

Official Journal

of the European Communities

ISSN 0378-6978

L 219

Volume 42

19 August 1999

English edition

Legislation

Contents

I Acts whose publication is obligatory

Commission Regulation (EC) No 1805/1999 of 18 August 1999 establishing the standard import values for determining the entry price of certain fruit and vegetables ...	1
Commission Regulation (EC) No 1806/1999 of 18 August 1999 fixing the maximum export refund for white sugar for the 3rd partial invitation to tender issued within the framework of the standing invitation to tender provided for in Regulation (EC) No 1489/1999	3
Commission Regulation (EC) No 1807/1999 of 18 August 1999 fixing the representative prices and the additional import duties for molasses in the sugar sector	4
Commission Regulation (EC) No 1808/1999 of 18 August 1999 altering the export refunds on white sugar and raw sugar exported in the natural state	6
★ Commission Regulation (EC) No 1809/1999 of 17 August 1999 establishing unit values for the determination of the customs value of certain perishable goods ...	8
★ Commission Regulation (EC) No 1810/1999 of 17 August 1999 imposing a provisional countervailing duty on imports of polyethylene terephthalate (PET) film originating in India	14
Commission Regulation (EC) No 1811/1999 of 18 August 1999 fixing the import duties in the rice sector	33
Commission Regulation (EC) No 1812/1999 of 18 August 1999 amending the corrective amount applicable to the refund on cereals	36

Commission

1999/577/EC:

- ★ **Commission Decision of 20 July 1999 amending Decision 97/778/EC and updating the list of border inspection posts approved for veterinary checks ⁽¹⁾** (notified under document number C(1999) 2258) 38

1999/578/EC:

- ★ **Commission Decision of 28 July 1999 on financial aid from the Community towards the eradication of Newcastle disease in Denmark** (notified under document number C(1999) 2452) 51

1999/579/EC:

- ★ **Commission Decision of 28 July 1999 amending Decisions 93/42/EEC and 95/109/EC concerning additional guarantees relating to infectious bovine rhinotracheitis for bovines destined for certain parts of the territory of the Community, and repealing Decision 97/250/EC ⁽¹⁾** (notified under document number C(1999) 2477) 53

Corrigenda

- Corrigendum to 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 (OJ L 201 of 31.7.1999) 56

I

(Acts whose publication is obligatory)

COMMISSION REGULATION (EC) No 1805/1999
of 18 August 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 19 August 1999.

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

Done at Brussels, 18 August 1999.

For the Commission

Karel VAN MIERT

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 18 August 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
0709 90 70	052	39,5
	999	39,5
0805 30 10	388	60,5
	524	63,3
	528	77,5
	999	67,1
	052	85,6
0806 10 10	400	245,6
	600	67,6
	624	107,6
	999	126,6
	388	64,9
0808 10 20, 0808 10 50, 0808 10 90	400	56,0
	508	62,3
	512	40,0
	524	47,0
	528	54,9
	800	76,0
	804	71,8
	999	59,1
	052	95,5
	388	73,6
0808 20 50	528	21,7
	999	63,6
	052	113,1
0809 30 10, 0809 30 90	068	46,0
	999	79,5
	064	55,2
0809 40 05	066	53,6
	068	48,9
	093	66,1
	999	56,0

⁽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 1806/1999**of 18 August 1999****fixing the maximum export refund for white sugar for the 3rd partial invitation to tender issued within the framework of the standing invitation to tender provided for in Regulation (EC) No 1489/1999**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

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

- (1) Whereas Commission Regulation (EC) No 1489/1999 of 7 July 1999 on a standing invitation to tender to determine levies and/or refunds on exports of white sugar ⁽³⁾, requires partial invitations to tender to be issued for the export of this sugar;
- (2) Whereas, pursuant to Article 9(1) of Regulation (EC) No 1489/1999 a maximum export refund shall be fixed, as the case may be, account being taken in particular of the state and foreseeable development of the Community and world markets in sugar, for the partial invitation to tender in question;

- (3) Whereas, following an examination of the tenders submitted in response to the 3rd partial invitation to tender, the provisions set out in Article 1 should be adopted;

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

HAS ADOPTED THIS REGULATION:

Article 1

For the 3rd partial invitation to tender for white sugar issued pursuant to Regulation (EC) No 1489/1999 the maximum amount of the export refund is fixed at 52,875 EUR/100 kg.

Article 2

This Regulation shall enter into force on 19 August 1999.

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

Done at Brussels, 18 August 1999.

For the Commission

Karel VAN MIERT

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 172, 8.7.1999, p. 27.

COMMISSION REGULATION (EC) No 1807/1999**of 18 August 1999****fixing the representative prices and the additional import duties for molasses in the sugar sector**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

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

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

- (1) Whereas Regulation (EC) No 1422/95 stipulates that the cif import price for molasses, hereinafter referred to as the 'representative price', should be set in accordance with Commission Regulation (EEC) No 785/68 ⁽⁴⁾; whereas that price should be fixed for the standard quality defined in Article 1 of the above Regulation;
- (2) Whereas the representative price for molasses is calculated at the frontier crossing point into the Community, in this case Amsterdam; whereas that price must be based on the most favourable purchasing opportunities on the world market established on the basis of the quotations or prices on that market adjusted for any deviations from the standard quality; whereas the standard quality for molasses is defined in Regulation (EEC) No 785/68;
- (3) Whereas, when the most favourable purchasing opportunities on the world market are being established, account must be taken of all available information on offers on the world market, on the prices recorded on important third-country markets and on sales concluded in international trade of which the Commission is aware, either directly or through the Member States; whereas, under Article 7 of Regulation (EEC) No 785/68, the Commission may for this purpose take an average of several prices as a basis, provided that this average is representative of actual market trends;
- (4) Whereas the information must be disregarded if the goods concerned are not of sound and fair marketable quality or if the price quoted in the offer relates only to

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

- (5) Whereas, if information on molasses of the standard quality is to be comparable, prices must, depending on the quality of the molasses offered, be increased or reduced in the light of the results achieved by applying Article 6 of Regulation (EEC) No 785/68;
- (6) Whereas a representative price may be left unchanged by way of exception for a limited period if the offer price which served as a basis for the previous calculation of the representative price is not available to the Commission and if the offer prices which are available and which appear not to be sufficiently representative of actual market trends would entail sudden and considerable changes in the representative price;
- (7) Whereas where there is a difference between the trigger price for the product in question and the representative price, additional import duties should be fixed under the conditions set out in Article 3 of Regulation (EC) No 1422/95; whereas should the import duties be suspended pursuant to Article 5 of Regulation (EC) No 1422/95, specific amounts for these duties should be fixed;
- (8) Whereas application of these provisions will have the effect of fixing the representative prices and the additional import duties for the products in question as set out in the Annex to this Regulation;
- (9) Whereas the measures provided for in this Regulation are in accordance with the opinion of the Management Committee for Sugar,

HAS ADOPTED THIS REGULATION:

Article 1

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

Article 2

This Regulation shall enter into force on 19 August 1999.

⁽¹⁾ OJ L 177, 1.7.1981, p. 4.

⁽²⁾ OJ L 159, 3.6.1998, p. 38.

⁽³⁾ OJ L 141, 24.6.1995, p. 12.

⁽⁴⁾ OJ L 145, 27.6.1968, p. 12.

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

Done at Brussels, 18 August 1999.

For the Commission

Karel VAN MIERT

Member of the Commission

ANNEX

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

(in EUR)

CN code	Amount of the representative price in 100 kg net of the product in question	Amount of the additional duty in 100 kg net of the product in question	Amount of the duty to be applied to imports in 100 kg net of the product in question because of suspension as referred to in Article 5 of Regulation (EC) No 1422/95 ⁽²⁾
1703 10 00 ⁽¹⁾	6,44	0,20	—
1703 90 00 ⁽¹⁾	7,31	0,02	—

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

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

COMMISSION REGULATION (EC) No 1808/1999
of 18 August 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 1777/1999 ⁽³⁾;
- (2) Whereas it follows from applying the detailed rules contained in Regulation (EC) No 1777/1999 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 1777/1999 are hereby altered to the amounts shown in the Annex hereto.

Article 2

This Regulation shall enter into force on 19 August 1999.

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

Done at Brussels, 18 August 1999.

For the Commission

Karel VAN MIERT

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 212, 12.8.1999, p. 13.

ANNEX

to the Commission Regulation of 18 August 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	43,10 ⁽¹⁾
1701 11 90 9950	⁽²⁾
1701 12 90 9100	42,21 ⁽¹⁾
1701 12 90 9910	43,10 ⁽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	46,85
1701 99 10 9950	46,85
	— 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 1809/1999
of 17 August 1999
establishing unit values for the determination of the customs value of certain perishable goods

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EEC) No 2913/92 of 12 October 1992 establishing the Community Customs Code ⁽¹⁾, as last amended by Regulation (EC) No 955/1999 of the European Parliament and of the Council ⁽²⁾,

Having regard to Commission Regulation (EEC) No 2454/93 of 2 July 1993 laying down provisions for the implementation of Council Regulation (EEC) No 2913/92 establishing the Community Customs Code ⁽³⁾, as last amended by Regulation (EC) No 1662/1999 ⁽⁴⁾, and in particular Article 173 (1) thereof,

- (1) Whereas Articles 173 to 177 of Regulation (EEC) No 2454/93 provide that the Commission shall periodically establish unit values for the products referred to in the classification in Annex 26 to that Regulation;

- (2) Whereas the result of applying the rules and criteria laid down in the abovementioned Articles to the elements communicated to the Commission in accordance with Article 173 (2) of Regulation (EEC) No 2454/93 is that unit values set out in the Annex to this Regulation should be established in regard to the products in question,

HAS ADOPTED THIS REGULATION:

Article 1

The unit values provided for in Article 173 (1) of Regulation (EEC) No 2454/93 are hereby established as set out in the table in the Annex hereto.

Article 2

This Regulation shall enter into force on 20 August 1999.

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

Done at Brussels, 17 August 1999.

For the Commission

Karel VAN MIERT

Member of the Commission

⁽¹⁾ OJ L 302, 19.10.1992, p. 1.

⁽²⁾ OJ L 119, 7.5.1999, p. 1.

⁽³⁾ OJ L 253, 11.10.1993, p. 1.

⁽⁴⁾ OJ L 162, 29.7.1999, p. 25.

ANNEX

Code	Description	Amount of unit values per 100 kg						
	Species, varieties, CN code	a) b) c)	EUR FIM SEK	ATS FRF BEF/LUF	DEM IEP GBP	DKK ITL	GRD NLG	ESP PTE
1.10	New potatoes 0701 90 51 0701 90 59	a) b) c)	16,20 96,32 142,44	222,92 106,27 653,51	31,68 12,76 10,72	120,46 31 367,57	5 290,92 35,70	2 695,45 3 247,81
1.30	Onions (other than seed) 0703 10 19	a) b) c)	19,27 114,57 169,43	265,16 126,40 777,35	37,69 15,18 12,75	143,29 37 311,92	6 293,58 42,47	3 206,26 3 863,29
1.40	Garlic 0703 20 00	a) b) c)	89,11 529,82 783,50	1 226,18 584,52 3 594,69	174,28 70,18 58,98	662,63 172 541,02	29 103,33 196,37	14 826,66 17 864,95
1.50	Leeks ex 0703 90 00	a) b) c)	26,05 154,89 229,04	358,46 170,88 1 050,85	50,95 20,52 17,24	193,71 50 439,83	8 507,93 57,41	4 334,36 5 222,56
1.60	Cauliflowers 0704 10 10 0704 10 05 0704 10 80	a) b) c)	55,28 328,68 486,05	760,67 362,61 2 229,99	108,12 43,54 36,59	411,07 107 037,01	18 054,45 121,82	9 197,82 11 082,64
1.70	Brussels sprouts 0704 20 00	a) b) c)	59,69 354,90 524,82	821,35 391,54 2 407,89	116,74 47,01 39,51	443,86 115 575,96	19 494,75 131,54	9 931,58 11 966,77
1.80	White cabbages and red cabbages 0704 90 10	a) b) c)	30,18 179,44 265,36	415,29 197,97 1 217,46	59,03 23,77 19,98	224,42 58 436,63	9 856,79 66,51	5 021,53 6 050,55
1.90	Sprouting broccoli or calabrese (<i>Brassica oleracea</i> <i>L. convar. botrytis</i> (L.) Alef var. <i>italica</i> Plenck) ex 0704 90 90	a) b) c)	105,95 629,95 931,57	1 457,90 694,99 4 274,01	207,22 83,44 70,13	787,85 205 147,81	34 603,27 233,48	17 628,60 21 241,07
1.100	Chinese cabbage ex 0704 90 90	a) b) c)	60,69 360,85 533,62	835,11 398,10 2 448,23	118,70 47,80 40,17	451,30 117 512,23	19 821,35 133,74	10 097,97 12 167,25
1.110	Cabbage lettuce (head lettuce) 0705 11 10 0705 11 05 0705 11 80	a) b) c)	152,67 907,73 1 342,35	2 100,79 1 001,45 6 158,69	298,60 120,24 101,05	1 135,27 295 610,34	49 862,02 336,44	25 402,15 30 607,59
1.120	Endives ex 0705 29 00	a) b) c)	21,82 129,74 191,85	300,25 143,13 880,22	42,68 17,18 14,44	162,26 42 249,41	7 126,41 48,08	3 630,54 4 374,52
1.130	Carrots ex 0706 10 00	a) b) c)	37,08 220,47 326,03	510,23 243,23 1 495,80	72,52 29,20 24,54	275,73 71 796,89	12 110,33 81,71	6 169,59 7 433,87
1.140	Radishes ex 0706 90 90	a) b) c)	117,77 700,23 1 035,49	1 620,55 772,52 4 750,83	230,34 92,75 77,95	875,75 228 034,52	38 463,68 259,53	19 595,28 23 610,77
1.160	Peas (<i>Pisum sativum</i>) 0708 10 90 0708 10 20 0708 10 95	a) b) c)	288,52 1 715,46 2 536,81	3 970,12 1 892,57 11 638,87	564,30 227,23 190,97	2 145,46 558 652,62	94 230,63 635,81	48 005,69 57 843,07

Code	Description	Amount of unit values per 100 kg						
	Species, varieties, CN code	a) b) c)	EUR FIM SEK	ATS FRF BEF/LUF	DEM IEP GBP	DKK ITL	GRD NLG	ESP PTE
1.170	Beans:							
1.170.1	Beans (<i>Vigna</i> spp., <i>Phaseolus</i> spp.) ex 0708 20 90 ex 0708 20 20 ex 0708 20 95	a) b) c)	244,37 1 452,96 2 148,62	3 362,60 1 602,96 9 857,86	477,95 192,46 161,75	1 817,16 473 166,30	79 811,24 538,52	40 659,75 48 991,79
1.170.2	Beans (<i>Phaseolus</i> spp., <i>vulgaris</i> var. <i>Compressus</i> Savi) ex 0708 20 90 ex 0708 20 20 ex 0708 20 95	a) b) c)	71,43 424,70 628,05	982,90 468,55 2 881,48	139,70 56,26 47,28	531,16 138 307,77	23 329,04 157,41	11 884,95 14 320,43
1.180	Broad beans ex 0708 90 00	a) b) c)	157,74 937,88 1 386,93	2 170,55 1 034,71 6 363,22	308,51 124,23 104,41	1 172,97 305 427,23	51 517,88 347,61	26 245,73 31 624,03
1.190	Globe artichokes 0709 10 00	a) b) c)	— — —	— — —	— — —	— — —	— — —	— — —
1.200	Asparagus:							
1.200.1	— green ex 0709 20 00	a) b) c)	739,45 4 396,57 6 501,61	10 175,05 4 850,47 29 829,34	1 446,24 582,36 489,44	5 498,62 1 431 774,85	241 504,37 1 629,53	123 034,13 148 246,41
1.200.2	— other ex 0709 20 00	a) b) c)	212,27 1 262,10 1 866,38	2 920,90 1 392,40 8 562,95	415,16 167,18 140,50	1 578,46 411 012,03	69 327,38 467,78	35 318,76 42 556,31
1.210	Aubergines (eggplants) 0709 30 00	a) b) c)	90,96 540,82 799,77	1 251,64 596,66 3 669,32	177,90 71,64 60,21	676,39 176 123,12	29 707,54 200,45	15 134,47 18 235,84
1.220	Ribbed celery (<i>Apium graveolens</i> L., var. <i>dulce</i> (Mill.) Pers.) ex 0709 40 00	a) b) c)	66,57 395,81 585,32	916,02 436,67 2 685,43	130,20 52,43 44,06	495,02 128 897,49	21 741,76 146,70	11 076,32 13 346,09
1.230	Chantarelles 0709 51 30	a) b) c)	640,40 3 807,65 5 630,72	8 812,10 4 200,75 25 833,67	1 252,51 504,36 423,88	4 762,08 1 239 987,31	209 154,64 1 411,26	106 553,59 128 388,67
1.240	Sweet peppers 0709 60 10	a) b) c)	93,97 558,72 826,23	1 293,06 616,40 3 790,74	183,79 74,01 62,20	698,77 181 951,29	30 690,60 207,08	15 635,29 18 839,29
1.250	Fennel 0709 90 50	a) b) c)	73,55 437,31 646,69	1 012,07 482,46 2 967,00	143,85 57,93 48,68	546,93 142 412,66	24 021,43 162,08	12 237,69 14 745,45
1.270	Sweet potatoes, whole, fresh (intended for human consumption) 0714 20 10	a) b) c)	43,73 260,01 384,50	601,74 286,85 1 764,06	85,53 34,44 28,94	325,18 84 673,09	14 282,22 96,37	7 276,06 8 767,08
2.10	Chestnuts (<i>Castanea</i> spp.), fresh ex 0802 40 00	a) b) c)	176,48 1 049,30 1 551,70	2 428,42 1 157,63 7 119,19	345,16 138,99 116,81	1 312,32 341 712,93	57 638,37 388,91	29 363,80 35 381,06
2.30	Pineapples, fresh ex 0804 30 00	a) b) c)	59,91 356,21 526,76	824,38 392,98 2 416,76	117,17 47,18 39,65	445,50 116 001,94	19 566,61 132,02	9 968,19 12 010,88

Code	Description	Amount of unit values per 100 kg						
	Species, varieties, CN code	a) b) c)	EUR FIM SEK	ATS FRF BEF/LUF	DEM IEP GBP	DKK ITL	GRD NLG	ESP PTE
2.40	Avocados, fresh ex 0804 40 90 ex 0804 40 20 ex 0804 40 95	a) b) c)	194,49 1 156,39 1 710,05	2 676,24 1 275,77 7 845,71	380,39 153,17 128,73	1 446,25 376 585,15	63 520,43 428,60	32 360,41 38 991,74
2.50	Guavas and mangoes, fresh ex 0804 50 00	a) b) c)	105,74 628,70 929,72	1 455,01 693,61 4 265,54	206,81 83,28 69,99	786,29 204 741,19	34 534,68 233,02	17 593,66 21 198,97
2.60	Sweet oranges, fresh:							
2.60.1	— Sanguines and semi-sanguines 0805 10 10	a) b) c)	— — —	— — —	— — —	— — —	— — —	— — —
2.60.2	— Navels, navelines, navelates, salustianas, vernas, Valencia lates, Maltese, shamoutis, ovalis, trovita and hamlins 0805 10 30	a) b) c)	53,10 315,72 466,88	730,67 348,31 2 142,05	103,85 41,82 35,15	394,86 102 815,94	17 342,46 117,02	8 835,10 10 645,59
2.60.3	— Others 0805 10 50	a) b) c)	37,44 222,61 329,19	515,19 245,59 1 510,33	73,23 29,49 24,78	278,41 72 493,95	12 227,90 82,51	6 229,49 7 506,05
2.70	Mandarins (including tangerines and satsumas), fresh; clementines, wilkings and similar citrus hybrids, fresh:							
2.70.1	— Clementines 0805 20 10	a) b) c)	56,59 336,47 497,57	778,70 371,21 2 282,83	110,68 44,57 37,46	420,81 109 573,52	18 482,29 124,71	9 415,78 11 345,28
2.70.2	— Monreales and satsumas 0805 20 30	a) b) c)	32,43 192,82 285,14	446,25 212,73 1 308,22	63,43 25,54 21,47	241,15 62 793,24	10 591,64 71,47	5 395,90 6 501,63
2.70.3	— Mandarines and wilkings 0805 20 50	a) b) c)	72,76 432,61 639,74	1 001,20 477,27 2 935,13	142,31 57,30 48,16	541,05 140 883,01	23 763,42 160,34	12 106,25 14 587,07
2.70.4	— Tangerines and others ex 0805 20 70 ex 0805 20 90	a) b) c)	58,27 346,46 512,34	801,81 382,23 2 350,61	113,97 45,89 38,57	433,30 112 826,45	19 030,98 128,41	9 695,31 11 682,09
2.85	Limes (<i>Citrus aurantifolia</i>), fresh ex 0805 30 90	a) b) c)	142,20 845,48 1 250,29	1 956,71 932,77 5 736,33	278,12 111,99 94,12	1 057,41 275 337,59	46 442,52 313,37	23 660,09 28 508,54
2.90	Grapefruit, fresh:							
2.90.1	— white ex 0805 40 90 ex 0805 40 20 ex 0805 40 95	a) b) c)	32,58 193,71 286,46	448,31 213,71 1 314,27	63,72 25,66 21,56	242,27 63 083,68	10 640,63 71,80	5 420,86 6 531,70
2.90.2	— pink ex 0805 40 90 ex 0805 40 20 ex 0805 40 95	a) b) c)	46,74 277,90 410,96	643,16 306,59 1 885,49	91,42 36,81 30,94	347,56 90 501,26	15 265,28 103,00	7 776,88 9 370,53
2.100	Table grapes ex 0806 10 10	a) b) c)	— — —	— — —	— — —	— — —	— — —	— — —

Code	Description	Amount of unit values per 100 kg						
	Species, varieties, CN code	a) b) c)	EUR FIM SEK	ATS FRF BEF/LUF	DEM IEP GBP	DKK ITL	GRD NLG	ESP PTE
2.110	Water melons 0807 11 00	a) b) c)	23,33 138,71 205,13	321,03 153,03 941,13	45,63 18,37 15,44	173,48 45 173,18	7 619,58 51,41	3 881,79 4 677,25
2.120	Melons (other than water melons):							
2.120.1	— Amarillo, cuper, honey dew (including cantalene), onteniente, piel de sapo (including verde liso), rochet, tendral, futuro ex 0807 19 00	a) b) c)	42,01 249,78 369,37	578,07 275,57 1 694,68	82,16 33,09 27,81	312,39 81 342,70	13 720,47 92,58	6 989,88 8 422,25
2.120.2	— other ex 0807 19 00	a) b) c)	37,62 223,68 330,77	517,66 246,77 1 517,59	73,58 29,63 24,90	279,75 72 842,48	12 286,69 82,90	6 259,44 7 542,13
2.140	Pears							
2.140.1	Pears — nashi (<i>Pyrus pyrifolia</i>) ex 0808 20 50	a) b) c)	— — —	— — —	— — —	— — —	— — —	— — —
2.140.2	Other ex 0808 20 50	a) b) c)	— — —	— — —	— — —	— — —	— — —	— — —
2.150	Apricots 0809 10 00	a) b) c)	— — —	— — —	— — —	— — —	— — —	— — —
2.160	Cherries 0809 20 05 0809 20 95	a) b) c)	198,27 1 178,86 1 743,29	2 728,25 1 300,57 7 998,19	387,78 156,15 131,23	1 474,36 383 904,25	64 754,98 436,93	32 989,35 39 749,57
2.170	Peaches 0809 30 90	a) b) c)	— — —	— — —	— — —	— — —	— — —	— — —
2.180	Nectarines ex 0809 30 10	a) b) c)	— — —	— — —	— — —	— — —	— — —	— — —
2.190	Plums 0809 40 05	a) b) c)	— — —	— — —	— — —	— — —	— — —	— — —
2.200	Strawberries 0810 10 10 0810 10 05 0810 10 80	a) b) c)	380,15 2 260,27 3 342,47	5 230,98 2 493,62 15 335,21	743,51 299,39 251,62	2 826,83 736 073,04	124 156,99 837,74	63 251,64 76 213,23
2.205	Raspberries 0810 20 10	a) b) c)	315,12 1 873,62 2 770,69	4 336,15 2 067,05 12 711,91	616,32 248,18 208,58	2 243,26 610 157,40	102 918,19 694,43	52 431,56 63 175,89
2.210	Fruit of the species <i>Vaccinium myrtillus</i> 0810 40 30	a) b) c)	981,91 5 838,17 8 633,44	13 511,38 6 440,91 39 610,15	1 920,45 773,32 649,93	7 301,58 1 901 242,88	320 691,81 2 163,84	163 376,08 196 855,28
2.220	Kiwi fruit (<i>Actinidia chinensis</i> Planch.) 0810 50 10 0810 50 20 0810 50 30	a) b) c)	137,71 818,79 1 210,82	1 894,93 903,32 5 555,21	269,34 108,46 91,15	1 024,03 266 643,74	44 976,09 303,47	22 913,02 27 608,38

Code	Description	Amount of unit values per 100 kg						
	Species, varieties, CN code	a) b) c)	EUR FIM SEK	ATS FRF BEF/LUF	DEM IEP GBP	DKK ITL	GRD NLG	ESP PTE
2.230	Pomegranates ex 0810 90 85	a) b) c)	52,98 315,00 465,83	729,02 347,53 2 137,21	103,62 41,73 35,07	393,96 102 583,58	17 303,27 116,75	8 815,13 10 621,54
2.240	Khakis (including sharon fruit) ex 0810 90 85	a) b) c)	317,58 1 888,24 2 792,32	4 370,00 2 083,19 12 811,15	621,13 250,11 210,21	2 361,56 614 920,63	103 721,63 699,85	52 840,87 63 669,07
2.250	Lychees ex 0810 90 30	a) b) c)	176,04 1 046,69 1 547,83	2 422,36 1 154,75 7 101,44	344,30 138,64 116,52	1 309,05 340 860,97	57 494,66 387,94	29 290,59 35 292,85

COMMISSION REGULATION (EC) No 1810/1999**of 17 August 1999****imposing a provisional countervailing duty on imports of polyethylene terephthalate (PET) film originating in India**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EC) No 2026/97 of 6 October 1997 on protection against subsidised imports from countries not members of the European Community ⁽¹⁾, and in particular Article 12 thereof,

After consulting the Advisory Committee,

Whereas:

A. PROCEDURE

- (1) In November 1998 the Commission announced by a notice (hereinafter referred to as 'notice of initiation') published in the *Official Journal of the European Communities* ⁽²⁾ the initiation of an anti-subsidy proceeding with regard to imports into the Community of polyethylene terephthalate film (hereinafter referred to as 'PET film') originating in India and commenced an investigation.
- (2) The proceeding was initiated as a result of a complaint lodged by Du Pont de Nemours International SA, Mitsubishi Polyester Film GmbH (formerly Hoechst Diafoil GmbH), Toray Plastics Europe SA and Nuroll SpA, representing a major proportion of the Community production of PET film. The complaint contained evidence of subsidisation of the said product, and of material injury resulting therefrom, which was considered sufficient to justify the initiation of a proceeding.

Prior to the initiation of the proceeding and in accordance with Article 10(9) of Council Regulation (EC) No 2026/97 (hereinafter referred to as the 'Basic Regulation'), the Commission notified the Government of India (hereinafter 'GOI') that it had received a properly documented complaint alleging that subsidised imports of PET film originating in India are causing material injury to the Community industry. The GOI was invited for consultations with the aim of clarifying the situation as regards the contents of the complaint and arriving at a mutually agreed solution. The GOI accepted the offer of consultations which were held with the Commission on 9 November 1998 in Brussels. Due note was taken of the comments made by the GOI in regard to the allegations contained in the complaint regarding subsidised imports and material injury being suffered by the Community industry.

- (3) The Commission officially advised the Community producers, exporting producers, importers and users known to be concerned, the representatives of the

exporting country and the complainant of the initiation of the proceeding. The parties concerned had the opportunity to make their views known in writing and to request a hearing.

The GOI, a number of exporting producers as well as some Community producers, importers and users made their views known in writing. All parties who so requested within the time limits set in the notice of initiation were granted a hearing.

- (4) The Commission sent questionnaires to all parties known to be concerned and received replies from the GOI and a number of Community producers, importers, users and exporting producers in India.
- (5) The Commission sought and verified all the information it deemed necessary for the purpose of a preliminary determination of subsidisation and injury, and carried out investigations at the premises of the following companies:
 - (a) *Community producers*
 - DuPont Polyester Films, Contern, Luxembourg and Wilton, United Kingdom
 - Mitsubishi Polyester Film GmbH, Wiesbaden, Germany
 - Nuroll Spa, Caserta, Italy
 - Toray Plastics Europe SA, St-Maurice de Beynost, France
 - (b) *Government of India*
 - Ministry of Commerce
 - Department of Revenue
 - Government of Gujarat
 - Government of Maharashtra
 - Government of Uttar Pradesh
 - (c) *Exporting producers in India*
 - Ester Industries Ltd, New Delhi
 - Flex Industries Ltd, Noida
 - Garware Plastics & Polyesters Ltd, Mumbai
 - India Polyfilms Ltd/Jindal Polyester Ltd, New Delhi (related companies)
 - MTZ Polyesters Ltd, Mumbai
 - Polyplex Corp. Ltd, New Delhi
 - (d) *Importers in the Community related to Indian exporting producers*
 - Garware Polyester International Ltd, Harrow, United Kingdom

⁽¹⁾ OJ L 288, 21.10.1997, p. 1.

⁽²⁾ OJ C 357, 21.11.1998, p. 12.

(e) *Importers in the Community not related to Indian exporting producers*

- Coveme SpA, San Lazzaro di Savena, Italy
- Isolcavi Sas, Monteveglio, Italy.

(6) The investigation of subsidisation covered the period from 1 October 1997 to 30 September 1998 (hereinafter referred to as the 'investigation period' or 'IP'). The examination of injury covered the period from 1995 to the end of the investigation period (hereinafter referred to as the 'period considered').

B. PRODUCT UNDER CONSIDERATION AND LIKE PRODUCT

1. Product under consideration

- (7) The product under consideration is polyethylene terephthalate ('PET') film, and is currently classifiable within CN codes 3920 62 19 and 3920 62 90.
- (8) This product range can be split into a variety of segments typically identified within the industry as magnetic, packaging, electrical, imaging and other industrial segments. Depending on the segment PET film can be further processed to be used in video cassettes, photographic films, as packaging material for foodstuffs, as insulation for electrical motors, cables etc. For the purposes of the investigation, the products were grouped in types according to market segment, thickness, coating properties, surface treatment, mechanical properties and clarity/opacity.

2. Like product

- (9) The investigation established that PET film produced in India and sold domestically or exported to the Community and PET film produced and sold by the Community industry on the Community market were found to have the same physical and technical characteristics and uses and were thus like products within the meaning of Article 1(5) of the Basic Regulation.

C. SUBSIDIES

1. Introduction

(a) *Nationwide schemes*

- (10) On the basis of the information contained in the complaint and the replies to the Commission's questionnaire, the Commission services investigated the following five schemes that are available on a nationwide basis, and which allegedly involve the granting of export subsidies:

- passbook scheme
- duty entitlement passbook scheme
- export promotion capital goods scheme
- export processing zones/export oriented units
- income tax scheme.

The first four schemes are based on the Foreign Trade (Development and Regulation) Act 1992 (effective from 7 August 1992) which repealed the Imports and Exports Control Act of 1947. The Foreign Trade Act authorises the GOI to issue notifications regarding export and import policy. These are summarised in export and import policy documents which are issued every five years and updated every year. The document relevant to the investigation period of this case covers the policies for the years 1997 to 2002.

The last scheme, the income tax scheme, is based on the Income Tax Act of 1961 which is amended yearly by the Finance Act.

(b) *Regional schemes*

- (11) On the basis of the information contained in the complaint and the replies to the Commission's questionnaire, the Commission services also investigated a number of schemes which allegedly involve the granting of subsidies by regional governments or authorities in certain Indian States.

(i) *State of Gujarat*

- sales tax incentive scheme
- refund of electricity duty.

The first scheme is based on Gujarat's new industrial incentive policy, 1995 to 2000. The second scheme is based on Section 3(2)(vii)(a) and (b) of the Bombay Electricity Duty Act 1958, as adapted by the Gujarat Adaptation of Laws (State and Concurrent Subjects) Order, 1960.

(ii) *State of Maharashtra*

- sales tax incentive scheme
- octroi refund
- special capital incentive scheme
- exemption from electricity duty.

The first, second and third schemes are all based on the Government of Maharashtra's dispersal of industries package scheme of incentives. The fourth scheme is based on a notification by the Government of Maharashtra relating to exemption of electricity duty.

(iii) *State of Uttar Pradesh*

- trade tax incentive scheme.

This scheme is based on the Government of Uttar Pradesh's trade tax incentive (notifications No 311 and No 312 of 31 March 1995).

2. Passbook Scheme (PBS)

- (12) One instrument under the export and import policy involving export-related assistance is the Passbook scheme (hereinafter 'PBS') which entered into force on 30 May 1995 and remained in force until 31 March 1997.

(a) Eligibility

- (13) The PBS is available to certain categories of exporters, i.e. those which manufacture in India and subsequently export (exporting producers) and exporters, whether manufacturers or only traders, granted an 'export house/trading house/star trading house/superstar trading house' certificate. The latter category of exporters, which is defined in the export and import policy document, has to provide proof of prior export performance.

(b) Practical implementation

- (14) Any eligible exporter could apply for a passbook, which takes the form of a book in which credit and debit amounts of duty are entered. It was issued automatically if the company is a recognised exporting producer or an approved export/trading house.
- (15) On the export of finished goods, the exporter was eligible to claim credit which can be used to pay customs duties on subsequent imports. Various elements were taken into consideration in calculating the amount of credit to be granted in accordance with 'standard input/output norms' which were issued by the GOI for exported products. Standard input/output norms set out quantities of normally imported raw materials required to produce one unit of the finished product. The norms were established by the Special Advance Licensing Committee on the basis of a technical analysis of the production process and global statistical information. By applying the standard input/output norms, the credit was granted up to an amount corresponding to the basic customs duty payable on the normally imported inputs used by the Indian industry producing the exported product in question. One other element was the 'minimum value addition' (hereinafter 'MVA'). The MVA is the minimum value which the Indian exporting producer had to add (i.e. through indigenously sourced inputs/labour costs) to the value of imported inputs in producing the finished goods.
- (16) The credit granted was entered in the passbook and was available to be offset against customs duties due on future imports of any goods (e.g. raw materials, capital goods, etc.) except those contained in the 'negative list of imports' as laid out in the export and import policy. This list sets out goods which either may not be imported or which may only be imported after the GOI has issued a special licence to the importer. The imported goods did not need to have any relation to the

actual production of the exporter and could be sold on the domestic market.

- (17) Passbook credits were not transferable. The passbook was valid for a period of two years from the date of issue. Any credit at the end of the two-year period was allowed to be utilised within a period of 12 months thereafter. At the end of the third year, any unutilised credit lapsed. Within this general timetable there was no time limit for claims for credit to be made for a particular export transaction.
- (18) When all credits in the passbook had been used, the passbook was closed and the passbook holder had to pay a fee to the relevant authority.
- (19) The GOI argued that the PBS is not countervailable because it was a permitted duty drawback scheme. Article 2(1)(ii) of the Basic Regulation provides that the exemption of an exported product from duties/charges shall not be deemed to be a subsidy provided that it is granted in accordance with the provisions of Annexes I to III of the Basic Regulation. Item (i) of Annex I (the Illustrative list of export subsidies) to that Regulation specifies that the remission or drawback of import charges in excess of those levied on imported inputs that are consumed in the production of the exported product constitutes an export subsidy. Furthermore, Annex II to the Basic Regulation requires investigating authorities, in determining whether inputs are consumed in the production process, to establish whether the government of the exporting country has in place a system or procedure to confirm which inputs are consumed in the production process of the exported product. In this case, no such system exists. In fact, the benefit granted in India to exporters of the product concerned in the form of passbook credits was automatically calculated on the basis of the standard input/output norms independently of whether inputs were imported, duty was paid on them or whether the inputs were actually used for export production.

Furthermore, the exporter was under no obligation to either import actual inputs or consume the imported goods in the production process under the PBS. What happened under the PBS in effect, was that on export of a finished product, an exporter was granted an amount of credit based on the amount of customs duty which was deemed to have been paid on normally imported inputs used in producing the finished product. This credit amount could be used to offset customs duty due on future imports of any product. A benefit accrued to the exporter in the form of unpaid customs duty on imports of any product (whether raw materials or capital goods). This scheme therefore allowed an exporter to import goods without paying customs duty once it had already exported some goods.

(c) *Conclusion on PBS*

- (20) The PBS was not a permitted remission/drawback scheme within the provisions of the Basic Regulation since the passbook credit was not calculated in relation to inputs actually to be consumed in the production process. Furthermore, the exporter was under no obligation to import goods free of duty which had to be consumed in the production process.

In any case, even if it were assumed that the scheme in question constituted a remission/drawback or substitution scheme, there was no system or procedure in place to confirm which inputs were consumed in the production process of the exported product within the meaning of item (i) of Annex I and Annexes II and III to the Basic Regulation. Annex II(ii)(5) and Annex III(ii)(3) of that Regulation provide that where it is determined that the government of the exporting country does not have such a system in place, a further examination by the exporting country based on actual inputs involved, or actual transactions, respectively, will normally need to be carried out in the context of determining whether an excess payment occurred. The GOI did not carry out such an examination. Hence, the Commission did not examine whether there was in fact an excess drawback of import charges on inputs consumed in the production of the exported product.

- (21) The scheme constitutes a subsidy as the financial contribution by the GOI in the form of duties foregone on imports conferred a benefit on the passbook holder who could import goods duty free using credits earned on exports. It was a subsidy contingent in law upon export performance and is therefore deemed to be specific under Article 3(4)(a) of the Basic Regulation. In addition, the MVA requirement is considered to require the use of domestic over imported goods. In this regard, the PBS was also a specific subsidy within the meaning of Article 3(4)(b) of the Basic Regulation.
- (22) In early 1997, the GOI announced that the PBS was effectively terminated and credit claims could no longer be made for export transactions taking place after 31 March 1997. An exporter may, however, continue to use a passbook which has already been issued, for a period of three years after the date of issue. Additionally, there is no time limit within which claims for credit must be made for export transactions made before 31 March 1997. While the scheme in that form has technically been terminated, exporters can continue to benefit from this scheme by importing goods, free of customs duties, until all credits have been exhausted or until 31 March 2000 at the latest. In these circumstances, it is considered that the scheme can be counter-vailed.

It should be stressed that the PBS was substituted by the duty entitlement passbook scheme (hereinafter DEPB (see recital 25)). The DEPB came into effect when the

PBS was terminated. Although the DEPB is a revised version of the PBS, it was possible to obtain benefits under both programmes during the investigation period.

(d) *Calculation of the subsidy amount*

- (23) The benefit to the exporting producers has been calculated on the basis of the amount of customs duty normally due on imports made during the investigation period but which remained unpaid under the PBS. In order to establish the full benefit to the recipient under this scheme, this amount has been adjusted by adding interest during the investigation period. Since the benefits from import duty exemptions are obtained regularly during the investigation period, they are equivalent to a series of grants. It is normal practice to reflect the benefit to the recipient of one-time grants by adding the annual commercial interest to the nominal amount of the grant, on the assumption that the grant is considered to have been made on the first day of the investigation period. However, in the present case, it is clear that individual grants can be made at any time between the first and the last day of the investigation period. Consequently, instead of adding annual interest to the whole amount, it is considered appropriate to assume that an average grant would have been received at the mid-point of the investigation period, and therefore the interest should cover a period of six months, equivalent to half of the annual commercial rate during the investigation period in India, i.e. 7 %. This amount (i.e. unpaid customs duty plus interest) has been allocated over total exports during the investigation period.
- (24) Two companies benefited from this scheme during the investigation period and obtained subsidies of 0,02 % and 0,09 %. Given that India is a developing country falling under Annex VII of the WTO Subsidies Agreement, and given that it is considered appropriate to grant a favourable approach vis-à-vis such countries, while not substantially reducing the legitimate protection against subsidised imports to which the Community industry is entitled, the benefits obtained under this scheme will not be included in the computation of the total amount of subsidies obtained by the two companies.

3. Duty entitlement passbook scheme (DEPB)

- (25) Another instrument under the export import policy involving export related assistance is the DEPB which became effective on 7 April 1997. The DEPB constitutes the successor to the PBS which was terminated on 31 March 1997. The DEPB is of two types:

- DEPB on pre-export basis
- DEPB on post-export basis.

(a) *Eligibility for DEPB on pre-export basis*

- (26) The DEPB on pre-export basis is available to exporting producers (i.e. every manufacturer in India who exports) or merchant-exporters (i.e. traders) linked with manufacturers. To be eligible under this scheme, the company must have exported during a three-year period prior to submitting a claim for credit.

(b) *Practical implementation*

- (27) Any eligible exporter can apply for a licence. The licence, which is issued automatically, grants a credit amount that may be used to offset customs duties due on future imports of goods. The value of the licence is calculated on the basis of 5 % of the average yearly value of all exports, made by the applicant, during the previous three years.
- (28) The licence, which is not transferable, is valid for a period of 12 months from the date of issue. Once the credit on the licence has been exhausted, a fee is payable to the relevant authority. The company may then apply for a further credit amount, again calculated on the basis of 5 % of the average value of exports during the previous three years.
- (29) The DEPB on pre-export basis allows duty-free imports of inputs required for the production of goods. The products that may be imported depend on the product to be manufactured and are determined by a standard input/output norm. The duty-free inputs may not be used for any other purpose than the manufacture of the product.
- (30) The use of the schemes also carries with it an export obligation. When the licence is used, the holder undertakes to use the goods as inputs for finished products destined for export. Once the licence-holder has made exports of such a value which will entitle him to a credit equivalent to the credit already given under DEPB on pre-export basis, his obligation is fulfilled.

(c) *Conclusion on DEPB pre-export basis*

- (31) The DEPB on pre-export basis is not a permitted remission/drawback or substitution drawback scheme within the meaning of the provisions of the Basic Regulation despite the existence of an 'actual user condition'. This is owing to the fact that, most notably, the DEPB credit is calculated as a percentage of the value of prior export performance. The DEPB credit is not calculated in rela-

tion to inputs actually consumed in the production process.

- (32) Furthermore, there is no system or procedure in place to confirm which inputs are consumed in the production process of the exported product and in what amounts. Annex II(II)(5) and Annex III(II)(3) provide that where it is determined that the government of the exporting country does not have such a system in place, a further examination by the exporting country based on actual inputs involved, or actual transactions, respectively, will normally need to be carried out in the context of determining whether an excess payment occurred. The GOI did not carry out such an examination. Hence, the Commission did not examine whether there was in fact an excess drawback of import charges on inputs consumed in the production of the exported product.
- (33) To benefit from the scheme a company must give a commitment to export. This is clearly an export subsidy. It is therefore provisionally concluded that this scheme is countervailable under Article 3(4)(a) of the Basic Regulation. However, if the GOI is able to provide evidence of an effective verification system or offer other relevant information, the Commission may, at the definitive stage, alter its conclusions on this scheme.

(d) *Calculation of the subsidy amount*

- (34) The benefit to the exporting producers has been calculated as explained in recital 23.
- (35) Two companies benefited from this scheme during the investigation period and obtained subsidies of 1,31 % and 6,84 %.

(e) *Eligibility for DEPB on post-export basis*

- (36) The DEPB on post-export basis is in effect very similar to the PBS described above. As explained, it has replaced the PBS and is effectively a substitute programme. It is available to exporting producers (i.e. every manufacturer in India who exports) or merchant-exporters (i.e. traders).

(f) *Practical implementation of DEPB post-export basis*

- (37) Under this scheme, any eligible exporter can apply for credits which are calculated as a percentage of the value of the exported finished products. Such DEPB rates have been established by the Indian authorities for most products, including the product concerned, on the basis of the standard input/output norms. A licence stating the amount of credit granted is issued automatically.

- (38) DEPB on post-export basis allows for the use of such credits for any subsequent imports (e.g. raw materials or capital goods) not on the negative list of imports. Such imported goods can be sold on the domestic market (subject to sales tax) or used otherwise.
- (39) DEPB licences are freely transferable. The DEPB licence is valid for a period of 12 months from the date of granting of the licence. When all credits have been used, the company has to pay a fee to the relevant authority.

(g) *Conclusion on DEPB on post-export basis*

- (40) This scheme is clearly contingent on export performance. When a company exports goods, it is granted a credit which can be used to offset amounts of customs duties due on future imports of any goods. Like the PBS, it is not a permitted drawback or substitution drawback scheme for the same reasons as stated in recital 20. The scheme constitutes a subsidy as the financial contribution by the GOI in the form of duties forgone on imports confers a benefit on a company which can import goods free of customs duty. It is a subsidy contingent in law on export performance and is therefore deemed to be specific under Article 3(4)(a) of the Basic Regulation.

(h) *Calculation of the subsidy amount for DEPB post-export basis*

- (41) The benefit to exporters has been calculated in two separate ways according to the use the company has made of the DEPB licences.
- (42) In the event that the company used the licences to make duty-free imports, the benefit was calculated on the basis of the amount of customs duty normally due on imports made during the investigation period but which remained unpaid under the DEPB.
- (43) In the event the company sold its licences, the benefit was calculated on the basis of the amount of credit granted in the licence regardless of the sales price of the licence. Some companies claimed that the benefit should be limited to the effective sales price of the licence which is sometimes less than the face value of the credits in the licence. However, this claim cannot be granted since the sale of a licence at a price less than the face value is a purely commercial decision which does not alter the amount of benefit received from the scheme.
- (44) In order to establish the full benefit to the recipient under this scheme, this amount has been adjusted by adding interest of 7 % during the investigation period; the rate of interest is calculated as described in recital

23. The amount of subsidy has been allocated over total exports during the investigation period.

- (45) Four companies benefited from this scheme during the investigation period and obtained subsidies of between 2,85 % and 17,81 %.

4. Export promotion capital goods scheme (EPCGS)

- (46) Another instrument under the export import policy involving export related assistance is the export promotion capital goods scheme (hereinafter 'EPCGS') introduced on 1 April 1990 and amended on 5 June 1995.

(a) *Eligibility*

- (47) The EPCGS is available to exporting producers (i.e. every manufacturer in India who exports) or merchant/exporters (i.e. traders). Since 1 April 1997, manufacturers linked with merchant/exporters can also benefit from the scheme.

(b) *Practical implementation*

- (48) To benefit from the scheme, a company must provide to the relevant authorities details of the type and value of the capital goods to be imported. Depending on the level of export commitment which the company is prepared to undertake, the company will be allowed to import capital goods at either a zero rate of duty or a reduced rate. A licence authorising the import at preferential rates is issued automatically.
- (49) In order to meet the export obligation, goods exported must have been produced with the imported capital goods.
- (50) An application fee is payable to obtain a licence.

(c) *Conclusion on EPCGS*

- (51) The EPCGS is a countervailable subsidy as the payment by an exporter of a reduced or zero rate of duty constitutes a financial contribution by the GOI, since revenue otherwise due is foregone and a benefit is conferred on the recipient by lowering the duties payable or fully exempting him from paying the import duties.
- (52) The subsidy is contingent in law on export performance within the meaning of Article 3(4)(a) of the Basic Regulation, since it cannot be obtained without a commitment to export goods, and is therefore deemed to be specific.

(d) Calculation of the subsidy amount

- (53) The benefit to the exporters has been calculated on the basis of the amount of unpaid customs duty due on imported capital goods by spreading this amount across a period of 18 years, which reflects the depreciation for capital goods actually imported under the EPCGS by each company. The amount so calculated which is attributable to the investigation period has been adjusted by adding interest during the investigation period in order to establish the full benefit to the recipient under this scheme. Given the nature of this scheme which is equivalent to a one-time grant, the commercial interest rate during the investigation period in India, i.e. 14 % was considered appropriate. This amount has then been allocated over total exports during the investigation period.
- (54) Six companies availed themselves of this scheme during the investigation period and obtained subsidies of between 1,44 % and 27,66 %.

5. Export processing zones (EPZ)/export oriented units (EOU)

- (55) Another instrument under the export import policy involving export related assistance is the export processing zones (hereinafter 'EPZ')/export oriented units (hereinafter 'EOU') scheme which was introduced on 22 June 1994.

(a) Eligibility

- (56) Companies located in any of seven geographically identified EPZ which undertake to export at least 75 % of their production can avail themselves of certain benefits. The same benefits are available to EOU which can be located anywhere in India (referred to as 'stand-alone EPZ'). EOU are bonded units under the surveillance of Customs officials.

(b) Practical implementation

- (57) Companies located in EPZ and EOU can obtain the following benefits:
- suspension of collection of duties due on purchases of capital goods during the period of bonding,
 - exemption from customs duties due on purchases of raw materials and consumables,
 - exemption from excise duty on goods procured from indigenous sources,
 - reimbursement of central sales tax paid on goods procured locally.
- (58) Companies located in EPZ and companies requesting treatment as EOU must apply to the relevant authorities. Such application must include details for a period of the next five years, on, *inter alia*, planned production quantities, projected value of exports, import requirements

and indigenous requirements. If the authorities accept the company's application, the terms and conditions attached to the acceptance will be communicated to the company. Companies in EPZ and EOU can be involved in the production of any product. The agreement to be recognised as a company in an EPZ/EOU is valid for a five-year period. The agreement may be renewed for further periods.

(c) Conclusion on EPZ/EOU

- (59) Since the EOU/EPZ scheme was used by the companies exclusively for the import of capital goods, the Commission services only assessed the countervailability of the suspension of collection of duties due on capital goods during the period of bonding.
- (60) In this regard, the EOU/EPZ scheme involves the granting of subsidies as the concessions granted under the scheme constitute financial contributions by the GOI, since revenues otherwise due are foregone and a benefit is conferred on the recipient.
- (61) The suspension of the collection of duties on capital goods has the same effect as an exemption since, as long as the export requirements are fulfilled, it is solely within the discretion of the company if and when to de-bond the capital goods.
- (62) This subsidy is contingent in law on export performance within the meaning of Article 3(4)(a) of the Basic Regulation, since it cannot be obtained without the company accepting an export obligation, and is therefore deemed to be specific and countervailable.

(d) Calculation of the subsidy amount

- (63) One company operated as a recognised EOU, and used this scheme for the import of capital goods. The benefit to this exporter has therefore been calculated on the same basis as explained for the EPCGS in recital 53.
- (64) On this basis, the company received benefits under this scheme at a rate of 0,7 %.
- (65) The Commission established that another exporting producer of the product concerned, a related company to the one established as an EOU, was also established as an EOU, and equally imported capital goods under this scheme during the first half of the investigation period. Subsequently, this company renounced its EOU status and converted the capital goods imported under the EOU scheme into capital goods imported under the EPCGS. Consequently, the capital goods imported by this company have been examined fully under the EPCGS.

6. Income tax exemption scheme (ITES)

- (66) The Income Tax Act 1961 is the legal basis under which the ITES operates. The Act, which is amended yearly by the Finance Act, sets out the basis for the collection of taxes as well as various exemptions/deductions which can be claimed. Among the exemptions which can be claimed by firms are those covered by Sections 10A, 10B and 80HHC of the Act, which provide an income tax exemption on profits from export sales. Exemption under Section 10A can be claimed by firms located in free trade zones, exemption under Section 10B can be claimed by export oriented units and exemption under Section 80HHC can be claimed by any firm which exports goods.
- (67) However, no exporter of the product concerned made use of these exemptions. There is therefore no need for the Commission to assess this scheme in the context of the investigation.

7. Regional schemes — sales tax/trade tax incentive schemes

- (68) The States of Gujarat, Maharashtra and Uttar Pradesh grant to eligible industrial enterprises incentives in the form of exemption and/or deferment of sales or trade tax in order to encourage the industrial development of economically backward areas within these States. Since these schemes are virtually identical, they are assessed jointly.

(a) Eligibility

- (69) In order to be eligible, companies must invest in backward areas either by setting up a new industrial establishment or by making a large-scale capital investment in expansion or diversification of an existing industrial establishment. These areas, which represent certain territorial units in the three States are classified according to their economic development into different categories (e.g. most backward area, backward area, other eligible area, but also excluded or 'banned' areas). The main criteria to establish the amount of the incentives are the size of the investment and the area in which the enterprise is or will be located.

(b) Specificity

- (70) These schemes are only available to companies having invested within certain designated geographical areas within the jurisdiction of the State concerned. They are not available to companies located outside these areas. The level of benefit is different according to the area concerned.
- (71) The schemes do not fall within the exceptions under Article 3(2)(b) of the Basic Regulation, whereby aid limited to certain enterprises may nevertheless be non-specific if its eligibility is based on objective criteria or conditions, since these should, *inter alia*, be horizontal in

application and not favour certain enterprises over others. The schemes are not horizontal in application, since some regions of the country or regional entity concerned are ineligible. Consequently, an enterprise in an eligible region will be eligible to receive aid, while an identical enterprise in a non-eligible region will not. In addition, two identical enterprises both situated in eligible regions or areas may receive different amounts of aid, if the aid ceilings of the regions or areas concerned are different.

- (72) The schemes are therefore specific in accordance with Article 3(2)(a) of the Basic Regulation.

(c) Green-light test

- (73) The GOI claimed that these schemes are non-counter-vailable subsidies since they met the criteria of Article 4(3) of the Basic Regulation, and thus qualified as 'green-light' regional subsidies granted within each of the States concerned.

- (74) Under this Article, in order not to be subject to counter-vailing measures, subsidies to disadvantaged regions within the territory of the country of origin and/or export would have to comply with certain criteria; most notably, they would have to be: (1) pursuant to a general framework of regional development, (2) the regions concerned would have to be clearly designated contiguous geographical areas with a definable economic and administrative identity, and (3) be regarded as disadvantaged on the basis of neutral and objective criteria which must be clearly spelled out by law or other official document. These criteria shall include a measurement of economic development which shall be based on at least one of the following factors: income per capita, or household income per capita, or GDP per capita (in each case, not above 85 % of the average for the territory of the country concerned), or unemployment rate as measured over a three-year period (at least 110 % of the average for the country concerned).

- (75) It should be noted that the information supplied by the GOI, in so far as regional schemes are concerned, was incomplete. During the verification visit and on subsequent occasions, the Commission services requested from the GOI the information which would be required in order to examine whether these programmes meet the green-light criteria as outlined in recital 74. The GOI has so far not submitted any information in this respect.

- (76) Moreover, when questioned by the Commission during the verification visit about the neutral and objective criteria used to determine a disadvantaged area, the Indian authorities were not able to produce any statistics allowing to establish such criteria.

- (77) In the absence of more precise information, the Commission services were obliged to make use of facts available and conclude that the green-light claim made by the GOI in respect to these regional schemes is not sufficiently supported. It is therefore provisionally concluded that these schemes are countervailable.

(d) *Calculation of the subsidy amount*

- (78) The benefit to the exporting producers has been calculated on the basis of the amount of sales tax or trade tax normally due during the investigation period but which remained unpaid under these schemes. In order to establish the full benefit to the recipient under this scheme, this amount has been adjusted by adding interest during the investigation period. Given the nature of these subsidies, which is equivalent to a series of grants, a rate of 7 %, i.e. half the commercial interest rate during the investigation period in India, was considered appropriate. The amount of benefit has been allocated over total sales during the investigation period.
- (79) Six companies benefited from these schemes during the investigation period and obtained subsidies of 0,15 % and 5,47 %. It should be noted that the subsidy of 0,15 % received by one company has been excluded from the calculation of the total subsidy amount of this company for the reasons stated in recital 24.

8. Regional schemes — electricity duty exemption

- (80) The States of Gujarat and Maharashtra grant to eligible industrial enterprises incentives in the form of exemption from the payment of electricity duty in order to encourage the industrial development of economically backward areas within these States, and in particular the Marathwada Region as far as Maharashtra is concerned. Since these schemes are virtually identical, they are appraised jointly.

(a) *Eligibility*

- (81) In order to be eligible, companies must invest in backward areas either by setting up a new industrial establishment or by making a large-scale capital investment in expansion or diversification of an existing industrial establishment.

(b) *Specificity*

- (82) These schemes are only available to companies having invested within certain designated geographical areas within the jurisdiction of the States of Gujarat and Maharashtra. The schemes are specific in accordance

with Article 3(2)(a) of the Basic Regulation for the same reasons as explained in recitals 70 and 71.

(c) *Green-light test*

- (83) The GOI claimed that these schemes are non-countervailable subsidies since they met the criteria of Article 4(3) of the Basic Regulation.
- (84) The criteria of Article 4(3) of the Basic Regulation have been described in recital 74.
- (85) It is recalled that the information submitted by the GOI, in so far as regional schemes are concerned, was incomplete. In the absence of more precise information, the Commission services were obliged to make use of facts available and conclude that the green-light claim made by the GOI with respect to electricity duty exemption schemes is not sufficiently supported. It is therefore provisionally concluded that these schemes are countervailable.

(d) *Calculation of the subsidy amount*

- (86) The benefit to the exporting producers has been calculated on the basis of the amount of electricity duty normally due during the investigation period but which remained unpaid under these schemes. In order to establish the full benefit to the recipient under this scheme, this amount has been adjusted by adding interest during the investigation period. Given the nature of these subsidies, which is equivalent to a series of grants, a rate of 7 %, i.e. half the commercial interest rate during the investigation period in India, was considered appropriate. The amount of benefit has been allocated over total sales during the investigation period.
- (87) Two companies benefited from these schemes during the investigation period and obtained subsidies of 0,25 % and 4,13 % respectively. It should be noted that the subsidy of 0,25 % received by one company has been excluded from the calculation of the total subsidy amount of this company for the reasons stated in recital 24.

9. Regional schemes — octroi refund

- (88) The State of Maharashtra grants to eligible industrial enterprises incentives in the form of a refund of octroi. Octroi is a tax levied by local authorities in India on goods that enter the territorial limits of a town or district. The total amount that may be refunded is restricted to 100 % of the fixed capital investment. The period during which this refund can be availed of differs according to the area in which a company is located.

(a) *Eligibility*

- (89) In order to be eligible, companies must invest in backward areas either by setting up a new industrial establishment or by making a large-scale capital investment in expansion or diversification of an existing industrial establishment.

(b) *Specificity*

- (90) This scheme is only available to companies having invested within certain designated geographical areas within the jurisdiction of the State of Maharashtra. The scheme is specific in accordance with Article 3(2)(a) of the Basic Regulation for the same reasons as explained in recitals 70 and 71.

(c) *Green-light test*

- (91) The GOI claimed that this scheme is a non-counter-vailable subsidy since it met the criteria of Article 4(3) of the Basic Regulation.
- (92) The criteria of Article 4(3) of the Basic Regulation have been described in recital 74.
- (93) It is recalled that the information submitted by the GOI, in so far as regional schemes are concerned, was incomplete. In the absence of more precise information, the Commission services were obliged to make use of facts available and provisionally conclude that the green-light claim made by the GOI in respect to the octroi refund scheme is not sufficiently supported. It is therefore provisionally concluded that this scheme is counter-vailable.

(d) *Calculation of the subsidy amount*

- (94) The benefit to the exporting producers has been calculated on the basis of the amount of octroi tax normally due during the investigation period but which remained unpaid under this scheme. In order to establish the full benefit to the recipient under this scheme, this amount has been adjusted by adding interest during the investigation period. Given the nature of these subsidies, which is equivalent to a series of grants, a rate of 7 %, i.e. half the commercial interest rate during the investigation period in India, was considered appropriate. The amount of benefit has been allocated over total sales during the investigation period.
- (95) One company benefited from this scheme during the investigation period and obtained subsidies of 1,46 %.

10. Regional schemes — special capital incentive scheme

- (96) Another scheme that is made available by the State of Maharashtra is the special capital incentive scheme,

which can take the form of either a cash grant or a sales tax incentive. The total amount granted depends on the area and the scale of the enterprise.

(a) *Eligibility*

- (97) Any new unit or 'pioneer units' set up after 1 October 1988 in certain areas, but not units having expanded or diversified their operations, are eligible for this scheme.

(b) *Specificity*

- (98) This scheme is only available to companies having invested within certain designated geographical areas within the jurisdiction of the State of Maharashtra. The scheme is specific in accordance with Article 3(2)(a) of the Basic Regulation for the same reasons as explained in recitals 70 and 71.

(c) *Green-light test*

- (99) The GOI claimed that this scheme is a non-counter-vailable subsidy since it met the criteria of Article 4(3) of the Basic Regulation.
- (100) The criteria of Article 4(3) of the Basic Regulation have been described in recital 74.
- (101) It is again recalled that the information submitted by the GOI, in so far as regional schemes are concerned, was incomplete. In the absence of more precise information, the Commission services were obliged to make use of facts available and conclude that the green-light claim made by the GOI with respect to the special capital incentive scheme is not sufficiently supported. It is therefore provisionally concluded that the scheme is countervailable.

(d) *Calculation of the subsidy amount*

- (102) The benefit to the exporting producers has been calculated as explained for EPCGS in recital 53 on the basis of a one-time grant during the investigation period, linked to the acquisition of fixed assets. The amount of benefit has been allocated over total sales during the investigation period.
- (103) One company benefited from this scheme during the investigation period and obtained subsidies of 0,01 %, which has been excluded from the calculation of the total subsidy amount for the reasons stated in recital 24.

11. Amount of countervailable subsidies

- (104) The amount of countervailable subsidies in accordance with the provisions of the Basic Regulation, expressed *ad valorem*, for each investigated exporter is as follows.

(en %)

	PBS	DEPB		EPCGS	EPZ/EOU	State schemes				Total
		Pre-export	Post-export			Sales-tax	Capital-incentive	Octroi refund	Electricity-refund	
Ester Industries Ltd		6,84	2,85	2,92						12,6
Flex Industries Ltd			10,48	2,24		1,12				13,8
Garware Plastics & Polyester Ltd		1,31		1,48		2,48		1,46		6,7
India Polyfilms Ltd & Jindal Polyester Ltd			4,31	1,58	0,70	0,51				7,1
MTZ Polyester Ltd				27,66		5,47			4,13	37,2
Polyplex Corporation Ltd			17,81	1,44		1,09				20,3

D. INJURY**1. Definition of the Community industry***(a) Community producers*

(105) Within the Community, the product concerned is manufactured by:

- producers who lodged the complaint and cooperated in the investigation, (listed in recital 5), and
- other Community producers who were not complainants but were not opposed to the proceeding.

All these companies therefore constitute the Community production within the meaning of Article 9(1) of the Basic Regulation.

(b) Community industry

(106) The four complainant producers fulfil the requirements of Article 10(8) of the Basic Regulation, since they account for more than 80 % of total Community production of the product concerned and are therefore deemed to constitute the Community industry within the meaning of Article 9(1) of the said regulation and are hereinafter referred to as 'the Community industry'.

2. Community consumption

(107) The consumption of PET film on the Community market during the period considered was established on the basis of the combined volume of sales of the own-produced PET film of the Community industry and of the non-complainant Community producers plus the

total imports onto the Community market of PET film. For this latter information the Commission relied on Eurostat statistics and, in the case of India, on the export sales data provided by the Indian exporting producers.

(108) In assessing consumption in the Community, captive production, which amounts to around 60 000 tonnes (1998), was not taken into consideration as this production is not sold as PET film. A captive producer further processes the film into a final product of which PET film is only one of the components. The investigation showed that there were no sales from the Indian exporting producers to the captive market. Furthermore, it was established that on the one hand there were only modest sales by one captive producer to the non-captive market and on the other hand from the Community industry to the captive market. Therefore sales of PET film produced for and used in the captive market did not come into competition with PET film produced for and sold in the non-captive market and were thus not likely to be subject to the effects of subsidised imports. However, the modest non-captive sales made by one captive producer were taken into account in establishing the total consumption.

(109) On this basis, the Community consumption of PET film was found to have increased by 15,1 % during the period considered. Expressed in tonnes the consumption amounted to 183 241 in 1995, 178 734 in 1996, 206 772 in 1997 and 210 914 in the IP.

3. Market shares and import volumes from India

- (110) The market share of the Indian exporting producers was calculated as a percentage of total Indian exports into the EC (as declared by the exporting producers) of the consumption in the Community. Hence, it was established that the Indian market share amounted to 3,6 % in 1995, 3,1 % in 1996, 8,2 % in 1997 and 9,6 % in the IP. This corresponds to an increase of 167 % during the period considered.

In absolute figures, it was found that the import volume in tonnes developed as follows: 6 534 in 1995, 5 574 in 1996, 17 011 in 1997 and 20 250 tonnes in the IP. This corresponds to an increase of 210 %.

4. Prices of subsidised imports

(a) Price evolution

- (111) Prices of the Indian exporting producers have steadily decreased since 1995. In 1995 the average price amounted to ECU 3 219/t the price dropped to 2 425 in 1996, 1 865 in 1997 and 1 674 during the IP, which corresponds to an overall decrease of 48 %.

(b) Price undercutting

- (112) In order to establish whether the Indian exporting producers undercut the sales prices of the Community industry, a detailed analysis was carried out. Weighted average export prices per PET film type within each market segment listed in recital 8 were compared with the weighted average sales prices of the Community industry types, sold in both cases to unrelated parties. When imports were made through related companies, resale prices to first independent customers were used.

- (113) Adjustments to the Indian exporting producers' prices were made, where appropriate, for transport costs, handling and import charges in order to arrive at a free Community-frontier level, duty paid. The Community industry's sales prices were similarly adjusted, where appropriate, to arrive at ex-factory level.

- (114) The comparison of the weighted average Indian export prices, duly adjusted, with the weighted average sales prices of the Community industry showed that the Indian exporting producers have undercut the Community producers on weighted average by 40.1 % (ranging between 28,2 % and 50,5 %).

5. Situation of the Community industry

(a) Capacity

- (115) The capacity of the Community industry showed a steady growth during the period considered with an increase of 20 % (from 145 756 tonnes in 1995 to 148 726 tonnes in 1996, 157 683 tonnes in 1997 and 175 075 tonnes in the IP). The Community industry decided to install new production lines in 1995 in line with the increased demand for PET film. The investments became operational with a delay of two to three years.

(b) Production volume

- (116) Total production of the Community industry fluctuated slightly during the period considered with an increase of 2 %. Whereas 1995 (132 948 tonnes) can be described as a positive year for the Community industry owing to very high demand, 1996 (122 977 tonnes) showed a significant drop in the level of production. In 1997 the production of the Community industry increased again to 128 741 tonnes, consistent with higher demand. The production of the IP amounted to 135 287 tonnes.

(c) Capacity utilisation

- (117) The capacity utilisation of the Community industry declined from 91 % in 1995 to 83 % in 1996, 82 % in 1997 and 77 % in the IP, i.e. a decrease of 15 %.

(d) Sales volume (own produced PET film)

- (118) Between 1995 and 1996 the volume of sales to unrelated parties in the Community showed a 7,8 % drop (from 104 750 to 96 572 tonnes). The following year sales almost recovered their 1995 level (103 629 tonnes). During the period considered sales increased by 1 % amounting to 106 138 tonnes in the IP.

(e) Sales volumes of traded products

- (119) During the period considered PET film purchases by the Community industry from non-member countries increased significantly: whereas in 1995 the share of such traded products of total EC-sales volume of PET film was only 7,6 %, in the IP it was 16,0 %. Sales volumes of traded products, in tonnes, amounted to 8 595 in 1995, 7 011 in 1996, 17 029 in 1997 and 20 197 in the IP, which corresponds to an increase of 135 %.

(f) *Market share*

- (120) The Community's industry market share, calculated on the basis of sales of own produced PET film in the Community market, showed a negative development during the period considered. The Commission found that whereas the Community industry accounted for 57,2 % of the market in 1995, its share decreased to 54,1 % in 1996 and 50,6 % in 1997, reaching its lowest level in the IP with 50,4 %. This corresponds to an overall decrease of 12 %.

(g) *Sales prices*

- (121) The investigation showed that the Community industry has to lower its prices by 23 % since 1995. Sales prices (ECU/t) decreased from 4 429 in 1995 to 4 286 in 1996, 3 631 in 1997 and 3 393 in the IP.

(h) *Profitability*

- (122) As regards profitability, it was established that the Community industry was in a better financial situation in 1995 compared with the IP. Profitability for all companies dropped sharply during the period considered and in particular two companies faced significant losses in the IP. It should be noted that all the costs of the investments in new production lines mentioned in recital 115 were excluded by the Commission in the calculation of profitability for PET film. The profit margin decreased from 16,1 % in 1995 to 10,6 % in 1996, 4,0 % in 1997 and became a loss of - 0,7 % in the IP.

(i) *Employment*

- (123) As regards employment, the Community industry did not substantially reduce its workforce as the sales volume was kept at a steady level by continuous price reductions. In fact the workforce was increased owing to new investments up to 1997 after which the number of employees declined. The workforce grew from 2 445 in 1995 to 2 519 in 1996 and 2 588 in 1997. In the IP the workforce was cut to 2 514. The overall increase in the number of employees amounted to 3 %.

(j) *Investment*

- (124) As regards investment there was a continuous upward trend. The Community industry made its investment decision in 1995, when there was insufficient supply in the market owing to increasing demand. Investments in new production lines took a long time to be operational and required the Community industry to spend money

on its projects years after the market took a downward trend. The value of investments increased from ECU 24 702 million in 1995 to ECU 96 450 million in 1996, ECU 170 007 million in 1997 and ECU 203 699 million in the IP; i.e. a increase of 725 %.

(k) *Stocks*

- (125) It was established that stocks increased by 23 % during the period considered reaching 21 783 tonnes at the end of the IP compared with the 17 664 tonnes of 1995, 19 121 tonnes of 1996 and 18 434 tonnes of 1997. At the same time the share of stocks, expressed as a percentage of production, increased from 13 % to 16 %.

6. Conclusion on injury

- (126) Community industry sales remained, by and large, stable between 1995 and the IP. After a decrease in 1996, they did not follow the expansion of Community consumption which increased substantially, i.e. by more than 15 %, from 183 000 tonnes to 211 000 tonnes during the period considered. This resulted in a continuous drop in the Community industry's market share, which would have decreased more significantly had the Community industry not cut its sales prices by 23 %. Lack of sales volume also led to an increase of 23 % in stocks.
- (127) Despite a small increase in production and its relatively stable sales volumes, profitability of the Community industry fell between 1995 and the IP.
- (128) Consequently, the above injury factors show that between 1995 and the IP the situation of the Community industry deteriorated.
- (129) The Commission has therefore provisionally concluded that the Community industry has suffered material injury within the meaning of Article 8(1) of the Basic Regulation.

E. CAUSATION

1. Preliminary remark

- (130) According to Article 8(6) and (7) of the Basic Regulation, the Commission has examined whether the imports concerned have caused material injury. Known factors other than the subsidised imports, which could at the same time have injured the Community industry, were also examined to ensure that possible injury caused by these other factors was not attributed to the subsidised imports.

2. Effect of the subsidised imports

- (131) The significant increase in the Indian market share from 3,6 % in 1995 to 9,6 % during the IP and the substantial price undercutting found (up to 50,5 %) coincided with the deterioration in the situation of the Community industry, in particular in terms of loss of market shares and price depression, as well as deterioration of profitability.
- (132) When faced with low-priced imports originating in India, the Community industry had the choice of either maintaining its prices with a negative development of sales and market share or of following the trend of low prices of the subsidised imports, with negative consequences for profitability. Most complainant Community producers decided to cut their prices already in 1996. During the following years and especially during the IP, all of them lowered their sales prices further with negative impact on their profitability. This shows the price sensitivity of the market and the important impact of price undercutting as practised by the Indian exporting producers.
- (133) The Indian exporting producers have argued that the Community industry is active primarily in the upper segment of the PET film market, while they are only active in the lower segment. They have also claimed that their channels of sales are different from those of the Community industry. These arguments are contradicted by the information the Indian exporting producers and the importers of Indian PET film themselves have provided to the Commission in their questionnaire replies.

Firstly, it should be recalled that the Community market for PET film is divided into five segments as mentioned in recital 8 and that the Indian exporting producers are present in all of them except the magnetic segment, the Community industry being present in all segments. The investigation has shown that within the four segments common to all operators higher quality speciality films are offered by both the Community industry and the Indian exporting producers.

Secondly, the Indian exporting producers and the Community industry are using the same sale channels, namely traders and converters.

Thus, the arguments put forward by the Indian exporting producers must be rejected.

3. Effect of other factors

(a) Imports from other third countries

- (134) Imports from countries not concerned by this proceeding increased by 31 % during the period considered, i.e. at a rate higher than the increase of 15,1 % of Community consumption, but lower than the increase of 210 % of imports from India. Among these non-

member third countries South Korea, the major supplier to the Community market, increased its market share from 8,3 % in 1995 to 12,9 % in the IP. Two other important suppliers to the Community market during the period considered were Japan, whose share of the Community market declined from 5,8 % to 3,6 %, and the USA, whose share increased by one percentage point from 9,1 % to 10,1 % (imported mainly by Community industry). As regards prices, the average price of these imports, as provided by Eurostat, was considerably higher than the prices of the Indian imports.

(b) Development of consumption on the Community market

- (135) It should be recalled that consumption of the product under investigation in the Community increased by 15,1 % during the period considered. Therefore, the injury suffered by the Community industry cannot be attributed to a contraction of demand on the Community market.

(c) Overcapacity of the Community industry

- (136) The Indian exporting producers have claimed that the Community industry has developed an overcapacity for PET film and that this is one of the main causes of its difficulties. In this respect, the investigation has shown that an increase of 20,1 % in production capacity by the Community producers occurred between 1995 and the IP. This increase was based upon a sound analysis of future market trends, which turned out to be roughly in line with the actual increase in Community consumption. It should also be noted that capacity is not only destined for sales in the Community but also for exports. Finally the investment decision has to be seen in the light of the very significant capital costs and long periods of time necessary for commissioning new plants. In any event, if there is an overcapacity in the world market for PET film it has probably been caused more by the building up of new production capacities in India than in the Community. It was established that the capacity of the Indian exporting producers increased by 97 % during the period considered (from 62 100 to 122 600 tonnes).

- (137) The investigation has shown that the capacity utilisation rate of the Community industry went down from 91,2 % in 1995 to 77,3 % in the IP, whilst capacity was increased only slightly more than the increase in Community consumption.

(d) *Competitiveness of the Community industry*

- (138) The Indian exporting producers have claimed that the Community industry has lost its *de facto* monopoly because the Indian imports have entered into the Community market. As a result, it is alleged, the Community industry has not been able to compete successfully. The investigation has clearly established that the producers in the Community, as a whole, have never dominated the market. As early as 1995, when the Indian market share was still small, the Community market covered by imports was more than 30 %. Besides imports, six Community producers were present on the market in competition with each other. The entry of the Indian exporting producers in the European market created unfair competition with subsidised imports.

(e) *Fluctuation in the price of raw materials*

- (139) The Indian exporting producers have argued that the decrease in prices of PET film in the Community market is mainly due to the declining prices of the raw material on the world market.
- (140) The investigation showed that raw material prices had indeed declined: the raw material cost per tonne of PET film sold by the Community industry decreased by 17 % during the period considered. However during the same period the average sales price per tonne of finished PET film decreased by more than 23 %. Given that the share of raw materials in the total production cost varied between 33 % and 38 % depending on the year, the decrease in total production cost of PET film attributable to lower raw material prices amounts to around 6 %. This shows that a decrease in raw material prices may have led to a reduction in the total cost of production and therefore also justified a decrease in sales prices to a limited extent. This, however, neither explains the actual sales price decrease of 23 % overall nor the negative development of the Community industry's profitability.

(f) *General difficulties in the polyester sector*

- (141) The Indian exporting producers submitted that the injury the Community industry claimed to have suffered might have been partly caused by difficulties in polyester sectors other than PET film. It should be noted that three out of the four complainant Community producers operate exclusively in the PET film sector⁽¹⁾. Concerning the company also involved in other sectors, it was established that these were more profitable than PET film,

especially during the last two years of the period considered.

(g) *Situation of the non-complainant Community producers*

- (142) During the course of the investigation it was also considered whether the situation of the non-complainant Community producers operating on the non-captive market in the Community was different from that of the Community industry. In this respect it was established that the non-complainant Community producers had also lost market share, from 12,4 % in 1995 to 9,4 % in the IP. Their average sales price per tonne of PET film had declined by 24 %, i.e. one percentage point more than the Community industry's. Therefore it is concluded that the non-complainant Community producers have followed the negative trend of the Community industry.

(h) *Traded PET film by complainant Community producers*

- (143) As mentioned in recital 119 the Community industry has been purchasing more and more PET film from sources outside the Community. The increased trading is explained by the fact that three complainant Community producers have been acquired by United States or Japan based companies between 1996 and 1998. These large multinationals are organised in such a way that the production of their overall PET film product range is increasingly specialised and takes place in different production sites worldwide, including in the Community. Therefore, the Community based companies have concentrated on certain PET film product types, thus complementing the overall product range offered in the Community with products produced by companies belonging to the same group but located outside the Community. At the same time, companies outside the Community buy those product types for which production is concentrated in the Community in order to sell it on their respective geographical markets. This two-way trading within a group can be seen both in the increased purchases and in the increased export sales of the Community producers. Owing to this, increased trading is considered to be a normal phenomenon resulting from the globalisation of the industry.
- (144) The trading activity represented 14,0 % of the total sales volume of the Community industry during the IP. Export sales of own-produced PET film, which increased by 7,4 % during the period considered, represented 16,7 % of total sales volume during the IP.

⁽¹⁾ Except for by-products, which are sold in small quantities.

4. Conclusion on causation

- (145) It cannot be ignored that factors other than subsidised imports from India, in particular imports originating in South Korea, may have contributed to the difficult state of the Community industry. However, the substantial increase in import volume from India, the increase in market share of the Indian imports, the considerable price decreases and price undercutting by these imports had material negative consequences on the situation of the Community industry. The Commission has therefore concluded that these imports, taken in isolation, have caused material injury to the Community industry and possible injury caused by other factors was not such as to break this causal link.

F. COMMUNITY INTEREST

1. Preliminary remark

- (146) The Commission provisionally examined, on the basis of all the evidence submitted, whether, despite the injurious effects of the subsidised imports, compelling reasons existed which would lead to the conclusion that it would not be in the Community interest to impose measures in this particular case. For this purpose, and pursuant to Article 31(1) of the Basic Regulation, the Commission considered, on the basis of the information available, the impact of possible measures for all parties involved in the proceeding, and also the consequences of not taking measures. In this context, particular consideration was given to the effect that anti-subsidy measures, if any, would have on the Community industry, on the non-complainant Community producers, on importers and on users of the product concerned.

2. Interest of the Community industry

- (147) As has been shown above, the Community industry has been facing difficulties linked to the presence of subsidised Indian imports.

It is considered that, without measures to correct the effects of the subsidised imports, the Community industry will continue to face price undercutting and the consequent price depression which led to the deterioration of its profitability. In the event that such a situation were allowed to continue, the Community producers would be left with no other alternative but to close down certain production lines or even entire plants devoted exclusively to the production of PET film.

- (148) In the long run even the survival of three complainant Community producers could be endangered by the absence of measures in view of the fact that those companies do not produce other products. The jobs of approximately 2 500 people employed by the Community industry would be endangered if the

Community industry were to start closing down its plants.

3. Interest of other Community producers

- (149) As mentioned above the Commission received three responses from non-complainant Community producers. However, only one non-captive producer took a position on the effects of the PET film imported from India. The company submitted that, although the Indian companies are not exporting into the segments where they are operating, the indirect effect on their prices is considerable. The investigation has confirmed that this is owing to the transparency of the PET film market. Any change of price in one segment has an immediate effect in all the others.

It is therefore to be provisionally concluded that the imposition of countervailing measures will have a positive effect on the profitability of other non-captive Community producers through increased prices, and on the basis of the evidence available, it is not likely to affect the captive producers in the Community.

4. Interest of importers

- (150) As mentioned above, the Commission sent questionnaires to all known importers of the product under investigation, i.e. to 12 companies, but only four substantiated replies were received. On the basis of the information obtained it appears that importers in the Community purchase the product under investigation from a variety of sources, which include India and the Community industry. It can be thus concluded that, apart from importing PET film originating in India, they also trade in PET film purchased from the Community industry. For three companies that replied to the questionnaires PET film sales represented less than 50 % of their total turnovers.

- (151) When asked to comment on the effects that a likely imposition of countervailing measures could have on their business, only two importers claimed that the imposition of such measures was likely to affect them in a negative manner.

- (152) As there are no fundamental quality differences between the product imported from India and of other origins considered that the importers in the Community would have no difficulty in obtaining the product from other sources as well as from India, especially since there is no shortage of supply on the world market.

On this basis, the Commission has provisionally concluded that the imposition of countervailing measures is not likely to have a serious effect on importers in the Community.

5. Interest of users of the product concerned

- (153) The Commission also sent questionnaires to 29 Community users of PET film and received two substantiated responses. In general, and on the basis of the responses received and the low response rate, it was concluded that the outcome of the investigation will most likely not have an important impact on the user industry, either because PET film as a raw material is not a significant cost factor for them or because their production of downstream products based on PET film only accounts for a small proportion of their total production. It can be added that users buying PET film from India often buy it from other sources as well, including both Community producers and other third countries.

6. Conclusion on Community interest

- (154) In examining the various interests involved and all the above aspects, the Commission has provisionally established that there are no compelling reasons not to take action against the imports in question.

G. PROVISIONAL DUTY

- (155) On the basis of the conclusions on subsidisation, injury, causal link and Community interest, the Commission considers it necessary to adopt provisional countervailing measures.
- (156) For the purpose of determining the level of these measures, the Commission took account of the fact that the weighted average Community industry's price on the Community market declined significantly over the period considered and was at a non-profitable level. In order to remove the effects of injurious subsidisation in this situation, the Commission considered that the prices of the subsidised imports should be increased to a non-injurious level. This level was determined on the basis of the Community industry's weighted average cost of production plus a 6 % profit margin. The investigation established that such a profit margin should be regarded as representing an appropriate minimum, taking into account the need for long-term investment in what is a capital-intensive industry, and the amount which the Community industry could reasonably be expected to make in the absence of injurious subsidisation. By comparing, on a type-by-type basis the non-injurious import prices thus established with the actual import prices used for the price undercutting calculation, the amount necessary to remove the injury or injury margin was determined. This amount was then expressed as a percentage of the actual cif import price at the Community frontier, customs duty unpaid level, resulting in the injury margin.

- (157) In accordance with Article 12(1) of the Basic Regulation, the countervailing duty rate should correspond to the subsidy margin, unless the injury margin is lower. The following rates of duty therefore apply for the cooperating producers:

— Ester Industries Ltd	12,6 %
— Flex Industries Ltd	13,8 %
— Garware Plastics & Polyesters Ltd	6,7 %
— India Polyfilms Ltd	7,1 %
— Jindal Polyester Ltd	7,1 %
— MTZ Polyesters Ltd	37,2 %
— Polyplex Corporation Ltd	20,3 %

- (158) Given the high level of cooperation, which covered more than 80 % of imports into the Community of the product concerned originating in India, it was considered appropriate to establish the duty rate for non-cooperating companies at the same rate as the highest rate that has been established for the cooperating companies, i.e. 37,2 %. This level will ensure that no bonus is granted for non cooperation and that duty evasion will be minimised.

- (159) The individual duty rates specified in this Regulation were established on the basis of the findings of the present anti-subsidy investigation. Therefore, they reflect the situation found during that investigation. These duty rates are thus exclusively applicable to imports of products originating in the country concerned and produced by the specific legal entities mentioned. Products produced by any other company not specifically mentioned in the operative part of this Regulation, including related entities, cannot benefit from these rates and shall be subject to the residual duty rate.

- (160) Any claim requesting the application of these individual duty rates (e.g. following a change in the name of the entity) should be addressed to the Commission forthwith with all relevant information, in particular any modification in the company's activities linked to production, domestic and export sales associated with that name change.

H. FINAL PROVISION

- (161) In the interests of sound administration, a period should be fixed within which the interested parties which made themselves known within the time limit specified in the notice of initiation may make their views known in writing and request a hearing. Furthermore, it should be stated that the findings made for the purposes of this Regulation are provisional and may have to be reconsidered for the purposes of any definitive duty,

HAS ADOPTED THIS REGULATION:

Article 1

1. A provisional countervailing duty is hereby imposed on imports of polyethylene terephthalate (PET) film falling within CN codes 3920 62 19 (TARIC codes 3920 62 19 10, 3920 62 19 15, 3920 62 19 25, 3920 62 19 30, 3920 62 19 35, 3920 62 19 40, 3920 62 19 45, 3920 62 19 50, 3920 62 19 55, 3920 62 19 60,

3920 62 19 65, 3920 62 19 70, 3920 62 19 75, 3920 62 19 80, 3920 62 19 81, 3920 62 19 85, 3920 62 19 87, 3920 62 19 89, 3920 62 19 91) and 3920 62 90 (TARIC codes 3920 62 90 30, 3920 62 90 91) and originating in India.

2. The rate of duty applicable to the net free-at-Community-frontier price, before duty, shall be as follows:

Producer	Rate of duty (%)	Taric additional code
Ester Industries Ltd 75-76, Amrit Nagar, Gehind NDSE-I, New Delhi, 10 003, India	12,6	A026
Flex Industries Ltd A-1, Sector-60 Noida, 201 301 (UP), India	13,8	A027
Garware Plastics & Polyesters Ltd Western Express Highway, Bombay, 400 057, India	6,7	A028
India Polyfilms Ltd 112, Indra Prakash Building 21, Barakhamba Road New Delhi, 110 001, India	7,1	A029
Jindal Polyester Ltd 115-117, Indra Prakash Building, 21, Barakhamba Road New Delhi, 110 001, India	7,1	A030
MTZ Polyesters Ltd Sarnath Center, Upvan Area, Upper Govind Nagar, Malad (E), Numbai, 400 097, India	37,2	A031
Polyplex Corporation Ltd 75, Amrit Nagar, Nueva Delhi, 110 003, India	20,3	A032
All other Indian companies	37,2	A999

3. Unless otherwise specified, the provisions in force concerning customs duties shall apply.

4. The release for free circulation in the Community of the product referred to in paragraph 1 shall be subject to the provision of a security, equivalent to the amount of the provisional duty.

writing and apply to be heard orally by the Commission within 15 days of the date of entry into force of this Regulation.

Pursuant to Article 31(4) of Regulation (EC) No 2026/97, the parties concerned may comment on the application of this Regulation within one month of the date of its entry into force.

Article 3

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

Article 2

Without prejudice to Article 30 of Regulation (EC) No 2026/97, the parties concerned may make known their views in

Article 1 of this Regulation shall apply for a period of four months.

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

Done at Brussels, 17 August 1999.

For the Commission
Karel VAN MIERT
Member of the Commission

COMMISSION REGULATION (EC) No 1811/1999
of 18 August 1999
fixing the import duties in the rice sector

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

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

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

- (1) Whereas Article 11 of Regulation (EC) No 3072/95 provides that the rates of duty in the Common Customs Tariff are to be charged on import of the products referred to in Article 1 of that Regulation; whereas, however, in the case of the products referred to in paragraph 2 of that Article, the import duty is to be equal to the intervention price valid for such products on importation and increased by a certain percentage according to whether it is husked or milled rice, minus the cif import price provided that duty does not exceed the rate of the Common Customs Tariff duties;
- (2) Whereas, pursuant to Article 12(3) of Regulation (EC) No 3072/95, the cif import prices are calculated on the basis of the representative prices for the product in question on the world market or on the Community import market for the product;
- (3) Whereas Regulation (EC) No 1503/96 lays down detailed rules for the application of Regulation (EC) No 3072/95 as regards import duties in the rice sector;
- (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 from the source referred to in Article 5 of Regulation (EC) No 1503/96 during the two weeks preceding the next periodical fixing;
- (5) Whereas, in order to allow the import duty system to function normally, the market rates recorded during a reference period should be used for calculating the duties;
- (6) Whereas application of Regulation (EC) No 1503/96 results in import duties being fixed as set out in the Annexes to this Regulation,

HAS ADOPTED THIS REGULATION:

Article 1

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

Article 2

This Regulation shall enter into force on 19 August 1999.

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

Done at Brussels, 18 August 1999.

For the Commission

Karel VAN MIERT

Member of the Commission

⁽¹⁾ OJ L 329, 30.12.1995, p. 18.

⁽²⁾ OJ L 265, 30.9.1998, p. 4.

⁽³⁾ OJ L 189, 30.7.1996, p. 71.

⁽⁴⁾ OJ L 351, 29.12.1998, p. 25.

ANNEX I

Import duties on rice and broken rice

(EUR/t)

CN code	Duties ⁽¹⁾				
	Third countries (except ACP and Bangladesh) ⁽²⁾ ⁽⁷⁾	ACP ⁽¹⁾ ⁽²⁾ ⁽³⁾	Bangladesh ⁽⁴⁾	Basmati India and Pakistan ⁽⁵⁾	Egypt ⁽⁶⁾
1006 10 21	(7)	76,44	111,06		173,10
1006 10 23	(7)	76,44	111,06		173,10
1006 10 25	(7)	76,44	111,06		173,10
1006 10 27	(7)	76,44	111,06		173,10
1006 10 92	(7)	76,44	111,06		173,10
1006 10 94	(7)	76,44	111,06		173,10
1006 10 96	(7)	76,44	111,06		173,10
1006 10 98	(7)	76,44	111,06		173,10
1006 20 11	214,71	70,81	103,02		161,03
1006 20 13	214,71	70,81	103,02		161,03
1006 20 15	214,71	70,81	103,02		161,03
1006 20 17	249,77	83,08	120,54	0,00	187,33
1006 20 92	214,71	70,81	103,02		161,03
1006 20 94	214,71	70,81	103,02		161,03
1006 20 96	214,71	70,81	103,02		161,03
1006 20 98	249,77	83,08	120,54	0,00	187,33
1006 30 21	438,41	141,05	204,30		328,81
1006 30 23	438,41	141,05	204,30		328,81
1006 30 25	438,41	141,05	204,30		328,81
1006 30 27	(7)	146,86	212,59		341,25
1006 30 42	438,41	141,05	204,30		328,81
1006 30 44	438,41	141,05	204,30		328,81
1006 30 46	438,41	141,05	204,30		328,81
1006 30 48	(7)	146,86	212,59		341,25
1006 30 61	438,41	141,05	204,30		328,81
1006 30 63	438,41	141,05	204,30		328,81
1006 30 65	438,41	141,05	204,30		328,81
1006 30 67	(7)	146,86	212,59		341,25
1006 30 92	438,41	141,05	204,30		328,81
1006 30 94	438,41	141,05	204,30		328,81
1006 30 96	438,41	141,05	204,30		328,81
1006 30 98	(7)	146,86	212,59		341,25
1006 40 00	(7)	45,38	(7)		105,00

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

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

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

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

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

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

⁽⁷⁾ Duties fixed in the Common Customs Tariff.

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

ANNEX II

Calculation of import duties for rice

	Paddy	Indica rice		Japonica rice		Broken rice
		Husked	Milled	Husked	Milled	
1. Import duty (EUR/tonne)	(¹)	249,77	455,00	214,71	438,41	(¹)
2. Elements of calculation:						
(a) Arag cif price (EUR/tonne)	—	333,25	293,82	394,22	426,40	—
(b) fob price (EUR/tonne)	—	—	—	365,72	397,90	—
(c) Sea freight (EUR/tonne)	—	—	—	28,50	28,50	—
(d) Source	—	USDA	USDA	Operators	Operators	—

(¹) Duties fixed in the Common Customs Tariff.

COMMISSION REGULATION (EC) No 1812/1999
of 18 August 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 1746/1999 ⁽³⁾, as amended by Regulation (CE) No 1782/1999 ⁽⁴⁾;
- (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 19 August 1999.

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

Done at Brussels, 18 August 1999.

For the Commission

Karel VAN MIERT

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 207, 6.8.1999, p. 9.

⁽⁴⁾ OJ L 212, 12.8.1999, p. 19.

ANNEX

to the Commission Regulation of 18 August 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	0	0	-11,50	-13,50	-15,50	—	—
1002 00 00 9000	01	0	0	0	0	0	—	—
1003 00 10 9000	—	—	—	—	—	—	—	—
1003 00 90 9000	03	0	-25,00	-25,00	-25,00	-25,00	—	—
	02	0	0	0	0	0	—	—
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	-15,76	-18,50	-21,24	—	—
1101 00 15 9130	01	0	0	-14,72	-17,28	-19,84	—	—
1101 00 15 9150	01	0	0	-13,57	-15,93	-18,29	—	—
1101 00 15 9170	01	0	0	-12,54	-14,72	-16,90	—	—
1101 00 15 9180	01	0	0	-11,73	-13,77	-15,81	—	—
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,
- 02 other third countries,
- 03 USA, Canada and Mexico.

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

II

(Acts whose publication is not obligatory)

COMMISSION

COMMISSION DECISION

of 20 July 1999

amending Decision 97/778/EC and updating the list of border inspection posts approved for veterinary checks

(notified under document number C(1999) 2258)

(Text with EEA relevance)

(1999/577/EC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Directive 90/675/EEC of 10 December 1990 laying down the principles governing the organisation of veterinary checks on products entering the Community from third countries ⁽¹⁾, as last amended by Directive 96/43/EC ⁽²⁾, and in particular Article 9(4) thereof,

Having regard to Council Directive 91/496/EEC of 15 July 1991 laying down the principles governing the organisation of veterinary checks on animals entering the Community from third countries and amending Directives 89/662/EEC, 90/425/EEC and 90/675/EEC ⁽³⁾, as last amended by Directive 96/43/EC, and in particular Article 6(4) thereof,

(1) Whereas Commission Decision 97/778/EC ⁽⁴⁾, as last amended by Decision 1999/121/EC ⁽⁵⁾, draws up a list of border inspection posts approved for veterinary checks of live animals and animal products from third countries;

(2) Whereas the list of border inspection posts must be updated to take account in particular of developments in certain Member States and of Community inspections;

(3) Whereas the measures provided for in this Decision are in accordance with the opinion of the Standing Veterinary Committee,

HAS ADOPTED THIS DECISION:

Article 1

The Annex to Decision 97/778/EC is replaced by the Annex hereto.

Article 2

This Decision is addressed to the Member States.

Done at Brussels, 20 July 1999.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ L 373, 31.12.1990, p. 1.

⁽²⁾ OJ L 162, 1.7.1996, p. 1.

⁽³⁾ OJ L 268, 24.9.1991, p. 56.

⁽⁴⁾ OJ L 315, 19.11.1997, p. 15.

⁽⁵⁾ OJ L 37, 11.2.1999, p. 25.

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

**LISTA DE PUESTOS DE INSPECCIÓN FRONTERIZOS AUTORIZADOS — LISTE OVER GODKENDTE GRÆN-
SEKONTROLSTEDER — VERZEICHNIS DER ZUGELASSENEN GRENZKONTROLLSTELLEN — ΚΑΤΑΛΟΓΟΣ
ΤΩΝ ΕΓΚΕΚΡΙΜΕΝΩΝ ΜΕΘΟΡΙΑΚΩΝ ΣΤΑΘΜΩΝ ΕΠΙΘΕΩΡΗΣΗΣ — LIST OF AGREED BORDER INSPECTIONS
POSTS — LISTES DES POSTES D'INSPECTION FRONTALIERS AGRÉÉS — ELENCO DEI POSTI DI ISPEZIONE
FRONTALIERI RICONOSCIUTI — LIJST VAN DE ERKENDE INSPECTIEPOSTEN AAN DE GRENS — LISTA
DOS POSTOS DE INSPECÇÃO APROVADOS — LUETTELO HYVÄKSYTYISTÄ RAJATARKASTUSASEMISTA
— FÖRTECKNING ÖVER GODKÄNDA GRÄNSKONTROLLSTATIONER**

- 1 = Nombre — Navn — Name — Ονομασία — Name — Nom — Nome — Naam — Nome — Nimi — Namn
- 2 = Código Animo — Animo-Kode — Animo-Code — Κωδικός Animo — Animo Code — Code Animo — Codice Animo — Animo-Code — Código Animo — Animo-koodi — Animo-Kod
- 3 = Tipo — Type — Art — Φύση — Type — Type — Tipo — Type — Tipo — Laiji — Typ
- A = Aeropuerto — Lufthavn — Flughafen — Αεροδρόμιο — Airport — Aéroport — Aeroporto — Luchthaven — Aeroporto — Lentokenttä — Flygplats
- F = Ferrocarril — Jernbane — Schiene — Σιδηρόδρομος — Rail — Rail — Ferrovia — Spoorweg — Caminho-de-ferro — Rautatie — Järnväg
- P = Puerto — Havn — Hafen — Λιμένας — Port — Port — Porto — Zeehaven — Porto — Satama — Hamn
- R = Carretera — Landevej — Straße — Οδός — Road — Route — Strada — Weg — Estrada — Tie — Väg
- 4 = Productos — Produkter — Erzeugnisse — Προϊόντα — Products — Produits — Prodotti — Producten — Produtos — Tuotteet — Produkter
- HC = Todos los productos destinados al consumo humano — Alle produkter til konsum — Alle zum menschlichen Verzehr bestimmter Erzeugnisse — Όλα τα προϊόντα για ανθρώπινη κατανάλωση — All products for human consumption — Tous produits de consommation humaine — Prodotti per il consumo umano — Producten voor menselijke consumptie — Todos os produtos para consumo humano — Kaikki ihmismisravinoksi tarkoitettut tuotteet — Produkter avsedda för konsumtion
- NHC = Otros productos — Andre produkter — Andere Erzeugnisse — Λοιπά προϊόντα — Other Products — Autres produits — Altri prodotti — Andere producten — Outros produtos — Muut tuotteet — Andra produkter
- NT = Sin requisitos de temperatura — Ingen temperaturkrav — Ohne Niedrigtemperaturanforderungen — Δεν απαιτείται χαμηλή θερμοκρασία — No temperature requirements — Sans conditions de température — Che non richiedono temperature specifiche — Geen lage temperaturen vereist — Sem exigências quanto à temperatura — Ei alhaisen lämpötilan vaatimuksia — Inga krav på låg temperatur
- T = Productos con requisitos de temperatura — Frosne/kølede produkter — Gefrorene/gekühlte Erzeugnisse — Προϊόντα κατεψυγμένα/ διατηρημένα με απλή ψύξη — Frozen/chilled products — Produits avec des conditions de température — Prodotti che richiedono temperature specifiche — Bevroren/gekoelde producten — Produtos congelados/refrigerados — Jäädetyt/jäähdytetyt tuotteet — Frysta/kylda produkter
- 5 = Animales vivos (véase la Decisión 94/957/CE de la Comisión) — Levende dyr (jf. Kommissionens beslutning 94/957/EF) — Lebende Tiere (siehe Entscheidung 94/957/EG der Kommission) — Ζωντανά ζώα (βλέπε απόφαση 94/957/ΕΚ της Επιτροπής) — Live animals (see Decision 94/957/EC of 28 December 1994) — Animaux vivants (voir la décision 94/957/CE de la Commission) — Animali vivi (cfr. la decisione 94/957/CE della Commissione) — Levende dieren (zie Beschikking 94/957/EG van de Commissie) — Animais vivos (ver a Decisão 94/957/CE da Comissão, de 28.12.1994) — Elävät eläimet (katso päätöstä 94/957/EY) — Levande djur (se kommissionens beslut 94/957/EG)
- U = Ungulados: bovinos, porcinos, ovinos, caprinos, solípedos domésticos y salvajes — Hovdyr: Kvæg, svin, får, geder, og husdyr eller vildtlevende dyr af hesteracen — Huftiere: Rinder, Schweine, Schafe, Ziegen, Wildpferde, Hauspferde — Οπληφόρα: βοοειδή, χοίροι, βρόβατα, αίγες, άγρια και κατοικίδια μονόπηλα — Ungulates: cattle, pigs, sheep, goats, wild and domestic solipeds — Ongulés: notamment les bovins, porcins, ovins, caprins et solipèdes domestiques ou sauvages — Ungulati: in particolare bovini, suini, ovini, caprini e solipedi domestici o selvatici — Hoefdieren: runderen, varkens, schapen, geiten, wilde en gedomesticeerde eenhoevigen — Ungulados: bovinos, suínos, ovinos, caprinos, solípedos domésticos ou selvagens — Sorkka- ja kavioläimet: nautakarja, siat, lampaat, vuohet, luonnonvaraiset ja kesyt kavioläimet — Hovdjur: nötkreatur, svin, får, getter, vilda och tama hovdjur

- E = Équidos registrados definidos en la Directiva 90/426/CEE del Consejo — Registrerede heste som defineret i Rådets direktiv 90/426/EØF — Registrierte Equiden, wie in der Richtlinie 90/426/EWG des Rates bestimmt — Καταχωρημένα ιπποειδή όπως ορίζεται στην οδηγία 90/426/ΕΟΚ του Συμβουλίου — Registered Equidae as defined in Council Directive 90/426/EEC — Équidés enregistrés au sens de la directive 90/426/CEE du Conseil — Equidi registrati ai sensi della direttiva 90/426/CEE del Consiglio — Geregistreerde paardachtigen als omschreven in Richtlijn 90/426/EEG van de Raad — Equídeos registados conforme definido na Directiva 90/426/CEE do Conselho — Rekisteröidyt hevoseläimet kuten määritellään neuvoston direktiivissä 90/426/ETY — Registrerade hästdjur enligt definitionen i rådets direktiv 90/426/EEG
- O = Otros animales — Andre dyr — Andere Tiere — Λοιπά ζώα — Other animals — Autres animaux — Altri animali — Andere dieren — Outros animais — Muut eläimet — Övriga djur
- 4-5 = Menciones especiales — Særlige betingelser — Spezielle Bemerkungen — Ειδικές παρατηρήσεις — Special remarks — Mentions spéciales — Note particolari — Bijzondere opmerkingen — Menções especiais — Erikoismainintoja — Anmärkningar
- (1) = De acuerdo con los requisitos de la Decisión 93/352/CEE de la Comisión, adoptada en aplicación del apartado 4 del artículo 18 de la Directiva 90/675/CEE del Consejo — Kontrol efter Kommissionens beslutning 93/352/EØF vedtaget i henhold til artikel 18, stk. 4, i Rådets direktiv 90/675/EØF — Kontrolle erfolgt in Übereinstimmung mit den Anforderungen der Entscheidung 93/352/EWG der Kommission, die in Ausführung des Artikels 18 Absatz 4 der Richtlinie 90/675/EWG des Rates angenommen wurde — Ελέγχεται σύμφωνα με τις απαιτήσεις της απόφασης 93/352/ΕΟΚ της Επιτροπής που έχει ληφθεί κατ' εφαρμογή του άρθρου 18 παράγραφος 4 της οδηγίας 90/675/ΕΟΚ του Συμβουλίου — Checking in line with the requirements of Commission Decision 93/352/EEC taken in execution of Article 18(4) of Council Directive 90/675/EEC — Contrôles dans les conditions de la décision 93/352/CEE de la Commission prise en application de l'article 18, paragraphe 4, de la directive 90/675/CEE du Conseil — Controllo secondo le disposizioni della decisione 93/352/CEE della Commissione in applicazione dell'articolo 18, paragrafo 4, della direttiva 90/675/CEE del Consiglio — Controle overeenkomstig Beschikking 93/352/EEG van de Commissie, vastgesteld ter uitvoering van artikel 18, lid 4, van Richtlijn 90/675/EEG — Controlos nas condições da Decisão 93/352/CEE da Comissão, em aplicação do n.º 4 do artigo 18.º da Directiva 90/675/CEE do Conselho — Tarkastus suoritetaan komission päätöksen 93/352/ETY, jolla pannaan täytäntöön neuvoston direktiivin 90/675/ETY 18 artiklan 4 kohta, vaatimusten mukaisesti — Kontroll i enlighet med kraven i kommissionens beslut 93/352/EEG, som antagits för tillämpning av artikel 18.4 i rådets direktiv 90/675/EEG
- (2) = Únicamente productos envasados — Kun emballerede produkter — Nur umhüllte Erzeugnisse — Συσκευασμένα προϊόντα μόνο — Packed products only — Produits emballés uniquement — Prodotti imballati unicamente — Uitsluitend verpakte producten — Apenas produtos embalados — Ainoastaan pakatut tuotteet — Endast förpackade produkter
- (3) = Únicamente productos pesqueros — Kun fiskeprodukter — Ausschließlich Fischereiprodukte — Αλιεύματα μόνο — Fishery products only — Produits de la pêche uniquement — Prodotti della pesca unicamente — Uitsluitend visserijproducten — Apenas produtos da pesca — Ainoastaan kalastustuotteet — Endast fiskeriprodukter
- (4) = Únicamente proteínas animales — Kun animalske proteiner — Nur tierisches Eiweiß — Ζωικές πρωτεΐνες μόνο — Animal proteins only — Uniquement protéines animales — Unicamente proteine animali — Uitsluitend dierlijke eiwitten — Apenas proteínas animais — Ainoastaan eläinproteiinit — Endast djurprotein
- (5) = Únicamente lana, cueros y pieles — Kun hår, skind og huder — Nur Haare, Häute und Felle — Έριο και δέρματα μόνο — Wool hides and skins only — Laine et peaux uniquement — Lana e pelli unicamente — Uitsluitend wol, huiden en vellen — Apenas lâ e peles — Ainoastaan villavuodot ja nahat — Endast hudar och skinn
- (6) = Únicamente paja y heno — Kun halm og hø — Nur Stroh und Heu — Μόνο στάχυ και άχυρο — Straw and hay only — Paille et foin uniquement — Paglia e fieno unicamente — Uitsluitend stro en hooi — Apenas palha e feno — Ainoastaan oljet ja heinät — Endast halm och hö
- (7) = Únicamente productos de la pesca de Islandia y Noruega — Kun fiskerivarer fra Island og Norge — Nur Fischereiprodukte von Island und Norwegen — Αλιεύματα μόνο από Ιρλανδία και Νορβηγία — Fishery products only from Iceland and Norway — Produits de la pêche uniquement en provenance d'Islande et de Norvège — Prodotti della pesca unicamente provenienti dall'Islanda e dalla Norvegia — Uitsluitend visserijproducten uit IJsland en Noorwegen — Apenas produtos da pesca da Islândia e Noruega — Ainoastaan Islannista ja Norjasta olevat kalastustuotteet — Endast fiskeriprodukter från Island och Norge
- (8) = Únicamente esperma y embriones — Kun sæd og embryoner — Nur Sperma und Embryos — Σπέρμα και έμβρυα μόνο — Semen and embryos only — Sperme et embryons uniquement — Unicamente sperma ed embrioni — Uitsluitend sperma en embryo's — Apenas semen e embriões — Ainoastaan siemenneste ja alkio — Endast sperma och embryon
- (9) = Únicamente lana — Kun hår — Nur Wolle — Έριο μόνο — Wool only — Laine uniquement — Lana unicamente — Uitsluitend wol — Apenas lâ — Ainoastaan villa — Endast ull
- (10) = Poneys de Islandia (únicamente desde abril hasta octubre) — Islandske ponyer (kun fra april til oktober) — Island-Ponys (nur von April bis Oktober) — Μικρόσωμα άλογα (πόνυς) (από τον Απρίλιο έως τον Οκτώβριο μόνο) — Icelandic ponies (from April to October only) — Poneys d'Islande (d'avril à octobre uniquement) — Pony islandesi (solo da aprile ad ottobre) — IJslandse pony's (enkel van april tot oktober) — Pôneis da Islândia (apenas de Abril a Outubro) — Islanninponit (ainoastaan huhtikuusta lokakuuhun) — Islandshästar (endast från april till oktober)

- (11) = Únicamente cerdos procedentes de Chipre — Kun svin fra Cypern — Nur Schweine aus Zypern — Χοιροειδή από την Κύπρο μόνο — Pigs from Cyprus only — Porcs en provenance de Chypre uniquement — Suini provenienti da Cipro unicamente — Uitsluitend varkens uit Cyprus — Apenas suínos de Chipre — Ainoastaan Kyprokselta tuodut siat — Endast grisar från Cypern
- (12) = Únicamente de Malta — Kun fra Malta — Nur aus Malta — Μόνο από τη Μάλτα — From Malta only — En provenance de Malte uniquement — Soltanto in provenienza da Malta — Uitsluitend uit Malta — Apenas de Malta — Ainoastaan Maltalta — Endast från Malta
- (13) = Únicamente équidos — Kun enhovede dyr — Nur Einhufer — Μόνο ιπποειδή — Equidae only — Équidés uniquement — Unicamente equidi — Uitsluitend paardachtigen — Apenas equídeos — Ainoastaan hevokset — Endast hästdjur
- (14) = Únicamente peces tropicales — Kun tropiske fisk — Nur tropische Fische — Τροπικά ψάρια μόνο — Tropical fish only — Poissons tropicaux uniquement — Unicamente pesci tropicali — Uitsluitend tropische vissen — Apenas peixes tropicais — Ainoastaan trooppiset kalat — Endast tropiska fiskar
- (15) = Únicamente gatos, perros, roedores, lagomorfos, peces vivos, reptiles y aves, excepto las rátidas — Kun katte, hunde, gnave, harer, levende fisk, krybdyr og andre fugle end strudsefugle — Nur Katzen, Hunde, Nagetiere, Hasentiere, lebende Fische, Reptilien und andere Vögel als Laufvögel — Μόνο γάτες, σκύλοι, τρωκτικά, λαγόμορφα, ζωντανά ψάρια, ερπετά και πτηνά, εκτός από τα στρουθιονδή — Only cats, dogs, rodents, lagomorphs, live fish, reptiles and other birds than ratites — Uniquement chats, chiens, rongeurs, lagomorphes, poissons vivants, reptiles et autres oiseaux que les ratites — Unicamente cani, gatti, roditori, lagomorfi, pesci vivi, rettili ed uccelli diversi dai ratiti — Uitsluitend katten, honden, knaagdieren, haasachtigen, levende vis, reptielen en vogels (met uitzondering van loopvogels) — Apenas gatos, cães, roedores, lagomorfos, peixes vivos, répteis e aves excepto ratites — Ainoastaan kissat, koirat, jyrjsijät, jäniseläimet, elävät kalat, matelijat ja muut kuin sileälataisiin kuuluvat linnut — Endast katter, hundar, hardjur, levande fiskar, reptiler och fåglar, andra än strutsar
- (16) = Únicamente animales de zoológico — Kun zoologiske dyr — Nur Zootiere — Ζωολογικού κήπου μόνο — Zoological animals only — Animaux zoologiques uniquement — Animali da giardino zoologico unicamente — Uitsluitend dierentuindieren — Apenas animais de jardim zoológico — Ainoastaan eläintarhaan tarkoitettut — Endast zoologiska djur
- (17) = Únicamente piensos a granel para animales — Kun foderstoffer i løs afladning — Nur Futtermittel als Schüttgut — Τρόφιμα και ζωοτροφές χύμα μόνο — Only feedstuffs in bulk — Aliments pour animaux en vrac uniquement — Alimenti per animali in massa unicamente — Uitsluitend onverpakte diervoeders — Apenas alimentos para animais a granel — Ainoastaan pakkaamaton rehu — Endast foder i lösvikt
- (18) = Únicamente desde Hungría — Kun fra Ungarn — Nur von Ungarn — Μόνο από την Ουγγαρία — From Hungary only — En provenance de Hongrie uniquement — Soltanto per Ungheria — Uitsluitend uit Hongarije — Apenas da Hungria — Ainoastaan Unkarista — Endast från Ungern

País: BÉLGICA — **Land:** BELGIEN — **Land:** BELGIEN — **Χώρα:** ΒΕΛΓΙΟ — **Country:** BELGIUM — **Pays:** BELGIQUE —
Paese: BELGIO — **Land:** BELGIË — **País:** BELGICA — **Maa:** BELGIA — **Land:** BELGIEN

1	2	3	4	5
Antwerpen	0502699	P	HC, NHC	U, E, O
Brussel-Zaventem	0502899	A	HC, NHC	
Charleroi	0503299	A	HC(2), NHC	
Gent	0502999	P	HC, NHC-T	
Liège	0503099	A	HC	
Oostende	0503199	A	HC	E, O
Zeebrugge	0502799	P	HC, NHC	

País: DINAMARCA — **Land:** DANMARK — **Land:** DÄNEMARK — **Χώρα:** ΔΑΝΙΑ — **Country:** DENMARK — **Pays:** DANEMARK — **Paese:** DANIMARCA — **Land:** DENEMARKEN — **País:** DINAMARCA — **Maa:** TANSKA — **Land:** DANMARK

1	2	3	4	5
Aalborg	0902299	P	HC-T(1), HC-NT, NHC	E, (10)
Aarhus	0902199	P	HC-T(1), HC-NT, NHC	
Esbjerg	0902399	P	HC-T(1), HC-NT, NHC	
Fredericia	0911099	P	HC-T(1), HC-NT, NHC	U, E, O
Frederikshavn	0902099	P	HC-T(1), HC-NT, NHC	
Hanstholm	0911399	P	HC-T(1), HC-NT, NHC	
Hirtshals	0911599	P	HC-T(1), HC-NT, NHC	U, E, O
Kolding-Billund	0901799	A	HC-T(1)	U, E, O
Kolding-Billund	0901899	P		U, E
København	0911699	A	HC-T(1), HC-NT; NHC	U, E, O
København	0921699	P	HC-T(1), HC-NT, NHC	U, E, O
Køge	0931699	P	HC-T(1), NC-NT, NHC	
Neksø	0941699	P	HC-T(1)(3)	

País: ALEMANIA — **Land:** TYSKLAND — **Land:** DEUTSCHLAND — **Χώρα:** ΓΕΡΜΑΝΙΑ — **Country:** GERMANY — **Pays:** ALLEMAGNE — **Paese:** GERMANIA — **Land:** DUITSLAND — **País:** ALEMANHA — **Maa:** SAKSA — **Land:** TYSKLAND

1	2	3	4	5
Berlin-Tegel	0150299	A	HC, NHC	U, O
Bietingen	0148999	R	HC-NT, NHC-NT	
Brake Nordenham	0151599	P	NHC-NT(4)	
Bremen	0150699	P	HC, NHC	E, (10)
Bremerhaven	0150799	P	HC, NHC	
Cuxhaven	0151699	P	HC, NHC	
Dresden-Friedrichstadt	0153499	F	HC, NHC	
Düsseldorf	0151999	A	HC, NHC	
Forst	0150399	R	HC, NHC-NT	U, E, O

1	2	3	4	5
Frankfurt/Main	0151099	A	HC, NHC	U, E, O
Frankfurt/Oder	0150499	F	HC, NHC	
Frankfurt/Oder	0150499	R	HC, NHC	U, E, O
Furth im Wald-Bahnhof	0153399	F	HC-NT, NHC-NT	
Furth im Wald-Schafberg	0149399	R	HC, NHC	U, E, O
Hamburg Flughafen	0150999	A	HC, NHC	U, E, O
Hamburg Hafen	0150899	P	HC, NHC	E, (10)
Kiel	0152699	P	HC, NHC	E
Köln	0152099	A	HC, NHC	O
Konstanz Straße	0153199	R	HC, NHC	U, E, O
Lübeck	0152799	P	HC, NHC	U, E
Ludwigsdorf Autobahn	0152399	R	HC, NHC	U, E, O
München	0149699	A	HC, NHC	O
Pomellen	0151299	R	HC, NHC	U, E, O
Rostock	0151399	P	HC, NHC	U, E, O
Rügen	0151199	P	HC, NHC	
Schirnding-Landstraße	0149799	R	HC, NHC	O
Schönefeld	0150599	A	HC, NHC	U, E, O
Stuttgart	0149099	A	HC, NHC	O
Waidhaus	0150099	R	HC, NHC	U, E, O
Weil/Rhein	0149199	R	HC, NHC	U, E, O
Weil/Rhein Mannheim	0153299	F	HC, NHC	
Zinnwald	0152599	R	HC, NHC	U, E, O

País: GRECIA — **Land:** GRÆKENLAND — **Land:** GRIECHENLAND — **Χώρα:** ΕΛΛΑΔΑ — **Country:** GREECE — **Pays:** GRÈCE — **Paese:** GRECIA — **Land:** GRIEKENLAND — **País:** GRÉCIA — **Maa:** KREIKKA — **Land:** GREKLAND

1	2	3	4	5
Εύζωνοι/Evzoni	1006099	R	HC, NHC	U, E, O
Ελληνικόν-Αθήνα/Hellinikon-Athina	1005599	A	HC, NHC	U, E, O
Ιδομένη/Idomeni	1006299	F		U, E
Ηγουμενίτσα/Igoumenitsa	1005999	P	HC, NHC	U, E, O
Κακαβιά/Kakavia	1007099	R	HC, NHC	U, E, O
Νέος Καύκασος/Neos Kafkassos	1006399	F	HC, NHC	U, E, O
Νέος Καύκασος/Neos Kafkassos	1006399	R	HC, HNC	U, E, O
Ορμένιον/Ormenion	1006699	R	HC, NHC	U, E, O
Πέπλος/Peplos	1007299	R	HC, NHC	U, E, O
Πειραιάς/Pireas	1005499	P	HC, NHC	U(11)
Προμαχώνας/Promachonas	1006199	F		U, E, O
Προμαχώνας/Promachonas	1006199	R	HC, NHC	U, E, O
Θεσσαλονίκη/Thessaloniki	1005799	A	HC, NHC	O
Θεσσαλονίκη/Thessaloniki	1005699	P	HC, NHC	U, E, O

País: ESPAÑA — **Land:** SPANIEN — **Land:** SPANIEN — **Χώρα:** ΙΣΠΑΝΙΑ — **Country:** SPAIN — **Pays:** ESPAGNE —
Paese: SPAGNA — **Land:** SPANJE — **País:** ESPÂNHA — **Maa:** ESPANJA — **Land:** SPANIEN

1	2	3	4	5
Algeciras	1147599	P	HC, NHC	U, E, O
Alicante	1148299	A	HC, NHC	O
Alicante	1148299	P	HC, NHC	
Almería	1148399	A	HC, NHC	O
Almería	1148399	P	HC, NHC	
Barcelona	1147199	A	HC, NHC	O
Barcelona	1147199	P	HC, NHC	
Bilbao	1148499	A	HC, NHC	O
Bilbao	1148499	P	HC, NHC	
Cádiz	1147499	P	HC, NHC	
Cartagena	1148599	P	HC, NHC	
Gijón	1148699	A	HC	
Gijón	1148699	P	HC, NHC	
Huelva	1148799	P	HC, NHC-NT	
A Coruña-Santiago de Compostela	1148899	A	HC, NHC	
A Coruña-Santiago de Compostela	1148899	P	HC, NHC	
Las Palmas de Gran Canaria	1148199	A	HC, NHC	O
Las Palmas de Gran Canaria	1148199	P	HC, NHC	U, E, O
Madrid-Barajas	1147899	A	HC, NHC	U, E, O
Málaga	1147399	A	HC, NHC	O
Málaga	1147399	P	HC, NHC	U, E, O
Palma de Mallorca	1147999	A	HC, NHC	O
Pasajes-Irún	1147799	A	HC, NHC	
Pasajes-Irún	1147799	P	HC, NHC	U, E, O
Santa Cruz de Tenerife	1148099	A	HC, NHC	U, E, O
Santa Cruz de Tenerife	1148099	P	HC, NHC	U, E, O
Santander	1148999	A	HC, NHC	
Santander	1148999	P	HC, NHC	
Sevilla	1149099	A	HC, NHC	O
Sevilla	1149099	P	HC, NHC	
Tarragona	1149199	P	HC, NHC	
Valencia	1147299	A	HC, NHC	O
Valencia	1147299	P	HC, NHC	
Vigo-Vilagarcía-Marín	1147699	A	HC, NHC	
Vigo-Vilagarcía-Marín	1147699	P	HC, NHC	
Vitoria-Gasteiz	1149299	A	HC, NHC	U, E, O
Zaragoza	1149399	A	HC	

País: FRANCIA — **Land:** FRANKRIG — **Land:** FRANKREICH — **Χώρα:** ΓΑΛΛΙΑ — **Country:** FRANCE — **Pays:** FRANCE
 — **Paese:** FRANCIA — **Land:** FRANKRIJK — **País:** FRANÇA — **Maa:** RANSKA — **Land:** FRANKRIKE

1	2	3	4	5
Beauvais	0216099	A		E
Bordeaux	0213399	A	HC-T(1), HC-NT, NHC	
Bordeaux	0223399	P	HC	
Boulogne	0216299	P	HC-T(1), HC-NT, NHC	
Brest	0212999	A	HC-T(1), HC-NT	
Brest	0212999	P	HC	
Caen	0221499	P	HC-T(1), HC-NT	
Concarneau-Douarnenez	0222999	P	HC-T(1)(3)	
Deauville	0211499	A		E
Divonne	0210199	R		U(13), E
Dunkerque	0215999	P	HC-T(1), HC-NT, NHC	
Ferney-Voltaire (Genève)	0220199	A	HC-T(1), HC-NT, NHC	O
La Rochelle-Rochefort	0211799	P	HC-T(1)(3), HC-NT(3)	
Le Havre	0217699	P	HC-T(1), HC-NT, NHC	
Lorient	0215699	P	HC-T(1), HC-NT, NHC	
Lyon-Satolas	0216999	A	HC-T(1), HC-NT, NHC	O
Marseille	0211399	P	HC-T(1), HC-NT, NHC	U, E, O
Marseille	0221399	A	HC-T(1), HC-NT, NHC	O
Nantes-Saint-Nazaire	0214499	A	HC-T(1), HC-NT, NHC	
Nantes-Saint-Nazaire	0214499	P	HC-T(1), HC-NT, NHC	
Nice	0210699	A	HC-T(1), HC-NT, NHC	O
Orly	0229499	A	HC-T(1), HC-NT, NHC	
Port-la-Nouvelle	0211199	P	NHC-NT(5)	
Roissy Charles-de-Gaulle	0219399	A	HC-T(1), HC-NT, NHC	U, E, O
Rouen	0227699	P	HC-T(1), HC-NT, NHC	
Saint-Louis-Bâle	0216899	A	HC-T(1), HC-NT, NHC	O
Saint-Louis-Bâle	0216899	F	HC-T(1), HC-NT, NHC	
Saint-Louis-Bâle	0216899	R	HC-T(1), HC-NT, NHC	
Saint-Malo	0213599	P	HC-T(1), HC-NT, NHC	
Saint-Julien Bardonnex	0217499	R	HC-T(1), HC-NT, NHC	U, E, O
Sète	0213499	P	HC-T(1), HC-NT, NHC	
Toulouse-Blagnac	0213199	A	HC-T(1), HC-NT, NHC	O

País: IRLANDA — **Land:** IRLAND — **Land:** IRLAND — **Χώρα:** ΙΡΑΝΔΙΑ — **Country:** IRELAND — **Pays:** IRLANDE —
Paese: IRLANDA — **Land:** IERLAND — **País:** IRLANDA — **Maa:** IRLANTI — **Land:** IRLAND

1	2	3	4	5
Cork	0802699	P	HC-T(1), HC-NT, NHC	U, E
Dublin Airport	0802999	A	HC-T(1), HC-NT, NHC	U, E, O
Dublin Port	0802899	P	HC-T(1), HC-NT, NHC	
Killybegs	0802799	P	HC-T(1)(3)	
Shannon	0803199	A	HC-T(1), HC-NT, NHC	U, E, O
Waterford	0803099	P	HC-T(1), HC-NT, NHC	U, E

País: ITALIA — **Land:** ITALIEN — **Land:** ITALIEN — **Χώρα:** ΙΤΑΛΙΑ — **Country:** ITALY — **Pays:** ITALIE — **Paese:**
ITALIA — **Land:** ITALIË — **País:** ΙΤΑΛΙΑ — **Maa:** ITALIA — **Land:** ITALIEN

1	2	3	4	5
Ancona	0300199	A	HC, NHC	
Ancona	0300199	P	HC	
Bari	0300299	P	HC, NHC	U, E
Bergamo	0303999	A	HC, NHC	
Bologna-Borgo Panigale	0300499	A	HC, NHC	O
Cagliari	0303899	P	HC, NHC	U, E, O
Campocologno	0303199	F		U
Catania	0300799	A	HC, NHC	
Catania	0300799	P		O(12)
Chiasso	0300599	F	HC, NHC	U, E, O
Chiasso	0300599	R	HC, NHC	U, E, O
Domodossola-Iselle	0300699	F	HC, NHC	
Gaeta	0303299	P	HC-T(3)	
Genova	0301099	A	HC, NHC	O
Genova	0301099	P	HC, NHC	
Gorizia	0301199	R	HC, NHC	U, E, O
Gran San Bernardo-Pollein	0302099	R	HC, NHC	U, E, O
La Spezia	0303399	P	HC, NHC	U, E
Livorno-Pisa	0301399	A	HC, NHC	
Livorno-Pisa	0301399	P	HC, NHC	
Milano-Linate	0301299	A	HC, NHC	O
Milano-Malpensa	0301599	A	HC, NHC	U, E, O
Napoli	0301899	A	HC, NHC-NT	
Napoli	0301899	P	HC, NHC	
Olbia	0302299	P	HC-T(3)	
Palermo	0301999	A	HC, NHC	
Palermo	0301999	P	HC, NHC	
Prosecco-Ferneti	0302399	F	HC, NHC	
Prosecco-Ferneti	0302399	R	HC, NHC	U, E, O

1	2	3	4	5
Ravenna	0303499	P	HC, NHC	O E, O
Reggio Calabria	0301799	A	HC, NHC	
Reggio Calabria	0301799	P	HC, NHC	
Roma-Fiumicino	0300899	A	HC, NHC	
Salerno	0303599	P	HC, NHC	
Taranto	0303699	P	HC, NHC	O
Torino-Caselle	0302599	A	HC, NHC	
Trapani	0303799	P	HC	U, E, O
Trieste	0302699	P	HC, NHC	
Trieste	0302699	R	HC, NHC	U
Venezia	0302799	A	HC, NHC	
Venezia	0302799	P	HC, NHC	

País: LUXEMBURGO — **Land:** LUXEMBOURG — **Land:** LUXEMBURG — **Χώρα:** ΛΟΥΞΕΜΒΟΥΡΓΟ — **Country:** LUXEMBOURG — **Pays:** LUXEMBOURG — **Paese:** LUSSEMBURGO — **Land:** LUXEMBURG — **País:** LUXEMBURGO — **Maa:** LUXEMBURG — **Land:** LUXEMBURG

1	2	3	4	5
Luxembourg	0600199	A	HC, NHC	U, E, O

País: PAÍSES BAJOS — **Land:** NEDERLANDENE — **Land:** NIEDERLANDE — **Χώρα:** ΚΑΤΩ ΧΩΡΕΣ — **Country:** NETHERLANDS — **Pays:** PAYS-BAS — **Paese:** PAESI BASSI — **Land:** NEDERLAND — **País:** PAÍSES BAIXOS — **Maa:** ALANKOMAA — **Land:** NEDERLÄNDERNA

1	2	3	4	5
Amsterdam	0401399	A	HC(2), NHC(2)	U, E, O
Amsterdam	0401799	P	HC-T	
Eemshaven	0401899	P	HC	U, E, O
Harlingen	0402099	P	HC-T	
Maastricht	0401599	A	HC, NHC	
Moerdijk	0402699	P	HC-NT	
Rotterdam	0401699	P	HC, NHC	
Vlissingen	0402199	P	HC(2), NHC	

País: AUSTRIA — **Land:** ØSTRIG — **Land:** ÖSTERREICH — **Χώρα:** ΑΥΣΤΡΙΑ — **Country:** AUSTRIA — **Pays:** AUTRICHE — **Paese:** AUSTRIA — **Land:** OOSTENRIJK — **País:** ÁUSTRIA — **Maa:** ITÄVALTA — **Land:** ÖSTERRIKE

1	2	3	4	5
Berg	1300199	R	HC, NHC	U, E, O
Deutschkreutz	1300399	R	HC(2), NHC-NT	E, O, U(13)
Drasenhofen	1300499	R	HC, NHC	U, E, O
Feldkirch-Buchs	1301399	F	HC-NT(2), NHC-NT	

1	2	3	4	5
Feldkirch-Tisis	1301399	R	HC(2), NHC-NT	E
Hegyesalom	1300599	F	HC(2), NHC-NT	
Heiligenkreuz	1300299	R	HC(2), NHC, (18)	
Höchst	1300699	R	HC, NHC-NT	U, E, O
Hohenau	1300799	F	HC-NT, NHC-NT	U
Karawankentunnel	1300899	R	HC(2), NHC-NT	E, O, U(13)
Linz	1300999	A	HC, NHC	O
Nickelsdorf	1301099	R	HC, NHC	U, E, O
Sopron	1301199	F	HC(2), NHC-NT	
Spielfeld	1301299	R	HC, NHC	U, E, O
Villach-Süd	1301499	F	HC-NT, NHC-NT	
Wien-Schwechat	1301599	A	HC, NHC	E, O, U(13)
Wulowitz	1301699	F	NHC-NT(6)	
Wulowitz	1301699	R	HC, NHC-NT	E, O, U(13)

País: PORTUGAL — **Land:** PORTUGAL — **Land:** PORTUGAL — **Χώρα:** ΠΟΡΤΟΓΑΛΙΑ — **Country:** PORTUGAL — **Pays:** PORTUGAL — **Paese:** PORTOGALLO — **Land:** PORTUGAL — **País:** PORTUGAL — **Maa:** PORTUGALI — **Land:** PORTUGAL

1	2	3	4	5
Aveiro	1204499	P	HC-T(3)	
Faro	1203599	A	HC(2)	O
Figueira da Foz	1204599	P	HC-T(3), (2)	
Funchal (Madeira)	1203699	A		O
Funchal (Madeira)	1203699	P	HC, NHC	
Horta (Açores)	1204299	P	HC-T(3)	
Lisboa	1203399	A	HC, NHC	U, E, O
Lisboa	1203999	P	HC, NHC	
Olhão	1204799	P	HC-T(3)	
Peniche	1204699	P	HC-T(3)	
Ponta Delgada (Açores)	1203799	A	HC, NHC	
Ponta Delgada (Açores)	1203799	P	HC, NHC	
Portimão	1204199	P	HC-T(3)	
Porto	1203499	A	HC, NHC	O
Porto	1204099	P	HC, NHC	
Praia da Vitória (Açores)	1203899	P	HC, NHC	U, E
Setúbal	1204899	P	HC(2), NHC	
Viana do Castelo	1204399	P	HC-T(3)	

País: FINLANDIA — **Land:** FINLAND — **Land:** FINNLAND — **Χώρα:** ΦΙΝΛΑΝΔΙΑ — **Country:** FINLAND — **Pays:** FINLANDE — **Paese:** FINLANDIA — **Land:** FINLAND — **País:** FINLÂNDIA — **Maa:** SUOMI — **Land:** FINLAND

1	2	3	4	5
Helsinki	1410199	A	HC, NHC	U, E, O
Helsinki	1400199	P	HC, NHC	U, E, O
Ivalo	1411299	R	HC, NHC	
Kotka	1400599	P	HC, NHC	
Turku	1400299	P	NHC-NT(17)	
Vaalimaa	1410599	R	HC, NHC	U, E, O
Vaasa	1401099	P	NHC-NT(17)	

País: SUECIA — **Land:** SVERIGE — **Land:** SCHWEDEN — **Χώρα:** ΣΟΥΗΔΙΑ — **Country:** SWEDEN — **Pays:** SUÈDE — **Paese:** SVEZIA — **Land:** ZWEDEN — **País:** SUËCIA — **Maa:** RUOTSI — **Land:** SVERIGE

1	2	3	4	5
Göteborg	1614299	P	HC, NHC	U, E, O
Göteborg-Landvetter	1614199	A	HC, NHC	U, E, O
Helsingborg	1612399	P	HC, NHC	
Karlskrona	1610199	P	HC, NHC	
Norrköping	1605199	A		U, E
Stockholm	1601199	P	HC(1)	
Stockholm-Arlanda	1601299	A	HC, NHC	U, E, O
Varberg	1613199	P	HC(2), NHC	E, (10)
Wallhamn	1614599	P	HC, NHC	
Ystad	1612199	P	HC(1), NHC	

País: REINO UNIDO — **Land:** DET FORENEDE KONGERIGE — **Land:** VEREINIGTES KÖNIGREICH — **Χώρα:** ΗΝΩΜΕΝΟ ΒΑΣΙΛΕΙΟ — **Country:** UNITED KINGDOM — **Pays:** ROYAUME-UNI — **Paese:** REGNO UNITO — **Land:** VERENIGD KONINKRIJK — **País:** REINO UNIDO — **Maa:** YHDISTYNYT KUNINGASKUNTA — **Land:** FÖRENADE KUNGARIKET

1	2	3	4	5
Aberdeen	0730399	P	HC-T(1), HC-NT	
Belfast	0740099	A	HC-T(1), HC-NT, NHC	
Belfast	0740099	P	HC-T(1), HC-NT, NHC	
Bristol	0711099	P	HC-T, NHC-NT	U
Cardiff	0720499	P	HC-T(1), HC-NT, NHC	
Dover	0711499	P	HC-T(1), HC-NT, NHC	
East Midlands	0712199	A	HC-T(1), NHC-NT	O(14)

1	2	3	4	5
Falmouth	0714299	P	HC-T(1)(3)	O
Felixstowe	0713099	P	HC-T(1), HC-NT, NHC	
Gatwick	0713299	A	HC-T(1), HC-NT, NHC	
Glasgow	0731099	A	HC-T(1), HC-NT, NHC-NT, NHC-T(8)	
Glasson	0710399	P	NHC-NT	E
Goole	0714099	P	NHC-NT(4)	
Grangemouth	0730899	P	NHC-NT(4)	
Great Yarmouth	0712599	P	HC-T(1), HC-NT, NHC	
Grimsby — Immingham	0712299	P	HC-T(1), HC-NT, NHC-NT	U, E, O
Grove Wharf Wharton	0711599	P	NHC-NT	
Harwich	0710699	P	HC-T(1), HC-NT	
Heathrow	0712499	A	HC-T(1), HC-NT, NHC	
Hull	0714199	P	HC-T(1), HC-NT, NHC	U, E
Invergordon	0730299	P	NHC-NT(4)	
Ipswich	0713199	P	HC-T(1), HC-NT, NHC	
Leith	0730799	P	HC-T(1)(3), NHC-NT(4)	
Lerwick	0730099	P	NHC-NT(4)	O(15)
Liverpool	0712099	P	HC-T(1), HC-NT, NHC	
Luton	0710099	A		
Manchester	0713799	A	HC-T(1), HC-NT, NHC	
Milford Haven incorporating Pembroke	0720299	P	HC-T(1), HC-NT, NHC	U, E, O(16)
Newhaven	0713399	P	HC-T(1), HC-NT, NHC	
Portsmouth	0711299	P	HC-T(1), HC-NT, NHC	
Prestwick	0731199	A	NHC-T(8)	
Rosyth	0730999	P	NHC-NT(4)	
Scrabster	0730199	P	HC-T(1)(3)	
Sharpness Docks	0711199	P	NHC-NT(4)	
Sheerness	0711799	P	HC-T(1), HC-NT, NHC	
Shoreham	0713499	P	NHC-NT(9)	
Southampton	0711399	P	HC-T(1), HC-NT, NHC	
Sutton Bridge	0713599	P	NHC-NT(4)	
Teesport	0713899	P	NHC-NT	
Teignmouth	0713699	P	NHC-NT(4)	
Thamesport	0711899	P	HC-T(1), HC-NT, NHC	
Tilbury	0710899	P	HC-T(1), HC-NT, NHC	
Tyne — Northshields	0712999	P	HC-T(1), HC-NT, NHC	
Wick	0731299	P	HC-T(1)(3)	

COMMISSION DECISION
of 28 July 1999
on financial aid from the Community towards the eradication of Newcastle disease in Denmark

(notified under document number C(1999) 2452)

(Only the Danish text is authentic)

(1999/578/EC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Decision 90/424/EEC of 26 June 1990 on expenditure in the veterinary field ⁽¹⁾, as last amended by Commission Decision 94/77/EC ⁽²⁾, and in particular Article 3 thereof,

- (1) Whereas outbreaks of Newcastle disease occurred in Denmark in 1998; whereas this disease represents a serious danger to Community production; whereas with a view to contributing towards the speedy eradication of the disease the Community is able to contribute to expenditure incurred by the Member States for losses suffered;
- (2) Whereas the Danish authorities have reported that they took the requisite steps, including the measures listed in Article 3(2) of Decision 90/424/EEC, as soon as the outbreak of Newcastle disease was officially confirmed;
- (3) Whereas, pending completion of checks by the Commission that, on the one hand, the Community veterinary rules have been observed and, on the other, that the conditions for a Community financial contribution are met, a first instalment of EUR 0,42 million should be paid;
- (4) Whereas the Community financial contribution should be paid upon confirmation that the measures have been implemented and the authorities have supplied all the information requested within the time limits laid down;
- (5) Whereas the measures provided for in this Decision are in accordance with the opinion of the Standing Veterinary Committee,

HAS ADOPTED THIS DECISION:

Article 1

Denmark may receive financial assistance from the Community relating to outbreaks of Newcastle disease which occurred in the course of 1998.

Subject to checks, the Community's financial contribution shall be:

- 50 % of the costs incurred by Denmark in compensating owners for the slaughter and the destruction of poultry and for the destruction of poultry products,
- 50 % of the costs incurred by Denmark in the cleaning, disinsectisation and disinfection of holdings and equipment,
- 50 % of the costs incurred by Denmark in compensating owners for the destruction of contaminated feedingstuffs and equipment.

Article 2

1. Subject to the checks to be carried out, the Community contribution shall be granted after the supporting documents have been submitted.

2. The documents referred to in paragraph 1 shall be:

- (a) an epidemiological report on each holding on which birds have been slaughtered. The report shall contain information on:
 - (i) infected holdings:
 - location and address,
 - date on which the disease was suspected and the date on which it was confirmed,
 - number and type of birds slaughtered and destroyed, with date,
 - method of slaughter and destruction,
 - type and number of samples collected and tested when the disease was suspected; results of the tests,
 - type and number of samples taken and tested during the depopulation of the infected holdings; results of the tests,
 - presumed origin of the infection following complete epidemiological analysis;
 - (ii) holdings in contact with an infected holding:
 - as in (i), first, third, fourth and sixth indents,
 - infected holding (outbreak) with which contact has been confirmed or suspected; nature of the contact;
- (b) a financial report including the list of beneficiaries and their addresses, the number of birds slaughtered, the date of slaughter and the amount paid out (excluding VAT and taxes).

⁽¹⁾ OJ L 224, 18.8.1990, p. 19.

⁽²⁾ OJ L 36, 8.2.1994, p. 15.

Article 3

1. The application for payment, together with the supporting documents referred to in Article 2, shall be submitted to the Commission before 1 October 1999.

2. However, Denmark may obtain, on request, an advance of EUR 0,42 million.

Article 4

1. The Commission, in collaboration with the competent national authorities, may carry out on-the-spot checks to ensure that the measures and assisted expenditure have been carried out.

The Commission shall inform the Member States of the outcome of the checks.

2. Articles 8 and 9 of Council Regulation (EEC) No 729/70 ⁽¹⁾ shall apply *mutatis mutandis*.

Article 5

This Decision is addressed to the Kingdom of Denmark.

Done at Brussels, 28 July 1999.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ L 94, 28.4.1970, p. 13.

COMMISSION DECISION

of 28 July 1999

amending Decisions 93/42/EEC and 95/109/EC concerning additional guarantees relating to infectious bovine rhinotracheitis for bovines destined for certain parts of the territory of the Community, and repealing Decision 97/250/EC

(notified under document number C(1999) 2477)

(Text with EEA relevance)

(1999/579/EC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

98/621/EC⁽⁶⁾; whereas in the light of the proposed measures this decision must be amended accordingly;

Having regard to the Treaty establishing the European Community,

(6) Whereas an eradication programme of infectious bovine rhinotracheitis in Austria was approved by Commission Decision 97/250/EC⁽⁷⁾ for three years; whereas in the light of the proposed measures this decision must be repealed;

Having regard to Council Directive 64/432/EEC of 26 June 1964, on animal health problems affecting intra-Community trade in bovine animals and swine⁽¹⁾, as last amended by Directive 98/99/EC⁽²⁾, and in particular Article 9 and 10 thereof,

(7) Whereas the measures provided for in this Decision are in accordance with the opinion of the Standing Veterinary Committee,

(1) Whereas Commission Decision 93/42/EEC⁽³⁾, as amended by Decision 98/548/EC⁽⁴⁾, gives additional guarantees in relation to infectious bovine rhinotracheitis for bovines destined for Denmark, Finland, Sweden and certain regions of Austria free of the disease;

HAS ADOPTED THIS DECISION:

Article 1

(2) Whereas Austria considers that its territory is free from infectious bovine rhinotracheitis and has submitted supporting documentation to the Commission;

Commission Decision 93/42/EEC is amended as follows:

1. Article 3 is replaced by the following:

(3) Whereas the authorities of Austria apply for national movement of bovine animals rules at least equivalent to those foreseen in the present decision;

‘Article 3

For bovine animals destined to Member States or regions of Member States listed in the Annex to this Decision C(4) of the health certificate provided for in Annex F, Model 1 of Council Directive 64/432/EEC must be completed as follows:

(4) Whereas it is appropriate to propose certain additional guarantees to protect the progress made in Austria; whereas it is therefore appropriate to amend this decision to give the same guarantee to all regions of Austria;

- “infectious bovine rhinotracheitis” must be entered after the first indent,
- a reference to Commission Decision 93/42/EEC must complete the second indent.’

(5) Whereas to secure progress and successfully conclude the initiated programmes for the eradication of infectious bovine rhinotracheitis, Austria was granted certain additional guarantees by Commission Decision 95/109/EC⁽⁵⁾ as last amended by Decision

2. The Annex is replaced by the Annex to this Decision.

Article 2

Commission Decision 95/109/EEC is amended as follows:

⁽¹⁾ OJ 121, 29.7.1964, p. 1977/64.

⁽²⁾ OJ L 358, 31.12.1998, p. 107.

⁽³⁾ OJ L 16, 25.1.1993, p. 50.

⁽⁴⁾ OJ L 263, 26.9.1998, p. 35.

⁽⁵⁾ OJ L 79, 7.4.1995, p. 32.

⁽⁶⁾ OJ L 296, 5.11.1998, p. 15.

⁽⁷⁾ OJ L 98, 15.4.1997, p. 19.

1. Article 2 is replaced by the following:

'Article 2

For bovine animals destined to Member States or regions of Member States listed in the Annex to this Decision, section C(4) of the health certificate provided for in Annex F, Model 1 of Council Directive 64/432/EEC must be completed as follows:

- "infectious bovine rhinotracheitis" must be entered after the first indent,
- a reference to Commission Decision 95/109/EC must complete the second indent.'

2. In the Annex the reference to Austria is deleted.

Article 3

Decision 97/250/EC is repealed.

Article 4

This Decision shall enter into force on 1 October 1999.

Article 5

This Decision is addressed to the Member States.

Done at Brussels, 28 July 1999.

For the Commission

Franz FISCHLER

Member of the Commission

ANNEX

Member State	Region
Denmark	All regions
Austria	All regions
Finland	All regions
Sweden	All regions

CORRIGENDA

Corrigendum to 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

(Official Journal of the European Communities L 201 of 31 July 1999)

On page 49, in Annex I, against 'Place of storage, Northamptonshire':

for: '15 355',

read: '2 067'.

and against 'Place of storage, West Sussex':

for: '2 067',

read: '15 355'.
