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Legislation

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I

(Acts whose publication is obligatory)

COMMISSION REGULATION (EC) No 1628/1999
of 26 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 27 July 1999.

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

Done at Brussels, 26 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 26 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	628	129,7
	999	129,7
0709 90 70	052	50,5
	999	50,5
0805 30 10	382	54,7
	388	57,6
	524	52,4
	528	62,0
	999	56,7
0806 10 10	052	161,5
	220	92,0
	388	132,7
	400	232,1
	508	160,4
	512	44,9
	600	122,7
	624	131,3
	999	134,7
0808 10 20, 0808 10 50, 0808 10 90	388	76,1
	400	62,0
	508	92,3
	512	59,6
	528	45,5
	800	167,4
	804	81,6
	999	83,5
0808 20 50	388	81,3
	512	59,3
	528	40,7
	804	75,8
0809 10 00	999	64,3
	052	133,8
	064	71,6
0809 20 95	999	102,7
	052	164,9
	400	196,0
	616	208,9
0809 40 05	999	189,9
	064	58,9
	624	188,6
	999	123,8

⁽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 1629/1999**of 26 July 1999****opening a special invitation to tender for the resale on the domestic market of approximately 6 000 tonnes of rice held by the Italian intervention agency**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EC) No 3072/95 of 22 December 1995 on the common organisation of the market in rice ⁽¹⁾, as last amended by Regulation (EC) No 2072/98 ⁽²⁾, and in particular the last indent of Article 8(b) thereof,

- (1) Whereas Commission Regulation (EEC) No 75/91 ⁽³⁾ lays down the procedures and conditions for the disposal of paddy rice held by intervention agencies;
- (2) Whereas there is currently a demand on the Italian market for certain varieties of rice used for domestic consumption; whereas rice of these varieties is available in intervention stores; whereas a special invitation to tender should therefore be opened for the resale on the domestic market of some 6 000 tonnes of paddy rice held by the Italian intervention agency;
- (3) 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 Italian intervention agency shall open a special invitation to tender in accordance with Regulation (EEC) No 75/91 for

the resale on the domestic market of approximately 6 000 tonnes of rice held by that agency.

Article 2

1. The time limit for the submission of tenders shall expire on 6 August 1999.
2. Tenders shall be lodged with the Italian intervention agency:

Ente Nazionale Risi (ENR)
Piazza Pio XI 1
I-20123 Milano
(telex: 33 40 32; tel. 87 41 53).

Article 3

No later than the Tuesday of the week following the expiry of the time limit for submitting tenders the Italian intervention agency shall notify the Commission of the quantities and average prices of the various lots sold.

Article 4

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, 26 July 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 9, 12.1.1991, p. 15.

COMMISSION REGULATION (EC) No 1630/1999
of 26 July 1999
on the supply of cereals as food aid

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

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

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

1292/96 as Community food aid ⁽²⁾; whereas it is necessary to specify the time limits and conditions of supply to determine the resultant costs,

HAS ADOPTED THIS REGULATION:

Article 1

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

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

Article 2

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

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

Done at Brussels, 26 July 1999.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ L 166, 5.7.1996, p. 1.

⁽²⁾ OJ L 346, 17.12.1997, p. 23.

ANNEX

LOTS A, B and C

1. **Action Nos:** 180/98(A); 181/98(B); 182/98(C)
2. **Beneficiary** ⁽²⁾: WFP (World Food Programme), via Cristoforo Colombo 426, I-00145 Roma [tel. (36-6) 65 13 29 88; fax 65 13 28 44/3; telex 626675 WFP I]
3. **Beneficiary's representative:** to be designated by the recipient
4. **Country of destination:** Bangladesh
5. **Product to be mobilised:** common wheat
6. **Total quantity (tonnes net):** 100 000
7. **Number of lots:** three (A: 30 000 tonnes; B: 30 000 tonnes; C: 40 000 tonnes)
8. **Characteristics and quality of the product** ⁽³⁾ ⁽⁵⁾: see OJ C 114, 29.4.1991, p. 1 (II.A(1)(a))
9. **Packaging:** in bulk
10. **Labelling or marking:** —
— Language to be used for the markings: —
— Supplementary markings: —
11. **Method of mobilisation of the product:** the Community market
12. **Specified delivery stage:** free at port of shipment — fob stowed and trimmed
13. **Alternative delivery stage:** —
14. a) **Port of shipment:** —
b) **Loading address:** —
15. **Port of landing:** —
16. **Place of destination:** —
— port of warehouse of transit: —
— overland transport route: —
17. **Period or deadline of supply at the specified stage:**
— first deadline: A: 23.8 — 12.9.1999; B: 13.9 — 3.10.1999; C: 4 — 24.10.1999
— second deadline: A: 6 — 26.9.1999; B: 27.9 — 17.10.1999; C: 18.10 — 7.11.1999
18. **Period or deadline of supply at the alternative stage:**
— first deadline: —
— second deadline: —
19. **Deadline for the submission of tenders (at 12 noon, Brussels time):**
— first deadline: 10.8.1999
— second deadline: 24.8.1999
20. **Amount of tendering guarantee:** EUR 5 per tonne
21. **Address for submission of tenders and tendering guarantees** ⁽¹⁾: Bureau de l'aide alimentaire, Attn Mr T. Vestergaard, Batiment Loi 130, bureau 7/46, Rue de la Loi 200, B-1049 Bruxelles
telex: 25670 AGREC B; fax (32-2) 296 70 03/296 70 04 (exclusively)
22. **Export refund** ⁽⁴⁾: refund applicable on 31.7.1999, fixed by Commission Regulation (EC) No 1383/1999 (OJ L 163, 29.6.1999, p. 3)

Notes:

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

COMMISSION REGULATION (EC) No 1631/1999**of 26 July 1999****amending Regulation (EC) No 2198/98 increasing to 1 800 108 tonnes the quantity of barley held by the German intervention agency for which a standing invitation to tender for export has been opened**

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 Regulation (EC) No 1253/1999 ⁽²⁾, and in particular Article 5 thereof,

- (1) Whereas Commission Regulation (EEC) No 2131/93 ⁽³⁾, as last amended by Regulation (EC) No 39/1999 ⁽⁴⁾, lays down the procedures and conditions for the disposal of cereals held by the intervention agencies;
- (2) Whereas Commission Regulation (EC) No 2198/98 ⁽⁵⁾, as last amended by Regulation (EC) No 1510/1999 ⁽⁶⁾, opened a standing invitation to tender for the export of 1 600 325 tonnes of barley held by the German intervention agency; whereas, Germany informed the Commission of the intention of its intervention agency to increase by 199 783 tonnes the quantity for which a standing invitation to tender for export has been opened; whereas the total quantity of barley held by the German intervention agency for which a standing invitation to tender for export has been opened should be increased to 1 800 108 tonnes;
- (3) Whereas this increase in the quantity put out to tender makes it necessary to alter the list of regions and quantities

in store; whereas Annex I to Regulation (EC) No 2198/98 must therefore be amended;

- (4) 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

Regulation (EC) No 2198/98 is hereby amended as follows:

1. Article 2 is replaced by the following:

'Article 2

1. The invitation to tender shall cover a maximum of 1 800 108 tonnes of barley for export to third countries, with the exception of the United States of America, Canada and Mexico.

2. The regions in which the 1 800 108 tonnes of barley are stored are stated in Annex I to this Regulation.'

2. Annex I is replaced by the Annex hereto.

Article 2

This Regulation shall enter into force on the day of 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, 26 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 191, 31.7.1993, p. 76.

⁽⁴⁾ OJ L 5, 9.1.1999, p. 64.

⁽⁵⁾ OJ L 277, 14.10.1998, p. 9.

⁽⁶⁾ OJ L 175, 10.7.1999, p. 29.

ANEXO

'ANNEX I

(tonnes)	
Place of storage	Quantity
Schleswig-Holstein/Hamburg/Niedersachsen/ Bremen/Nordrhein-Westfalen	597 114
Hessen/Rheinland-Pfalz/Baden-Württemberg/ Saarland/Bayern	134 168
Berlin/Brandenburg/Mecklenburg-Vorpommern	620 053
Sachsen/Sachsen-Anhalt/Thüringen	448 773'

COMMISSION REGULATION (EC) No 1632/1999**of 26 July 1999****fixing the coefficients applicable to cereals exported in the form of Irish whiskey for the period 1999/2000**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Commission Regulation (EEC) No 2825/93 of 15 October 1993 laying down certain detailed rules for the application of Council Regulation (EEC) No 1766/92 as regards the fixing and granting of adjusted refunds in respect of cereals exported in the form of certain spirit drinks ⁽¹⁾, as amended by Regulation (EC) No 3098/94 ⁽²⁾, and in particular Article 5 thereof,

- (1) Whereas Article 4(1) of Regulation (EEC) No 2825/93 provides that the quantities of cereals eligible for the refund are to be the quantities placed under control and distilled, weighted by a coefficient to be fixed annually for each Member State concerned; whereas that coefficient expresses the ratio between the total quantities exported and the total quantities marketed of the spirituous beverage concerned on the basis of the trend noted in those quantities during the number of years corresponding to the average ageing period of the spirituous beverage in question; whereas, in view of the information provided by Ireland on the period 1 January to 31 December 1998, the average ageing period in 1998 was five years for Irish whiskey; whereas the coefficients for the period 1 July 1999 to 30 June 2000 should be fixed;

- (2) Whereas Article 10 of Protocol 3 to the Agreement on the European Economic Area ⁽³⁾ precludes the grant of refunds for exports to Liechtenstein, Iceland and Norway; whereas, therefore, pursuant to Article 7(2) of Regulation (EEC) No 2825/93, account should be taken of this in the calculation of the coefficient for 1999/2000;

- (3) 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

For the period 1 July 1999 to 30 June 2000, the coefficients provided for in Article 4 of Regulation (EEC) No 2825/93 applying to cereals used in Ireland for manufacturing Irish whiskey shall be as set out in the Annex.

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 with effect from 1 July 1999.

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

Done at Brussels, 26 July 1999.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ L 258, 16.10.1993, p. 6.

⁽²⁾ OJ L 328, 20.12.1994, p. 12.

⁽³⁾ OJ L 1, 3.1.1994, p. 1.

ANNEX

Coefficients applicable in Ireland

Period of application	Coefficient applicable	
	to barley used for the manufacture of Irish whiskey, category B ⁽¹⁾	to cereals used for the manufacture of Irish whiskey, category A
1 July 1999 to 30 June 2000	0,133	0,187

⁽¹⁾ Including barley processed into malt.

COMMISSION REGULATION (EC) No 1633/1999**of 26 July 1999****fixing the coefficients applicable to cereals exported in the form of Spanish whisky for the period 1999/2000**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Commission Regulation (EEC) No 2825/93 of 15 October 1993 laying down certain detailed rules for the application of Council Regulation (EEC) No 1766/92 as regards the fixing and granting of adjusted refunds in respect of cereals exported in the form of certain spirit drinks ⁽¹⁾, as amended by Regulation (EC) No 3098/94 ⁽²⁾, and in particular Article 5 thereof,

- (1) Whereas Article 4(1) of Regulation (EEC) No 2825/93 provides that the quantities of cereals eligible for the refund are to be the quantities placed under control and distilled, weighted by a coefficient to be fixed annually for each Member State concerned; whereas that coefficient expresses the ratio between the total quantities exported and the total quantities marketed of the spirituous beverage concerned on the basis of the trend noted in those quantities during the number of years corresponding to the average ageing period of the spirituous beverage in question; whereas, in view of the information provided by Spain on the period 1 January to 31 December 1998, the average ageing period in 1998 was four years for Spanish whisky; whereas the coefficients for the period 1 July 1999 to 30 June 2000 should be fixed;

- (2) Whereas Article 10 of Protocol 3 to the Agreement on the European Economic Area ⁽³⁾ precludes the grant of refunds for exports to Liechtenstein, Iceland and Norway; whereas, therefore, pursuant to Article 7(2) of Regulation (EEC) No 2825/93, account should be taken of this in the calculation of the coefficient for 1999/2000;

- (3) 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

For the period 1 July 1999 to 30 June 2000, the coefficients provided for in Article 4 of Regulation (EEC) No 2825/93 applying to cereals used in Spain for manufacturing Spanish whisky shall be as set out in the Annex.

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 with effect from 1 July 1999.

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

Done at Brussels, 26 July 1999.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ L 258, 16.10.1993, p. 6.

⁽²⁾ OJ L 328, 20.12.1994, p. 12.

⁽³⁾ OJ L 1, 3.1.1994, p. 1.

ANNEX

Coefficients applicable in Spain

Period of application	Coefficient applicable to cereals used for the manufacture of Spanish whisky, category A
1 July 1999 to 30 June 2000	0,0055

COMMISSION REGULATION (EC) No 1634/1999**of 26 July 1999****fixing the coefficients applicable to cereals exported in the form of Scotch whisky for the period 1999/2000**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Commission Regulation (EEC) No 2825/93 of 15 October 1993 laying down certain detailed rules for the application of Council Regulation (EEC) No 1766/92 as regards the fixing and granting of adjusted refunds in respect of cereals exported in the form of certain spirit drinks ⁽¹⁾, as amended by Regulation (EC) No 3098/94 ⁽²⁾, and in particular Article 5 thereof,

- (1) Whereas Article 4(1) of Regulation (EEC) No 2825/93 provides that the quantities of cereals eligible for the refund are to be the quantities placed under control and distilled, weighted by a coefficient to be fixed annually for each Member State concerned; whereas that coefficient expresses the ratio between the total quantities exported and the total quantities marketed of the spirituous beverage concerned on the basis of the trend noted in those quantities during the number of years corresponding to the average ageing period of the spirituous beverage in question; whereas, in view of the information provided by the United Kingdom on the period 1 January to 31 December 1998, the average ageing period in 1998 was seven years for Scotch whisky; whereas the coefficients for the period 1 July 1999 to 30 June 2000 should be fixed;

- (2) Whereas Article 10 of Protocol 3 to the Agreement on the European Economic Area ⁽³⁾ precludes the grant of refunds for exports to Liechtenstein, Iceland and Norway; whereas, therefore, pursuant to Article 7(2) of Regulation (EEC) No 2825/93, account should be taken of this in the calculation of the coefficient for 1999/2000;

- (3) 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

For the period 1 July 1999 to 30 June 2000, the coefficients provided for in Article 4 of Regulation (EEC) No 2825/93 applying to cereals used in the United Kingdom for manufacturing Scotch whisky shall be as set out in the Annex.

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 with effect from 1 July 1999.

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

Done at Brussels, 26 July 1999.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ L 258, 16.10.1993, p. 6.

⁽²⁾ OJ L 328, 20.12.1994, p. 12.

⁽³⁾ OJ L 1, 3.1.1994, p. 1.

ANNEX

Coefficients applicable in the United Kingdom

Period of application	Coefficient applicable	
	to barley processed into malt used in the manufacture of malt whisky	to cereals used in the manufacture of grain whisky
1 July 1999 to 30 June 2000	0,471	0,510

COMMISSION REGULATION (EC) No 1635/1999
of 26 July 1999
fixing the exchange rate applicable to certain direct aids

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EC) No 2799/98 of 15 December 1998 establishing agrimonetary arrangements for the euro ⁽¹⁾,

- (1) Whereas the operative event for the exchange rate applicable to aid for arable crops and grain legumes is to be the commencement of the marketing year in respect of which the aid is granted, as defined in Article 4(1) of Commission Regulation (EC) No 2808/98 of 22 December 1998 laying down detailed rules for the application of the agrimonetary system for the euro in agriculture ⁽²⁾, as last amended by Regulation (EC) No 1410/1999 ⁽³⁾;
- (2) Whereas that exchange rate is defined in Article 4(3) of Regulation (EC) No 2808/98 as the average of the exchange rates applicable during the month preceding the date of the operative event, calculated *pro rata temporis*; whereas that date is 1 July 1999;
- (3) Whereas the exchange rate to be applied to aid for hops as provided for in Article 12 of Council Regulation (EEC) No 1696/71 ⁽⁴⁾, as last amended by Regulation (EC) No 1257/1999 ⁽⁵⁾, is also defined in the above manner by Article 1 of Commission Regulation (EEC)

No 1793/93 of 30 June 1993 regarding the operative event for the agricultural conversion rates used in the hops sector ⁽⁶⁾, as last amended by Regulation (EC) No 1410/1999;

- (4) Whereas Article 2 of Regulation (EC) No 1410/1999 stipulates that the exchange rate to be applied is to be fixed by the Commission,

HAS ADOPTED THIS REGULATION:

Article 1

The exchange rate to be applied to:

- the aids referred to in Article 4(1) of Regulation (EC) No 2808/98 having an operative event on 1 July 1999, and
- the aid for hops provided for in Article 12 of Regulation (EEC) No 1696/71,

shall be that indicated in the Annex to this Regulation.

Article 2

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

It shall apply from 1 July 1999.

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

Done at Brussels, 26 July 1999.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ L 349, 24.12.1998, p. 1.

⁽²⁾ OJ L 349, 24.12.1998, p. 36.

⁽³⁾ OJ L 164, 30.6.1999, p. 53.

⁽⁴⁾ OJ L 175, 4.8.1971, p. 1.

⁽⁵⁾ OJ L 160, 26.6.1999, p. 80.

⁽⁶⁾ OJ L 163, 6.7.1993, p. 22.

ANNEX

Exchange rate to be applied to the aids referred to in Article 1 of this Regulation

1 EUR	7,43121	Danish kroner
	324,172	Greek drachmae
	8,83455	Swedish kronor
	0,650070	pounds sterling

COMMISSION REGULATION (EC) No 1636/1999
of 26 July 1999
concerning the authorisation of new additives uses in feedingstuffs

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Directive 70/524/EEC of 23 November 1970 concerning additives in feedingstuffs ⁽¹⁾, as last amended by Commission Regulation (EC) No 1411/1999 ⁽²⁾, and in particular Articles 9j and 3 thereof,

- (1) Whereas Directive 70/524/EEC provides that new additives or uses of additives may be authorised, taking account of advances in scientific and technical knowledge;
- (2) Whereas Council Directive 93/113/EC of 14 December 1993 concerning the use and the marketing of enzymes, micro-organisms and their preparations in animal nutrition ⁽³⁾, as last amended by Directive 97/40/EC ⁽⁴⁾, by derogation from Directive 70/524/EEC, authorised Member States to permit provisionally the use and marketing of enzymes, micro-organisms and their preparations;
- (3) Whereas a provisional authorisation of new additives or uses of additives may be given if, at the level permitted in feedingstuffs, it does not adversely affect human or animal health or the environment, nor harm the consumer by altering the characteristics of livestock product, if its presence in feedingstuffs can be controlled, and it is reasonable to assume, in view of the available results, that it has a favourable effect on the characteristics of those feedingstuffs or on livestock production when incorporated in such feedingstuffs;
- (4) Whereas the provisions of Council Directive 89/391/EEC of 12 June 1989 ⁽⁵⁾ on the introduction of measures to encourage improvements in the safety and health of workers at work and its relevant individual directives, in particular Council Directive 90/679/EEC of 26 November 1990 on the protection of workers from

risks related to exposure to biological agents at work ⁽⁶⁾, as last amended by Directive 97/65/EC ⁽⁷⁾, are fully applicable to the use and manipulation by workers of the additives in feedingstuffs;

- (5) Whereas the examination of the dossiers, submitted by the Member States in accordance with Article 3 of Directive 93/113/EC, indicates that a certain number of preparations belonging to the groups of enzymes and micro-organisms can be provisionally authorised;
- (6) Whereas the Scientific Committee for Animal Nutrition has delivered a favourable opinion with regard to the harmlessness of these preparations;
- (7) Whereas the measures provided for in this Regulation are in accordance with the opinion of the Standing Committee on Feedingstuffs,

HAS ADOPTED THIS REGULATION:

Article 1

The preparations belonging to the group 'Enzymes' listed in Annex I to the present Regulation may be authorised according to Directive 70/524/EEC as additives in animal nutrition under the conditions laid down in the said Annex.

Article 2

The preparation belonging to the group 'Micro-organisms' listed in Annex II to the present Regulation may be authorised according to Directive 70/524/EEC as additive in animal nutrition under the conditions laid down in the said Annex.

Article 3

This Regulation shall enter into force on the day of 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, 26 July 1999.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ L 270, 14.12.1970, p. 1.

⁽²⁾ OJ L 164, 30.6.1999, p. 56.

⁽³⁾ OJ L 334, 31.12.1993, p. 17.

⁽⁴⁾ OJ L 180, 9.7.1997, p. 21.

⁽⁵⁾ OJ L 183, 29.6.1989, p. 1.

⁽⁶⁾ OJ L 374, 31.12.1990, p. 1.

⁽⁷⁾ OJ L 335, 6.12.1997, p. 17.

ANNEX I

No	Additive	Chemical formula, description	Species or category of animal	Maximum age	Minimum content		Maximum content	Other provisions	Period of authorisation
					Units of activity per kg of complete feedingstuff				
34	Endo-1,3(4)-beta-glucanase EC 3.2.1.6	Preparation of endo-1,3 (4)-beta-glucanase and endo 1,4-beta-xylanase produced by <i>Aspergillus niger</i> (NRRL 25541) and of alpha-	Piglets	4 months	Endo-1,3 (4)-beta-glucanase: 165 U	—	—	1. In the directions for use of the additive and premixture, indicate the storage temperature, storage life, and the stability to pelleting. 2. Recommended dose per kg of complete feedingstuff: endo-1,3(4)-beta-glucanase: 165 U endo-1,4-beta-xylanase: 240 U alpha-amylase: 1 860 U 3. For use in compound feed containing cereals rich	30.9.1999
	Endo-1,4-beta-xylanase EC 3.2.1.8	amylase produced by <i>Aspergillus oryzae</i> (ATCC 66 222) having a minimum activity of: Endo-1,3 (4)-beta-glucanase: 275 U/g ⁽¹⁾			Endo-1,4-beta-xylanase: 240 U	—			
	Alpha-amylase EC 3.2.1.1	Endo-1,4-beta-xylanase: 400 U/g ⁽²⁾ Alpha-amylase: 3 100 U/g ⁽³⁾			Alpha-amylase: 1 860 U	—			
35	Endo-1,3(4)-beta-glucanase EC 3.2.1.6	Preparation of endo-1,3(4)-beta-glucanase produced by <i>Trichoderma longibrachiatum</i> (ATCC 2106) and endo-1,4-beta-xylanase produced by <i>Trichoderma longibrachiatum</i>	Laying hens	—	Endo-1,3(4)-beta-glucanase: 80 U	—	—	1. In the directions for use of the additive and premixture, indicate the storage temperature, storage life and stability to pelleting. 2. Recommended dose per kg of complete feedingstuff: endo-1,3(4)-beta-glucanase: 80 U endo-1,4-beta-xylanase: 180 U 3. For use in compound feed rich in non-starch polysaccharides, (mainly betaglacans and arabinoxylans), e. g. containing more than 60 % barley.	30.9.1999
	Endo-1,4-beta-xylanase EC 3.2.1.8	<i>chiatum</i> (ATCC 2105) having a minimum activity of: Endo-1,3(4)-beta-glucanase: 80 U/g ⁽⁴⁾ Endo-1,4-beta-xylanase: 180 U/g ⁽⁵⁾			Endo-1,4-beta-xylanase: 180 U	—			

No	Additive	Chemical formula, description	Species or category of animal	Maximum age	Minimum content	Maximum content	Other provisions	Period of authorisation
					Units of activity per kg of complete feedingstuff			
36	Endo-1,3(4)-beta-glucanase EC 3.2.1.6	Preparation of endo-1,3(4)-beta-glucanase produced by <i>Trichoderma longibrachiatum</i> (ATTC 2106) and endo-1,4-beta-xylanase produced by <i>Trichoderma longibrachiatum</i> (IMI SD 135) having a minimum activity of: endo-1,3(4)-beta-glucanase: 300 U/g (6) endo-1,4-beta-xylanase: 300 U/g (7)	Chickens for fattening	—	Endo-1,3(4)-beta-glucanase 300 U	—	1. In the directions for use of the additive and premixture, indicate the storage temperature, storage life and stability to pelleting. 2. Recommended dose per kg of complete feedingstuff: endo-1,3(4)-beta-glucanase: 300 U endo-1,4-beta-xylanase: 300 U 3. For use in compound feed rich in non-starch polysaccharides, (mainly beta-glucans and arabinoxylans), e.g. containing more than 40 % barley.	30.9.1999
	Endo-1,4-beta-xylanase EC 3.2.1.8				Endo-1,4-beta-xylanase: 300 U	—		
			Laying hens		Endo-1,3(4)-beta-glucanase: 300 U	—	1. In the directions for use of the additive and premixture, indicate the storage temperature, storage life and stability to pelleting. 2. Recommended dose per kg of complete feedingstuff: endo-1,3(4)-beta-glucanase: 300 U endo-1,4-beta-xylanase: 300 U 3. For use in compound feed rich in non-starch polysaccharides, (mainly beta-glucans and arabinoxylans), e.g. containing more than 35 % barley.	30.9.1999

No	Additive	Chemical formula, description	Species or category of animal	Maximum age	Minimum content		Maximum content	Other provisions	Period of authorisation
					Units of activity per kg of complete feedingstuff				
37	Endo-1,4-beta-xylanase EC 3.2.1.8	Preparation of endo-1,4-beta-xylanase produced by <i>Trichoderma longibrachiatum</i> (ATCC 2105) and subtilisin produced by <i>Bacillus subtilis</i> (ATCC 2107), with a minimum activity of: Endo-1,4-beta-xylanase: 2 500 U/g ⁽⁸⁾ Subtilisin: 800 U/g ⁽⁹⁾	Chickens for fattening	—	Endo-1,4-beta-xylanase: 500 U Subtilisin: 160 U	—	—	1. In the directions for use of the additive and premixture, indicate the storage temperature, storage life and stability to pelleting. 2. Recommended dose per kg of complete feedingstuff: endo-1,4-beta-xylanase: 500-2 500 U subtilisin: 160-800 U 3. For use in compound feed e.g. containing more than 65 % wheat.	30.9.1999
	Subtilisin EC 3.4.21.62		Turkeys	—	Endo-1,4-beta-xylanase: 825 U Subtilisin: 265 U	—	—	1. In the directions for use of the additive and premixture, indicate the storage temperature, storage life and stability to pelleting. 2. Recommended dose per kg of complete feedingstuff: endo-1,4-beta-xylanase: 825-2 500 U subtilisin: 265-800 U 3. For use in compound feed e.g. containing more than 45 % wheat.	30.9.1999

No	Additive	Chemical formula, description	Species or category of animal	Maximum age	Minimum content		Maximum content	Other provisions	Period of authorisation
					Units of activity per kg of complete feedingstuff				
38	Endo-1,4-beta-xylanase EC 3.2.1.8	Preparation of endo-1,4-beta-xylanase produced by <i>Trichoderma longibrachiatum</i> (ATCC 2105) and subtilisin produced by <i>Bacillus subtilis</i> (ATCC 2107) having a minimum activity of: Endo-1,4-beta-xylanase: 5 000 U/g ⁽¹⁰⁾ Subtilisin: 500 U/g ⁽¹¹⁾	Piglets	4 months	Endo-1,4-beta-xylanase: 5 000 U	—	—	1. In the directions for use of the additive and premixture, indicate the storage temperature, storage life and stability to pelleting. 2. Recommended dose per kg of complete feedingstuff: endo-1,4-beta-xylanase: 5 000 U subtilisin: 500 U 3. For use in compound feed e.g. containing more than 40 % wheat.	30.9.1999
	Subtilisin EC 3.4.21.62.				Subtilisin: 500 U	—	—		
39	Endo-1,3(4)-beta-glucanase EC 3.2.1.6	Preparation of endo-1,3(4)-beta-glucanase produced by <i>Trichoderma longibrachiatum</i> (ATCC 2106) and endo-1,4-beta-xylanase produced by <i>Trichoderma longibrachiatum</i> (ATCC 2105) having a minimum activity of: endo-1,3(4)-beta-glucanase: 400 U/g ⁽¹²⁾ endo-1,4-beta-xylanase: 400 U/g ⁽¹³⁾	Pigs for fattening	—	Endo-1,3(4)-beta-glucanase: 400 U	—	—	1. In the directions for use of the additive and premixture, indicate the storage temperature, storage life and stability to pelleting. 2. Recommended dose per kg of complete feedingstuff: endo-1,3(4)-beta-glucanase: 400 U endo-1,4-beta-xylanase: 400 U 3. For use in compound feed rich in non-starch polysaccharides (mainly beta-glucans and arabinosyls) e.g. containing more than 65 % barley.	30.9.1999
	Endo-1,4-beta-xylanase: EC 3.2.1.8				Endo-1,4-beta-xylanase: 400 U	—	—		

No	Additive	Chemical formula, description	Species or category of animal	Maximum age	Minimum content		Maximum content	Other provisions	Period of authorisation
					Units of activity per kg of complete feedingstuff				
40	Endo-1,3(4)-beta-glucanase EC 3.2.1.6	Preparation of endo-1,3(4)-beta-glucanase produced by <i>Trichoderma longibrachiatum</i> (ATCC 2106), endo-1,4-beta-xylanase produced by <i>Trichoderma longibrachiatum</i> (ATCC 2105) and subtilisin produced by <i>Bacillus subtilis</i> (ATCC 2107) having a minimum activity of: endo-1,3(4)-beta-glucanase: 100 U/g ⁽¹⁴⁾ endo-1,4-beta-xylanase: 300 U/g ⁽¹⁵⁾ subtilisin: 800 U/g ⁽¹⁶⁾	Chickens for fattening	—	Endo-1,3(4)-beta-glucanase: 30 U	—	1. In the directions for use of the additive and premixture, indicate the storage temperature, storage life and stability to pelleting. 2. Recommended dose per kg of complete feedingstuff: endo-1,3(4)-beta-glucanase: 30-100 U endo-1,4-beta-xylanase: 90-300 U subtilising: 240-800 U 3. For use in compound feed e.g. containing more than 60 % barley.	30.9.1999	
	Endo-1,4-beta-xylanase EC 3.2.1.8				Endo-1,4-beta-xylanase: 90 U	—			
	Subtilisin EC 3.4.21.62				Subtilisin: 240 U	—			
41	Endo-1,3(4)-beta-glucanase EC 3.2.1.6	Preparation of endo-1,3(4)-beta-glucanase produced by <i>Trichoderma longibrachiatum</i> (ATCC 2106), endo-1,4-beta-xylanase produced by <i>Trichoderma longibrachiatum</i> (ATCC 2105) and subtilisin produced by <i>Bacillus subtilis</i> (ATCC 2107) having a minimum activity of: endo-1,3(4)-beta-glucanase: 100 U/g ⁽¹⁷⁾ endo-1,4-beta-xylanase: 2 500 U/g ⁽¹⁸⁾ subtilisin: 800 U/g ⁽¹⁹⁾	Chickens for fattening	—	Endo-1,3(4)-beta-glucanase: 25 U	—	1. In the directions for use of the additive and premixture, indicate the storage temperature, storage life and stability to pelleting. 2. Recommended dose per kg of complete feedingstuff: endo-1,3(4)-beta-glucanase: 25-100 U endo-1,4-beta-xylanase: 625-2 500 U subtilising: 200-800 U 3. For use in compound feed e.g. containing more than 30 % wheat and 10 % barley.	30.9.1999	
	Endo-1,4-beta-xylanase EC 3.2.1.8				Endo-1,4-beta-xylanase: 625 U	—			
	Subtilisin EC 3.4.21.62				Subtilisin: 200 U	—			

No	Additive	Chemical formula, description	Species or category of animal	Maximum age	Minimum content		Maximum content	Other provisions	Period of authorisation
					Units of activity per kg of complete feedingstuff				
			Laying hens	—	Endo-1,3(4)-beta-glucanase: 100 U	—	—	1. In the directions for use of the additive and premixture, indicate the storage temperature, storage life and stability to pelleting. 2. Recommended dose per kg of complete feedingstuff: endo-1,3(4)-beta-glucanase: 100 U endo-1,4-beta-xylanase: 2 500 U subtilisin: 800 U 3. For use in compound feed e.g. containing more than 50 % wheat and 25 % barley.	30.9.1999
					Endo-1,4-beta-xylanase: 2 500 U	—	—		
					Subtilisin: 800 U	—	—		
42	Endo-1,4-beta-xylanase EC 3.2.1.8	Preparation of endo-1,4-beta-xylanase produced by <i>Trichoderma longibrachiatum</i> (IMI SD 135) having a minimum activity of: Solid form: 4 000 U/g ⁽²⁰⁾ Characteristics of the authorised preparation: endo-1,4-beta-xylanase: 1,99 % wheat: 97,7 % calcium propionate: 0,3 % lecithin: 0,01 %	Piglets	4 months	4 000 U	—	—	1. In the directions for use of the additive and premixture, indicate the storage temperature, storage life and stability to pelleting. 2. Recommended dose per kg of complete feedingstuff: 4 000 U 3. For use in compound feed rich in non-starch polysaccharides, (mainly arabinoxylans), e.g. containing more than 60 % wheat.	30.9.1999

- (1) 1 U is the amount of enzyme which liberates 1 micromole of reducing sugar (glucose equivalent) from oat beta-glucan per minute at pH 4,0 and 30 °C.
- (2) 1 U is the amount of enzyme which liberates 1 micromole of reducing sugar (glucose equivalent) from oat xylan per minute at pH 4,0 and 30 °C.
- (3) 1 U is the amount of reducing sugar (glucose equivalent) from wheat starch per minute at pH 4,0 and 30 °C.
- (4) 1 U is the amount of enzyme which liberates 1 micromole of reducing sugars (glucose equivalents) from barley beta-glucan per minute at pH 5,0 and 30 °C.
- (5) 1 U is the amount of enzyme which liberates 1 micromole of reducing sugars (xylose equivalents) from oat spelt xylan per minute at pH 5,3 and 50 °C.
- (6) 1 U is the amount of enzyme which liberates 1 micromole of reducing sugars (glucose equivalents) from barley beta-glucan per minute at pH 5,0 and 30 °C.
- (7) 1 U is the amount of enzyme which liberates 1 micromole of reducing sugars (xylose equivalents) from oat spelt xylan per minute at pH 5,3 and 50 °C.
- (8) 1 U is the amount of enzyme which liberates 1 micromole of reducing sugars (xylose equivalents) from oat spelt xylan per minute at pH 5,3 and 50 °C.
- (9) 1 U is the amount of enzyme which liberates 1 microgram of phenolic compound (tyrosine equivalents) from a casein substrate per minute at pH 7,5 and 40 °C.
- (10) 1 U is the amount of reducing sugars (xylose equivalents) from oat spelt xylan per minute at pH 5,3 and 50 °C.
- (11) 1 U is the amount of phenolic compound (tyrosine equivalents) from a casein substrate per minute at pH 7,5 and 40 °C.
- (12) 1 U is the amount of enzyme which liberates 1 micromole of reducing sugars (glucose equivalents) from barley beta-glucan per minute at pH 5,0 and 30 °C.
- (13) 1 U is the amount of enzyme which liberates 1 micromole of reducing sugars (xylose equivalents) from oat spelt xylan per minute at pH 5,3 and 50 °C.
- (14) 1 U is the amount of enzyme which liberates 1 micromole of reducing sugars (glucose equivalents) from barley beta-glucan per minute at pH 5,0 and 30 °C.
- (15) 1 U is the amount of enzyme which liberates 1 micromole of reducing sugars (xylose equivalents) from oat spelt xylan per minute at pH 5,3 and 50 °C.
- (16) 1 U is the amount of enzyme which liberates 1 microgram of phenolic compound (tyrosine equivalents) from a casein substrate per minute at pH 7,5 and 40 °C.
- (17) 1 U is the amount of reducing sugars (glucose equivalents) from barley beta-glucan per minute at pH 5,0 and 30 °C.
- (18) 1 U is the amount of enzyme which liberates 1 micromole of reducing sugars (xylose equivalents) from a oat spelt xylan per minute at pH 5,3 and 50 °C.
- (19) 1 U is the amount of enzyme which liberates 1 microgram of phenolic compound (tyrosine equivalents) from a casein substrate per minute at pH 7,5 and 40 °C.
- (20) 1 U is the amount of enzyme which liberates 1 micromole of reducing sugars (xylose equivalents) from oat spelt xylan per minute at pH 5,3 and 50 °C.

ANNEX II

No	Additive	Chimical formula, description	Species or category of animal	Maximum age	Minimum content		Maximum content	Other provisions	Period of authorisation
					CFU/kg of complete feedingsstuff				
13	<i>Enterococcus faecium</i> DSM 10 663 NCIMB 10 415	Preparation of <i>Enterococcus faecium</i> containing a minimum of: Powder and granulated forms: $3,5 \times 10^{10}$ CFU/g additive Coated form: $2,0 \times 10^{10}$ CFU/g additive Liquid form: 1×10^{10} CFU/ml additive	Calves	6 months	1×10^9		1×10^{10}	In the directions for use of the additive and premixture, indicate the storage temperature, storage life and stability to pelleting	30.9.1999
			Chickens for fattening	—	1×10^9		1×10^{10}	1. In the directions for use of the additive and premixture, indicate the storage temperature, storage life and stability to pelleting. 2. May be used in compound feed containing the permitted coccidiostats: Amprolium, Amprolium-Ethopab, Arprinocid, Decoquinat, Diclazuril, Dinitolmid, Halofuginone, Lasalocid sodium, Maduramicin ammonium, Meticlorpindol/Methylbenzoate, Monensin sodium Narasin, Nicarbarin, Robenidine, Salinomycin sodium.	30.9.1999

COMMISSION REGULATION (EC) No 1637/1999**of 26 July 1999****fixing for the 1999/2000 marketing year the minimum price to be paid to producers and the buying-in price to be applied by storage agencies for unprocessed dried figs, and the amount of production aid for dried figs**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EC) No 2201/96 of 28 October 1996 on the common organisation of the market in fruit and vegetables ⁽¹⁾, as amended by Regulation (EC) No 2199/97 ⁽²⁾, and in particular Articles 3(3), 4(9) and 9(8) thereof,

manage the products are laid down by Commission Regulation (EC) No 0000/1999 of 23 July 1999 laying down detailed rules for the application of Council Regulation (EC) No 2201/96 as regards the storage scheme applying to dried grapes and unprocessed dried figs ⁽⁶⁾; whereas the buying-in price for figs of the lowest quality defined in Annex I to Regulation (EC) No 1573/1999 should therefore be fixed for the 1999/2000 marketing year;

- (4) Whereas the measures provided for in this Regulation are in accordance with the opinion of the Management Committee for Products Processed from Fruit and Vegetables,

- (1) Whereas Article 2 of Commission Regulation (EC) No 504/97 of 19 March 1997 laying down detailed rules for the application of Council Regulation (EC) No 2201/96 as regards the system of production aid for products processed from fruit and vegetables ⁽³⁾, as last amended by Regulation (EC) No 1607/1999 ⁽⁴⁾, fixes the dates of the marketing years;

HAS ADOPTED THIS REGULATION:

Article 1

For the 1999/2000 marketing year:

- (2) Whereas Articles 3 and 4 of Regulation (EC) No 2201/96 determine the criteria for fixing the minimum price and the production aid; whereas the products for which the minimum price and the aid are fixed are listed in Articles 1 and 2 of Commission Regulation (EC) No 1573/1999 of 19 July laying down detailed rules for the application of Council Regulation (EC) 2201/96 as regards the characteristics of dried figs qualifying for aid under the production aid scheme ⁽⁵⁾; whereas the minimum price and the production aid should therefore be fixed for the 1999/2000 marketing year;
- (3) Whereas the criteria for fixing the price at which storage agencies buy in unprocessed dried figs are laid down in Article 9(2)(a) of Regulation (EC) No 2201/96; whereas the conditions whereby the storage agencies buy in and

- (a) the minimum price referred to in Article 3 of Regulation (EC) No 2201/96 shall be EUR 87,886 per 100 kilograms net from the producer for unprocessed dried figs,
- (b) the production aid referred to in Article 4 of that Regulation shall be EUR 29,335 per 100 kilograms net for dried figs,
- (c) the buying-in price referred to in Article 9(2) of that Regulation shall be EUR 58,444 per 100 kilograms net for unprocessed dried figs.

Article 2

This Regulation shall enter into force on 1 August 1999.

⁽¹⁾ OJ L 297, 21.11.1996, p. 29.

⁽²⁾ OJ L 303, 6.11.1997, p. 1.

⁽³⁾ OJ L 78, 20.3.1997, p. 14.

⁽⁴⁾ OJ L 190, 23.7.1999, p. 11.

⁽⁵⁾ OJ L 187, 20.7.1999, p. 27.

⁽⁶⁾ OJ L 192, 24.7.1999, p. 33.

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

Done at Brussels, 26 July 1999.

For the Commission
Franz FISCHLER
Member of the Commission

COMMISSION REGULATION (EC) No 1638/1999**of 26 July 1999****laying down detailed rules for the application of Council Regulation (EC) No 1269/1999 and providing for the partial reimbursement of import duties levied on a quota of barley for malting**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EC) No 1269/1999 of 14 June 1999 opening a Community tariff quota for barley for malting falling within CN code 1003 00 ⁽¹⁾; and in particular Article 2 thereof,

Having regard to Council Regulation (EEC) No 1766/92 of 30 June 1992 on the common organisation of the market in cereals ⁽²⁾, as last amended by Commission Regulation (EC) No 1523/1999 ⁽³⁾ and in particular Article 10(4) thereof,

- (1) Whereas the provisions governing the way imports of cereals into the Community are treated are laid down in Commission Regulation (EC) No 1249/96 of 28 June 1996 on rules of application (cereal sector import duties) for Council Regulation (EEC) No 1766/92 ⁽⁴⁾ as last amended by Regulation (EC) No 2519/98 ⁽⁵⁾; whereas Article 2(5) of Regulation (EC) No 1249/96 provides, under certain conditions, for a flat-rate reduction in the import duty of EUR 8 per tonne on malting barley;
- (2) Whereas; pursuant to Article 1 of Regulation (EC) No 1269/1999, a tariff quota has been opened for 1999 and 2000 for 50 000 tonnes of high-grade barley falling within CN code 1003 00 for the production of malt to be used in the manufacture of a type of beer aged in vats containing beechwood; whereas the rate of duty applicable to such imports is 50 % of the full rate of duty in force on the day of import, without the flat-rate reduction of EUR 8 per tonne in the import duty provided for in Regulation (EC) No 1249/96; whereas, as a consequence, the duties applied pursuant to Regulation (EC) No 1249/96 for up to 50 000 tonnes of malting barley covered by import licence applications submitted between 1 January 1999 and the date of entry into force of this Regulation, should be adjusted by reducing the rate of duty in force on the day of release for free circulation of the imported product by 50 %, the amount thereby obtained being increased by EUR 8 per tonne to take account of the flat-rate reduction in the import duty which may have been applied on release for free circulation; whereas the import duty on quantities covered by import licence applications submitted

between the date of entry into force of this Regulation and 31 December 1999, within the limit of the remaining balance of the annual quota of 50 000 tonnes, must be reduced by 50 %;

- (3) Whereas the tariff quota opened by Regulation (EC) No 1269/1999 covers the periods 1 January to 31 December 1999 and 1 January to 31 December 2000; whereas notwithstanding Article 2 of that Regulation, no provisions applying retroactively can be laid down to guarantee the quality of barley already imported or to recognise documents guaranteeing that that quality of barley has been imported;
- (4) Whereas the implementation of this international commitment should be ensured by providing that operators who have imported barley of a particular quality for malting during the period concerned may qualify, on application, for the reduction in the import duty, less any flat-rate reductions; whereas the Member States must accordingly be authorised to reimburse duties levied in excess to operators who can prove that the import duties they paid were reduced by EUR 8 per tonne as laid down for barley of brewery quality for the production of malt from 1 January 1999 to the date of entry into force of this Regulation; whereas, since the time limit laid down by Regulation (EC) No 1249/96 for processing barley into malt is six months from the date of release for free circulation and since 100 days is quite sufficient to manufacture the type of beer provided for under this quota, it is appropriate, in the interests of simplification, to maintain these time limits in the rules governing the quota;
- (5) 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

1. Pursuant to Article 1 of Regulation (EC) No 1269/1999, 50 % of the import duty in force for each consignment concerned on the date of release for free circulation, less EUR 8 per tonne, shall be reimbursed on quantities of malting barley to be used for the manufacture of beer aged in vats containing beechwood which qualified for a flat-rate reduction

⁽¹⁾ OJ L 151, 18.6.1999, p. 1.

⁽²⁾ OJ L 181, 1.7.1992, p. 21.

⁽³⁾ OJ L 160, 26.6.1999, p. 18.

⁽⁴⁾ OJ L 161, 29.6.1996, p. 125.

⁽⁵⁾ OJ L 315, 25.11.1998, p. 7.

of EUR 8 per tonne under Article 2(5) of Regulation (EC) No 1249/96 and which were covered by import licence applications submitted between 1 January 1999 and the date of entry into force of this Regulation, up to a limit of 50 000 tonnes, on application by the importer or his authorised agent.

The duty shall be reimbursed provided that:

- the imported barley was malted within six months from the date of release for free circulation, and
- the resulting malt was used in the manufacture of beer aged in vats containing beechwood within no more than 100 days following the date on which the barley was processed into malt.

2. Within 15 working days of the date of entry into force of this Regulation, the parties concerned shall lodge applications for reduced duty on the quantities referred to in paragraph 1, in accordance with the model set out in Annex II, with the competent authority of the Member State that issued the import licence, specifying the quantity that may be covered by the partial reimbursement of the duty as provided for in paragraph 1.

Applications shall be accompanied by:

- the import licence or an extract thereof proving that that quantity has been released for free circulation,
- proof that the applicant has lodged a 'good faith' security of EUR 5 per tonne with the authority that issued the import licence and
- an application for a certificate for reimbursement of duty in accordance with the model set out in Annex I.

3. Within five working days of expiry of the period laid down in the first subparagraph of paragraph 2, Member States shall forward to the Commission, by telex, fax or telegram, details of the quantities covered by applications for certificates for reduced duty submitted between 1 January 1999 and the date of entry into force of this Regulation.

4. On the basis of the information forwarded by Member States, where the total quantity for which applications for reduced duty have been lodged for the period concerned exceeds 50 000 tonnes, the Commission shall notify Member States, within three working days of expiry of the period referred to in paragraph 3, of the percentage reduction to be applied to quantities for which applications for certificates have been lodged.

5. The competent authority of the Member State that issued the import licence shall issue a certificate in accordance with the model set out in Annex I, taking account of any percentage reduction as referred to in paragraph 4, specifying the quantity which may be covered by partial reimbursement of the duty.

Certificates shall be issued and 'good faith' securities as provided for in paragraph 2 shall be released only in respect of quantities for which the parties concerned provide:

- proof of processing into malt as provided for in Article 2(5)(c) of Regulation (EC) No 1249/96 and
- an additional certificate proving that the malt has been used to manufacture beer aged in vats containing beechwood within the deadline provided for in paragraph 1. Such certificates shall be issued:
 - by the relevant authority proving that the plant where the malt concerned has been used for the production of beer had vats for ageing containing beechwood, where the processing took place before this Regulation was published,
 - by the customs department responsible for checking that barley is malted, for quantities of barley covered by import licence applications submitted before this Regulation was published but not yet processed into beer at that date.

The 'good faith' security referred to in paragraph 2 covering quantities actually processed but for which no duty reduction is granted shall be released.

6. Applications for reimbursement must be submitted by the parties concerned to the customs office which recorded the import. Applications for reimbursement must be accompanied by:

- (a) the import licence or a certified copy thereof;
- (b) the certificate referred to in paragraph 5; and
- (c) the declaration of release for free circulation covering the imports concerned.

Article 2

1. Pursuant to Article 1 of Regulation (EC) No 1269/1999, the common customs tariff duty in force on the date of release for free circulation shall be reduced for each consignment concerned, on application by the importer or his authorised agent, by 50 % for quantities of barley falling within CN code 1003 00 intended for malting (quota serial number 09.4061), to be used for the manufacture of beer aged in vats containing beechwood and covered by import licence applications submitted during 2000 and between the date of entry into force of this Regulation and 31 December 1999. In such cases, the duty reduction of EUR 8 per tonne provided for in Article 2(5) of Regulation (EC) No 1249/96 shall not be applied.

However, for the period between the date of entry into force of this Regulation and 31 December 1999, the 50 % reduction shall be applied only for a quantity equal to the 50 000 tonne quota for 1999, minus the quantity covered by applications for duty reimbursement submitted for the period between 1 January 1999 and the date of entry into force of this Regulation, in accordance with Article 1. Where necessary, the duty reduction shall be granted only for applications covering the quantity thus calculated by chronological order of submission from the date of entry into force of this Regulation.

The duty reduction shall be granted provided that:

- the imported barley is malted within six months from the date of release for free circulation, and
- the resulting malt is used in the manufacture of beer aged in vats containing beechwood within no more than 100 days following the date on which the barley is processed into malt.

2. Section 24 of applications for import licences and of import licences drawn up in accordance with Article 2(5) of Regulation (EC) No 1249/96 shall contain one of the following:

- Derecho 50 % solicitado. Reglamento (CE) n° 1638/1999. Contingente arancelario n° 09.4061,
- Anmodning om 50 % toldsats. Forordning (EF) nr. 1638/1999. Toldkontingent nr. 09.4061,
- 50 %-Satz beantragt. Verordnung (EG) Nr. 1638/1999. Zollkontingent Nr. 09.4061,
- Ζητούμενος δασμός 50 %. Κανονισμός (ΕΚ) αριθ. 1638/1999. Δασμολογικές ποσοστώσεις υπ' αριθ. 09.4061,
- 50 % duty requested. Regulation (EC) No 1638/1999. Tariff quota No 09.4061,
- Droit 50 % demandé. Règlement (CE) n° 1638/1999. Contingente tarifaire n° 09.4061,
- Dazio 50 % richiesto. Regolamento (CE) n. 1638/1999. Contingente tariffario n. 09.4061,
- Gevraagd recht 50 %. Verordning (EG) nr. 1638/1999. Tariefcontingent nr. 09.4061,
- Direito 50 % pedido. Regulamento (CE) n.º 1638/1999. Contingente pautal n.º 09.4061,
- Pyydetty tullinalennus 50 %. Asetus (EY) N:o 1638/1999. Tariffikiintiö N:o 09.4061,
- Begärd tullsats 50 %. Förordning (EG) nr 1638/1999. Tullkvot nr 09.4061.

When the consignment concerned is released for free circulation, the customs office shall endorse the licence only if the imported barley meets the following quality criteria:

- specific weight: 60.5 kg/hl or more,
- damaged grains: 1 % or less,
- moisture content: 13/5 % or less,
- sound, fair and merchantable barley: 98 % or more,

as certified by:

- either a certificate of analysis carried out at the importer's request by the customs office of release for free circulation,
- or a quality certificate for the imported barley issued by a government authority of the country of origin and

recognised by the Commission in accordance with Article 6 of Regulation (EC) No 1249/96.

3. The parties concerned shall lodge applications for reduced duty, in accordance with the model set out in Annex II, with the competent authorities of the Member State of release for free circulation before the end of the one-year period concerned. Such applications shall be accepted only if accompanied by:

- proof that the applicant is a natural or legal person who has carried out a commercial activity in the cereals sector for at least 12 months and is registered in the Member State in which the application is submitted,
- proof that the applicant has lodged a security of EUR 10 per tonne with the competent authority of the Member State of release for free circulation,
- a written undertaking by the applicant that all the imported goods will be processed, within six months from the date of acceptance of entry for free circulation, into malt for use in the manufacture of beer aged in vats containing beechwood within 100 days following the date on which the barley was processed into malt.

4. The provisions governing the dispatch of goods for processing into malt as referred to in Article 2(5) of Regulation (EC) No 1249/96 shall apply. In addition, the competent authority must check that the malt is used in the manufacture of beer aged in vats containing beechwood within 100 days.

Article 3

1. On the first working Monday of each month, up to and including 4 December 2000, Member States shall inform the Commission, by telex, fax or telegram, in accordance with the model set out in Annex III, of the quantities covered by applications for reduced duty lodged during the previous month in accordance with Article 2(3). Not later than 11 January 2001, Member States shall inform the Commission, by telex, fax or telegram of the quantities covered by applications for reduced duty lodged up to 31 December 2000.

2. On the basis of the information forwarded by Member States, where the total quantity for which applications for reduced duty have been lodged exceeds the quantity referred to in Article 2(1), the Commission shall notify Member States, within three working days of expiry of the period referred to in paragraph 1, of the period for lodging applications for reduced duty for which such applications can be accepted and, where necessary, of the quantity to which the 50 % duty reduction can be applied for applications lodged on the last day of that period.

3. The competent authority of the Member State where the application for reduced duty is lodged shall issue a certificate specifying the quantity which may be covered by partial reimbursement of the duty, in accordance with Article 880 of Commission Regulation (EEC) No 2454/93⁽¹⁾. Such certificates, drawn up in accordance with the model set out in Annex I, shall be issued only for applications that can be accepted within the limit provided for in paragraph 2 for which the party concerned provides the following proof:

- proof of processing into malt as provided for in Article 2(5)(c) of Regulation (EC) No 1249/96,
- the import licence referred to in Article 2(2), duly endorsed by the customs office of release for free circulation, and
- an additional certificate, issued by the customs department and drawn up in accordance with the model in Annex I, proving that the malt has been used to manufacture beer aged in vats containing beechwood within the deadlines provided for in Article 2(1).

4. Applications for partial reimbursement of the import duty must be submitted by the parties concerned to the customs office which recorded the import. Applications for reimbursement must be accompanied by:

- (a) the import licence or a certified copy thereof,
- (b) the certificate referred to in paragraph 3, and
- (c) the declaration of release for free circulation covering the imports concerned.

The amount to be reimbursed per tonne shall be 50 % of the full rate of duty in force on the day of release for free circulation, minus EUR 8 per tonne where the duty reduction provided for in Article 2(5) of Regulation (EC) No 1249/95 has been applied.

Article 4

The security of EUR 10 per tonne provided for in the second indent of Article 2(3) shall be released:

- (a) for quantities covered by applications, actually processed but for which no duty reduction has been granted, and
- (b) for the quantities accepted for each application for duty reduction, provided that:
 - the quality of the barley, established on the basis of the quality certificate or analysis certificate, meets the criteria laid down in the second subparagraph of Article 2(2),
 - the certificate applicant provides proof of the specific final use referred to in Article 2(4), certifying that this use took place within the deadline provided for in the written undertaking referred to in the third indent of Article 2(3).

Article 5

For the purposes of this Regulation:

- (a) 'damaged grains' means grains of barley, other cereals or wild oat that display damage, including deterioration caused by disease, frost, heat, insects or fungus, bad weather and all other forms of material damage,
- (b) 'sound, fair and merchantable barley' means barley grains or pieces of grains that are not damaged as defined in (a), except grains damaged by frost or fungus.

Article 6

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

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

Done at Brussels, 26 July 1999.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ L 253, 11.10.1993, p. 1.

ANNEX I

Model for certificate applications and certificates for reimbursement of duty as referred to in Articles 1(2) and (5) and 3(3) of Regulation (EC) No 1638/1999

Import licence reference number:

Holder (name, full address and Member State):

Body issuing the extract (name and address):

Rights assigned to (name, full address and Member State):

Quantity for which reimbursement may be applied for under Regulation (EC) No 1638/1999 (quantity in kilograms):

.....
(Date and signature)

ANNEX II

Model for application for duty reduction as referred to in Articles 1(2) and 2(3) of Regulation (EC) No 1638/1999

Import licence reference number:

Holder (name, full address and Member State):

Body issuing the extract (name and address):

Rights assigned to (name, full address and Member State):

Quantity for which reimbursement may be applied for under Regulation (EC) No 1638/1999 (quantity in kilograms):

.....
(Date and signature)

ANNEX III

Model for notification of applications for duty reduction as referred to in Articles 3(1) of Regulation (EC) No 1638/1999

Import licence reference number:

Holder (name, full address and Member State):

Body issuing the extract (name and address):

Rights assigned to (name, full address and Member State):

Quantity for which reimbursement may be applied for under Regulation (EC) No 1638/1999 (quantity in kilograms):

Date of application for reduced duty: (day, month, year):

.....
(Date and signature)

COMMISSION REGULATION (EC) No 1639/1999**of 26 July 1999****fixing the maximum compensatory aid resulting from the rates for the conversion of the euro into national currency units and the exchange rates applicable on 1 July 1999**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EC) No 2799/98 of 15 December 1998 establishing agrimonetary arrangements for the euro ⁽¹⁾, and in particular Article 5 thereof,

Having regard to Council Regulation (EC) No 2800/98 of 15 December 1998 on transitional measures to be applied under the common agricultural policy with a view to the introduction of the euro ⁽²⁾, and in particular Article 3 thereof,

- (1) Whereas Article 3(1) of Regulation (EC) No 2800/98 provides that compensatory aid is to be paid where the conversion rate for the euro into national currency units or the exchange rate applicable on the date of the operative event is below the rate previously applicable; whereas, however, that provision does not apply to amounts to which a rate lower than the new rate applied in the 24 months preceding the new rate's entry into force;
- (2) Whereas the conversion rate for the euro into national currency units applicable from 1 January 1999 is below the rate previously applicable for Belgium, France, Ireland, Italy, Luxembourg and Finland; whereas the exchange rates for the Danish krone, the Swedish krona and the pound sterling applicable on 1 July 1999, the date of the operative event, are below the rates previously applicable;
- (3) Whereas the compensatory aid is to be granted on the terms set out in Regulation (EC) No 2799/98, Commission Regulation (EC) No 2808/98 of 22 December 1998 laying down detailed rules for the application of the

agrimonetary system for the euro in agriculture ⁽³⁾, as last amended by Regulation (EC) No 1410/1999 ⁽⁴⁾, and Commission Regulation (EC) No 2813/98 of 22 December 1998 laying down detailed rules for applying the transitional measures for the introduction of the euro to the common agricultural policy ⁽⁵⁾;

- (4) Whereas the amounts of compensatory aid are established in accordance with Articles 5 and 9 of Regulation (EC) No 2799/98, Article 10 of Regulation (EC) No 2808/98 and Article 4 of Regulation (EC) No 2813/98;
- (5) Whereas the measures provided for in this Regulation are in accordance with the opinion of the relevant management committees,

HAS ADOPTED THIS REGULATION:

Article 1

The maximum amounts of the first tranche of compensatory aid to be granted as a result of the reduction recorded on the date of the operative event, 1 July 1999, in the conversion rates for the euro in force from 1 January 1999 in Belgium, France, Ireland, Italy, Luxembourg and Finland and in the exchange rates for the Danish krone, the Swedish krona and the pound sterling as against the agricultural conversion rates previously applicable shall be as set out in the Annex hereto.

Article 2

This Regulation shall enter into force on the seventh 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, 26 July 1999.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ L 349, 24.12.1998, p. 1.

⁽²⁾ OJ L 349, 24.12.1998, p. 8.

⁽³⁾ OJ L 349, 24.12.1998, p. 36.

⁽⁴⁾ OJ L 164, 30.6.1999, p. 53.

⁽⁵⁾ OJ L 349, 24.12.1998, p. 48.

ANNEX

Maximum amounts of the first instalment of compensatory aid, millions of euro

Measures		Belgium	Denmark	France	Ireland	Italy	Luxembourg	Finland	Sweden	United Kingdom
Type of aid	Regulation									
'Base maize' (small-scale production)	(EEC) No 1765/92	0,31	0	0,77	0,10	7,59	0	0	0	0
Cereals other than base maize (small-scale production)	(EEC) No 1765/92	0,59	3,08	8,41	1,58	14,05	0,05	0,86	5,84	13,11
Rape, sunflower, soya (small-scale production)	(EEC) No 1765/92	0	0	0,06	0,01	0,25	0	0,01	0,02	0
Peas, field beans (small-scale production)	(EEC) No 1765/92	0,001224	0	0,04	0,01	0,24	0	0,001386	0,04	0
Flax seed (small-scale production)	(EEC) No 1765/92	0	0	0	0	0	0	0	0,02	0
Base maize (commercial production)	(EEC) No 1765/92	0,05	0	3,84	0,06	14,31	0	0	0	1,34
Cereals other than base maize (commercial production)	(EEC) No 1765/92	0,71	17,08	51,42	3,29	8,66	0,05	1,60	25,76	166,43
Rape, sunflower, soya (commercial production)	(EEC) No 1765/92	0,03	1,90	16,79	0,15	18,61	0,01	0,22	2,36	40,30
Peas, field beans (commercial production)	(EEC) No 1765/92	0,02	1,84	6,51	0,12	0,25	0,001224	0,02	1,75	16,57
Flax seed (commercial production)	(EEC) No 1765/92	0	0,13	0,08	0,10	0	0	0,01	0,80	10,69
Durum wheat supplement (commercial production)	(EEC) No 1765/92	0	0	1,46	0	24,86	0	0	0	0
Set-aside linked to area aids	(EEC) No 1765/92	0,07	2,36	7,14	0,84	2,83	0,004896	0,42	5,89	19,79
Aid per hectare, dried vegetables	(EEC) No 1577/96	0	0	0,02	0	0,19	0	0	0	0
Aid per hectare, hops	(EEC) No 1696/71	0,001224	0	0,01	0	0	0	0	0	0,37

COMMISSION REGULATION (EC) No 1640/1999**of 26 July 1999****determining the extent to which applications submitted in July 1999 for import licences for the tariff quota for beef and veal provided for in the Interim Agreement between the Community and the Republic of Slovenia can be accepted**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Commission Regulation (EC) No 2556/98 of 27 November 1998 laying down for 1999 detailed rules for the application of the tariff quota for beef and veal provided for in the Interim Agreement between the Community and the Republic of Slovenia ⁽¹⁾, and in particular Article 3(4) thereof,

- (1) Whereas Article 1(3) of Regulation (EC) No 2556/98 fixes the quantity of fresh or chilled beef and veal originating in Slovenia which may be imported under special conditions from 1 July to 31 December 1999; whereas the quantity of meat for which import licences

have been submitted is such that applications may be granted in full,

HAS ADOPTED THIS REGULATION:

Article 1

Import licences shall be granted for the full quantities covered by applications submitted for the quota referred to in Regulation (EC) No 2556/98 for the period 1 July to 31 December 1999.

Article 2

This Regulation shall enter into force on 27 July 1999.

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

Done at Brussels, 26 July 1999.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ L 320, 28.11.1998, p. 20.

COMMISSION DIRECTIVE 1999/71/EC**of 14 July 1999****amending the Annexes to Council Directives 86/362/EEC, 86/363/EEC and 90/642/EEC on the fixing of maximum levels for pesticide residues in and on cereals, foodstuffs of animal origin and certain products of plant origin, including fruit and vegetables respectively****(Text with EEA relevance)**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Directive 86/362/EEC of 24 July 1986 on the fixing of maximum levels for pesticide residues in and on cereals ⁽¹⁾, as last amended by Commission Directive 1999/65/EC ⁽²⁾, and in particular Article 10 thereof,

Having regard to Council Directive 86/363/EEC of 24 July 1986 on the fixing of maximum levels for pesticide residues in and on foodstuffs of animal origin ⁽³⁾, as last amended by Commission Directive 98/82/EC ⁽⁴⁾, and in particular Article 10 thereof,

Having regard to Council Directive 90/642/EEC of 27 November 1990 on the fixing of maximum levels for pesticide residues in and on products of plant origin, including fruit and vegetables ⁽⁵⁾, as last amended by Directive 1999/65/EC, and in particular Article 7 thereof,

Having regard to Council Directive 91/414/EEC concerning the placing of plant protection products on the market ⁽⁶⁾, as last amended by Directive 99/1/EC ⁽⁷⁾, and in particular Article 4(1) (f) thereof,

(1) Whereas the new active substance, azoxystrobin, was included in Annex I to Directive 91/414/EEC by Commission Directive 98/47/EC ⁽⁸⁾ for use as fungicide only, but without specifying particular conditions having an impact on crops which may be treated with plant protection products containing azoxystrobin;

(2) Whereas the said inclusion in Annex I was based on assessment of the information submitted concerning proposed use as fungicide on cereals and vines; whereas information relating to uses on cereals, vines and bananas has been submitted by certain Member States in accordance with the requirements of Article 4(1) (f) of Directive 91/414/EEC; whereas the information available has been reviewed and is sufficient to fix certain maximum residue levels;

(3) Whereas where no Community maximum residue level or provisional MRL exists Member States shall establish a national provisional maximum residue level in accordance with Article 4(1) (f) of Directive 91/414/EEC before the authorisation may be granted;

(4) Whereas at the inclusion in Annex I to Directive 91/414/EEC the technical and scientific evaluation of azoxystrobin was finalised on 22 April 1998 in the format of the Commission review report for azoxystrobin; whereas in this review report the acceptable daily intake (ADI) for azoxystrobin was set at 0.1 mg/kg bw/day; whereas the lifetime exposure of consumers of food products treated with azoxystrobin has been assessed and evaluated in accordance with the procedures and practices used within the European Community, taking account of guidelines published by the World Health Organisation ⁽⁹⁾ and it has been calculated that the maximum residue levels fixed in this Directive do not give rise to an exceedance of this ADI;

(5) Whereas acute toxic effects requiring the setting of an acute reference dose were not noted during the evaluation and discussion which preceded the inclusion of azoxystrobin in Annex I to Directive 91/414/EEC;

(6) Whereas for certain agricultural products the use conditions for azoxystrobin have already been defined in a manner which permits the establishing of definitive maximum residue levels;

(7) Whereas to ensure that the consumer is adequately protected from exposure to residues in or on products for which no authorisations have been granted, it is prudent to set provisional maximum residue levels at the lower limit of analytical determination for all those products covered by Council Directives 86/362/EEC, 86/363/EEC and 90/642/EEC; whereas the setting at Community level of such provisional maximum residue levels does not prevent the Member States from establishing provisional maximum residue levels for azoxystrobin in accordance with Article 4(1) (f) of Directive 91/414/EEC and in accordance with Annex VI to

⁽¹⁾ OJ L 221, 7.8.1986, p. 37.

⁽²⁾ OJ L 172, 8.7.1999, p. 40.

⁽³⁾ OJ L 221, 7.8.1986, p. 43.

⁽⁴⁾ OJ L 290, 29.10.1998, p. 25.

⁽⁵⁾ OJ L 350, 14.12.1990, p. 71.

⁽⁶⁾ OJ L 230, 19.8.1991, p. 1.

⁽⁷⁾ OJ L 21, 21.1.1999, p. 21.

⁽⁸⁾ OJ L 191, 7.7.1998, p. 50.

⁽⁹⁾ Guidelines for predicting dietary intake of pesticide residues (revised), prepared by the GEMS/food programme in collaboration with the Codex Committee on Pesticide Residues, published by the World Health Organisation 1997 (WHO/FSF/FOS/97.7).

Directive 91/414/EEC in particular part B, Section 2.4.2.3 to this Annex; whereas four years is considered a sufficient period of time during which to establish most further uses of azoxystrobin; whereas after that period these provisional maximum residue levels should become definitive;

- (8) Whereas the Community's trading partners have been consulted about the levels set out in this Directive through the World Trade Organisation and their comments on these levels have been considered; whereas the possibility of fixing import tolerance maximum

residue levels for specific pesticide/crop combinations will be examined by the Commission on the basis of the submission of acceptable data;

- (9) Whereas the opinion of the Scientific Committee for Plants, in particular advice and recommendations concerning the protection of consumers of food products treated with pesticides, have been taken into account;
- (10) Whereas this Directive is in accordance with the opinion of the Standing Committee on Plant Health,

HAS ADOPTED THIS DIRECTIVE:

Article 1

The following pesticide residues shall be added to part A of Annex II to Directive 86/362/EEC:

Pesticide residue	Maximum level in mg/kg
Azoxystrobin	0,3 wheat, rye, triticale, barley 0,05 (p) (*), other cereals

(*) Indicates lower limit of analytical determination.

(p) Indicates provisional maximum residue level.

Article 2

The following pesticide residues shall be added to part B of Annex II to Directive 86/363/EEC:

Pesticide residue	Maximum level in mg/kg
Azoxystrobin	0,01 (*) Milk 0,05 (*), Other products of animal origin

(*) Indicates lower limit of analytical determination.

Article 3

The following pesticide residues shall be added to Annex II to Directive 90/642/EEC:

Groups and examples of individual products to which maximum residue levels apply	Pesticide residues and maximum levels (mg/kg)
	Azoxystrobin
1. Fruit, fresh, dried or uncooked, preserved by freezing, not containing added sugar; nuts	
i) CITRUS FRUIT	0,05 (p) (*)
Grapefruit	
Lemons	
Limes	
Mandarins (including clementines and other hybrids)	

Groups and examples of individual products to which maximum residue levels apply	Pesticide residues and maximum levels (mg/kg)
	Azoxystrobin
Oranges	
Pomelos	
Others	
ii) TREE NUTS (shelled or unshelled)	0,1 (p) (*)
Almonds	
Brazil nuts	
Cashew nuts	
Chestnuts	
Coconuts	
Hazelnuts	
Macadamia nuts	
Pecans	
Pine nuts	
Pistachios	
Walnuts	
Others	
iii) POME FRUIT	0,05 (p) (*)
Apples	
Pears	
Quinces	
Other	
iv) STONE FRUIT	0,05 (p) (*)
Apricots	
Cherries	
Peaches (including nectarines and similar hybrids)	
Plums	
Others	
v) BERRIES AND SMALL FRUIT	
a) Table and wine grapes	2
Table grapes	
Wine grapes	

Groups and examples of individual products to which maximum residue levels apply	Pesticide residues and maximum levels (mg/kg)
	Azoxystrobin
b) Strawberries (other than wild)	0,05 (p) (*)
c) Cane fruit (other than wild)	0,05 (p) (*)
Blackberries	
Dewberries	
Loganberries	
Raspberries	
Others	
d) Other small fruit and berries (other than wild)	0,05 (p) (*)
Bilberries (fruit of species <i>Vaccinium myrtillus</i>)	
Cranberries	
Currants (red, black and white)	
Gooseberries	
Others	
e) Wild berries and wild fruit	0,05 (p) (*)
vi) MISCELLANEOUS	
Avocados	
Bananas	0,1
Dates	
Figs	
Kiwi	
Kumquat	
Litchis	
Mangoes	
Olives	
Passion fruit	
Pineapples	
Pomegranate	
Others	0,05 (p) (*)
2. Vegetables, fresh or uncooked, frozen or dry	0,05 (p) (*)
i) ROOT AND TUBER VEGETABLES	
Beetroot	
Carrots	
Celeriac	

Groups and examples of individual products to which maximum residue levels apply	Pesticide residues and maximum levels (mg/kg)
	Azoxystrobin
Horseadish	
Jerusalem artichokes	
Parsnip	
Parsley root	
Radishes	
Salsify	
Sweet potatoes	
Swedes	
Turnips	
Yam	
Others	
ii) BULB VEGETABLES	
Garlic	
Onions	
Shallots	
Spring onions	
Others	
iii) FRUITING VEGETABLES	
a) Solanacea	
Tomatoes	
Peppers	
Aubergines	
Others	
b) Cucurbits — edible peel	
Cucumbers	
Gherkins	
Courgettes	
Others	

Groups and examples of individual products to which maximum residue levels apply	Pesticide residues and maximum levels (mg/kg)
	Azoxystrobin
c) Cucurbits — inedible peel	
Melons	
Squashes	
Watermelons	
Others	
d) Sweet corn	
iv) BRASSICA VEGETABLES	
a) Flowering brassica	
Broccoli	
Cauliflower	
Others	
b) Head brassica	
Brussels sprouts	
Head cabbage	
Others	
c) Leafy brassica	
Chinese cabbage	
Kale	
Others	
d) Kohlrabi	
v) LEAF VEGETABLES AND FRESH	
a) Lettuce & lettuce	
Cress	
Lamb's lettuce	
Lettuce	
Scarole	
Others	
b) Spinach & similar	
Spinach	
Beet leaves (chard)	
Others	

Groups and examples of individual products to which maximum residue levels apply	Pesticide residues and maximum levels (mg/kg)
	Azoxystrobin
c) Water cress	
d) Witloof	
e) Herbs	
Chervil	
Chives	
Parsley	
Celery leaves	
Others	
vi) LEGUME VEGETABLES (fresh)	
Beans (with pods)	
Beans (without pods)	
Peas (with pods)	
Peas (without pods)	
Others	
vii) STEM VEGETABLES (fresh)	
Asparagus	
Cardoons	
Celery	
Fennel	
Globe artichokes	
Leek	
Rhubarb	
Others	
viii) FUNGI	
a) Cultivated mushrooms	
b) Wild mushrooms	
3. Pulses	0,05 (p) (*)
Beans	
Lentils	
Peas	
Others	

Groups and examples of individual products to which maximum residue levels apply	Pesticide residues and maximum levels (mg/kg)
	Azoxystrobin
4. Oil seed	0,05 (p) (*)
Linseed	
Peanuts	
Poppy seeds	
Sesame seeds	
Sunflower seed	
Rape seed	
Soya bean	
Mustard seed	
Cotton seed	
Others	
5. Potatoes	0,05 (p) (*)
Early & ware potatoes	
6. Tea (black tea processed from the leaves of <i>Camellia sinensis</i>)	0,1 (p) (*)
7. Hops (dried), including hop pellets and unconcentrated powder	0,1 (p) (*)

(*) Indicates lower limit of analytical determination.
(p) Indicates provisional maximum residue level.

Article 4

1. For those agricultural products listed in part A of Annex II to Directive 86/362/EEC, and in Annex II to Directive 90/642/EEC where the maximum residue levels for azoxystrobin are indicated as '(p)', this shall mean that they are provisional (p) in accordance with the provisions of Article 4(1) (f) of Directive 91/414/EEC.

2. Four years after the entry into force of this Directive, provisional maximum residue levels for azoxystrobin in the Annexes shall cease to be provisional and shall become definitive in the sense of Article 4(1) of Directives 86/362/EEC and 86/363/EEC or Article 3 of Directive 90/642/EEC respectively.

Article 5

1. This Directive shall enter into force on 1 August 1999.

2. Member States shall adopt and publish the legislative, regulatory or administrative measures to comply with this Directive by 31 January 2000. They shall immediately inform the Commission thereof. These measures shall apply as from 1 February 2000.

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

Article 6

This Directive is addressed to the Member States.

Done at Brussels, 14 July 1999.

For the Commission

Franz FISCHLER

Member of the Commission

II

(Acts whose publication is not obligatory)

CONFERENCE OF THE REPRESENTATIVES OF THE GOVERNMENTS OF THE MEMBER STATES

DECISION OF THE REPRESENTATIVES OF THE GOVERNMENTS OF THE MEMBER STATES BY COMMON ACCORD WITH THE NOMINEE FOR PRESIDENT OF THE COMMISSION of 19 July 1999

nominating persons whom the governments of the Member States intend to appoint as members of the Commission of the European Communities

(1999/499/EC, ECSC, Euratom)

THE REPRESENTATIVES OF THE GOVERNMENTS OF THE
MEMBER STATES OF THE EUROPEAN COMMUNITIES, BY
COMMON ACCORD WITH THE NOMINEE FOR PRESIDENT OF
THE COMMISSION,

HAVE DECIDED AS FOLLOWS:

Article 1

Having regard to the Treaty establishing the European Community, and in particular the second subparagraph of Article 214(2) and Article 215 thereof,

Having regard to the Treaty establishing the European Coal and Steel Community, and in particular the second subparagraph of Article 10(2) and Article 12 thereof,

Having regard to the Treaty establishing the European Atomic Energy Community, and in particular the second subparagraph of Article 127(2) and Article 128 thereof,

Whereas:

- (1) By a declaration adopted on the sidelines of the European Council of 24 March 1999, the Representatives of the Governments of the Member States nominated by common accord Mr Romano Prodi as the person they intended to appoint as President of the Commission;
- (2) The European Parliament approved this nomination by a Resolution dated 5 May 1999;
- (3) By a declaration dated 9 July 1999, Mr Romano Prodi made known the results of his contacts with the Governments of the Member States;
- (4) Bearing in mind the resignation as a whole, on 16 March 1999, of the Members of the Commission, who had been appointed until 22 January 2000, it is appropriate to allow the new Commission to take up office as soon as possible and to continue its work with a full mandate as from 23 January 2000 for the following five years,

1. The Representatives of the Governments of the Member States, by common accord with Mr Romano Prodi, nominee for President of the Commission, intend to appoint the following nominated persons as Members of the Commission, to replace the Members of the present Commission who have resigned, both for the duration of their term of office which continues to run until 22 January 2000, and for the following five years, namely from 23 January 2000 to 22 January 2005:

- Mr Michel Barnier
- Mr Frits Bolkestein
- Mr Philippe Busquin
- Mr David Byrne
- Mrs Loyola de Palacio del Valle Lersundi
- Mrs Anna Diamantopoulou
- Mr Franz Fischler
- Mr Neil Kinnock
- Mr Pascal Lamy
- Mr Erkki Liikanen
- Mr Mario Monti
- Mr Poul Nielsen
- Mr Christopher Patten
- Mrs Viviane Reding
- Mrs Michaele Schreyer
- Mr Pedro Solbes Mira
- Mr Günter Verheugen
- Mr António Vitorino
- Mrs Margot Wallström

2. The President and the other Members of the Commission thus nominated shall be subject as a body to a vote of approval by the European Parliament.

Article 2

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

Article 3

This Decision shall be published in the *Official Journal of the European Communities*.

Done at Brussels, 19 July 1999.

The President

T. HALONEN

COMMISSION

COMMISSION DECISION

of 1 July 1999

fixing an indicative allocation by Member State of the commitment appropriations under the financial instrument for fisheries guidance (FIFG) outside the Objective 1 regions of the Structural Funds for the period 2000 to 2006

(notified under document number C(1999) 1760)

(1999/500/EC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EC) No 1260/1999 of 21 June 1999 laying down general provisions on the Structural Funds ⁽¹⁾, and in particular the fourth subparagraph of Article 7(3) thereof,

- (1) Whereas the first subparagraph of Article 2(3) of Regulation (EC) No 1260/1999 states that the FIFG shall contribute to structural actions in the fisheries sector outside Objective 1 regions;
- (2) Whereas paragraph 40 of the Presidency conclusions of the Berlin European Council of 24 and 25 March 1999 fixed the amount pertaining to the actions concerned for the period 2000 to 2006;
- (3) Whereas the fourth subparagraph of Article 7(3) of Regulation (EC) No 1260/1999 stipulates that the Commission is to use transparent procedures to make indicative breakdowns by Member State of the commitment appropriations available for the actions concerned; whereas the Commission indicated the method used to

this end in a note submitted to Coreper on 18 March 1999 ⁽²⁾;

- (4) Whereas the appropriations should be broken down according to this method,

HAS ADOPTED THIS DECISION:

Article 1

The indicative amounts per Member State of the commitment appropriations under the financial instrument for fisheries guidance outside the Objective 1 regions for 2000 to 2006 shall be as set out in the Annex.

Article 2

This Decision is addressed to the Member States.

Done at Brussels, 1 July 1999.

For the Commission

Emma BONINO

Member of the Commission

⁽¹⁾ OJ L 161, 26.6.1999, p. 1.

⁽²⁾ 'technical note from the Commission on FIFG credits' (note to Delegations, SN 1122/99 of 18 March 1999).

ANNEX

Indicative allocation by Member State of the commitment appropriations under the financial instrument for fisheries guidance outside the Objective 1 regions of the Structural Funds for the period 2000 to 2006

<i>(EUR million (1999 prices))</i>	
Member States	Amount of appropriations
Belgium	34
Denmark	197
Germany	107
Greece	—
Spain	200
France	225
Ireland	—
Italy	96
Luxembourg	—
Netherlands	31
Austria	4
Portugal	—
Finland	31
Sweden	60
United Kingdom	121
Total	1 106

COMMISSION DECISION

of 1 July 1999

fixing an indicative allocation by Member State of the commitment appropriations for Objective 1 of the Structural Funds for the period 2000 to 2006

(notified under document number C(1999) 1769)

(1999/501/EC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EC) No 1260/1999 of 21 June 1999 laying down general provisions on the Structural Funds ⁽¹⁾, and in particular the first subparagraph of Article 7(3) thereof,

- (1) Whereas point 1 of the first subparagraph of Article 1 of Regulation (EC) No 1260/1999 states that Objective 1 of the Structural Funds aims to promote the development and structural adjustment of regions whose development is lagging behind;
- (2) Whereas the second subparagraph of Article 7(2) of Regulation (EC) No 1260/1999 stipulates that 69,7 % of the appropriations for the Structural Funds are to be allocated to Objective 1, including 4,3 % under the transitional support arrangements;
- (3) Whereas the first subparagraph of Article 7(3) of Regulation (EC) No 1260/1999 stipulates that the Commission is to use transparent procedures to make indicative breakdowns by Member State of the commitment appropriations available for programming in 2000 to 2006 taking full account, for Objectives 1 and 2, of one or more objective criteria similar to those applied during the previous period covered by Council Regulation (EEC) No 2052/88 of 24 June 1988 on the tasks of the Structural Funds and their effectiveness and on coordination of their activities between themselves and with the operations of the European Investment Bank and the other existing financial instruments ⁽²⁾, as last amended by Regulation (EC) No 3193/94 ⁽³⁾, namely: eligible population, regional prosperity, national prosperity and the relative severity of the structural problems, especially the level of unemployment;
- (4) Whereas the third subparagraph of Article 7(3) of Regulation (EC) No 1260/1999 stipulates, in the case of Objectives 1 and 2, that these breakdowns are to distinguish allocations of appropriations to regions and areas benefiting from transitional support, that these allocations are to be determined in accordance with the criteria referred to in the first subparagraph of that Article and that the annual breakdown of these appropriations is to be degressive as from 1 January 2000 and

must be lower in 2000 than in 1999; whereas the transitional support profile may be tailored to the specific needs of the individual regions, and whereas the Commission has taken into consideration the Member States' requests in this respect, taking account of the annual breakdown of Structural Fund resources set out in the Annex to Regulation (EC) No 1260/1999;

- (5) Whereas the first subparagraph of Article 7(4) of Regulation (EC) No 1260/1999 sets up under Objective 1 a programme to assist the peace process in Northern Ireland (Peace) for 2000 to 2004 for the benefit of Northern Ireland and the border areas in Ireland under the same conditions as those pertaining to the programme for the period 1994 to 1999;
- (6) Whereas the second subparagraph of Article 7(4) of Regulation (EC) No 1260/1999 sets up under Objective 1 a programme of special assistance for 2000 to 2006 for the Swedish NUTS II regions which are not covered by the list referred to in Article 3(2) of that Regulation and which meet the criteria laid down in Article 2 of Protocol 6 annexed to the Act of Accession of Austria, Finland and Sweden ⁽⁴⁾;
- (7) Whereas the Commission's statement annexed to the minutes of the Council meeting of 21 June 1999 indicates the method that the Commission will use to decide the indicative allocation by Member State of the appropriations for Objective 1, in accordance with the first subparagraph of Article 7(3) of Regulation (EC) No 1260/1999;
- (8) Whereas, bearing this method in mind, paragraph 44(a), (b), (c), (e), (f), (h), (i) and (j) of the Presidency conclusions of the Berlin European Council of 24 and 25 March 1999 fixed the amounts pertaining to certain specific cases for the period 2000 to 2006,

HAS ADOPTED THIS DECISION:

Article 1

The indicative amounts per Member State of the commitment appropriations for Objective 1 for 2000 to 2006, including the Peace programme and the special programme for the Swedish regions, shall be as set out in Annex I.

⁽¹⁾ OJ L 161, 26.6.1999, p. 1.

⁽²⁾ OJ L 185, 15.7.1988, p. 9.

⁽³⁾ OJ L 337, 24.12.1994, p. 11.

⁽⁴⁾ OJ L 1, 1.1.1995, p. 11.

Article 2

The indicative amounts by Member State and by year of the commitment appropriations for transitional support under Objective 1 for 2000 to 2006 shall be as set out in Annex II.

Article 3

This Decision is addressed to the Member States.

Done at Brussels, 1 July 1999.

For the Commission

Monika WULF-MATHIES

Member of the Commission

ANNEX I

**Indicative allocation by Member State of the commitment appropriations for Objective 1 of the Structural Funds
for the period 2000 to 2006**

(in million EUR (1999 prices))

Member State	Amount of appropriations		
	Regions eligible under Objective 1	Peace programme	Special programme for the Swedish regions
Belgium	—	—	—
Denmark	—	—	—
Germany	19 229	—	—
Greece	20 961	—	—
Spain	37 744	—	—
France	3 254	—	—
Ireland	1 215	100	—
Italy	21 935	—	—
Luxembourg	—	—	—
Netherlands	—	—	—
Austria	261	—	—
Portugal	16 124	—	—
Finland	913	—	—
Sweden	372	—	350
United Kingdom	4 685	400	—
Total	126 693	500	350

ANNEX II

**Indicative allocation by Member State of the commitment appropriations for transitional support for Objective
1 of the Structural Funds for the period 2000 to 2006**

(in million EUR (1999 prices))

Member State	2000	2001	2002	2003	2004	2005	2006	Total
Belgium	105	100	95	95	91	90	49	625
Denmark	—	—	—	—	—	—	—	—
Germany	122	121	121	120	119	118	8	729
Greece	—	—	—	—	—	—	—	—
Spain	78	67	56	45	37	37	32	352
France	83	81	79	79	78	76	75	551
Ireland	400	350	300	250	200	150	123	1 773
Italy	32	30	28	26	25	24	22	187
Luxembourg	—	—	—	—	—	—	—	—
Netherlands	23	21	20	19	18	17	5	123
Austria	—	—	—	—	—	—	—	—
Portugal	650	640	610	350	300	271	84	2 905
Finland	—	—	—	—	—	—	—	—
Sweden	—	—	—	—	—	—	—	—
United Kingdom	216	204	193	181	166	133	73	1 166
Total	1 709	1 614	1 502	1 165	1 034	916	471	8 411

COMMISSION DECISION
of 1 July 1999
drawing up the list of regions covered by Objective 1 of the Structural Funds for the period 2000 to 2006

(notified under document number C(1999) 1770)

(1999/502/EC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EC) No 1260/1999 of 21 June 1999 laying down general provisions on the Structural Funds ⁽¹⁾, and in particular Article 3(2) thereof,

(1) Whereas point 1 of the first subparagraph of Article 1 of Regulation (EC) No 1260/1999 states that Objective 1 of the Structural Funds aims to promote the development and structural adjustment of regions whose development is lagging behind;

(2) Whereas the first subparagraph of Article 3(1) of Regulation (EC) No 1260/1999 specifies that the regions covered by Objective 1 are regions corresponding to level II of the Nomenclature of Territorial Statistical Units (NUTS level II) whose per capita gross domestic product (GDP), measured in purchasing power parities and calculated on the basis of the Community figures for 1994, 1995 and 1996 available at 26 March 1999, is less than 75 % of the Community average;

(3) Whereas the second subparagraph of Article 3(1) of Regulation (EC) No 1260/1999 stipulates that the outermost regions (the French overseas departments, the Azores, the Canary Islands and Madeira), which are all below the 75 % threshold, and the areas eligible under Objective 6 for the period 1995 to 1999 pursuant to Protocol 6 to the Act of Accession of Austria, Finland and Sweden ⁽²⁾ are also to be covered by this Objective;

(4) Whereas, the first subparagraph of Article 6(1) of Regulation (EC) No 1260/1999 states that notwithstanding Article 3 of that Regulation, the regions covered by Objective 1 in 1999 under Council Regulation (EEC) No 2052/88 of 24 June 1988 on the tasks of the Structural Funds and their effectiveness and on coordination of their activities between themselves and with the operations of the European Investment Bank and the other existing financial instruments ⁽³⁾, as last amended by Regulation (EC) No 3193/94 ⁽⁴⁾, which are not referred

to in the second subparagraph of Article 3(1) of Regulation (EC) No 1260/1999 are to continue to receive support from the Funds under Objective 1 on a transitional basis from 1 January 2000 to 31 December 2005;

(5) Whereas the second subparagraph of Article 6(1) of Regulation (EC) No 1260/1999 stipulates that, at the time of adoption of the list referred to in Article 3(2), the Commission is to draw up in accordance with Article 4(5) and (6) of that Regulation a list of the NUTS level III areas belonging to those regions which are to receive support from the Funds under Objective 1 on a transitional basis in 2006;

(6) Whereas, however, the third subparagraph of Article 6(1) of Regulation (EC) No 1260/1999 stipulates that the Commission, acting on a proposal from a Member State, may substitute these areas by areas at or smaller than NUTS level III belonging to those regions which satisfy the criteria of Article 4(5) to (9), without increasing the proportion of the population within each region referred to in the second subparagraph of Article 6(1) and subject to compliance with the second subparagraph of Article 4(4) of that Regulation; whereas the Commission has taken into consideration the Member States requests, in this respect;

(7) Whereas the fourth subparagraph of Article 6(1) of Regulation (EC) No 1260/1999 stipulates that areas belonging to regions not included on the list referred to in the second and third subparagraphs shall continue to receive assistance from the ESF, the FIFG and the EDGGF Guidance Section in 2006 only, within the same form of assistance,

HAS ADOPTED THIS DECISION:

Article 1

The regions covered by Objective 1 shall be those listed in Annex I.

This list shall be valid from 1 January 2000 to 31 December 2006.

⁽¹⁾ OJ L 161, 26.6.1999, p. 1.

⁽²⁾ OJ L 1, 1.1.1995, p. 11.

⁽³⁾ OJ L 185, 15.7.1988, p. 9.

⁽⁴⁾ OJ L 337, 24.12.1994, p. 11.

Article 2

The regions and areas to receive transitional support under Objective 1 shall be those listed in Annex II.

This list shall be valid from 1 January 2000 to 31 December 2005 or 31 December 2006, respectively, for the regions listed therein.

Article 3

This Decision is addressed to the Member States.

Done at Brussels, 1 July 1999.

For the Commission

Monika WULF-MATHIES

Member of the Commission

ANNEX I

List of NUTS II regions covered by Objective 1 of the Structural Funds for the period from 1 January 2000 to 31 December 2006

Germany

Brandenburg
 Mecklenburg-Vorpommern
 Chemnitz
 Dresden
 Leipzig
 Dessau
 Halle
 Magdeburg
 Thüringen

Greece

Anatoliki Makedonia, Thraki
 Kentriki Makedonia
 Dytiki Makedonia
 Thessalia
 Ipiros
 Ionia Nisia
 Dytiki Ellada
 Sterea Ellada
 Peloponnisos
 Attiki
 Vorio Aigaio
 Notio Aigaio
 Kriti

Spain

Galicia
 Principado de Asturias
 Castilla y León
 Castilla-La Mancha
 Extremadura
 Comunidad Valenciana
 Andalucía
 Región de Murcia
 Ceuta y Melilla
 Canarias

France

Guadeloupe
 Martinique
 Guyane
 Réunion

Ireland

Border Midlands and Western

Italy

Campania
 Puglia
 Basilicata
 Calabria
 Sicilia
 Sardegna

Austria

Burgenland

Portugal

Norte
 Centro
 Alentejo
 Algarve
 Açores
 Madeira

Finland

Itä-Suomi
 Väli-Suomi ⁽¹⁾
 Pohjois-Suomi ⁽¹⁾

Sweden

Norra Mellansverige ⁽¹⁾
 Mellersta Norrland ⁽¹⁾
 Övre Norrland ⁽¹⁾

United Kingdom

South Yorkshire
 West Wales and The Valleys
 Cornwall and Isles of Scilly
 Merseyside

⁽¹⁾ Only the areas listed in Annex I to Protocol 6 annexed to the Act of Accession of Austria, Finland and Sweden.

ANNEX II

List of regions and areas to receive transitional support under Objective 1 of the Structural Funds for the period from 1 January 2000 to 31 December 2006

Member State	Transitional support from 1 January 2000 until	
	31 December 2005 ⁽¹⁾	31 December 2006
Belgium	Arrondissement d'Ath except the commune of Bernissart Arrondissement de Charleroi except the communes of: Chapelle-lez-Herlaimont Charleroi (with the exception of former the commune of Mont-sur-Marchienne) Châtelet Courcelles Farciennes Fontaine-l'Evêque Manage Arrondissement de Mons except the communes of: Boussu Dour Frameries Hensies Mons (except the communes of Jemappes, Flenu et Cuesnes) Quaregnon Quiévrain Colfontaine Arrondissement de Mouscron Arrondissement de Soignies except the commune of La Louvière (with the exception of the former commune of Boussoit) Arrondissement de Thuin except the communes of: Anderlues Morlanwelz Arrondissement de Tournai	Arrondissement d'Ath Only the commune of Bernissart Arrondissement de Charleroi Only the communes of: Chapelle-lez-Herlaimont Charleroi (with the exception of former commune of Mont-sur-Marchienne) Châtelet Courcelles Farciennes Fontaine-l'Evêque Manage Arrondissement de Mons Only the communes of: Boussu Dour Frameries Hensies Mons (Only the communes of Jemappes, flenu et Cuesmes) Quaregnon Quiévrain Colfontaine Arrondissement de Soignies Only the commune of La Louvière (with the exception of the former commune of Boussoit) Arrondissement de Thuin Only the communes of: Anderlues Morlanwelz
Denmark		
Germany	Kreis Berlin-Ost, Stadt	
Greece		
Spain		Comunidad Autonoma Cantabria

Member State	Transitional support from 1 January 2000 until	
	31 December 2005 ⁽¹⁾	31 December 2006
France		Arrondissements d'Avesnes, de Douai et de Valenciennes Région Corse
Ireland	Dublin, Mid-East, Mid-West, South-West	South-East
Italy		Regione Molise
Luxembourg		
the Netherlands	Provincie Flevoland	
Austria		
Portugal	Lisboa e Vale de Tejo except Médio Tejo e Lezíria do Tejo	Médio Tejo e Lezíria do Tejo
Finland		
Sweden		
United Kingdom	Highlands and Islands except Islands Northern Ireland	Islands (1995 NUTS III boundaries)

⁽¹⁾ The areas listed below will continue to receive assistance from the ESF, the FIFG and the EAGGF Guidance Section in 2006 only within the same form of assistance.

COMMISSION DECISION
of 1 July 1999
establishing a population ceiling for each Member State under Objective 2 of the Structural Funds
for the period 2000 to 2006

(notified under document number C(1999) 1771)

(1999/503/EC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EC) No 1260/1999 of 21 June 1999 laying down general provisions on the Structural Funds ⁽¹⁾, and in particular Article 4(2) thereof,

- (1) Whereas point 2 of the first subparagraph of Article 1 of Regulation (EC) No 1260/1999 states that Objective 2 of the Structural Funds aims to support the economic and social conversion of areas facing structural difficulties;
- (2) Whereas Article 4(2) of Regulation (EC) No 1260/1999 stipulates that the population of the areas covered by Objective 2 may not exceed 18 % of the total population of the Community and whereas the Commission must set a population ceiling for each Member State accordingly, on the basis of the total population in the NUTS level III regions of each Member State which meet the specific criteria for the industrial and rural areas undergoing socio-economic change referred to in paragraph 5 and 6 of that Article and according to the severity of the structural problems at national level in each Member State as compared with the other Member States concerned and the need to ensure that each Member State makes a fair contribution to the overall concentration effort;
- (3) Whereas Article 4(2)(b) of Regulation (EC) No 1260/1999 requires the severity of the structural problems at national level to be assessed on the basis of total unemployment and long-term unemployment outside the regions eligible under Objective 1;

- (4) Whereas Article 4(2)(c) of Regulation (EC) No 1260/1999 stipulates that the maximum reduction in the population covered by Objective 2 may not exceed one third compared to the population covered by Objectives 2 and 5(b) in 1999, as set out in Council Regulation (EEC) No 2052/88 of 24 June 1988 on the tasks of the Structural Funds and their effectiveness and on coordination of their activities between themselves and with the operations of the European Investment Bank and the other existing financial instruments ⁽²⁾, as last amended by Regulation (EC) No 3193/94 ⁽³⁾;
- (5) Whereas the population ceilings by Member State should be established on the basis of Community statistics available at the time of the Berlin European Council of 24 and 25 March 1999,

HAS ADOPTED THIS DECISION:

Article 1

The population ceilings for each Member State under Objective 2 for the period 2000 to 2006 shall be those set out in the Annex.

Article 2

This Decision is addressed to the Member States.

Done at Brussels, 1 July 1999.

For the Commission

Monika WULF-MATHIES

Member of the Commission

⁽¹⁾ OJ L 161, 26.6.1999, p. 1.

⁽²⁾ OJ L 185, 15.7.1988, p. 9.

⁽³⁾ OJ L 337, 24.12.1994, p. 11.

ANNEX

**establishing a population ceiling for each Member State under Objective 2 of the Structural Funds for the period
2000 to 2006**

Member State	Population ceiling (1 000 population)
Belgium	1 269
Denmark	538
Germany	10 296
Greece	—
Spain	8 809
France	18 768
Ireland	—
Italy	7 402
Luxembourg	118
Netherlands	2 333
Austria	1 995
Portugal	—
Finland	1 582
Sweden	1 223
United Kingdom	13 836

COMMISSION DECISION
of 1 July 1999
fixing an indicative allocation by Member State of the commitment appropriations for Objective 2
of the Structural Funds for the period 2000 to 2006

(notified under document number C(1999) 1772)

(1999/504/EC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EC) No 1260/1999 of 21 June 1999 laying down general provisions on the Structural Funds ⁽¹⁾, and in particular the first subparagraph of Article 7(3) thereof,

- (1) Whereas point 2 of the first subparagraph of Article 1 of Regulation (EC) No 1260/1999 states that Objective 2 of the Structural Funds aims to support the economic and social conversion of areas facing structural difficulties;
- (2) Whereas the third subparagraph of Article 7(2) of Regulation (EC) No 1260/1999 stipulates that 11,5 % of the appropriations for the Structural Funds are to be allocated to Objective 2, including 1,4 % for transitional support;
- (3) Whereas the first subparagraph of Article 7(3) of Regulation (EC) No 1260/1999 stipulates that the Commission is to use transparent procedures to make indicative breakdowns by Member State of the commitment appropriations available for programming in 2000 to 2006 taking full account, for Objectives 1 and 2, of one or more objective criteria similar to those applied during the previous period covered by Council Regulation (EEC) No 2052/88 of 24 June 1988 on the tasks of the Structural Funds and their effectiveness and on coordination of their activities between themselves and with the operations of the European Investment Bank and the other existing financial instruments ⁽²⁾, as last amended by Regulation (EC) No 3193/94 ⁽³⁾, namely eligible population, regional prosperity, national prosperity and the relative severity of the structural problems, especially the level of unemployment;
- (4) Whereas the third subparagraph of Article 7(3) of Regulation (EC) No 1260/1999 stipulates, in the case of Objectives 1 and 2, that these breakdowns are to distinguish allocations of appropriations to regions and areas benefiting from transitional support, that these allocations are to be determined in accordance with the criteria referred to in the first subparagraph of that

Article, and that the annual breakdown of these appropriations is to be degressive as from 1 January 2000 and lower in 2000 than in 1999;

- (5) Whereas the Commission's statement annexed to the minutes of the Council meeting of 21 June 1999 indicates the method that the Commission will use to decide the indicative allocation by Member State of the appropriations for Objective 2, in accordance with the first subparagraph of Article 7(3) of Regulation (EC) No 1260/1999;
- (6) Whereas, bearing this method in mind, paragraph 44(g) of the Presidency conclusions of the Berlin European Council of 24 and 25 March 1999 fixed the amounts pertaining to certain specific cases for the period 2000 to 2006,

HAS ADOPTED THIS DECISION:

Article 1

The indicative amounts by Member State of the commitment appropriations for Objective 2 for 2000 to 2006 shall be as set out in Annex I.

Article 2

The indicative amounts by Member State of the commitment appropriations for transitional support under Objective 2 for 2000 to 2005 shall be as set out in Annex II.

Article 3

This Decision is addressed to the Member States.

Done at Brussels, 1 July 1999.

For the Commission

Monika WULF-MATHIES

Member of the Commission

⁽¹⁾ OJ L 161, 26.6.1999, p. 1.

⁽²⁾ OJ L 185, 15.7.1988, p. 9.

⁽³⁾ OJ L 337, 24.12.1994, p. 11.

ANNEX I

**Indicative allocation by Member State of the commitment appropriations for Objective 2 of the Structural Funds
for the period 2000 to 2006**

(EUR million (1999 prices))

Member State	Appropriations
Belgium	368
Denmark	156
Germany	2 984
Greece	—
Spain	2 553
France	5 437
Ireland	—
Italy	2 145
Luxembourg	34
Netherlands	676
Austria	578
Portugal	—
Finland	459
Sweden	354
United Kingdom	3 989
Total	19 733

ANNEX II

Indicative allocation by Member State of the commitment appropriations for transitional support under Objective 2 of the Structural Funds for the period 2000 to 2005*(EUR million (1999 prices))*

Member State	Appropriations
Belgium	65
Denmark	27
Germany	526
Greece	—
Spain	98
France	613
Ireland	—
Italy	377
Luxembourg	6
Netherlands	119
Austria	102
Portugal	—
Finland	30
Sweden	52
United Kingdom	706
Total	2 721

COMMISSION DECISION

of 1 July 1999

fixing an indicative allocation by Member State of the commitment appropriations for Objective 3 of the Structural Funds for the period 2000 to 2006*(notified under document number C(1999) 1774)*

(1999/505/EC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EC) No 1260/1999 of 21 June 1999 laying down general provisions on the Structural Funds ⁽¹⁾, and in particular the first and second subparagraphs of Article 7(3) thereof,

- (1) Whereas point 3 of the first subparagraph of Article 1 of Regulation (EC) No 1260/1999 states that Objective 3 of the Structural Funds aims to support adaptation and modernisation of policies and systems of education, training and employment;
- (2) Whereas the fourth subparagraph of Article 7(2) of Regulation (EC) No 1260/1999 stipulates that 12,3 % of the appropriations for the Structural Funds are to be allocated to Objective 3;
- (3) Whereas the first subparagraph of Article 7(3) of Regulation (EC) No 1260/1999 stipulates that the Commission is to use transparent procedures to make indicative breakdowns by Member State of the commitment appropriations available for programming in 2000 to 2006;
- (4) Whereas the second subparagraph of Article 7(3) of Regulation (EC) No 1260/1999 stipulates, in the case of Objective 3, that the breakdown by Member State shall be based principally on the eligible population, the employment situation and the severity of problems, such as social exclusion, education and training levels, and participation of women in the labour market;
- (5) Whereas the Berlin European Council of 24 and 25 March 1999 approved, in paragraph 45 of the Presidency conclusions, the methodology proposed by the Commission in accordance with the second subpara-

graph of Article 7(3) of Regulation (EC) No 1260/1999 for the indicative allocation of Objective 3 appropriations;

- (6) Whereas the Berlin European Council of 24 and 25 March 1999, in paragraph 44(d) and (e) of the Presidency conclusions, fixed the amounts pertaining to certain specific cases for the period 2000 to 2006;
- (7) Whereas the Commission's statement annexed to the minutes of the Council meeting of 21 June 1999 indicates the method that the Commission will use to decide the indicative allocation by Member State of the appropriations for Objective 3, in accordance with the second subparagraph of Article 7(3) of Regulation (EC) No 1260/1999;

HAS ADOPTED THIS DECISION:

Article 1

The indicative amounts per Member State of the commitment appropriations for Objective 3 for 2000 to 2006 shall be as set out in the Annex.

Article 2

This Decision is addressed to the Member States.

Done at Brussels, 1 July 1999.

For the Commission

Pádraig FLYNN

Member of the Commission

⁽¹⁾ OJ L 161, 26.6.1999, p. 1.

ANNEX

**Indicative allocation by Member State of the commitment appropriations for Objective 3 of the Structural Funds
for the period 2000 to 2006***(EUR million (1999 prices))*

Member State	Appropriations
Belgium	737
Denmark	365
Germany	4 581
Greece	—
Spain	2 140
France	4 540
Ireland	—
Italy	3 744
Luxembourg	38
Netherlands	1 686
Austria	528
Portugal	—
Finland	403
Sweden	720
United Kingdom	4 568
Total	24 050

COMMISSION DECISION**of 26 July 1999****amending Decision 98/610/EC, Euratom, setting up expert groups to assist the Commission on the content and orientation of the key actions in the field of research and technological development***(notified under document number C(1999) 2359)***(Text with EEA relevance)***(1999/506/EC, Euratom)*

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to the Treaty establishing the European Atomic Energy Community.

- (1) Whereas by its Decision 98/610/EC, Euratom ⁽¹⁾, the Commission set up expert groups to assist it on the content and orientation of the key actions in the field of research and technological development;
- (2) Whereas in this connection, the members of the expert groups were appointed by the Commission in a personal capacity for a period of two years; whereas new appointments aimed at extending the range of geographical origins, achieving a better balance of scientific and technical qualifications and replacing members no longer able to participate may have to be made during that period;
- (3) Whereas it is necessary to ensure the homogeneity of the expert groups as a general principle, facilitate their administration by the Commission departments and provide the required degree of transparency;
- (4) Whereas, in this connection, the mandate of the new members should come to an end at the same time as that of the other members appointed previously,

HAS DECIDED AS FOLLOWS:

Article 1

In Article 4(1) of Decision 98/610/EC, Euratom, the first subparagraph is replaced by the following:

'The members of the expert groups shall be appointed by the Commission in a personal capacity for a maximum of two years. This appointment may be renewed once only, for a maximum of two years.'

Article 2

This Decision shall take effect on the date of its adoption.

Done at Brussels, 26 July 1999.

For the Commission

Édith CRESSON

Member of the Commission

⁽¹⁾ OJ L 290, 29.10.1998, p. 57.

COMMISSION DECISION

of 26 July 1999

on certain protection measures with regard to certain fruit bats, dogs and cats coming from Malaysia (Peninsula) and Australia

(notified under document number C(1999) 2467)

(Text with EEA relevance)

(1999/507/EC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

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

- (1) Whereas the principle animal health conditions to be complied with by Member States when importing from third countries dogs, cats and other animals susceptible to rabies are laid down in Directive 92/65/EEC ⁽³⁾; whereas however the veterinary certification is not yet harmonized;
- (2) Whereas fatal cases of Hendra disease and Nipah disease in human have been declared respectively in Australia and in Malaysia;
- (3) Whereas fruit bats of the genus *Pteropus* are considered the natural host of Hendra disease virus and incriminated in being the virus reservoir for Nipah disease; whereas however these mammals do not show clinical signs of disease and may harbour the virus in the presence of neutralising antibodies;
- (4) Whereas fruit bats are occasionally imported from third countries; whereas pending Community animal health conditions for imports from third countries of fruit bats, it appears necessary to introduce certain protection measures with regard to Hendra and Nipah diseases;
- (5) Whereas Hendra disease may be transmitted by cats, and dogs and cats contract Nipah disease; whereas the exposure to the respective viruses stimulates seroconversion in diseased and reconvalescent animals, which can be detected by laboratory testing;
- (6) Whereas the presence of this zoonotic disease in the above countries is liable to constitute a danger for persons and susceptible animals in the Community;

(7) Whereas it is necessary to adopt protection measures at Community level with regard to imports of fruit bats, dogs and cats from Malaysia (Peninsula) and Australia;

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

HAS ADOPTED THIS DECISION:

Article 1

1. The imports of fruit bats of the genus *Pteropus* from Malaysia (Peninsula) and Australia are prohibited.
2. Derogation from paragraph 1 and without prejudice to the provisions of Council Directive 92/65/EEC, fruit bats of the genus *Pteropus* may be imported under the following conditions:
 - the animals originate from captive colonies, and
 - the animals have been isolated in quarantine premises for at least 60 days, and
 - the animals have been subjected with negative results to a serum neutralisation or approved ELISA test for antibody against Hendra and Nipah disease viruses, carried out in a laboratory approved for these tests by the competent authorities on samples of blood taken on two occasions with an interval of 21 to 30 days, the second sample to be taken within 10 days of export.

Article 2

1. The imports of dogs and cats from Malaysia (Peninsula) are prohibited.
2. Derogating from paragraph 1 dogs and cats may be imported under the following conditions:
 - the animals had no contact with pigs during at least the past 60 days prior to export, and
 - the animals have not been resident on holdings where during the past 60 days cases of Nipah disease have been confirmed, and
 - the animals have been subjected with negative result to an IgM and IgG capture ELISA test carried out in a laboratory approved for testing for antibody against the Nipah disease viruses by the competent veterinary authorities on a sample of blood taken within 10 days of export.

⁽¹⁾ OJ L 268, 24.9.1991, p. 56.

⁽²⁾ OJ L 162, 1.7.1996, p. 1.

⁽³⁾ OJ L 268, 14.9.1992, p. 54.

Article 3

1. The imports of cats from Australia are prohibited.
 2. Derogating from paragraph 1 cats may be imported under the following conditions:
 - the animals have not been resident on holdings where during the past 60 days cases of Hendra disease have been confirmed, and
 - the animals have been subjected with negative result to an IgM and IgG capture ELISA test carried out in a laboratory approved for testing for antibody against the Hendra disease viruses by the competent veterinary authorities on a sample of blood taken within 10 days of export.
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Article 4

Member States shall amend the measures they apply with regard to Malaysia (Peninsula) and Australia to bring them into line with this Decision.

They shall inform the Commission thereof.

Article 5

This Decision is addressed to Member States.

Done at Brussels, 26 July 1999.

For the Commission

Franz FISCHLER

Member of the Commission