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I

(Acts whose publication is obligatory)

COMMISSION REGULATION (EC) No 1497/1999
of 8 July 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,

- (1) Whereas Regulation (EC) No 3223/94 lays down, pursuant to the outcome of the Uruguay Round multi-lateral 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;

- (2) 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 9 July 1999.

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

Done at Brussels, 8 July 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 8 July 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
0707 00 05	052	56,1
	628	119,3
	999	87,7
0709 90 70	052	52,6
	999	52,6
0805 30 10	382	54,2
	388	59,5
	528	56,7
0808 10 20, 0808 10 50, 0808 10 90	999	56,8
	388	80,8
	400	76,1
	508	80,0
	512	68,4
	524	58,7
	528	52,0
	804	101,6
	999	73,9
	388	103,2
	512	61,2
0808 20 50	528	54,9
	999	73,1
0809 10 00	052	116,0
	064	83,5
	999	99,8
0809 20 95	052	197,1
	064	96,9
	066	120,3
	068	90,6
	400	202,4
	616	186,2
0809 40 05	999	148,9
	624	258,0
	999	258,0

⁽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 1498/1999**of 8 July 1999****laying down rules for the implementation of Council Regulation (EEC) No 804/68 as regards communications between the Member States and the Commission in the milk and milk products sector**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EEC) No 804/68 of 27 June 1968 on the common organisation of the market in milk and milk products ⁽¹⁾, as last amended by Regulation (EC) No 1587/96 ⁽²⁾, and in particular Article 28 thereof,

- (1) Whereas Commission Regulation (EEC) No 210/69 of 31 January 1969 on communications between Member States and the Commission with regard to milk and milk products ⁽³⁾, as last amended by Regulation (EC) No 427/98 ⁽⁴⁾, has been substantially amended several times; whereas, for the sake of clarity, that Regulation should be recast since further amendments are to be made;
- (2) Whereas appraisal of the production and market situation in the milk and milk products sector necessitates a regular exchange of information on the operation of the intervention measures provided for in Regulation (EEC) No 804/68, particularly with regard to changes in stocks of the products concerned, both held by intervention agencies and in private storage;
- (3) Whereas aid for skimmed milk processed into casein and refunds can be fixed only on the basis of information on changes in prices in international trade;
- (4) Whereas the accurate and detailed monitoring of trade flows to assess the effect of refunds requires information on exports of products for which refunds are fixed, particularly the quantities awarded under tendering procedures;
- (5) Whereas the implementation of the Agreement on Agriculture concluded under the Uruguay Round of multilateral trade negotiations ⁽⁵⁾ (hereinafter referred to as 'the Agreement on Agriculture') requires additional and more detailed information to be provided on imports and exports, in particular with regard to licence applications and the way licences are used, in order to ensure compliance with undertakings under the Agreement; whereas rapid information on export trends is needed in order to make maximum use of those undertakings; whereas under that Agreement food-aid exports are not subject to the constraints applying to subsidised exports;

whereas it should be provided that communications relating to export licence applications must accordingly specify which licence applications cover food-aid supplies;

- (6) Whereas Commission Regulation (EC) No 147/1999 ⁽⁶⁾ lays down detailed rules for exports of cheese to Canada, Switzerland and the United States; whereas provision should be made for the relevant information to be communicated;
- (7) Whereas Regulation (EC) No 147/1999 introduces specific arrangements for the grant of refunds on ingredients of Community origin in processed cheese manufactured under the inward processing arrangements; whereas provision should be made for the relevant information to be communicated;
- (8) Whereas Article 5 of Regulation (EC) No 174/1999 provides that, in certain cases, export licences can be valid for exportation of a product with a code other than that entered in Section 16 of the licence; whereas provision should be made for the relevant information to be communicated;
- (9) Whereas Commission Regulation (EC) No 1374/98 ⁽⁷⁾, as amended by Regulation (EC) No 1339/1999 ⁽⁸⁾, provides for certain import quotas to be administered by means of IMA 1 certificates issued by the authorities of third countries; whereas the Member States inform the Commission of the quantity of products for which import licences are issued on the basis of IMA 1 certificates; whereas experience has shown that such notification is not always sufficient to allow such imports to be monitored closely at each stage; whereas provision should be made for additional information to be communicated;
- (10) Whereas the method of communicating certain information should be changed; whereas the communication of that information is essential in order to monitor compliance with certain import quotas starting on 1 July 1999 under the Agreement on Agriculture; whereas, in order to ensure the continuity of the management of the system, it is accordingly necessary that this Regulation apply from that date;

⁽¹⁾ OJ L 148, 28.6.1968, p. 13.

⁽²⁾ OJ L 206, 16.8.1996, p. 21.

⁽³⁾ OJ L 28, 5.2.1969, p. 1.

⁽⁴⁾ OJ L 53, 24.2.1998, p. 6.

⁽⁵⁾ OJ L 336, 23.12.1994, p. 1.

⁽⁶⁾ OJ L 20, 27.1.1999, p. 8.

⁽⁷⁾ OJ L 185, 30.6.1998, p. 21.

⁽⁸⁾ OJ L 159, 25.6.1999, p. 22.

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

- (c) a breakdown by age of the quantities of skimmed-milk powder in storage at the end of the month concerned, in accordance with Annex III, Part C.

HAS ADOPTED THIS REGULATION:

CHAPTER I

Stocks and intervention

Article 1

Member States shall communicate the following information to the Commission not later than the 10th of each month for the previous month:

1. in the case of intervention measures taken under Article 6(1) of Regulation (EEC) No 804/68:
 - (a) the quantities of butter in storage at the end of the month concerned and the quantities entering and leaving storage during that month, in accordance with Annex I, Part A;
 - (b) a breakdown of the quantities of butter leaving storage during the month concerned, according to the regulations by which they are covered, in accordance with Annex I, Part B;
 - (c) a breakdown by age of the quantities of butter in storage at the end of the month concerned, in accordance with Annex I, Part C;
2. in the case of intervention measures taken under Article 6(2) of Regulation (EEC) No 804/68, in accordance with Annex II:
 - (a) the quantities of butter and cream converted into butter equivalent covered by storage contracts concluded during the month concerned;
 - (b) the quantities of butter and cream converted into butter equivalent covered by storage contracts which expired during the month concerned;
 - (c) the total quantity of butter and cream converted into butter equivalent covered by storage contracts at the end of the month concerned.

Article 2

In the case of intervention measures taken under Article 7(1) of Regulation (EEC) No 804/68, the Member States shall communicate, not later than the 10th of each month for the month preceding the communication:

- (a) the quantities of skimmed-milk powder in storage at the end of the month concerned and the quantities entering and leaving storage during that month, in accordance with Annex III, Part A;
- (b) a breakdown of the quantities of skimmed-milk powder leaving storage during the month concerned, according to the regulations by which they are covered, in accordance with Annex III, Part B;

Article 3

In the case of intervention measures taken under Article 8(1) of Regulation (EEC) No 804/68, the Member States shall communicate, not later than the 10th of each month for the month preceding the communication:

- (a) the quantities of the following cheeses:
 - Grana Padano,
 - Parmigiano Reggiano,
 - Provolone,
 covered by storage contracts at the beginning of the month concerned;
- (b) the quantities of cheese covered by storage contracts concluded during the month concerned, broken down by the categories listed at (a);
- (c) the quantities of cheese covered by storage contracts which expired during the month concerned, broken down by the categories listed at (a);
- (d) the quantities of cheese covered by storage contracts at the end of the month concerned, broken down by the categories listed at (a).

Article 4

For the purposes of this Chapter:

- (a) 'quantities entering' means quantities physically placed in storage, whether or not taken over by the intervention agency;
- (b) 'quantities leaving' means quantities which have been removed or, if taken over by the purchaser before removal, quantities taken over.

CHAPTER II

Aid for skimmed milk and skimmed-milk powder

Article 5

Member States shall communicate the following information to the Commission:

1. in the case of aid granted under Article 10(1) of Regulation (EEC) No 804/68 for skimmed milk used in feedingstuffs:
 - (a) not later than the 20th of each month for the month preceding the communication:
 - (i) the quantities of skimmed milk produced and processed in dairies and sold to farms for use in feedingstuffs and covered by aid applications submitted during the month concerned;
 - (ii) the quantities of skimmed milk used in feedingstuffs and for which cream was delivered to dairies;
 - (iii) the quantities of skimmed milk used in the manufacture of compound feedingstuffs covered by aid applications submitted during the month concerned;

- (b) not later than 30 January each year for the year preceding the communication, the quantities of skimmed milk used in feedingstuffs on the farms where it was produced and covered by aid applications submitted under Article 10(1) of Regulation (EC) No 804/68;
2. in the case of aid granted under Article 10(1) of Regulation (EEC) No 804/68 for skimmed-milk powder used in feedingstuffs, not later than the 20th of each month for the month preceding the communication:
- (a) the quantities of denatured skimmed-milk powder covered by aid applications submitted during the month concerned, excluding the quantities referred to at (c);
- (b) the quantities of skimmed-milk powder used in the manufacture of compound feedingstuffs covered by aid applications submitted during the month concerned, excluding the quantities referred to at (c);
- (c) the quantities of skimmed-milk powder denatured or processed into compound feedingstuffs under the third indent of Article 3(1) of Council Regulation (EEC) No 986/68 ⁽¹⁾, indicating the Member State of processing;
3. in the case of aid granted under Article 11 of Regulation (EEC) No 804/68 for skimmed milk processed into casein, not later than the 20th of each month for the month preceding the communication, the quantities of skimmed milk covered by aid applications submitted during the month concerned. Such quantities shall be broken down according to the quality of the casein or caseinates produced.

CHAPTER III

Prices

Article 6

1. Member States shall communicate to the Commission:
- (a) via the 'Interactive Data Entry System' (IDES): not later than Thursday each week, the prices (before tax) applied in their territory for the products listed in Annex IV, specifying the marketing stage (ex-factory, wholesale, retail) and characteristics of the product;
- (b) by fax: not later than the 25th of each month, the most recent prices for casein and caseinates applied on the world market and in the Community, specifying the marketing stage.
2. Member States shall take the necessary steps to ensure that their communications on the prices applied in the Community are as recent, representative, accurate and complete as possible.

CHAPTER IV

Trade

SECTION 1

Imports

Article 7

The Member States shall communicate to the Commission, via IDES if possible, otherwise by fax:

- not later than the 10th of each month for the previous month, the quantities of products covered by import licences issued under Sections 1 and 3 of Chapter II of Regulation (EC) No 1374/98, broken down by Combined Nomenclature (CN) code and by country of origin code (IDES computer code 6);
- not later than the 10th of the month following the month of issue, the quantities of products covered by import licences issued under Section 2 of Chapter II of Regulation (EC) No 1374/98, broken down by CN code and by country of origin code (IDES computer code 7);
- not later than the 10th of each month for the previous month, the quantities of products covered by import licences issued under Chapter III of Regulation (EC) No 1374/98, including the products falling within CN codes 0406 90 02 to 0406 90 06 referred to in Article 23 of that Regulation, broken down by CN code and by country of origin code (IDES computer code 6);
- not later than the 10th of the month following the month of issue, the quantities of products covered by import licences issued under Commission Regulation (EC) No 2508/97 ⁽²⁾, broken down by CN code and by country of origin code (IDES computer code 5);
- not later than the 10th of each month for the previous month, the quantities of products, broken down by CN code and by country of origin code, covered by import licences subject to the application of non-preferential duties as referred to in the common customs tariff (IDES computer code 8).

Where applicable, the Member States shall inform the Commission that no certificates have been issued for the previous month.

Article 8

Before 1 April in respect of the previous year, using the model in Annex V, the Member States shall communicate the following data to the Commission, broken down by CN code, concerning the import licences issued on presentation of an IMA 1 certificate, where such certificates ensure compliance with a quota under Chapter II of Regulation (EC) No 1374/98, specifying the IMA 1 certificate numbers:

- the quantity of products covered by the certificate and the date of issue of the import licence,
- the quantity of products in respect of which the security has been released.

⁽¹⁾ OJ L 169, 18.7.1968, p. 4.

⁽²⁾ OJ L 345, 16.12.1997, p. 31.

SECTION 2

Exports

Article 9

Member States shall communicate the following information to the Commission:

1. by 6 p.m. on each working day, with the exception of quantities covered by export licence applications either where no refund is applied for or where they are for supplies of food aid within the meaning of Article 10(4) of the Agreement on Agriculture concluded under the Uruguay Round:

- (a) the quantities, broken down by code of the export refund nomenclature for milk products and by destination code, covered by applications submitted that day for licences:
 - (i) as referred to in Article 1 of Regulation (EC) No 174/1999, with the exception of those referred to in Article 17 of that Regulation (IDES computer code 1);
 - (ii) as referred to in Article 17 of Regulation (EC) No 174/1999 (IDES computer code 9);

where appropriate, the fact that none has been applied for;

- (b) the quantities, broken down by code of the export refund nomenclature for milk products and by destination code, covered by applications for provisional licences as referred to in Article 8 of Regulation (EC) No 174/1999 submitted on that day, indicating the closing date for submitting tenders and the quantity of products covered by the invitation to tender or, in the case of an invitation to tender opened by the armed forces within the meaning of Article 36(1)(c) of Commission Regulation (EC) No 800/1999 ⁽¹⁾ not specifying the quantity, the approximate quantity broken down as specified above (IDES computer code 2);
 - (c) the quantities, broken down by code of the export refund nomenclature for milk products and by destination code, for which provisional licences as referred to in Article 8 of Regulation (EC) No 174/1999 were definitively issued or cancelled that day, indicating the body issuing the invitation to tender, the date of the provisional licence and the quantity it covers;
2. Before the 16th of each month for the previous month:
- (a) the quantities, broken down by code of the export refund nomenclature for milk products, covered by licence applications cancelled under Article 10(3), first subparagraph (b), of Regulation (EC) No 174/1999, indicating the refund rate;

- (b) the quantities, broken down by code of the export refund nomenclature for milk products, covered by licences returned before expiry of the period of validity, indicating separately the quantities covered by definitive licences issued under Article 20 of Regulation (EC) No 174/1999 and other quantities, with the relevant refund rate;

- (c) the quantities, broken down by code of the export refund nomenclature for milk products, not exported after expiry of the period of validity of the relevant licences, indicating separately the unexported quantities covered by definitive licences issued under Article 20 of Regulation (EC) No 174/1999 and other quantities, with the relevant refund rate;

- (d) the quantities, broken down by code of the export refund nomenclature for milk products, covered by definitive licences issued under Article 20 of Regulation (EC) No 174/1999;

- (e) the quantities, broken down by code of the export refund nomenclature for milk products and by destination code, covered by export licence applications for supplies of food aid within the meaning of Article 10(4) of the Agreement on Agriculture concluded under the Uruguay Round;

- (f) the quantities of milk products, broken down by CN code and by code of the country of origin, which are not in one of the situations referred to in Article 23(2) of the Treaty and are imported for use in the manufacture of products falling within CN code 0406 30, in accordance with the third indent of Article 11(6) of Regulation (EC) No 800/1999 and for which the authorisation referred to in Article 17(1) of Regulation (EC) No 174/1999 has been granted;

- (g) the quantities for which application of Article 5(3) of Regulation (EC) No 174/1999 has been accepted, indicating the export refund nomenclature for milk products entered in Section 16 of the export licence issued and that for the product actually exported;

3. before the 16th of each month for month $n - 4$:

- (a) the quantities, broken down by CN code and destination code, for which the formalities for export without a refund have been completed;

- (b) the quantities, broken down by code of the export refund nomenclature for milk products, to which Article 18(3) of Regulation (EC) No 800/1999 has been applied, in so far as the refund rate applied is different to that indicated on the licence, and the differences between the refund for the destination indicated on the licence and that actually applied;

⁽¹⁾ OJ L 102, 17.4.1999, p. 11.

4. before the 16th of each month for the previous month, the quantities, broken down by CN code or, where applicable, by the code of the export refund nomenclature for milk products, covered by licence applications and where no refund is applied for, as referred to in:

(a) Article 18 of Regulation (EC) No 174/1999;

(b) Article 19 of Regulation (EC) No 174/1999.

5. The data referred to at point 1(a) and (b) shall be notified via IDES if possible, otherwise by fax; other data shall be notified by fax or telex.

SECTION 3

Inward processing traffic

Article 10

Before the 16th of each month for month $n - 2$, the Member States shall inform the Commission of the quantity, broken down by CN code and country of origin, of products as referred to in Article 1 of Regulation (EEC) No 804/68 intended for the manufacture of products as referred to in that Article or of goods as referred to in the Annex to that Regulation, under the inward processing arrangements defined in

Article 114 of Council Regulation (EEC) No 2913/92 ⁽¹⁾, except for the data referred to in Article 9(2)(f).

CHAPTER V

General and final provisions

Article 11

The Commission shall keep available for the Member States the data transmitted by them.

Article 12

Regulation (EC) No 210/69 is hereby repealed.

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

Regulation (EEC) No 210/69 shall continue to apply to the monthly transmission of data relating to the period before the application of this Regulation.

Article 13

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

It shall apply with effect from 1 July 1999.

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

Done at Brussels, 8 July 1999.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ L 302, 19.10.1992, p. 1.

ANNEX I

A. Application of Article 1 of Regulation (EC) No 1498/1999

COMMISSION OF THE EUROPEAN COMMUNITIES

DG VI/D/1 — 'MILK AND MILK PRODUCTS'

PUBLIC STORAGE OF BUTTER

Member State:

Month:

Physical stocks:
(tonnes)

Summary

Month	In	Out	Quantity in storage at the end of the month
January			
February			
March			
April			
May			
June			
July			
August			
September			
October			
November			
December			

B. Application of Article 1 of Regulation (EC) No 1498/1999

COMMISSION OF THE EUROPEAN COMMUNITIES

DG VI/D/1 — 'MILK AND MILK PRODUCTS'

PUBLIC STORAGE OF BUTTER

Member State:

Month:

Breakdown of quantities leaving storage

Regulation		Quantity
(EEC) No 2315/76	Article 1	
	Article 3a	
	Article 4a	
(EEC) No 2571/97	Formula A	
	Formula B	
(EEC) No 3149/92		
...		
...		
Rejects		
Losses		
Total quantity		

C. Application of Article 1 of Regulation (EC) No 1498/1999

COMMISSION OF THE EUROPEAN COMMUNITIES

DG VI/D/1 — 'MILK AND MILK PRODUCTS'

PUBLIC STORAGE OF BUTTER

Member State:

Month:

Breakdown by age

(tonnes)

Month of entry into storage	Quantity
Total in storage at end of month	

ANNEX II

Application of Article 1 of Regulation (EC) No 1498/1999

COMMISSION OF THE EUROPEAN COMMUNITIES

DG VI/D/1 — 'MILK AND MILK PRODUCTS'

PRIVATE STORAGE OF BUTTER

Member State:

Month:

Physical stocks:
(tonnes of butter equivalent)**Summary — Butter**

Month	In	Out	Quantity in storage at end of month
January			
February			
March			
April			
May			
June			
July			
August			
September			
October			
November			
December			

Summary — Cream

Month	In	Out	Quantity in storage at end of month
January			
February			
March			
April			
May			
June			
July			
August			
September			
October			
November			
December			

ANNEX III

A. Application of Article 2 of Regulation (EC) No 1498/1999

COMMISSION OF THE EUROPEAN COMMUNITIES

DG VI/D/1 — 'MILK AND MILK PRODUCTS'

PUBLIC STORAGE OF SKIMMED-MILK POWDER

Member State:

Month:

Physical stocks:
(tonnes)

Summary

Month	In	Out	Quantity in storage at end of month
January			
February			
March			
April			
May			
June			
July			
August			
September			
October			
November			
December			

B. Application of Article 2 of Regulation (EC) No 1498/1999

COMMISSION OF THE EUROPEAN COMMUNITIES

DG VI/D/1 — 'MILK AND MILK PRODUCTS'

PUBLIC STORAGE OF SKIMMED-MILK POWDER

Member State:

Month:

Breakdown of quantities leaving storage

		(tonnes)
Regulation	Quantity	
(EEC) No 2213/76		
(EEC) No 3149/92		
(EEC) No 3398/91		
...		
...		
Rejects		
Losses		
Total leaving storage		

C. Application of Article 2 of Regulation (EC) No 1498/1999

COMMISSION OF THE EUROPEAN COMMUNITIES

DG VI/D/1 — 'MILK AND MILK PRODUCTS'

PUBLIC STORAGE OF SKIMMED-MILK POWDER

Member State:

Month:

Breakdown by age

(tonnes)

[illegible]

ANNEX IV

List of products referred to in Article 6(1)(a)

- | | |
|-------------------------------|--------------------------|
| 1. Whey powder | 17. Provolone |
| 2. Skimmed-milk powder | 18. Asiago |
| 3. Whole-milk powder | 19. Gouda |
| 4. Unsweetened condensed milk | 20. Edam |
| 5. Sweetened condensed milk | 21. Danbo, Samsø, Svenbo |
| 6. Butter | 22. Kasseri |
| 7. Butter oil | 23. Mozzarella |
| 8. Emmental | 24. Havarti, Tilsit |
| 9. Blue-veined cheese | 25. Butterkäse |
| 10. Grana Padano | 26. Esrom |
| 11. Parmigiano Reggiano | 27. Italico |
| 12. Other Grana cheeses | 28. Saint-Paulin |
| 13. Pecorino (Romano, Sardo) | 29. Cantal |
| 14. Other Pecorino cheeses | 30. Salted Ricotta |
| 15. Manchego | 31. Feta |
| 16. Cheddar | 32. Lactose |

Note: indicate as appropriate for the product concerned:

- composition (fat content, dry matter content, water content in the non-fatty matter),
 - quality class,
 - age or maturing time,
 - presentation and packaging,
 - other essential characteristics,
 - comments on the representativeness of the prices notified.
-

ANNEX V

Member State:

Calendar year:

Information required under Article 8

Quota:

No of Annex to Regulation (EC) No 1374/98:

TARIC serial No:

Quantity:

Country of origin:

[illegible]

COMMISSION REGULATION (EC) No 1499/1999**of 8 July 1999****determining to what extent applications for the right to import for bulls, cows and heifers of certain Alpine and mountain breeds pursuant to Regulation (EC) No 1081/1999 can be met**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

HAS ADOPTED THIS REGULATION:

Having regard to the Treaty establishing the European Community,

Article 1

Having regard to Commission Regulation (EC) No 1081/1999 of 26 May 1999 opening and providing for the administration of tariff quotas for imports of bulls, cows and heifers other than for slaughter of certain Alpine and mountain breeds, repealing Regulation (EC) No 1012/98 and amending Regulation (EC) No 1143/98 ⁽¹⁾, and in particular Article 5 thereof,

- (1) Whereas Article 2(2) of Regulation (EC) No 1081/1999 provides for the quantities reserved for traditional importers under the two tariff quotas to be allocated in proportion to their imports during the 36 months preceding the year of import in question;
- (2) Whereas allocation of the quantities available to operators covered by Article 2(3) of that Regulation under the two tariff quotas to be allocated in proportion to the quantities applied for; whereas, since the quantities applied for exceed those available, a fixed percentage reduction should be set,

1. Every application for the right to import lodged in accordance with Regulation (EC) No 1081/1999 under serial number 09.0001 shall be granted to the following extent:

- (a) 28,9603 % of the quantities imported within the meaning of Article 2(1)(a) of Regulation (EC) No 1081/1999;
- (b) 1,2775 % of the quantities applied for within the meaning of Article 2(1)(b) of Regulation (EC) No 1081/1999.

2. Every application for the right to import lodged in accordance with Regulation (EC) No 1081/1999 under serial number 09.0003 shall be granted to the following extent:

- (a) 31,4639 % of the quantities imported within the meaning of Article 2(1)(a) of Regulation (EC) No 1081/1999;
- (b) 1,3788 % of the quantities applied for within the meaning of Article 2(1)(b) of Regulation (EC) No 1081/1999.

Article 2

This Regulation shall enter in force on 9 July 1999.

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

Done at Brussels, 8 July 1999.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ L 131, 27.5.1999, p. 15.

COMMISSION REGULATION (EC) No 1500/1999
of 8 July 1999
on the issuing of export licences for wine-sector products

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Commission Regulation (EC) No 1685/95 of 11 July 1995 on arrangements for issuing export licences for wine-sector products ⁽¹⁾, as last amended by Regulation (EC) No 1354/97 ⁽²⁾, and in particular Article 3(3) thereof,

- (1) Whereas Article 55(7) of Council Regulation (EEC) No 822/87 of 16 March 1987 on the common organisation of the market in wine ⁽³⁾, as last amended by Regulation (EC) No 1627/98 ⁽⁴⁾, limits the grant of export refunds for wine-sector products to the volumes and expenditure contained in the Agreement on Agriculture concluded during the Uruguay Round multilateral trade negotiations;
- (2) Whereas Article 3 of Regulation (EC) No 1685/95 lays down the conditions under which the Commission may take specific measures to prevent an overrun of the quantity laid down or the budget available under the said Agreement;
- (3) Whereas, on the basis of information on export licence applications available to the Commission on 7 July 1999, the quantity still available for the period until 31

August 1999 referred to in Article 1a(1) of Regulation (EC) No 1685/95, could be exceeded unless the issue of export licences with advance fixing of the refund is restricted; whereas, therefore, a single percentage for the acceptance of applications submitted between 1 and 6 July 1999 should be applied and the submission of applications and the issue of licences suspended until 7 October 1999,

HAS ADOPTED THIS REGULATION:

Article 1

1. Export licences with advance fixing of the refund for wine-sector products for which applications are submitted on between 1 and 6 July 1999 under Regulation (EC) No 1685/95 shall be issued for 26,6 % of the quantities requested.
2. The issue of export licences for wine-sector products for which applications are submitted from 7 July 1999 and the submission of export licence applications from 9 July 1999 shall be suspended until 7 October 1999.

Article 2

This Regulation shall enter into force on 9 July 1999.

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

Done at Brussels, 8 July 1999.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ L 161, 12.7.1995, p. 2.

⁽²⁾ OJ L 186, 16.7.1997, p. 9.

⁽³⁾ OJ L 84, 27.3.1987, p. 1.

⁽⁴⁾ OJ L 210, 28.7.1998, p. 8.

COMMISSION REGULATION (EC) No 1501/1999**of 8 July 1999****fixing the export refunds on cereals and on wheat or rye flour, groats and meal**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EEC) No 1766/92 of 30 June 1992 on the common organisation of the market in cereals ⁽¹⁾, as last amended by Commission Regulation (EC) No 1253/1999 ⁽²⁾, and in particular Article 13 (2) thereof,

- (1) Whereas Article 13 of Regulation (EEC) No 1766/92 provides that the difference between quotations or prices on the world market for the products listed in Article 1 of that Regulation and prices for those products in the Community may be covered by an export refund;
- (2) Whereas the refunds must be fixed taking into account the factors referred to in Article 1 of Commission Regulation (EC) No 1501/95 of 29 June 1995 laying down certain detailed rules under Council Regulation (EEC) No 1766/92 on the granting of export refunds on cereals and the measures to be taken in the event of disturbance on the market for cereals ⁽³⁾, as last amended by Regulation (EC) No 2513/98 ⁽⁴⁾;
- (3) Whereas, as far as wheat and rye flour, groats and meal are concerned, when the refund on these products is being calculated, account must be taken of the quantities of cereals required for their manufacture; whereas these quantities were fixed in Regulation (EC) No 1501/95;

- (4) Whereas the world market situation or the specific requirements of certain markets may make it necessary to vary the refund for certain products according to destination;
- (5) Whereas the refund must be fixed once a month; whereas it may be altered in the intervening period;
- (6) Whereas it follows from applying the detailed rules set out above to the present situation on the market in cereals, and in particular to quotations or prices for these products within the Community and on the world market, that the refunds should be as set out in the Annex hereto;
- (7) Whereas the measures provided for in this Regulation are in accordance with the opinion of the Management Committee for Cereals,

HAS ADOPTED THIS REGULATION:

Article 1

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

Article 2

This Regulation shall enter into force on 9 July 1999.

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

Done at Brussels, 8 July 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 147, 30.6.1995, p. 7.

⁽⁴⁾ OJ L 313, 21.11.1998, p. 16.

ANNEX

**to the Commission Regulation of 8 July 1999 fixing 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	34,00
1001 90 91 9000	—	—	1101 00 15 9130	01	32,00
1001 90 99 9000	01	—	1101 00 15 9150	01	29,50
1002 00 00 9000	01	—	1101 00 15 9170	01	27,25
1003 00 10 9000	—	—	1101 00 15 9180	01	25,50
1003 00 90 9000	01	—	1101 00 15 9190	—	—
1004 00 00 9200	—	—	1101 00 90 9000	—	—
1004 00 00 9400	—	—	1102 10 00 9500	01	67,00
1005 10 90 9000	—	—	1102 10 00 9700	—	—
1005 90 00 9000	01	—	1102 10 00 9900	—	—
1007 00 90 9000	—	—	1103 11 10 9200	01	0 ⁽²⁾
1008 20 00 9000	—	—	1103 11 10 9400	01	0 ⁽²⁾
			1103 11 10 9900	—	—
			1103 11 90 9200	01	0 ⁽²⁾
			1103 11 90 9800	—	—

⁽¹⁾ The destinations are identified as follows:

01 All third countries.

⁽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).

II

(Acts whose publication is not obligatory)

COMMISSION

**DECISION No 2/1999 OF THE ACP-EC CUSTOMS COOPERATION COMMITTEE
of 27 May 1999**

**derogating from the definition of 'originating products' to take account of the special situation of
Fiji regarding the production of certain articles of apparel and headgear**

(1999/443/EC)

THE ACP-EC CUSTOMS COOPERATION COMMITTEE,

Having regard to the Fourth ACP-EEC Convention signed at Lomé on 15 December 1989 as revised by the Agreement signed in Mauritius on 4 November 1995, and in particular Article 31 (1 to 10) of Protocol 1 thereto,

- (1) Whereas the said Protocol provides for derogations from the rules of origin to be granted whenever the development of an existing industry or the establishment of a new one warrants it;
- (2) Whereas on 8 February 1999 the African, Caribbean and Pacific States (ACP States) submitted a request, on behalf of the Government of Fiji, for a derogation from the rule of origin in the Protocol, in respect of certain articles of apparel and headgear produced by this country from 1 January 1999 to 29 February 2000;
- (3) Whereas the derogation is requested under the relevant provisions of Protocol 1, particularly with regard to Article 31(5) concerning island ACP States and the economic and social impact in Fiji of granting the derogation;
- (4) Whereas there is a global over-capacity for the products concerned and the Community textiles industry is already subject to intense competitive pressure; whereas, in particular, labour-costs are fundamental to the pricing;
- (5) Whereas in the framework of the Community's textile policy, most products concerned by this decision are considered to be particularly sensitive and are subject to quantitative restrictions or a double-checking system on importation into the Community;
- (6) Whereas the derogation, limited in quantities, would not cause serious injury to an established Community industry taking into account the quantities of the

imports envisaged; provided that certain conditions relating to quantities, surveillance and duration are respected;

- (7) Whereas therefore, pursuant to Article 31(1), a derogation can be granted to Fiji in respect of certain articles of apparel and headgear for a limited quantity for the period from 1 March 1999 to 29 February 2000,

HAS DECIDED AS FOLLOWS:

Article 1

1. By way of derogation from the special provisions in the list in Annex II to Protocol 1 of the Fourth ACP-EEC Convention, certain articles of apparel and headgear listed in the Annex to this Decision, manufactured in Fiji from non-originating materials imported into that country and originating in a country belonging to the Association of South-East Asian Nations (ASEAN), the South Asian Association for Regional Cooperation (SAARC) or the South Pacific Forum (SPF) shall be regarded as originating in Fiji in accordance with the terms of this Decision.

2. For the purpose of paragraph 1, products shall be regarded as originating in ASEAN (composed of Brunei, Indonesia, Laos, Malaysia, the Philippines, Singapore, Thailand and Vietnam), SAARC (composed of Bangladesh, Bhutan, India, the Maldives, Nepal, Pakistan and Sri Lanka) or in SPF (composed of Papua New Guinea, Fiji, Solomon Islands, Vanuatu, Kiribati, Tonga, Samoa, Tuvalu, Marshall Islands, Palau, Federated States of Micronesia, Nauru, Niue, Cook Islands, Australia and New Zealand) when they are obtained in these countries regarding to the rules of origin provided for in Articles 35 to 65 of Regulation (EEC) No 2454/93 ⁽¹⁾ as amended by Regulation (EC) 12/97 ⁽²⁾ and (EC) 46/1999 ⁽³⁾.

⁽¹⁾ OJ L 253, 11.10.1993, p. 1.

⁽²⁾ OJ L 9, 13.1.1997, p. 1.

⁽³⁾ OJ L 10, 15.1.1999, p. 1.

3. The competent authorities of Fiji shall undertake to take all of the necessary measures to ensure compliance with the provisions of paragraph 2.

Article 2

The derogation provided for in Article 1 shall apply to the products and the quantities shown in the annex to this Decision which are imported into the Community from Fiji during the period 1 March 1999 to 29 February 2000.

Article 3

The quantities referred to in the annex shall be managed by the Commission, which shall take all administrative action it deems advisable for their efficient management.

Where an importer presents in a Member State a declaration of entry for free circulation including an application for the benefit of this Decision, the Member State shall, if the declaration has been accepted by the customs authorities, notify the Commission of its wish to draw the amount corresponding to its requirements.

Applications to draw showing the date of acceptance of declarations shall be transmitted to the Commission without delay.

Withdrawals shall be granted by the Commission in order of date of acceptance of declarations of entry for free circulation by the Member States' customs authorities provided that the available balance permits.

If a Member State fails to use a withdrawal it shall return it as soon as possible to the appropriate quota.

If requests exceed the available balance of a given quota, quantities shall be allocated on a pro rata basis. The Commission shall inform the Member States of withdrawal on the quotas.

Each Member State shall ensure that importers have continuous and equal access to the amounts available as long as the balance permits.

Article 4

The customs authorities of Fiji shall take the necessary steps to carry out quantitative checks on exports of the products referred to in Article 1. To that end, all the certificates they issue pursuant to this Decision shall bear a reference to it. The competent authorities of Fiji shall forward to the Commission every three months a statement of the quantities in respect of which movement certificates EUR.1 have been issued pursuant to this Decision, and the serial numbers of those certificates.

Article 5

Box 7 of EUR.1 certificates issued under this Decision shall contain the words:

'Derogation — Decision No 2/1999.'

Article 6

The African, Caribbean and Pacific States (ACP States) and the Member States and the European Community shall take the measures necessary on their part to implement this Decision.

Article 7

This Decision shall enter into force on the date of its adoption.

This Decision shall apply as from 1 March 1999.

Done at Brussels, 27 May 1999.

*For the ACP-EC Customs Co-operation
Committee*

M. VANDEN ABEELE

P. MAINGI MWANZIA

The Joint Chairmen

ANNEX

FIJI

Order No	Item	Description of goods	HS Heading	Quantities (pieces)
09.1681	(a)	Men's or Boys' overcoats	6201.11 6201.12 6201.13 6201.19 6201.91 6201.93 6201.99	8 925
09.1682	(b)	Men's or boys' suits	6203.11 6203.12 6203.19	1 100
09.1683	(c)	Men's or boys' and women's or girls' jackets	6203.31 6203.32 6203.33 6203.39 6204.31 6204.32 6204.33 6204.39	18 825
09.1684	(d)	Men's or boys' and women's or girls' woven trousers and shorts	6203.41 6203.42 6203.43 6203.49 6204.61 6204.62 6204.63 6204.69	273 000
09.1685	(e)	Waterproof baby pants	6209.20 6209.30 6209.90	1 100
09.1686	(f)	Men's or boys' and women's or girls' suits, shorts and stockings of synthetic fibres	6103.12 6103.43 6104.13 6104.63	1 100
09.1687	(g)	Men's or boys' shirts, knitted or crocheted	6105.10 6105.90	13 675
09.1688	(h)	T-shirts of other textile materials than cotton	6109.90	15 000
09.1689	(i)	Men's or boys and women's or girls' swimwear	6112.31 6112.39 6112.41 6112.49 6211.11 6211.12	10 000

Order No	Item	Description of goods	HS Heading	Quantities (pieces)
09.1690	(j)	Other garments, men's or boys' and women's or girls'	6211.31 6211.32 6211.33 6211.39 6211.41 6211.42 6211.43 6211.49	1 100
09.1691	(k)	Hats, knitted or crocheted, (sun protective caps)	6505.90	1 100
09.1692	(l)	Other made-up clothing accessories; Parts of garments or of clothing accessories (other than those of heading No 6212)	6217	1 100
09.1693	(m)	Other garments of the type described in subheadings 6201.11 to 6201.19 and 6202.11 to 6202.19; other men's or boys' garments	6210.20 6210.30 6210.40	12 250
09.1694	(n)	Women's or girls' dresses, of cotton or of other textile materials	6104.42 6104.49	1 100
09.1695	(o)	Track suits, knitted or crocheted, of cotton or of other textile materials	6112.11 6112.19	1 100
09.1696	(p)	Men's or boys' shirts and women's or girls' blouses, shirts and shirt-blouses	6205 6206	6 000
09.1697	(q)	Men's or boys' and women's or girls' knitted Jodphurs and trousers	6103.41 6103.42 6103.43 6103.49 6104.61 6104.62 6104.63 6104.69	5 850

COMMISSION DECISION

of 7 July 1999

providing for the release of the minimum stocks and the partial release of the carryover stocks held by the sugar undertakings established in Spain, in order to ensure supplies to the southern region of Spain during the period from 1 July to 30 November 1999

*(notified under document number C(1999) 2049)***(Only the Spanish text is authentic)**

(1999/444/EC)

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 Articles 12(3), 27(2a) and 39 thereof,

(1) Whereas, in order to ensure normal supplies to the Community as a whole or to one of its areas, there is a standing obligation in the European territories of the Community for minimum stocks to be maintained by each sugar-producing undertaking or sugar refinery;

(2) Whereas Article 1 of Council Regulation (EEC) No 1789/81 of 30 June 1981 laying down general rules concerning the system of minimum stocks in the sugar sector ⁽³⁾, as last amended by Regulation (EC) No 725/97 ⁽⁴⁾, fixes the level of minimum stocks to be held, as the case may be, at 5 % of actual production within the A quota or 5 % of the quantity of sugar refined during the 12 months preceding the month in question;

(3) Whereas under Article 12(1) of Regulation (EEC) No 1785/81 this percentage may be reduced; whereas Article 4 of Regulation (EEC) No 1789/81 lays down that, where the supplies of sugar required by the Community can no longer be ensured under normal conditions; provision may be made for the undertaking concerned to be released, in whole or in part, from the obligation to stock the sugar in question; whereas this percentage has already been brought down to 3 % by Commission Regulation (EC) No 1436/96 ⁽⁵⁾;

(4) Whereas the south of Spain has been struck by severe drought leading to a disaster situation involving the loss of around 14 000 hectares planted with sugar beet; whereas there consequently exists a short term shortage in this region with regard to the supplies amounting to around 95 000 tonnes of sugar which are needed to

cover the critical bridging period from July to October 1999;

(5) Whereas in order to ensure supplies under normal conditions and in view of the urgency, the minimum-stocks maintained by the sugar undertakings established in Spain should be released, so making available 29 000 tonnes of sugar; whereas this measure is not sufficient to cover the short term shortage in its entirety and, in view of the reasons for the shortage, it is necessary to implement Article 27(2a) of Regulation (EEC) No 1785/81 by releasing the appropriate quantity of carryover stocks held by the sugar undertakings established in Spain;

(6) Whereas the Management Committee for Sugar has not delivered an opinion within the time limit set by its Chairman,

HAS ADOPTED THIS DECISION:

Article 1

1. By way of derogation from Article 1(2) of Regulation (EC) No 1436/96, for the period 1 July to 30 November 1999 the percentages referred to in Article 1 of Regulation (EC) No 1436/96 are hereby reduced to 0 % for the sugar undertakings established in Spain.

2. From 1 December 1999, the percentages referred to in points (a) and (b) of Article 1 of Regulation (EEC) No 1789/81 are hereby reduced to 3 % for the sugar undertakings established in Spain.

Article 2

1. The period of compulsory storage referred to in point (a) of the second indent of Article 27(2) of Regulation (EEC) No 1785/81 shall end on 1 July 1999 for the sugar undertakings established in Spain within the limit of a total quantity of 66 000 tonnes of sugar expressed as white sugar.

2. Spain shall proceed with the breakdown of the quantity referred to in paragraph 1 between the sugar undertakings maintaining carryover sugar, in proportion to the carryover quantities which they are maintaining.

⁽¹⁾ OJ L 177, 1.7.1981, p. 4.

⁽²⁾ OJ L 159, 3.6.1998, p. 38.

⁽³⁾ OJ L 177, 1.7.1981, p. 39.

⁽⁴⁾ OJ L 108, 25.4.1997, p. 13.

⁽⁵⁾ OJ L 184, 24.7.1996, p. 27.

3. Spain shall without delay notify the Commission of the quantities of carryover sugar released by each undertaking.

Article 3

This Decision is addressed to the Kingdom of Spain.

Done at Brussels, 7 July 1999.

For the Commission

Franz FISCHLER

Member of the Commission
