of powder, sludge, dust or solid items containing encased hazardous waste liquids.

PAPUA NEW GUINEA

All types

PARAGUAY

All types except:

1. All types included in section GI ('Paper, paperboard and paper product wastes')
2. In section GJ ('Textile wastes'):

GJ 010	5003	Silk waste (including cocoons unsuitable for reeling, yarn waste and garnetted stock):
GJ 011	5003 10	— Not carded or combed
GJ 030	5202	Cotton waste (including yarn waste and garnetted stock)
GJ 031	5202 10	Yarn waste (including thread waste)
GJ 032	5202 91	Garnetted stock
3. In section GL ('Untreated cork and wood wastes'):

GL 020	4501 90	Cork waste; crushed, granulated or ground cork.
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PERU

All types

SÃO TOME AND PRINCIPE

All types except:

1. In section GJ ('Textile wastes'):

GJ 111	5505 10	Waste (including noils, yarn waste and garnetted stock) of man-made fibres: — Of synthetic fibres
GJ 120	6309 00	Worn clothing and other worn textile articles
GJ 130	ex 6310	Used rags, scrap twine, cordage, rope and cables and worn out articles of twine, cordage, rope or cables of textile materials:
GJ 131	ex 6310 10	— Sorted
GJ 132	ex 6310 90	— Other
2. In section GK ('Rubber wastes'):

GK 020	4012 20	Used pneumatic tyres
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SAUDIA ARABIA

All types

SENEGAL

All types

SEYCHELLES

All types

SINGAPORE

All types except:

1. In section GA ('Metal and metal-alloy wastes in metallic, non-dispersible form'):

(a) The following waste and scrap of precious metals and their alloys:

GA 010	ex 7112 10	— Of gold
GA 020	ex 7112 20	— Of platinum (the expression 'platinum' includes platinum, iridium, osmium, palladium, rhodium and ruthenium)
GA 030	ex 7112 90	— Other precious metals, e.g. silver

N.B.: Mercury is specifically excluded as a contaminant of these metals or their alloys or amalgams

(b) the following ferrous waste and scrap of iron or steel:

GA 040	7204 10	— Waste and scrap of cast iron
GA 050	7204 21	— Waste and scrap of stainless steel
GA 060	7204 29	— Waste and scrap of other alloy steels

(c) the following waste and scrap of non-ferrous metals and their alloys:

GA 120	7404 00	Copper waste and scrap
GA 130	7503 00	Nickel waste and scrap
GA 140	7602 00	Aluminium waste and scrap
GA 150	7802 00	Lead waste and scrap
GA 170	8002 00	Tin waste and scrap
GA 190	ex 8102 91	Molybdenum waste and scrap
GA 250	ex 8108 10	Titanium waste and scrap
GA 260	ex 8109 10	Zirconium waste and scrap
GA 280	ex 8111 00	Manganese waste and scrap
GA 300	ex 8112 20	Chromium waste and scrap
GA 320	ex 8112 91	Vanadium waste and scrap
	ex 8112 91	Waste and scrap of:
GA 350		Niobium

2. In section GC ('Other wastes containing metals'):

GC 070	ex 2619 00	Slags arising from the manufacture of iron and carbon steel (including low alloy steel) excluding those slags which have been specifically produced to meet both national and relevant international requirements and standards (*)
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(*) This entry covers the use of such slags as a source of titanium dioxide and vanadium.

3. In section GD ('Wastes from mining operations: these wastes to be in non-dispersible form'):

GD 020	ex 2514 00	Slate waste, whether or not roughly trimmed or merely cut by sawing or otherwise.
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4. In section GH ('Solid plastic wastes'):

GH 013	ex 3915 30	Waste, parings and scrap of plastics of: — Polymers of vinyl chloride
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ST. KITTS AND NEVIS

All types

ST LUCIA

All types

ST VINCENT AND THE GRENADINES

All types

TANZANIA

All types except:

In section GJ ('Textile wastes'):

GJ 120 6309 Worn clothing and other worn textile articles

UGANDA

All types except:

1. In section GA ('Metal and metal-alloy wastes in metallic, non-dispersible form')

GA 050 7204 21 Waste and scrap of stainless steel

GA 060 7204 29 Waste and scrap of other alloy steels

2. In section GJ ('Textile wastes')

GJ 120 6309 00 Worn clothing and other worn textile articles

TUVALU

All types

VANUATU

All types

WESTERN SAMOA

All types

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ANNEX B

Countries and territories which have not responded to the Commission's communications on shipments for recovery of certain types of waste listed in Annex II to Council Regulation (EEC) No 259/93

AFGHANISTAN

All types

ALGERIA

All types

ANGOLA

All types except:

1. All types in section GA ('Metal and metal alloy wastes in metallic, non-dispersible form').
2. All types in section GE ('Glass wastes in non-dispersible form').
3. All types in section GI ('Paper, paperboard and paper product wastes').
4. All types in section GJ ('Textile wastes').
5. All types in section GK ('Rubber wastes').

ARMENIA

All types

AZERBAIJAN

All types

BAHRAIN

All types

BANGLADESH

All types

BRUNEI

All types

BURUNDI

All types

CAMBODIA

All types

ECUADOR

All types

EL SALVADOR

All types

EQUATORIAL GUINEA

All types

ERITREA

All types

ETHIOPIA

All types

FORMER YUGOSLAV REPUBLIC OF MACEDONIA

All types

GABON

All types

GUATEMALA

All types

GUINEA

All types except:

In section GJ ('Textile wastes'):

GJ 120 6309 00 Worn clothing and other worn textile articles

HAITI

All types

HONDURAS

All types

IVORY COAST

All types

KAZAKHSTAN

All types

KYRGYSTAN

All types

LAOS

All types

LESOTHO

All types

MOROCCO

All types

MOZAMBIQUE

All types

NAMIBIA

All types

NEPAL

All types

OMAN

All types

PANAMA

All types

QATAR

All types

RUSSIAN FEDERATION

All types except:

1. In section GA ('Metal and metal-alloy wastes in metallic, non-dispersible form'):

(a) The following waste and scrap of non-ferrous metals and their alloys:

GA 150	7802 00	Lead waste and scrap
GA 160	7902 00	Zinc waste and scrap
GA 170	8002 00	Tin waste and scrap
GA 180	ex 8101 91	Tungsten waste and scrap
GA 190	ex 8102 91	Molybdenum waste and scrap
GA 200	ex 8103 10	Tantalum waste and scrap
GA 210	8104 20	Magnesium waste and scrap (excluding those listed in AA 190) (*)
GA 220	ex 8105 10	Cobalt waste and scrap
GA 230	ex 8106 00	Bismuth waste and scrap
GA 240	ex 8107 10	Cadmium waste and scrap
GA 250	ex 8108 10	Titanium waste and scrap
GA 260	ex 8109 10	Zirconium waste and scrap
GA 270	ex 8110 00	Antimony waste and scrap
GA 280	ex 8111 00	Manganese waste and scrap
GA 290	ex 8112 11	Beryllium waste and scrap
GA 300	ex 8112 20	Chromium waste and scrap
GA 310	ex 8112 30	Germanium waste and scrap
GA 320	ex 8112 40	Vanadium waste and scrap
	ex 8112 91	Wastes and scrap of:
GA 330		— Hafnium
GA 340		— Indium
GA 350		— Niobium
GA 400	ex 2804 90	Selenium waste and scrap
GA 410	ex 2804 50	Tellurium waste and scrap.

(*) See Annex III of Decision 98/368/EC of 18 May 1998 (OJ L 165, 10.6.1998, p. 20)

2. In section GB ('Metal bearing wastes arising from melting, smelting and refining of metals'):

GB 010	2620 11	Hard zinc spelter
GB 025		— Zinc skimmings.

3. In section GC ('Other wastes containing metals'):

GC 030	ex 8908 00	Vessels and other floating structures for breaking up, properly emptied of any cargo and other materials arising from the operation of the vessel which may have been classified as a dangerous substance or waste.
GC 070	ex 2619 00	Slag arising from the manufacture of iron and carbon steel (including low alloy steel) excluding those slags which have been specifically produced to meet both national and relevant international requirements and standards (*)

(*) This entry covers the use of such slags as a source of titanium dioxide and vanadium.

4. In section GD ('Waste from mining operations: these wastes to be in non-dispersible form'):

GD 020	ex 2514 00	Slate waste, whether or not roughly trimmed or merely cut, by sawing or otherwise
GD 030	2525 30	Mica waste
GD 070	ex 2811 22	Silica wastes in solid form excluding those used in foundry operations.

5. In section GG ('Other wastes containing principally inorganic constituents, which may contain metals and organic metals'):

GG 030	ex 2621	Bottom ash and slag tap from coal fired power plants
GG 040	ex 2621	Coal fired power plants fly ash
GG 060	ex 2803	Spent activated carbon, resulting from the treatment of potable water and processes of the food industry and vitamin production
GG 110	ex 2621 00	Neutralised red mud from alumina production.

6. All types included in section GH ('Solid plastic wastes').

7. In section GJ ('Textile wastes'):

GJ 110	5505	Waste (including noils, yarn waste and garnetted stock) of man-made fibres
GJ 111	5505 10	— Of synthetic fibres
GJ 112	5505 20	— Of artificial fibres.

8. All types included in section GK ('Rubber wastes').

9. In section GM ('Wastes arising from agro-food industries'):

GM 090	1522	Degras; residues resulting from the treatment of fatty substances or animal or vegetable waxes
GM 100	0506 90	Waste of bones and horn-cones, unworked, defatted, simply prepared (but not cut to shape), treated with acid or degelatinised
GM 110	ex 0511 91	Fish waste.

10. In section GN ('Wastes arising from tanning and fellmongery operations and leather use'):

GN 010	ex 0502 00	Waste of pigs', hogs' or boars' bristles and hair or of badger hair and other brush-making hair
GN 020	ex 0503 00	Horsehair waste, whether or not put up as a layer or without supporting material
GN 030	ex 0505 90	Waste of skins and other parts of birds, with their feathers or down of feathers and parts of feathers (whether or not with trimmed edges) and down, not further worked than cleaned, disinfected or treated for preservation.

11. In section GO ('Other wastes containing principally organic constituents, which may contain metals and inorganic materials');

GO 010 ex 0501 00 Waste of human hair

SOLOMON ISLANDS

All types

SUDAN

All types

SWAZILAND

All types

SYRIA

All types

TAJIKISTAN

All types

TONGA

All types

TUNISIA

All types in Annex II except:

1. In section GA ('Metal and metal-alloy wastes in metallic, non-dispersible form');

- (a) The following ferrous waste and scrap of iron and steel:

GA 110 ex 7302 10 Used iron and steel rails

- (b) The following waste and scrap of non-ferrous metals and their alloys:

GA 120 7404 00 Copper waste and scrap

GA 140 7602 00 Aluminium waste and scrap

GA 170 8002 00 Tin waste and scrap.

2. In section GC ('Other wastes containing metals');

GC 030 ex 8908 00 Vessels and other floating structures for breaking up, properly emptied of any cargo and other materials arising from the operation of the vessel which may have been classified as a dangerous substance or waste.

3. All types in section GH ('Solid plastic wastes').

4. All types in section GI ('Paper, paperboard and paper product wastes').

5. In section GJ ('Textile wastes'):

GJ 010	5003	Silk waste (including cocoons unsuitable for reeling, yarn waste and garnetted stock)
GJ 012	5003 90	— Other
GJ 020	5103	Waste of wool or of fine or coarse animal hair, including yarn waste but excluding garnetted stock
GJ 030	5202	Cotton waste (including yarn waste and garnetted stock)
GJ 060	ex 5303 90	Tow and waste (including yarn waste and garnetted stock) of jute and other textile bast fibres (excluding flax, true hemp and ramie)
GJ 070	ex 5304 90	Tow and waste (including yarn waste and garnetted stock) of sisal and other textile fibres of the genus <i>Agave</i>
GJ 111	5505 10	Waste (including noils, yarn waste and garnetted stock) of man-made fibres — Of synthetic fibres
GJ 120	6309 00	Worn clothing and other worn textile articles
GJ 130	ex 6310	Used rags, scrap twine, cordage, rope and cables and worn out articles of twine, cordage, rope or cables of textile materials.

6. All types in section GK ('Rubber wastes').

7. In section GM ('Wastes arising from agro-food industries'):

GM 080	ex 2308	Dried and sterilised vegetable waste, residues and by-products, whether or not in the form of pellets, of a kind used in animal feeding, not elsewhere specified or included
GM 130		Waste from the agro-food industry excluding by-products which meet national and international requirements and standards for human or animal consumption.

8. In section GN ('Wastes arising from tanning and fellmongery operations and leather use')

GN 010	ex 0502 00	Waste of pigs', hogs' or boars' bristles and hair or of badger hair and other brush making hair
GN 020	ex 0503 00	Horsehair waste, whether or not put up as a layer with or without supporting material
GN 040	ex 4110 00	Parings and other leather waste of leather or of composition leather, not suitable for the manufacture of leather articles, excluding leather sludges.

TURKMENISTAN

All types

UZBEKISTAN

All types

VATICAN CITY

All types

VENEZUELA

All types

VIETNAM

All types

YEMEN

All types

ZIMBABWE

All types

COUNCIL REGULATION (EC) No 1421/1999

of 28 June 1999

amending Regulation (EC) No 2398/97 imposing a definitive anti-dumping duty on imports of cotton-type bed linen originating in Egypt, India and Pakistan

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty establishing the European Community,

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

Having regard to Article 3 of Council Regulation (EC) No 2398/97 of 28 November 1997 imposing a definitive anti-dumping duty on imports of cotton-type bed linen originating in Egypt, India and Pakistan⁽²⁾,

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

Whereas:

A. PREVIOUS PROCEDURE

- (1) By Regulation (EC) No 2398/97 the Council imposed a definitive anti-dumping duty on imports into the Community of cotton-type bed linen falling within CN codes ex 6302 21 00, ex 6302 22 90, ex 6302 31 10, ex 6302 31 90 and ex 6302 32 90 originating *inter alia* in India. Sampling was applied to Indian exporting producers and individual duty rates ranging from 2,6 % to 24,7 % were imposed on the companies in the sample, while other cooperating companies not included in the sample were attributed a weighted average duty rate of 11,6 %. A duty rate of 24,7 % was imposed on companies which either did not make themselves known or did not cooperate in the investigation.
- (2) Article 3 of Regulation (EC) No 2398/97 stipulates that where any exporting producer provides sufficient evidence that:
 - it did not export to the Community the products described in Article 1(1) of that Regulation during the investigation period (1 July 1995 to 30 June 1996),
 - it is not related to any of the exporters or producers in the exporting country which are

subject to the anti-dumping measures imposed by that Regulation,

- it has actually exported to the Community the products concerned after the investigation period on which the measures are based, or it has entered into an irrevocable contractual obligation to export a significant quantity to the Community,

then Article 1(3) of that Regulation can be amended by granting that exporting producer the duty rate applicable to cooperating producers which were not included in the sample, i.e. 11,6 %.

B. NEW EXPORTING PRODUCERS' REQUESTS

- (3) Four new Indian exporting producers, after having applied not to be treated differently from the companies which cooperated in the original investigation but were not included in the sample, have provided, on request, evidence showing that they meet the requirements set out in Article 3 of Regulation (EC) No 2398/97. The evidence provided by these applicant companies is considered sufficient to allow that Regulation to be amended by adding these four new exporting producers to Annex I thereto. Annex I specifies the Indian exporting producers which are subject to the weighted average duty rate of 11,6 %,
 - Emm Libas Private Limited, New Delhi,
 - Sarna Exports Limited, New Delhi,
 - Stitchwell Garments, Ahmedabad,
 - Utkarsh Exim Pvt. Ltd (India), Ahmedabad.

HAS ADOPTED THIS REGULATION:

Article 1

The following companies shall be added to the list of exporting producers from India listed in Annex I to Regulation (EC) No 2398/97:

- Emm Libas Private Limited, New Delhi,
- Sarna Exports Limited, New Delhi,
- Stitchwell Garments, Ahmedabad,
- Utkarsh Exim Pvt. Ltd (India), Ahmedabad.

Article 2

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

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

⁽²⁾ OJ L 332, 4.12.1997, p. 1.

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

Done at Luxembourg, 28 June 1999.

For the Council

The President

M. NAUMANN

COMMISSION REGULATION (EC) No 1422/1999
of 30 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 1 July 1999.

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

Done at Brussels, 30 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 30 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	42,3
	064	60,7
	999	51,5
0707 00 05	052	67,8
	628	133,7
	999	100,8
0709 90 70	052	55,3
	999	55,3
0805 30 10	382	56,3
	388	63,7
	528	63,6
	999	61,2
0808 10 20, 0808 10 50, 0808 10 90	388	76,7
	400	60,7
	508	71,0
	512	68,9
	524	54,7
	528	64,9
	804	99,5
	999	70,9
	052	131,5
0809 10 00	999	131,5
	052	226,7
0809 20 95	064	149,1
	400	191,7
	616	130,6
	999	174,5

⁽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 1423/1999
of 30 June 1999
fixing the import duties in the cereals sector

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

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

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

Whereas Article 10 of Regulation (EEC) No 1766/92 provides that the rates of duty in the Common Customs Tariff are to be charged on import of the products referred to in Article 1 of that Regulation; whereas, however, in the case of the products referred to in paragraph 2 of that Article, the import duty is to be equal to the intervention price valid for such products on importation and increased by 55 %, minus the cif import price applicable to the consignment in question; however, that duty may not exceed the rate of duty in the Common Customs Tariff;

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

Whereas Regulation (EC) No 1249/96 lays down detailed rules for the application of Council Regulation (EEC) No 1766/92 as regards import duties in the cereals sector;

Whereas the import duties are applicable until new duties are fixed and enter into force; whereas they also remain in force in cases where no quotation is available for the reference exchange referred to in Annex II to Regulation (EC) No 1249/96 during the two weeks preceding the next periodical fixing;

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

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

HAS ADOPTED THIS REGULATION:

Article 1

The import duties in the cereals sector referred to in Article 10 (2) of Regulation (EEC) No 1766/92 shall be those fixed in Annex I to this Regulation on the basis of the information given in Annex II.

Article 2

This Regulation shall enter into force on 1 July 1999.

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

Done at Brussels, 30 June 1999.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ L 181, 1.7.1992, p. 21.

⁽²⁾ OJ L 126, 24.5.1996, p. 37.

⁽³⁾ OJ L 161, 29.6.1996, p. 125.

⁽⁴⁾ OJ L 135, 25.11.1998, p. 7.

ANNEX I

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

CN code	Description	Import duty by land inland waterway or sea from Mediterranean, the Black Sea or Baltic Sea ports (EUR/tonne)	Import duty by air or by sea from other ports ⁽²⁾ (EUR/tonne)
1001 10 00	Durum wheat high quality	22,16	12,16
	medium quality ⁽¹⁾	32,16	22,16
1001 90 91	Common wheat seed	35,76	25,76
1001 90 99	Common high quality wheat other than for sowing ⁽³⁾	35,76	25,76
	medium quality	72,45	62,45
	low quality	90,79	80,79
1002 00 00	Rye	93,67	83,67
1003 00 10	Barley, seed	93,67	83,67
1003 00 90	Barley, other ⁽³⁾	93,67	83,67
1005 10 90	Maize seed other than hybrid	96,96	86,96
1005 90 00	Maize other than seed ⁽³⁾	96,96	86,96
1007 00 90	Grain sorghum other than hybrids for sowing	102,80	94,52

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

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

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

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

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

ANNEX II

Factors for calculating duties

(period from 16 June to 29 June 1999)

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

Exchange quotations	Minneapolis	Kansas-City	Chicago	Chicago	Minneapolis	Minneapolis	Minneapolis
Product (% proteins at 12 % humidity)	HRS2. 14 %	HRW2. 11,5 %	SRW2	YC3	HAD2	Medium quality (*)	US barley 2
Quotation (EUR/t)	120,54	99,79	89,73	82,09	146,74 (**)	136,74 (**)	75,23 (**)
Gulf premium (EUR/t)	—	8,25	—0,03	12,29	—	—	—
Great Lakes premium (EUR/t)	12,61	—	—	—	—	—	—

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

(**) Fob Duluth.

2. Freight/cost: Gulf of Mexico — Rotterdam: EUR 14,17/t; Great Lakes — Rotterdam: EUR 25,71/t.

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

**COMMISSION REGULATION (EC) No 1424/1999
of 30 June 1999**

**fixing the representative prices and the additional import duties for molasses in
the sugar sector**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

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

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

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

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

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

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

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

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

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

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

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

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

HAS ADOPTED THIS REGULATION:

Article 1

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

Article 2

This Regulation shall enter into force on 1 July 1999.

⁽¹⁾ OJ L 177, 1.7.1981, p. 4.

⁽²⁾ OJ L 159, 3.6.1998, p. 38.

⁽³⁾ OJ L 141, 24.6.1995, p. 12.

⁽⁴⁾ OJ L 145, 27.6.1968, p. 12.

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

Done at Brussels, 30 June 1999.

For the Commission

Franz FISCHLER

Member of the Commission

ANNEX

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

(in EUR)

CN code	Amount of the representative price in 100 kg net of the product in question	Amount of the additional duty in 100 kg net of the product in question	Amount of the duty to be applied to imports in 100 kg net of the product in question because of suspension as referred to in Article 5 of Regulation (EC) No 1422/95 ⁽²⁾
1703 10 00 ⁽¹⁾	6,33	0,23	—
1703 90 00 ⁽¹⁾	7,43	0,00	—

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

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

COMMISSION REGULATION (EC) No 1425/1999
of 30 June 1999
fixing the export refunds on white sugar and raw sugar exported in its unaltered state

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

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

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

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

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

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

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

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

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

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

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

HAS ADOPTED THIS REGULATION:

Article 1

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

Article 2

This Regulation shall enter into force on 1 July 1999.

⁽¹⁾ OJ L 177, 1.7.1981, p. 4.

⁽²⁾ OJ L 159, 3.6.1998, p. 38.

⁽³⁾ OJ L 89, 10.4.1968, p. 3.

⁽⁴⁾ OJ L 349, 31.12.1994, p. 105.

⁽⁵⁾ OJ L 214, 8.9.1995, p. 16.

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

Done at Brussels, 30 June 1999.

For the Commission

Franz FISCHLER

Member of the Commission

ANNEX

to the Commission Regulation of 30 June 1999 fixing the export refunds on white sugar and raw sugar exported in its unaltered state

Product code	Amount of refund
	— EUR/100 kg —
1701 11 90 9100	42,32 ⁽¹⁾
1701 11 90 9910	42,32 ⁽¹⁾
1701 11 90 9950	⁽²⁾
1701 12 90 9100	42,32 ⁽¹⁾
1701 12 90 9910	42,32 ⁽¹⁾
1701 12 90 9950	⁽²⁾
	— EUR/1 % of sucrose × 100 kg —
1701 91 00 9000	0,4600
	— EUR/100 kg —
1701 99 10 9100	46,00
1701 99 10 9910	46,00
1701 99 10 9950	46,00
	— EUR/1 % of sucrose × 100 kg —
1701 99 90 9100	0,4600

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

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

COMMISSION REGULATION (EC) No 1426/1999
of 30 June 1999
fixing the export refunds on syrups and certain other sugar products exported in
the natural state

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

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

Whereas Article 17 of Regulation (EEC) No 1785/81 provides that the difference between quotations or prices on the world market for the products listed in Article 1 (1) (d) of that Regulation and prices for those products within the Community may be covered by an export refund;

Whereas Article 3 of Commission Regulation (EC) No 2135/95 of 7 September 1995 laying down detailed rules of application for the grant of export refunds in the sugar sector⁽³⁾, provides that the export refund on 100 kilograms of the products listed in Article 1 (1) (d) of Regulation (EEC) No 1785/81 is equal to the basic amount multiplied by the sucrose content, including, where appropriate, other sugars expressed as sucrose; whereas the sucrose content of the product in question is determined in accordance with Article 3 of Commission Regulation (EC) No 2135/95;

Whereas Article 17 (6) of Regulation (EEC) No 1785/81 provides that the basic amount of the refund on sorbose exported in the natural state must be equal to the basic amount of the refund less one-hundredth of the production refund applicable, pursuant to Council Regulation (EEC) No 1010/86 of 25 March 1986 laying down general rules for the production refund on sugar used in the chemical industry⁽⁴⁾, as last amended by Regulation (EC) No 1148/98, to the products listed in the Annex to the last mentioned Regulation;

Whereas the basic amount of the refund on the other products listed in Article 1 (1) (d) of Regulation (EEC) No 1785/81 exported in the natural state must be equal to

one-hundredth of an amount which takes account, on the one hand, of the difference between the intervention price for white sugar for the Community areas without deficit for the month for which the basic amount is fixed and quotations or prices for white sugar on the world market and, on the other, of the need to establish a balance between the use of Community basic products in the manufacture of processed goods for export to third countries and the use of third country products brought in under inward processing arrangements;

Whereas the application of the basic amount may be limited to some of the products listed in Article 1 (1) (d) of Regulation (EEC) No 1785/81;

Whereas Article 17 of Regulation (EEC) No 1785/81 makes provision for setting refunds for export in the natural state of products referred to in Article 1 (1) (f) and (g) and (h) of that Regulation; whereas the refund must be fixed per 100 kilograms of dry matter, taking account of the export refund for products falling within CN code 1702 30 91 and for products referred to in Article 1 (1) (d) of Regulation (EEC) No 1785/81 and of the economic aspects of the intended exports; whereas, in the case of the products referred to in the said Article 1 (1) (f) and (g), the refund is to be granted only for products complying with the conditions in Article 5 of Regulation (EC) No 2135/95; whereas, for the products referred to in Article 1 (1) (h), the refund shall be granted only for products complying with the conditions in Article 6 of Regulation (EC) No 2135/95;

Whereas the refunds referred to above must be fixed every month; whereas they may be altered in the intervening period;

Whereas application of these quotas results in fixing refunds for the products in question at the levels given in the Annex to this Regulation;

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

⁽¹⁾ OJ L 177, 1.7.1981, p. 4.

⁽²⁾ OJ L 159, 3.6.1998, p. 38.

⁽³⁾ OJ L 214, 8.9.1995, p. 16.

⁽⁴⁾ OJ L 94, 9.4.1986, p. 9.

HAS ADOPTED THIS REGULATION:

exported in the natural state, shall be set out in the Annex hereto.

Article 1

The export refunds on the products listed in Article 1 (1) (d), (f), (g) and (h) of Regulation (EEC) No 1785/81,

Article 2

This Regulation shall enter into force on 1 July 1999.

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

Done at Brussels, 30 June 1999.

For the Commission

Franz FISCHLER

Member of the Commission

ANNEX

to the Commission Regulation of 30 June 1999 fixing the export refunds on syrups and certain other sugar products exported in the natural state

Product code	Amount of refund
	— EUR/100 kg dry matter —
1702 40 10 9100	46,00 ⁽²⁾
1702 60 10 9000	46,00 ⁽²⁾
1702 60 80 9100	87,40 ⁽⁴⁾
	— EUR/1 % sucrose × 100 kg —
1702 60 95 9000	0,4600 ⁽¹⁾
	— EUR/100 kg dry matter —
1702 90 30 9000	46,00 ⁽²⁾
	— EUR/1 % sucrose × 100 kg —
1702 90 60 9000	0,4600 ⁽¹⁾
1702 90 71 9000	0,4600 ⁽¹⁾
1702 90 99 9900	0,4600 ⁽¹⁾ ⁽²⁾
	— EUR/100 kg dry matter —
2106 90 30 9000	46,00 ⁽²⁾
	— EUR/1 % sucrose × 100 kg —
2106 90 59 9000	0,4600 ⁽¹⁾

⁽¹⁾ The basic amount is not applicable to syrups which are less than 85 % pure (Regulation (EC) No 2135/95). Sucrose content is determined in accordance with Article 3 of Regulation (EC) No 2135/95.

⁽²⁾ Applicable only to products referred to in Article 5 of Regulation (EC) No 2135/95.

⁽³⁾ The basic amount is not applicable to the product defined under point 2 of the Annex to Regulation (EEC) No 3513/92 (OJ L 355, 5.12.1992, p. 12).

⁽⁴⁾ Applicable only to products defined under Article 6 of Regulation (EC) No 2135/95.

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

**COMMISSION REGULATION (EC) No 1427/1999
of 30 June 1999**

**fixing the maximum export refund for white sugar for the 45th partial invitation
to tender issued within the framework of the standing invitation to tender
provided for in Regulation (EC) No 1574/98**

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

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

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

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

Whereas, following an examination of the tenders submitted in response to the 45th partial invitation to tender, the provisions set out in Article 1 should be adopted;

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

HAS ADOPTED THIS REGULATION:

Article 1

For the 45th partial invitation to tender for white sugar issued pursuant to Regulation (EC) No 1574/98 the maximum amount of the export refund is fixed at 49,700 EUR/100 kg.

Article 2

This Regulation shall enter into force on 1 July 1999.

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

Done at Brussels, 30 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 206, 23.7.1998, p. 7.

COMMISSION REGULATION (EC) No 1428/1999
of 30 June 1999
fixing the production refund for white sugar used in the chemical industry

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 Regulation (EC) No 1599/96 ⁽²⁾, and in particular Article 9 (6) thereof,

Whereas pursuant to Article 9 (3) of Regulation (EEC) No 1785/81 it may be decided to grant production refunds on the products listed in Article 1 (1) (a) and (f) and on the syrups listed in Article 1 (1) (d) thereof which are in one of the situations referred to in Article 9 (2) of the Treaty and which are used in the manufacture of certain products of the chemical industry;

Whereas Council Regulation (EEC) No 1010/86 of 25 March 1986 laying down general rules for the production refund on certain sugar products used in the chemical industry ⁽³⁾, as last amended by Commission Regulation (EC) No 1148/98 ⁽²⁾, establishes the framework within which the production refunds may be determined and lists the chemical products of which the manufacture makes it possible to grant a production refund for the basic products used in their manufacture; whereas Articles 5, 6 and 7 of Regulation (EEC) No 1010/86 provide that the production refund granted for raw sugar, sucrose syrups and unprocessed isoglucose shall be derived from the refund fixed for white sugar according to a method of calculation peculiar to each of these basic products;

Whereas Commission Regulation (EEC) No 1729/78 of 24 July 1978 laying down detailed rules of application in respect of the production refund for sugar used in the chemical industry ⁽⁴⁾, as last amended by Regulation (EC) No 1148/98, specifies the method to be used for establishing the production refund; whereas Article 1 of Regu-

lation (EEC) No 1729/78 provides that the production refund for white sugar shall be fixed at three-monthly intervals for the periods beginning 1 July, 1 October, 1 January and 1 April; whereas the application of the abovementioned method entails fixing the production refund as stated in Article 1 for the period referred to therein;

Whereas the amendment of the definition of white sugar and raw sugar referred to in Article 1 (2) (a) and (b) of Regulation (EEC) No 1785/81 has the consequence that flavoured sugars or sugars containing added colouring agents or other substances are no longer considered as falling within these definitions but are to be considered as 'other sugars'; whereas Article 1 of Regulation (EEC) No 1010/86 provides for these sugars to be eligible as basic products to the production refund; whereas a method of calculation based on their sucrose content should be laid down for establishing the production refund applicable to these products;

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

HAS ADOPTED THIS REGULATION:

Article 1

The production refund per 100 kilograms of white sugar referred to in Article 4 of Regulation (EEC) No 1010/86 is hereby fixed at EUR 46,738 for the quarter 1 July to 30 September 1999.

Article 2

This Regulation shall enter into force on 1 July 1999.

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

Done at Brussels, 30 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 94, 9.4.1986, p. 9.

⁽⁴⁾ OJ L 201, 25.7.1978, p. 26.

COMMISSION REGULATION (EC) No 1429/1999
of 30 June 1999
fixing the import duties in the rice sector

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

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

Having regard to Commission Regulation (EC) No 1503/96 of 29 July 1996 laying down detailed rules for the application of Council Regulation (EC) No 3072/95 as regards import duties in the rice sector ⁽³⁾, as last amended by Regulation (EC) No 2831/98 ⁽⁴⁾, and in particular Article 4(1) thereof,

Whereas Article 11 of Regulation (EC) No 3072/95 provides that the rates of duty in the Common Customs Tariff are to be charged on import of the products referred to in Article 1 of that Regulation; whereas, however, in the case of the products referred to in paragraph 2 of that Article, the import duty is to be equal to the intervention price valid for such products on importation and increased by a certain percentage according to whether it is husked or milled rice, minus the cif import price provided that duty does not exceed the rate of the Common Customs Tariff duties;

Whereas, pursuant to Article 12(3) of Regulation (EC) No 3072/95, the cif import prices are calculated on the basis of the representative prices for the product in question on the world market or on the Community import market for the product;

Whereas Regulation (EC) No 1503/96 lays down detailed rules for the application of Regulation (EC) No 3072/95 as regards import duties in the rice sector;

Whereas the import duties are applicable until new duties are fixed and enter into force; whereas they also remain in force in cases where no quotation is available from the source referred to in Article 5 of Regulation (EC) No 1503/96 during the two weeks preceding the next periodical fixing;

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

Whereas application of Regulation (EC) No 1503/96 results in import duties being fixed as set out in the Annexes to this Regulation,

HAS ADOPTED THIS REGULATION:

Article 1

The import duties in the rice sector referred to in Article 11(1) and (2) of Regulation (EC) No 3072/95 shall be those fixed in Annex I to this Regulation on the basis of the information given in Annex II.

Article 2

This Regulation shall enter into force on 1 July 1999.

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

Done at Brussels, 30 June 1999.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ L 329, 30.12.1995, p. 18.

⁽²⁾ OJ L 265, 30.9.1998, p. 4.

⁽³⁾ OJ L 189, 30.7.1996, p. 71.

⁽⁴⁾ OJ L 351, 29.12.1998, p. 25.

ANNEX I

Import duties on rice and broken rice

(EUR/t)

CN code	Duties ⁽¹⁾				
	Third countries (except ACP and Bangladesh) ⁽²⁾ ⁽⁷⁾	ACP ⁽¹⁾ ⁽²⁾ ⁽³⁾	Bangladesh ⁽⁴⁾	Basmati India and Pakistan ⁽⁵⁾	Egypt ⁽⁶⁾
1006 10 21	(7)	76,44	111,06		173,10
1006 10 23	(7)	76,44	111,06		173,10
1006 10 25	(7)	76,44	111,06		173,10
1006 10 27	(7)	76,44	111,06		173,10
1006 10 92	(7)	76,44	111,06		173,10
1006 10 94	(7)	76,44	111,06		173,10
1006 10 96	(7)	76,44	111,06		173,10
1006 10 98	(7)	76,44	111,06		173,10
1006 20 11	208,51	68,64	99,92		156,38
1006 20 13	208,51	68,64	99,92		156,38
1006 20 15	208,51	68,64	99,92		156,38
1006 20 17	237,59	78,82	114,45	0,00	178,19
1006 20 92	208,51	68,64	99,92		156,38
1006 20 94	208,51	68,64	99,92		156,38
1006 20 96	208,51	68,64	99,92		156,38
1006 20 98	237,59	78,82	114,45	0,00	178,19
1006 30 21	431,71	138,71	200,95		323,78
1006 30 23	431,71	138,71	200,95		323,78
1006 30 25	431,71	138,71	200,95		323,78
1006 30 27	(7)	146,86	212,59		341,25
1006 30 42	431,71	138,71	200,95		323,78
1006 30 44	431,71	138,71	200,95		323,78
1006 30 46	431,71	138,71	200,95		323,78
1006 30 48	(7)	146,86	212,59		341,25
1006 30 61	431,71	138,71	200,95		323,78
1006 30 63	431,71	138,71	200,95		323,78
1006 30 65	431,71	138,71	200,95		323,78
1006 30 67	(7)	146,86	212,59		341,25
1006 30 92	431,71	138,71	200,95		323,78
1006 30 94	431,71	138,71	200,95		323,78
1006 30 96	431,71	138,71	200,95		323,78
1006 30 98	(7)	146,86	212,59		341,25
1006 40 00	(7)	45,38	(7)		105,00

⁽¹⁾ The duty on imports of rice originating in the ACP States is applicable, under the arrangements laid down in Council Regulation (EC) No 1706/98 (OJ L 215, 1.8.1998, p. 12) and amended Commission Regulation (EC) No 2603/97 (OJ L 351, 23.12.1997, p. 22).

⁽²⁾ In accordance with Regulation (EC) No 1706/98, the duties are not applied to products originating in the African, Caribbean and Pacific States and imported directly into the overseas department of Réunion.

⁽³⁾ The import levy on rice entering the overseas department of Réunion is specified in Article 11(3) of Regulation (EC) No 3072/95.

⁽⁴⁾ The duty on imports of rice not including broken rice (CN code 1006 40 00), originating in Bangladesh is applicable under the arrangements laid down in Council Regulation (EEC) No 3491/90 (OJ L 337, 4.12.1990, p. 1) and amended Commission Regulation (EEC) No 862/91 (OJ L 88, 9.4.1991, p. 7).

⁽⁵⁾ No import duty applies to products originating in the OCT pursuant to Article 101(1) of amended Council Decision 91/482/EEC (OJ L 263, 19.9.1991, p. 1).

⁽⁶⁾ For husked rice of the Basmati variety originating in India and Pakistan, a reduction of EUR 250 per tonne applies (Article 4a of amended Regulation (EC) No 1503/96).

⁽⁷⁾ Duties fixed in the Common Customs Tariff.

⁽⁸⁾ The duty on imports of rice originating in and coming from Egypt is applicable under the arrangements laid down in Council Regulation (EC) No 2184/96 (OJ L 292, 15.11.1996, p. 1) and Commission Regulation (EC) No 196/97 (OJ L 31, 1.2.1997, p. 53).

ANNEX II

Calculation of import duties for rice

	Paddy	Indica rice		Japonica rice		Broken rice
		Husked	Milled	Husked	Milled	
1. Import duty (EUR/tonne)	(¹)	237,59	455,00	208,51	431,71	(¹)
2. Elements of calculation:						
(a) Arag cif price (EUR/tonne)	—	345,43	302,33	400,42	433,10	—
(b) fob price (EUR/tonne)	—	—	—	371,47	404,15	—
(c) Sea freight (EUR/tonne)	—	—	—	28,95	28,95	—
(d) Source	—	USDA	USDA	Operators	Operators	—

(¹) Duties fixed in the Common Customs Tariff.

**COMMISSION REGULATION (EC) No 1430/1999
of 30 June 1999**

**determining to what extent applications for import rights for calves not
exceeding 80 kilograms lodged pursuant to Regulation (EC) No 1128/1999 can be
met**

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

Having regard to Commission Regulation (EC) No 1128/
1999 of 28 May 1999 laying down detailed rules of
application for a tariff quota for calves weighing not more
than 80 kilograms originating in certain third coun-
tries⁽¹⁾, and in particular Article 5(1) thereof,

Whereas Article 2(4) of Regulation (EC) No 1128/1999
provides for the quantities reserved for traditional impor-
ters to be allocated in proportion to their imports during
the 36 months preceding the import year in question;

Whereas allocation of the quantities available to operators
covered by Article 2(3)(b) of that Regulation is to be made
in proportion to the quantities applied for; whereas since
the quantities applied for exceed the quantities available,
a fixed percentage reduction should be set,

HAS ADOPTED THIS REGULATION:

Article 1

Every application for an import right for live animals of
the bovine species not exceeding 80 kilograms shall be
granted to the following extent:

- a) 24,1631 % of the quantities imported within the
meaning of Article 2(3)(a) of Regulation (EC) No 1128/
1999;
- b) 0,07758 % of the quantities applied for within the
meaning of Article 2(3)(b) of Regulation (EC) No 1128/
1999.

Article 2

This Regulation shall enter into force on 1 July 1999.

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

Done at Brussels, 30 June 1999.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ L 135, 29.5.1999, p. 50.

**COMMISSION REGULATION (EC) No 1431/1999
of 30 June 1999**

**opening and providing for the administration of an import tariff quota for young
male bovine animals for fattening (1 July 1999 to 30 June 2000)**

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 12(1) thereof,

Having regard to Council Regulation (EC) No 1095/96 of 18 June 1996 on the implementation of the concessions set out in schedule CXL drawn up in the wake of the conclusion of the GATT XXIV.6 negotiations ⁽³⁾, and in particular Article 1(1) thereof,

- (1) Whereas under schedule CXL the Community undertook to open an annual import tariff quota of 169 000 head of young male bovine animals for fattening; whereas the rules for the application of that quota should be established for the period 1 July 1999 to 30 June 2000;
- (2) Whereas the supply requirements of certain regions of the Community which have a serious shortfall of bovine animals for fattening should be taken into account; whereas, as those requirements are apparent particularly in Italy and Greece, priority should be given to satisfying demand in those two Member States;
- (3) Whereas there should be a guarantee in particular of equal and continuing access to the said quota for all interested traders within the Community and of uninterrupted application of the customs duties laid down for those quotas to all imports of the animals in question until the quota is exhausted;
- (4) Whereas in view of the actual market situation, a method of management should be applied which is comparable to that used in the past for quotas bearing the same serial number, involving, in particular, a continuation of the method of allocation between traditional importers and traders actively involved in trade in live animals with third countries;
- (5) Whereas it should be stipulated that the arrangements are to be managed using import licences; whereas to that end rules should be laid down on

submission of applications and the information to be given on applications and licences, -where applicable by waiving or supplementing certain provisions of Commission Regulation (EEC) No 3719/88 of 16 November 1988 laying down common detailed rules for the application of the system of import and export licences and advance fixing certificates for certain agricultural products ⁽⁴⁾, as last amended by Regulation (EC) No 1127/1999 ⁽⁵⁾, and of 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 and repealing Regulation (EEC) No 2377/80 ⁽⁶⁾, as last amended by Regulation (EC) No 2648/98 ⁽⁷⁾;

- (6) Whereas the application of this tariff quota requires effective checks on the specific destination of imports; whereas, therefore, the animals must be fattened in the Member State which issued the import licence;
- (7) Whereas a security should be lodged in order to guarantee that the animals are fattened for at least 120 days in designated production units; whereas the amount of this security should cover the difference between the common customs tariff (CCT) duty and the reduced duty applicable on the date of release for free circulation of the animals in question;
- (8) Whereas the Management Committee for Beef and Veal has not delivered an opinion within the time limit set by its Chairman,

HAS ADOPTED THIS REGULATION:

Article 1

1. A tariff quota of 169 000 young male bovine animals falling within CN codes 0102 90 05, 0102 90 29 or 0102 90 49 and intended for fattening in the Community is hereby opened for the period 1 July 1999 to 30 June 2000.

The serial number of the quota shall be 09.4005.

⁽¹⁾ OJ L 148, 28.6.1968, p. 24.

⁽²⁾ OJ L 210, 28.7.1998, p. 17.

⁽³⁾ OJ L 146, 20.6.1996, p. 1.

⁽⁴⁾ OJ L 331, 2.12.1988, p. 1.

⁽⁵⁾ OJ L 135, 29.5.1999, p. 48.

⁽⁶⁾ OJ L 143, 27.6.1995, p. 35.

⁽⁷⁾ OJ L 335, 10.12.1998, p. 39.

2. The customs import duty applicable to the quota referred to in paragraph 1 shall be EUR 582/t plus 16 % *ad valorem*.

Application of this rate of duty shall be conditional upon the fattening of the imported animals in the Member State of importation for a period of at least 120 days.

Article 2

1. Import rights for the quantities referred to in Article 1 (1) shall be allocated to the Member States as follows:

- | | |
|------------------------|--------------|
| a) Italy: | 143 650 head |
| b) Greece: | 21 970 head |
| c) other Member States | 3 380 head |

2. Within each of the quantities referred to in paragraph 1 (a) and (b), import rights relating to:

- 80 % of the quantity shall be allocated upon application directly to importers who furnish proof of having imported animals under the Regulations referred to in Annex I; the number of head shall be allocated in proportion to the number of head imported under the Regulations in question,
- 20 % of the quantities shall be allocated upon application directly to traders who furnish proof that in 1998 they exported to and/or imported from third countries at least 50 live animals falling within CN code 0102 90, excluding imports under the Regulations referred to in Annex I.

Traders must be entered in the national value added tax (VAT) register.

Applications for import rights shall be presented:

- in Italy for the quantities referred to in paragraph 1 (a),
- in Greece for the quantities referred to in paragraph 1 (b).

3. The quantities referred to in paragraph 1 (c) shall be allocated upon application to traders who furnish proof that in 1998 they exported to and/or imported from third countries at least 50 live animals falling within CN code 0102 90.

Applications for import rights for the quantities referred to in the first subparagraph shall be presented in the Member State, other than Italy and Greece, where the applicant is entered in the national value added tax register.

4. The quantities referred to in the second indent of the first subparagraph of paragraph 2 and in paragraph 3 shall be allocated to each eligible trader in proportion to the quantities applied for.

5. Proof of import and/or export shall be provided solely by means of customs documents of release for free circulation or export documents.

Member States may accept copies of those documents duly certified by the competent authorities.

Article 3

1. Traders who were no longer engaged in trade in live bovine animals on 1 June 1999 shall not qualify for the arrangements provided for in this Regulation.

2. Companies arising from mergers where each constituent part has rights pursuant to the first subparagraph of Article 2(2) shall enjoy the same rights as the companies from which they are formed.

Article 4

1. No application for import rights shall exceed the number of head available.

Where, under any one category referred to in Article 2(2) and (3), an applicant submits more than one application, all such applications shall be rejected.

2. For the purposes of Article 2(2) and (3), applications accompanied by the necessary proofs must reach the competent authorities not later than 12 July 1999.

3. As regards applications under Article 2(3), after verification of the documents presented, Member States shall forward to the Commission by 19 July 1999 at the latest, a list of applicants and quantities applied for using the form set out in Annex II.

The Commission shall decide as soon as possible to what extent applications may be accepted. Where the quantities applied for exceed the quantities available, the Commission shall fix a single percentage reduction to be applied to the quantities applied for.

Where the application of the uniform percentage reduction provided for in the second subparagraph results in less than 50 head being allocated per application, the allocation shall be made by the Member States concerned by drawing lots for batches of 50 head. Where the remainder is less than 50 head, that number shall constitute a single batch.

4. As regards applications under Article 2(2), after verification of the documents presented, Italy and Greece shall forward to the Commission by 26 July 1999 at the latest a list of applicants and quantities applied for using the forms set out in Annexes II and III.

Article 5

1. Any import of animals for which import rights have been allocated shall be subject to presentation of an import licence.

2. The provisions of Regulations (EEC) No 3719/88 and (EC) No 1445/95 shall apply, subject to the provisions of this Regulation.

3. Licence applications may be lodged solely:

- in the Member State where the application for import rights was lodged, and
- by the traders to whom import rights have been allocated in accordance with Articles 2 and 4.

4. Licences shall be issued up to 30 November 1999 for a maximum of 50 % of the allocated import rights. Import licences for the remaining quantities shall be issued from 1 December 1999.

5. Licence applications and licences shall contain:

- (a) in box 8, the country of origin;
- (b) in box 16, one of the eligible CN codes;
- (c) in box 20, the following particulars:

‘Live male bovine animals of a live weight not exceeding 300 kg per head (Regulation (EC) No 1431/1999).’.

Article 6

1. Notwithstanding Article 3 of Regulation (EC) No 1445/95, import licences shall be valid for 120 days from their date of issue within the meaning of Article 21 (2) of Regulation (EEC) No 3719/88. However, no licences shall be valid after 30 June 2000.

2. Licences shall be valid throughout the Community.

3. Article 8(4) of Regulation (EEC) No 3719/88 shall not apply.

Article 7

1. At the time of importation, the importer shall provide proof that he has:

- given a written undertaking to inform the competent authority of the Member State that issued the licence within one month of the farm or farms where the young animals are to be fattened,
- lodged a security, the amount of which is laid down for each eligible CN code in Annex IV, with the competent authority of the Member State that issued the licence guaranteeing that the animals imported will be fattened in that Member State for a period of at least 120 days from the date of importation.

2. The animals covered by this Regulation shall be fattened in the Member State that issues the import licence.

3. Except in cases of *force majeure*, the security shall be released only if proof is furnished to the competent authority of the Member State that issued the licence that the young bovine animals:

- (a) have been fattened on the farm or farms indicated pursuant to paragraph 1;
 - (b) have not been slaughtered before the expiry of a period of 120 days from the date of importation;
- or
- (c) have been slaughtered before the expiry of that period for health reasons or have died as a result of sickness or accident.

The security shall be released immediately after such proof has been furnished.

However, where the time limit referred to in paragraph 1, first indent, has not been observed, the amount of the security to be released shall be reduced by:

- 15 %, and by
- 2 % of the remaining amount for each day by which it has been exceeded.

The amounts not released shall be forfeited and retained as customs duty.

4. If the proof referred to in paragraph 3 is not furnished within 180 days from the date of importation, the security shall be forfeit and retained as customs duty.

However, if such proof has not been furnished within 180 days but is produced within six months following the said period of 180 days, the amount forfeited, less 15 % of the security amount, shall be repaid.

Article 8

1. Quantities not covered by import licence applications on 29 February 2000 shall be awarded under a further allocation, irrespective of the allocation of import rights between Member States referred to in Article 2(1) and of the two different schemes provided for in the first and second indents of Article 2(2).

2. To that end, by 7 March 2000 the Member States shall send the Commission details of quantities not covered by import licence applications received.

3. The Commission shall take a decision as quickly as possible as regards the quantities remaining.

4. Quantities remaining shall be allocated upon application from traders proving that in 1998 they exported to and/or imported from third countries at least 50 live animals falling within CN code 0102 90.

Applications for import rights shall be presented in the Member State where the applicant is entered in the national value added tax register.

5. For the purposes of applying this Article, Articles 4 to 7 shall apply *mutatis mutandis*. However, the dates mentioned in Article 4(2) and (3) are replaced by 31 March 2000 and 7 April 2000 respectively.

Article 9

This Regulation shall enter into force on 1 July 1999.

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

Done at Brussels, 30 June 1999.

For the Commission

Franz FISCHLER

Member of the Commission

ANNEX I

Regulations referred to in Article 2(2)

Commission Regulations:

- (EC) No 1119/96 (OJ L 149, 22.6.1996, p. 4),
 - (EC) No 1376/97 (OJ L 189, 18.7.1997, p. 3),
 - (EC) No 1043/98 (OJ L 149, 20.5.1998, p. 7).
-

ANNEX II

Fax: (32-2) 296 60 27 / (32-2) 295 36 13

Application of Article 4(3) and (4) of Regulation (EC) No 1431/1999

Serial number 09.4005

COMMISSION OF THE EUROPEAN COMMUNITIES

DG VI/D/2 — BEEF/VEAL

IMPORT RIGHTS APPLICATION

Date: Period:

Member State:

[illegible]

Member State: Fax No:

Tel. No:

(¹) Continuous numbering

ANNEX III

Fax: (32-2) 296 60 27 / (32-2) 295 36 13

Application of Article 4(4) of Regulation (EC) No 1431/1999

Serial number 09.4005

COMMISSION OF THE EUROPEAN COMMUNITIES

DG VI/D/2 — BEEF/VEAL

IMPORT RIGHTS APPLICATION

Date: Period:

Member State:

Number of applicant (')	Applicant (name and address)	Quantity imported (head)			Total
		1119/96	1376/97	1043/98	
Total					

Member State: Fax No:

Tel. No:

(¹) Continuous numbering

*ANNEX IV***SECURITY AMOUNTS**

Male bovine animals for fattening (CN code)	Amount (EUR/head)
0102 90 05	35
0102 90 29	70
0102 90 49	130

COMMISSION REGULATION (EC) No 1432/1999
of 30 June 1999

amending, in respect of food aid operations, Regulation (EC) No 1162/95 laying down special detailed rules for the application of the system of import and export licences for cereals and rice

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EEC) No 1766/92, of 30 June 1992, on the common organisation of the market in cereals⁽¹⁾, as last amended by Commission Regulation (EC) No 1253/1999⁽²⁾, and in particular Article 9(2) thereof,

Having regard to Council Regulation (EC) No 3072/95 of 22 December 1995 on the common organisation of the market in rice⁽³⁾, as last amended by Regulation (EC) No 2072/98⁽⁴⁾, and in particular Article 9(2) thereof,

(1) Whereas Article 7(3) of Commission Regulation (EC) No 1162/95⁽⁵⁾, as last amended by Regulation (EC) No 444/98⁽⁶⁾, provides for a scrutiny period before licences are actually issued for the export of all cereals, including rice, and most processed products, given the risks involved in issuing licences for very high volumes; whereas the maintenance of this mechanism is not justified for non-commercial exports made with a view to providing Community or national food aid, or for certain supplies by humanitarian agencies; whereas Article 7 should therefore be amended and provision should be made for the amendment to take immediate effect;

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

HAS ADOPTED THIS REGULATION:

Article 1

The last subparagraph of Article 7(3) of Regulation (EC) No 1162/95 is replaced by the following:

‘The first subparagraph shall not apply to licences issued in connection with invitations to tender or to the licences referred to in Article 14a of Regulation (EC) No 3719/88 that are issued for the purpose of a food aid operation within the meaning of Article 10(4) of the Agreement on Agriculture concluded as part of the Uruguay Round of multilateral trade negotiations. The scrutiny period shall not apply to the issue of export licences where an application relating to a quantity of 20 tonnes or less is submitted by a humanitarian agency without an accompanying refund application.’.

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, 30 June 1999.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ L 181, 1.7.1992, p. 21.

⁽²⁾ OJ L 160, 26.6.1999, p. 18.

⁽³⁾ OJ L 329, 30.12.1995, p. 18.

⁽⁴⁾ OJ L 265, 30.9.1998, p. 4.

⁽⁵⁾ OJ L 117, 24.5.1995, p. 2.

⁽⁶⁾ OJ L 56, 26.2.1998, p. 12.

COMMISSION REGULATION (EC) No 1433/1999
of 30 June 1999

**altering, for the 1999/2000 marketing year, the adjustment aid and additional aid
to the sugar refining industry**

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 organisation of the markets in the sugar sector⁽¹⁾, as last amended by Commission Regulation (EC) No 1148/98⁽²⁾, and in particular Article 36(6) thereof,

- (1) Whereas Article 36 of Regulation (EEC) No 1785/81 provides that during the 1995/96 to 2000/01 marketing years adjustment aid of EUR 0,10/100 Kg of sugar expressed as white sugar is to be granted as an intervention measure to the Community's imported preferential raw cane sugar refining industry; whereas, as provided for in those provisions, additional aid equal to that amount is to be granted during the same period for the refining of raw cane sugar produced in the French overseas departments;
- (2) Whereas Article 36(4) of Regulation (EEC) No 1785/81 provides that the adjustment aid and the additional aid referred to above shall be altered in respect of a given marketing year in the light of the storage levy for the 1999/2000 marketing year was fixed by Commission Regulation (EC) No 1398/1999⁽³⁾ at EUR, 2,00/100 Kg of white sugar;

whereas that amount is equal to that applicable for the 1998/99 marketing year; whereas, after taking into account previous adjustments, the amount of these aids should consequently be fixed for the 1999/2000 marketing year at EUR 2,92/100 Kg of sugar exported as white sugar;

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

HAS ADOPTED THIS REGULATION:

Article 1

The amounts of the adjustment aid and of the additional aid provided for respectively in paragraphs 1 and 3 of Article 36 of Regulation (EEC) No 1785/81 shall be fixed at EUR 2,92/100 Kg of sugar expressed as white sugar for the 1999/2000 marketing year.

Article 2

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

It shall apply from 1 July 1999.

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

Done at Brussels, 30 June 1999.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ L 177, 1.7.1981, p. 4.

⁽²⁾ OJ L 159, 13.6.1998, p. 38.

⁽³⁾ OJ L 163, 29.6.1999, p. 39.

COMMISSION REGULATION (EC) No 1434/1999
of 30 June 1999

**establishing the sugar forecast supply balance for the 1999/2000 marketing year
for the Azores, Madeira and the Canary Islands provided for in Council Regula-
tions (EEC) No 1600/92 and (EEC) No 1601/92**

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

Having regard to Council Regulation (EEC) No 1600/92
of 15 June 1992 concerning specific measures for the
Azores and Madeira relating to certain agricultural prod-
ucts ⁽¹⁾, as last amended by Commission Regulation (EC)
No 1257/1999 ⁽²⁾, and in particular Article 10 thereof,

Having regard to Council Regulation (EEC) No 1601/92
of 15 June 1992 concerning specific measures for the
Canary Islands with regard to certain agricultural prod-
ucts ⁽³⁾, as last amended by Regulation (EC) No 1257/
1999, and in particular Articles 3(4) and 7(2) thereof,

- (1) Whereas, pursuant to Article 2 of Regulations
(EEC) No 1600/92 and (EEC) No 1601/92,
Commission Regulation (EEC) No 2177/92 ⁽⁴⁾, as
last amended by Regulation (EC) No 1321/98 ⁽⁵⁾,
sets the forecast supply balance for sugar for the
Azores, Madeira and the Canary Islands for the

1998/99 marketing year; whereas, pursuant to that
Article 2 and on the basis of the forecasts, the
supply balance for the 1999/2000 marketing year
under those arrangements should now be set;

- (2) Whereas the measures provided for in this Regula-
tion are in accordance with the opinion of the
Management Committee for Sugar,

HAS ADOPTED THIS REGULATION:

Article 1

The Annex to Regulation (EEC) No 2177/92 is replaced,
for the 1999/2000 marketing year, by the Annex to this
Regulation.

Article 2

This Regulation shall enter into force on 1 July 1999.

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

Done at Brussels, 30 June 1999.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ L 173, 27.6.1992, p. 1.

⁽²⁾ OJ L 160, 26.6.1999, p. 80.

⁽³⁾ OJ L 173, 27.6.1992, p. 13.

⁽⁴⁾ OJ L 217, 31.7.1992, p. 71.

⁽⁵⁾ OJ L 183, 26.6.1998, p. 27.

ANNEX

Quantities of sugar expressed in terms of tonnes of white sugar, referred to in Article 1 of Regulation (EEC) No 2177/92 for the 1999/2000 marketing year

Region	Quantity
Azores	6 500
Madeira	8 000
Canary Islands	63 000

COMMISSION REGULATION (EC) No 1435/1999
of 30 June 1999
establishing the sugar forecast supply balance for 1999/2000 for the smaller
Aegean islands provided for in Council Regulation (EEC) No 2019/93

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EEC) No 2019/93 of 19 July introducing specific measures for the smaller Aegean island concerning certain agricultural products ⁽¹⁾, as last amended by Commission Regulation (EC) No 1257/1999 ⁽²⁾, and in particular Article 4 thereof,

- (1) Whereas detailed rules for the application of Regulation (EEC) No 2019/93 as regards the specific arrangements for the supply of certain agricultural products are laid down in Commission Regulation (EEC) No 2958/93 ⁽³⁾, as last amended by Regulation (EC) No 1802/95 ⁽⁴⁾;
- (2) Whereas Commission Regulation (EEC) No 3719/88 ⁽⁵⁾, as last amended by Regulation (EC) No 1127/1999 ⁽⁶⁾, lays down the common detailed rules for the application of the system of import licences; whereas Commission Regulation (EC) No 1464/95 of 27 June 1995 on special detailed rules for the application of the system of import and export licenses in the sugar sector ⁽⁷⁾, as last amended by Regulation (EC) No 1148/98 ⁽⁸⁾, lays down special detailed rules for the sugar sector;
- (3) Whereas, in order to take account of commercial practices specific to the sugar sector, detailed rules, additional to or derogating from the provisions of Regulation (EEC) No 2958/93, should be laid down;

- (4) Whereas, pursuant to Article 2 of Regulation (EEC) No 2019/93, the forecast supply balance for sugar for the smaller Aegean islands for the 1999/2000 marketing year should be established; whereas that balance may be revised during the year on the basis of trends in the smaller islands requirements;
- (5) Whereas the measures provided for in this Regulation are in accordance with the opinion of the Management Committee for Sugar,

HAS ADOPTED THIS REGULATION:

Article 1

Pursuant to Article 2 of Regulation (EEC) No 2019/93, the forecast supply balance for sugar originating in the Community for the smaller Aegean islands for the 1999/2000 marketing year shall be as laid down in the Annex hereto.

Article 2

The validity of aid certificates shall expire on the final day of the second month following their issue.

Article 3

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

It shall apply from 1 July 1999.

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

Done at Brussels, 30 June 1999.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ L 184, 27.7.1993, p. 1.
⁽²⁾ OJ L 160, 26.6.1999, p. 80.
⁽³⁾ OJ L 267, 28.10.1993, p. 4.
⁽⁴⁾ OJ L 174, 26.7.1995, p. 27.
⁽⁵⁾ OJ L 331, 2.12.1988, p. 1.
⁽⁶⁾ OJ L 135, 29.5.1999, p. 48.
⁽⁷⁾ OJ L 144, 28.6.1995, p. 14.
⁽⁸⁾ OJ L 159, 3.6.1998, p. 38.

ANNEX

Supply balance for the smaller Aegean islands for the period 1 July 1999 to 30 June 2000

(in tonnes of white sugar)

Product	CN code	Quantity
Sugar:	1701	
— Group A (*)		600
— Group B (*)		9 000
Total		9 600

(*) These groups are defined in Annexes I and II to Regulation (EEC) NO 2958/93.

**COMMISSION REGULATION (EC) No 1436/1999
of 30 June 1999**

**opening import quotas in respect of special preferential raw cane sugar from the
ACP States and India for supply to refineries in the period 1 July 1999 to 29
February 2000**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Member State for the period 1 July 1999 to 29 February 2000;

Having regard to the Treaty establishing the European Community,

(3) Whereas the above agreements lay down that the refiners in question must pay a minimum purchase price equal to the guaranteed price for raw sugar, minus the adjustment aid fixed for the marketing year in question; whereas this minimum price must therefore be fixed by taking account of the factors applying in the 1999/2000 marketing year;

Having regard to Council Regulation (EEC) No 1785/81 of 30 June 1981 on the common organisation of the market in sugar ⁽¹⁾, as last amended by Commission Regulation (EC) No 1148/98 ⁽²⁾, and in particular Articles 14(2) and 37(6) thereof,

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

(1) Whereas Article 37 of Regulation (EEC) No 1785/81 lays down that, during the marketing years 1995/96 to 2000/01 and in order to ensure adequate supplies to Community refineries, a special reduced duty is to be levied on imports of raw cane sugar originating in States with which the Community has concluded supply arrangements on preferential terms; whereas at present such agreements have been concluded by Council Decision 95/284/EC ⁽³⁾ only with the ACP States party to Protocol 8 on ACP sugar annexed to the fourth ACP-EEC Lomé Convention, and with the Republic of India;

HAS ADOPTED THIS REGULATION:

Article 1

The following tariff quotas are opened for the period 1 July 1999 to 29 February 2000 under Decision 95/284/EC in respect of imports of raw cane sugar for refining;

(2) Whereas the quantities of special preferential sugar to be imported are calculated in accordance with the said Article 37 on the basis of a Community forecast supply balance; whereas the balance indicates the need to import raw sugar and to open at this stage for the 1999/2000 marketing year a tariff quota at the special reduced rate of duty as provided for in the above agreements so that the Community refineries' supply needs can be met for part of the year; whereas the forecast for raw cane sugar production are now available for the 1999/2000 marketing year; whereas a quota should be opened at this stage for part of that year; whereas because of the presumed maximum refining needs fixed by Member State and the shortfall resulting from the forecast supply balance, provision should be made to authorise imports for each refining

(a) 260 500 tonnes expressed as white sugar originating in the ACP States covered by that Decision, bearing the serial number 09.4098;

and

(b) 10 000 tonnes expressed as white sugar originating in the Republic of India, bearing the serial number 09.4099.

Article 2

1. A special reduced duty of EUR 5,41 per 100 kg of standard-quality raw sugar shall apply to imports of the quantities referred to in Article 1.

2. Article 7 of Commission Regulation (EC) No 1916/95 ⁽⁴⁾ notwithstanding, the minimum purchase price to be paid by the Community refiners shall be fixed for the period referred to in Article 1 at EUR 49,68 per 100 kg of standard-quality raw sugar.

⁽¹⁾ OJ L 177, 1.7.1981, p. 4.

⁽²⁾ OJ L 159, 3.6.1998, p. 38.

⁽³⁾ OJ L 181, 1.8.1995, p. 22.

⁽⁴⁾ OJ L 184, 3.8.1995, p. 18.

Article 3

The following Member States are authorised to import, under the quotas referred to in Article 1 and on the terms laid down in Article 2(1), the following shortfall expressed as white sugar:

- (a) Finland: 45 500 tonnes;
- (b) metropolitan France: 20 000 tonnes;
- (c) mainland Portugal: 190 000 tonnes;
- (d) United Kingdom: 15 000 tonnes.

Article 4

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

It shall apply from 1 July 1999.

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

Done at Brussels, 30 June 1999.

For the Commission

Franz FISCHLER

Member of the Commission

COMMISSION REGULATION (EC) No 1437/1999
of 30 June 1999
on the sale by tender of beef held by certain intervention agencies

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 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 sale shall take place of:

— 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 80 tonnes of bone-in hindquarters held by the Austrian intervention agency, and stored in Germany,
- approximately 6 320 tonnes of boneless beef held by the United Kingdom intervention agency,
- approximately 457 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

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.

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 12 July 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

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, 30 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**

DEUTSCHLAND	— Hinterviertel	600
ESPAÑA	— Cuartos traseros	600
FRANCE	— Quartiers arrière	600
ITALIA	— Quarti posteriori	600
NEDERLAND	— Achervoeten	600
ÖSTERREICH	— Hinterviertel	80

- 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 shank (INT 11)	500
	— Intervention thick flank (INT 12)	560
	— Intervention topside (INT 13)	1 000
	— Intervention silverside (INT 14)	210
	— Intervention fillet (INT 15)	40
	— Intervention rump (INT 16)	325
	— Intervention striploin (INT 17)	725
	— Intervention flank (INT 18)	500
	— Intervention forerib (INT 19)	960
	— Intervention shoulder (INT 22)	500
	— Intervention brisket (INT 23)	500
IRELAND	— Intervention forequarter (INT 24)	500
	— Intervention silverside (INT 14)	70
	— Intervention fillet (INT 15)	117
	— Intervention rump (INT 16)	240
FRANCE	— Intervention striploin (INT 17)	30
	— Flanchet d'intervention (INT 18)	500

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- (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 bilagorna V och VII i kommissionens 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).
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*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**

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Bundesanstalt für Landwirtschaft und Ernährung (BLE)
Postfach 180203, D-60083 Frankfurt am Main
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ÖSTERREICH

AMA-Agrarmarkt Austria
Dresdner Straße 70
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UNITED KINGDOM

Intervention Board Executive Agency
Kings House
33 Kings Road
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Berkshire
United Kingdom
Tel. (01-189) 58 36 26
Fax (01-189) 56 67 50

COMMISSION REGULATION (EC) No 1438/1999
of 30 June 1999

**fixing the rates of refunds applicable to certain products from the sugar sector
exported in the form of goods not covered by Annex I to the Treaty**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EEC) No 1785/81 of 30 June 1981 on the common organisation of the market in sugar ⁽¹⁾, as last amended by Commission Regulation (EC) No 1148/98 ⁽²⁾ and in particular Article 17(5) (a) and (15),

Whereas Article 17 (1) and (2) of Regulation (EEC) No 1785/81 provides that the differences between the prices in international trade for the products listed in Article 1 (1) (a), (c), (d), (f), (g) and (h) of that Regulation and prices within the Community may be covered by an export refund where these products are exported in the form of goods listed in the Annex to that Regulation; whereas Commission Regulation (EC) No 1222/94 of 30 May 1994 laying down common implementing rules for granting export refunds on certain agricultural products exported in the form of goods not covered by Annex I to the Treaty and the criteria for fixing the amount of such refunds ⁽³⁾ as last amended by Regulation (EC) No 1352/98 ⁽⁴⁾ specifies the products for which a rate of refund should be fixed, to be applied where these products are exported in the form of goods listed in Annex I to Regulation (EEC) No 1785/81;

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

Whereas Article 17(3) of Regulation (EEC) No 1785/81 and Article 11 of the Agreement on Agriculture concluded under the Uruguay Round lay down that the export refund for a product contained in a good may not exceed the refund applicable to that product when exported without further processing;

Whereas the refunds fixed under this Regulation may be fixed in advance; whereas the market situation over the next few months cannot be established at the moment;

Whereas the commitments entered into with regard to refunds which may be granted for the export of agricultural products contained in goods not covered by Annex I to the Treaty may be jeopardized by the fixing in advance of high refund rates; whereas it is therefore necessary to take precautionary measures in such situations without, however, preventing the conclusion of long-term contracts; whereas the fixing of a specific refund rate for the advance fixing of refunds is a measure which enables these various objectives to be met;

Whereas Article 4(5)(b) of Regulation (EC) No 1222/94 provides that in the absence of the proof referred to in Article 4(5)(a) of that Regulation, a reduced rate of export refund has to be fixed, taking account of the amount of the production refund applicable, pursuant to Council Regulation (EEC) No 1010/86 ⁽⁵⁾, as last amended by Commission Regulation (EC) No 1148/98, for the basic product in question, used during the assumed period of manufacture of the goods;

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

HAS ADOPTED THIS REGULATION:

Article 1

The rates of the refunds applicable to the basic products appearing in Annex A to Regulation (EC) No 1222/94 and listed in Article 1(1) and (2) of Regulation (EEC) No 1785/81, exported in the form of goods listed in Annex I to Regulation (EEC) No 1785/81, are fixed as shown in the Annex hereto.

Article 2

This Regulation shall enter into force on 1 July 1999.

⁽¹⁾ OJ L 177, 1.7.1981, p. 4.

⁽²⁾ OJ L 159, 3.6.1998, p. 38.

⁽³⁾ OJ L 136, 31.5.1994, p. 5.

⁽⁴⁾ OJ L 184, 27.6.1998, p. 25.

⁽⁵⁾ OJ L 94, 9.4.1986, p. 9.

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

Done at Brussels, 30 June 1999.

For the Commission

Franz FISCHLER

Member of the Commission

ANNEX

to the Commission Regulation of 30 June 1999 fixing the rates of the refunds applicable to certain products in the sugar sector exported in the form of goods not covered by Annex I to the Treaty

Product	Rate of refund in EUR/100 kg	
	In case of advance fixing of refunds	Other
White sugar:		
— pursuant to Article 4(5)(b) of Regulation (EC) No 1222/94	0,00	0,00
— in all other cases	46,00	46,00

COMMISSION REGULATION (EC) No 1439/1999
of 30 June 1999

**fixing the rates of the refunds applicable to certain milk products exported in the
form of goods not covered by Annex I to the Treaty**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EEC) No 804/68 of 27 June 1968 on the common organization of the market in milk and milk products ⁽¹⁾, as last amended by Regulation (EC) No 1587/96 ⁽²⁾, and in particular Article 17 (3) thereof,

Whereas Article 17 (1) of Regulation (EEC) No 804/68 provides that the difference between prices in international trade for the products listed in Article 1 (a), (b), (c), (d), (e), and (g) of that Regulation and prices within the Community may be covered by an export refund; whereas Commission Regulation (EC) No 1222/94 of 30 May 1994 laying down common implementing rules for granting export refunds on certain agricultural products exported in the form of goods not covered by Annex I to the Treaty, and criteria for fixing the amount of such refunds ⁽³⁾, as last amended by Regulation (EC) No 1352/98 ⁽⁴⁾, specifies the products for which a rate of refund should be fixed, to be applied where these products are exported in the form of goods listed in the Annex to Regulation (EEC) No 804/68;

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

Whereas Article 4 (3) of Regulation (EC) No 1222/94 provides that, when the rate of the refund is being fixed, account should be taken, where necessary, of production refunds, aids or other measures having equivalent effect applicable in all Member States in accordance with the Regulation on the common organization of the market in the product in question to the basic products listed in Annex A to that Regulation or to assimilated products;

Whereas Article 11 (1) of Regulation (EEC) No 804/68 provides for the payment of aid for Community-produced skimmed milk processed into casein if such milk and the casein manufactured from it fulfil certain conditions set out in Article 1 of Council Regulation (EEC) No 987/68 of 15 July 1968 laying down general rules for granting aid for skimmed milk processed into casein or caseinates ⁽⁵⁾, as last amended by Regulation (EEC) No 1435/90 ⁽⁶⁾;

Whereas Commission Regulation (EC) No 2571/97 of 15 December 1997 on the sale of butter at reduced prices and the granting of aid for cream, butter and concentrated butter for use in the manufacture of pastry products, ice-cream and other foodstuffs ⁽⁷⁾, as last amended by Regulation (EC) No 494/1999 ⁽⁸⁾, lays down that butter and cream at reduced prices should be made available to industries which manufacture certain goods;

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

HAS ADOPTED THIS REGULATION:

Article 1

1. The rates of the refunds applicable to the basic products appearing in Annex A to Regulation (EC) No 1222/94 and listed in Article 1 of Regulation (EEC) No 804/68, exported in the form of goods listed in the Annex to Regulation (EEC) No 804/68, are hereby fixed as shown in the Annex to this Regulation.

2. No rates of refund are fixed for any of the products referred to in the preceding paragraph which are not listed in the Annex to this Regulation.

Article 2

This Regulation shall enter into force on 1 July 1999.

⁽¹⁾ OJ L 148, 28.6.1968, p. 13.

⁽²⁾ OJ L 206, 16.8.1996, p. 21.

⁽³⁾ OJ L 136, 31.5.1994, p. 5.

⁽⁴⁾ OJ L 184, 27.6.1998, p. 25.

⁽⁵⁾ OJ L 169, 18.7.1968, p. 6.

⁽⁶⁾ OJ L 138, 31.5.1990, p. 8.

⁽⁷⁾ OJ L 350, 20.12.1997, p. 3.

⁽⁸⁾ OJ L 59, 6.3.1999, p. 17.

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

Done at Brussels, 30 June 1999.

For the Commission

Franz FISCHLER

Member of the Commission

ANNEX

to the Commission Regulation 30 June 1999 fixing the rates of the refunds applicable to certain milk products exported in the form of goods not covered by Annex I to the Treaty

(EUR/100 kg)

CN code	Description	Rate of refund
ex 0402 10 19	Powdered milk, in granules or other solid forms, not containing added sugar or other sweetening matter, with a fat content not exceeding 1,5 % by weight (PG 2): (a) On exportation of goods of CN code 3501 (b) On exportation of other goods	— 90,00
ex 0402 21 19	Powdered milk, in granules or other solid forms, not containing added sugar or other sweetening matter, with a fat content of 26 % by weight (PG 3): (a) Where goods incorporating, in the form of products assimilated to PG 3, reduced-price butter or cream obtained pursuant to Regulation (EEC) No 2571/97 are exported (b) On exportation of other goods	85,94 120,00
ex 0405 10	Butter, with a fat content by weight of 82 % (PG 6): (a) Where goods containing reduced-price butter or cream which have been manufactured in accordance with the conditions provided for in Regulation (EEC) No 2571/97 are exported (b) On exportation of goods of CN code 2106 90 98 containing 40 % or more by weight of milk fat (c) On exportation of other goods	61,00 177,25 170,00

COMMISSION REGULATION (EC) No 1440/1999
of 30 June 1999

**fixing the rates of the refunds applicable to certain cereal and rice-products
exported in the form of goods not covered by Annex I to the Treaty**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

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

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

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

Whereas Commission Regulation (EC) No 1222/94 of 30 May 1994 laying down common implementing rules for granting export refunds on certain agricultural products exported in the form of goods not covered by Annex I to the Treaty, and the criteria for fixing the amount of such refunds⁽⁵⁾, as last amended by Regulation (EC) No 1352/98⁽⁶⁾, specifies the products for which a rate of refund should be fixed, to be applied where these products are exported in the form of goods listed in Annex B to Regulation (EEC) No 1766/92 or in Annex B to Regulation (EC) No 3072/95 as appropriate;

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

Whereas the commitments entered into with regard to refunds which may be granted for the export of agricultural products contained in goods not covered by Annex I to the Treaty may be jeopardized by the fixing in advance of high refund rates; whereas it is therefore necessary to

take precautionary measures in such situations without, however, preventing the conclusion of long-term contracts; whereas the fixing of a specific refund rate for the advance fixing of refunds is a measure which enables these various objectives to be met;

Whereas, now that a settlement has been reached between the European Community and the United States of America on Community exports of pasta products to the United States and has been approved by Council Decision 87/482/EEC⁽⁷⁾, it is necessary to differentiate the refund on goods falling within CN codes 1902 11 00 and 1902 19 according to their destination;

Whereas Article 4(5)(b) of Regulation (EC) No 1222/94 provides that, in the absence of the proof referred to in Article 4(5)(a) of that Regulation, a reduced rate of export refund has to be fixed, taking account of the amount of the production refund applicable, pursuant to Commission Regulation (EEC) No 1722/93⁽⁸⁾, as last amended by Regulation (EC) No 87/1999⁽⁹⁾, for the basic product in question, used during the assumed period of manufacture of the goods;

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

HAS ADOPTED THIS REGULATION:

Article 1

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

Article 2

This Regulation shall enter into force on 1 July 1999.

⁽¹⁾ OJ L 181, 1.7.1992, p. 21.

⁽²⁾ OJ L 126, 24.5.1996, p. 37.

⁽³⁾ OJ L 329, 30.12.1995, p. 18.

⁽⁴⁾ OJ L 265, 30.9.1998, p. 4.

⁽⁵⁾ OJ L 136, 31.5.1994, p. 5.

⁽⁶⁾ OJ L 184, 27.6.1998, p. 25.

⁽⁷⁾ OJ L 275, 29.9.1987, p. 36.

⁽⁸⁾ OJ L 159, 1.7.1993, p. 112.

⁽⁹⁾ OJ L 9, 15.1.1999, p. 8.

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

Done at Brussels, 30 June 1999.

For the Commission

Franz FISCHLER

Member of the Commission

ANNEX

to the Commission Regulation of 30 June 1999 fixing the rates of the refunds applicable to certain cereals and rice products exported in the form of goods not covered by Annex I to the Treaty

(EUR/100 kg)

CN code	Description of products ⁽¹⁾	Rate of refund per 100 kg of basic product	
		In case of advance fixing of refunds	Other
1001 10 00	Durum wheat: — on exports of goods falling within CN codes 1902 11 and 1902 19 to the United States of America — in other cases	— —	— —
1001 90 99	Common wheat and meslin: — on exports of goods falling within CN codes 1902 11 and 1902 19 to the United States of America — in other cases: — — where pursuant to Article 4 (5) of Regulation (EC) No 1222/94 ⁽²⁾ — — in other cases	1,798 — 2,766	1,798 — 2,766
1002 00 00	Rye	4,107	4,107
1003 00 90	Barley	4,134	4,134
1004 00 00	Oats	3,761	3,761
1005 90 00	Maize (corn) used in the form of: — starch: — — where pursuant to Article 4 (5) of Regulation (EC) No 1222/94 ⁽²⁾ — — in other cases — glucose, glucose syrup, maltodextrine, maltodextrine syrup of CN codes 1702 30 51, 1702 30 59, 1702 30 91, 1702 30 99, 1702 40 90, 1702 90 50, 1702 90 75, 1702 90 79, 2106 90 55 ⁽³⁾ : — — where pursuant to Article 4 (5) of Regulation (EC) No 1222/94 ⁽²⁾ — — in other cases — other (including unprocessed) Potato starch of CN code 1108 13 00 similar to a product obtained from processed maize: — where pursuant to Article 4 (5) of Regulation (EC) No 1222/94 ⁽²⁾ — in other cases	— 3,148 — 3,053 3,148 — 3,148	1,633 5,816 0,871 5,054 5,816 1,633 5,816
ex 1006 30	Wholly-milled rice: — round grain — medium grain — long grain	8,000 8,000 8,000	8,000 8,000 8,000
1006 40 00	Broken rice	3,200	3,200
1007 00 90	Sorghum	4,134	4,134

⁽¹⁾ As far as agricultural products obtained from the processing of a basic product or/and assimilated products are concerned, the coefficients shown in Annex E of amended Commission Regulation (EC) No 1222/94 shall be applied (OJ L 136, 31.5.1994, p. 5).

⁽²⁾ The goods concerned are listed in Annex I of amended Regulation (EEC) No 1722/93 (OJ L 159, 1.7.1993, p. 112).

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

**COMMISSION REGULATION (EC) No 1441/1999
of 30 June 1999**

**fixing the representative prices and additional import duties for 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 organisation of the market in sugar ⁽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 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 Regulation (EC) No 1423/95 stipulates that the cif import price for raw sugar and white sugar, hereinafter known as the 'representative price', should be set in accordance with Council Regulation (EEC) No 784/68 ⁽⁵⁾, as amended by Commission Regulation (EC) No 260/96 ⁽⁶⁾; whereas that price should be fixed for the standard qualities defined in Council Regulation (EEC) No 793/72 ⁽⁷⁾ and in Council Regulation (EEC) No 431/68 ⁽⁸⁾, as amended by Regulation (EC) No 3290/94 ⁽⁹⁾;

Whereas, when the representative prices are being fixed, the Commission must take account of all available information on offers on the world market, on quotations on the exchanges which are important for world trade in sugar, on prices recorded on important third-country markets, and on sales concluded in international trade of which it has knowledge either directly or through the agency of the Member States; whereas, however, pursuant to Regulation (EEC) No 784/68, the Commission must disregard information if the goods concerned are not of sound and fair marketable quality or if the price quoted in an offer relates to a small quantity which is not representative of the market; whereas offer prices which can be

assumed not to be representative of actual market trends must also be disregarded;

Whereas, if information on sugar of the standard quality is to be comparable, the price increases or reductions fixed pursuant to Article 5(1)(a) of Regulation (EEC) No 784/68 must be added to or deducted from the offers taken into consideration in the case of white sugar; whereas, in the case of raw sugar, the corrective factors provided for in Article 5(1)(b) must be applied;

Whereas the representative price is modified only if the variation in the elements used to calculate it would entail an increase or a reduction of not less than 1,20 EUR/100 kilograms in relation to the representative price previously fixed;

Whereas, where there is a difference between the trigger price for the product in question and the representative price, additional import duties should be fixed under the conditions set out in Article 3 of Regulation (EC) No 1423/95;

Whereas it follows from applying these provisions that the representative prices and additional import duties for the products in question should be as set out in the Annex hereto;

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

HAS ADOPTED THIS REGULATION:

Article 1

The representative prices and additional duties applicable to the import 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 1 July 1999.

⁽¹⁾ OJ L 177, 1.7.1981, p. 4.

⁽²⁾ OJ L 159, 3.6.1998, p. 38.

⁽³⁾ OJ L 141, 24.6.1995, p. 16.

⁽⁴⁾ OJ L 85, 20.3.1998, p. 5.

⁽⁵⁾ OJ L 145, 27.6.1968, p. 10.

⁽⁶⁾ OJ L 34, 13.2.1996, p. 16.

⁽⁷⁾ OJ L 94, 21.4.1972, p. 1.

⁽⁸⁾ OJ L 89, 10.4.1968, p. 3.

⁽⁹⁾ OJ L 349, 31.12.1994, p. 105.

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

Done at Brussels, 30 June 1999.

For the Commission

Franz FISCHLER

Member of the Commission

ANNEX

to the Commission Regulation of 30 June 1999 fixing 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⁾	15,05	9,11
1701 11 90 ⁽¹⁾	15,05	15,41
1701 12 10 ⁽¹⁾	15,05	8,88
1701 12 90 ⁽¹⁾	15,05	14,89
1701 91 00 ⁽²⁾	19,40	16,83
1701 99 10 ⁽²⁾	19,40	11,38
1701 99 90 ⁽²⁾	19,40	11,38
1702 90 99 ⁽³⁾	0,19	0,45

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

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

⁽³⁾ By 1 % sucrose content.

COMMISSION REGULATION (EC) No 1442/1999
of 30 June 1999
fixing the export refunds on olive oil

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation No 136/66/EEC of 22 September 1966 on the establishment of a common organization of the market in oils and fats⁽¹⁾, as last amended by Regulation (EC) No 1638/98⁽²⁾, and in particular Article 3 (3) thereof,

Whereas Article 3 of Regulation No 136/66/EEC provides that, where prices within the Community are higher than world market prices, the difference between these prices may be covered by a refund when olive oil is exported to third countries;

Whereas the detailed rules for fixing and granting export refunds on olive oil are contained in Commission Regulation (EEC) No 616/72⁽³⁾, as last amended by Regulation (EEC) No 2962/77⁽⁴⁾;

Whereas Article 3 (3) of Regulation No 136/66/EEC provides that the refund must be the same for the whole Community;

Whereas, in accordance with Article 3 (4) of Regulation No 136/66/EEC, the refund for olive oil must be fixed in the light of the existing situation and outlook in relation to olive oil prices and availability on the Community market and olive oil prices on the world market; whereas, however, where the world market situation is such that the most favourable olive oil prices cannot be determined, account may be taken of the price of the main competing vegetable oils on the world market and the difference recorded between that price and the price of olive oil during a representative period; whereas the amount of the refund may not exceed the difference between the price of olive oil in the Community and that on the world

market, adjusted, where appropriate, to take account of export costs for the products on the world market;

Whereas, in accordance with Article 3 (3) third indent, point (b) of Regulation No 136/66/EEC, it may be decided that the refund shall be fixed by tender; whereas the tendering procedure should cover the amount of the refund and may be limited to certain countries of destination, quantities, qualities and presentations;

Whereas the second indent of Article 3 (3) of Regulation No 136/66/EEC provides that the refund on olive oil may be varied according to destination where the world market situation or the specific requirements of certain markets make this necessary;

Whereas the refund must be fixed at least once every month; whereas it may, if necessary, be altered in the intervening period;

Whereas it follows from applying these detailed rules to the present situation on the market in olive oil and in particular to olive oil prices within the Community and on the markets of third countries that the refund should be as set out in the Annex hereto;

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

HAS ADOPTED THIS REGULATION:

Article 1

The export refunds on the products listed in Article 1 (2) (c) of Regulation No 136/66/EEC shall be as set out in the Annex hereto.

Article 2

This Regulation shall enter into force on 1 July 1999.

⁽¹⁾ OJ 172, 30. 9. 1966, p. 3025/66.

⁽²⁾ OJ L 210, 28.7.1998, p. 32.

⁽³⁾ OJ L 78, 31.3.1972, p. 1.

⁽⁴⁾ OJ L 348, 30.12.1977, p. 53.

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

Done at Brussels, 30 June 1999.

For the Commission

Franz FISCHLER

Member of the Commission

ANNEX

to the Commission Regulation of 30 June 1999 fixing the export refunds on olive oil
(EUR/100 kg)

Product code	Amount of refund ⁽¹⁾
1509 10 90 9100	0,00
1509 10 90 9900	0,00
1509 90 00 9100	0,00
1509 90 00 9900	0,00
1510 00 90 9100	0,00
1510 00 90 9900	0,00

⁽¹⁾ For destinations mentioned in Article 34 of amended Commission Regulation (EEC) No 3665/87 (OJ L 351, 14. 12. 1987, p 1), as well as for exports to third countries.

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

COMMISSION REGULATION (EC) No 1443/1999
of 30 June 1999
altering the export refunds on malt

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

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

Whereas the export refunds on malt were fixed by Commission Regulation (EC) No 1171/1999⁽³⁾;

Whereas it follows from applying the rules, criteria and other provisions contained in Regulation (EC) No 1171/1999 to the information at present available to the Commission that the export refunds at present in force

should be altered to the amounts set out in the Annex hereto,

HAS ADOPTED THIS REGULATION:

Article 1

The export refunds on malt listed in Article 1(c) of Regulation (EEC) No 1766/92 are hereby altered to the amounts set out in the Annex hereto, in respect of the products set out therein.

Article 2

This Regulation shall enter into force on 1 July 1999.

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

Done at Brussels, 30 June 1999.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ L 181, 1.7.1992, p. 21.

⁽²⁾ OJ L 126, 24.5.1996, p. 37.

⁽³⁾ OJ L 141, 4.6.1999, p. 14.

ANNEX

to the Commission Regulation of 30 June 1999 amending the export refunds on malt

(EUR/t)

Product code	Refund
1107 10 19 9000	0,00
1107 10 99 9000	0,00
1107 20 00 9000	0,00

COMMISSION REGULATION (EC) No 1444/1999
of 30 June 1999
amending the corrective amount applicable to the refund on cereals

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

Having regard to Council Regulation (EEC) No 1766/92 of 30 June 1992 on the common organization of the market in cereals⁽¹⁾, as last amended by Commission Regulation (EC) No 923/96⁽²⁾, and in particular Article 13(8) thereof,

Whereas the corrective amount applicable to the refund on cereals was fixed by Commission Regulation (EC) No 1172/1999⁽³⁾;

Whereas, on the basis of today's cif prices and cif forward delivery prices, taking foreseeable developments on the market into account, the corrective amount at present applicable to the refund on cereals should be altered;

Whereas the corrective amount must be fixed according to the same procedure as the refund; whereas it may be altered in the period between fixings,

HAS ADOPTED THIS REGULATION:

Article 1

The corrective amount referred to in Article 1(1)(a),(b) and (c) of Regulation (EEC) No 1766/92 which is applicable to the export refunds fixed in advance in respect of the products referred to, except for malt, is hereby altered to the amounts set out in the Annex hereto.

Article 2

This Regulation shall enter into force on 1 July 1999.

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

Done at Brussels, 30 June 1999.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ L 181, 1.7.1992, p. 21.

⁽²⁾ OJ L 126, 24.5.1996, p. 37.

⁽³⁾ OJ L 141, 4.6.1999, p. 16.

ANNEX

to the Commission Regulation of 30 June 1999 amending the corrective amount applicable to the refund on cereals

(EUR/t)

Product code	Destination ⁽¹⁾	Current 7	1st period 8	2nd period 9	3rd period 10	4th period 11	5th period 12	6th period 1
1001 10 00 9200	—	—	—	—	—	—	—	—
1001 10 00 9400	01	0	0	-1,00	-2,00	-3,00	—	—
1001 90 91 9000	—	—	—	—	—	—	—	—
1001 90 99 9000	01	0	0	0	0	0	—	—
1002 00 00 9000	01	0	0	0	0	0	—	—
1003 00 10 9000	—	—	—	—	—	—	—	—
1003 00 90 9000	03	0	—	—	—	—	—	—
	02	0	0	0	0	0	—	—
1004 00 00 9200	—	—	—	—	—	—	—	—
1004 00 00 9400	01	0	0	0	0	0	—	—
1005 10 90 9000	—	—	—	—	—	—	—	—
1005 90 00 9000	04	0	0	0	0	0	—	—
	02	0	—	—	—	—	—	—
1007 00 90 9000	—	—	—	—	—	—	—	—
1008 20 00 9000	—	—	—	—	—	—	—	—
1101 00 11 9000	—	—	—	—	—	—	—	—
1101 00 15 9100	01	0	0	0	0	0	—	—
1101 00 15 9130	01	0	0	0	0	0	—	—
1101 00 15 9150	01	0	0	0	0	0	—	—
1101 00 15 9170	01	0	0	0	0	0	—	—
1101 00 15 9180	01	0	0	0	0	0	—	—
1101 00 15 9190	—	—	—	—	—	—	—	—
1101 00 90 9000	—	—	—	—	—	—	—	—
1102 10 00 9500	01	0	0	0	0	0	—	—
1102 10 00 9700	—	—	—	—	—	—	—	—
1102 10 00 9900	—	—	—	—	—	—	—	—
1103 11 10 9200	01	0	0	-1,50	-3,00	-4,50	—	—
1103 11 10 9400	01	0	0	-1,34	-2,68	-4,02	—	—
1103 11 10 9900	—	—	—	—	—	—	—	—
1103 11 90 9200	01	0	0	0	0	0	—	—
1103 11 90 9800	—	—	—	—	—	—	—	—

(¹) The destinations are identified as follows:

01 all third countries

02 other third countries

03 United States of America, Canada and Mexico

04 Switzerland, Liechtenstein and Slovenia.

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

COMMISSION REGULATION (EC) No 1445/1999
of 30 June 1999
altering the export refunds on cereals and on wheat or rye flour, groats and meal

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

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

Whereas the export refunds on cereals and on wheat or rye flour, groats and meal were fixed by Commission Regulation (EC) No 1170/1999 ⁽³⁾;

Whereas it follows from applying the detailed rules contained in Regulation (EC) No 1170/1999 to the information known to the Commission that the export refunds

at present in force should be altered to the amounts set out in the Annex hereto,

HAS ADOPTED THIS REGULATION:

Article 1

The export refunds on the products listed in Article 1 (a), (b) and (c) of Regulation (EEC) No 1766/92, exported in the natural state, as fixed in the Annex to Regulation (EC) No 1170/1999 are hereby altered as shown in the Annex to this Regulation in respect of the products set out therein.

Article 2

This Regulation shall enter into force on 1 July 1999.

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

Done at Brussels, 30 June 1999.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ L 181, 1.7.1992, p. 21.

⁽²⁾ OJ L 126, 24.5.1996, p. 37.

⁽³⁾ OJ L 141, 4.6.1999, p. 12.

ANNEX

to the Commission Regulation of 30 June 1999 altering the export refunds on cereals and on wheat or rye flour, groats and meal

(EUR/t)			(EUR/t)		
Product code	Destination ⁽¹⁾	Amount of refund	Product code	Destination ⁽¹⁾	Amount of refund
1001 10 00 9200	—	—	1101 00 11 9000	—	—
1001 10 00 9400	01	0	1101 00 15 9100	01	0
1001 90 91 9000	—	—	1101 00 15 9130	01	0
1001 90 99 9000	03	0	1101 00 15 9150	01	0
	02	—	1101 00 15 9170	01	0
1002 00 00 9000	03	0	1101 00 15 9180	01	0
	02	—	1101 00 15 9190	—	—
1003 00 10 9000	—	—	1101 00 90 9000	—	—
1003 00 90 9000	03	0	1102 10 00 9500	01	0
	02	—	1102 10 00 9700	—	—
1004 00 00 9200	—	—	1102 10 00 9900	—	—
1004 00 00 9400	—	—	1103 11 10 9200	01	0 ⁽²⁾
1005 10 90 9000	—	—	1103 11 10 9400	01	0 ⁽²⁾
1005 90 00 9000	04	0	1103 11 10 9900	—	—
	02	—	1103 11 90 9200	01	0 ⁽²⁾
1007 00 90 9000	—	—	1103 11 90 9800	—	—
1008 20 00 9000	—	—			

⁽¹⁾ The destinations are identified as follows:

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

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

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

DIRECTIVE 1999/43/EC OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL**of 25 May 1999****amending for the 17th time Directive 76/769/EEC on the approximation of the laws, regulations and administrative provisions of the Member States relating to restrictions on the marketing and use of certain dangerous substances and preparations**

THE EUROPEAN PARLIAMENT AND THE COUNCIL
OF THE EUROPEAN UNION,

Having regard to the Treaty establishing the European Community, and in particular Article 95 thereof,

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

Having regard to the opinion of the Economic and Social Committee ⁽²⁾,

Acting in accordance with the procedure laid down in Article 251 of the Treaty ⁽³⁾,

(1) Whereas the necessary measures should be adopted for the smooth operation of the internal market;

(2) Whereas the European Parliament and the Council adopted on 29 March 1996 Decision No 646/96/EC of the European Parliament and of the Council of 29 March 1996 adopting an action plan to combat cancer within the framework for action in the field of public health (1996 to 2000) ⁽⁴⁾;

(3) Whereas, to improve health protection and consumer safety, substances classified as carcinogenic, mutagenic or toxic to reproduction and preparations containing them should not be placed on the market for use by the general public;

(4) Whereas Directive 94/60/EC of the European Parliament and of the Council of 20 December 1994 amending for the 14th time Directive 76/769/EEC on the approximation of the laws, regulations and administrative provisions of the Member States relating to restrictions on the marketing and use of certain dangerous substances and preparations ⁽⁵⁾ establishes, in the form of an Appendix concerning points 29, 30 and 31 of Annex I to Directive 76/769/EEC ⁽⁶⁾, a list containing substances classified as carcinogenic, mutagenic or

toxic to reproduction of category 1 or 2; whereas such substances and preparations should not be placed on the market for use by the general public;

(5) Whereas Directive 94/60/EC provides that the Commission will submit to the European Parliament and Council a proposal to extend this list not later than six months after publication of an adaptation to technical progress of Annex I to Directive 67/548/EEC ⁽⁷⁾, which contains substances classified as carcinogenic, mutagenic or toxic to reproduction of category 1 or 2;

(6) Whereas Commission Directive 96/54/EC ⁽⁸⁾ adapting for the 22nd time Directive 67/548/EEC, and more particularly Annex I thereto, to technical progress, contains 16 substances newly classified as carcinogenic, mutagenic or toxic to reproduction of category 1 or 2; whereas these substances should be added to points 29, 30 and 31 of the Appendix to Annex I to Directive 76/769/EEC, as consolidated by Directive 97/56/EC of the European Parliament and of the Council ⁽⁹⁾ amending Directive 76/769/EEC for the 16th time;

(7) Whereas the risks and advantages of the substances newly classified, by Directive 96/54/EC, as carcinogenic, mutagenic and toxic to reproduction of category 1 or 2 have been taken into account;

(8) Whereas Article 1(1)(f) of Directive 96/54/EC deletes eight entries from Annex I to Directive 67/548/EEC as the substances under these entries are already covered by other entries or their classification as carcinogens has been withdrawn; whereas five of these substances are included in the Appendix to point 29 of Annex I to Directive 76/769/EEC; whereas these entries should also be deleted in the latter Directive;

⁽¹⁾ OJ C 59, 25.2.1998, p. 5.

⁽²⁾ OJ C 214, 10.7.1998, p. 73.

⁽³⁾ Opinion of the European Parliament of 18 February 1998 (OJ C 80, 16.3.1998, p. 91), Council Common Position of 14 December 1998 (OJ C 18, 22.1.1999, p. 43) and Decision of the European Parliament of 10 February 1999 (OJ C 150, 28.5.1999). Council Decision of 10 May 1999.

⁽⁴⁾ OJ L 95, 16.4.1996, p. 9.

⁽⁵⁾ OJ L 365, 31.12.1994, p. 1.

⁽⁶⁾ Council Directive 67/548/EEC of 27 June 1967 on the approximation of the laws, regulations and administrative provisions relating to the classification, packaging and labelling of dangerous substances (OJ 196, 16.8.1967, p. 1). Directive as last amended by Commission Directive 97/69/EC (OJ L 343, 13.12.1997, p. 19).

⁽⁷⁾ OJ L 262, 27.9.1976, p. 201. Directive as last amended by Commission Directive 97/64/EC (OJ L 315, 19.11.1997, p. 13).

⁽⁸⁾ OJ L 248, 30.9.1996, p. 1.

⁽⁹⁾ OJ L 333, 4.12.1997, p. 1.

- (9) Whereas this Directive applies without prejudice to Community legislation laying down minimum requirements for the protection of workers contained in Council Directive 89/391/EEC of 12 June 1989 on the introduction of measures to encourage improvements in the safety and health of workers at work⁽¹⁾, and individual directives based thereon, in particular Council Directive 90/394/EEC of 28 June 1990 on the protection of workers from the risks related to exposure to carcinogens at work (sixth individual Directive within the meaning of Article 16(1) of Directive 89/391/EEC)⁽²⁾,

HAVE ADOPTED THIS DIRECTIVE:

Article 1

The substances listed in Annex I to this Directive shall be added to those substances listed in the Appendix concerning points 29, 30 and 31 of Annex I to Directive 76/769/EEC.

Article 2

The substances listed in Annex II to this Directive shall be deleted from those substances listed in the Appendix to point 29 of Annex I to Directive 76/769/EEC.

Article 3

1. Member States shall adopt and publish the laws, regulations and administrative provisions necessary to comply with this Directive no later than one year after

the date of its entry into force. They shall inform the Commission thereof forthwith.

They shall apply these measures 18 months after the date of the entry into force of this Directive.

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

Article 4

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

Article 5

This Directive is addressed to the Member States.

Done at Brussels, 25 May 1999.

*For the European
Parliament*

The President

J. M. GIL-ROBLES

For the Council

The President

H. EICHEL

⁽¹⁾ OJ L 183, 29.6.1989, p. 1.

⁽²⁾ OJ L 196, 26.7.1990, p. 1.

ANNEX I

Point 29 — Carcinogens: category 2

Substances	Index No	EC No	CAS No	Notes
Potassium dichromate	024-002-00-6	231-906-6	7778-50-9	
Ammonium dichromate	024-003-00-1	232-143-1	7789-09-5	
Sodium dichromate	024-004-00-7	234-190-3	10588-01-9	
Sodiumdichromate, dihydrate	024-004-01-4	234-190-3	7789-12-0	
Chromyl dichloride; chromic oxychloride	024-005-00-2	239-056-8	14977-61-8	
Potassium chromate	024-006-00-8	232-140-5	7789-00-6	
Chromium (VI) compounds, with the exception of barium chromate and of compounds specified elsewhere in Annex I to Directive 67/548/EEC	024-017-00-8	—	—	
Bromoethylene	602-024-00-2	209-800-6	593-60-2	
5-Allyl-1,3-benzodioxole; safrole	605-020-00-9	202-345-4	94-59-7	
Benzidine based azo dyes; 4,4'-diarylazobiphenyl dyes, with the exception of those specified elsewhere in Annex I to Directive 67/548/EEC	611-024-00-1	—	—	
Disodium 4-amino 3-[[4'-[(2,4-diaminophenyl)azo][1,1'-biphenyl]-4-yl]azo]-5-hydroxy-6-(phenylazo)naphthalene-2,7-disulphonate; C.I. Direct Black 38	611-025-00-7	217-710-3	1937-37-7	
Tetrasodium 3,3'-[[[1,1'-biphenyl]-4,4'-diylbis(azo)]bis[5-amino-4-hydroxynaphthalene-2,7-disulphonate]; C.I. Direct Blue 6	611-026-00-2	220-012-1	2602-46-2	
Disodium 3,3'-[[[1,1'-biphenyl]-4,4'-diylbis(azo)]bis[4-aminonaphthalene-1-sulphonate]; C.I. Direct Red 28	611-027-00-8	209-358-4	573-58-0	
Toluene-2,4-diammonium sulphate	612-126-00-9	265-697-8	65321-67-7	

Point 30 — Mutagens: category 2

Substances	Index No	EC No	CAS No	Notes
Potassium dichromate	024-002-00-6	231-906-6	7778-50-9	
Ammonium dichromate	024-003-00-1	232-143-1	7789-09-5	
Sodium dichromate	024-004-00-7	234-190-3	10588-01-9	
Sodiumdichromate, dihydrate	024-004-01-4	234-190-3	7789-12-0	

Substances	Index No	EC No	CAS No	Notes
Chromyl dichloride; chromic oxychloride	024-005-00-2	239-056-8	14977-61-8	
Potassium chromate	024-006-00-8	232-140-5	7789-00-6	
1,3,5-tris(oxiranylmethyl)-1,3,5-triazine-2,4,6(1H,3H,5H)-trione; TGIC	615-021-00-6	219-514-3	2451-62-9	

Point 31 — Toxic to reproduction: category 1

Substances	Index No	EC No	CAS No	Notes
1,2-Dibromo-3-chloropropane	602-021-00-6	202-479-3	96-12-8	

Point 31 — Toxic to reproduction: category 2

Substances	Index No	EC No	CAS No	Notes
bis(2-Methoxyethyl) phthalate	607-228-00-5	204-212-6	117-82-8	

ANNEX II

Substances	Index No	EC No	CAS No	Notes
Aromatic hydrocarbons, C8-10; Light oil redistillate, high boiling	648-011-00-5	292-695-4	90989-39-2	J
Tar, brown-coal; Carbolic oil. (An oil distilled from brown-coal tar. Composed primarily of aliphatic, naphthenic and one- to three-ring aromatic hydrocarbons, their alkyl derivatives, heteroaromatics and one- and two-ring phenols boiling in the range of approximately 150 °C et 360 °C (302 °F to 680 °F)).	648-025-00-1	309-885-0	101316-83-0	J
Coke (coal tar), high temperature pitch	648-157-00-X		140203-12-9	
Coke (coal tar), mixed coal-high temperature pitch	648-158-00-5		140203-13-0	
Coke (coal tar) low temperature, high temperature pitch	648-159-00-0		140413-61-2	

II

(Acts whose publication is not obligatory)

COMMISSION

COMMISSION DECISION

of 4 June 1999

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

(notified under document number C(1999) 1466)

(1999/426/EC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EC) No 384/96 of 22 December 1995 on protection against dumped imports from countries not members of the European Community⁽¹⁾, as last amended by Regulation (EC) No 905/98⁽²⁾, and in particular Articles 9 and 11 thereof,

After Consulting the Advisory Committee,

Whereas:

A. PROCEDURE

1. Measures in force

- (1) Anti-dumping duties of 32 % on imports of ferro-silicon originating in Egypt and Poland have been in force since 1992, when definitive anti-dumping duties were imposed by Council Regulation (EEC) No 3642/92⁽³⁾. The duties did not apply to exports by one Egyptian and one Polish exporting producer from which price undertakings were accepted by the Commission by Decisions 92/331/EEC⁽⁴⁾ and 92/572/EEC⁽⁵⁾ respectively.
- (2) As regards other anti-dumping measures currently in force, definitive anti-dumping measures on ferro-silicon were imposed against Kazakhstan,

Russia, Ukraine, Norway, Iceland, Brazil and Venezuela by Council Regulation (EC) No 3359/93⁽⁶⁾ in December 1993. Measures on imports from Iceland and Norway were suspended with the application of Council Regulation (EC) No 5/94 of 22 December 1993 on the suspension of anti-dumping measures against EFTA countries from 1 January 1994⁽⁷⁾. Measures on imports from Brazil were partially reviewed and, by Council Regulation (EC) No 351/98⁽⁸⁾ the duty on two Brazilian exporting producers was reduced to 0 % because of a finding of no dumping.

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

2. Request for Review

- (3) Following the publication of the notice of impending expiry⁽¹⁰⁾ of the anti-dumping measures, the complainant in the original investigation, the Liaison Committee of the Ferro-Alloy Industry ('Euroalliages', hereinafter 'the applicant'), requested an expiry review of the measures pursuant to Article 11(2) of Regulation (EC) No 384/96 (hereinafter the 'basic Regulation').

⁽¹⁾ OJ L 56, 6.3.1996, p. 1.

⁽²⁾ OJ L 128, 30.4.1998, p. 18.

⁽³⁾ OJ L 369, 18.12.1992, p. 1.

⁽⁴⁾ OJ L 183, 3.7.1992, p. 40.

⁽⁵⁾ OJ L 369, 18.12.1992, p. 32.

⁽⁶⁾ OJ L 302, 9.12.1993, p. 1.

⁽⁷⁾ OJ L 3, 5.1.1994, p. 1.

⁽⁸⁾ OJ L 42, 14.2.1998, p. 1.

⁽⁹⁾ OJ L 77, 19.3.1994, p. 48.

⁽¹⁰⁾ OJ C 387, 21.12.1996, p. 3.

- (4) Having determined, after consultation of the Advisory Committee, that sufficient evidence existed for the initiation of an expiry review, the Commission published a notice of initiation in the *Official Journal of the European Communities*⁽¹⁾ and commenced the investigation.

3. Investigation

- (5) The investigation of dumping covered the period from 1 July 1996 to 30 June 1997 (hereinafter the 'investigation period'). The examination of injury covered the period from 1993 up to the end of the investigation period.
- (6) At the time of the original investigation, the Community industry on behalf of which the complaint was lodged consisted of six producers; Pechiney Electrometallurgie, France; SKW Trostberg AG, Germany; Ferrolegierungswerk Lippendorf GmbH, Germany; Carbueros Metalicos, Spain; Industria Elettrica Indel Spa, Italy; and Utilizzazioni Elettro Industriali UEI, Italy.
- (7) After the imposition of the measures under review, the structure of the Community industry changed as a result, on the one hand, of the accession of the new Member States, and, on the other, of economic changes within the industry. This resulted in there being four Community producers of the product concerned producing for sale on the Community market. The present expiry review was requested on behalf of these four producers representing all of the Community's non-captive production of the product concerned.
- (8) Three of the four Community producers (Vargön Alloys AB in Sweden, Ferroatlantica in Spain, formerly Carbueros Metalicos, and Pechiney Electrometallurgie in France), representing 96 % and thus a major proportion of Community production, cooperated actively in the investigation and responded to the Commission's questionnaire. The fourth producer, Industria Elettrica Indel Spa (Italy) was not able to cooperate since it was undergoing a restructuring process. Hereinafter the 'Community industry' is defined as the three abovementioned cooperating Community producers.
- (9) The Commission officially advised the applicant Community producers, exporting producers and importers known to be concerned, representatives of the exporting countries concerned, as well as the applicant, of the initiation of the review investigation, and gave interested parties the opportunity to make their views known and to request a hearing within the time limit set in the notice of initiation.

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

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

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

(a) Community producers:

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

(b) Importers:

Deutsche Erz- and Metall-Union GmbH, Germany.

(c) Exporting producers in Egypt:

EFACO, KIMA.

(d) Exporting producers in Poland:

Huta Laziska.

B. PRODUCT UNDER CONSIDERATION

1. Product concerned

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

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

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

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

⁽¹⁾ OJ C 204, 4.7.1997, p. 2.

2. Like product

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

C. DUMPING

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

D. SITUATION IN THE COMMUNITY MARKET OF FERRO-SILICION

1. Community market for ferro-silicon

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

(tonnes)

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

2. Volumes and market shares of the imports concerned

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

(tonnes)

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

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

(%)

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

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

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

(%)

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

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

3. Prices of the imports concerned

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

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

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

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

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

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

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

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

4. The situation of the Community industry

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

(tonnes)

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

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

(%)

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

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

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

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

(ECU 1 000)

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

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

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

(%)

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

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

(tonnes)

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

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

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

(tonnes)

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

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

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

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

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

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

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

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

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

5. Conclusion

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

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

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

E. LIKELIHOOD OF CONTINUATION OR RECURRENCE OF INJURY

1. Egypt

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

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

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

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

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

2. Poland

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

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

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

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

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

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

3. Conclusion

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

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

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

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

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

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

F. TERMINATION OF THE PROCEEDING

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

HAS ADOPTED THIS DECISION:

Sole Article

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

Done at Brussels, 4 June 1999.

For the Commission

Leon BRITTAN

Vice-President