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COUNCIL JOINT ACTION
of 29 July 1999
concerning the installation of the structures of the United Nations Mission in Kosovo (UNMIK)
(1999/522/CFSP)

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty on European Union, and in particular Article 14 thereof,

Whereas:

- (1) United Nations Security Council Resolution 1244 (1999) of 10 June 1999 establishes the principle of organisation of the civil administration in Kosovo (UNMIK), headed by a Special Representative of the United Nations Secretary-General;
- (2) The Special Representative of the United Nations Secretary-General will be assisted in his duties by four Deputy Special Representatives, each responsible for one major component of the United Nations Mission;
- (3) The United Nations Secretary-General wished to entrust the task of economic reconstruction, rehabilitation and development of Kosovo to the European Union; on 19 July 1999 the Council welcomed the rapid deployment of the fourth UNMIK component and the UN Secretary-General's appointment of Mr Dixon as Deputy Special Representative on 2 July 1999,

HAS ADOPTED THIS JOINT ACTION:

Article 1

The European Union shall ensure the installation of the UNMIK component which it has been made responsible for and notes the UN Secretary-General's appointment of Mr Joly Dixon as head of that component.

Article 2

1. The financial reference amount to cover the cost of the task referred to in Article 1 shall be EUR 910 000 for the period to 31 December 1999.
2. The amount referred to in paragraph 1 is intended to finance the infrastructure and current expenditure of the UNMIK component entrusted to the European Union, including the travel and subsistence expenses and daily allowances of seconded staff and the salaries of local staff.
3. Member States and institutions of the European Union may propose the secondment of staff to the UNMIK component entrusted to the Union. The remuneration of staff so seconded shall be covered by the Member State or institution concerned respectively.

Article 3

This Joint Action shall apply from 2 July to 31 December 1999.

Article 4

This Joint Action shall be published in the Official Journal.

Done at Brussels, 29 July 1999.

For the Council
The President
T. HALONEN

**Council Joint Action
of 29 July 1999
confirming the appointment of the Special Representative of the European Union to act as
Coordinator of the Stability Pact for South-Eastern Europe
(1999/523/CFSP)**

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty on European Union, and in particular Articles 14 and 18(5) thereof,

Whereas:

- (1) On 10 June 1999 the Foreign Ministers of the Member States of the European Union and the Commission of the European Communities, together with the other participants in the Stability Pact for South-Eastern Europe agreed to establish a Stability Pact for South-Eastern Europe, hereinafter called the 'Stability Pact';
- (2) Decision 1999/345/CFSP⁽¹⁾ appointed Mr Bodo Hombach as EU Special Representative to carry out the functions of Special Coordinator of the Stability Pact for South-Eastern Europe, thereby enabling him to start work immediately; this Decision expires on 31 July 1999 unless confirmed by a Joint Action;
- (3) On 19 July 1999 the Council requested its competent bodies to prepare a Joint Action to be adopted by the end of July 1999 confirming the appointment of Mr Hombach as EU Special Representative and providing him with the necessary human and logistical resources to carry out this task,

HAS ADOPTED THIS JOINT ACTION:

Article 1

1. This Joint Action confirms the appointment of Mr Bodo Hombach as EU Special Representative to carry out the functions of Special Coordinator for the Stability Pact for South-Eastern Europe according to the arrangements provided for in point 13 of the Stability Pact document.

2. The Special Coordinator shall carry out the tasks envisaged by the Stability Pact, as follows:

- promote achievement of the Pact's objectives within, and between, the individual countries;
- chair the South-Eastern Europe Regional Table;
- establish and maintain close contact with all participants and facilitating States, organisations and institutions of the Stability Pact, as well as pertinent regional initiatives and organisations;
- provide periodic progress reports to the OSCE Chairman in Office, according to its procedures, on behalf of the South-Eastern Europe Regional Table;

- participate in the High Level Steering Group of the donors coordination process;
- cooperate closely with all EU institutions in order to promote the EU role in the Stability Pact according to points 18, 19 and 20 of the Stability Pact document;
- meet periodically and as necessary with the Chairmen of the Working Tables to ensure overall coordination;
- assure the Secretariat of the South-Eastern Europe Regional Table and the three Working Tables.

3. To this end, the EU shall, by providing its Special Representative with the necessary human and logistical resources, make a substantial contribution to his functions also as Special Coordinator. The European Union looks to the other participants in the Stability Pact also to make an equitable contribution to the functioning of the Pact. The Special Representative and his staff will be based in Brussels.

Article 2

1. The EU Special Representative and the EU Special Representative for the Royaumont process shall coordinate their action.

2. The EU Special Representative shall liaise closely with the Office of the High Representative in Bosnia and Herzegovina.

3. The EU Special Representative shall also liaise closely with the United Nations Civil Administration in Kosovo.

Article 3

1. The financial reference amount intended to cover the costs related to the mission of the EU Special Representative shall be EUR 850 000 for the period ending on 31 December 1999.

2. The amount specified in paragraph 1 shall be allocated to finance the infrastructure and current expenditure of the Special Representative, including his salary and a special allowance as well as salaries of his support staff not covered by secondment plus a start-up amount, pending burden-sharing arrangements with other Stability Pact participants, to initiate work necessary for the early implementation of the Stability Pact. Member States and EU institutions may propose the secondment of staff to work with the Special Representative. The remuneration of personnel who might be seconded by a Member State or an EU institution to the Special Representative shall be covered respectively by the Member State or the EU institution concerned.

⁽¹⁾ OJ L 168, 3.7.1999, p. 34.

3. The Council notes that the Presidency, Commission and/or Member States, as appropriate, will provide logistical support in the region.

4. The privileges, immunities and further guarantees necessary for the completion and smooth functioning of the mission of the Special Representative and the members of his staff shall be defined with the parties. Member States and the Commission shall grant all necessary support to such effect.

Article 4

The EU Special Representative shall be guided by, and report under the authority of, the Presidency, assisted by the Secretary General to, the Council on a regular basis and as the need arises. The Commission shall be fully associated.

Article 5

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

This Joint Action shall apply until 31 December 1999, unless renewed subject to a review including administrative and financial aspects.

Article 6

This Joint Action shall be published in the Official Journal.

Done at Brussels, 29 July 1999.

For the Council

The President

T. HALONEN

COUNCIL DECISION
of 29 July 1999
repealing Joint Action 1999/239/CFSP in relation to the nomination of an EU Special Envoy for
Kosovo

(1999/524/CFSP)

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty on European Union, and in particular Article 14 thereof,

Whereas:

- (1) On 30 March 1999 the Council adopted Joint Action 1999/239/CFSP ⁽¹⁾ in relation to the nomination of Mr Wolfgang Petritsch as the EU Special Envoy for Kosovo;
- (2) In the light of developments in the region, in particular the deployment of the United Nations Mission in Kosovo, the Union considers that the mandate of the Special Representative for Kosovo has been fulfilled; on 19 July 1999 the Council commended the work of Ambassador Petritsch as the European Union's Special Envoy for Kosovo,

HAS DECIDED AS FOLLOWS:

Article 1

Joint Action 1999/239/CFSP is hereby repealed.

Article 2

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

Article 3

This Decision shall be published in the Official Journal.

Done at Brussels, 29 July 1999.

For the Council
The President
S. HASSI

⁽¹⁾ OJ L 89, 1.4.1999, p. 1.

I

(Acts whose publication is obligatory)

COMMISSION REGULATION (EC) No 1691/1999
of 30 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 31 July 1999.

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

Done at Brussels, 30 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 30 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
	052	45,9
0709 90 70	999	45,9
	388	52,8
	524	51,9
0805 30 10	528	64,7
	999	56,5
	052	96,0
0806 10 10	220	92,0
	388	132,7
	400	232,1
	508	160,4
	512	44,9
	600	96,4
	624	131,8
	999	123,3
	388	76,9
	400	66,3
0808 10 20, 0808 10 50, 0808 10 90	508	81,4
	512	72,0
	524	65,3
	528	69,2
	800	167,4
	804	95,5
	999	86,8
	052	107,1
	388	73,6
	512	78,6
0808 20 50	528	76,3
	804	75,8
	999	82,3
	052	118,6
	064	70,8
0809 10 00	999	94,7
	052	170,6
	400	197,6
0809 20 95	616	222,4
	999	196,9
	064	59,1
0809 40 05	624	188,6
	999	123,8

⁽¹⁾ Country nomenclature as fixed by Commission Regulation (EC) No 2645/98 (OJ L 335, 10.12.1998, p. 22). Code '999' stands for 'of other origin'.

COMMISSION REGULATION (EC) No 1692/1999
of 30 July 1999
fixing the import duties in the cereals sector

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

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

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

- (1) Whereas Article 10 of Regulation (EEC) No 1766/92 provides that the rates of duty in the Common Customs Tariff are to be charged on import of the products referred to in Article 1 of that Regulation; whereas, however, in the case of the products referred to in paragraph 2 of that Article, the import duty is to be equal to the intervention price valid for such products on importation and increased by 55 %, minus the cif import price applicable to the consignment in question; however, that duty may not exceed the rate of duty in the Common Customs Tariff;
- (2) Whereas, pursuant to Article 10 (3) of Regulation (EEC) No 1766/92, the cif import prices are calculated on the basis of the representative prices for the product in question on the world market;

- (3) Whereas Regulation (EC) No 1249/96 lays down detailed rules for the application of Council Regulation (EEC) No 1766/92 as regards import duties in the cereals sector;
- (4) Whereas the import duties are applicable until new duties are fixed and enter into force; whereas they also remain in force in cases where no quotation is available for the reference exchange referred to in Annex II to Regulation (EC) No 1249/96 during the two weeks preceding the next periodical fixing;
- (5) Whereas, in order to allow the import duty system to function normally, the representative market rates recorded during a reference period should be used for calculating the duties;
- (6) Whereas application of Regulation (EC) No 1249/96 results in import duties being fixed as set out in the Annex to this Regulation,

HAS ADOPTED THIS REGULATION:

Article 1

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

Article 2

This Regulation shall enter into force on 1 August 1999.

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

Done at Brussels, 30 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 161, 29.6.1996, p. 125.

⁽⁴⁾ OJ L 315, 25.11.1998, p. 7.

ANNEX I

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

CN code	Description	Import duty by land inland waterway or sea from Mediterranean, the Black Sea or Baltic Sea ports (EUR/tonne)	Import duty by air or by sea from other ports ⁽²⁾ (EUR/tonne)
1001 10 00	Durum wheat high quality	16,19	6,19
	medium quality ⁽¹⁾	26,19	16,19
1001 90 91	Common wheat seed	36,79	26,79
1001 90 99	Common high quality wheat other than for sowing ⁽³⁾	36,79	26,79
	medium quality	78,28	68,28
	low quality	97,52	87,52
1002 00 00	Rye	89,51	79,51
1003 00 10	Barley, seed	89,51	79,51
1003 00 90	Barley, other ⁽³⁾	89,51	79,51
1005 10 90	Maize seed other than hybrid	102,80	98,68
1005 90 00	Maize other than seed ⁽³⁾	102,80	98,68
1007 00 90	Grain sorghum other than hybrids for sowing	100,36	90,36

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

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

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

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

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

ANNEX II

Factors for calculating duties

(period from 16 July to 29 July 1999)

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

Exchange quotations	Minneapolis	Kansas-City	Chicago	Chicago	Minneapolis	Minneapolis	Minneapolis
Product (% proteins at 12 % humidity)	HRS2. 14 %	HRW2. 11,5 %	SRW2	YC3	HAD2	Medium quality (*)	US barley 2
Quotation (EUR/t)	115,73	96,17	88,64	74,80	153,03 (**)	143,03 (**)	79,71 (**)
Gulf premium (EUR/t)	—	6,21	– 5,49	8,04	—	—	—
Great Lakes premium (EUR/t)	16,70	—	—	—	—	—	—

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

(**) Fob Duluth.

2. Freight/cost: Gulf of Mexico — Rotterdam: EUR 14,08/t; Great Lakes — Rotterdam: EUR 25,53/t.

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

COMMISSION REGULATION (EC) No 1693/1999
of 30 July 1999
amending Regulation (EEC) No 391/92 setting the amounts of aid for the supply of cereals products
from the Community to the French overseas departments

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EEC) No 3763/91 of 16 December 1991 introducing specific measures in respect of certain agricultural products for the benefit of the French overseas departments ⁽¹⁾, as last amended by Regulation (EC) No 2598/95 ⁽²⁾, and in particular Article 2 (6) thereof,

- (1) Whereas the amounts of aid for the supply of cereals products to the French overseas departments (FOD) has been settled by Commission Regulation (EEC) No 391/92 ⁽³⁾, as last amended by Regulation (EC) No 1358/1999 ⁽⁴⁾; whereas, as a consequence of the changes of the rates and prices for cereals products in the European part of the Community and on the world market, the aid

for supply to the FOD should be set at the amounts given in the Annex;

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

HAS ADOPTED THIS REGULATION:

Article 1

The Annex of amended Regulation (EEC) No 391/92 is replaced by the Annex to the present Regulation.

Article 2

This Regulation shall enter into force on 1 August 1999.

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

Done at Brussels, 30 July 1999.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ L 356, 24.12.1991, p. 1.

⁽²⁾ OJ L 267, 9.11.1995, p. 1.

⁽³⁾ OJ L 43, 19.2.1992, p. 23.

⁽⁴⁾ OJ L 162, 26.6.1999, p. 19.

ANNEX

to the Commission Regulation of 30 July 1999 amending Regulation (EEC) No 391/92 setting the amounts of aid for the supply of cereals products from the Community to the French overseas departments

(EUR/t)

Product (CN code)	Amount of aid			
	Destination			
	Guadeloupe	Martinique	French Guiana	Réunion
Common wheat (1001 90 99)	43,00	43,00	43,00	46,00
Barley (1003 00 90)	47,00	47,00	47,00	50,00
Maize (1005 90 00)	67,00	67,00	67,00	70,00
Durum wheat (1001 10 00)	12,00	12,00	12,00	16,00

COMMISSION REGULATION (EC) No 1694/1999
of 30 July 1999
amending Regulation (EEC) No 1832/92 setting the amounts of aid for the supply of cereals
products from the Community to the Canary Islands

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EEC) No 1601/92 of 15 June 1992 introducing specific measures in respect of certain agricultural products for the benefit of the Canary Islands ⁽¹⁾, as last amended by Regulation (EC) No 2348/96 ⁽²⁾, and in particular Article 3 ⁽⁴⁾ thereof,

- (1) Whereas the amounts of aid for the supply of cereals products to the Canary Islands has been settled by Commission Regulation (EEC) No 1832/92 ⁽³⁾, as last amended by Regulation (EC) No 1115/1999 ⁽⁴⁾; whereas, as a consequence of the changes of the rates and prices for cereals products in the European part of the Community and on the world market, the aid for supply

to the Canary Islands should be set at the amounts given in the Annex;

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

HAS ADOPTED THIS REGULATION:

Article 1

The Annex of amended Regulation (EEC) No 1832/92 is replaced by the Annex to the present Regulation.

Article 2

This Regulation shall enter into force on 1 August 1999.

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

Done at Brussels, 30 July 1999.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ L 173, 27.6.1992, p. 13.

⁽²⁾ OJ L 320, 11.12.1996, p. 1.

⁽³⁾ OJ L 185, 4.7.1992, p. 26.

⁽⁴⁾ OJ L 135, 29.5.1999, p. 24.

ANNEX

to the Commission Regulation of 30 July 1999 amending Regulation (EEC)
No 1832/92 setting the amounts of aid for the supply of cereals products from the Community to the Canary
Islands

		(EUR/t)
Product (CN code)		Amount of aid
Common wheat	(1001 90 99)	40,00
Barley	(1003 00 90)	44,00
Maize	(1005 90 00)	64,00
Durum wheat	(1001 10 00)	8,00
Oats	(1004 00 00)	44,00

COMMISSION REGULATION (EC) No 1695/1999
of 30 July 1999
amending Regulation (EEC) No 1833/92 setting the amounts of aid for the supply of cereals
products from the Community to the Azores and Madeira

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EEC) No 1600/92 of 15 June 1992 introducing specific measures in respect of certain agricultural products for the benefit of the Azores and Madeira ⁽¹⁾, as last amended by Regulation (EC) No 562/98 ⁽²⁾, and in particular Article 10 thereof,

- (1) Whereas the amounts of aid for the supply of cereals products to the Azores and Madeira has been settled by Commission Regulation (EEC) No 1833/92 ⁽³⁾, as last amended by Regulation (EC) No 1360/1999 ⁽⁴⁾; whereas, as a consequence of the changes of the rates and prices for cereals products in the European part of the Community and on the world market, the aid for supply

to the Azores and Madeira should be set at the amounts given in the Annex;

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

HAS ADOPTED THIS REGULATION:

Article 1

The Annex of amended Regulation (EEC) No 1833/92 is replaced by the Annex to the present Regulation.

Article 2

This Regulation shall enter into force on 1 August 1999.

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

Done at Brussels, 30 July 1999.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ L 173, 27.6.1992, p. 1.

⁽²⁾ OJ L 76, 13.3.1998, p. 6.

⁽³⁾ OJ L 185, 4.7.1992, p. 28.

⁽⁴⁾ OJ L 162, 26.6.1999, p. 23.

ANNEX

to the Commission Regulation of 30 July 1999 amending Regulation (EEC) No 1833/92 setting the amounts of aid for the supply of cereals products from the Community to the Azores and Madeira

		(EUR/t)	
Product (CN code)		Amount of aid	
		Destination	
		Azores	Madeira
Common wheat	(1001 90 99)	40,00	40,00
Barley	(1003 00 90)	44,00	44,00
Maize	(1005 90 00)	64,00	64,00
Durum wheat	(1001 10 00)	8,00	8,00

COMMISSION REGULATION (EC) No 1696/1999
of 30 July 1999
fixing the refunds applicable to cereal and rice sector products supplied as Community and national food aid

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

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

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

- (1) Whereas Article 2 of Council Regulation (EEC) No 2681/74 of 21 October 1974 on Community financing of expenditure incurred in respect of the supply of agricultural products as food aid ⁽⁵⁾ lays down that the portion of the expenditure corresponding to the export refunds on the products in question fixed under Community rules is to be charged to the European Agricultural Guidance and Guarantee Fund, Guarantee Section;
- (2) Whereas, in order to make it easier to draw up and manage the budget for Community food aid actions and to enable the Member States to know the extent of Community participation in the financing of national

food aid actions, the level of the refunds granted for these actions should be determined;

- (3) Whereas the general and implementing rules provided for in Article 13 of Regulation (EEC) No 1766/92 and in Article 13 of Regulation (EC) No 3072/95 on export refunds are applicable *mutatis mutandis* to the abovementioned operations;
- (4) Whereas the specific criteria to be used for calculating the export refund on rice are set out in Article 13 of Regulation (EC) No 3072/95;
- (5) Whereas the measures provided for this Regulation are in accordance with the opinion of the Management Committee for Cereals,

HAS ADOPTED THIS REGULATION:

Article 1

For Community and national food aid operations under international agreements or other supplementary programmes, and other Community free supply measures, the refunds applicable to cereals and rice sector products shall be as set out in the Annex.

Article 2

This Regulation shall enter into force on 1 August 1999.

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

Done at Brussels, 30 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 329, 30.12.1995, p. 18.

⁽⁴⁾ OJ L 265, 30.9.1998, p. 4.

⁽⁵⁾ OJ L 288, 25.10.1974, p. 1.

ANNEX

to the Commission Regulation of 30 July 1999 fixing the refunds applicable to cereal and rice sector products supplied as Community and national food aid

(EUR/t)

Product code	Refund
1001 10 00 9400	0,00
1001 90 99 9000	37,00
1002 00 00 9000	55,00
1003 00 90 9000	41,00
1004 00 00 9400	41,00
1005 90 00 9000	61,00
1006 30 92 9100	145,00
1006 30 92 9900	145,00
1006 30 94 9100	145,00
1006 30 94 9900	145,00
1006 30 96 9100	145,00
1006 30 96 9900	145,00
1006 30 98 9100	145,00
1006 30 98 9900	145,00
1006 30 65 9900	145,00
1006 40 00 9000	—
1007 00 90 9000	61,00
1101 00 15 9100	50,00
1101 00 15 9130	50,00
1102 20 10 9200	85,79
1102 20 10 9400	73,54
1102 30 00 9000	—
1102 90 10 9100	52,01
1103 11 10 9200	0,00
1103 11 90 9200	0,00
1103 13 10 9100	110,30
1103 14 00 9000	—
1104 12 90 9100	83,84
1104 21 50 9100	69,34

NB: The product codes are defined in Commission Regulation (EEC) No 3846/87 (OJ L 366, 24. 12. 1987, p. 1), amended.

COMMISSION REGULATION (EC) No 1697/1999**of 30 July 1999****fixing the export refunds on syrups and certain other sugar products exported in the natural state**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

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

- (1) Whereas Article 17 of Regulation (EEC) No 1785/81 provides that the difference between quotations or prices on the world market for the products listed in Article 1 (1) (d) of that Regulation and prices for those products within the Community may be covered by an export refund;
- (2) Whereas Article 3 of Commission Regulation (EC) No 2135/95 of 7 September 1995 laying down detailed rules of application for the grant of export refunds in the sugar sector ⁽³⁾, provides that the export refund on 100 kilograms of the products listed in Article 1 (1) (d) of Regulation (EEC) No 1785/81 is equal to the basic amount multiplied by the sucrose content, including, where appropriate, other sugars expressed as sucrose; whereas the sucrose content of the product in question is determined in accordance with Article 3 of Commission Regulation (EC) No 2135/95;
- (3) Whereas Article 17 (6) of Regulation (EEC) No 1785/81 provides that the basic amount of the refund on sorbose exported in the natural state must be equal to the basic amount of the refund less one-hundredth of the production refund applicable, pursuant to Council Regulation (EEC) No 1010/86 of 25 March 1986 laying down general rules for the production refund on sugar used in the chemical industry ⁽⁴⁾, as last amended by Regulation (EC) No 1148/98, to the products listed in the Annex to the last mentioned Regulation;
- (4) Whereas the basic amount of the refund on the other products listed in Article 1 (1) (d) of Regulation (EEC) No 1785/81 exported in the natural state must be equal

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

- (5) Whereas the application of the basic amount may be limited to some of the products listed in Article 1 (1) (d) of Regulation (EEC) No 1785/81;
- (6) Whereas Article 17 of Regulation (EEC) No 1785/81 makes provision for setting refunds for export in the natural state of products referred to in Article 1 (1) (f) and (g) and (h) of that Regulation; whereas the refund must be fixed per 100 kilograms of dry matter, taking account of the export refund for products falling within CN code 1702 30 91 and for products referred to in Article 1 (1) (d) of Regulation (EEC) No 1785/81 and of the economic aspects of the intended exports; whereas, in the case of the products referred to in the said Article 1 (1) (f) and (g), the refund is to be granted only for products complying with the conditions in Article 5 of Regulation (EC) No 2135/95; whereas, for the products referred to in Article 1 (1) (h), the refund shall be granted only for products complying with the conditions in Article 6 of Regulation (EC) No 2135/95;
- (7) Whereas the refunds referred to above must be fixed every month; whereas they may be altered in the intervening period;
- (8) Whereas application of these quotas results in fixing refunds for the products in question at the levels given in the Annex to this Regulation;
- (9) Whereas the measures provided for in this Regulation are in accordance with the opinion of the Management Committee for Sugar,

⁽¹⁾ OJ L 177, 1.7.1981, p. 4.

⁽²⁾ OJ L 159, 3.6.1998, p. 38.

⁽³⁾ OJ L 214, 8.9.1995, p. 16.

⁽⁴⁾ OJ L 94, 9.4.1986, p. 9.

HAS ADOPTED THIS REGULATION:

Article 1

The export refunds on the products listed in Article 1 (1) (d), (f), (g) and (h) of Regulation (EEC) No 1785/81, exported in the natural state, shall be set out in the Annex hereto.

Article 2

This Regulation shall enter into force on 1 August 1999.

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

Done at Brussels, 30 July 1999.

For the Commission
Franz FISCHLER
Member of the Commission

ANNEX

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

Product code	Amount of refund
	— EUR/100 kg dry matter —
1702 40 10 9100	45,89 ⁽²⁾
1702 60 10 9000	45,89 ⁽²⁾
1702 60 80 9100	87,19 ⁽⁴⁾
	— EUR/1 % sucrose × 100 kg —
1702 60 95 9000	0,4589 ⁽¹⁾
	— EUR/100 kg dry matter —
1702 90 30 9000	45,89 ⁽²⁾
	— EUR/1 % sucrose × 100 kg —
1702 90 60 9000	0,4589 ⁽¹⁾
1702 90 71 9000	0,4589 ⁽¹⁾
1702 90 99 9900	0,4589 ⁽¹⁾ ⁽³⁾
	— EUR/100 kg dry matter —
2106 90 30 9000	45,89 ⁽²⁾
	— EUR/1 % sucrose × 100 kg —
2106 90 59 9000	0,4589 ⁽¹⁾

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

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

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

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

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

COMMISSION REGULATION (EC) No 1698/1999
of 30 July 1999
altering the export refunds on white sugar and raw sugar exported in the natural state

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EEC) No 1785/81 of 30 June 1981 on the common organisation of the markets in the sugar sector ⁽¹⁾, as last amended by Commission Regulation (EC) No 1148/98 ⁽²⁾, and in particular the second subparagraph of Article 19(4) thereof,

- (1) Whereas the refunds on white sugar and raw sugar exported in the natural state were fixed by Commission Regulation (EC) No 1657/1999 ⁽³⁾;
- (2) Whereas it follows from applying the detailed rules contained in Regulation (EC) No 1657/1999 to the information known to the Commission that the export

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

HAS ADOPTED THIS REGULATION:

Article 1

The export refunds on the products listed in Article 1(1)(a) of Regulation (EEC) No 1785/81, undenatured and exported in the natural state, as fixed in the Annex to Regulation (EC) No 1657/1999 are hereby altered to the amounts shown in the Annex hereto.

Article 2

This Regulation shall enter into force on 1 August 1999.

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

Done at Brussels, 30 July 1999.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ L 177, 1.7.1981, p. 4.

⁽²⁾ OJ L 159, 3.6.1998, p. 38.

⁽³⁾ OJ L 197, 29.7.1999, p. 10.

ANNEX

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

Product code	Amount of refund
	— EUR/100 kg —
1701 11 90 9100	42,21 ⁽¹⁾
1701 11 90 9910	42,21 ⁽¹⁾
1701 11 90 9950	⁽²⁾
1701 12 90 9100	42,21 ⁽¹⁾
1701 12 90 9910	42,21 ⁽¹⁾
1701 12 90 9950	⁽²⁾
	— EUR/1 % of sucrose × 100 kg —
1701 91 00 9000	0,4589
	— EUR/100 kg —
1701 99 10 9100	45,89
1701 99 10 9910	45,89
1701 99 10 9950	45,89
	— EUR/1 % of sucrose × 100 kg —
1701 99 90 9100	0,4589

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

⁽²⁾ Fixing suspended by Commission Regulation (EEC) No 2689/85 (OJ L 255, 26. 9. 1985, p. 12), as amended by Regulation (EEC) No 3251/85 (OJ L 309, 21. 11. 1985, p. 14).

COMMISSION REGULATION (EC) No 1699/1999
of 30 July 1999
setting the amounts of aid for the supply of rice products from the Community to the Canary Islands

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EEC) No 1601/92 of 15 June 1992 introducing specific measures in respect of certain agricultural products for the benefit of the Canary Islands ⁽¹⁾, as last amended by Regulation (EC) No 2348/96 ⁽²⁾, and in particular Article 3 thereof,

- (1) Whereas, pursuant to Article 3 of Regulation (EEC) No 1601/92, the requirements of the Canary Islands for rice are to be covered in terms of quantity, price and quality by the mobilization, on disposal terms equivalent to exemption from the levy, of Community rice, which involves the grant of an aid for supplies of Community origin; whereas this aid is to be fixed with particular reference to the costs of the various sources of supply and in particular is to be based on the prices applied to exports to third countries;
- (2) Whereas Commission Regulation (EC) No 2790/94 ⁽³⁾, as last amended by Regulation (EC) No 825/98 ⁽⁴⁾, lays down common detailed rules for implementation of the

specific arrangements for the supply of certain agricultural products, including rice, to the Canary Islands;

- (3) Whereas, as a result of the application of these detailed rules to the current market situation in the rice sector, and in particular to the rates of prices for these products in the European part of the Community and on the world market, the aid for supply to the Canary Islands should be set at the amounts given in the Annex;
- (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

Pursuant to Article 3 of Regulation (EEC) No 1601/92, the amount of aid for the supply of rice of Community origin under the specific arrangements for the supply of the Canary Islands shall be as set out in the Annex hereto.

Article 2

This Regulation shall enter into force on 1 August 1999.

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

Done at Brussels, 30 July 1999.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ L 173, 27.6.1992, p. 13.

⁽²⁾ OJ L 320, 11.12.1996, p. 1.

⁽³⁾ OJ L 296, 17.11.1994, p. 23.

⁽⁴⁾ OJ L 117, 21.4.1998, p. 5.

ANNEX

to the Commission Regulation of 30 July 1999 setting the amounts of aid for the supply of rice products from the Community to the Canary Islands

(EUR/t)

Product (CN code)	Amount of aid
Milled rice (1006 30)	100,00
Broken rice (1006 40)	22,00

COMMISSION REGULATION (EC) No 1700/1999**of 30 July 1999****setting the amounts of aid for the supply of rice products from the Community to the Azores and Madeira**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EEC) No 1600/92 of 15 June 1992 introducing specific measures in respect of certain agricultural products for the benefit of the Azores and Madeira ⁽¹⁾, as last amended by Regulation (EC) No 562/98 ⁽²⁾, and in particular Article 10 thereof,

- (1) Whereas, pursuant to Article 10 of Regulation (EEC) No 1600/92, the requirements of the Azores and Madeira for rice are to be covered in terms of quantity, price and quality by the mobilization, on disposal terms equivalent to exemption from the levy, of Community rice, which involves the grant of an aid for supplies of Community origin; whereas this aid is to be fixed with particular reference to the costs of the various sources of supply and in particular is to be based on the prices applied to exports to third countries;
- (2) Whereas Commission Regulation (EEC) No 1696/92 ⁽³⁾, as last amended by Regulation (EEC) No 2596/93 ⁽⁴⁾, lays down common detailed rules for implementation of the specific arrangements for the supply of certain agricultural products, including rice, to the Azores and Madeira; whereas Commission Regulation (EEC) No 1983/92 of 16 July 1992 laying down detailed rules for implementation of the specific arrangements for the supply of rice products to the Azores and Madeira and establishing the forecast supply balance for these prod-

ucts ⁽⁵⁾, as last amended by Regulation (EC) No 907/1999 ⁽⁶⁾, lays down detailed rules which complement or derogate from the provisions of the aforementioned Regulation;

- (3) Whereas, as a result of the application of these detailed rules to the current market situation in the rice sector, and in particular to the rates of prices for these products in the European part of the Community and on the world market the aid for supply to the Azores and Madeira should be set at the amounts given in the Annex;
- (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

Pursuant to Article 10 of Regulation (EEC) No 1600/92, the amount of aid for the supply of rice of Community origin under the specific arrangements for the supply of the Azores and Madeira shall be as set out in the Annex hereto.

Article 2

This Regulation shall enter into force on 1 August 1999.

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

Done at Brussels, 30 July 1999.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ L 173, 27.6.1992, p. 1.

⁽²⁾ OJ L 76, 13.3.1998, p. 6.

⁽³⁾ OJ L 179, 1.7.1992, p. 6.

⁽⁴⁾ OJ L 238, 23.9.1993, p. 24.

⁽⁵⁾ OJ L 198, 17.7.1992, p. 37.

⁽⁶⁾ OJ L 114, 1.5.1999, p. 25.

ANNEX

to the Commission Regulation of 30 July 1999 setting the amounts of aid for the supply of rice products from the Community to the Azores and Madeira

(EUR/t)

Product (CN code)	Amount of aid	
	Destination	
	Azores	Madeira
Milled rice (1006 30)	100	100

COMMISSION REGULATION (EC) No 1701/1999**of 30 July 1999****opening an invitation to tender for the refund or the tax for the export of barley to all third countries**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

HAS ADOPTED THIS REGULATION:

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⁾,

Having regard to Commission Regulation (EC) No 1501/95 of 29 June 1995 laying down certain detailed rules for the application of Council Regulation (EEC) No 1766/92 on the granting of export refunds on cereals and the measures to be taken in the event of disturbance on the market for cereals ⁽³⁾, as last amended by Regulation (EC) No 2513/98 ⁽⁴⁾, and in particular Article 4 thereof,

- (1) Whereas, in view of the current situation on the cereals market, an invitation should be opened, in respect of barley to tender for the export refund or tax provided for in Article 4 of Regulation (EC) No 1501/95;
- (2) Whereas the detailed procedural rules governing invitations to tender are as regards the fixing of the export refund, or export tax in Regulation (EC) No 1501/95; whereas the commitments on the part of the tenderer include an obligation to lodge an application for an export licence; whereas compliance with this obligation may be ensured by requiring tenderers to lodge a tendering security of EUR 12 per tonne when they submit their tenders;
- (3) Whereas it is necessary to provide for a specific period of validity for licences issued under that invitation to tender; whereas that period of validity must meet the needs of the world market for the 1999/2000 marketing year;
- (4) Whereas, in order to ensure that all those concerned are treated equally, it is necessary to lay down that the period of validity of the licences issued should be identical;
- (5) Whereas, in order to ensure the smooth operation of the export tendering procedure it is appropriate to prescribe a minimum quantity to be tendered for and a time limit and form for the communication of tenders submitted to the competent authorities;
- (6) Whereas the measures provided for in this Regulation are in accordance with the opinion of the Management Committee for Cereals,

Article 1

1. Tenders shall be invited for the export refund and/or export tax provided for in Article 4 of Regulation (EC) No 1501/95.

2. The tendering procedure shall concern barley for export to all third countries.

3. The invitation shall remain open until 25 May 2000. During this period weekly awards shall be made, for which the quantities and the time limits for the submission of tenders shall be as prescribed in the notice of invitation to tender.

Article 2

A tender shall be valid only if it relates to an amount of not less than 1 000 tonnes.

Article 3

The security referred to in Article 5(3a) of Regulation (EC) No 1501/95 shall be euro 12 per tonne.

Article 4

1. Notwithstanding Article 21(1) of Commission Regulation (EEC) No 3719/88 laying down common detailed rules for the application of the system of import and export licences and advance fixing certificates for agricultural products ⁽⁵⁾, export licences issued under Article 81(1) of Regulation (EC) No 1501/95 shall, for the purpose of determining their period of validity, be deemed to have been issued on the day on which the tender was submitted.

2. Export licences issued in connection with the invitations to tender pursuant to this Regulation shall be valid from their date of issue, as defined in paragraph 1, until the end of the fourth month following that of issue.

Article 5

1. The Commission shall decide, pursuant to the procedure laid down in Article 23 of Regulation (EEC) No 1766/92:

- to fix a maximum export refund, taking account in particular of the criteria laid down in Article 1 of Regulation (EC) No 1501/95, or
- to fix a minimum export tax, taking into account in particular the criteria laid down in Article 1 of Regulation (EC) No 1501/95, or
- to make no award.

⁽¹⁾ OJ L 181, 1.7.1992, p. 21.

⁽²⁾ OJ L 160, 26.6.1999, p. 18.

⁽³⁾ OJ L 147, 30.6.1995, p. 7.

⁽⁴⁾ OJ L 313, 21.11.1998, p. 16.

⁽⁵⁾ OJ L 331, 2.12.1988, p. 1.

2. Where a maximum export refund is fixed, the contract shall be awarded to the tenderer or tenderers whose bids are equal to or lower than the maximum refund, as well as to the tenderer or tenderers whose bid relates to an export tax.

3. Where a minimum export tax is fixed, a contract shall be awarded to any tenderer whose tender indicates a rate of tax equal to or more than such minimum export tax.

Article 6

Tenders submitted must reach the Commission through the intermediary Member States, at the latest one and a half hours after expiry of the period for the weekly submission of tenders as specified in the notice of invitation to tender. They must be

communicated in the form indicated in Annex I, to the telex or fax numbers in Annex II.

If no tenders are received, Member States shall inform the Commission of this within the time limit indicated in the preceding paragraph.

Article 7

The time limits fixed for the submission of tenders shall correspond to Belgian time.

Article 8

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

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

Done at Brussels, 30 July 1999.

For the Commission

Franz FISCHLER

Member of the Commission

ANNEX I

Weekly tender for the refund or the tax for the export of barley to all third countries

(Regulation (EC) No 1701/1999)

(Closing date for the submission of tenders (date/time))

1	2	3	
Number of tenderer	Quantity in tonnes	A	B
		Amount of export tax in EUR/tonne	Amount of export refund in EUR/tonne
1			
2			
3			
etc.			

ANNEX II

The only numbers to use to call Brussels (DG VI-C-1) are:

— telex: 22037 AGREC B,
22070 AGREC B (Greek characters),

— fax: 295 25 15,
296 49 56.

COMMISSION REGULATION (EC) No 1702/1999**of 23 July 1999**

amending Regulation (EC) No 1222/94 laying down common detailed rules for the application of the system of granting export refunds on certain agricultural products exported in the form of goods not covered by Annex II to the Treaty, and the criteria for fixing the amount of such refunds and repealing Regulation (EC) No 1223/94 laying down special detailed rules for the application of the system of advance-fixing certificates for certain agricultural products exported in the form of goods not covered by Annex II to the Treaty

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EC) No 3448/93 of 6 December 1993 laying down the trade arrangements applicable to certain goods resulting from the processing of agricultural products ⁽¹⁾, as last amended by Commission Regulation (EC) No 2491/98 ⁽²⁾, and in particular the first subparagraph of Article 8(3) thereof,

Treaty under conditions known beforehand; whereas, in particular, it is important to obtain the assurance that such exports can be covered by the grant of a refund compatible with compliance with the Community's commitments under agreements or, where this is no longer possible, to be informed thereof well in advance; whereas the issue of certificates makes it possible to follow up refund applications and guarantee to their holders that they will be able to benefit from a refund up to the amount for which a certificate is issued, provided that they meet the other conditions for refund laid down in the Community rules;

(1) Whereas Article 13(1) of Council Regulation (EEC) No 1766/92 on the common organisation of the market in cereals ⁽³⁾, as last amended by Regulation (EC) No 1253/1999 ⁽⁴⁾, and the corresponding articles of the Regulations on the common organisation of the markets in rice, sugar, eggs and dairy products, provide that export refunds on the agricultural products concerned may be granted only within the limits arising from agreements concluded in accordance with Article 300 of the Treaty; whereas it is necessary to adopt the measures required to this effect by amending Regulation (EC) No 1222/94 laying down common detailed rules for the application of the system of granting export refunds on certain agricultural products exported in the form of goods not covered by Annex II to the Treaty, and the criteria for fixing the amount of such refunds ⁽⁵⁾, as last amended by Regulation (EC) No 1352/98 ⁽⁶⁾;

(2) Whereas measures should be taken to guarantee strict compliance with the Community's commitments; whereas, however, these measures must not be more constraining on operators than necessary;

(3) Whereas the agreements concluded in accordance with Article 300 of the Treaty limit the amount of refund that may be granted per budget year; whereas it must be possible to export goods not covered by Annex I to the

(4) Whereas these agreements relate to all agricultural products exported as goods not covered by Annex I to the Treaty; whereas these products include certain cereals exported as spirituous beverages provided for in Article 13(5) of Regulation (ECC) No 1766/92; whereas certain detailed rules for application for these cereals are laid down in Regulation (ECC) No 2825/93 ⁽⁷⁾, as amended by Regulation (EC) No 3098/94 ⁽⁸⁾; whereas the grant of refunds for all agricultural products exported as goods not covered by Annex I to the Treaty should be subject to common rules;

(5) Whereas Commission Regulation (EC) No 1223/94 ⁽⁹⁾, as last amended by Regulation (EC) No 1367/1999 ⁽¹⁰⁾, lays down special detailed rules for the application of the system of advance-fixing certificates for certain agricultural products exported in the form of goods not covered by Annex I to the Treaty; whereas maintaining the advance-fixing system for each basic product making up the goods exported in the form of the goods mentioned on the certificate is likely to lead to a significant multiplication of certificates issued and create administrative difficulties disproportionate to the objective pursued;

⁽¹⁾ OJ L 318, 20.12.1993, p. 18.

⁽²⁾ OJ L 309, 19.11.1998, p. 28.

⁽³⁾ OJ L 181, 1.7.1992, p. 21.

⁽⁴⁾ OJ L 160, 26.6.1999, p. 19.

⁽⁵⁾ OJ L 136, 31.5.1994, p. 5.

⁽⁶⁾ OJ L 184, 27.6.1998, p. 25.

⁽⁷⁾ OJ L 258, 16.10.1993, p. 6.

⁽⁸⁾ OJ L 328, 20.12.1994, p. 12.

⁽⁹⁾ OJ L 136, 31.5.1994, p. 33.

⁽¹⁰⁾ OJ L 162, 26.6.1999, p. 31.

- (6) Whereas it is therefore necessary to replace the old advance-fixing certificates by refund certificates enabling the party concerned, on request, to know in advance the amount of refund that will be granted; whereas a single certificate may guarantee the full amount of the refund for a particular export and may cover the export of several goods during the period of validity of the certificate; whereas this system thus enables an undertaking to cover all of its exports, within the limits compatible with the Community's commitments, by a very small number of certificates;
- (7) Whereas applications for certificates are likely greatly to exceed the total that can be allocated; whereas it is therefore necessary to divide the year into periods so as to guarantee that operators exporting goods at the end of the budget year and those exporting at the beginning of the Budget year will be able to obtain certificates; whereas it is also necessary to make provision, where appropriate, for setting a coefficient between the sum of the amounts available and the sum of the amounts applied for;
- (8) Whereas certain types of exports are not subject to refund limits; whereas these should be excluded from any obligation to submit a certificate;
- (9) Whereas most exporters receive less than EUR 20 000 a year in refunds; whereas all of these exports together represent only a small part of the amounts of refund granted for agricultural products exported in the form of goods; whereas it should be possible to exempt such exports from the need to present a certificate;
- (10) Whereas, some exporters take part in tenders put out by importing third countries; whereas these exporters must be able, without penalty, to deduct the amount covered by the certificate from the amount they had envisaged in presenting their bid, in the event that their bid is unsuccessful;
- (11) Whereas refund certificates serve first of all to ensure compliance with the Community's commitments *vis-à-vis* the World Trade Organisation (WTO) and may at the same time make it possible to determine in advance the refund that may be granted for agricultural used in the manufacture of goods exported to third countries; whereas in some of these respects this goal is different from the objectives pursued by export certificates issued for quantities of basic products exported in the unprocessed state and subject to commitments *vis-à-vis* the WTO, likewise limited in quantity; whereas it is therefore necessary to specify which general provisions applicable to certificates in the agricultural sector, currently laid down in Commission Regulation (ECC) No 3719/88 of 16 November 1998 laying down common detailed rules for the application of the system of import and export licences and advance fixing certificates for agricultural products ⁽¹⁾, as last amended by Regulation (EC) No 1127/1999 ⁽²⁾, should apply to refund certificates;
- (12) Whereas Regulation (EC) No 1352/98 amended Regulation (EC) No 1222/94 by deleting husked rice as a basic product; whereas it is therefore necessary to amend Annex C to the Regulation for pre-cooked by CN code 1904 90 10, taking account of the coefficient of equivalence between husked rice and bleached rice, and to amend the basic product in column 6 of the said Annex C;
- (13) Whereas sorbitol containing 2 % or less by weight of mannitol may be obtained from isoglucose just like the same sorbitols containing more than 2 % mannitol; whereas it is therefore necessary to introduce the same subdivision for this type of sorbitol, whether coming under CN code 2905 44 11 or under CN code 3824 60 11, as for all the other sobitols referred to in Annex C;
- (14) Whereas in the German version in Annex E is an omission concerning rice flour; whereas this should be rectified with effect from the date on which Annex E was introduced;
- (15) Whereas the coefficients for some exported non-roasted malt have been amended; whereas a distinction should also be made between wheat flour of durum wheat and wheat flour of common wheat as regards the raw material used; whereas these amendments should be included in Annex E;
- (16) Whereas the Management Committee for horizontal questions relating to trade in processed agricultural products not covered by Annex I of the Treaty has not delivered an opinion within the time limit set by its chairman,

HAS ADOPTED THIS REGULATION:

Article 1

Regulation (EC) No 1222/94 is hereby amended as follows:

1. The following paragraph is added to Article 1:

'1 a. For the purposes of this Regulation:

(a) "budget period" means the period from 1 October of one year to 30 September of the following year;

⁽¹⁾ OJ L 331, 2.12.1988, p. 1.

⁽²⁾ OJ L 135, 29.5.1999, p. 48.

(b) "certificate" means the certificate drawn up in accordance with Articles 6 to 6h, valid throughout the Community and issued by the Member States to any applicant, regardless of the applicant's place of establishment in the Community. The certificate shall guarantee payment of the refund, provided the conditions in Article 7 are met. It may include advance fixing of the refund rates. The certificates shall be valid for a single budget period only;

(c) "the Agreement" means the Agreement on Agriculture concluded during the Uruguay Round multilateral trade negotiation;

(d) "food aid" means the food aid operations the conditions laid down in Article 10(4) of the Agreement;

2. Paragraph 2 of Article 5 is replaced by the following:

'2. However, a system of fixing the rate of the refund in advance shall be applicable. In case where the system of advance fixing of the rate of the refund is applied, the rate in force on the day of the lodging of the request for advance fixing shall be applied to exports to be effected after that date during the period of validity of the certificate in accordance with the provisions of Article 6c(2);'

3. Paragraph 3 of Article 5 is deleted.

4. Article 6 is replaced by the following:

'1. The granting of a refund for exports, effected from 1 March 2000, of agricultural products meeting the conditions in Article 7 and corresponding to the cereal placed under control for the production of the spirit drinks referred to in Article 4 of Regulation (EC) No 2825/93 shall be conditional upon production of a certificate issued in accordance with the conditions laid down in Article 6a or in Regulation (EC) No 1223/94.

The previous paragraph shall not apply to exports effected in the course of a food aid operation, to the supplies referred to in Articles 36, 40, 44 and 46(1) of Regulation (EC) No 800/1999 and to the exports referred to in Article 6h.

2. The granting of the refund under the advance fixing system provided for in Article 5(2) shall be conditional upon production of a certificate for advance fixing of the refunds rates.

3. The certificates may be used by the holder.

4. Where the party concerned has no plans to export from a Member State other than the Member State where the certificate has been requested, the competent body may keep it, notably in the form of a computer file.

5. For the application of this Article to cereals placed under control for the manufacture of the spirit drinks referred to in Article 4 of Regulation (EC) No 2825/93,

any reference made to the term "export" shall be understood as made to the placing under such control.'

5. The following Articles are added:

Article 6a

1. The certificate shall be requested and issued for a set amount in euros.

The application for a certificate and the certificate shall be based on the model in Annex F.

2. The party concerned may request advance fixing of all the refund rates in force on the day of lodging of the application for advance fixing. The application for advance fixing may be lodged under the conditions in Annex F either at the time of application for the certificate or from the day of granting of the certificate but before the last day of validity thereof.

The advance fixing shall not apply to exports effected before the day of the application.

3. Issue of a certificate shall impose an obligation on the holder to apply for refunds equal to the amount for which the certificate has been issued on exports effected in the course of the period of validity of the certificate. The security referred to in Article 6e shall be lodged to guarantee compliance with this obligation.

4. The obligations referred to in this Article shall be primary requirements for the purposes of Article 20 of Regulation (EEC) No 2220/85.

Article 6b

1. Applications for certificates may be submitted:

- (a) before 31 August for certificates valid from 1 October to 30 September of the following year;
- (b) before 5 November for certificates valid from 1 December to 30 September;
- (c) before 5 January for certificates valid from 1 February to 30 September;
- (d) before 5 March for certificates valid from 1 April to 30 September;
- (e) before 5 May for certificates valid from 1 June to 30 September;
- (f) before 5 July for certificates valid from 1 August to 30 September;

2. The Member States shall notify the Commission not later than:

- 5 September of the applications for certificates referred to in subparagraph 1(a),
- 12 November of the applications for certificates referred to in subparagraph 1(b),
- 12 January of the applications for certificates referred to in subparagraph 1(c),

- 12 March of the applications for certificates referred to in subparagraph 1(d),
- 12 May of the applications for certificates referred to in subparagraph 1(e),
- 12 July of the applications for certificates referred to in subparagraph 1(f).

3. The Commission shall determine the amount for which certificates may be issued on the basis of the following elements:

- (a) the maximum amount of refunds determined in accordance with Article 9(2) of the Agreement
minus
- (b) where appropriate, the amount exceeding the maximum amount that may be granted during the previous budget year
minus
- (c) the amount reserved to cover the exports referred to in Article 6h
minus
- (d) the payments effected during the budget year relating to exports prior to 1 March 2000
minus
- (e) the payments effected during the current budget year relating to exports during the previous budget period
minus
- (f) the amounts for which certificates were issued during the budget year concerned
plus
- (g) the amount for which certificates issued, as referred to in Article 6f, have been returned
plus
- (h) any under-utilisation of the reserved amount referred to in (c) above
and
- (i) any elements of uncertainty concerning some of these amounts.

4. The total amount of certificates which may be issued for each of the periods referred to in paragraph 1 shall be:

40 % of the amount referred to in paragraph 3 for the period to in subparagraph 1(a);

20 % of the amount referred to in paragraph 3, determined on 12 November, for the period referred to in subparagraph 1(b);

25 % of the amount referred to in paragraph 3, determined on 12 January, for the period referred to in subparagraph 1(c);

33 % of the amount referred to in paragraph 3, determined on 12 March, for the period referred to in subparagraph 1(d);

50 % of the amount referred to in paragraph 3, determined on 12 May, for the period referred to in subparagraph 1(e);

and the amount referred to in paragraph 3, determined on 12 July, for the period referred to in subparagraph 1(f);

5. Should the total amount of the applications receive for each of the periods concerned exceed the maximum referred to in paragraph 4, the Commission shall set a reduction coefficient applicable to all applications submitted before the dates referred to in paragraph 1 so as to comply with the maximum referred to in paragraph 4.

The Commission shall publish the coefficient in the *Official Journal of the European Communities* within five working days of the date referred to in paragraph 2.

6. If a reduction coefficient is set by the Commission, certificates may be granted for the amount requested multiplied by the reduction coefficient set, as provided for in paragraph 5.

In this case, applicants may withdraw their applications within five working days of publication of the coefficient in the *Official Journal of the European Communities*.

7. The Member States shall notify the Commission by 1 October, 1 December, 1 February, 1 April, 1 June and 1 August respectively of the amounts of the applications for certificates withdrawn pursuant to paragraph 6.

8. Applications for certificates may be submitted outside the periods referred to in paragraph 1, with effect from October of each budget period. Applications submitted in the course of each week shall be notified to the Commission on the following Tuesday. The corresponding certificates may be issued from the Monday following notification provided no other measure is adopted by the Commission.

9. The certificates referred to in the previous paragraph may be requested only if no reduction coefficient has been set under paragraph 5 and until exhaustion of the amounts referred to in paragraph 4 plus the amounts for which no certificates were actually issued and the amounts for any certificates returned.

10. Applications for certificates may be submitted from 15 August for exports to be effected before 1 October under the conditions laid down in paragraph 8 if amounts determined in accordance with paragraph 3 remain available.

11. Paragraph 1 to 7, 9 and 10 shall apply with effect from 15 July 2000.

Article 6c

1. Certificates shall be valid from the date indicated on the application for a certificate, under the conditions laid down in Annex F.

2. Certificates shall be valid until the end of the budget period.

However, if refund rates are fixed in advance, these remain valid until the end of the fifth month following the month in which the advance fixing was applied for, or until the end of the period of validity of the certificate if this is sooner.

Article 6d

Box 20 of applications for certificates and of certificates issued for food aid operations shall contain one of the following indications:

- Certificado GATT — Ayuda alimentaria
- GATT-licens — fødevarehjælp
- Bescheinigung GATT — Nahrungsmittelhilfe
- Πιστοποιητικό GATT — Επισιτιστική βοήθεια
- GATT certificate — Food aid
- Certificat GATT — Aide alimentaire
- Titolo GATT — Aiuto alimentare
- GATT-Certificaat — Voedselhulp
- Certificado GATT — Ajuda alimentar
- GATT-todistus: Elintarvikeapu
- GATT-licens — Livsmedelsbistånd

Article 6b shall not apply to such certificates.

By way of derogation from the regulations fixing the rates of refund applicable to the export of basic products in the form of goods, the rates of refund with advance fixing applied to applications for certificates and certificates issued for food aid operations shall be the rates applicable to other exports without advance fixing of refund rates. The rates to be taken into consideration shall be the rates in force on the day determined as laid down in Article 2 of Regulation (EC) No 259/98 in the case of exports of Community food aid or the day determined by Article 10a(2) of Regulation (EC) No 174/1999 in the case of exports of milk or milk products as national food aid.

Article 6e

Applications for certificates other than the certificates for food aid operations referred to in Article 6d shall be valid only if a security equal to 25 % of the amount applied for has been lodged under the conditions set out in Article 14 of Regulation (EEC) No 3719/88.

The security shall be released under the conditions set out in Article 6f.

Article 6f

1. In the event of application of the reduction coefficient referred to in Article 6b(5), the security shall be released without delay up to the amount lodged multiplied by a coefficient equal to 1 minus the reduction coefficient.

2. Should the applicant renounce the certificate, as provided for in Article 6b(6), 94 % of the security shall be released.

3. The security shall be released in full once the holder of the certificate has requested refunds totalling 95 % of the amount for which the certificate was issued.

4. Where the certificate has not been used at 95 % of the amount for which it was issued, the security shall be retained up to 25 % of the difference between 95 % of the amount for which the certificate was issued and the amount actually used.

5. However, where the holder of a certificate returns it before 1 April, the amount retained, determined in accordance with paragraph 4, shall be reduced by 50 %. If the holder returns the certificate after this period but before 15 August, the amount retained, determined in accordance with paragraph 4, shall be reduced by 25 %.

6. Holders of a certificate who produce proof of having made a bid in response to an invitation to tender issued in an importing non-member country referred to in Article 44 of Regulation (EEC) No 3719/88 and that the bid was unsuccessful may ask that an amount equal to the refund which they would have obtained if the bid had been successful be waived. In this case, the certificate shall be reduced by this amount and the corresponding security shall be released.

Article 6g

1. Before the end of each month the Member States shall notify the Commission of the amount of the refunds granted in the previous month for exports effected before 1 March 2000.

2. Before 1 January each year and, for the first time before 1 January 2001, the Member States shall notify the Commission of the total amounts of refund which they have actually granted for exports effected in the previous budget period and the amounts granted after 1 January for exports in previous budget periods, specifying the periods concerned.

3. For the purposes of application of the previous paragraph, advance payments shall be considered payments. Separate notification shall be given of reimbursements of refunds unduly paid.

4. Before the 15th day of each month the Member States shall notify the Commission of:

- (a) the amounts for which certificates were returned or reduced in accordance with Article 6f(6) or which became due during the previous month and which were not used;
- (b) the certificates issued during the previous month as referred to in Article 6d.

Article 6h

1. From 1 March 2000 to 30 September 2000 and from 1 October 2000 for each budget year, exports not covered by a certificate may be eligible for payment of a refund within the limit of a total reserve of EUR 15 000 000.

However, this Article shall not apply to exports in connection with a food aid operation nor to the supplies referred to in Articles 36, 40, 44 and 46(1) of Regulation (EC) No 800/1999.

2. The provisions of this Article shall apply only to exports by exporters who do not hold a certificate on the day of export and whose total applications during the budget year in question are less than EUR 20 000.

It shall be applicable only in the Member State where the goods are manufactured or made up.

3. The Member States shall notify the Commission, no later than the fifth and twentieth days of each month, of the amounts of the refunds granted pursuant to this to the fifteenth day of the current month, respectively.

If the sum of the amounts notified by the Member States reaches EUR 12 000 000, the Commission shall suspend the application of paragraphs 1 and 2 of this Article.

Article 6i

1. Regulation (EEC) No 3719/88 shall apply to the certificates referred to in this Regulation, with the exception of the provisions concerning import certificates.

The provisions on the rights and obligations stemming from certificates denominated in quantities shall apply *mutatis mutandis* to the rights and obligations stemming from the certificates referred to in this regulation for amounts denominated in euros, taking account of the provisions in Annex F.

2. By way of derogation from paragraph 1, the following provisions of Regulation (EEC) No 3719/88 shall not apply to the refunds certificates referred to in this Regulation:

— Articles 9, 12, 13a, 19, 22, 30, 31, 33, 38, 41, 42 and 45,

— Article 8(2) (however, this paragraph remains applicable to advance fixing certificates issued pursuant to Regulation (EC) No 1223/94,

— Article 8(4),

— Article 16(1),

— Article 34(5),

3. Article 20 of Regulation (EEC) No 3719/88 shall apply *mutatis mutandis*, on the understanding that, for the purposes of application of that Article, the holder's representative shall be considered to be the transferee.

4. For the purposes of application of Article 36 of Regulation (EEC) No 3719/88, certificates valid until 30 September may not be extended. In this case, the certificate must be annulled for any amounts not applied for due to *force majeure*.

6. In Article 7 of Regulation (EC) No 1222/94:

(a) in paragraph 2 the second subparagraph is replaced by the following:

'However, if the parties concerned submit proof to the satisfaction of the competent authorities that they do not hold or are not able to supply the information required concerning the conditions under which the goods to be exported were manufactured, and if such goods are mentioned in columns 1 and 2 of Annex D, the party concerned shall, on express request, receive a refund, for the calculation of which the nature and quality of the basic products to be taken in account shall be determined on the basis of the data provided by the analysis of the goods to be exported and in accordance with the table of equivalence laid down in Annex D. The competent authority shall determine the conditions for carrying out the analysis.'

(b) the following paragraph is added:

'7. In the case of exports covered by a certificate issued for a given budget year, the refunds may not be paid before the start (16 October) of the budget year concerned.'

7. In Annex C to Regulation (EC) No 1222/94:

(a) the title of column 6 is reworded 'Bleached rice long grain'.

(b) for pre-cooked rice containing no cocoa under CN code ex 1904 90 10, in column 6 the figure 174 is replaced by 120 (kg long-grain bleached rice).

(c) in the case of D-glucitol (sorbitol) in aqueous solution containing 2 % or less by weight of D-mannitol calculated on the D-glucitol content under CN codes 2905 44 11 or 3824 60 11, the following subdivision is added to columns 2, 5 and 9:

Description of goods	Maize	White sugar
2	5	9
— obtained from amylaceous products	169 (7)	71 (7)
— obtained from sucrose		

8. In columns 1 and 2 of Annex D, CN codes 2106 10 90 and 2106 90 99 are replaced by the following:

'CN code	Description of goods
2106 10 80	-- other
2106 90	- other
	-- other
2106 90 98	--- other'

9. Concerns the German version only

10. In Annex E:

(a) The lines concerning CN code 1101 00 are replaced by the following:

'CN code	Processed agricultural product	Coefficient to be applied	Basic product
1101 00 11	Wheat flour of durum wheat with an ash content, per 100 g, of: — 0 to 900 mg — 901 to 1 900 mg	1,33 1,09	durum wheat durum wheat
1101 00 15 and 1101 00 90	Wheat flour of common wheat or meslin with an ash content, per 100 g, of: — 0 to 900 mg — 901 to 1 900 mg	1,33 1,09	common wheat common wheat'

(b) The coefficients for the following products are amended as follows:

'CN-code	Processed agricultural product	Coefficient to be applied	Basic product
1107 10 19	Malt of wheat, not roasted, in another form	1,27	common wheat
1107 10 99	Malt of other cereals, not roasted, in another form	1,27	barley
1107 20 00	Roasted malt	1,49	barley'

11. Annex F, as annexed to this Regulation, is added.

Article 2

1. Regulation (EC) No 1223/94 is hereby repealed with effect from 1 March 2000.
2. Advance fixing certificates requested from the date of entry into force of this Regulation to 29 February 2000 shall be valid until that date.

Article 3

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

It shall apply to exports with effect from 1 March 2000.

However:

- Article 2 shall apply with effect from the date of entry into force of this Regulation. It shall not apply to applications for certificates submitted before that date,
- Article 1(9) shall apply, on request by the party concerned, with effect from 1 January 1996,
- The certificates referred to in Article 1(5) may be requested with effect from 1 December 1999.

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

Done at Brussels, 23 July 1999.

For the Commission
Karel VAN MIERT
Member of the Commission

ANNEX

'Annex F

I. Applications for certificates

1. Applications for a certificate shall be made on a form conforming to the model appended.

However, until 31 December 2000 Member States may provide that applications for a certificate and the certificate be made on forms in accordance with Annex I to Regulation (EEC) No 3719/88 in compliance with the conditions in point 3 below.

If the person concerned has no plans to effect exports via a Member State other than the one in which the application for a certificate is submitted, an application may be made electronically in accordance with the conditions laid down by the Member State.

2. Applicants must complete boxes 4, 10, 17, 18 and, where appropriate, 7 and 21. In the case of the certificates referred to in Article 6b(1) applicants must indicate the first day of validity of the certificate in box 12.

In box 22 applicants must state whether they plan to use the certificate in the Member State which issued it only or whether they require a certificate valid throughout the Community.

Applicants must enter the place and date of application in box 24 and sign the application.

In applications for a certificate for food aid they must also complete box 20, entering one of the indications mentioned in Article 6d.

3. If an application for a certificate is made on a form conforming to Annex I to Regulation (EEC) No 3719/88, the provisions of point 2 shall apply, except for the following:
 - box 10 (non-existent) need not be completed,
 - any indication of the application for advance fixing shall be entered in box 20 instead of box 21 (non-existent); the applicant shall also indicate in this box whether the certificate is applied for solely for export via that Member State,
 - in boxes 17 and 18 the amount shall be entered in euro,
 - in box 13 the applicant shall enter the words "goods not covered by Annex I",
 - boxes 14 to 16 need not be completed.

II. Application for advance fixing — request for extracts

1. *Application for advance fixing at the time of the application for certificate*

See Section I (applicants must complete box 21).

2. *Application for advance fixing after the application for certificate*

In this case, the party concerned must complete an application by entering:

in boxes 1 and 2, the name of the body which issued the refund certificate for which advance fixing is requested and the number of the certificate;

in box 4, the name of the holder of the certificate;

in box 21, the date of submission of the application for advance fixing.

3. *Request for extracts*

Any holder of a certificate may request an extract from the certificate for an amount not exceeding the balance available under the original certificate, particularly if the holder plans to effect exports for which no application for a refund will be submitted in the Member State which issued the certificate. In this case, the amount for which an extract is requested is recorded on the original certificate and an extract is issued, based on an application containing the following information:

in boxes 1 and 2, the name of the body which issued the refund certificate from which an extract is requested and the number of the original certificate;

in box 4, the name of the holder of the certificate;

in boxes 17 and 18, the amount of the extract requested in euros.

III. Issue of certificates with advance fixing and usable throughout the Community and of extracts from certificates

1. Copies 1 and 2 must be issued, based on the models annexed.

(a) Boxes 1 and 2 must indicate the name and address of the body issuing the certificate and the number which it allocated to the certificate. In the case of extracts from a certificate, "EXTRACT" in bold font and capitals must be entered in box 3.

(b) Box 4 must indicate the name and full address of the holder.

(c) Box 6 must be crossed out.

(d) Box 10 must indicate the date of submission of the application for the original certificate and box 11 the amount of the security calculated as laid down in Article 6e.

(e) Box 12 must indicate the first day of validity determined as laid down in Article 6b(1) or 6b(8), as appropriate.

(f) Box 13 must indicate 30 September following the date entered in box 12.

(g) Box 17 must be completed by the competent authority based on the amount determined as laid down in Article 6b. Boxes 18 and 23 must be completed.

(h) Boxes 20 and 22 must indicate any details provided for in the application.

(i) Box 21 must be completed as laid down in the application.

2. If the certificate is issued in accordance with Annex I to Regulation (EEC) No 3719/88, the provisions of point 1 shall apply, account being taken of the following provisions:

— in box 13 (product to be exported) the words "goods not covered by Annex I" shall be added;

— boxes 6 and 14 to 16 shall be crossed out;

— in boxes 17 and 18 the quantity in tonnes shall be replaced by the amount in euros;

— in box 20 the words "certificate valid from (date)" shall be added;

— the words "valid until (date)" shall be entered in box 21.

IV. Issue of certificates without advance fixing and usable throughout the Community

These certificates must be completed in the same way as the certificates referred to in Section III.

Box 21 must be crossed out.

Should the holder of such a certificate subsequently request advance fixing of the refund rates, the holder must return the original certificate. A new certificate must be issued in this case, based on the balance available under the original certificate.

V. Registered certificates valid in a single Member State

If the holder of a certificate has no plans to request refunds under the certificate from any body other than the body which issued it, the Member State must inform the applicant that the request has been registered and provide the applicant with the information supplied on copy 1.

Copy 2 (copy for the issuing body) is not issued. Instead, the competent authority records all the information from the certificates referred to in Sections III and IV and the amounts claimed under the certificate.

VI. Use of certificates

1. At the time of completion of the export formalities, "HA1" and the number of the certificate or certificates used to cover the refund application must be entered in box 44 of the single administrative document.

If a customs document other than the single administrative document is used, the national document must indicate the number or numbers of the certificates to be settled and contain a statement that the exports are covered by the refund scheme for non-Annex I goods.

2. Applicants for refunds must complete the customs document or form designated by the body responsible for payment of the refunds. This form must contain all the information necessary to identify the applicant and the goods exported (their registration number, where appropriate) and the quantity thereof.

It must also indicate:

- the reference number of the customs document certifying the exports (box 7; if the document is the single administrative document),
 - the number of the refund certificate covering the exports.
3. The refund application form must be accompanied by the refund certificate (copy 1) unless this has been registered or lodged with the paying body.
 4. On the basis of the refund application, the competent authority must determine the amount which would be paid if all the conditions required for export of the quantity of goods indicated on the refund application were met. This is charged against the certificate. (If the goods are registered, the amount of the refund may be determined in advance by the applicant.)
 5. If the certificate is not registered, copy 1 of the certificate must be returned to the holder or kept by the paying body at the request of the person concerned.
 6. The security for the exports effected may be released or may be transferred to guarantee advance payment of the refund. In this case, all the applicant will have to do will be to top up the security accordingly.

EUROPEAN COMMUNITY — REFUND CERTIFICATE — 'NON-ANNEX I GOODS'

1 COPY	1. Body issuing the certificate (name and address)		2. Stamp and perforation mark of the body issuing the certificate	No
			3.	
	4. Holder (name, full address and Member State)		5.	
	6. XX			
			7. Destination Mandatory ☐ YES ☐ NO	
			8.	
			10. Date of submission of the application for the original certificate	
		11. Total amount of the security (in national currency)		
1	12. First day of validity		13. Last day of validity	
17. Amount covered (in figures) (in euros)		18. Amount (in letters)		19. No upward tolerance
20. Specific comments				
21. Refund valid on		Advance fixing		Valid until
22. Special conditions				
23. Issued at				
Date		No		
Signature and stamp of the body issuing the certificate				

EUROPEAN COMMUNITY — REFUND CERTIFICATE — 'NON-ANNEX I GOODS'

2 COPY	1. Body issuing the certificate (name and address)		2. Stamp and perforation mark of the body issuing the certificate	No
			3.	
	4. Holder (name, full address and Member State)		5.	
	6. XX			
			7. Destination Mandatory ☐ YES ☐ NO	
			8.	
			10. Date of submission of the application for the original certificate	
		11. Total amount of the security (in national currency)		
2	12. First day of validity		13. Last day of validity	
17. Amount covered (in figures) (in euros)		18. Amount (in letters)		19. No tolerance of excesses
20. Specific comments				
21. Refund valid on Advance fixing Valid until				
22. Special conditions				
23. Issued at				
Date		No		
Signature and stamp of the body issuing the certificate				

RECORD SHEET

Date of export	Export document	Amount granted	Balance signature
		Amount	Amount
		Date	Signature
		Amount	Amount
		Date	Signature
		Amount	Amount
		Date	Signature
		Amount	Amount
		Date	Signature
		Amount	Amount
		Date	Signature
		Amount	Amount
		Date	Signature
		Amount	Amount
		Date	Signature

Document continued:

COMMISSION REGULATION (EC) No 1703/1999
of 30 July 1999
concerning the stopping of fishing for cod by vessels flying the flag of Spain

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EEC) No 2847/93 of 12 October 1993 establishing a control system applicable to the common fisheries policy ⁽¹⁾, as last amended by Regulation (EC) No 2846/98 ⁽²⁾, and in particular Article 21(3) thereof,

- (1) Whereas Council Regulation (EC) No 48/1999 of 18 December 1998 fixing, for certain fish stocks and groups of fish stocks, the total allowable catches for 1999 and certain conditions under which they may be fished ⁽³⁾, as amended by Commission Regulation (EC) No 1619/1999 ⁽⁴⁾, provides for cod quotas for 1999;
- (2) Whereas, in order to ensure compliance with the provisions relating to the quantitative limitations on catches of stocks subject to quotas, the Commission must fix the date by which catches made by vessels flying the flag of a Member State are deemed to have exhausted the quota allocated;
- (3) Whereas, according to the information communicated to the Commission, catches of cod in the waters of ICES divisions VII b, c, d, e, f, g, h, j, k, VIII, IX and X and CECAF 34.1.1 (EC zone) by vessels flying the flag of Spain or registered in Spain have exhausted the quota

allocated for 1999; whereas Spain has prohibited fishing for this stock as from 12 July 1999; whereas it is therefore necessary to abide by that date,

HAS ADOPTED THIS REGULATION:

Article 1

Catches of cod in the waters of ICES divisions VII b, c, d, e, f, g, h, j, k, VIII, IX and X and CECAF 34.1.1 (EC zone) by vessels flying the flag of Spain or registered in Spain are deemed to have exhausted the quota allocated to Spain for 1999.

Fishing for cod in the waters of ICES divisions VII b, c, d, e, f, g, h, j, k, VIII, IX and X and CECAF 34.1.1 (EC zone) by vessels flying the flag of Spain or registered in Spain is prohibited, as are the retention on board, the transshipment and the landing of such stock caught by the abovementioned vessels after the date of application of 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 12 July 1999.

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

Done at Brussels, 30 July 1999.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ L 261, 20.10.1993, p. 1.

⁽²⁾ OJ L 358, 31.12.1998, p. 5.

⁽³⁾ OJ L 13, 18.1.1999, p. 1.

⁽⁴⁾ OJ L 192, 24.7.1999, p. 14.

COMMISSION REGULATION (EC) No 1704/1999**of 30 July 1999****opening a standing invitation to tender for the export of common wheat of breadmaking quality held by the United Kingdom intervention agency**

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 procedure and conditions for the disposal of cereals held by intervention agencies;
- (2) Whereas, given the current market situation, a standing invitation to tender should be opened for the export of 42 768 t of common wheat of breadmaking quality held by the United Kingdom intervention agency;
- (3) Whereas special procedures must be laid down to ensure that the operations and their monitoring are properly effected; whereas, to that end, provision should be made for a security lodgement scheme which ensures that aims are met while avoiding excessive costs for the operators; whereas derogations should accordingly be made to certain rules, in particular those laid down in Regulation (EEC) No 2131/93;
- (4) Whereas, where removal of the common wheat of breadmaking quality is delayed by more than five days or the release of one of the securities required is delayed for reasons imputable to the intervention agency the Member State concerned must pay compensation;
- (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

Subject to the provisions of this Regulation the United Kingdom intervention agency issues a standing invitation to tender for the export of common wheat of breadmaking

quality held by it in accordance with Regulation (EEC) No 2131/93.

Article 2

1. The invitation to tender shall cover a maximum of 42 768 t of common wheat of breadmaking quality for export to third countries.
2. The regions in which the 42 768 t of common wheat of breadmaking quality are stored are set out in Annex I.

Article 3

1. Notwithstanding the third paragraph of Article 16 of Regulation (EEC) No 2131/93, the price to be paid for the export shall be that quoted in the tender.
2. No export refund or tax or monthly increase shall be granted on exports carried out pursuant to this Regulation.
3. Article 8(2) of Regulation (EEC) No 2131/93 shall not apply.

Article 4

1. The export licences shall be valid from their date of issue within the meaning of Article 9 of Regulation (EEC) No 2131/93 until the end of the fourth month thereafter.
2. Tenders submitted in response to this invitation to tender may not be accompanied by export licence applications submitted pursuant to Article 44 of Commission Regulation (EEC) No 3719/88⁽⁵⁾.

Article 5

1. Notwithstanding Article 7(1) of Regulation (EEC) No 2131/93, the time limit for submission of tenders in respect of the first partial invitation to tender shall be 9 a.m. (Brussels time) on 5 August 1999.
2. The time limit for submission of tenders in respect of subsequent partial invitations to tender shall be 9 a.m. (Brussels time) each Thursday thereafter.
3. The last partial invitation to tender shall be 9 a.m. (Brussels time) on 30 September 1999.
4. Tenders shall be lodged with the United Kingdom intervention agency.

⁽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 331, 2.12.1988, p. 1.

Article 6

1. The intervention agency, the storer and the successful tenderer shall, at the request of the latter and by common agreement, either before or at the time of removal from storage as the successful tenderer chooses, take reference samples for counter-analysis at the rate of at least one sample for every 500 t and shall analyse the samples. The intervention agency may be represented by a proxy, provided this is not the storer.

The analysis results shall be forwarded to the Commission in the event of a dispute.

Reference samples for counter-analysis shall be taken and analysed within seven working days of the date of the successful tenderer's request or within three working days if the samples are taken on removal from storage. Where the final result of sample analyses indicates a quality:

- (a) higher than that specified in the notice of invitation to tender, the successful tenderer must accept the lot as established;
- (b) higher than the minimum characteristics laid down for intervention but below the quality described in the notice of invitation to tender, providing that the differences having regard to those criteria do not exceed the following limits:
 - two kg per hectolitre as regards specific weight, which must not, however, be less than 72 kg/hl,
 - one percentage point as regards moisture content,
 - 20 percentage points for the Hagberg falling index,
 - half a percentage point as regards impurities as specified in points B.2 and B.4 of the Annex to Commission Regulation (EEC) No 689/92 ⁽¹⁾,

and

 - half a percentage point as regards impurities as specified in point B.5 of the Annex to Regulation (EEC) No 689/92, the percentages admissible for noxious grains and ergot, however, remaining unchanged,

the successful tenderer must accept the lot as established;

- (c) higher than the minimum characteristics laid down for intervention but below the quality described in the notice of invitation to tender, and a difference exceeding the limits set out in point (b), the successful tenderer may:
 - accept the lot as established, or
 - refuse to take over the lot in question. The successful tenderer shall be discharged of all his obligations relating to the lot in question and the securities shall be released only once he has informed the Commission and the intervention agency forthwith in accordance with Annex II; however, if he requests the intervention agency to supply him with another lot of intervention

common wheat of breadmaking quality of the quality laid down at no additional charge, the security shall not be released. The lot must be replaced within three days of the date of the successful tenderer's request. The successful tenderer shall notify the Commission immediately thereof in accordance with Annex II;

- (d) below the minimum characteristics laid down for intervention, the successful tenderer may not remove the lot in question. He shall be discharged of all his obligations relating to the lot in question and the securities shall be released only once he has informed the Commission and the intervention agency forthwith in accordance with Annex II; however, he may request the intervention agency to supply him with another lot of intervention common wheat of breadmaking quality of the quality laid down at no additional charge. In that case, the security shall not be released. The lot must be replaced within three days of the date of the successful tenderer's request. The successful tenderer shall immediately inform the Commission thereof in accordance with Annex II.

2. However, if the common wheat of breadmaking quality is removed before the results of the analyses are known, all risks shall be borne by the successful tenderer from the time the lot is removed, without prejudice to any means of redress of which he may avail himself against the storer.

3. If, as a result of successive replacements, the successful tenderer has not received a replacement lot of the quality laid down within one month of the date of his request for a replacement, he shall be discharged of all his obligations and the securities shall be released once he has informed the Commission and the intervention agency forthwith in accordance with Annex II.

4. Except where the final results of analyses indicate a quality below the minimum characteristics laid down for intervention, the costs of taking the samples and conducting the analyses provided for in paragraph 1 but not of inter-bin transfers shall be borne by the European Agricultural Guidance and Guarantee Fund (EAGGF) in respect of up to one analysis per 500 t. The costs of inter-bin transfers and any additional analyses requested by the successful tenderer shall be borne by him.

Article 7

By derogation from Article 12 of Commission Regulation (EEC) No 3002/92 ⁽²⁾, the documents relating to the sale of wheat of breadmaking quality in accordance with this Regulation, and in particular the export licence, the removal order referred to in Article 3(1)(b) of Regulation (EEC) No 3002/92, the export declaration and, where necessary, the T5 copy shall carry the entry:

⁽¹⁾ OJ L 74, 20.3.1992, p. 18.

⁽²⁾ OJ L 301, 17.10.1992, p. 17.

- Trigo blando panificable de intervención sin aplicación de restitución ni gravamen, Reglamento (CE) n° 000/1999
- Bageegnet blød hvede fra intervention uden restitutionsydelse eller -afgift, forordning (EF) nr. 000/1999
- Interventions-Brotweichweizen ohne Anwendung von Ausfuhrerstattungen oder Ausfuhrabgaben, Verordnung (EG) Nr. 000/1999
- Μαλακός αρτοποιήσιμος σίτος παρέμβασης χωρίς εφαρμογή επιστροφής ή φόρου, κανονισμός (ΕΚ) αριθ. 000/1999
- Intervention common wheat of breadmaking quality without application of refund or tax, Regulation (EC) No 000/1999
- Blé tendre d'intervention panifiable ne donnant pas lieu à restitution ni taxe, règlement (CE) n° 000/1999
- Frumento tenero d'intervento panificabile senza applicazione di restituzione né di tassa, regolamento (CE) n. 000/1999
- Zachte tarwe van bakkwaliteit uit interventie, zonder toepassing van restitutie of belasting, Verordening (EG) nr. 000/1999
- Trigo mole panificável de intervenção sem aplicação de uma restituição ou imposição, Regulamento (CE) n.º 000/1999
- Interventioleipävehnä, johon ei sovelleta vientitukea eikä vientimaksua, asetus (EY) N:o 000/1999
- Interventionsvete, av brödkvalitet, utan tillämpning av bidrag eller avgift, förordning (EG) nr 000/1999.

Article 8

1. The security lodgement pursuant to Article 13(4) of Regulation (EEC) No 2131/93 must be released once the export licences have been issued to the successful tenderers.
2. Notwithstanding Article 17 of Regulation (EEC) No 2131/93, the obligation to export shall be covered by a security equal to the difference between the intervention price

applying on the day of the award and the price awarded but not less than EUR 10/t. Half of the security shall be lodged when the licence is issued and the balance shall be lodged before the cereals are removed.

Notwithstanding Article 15(2) of Regulation (EEC) No 3002/92:

- the part of the security lodged when the licence is issued must be released within 20 working days of the date on which the successful tenderer provides proof that the cereals removed have left the customs territory of the Community,
- the remainder must be released within 15 working days of the date on which the successful tenderer provides the proof referred to in Article 17(3) of Regulation (EEC) No 2131/93.

3. Except in duly substantiated exceptional cases, in particular the opening of an administrative enquiry, any release of the securities provided for in this Article after the time limits specified in this same Article shall confer an entitlement to compensation from the Member State amounting to EUR 0,015/10 t for each day's delay.

This compensation shall not be charged to the EAGGF.

Article 9

Within two hours of the expiry of the time limit for the submission of tenders, the United Kingdom intervention agency shall notify the Commission of tenders received. Such notification shall be made using the model set out in Annex III and the telex or fax numbers set out in Annex IV.

Article 10

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, 30 July 1999.

For the Commission

Franz FISCHLER

Member of the Commission

ANNEX I

(tonnes)	
Place of storage	Quantity
Lincolnshire	25 346
Northamptonshire	15 355
West Sussex	2 067

ANNEX II

**Communication of refusal of lots under the standing invitation to tender for the export of common wheat of
breadmaking quality held by the intervention agency**

(Article 6(1) of Regulation (EC) No 1704/1999)

- Name of successful tenderer:
- Date of award contract:
- Date of refusal of lot by successful tenderer:

Lot No	Quantity in tonnes	Address of silo	Reason for refusal to take over
			— Specific weight (kg/hl) — % sprouted grains — % miscellaneous impurities (Schwarzbesatz) — % of matter which is not basic cereal of unimpaired quality — Other

ANNEX III

Standing invitation to tender for the export of common wheat of breadmaking quality held by the United Kingdom intervention agency

(Regulation (EC) No 1704/1999)

1	2	3	4	5	6	7
Tender No	Consignment No	Quantity (tonnes)	Offer price (EUR/t)	Price increases (+) reductions (-) (EUR/t) (p.m.)	Commercial costes (EUR/t)	Destination
1						
2						
3						
etc.						

(¹) This price includes the increases or reductions relating to the lot to which the tender refers.

ANNEX IV

The only numbers to use to call Brussels are (DG VI-C-1):

— fax: 296 49 56
295 25 15,

— telex: 22037 AGREC B
22070 AGREC B (Greek characters).

COMMISSION REGULATION (EC) No 1705/1999**of 30 July 1999****fixing the rates of refunds applicable to certain products from the sugar sector exported in the form of goods not covered by Annex I to the Treaty**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

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

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

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

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

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

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

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

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

HAS ADOPTED THIS REGULATION:

Article 1

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

Article 2

This Regulation shall enter into force on 1 August 1999.

⁽¹⁾ OJ L 177, 1.7.1981, p. 4.

⁽²⁾ OJ L 159, 3.6.1998, p. 38.

⁽³⁾ OJ L 136, 31.5.1994, p. 5.

⁽⁴⁾ OJ L 184, 27.6.1998, p. 25.

⁽⁵⁾ OJ L 94, 9.4.1986, p. 9.

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

Done at Brussels, 30 July 1999.

For the Commission

Karel VAN MIERT

Member of the Commission

ANNEX

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

Product	Rate of refund in EUR/100 kg	
	In case of advance fixing of refunds	Other
White sugar:		
— pursuant to Article 4(5)(b) of Regulation (EC) No 1222/94	0,00	0,00
— in all other cases	46,00	45,89

COMMISSION REGULATION (EC) No 1706/1999**of 30 July 1999****fixing the rates of the refunds applicable to certain milk products exported in the form of goods not covered by Annex I to the Treaty**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

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

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

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

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

(4) Whereas Article 11 (1) of Regulation (EEC) No 804/68 provides for the payment of aid for Community-produced skimmed milk processed into casein if such

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

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

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

HAS ADOPTED THIS REGULATION:

Article 1

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

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

Article 2

This Regulation shall enter into force on 1 August 1999.

⁽¹⁾ OJ L 148, 28.6.1968, p. 13.

⁽²⁾ OJ L 206, 16.8.1996, p. 21.

⁽³⁾ OJ L 136, 31.5.1994, p. 5.

⁽⁴⁾ OJ L 184, 27.6.1998, p. 25.

⁽⁵⁾ OJ L 169, 18.7.1968, p. 6.

⁽⁶⁾ OJ L 138, 31.5.1990, p. 8.

⁽⁷⁾ OJ L 350, 20.12.1997, p. 3.

⁽⁸⁾ OJ L 59, 6.3.1999, p. 17.

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

Done at Brussels, 30 July 1999.

For the Commission
Karel VAN MIERT
Member of the Commission

ANNEX

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

(EUR/100 kg)

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

COMMISSION REGULATION (EC) No 1707/1999**of 30 July 1999****opening an invitation to tender for the refund or the tax for the export of common wheat to all third countries**

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⁾,

Having regard to Commission Regulation (EC) No 1501/95 of 29 June 1995 laying down certain detailed rules for the application of Council Regulation (EEC) No 1766/92 on the granting of export refunds on cereals and the measures to be taken in the event of disturbance on the market for cereals ⁽³⁾, as last amended by Regulation (EC) No 2513/98 ⁽⁴⁾, and in particular Article 4 thereof,

- (1) Whereas, in view of the current situation on the cereals market, an invitation should be opened, in respect of common wheat to tender for the export refund or tax provided for in Article 4 of Regulation (EC) No 1501/95;
- (2) Whereas the detailed procedural rules governing invitations to tender are as regards the fixing of the export refund, or export tax in Regulation (EC) No 1501/95; whereas the commitments on the part of the tenderer include an obligation to lodge an application for an export licence; whereas compliance with this obligation may be ensured by requiring tenderers to lodge a tendering security of euro 12 per tonne when they submit their tenders;
- (3) Whereas it is necessary to provide for a specific period of validity for licences issued under that invitation to tender; whereas that period of validity must meet the needs of the world market for the 1999/2000 marketing year;
- (4) Whereas, in order to ensure that all those concerned are treated equally, it is necessary to lay down that the period of validity of the licences issued should be identical;
- (5) Whereas, in order to ensure the smooth operation of the export tendering procedure it is appropriate to prescribe a minimum quantity to be tendered for and a time limit and form for the communication of tenders submitted to the competent authorities;

- (6) 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. Tenders shall be invited for the export refund and/or export tax provided for in Article 4 of Regulation (EC) No 1501/95.
2. The tendering procedure shall concern common wheat for export to all third countries.
3. The invitation shall remain open until 25 May 2000. During this period weekly awards shall be made, for which the quantities and the time limits for the submission of tenders shall be as prescribed in the notice of invitation to tender.

Article 2

A tender shall be valid only if it relates to an amount of not less than 1 000 tonnes.

Article 3

The security referred to in Article 5(3a) of Regulation (EC) No 1501/95 shall be EUR 12 per tonne.

Article 4

1. Notwithstanding Article 21(1) of Commission Regulation (EEC) No 3719/88 ⁽⁵⁾, laying down common detailed rules for the application of the system of import and export licences and advance. Fixing certificates for agricultural products; export licences issued under Article 8(1) of Regulation (EC) No 1501/95 shall, for the purpose of determining their period of validity, be deemed to have been issued on the day on which the tender was submitted.
2. Export licences issued in connection with the invitations to tender pursuant to this Regulation shall be valid from their date of issue, as defined in paragraph 1, until the end of the fourth month following that of issue.

Article 5

1. The Commission shall decide, pursuant to the procedure laid down in Article 23 of Regulation (EEC) No 1766/92:
 - to fix a maximum export refund, taking account in particular of the criteria laid down in Article 1 of Regulation (EC) No 1501/95, or

⁽¹⁾ OJ L 181, 1.7.1992, p. 21.

⁽²⁾ OJ L 160, 26.6.1999, p. 18.

⁽³⁾ OJ L 147, 30.6.1995, p. 7.

⁽⁴⁾ OJ L 313, 21.11.1998, p. 16.

⁽⁵⁾ OJ L 331, 2.12.1988, p. 1.

- to fix a minimum export tax, taking into account in particular the criteria laid down in Article 1 of Regulation (EC) No 1501/95, or
- to make no award.

2. Where a maximum export refund is fixed, the contract shall be awarded to the tenderer or tenderers whose bids are equal to or lower than the maximum refund, as well as to the tenderer or tenderers whose bid relates to an export tax.

3. Where a minimum export tax is fixed, a contract shall be awarded to any tenderer whose tender indicates a rate of tax equal to or more than such minimum export tax.

Article 6

Tenders submitted must reach the Commission through the intermediary Member States, at the latest one and a half hours after expiry of the period for the weekly submission of tenders

as specified in the notice of invitation to tender. They must be communicated in the form indicated in Annex I, to the telex or fax numbers in Annex II.

If no tenders are received, Member States shall inform the Commission of this within the time limit indicated in the preceding paragraph.

Article 7

The time limits fixed for the submission of tenders shall correspond to Belgian time.

Article 8

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

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

Done at Brussels, 30 July 1999.

For the Commission

Franz FISCHLER

Member of the Commission

ANNEX I

Weekly tender for the refund or the tax for the export of barley to all third countries

[Regulation (EC) No 0000/1999]

(Closing date for the submission of tenders (date/time))

1	2	3	
Number of tenderer	Quantity in tonnes	A	B
		Amount of export tax in EUR/tonne	Amount of export refund in EUR/tonne
1			
2			
3			
etc.			

ANNEX II

The only numbers to use to call Brussels (DG VI-C-1) are:

- telex: 22037 AGREC B,
22070 AGREC B (Greek characters),
- fax: 295 25 15,
296 49 56.
-

**COMMISSION REGULATION (EC) No 1708/1999
of 30 July 1999**

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

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EEC) No 1766/92 of 30 June 1992 on the common organization of the market in cereals ⁽¹⁾, as last amended by Commission Regulation (EC) No 1253/1999 ⁽²⁾, and in particular Article 13(3) thereof,

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

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

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

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

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

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

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

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

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

HAS ADOPTED THIS REGULATION:

Article 1

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

Article 2

This Regulation shall enter into force on 1 August 1999.

⁽¹⁾ OJ L 181, 1.7.1992, p. 21.

⁽²⁾ OJ L 160, 26.6.1999, p. 18.

⁽³⁾ OJ L 329, 30.12.1995, p. 18.

⁽⁴⁾ OJ L 265, 30.9.1998, p. 4.

⁽⁵⁾ OJ L 136, 31.5.1994, p. 5.

⁽⁶⁾ OJ L 184, 27.6.1998, p. 25.

⁽⁷⁾ OJ L 275, 29.9.1987, p. 36.

⁽⁸⁾ OJ L 159, 1.7.1993, p. 112.

⁽⁹⁾ OJ L 9, 15.1.1999, p. 8.

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

Done at Brussels, 30 July 1999.

For the Commission

Karel VAN MIERT

Member of the Commission

ANNEX

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

(EUR/100 kg)

CN code	Description of products ⁽¹⁾	Rate of refund per 100 kg dof basic product	
		In case of advance fixing of refunds	Other
1001 10 00	Durum wheat: – on exports of goods falling within CN codes 1902 11 and 1902 19 to the United States of America – in other cases	— —	— —
1001 90 99	Common wheat and meslin: – on exports of goods falling within CN codes 1902 11 and 1902 19 to the United States of America – in other cases: – – where pursuant to Article 4 (5) of Regulation (EC) No 1222/94 ⁽²⁾ – – in other cases	— — — —	2,230 0,570 3,431
1002 00 00	Rye	—	4,493
1003 00 90	Barley	—	3,467
1004 00 00	Oats	—	4,192
1005 90 00	Maize (corn) used in the form of: – starch: – – where pursuant to Article 4 (5) of Regulation (EC) No 1222/94 ⁽²⁾ – – in other cases – glucose, glucose syrup, maltodextrine, maltodextrine syrup of CN codes 1702 30 51, 1702 30 59, 1702 30 91, 1702 30 99, 1702 40 90, 1702 90 50, 1702 90 75, 1702 90 79, 2106 90 55 ⁽³⁾ : – – where pursuant to Article 4 (5) of Regulation (EC) No 1222/94 ⁽²⁾ – – in other cases – other (including unprocessed) Potato starch of CN code 1108 13 00 similar to a product obtained from processed maize: – where pursuant to Article 4 (5) of Regulation (EC) No 1222/94 ⁽²⁾ – in other cases	— — — — — — — — — — —	2,552 6,128 1,877 5,454 6,128 2,552 6,128
ex 1006 30	Wholly-milled rice: – round grain – medium grain – long grain	— — —	9,200 9,200 9,200
1006 40 00	Broken rice	—	2,200
1007 00 90	Sorghum	—	3,467

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

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

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

COMMISSION REGULATION (EC) No 1709/1999
of 30 July 1999
suspending advance fixing of export refunds on agricultural products exported in the form of
goods not covered by Annex I to the Treaty

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Commission Regulation (EC) No 1222/94 of 31 May 1994 laying down general rules for granting export refunds on certain agricultural products exported in the form of goods not covered by Annex I to the Treaty, and the criteria for fixing the amount of such refunds ⁽¹⁾, as last amended by Regulation (EC) No 1352/98 ⁽²⁾, and in particular the first subparagraph of Article 5(3) thereof,

- (1) Whereas the first subparagraph of Article 5(3) of Regulation (EC) No 1222/94 makes provision for advance fixing of the refund to be suspended;
- (2) Whereas the situation on certain markets and the need to keep within the budget may take it necessary for the refunds to be adjusted; whereas in order to prevent applications for advance fixing of refunds for speculative

purposes, the abovementioned advance fixing should be suspended until this adjustment comes into force;

- (3) Whereas the measures provided for in this Regulation are in accordance with the opinion of the Management Committee for horizontal questions concerning trade in processed agricultural products not listed in Annex II,

HAS ADOPTED THIS REGULATION:

Article 1

Advance fixing of export refunds on agricultural products exported in the form of goods not covered by Annex I to the Treaty is suspended until 1 October 1999.

Article 2

This Regulation shall enter into force on 2 August 1999.

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

Done at Brussels, 30 July 1999.

For the Commission

Karel VAN MIERT

Member of the Commission

⁽¹⁾ OJ L 136, 31.5.1994, p. 5.

⁽²⁾ OJ L 184, 27.6.1998, p. 25.

COMMISSION REGULATION (EC) No 1710/1999**of 30 July 1999****determining the extent to which applications lodged in July 1999 for licences for certain eggs and poultrymeat products under the regime provided for by the Interim Agreements concluded by the Community with the Republic of Poland, the Republic of Hungary, the Czech Republic, Slovakia, Romania and Bulgaria can be accepted**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

therefore be reduced by a fixed percentage to ensure a fair distribution,

Having regard to the Treaty establishing the European Community,

HAS ADOPTED THIS REGULATION:

Having regard to Commission Regulation (EC) No 1899/97 ⁽¹⁾ setting rules of application in the poultrymeat and egg sectors for the arrangements covered by Council Regulation (EC) No 3066/95 and repealing Regulations (EEC) No 2699/93 and (EC) No 1559/94, as amended by Regulation (EC) No 2719/98 ⁽²⁾ and in particular Article 4(5) thereof,

- (1) Whereas the applications for import licences lodged for the third quarter of 1999 are, in the case of some products, for quantities less than or equal to the quantities available and can therefore be met in full, but in the case of other products the said applications are for quantities greater than the quantities available and must

Article 1

1. Applications for import licences for the period 1 July to 30 September 1999 submitted under Regulation (EC) No 1899/97 shall be met as referred to in Annex I.
2. During the first 10 days of the period of 1 October to 31 December 1999 application may be lodged pursuant to Regulation (EC) No 1899/97 for import licences for a total quantity as referred to in Annex II.

Article 2

This Regulation shall enter into force on 31 July 1999.

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

Done at Brussels, 30 July 1999.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ L 267, 30.9.1997, p. 67.

⁽²⁾ OJ L 342, 17.12.1998, p. 16.

ANNEX I

ANNEX II

(t)

Group No	Percentage of acceptance of import licences submitted for the period 1 July to 30 September 1999
1	3,05
2	3,31
4	100,00
7	2,08
8	9,88
9	2,38
10	100,00
11	100,00
44	3,24
45	100,00
12	100,00
14	—
15	3,95
16	6,45
17	—
18	—
19	100,00
21	100,00
23	100,00
24	55,56
25	100,00
26	—
27	100,00
28	—
30	—
32	—
33	—
34	—
35	—
36	—
37	5,72
38	100,00
39	—
40	100,00
43	—

Group No	Total quantity available for the period 1 October to 31 December 1999
1	3 990,00
2	390,00
4	10 026,40
7	2 520,00
8	630,00
9	1 404,14
10	1 165,50
11	270,00
44	330,00
45	696,00
12	1 120,00
14	2 100,00
15	1 470,00
16	420,00
17	900,00
18	180,00
19	360,00
21	1 322,00
23	1 340,00
24	120,00
25	2 774,16
26	180,00
27	1 305,58
28	252,00
30	1 080,00
32	420,00
33	300,00
34	1 500,00
35	120,00
36	600,00
37	150,00
38	285,00
39	960,00
40	330,00
43	600,00

COMMISSION REGULATION (EC) No 1711/1999**of 30 July 1999****determining the extent to which applications lodged in July 1999 for import licences for certain poultrymeat products under the regime provided for in Council Regulation (EC) No 774/94 opening and providing for the administration of certain Community tariff quotas for poultrymeat and certain other agricultural products 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 1431/94 of 22 June 1994, laying down detailed rules for the application in the poultrymeat sector of the import arrangements provided for in Council Regulation (EC) No 774/94 opening and providing for the administration of certain Community tariff quotas for poultrymeat and certain other agricultural products ⁽¹⁾, as last amended by Regulation (EC) No 1514/97 ⁽²⁾, and in particular Article 4(5) thereof,

- (1) Whereas the applications for import licences lodged for the period 1 July to 30 September 1999 are greater than

the quantities available and must therefore be reduced by a fixed percentage to ensure a fair distribution,

HAS ADOPTED THIS REGULATION:

Article 1

Applications for import licences for the period 1 July to 30 September 1999 submitted under Regulation (EC) No 1431/94 shall be met as referred to in the Annex.

Article 2

This Regulation shall enter into force on 31 July 1999.

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

Done at Brussels, 30 July 1999.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ L 156, 23.6.1994, p. 9.

⁽²⁾ OJ L 204, 31.7.1997, p. 16.

ANNEX

Group No	Percentage of acceptance of import certificates submitted for the period 1 July to 30 September 1999
1	1,98
2	1,98
3	2,02
4	100,00
5	3,02

COMMISSION REGULATION (EC) No 1712/1999**of 30 July 1999****determining the extent to which applications lodged in July 1999 for import licences for certain poultrymeat sector products pursuant to Regulation (EC) No 509/97 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 509/97 of 20 March 1997 laying down procedures for applying in the poultrymeat sector the Interim Agreement on trade and accompanying measures between the European Community, the European Coal and Steel Community and the European Atomic Energy Community, of the one part, and the Republic of Slovenia, of the other part ⁽¹⁾, as amended by Regulation (EC) No 1514/97 ⁽²⁾, and in particular Article 4(5) thereof,

(1) Whereas the applications for import licences lodged for the third quarter of 1999 are for quantities less than the quantities available and can therefore be met in full;

(2) Whereas the surplus to be added to the quantity available for the following period should be determined,

HAS ADOPTED THIS REGULATION:

Article 1

1. Applications for import licences for the period 1 July to 30 September 1999 submitted pursuant to Regulation (EC) No 509/97 shall be met as referred to in Annex I.

2. During the first 10 days of the period 1 October to 31 December 1999 applications may be lodged pursuant to Regulation (EC) No 509/97 for import licences for the total quantities as referred to in Annex II.

Article 2

This Regulation shall enter into force on 31 July 1999.

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

Done at Brussels, 30 July 1999.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ L 80, 21.3.1997, p. 3.

⁽²⁾ OJ L 204, 31.7.1997, p. 16.

ANNEX I

Group No	Percentage of acceptance of import licences submitted for the period 1 July to 30 September 1999
80	100,00
90	100,00
100	100,00

ANNEX II

(t)

Group No	Available quantities for the period 1 July to 30 September 1999
80	1 059,30
90	340,00
100	929,50

COMMISSION REGULATION (EC) No 1713/1999**of 30 July 1999****determining the extent to which applications lodged in July 1999 for import licences for certain egg sector products and poultrymeat pursuant to Regulations (EC) No 1474/95 and (EC) No 1251/96 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 1474/95 ⁽¹⁾ opening and providing for the administration of the tariff quotas in the egg sector and for egg albumin, as last amended by Regulation (EC) No 1323/1999 ⁽²⁾, and in particular Article 5(5) thereof,

Having regard to Commission Regulation (EC) No 1251/96 of 28 June 1996 opening and providing for the administration of tariff quotas in the poultrymeat sector and albumin ⁽³⁾, as last amended by Regulation (EC) No 1327/1999 ⁽⁴⁾ and in particular Article 5(5) thereof,

(1) Whereas the applications for import licences lodged for the third quarter of 1999 are, in the case of certain products, for quantities less than or equal to the quantities available and can therefore be met in full, but in the case of other products the said applications are for quantities greater than the quantities available and must

therefore be reduced by a fixed percentage to ensure a fair distribution,

HAS ADOPTED THIS REGULATION:

Article 1

1. Applications for import licences for the period 1 July to 30 September 1999 submitted pursuant to Regulations (EC) No 1474/95 and (EC) No 1251/96 shall be met as referred to in Annex I.

2. During the first 10 days of the period 1 October to 31 December 1999 applications may be lodged pursuant to Regulations (EC) No 1474/95 and (EC) No 1251/96 for import licences for the total quantity as referred to in Annex II.

Article 2

This Regulation shall enter into force on 31 July 1999.

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

Done at Brussels, 30 July 1999.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ L 145, 29.6.1995, p. 19.

⁽²⁾ OJ L 157, 24.6.1999, p. 29.

⁽³⁾ OJ L 161, 29.6.1996, p. 136.

⁽⁴⁾ OJ L 157, 24.6.1999, p. 37.

ANNEX I

Group No	Percentage of acceptance of import licences submitted for the period 1 July to 30 September 1999
E1	—
E2	100,00
E3	100,00
P1	100,00
P2	78,82
P3	3,05
P4	100,00

ANNEX II

(t)

Group No	Total quantity available for the period 1 October to 31 December 1999
E1	61 030,00
E2	2 672,79
E3	5 713,09
P1	2 405,00
P2	800,00
P3	146,00
P4	280,00

COMMISSION REGULATION (EC) No 1714/1999**of 30 July 1999****fixing the maximum purchasing price for butter for the 244th invitation to tender carried out under the standing invitation to tender governed by Regulation (EEC) No 1589/87**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EEC) No 804/68 of 27 June 1968 on the common organisation of the market in milk and milk products ⁽¹⁾, as last amended by Regulation (EC) No 1587/96 ⁽²⁾, and in particular the first subparagraph of Article 7a(1) first indent and Article 7a(3) thereof,

- (1) Whereas Article 5 of Commission Regulation (EEC) No 1589/87 of 5 June 1987 on the sale by tender of butter to intervention agencies ⁽³⁾, as last amended by Regulation (EC) No 124/1999 ⁽⁴⁾, provides that, in the light of the tenders received for each invitation to tender, a maximum buying-in price is to be fixed in relation to the intervention price applicable and that it may also be decided not to proceed with the invitation to tender;

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

HAS ADOPTED THIS REGULATION:

Article 1

For the 244th invitation to tender issued under Regulation (EEC) No 1589/87, for which tenders had to be submitted not later than 27 July 1999, the maximum buying-in price is fixed at 295,38 EUR/100 kg.

Article 2

This Regulation shall enter into force on 31 July 1999.

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

Done at Brussels, 30 July 1999.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ L 148, 28.6.1968, p. 13.

⁽²⁾ OJ L 206, 16.8.1996, p. 21.

⁽³⁾ OJ L 146, 6.6.1987, p. 27.

⁽⁴⁾ OJ L 16, 21.1.1999, p. 19.

COMMISSION REGULATION (EC) No 1715/1999**of 30 July 1999****fixing the maximum aid for concentrated butter for the 208th special invitation to tender opened under the standing invitation to tender provided for in Regulation (EEC) No 429/90**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EEC) No 804/68 of 27 June 1968 on the common organisation of the market in milk and milk products ⁽¹⁾, as last amended by Regulation (EC) No 1587/96 ⁽²⁾, and in particular Article 7a(3) thereof,

(1) Whereas, in accordance with Commission Regulation (EEC) No 429/90 of 20 February 1990 on the granting by invitation to tender of an aid for concentrated butter intended for direct consumption in the Community ⁽³⁾, as last amended by Regulation (EC) No 124/1999 ⁽⁴⁾, the intervention agencies are opening a standing invitation to tender for the granting of aid for concentrated butter; whereas Article 6 of that Regulation provides that in the light of the tenders received in response to each special invitation to tender, a maximum amount of aid is to be fixed for concentrated butter with a minimum fat content of 96 % or a decision is to be taken to make no award; whereas the end-use security must be fixed accordingly;

(2) Whereas, in the light of the tenders received, the maximum aid should be fixed at the level specified below and the end-use security determined accordingly;

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

HAS ADOPTED THIS REGULATION:

Article 1

For the 208th special invitation to tender under the standing invitation to tender opened by Regulation (EEC) No 429/90, the maximum aid and the amount of the end-use security shall be as follows:

— maximum aid:	117 EUR/100 kg
— end-use security:	129 EUR/100 kg.

Article 2

This Regulation shall enter into force on 31 July 1999.

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

Done at Brussels, 30 July 1999.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ L 148, 28.6.1968, p. 13.

⁽²⁾ OJ L 206, 16.8.1996, p. 21.

⁽³⁾ OJ L 45, 21.2.1990, p. 8.

⁽⁴⁾ OJ L 16, 21.1.1999, p. 19.

**COMMISSION REGULATION (EC) No 1716/1999
of 30 July 1999**

fixing the minimum selling prices for butter and the maximum aid for cream, butter and concentrated butter for the 36th individual invitation to tender under the standing invitation to tender provided for in Regulation (EC) No 2571/97

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EEC) No 804/68 of 27 June 1968 on the common organisation of the market in milk and milk products ⁽¹⁾, as last amended by Regulation (EC) No 1587/96 ⁽²⁾, and in particular Article 6(3) and (6) and Article 12(3) thereof,

(1) Whereas the intervention agencies are, pursuant to Commission Regulation (EC) No 2571/97 of 15 December 1997 on the sale of butter at reduced prices and the granting of aid for cream, butter and concentrated butter for use in the manufacture of pastry products, ice-cream and other foodstuffs ⁽³⁾, as last amended by Regulation (EC) No 494/1999 ⁽⁴⁾, to sell by invitation to tender certain quantities of butter that they hold and to grant aid for cream, butter and concentrated butter; whereas Article 18 of that Regulation stipulates that in the light of the tenders received in response to each individual invitation to tender a minimum selling price shall be fixed for butter and maximum aid shall be fixed for cream, butter and concentrated butter; whereas it is further stipulated that the price or aid may vary

according to the intended use of the butter, its fat content and the incorporation procedure, and that a decision may also be taken to make no award in response to the tenders submitted; whereas the amount(s) of the processing securities must be fixed accordingly;

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

HAS ADOPTED THIS REGULATION:

Article 1

The maximum aid and processing securities applying for the 36th individual invitation to tender, under the standing invitation to tender provided for in Regulation (EC) No 2571/97, shall be fixed as indicated in the Annex hereto.

Article 2

This Regulation shall enter into force on 31 July 1999.

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

Done at Brussels, 30 July 1999.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ L 148, 28.6.1968, p. 13.

⁽²⁾ OJ L 206, 16.8.1996, p. 21.

⁽³⁾ OJ L 350, 20.12.1997, p. 3.

⁽⁴⁾ OJ L 59, 6.3.1999, p. 17.

ANNEX

to the Commission Regulation of 30 July 1999 fixing the minimum selling prices for butter and the maximum aid for cream, butter and concentrated butter for the 36th individual invitation to tender under the standing invitation to tender provided for in Regulation (EC) No 2571/97

(EUR/100 kg)

Formula			A		B	
Incorporation procedure			With tracers	Without tracers	With tracers	Without tracers
Minimum selling price	Butter ≥ 82 %	Unaltered	—	—	—	—
		Concentrated	—	—	—	—
Processing security		Unaltered	—	—	—	—
		Concentrated	—	—	—	—
Maximum aid	Butter ≥ 82 %		95	91	—	91
	Butter < 82 %		92	88	—	88
	Concentrated butter		117	113	117	113
	Cream		—	—	40	38
Processing security	Butter		105	—	—	—
	Concentrated butter		129	—	129	—
	Cream		—	—	44	—

COMMISSION REGULATION (EC) No 1717/1999**of 30 July 1999****determining the extent to which import rights applications submitted in July 1999 under the tariff quotas for beef provided for by Regulation (EC) No 1272/1999 for Estonia, Latvia, and Lithuania may be accepted**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Commission Regulation (EC) No 1272/1999 of 17 June 1999 laying down, for the period 1 July 1999 to 30 June 2000, detailed rules of application for the tariff quotas for beef originating in Estonia, Latvia and Lithuania⁽¹⁾, and in particular Article 3(3) thereof,

- (1) Whereas Article 1(1) and (3) of Regulation (EC) No 1272/1999 fixes the quantities of fresh, chilled and frozen beef and veal originating in Lithuania, Latvia and Estonia and of processed products originating in Latvia which may be imported on special terms during the period 1 July to 31 December 1999; whereas no applications were submitted for import licences for beef and veal or processed products;
- (2) Whereas Article 1(3) of Regulation (EC) No 1272/1999 states that if, during the period 1 July 1999 to 30 June 2000, the quantities for which applications for import licences are submitted for the first period are less than the quantities available, the balances are to be added to the quantities available for the following period; whereas, in view of the quantities remaining in respect

of the first period, the quantities available for the three countries concerned for the second period running from 1 January to 30 June 2000 should be determined,

HAS ADOPTED THIS REGULATION:

Article 1

1. No applications for import rights were submitted for the period from 1 July to 31 December 1999 under the import quotas referred to in Article 1(1) of Regulation (EC) No 1272/1999.
2. The quantities available for the period referred to in Article 1(3) of Regulation (EC) No 1272/1999 running from 1 January to 30 June 2000 shall be:
 - 1 800 tonnes for meat falling within CN codes 0201 and 0202 originating in Lithuania, Latvia and Estonia,
 - 240 tonnes for products falling within CN code 1602 50 10 originating in Latvia.

Article 2

This Regulation shall enter into force on 31 July 1999.

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

Done at Brussels, 30 July 1999.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ L 151, 18.6.1999, p. 7.

COMMISSION REGULATION (EC) No 1718/1999
of 30 July 1999
amending the corrective amount applicable to the refund on cereals

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EEC) No 1766/92 of 30 June 1992 on the common organization of the market in cereals ⁽¹⁾, as last amended by Commission Regulation (EC) No 1253/1999 ⁽²⁾, and in particular Article 13(8) thereof,

- (1) Whereas the corrective amount applicable to the refund on cereals was fixed by Commission Regulation (EC) No 1458/1999 ⁽³⁾;
- (2) Whereas, on the basis of today's cif prices and cif forward delivery prices, taking foreseeable developments on the market into account, the corrective amount at present applicable to the refund on cereals should be altered;

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

HAS ADOPTED THIS REGULATION:

Article 1

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

Article 2

This Regulation shall enter into force on 1 August 1999.

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

Done at Brussels, 30 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 167, 2.7.1999, p. 29.

ANNEX

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

(EUR/t)

Product code	Destination ⁽¹⁾	Current 8	1st period 9	2nd period 10	3rd period 11	4th period 12	5th period 1	6th period 2
1001 10 00 9200	—	—	—	—	—	—	—	—
1001 10 00 9400	01	0	-1,00	-2,00	-3,00	-4,00	—	—
1001 90 91 9000	—	—	—	—	—	—	—	—
1001 90 99 9000	01	—	—	—	—	—	—	—
1002 00 00 9000	01	—	—	—	—	—	—	—
1003 00 10 9000	—	—	—	—	—	—	—	—
1003 00 90 9000	01	—	—	—	—	—	—	—
1004 00 00 9200	—	—	—	—	—	—	—	—
1004 00 00 9400	01	—	—	—	—	—	—	—
1005 10 90 9000	—	—	—	—	—	—	—	—
1005 90 00 9000	01	—	—	—	—	—	—	—
1007 00 90 9000	—	—	—	—	—	—	—	—
1008 20 00 9000	—	—	—	—	—	—	—	—
1101 00 11 9000	—	—	—	—	—	—	—	—
1101 00 15 9100	01	0	0	0	0	0	—	—
1101 00 15 9130	01	0	0	0	0	0	—	—
1101 00 15 9150	01	0	0	0	0	0	—	—
1101 00 15 9170	01	0	0	0	0	0	—	—
1101 00 15 9180	01	0	0	0	0	0	—	—
1101 00 15 9190	—	—	—	—	—	—	—	—
1101 00 90 9000	—	—	—	—	—	—	—	—
1102 10 00 9500	01	0	0	0	0	0	—	—
1102 10 00 9700	—	—	—	—	—	—	—	—
1102 10 00 9900	—	—	—	—	—	—	—	—
1103 11 10 9200	01	0	-1,50	-3,00	-4,50	-6,00	—	—
1103 11 10 9400	01	0	-1,34	-2,68	-4,02	-5,36	—	—
1103 11 10 9900	—	—	—	—	—	—	—	—
1103 11 90 9200	01	0	0	0	0	0	—	—
1103 11 90 9800	—	—	—	—	—	—	—	—

⁽¹⁾ The destinations are identified as follows:

01 all third countries.

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

DIRECTIVE 1999/42/EC OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL
of 7 June 1999

establishing a mechanism for the recognition of qualifications in respect of the professional activities covered by the Directives on liberalisation and transitional measures and supplementing the general systems for the recognition of qualifications

THE EUROPEAN PARLIAMENT AND
THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty establishing the European Community, and in particular Articles 40 and 47(1), the first and third sentences of Article 47(2), and Article 55 thereof,

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

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

Acting in accordance with the procedure laid down in Article 251 of the Treaty ⁽³⁾ and in the light of the joint text adopted on 22 April 1999,

- (1) Whereas, under the Treaty, all discriminatory treatment on grounds of nationality with regard to establishment and provision of services is prohibited as from the end of the transitional period; whereas, therefore, certain provisions of the Directives applying in this area have become redundant for the purposes of applying the rule of national treatment, since that rule is enshrined in the Treaty itself and has direct effect;
- (2) Whereas, however, certain of the Directives' provisions designed to facilitate the effective exercise of the right of establishment and freedom to provide services should be retained, particularly where they usefully prescribe how obligations under the Treaty are to be discharged;
- (3) Whereas, in order to facilitate the exercise of freedom of establishment and freedom to provide services in respect of a number of activities, Directives introducing transitional measures have been adopted pending mutual recognition of qualifications; whereas those Directives accept the fact that the activity in question has been pursued for a reasonable and sufficiently recent period of time in the Member State from which the national comes as a sufficient qualification for taking up the activities in question in Member States which have rules governing the taking up of such activities;
- (4) Whereas the main provisions of the said Directives should be replaced in line with the conclusions of the European Council held in Edinburgh on 11 and 12 December 1992 regarding subsidiarity, simplification of

Community legislation and, in particular, the reconsideration by the Commission of the relatively old directives dealing with professional qualifications; whereas the Directives in question should therefore be repealed;

- (5) Whereas Council Directive 89/48/EEC of 21 December 1988 on a general system for the recognition of higher-education diplomas awarded on completion of professional education and training of at least three years' duration ⁽⁴⁾ and Council Directive 92/51/EEC of 18 June 1992 on a second general system for the recognition of professional education and training to supplement Directive 89/48/EEC ⁽⁵⁾ do not apply to certain professional activities covered by the Directives applying to this subject-matter (Part One of Annex A to this Directive); whereas recognition machinery in respect of qualifications should, therefore, be introduced for those professional activities not covered by Directives 89/48/EEC and 92/51/EEC; whereas the professional activities listed in Part Two of Annex A to this Directive fall for the most part within the scope of Directive 92/51/EEC as far as the recognition of diplomas is concerned;
- (6) Whereas a proposal has been transmitted to the Council with a view to amending Directives 89/48/EEC and 92/51/EEC in respect of the proof of financial standing and the proof of an insurance against financial risks that a host Member State may require of the beneficiary; whereas the Council intends to deal with this proposal at a later stage;
- (7) Whereas a proposal has been transmitted to the Council with a view to facilitating the free movement of specialised nurses who do not have any of the qualifications listed in Article 3 of Directive 77/452/EEC ⁽⁶⁾; whereas the Council intends to deal with this proposal at a later stage;
- (8) Whereas this Directive should require regular reports to be drawn up on its implementation;
- (9) Whereas this Directive without prejudice to the application of Articles 39(4) and 45 of the Treaty,

⁽¹⁾ OJ C 115, 19.4.1996, p. 16 and

OJ C 264, 30.8.1997, p. 5.

⁽²⁾ OJ C 295, 7.10.1996, p. 43.

⁽³⁾ Opinion of the European Parliament of 20 February 1997 (OJ C 85, 17.3.1997, p. 114), Common Position of the Council of 29 June 1998 (OJ C 262, 19.8.1998, p. 12), Decision of the European Parliament of 8 October 1998 (OJ C 328, 26.10.1998, p. 156), Decision of the European Parliament of 7 May 1999 and Council Decision of 11 May 1999.

⁽⁴⁾ OJ L 19, 24.1.1989, p. 16.

⁽⁵⁾ OJ L 209, 24.7.1992, p. 25. Directive as last amended by Commission Directive 97/38/EC (OJ L 184, 12.7.1997, p. 31).

⁽⁶⁾ Council Directive 77/452/EEC of 27 June 1977 concerning the mutual recognition of diplomas, certificates and other evidence of the formal qualifications of nurses responsible for general care, including measures to facilitate the effective exercise of this right of establishment and freedom to provide services (OJ L 176, 15.7.1977, p. 1). Directive as last amended by Directive 90/658/EC (OJ L 353, 17.12.1990, p. 73).

HAVE ADOPTED THIS DIRECTIVE:

TITLE I

Scope

Article 1

1. Member States shall adopt the measures defined in this Directive in respect of establishment or provision of services in their territories by natural persons and companies or firms covered by Title I of the General Programmes for the abolition of restrictions on freedom to supply services⁽¹⁾ and on freedom of establishment⁽²⁾ (hereinafter called 'beneficiaries') who wish to pursue the activities listed in Annex A.

2. This Directive shall apply to the activities listed in Annex A which nationals of Member States wish to pursue in a host Member State in a self-employed or employed capacity.

Article 2

Member States in which the taking-up or pursuit of any activity referred to in Annex A is subject to possession of certain qualifications shall ensure that any beneficiaries who apply therefor be provided, before they establish themselves or before they begin to provide services, with information as to the rules governing the occupation which they propose to pursue.

TITLE II

Recognition of formal qualifications awarded by another Member State

Article 3

1. Without prejudice to Article 4, a Member State may not, on the grounds of inadequate qualifications, refuse to permit a national of another Member State to take up or pursue any of the activities listed in Part One of Annex A on the same conditions as apply to its own nationals, without having first compared the knowledge and skills certified by the diplomas, certificates or other evidence of formal qualifications obtained by the beneficiary with a view to pursuing the same activity elsewhere in the Community with those required under its own national rules. Where the comparative examination shows that the knowledge and skills certified by a diploma, certificate or other evidence of formal qualifications awarded by another Member State correspond to those required by the national rules, the host Member State cannot refuse the holder the right to pursue the activity in question. Where, however, the comparative examination shows a substantial difference, the host Member State shall give the beneficiary the opportunity to demonstrate that he has acquired the knowledge and skills which were lacking. In this case, the host Member State shall give the applicant the right to choose between an adaptation period and an aptitude test by analogy with Directives 89/48/EEC and 92/51/EEC.

⁽¹⁾ OJ 2, 15.1.1962, p. 32/62.

⁽²⁾ OJ 2, 15.1.1962, p. 36/62.

By way of derogation from this rule, the host Member State may require an adaptation period or an aptitude test if the migrant envisages exercising professional activities in a self-employed capacity or as a manager of an undertaking which are covered by Part One of Annex A and which require the knowledge and the application of the specific national rules in force, provided that knowledge and application of those rules are required by the competent authorities of the host Member State for access to such activities by its own nationals.

Member States shall endeavour to take into consideration the beneficiary's preference as between those alternatives.

2. Applications for recognition within the meaning of paragraph 1 shall be examined within the shortest possible time, and the competent authority in the host Member State shall state its reasons when giving a decision, which shall be taken no later than four months from the date on which the application and comprehensive supporting documentation were submitted. There shall be a right to appeal under national law against a decision or against the absence of such decision.

TITLE III

Recognition of professional qualifications on the basis of professional experience acquired in another Member State

Article 4

Where, in a Member State, the taking-up or pursuit of any activity listed in Annex A is subject to possession of general, commercial or professional knowledge and ability, that Member State shall accept as sufficient evidence of such knowledge and ability the fact that the activity in question has been pursued in another Member State. Where the activity is mentioned in Part One of Annex A, it must have been pursued:

1. in the case of the activities in List I:

- (a) for six consecutive years in either a self-employed capacity or as a manager of an undertaking; or
- (b) for three consecutive years in a self-employed capacity or as a manager of an undertaking where the beneficiary proves that he has received at least three years' prior training for the activity in question, attested by a nationally recognised certificate or regarded by a competent professional or trade body as fully satisfying its requirements; or
- (c) for three consecutive years in a self-employed capacity where the beneficiary proves that he has pursued the activity in question for at least five years in an employed capacity; or
- (d) for five consecutive years in a managerial capacity of which at least three years were spent in technical posts with responsibility for one or more departments of the undertaking where the beneficiary proves that he has received at least three years' prior training for the activity in question, attested by a nationally recognised certificate or regarded by a competent professional or trade body as fully satisfying its requirements.

In the cases referred to in (a) and (c), pursuit of the activity shall not have ceased more than ten years before the date on which the application under Article 8 is made;

2. in the case of the activities in List II:

- (a) for six consecutive years in either a self-employed capacity or as a manager of an undertaking; or
- (b) — for three consecutive years in a self-employed capacity or as a manager of an undertaking where the beneficiary proves that he has received at least three years' prior training for the activity in question, attested by a nationally recognised certificate or regarded by a competent professional or trade body as fully satisfying its requirements, or
— for four consecutive years in a self-employed capacity or as a manager of an undertaking where the beneficiary proves that he has received at least two years' prior training for the activity in question, attested by a nationally recognised certificate or regarded by a competent professional or trade body as fully satisfying its requirements, or
- (c) for three consecutive years in a self-employed capacity or as a manager of an undertaking where the beneficiary proves that he has pursued the activity in question for at least five years in an employed capacity; or
- (d) — for five consecutive years in an employed capacity where the beneficiary proves that he has received at least three years' prior training for the activity in question, attested by a nationally recognised certificate or regarded by a competent professional or trade body as fully satisfying its requirements, or
— for six consecutive years in an employed capacity where the beneficiary proves that he has received at least two years' prior training for the activity in question, attested by a nationally recognised certificate or regarded by a competent professional or trade body as fully satisfying its requirements.

In the cases referred to in (a) and (c), pursuit of the activity shall not have ceased more than ten years before the date on which the application provided for in Article 8 is made;

3. in the case of the activities in List III:

- (a) for six consecutive years in either a self-employed capacity or as a manager of an undertaking; or
- (b) for three consecutive years in a self-employed capacity or as a manager of an undertaking, where the beneficiary proves that he has received at least three years' prior training for the activity in question, attested by a nationally recognised certificate or regarded by a competent professional or trade body as fully satisfying its requirements; or
- (c) for three consecutive years in a self-employed capacity where the beneficiary proves that he has pursued the activity in question for at least five years in an employed capacity.

In the cases referred to in (a) and (c), pursuit of the activity shall not have ceased more than ten years before the date on which the application provided for in Article 8 is made;

4. in the case of the activities in List IV:

- (a) for five consecutive years in either a self-employed capacity or as a manager of an undertaking; or
- (b) for two consecutive years in a self-employed capacity or as a manager of an undertaking where the beneficiary proves that he has received at least three years' prior training for the activity in question, attested by a nationally recognised certificate or regarded by a competent professional or trade body as fully satisfying its requirements; or
- (c) for three consecutive years in a self-employed capacity or as a manager of an undertaking where the beneficiary proves that he has received at least two years' prior training for the activity in question, attested by a nationally recognised certificate or regarded by a competent professional or trade body as fully satisfying its requirements; or
- (d) for two consecutive years in a self-employed capacity or as a manager of an undertaking where the beneficiary proves that he has pursued the activity in question for at least three years in an employed capacity; or
- (e) for three consecutive years in an employed capacity where the beneficiary proves that he has received at least two years' previous training for the activity in question, attested by a nationally recognised certificate or regarded by a competent professional or trade body as fully satisfying its requirements;

5. in the case of the activities in List V(a) and (b):

- (a) for three years in a self-employed capacity or as a manager of an undertaking, provided that pursuit of the activity in question did not cease more than two years before the date on which the application provided for in Article 8 is made;
- (b) for three years in a self-employed capacity or as a manager of an undertaking, provided that pursuit of the activity in question did not cease more than two years before the date on which the application provided for in Article 8 is made, unless the host Member State permits its nationals to interrupt their pursuit of that activity for a longer period; or

6. in the case of the activities in List VI:

- (a) for three consecutive years in either a self-employed capacity or as a manager of an undertaking; or
- (b) for two consecutive years in a self-employed capacity or as a manager of an undertaking where the beneficiary proves that he has received prior training for the activity in question, attested by a nationally recognised certificate or regarded by a competent professional or trade body as fully satisfying its requirements; or

- (c) for two consecutive years in a self-employed capacity or as a manager of an undertaking where the beneficiary proves that he has pursued the activity in question for at least three years in an employed capacity; or
- (d) for three consecutive years in an employed capacity where the beneficiary proves that he has received previous training for the activity in question, attested by a nationally recognised certificate or regarded by a competent professional or trade body as fully satisfying its requirements.

In the cases referred to in (a) and (c), pursuit of the activity shall not have ceased more than 10 years before the date on which the application provided for in Article 8 is made.

Article 5

Where a beneficiary holds a nationally recognised certificate obtained in a Member State attesting to knowledge of and ability in the activity in question equivalent to at least two or three years, as appropriate, of professional training, that certificate may be treated by the host Member State in the same way as a certificate attesting to training of the duration required by Article 4(1)(b) and (d), (2)(b) and (d), (3)(b) and (4)(b), (c) and (e).

Article 6

Where the duration of the training of the beneficiary is at least two years and less than three years, the requirements of Article 4 shall be satisfied if the duration of professional experience in a self-employed capacity or as a manager specified in Article 4(1)(b) and (d), (2)(b), first indent, (3)(b) and (4)(b) or in an employed capacity specified in Article 4(2)(d), first indent is extended in the same proportion to cover the difference in the duration of the training.

Article 7

A person shall be regarded as having pursued an activity as a manager of an undertaking within the meaning of Article 4 if he has pursued such an activity in an undertaking in the occupational field in question:

- (a) as a manager of an undertaking or a manager of a branch of an undertaking; or
- (b) as a deputy to the proprietor or the manager of an undertaking where that post involves responsibility equivalent to that of the proprietor or manager represented; or
- (c) in a managerial post with duties of a commercial and/or technical nature and with responsibility for one or more departments of the undertaking.

Article 8

Proof that the conditions laid down in Article 4 are satisfied shall be established by a certificate concerning the nature and duration of the activity issued by the competent authority or body in the home Member State or in the Member State from where the beneficiary comes which the beneficiary must submit in support of his application for authorisation to pursue the activity or activities in question in the host Member State.

TITLE IV

Recognition of other professional qualifications obtained in another Member State

Article 9

1. Where a host Member State requires its own nationals wishing to take up any activity referred to in Article 1(2) to furnish proof of good character and proof that they are not and have not previously been declared bankrupt, or proof of either of these, it shall accept as sufficient evidence, in respect of nationals of other Member States, the production of an extract from the 'judicial record' or, failing this, of an equivalent document issued by a competent judicial or administrative authority in the home Member State or in the Member State from where the beneficiary comes showing that these requirements are satisfied.

2. Where a host Member State imposes on its own nationals wishing to take up any activity referred to in Article 1(2) certain requirements as to good character and requires them to prove that they are not and have not previously been declared bankrupt and have not previously been the subject of professional or administrative disciplinary measures (for example, withdrawal of the right to hold certain offices, suspension from practice or striking-off), but proof cannot be obtained from the document referred to in paragraph 1 of this Article, it shall accept as sufficient evidence in respect of nationals of other Member States a certificate issued by a competent judicial or administrative authority in the home Member State or in the Member State from where the beneficiary comes attesting that the requirements are satisfied. Such certificate shall relate to the specific facts regarded as relevant by the host Member State.

3. Where the home Member State or the Member State from where the beneficiary comes does not issue the documents referred to in paragraphs 1 and 2, such documents shall be replaced by a declaration on oath — or, in those Member States where there is no provision for such declaration on oath, by a solemn declaration — made by the person concerned before a competent judicial or administrative authority or, where appropriate, a notary in that Member State; such authority or notary shall issue a certificate attesting the authenticity of the declaration on oath or solemn declaration. The declaration of no previous bankruptcy may also be made before a competent professional or trade body in that Member State.

4. Where a host Member State requires proof of financial standing, it shall regard certificates issued by banks in the home Member State or in the Member State from where the beneficiary comes as equivalent to those issued in its own territory.

5. Where a host Member State requires its own nationals wishing to take up or pursue any activity referred to in Article 1(2) to furnish proof that they are insured against the financial risks arising from their professional liability, it shall accept certificates issued by the insurance undertakings of other Member States as equivalent to those issued in its own territory. Such certificates shall state that the insurer has complied with the laws and regulations in force in the host Member State regarding the terms and extent of cover.

6. At the time of their production, the documents referred to in paragraphs 1, 2, 3 and 5 may not date from more than three months after their date of issue.

TITLE V

Procedural provisions

Article 10

1. Member States shall designate, within the period stipulated in Article 14, the authorities and bodies responsible for issuing the certificates referred to in Articles 8 and 9(1), (2) and (3) and shall communicate this information forthwith to the other Member States and to the Commission.

2. Each Member State may nominate a coordinator for the activities of the authorities and bodies referred to in paragraph 1 to the coordinating group set up under Article 9(2) of Directive 89/48/EEC. The tasks of the coordinating group shall also be as follows:

- facilitating the implementation of this Directive;
- collecting all useful information for its application in the Member States and especially gathering and comparing information on the different professional qualifications in the areas of activity falling within the scope of this Directive.

TITLE VI

Final provisions

Article 11

1. The Directives listed in Annex B are hereby repealed.
2. References to the repealed Directives shall be construed as references to this Directive.

Article 12

As from 1 January 2001, Member States shall communicate to the Commission every two years a report on the application of the system introduced.

In addition to general remarks, that report shall contain a statistical summary of the decisions taken and a description of the main problems arising from the application of this Directive.

Article 13

Not later than five years after the date referred to in Article 14, the Commission shall report to the European Parliament and the Council on the state of application of this Directive, and in particular of Article 5, in the Member States.

After undertaking all the necessary hearings, especially of the coordinators, the Commission shall submit its conclusions regarding any changes to the existing arrangement. If necessary, the Commission shall also submit proposals for improving the existing arrangements with the aim of facilitating free movement of persons, the right of establishment and freedom to provide services.

Article 14

1. Member States shall bring into force the laws, regulations and administrative provisions necessary to comply with this Directive before 31 July 2001. They shall immediately inform the Commission thereof.

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

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

Article 15

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

Article 16

This Directive is addressed to the Member States.

Done at Luxembourg, 7 June 1999.

For the European Parliament

The President

J. M. GIL-ROBLES

For the Council

The President

E. BULMAHN

ANNEX A

PART ONE

Activities related to categories of professional experience**List I**

Major Groups covered by Directive 64/427/EEC, as amended by Directive 69/77/EEC, and by Directives 68/366/EEC, 75/368/EEC and 75/369/EEC

1

Directive 64/427/EEC

(liberalisation Directive: 64/429/EEC)

NICE Nomenclature (corresponding to ISIC Major Groups 23-40)

Major Group 23	Manufacture of textiles
232	Manufacturing and processing of textile materials on woollen machinery
233	Manufacturing and processing of textile materials on cotton machinery
234	Manufacturing and processing of textile materials on silk machinery
235	Manufacturing and processing of textile materials on flax and hemp machinery
236	Other textile fibre industries (jute, hard fibres, etc.) cordage
237	Manufacture of knitted and crocheted goods
238	Textile finishing
239	Other textile industries
Major Group 24	Manufacture of footwear, other wearing apparel and bedding
241	Machine manufacture of footwear (except from rubber or wood)
242	Manufacture by hand and repair of footwear
243	Manufacture of wearing apparel (except furs)
244	Manufacture of mattresses and bedding
245	Skin and fur industries
Major Group 25	Manufacture of wood and cork, except manufacture of furniture
251	Sawing and industrial preparation of wood
252	Manufacture of semi-finished wood products
253	Series production of wooden building components including flooring
254	Manufacture of wooden containers
255	Manufacture of other wooden products (except furniture)
259	Manufacture of straw, cork, basketware, wicker-work and rattan products; brush-making
Major Group 26	260 Manufacture of wooden furniture
Major Group 27	Manufacture of paper and paper products
271	Manufacture of pulp, paper and paperboard
272	Processing of paper and paperboard, and manufacture of articles of pulp
Major Group 28	280 Printing, publishing and allied industries
Major Group 29	Leather industry
291	Tanneries and leather finishing plants
292	Manufacture of leather products

ex Major Group 30	Manufacture of rubber and plastic products, man-made fibres and starch products
301	Processing of rubber and asbestos
302	Processing of plastic materials
303	Production of man-made fibres
ex Major Group 31	Chemical industry
311	Manufacture of chemical base materials and further processing of such materials
312	Specialised manufacture of chemical products principally for industrial and agricultural purposes (including the manufacture for industrial use of fats and oils of vegetable or animal origin falling within ISIC Group 312)
313	Specialised manufacture of chemical products principally for domestic or office use (excluding the manufacture of medicinal and pharmaceutical products (ISIC ex Group 319))
Major Group 32	320 Petroleum industry
Major Group 33	Manufacture of non-metallic mineral products
331	Manufacture of structural clay products
332	Manufacture of glass and glass products
333	Manufacture of ceramic products, including refractory goods
334	Manufacture of cement, lime and plaster
335	Manufacture of structural materials, in concrete, cement and plaster
339	Stone working and manufacture of other non-metallic mineral products
Major Group 34	Production and primary transformation of ferrous and non-ferrous metals
341	Iron and steel industry (as defined in the ECSC Treaty, including integrated steelworks-owned coking plants)
342	Manufacture of steel tubes
343	Wire-drawing, cold-drawing, cold-rolling of strip, cold-forming
344	Production and primary transformation of non-ferrous metals
345	Ferrous and non-ferrous metal foundries
Major Group 35	Manufacture of metal products (except machinery and transport equipment)
351	Forging, heavy stamping and heavy pressing
352	Secondary transformation and surface-treatment
353	Metal structures
354	Boilermaking, manufacture of industrial hollow-ware
355	Manufacture of tools and implements and finished articles of metal (except electrical equipment)
359	Ancillary mechanical engineering activities
Major Group 36	Manufacture of machinery other than electrical machinery
361	Manufacture of agricultural machinery and tractors
362	Manufacture of office machinery
363	Manufacture of metal-working and other machine-tools and fixtures and attachments for these and for other powered tools
364	Manufacture of textile machinery and accessories, manufacture of sewing machines
365	Manufacture of machinery and equipment for the food-manufacturing and beverage industries and for the chemical and allied industries
366	Manufacture of plant and equipment for mines, iron and steel works foundries, and for the construction industry; manufacture of mechanical handling equipment
367	Manufacture of transmission equipment
368	Manufacture of machinery for other specific industrial purposes
369	Manufacture of other non-electrical machinery and equipment

Major Group 37	Electrical engineering
371	Manufacture of electric wiring and cables
372	Manufacture of motors, generators, transformers, switch gear, and other similar equipment for the provision of electric power
373	Manufacture of electrical equipment for direct commercial use
374	Manufacture of telecommunications equipment, meters, other measuring appliances and electromedical equipment
375	Manufacture of electronic equipment, radio and television receivers, audio equipment
376	Manufacture of electric appliances for domestic use
377	Manufacture of lamps and lighting equipment
378	Manufacture of batteries and accumulators
379	Repair, assembly and specialist installation of electrical equipment
ex Major Group 38	Manufacture of transport equipment
383	Manufacture of motor vehicles and parts thereof
384	Repair of motor vehicles, motorcycles and cycles
385	Manufacture of motorcycles, cycles and parts thereof
389	Manufacture of transport equipment not elsewhere classified
Major Group 39	Miscellaneous manufacturing industries
391	Manufacture of precision instruments and measuring and controlling instruments
392	Manufacture of medico-surgical instruments and equipment and orthopaedic appliances (except orthopaedic footwear)
393	Manufacture of photographic and optical equipment
394	Manufacture and repair of watches and clocks
395	Jewellery and precious metal manufacturing
396	Manufacture and repair of musical instruments
397	Manufacture of games, toys, sporting and athletic goods
399	Other manufacturing industries
Major Group 40	Construction
400	Construction (non-specialised); demolition
401	Construction of buildings (dwellings or other)
402	Civil engineering; building of roads, bridges, railways, etc.
403	Installation work
404	Decorating and finishing

Major Group 20 A	200	Industries producing animal and vegetable fats and oils
20 B		Food manufacturing industries (excluding the beverage industry)
	201	Slaughtering, preparation and preserving of meat
	202	Milk and milk products industry
	203	Canning and preserving of fruits and vegetables
	204	Canning and preserving of fish and other sea foods
	205	Manufacture of grain mill products
	206	Manufacture of bakery products, including rusks and biscuits
	207	Sugar industry
	208	Manufacture of cocoa, chocolate and sugar confectionery
	209	Manufacture of miscellaneous food products

Major Group 21	Beverage industry
	211 Production of ethyl alcohol by fermentation, production of yeast and spirits
	212 Production of wine and other unmalted alcoholic beverages
	213 Brewing and malting
	214 Soft drinks and carbonated water industries
ex 30	Manufacture of rubber products, plastic materials, artificial and synthetic fibres and starch products
	304 Manufacture of starch products

3

Directive 75/368/EEC (activities listed in Article 5(1))

ISIC Nomenclature

ex 04	Fishing
	043 Inland water fishing
ex 38	Manufacture of transport equipment
	381 Shipbuilding and repairing
	382 Manufacture of railroad equipment
	386 Manufacture of aircraft (including space equipment)
ex 71	Activities allied to transport and activities other than transport coming under the following groups:
	ex 711 Sleeping- and dining-car services; maintenance of railway stock in repair sheds; cleaning of carriages
	ex 712 Maintenance of stock for urban, suburban and interurban passenger transport
	ex 713 Maintenance of stock for other passenger land transport (such as motor cars, coaches, taxis)
	ex 714 Operation and maintenance of services in support of road transport (such as roads, tunnels and toll-bridges, goods depots, car parks, bus and tram depots)
	ex 716 Activities allied to inland water transport (such as operation and maintenance of waterways, ports and other installations for inland water transport; tug and piloting services in ports, setting of buoys, loading and unloading of vessels and other similar activities, such as salvaging of vessels, towing and the operation of boathouses)
73	Communication: postal services and telecommunications
ex 85	Personal services
	854 Laundries and laundry services, dry-cleaning and dyeing
	ex 856 Photographic studios: portrait and commercial photography, except journalistic photographers
	ex 859 Personal services not elsewhere classified (maintenance and cleaning of buildings or accommodation only)

4

Directive 75/369/EEC (Article 6: where the activity is regarded as being of an industrial or small-craft nature)

ISIC Nomenclature

The following itinerant activities:

(a) the buying and selling of goods:

— by itinerant tradesmen, hawkers or pedlars (ex ISIC Group 612);

— in covered markets other than from permanently fixed installations and in open-air markets;

(b) activities covered by transitional measures already adopted that expressly exclude or do not mention the pursuit of such activities on an itinerant basis.

List II**Directive 82/470/EEC (Article 6(3))**

Groups 718 and 720 of the ISIC Nomenclature

The activities comprise in particular:

- organizing, offering for sale and selling, outright or on commission, single or collective items (transport, board, lodging, excursions, etc.) for a journey or stay, whatever the reasons for travelling (Article 2(B)(a)).

List III**Directive 82/489/EEC**

ex 855 Hairdressing, excluding services of chiropodists and professional beauticians' and hairdressers' training schools

List IV**Directive 82/470/EEC (Article 6(1))**

Groups 718 and 720 of the ISIC Nomenclature:

The activities comprise in particular:

- acting as an intermediary between contractors for various methods of transport and persons who dispatch or receive goods, and carrying out related activities:
 - (aa) by concluding contracts with transport contractors, on behalf of principals;
 - (bb) by choosing the method of transport, the firm and the route considered most profitable for the principal;
 - (cc) by arranging the technical aspects of the transport operation (e.g. packing required for transportation); by carrying out various operations incidental to transport (e.g. ensuring ice supplies for refrigerated wagons);
 - (dd) by completing the formalities connected with the transport such as the drafting of way bills; by assembling and dispersing shipments;
 - (ee) by coordinating the various stages of transportation, by ensuring transit, reshipment, transshipment and other termination operations;
 - (ff) by arranging both freight and carriers and means of transport for persons dispatching goods or receiving them;
- assessing transport costs and checking the detailed accounts;
- taking certain temporary or permanent measures in the name of and on behalf of a shipowner or sea transport carrier (with the port authorities, ship's chandlers, etc.)

(The activities listed under Article 2(A)(a), (b) and (d)).

List V**Directives (64/222/EEC) and (70/523/EEC)**

(a)

See Article 4(5)(a) of this Directive

Directive 64/222/EEC

(liberalisation Directive 64/224/EEC)

1. professional activities of an intermediary who is empowered and instructed by one or more persons to negotiate or enter into commercial transactions in the name of and on behalf of those persons;
2. professional activities of an intermediary who, while not being permanently so instructed, brings together persons wishing to contract directly with one another or arranges their commercial transactions or assists in the completion thereof;

3. professional activities of an intermediary who enters into commercial transactions in his own name on behalf of others;
4. professional activities of an intermediary who carries out wholesale selling by auction on behalf of others;
5. professional activities of an intermediary who goes from door to door seeking orders;
6. provision of services, by way of professional activities, by an intermediary in the employment of one or more commercial, industrial or small craft undertakings.

(b)

*See Article 4(5)(b) of this Directive**Directive 70/523/EEC*

Activities of self-employed persons in the wholesale coal trade and activities of intermediaries in the coal trade (ex Group 6112, ISIC Nomenclature)

List VI**Directives 68/364/EEC, 68/368/EEC, 75/368/EEC, 75/369/EEC, 82/470/EEC**

1

*Directive 68/364/EEC**(liberalisation Directive 68/363/EEC)*

ISIC ex Group 612 Retail trade

Excluded activities:

- | | |
|-----|--|
| 012 | Letting-out for hire of farm machinery |
| 640 | Real estate, letting of property |
| 713 | Letting-out for hire of automobiles, carriages and horses |
| 718 | Letting-out for hire of railway carriages and wagons |
| 839 | Renting of machinery to commercial undertakings |
| 841 | Booking of cinema seats and renting of cinematograph films |
| 842 | Booking of theatre seats and renting of theatrical equipment |
| 843 | Letting-out for hire of boats, bicycles, coin-operated machines for games of skill or chance |
| 853 | Letting of furnished rooms |
| 854 | Laundered linen hire |
| 859 | Garment hire |

2

*Directive 68/368/EEC**(liberalisation Directive 68/367/EEC)**ISIC Nomenclature*

ISIC ex Major Group 85:

1. Restaurants, cafes, taverns and other drinking and eating places (ISIC Group 852)
2. Hotels, rooming houses, camps and other lodging places (ISIC Group 853)

3

Directive 75/368/EEC (Article 7)

All the activities listed in the Annex to Directive 75/368/EEC, except those referred to in Article 5 of that Directive (List I, No 3 of this Annex).

ISIC Nomenclature

- ex 62 Banks and other financial institutions
 - ex 620 Patent buying and licensing companies
- ex 71 Transport
 - ex 713 Road passenger transport, excluding transportation by means of motor vehicles
 - ex 719 Transportation by pipelines of liquid hydrocarbons and other liquid chemical products
- ex 82 Community services
 - 827 Libraries, museums, botanical and zoological gardens
- ex 84 Recreation services
 - 843 Recreation services not elsewhere classified:
 - sporting activities (sports grounds, organising sporting fixtures, etc.), except the activities of sports instructors
 - games (racing stables, areas for games, racecourses, etc.)
 - other recreational activities (circuses, amusement parks and other entertainments)
- ex 85 Personal services
 - ex 851 Domestic services
 - ex 855 Beauty parlours and services of manicurists, excluding services of chiropodists and professional beauticians' and hairdressers' training schools
 - ex 859 Personal services not elsewhere classified, except sports and paramedical masseurs and mountain guides, divided into the following groups
 - disinfecting and pest control
 - hiring of clothes and storage facilities
 - marriage bureaux and similar services
 - astrology, fortune-telling and the like
 - sanitary services and associated activities
 - undertaking and cemetery maintenance
 - couriers and interpreter-guides

4

Directive 75/369/EEC (Article 5)

The following itinerant activities:

- (a) the buying and selling of goods:
 - by itinerant tradesmen, hawkers or pedlars (ex ISIC Group 612);
 - in covered markets other than from permanently fixed installations and in open-air markets;
- (b) activities covered by transitional measures already adopted that expressly exclude or do not mention the pursuit of such activities on an itinerant basis.

5

Directive 82/470/EEC (Article 6(2))

(Activities listed in Article 2(A)(c) and (e), (B)(b), (C) and (D))

These activities comprise in particular:

- hiring railway cars or wagons for transporting persons or goods;
- acting as an intermediary in the sale, purchase or hiring of ships;

- arranging, negotiating and concluding contracts for the transport of emigrants;
- receiving all objects and goods deposited, on behalf of the depositor, whether under customs control or not, in warehouses, general stores, furniture depots, coldstores, silos, etc.
- supplying the depositor with a receipt for the object or goods deposited;
- providing pens, feed and sales rings for livestock being temporarily accommodated while awaiting sale or while in transit to or from the market;
- carrying out inspection or technical valuation of motor vehicles;
- measuring, weighing and gauging goods.

PART TWO

Activities other than those covered in Part One

1

Directives 63/261/EEC, 63/262/EEC, 65/1/EEC, 67/530/EEC, 67/531/EEC, 67/532/EEC, 68/192/EEC, 68/415/EEC and 71/18/EEC

ISIC Nomenclature

ex Major group 01 Agriculture

In particular:

- (a) general agriculture including the growing of field crops and viticulture; growing of fruits, nuts, seeds, vegetables, flowers, both in the open and under glass;
- (b) raising of livestock, poultry, rabbits, fur-bearing or other animals, bees; the production of meat, milk, wool, skins and fur, eggs, honey;
- (c) agricultural, animal husbandry and horticultural services on a fee or contract basis.

2

Directive 63/607/EEC

(Films)

3

Directive 64/223/EEC

ISIC Nomenclature

ex Group 611 Activities of self-employed persons in wholesale trade (with the exception of wholesale trade in medicinal and pharmaceutical products, in toxic products and pathogens, and in coal).

4

Directive 64/428/EEC

NICE Nomenclature

Major 11	Group Mining and preparation of solid fuels
	111 Mining and preparation of coal
	112 Mining and preparation of lignite
Major 12	Mining of metalliferous ores
	121 Mining of iron ore
	122 Mining of non-ferrous metalliferous ores and related activities
Major ex 13	ex 130 Extraction of petroleum and natural gas (excluding prospecting and drilling)
Major 14	140 Extraction of building materials and fireclays
Major 19	190 Extraction of other minerals and of peat

5

*Directive 65/264/EEC**(cinema)*

6

*Directive 66/162/EEC**ISIC Nomenclature*

Division 5 Electricity, gas, steam, water and sanitary services

7

*Directive 67/43/EEC**ISIC Nomenclature*

ex Group 640 Real estate (excluding 6401)

Group 839 Business services not elsewhere classified (excluding journalism, activities of customs agents, advice on economic, financial, commercial, statistical, and labour and employment matters, debt collection)

8

*Directive 67/654/EEC**ISIC Nomenclature*

Major Group 02 Forestry and logging

021 Forestry

022 Logging

9

*Directives 68/369/EEC and 70/451/EEC**ISIC Nomenclature*

ex Group 841 Production, distribution and projection of films

10

*Directive 69/82/EEC**ISIC Nomenclature*

ex Major Group 13

ex 130 Exploration (prospecting and drilling) for petroleum and natural gas

11

*Directive 70/522/EEC**ISIC Nomenclature*

ex Group 6112 Coal

ANNEX B

REPEALED DIRECTIVES

PART ONE: LIBERALISATION DIRECTIVES

- 63/261/EEC: Council Directive of 2 April 1963 laying down detailed provisions for the attainment of freedom of establishment in agriculture in the territory of a Member State in respect of nationals of other countries of the Community who have been employed as paid agricultural workers in that Member State for a continuous period of two years
- 63/262/EEC: Council Directive of 2 April 1963 laying down detailed provisions for the attainment of freedom of establishment on agricultural holdings abandoned or left uncultivated for more than two years
- 63/607/EEC: Council Directive of 15 October 1963 implementing in respect of the film industry the provisions of the General Programme for the abolition of restrictions on freedom to provide services
- 64/223/EEC: Council Directive of 25 February 1964 concerning the attainment of freedom of establishment and freedom to provide services in respect of activities in wholesale trade
- 64/224/EEC: Council Directive of 25 February 1964 concerning the attainment of freedom of establishment and freedom to provide services in respect of activities of intermediaries in commerce, industry and small craft industries
- 64/428/EEC: Council Directive of 7 July 1964 concerning the attainment of freedom of establishment and freedom to provide services in respect of activities of self-employed persons in mining and quarrying (ISIC Major Groups 11-19)
- 64/429/EEC: Council Directive of 7 July 1964 concerning the attainment of freedom of establishment and freedom to provide services in respect of activities of self-employed persons in manufacturing and processing industries falling within ISIC Major Groups 23-40 (industry and small craft industries)
- 65/1/EEC: Council Directive of 14 December 1964 laying down detailed provisions for the attainment of freedom to provide services in agriculture and horticulture
- 65/264/EEC: Second Council Directive of 13 May 1965 implementing in respect of the film industry the provisions of the General Programmes for the abolition of restrictions on freedom of establishment and freedom to provide services
- 66/162/EEC: Council Directive of 28 February 1966 concerning the attainment of freedom of establishment and freedom to provide services in respect of activities of self-employed persons engaging in the provision of electricity, gas, water and sanitary services (ISIC Division 5)
- 67/43/EEC: Council Directive of 12 January 1967 concerning the attainment of freedom of establishment and freedom to provide services in respect of activities of self-employed persons concerned with: 1. Matters of 'real estate' (excluding 6401) (ISIC Group ex 640); 2. The provision of certain 'business services not elsewhere classified' (ISIC Group 839)
- 67/530/EEC: Council Directive of 25 July 1967 concerning the freedom of nationals of a Member State established as farmers in another Member State to transfer from one holding to another
- 67/531/EEC: Council Directive of 25 July 1967 concerning the application of the laws of Member States relating to agricultural leases to farmers who are nationals of other Member States
- 67/532/EEC: Council Directive of 25 July 1967 concerning freedom of access to cooperatives for farmers who are nationals of one Member State and established in another Member State

- 67/654/EEC: Council Directive of 24 October 1967 laying down detailed provisions for the attainment of freedom of establishment and freedom to provide services in respect of activities of self-employed persons in forestry and logging
- 68/192/EEC: Council Directive of 5 April 1968 concerning freedom of access to the various forms of credit for farmers who are nationals of one Member State and established in another Member State
- 68/363/EEC: Council Directive of 15 October 1968 concerning the attainment of freedom of establishment and freedom to provide services in respect of activities of self-employed persons in retail trade (ISIC ex Group 612)
- 68/365/EEC: Council Directive of 15 October 1968 concerning the attainment of freedom of establishment and freedom to provide services in respect of activities of self-employed persons in the food manufacturing and beverage industries (ISIC Major Groups 20 and 21)
- 68/367/EEC: Council Directive of 15 October 1968 concerning the attainment of freedom of establishment and freedom to provide services in respect of activities of self-employed persons in the personal services sector (ISIC ex Major Group 85); 1. Restaurants, cafés, taverns and other drinking and eating places (ISIC Group 852); 2. Hotels, rooming houses, camps and other lodging places (ISIC Group 853)
- 68/369/EEC: Council Directive of 15 October 1968 concerning the attainment of freedom of establishment in respect of activities of self-employed persons in film distribution
- 68/415/EEC: Council Directive of 20 December 1968 concerning freedom of access to the various forms of aid for farmers who are nationals of one Member State and established in another Member State
- 69/82/EEC: Council Directive of 13 March 1969 concerning the attainment of freedom of establishment and freedom to provide services in respect of activities of self-employed persons engaging in exploration (prospecting and drilling) for petroleum and natural gas (ISIC ex Major Group 13)
- 70/451/EEC: Council Directive of 29 September 1970 concerning the attainment of freedom of establishment and freedom to provide services in respect of activities of self-employed persons in film production
- 70/522/EEC: Council Directive of 30 November 1970 concerning the attainment of freedom of establishment and freedom to provide services in respect of activities of self-employed persons in the wholesale coal trade and activities of intermediaries in the coal trade (ISIC ex Group 6112)
- 71/18/EEC: Council Directive of 16 December 1970 laying down detailed provisions for the attainment of freedom of establishment in respect of self-employed persons providing agricultural and horticultural services

PART TWO: DIRECTIVES PROVIDING FOR TRANSITIONAL MEASURES

- 64/222/EEC: Council Directive of 25 February 1964 laying down detailed provisions concerning transitional measures in respect of activities in wholesale trade and activities of intermediaries in commerce, industry and small craft industries
- 64/427/EEC: Council Directive of 7 July 1964 laying down detailed provisions concerning transitional measures in respect of activities of self-employed persons in manufacturing and processing industries falling within ISIC Major Groups 23-40 (Industry and small craft industries), as amended by Council Directive 69/77/EEC of 4 March 1969
- 68/364/EEC: Council Directive of 15 October 1968 laying down detailed provisions concerning transitional measures in respect of activities of self-employed persons in retail trade (ISIC ex Group 612)

- 68/366/EEC: Council Directive of 15 October 1968 laying down detailed provisions concerning transitional measures in respect of activities of self-employed persons in the food manufacturing and beverage industries (ISIC Major Groups 20 and 21)
- 68/368/EEC: Council Directive of 15 October 1968 laying down detailed provisions concerning transitional measures in respect of activities of self-employed persons in the personal services sector (ISIC ex Major Group 85); 1. Restaurants, cafes, taverns and other drinking and eating places (ISIC Group 852); 2. Hotels, rooming houses, camps and other lodging places (ISIC Group 853)
- 70/523/EEC: Council Directive of 30 November 1970 laying down detailed provisions concerning transitional measures in respect of activities of self-employed persons in the wholesale coal trade and in respect of activities of intermediaries in the coal trade (ISIC ex group 6112)
- 75/368/EEC: Council Directive of 16 June 1975 on measures to facilitate the effective exercise of freedom of establishment and freedom to provide services in respect of various activities (ex ISIC Division 01 to 85) and, in particular, transitional measures in respect of those activities
- 75/369/EEC: Council Directive of 16 June 1975 on measures to facilitate the effective exercise of freedom of establishment and freedom to provide services in respect of itinerant activities and, in particular, transitional measures in respect of those activities
- 82/470/EEC: Council Directive of 29 June 1982 on measures to facilitate the effective exercise of freedom of establishment and freedom to provide services in respect of activities of self-employed persons in certain services incidental to transport and travel agencies (ISIC Group 718) and in storage and warehousing (ISIC Group 720)
- 82/489/EEC: Council Directive of 19 July 1982 laying down measures to facilitate the effective exercise of the right of establishment and freedom to provide services in hairdressing
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CORRIGENDA

Corrigendum to Commission Regulation (EC) No 1572/1999 of 19 July 1999 fixing the olive yields and oil yields for the 1998/99 marketing year*(Official Journal of the European Communities L 187 of 20 July 1999)*

On page 25,

in the Annex, before 'D. PORTUGAL'

insert the following:
 'D. ESPAÑA — SPANIEN — SPANIEN — ΙΣΠΑΝΙΑ — SPAIN — ESPAGNE — SPAGNA — SPANJE — ESPANHA —
 ESPANJA — SPANIEN

Provincia Provins Provinz Επαρχία Province Province Provincia Provincie Província Kunta/Maakunta Kommun/provins	Zona Zone Zone Ζώνη Zone Zone Zona Zone Zona Alue Zon	kg aceitunas/árbol kg oliven/træ kg Oliven/Baum Χιλιόγραμμα ελαιοκάρπου/δένδρο Olives kg/tree kg olives/arbre kg olive/albero kg oljiven/boom kg azeitonas/árvore kg oliiveja/puu kg oliver/träd	kg aceite/100 kg aceitunas kg olie/100 kg oliven kg Öl/100 kg Oliven Χιλιόγραμμα ελαιολάδου/ 100 χιλιόγραμμα ελαιοκάρπου Oil kg/100 kg olives kg huile/100 kg olives kg olio/100 kg olive kg olie/100 kg oljiven kg azeite/100 kg azeitonas kg öljyä/100 kg oliiveja kg olja/100 kg oliver
Almería	1	21,00	20,7
Cádiz	1	8,57	20,5
Córdoba	1	7,20	20,9
	2	25,84	19,4
	3	30,16	20,0
	4	28,51	21,0
Granada	1	10,95	23,1
Huelva	1	11,00	23,2
	2	15,00	24,5
Jaén	1	32,40	20,7
	2	26,27	22,3
	3	30,06	22,9
	4	42,07	21,8
	5	37,82	22,1
Málaga	1	30,75	21,0
	2	20,17	20,2
Sevilla	1	21,62	19,5
	2	4,32	21,5
	3	13,91	18,0
Zaragoza	1	9,00	23,0
	2	5,00	22,0
	3	5,00	22,0
	4	14,00	21,0
	5	10,00	21,0
	6	13,00	21,0
Teruel	1	9,00	23,5
	2	7,00	22,5
	3	6,00	21,0
	4	27,00	20,0
Huesca	1	2,00	20,0
	2	4,00	22,5
	3	7,50	20,0
	4	3,50	22,5
	5	5,50	18,0
Baleares	1	4,70	24,0
	2	9,80	25,7
	3	11,00	26,2
	4	8,50	25,8

Provincia Provins Provinz Επαρχία Province Province Provincia Provincie Província Kunta/Maakunta Kommun/provins	Zona Zone Zone Ζώνη Zone Zone Zona Zone Zone Alue Zon	kg aceitunas/árbol kg oliven/træ kg Oliven/Baum Χιλιόγραμμα ελαιοκάρπου/δένδρο Olives kg/tree kg olives/arbre kg olive/albero kg olijven/boom kg azeitonas/árvore kg oliiveja/puu kg oliver/träd	kg aceite/100 kg aceitunas kg olie/100 kg oliven kg Öl/100 kg Oliven Χιλιόγραμμα ελαιολάδου/ 100 χιλιόγραμμα ελαιοκάρπου Oil kg/100 kg olives kg huile/100 kg olives kg olio/100 kg olive kg olie/100 kg olijven kg azeite/100 kg azeitonas kg öljy/100 kg oliiveja kg olja/100 kg oliver
Albacete	1	5,80	21,8
	2	5,50	21,5
	3	5,10	22,4
	4	5,50	23,0
	5	4,70	23,3
	6	5,50	22,7
	7	6,00	22,5
Ciudad Real	1	4,10	23,7
	2	4,50	24,0
	3	5,60	24,3
	4	5,00	19,7
	5	6,30	22,4
	6	5,60	23,8
Cuenca	1	5,70	20,0
	2	5,20	19,0
	3	5,80	20,5
	4	7,50	20,0
	5	6,30	21,5
	6	7,30	20,0
Guadalajara	1	6,00	20,0
	2	4,20	20,0
	3	4,70	20,0
	4	5,00	20,0
Toledo	1	1,25	16,5
	2	2,50	23,8
	3	5,25	23,0
	4	8,50	23,8
	5	16,00	24,6
	6	23,00	25,6
	7	15,00	24,0
Ávila	1	6,00	20,0
	2	4,00	19,0
	3	6,00	18,0
	4	4,00	16,0
Salamanca	1	4,92	16,0
	2	6,68	17,6
Zamora	1	30,00	11,5
Barcelona	1	16,00	22,0
	2	5,00	24,0
	3	6,00	23,0
	4	8,00	18,0
	5	10,00	19,0
Gerona	1	16,00	21,0
Lérida	1	6,00	21,5
	2	7,00	22,0
	3	4,50	20,0
	4	5,50	19,0
	5	7,00	22,5
	6	3,50	20,0
	7	4,50	20,0
Tarragona	1	12,00	21,0
	2	8,00	21,0
	3	10,00	20,0
	4	20,00	20,0
	5	17,00	21,0
	6	11,00	22,0
	7	45,00	20,0

Provincia Provins Provinz Επαρχία Province Province Provincia Provincie Província Kunta/Maakunta Kommun/provins	Zona Zone Zone Ζώνη Zone Zone Zona Zone Zona Alue Zon	kg aceitunas/árbol kg oliven/træ kg Oliven/Baum Χιλιόγραμμα ελαιοκάρπου/δένδρο Olives kg/tree kg olives/arbore kg olive/albero kg olijven/boom kg azeitonas/árvore kg oliiveja/puu kg oliver/träd	kg aceite/100 kg aceitunas kg olie/100 kg oliven kg Öl/100 kg Oliven Χιλιόγραμμα ελαιολάδου/ 100 χιλιόγραμμα ελαιοκάρπου Oil kg/100 kg olives kg huile/100 kg olives kg olio/100 kg olive kg olie/100 kg olijven kg azeite/100 kg azeitonas kg õljya/100 kg oliiveja kg olja/100 kg oliver
Badajoz	1	15,00	19,0
	2	11,00	20,0
	3	12,00	19,0
	4	9,00	20,0
	5	9,00	21,0
	6	4,00	21,0
Cáceres	1	5,00	12,6
	2	4,00	15,0
	3	8,00	18,0
	4	5,00	16,0
	5	13,00	19,6
	6	5,00	16,0
La Rioja	1	10,30	22,0
Madrid	1	8,10	22,1
Murcia	1	10,00	24,1
	2	8,96	21,0
	3	11,24	20,5
	4	12,50	21,4
	5	10,66	24,7
Navarra	1	15,47	20,9
	2	10,92	22,7
Álava	1	7,00	24,0
Castellón	1	11,50	21,7
	2	11,50	21,6
	3	6,50	23,5
Valencia	1	8,00	22,6
	2	9,50	23,6
	3	8,00	22,7
	4	6,50	23,0
	5	6,00	23,4
Alicante	1	12,50	24,3
	2	11,50	24,4
	3	12,00	21,7
	4	7,50	24,3
	5	8,50	16,9'

'D. PORTUGAL' becomes 'E. PORTUGAL'.