

Official Journal

of the European Communities

ISSN 0378-6978

L 328

Volume 42

22 December 1999

English edition

Legislation

Contents

I Acts whose publication is obligatory

- ★ **Council Regulation (EC) No 2722/1999 of 17 December 1999 imposing a definitive anti-dumping duty on imports of furfuraldehyde originating in the People's Republic of China** 1
- ★ **Council Regulation (EC) No 2723/1999 of 17 December 1999 amending Regulation (EC) No 850/98 for the conservation of fishery resources through technical measures for the protection of juveniles of marine organisms** 9
- Commission Regulation (EC) No 2724/1999 of 21 December 1999 establishing the standard import values for determining the entry price of certain fruit and vegetables 12
- Commission Regulation (EC) No 2725/1999 of 21 December 1999 fixing the minimum selling prices for beef put up for sale under the invitation to tender referred to in Regulation (EC) No 2570/1999 14
- ★ **Commission Regulation (EC) No 2726/1999 of 21 December 1999 repealing Regulation (EC) No 2468/1999 prohibiting fishing for Norway lobster by vessels flying the flag of the Netherlands** 16
- ★ **Commission Regulation (EC) No 2727/1999 of 20 December 1999 introducing prior Community surveillance of imports of certain iron and steel products covered by the ECSC and EC Treaties originating in certain third countries** 17
- ★ **Commission Regulation (EC) No 2728/1999 of 20 December 1999 amending Annexes I, II and III to Council Regulation (EEC) No 2377/90 laying down a Community procedure for the establishment of maximum residue limits of veterinary medicinal products in foodstuffs of animal origin ⁽¹⁾** 23
- ★ **Commission Regulation (EC) No 2729/1999 of 21 December 1999 amending Regulation (EC) No 1169/97 laying down detailed rules for the application of Council Regulation (EC) No 2202/96 introducing a Community aid scheme for producers of certain citrus fruits** 35

Price: EUR 19,50

⁽¹⁾ Text with EEA relevance

(Continued overleaf)

EN

Acts whose titles are printed in light type are those relating to day-to-day management of agricultural matters, and are generally valid for a limited period.

The titles of all other acts are printed in bold type and preceded by an asterisk.

★ Commission Regulation (EC) No 2730/1999 of 21 December 1999 introducing a transitional arrangement for the application of the special premium scheme for male bovine animals provided for in Article 4 of Council Regulation (EC) No 1254/1999 on the common organisation of the market in beef and veal	37
★ Commission Regulation (EC) No 2731/1999 of 21 December 1999 amending Regulation (EC) No 2603/97 laying down the detailed implementing rules for imports of rice originating in the ACP countries or the overseas countries and territories (OCT)	39
★ Commission Regulation (EC) No 2732/1999 of 21 December 1999 laying down detailed rules for the implementation of the specific arrangements for the supply of sheepmeat and goatmeat to the French overseas departments for 2000	41
★ Commission Regulation (EC) No 2733/1999 of 21 December 1999 amending Regulation (EEC) No 1481/86 on the determination of prices of fresh or chilled lamb carcasses on representative Community markets and the survey of prices of certain other qualities of sheep carcasses in the Community	43
★ Commission Regulation (EC) No 2734/1999 of 21 December 1999 opening and providing for the administration of Community tariff quotas for certain products originating in Slovenia and repealing Regulation (EC) No 428/97	46
★ Commission Regulation (EC) No 2735/1999 of 21 December 1999 derogating from Regulation (EC) No 1294/96 as regards the deadline for the submission of harvest declarations in certain departments of France for the 1999/2000 wine year	50
★ Commission Regulation (EC) No 2736/1999 of 21 December 1999 laying down detailed rules for the implementation of the specific arrangements for the supply of sheepmeat and goatmeat to the Azores and Madeira for 2000	52
★ Commission Regulation (EC) No 2737/1999 of 21 December 1999 amending Regulation (EEC) No 2807/83 laying down detailed rules for recording information on Member States' catches of fish	54
★ Commission Regulation (EC) No 2738/1999 of 21 December 1999 determining the mountain areas in which the premium for goatmeat producers is granted	59
★ Commission Regulation (EC) No 2739/1999 of 21 December 1999 amending Regulation (EEC) No 3388/81 laying down special detailed rules in respect of import and export licences in the wine sector and Regulation (EC) No 1685/95 on arrangements for issuing export licences for wine sector products	60
★ Commission Regulation (EC) No 2740/1999 of 21 December 1999 laying down detailed rules for the application of Council Regulation (EC) No 1447/1999 establishing a list of types of behaviour which seriously infringe the rules of the common fisheries policy	62
Commission Regulation (EC) No 2741/1999 of 21 December 1999 correcting Regulation (EC) No 2633/1999 fixing Community producer and import prices for carnations and roses with a view to the application of the arrangements governing imports of certain floricultural products originating in Cyprus, Israel, Jordan, Morocco and the West Bank and Gaza Strip	65

1999/864/CFSP:

★ Council Joint Action of 21 December 1999 extending Council Joint Action 1999/522/CFSP concerning the installation of the structures of the United Nations Mission in Kosovo (UNMIK)	67
---	----

I

(Acts whose publication is obligatory)

**COUNCIL REGULATION (EC) No 2722/1999
of 17 December 1999**

imposing a definitive anti-dumping duty on imports of furfuraldehyde originating in the People's Republic of China

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EC) No 384/96 of 22 December 1995 on protection against dumped imports from countries not members of the European Community ⁽¹⁾, and in particular Article 9 thereof,

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

Whereas:

A. PROCEDURE

1. Previous investigation

- (1) In January 1995, the Council, by Regulation (EC) No 95/95 ⁽²⁾, imposed a definitive anti-dumping duty on imports of furfuraldehyde originating in the People's Republic of China (hereafter referred to as the 'PRC'). The amount of duty applicable was ECU 352 per tonne.

2. Request for a review

- (2) A Chinese exporter, the China National Chemical Import and Export Corp. (hereafter 'Sinochem'), lodged a request for an interim review of the measures, pursuant to Article 11(3) of the Regulation (EC) No 384/96 (hereafter referred to as the Basic Regulation) on 5 July 1996. The grounds for the review application were based on the allegations that due to the increase in prices of imports originating in the PRC an anti-dumping duty was no longer necessary to offset dumping; that the volume of exports to the Community by the applicant was low; and that a substantial change in the structure in the Community industry had occurred as a result of the accession of Austria with the consequent appearance of a new Community producer, which improved the overall situation of the Community industry.

On the basis of the above elements, the Commission considered that sufficient evidence existed for the initiation of an interim review, in respect of dumping and injury as well as Community interest.

- (3) In May 1997 the Commission, therefore, announced by a notice (hereafter referred to as 'notice of initiation') published in the *Official Journal of the European Communities* ⁽³⁾ the initiation of an interim review with regard to the measures on imports of furfuraldehyde originating in the PRC and commenced an investigation.

3. Present investigation

- (4) The Commission officially advised the producers in the Community, producers/exporters, importers and user industries known to be concerned and their representative associations, as well as the representatives of the exporting country. All parties directly concerned were given the opportunity to make their views known in writing and to request a hearing within the time limit set in the notice of initiation.

- (5) The Commission sought and verified all information it deemed necessary for the purpose of a determination of dumping and the analysis of the situation of the Community industry and carried out verification visits at the premises of the following companies:

(a) *Community producers*

- Furfural Español, Spain
- Lenzing AG, Austria

(b) *User industry*

- Repsol Petroleo, Spain

- (6) The investigation of dumping covered the period from 1 May 1996 to 30 April 1997 (hereinafter referred to as the investigation period or IP). The analysis of the situation of the Community industry covered the period 1 January 1994 to 30 April 1997.

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

⁽²⁾ OJ L 15, 21.1.1995, p. 11.

⁽³⁾ OJ C 156, 24.5.1997, p. 3.

- (7) Owing to the numerous difficulties encountered in establishing findings in the present investigation, notably the fact that simultaneously a proceeding was underway before the European Court of First Instance to clarify *inter alia* the definition of the product under consideration, the investigation significantly exceeded the period of twelve months recommended for investigations under Article 11 (5) of the Basic Regulation.

B. PRODUCT UNDER CONSIDERATION AND LIKE PRODUCT

1. Product under consideration

- (8) The product under consideration is furfuraldehyde (also known as 2-furaldehyde or furfural), a light yellow liquid with a characteristic pungent odour, which is obtained by processing different types of agricultural waste. Furfuraldehyde has two main applications; as a selective solvent in petroleum refining for the production of lubricating oils and as raw material for processing into furfural alcohol, which is used to make synthetic resin for foundry moulds.

The investigation has shown that the product exported from the PRC is produced principally from rice husks or maize loaf.

2. Like product

- (9) Sinochem repeated its claim already made before the Court of First Instance⁽⁴⁾ that the furfuraldehyde imported from the PRC is not a like product to the furfuraldehyde manufactured by the Community industry, since their applications are different, thus constituting two separate markets.

It has been claimed that one Community producer is the major supplier of furfuraldehyde for use in petroleum refining, whereas Chinese product is sold as a raw material for processing into furfural alcohol. It was therefore alleged that no injury could possibly be suffered by the Community industry, since the Chinese exporters are not competing on the same market.

- (10) Furfuraldehyde produced in the Community and that produced in the PRC has the same physical characteristics and specifications and is not exclusively dedicated to one particular application. This means that, in accordance with the Judgment of the Court of First Instance on 29 January 1998, they are interchangeable and can be used for either application. This claim was therefore rejected and it was concluded that furfuraldehyde produced in PRC is, within the meaning of Article 1(4) of the Basic Regulation, alike to that produced and sold by the Community producers.

C. DUMPING

- (11) Sinochem, the sole cooperating Chinese exporting producer, requested the initiation of a review investigation on the grounds that the circumstances on which existing anti-dumping measures were based, had

changed significantly since the original investigation was carried out.

- (12) It should be noted that as the PRC was considered a non-market economy country in the original investigation, a demonstration of changed circumstances would require evidence that all, or at least a representative volume, of the product concerned exported from the PRC, was currently being sold at a price which reflected a different level of dumping. Therefore, in order to be able to assess the alleged change in circumstances an analysis of all, or at least a representative volume, of the exports from the PRC should be possible and should be carried out.

- (13) It was found in this case, however, that the level of exports of the product concerned reported by Sinochem, on the basis of available Eurostat statistics, accounted for only a minor proportion of total Chinese exports during the IP. Moreover, it is to be noted in this respect that it was not possible to establish the total actual volume of Chinese exports, given indications that the above Eurostat statistics concerning imports from the PRC for the IP were incomplete.

- (14) Firstly, imports from Thailand, a third country not concerned by the current investigation, increased dramatically subsequent to the imposition of anti-dumping duties on imports from the PRC. At the same time, Chinese export statistics show a similar trend in exports from the PRC to Thailand. The above developments are particularly relevant in the present case as, on the basis of information available, it appears that there is no new production capacity in Thailand that could explain such an increase in exports and, in any event, the existing Thai capacity is not sufficient to produce the volume of the product concerned declared as being exported to the Community in the IP.

- (15) Secondly, evidence has been made available to the Commission indicating that the declared Thai origin of imports of the product concerned into the Community during the IP is likely to be incorrect. There are grounds to believe that a considerable part of the Thai declared goods is in reality of Chinese origin. In these circumstances the Commission services consider that the level of imports of the product concerned into the Community of Chinese origin, as reported in Eurostat, is significantly understated with the result that the minor share of Sinochem's imports from the PRC understate the true extent of the level of non-cooperation.

- (16) In the absence of any other reliable data and in accordance with Article 18 of the Basic Regulation, findings for dumping have been based on the best information available. In the circumstances, it was considered that Eurostat data on Chinese imports could not be used, as there were strong indications that these statistics were incomplete. The Eurostat data was therefore disregarded for the purposes of establishing a dumping margin for the

⁽⁴⁾ Case T-97/95, Sinochem v. Council, concerning an application for annulment of Council Regulation (EC) No 95/95 [1995] ECR II 85.

PRC. The information provided by Sinochem could also not be used for the purposes of establishing a country-wide dumping margin for the PRC as it was not possible to establish the representativity of these imports. Therefore, the best information available for the purposes of this investigation was considered to be the dumping margin established in the previous investigation.

- (17) It was therefore concluded, as far as the dumping margin was concerned, that the alleged significant change in circumstances since the findings of the original investigation were not supported by the findings of the investigation.
- (18) All interested parties have been provided with full and definitive disclosure of the findings and have been given the opportunity to make written comments and to be heard. No interested party came forward with any new information and no new substantiated arguments have been made such as to change the findings set out above.
- (19) The dumping margin established for the PRC in the context of the current review investigation is therefore 62,6 %.

D. INJURY

1. Community industry

- (20) During the previous investigation, the Community industry was composed of one producer. Following the accession of the three new Member States in 1995 another producer is now part of the Community industry. For the purpose of establishing a coherent comparison and meaningful trends the data given below includes information in respect of the second Community producer from 1994.

The Commission, in the course of the present review investigation requested and received information from the two producers in the Community. These two producers account for 100 % of total Community production and constitute the Community industry within the meaning of Article 4(1) and 5(4) of the Basic Regulation.

2. Preliminary remark

- (21) As in the case of dumping, the investigation sought to establish whether the circumstances with regard to the situation of the Community industry had changed to such an extent that would warrant a conclusion different to that established during the previous investigation.

3. Analysis of the situation of the Community market

3.1. Community consumption

- (22) The pattern of apparent Community consumption, that is sales by the Community industry on the Community market plus imports of all third countries as obtained from Eurostat shows that consumption of furfuraldehyde in the Community increased from 35 442 tonnes in 1994, to 46 474 in 1995, with a peak to 49 694 tonnes in 1996. Consumption decreased to 40 127 tonnes during the IP, which represents an overall increase of 13,2 % from 1994 to the IP

3.2. Volume and prices of imports into the Community

- (23) As regards the volume and prices of the imports, the investigation, in the first instance, has used the data provided by Eurostat. However, given that there are strong indications that the statistics are incomplete for the reasons explained above, it was concluded that Eurostat could only provide a general guide to the trend of the imports under consideration.
- (24) The volume of imports of the product concerned from the PRC decreased from 1 933 tonnes in 1994 to 413 tonnes in 1995, increased significantly to 5 650 tonnes in 1996 and remained at a similar level during the IP at 5,285 tonnes. The investigation has revealed that the exceptionally low volume of imports during 1995 is explained by a shortage of suitable agricultural waste in the PRC due to a particularly bad harvest in that year.

Imports from the PRC, based on Eurostat, represented at least 15 % of total imports during the IP and show an increase of 173 % over the period considered.

- (25) The request for the review alleged that imports from the PRC had steadily decreased between 1994 and 1995 and that, therefore, no injury was being caused to the Community industry. However, the investigation has shown that, although imports decreased from 1 933 tonnes in 1994 to 413 tonnes in 1995, between 1993 and the IP imports increased significantly, to 5 285 tonnes. This increase has continued after the IP. In view of the allegations made in the request for a review with regard to the level of imports, data relating to the volume of imports subsequent to the IP was examined. In this respect it is noted that the volume of the imports under consideration in 1998 amounted to 10 502 tonnes, almost twice the recorded volume imported during the IP.
- (26) The market share of imports from the PRC shows a similar increasing trend over the period considered, 5,5 % in 1994, 0,9 % in 1995; 11,4 % in 1996 and 13,2 % during the IP, a level similar to that reached in 1992 as established by the previous investigation. On the basis of the above, it is concluded that contrary to the review request submitted by Sinochem, the level of imports of the product under consideration originating in the PRC is not low.

- (27) In terms of prices, their development at a CIF Community frontier level in ECU/tonne, as derived from Eurostat, shows an increase from 500 in 1994 to 1 300 in 1995, a decrease to 946 in 1996 and a further decrease to 919 during the IP. While the Chinese export prices increased by 83 % over the period considered, this increase was lower than that of the Community producers', which show an overall 90 % increase.

The prices of Chinese exports started to decline in 1996, a trend that continued during and after the IP. This price development from the end of 1995 onwards is in stark contrast to the allegations made in the request for a review where it was claimed that due to the high level of prices, the imports from the PRC could not cause injury to the Community industry.

3.3 Price undercutting

- (28) The investigation has revealed the continued existence of significant margins of price undercutting, whether the prices of the Community industry are compared with those of the sole cooperating Chinese exporter or with the import prices as derived from Eurostat, the latter only providing a general guide.

4. Economic situation of the Community industry

4.1 General

- (29) In the analysis of the economic situation of the Community industry account has been taken of the fact that there are only two Community producers of the product concerned and of the consequent need to protect the integrity of data provided on a confidential basis. Confidential information supplied is therefore presented, where necessary, in indexed format, with the year 1994 used as the basis for establishing trends.

4.2 Production

- (30) Production of the product concerned by Community industry decreased continuously, from an index of 100 in 1994 to 91 in 1995, further decreased to 86 in 1996 and to 81 during the IP. This represents a decrease of 19 % over the period considered.

4.3 Capacity and capacity utilisation

- (31) The production capacity of the Community industry remained stable during the period considered.

A significant decrease in the rate of capacity utilisation by the Community industry can be seen over the period considered. Capacity utilisation decreased from 81 % in

1994 to 74 % in 1995 to 70 % in 1996 and further decreased to 66 % during the IP. This represents an overall decrease of fifteen percentage points over the period.

4.4 Sales volume of the Community industry

- (32) The volume of sales of the Community producers on the Community market shows a slight increase between 1994 and 1995 and thereafter a decline. Sales increased from an indexed level of 100 in 1994 to 106 in 1995, decreased to 86 in 1996 and to 80 during the IP. This represents a decrease of 20 % in sales volume over the period considered.

4.5 Stocks

- (33) The level of stocks of furfuraldehyde held by the Community producers decreased from an indexed level of 100 in 1994 to 16 in 1995, which constitutes an exceptionally low level of stocks.

This low stock level is accounted for by the 'temporary disappearance' of Chinese imports from the Community market which occurred during 1995 and which allowed the Community producers to benefit from the situation. The level of stocks held increased thereafter to an indexed level of 72 in 1996 and to 90 during the IP.

4.6 Price evolution

- (34) The selling prices of the Community industry increased sharply from an indexed level of 100 in 1994 to 129 in 1995, to 216 in 1996 and thereafter decreased to 194 during the IP.

These price increases coincided with sharp increases in the cost of raw materials. Raw material costs accounted for 46 % of variable cost in 1994, increasing to 56 % of variable cost during the IP.

4.7 Profitability

- (35) The profitability of the Community industry during the period considered shows (in indexed form) the following trend: 100 in 1994, 105 in 1995, 109 in 1996 and 103 during the IP.

4.8 Employment

- (36) The employment levels of the Community industry remained stable throughout the period considered, at an index of 100 in 1995 and decreasing slightly to 97 during the IP.

4.9 Conclusion on the situation of the Community industry

- (37) On the basis of an overall assessment of the main economic indicators of the Community industry it was concluded that the allegations made in relation to the situation of the Community industry in the request for the review investigation are not confirmed by the results of the investigation. On the contrary, the investigation has shown that the Community industry continues to be in a weak situation.

5. Factors having a bearing on the situation of the Community industry

5.1 Impact of the imports concerned

- (38) There is a clear coincidence between the low prices and the increasing imports from the PRC established during the period considered on the one hand, and the weak situation of the Community industry on the other. This is evidenced by the decrease in sales volume by the Community industry and a significant deterioration in profitability during the IP.
- (39) The financial situation of the Community industry was poor at the beginning of the period considered and improved considerably thereafter. This improvement coincided with the imposition of anti-dumping measures and the temporary disappearance of the Chinese imports from the Community market during 1995. However, the re-emergence of the Chinese imports in considerable quantities and at low prices, in particular since 1996, forced the Community industry to reduce its prices, while sales volume also declined under pressure from the dumped imports with a consequent negative effect of the financial situation of the Community industry.
- (40) Based on the above analysis there is clear evidence that the allegations stated in the review request were without foundation and that injury established during the previous investigation has not been removed and that there has been no significant change in circumstances.

5.2 Impact of other factors

- (41) Other factors relevant to the situation of the Community market have also been assessed. In particular, the Commission services examined the evolution and impact of imports from other third countries and the effect of increases in the price of raw materials.
- (42) With regard to imports from other third countries not concerned by this review investigation, it is to be noted that although these imports represented a significant share of the Community market, as during the previous investigation, the volume of imports from other third

countries shows a decreasing trend during the period considered.

- (43) With regard to imports from the Dominican Republic, reference is made to the claim by a Chinese exporter that imports from the Dominican Republic always held a dominant market position (over 60 % market share), and that the prices of these imports have always remained at a very low level. In this respect it was examined whether there has been any change in the circumstances with regard to the imports of the product concerned from the Dominican Republic.

In the first instance it is important to underline that the cooperating Chinese exporter has acknowledged in the present investigation that the position of the imports from the Dominican Republic has always been significant. It is equally important to stress that therefore any changes in respect of these imports would have to be particularly significant to conclude that any such changes concerning these imports would justify the termination of the present review investigation without the continuation of measures. An examination of the trend in volume of imports from the Dominican Republic reveals that the level of imports increased from 24 429 tonnes in 1994 to 33 209 tonnes in 1995 and thereafter decreased to 29 765 tonnes in 1996 and to 24 331 tonnes during the IP. The imports from the Dominican Republic (based on Eurostat) represented 82,6 % of total imports in 1994, 82,4 % in 1995, 66,6 % in 1996 and 68,6 % during the IP.

- (44) With regard to the development of the import prices of furfuraldehyde originating in the Dominican Republic as derived from Eurostat, the weighted average CIF Community frontier prices in ECU/tonne shows the following development: 973 in 1993, 1 040 in 1994, 905 in 1995, 708 in 1996 and 599 during the IP.
- (45) During the previous investigation it was established that the imports of the product concerned originating in the Dominican Republic were not the cause of the injurious situation of the Community industry.
- (46) It should be noted that the findings made by the Council in the previous investigation as regards the significance of these imports as a factor relevant to the causation of injury formed part of one of the pleas raised against Regulation (EC) 95/95, which was rejected by the Court of First Instance as mentioned above (?).

The Court in issuing its findings stated that the Community Institutions did not commit a manifest error of assessment in considering that the imports of furfuraldehyde from the Dominican Republic, to which no dumping was attributed, were not such as to break the causal link between the dumped imports of furfuraldehyde from China and the injury suffered by the Community industry.

(?) Case T-97/95, Sinochem v. Council, see footnote 4 above.

- (47) In relation to the present review investigation it was considered that the situation with regard to imports of the product concerned originating in the Dominican Republic had not changed since the previous investigation to a degree that could affect the findings with respect to the imports originating in the PRC. Indeed, the volume of imports of these imports shows a declining trend over the latter part of the period considered.
- (48) With regard to imports from third countries other than the PRC and the Dominican Republic, only imports originating in Thailand were of any significant volume. It should be noted, however, that substantial doubt exists as to the true origin of the product imported from Thailand as explained above.
- (49) It was found that the volume of imports from any other third countries increased from 2 705 tonnes in 1994 to 2 941 in 1995 and thereafter decreased to a level of 1 759 tonnes during the IP. In addition, the prices of these imports were found to be distinctly higher than the prices of the Chinese imports. It was therefore considered that the result of the analysis of the prices and volume of these imports, could not justify the termination of the present review investigation without the continuation of measures.

5.3 Conclusion

- (50) The investigation has shown that the Community industry has suffered a decline in production and sales volume in the investigation period. This occurred at a time when the imports from the PRC were made in large volumes and at prices well below those of the Community producers.

E. LIKELY EFFECT OF THE REMOVAL OF THE ANTI-DUMPING DUTIES

- (51) According to Article 11(7) of the Basic Regulation, since the present review was in progress at the end of the period of application of the measures imposed by Regulation (EC) No 95/95, the review has also covered the circumstances set out in Article 11(2) of the Basic Regulation.
- (52) In the context of the investigation covering the circumstances set out in Article 11(2) of the Basic Regulation, it is particularly relevant to underline that no producer of the product under consideration cooperated in the course of the present investigation. Indeed, while one party has cooperated in the investigation, this party acted solely as an exporter. Consequently, it was not possible to obtain any production related data, such as capacity and capacity utilisation which are considered as key indicators in the course of investigations covering the circumstances set out in Article 11(2) of the Basic Regulation.

- (53) Bearing this in mind and as established above, despite the existence of measures, the investigation has shown that dumping continues to exist. Furthermore, the Community industry was found still to be in a precarious situation. Indeed, it has suffered a reduction in production, capacity utilisation, sales volume and market share over the period considered. It is therefore concluded that the current investigation have shown that the circumstances as regards dumping and injury have not significantly changed.

- (54) As to the likelihood of a continuation of injurious dumping should measures be allowed to lapse, firstly, the investigation has shown that a significant increase in production capacity in the PRC appears to have taken place during the period considered. Indeed, while the request for the interim review estimated the production capacity in the PRC at around 20 000 tonnes/year, information gathered in the course of the current investigation shows that the production of one Chinese producer alone amounted to 50 000 tonnes/year in 1998. Total capacity for the PRC on the basis of information collected in the course of the present investigation is around 90 000 tonnes/year.

- (55) Secondly and as regards the prices of Chinese furfuraldehyde, information gathered in the course of the investigation shows that the prices of Chinese furfuraldehyde on several third country markets not subjected to anti-dumping measures, during the IP, was significantly lower than that of the Chinese imports into the Community.

- (56) Thirdly, there are grounds to believe that a considerable part of the Thai declared furfuraldehyde during the IP is in reality of Chinese origin underlining the potential which continues to exist for exports originating in the PRC.

Taking all the above elements into consideration it is considered that, should anti-dumping measures not be maintained, Chinese exports of furfuraldehyde to the Community would continue to be made in considerable quantities and at dumped prices, significantly below the prices of the Community industry. The detrimental impact of the imports in question on the situation of the Community industry would not only continue but would in all likelihood increase, and thus cause further material injury to the Community industry.

F. COMMUNITY INTEREST

1. General considerations

- (57) It was examined, on the basis of the information submitted, whether, despite the findings of the present investigation, compelling reasons exist which would lead to the conclusion that it is not in the Community interest to maintain measures in the present case.

In order to assess the impact of the measures in force, questionnaires were sent requesting information on Community interest to all parties known to the Commission at the time of initiation of the investigation.

- (58) It should be recalled that, in the previous investigation, the adoption of measures was considered not to be against the interest of the Community. Furthermore, it should be noted that the present investigation is a review, thus analysing a situation in which anti-dumping measures have already been in place. Consequently, the timing and nature of the present investigation would allow the assessment of any negative undue impact on the parties concerned by the anti-dumping measures imposed.

2. The Community furfuraldehyde industry

- (59) It has been found that, coinciding with the imposition of provisional anti-dumping duties in July 1994 and the temporary disappearance of the Chinese product from the Community market in 1995, the Community industry was able to increase its prices thus improving its profitability from a poor situation in 1994 to one considerably healthier in 1996. However, the high prices realised by the Community producers during 1996 must be considered as exceptional as they were the result of unusually high demand together with what turned out to be only a temporary decline in the imports of the product under consideration originating in the PRC. This was confirmed in the subsequent period during which the prices could not be sustained due to the presence of the Chinese imports on the Community market in considerable quantities and at low prices. Pressure from these imports forced the Community industry to reduce its prices with a consequent negative effect on the financial situation of the industry.
- (60) In the light of the above, should measures be continued, it is likely that the Community industry could improve its financial situation. However, should measures not be imposed, it is expected that the situation of the Community industry would deteriorate leading, in the long term, to the closure of production facilities and the consequent loss of employment.

3. The user industry

- (61) The Community user industry is comprised of two major sectors, which correspond to the two principal applications of furfuraldehyde i.e. as a selective solvent in the petroleum industry and synthetic resin for foundry moulds (chemical industry).
- (62) Only one user in the petroleum industry cooperated in the investigation. The information reported by this user on the impact of the price of furfuraldehyde in the costs of lubricating oil, confirms the findings of the previous investigation, i.e. that furfuraldehyde when used as a

catalyst has a negligible incidence on production cost. The continued imposition of measures will therefore have little or no impact on this sector of the user industry.

- (63) With regard to the second major application, no information was received indicating that the findings of the previous investigation with respect to this application had changed. In view of the above, it is concluded that the impact of any measure on the situation of the chemical industry is not likely to be significant.

4. Conclusion on Community interest

- (64) In the light of the above it is concluded that no compelling reasons exist, on grounds of Community interest, not to maintain the anti-dumping measures currently in force.

G. ANTI-DUMPING MEASURES

- (65) Based on the above, and taking into consideration that it could not be established that circumstances with regard to dumping and injury have changed significantly as compared to the original investigation, it is concluded that measures should be maintained in their present form and at their present level.

The proposed anti-dumping duty, when related to the free at Community frontier price and expressed in the form a specific duty amounts to EUR 352 per tonne.

- (66) It is also considered that the duration of the reviewed measures should be limited to four years. The numerous difficulties encountered in establishing the findings in the present investigation, notably the fact that simultaneously a proceeding was underway before the European Court of First Instance to clarify *inter alia* the definition of the product under consideration, has resulted in the normal twelve-month period of Article 11(5) of the Basic Regulation for completion of the investigation being significantly exceeded. In view of this exceptional situation, which is unrelated to the considerable absence of cooperation from Chinese exporters, it is appropriate to reduce the period of duration of the measures,

HAS ADOPTED THIS REGULATION:

Article 1

1. A definitive anti-dumping duty is hereby imposed on imports of 2-furaldehyde (also known as furfuraldehyde or furfural) currently classified within CN code 2932 12 00 and originating in the People's Republic of China.
2. The amount of duty applicable is EUR 352 per tonne.

3. In instances where the customs value is reduced pursuant to the second paragraph of Article 145 of Commission Regulation (EEC) No 2454/93 ⁽⁶⁾, the amount of the specific duty applicable, referred to in paragraph 2 of this Article shall also be reduced on a pro-rata basis.

Article 2

The anti-dumping duty shall be imposed for a period of four years from the date of entry into force of this Regulation.

Article 3

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

Article 4

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

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

Done at Brussels, 17 December 1999.

For the Council
The President
K. HEMILÄ

⁽⁶⁾ OJ L 253, 11.10.1993, p. 1. Regulation as last amended by Regulation (EC) No 502/1999 (OJ L 65, 12.3.1999, p. 1).

**COUNCIL REGULATION (EC) No 2723/1999
of 17 December 1999**

amending Regulation (EC) No 850/98 for the conservation of fishery resources through technical measures for the protection of juveniles of marine organisms

THE COUNCIL OF THE EUROPEAN UNION,

HAS ADOPTED THIS REGULATION:

Having regard to the Treaty establishing the European Community, and in particular Article 43 thereof,

Article 1

Having regard to the proposal from the Commission,

Regulation (EC) No 850/98 is hereby amended as follows:

Having regard to the Opinion of the European Parliament ⁽¹⁾,

1. In Article 20(1), subparagraph (f) shall be replaced by the following:

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

'(f) (i) from 21 September to 15 November, within the part of ICES Division VIIa bounded by the coast of the Isle of Man and straight lines drawn consecutively between the following coordinates:

Whereas:

(1) The area where, and the time-period during which, spawning of a certain herring stock has changed and therefore the special provisions relating to fishing in the said area and during the said time-period have also to be changed;

— latitude 54°20'00" N, longitude 04°25'05" W and latitude 54°20'00" N, longitude 03°57'02" W,

(2) Article 29 of Regulation (EC) No 850/98 ⁽³⁾ contains a number of exemptions for the use of specific fishing gears; these exemptions should apply equally to the gear-type Danish seine; as on oversight, exemptions for this gear were not originally included in that Article; therefore, Danish seine should be included among the exemptions of Article 29;

— latitude 54°20'00" N, longitude 03°57'02" W and latitude 54°17'05" N, longitude 03°56'08" W,

(3) Article 33 of Regulation (EC) No 850/98 prohibits the use of purse seines on schools of fish found in association with marine mammals; such use would be acceptable in the case of fishing vessels operating under the conditions agreed within the Agreement for the International Dolphin Conservation Program, which the Community has decided to apply provisionally by Council Decision 1999/386/EC ⁽⁴⁾; therefore, an exemption clause to that effect should be added to Article 33;

— latitude 54°17'05" N, longitude 03°56'08" W and latitude 54°14'06" N, longitude 03°57'05" W,

(4) Annex VI establishes categories of mesh sizes for fixed gears to be used for catching certain species or groups of species; in the light of data made available to the Commission, the mesh size categories for two species of spotted dogfish should be revised;

— latitude 54°14'06" N, longitude 03°57'05" W and latitude 54°00'00" N, longitude 04°07'05" W,

(5) Regulation (EC) No 805/98 should therefore be amended,

— latitude 54°00'00" N, longitude 04°07'05" W and latitude 53°51'05" N, longitude 04°27'08" W,

— latitude 53°51'05" N, longitude 04°27'08" W and latitude 53°48'00" N, longitude 04°50'00" W,

— latitude 53°48'05" N, longitude 04°50'00" W and latitude 54°04'05" N, longitude 04°50'00" W;

(ii) from 21 September to 31 December, within the part of ICES Division VIIa bounded by the following coordinates:

— the east coast of Northern Ireland at latitude 54°15' N,

— latitude 54°15' N, longitude 5°15' W,

— latitude 53°50' N, longitude 5°50' W,

— the east coast of Ireland at latitude 53°50' N;;

2. Article 29(4) shall be amended as follows:

(a) In subparagraph (a), first indent, the words 'shall be authorised to fish in the areas referred to in that paragraph using demersal otter trawls' shall be replaced by: 'shall be authorised to fish in the areas referred to in that paragraph using demersal otter trawls or Danish seine'.

⁽¹⁾ Opinion delivered on 2 December 1999 (not yet published in the Official Journal).

⁽²⁾ OJ C 209, 27.7.1999.

⁽³⁾ OJ L 125, 27.4.1998, p. 1. Regulation as last amended by Regulation (EC) No 1459/1999 (OJ L 168, 3.7.1999, p. 1).

⁽⁴⁾ OJ L 147, 12.6.1999, p. 23.

- (b) Subparagraph (b) shall be amended as follows:
- (i) The introductory phrase shall be replaced by the following:
 - '(i) However, vessels whose engine power exceeds 221 kW shall be permitted to use demersal otter trawls or Danish seine, or paired vessels whose combined engine power exceeds 221 kW shall be permitted to use demersal pair trawls, provided that:';
 - (ii) In point (ii) the first indent shall be replaced by the following:
 - '— in the case of demersal otter trawls or demersal pair trawls, the mesh size used is at least 100 millimetres, and';
 - (iii) A new point shall be added as follows:
 - '(iv) in the case of Danish seine, the mesh size used is at least 100 millimetres';
3. In Article 29(5), the words 'Within areas where beam trawls, otter trawls or bottom pair trawls may not be used' shall be

replaced by: 'Within areas where beam trawls, otter trawls, bottom pair trawls or Danish seine may not be used';

4. In Article 33, the following paragraph shall be added:

'3. However, paragraph 1 shall not apply to those vessels operating under the conditions agreed within the Agreement on the International Dolphin Conservation Programme (Washington, 15 May 1998) and signed by the Community on 12 May 1999. The names and technical characteristics of those vessels shall be contained on a list which shall be drawn up by the Commission in accordance with the procedure referred to in Article 48.';

5. Annex VI shall be replaced by the Annex to this Regulation.

Article 2

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

It shall apply from 1 January 2000.

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

Done at Brussels, 17 December 1999.

For the Council

The President

K. HEMILÄ

ANNEX

‘ANNEX VI

FIXED GEARS: *Regions 1 and 2*

Species \ mesh	10-30 mm	50-70 mm	90-99 mm	100-119 mm	120-219 mm	≥ 220 mm
Sardine (<i>Sardina pilchardus</i>)	*	*		*	*	*
Eel (<i>Anguilla anguilla</i>)	*	*	*	*	*	*
Sprat (<i>Sprattus sprattus</i>)	*	*	*	*	*	*
Horse mackerel (<i>Trachurus spp.</i>)		*	*	*	*	*
Herring (<i>Clupea harengus</i>)		*	*	*	*	*
Mackerel (<i>Scomber spp.</i>)		*	*	*	*	*
Red mullets (<i>Mullidae</i>)		*	*	*	*	*
Garfish (<i>Belone spp.</i>)		*	*	*	*	*
Sea bass (<i>Dicentrarchus labrax</i>)			*	*	*	*
Grey mullets (<i>Mugilidae</i>)			*	*	*	*
Lesser spotted dogfish (<i>Scyliorhinus canicula</i>)			*	*	*	*
Dab (<i>Limanda limanda</i>)				*	*	*
Haddock (<i>Meglanogrammus aeglefinus</i>)				*	*	*
Whiting (<i>Merlangius merlangus</i>) ⁽²⁾				*	*	*
Flounder (<i>Platichthys flesus</i>)				*	*	*
Sole (<i>Solea vulgaris</i>)				*	*	*
Plaice (<i>Pleuronectes platessa</i>)				*	*	*
Cuttlefish (<i>Sepia officinalis</i>)				*	*	*
Cod (<i>Gadus morhua</i>)					*	*
Pollack (<i>Pollachius pollachius</i>) ⁽³⁾					*	*
Ling (<i>Molva molva</i>)					*	*
Saithe (<i>Pollachius virens</i>)					*	*
Hake (<i>Merluccius merluccius</i>) ⁽³⁾					*	*
Picked dogfish (<i>Squalus acanthias</i>)					*	*
Greater spotted dogfish (<i>Scyliorhinus stellaris</i>)					*	*
Megrim (<i>Lepidorhombus spp.</i>)					*	*
Lumpsucker (<i>Cyclopterus lumpus</i>)					*	*
All other marine organisms						* ⁽¹⁾

⁽¹⁾ Catches of anglerfish (*Lophius spp.*) taken from ICES Sub-areas VI and VII and retained on board in excess of 30 % of the catch on board from those areas must be taken with a minimum mesh size of 250 mm or greater.

⁽²⁾ In ICES divisions VIIe and VIIId, with effect from 31 December 1999, the minimum size will be 90 mm.

⁽³⁾ In ICES divisions VIIe and VIIId, with effect from 31 December 1999, the minimum size will be 110 mm.

COMMISSION REGULATION (EC) No 2724/1999
of 21 December 1999
establishing the standard import values for determining the entry price of certain fruit and vegetables

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Commission Regulation (EC) No 3223/94 of 21 December 1994 on detailed rules for the application of the import arrangements for fruit and vegetables ⁽¹⁾, as last amended by Regulation (EC) No 1498/98 ⁽²⁾, and in particular Article 4 (1) thereof,

Whereas:

- (1) Regulation (EC) No 3223/94 lays down, pursuant to the outcome of the Uruguay Round multilateral trade negotiations, the criteria whereby the Commission fixes the standard values for imports from third countries, in respect of the products and periods stipulated in the Annex thereto;

- (2) 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 22 December 1999.

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

Done at Brussels, 21 December 1999.

For the Commission
Franz FISCHLER
Member of the Commission

⁽¹⁾ OJ L 337, 24.12.1994, p. 66.

⁽²⁾ OJ L 198, 15.7.1998, p. 4.

ANNEX

to the Commission Regulation of 21 December 1999 establishing the standard import values for determining the entry price of certain fruit and vegetables

(EUR/100 kg)

CN code	Third country code ⁽¹⁾	Standard import value
0702 00 00	052	77,6
	204	43,8
	624	132,5
	999	84,6
0707 00 05	052	118,8
	999	118,8
0709 10 00	220	196,7
	999	196,7
0709 90 70	052	121,1
	204	108,1
	999	114,6
0805 10 10, 0805 10 30, 0805 10 50	052	40,6
	204	42,6
	624	54,9
	999	46,0
0805 20 10	052	75,7
	204	51,7
	999	63,7
0805 20 30, 0805 20 50, 0805 20 70, 0805 20 90	052	77,5
	204	53,1
	464	123,0
	999	84,5
0805 30 10	052	56,4
	600	67,7
	999	62,0
0808 10 20, 0808 10 50, 0808 10 90	400	83,7
	404	77,0
	720	60,8
	728	83,3
	999	76,2
0808 20 50	052	142,9
	064	70,8
	400	92,8
	720	69,8
	999	94,1

⁽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 2725/1999
of 21 December 1999
fixing the minimum selling prices for beef put up for sale under the invitation to tender referred to
in Regulation (EC) No 2570/1999

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EEC) No 805/68 of 27 June 1968 on the common organisation of the market in beef and veal ⁽¹⁾, as last amended by Regulation (EC) No 1633/98 ⁽²⁾, and in particular Article 7(3) thereof,

Whereas:

- (1) tenders have been invited for certain quantities of beef fixed by Commission Regulation (EC) No 2570/1999 ⁽³⁾;
- (2) pursuant to Article 9 of Commission Regulation (EEC) No 2173/79 ⁽⁴⁾, as last amended by Regulation (EC) No 2417/95 ⁽⁵⁾, the minimum selling prices for meat put up for sale by tender should be fixed, taking into account tenders submitted;

- (3) the measures provided for in this Regulation are in accordance with the opinion of the Management Committee for Beef and Veal,

HAS ADOPTED THIS REGULATION:

Article 1

The minimum selling prices for beef for the invitation to tender held in accordance with Regulation (EC) No 2570/1999 for which the time limit for the submission of tenders was 13 December 1999 are as set out in the Annex hereto.

Article 2

This Regulation shall enter into force on 22 December 1999.

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

Done at Brussels, 21 December 1999.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ L 148, 28.6.1968, p. 24.

⁽²⁾ OJ L 210, 28.7.1998, p. 17.

⁽³⁾ OJ L 310, 4.12.1999, p. 37.

⁽⁴⁾ OJ L 251, 5.10.1979, p. 12.

⁽⁵⁾ OJ L 248, 14.10.1995, p. 39.

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

Estado miembro	Productos ⁽¹⁾	Precio mínimo expresado en euros por tonelada
Medlemsstat	Produkter ⁽¹⁾	Mindstepriser i EUR/ton
Mitgliedstaat	Erzeugnisse ⁽¹⁾	Mindestpreise ausgedrückt in EUR/Tonne
Κράτος μέλος	Προϊόντα ⁽¹⁾	Ελάχιστες πωλήσεις εκφραζόμενες σε Ευρώ ανά τόνο
Member State	Products ⁽¹⁾	Minimum prices expressed in EUR per tonne
État membre	Produits ⁽¹⁾	Prix minimaux exprimés en euros par tonne
Stato membro	Prodotti ⁽¹⁾	Prezzi minimi espressi in euro per tonnellata
Lidstaat	Producten ⁽¹⁾	Minimumprijzen uitgedrukt in euro per ton
Estado-Membro	Produtos ⁽¹⁾	Preço mínimo expresso em euros por tonelada
Jäsenvaltio	Tuotteet ⁽¹⁾	Vähimmäishinnat euroina tonnia kohden ilmaistuna
Medlemsstat	Produkter ⁽¹⁾	Minimipriser i euro per ton

a) **Carne con hueso — Kød, ikke udbenet — Fleisch mit Knochen — Κρέατα με κόκαλα — Bone-in beef — Viande avec os — Carni non disossate — Vlees met been — Carne com osso — Luullinen naudanliha — Kött med ben**

DEUTSCHLAND	— Hinterviertel	1 703
ESPAÑA	— Cuartos delanteros	1 985

b) **Carne deshuesada — Udbenet kød — Fleisch ohne Knochen — Κρέατα χωρίς κόκαλα — Boneless beef — Viande désossée — Carni senza osso — Vlees zonder been — Carne desossada — Luuton naudanliha — Benfritt kött**

UNITED KINGDOM	— Intervention fillet (INT 15)	14 000
	— Intervention striploin (INT 17)	5 954
	— Intervention rump (INT 16)	3 197
	— Intervention silverside (INT 14)	3 722
	— Intervention flank (INT 18)	1 301
	— Intervention forerib (INT 19)	3 050
	— Intervention shoulder (INT 22)	1 753
	— Intervention brisket (INT 23)	1 251
	— Intervention thick flank (INT 12)	2 950
	— Intervention forequarter (INT 24)	1 826

⁽¹⁾ Véanse los anexos V y VII del Reglamento (CEE) n.º 2456/93 de la Comisión (DO L 225 de 4.9.1993, p. 4), cuya última modificación la constituye el Reglamento (CE) n.º 2812/98 (DO L 349 de 24.12.1998, p. 47).

⁽²⁾ Se bilag V og VII til Kommissionens forordning (EØF) nr. 2456/93 (EFT L 225 af 4.9.1993, s. 4), senest ændret ved forordning (EF) nr. 2812/98 (EFT L 349 af 24.12.1998, s. 47).

⁽³⁾ Vgl. Anhänge V und VII der Verordnung (EWG) Nr. 2456/93 der Kommission (ABl. L 225 vom 4.9.1993, S. 4), zuletzt geändert durch die Verordnung (EG) Nr. 2812/98 (ABl. L 349 vom 24.12.1998, S. 47).

⁽⁴⁾ Βλέπε παραρτήματα V και VII του κανονισμού (ΕΟΚ) αριθ. 2456/93 της Επιτροπής (ΕΕ L 225 της 4.9.1993, σ. 4), όπως τροποποιήθηκε τελευταία από τον κανονισμό (ΕΚ) αριθ. 2812/98 (ΕΕ L 349 της 24.12.1998, σ. 47).

⁽⁵⁾ See Annexes V and VII to Commission Regulation (EEC) No 2456/93 (OJ L 225, 4.9.1993, p. 4), as last amended by Regulation (EC) No 2812/98 (OJ L 349, 24.12.1998, p. 47).

⁽⁶⁾ Voir annexes V et VII du règlement (CEE) n.º 2456/93 de la Commission (JO L 225 du 4.9.1993, p. 4). Règlement modifié en dernier lieu par le règlement (CE) n.º 2812/98 (JO L 349 du 24.12.1998, p. 47).

⁽⁷⁾ Cfr. allegati V e VII del regolamento (CEE) n. 2456/93 della Commissione (GU L 225 del 4.9.1993, pag. 4), modificato da ultimo dal regolamento (CE) n. 2812/98 (GU L 349 del 24.12.1998, pag. 47).

⁽⁸⁾ Zie de bijlagen V en VII bij Verordening (EEG) nr. 2456/93 van de Commissie (PB L 225 van 4.9.1993, blz. 4), laatstelijk gewijzigd bij Verordening (EG) nr. 2812/98 (PB L 349 van 24.12.1998, blz. 47).

⁽⁹⁾ Ver anexos V e VII do Regulamento (CEE) n.º 2456/93 da Comissão (JO L 225 de 4.9.1993, p. 4). Regulamento com a última redacção que lhe foi dada pelo Regulamento (CE) n.º 2812/98 (JO L 349 de 24.12.1998, p. 47).

⁽¹⁰⁾ Katso komission asetuksen (ETY) N:o 2456/93 (EYVL L 225, 4.9.1993, s. 4), sellaisena kuin se on viimeksi muutettuna asetuksella (EY) N:o 2812/98 (EYVL L 349, 24.12.1998, s. 47) liitteen V ja VII.

⁽¹¹⁾ Se bilagorna V och VII i kommissionens förordning (EEG) nr 2456/93 (EGT L 225, 4.9.1993, s. 4), senast ändrad genom förordning (EG) nr 2812/98 (EGT L 349, 24.12.1998, s. 47).

COMMISSION REGULATION (EC) No 2726/1999
of 21 December 1999
repealing Regulation (EC) No 2468/1999 prohibiting fishing for Norway lobster by vessels flying
the flag of the Netherlands

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

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

Whereas:

- (1) Commission Regulation (EC) No 2468/1999 ⁽³⁾ prohibits fishing for Norway lobster in the waters of ICES divisions II a (EC zone), IV (EC zone) by vessels flying the flag of the Netherlands or registered in the Netherlands;
- (2) on 8 November 1999, Belgium transferred 23 tonnes of Norway lobster from the waters of ICES divisions II a (EC zone), IV (EC zone) to the Netherlands; fishing for

Norway lobster in the waters of ICES divisions II a (EC zone), IV (EC zone) by vessels flying the flag of the Netherlands or registered in the Netherlands should therefore be authorised; Regulation (EC) No 2468/1999 should therefore be repealed,

HAS ADOPTED THIS REGULATION:

Article 1

Regulation (EC) No 2468/1999 is hereby repealed.

Article 2

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

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

Done at Brussels, 21 December 1999.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ L 261, 20.10.1993, p. 1.

⁽²⁾ OJ L 358, 31.12.1998, p. 5.

⁽³⁾ OJ L 300, 23.11.1999, p. 14.

**COMMISSION REGULATION (EC) No 2727/1999
of 20 December 1999**

**introducing prior Community surveillance of imports of certain iron and steel products covered by
the ECSC and EC Treaties originating in certain third countries**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EC) No 3285/94 of 22 December 1994 on common rules for imports and repealing Regulation (EC) No 518/94 ⁽¹⁾, as last amended by Regulation (EC) No 2315/96 ⁽²⁾, and in particular Article 11 thereof,

Having regard to Council Regulation (EC) No 519/94 of 7 March 1994 on common rules for imports from certain third countries and repealing Regulations (EEC) No 1765/82, (EEC) No 1766/82 and (EEC) No 3420/83 ⁽³⁾, as last amended by Regulation (EC) No 1138/98 ⁽⁴⁾, and in particular Article 9(1) thereof,

Consultations having taken place within the committees set up under the Regulations referred to above,

Whereas:

- (1) by Commission Regulation (EC) No 2845/98 ⁽⁵⁾, imports into the Community of certain iron and steel products covered by the Treaty establishing the European Coal and Steel Community and the Treaty establishing the European Community were subject to a *priori* Community surveillance;
- (2) in accordance with the provisions of Regulations (EC) No 3285/94 and (EC) No 519/94, products covered by the Treaty establishing the European Coal and Steel Community are subject to the common rules for imports and it is therefore necessary that the arrangements for Community surveillance measures in respect of ECSC products be adopted in accordance with the provisions of those Regulations;
- (3) since the beginning of 1998 the steel market has been seriously disturbed by the consequences of the financial and economic crisis that began in South East Asia;
- (4) available economic indicators show the following trends:

(A) *Production.* In 1998, production of crude steel in the Community remained with 160 million tonnes at the same level as in 1997. It slowed down between January and September 1999 by approximately 5,8 %. The increase in imports of certain finished steel products in the first semester, the rather slow

recovery in individual consuming sectors, the high level of stocks and a further reduction of exports should result in a 1999 crude steel production of about 155 million tonnes. It is expected to increase slightly in 2000, since consumption is expected to increase compared with 1999;

- (B) *Imports.* Imports of ECSC products into the Community from all third countries amounted to 18,3 million tonnes in 1998, 50 % above 1997. During the first six months of 1999, imports of ECSC products amounted to 9 million tonnes, a decrease of 12 % compared with the same period in 1998. Imports of flat products decreased by 29 %, long products increased by 20 % and semi-finished products by 8 %;
- (C) *Exports.* Exports of ECSC products decreased by 20 % to 16,8 million tonnes in 1998 compared with 1997. In the first six months of 1999, exports of ECSC products amounted to 7,2 million tonnes, an average decrease of 16 % compared with the same period in 1998. For 1999 as a whole, the Community is likely to become for the second year in row a net importer of steel products. In 1997, the Community had a net surplus of 8,5 million tonnes and in 1998 it had a net deficit of 1,5 million tonnes;
- (D) Similar trends apply to certain steel products covered by the EC Treaty: in 1998, production of steel tubes and pipes increased by 1,5 % compared with 1997; imports of steel tubes and pipes increased by an average of 17 % in 1998 compared with 1997; for the first six months of 1999, imports of steel tubes and pipes decreased by an average of 11 % compared with the same period in 1998, but over the same period exports decreased by 32 %;
- (5) the Community's external trade statistics are not available within the periods established by Commission Regulation No 840/96 ⁽⁶⁾ and whereas it is necessary that this problem should be addressed urgently;
- (6) the interests of the Community require that imports of certain steel products should be subject to prior Community surveillance in order to provide statistical information permitting rapid analysis of import trends;

⁽¹⁾ OJ L 349, 31.12.1994, p. 53.

⁽²⁾ OJ L 314, 4.12.1996, p. 1.

⁽³⁾ OJ L 67, 10.3.1994, p. 89.

⁽⁴⁾ OJ L 159, 3.6.1998, p. 1.

⁽⁵⁾ OJ L 354, 30.12.1998, p. 55.

⁽⁶⁾ OJ L 114, 8.5.1996, p. 7.

- (7) the completion of the internal market requires that the formalities to be accomplished by Community importers be identical wherever the goods may be cleared;
- (8) release for free circulation of the products covered by this Regulation should be made subject to presentation of a surveillance document meeting uniform criteria;
- (9) that document should on simple application by the importer, be endorsed by the authorities of the Member States within a certain period but without the importer thereby acquiring any right to import; the document should therefore be valid only during such period as the import rules remain unchanged;
- (10) the surveillance documents issued for the purposes of Community surveillance must be valid throughout the Community, regardless of the Member State of issue;
- (11) the Member States and the Commission should exchange the information resulting from Community surveillance as fully as possible;
- (12) the issue of surveillance documents, while subject to standard conditions at Community level, is to be the responsibility of the national authorities;
- (13) it should be recalled that the delivery of a surveillance document for certain iron and steel products is subject to presentation of an export document in accordance with arrangements established within the framework of double-checking agreements with certain third countries, and whereas the present Regulation does not apply to the products originating in those countries which are subject to such a double-checking system,

HAS ADOPTED THIS REGULATION:

Article 1

1. From 1 January 2000, the release for free circulation in the Community of iron and steel products covered by the ECSC and EC Treaties listed in Annex I shall be subject to prior Community surveillance in accordance with Articles 11 and 12 of Regulation (EC) No 3285/94 and Articles 9 and 10 of Regulation (EC) No 519/94. This applies to imports originating in all non-member countries other than in respect of products originating in countries of the European Free Trade Association (EFTA), in countries which are parties to the Agreement on the European Economic Area (EEA), and in Turkey. Products which are subject to a double-checking surveillance agreement established between a non-member country and the Community

shall be subject to the conditions established by that agreement and not to the present Regulation.

2. The classification of the products covered by this Regulation is based on the tariff and statistical nomenclature of the Community (hereinafter called the 'Combined Nomenclature', or in abbreviated form 'CN'). The origin of the products covered by this Regulation shall be determined in accordance with the rules in force in the Community.

Article 2

1. The release for free circulation in the Community of the products referred to in Article 1 shall be subject to presentation of a surveillance document issued by the relevant authorities of a Member State.

2. The surveillance document referred to in paragraph 1 shall be issued automatically by the competent authority in the Member States, without charge for any quantities requested, within five working days of presentation of an application by any Community importer, wherever established in the Community. This application shall be deemed to have been received by the competent national authority no later than three working days after submission, unless it is proven otherwise.

3. A surveillance document issued by one of the authorities listed in Annex II shall be valid throughout the Community.

4. The surveillance document shall be made out on a form corresponding to the model at Annex I to Regulation (EC) No 3285/94 ⁽¹⁾. The importer's application shall include the following elements:

- (a) the name and full address of the applicant (including telephone and fax numbers, and possible identification number used by the competent national authorities) and VAT registration number, if subject to VAT;
- (b) if applicable, the name and full address of the declarant or representative of the applicant (including telephone and fax numbers);
- (c) the full name and address of the exporter;
- (d) the exact description of the goods, including
 - their trade name,
 - the Combined Nomenclature (CN) code(s),
 - the country of origin,
 - the country of consignment;
- (e) the net weight, expressed in kg and also quantity in the unit prescribed where other than net weight, by Combined Nomenclature heading;
- (f) the cif value of the goods in euro at the Community frontier by Combined Nomenclature heading;
- (g) whether the products concerned are seconds or of standard quality ⁽²⁾;
- (h) the proposed period and place of customs clearance;
- (i) whether the application is a repeat of a previous application concerning the same contract;

⁽¹⁾ as modified by Council Regulation (EC) No 139/96 (OJ L 21, 27.7.1996, p.7), and taking into account the provisions of Article 2 of Council Regulation (EC) No 1103/97 on certain provisions relating to the introduction of the euro (OJ L 162, 19.6.1997, p.1).

⁽²⁾ Under the criteria given in OJ C 180, 11.7.1991, p. 4.

- (j) the following declaration, dated and signed by the applicant with the transcription of his name in capital letters:

'I, the undersigned, certify that the information provided in this application is true and given in good faith, and that I am established in the Community.'

The importer shall also submit a copy of the contract of sale or purchase and of the pro forma invoice. If so requested, for example in cases where the goods are not directly purchased in the country of production, the importer shall present a certificate of production issued by the producing steel mill.

5. Surveillance documents may be used only for such time as arrangements for liberalisation of imports remain in force in respect of the transactions concerned. Without prejudice to possible changes in the import regulations in force or decisions taken in the framework of an agreement or the management of a quota:

- the period of validity of the surveillance document is hereby fixed at four months,
- unused or partly used surveillance documents may be renewed for an equal period.

6. The importer shall return surveillance documents to the issuing authority at the end of their period of validity.

7. The competent authorities may, under the conditions fixed by them, allow the submission of declarations or requests to be transmitted or printed by electronic means. However, all documents and evidence must be available to the competent authorities.

8. The surveillance document may be issued by electronic means as long as the customs offices involved have access to this document across a computer network.

Article 3

1. A finding that the unit price at which the transaction is effected varies from that indicated in the surveillance document by less than 5 % in either direction or that the total quantity of the products presented for import exceeds the quantity given in

the surveillance document by less than 5 % shall not preclude the release for free circulation of the products in question.

2. Applications for surveillance documents and the documents themselves shall be confidential. They shall be restricted to the competent authorities and the applicant.

Article 4

1. The Member States shall communicate to the Commission:

- (a) on as regular and up-to-date a basis as possible and at least by the last day of each month, details of the quantities and values (calculated in euro) for which surveillance documents have been issued;
- (b) within six weeks of the end of each month, details of imports during that month, in accordance with Article 26 of Regulation No 840/96.

The information provided by Member States shall be broken down by product, CN code and by country.

2. The Member States shall give notification of any anomalies or cases of fraud which they discover and, where relevant, the basis on which they have refused to grant a surveillance document.

Article 5

Any notices to be given hereunder shall be given to the Commission of the European Communities and shall be communicated electronically within the integrated network set up for this purpose, unless for imperative technical reasons it is necessary to use other means of communication temporarily.

Article 6

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

This Regulation shall apply from 1 January to 31 December 2000.

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

Done at Brussels, 20 December 1999.

For the Commission

Pascal LAMY

Member of the Commission

ANNEX I

LIST OF PRODUCTS SUBJECT TO PRIOR SURVEILLANCE (2000)

7208 10 10	7209 90 10	7213 10 00	7216 50 99
7208 25 00	7210 11 10	7213 20 00	7216 99 10
7208 26 00	7210 12 11	7213 91 10	7225 11 00
7208 27 00	7210 12 19	7213 91 20	7225 19 10
7208 36 00	7210 20 10	7213 91 41	7225 19 90
7208 37 10	7210 30 10	7213 91 49	7225 20 20
7208 37 90	7210 41 10	7213 91 70	7225 30 00
7208 38 10	7210 49 10	7213 91 90	7225 40 80
7208 38 90	7210 50 10	7213 99 10	
7208 39 10	7210 61 10	7213 99 90	7226 11 10
7208 39 90	7210 69 10		7226 11 90 (*)
7208 40 10	7210 70 31	7214 20 00	7226 19 10
7208 40 90	7210 70 39	7214 30 00	7226 19 30
7208 51 10	7210 70 39	7214 91 10	7226 19 90 (*)
7208 51 30	7210 90 31	7214 91 90	
7208 51 50	7210 90 33	7214 99 10	7228 10 10
7208 51 91	7210 90 38	7214 99 31	7228 10 30
7208 51 99	7211 13 00	7214 99 39	7228 20 11
7208 52 10	7211 14 10	7214 99 50	7228 20 19
7208 52 91	7211 14 90	7214 99 61	7228 20 30
7208 52 99	7211 19 20	7214 99 69	7228 30 20
7208 53 10	7211 19 90	7214 99 80	7228 30 41
7208 53 90	7211 23 10	7214 99 90	7228 30 49
7208 54 10	7211 23 51	7215 90 10	7228 30 61
7208 54 90	7211 23 91 (*)		7228 30 69
7208 90 10	7211 23 99 (*)	7216 10 00	7228 30 70
	7211 29 20	7216 21 00	7228 30 89
7209 15 00	7211 29 50 (*)	7216 22 00	7228 60 10
7209 16 10	7211 29 90 (*)	7216 31 11	7228 70 10
7209 16 90	7211 90 11	7216 31 19	7228 70 31
7209 17 10	7211 90 90 (*)	7216 31 91	7228 80 10
7209 17 90		7216 31 99	7228 80 90
7209 18 10	7212 10 10	7216 32 11	
7209 18 91	7212 10 91	7216 32 19	7301 10 00
7209 18 99	7212 20 11	7216 32 91	Complete CN heading 7304 (*)
7209 25 00	7212 30 11	7216 32 99	
7209 26 10	7212 40 10	7216 33 10	Complete CN heading 7306 (*)
7209 26 90	7212 40 91	7216 33 90	
7209 27 10	7212 50 31	7216 40 10	7307 93 11 (*)
7209 27 90	7212 50 51	7216 40 90	7307 93 19 (*)
7209 28 10	7212 60 11	7216 50 10	7307 99 30 (*)
7209 28 90	7212 60 91	7216 50 91	7307 99 90 (*)

(*) Products covered by the EC Treaty

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

LISTA DE LAS AUTORIDADES NACIONALES COMPETENTES
LISTE OVER KOMPETENTE NATIONALE MYNDIGHEDER
LISTE DER ZUSTÄNDIGEN BEHÖRDEN DER MITGLIEDSTAATEN
ΔΙΕΥΘΥΝΣΕΙΣ ΤΩΝ ΑΡΧΩΝ ΕΚΔΟΣΗΣ ΑΔΕΙΩΝ ΤΩΝ ΚΡΑΤΩΝ ΜΕΛΩΝ
LIST OF THE COMPETENT NATIONAL AUTHORITIES
LISTE DES AUTORITÉS NATIONALES COMPÉTENTES
ELENCO DELLE COMPETENTI AUTORITÀ NAZIONALI
LIJST VAN DE BEVOEGDE NATIONALE INSTANTIES
LISTA DAS AUTORIDADES NACIONAIS COMPETENTES
LUETTELO TOIMIVALTAISISTA KANSALLISISTA VIRANOMAISISTA
LISTA ÖVER KOMPETENTA NATIONELLA MYNDIGHETER

Belgique/België

Ministère des affaires économiques
Administration des relations économiques
Services 'licences'
Rue Général Leman 60
B-1040 Bruxelles
Fax (32-2) 230 83 22

Ministerie van Economische Zaken
Bestuur van de Economische Betrekkingen
Dienst Vergunningen
Generaal Lemanstraat 60
B-1040 Brussel
Fax (32-2) 230 83 22

Danmark

Erhvervsfremmestyrelsen
Søndergade 25
DK-8600 Silkeborg
Fax (45) 35 46 64 01

Deutschland

Bundesamt für Wirtschaft, Dienst 01
Postfach 5171
D-65762 Eschborn 1
Fax: (+49) 6196 40 42 12

Ελλάς

Υπουργείο Εθνικής Οικονομίας
Γενική Γραμματεία ΔΟΣ
Διεύθυνση Διαδικασιών Εξωτερικού Εμπορίου
Κορνάρου 1
GR-10563 Αθήνα
Φαξ: (30-1) 328 60 94

España

Ministerio de Economía y Hacienda
Dirección General de Comercio Exterior
Paseo de la Castellana 162
E-28046 Madrid
Fax: (34) 915 63 18 23
(34) 913 49 38 31

France

Service des industries manufacturières
Digitip
12, rue Villiot — Bâtiment Le Bervil
F-75572 Paris Cedex 12
Fax: (33) 153 44 91 93

Ireland

Licensing Unit
Department of Enterprise, Trade and Employment
Kildare Street
Dublin 2
Ireland
Fax: (353-1) 631 28 26

Italia

Ministero del Commercio con l'estero
Direzione generale per la politica commerciale
e per la gestione del regime degli scambi
Viale America 341
I-00144 Roma
Fax: (39) 06 59 93 22 35/06 59 93 26 36

Luxembourg

Ministère des affaires étrangères
Office des licences
BP 113
L-2011 Luxembourg
Téléfax: (352) 46 61 38

Nederland

Centrale Dienst voor In- en Uitvoer
Postbus 3003
Engelse Kamp 2
9700 RD Groningen
Nederland
Fax (31-50) 526 06 98

Österreich

Bundesministerium für wirtschaftliche Angelegenheiten
Außenwirtschaftsadministration
Landstrasser Hauptstraße 55-57
A-1030 Wien
Fax: (+43) 1-715 83 47

Portugal

Ministério da Economia
Direcção-Geral das Relações Económicas Internacionais
Avenida da República, 79
P-1000 Lisboa
Fax: (351-21) 793 22 10

Suomi

Tullihallitus
PL 512
FIN-00101 Helsinki
Faksi: + 358 9 614 28 52

Sverige

Kommerskollegium
Box 6803
S-113 86 Stockholm
Fax (46-8) 30 67 59

United Kingdom

Department of Trade and Industry
Import Licensing Branch
Queensway House — West Precinct
Billingham, Cleveland
TS23 2NF
United Kingdom
Fax: (44-1642) 53 35 57

**COMMISSION REGULATION (EC) No 2728/1999
of 20 December 1999**

amending Annexes I, II and III to Council Regulation (EEC) No 2377/90 laying down a Community procedure for the establishment of maximum residue limits of veterinary medicinal products in foodstuffs of animal origin

(Text with EEA relevance)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EEC) No 2377/90 of 26 June 1990 laying down a Community procedure for the establishment of maximum residue limits of veterinary medicinal products in foodstuffs of animal origin ⁽¹⁾, as last amended by Commission Regulation (EC) No 2593/1999 ⁽²⁾, and in particular Articles 6 and 8 thereof;

- (1) Whereas, in accordance with Regulation (EEC) No 2377/90, maximum residue limits must be established progressively for all pharmacologically active substances which are used within the Community in veterinary medicinal products intended for administration to food-producing animals;
- (2) Whereas maximum residue limits should be established only after the examination within the Committee for Veterinary Medicinal Products of all the relevant information concerning the safety of residues of the substance concerned for the consumer of foodstuffs of animal origin and the impact of residues on the industrial processing of foodstuffs;
- (3) Whereas, in establishing maximum residue limits for veterinary medicinal products in foodstuffs of animal origin, it is necessary to specify the animal species in which residues may be present, the levels which may be present in each of the relevant meat tissues obtained from the treated animal (target tissue) and the nature of the residue which is relevant for the monitoring of residues (marker residue);
- (4) Whereas, for the control of residues, as provided for in appropriate Community legislation, maximum residue limits should usually be established for the target tissues of liver or kidney; whereas, however, the liver and kidney are frequently removed from carcasses moving in international trade, and maximum residue limits should therefore also always be established for muscle or fat tissues;

- (5) Whereas, in the case of veterinary medicinal products intended for use in laying birds, lactating animals or honey bees, maximum residue limits must also be established for eggs, milk or honey;
- (6) Whereas flunixin, cefalexin, flumequine, meloxicam and tiamulin should be inserted into Annex I to Regulation (EEC) No 2377/90;
- (7) Whereas butafosfan, *eucalyptus globulus*, furosemide, *echinacea*, *cupressi aetheroleum*, *crataegus*, *cefalonium*, *carlinae radix*, *cardiospermum halicacabum*, *turnera diffusa*, *calendula officinalis*, *euphrasia officinalis*, *boldo folium*, *bellis perennis*, *artemisia abrotanum*, *arnicae radix*, *arnica montana* (*arnicae flos*, *arnicae planta tota*), aloes, Barbados, Capae, their standardised dry extract, preparations thereof, *allium cepa*, *ailanthus altissima*, *agnus Castus*, *aesculus hippocastanum*, *camphora*, *lobaria pulmonaria*, *syzygium cumini*, *solidago virgaurea*, *silybum marianum*, *serenoa repens*, *prunus laucerasus*, *okoubaka aubrevillei*, *viscum album*, *symphyti radix*, lidocaine, *hamamelis virginiana*, *lachnanthes tinctoria*, *hypericum perforatum* and *ginkgo biloba* and *harpagophytum procumbens* and *lavandulae aetheroleum* and ginseng should be inserted into Annex II to Regulation (EEC) No 2377/90;
- (8) Whereas, in order to allow for the completion of scientific studies, tiamulin, spectinomycin, doramectin, mebendazole, propetamphos, metamizole, abamectin, *cefalonium* and *rafoxanide* should be inserted into Annex III to Regulation (EEC) No 2377/90;
- (9) Whereas a period of 60 days should be allowed before the entry into force of this Regulation in order to allow Member States to make any adjustment which may be necessary to the authorisations to place the veterinary medicinal products concerned on the market which have been granted in accordance with Council Directive 81/851/EEC ⁽³⁾, as last amended by Directive 93/40/EEC ⁽⁴⁾, to take account of the provisions of this Regulation;
- (10) Whereas the measures provided for in this Regulation are in accordance with the opinion of the Standing Committee on Veterinary Medicinal Products,

⁽¹⁾ OJ L 224, 18.8.1990, p. 1.

⁽²⁾ OJ L 315, 9.12.1999, p. 26.

⁽³⁾ OJ L 317, 6.11.1981, p. 1.

⁽⁴⁾ OJ L 214, 24.8.1993, p. 31.

HAS ADOPTED THE FOLLOWING REGULATION:

Article 2

Article 1

Annexes I, II and III to Regulation (EEC) No 2377/90 are hereby amended as set out in the Annex hereto.

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

It shall apply from the 60th day following its publication.

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

Done at Brussels, 20 December 1999.

For the Commission

Erkki LIIKANEN

Member of the Commission

ANNEX

A. Annex I to Regulation (EEC) No 2377/90 is amended as follows:

1. Anti-infectious agents

1.2. Antibiotics

1.2.2. Quinolones

Pharmacologically active substance(s)	Marker residue	Animal species	MRLs	Target tissues	Other provisions
'Cefalexin	Cefalexin	Bovine	200 µg/kg 200 µg/kg 200 µg/kg 1 000 µg/kg 100 µg/kg	Muscle Fat Liver Kidney Milk'	

1.2.3. Quinolones

Pharmacologically active substance(s)	Marker residue	Animal species	MRLs	Target tissues	Other provisions
'Flumequine	Flumequine	Bovine, ovine Not for use in animals from which milk is produced for human consumption Porcine Chicken Not for use in animals from which eggs are produced for human consumption Salmonidae	200 µg/kg 300 µg/kg 500 µg/kg 1 500 µg/kg 200 µg/kg 300 µg/kg 500 µg/kg 1 500 µg/kg 400 µg/kg 250 µg/kg 800 µg/kg 1 000 µg/kg 600 µg/kg	Muscle Fat Liver Kidney Muscle Skin and fat Liver Kidney Muscle Skin and fat Liver Kidney Muscle and skin in natural proportions'	

1.2.8. Pleuromutlins

Pharmacologically active substance(s)	Marker residue	Animal species	MRLs	Target tissues	Other provisions
Tiamulin	Sum of metabolites that may be hydrolysed to 8-a-hydroxymutlin	Porcine	100 µg/kg 500 µg/kg	Muscle Liver	
	Tiamulin	Chicken	100 µg/kg 100 µg/kg 1 000 µg/kg 1 000 µg/kg	Muscle Skin and fat Liver Eggs'	

4. Anti-inflammatory agents

4.1. Nonsteroidal anti-inflammatory agents

4.1.2. Fenamate group derivatives

Pharmacologically active substance(s)	Marker residue	Animal species	MRLs	Target tissues	Other provisions
Flunixin	Flunixin	Bovine	20 µg/kg 30 µg/kg 300 µg/kg 100 µg/kg 40 µg/kg	Muscle Fat Liver Kidney Milk	
	5-Hydroxyflunixin Flunixin	Porcine	50 µg/kg 10 µg/kg 200 µg/kg 30 µg/kg	Muscle Skin and fat Liver Kidney'	

4.1.4. Oxicam derivatives

Pharmacologically active substance(s)	Marker residue	Animal species	MRLs	Target tissues	Other provisions
Meloxicam	Meloxicam	Bovine	20 µg/kg 65 µg/kg 65 µg/kg 15 µg/kg	Muscle Liver Kidney Milk'	

B. Annex II to Regulation (EEC) No 2377/90 is amended as follows:

2. Organic compounds

Pharmacologically active substance(s)	Animal species	Other provisions
'Butafosfan	Bovine	For intravenous use only and not for use in animals from which milk is produced for human consumption
Cefalonium	Bovine	For intramammary use and eye treatment only, and for all tissues except milk
Furosemide	Bovine, equidae	For intravenous administration only
Lidocaine	Equidae	For local-regional anaesthesia only

4. Substances used in homeopathic veterinary medicinal products

Pharmacologically active substance(s)	Animal species	Other provisions
' <i>Aesculus hippocastanum</i>	All-food producing species	For use in homeopathic veterinary medicinal products prepared according to homeopathic pharmacopoeias at concentrations in the products not exceeding one part per ten only
<i>Agnus castus</i>	All-food producing species	For use in homeopathic veterinary medicinal products prepared according to homeopathic pharmacopoeias at concentrations corresponding to the mother tincture and dilutions thereof only
<i>Ailanthus altissima</i>	All-food producing species	For use in homeopathic veterinary medicinal products prepared according to homeopathic pharmacopoeias at concentrations corresponding to the mother tincture and dilutions thereof only
<i>Allium cepa</i>	All-food producing species	For use in homeopathic veterinary medicinal products prepared according to homeopathic pharmacopoeias at concentrations corresponding to the mother tincture and dilutions thereof only
<i>Arnicae radix</i>	All-food producing species	For use in homeopathic veterinary medicinal products prepared according to homeopathic pharmacopoeias at concentrations corresponding in the products not exceeding one part per ten only

Pharmacologically active substance(s)	Animal species	Other provisions
<i>Artemisia abrotanum</i>	All-food producing species	For use in homeopathic veterinary medicinal products prepared according to homeopathic pharmacopoeias at concentrations corresponding to the mother tincture and dilutions thereof only
<i>Bellis perennis</i>	All-food producing species	For use in homeopathic veterinary medicinal products prepared according to homeopathic pharmacopoeias at concentrations corresponding to the mother tincture and dilutions thereof only
<i>Calendula officinalis</i>	All-food producing species	For use in homeopathic veterinary medicinal products prepared according to homeopathic pharmacopoeias at concentrations corresponding in the products not exceeding one part per ten only
<i>Camphora</i>	All-food producing species	For use in homeopathic veterinary medicinal products prepared according to homeopathic pharmacopoeias at concentrations in the products not exceeding one part per hundred only.
<i>Cardiospermum halicacabum</i>	All-food producing species	For use in homeopathic veterinary medicinal products prepared according to homeopathic pharmacopoeias at concentrations corresponding to the mother tincture and dilutions thereof only
<i>Crataegus</i>	All-food producing species	For use in homeopathic veterinary medicinal products prepared according to homeopathic pharmacopoeias at concentrations corresponding to the mother tincture and dilutions thereof only
<i>Echinacea</i>	All-food producing species	For use in homeopathic veterinary medicinal products prepared according to homeopathic pharmacopoeias at concentrations corresponding to the mother tincture and dilutions thereof only For topical use only. For use in homeopathic veterinary medicinal products prepared according to homeopathic pharmacopoeias at concentrations corresponding in the products not exceeding one part per ten only
<i>Eucalyptus globulus</i>	All-food producing species	For use in homeopathic veterinary medicinal products prepared according to homeopathic pharmacopoeias at concentrations corresponding to the mother tincture and dilutions thereof only

Pharmacologically active substance(s)	Animal species	Other provisions
<i>Euphrasia officinalis</i>	All-food producing species	For use in homeopathic veterinary medicinal products prepared according to homeopathic pharmacopoeias at concentrations corresponding to the mother tincture and dilutions thereof only
<i>Ginkgo biloba</i>	All-food producing species	For use in homeopathic veterinary medicinal products prepared according to homeopathic pharmacopoeias at concentrations in the products not exceeding one part per thousand only.
<i>Ginseng</i>	All-food producing species	For use in homeopathic veterinary medicinal products prepared according to homeopathic pharmacopoeias at concentrations corresponding to the mother tincture and dilutions thereof only
<i>Hamamelis virginiana</i>	All-food producing species	For use in homeopathic veterinary medicinal products prepared according to homeopathic pharmacopoeias at concentrations in the products not exceeding one part per ten only
<i>Harpagophytum procumbens</i>	All-food producing species	For use in homeopathic veterinary medicinal products prepared according to homeopathic pharmacopoeias at concentrations corresponding to the mother tincture and dilutions thereof only
<i>Hypericum perforatum</i>	All-food producing species	For use in homeopathic veterinary medicinal products prepared according to homeopathic pharmacopoeias at concentrations corresponding to the mother tincture and dilutions thereof only
<i>Lachnanthes tinctoria</i>	All-food producing species	For use in homeopathic veterinary medicinal products prepared according to homeopathic pharmacopoeias at concentrations in the products not exceeding one part per thousand only.
<i>Lobelia pulmonaria</i>	All-food producing species	For use in homeopathic veterinary medicinal products prepared according to homeopathic pharmacopoeias at concentrations corresponding to the mother tincture and dilutions thereof only
<i>Okoubaka aubrevillei</i>	All-food producing species	For use in homeopathic veterinary medicinal products prepared according to homeopathic pharmacopoeias at concentrations corresponding to the mother tincture and dilutions thereof only

Pharmacologically active substance(s)	Animal species	Other provisions
<i>Prunus laurocerasus</i>	All-food producing species	For use in homeopathic veterinary medicinal products prepared according to homeopathic pharmacopoeias at concentrations in the products not exceeding one part per thousand only.
<i>Serenoa repens</i>	All-food producing species	For use in homeopathic veterinary medicinal products prepared according to homeopathic pharmacopoeias at concentrations corresponding to the mother tincture and dilutions thereof only
<i>Silybum marianum</i>	All-food producing species	For use in homeopathic veterinary medicinal products prepared according to homeopathic pharmacopoeias at concentrations corresponding to the mother tincture and dilutions thereof only
<i>Solidago virgaurea</i>	All-food producing species	For use in homeopathic veterinary medicinal products prepared according to homeopathic pharmacopoeias at concentrations corresponding to the mother tincture and dilutions thereof only
<i>Syzygium cumini</i>	All-food producing species	For use in homeopathic veterinary medicinal products prepared according to homeopathic pharmacopoeias at concentrations corresponding to the mother tincture and dilutions thereof only
<i>Turnera diffusa</i>	All-food producing species	For use in homeopathic veterinary medicinal products prepared according to homeopathic pharmacopoeias at concentrations corresponding to the mother tincture and dilutions thereof only
<i>Viscum album</i>	All-food producing species	For use in homeopathic veterinary medicinal products prepared according to homeopathic pharmacopoeias at concentrations corresponding to the mother tincture and dilutions thereof only

6. Substances of vegetable origin

Pharmacologically active substance(s)	Animal species	Other provisions
'Aloes, Barbados and Capae, their standardised dry extract and preparations thereof	All food-producing species	For topical use only
<i>Arnica montana (arnicae flos and arnicae planta tota)</i>	All food-producing species	For topical use only
<i>Boldo folium</i>	All food-producing species	For topical use only
<i>Carlinae radix</i>	All food-producing species	For topical use only
<i>Cupressi aetheroleum</i>	All food-producing species	For topical use only
<i>Lavandulae aetheroleum</i>	All food-producing species	For topical use on intact skin only'
<i>Symphyti radix</i>	All food-producing species	

C. Annex III to Regulation (EEC) No 2377/90 is amended as follows:

1. Anti-infectious agents

1.2. Antibiotics

1.2.4. Cephalosporins

Pharmacologically active substance(s)	Marker residue	Animal species	MRLs	Target tissues	Other provisions
'Cefalonium	Cefalonium	Bovine	10 µg/kg	Milk	Provisional MRLs expire on 1.7.2001'

1.2.5. Aminoglycosides

Pharmacologically active substance(s)	Marker residue	Animal species	MRLs	Target tissues	Other provisions
'Spectinomycin	Spectinomycin	Ovine Not for use in animals from which milk is produced for human consumption Chicken	300 µg/kg 500 µg/kg 2 000 µg/kg 5 000 µg/kg 200 µg/kg	Muscle Fat Liver Kidney Eggs	Provisional MRLs expire on 1.1.2002'

1.2.14. Pleuromutilines

Pharmacologically active substance(s)	Marker residue	Animal species	MRLs	Target tissues	Other provisions
'Tiamulin	Sum of metabolites that may be hydrolysed to 8-a-hydroxymutilin	Turkey	100 µg/kg 100 µg/kg 300 µg/kg	Muscle Skin and fat Liver	Provisional MRLs expire on 1.7.2001'

2. Antiparasitic agents

2.1. Agents acting against endoparasites

2.1.2. Benzimidazoles and pro-benzimidazoles

Pharmacologically active substance(s)	Marker residue	Animal species	MRLs	Target tissues	Other provisions
'Mebendazole	Sum of mebendazole methyl (5-(1-hydroxy, 1-phenyl) methyl-1H-benzimidazol-2-yl) carbamate and (2-amino-1H-benzimidazol-5-yl) phenylmethanone, expressed as mebendazole equivalents	Ovine, caprine, equidae Not for use in animals from which milk is produced for human consumption	60 µg/kg 60 µg/kg 400 µg/kg 60 µg/kg	Muscle Fat Liver Kidney	Provisional MRLs expire on 1.1.2002'

2.1.6. Salicylanilides

Pharmacologically active substance(s)	Marker residue	Animal species	MRLs	Target tissues	Other provisions
'Rafoxanide	Rafoxanide	Bovine Not for use in animals from which milk is produced for human consumption	30 µg/kg	Muscle	Provisional MRLs expire on 1.7.2001'
			30 µg/kg	Fat	
			10 µg/kg	Liver	
			40 µg/kg	Kidney	
		Ovine Not for use in animals from which milk is produced for human consumption	100 µg/kg	Muscle	
			250 µg/kg	Fat	
			150 µg/kg	Liver	
			150 µg/kg	Kidney	

2.2. Agents acting against ectoparasites

2.2.4. Organophosphates

Pharmacologically active substance(s)	Marker residue	Animal species	MRLs	Target tissues	Other provisions
'Propetamphos	Sum of residues of propetamphos and desisopropyl-propetamphos	Ovine Not for use in animals from which milk is produced for human consumption	90 µg/kg 90 µg/kg	Fat Kidney	Provisional MRLs expire on 1.1.2001'

2.3. Agents acting against endo- and ectoparasites

2.3.1. Avermectins

Pharmacologically active substance(s)	Marker residue	Animal species	MRLs	Target tissues	Other provisions
'Abamectin	Avermectin B1a	Ovine	20 µg/kg	Muscle	Provisional MRLs expire on 1.1.2001
			50 µg/kg	Fat	
			25 µg/kg	Liver	
			20 µg/kg	Kidney	
Doramectin	Doramectin	Deer, including reindeer	20 µg/kg	Muscle	Provisional MRLs expire on 1.7.2001'
			100 µg/kg	Fat	
			50 µg/kg	Liver	
			30 µg/kg	Kidney	

- 5. Anti-inflammatory agents
- 5.1. Nonsteroidal anti-inflammatory agents
- 5.1.3. Pyrazolone derivatives

Pharmacologically active substance(s)	Marker residue	Animal species	MRLs	Target tissues	Other provisions
Metamizole	4-Methylaminoantipyrin	Bovine, porcine, equidae Not for use in animals from which milk is produced for human consumption	200 µg/kg 200 µg/kg 200 µg/kg 200 µg/kg	Muscle Fat Liver Kidney	Provisional MRLs expire on 1.7.2001

**COMMISSION REGULATION (EC) No 2729/1999
of 21 December 1999**

**amending Regulation (EC) No 1169/97 laying down detailed rules for the application of Council
Regulation (EC) No 2202/96 introducing a Community aid scheme for producers of certain citrus
fruits**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EC) No 2202/96 of 28 October 1996, introducing a Community aid scheme for producers of certain citrus fruits ⁽¹⁾, as amended by Regulation (EC) No 858/1999 ⁽²⁾, and in particular Article 6 thereof,

Whereas:

- (1) Article 18(2), (3) and (4) of Commission Regulation (EC) No 1169/97 of 26 June 1997 laying down detailed rules for the application of Council Regulation (EC) No 2202/96 introducing a Community aid scheme for producers of certain citrus fruits, as last amended by Regulation (EC) No 1082/1999 ⁽³⁾, lays down the various checks to which the processors and producer organisations are subject;
- (2) the experience gained in implementing these controls indicates that the physical and documentary checks need to be distinguished and the importance of each of these controls should be emphasised. Experience from conducting on-the-spot checks furthermore indicates that risk analysis should be used to programme these checks and that the information to be used for this purpose should be specified;
- (3) the measures provided for in this Regulation are in accordance with the opinion of the Management Committee for Fresh Fruit and Vegetables,

HAS ADOPTED THIS REGULATION:

Article 1

Article 18 of Regulation (EC) No 1169/97 is hereby replaced by the following:

'Article 18

1. Member States shall take all the measures necessary to ensure compliance with this Regulation. To that end, and without prejudice to Title VI of Regulation (EC) No 2200/96, they shall in particular conduct the checks provided for in paragraphs 2 and 3 of this Article.
2. For each product, marketing year and producer organisation:

(a) physical checks shall be made of:

- at least 5 % of the areas referred to in Article 8(1) and (2);
- at least 20 % of the quantities delivered for processing in each delivery period;

(b) documentary checks shall be made of:

- at least 30 % of the agreements referred to in Article 8(3);
- at least 30 % of the payments referred to in Article 15;
- all applications for aid in each delivery period.

The checks shall also verify that the following tally:

- (a) the quantities of products delivered for processing under contracts and covered by delivery certificates as provided for in Article 10(2) and those covered by each application for the aid or an advance; and
- (b) the quantities of products delivered for processing under contracts and those delivered to producer organisations by their members, by members of other producer organisations where the second and third indents of Article 11(1)(c) of Regulation (EC) No 2200/96 apply, and by individual producers where Article 4 of Regulation (EC) No 2202/96 applies.

3. For each processor, product received and month,

(a) physical checks shall be made of:

- at least 30 % of the consignments received under the two types of contract (for one or more marketing years); the checks shall cover at least the net weight of each consignment and its yield in juice;

(b) documentary checks shall be made of

- at least 30 % of the consignments received under the two types of contract (for one or more marketing years); the checks shall cover the real link with a contract, the delivery certificates referred to in Article 10(2), the precise identification of the means of transport used and compliance with the minimum requirements laid down in the Annex.
- at least 30 % of each finished product and by-product obtained under contracts;
- at least 30 % of each finished product and by-product obtained otherwise than under contracts;
- at least 30 % of the transfers as provided for in Article 3(3)(f).

⁽¹⁾ OJ L 297, 21.11.1996, p. 49.

⁽²⁾ OJ L 108, 27.4.1999, p. 8.

⁽³⁾ OJ L 169, 27.6.1997, p. 15.

The checks shall also verify that the following tally:

- (a) the invoices for the purchase and sale of finished products and by-products; and
- (b) the quantities of products received by each processor, the quantities of finished products and byproducts produced, the quantities of finished products and by-products purchased, and the quantities of finished products and by-products sold or in stock.

At least twice a year, the Member States shall conduct physical checks of stocks of products processed by the processor and of stocks of processed products purchased and shall carry out a reconciliation of the data thus obtained with those in the processor's records.

4. Member States must programme their tally checks on the basis of a risk analysis that considers, among other things:

- observations made during checks conducted in earlier years;
- developments since the year before;
- the yield in juice,
- the relationship between the quantities delivered and the estimated total harvest.

Member States may increase the frequency and percentage of checks laid down in paragraphs 2 and 3.'

Article 2

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

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

Done at Brussels, 21 December 1999.

For the Commission

Franz FISCHLER

Member of the Commission

**COMMISSION REGULATION (EC) No 2730/1999
of 21 December 1999**

introducing a transitional arrangement for the application of the special premium scheme for male bovine animals provided for in Article 4 of Council Regulation (EC) No 1254/1999 on the common organisation of the market in beef and veal

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

HAS ADOPTED THIS REGULATION:

Having regard to the Treaty establishing the European Community,

Article 1

Having regard to Council Regulation (EC) No 1254/1999 of 17 May 1999 on the common organisation of the market in beef and veal ⁽¹⁾, and in particular Article 50 thereof,

Whereas:

- (1) some passports within the meaning of Article 6 of Council Regulation (EC) No 820/97 of 21 April 1997 establishing a system for the identification and registration of bovine animals and regarding the labelling of beef and beef products ⁽²⁾, accompanying steers, explicitly include a reference to the effect that eligibility expires during January 2000;
- (2) in view of this reference, farmers in possession of steers with such passports may consider that they are entitled to the first instalment of the special premium for these animals, even though the amendment to the age limits introduced by Article 4(2)(b) of Regulation (EC) No 1254/1999 means that the animals are no longer eligible from 1 January 2000 onwards;
- (3) to protect these farmers' legitimate expectations, Member States should accordingly be allowed to take account of these dates in the case of steers whose eligibility would normally end on 31 December 1999 under Article 2(2)(b) of Commission Regulation (EC) No 2342/1999 of 28 October 1999 laying down detailed rules for the application of Council Regulation (EC) No 1254/1999 on the common organisation of the market in beef and veal as regards premium schemes ⁽³⁾;
- (4) to discourage farmers from delaying the lodgement of their special premium applications and to ensure that they do not gain any undue benefit, the aid rate of be applied to the animals in question must be that for 1999;
- (5) the measures provided for in this Regulation are in accordance with the opinion of the Management Committee for Beef and Veal,

Member States may decide that steers which, on the basis of the expiry date for eligibility in their passports, would have been the subject of an application for the first tranche of the special premium on or after 1 January 2000 under the second indent of Article 2(2) of Commission Regulation (EEC) No 3886/92 of 23 December 1992 laying down detailed rules for the application of the premium schemes provided for in Council Regulation (EEC) No 805/68 on the common organisation of the market in beef and repealing Regulations (EEC) No 1244/82 and (EEC) No 714/89 ⁽⁴⁾, as repealed by Regulation (EC) No 2342/1999, but which are no longer eligible for that first tranche from 1 January 2000 onwards by virtue of the entry into force of Article 2(2)(b) of Regulation (EC) No 2342/1999, may be the subject of an application for the first tranche of the premium scheme until the expiry date for eligibility referred to in Article 2.

Article 2

This Regulation shall apply only to steers accompanied by a passport within the meaning of Article 6 of Regulation (EC) No 820/97, provided that the competent authority has also included on the passport an expiry date in January 2000 for eligibility for the first tranche of the special premium under the second indent of Article 2(2) of Regulation (EEC) No 3886/92.

Article 3

The premium granted per animal pursuant to this Regulation shall be that applicable for applications lodged in respect of 1999.

Article 4

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

⁽¹⁾ OJ L 160, 26.6.1999, p. 21.

⁽²⁾ OJ L 117, 7.5.1997, p. 1.

⁽³⁾ OJ L 281, 4.11.1999, p. 30.

⁽⁴⁾ OJ L 391, 31.12.1992, p. 20.

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

Done at Brussels, 21 December 1999.

For the Commission
Franz FISCHLER
Member of the Commission

COMMISSION REGULATION (EC) No 2731/1999

of 21 December 1999

amending Regulation (EC) No 2603/97 laying down the detailed implementing rules for imports of rice originating in the ACP countries or the overseas countries and territories (OCT)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Decision 91/482/EEC of 25 July 1991 on the association of the overseas countries and territories with the European Economic Community ⁽¹⁾, as last amended by Decision 97/803/EC ⁽²⁾, and in particular Article 108a(5) thereof,

Having regard to Council Regulation (EC) No 1706/98 of 20 July 1998 on the arrangements applicable to agricultural products and goods resulting from the processing of agricultural products originating in the African, Caribbean and Pacific States (ACP) and repealing Regulation (EEC) No 715/90 ⁽³⁾, and in particular Article 30(1) thereof,

Whereas:

(1) Commission Regulation (EC) No 2603/97 ⁽⁴⁾, as amended by Regulation (EC) No 1595/98 ⁽⁵⁾, lays down the detailed implementing rules for the annual import of 160 000 tonnes of rice in husked rice equivalent originating in the ACP countries or the overseas countries and territories (OCTs). Experience has shown that the applications submitted for each tranche relate to a total quantity far exceeding that available and thus result in the issue of licences for reduced quantities. There are therefore grounds for tightening up the conditions under which applications are submitted so that they are submitted by operators who are commercially engaged in the import or export of rice. The amount of the security in respect of the licence should also be increased.

(2) Article 9(3) of Regulation (EC) No 2603/97 allows operators to withdraw applications for licences where a reduction percentage is applied. In the light of experience, there are grounds for limiting withdrawal of applications to cases where the application of a reduc-

tion percentage would result in the issue of an import licence for a quantity that is not economically viable.

(3) The measures provided for in this Regulation are in accordance with the opinion of the Management Committee for cereals,

HAS ADOPTED THIS REGULATION:

Article 1

Regulation (EC) No 2603/97 is hereby amended as follows:

1. In Article 8(5) the first indent is replaced by the following:

‘— applications must be submitted by natural or legal persons who, in at least one of the three years preceding the date of submission of the application, have been engaged in the commercial import or export of rice and were entered in a public register of a Member State. Proof of import or export shall be furnished by the production of at least two duly endorsed import or export licences or by customs declarations where applicable.’

2. Article 8(6) is replaced by the following:

‘6. Notwithstanding Article 10 of Commission Regulation (EC) No 1162/95 ⁽¹⁾, the security for import licences shall be EUR 120 per tonne.’

3. Article 9(3) is replaced by the following:

‘3. Where the quantity for which the licence is required is less than 20 tonnes following the application of the percentage reduction referred to in paragraph 2, the licence application may be withdrawn within a period of two working days from the date of publication of the regulation fixing that percentage. The security shall be released immediately.’

Article 2

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

It shall apply from 1 January 2000.

⁽¹⁾ OJ L 263, 19.9.1991, p. 1.

⁽²⁾ OJ L 329, 29.11.1997, p. 50.

⁽³⁾ OJ L 215, 1.8.1998, p. 12.

⁽⁴⁾ OJ L 351, 23.12.1997, p. 22.

⁽⁵⁾ OJ L 208, 24.7.1998, p. 21.

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

Done at Brussels, 21 December 1999.

For the Commission
Franz FISCHLER
Member of the Commission

COMMISSION REGULATION (EC) No 2732/1999**of 21 December 1999****laying down detailed rules for the implementation of the specific arrangements for the supply of
sheepmeat and goatmeat to the French overseas departments for 2000**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EEC) No 3763/91 of 16 December 1991 introducing specific measures in respect of certain agricultural products for the benefit of the French overseas departments ⁽¹⁾, as last amended by Regulation (EC) No 1257/1999 ⁽²⁾, and in particular Article 4(5) thereof,

Whereas:

- (1) Pursuant to Article 4 of Regulation (EEC) No 3763/91, the number of pure-bred breeding sheep and goats originating in the Community and qualifying for aid with a view to developing production potential in the French overseas departments should be determined for each annual period of application.
- (2) The aid referred to above for the supply of pure-bred breeding sheep and goats originating in the rest of the Community to the French overseas departments should be fixed; that aid must be fixed in the light, in particular, of the costs of supply from the Community market and the conditions resulting from the geographical situation of the French overseas departments.
- (3) Special needs may arise during the course of different marketing years for the supply to the French overseas departments of pure-bred breeding sheep and goats; therefore, the French authorities should be granted a degree of flexibility in administering the supply arrangements, in that they should be allowed to issue aid certificates for animals intended for certain overseas departments in excess of the maximum quantities available to those departments, provided that the maximum quantities available to the four departments of both male and female animals are respected; so as to take account of those special needs, the French authorities should notify the Commission of the cases where that facility was used for the issue of certificates.
- (4) Common detailed rules for the application of the arrangements for the supply of certain agricultural products to the French overseas departments are laid down in Commission Regulation (EEC) No 131/92 ⁽³⁾, as last amended by Regulation (EC) No 2755/98 ⁽⁴⁾; additional detailed rules should be laid down in line with current commercial practice in the sheepmeat and goatmeat sector, in particular as regards the term of validity of aid

certificates and the securities ensuring operators' compliance with their obligations.

- (5) With a view to sound administration of the supply arrangements, a timetable should be laid down for the lodging of certificate applications and for a period of reflection for their issue.
- (6) With a view to bringing the administration of the aid more closely into line with the requirements of the French overseas departments, the aid and the quantities to which the latter may apply should be fixed annually per calendar year.
- (7) The measures provided for in this Regulation are in accordance with the opinion of the Management Committee for sheep and goats,

HAS ADOPTED THIS REGULATION:

Article 1

The aid provided for in Article 4(1) of Regulation (EEC) No 3763/91 for the supply to the French overseas departments of pure-bred breeding sheep and goats originating in the Community and the number of animals in respect of which that aid is granted shall be as fixed in the Annex hereto.

Article 2

Regulation (EEC) No 131/92 shall apply, with the exception of Article 3(4) thereof.

Article 3

France shall designate the competent authority for:

- (a) issuing the aid certificate provided for in Article 3(1) of Regulation (EEC) No 131/92;
- (b) paying the aid to the operators concerned.

Article 4

1. Applications for certificates shall be submitted to the competent authority in the first five working days of each month.

Certificate applications shall be admissible only where:

- (a) they relate to not more than the maximum number of animals available as published by France prior to the period for the submission of applications;

⁽¹⁾ OJ L 356, 24.12.1991, p. 1.

⁽²⁾ OJ L 160, 26.6.1999, p. 80.

⁽³⁾ OJ L 15, 22.1.1992, p. 13.

⁽⁴⁾ OJ L 345, 19.12.1998, p. 27.

(b) before the period for the submission of certificate applications expires, proof is provided that the party concerned has lodged a security of EUR 40 per animal.

2. However, the competent authority may, in order to meet special needs arising under the supply arrangements, issue aid certificates for a quantity, of animals in excess of the maximum quantity available to each overseas department, without the total number of animals eligible for the aid in the four departments being exceeded; that facility being applied separately to male and to female animals.

France shall notify the Commission of the cases in which certificates are issued in accordance with the previous subparagraph.

3. The certificates shall be issued by the 10th working day of each month at the latest.

Article 5

Aid certificates shall be valid for three months.

Article 6

The aid provided for in Article 1 shall be paid in respect of the quantities actually supplied.

Article 7

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

It shall apply from 1 January to 31 December 2000.

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

Done at Brussels, 21 December 1999.

For the Commission

Franz FISCHLER

Member of the Commission

ANNEX

Part 1: Amount of aid per animal

The amount of the aid will be EUR 350 per head for males and EUR 250 per head for females.

Part 2: Number of animals

Type of animal ⁽¹⁾		French Guiana	Martinique	Réunion	Guadeloupe
Pure-bred breeding sheep (CN code 0104 10 10)	Males	8	2	15	0
	Females	8	5	48	0
Pure-bred breeding goats (CN code 0104 20 10)	Males	2	3	13	2
	Females	14	5	297	2

⁽¹⁾ Inclusion in this subposition is subject to the conditions provided for in Council Directive 89/361/EEC of 30 May 1989 concerning pure-bred breeding sheep and goats (OJ L 153, 6.6.1989, p. 30).

**COMMISSION REGULATION (EC) No 2733/1999
of 21 December 1999**

amending Regulation (EEC) No 1481/86 on the determination of prices of fresh or chilled lamb carcasses on representative Community markets and the survey of prices of certain other qualities of sheep carcasses in the Community

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EC) No 2467/98 of 3 November 1998 on the common organisation of the market in sheepmeat and goatmeat ⁽¹⁾, and in particular Article 4(5) thereof,

Whereas:

- (1) Commission Regulation (EEC) No 1481/86 ⁽²⁾, as last amended by Regulation (EC) No 2787/98 ⁽³⁾, lays down the rules for the determination of prices of fresh or chilled lamb carcasses on representative Community markets and the survey of prices of certain other qualities of sheep carcasses in the Community.
- (2) The coefficients used for calculating the price of sheep carcasses on the representative markets of the Community should be adjusted in the light of the figures available with regard to sheep production.
- (3) The weighting coefficients used for the determination of prices recorded on the representative markets in the

Member States should be adjusted in order to reflect the relative importance of the markets.

- (4) The measures provided for in this Regulation are in accordance with the opinion of the Management Committee for Sheep and Goats,

HAS ADOPTED THIS REGULATION:

Article 1

Regulation (EEC) No 1481/86 is hereby amended as follows:

1. Annex I is replaced by Annex I to this Regulation.
2. In Annex II, paragraph G.1 is replaced by Annex II to this Regulation.

Article 2

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

It shall apply from the beginning of the 2000 marketing year.

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

Done at Brussels, 21 December 1999.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ L 312, 20.11.1998, p. 1.

⁽²⁾ OJ L 130, 16.5.1986, p. 12.

⁽³⁾ OJ L 347, 23.12.1998, p. 29.

ANNEX I

ANNEX I

COEFFICIENTS TO BE USED IN CALCULATING THE PRICE RECORDED ON THE REPRESENTATIVE
COMMUNITY MARKETS

Belgium	0,35 %
Denmark	0,16 %
Germany	4,05 %
Greece	7,46 %
Spain	21,54 %
France	13,11 %
Ireland	8,30 %
Italy	4,64 %
Luxembourg	—
Netherlands	2,13 %
Austria	0,63 %
Portugal	2,15 %
Finland	0,11 %
Sweden	0,33 %
Great Britain	31,75 %
Northern Ireland	3,29 %

ANNEX II

‘G. IRELAND

1. Representative markets	<i>Weighting coefficients</i>
a) Abattoirs:	
Ballyhaunis	12,8 %
Dublin	13,1 %
Camolin	14,1 %
b) Live markets:	
Ballina	22,5 %
Enniscorthy	17,0 %
Fermoy	10,5 %
c) Seurop grid	10,0 %

COMMISSION REGULATION (EC) No 2734/1999**of 21 December 1999****opening and providing for the administration of Community tariff quotas for certain products originating in Slovenia and repealing Regulation (EC) No 428/97**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EC) No 1569/1999 of 12 July 1999 on certain procedures for applying the Europe Agreement establishing an association between the European Communities and their Member States, of the one part, and the Republic of Slovenia, of the other part⁽¹⁾, and in particular Article 2(1) thereof,

Whereas:

- (1) The Europe Agreement establishing an association between the European Communities and their Member States, acting within the framework of the European Union, of the one part, and the Republic of Slovenia, of the other part⁽²⁾, hereinafter referred to as 'the Agreement', was signed in Luxembourg on 10 June 1996 and entered into force on 1 February 1999.
- (2) Pending the entry into force of the Agreement, its provisions on trade and trade-related matters had been given effect by an Interim Agreement on trade and trade-related matters between the European Community, the European Coal and Steel Community and the European Atomic Energy Community, of the one part, and the Republic of Slovenia, of the other part⁽³⁾, hereinafter referred to as 'the Interim Agreement', since 1 January 1997.
- (3) The Agreement stipulates that certain products originating in Slovenia may be imported into the Community, within the limits of tariff quotas or tariff ceilings, at a reduced or a zero rate of customs duty.
- (4) Pursuant to Commission Regulation (EC) No 428/97 of 5 March 1997, opening and providing for the administration of Community tariff quotas and tariff ceilings for certain products originating in Slovenia and establishing the provisions for adapting these quotas and ceilings⁽⁴⁾, the Commission has adopted implementing measures for these tariff quotas and ceilings on the basis of the Interim Agreement.
- (5) Article 10(2) of the Agreement provides for the complete abolition of customs duties, from 1 January 2000, for imports into the Community of the industrial products which currently benefit from an exemption from customs duties in the framework of tariff ceilings.
- (6) The Commission should adopt the implementing measures for the opening of the Community tariff quotas laid down in the Agreement, which continue to apply. These

tariff quotas are annual and are repeated for an indeterminate period. The Agreement has already fixed the level of the increase of the tariff quota volumes.

- (7) 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⁽⁵⁾, as last amended by Regulation (EC) No 1662/1999⁽⁶⁾, has codified the management rules for tariff quotas designed to be used following the chronological order of dates of customs declarations.
- (8) Particular care should be taken to ensure that all Community importers have equal and continuous access to the tariff quotas and that the rates laid down for the quotas are applied uninterrupted to all imports of the products in question into all Member States until the quotas are exhausted. In order to ensure the efficiency of a common administration of these quotas, there is no obstacle to authorising the Member States to draw from the quota volumes the necessary quantities corresponding to actual imports. However, this method of administration requires close cooperation between the Member States and the Commission and the latter must in particular be able to monitor the rate at which the quotas are used up and inform the Member States accordingly.
- (9) Regulation (EC) No 428/97 should be repealed from 1 January 2000.
- (10) The measures provided for in this Regulation are in accordance with the opinion of the Customs Code committee,

HAS ADOPTED THIS REGULATION:

Article 1

1. When products originating in Slovenia and listed in the Annex are put into free circulation in the Community, accompanied by a proof of origin as provided for in Protocol 4 to the Agreement, they shall benefit from a reduced customs duty rate, at the levels, during the periods and within the limits of the Community tariff quotas specified in that Annex.

2. The tariff quotas referred to in this Article shall be administered by the Commission in accordance with Articles 308a to 308c of Regulation (EEC) No 2454/93.

⁽¹⁾ OJ L 187, 20.7.1999, p. 1.

⁽²⁾ OJ L 51, 26.2.1999, p. 3.

⁽³⁾ OJ L 344, 31.12.1996, p. 3.

⁽⁴⁾ OJ L 65, 6.3.1997, p. 28.

⁽⁵⁾ OJ L 253, 11.10.1993, p. 1.

⁽⁶⁾ OJ L 197, 29.7.1999, p. 25.

3. Each Member State shall ensure that importers of the products in question have equal and uninterrupted access to the tariff quotas for as long as the balance of the relevant quota volume so permits.

Article 2

Member States and the Commission shall cooperate closely to ensure that this Regulation is complied with.

Article 3

Regulation (EC) No 428/97 is hereby repealed.

Article 4

This Regulation shall enter into force on 1 January 2000.

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

Done at Brussels, 21 December 1999.

For the Commission
Frederik BOLKESTEIN
Member of the Commission

ANNEX

Notwithstanding the rules for the interpretation of the Combined Nomenclature, the wording for the description of the products is to be considered as having no more than an indicative value, the preferential scheme being determined, within the context of this Annex, by the coverage of the CN codes. Where ex CN codes are indicated, the preferential schemes is to be determined by application of the CN code and corresponding description taken together.

Order number	CN code	Taric subdivision	Description	Quota volume per year or indicated period (in tonnes)	Rate of duty (%) ⁽¹⁾
09.1531	0301 91 90		Live fish: – Other live fish: – – Trout (<i>Salmo trutta</i> , <i>Oncorhynchus mykiss</i> , <i>Oncorhynchus clarki</i> , <i>Oncorhynchus aguabonita</i> , <i>Oncorhynchus gilae</i>)	70	exemption
09.1532	0701 90		Potatoes, fresh or chilled, other than seed: – 1 January to 31 December 2000 – 1 January to 31 December 2001 – 1 January to 31 December of subsequent years	195 210 225	20 % of CCT
09.1533	0704 90		Cabbages, kohlrabi, kale and similar edible brassicas, fresh or chilled, other than headed broccoli or Brussels sprouts: – 1 January to 31 December 2000 – 1 January to 31 December 2001 – 1 January to 31 December of subsequent years	130 140 150	20 % of CCT ⁽²⁾
09.1534	0705 11 00		Lettuce (<i>Lactuca sativa</i>), fresh or chilled: – Cabbage lettuce (head lettuce): – – 1 January to 31 December 2000 – – 1 January to 31 December 2001 – – 1 January to 31 December of subsequent years	130 140 150	20 % of CCT ⁽²⁾
09.1535	0706 10 00		Carrots and turnips, fresh or chilled: – 1 January to 31 December 2000 – 1 January to 31 December 2001 – 1 January to 31 December of subsequent years	1 040 1 120 1 200	20 % of CCT
09.1536	ex 0808 10 20 ex 0808 10 50 ex 0808 10 90		Apples, fresh, from 1 August to 31 December: – 1 August to 31 December 2000 – 1 August to 31 December 2001 – 1 August to 31 December of subsequent years	1 950 2 100 2 250	20 % of CCT ⁽³⁾
09.1537	ex 0808 20 50		Pears, fresh, from 1 August to 31 December: – 1 August to 31 December 2000 – 1 August to 31 December 2001 – 1 August to 31 December of subsequent years	2 210 2 380 2 550	20 % of CCT ⁽³⁾
09.1538	0812 10 00		Cherries, provisionally preserved ⁽⁴⁾ : – 1 January to 31 December 2000 – 1 January to 31 December 2001 – 1 January to 31 December of subsequent years	260 280 300	exemption

Order number	CN code	Taric subdivision	Description	Quota volume per year or indicated period (in tonnes)	Rate of duty (%) ⁽¹⁾
09.1539	1210 10 00 1210 20 10		Hop cones, fresh or dried, whether or not ground, powdered or in the form of pellets; lupulin: – 1 January to 31 December 2000 – 1 January to 31 December 2001 – 1 January to 31 December of subsequent years	3 380 3 640 3 900	20 % of CCT
09.1540	1604 15 ex 1604 20 50	40 50	Prepared or preserved fish: – Fish, whole or in pieces, but not minced: – – Mackerel – Other prepared or preserved fish: – – Other: – – – Of mackerel of the species <i>Scomber scombrus</i> and <i>Scomber japonicus</i>	500	4
09.1541	ex 2004 90 30 2005 90 75	10	Sauerkraut, frozen or not: – 1 January to 31 December 2000 – 1 January to 31 December 2001 – 1 January to 31 December of subsequent years	65 70 75	exemption
09.1542	ex 2008 60 39 2008 60 51 2008 60 61 2008 60 71 2008 60 91	11	Cherries, otherwise prepared or preserved: – containing added spirit: – – Sweet cherries, clear-fleshed of a diameter not exceeding 18,9 millimetres, stoned, intended for the manufacture of chocolate products ⁽²⁾ – not containing added spirit: – – sour cherries (<i>Prunus cerasus</i>) ⁽⁴⁾ – 1 January to 31 December 2000 – 1 January to 31 December 2001 – 1 January to 31 December of subsequent years	650 700 750	exemption
09.1543	2009 80 71		Cherry juice, unfermented and not containing added spirit, containing added sugar: – 1 January to 31 December 2000 – 1 January to 31 December 2001 – 1 January to 31 December of subsequent years	195 210 225	20 % of CCT
09.1544	2009 90 11 2009 90 19 2009 90 31 2009 90 39		Mixtures of apple and pear juice, unfermented and not containing added spirit: – 1 January to 31 December 2000 – 1 January to 31 December 2001 – 1 January to 31 December of subsequent years	260 280 300	20 % of CCT ⁽²⁾

⁽¹⁾ CCT = applicable Common Customs Tariff duty.

⁽²⁾ Where the CCT duty consists of an *ad valorem* duty with a specific minimum or of an *ad valorem* duty plus a specific duty, the reduction applies to each duty element separately.

⁽³⁾ The reduction applies only to the *ad valorem* duty.

⁽⁴⁾ Until 9 May 2000 subject to a minimum import price set by the Commission.

⁽⁵⁾ Control of the usage for this end use shall be carried out pursuant to the relevant Community provisions.

COMMISSION REGULATION (EC) No 2735/1999**of 21 December 1999****derogating from Regulation (EC) No 1294/96 as regards the deadline for the submission of harvest declarations in certain departments of France for the 1999/2000 wine year**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EEC) No 822/87 of 16 March 1987 on the common organisation of the market in wine ⁽¹⁾, as last amended by Regulation (EC) No 1677/1999 ⁽²⁾, and in particular Article 3(4) thereof,

Whereas:

- (1) Article 11(1) of Commission Regulation (EC) No 1294/96 of 4 July 1996 laying down detailed rules for the application of Council Regulation (EEC) No 822/87 as regards harvest, production and stock declarations relating to wine-sector products ⁽³⁾, as last amended by Regulation (EC) No 225/97 ⁽⁴⁾, sets 10 December as the deadline for the submission of harvest and production declarations for grapes used in wine-making to the competent authorities. The exceptional weather conditions affecting a region of production in France have impeded the operations necessary to produce those

declarations. Provision should therefore be made for a derogation from that deadline.

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

HAS ADOPTED THIS REGULATION:

Article 1

For the 1999/2000 wine year and by derogation from Article 5(1) of Regulation (EC) No 1294/96, producers of wine made from fresh grapes in the cantons listed in the Annex hereto shall submit the declarations provided for in Articles 1 and 3 of the abovementioned Regulation by 20 January 2000 at the latest.

Article 2

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

It shall apply from 10 December 1999.

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

Done at Brussels, 21 December 1999.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ L 84, 27.3.1987, p. 1.

⁽²⁾ OJ L 199, 30.7.1999, p. 8.

⁽³⁾ OJ L 166, 5.7.1996, p. 14.

⁽⁴⁾ OJ L 37, 7.2.1997, p. 1.

ANNEX

Departement of Aude (11):

All cantons

Departement of Hérault (34):

Cantons of:

Olonzac

Rougan

La Salvetat

Capestant

Saint-Pons-de-Thomières

Saint-Chinian

Béziers.

COMMISSION REGULATION (EC) No 2736/1999**of 21 December 1999****laying down detailed rules for the implementation of the specific arrangements for the supply of
sheepmeat and goatmeat to the Azores and Madeira for 2000**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

HAS ADOPTED THIS REGULATION:

Having regard to the Treaty establishing the European Community,

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

Whereas:

- (1) Pursuant to Article 4 of Regulation (EEC) No 1600/92, the number of pure-bred breeding sheep and goats originating in the Community and qualifying for aid with a view to developing production potential in the Azores and Madeira should be determined for each annual period of application.
- (2) The aid referred to above for the supply of pure-bred breeding sheep and goats originating in the rest of the Community to the Azores and Madeira should be fixed; that aid must be fixed in the light in particular of the costs of supply from the Community market and the conditions resulting from the geographical situation of the Azores and Madeira.
- (3) Common detailed rules for the application of the arrangements for the supply of certain agricultural products to the Azores and Madeira are laid down in Commission Regulation (EEC) No 1696/92 ⁽³⁾, as last amended by Regulation (EC) No 2757/98 ⁽⁴⁾; additional detailed rules should be laid down in line with current commercial practice in the sheepmeat and goatmeat sector, in particular as regards the term of validity of aid certificates and the securities ensuring operators' compliance with their obligations.
- (4) With a view to sound administration of the supply arrangements, a timetable should be laid down for the lodging of certificate applications and for a period of reflection for their issue.
- (5) With a view to bringing the administration of the aid more closely into line with the requirements of the Azores and Madeira, the aid and the quantities to which the latter may apply should be fixed annually per calendar year.
- (6) The measures provided for in this Regulation are in accordance with the opinion of the Management Committee for Sheep and Goats,

Article 1

The aid provided for in Article 4(1)(c) of Regulation (EEC) No 1600/92 for the supply to the Azores and Madeira of pure-bred breeding sheep and goats originating in the Community and the number of animals in respect of which that aid is granted shall be as fixed in the Annex hereto.

Article 2

Regulation (EEC) No 1696/92 shall apply, with the exception of Article 4(5) thereof.

Article 3

Portugal shall designate the competent authority for:

- (a) issuing the aid certificate provided for in Article 4(1) of Regulation (EEC) No 1696/92;
- (b) paying the aid to the operators concerned.

Article 4

1. Applications for certificates shall be submitted to the competent authority in the first five working days of each month.

Certificate applications shall be admissible only where:

- (a) they relate to not more than the maximum number of animals available as published by Portugal prior to the period for the submission of applications;
- (b) before the period for the submission of certificate applications expires, proof is provided that the party concerned has lodged a security of EUR 40 per animal.

2. Aid certificates shall be issued by the 10th working day of each month at the latest.

Article 5

Aid certificates shall be valid for three months.

Article 6

The aid provided for in Article 1 shall be paid in respect of the quantities actually supplied.

Article 7

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

It shall apply from 1 January to 31 December 2000.

⁽¹⁾ OJ L 173, 27.6.1992, p. 1.

⁽²⁾ OJ L 160, 26.6.1999, p. 80.

⁽³⁾ OJ L 179, 1.7.1992, p. 6.

⁽⁴⁾ OJ L 345, 19.12.1998, p. 36.

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

Done at Brussels, 21 December 1999.

For the Commission

Franz FISCHLER

Member of the Commission

ANNEX

Part 1: Amount of aid per animal

The amount of the aid will be EUR 380 per head for males and EUR 110 per head for females.

Part 2: Number of animals

Type of animal ⁽¹⁾		Azores	Madeira
Pure-bred breeding sheep (CN code 0104 10 10)	Males	100	15
	Females	2 500	150
Pure-bred breeding goats (CN code 0104 20 10)	Males	0	5
	Females	0	50

⁽¹⁾ Entry under this heading is subject to the conditions laid down in Council Directive 89/361/EEC of 30 May 1989 concerning pure-bred breeding sheep and goats (OJ L 153, 6.6.1989, p. 30).

COMMISSION REGULATION (EC) No 2737/1999
of 21 December 1999
amending Regulation (EEC) No 2807/83 laying down detailed rules for recording information on
Member States' catches of fish

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EEC) No 2847/93 establishing a control system applicable to the common fisheries policy ⁽¹⁾, as amended by Regulation (EC) No 2846/98 ⁽²⁾, and in particular Article 6(8) thereof,

Whereas:

- (1) Article 6(2) of Regulation (EEC) No 2847/93 provides that from 1 January 2000 catches of an amount greater than 50 kg of live-weight equivalent of any species retained on board must be recorded in the logbook. However, for fisheries operations in the Mediterranean Sea, only the species indicated on a list adopted under that Article must be recorded in the logbook.
- (2) According to Article 40 of Regulation (EEC) No 2847/93, the provisions contained in that Regulation concerning the logbook and the landing declaration will apply, with effect from 1 January 2000, to fisheries operations in the Mediterranean.
- (3) It is necessary, therefore, to amend, with effect from 1 January 2000, Commission Regulation (EEC) No 2807/83 of 22 September 1983 laying down detailed rules for recording information on Member States' catches of fish ⁽³⁾, as last amended by Regulation (EC) No 1488/98 ⁽⁴⁾, in order to ensure that the requirements are met.
- (4) The measures provided for in this Regulation are in accordance with the opinion of the Management Committee for fisheries and aquaculture,

HAS ADOPTED THIS REGULATION:

Article 1

Regulation (EEC) No 2807/83 is hereby amended as follows:

1. Article 1 is replaced by the following:

'Article 1

1. The masters of Community fishing vessels whose length overall exceeds 10 metres shall record the information referred to in Article 6 of Regulation (EEC) No 2847/

93 in their logbook in accordance with the model shown in Annex I, for all fishing zones except those comprised in NAFO 1 and ICES V(a) and XIV, and in accordance with the model shown in Annex II, for the latter zones. However, the model shown in Annex IIa may be used for fisheries operations carried on exclusively in the Mediterranean by the masters of Community fishing vessels whose length overall does not exceed 18 metres and which make daily fishing trips in a single fishing zone and keep on board one type of fishing gear only.

2. The logbook shown in Annex I, II or IIa shall also be kept in the manner prescribed in paragraph 1 when such vessels are operating in the waters of a non-member country, unless the non-member country in question specifically requires a different kind of logbook.

3. For fisheries operations in the Mediterranean, any amount greater than 50 kg of live-weight equivalent of any species retained on board shall be recorded in the logbook.

4. The codes given in Annex VI and the Three-Alpha codes established by the FAO shall be used for indicating, under the appropriate headings of the logbook, the fishing gear used and the species caught.'

2. The following is added to Article 2(1):

'However, the model shown in Annex IIa may be used if the landing takes place in a port of another Mediterranean coastal Member State, by the masters of Community fishing vessels whose length overall does not exceed 18 metres and which make daily fishing trips in a single fishing zone and keep on board one type of fishing gear only.'

3. In Annex I, the denominations 'Cod', 'Haddock', 'Saithe', 'Whiting', 'Plaice', 'Common Sole', 'Herring' and 'Mackerel' are suppressed.

4. In the title of Annex IV, the words 'Or Annex IIa' are inserted after 'Annex I'.

⁽¹⁾ OJ L 261, 20.10.1993, p. 1.

⁽²⁾ OJ L 358, 31.12.1998, p. 5.

⁽³⁾ OJ L 276, 10.10.1983, p. 1.

⁽⁴⁾ OJ L 196, 14.7.1998, p. 3.

5. In Annex IV, point 2.4.2. is replaced by the following:

'2.4.2. Quantities caught and retained on board (reference No in logbook: (15))

Catches of an amount greater than 50 kg of live-weight equivalent of any species retained on board must be recorded in the logbook. However, for fisheries operations in the Mediterranean Sea, only the species indicated on the list contained in Annex VII must be recorded in the logbook.'

6. In Annex IV, point 3, third indent, the first paragraph is replaced by the following:

'Give the weight or quantities actually landed or transhipped for all species.'

7. In Annex IV, point 3, fourth indent, the letters 'GFCM' are inserted after 'CECAF', in the title and the paragraph.

8. In Annex V, point 2.4.2. is replaced by the following:

'2.4.2. Quantities caught and retained on board

Catches of an amount greater than 50 kg of live-weight equivalent of any species retained on board must be recorded in the logbook. However, for

fisheries operations in the Mediterranean, only the species indicated on the list contained in Annex VII must be recorded in the logbook.'

9. In Annex V, point 3, fourth indent, the first paragraph is replaced by the following:

'Give the weight or quantities actually landed or transhipped for all species.'

10. Annex I to this Regulation is inserted as Annex IIa after Annex II.

11. Annex VII is replaced by Annex II to this Regulation.

Article 2

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

It shall apply with effect from 1 January 2000.

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

Done at Brussels, 21 December 1999.

For the Commission

Franz FISCHLER

Member of the Commission

Catches by species retained on board and landed/transhipped in kg live-weight equivalent									
Species	Code	Units	Weight	Observations	Species	Code	Units	Weight	Observations

Signature
I, the undersigned, hereby certify that the records are complete, true and accurate
Date: Signature:

ANNEX II

'ANNEX VII

TABLE

List of species to be recorded in the fishing logbook and the landing declaration by vessels operating exclusively in the Mediterranean Sea

Name	Latin name	FAO Three-Alpha code
Albacore (*)	<i>Thunnus alalunga</i>	ALB
Anchovy	<i>Engraulis encrasicolus</i>	ANE
Bigeye Tuna (*)	<i>Thunnus obesus</i>	BET
Blue Whiting (*)	<i>Micromesistius poutassou</i>	WHB
Bluefin Tuna	<i>Thunnus thynnus</i>	BFT
Gilt-head Seabream	<i>Sparus aurata</i>	SBG
Hake	<i>Merluccius merluccius</i>	HKE
Horse Mackerel (*)	<i>Trachurus trachurus</i>	HOM
Mackerel	<i>Scomber scombrus</i>	MAC
Mediterranean Horse Mackerel (*)	<i>Trachurus mediterraneus</i>	HMM
Monkfish (*)	<i>Lophius piscatorius</i>	MON
Red Mullet	<i>Mullus surmuletus</i>	MUR
Sardine	<i>Sardina pilchardus</i>	PIL
Seabass	<i>Dicentrarchus labrax</i>	BSS
Striped Mullet	<i>Mullus barbatus</i>	MUT
Swordfish	<i>Xiphias gladius</i>	SWO

(*) only in the landing declaration'

COMMISSION REGULATION (EC) No 2738/1999**of 21 December 1999****determining the mountain areas in which the premium for goatmeat producers is granted**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EC) No 2467/98 of 3 November 1998 on the common organisation of the market in sheepmeat and goatmeat ⁽¹⁾, and in particular Article 5(5) thereof,

Whereas:

- (1) that Article provides for the granting of a premium in order to offset, to the extent necessary, income loss by goatmeat producers in mountain areas within the meaning of Article 18 of Council Regulation (EC) No 1257/1999 ⁽²⁾, other than the areas specified in Annex I to Regulation (EC) No 2467/98, provided that it is established that the production of those areas meets the two criteria set out in Article 5(5) of Regulation (EC) No 2467/98; the mountain areas in question should therefore be determined;
- (2) Commission Regulation (EEC) No 1065/86 ⁽³⁾, as amended by Regulation (EEC) No 3519/86 ⁽⁴⁾, determined the said mountain areas in which premium for goatmeat producers may be granted, as regards Spain, France, Italy and Portugal; a further examination has shown that the list of geographical areas, other than the areas specified in Annex I to Regulation (EC) No 2467/98, should be updated; it has been established that the criteria laid down in Article 5(5) of Regulation (EC) No 2467/98 have been satisfied in the case of mountain

areas within the meaning of Article 18 of Regulation (EC) No 1257/1999 in Austria;

- (3) for reasons of clarity and simplification, Regulation (EEC) No 1065/86 should be consolidated;
- (4) the measures provided for in this Regulation are in accordance with the opinion of the Management Committee for Sheep and Goats,

HAS ADOPTED THIS REGULATION:

Article 1

The criteria referred to in Article 5(5) of Regulation (EC) No 2467/98 are hereby deemed to be met by all the mountain areas within the meaning of Article 18 of Regulation (EC) No 1257/1999 of the following Member States: Spain, France, Italy, Austria and Portugal.

Article 2

Regulation (EEC) No 1065/86 is hereby repealed.

Article 3

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

It shall apply to applications submitted in respect of the 2000 and subsequent marketing years.

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

Done at Brussels, 21 December 1999.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ L 312, 20.11.1998, p. 1.

⁽²⁾ OJ L 160, 26.6.1999, p. 80.

⁽³⁾ OJ L 97, 12.4.1986, p. 25.

⁽⁴⁾ OJ L 325, 20.11.1986, p. 17.

**COMMISSION REGULATION (EC) No 2739/1999
of 21 December 1999**

amending Regulation (EEC) No 3388/81 laying down special detailed rules in respect of import and export licences in the wine sector and Regulation (EC) No 1685/95 on arrangements for issuing export licences for wine sector products

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EEC) No 822/87 of 16 March 1987 on the common organisation of the market in wine ⁽¹⁾, as last amended by Regulation (EC) No 1677/1999 ⁽²⁾, and in particular Articles 52(3) and 55(8) thereof,

Whereas:

- (1) in the light of experience gained in the first months of the new arrangements for export licence applications and for issuing export licences, there is a need to clarify certain provisions governing the application procedure for export licences and to specify the individual countries belonging to the various zones of destination for which applications may be submitted. The information required on export licences in respect of destination must also be specified. Certain provisions of Commission Regulation (EC) No 1685/95 ⁽³⁾, as last amended by Regulation (EC) No 2182/1999 ⁽⁴⁾, and Commission Regulation (EEC) No 3388/81 ⁽⁵⁾, as last amended by Regulation (EC) No 2182/1999, must therefore be amended;
- (2) the measures provided for in this Regulation are in accordance with the opinion of the Management Committee for Wine,

HAS ADOPTED THIS REGULATION:

Article 1

Regulation (EC) No 1685/95 is hereby amended as follows:

1. Article 1a(4) is replaced by the following:

‘4. Operators may submit applications for no more than 30 000 hl per period as referred to in Article 7(1)(a) and per zone of destination as referred to in Article 3(4a). The

applications related to the same zone of destination must be lodged with the competent authority in a single notification.

Where the overall quantity applied for by an operator exceeds 30 000 hl for a given zone, the applications in question shall be rejected by the competent authority with whom they have been lodged.’

2. The following sentence is added to Article 3(4a):

‘The list of countries constituting each zone of destination is given in Annex III.’

3. The Annex to this Regulation is inserted as Annex III.

Article 2

The last subparagraph of Article 2(2) of Regulation (EEC) No 3388/81 is replaced by the following:

‘Section 7 of export licence applications and of licences shall show the country of destination or the zone of destination as referred to in Article 3(4a) of Regulation (EC) No 1685/95.

Where the zone of destination is indicated, the box “compulsory: yes” must be ticked.

Where the country of destination is indicated, the box “compulsory: no” must be ticked. Export licence applications and licences must also contain the words “zone X compulsory” in Section 20. At the request of the party concerned, the country of destination may be replaced by another country belonging to the same zone of destination.’

Article 3

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

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

Done at Brussels, 21 December 1999.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ L 84, 27.3.1987, p. 1.

⁽²⁾ OJ L 199, 30.7.1999, p. 8.

⁽³⁾ OJ L 161, 12.7.1995, p. 2.

⁽⁴⁾ OJ L 267, 15.10.1999, p. 21.

⁽⁵⁾ OJ L 341, 28.11.1981, p. 19.

ANNEX

'ANNEX III

ZONES OF DESTINATION: LIST OF COUNTRIES**Zone 1: Africa**

Angola, Benin, Botswana, Burkina Faso, Burundi, Cameroon, Cape Verde, The Comoros, Congo (Democratic Republic of the Congo), Congo (Republic of the Congo), Côte d'Ivoire, Djibouti, Egypt, Eritrea, Ethiopia, Gabon, Gambia, Ghana, Guinea, Equatorial Guinea, Guinea-Bissau, Kenya, Lesotho, Liberia, Libya, Madagascar, Malawi, Mali, Mauritius, Mauritania, Mayotte, Mozambique, Namibia, Niger, Nigeria, Uganda, Central African Republic, Rwanda, Saint Helena and Dependencies, São Tomé and Príncipe, Senegal, Seychelles and Dependencies, Sierra Leone, Somalia, Sudan, Swaziland, Tanzania, Chad, British Indian Ocean Territory, Togo, Zambia, Zimbabwe.

Zone 2: Asia and Oceania

Afghanistan, Saudi Arabia, Bahrain, Bangladesh, Bhutan, Brunei, Cambodia, China, West Bank/Gaza Strip, North Korea, South Korea, United Arab Emirates, Federated States of Micronesia, Fiji, Hong Kong, Northern Marianas, Marshall Islands, Solomon Islands, Wallis and Futuna, India, Indonesia, Iran, Iraq, Japan, Jordan, Kiribati, Kuwait, Laos, Lebanon, Macao, Malaysia, Maldives, Mongolia, Myanmar, Nauru, Nepal, New Caledonia and Dependencies, New Zealand, American Pacific Territories, Australian Pacific Territories, New Zealand Pacific Territories, Oman, Pakistan, Palau, Papua New Guinea, Philippines, Pitcairn Islands, French Polynesia, Qatar, Samoa, Singapore, Sri Lanka, Syria, Taiwan, Thailand, Tonga, Tuvalu, Vanuatu, Vietnam, Yemen.

Zone 3: Eastern Europe and the CIS countries

Albania, Armenia, Azerbaijan, Belarus, Estonia, Georgia, Kazakhstan, Kyrgyzstan, Latvia, Lithuania, Moldova, Uzbekistan, Poland, Czech Republic, Russia, Slovakia, Tajikistan, Turkmenistan, Ukraine.

Zone 4: Western Europe

Andorra, Ceuta and Melilla, Vatican City, Gibraltar, Faeroe Islands, Iceland, Liechtenstein, Malta, Norway, San Marino.'

**COMMISSION REGULATION (EC) No 2740/1999
of 21 December 1999**

**laying down detailed rules for the application of Council Regulation (EC) No 1447/1999
establishing a list of types of behaviour which seriously infringe the rules of the common fisheries
policy**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EC) No 1447/1999 of 24 June 1999 establishing a list of types of behaviour which seriously infringe the rules of the common fisheries policy ⁽¹⁾, and in particular Article 2(4) thereof,

- (1) Whereas, under Article 2(1) of Regulation (EC) No 1447/1999, Member States must notify the Commission of instances of behaviour which seriously infringe the rules of the common fisheries policy discovered by the Member States' monitoring authorities and provide it with all information regarding action taken by the administrative and/or judicial authorities;
- (2) Whereas details of the information to be notified, the dates for such notifications and the format to be used should therefore be specified;
- (3) Whereas, under Article 2(2) of Regulation (EC) No 1447/1999, the Commission must make the information it receives from the Member States available to the Council, the European Parliament and the Advisory Committee on Fisheries;
- (4) Whereas detailed rules on making the information in question available to these bodies must therefore be laid down;
- (5) Whereas the measures provided for in this Regulation are in accordance with the opinion of the Management Committee for Fisheries and Aquaculture,

HAS ADOPTED THIS REGULATION:

Article 1

1. Member States shall notify the Commission, by electronic means under a specific case number, of all instances of behaviour which seriously infringe the rules of the common fish-

eries policy which have been discovered by the Member States' monitoring authorities and have been the subject of an official report, specifying the nature of such infringements in accordance with the typology laid down in Article 1 of Regulation (EC) No 1447/1999 and giving details of the infringements, in accordance with the model set out in Annex I and using the codes set out in Annex II.

2. They shall notify the Commission of the type of proceedings initiated, the decision(s) taken (including all instances), and the nature of the penalties imposed, in specific terms.

3. Member States shall send this information to the Commission, for the first time, before 31 March 2001 for the year 2000 and thereof, by 31 March each year, for the previous calendar year.

4. The annual report by the Member States shall include all serious infringements, mentioned in paragraph 1, discovered in the previous year and infringements discovered earlier on which a decision has been taken in the previous year thus changing the dossier.

5. The format for notifying the relevant information by electronic means shall be laid down in consultation with the Member States and the Commission.

Article 2

The Commission shall present to the Council, the European Parliament and the Advisory Committee on Fisheries a general overview by Member State of the information received from the Member States under Article 1 not later than 1 June each year.

Article 3

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

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

Done at Brussels, 21 December 1999.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ L 167, 2.7.1999, p. 5.

ANNEX II

Codes for notifying the types of behaviour which seriously infringe the rules of the common fisheries policy

Code	Type of behaviour
A1	Obstructing the work of fisheries inspectors in the exercise of their duties in inspecting for compliance with the applicable Community rules
A2	Falsifying, concealing, destroying or tampering with evidence which could be used in the course of inquiries or judicial proceedings
B1	Obstructing the work of observers in carrying out their duties of observing compliance with the applicable Community rules laid down in Community law
C1	Fishing without holding a fishing licence, a fishing permit or any other authorisation required for fishing and issued by the flag Member State or by the Commission
C2	Fishing under cover of one of the above documents, the content of which has been falsified
C3	Falsifying, deleting or concealing the identification marks of the fishing vessel
D1	Using or keeping on board prohibited fishing gear or devices affecting the selectiveness of gear
D2	Using prohibited fishing methods
D3	Not lashing or stowing fishing gear the use of which is prohibited in certain fishing zones
D4	Directed fishing for, or keeping on board of, a species stocks of which are subject to a moratorium or a prohibition of fishing
D5	Unauthorised fishing in a given zone and/or during a specific period
D6	Failure to comply with the rules on minimum sizes
D7	Failure to comply with the rules and procedures relating to transshipment and fisheries operations involving joint action by two or more vessels
E1	Falsifying or failing to record data in logbooks, landing declarations, sales notes, takeover declarations and transport documents or failure to keep or submit these documents
E2	Tampering with the satellite-based vessel monitoring system
E3	Deliberate failure to comply with the Community rules on remote transmission of movements of fishing vessels and of data on fishery products held on board
E4	Failure of the master of the fishing vessel of a third country or his representative to comply with the applicable control rules when operating in Community waters
F1	Landing of fishery products not complying with the Community rules on control and enforcement
F2	Stocking, processing, placing on sale and transporting fishery products not meeting the marketing standards in force, in particular those concerning minimum sizes

**COMMISSION REGULATION (EC) No 2741/1999
of 21 December 1999**

correcting Regulation (EC) No 2633/1999 fixing Community producer and import prices for carnations and roses with a view to the application of the arrangements governing imports of certain floricultural products originating in Cyprus, Israel, Jordan, Morocco and the West Bank and Gaza Strip

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EEC) No 4088/87 of 21 December 1987 fixing conditions for the application of preferential customs duties on imports of certain flowers originating in Cyprus, Israel, Jordan, Morocco and the West Bank and Gaza Strip ⁽¹⁾, as last amended by Regulation (EC) No 1300/97 ⁽²⁾, and in particular Article 5(2)(a) thereof,

Whereas checks have shown that the figure given for uniflorous (standard) carnations originating in Morocco in the

Annex to Commission Regulation (EC) No 2633/1999 ⁽³⁾ is incorrect; whereas that Annex must therefore be corrected,

HAS ADOPTED THIS REGULATION:

Article 1

The Annex to Regulation (EC) No 2633/1999 is replaced by the Annex hereto.

Article 2

This Regulation shall enter into force on 22 December 1999.

It shall apply from 15 to 28 December 1999.

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

Done at Brussels, 21 December 1999.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ L 382, 31.12.1987, p. 22.

⁽²⁾ OJ L 177, 5.7.1997, p. 1.

⁽³⁾ OJ L 321, 14.12.1999, p. 17.

ANNEX

(EUR/100 pieces)

Period from 15 to 28 December 1999				
Community producer price	Uniflorous (bloom) carnations	Multiflorous (spray) carnations	Large-flowered roses	Small-flowered roses
	15,34	9,83	40,61	13,34
Community import prices	Uniflorous (bloom) carnations	Multiflorous (spray) carnations	Large-flowered roses	Small-flowered roses
Israel	8,39	16,21	12,66	11,22
Morocco	11,71	12,85	—	—
Cyprus	—	—	—	—
Jordan	—	—	—	—
West Bank and Gaza Strip	—	—	—	—

(Acts adopted pursuant to Title V of the Treaty on European Union)

COUNCIL JOINT ACTION
of 21 December 1999
extending Council Joint Action 1999/522/CFSP concerning the installation of the structures of the
United Nations Mission in Kosovo (UNMIK)

(1999/864/CFSP)

THE COUNCIL OF THE EUROPEAN UNION,

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

Whereas:

- (1) Council Joint Action 1999/522/CFSP of 29 July 1999 concerning the installation of the structures of the UNMIK ⁽¹⁾ expires on 31 December 1999;
- (2) In order to support further the fourth component of the UNMIK, an extension of that Joint Action is necessary only for a limited period of time since the Council has been informed of the intention of the Commission to propose a medium and long-term financing solution through appropriate Community measures,

HAS ADOPTED THIS JOINT ACTION:

Article 1

The validity of Joint Action 1999/522/CFSP shall be extended until 29 February 2000.

Article 2

1. The financial reference amount intended to cover the cost resulting from the extension of Joint Action 1999/522/CFSP as set out in Article 1 shall be EUR 290 000.
2. The management of the expenditure financed by the amount specified in paragraph 1 shall be subject to the procedures and rules of the Community applying to budget matters.

Article 3

This Joint Action shall enter into force on 1 January 2000.

Article 4

This Joint Action shall be published in the Official Journal.

Done at Brussels, 21 December 1999.

For the Council
The President
T. HALONEN

⁽¹⁾ OJ L 201, 31.7.1999, p. 1.