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Notice to readers (see page 3 of the cover)

I

(Acts whose publication is obligatory)

**COUNCIL REGULATION (EC) No 2772/1999
of 21 December 1999
providing for the general rules for a compulsory beef labelling system**

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty establishing the European Community,

Having regard to 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 veal products ⁽¹⁾, and in particular Article 19 thereof,

Having regard to the proposal from the Commission,

Whereas:

- (1) Article 19 of Regulation (EC) No 820/97 lays down that a compulsory beef labelling system is to be introduced, which is to be obligatory in all Member States, from 1 January 2000 onwards; on the basis of a Commission proposal, the same Article also states that the general rules for that compulsory system are to be decided before that date;
- (2) These general rules for a compulsory beef labelling system should be applicable only on a provisional basis for a maximum period of eight months to enable the European Parliament and the Council to come to a decision on the proposal for a Regulation, establishing a system for the identification and registration of bovine animals and regarding the labelling of beef and beef products, and repealing Regulation (EC) No 820/97, presented by the Commission on 13 October 1999;
- (3) It is therefore appropriate to establish simple general rules for a compulsory beef labelling system, which all Member States can currently fulfil; the rules should refer to the provisions laid down in Article 12(1) of Regulation (EC) No 820/97;
- (4) Member States should also continue to have recourse to the possibility of imposing a compulsory labelling system for beef from animals born, fattened and slaughtered on their own territory, in accordance with Article 19(4) of Regulation (EC) No 820/97, on a provisional basis for a maximum period of eight months;

- (5) Such compulsory indications should not lead to any disruption of trade between Member States;
- (6) It is also necessary to allow operators to continue to give voluntary indications on beef labels, as a complement to the compulsory indications;
- (7) It is important to maintain the current provisions relating to voluntary labelling; given the urgency of the matter it is imperative to grant an exception to the six-week period referred to in Part I, point 3 of the Protocol on the role of national parliaments in the European Union, annexed to the Treaty of Amsterdam,

HAS ADOPTED THIS REGULATION:

Article 1

1. Operators and organisations marketing beef within the meaning of Article 13 of Regulation (EC) No 820/97 shall label it in accordance with the rules referred to in the first, third and fourth indents of the second subparagraph of Article 12(1) of Regulation (EC) No 820/97.

However, Member States may continue to have recourse to the possibility provided for in Article 19(4) of Regulation (EC) No 820/97 after 1 January 2000. In this case, the provisions of Article 19(5) of Regulation (EC) No 820/97 shall continue to apply.

2. The rules relating to the voluntary system, which applied until 31 December 1999 in accordance with the provisions of Article 19 of Council Regulation (EC) No 820/97, will continue to be applicable to any voluntary indication, additional to the obligatory labelling system referred to in paragraph 1.

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 apply from 1 January 2000 until 31 August 2000.

⁽¹⁾ OJ L 117, 7.5.1997, p. 1.

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

Done at Brussels, 21 December 1999.

For the Council

The President

T. HALONEN

COMMISSION REGULATION (EC) No 2773/1999
of 27 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 28 December 1999.

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

Done at Brussels, 27 December 1999.

For the Commission
Margot WALLSTRÖM
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 27 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	73,7
	204	41,9
	624	132,5
	999	82,7
0709 90 70	052	133,4
	204	98,0
	999	115,7
0805 10 10, 0805 10 30, 0805 10 50	052	44,4
	204	44,4
	999	44,4
0805 20 10	052	77,1
	204	49,4
	999	63,3
0805 20 30, 0805 20 50, 0805 20 70, 0805 20 90	052	76,8
	999	76,8
0805 30 10	052	60,4
	600	98,4
	999	79,4
0808 10 20, 0808 10 50, 0808 10 90	400	73,2
	404	75,5
	720	60,8
	728	83,3
	999	73,2
0808 20 50	064	64,2
	400	110,7
	720	70,7
	999	81,9

⁽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 2774/1999**of 27 December 1999****opening an invitation to tender for the reduction in the duty on sorghum imported into Spain from third countries**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EEC) No 1766/92 of 30 June 1992 on the common organisation of the market in cereals ⁽¹⁾, as last amended by Commission Regulation (EC) No 1253/1999 ⁽²⁾, and in particular Article 12 (1) thereof,

Whereas:

- (1) Pursuant to the Agreement on Agriculture concluded during the Uruguay Round of multilateral trade negotiations the Community has undertaken to import a certain quantity of sorghum into Spain.
- (2) Commission Regulation (EC) No 1839/95 of 26 July 1995 laying down detailed rules for the application of tariff quotas for imports of maize and sorghum into Spain and imports of maize into Portugal ⁽³⁾, as amended by Regulation (EC) No 1963/95 ⁽⁴⁾, lays down the rules governing the administration of those special arrangements. This Regulation lays down the special additional detailed rules necessary for implementing the invitation to tender, in particular those relating to the lodging and release of the security to be lodged by operators to ensure compliance with their obligations and, in particular the obligation to process or use the imported product on the Spanish market.
- (3) 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 States) and repealing Regulation (EEC) No 715/90 ⁽⁵⁾ provides in particular for a reduction of 60 % in the duty applicable to grain sorghum up to a quota of 100 000 tonnes per calendar year and of 50 % in excess of that quota. If that benefit is combined with the reduction provided for under this Regulation, this is likely to disturb the Spanish market for cereals.

Such combined benefits should be ruled out for the sake of the satisfactory functioning of the invitation to tender.

- (4) In the light of current market needs in Spain an invitation to tender for the reduction in the duty on imports of sorghum should be opened in the framework of these special arrangements for imports.
- (5) The measures provided for in this Regulation are in accordance with the opinion of the Management Committee for Cereals,

HAS ADOPTED THIS REGULATION:

Article 1

1. An invitation to tender is hereby opened for the reduction in the import duty referred to in Article 10(2) of Regulation (EEC) No 1766/92 on sorghum to be imported into Spain.
2. Under this invitation to tender, the reduction in the import duty on grain sorghum provided for in Article 12 of Regulation (EC) No 1706/98 shall not apply.
3. The invitation to tender shall be open until 24 February 2000. During that period, weekly invitations shall be issued with quantities and closing dates as shown in the notice of invitation to tender.
4. Regulation (EC) No 1839/95 shall apply save as otherwise provided for in this Regulation.

Article 2

Import licences issued under these invitations to tender shall be valid 50 days from the date they are issued, within the meaning of Article 10(4) of Regulation (EC) No 1839/95.

Article 3

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

⁽¹⁾ OJ L 181, 1.7.1992, p. 21.

⁽²⁾ OJ L 160, 26.6.1999, p. 18.

⁽³⁾ OJ L 177, 28.7.1995, p. 4.

⁽⁴⁾ OJ L 189, 10.8.1995, p. 22.

⁽⁵⁾ OJ L 215, 1.8.1998, p. 12.

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

Done at Brussels, 27 December 1999.

For the Commission
Margot WALLSTRÖM
Member of the Commission

COMMISSION REGULATION (EC) No 2775/1999**of 27 December 1999****opening an invitation to tender for the reduction in the duty on maize imported into Spain from third countries**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EEC) No 1766/92 of 30 June 1992 on the common organisation of the market in cereals ⁽¹⁾, as last amended by Regulation (EC) No 1253/1999 ⁽²⁾, and in particular Article 12(1) thereof,

Whereas:

- (1) Pursuant to the Agreement on Agriculture concluded during the Uruguay Round of multilateral trade negotiations, the Community has undertaken to import a certain quantity of maize into Spain.
- (2) Commission Regulation (EC) No 1839/95 of 26 July 1995 laying down detailed rules for the application of tariff quotas for imports of maize and sorghum into Spain and imports of maize into Portugal ⁽³⁾, as amended by Regulation (EC) No 1963/95 ⁽⁴⁾, lays down the rules governing the administration of those special arrangements. This Regulation lays down the special additional detailed rules necessary for implementing the invitation to tender, in particular those relating to the lodging and release of the security to be lodged by operators to ensure compliance with their obligations and, in particular, the obligation to process or use the imported product on the Spanish market.
- (3) In the light of current market needs in Spain, an invitation to tender for the reduction in the duty on imports

of maize should be opened in the framework of these special arrangements for imports.

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

HAS ADOPTED THIS REGULATION:

Article 1

1. An invitation to tender is hereby opened for the reduction in the import duty referred to in Article 10(2) of Regulation (EEC) No 1766/92 on maize to be imported into Spain.
2. The invitation to tender shall be open until 24 February 2000. During that period, weekly invitations shall be issued with quantities and closing dates as shown in the notice of invitation to tender.
3. Regulation (EC) No 1839/95 shall apply save as otherwise provided for in this Regulation.

Article 2

Import licences issued under these invitations to tender shall be valid 50 days from the date they are issued, within the meaning of Article 10(4) of Regulation (EC) No 1839/95.

Article 3

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

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

Done at Brussels, 27 December 1999.

For the Commission

Margot WALLSTRÖM

Member of the Commission

⁽¹⁾ OJ L 181, 1.7.1992, p. 21.

⁽²⁾ OJ L 160, 26.6.1999, p. 18.

⁽³⁾ OJ L 177, 28.7.1995, p. 4.

⁽⁴⁾ OJ L 189, 10.8.1995, p. 22.

COMMISSION REGULATION (EC) No 2776/1999**of 27 December 1999****opening an invitation to tender for the reduction in the duty on maize imported into Portugal from third countries**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EEC) No 1766/92 of 30 June 1992 on the common organisation of the market in cereals⁽¹⁾, as last amended by Regulation (EC) No 1253/1999⁽²⁾, and in particular Article 12(1) thereof,

Whereas:

- (1) Pursuant to the Agreement on Agriculture concluded during the Uruguay Round of multilateral trade negotiations, the Community has undertaken to import a certain quantity of maize into Portugal.
- (2) Commission Regulation (EC) No 1839/95 of 26 July 1995 laying down detailed rules for the application of tariff quotas for imports of maize and sorghum into Spain and imports of maize into Portugal⁽³⁾, as amended by Regulation (EC) No 1963/95⁽⁴⁾, lays down the rules governing the administration of those special arrangements. This Regulation lays down the special additional detailed rules necessary for implementing the invitation to tender, in particular those relating to the lodging and release of the security to be lodged by operators to ensure compliance with their obligations and, in particular, the obligation to process or use the imported product on the Portuguese market.
- (3) In the light of current market needs in Portugal, an invitation to tender for the reduction in the duty on imports of maize should be opened in the framework of these special arrangements for imports.

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

HAS ADOPTED THIS REGULATION:

Article 1

1. An invitation to tender is hereby opened for the reduction in the import duty referred to in Article 10(2) of Regulation (EEC) No 1766/92 on maize to be imported into Portugal.
2. The invitation to tender shall be open until 24 February 2000. During that period, weekly invitations shall be issued with quantities and closing dates as shown in the notice of invitation to tender.
3. Regulation (EC) No 1839/95 shall apply save as otherwise provided for in this Regulation.

Article 2

Import licences issued under these invitations to tender shall be valid 50 days from the date they are issued, within the meaning of Article 10(4) of Regulation (EC) No 1839/95.

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, 27 December 1999.

For the Commission

Margot WALLSTRÖM

Member of the Commission

⁽¹⁾ OJ L 181, 1.7.1992, p. 21.

⁽²⁾ OJ L 160, 26.6.1999, p. 18.

⁽³⁾ OJ L 177, 28.7.1995, p. 4.

⁽⁴⁾ OJ L 189, 10.8.1995, p. 22.

COMMISSION REGULATION (EC) No 2777/1999
of 27 December 1999
on the supply of vegetable oil as food aid

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

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

- (1) Whereas the abovementioned Regulation lays down the list of countries and organisations eligible for Community aid and specifies the general criteria on the transport of food aid beyond the fob stage;
- (2) Whereas, following the taking of a number of decisions on the allocation of food aid, the Commission has allocated vegetable oil to certain beneficiaries;
- (3) Whereas it is necessary to make these supplies in accordance with the rules laid down by Commission Regulation (EC) No 2519/97 of 16 December 1997 laying down general rules for the mobilisation of products to be supplied under Council Regulation (EC) No 1292/96 as Community food aid ⁽²⁾; whereas it is necessary to specify the time limits and conditions of supply to determine the resultant costs;
- (4) Whereas, in order to ensure that the supplies are carried out for a given lot, provision should be made for tenderers to be able to mobilise either rape-seed oil or sunflower oil; whereas the contract for the supply of

each such lot is to be awarded to the tenderer submitting the lowest tender,

HAS ADOPTED THIS REGULATION:

Article 1

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

The supply shall cover the mobilisation of vegetable oil produced in the Community. Mobilisation may not involve a product manufactured and/or packaged under inward processing arrangements.

Tenders shall cover either rape-seed oil or sunflower oil. Tenders shall be rejected unless they specify the type of oil to which they relate.

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

Article 2

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

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

Done at Brussels, 27 December 1999.

For the Commission
Margot WALLSTRÖM
Member of the Commission

⁽¹⁾ OJ L 166, 5.7.1996, p. 1.

⁽²⁾ OJ L 346, 17.12.1997, p. 23.

ANNEX

LOTS A, B, C and D

1. **Action Nos:** 16/99 (A); 18/99 (B); 19/99 (C); 23/99 (D)
2. **Beneficiary** ⁽²⁾: WFP (World Food Programme), via Cristoforo Colombo 426, I-00145 Roma. tel.: (39-6) 65 13 29 88; fax: 65 13 2844/3; telex: 626675 WFP I
3. **Beneficiary's representative:** to be designated by the recipient
4. **Country of destination:** A: Sierra Leone; B: East Timor; C: Liberia; D: North Korea
5. **Product to be mobilised:** refined rape-seed oil or refined sunflower oil
6. **Total quantity (tonnes net):** 3 730
7. **Number of lots:** 4(A: 500 tonnes; B: 1 239 tonnes; C: 491 tonnes; D: 1 500 tonnes)
8. **Characteristics and quality of the product** ⁽³⁾ ⁽⁴⁾ ⁽⁵⁾: see OJ C 114, 29.4.1991, p. 1 (III.A.(1)(a) or (b))
9. **Packaging:** see OJ C 267, 13.9.1996, p. 1 (10.8.A, B and C(2))
10. **Labelling or marking** ⁽⁵⁾: see OJ C 114, 29.4.1991, p. 1 (III.A(3))
 - Language to be used for the markings: A, C and D: English; B: Portuguese
 - Supplementary markings: —
11. **Method of mobilisation of the product:** mobilisation of refined vegetable oil produced in the Community. Mobilisation may not involve a product manufactured and/or packaged under inward-processing arrangements.
12. **Specified delivery stage:** free at port of shipment
13. **Alternative delivery stage:** —
14. a) **Port of shipment:** —
b) **Loading address:** —
15. **Port of landing:** —
16. **Place of destination:** —
 - port or warehouse of transit: —
 - overland transport route: —
17. **Period or deadline of supply at the specified stage:**
 - first deadline: A and C: from 7 to 27.2.2000; B and D: from 14.2 to 5.3.2000
 - second deadline: A and C: from 21.2 to 12.3.2000; B and D: from 28.2 to 19.3.2000
18. **Period or deadline of supply at the alternative stage:**
 - first deadline: —
 - second deadline: —
19. **Deadline for the submission of tenders (12 noon, Brussels time):**
 - first deadline: 11.1.2000
 - second deadline: 25.1.2000
20. **Amount of tendering guarantee:** EUR 15 per tonne
21. **Address for submission of tenders and tendering guarantees** ⁽¹⁾: Bureau de l'aide alimentaire, Attn Mr T. Vestergaard, Bâtiment Loi 130, bureau 7/46, Rue de la Loi/Wetstraat 200, B-1049 Bruxelles/Brussel; telex: 25670 AGREC B; fax: (32 2) 296 70 03/296 70 04 (exclusively)
22. **Export refund:** —

LOT E

1. **Action No:** 24/99
2. **Beneficiary** ⁽²⁾: WFP (World Food Programme), via Cristoforo Colombo 426, I-00145 Roma. tel.: (39-6) 65 13 29 88; fax: 65 13 2844/3; telex: 626675 WFP I
3. **Beneficiary's representative:** to be designated by the recipient
4. **Country of destination:** Afghanistan via Riga
5. **Product to be mobilised:** refined rape-seed oil or refined sunflower oil
6. **Total quantity (tonnes net):** 262
7. **Number of lots:** 1
8. **Characteristics and quality of the product** ⁽³⁾ ⁽⁴⁾ ⁽⁶⁾: see OJ C 114, 29.4.1991, p. 1 (III.A.(1)(a) or (b))
9. **Packaging:** see OJ C 267, 13.9.1996, p. 1 (10.4.A, B and C(2))
10. **Labelling or marking** ⁽⁵⁾: see OJ C 114, 29.4.1991, p. 1 (III.A(3))
 - Language to be used for the markings: English
 - Supplementary markings: —
11. **Method of mobilisation of the product:** mobilisation of refined vegetable oil produced in the Community. Mobilisation may not involve a product manufactured and/or packaged under inward-processing arrangements.
12. **Specified delivery stage:** free at port of shipment
13. **Alternative delivery stage:** —
14. a) **Port of shipment:** —
b) **Loading address:** —
15. **Port of landing:** —
16. **Place of destination:** —
 - port or warehouse of transit: —
 - overland transport route: —
17. **Period or deadline of supply at the specified stage:**
 - first deadline: from 31.1 to 20.2.2000
 - second deadline: from 14.2 to 5.3.2000
18. **Period or deadline of supply at the alternative stage:**
 - first deadline: —
 - second deadline: —
19. **Deadline for the submission of tenders (12 noon, Brussels time):**
 - first deadline: 11.1.2000
 - second deadline: 25.1.2000
20. **Amount of tendering guarantee:** EUR 15 per tonne
21. **Address for submission of tenders and tendering guarantees** ⁽¹⁾: Bureau de l'aide alimentaire, Attn Mr T. Vestergaard, Bâtiment Loi 130, bureau 7/46, Rue de la Loi/Wetstraat 200, B-1049 Bruxelles/Brussel; telex: 25670 AGREC B; fax: (32 2) 296 70 03/296 70 04 (exclusively)
22. **Export refund:** —

Notes:

- (¹) Supplementary information: André Debongnie (tel. (32 2) 295 14 65),
Torben Vestergaard (tel. (32 2) 299 30 50).
- (²) The supplier shall contact the beneficiary or its representative as soon as possible to establish which consignment documents are required.
- (³) The supplier shall deliver to the beneficiary a certificate from an official entity certifying that for the product to be delivered the standards applicable, relative to nuclear radiation, in the Member State concerned, have not been exceeded. The radioactivity certificate must indicate the caesium-134 and -137 and iodine-131 levels.
- (⁴) The supplier shall supply to the beneficiary or its representative, on delivery, the following document:
— health certificate.
- (⁵) Notwithstanding OJ C 114 of 29.4.1991, point IV.A(3)(c) is replaced by the following: 'the words "European Community"'.

- (⁶) Tenders shall be rejected unless they specify the type of peas to which they relate.

COMMISSION REGULATION (EC) No 2778/1999
of 27 December 1999
on the supply of split peas as food aid

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

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

Whereas:

- (1) The abovementioned Regulation lays down the list of countries and organisations eligible for Community aid and specifies the general criteria on the transport of food aid beyond the fob stage;
- (2) Following the taking of a number of decisions on the allocation of food aid, the Commission has allocated split peas to certain beneficiaries;
- (3) It is necessary to make these supplies in accordance with the rules laid down by Commission Regulation (EC) No 2519/97 of 16 December 1997 laying down general rules for the mobilisation of products to be supplied under Council Regulation (EC) No 1292/96 as Community food aid ⁽²⁾; whereas it is necessary to specify the time limits and conditions of supply to determine the resultant costs;

- (4) In order to ensure that the supplies are carried out, provision should be made for tenderers to be able to mobilise either green split peas or yellow split peas,

HAS ADOPTED THIS REGULATION:

Article 1

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

Tenders shall cover either green split peas or yellow split peas. Tenders shall be rejected unless they specify the type of peas to which they relate.

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

Article 2

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

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

Done at Brussels, 27 December 1999.

For the Commission
Margot WALLSTRÖM
Member of the Commission

⁽¹⁾ OJ L 166, 5.7.1996, p. 1.

⁽²⁾ OJ L 346, 17.12.1997, p. 23.

ANNEX

LOTS A and B

1. **Action Nos:** 17/99 (A); 22/99 (B)
2. **Beneficiary** ⁽²⁾: WFP, (World Food Programme), via Cristoforo Colombo 426, I-00145 Roma. tel.: (39-6) 65 13 29 88; fax: 65 13 28 44/3; telex: 626675 WFP I
3. **Beneficiary's representative:** to be designated by the recipient
4. **Country of destination:** A: Sierra Leone; B: North Korea
5. **Product to be mobilised** ⁽⁸⁾: split peas
6. **Total quantity (tonnes net):** 3 900
7. **Number of lots:** 2 (A: 2 400 tonnes; B: 1 500 tonnes)
8. **Characteristics and quality of the product** ⁽³⁾ ⁽⁴⁾ ⁽⁷⁾: —
9. **Packaging** ⁽⁵⁾: see OJ C 267, 13.9.1996, p. 1 (2.1 A 1.a, 2.a and B.4) or (4.0 A 1.c, 2.c and B.4)
10. **Labelling or marking** ⁽⁶⁾: see OJ C 114, 29.4.1991, p. 1 (IV.A.(3))
 - Language to be used for the markings: English
 - Supplementary markings: —
11. **Method of mobilisation of the product:** the Community market. The product must originate from the Community.
12. **Specified delivery stage:** free at port of shipment
13. **Alternative delivery stage:** —
14. a) **Port of shipment:** —
b) **Loading address:** —
15. **Port of landing:** —
16. **Place of destination:** —
 - port or warehouse of transit: —
 - overland transport route: —
17. **Period or deadline of supply at the specified stage:**
 - first deadline: from 7 to 27.2.2000
 - second deadline: from 21.2 to 12.3.2000
18. **Period or deadline of supply at the alternative stage:**
 - first deadline: —
 - second deadline: —
19. **Deadline for the submission of tenders (at 12 noon, Brussels time):**
 - first deadline: 11.1.2000
 - second deadline: 25.1.2000
20. **Amount of tendering guarantee:** EUR 5 per tonne
21. **Address for submission of tenders and tendering guarantees** ⁽¹⁾: Bureau de l'aide alimentaire, Attn. Mr T. Vestergaard, Bâtiment Loi 130, bureau 7/46, Rue de la Loi/Wetstraat 200, B-1049 Brussels; telex: 25670 AGREC B; fax: (32-2) 296 70 03/296 70 04 (exclusively)
22. **Export refund:** —

Notes:

- (¹) Supplementary information: André Debongnie [tel. (32-2) 295 14 65],
Torben Vestergaard [tel. (32-2) 299 30 50].
- (²) The supplier shall contact the beneficiary or its representative as soon as possible to establish which consignment documents are required.
- (³) The supplier shall deliver to the beneficiary a certificate from an official entity certifying that for the product to be delivered the standards applicable, relative to nuclear radiation, in the Member State concerned, have not been exceeded. The radioactivity certificate must indicate the caesium-134 and -137 and iodine-131 levels.
- (⁴) The supplier shall supply to the beneficiary or its representative, on delivery, the following document:
— phytosanitary certificate.
- (⁵) Since the goods may be rebagged, the supplier must provide 2 % of empty bags of the same quality as those containing the goods, with the marking following by a capital 'R'.
- (⁶) Notwithstanding OJ C 114, 29.4.1991, point IV.A(3)(c) is replaced by the following: 'the words European Community' and point IV.A(3)(b) by the following: 'Split peas'.
- (⁷) Tenders shall be rejected unless they specify the type of peas to which they relate.
- (⁸) Yellow or green peas (*Pisum sativum*) for human consumption of the most recent crop. The peas must not have been coloured artificially. The split peas must be steam-treated for at least two minutes or have been fumigated (*) and meet the following requirements:
— moisture: maximum 15 %,
— foreign matters: maximum 0,1 %,
— broken split peas: maximum 10 % (pea fragments passing through a sieve of circular mesh of 5 mm diameter).
— percentage of discoloured seeds or of different colour: maximum 1,5 % (yellow peas), maximum 15 % (green peas),
— cooking time: maximum 45 minutes (after soaking for 12 hours) or maximum 60 minutes (without soaking).

(*) The successful tenderer shall supply to the beneficiary or its representative, on delivery, a fumigation certificate.

COMMISSION REGULATION (EC) No 2779/1999
of 27 December 1999
on the supply of cereals as food aid

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

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

Whereas:

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

under Council Regulation (EC) No 1292/96 as Community food aid ⁽²⁾; it is necessary to specify the time limits and conditions of supply to determine the resultant costs,

HAS ADOPTED THIS REGULATION:

Article 1

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

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

Article 2

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

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

Done at Brussels, 27 December 1999.

For the Commission
Margot WALLSTRÖM
Member of the Commission

⁽¹⁾ OJ L 166, 5.7.1996, p. 1.

⁽²⁾ OJ L 346, 17.12.1997, p. 23.

ANNEX

LOT A

1. **Action No:** 21/99
2. **Beneficiary** ⁽²⁾: WFP (World Food Programme), via Cristoforo Colombo 426, I-00145 Roma. tel. (39-6) 65 13 29 88; fax: 65 13 28 44/3; telex: 626675 WFP I
3. **Beneficiary's representative:** to be designated by the recipient
4. **Country of destination:** North Korea
5. **Product to be mobilized:** maize
6. **Total quantity (tonnes net):** 20 000
7. **Number of lots:** 1
8. **Characteristics and quality of the product** ⁽³⁾ ⁽⁵⁾: see OJ C 114, 29.4.1991, p. 1 (II.A.(1)(d))
9. **Packaging:** see OJ C 267, 13.9.1996, p. 1 (1.0 A 1.c, 2.c and B.2)
10. **Labelling or marking** ⁽⁶⁾ ⁽⁹⁾: see OJ C 114, 29.4.1991, p. 1 (II.A.(3))
 - Language to be used for the markings: English and Korean;
 - Supplementary markings: 'FOR FREE DISTRIBUTION'
11. **Method of mobilisation of the product:** the Community market
12. **Specified delivery stage:** free at port of shipment — fob stowed and trimmed ⁽⁷⁾
13. **Alternative delivery stage:** —
14. a) **Port of shipment:** —
b) **Loading address:** —
15. **Port of landing:** —
16. **Place of destination:** —
 - port or warehouse of transit: —
 - overland transport route: —
17. **Period or deadline of supply at the specified stage:**
 - first deadline: from 31.1 to 20.2.2000
 - second deadline: from 14.2 to 5.3.2000
18. **Period or deadline of supply at the alternative stage:**
 - first deadline: —
 - second deadline: —
19. **Deadline for the submission of tenders (at 12 noon, Brussels time):**
 - first deadline: 11.1.2000
 - second deadline: 25.1.2000
20. **Amount of tendering guarantee:** EUR 5 per tonne
21. **Address for submission of tenders and tendering guarantees** ⁽¹⁾: Bureau de l'aide alimentaire, Attn Mr T. Vestergaard, Bâtiment Loi 130, bureau 7/46, Rue de la Loi/Wetstraat 200, B-1049 Bruxelles/Brussel; telex: 25670 AGREC B; fax (32-2) 296 70 03/296 70 04 (exclusively)
22. **Export refund** ⁽⁴⁾: refund applicable on 31.12.1999 fixed by Commission Regulation (EC) No 2500/1999 (OJ L 304, 27.11.1999, p. 11)

LOT B

1. **Action No:** 20/99
2. **Beneficiary** ⁽²⁾: WFP (World Food Programme), via Cristoforo Colombo 426, I-00145 Roma. tel. (39) 06 65 13 29 88; fax: 65 13 28 44/3; telex 626675 WFP I
3. **Beneficiary's representative:** to be designated by the recipient
4. **Country of destination:** Liberia
5. **Product to be mobilised:** maize meal
6. **Total quantity (tonnes net):** 2 896
7. **Number of lots:** 1
8. **Characteristics and quality of the product** ⁽³⁾ ⁽⁵⁾: see OJ C 114, 29.4.1991, p. 1 (II.B(1)(d))
9. **Packaging** ⁽⁷⁾ ⁽⁸⁾: see OJ C 267, 13.9.1996, p. 1 (2.2 A 1(a), 2(a) and B(4))
10. **Labelling or marking** ⁽⁶⁾: see OJ C 114, 29.4.1991, p. 1 (II.B.(3))
 - Language to be used for the markings: English
 - Supplementary markings: —
11. **Method of mobilisation of the product:** the Community market
12. **Specified delivery stage:** free at port of shipment —
13. **Alternative delivery stage:** —
14. a) **Port of shipment:** —
b) **Loading address:** —
15. **Port of landing:** —
16. **Place of destination:** —
 - port or warehouse of transit: —
 - overland transport route: —
17. **Period or deadline of supply at the specified stage:**
 - first deadline: from 7 to 27.2.2000
 - second deadline: from 21.2 to 12.3.2000
18. **Period or deadline of supply at the alternative stage:**
 - first deadline: —
 - second deadline: —
19. **Deadline for the submission of tenders (at 12 noon, Brussels time):**
 - first deadline: 11.1.2000
 - second deadline: 25.1.2000
20. **Amount of tendering guarantee:** EUR 5 per tonne
21. **Address for submission of tenders and tendering guarantees** ⁽¹⁾: Bureau de l'aide alimentaire, Attn Mr T. Vestergaard, Bâtiment Loi 130, bureau 7/46, Rue de la Loi/Wetstraat 200, B-1049 Bruxelles/Brussel; telex: 25670 AGREC B; fax: (32-2) 296 70 03/296 70 04 (exclusively)
22. **Export refund** ⁽⁴⁾: refund applicable on 31.12.1999, fixed by Commission Regulation (EC) No 2500/1999 (OJ L 304, 27.11.1999, p. 11)

Notes:

- (¹) Supplementary information: André Debongnie (tel. (32-2) 295 14 65),
Torben Vestergaard (tel. (32-2) 299 30 50).
- (²) The supplier shall contact the beneficiary or its representative as soon as possible to which consignment documents are required.
- (³) The supplier shall deliver to the beneficiary a certificate from an official entity certifying that for the product to be delivered the standards applicable, relative to nuclear radiation, in the Member State concerned, have not been exceeded. The radioactivity certificate must indicate the caesium-134 and -137 and iodine-131 levels.
- (⁴) Commission Regulation (EC) No 259/98 (OJ L 25, 31.1.1998, p. 39) is applicable as regards the export refund. The date referred to in Article 2 of the said Regulation is that indicated in point 22 of this Annex.
The supplier's attention is drawn to the last subparagraph of Article 4(1) of the above Regulation.
The photocopy of the export licence shall be sent as soon as the export declaration has been accepted (fax: (32-2) 296 20 05).
- (⁵) The supplier shall supply to the beneficiary or its representative, on delivery, the following document:
— phytosanitary certificate.
- (⁶) Notwithstanding OJ C 114 of 29 April 1991, point II.A(3)(c) or II.B(3)(c) is replaced by the following: 'the words "European Community"'.
(⁷) The quantity and quality control will be carried out for every 2 500 tonnes.
- (⁸) Since the goods may be rebagged, the successful tenderer must provide 2 % of empty bags of the same quality as those containing the goods, with the marking followed by a capital 'R'.
- (⁹) The marking in Korean must be made as follows on the reverse side of the packaging:

European Community

구 주 공동 체

Maize

옥 수 수

for free distribution

무 상 배 급 용

COMMISSION REGULATION (EC) No 2780/1999**of 27 December 1999****amending Regulation (EC) No 2449/96 opening and providing for the administration of certain annual tariff quotas for products covered by CN codes 0714 10 91, 0714 10 99, 0714 90 11 and 0714 90 19 originating in certain third countries other than Thailand**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EC) No 1095/96 of 18 June 1996 on the implementation of the concessions set out in Schedule CXL drawn up in the wake of the conclusion of the GATT XXIV.6 negotiations ⁽¹⁾, and in particular Article 1(1) thereof,

Whereas:

- (1) Commission Regulation (EC) No 2449/96 ⁽²⁾ lays down the detailed rules of application for certain annual tariff quotas under which products falling within CN codes 0714 10 91, 0714 10 99, 0714 90 11 and 0714 90 19 and originating in certain third countries other than Thailand can be imported into the Community at a reduced rate of duty;
- (2) the detailed rules of application provide for the issue of import licences by the competent authorities of the Member States only if the Commission agrees in advance to their issue;
- (3) while this provision arose out of a desire for orderly management of the quotas, experience shows that it is unnecessary and complicates administration;
- (4) it should therefore be deleted, while making provision so that the Commission has sufficient time when import

licences are being issued to intervene with the national authorities where problems arise;

- (5) 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

Paragraphs 4 and 5 of Article 8 of Regulation (EC) No 2449/96 are replaced by the following:

‘4. Import licences shall be issued on the fourth working day following the date of their lodgement, except where the Commission has informed the authorities of the Member State by fax or telex that the conditions for issuing the licences in question have not been met.

In such cases the Commission, having consulted the authorities in the third country of origin where necessary, shall take the appropriate measures.

5. Import licences for products originating in Indonesia or China in respect of which applications are lodged in December for the following year shall not be issued before the first working day in January of the year in question.’

Article 2

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, 27 December 1999.

For the Commission

Margot WALLSTRÖM

Member of the Commission

⁽¹⁾ OJ L 146, 20.6.1996, p. 1.

⁽²⁾ OJ L 333, 21.12.1996, p. 14.

COMMISSION REGULATION (EC) No 2781/1999**of 27 December 1999****opening and providing for the administration of a Community tariff quota for 2000 for products falling within CN codes 0714 10 10, 0714 10 91 and 0714 10 99 originating in Thailand**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EC) No 1095/96 of 18 June 1996 on the implementation of the concessions set out in Schedule CXL drawn up in the wake of the conclusion of the GATT XXIV.6 negotiations ⁽¹⁾, and in particular Article 1(1) thereof,

Whereas:

- (1) during the World Trade Organisation multilateral trade negotiations, the Community undertook to open a tariff quota restricted to 21 million tonnes of products falling within CN codes 0714 10 10, 0714 10 91 and 0714 10 99 originating in Thailand per four-year period, with customs duty reduced to 6 %. This quota must be opened and administered by the Commission;
- (2) it is necessary to keep an administration system which ensures that only products originating in Thailand may be imported under the quota. The issue of an import licence should therefore continue to be subject to the presentation of an export certificate issued by the Thai authorities, a specimen of which has been notified to the Commission;
- (3) since imports to the Community market of the products concerned have traditionally been administered on the basis of a calendar year this system should be retained. It is therefore necessary to open a quota for 2000;
- (4) the import of products covered by CN codes 0714 10 10, 0714 10 91 and 0714 10 99 is subject to the presentation of an import licence for which the common detailed rules of application are laid down in Commission Regulation (EEC) No 3719/88 ⁽²⁾, as last amended by Regulation (EC) No 1127/1999 ⁽³⁾. Commission Regulation (EC) No 1162/95 ⁽⁴⁾, as last amended by Regulation (EC) No 1432/1999 ⁽⁵⁾, lays down the special detailed rules for the application of the system of licences for cereals and rice;
- (5) in light of past experience and taking into account that the Community concession provides for an overall quantity for four years with an annual maximum of 5 500 000 tonnes, it is advisable to maintain measures which, under certain conditions, either facilitate the release for free circulation of quantities of products exceeding those given in the import licences, or allow

the difference between the figure given in the import licences and the smaller figure actually imported to be carried forward;

- (6) in order to ensure the correct application of the agreement, it is necessary to establish a system of strict and systematic controls that take account of the information given on the Thai export certificates and the Thai authorities' procedures for issuing export certificates;
- (7) the measures provided for in this Regulation are in accordance with the opinion of the Management Committee for Cereals,

HAS ADOPTED THIS REGULATION:

Article 1

1. An import tariff quota for 5 500 000 tonnes of products falling within CN codes 0714 10 10, 0714 10 91 and 0714 10 99 originating in Thailand is hereby opened for the period 1 January to 31 December 2000. The customs duty applicable is hereby fixed at 6 % *ad valorem*. The serial number of the quota shall be 09.4008.

2. The above products shall benefit from the arrangements provided for in this Regulation if imported under import licences:

- (a) which are issued subject to the submission of a certificate for export to the European Community issued by the Department of Foreign Trade, Ministry of Commerce, Government of Thailand, hereinafter referred to as an 'export certificate', which meets the requirements laid down in Title I;
- (b) which meet the requirements laid down in Title II.

TITLE I

Export certificates*Article 2*

1. There shall be one original and at least one copy of the export certificate, to be made out on a form of which a specimen is given in the Annex.

The size of the form shall be approximately 210 x 297 millimetres. The original shall be made out on white paper having a printed yellow guilloche pattern background so as to reveal any falsification by mechanical or chemical means.

2. The forms shall be printed and completed in English.

⁽¹⁾ OJ L 146, 20.6.1996, p. 1.

⁽²⁾ OJ L 331, 2.12.1988, p. 1.

⁽³⁾ OJ L 135, 29.5.1999, p. 48.

⁽⁴⁾ OJ L 117, 24.5.1995, p. 2.

⁽⁵⁾ OJ L 166, 1.7.1999, p. 56.

3. The original and the copies shall be completed in type-script or in handwriting. In the latter case, they must be completed in ink and in block capitals.

4. Each export certificate, shall bear a pre-printed serial number; in the upper section it shall also bear a certificate number. The copies shall bear the same numbers as the original.

Article 3

1. Export certificates issued from 1 January to 31 December 2000 shall be valid for 120 days from the date of issue. The date of issue of the certificate shall be counted as part of the period of validity of the certificate.

For the certificate to be valid, the boxes on it must be properly completed and it must be authenticated, as stipulated in the instructions indicated thereon. The shipped weight must be written out in full and also given in figures.

2. The export certificate shall be duly authenticated when it indicates the date of issue and bears the stamp of the issuing body and the signature of the person or persons authorised to sign it.

TITLE II

Import licences

Article 4

1. Applications for an import licence for products falling within CN codes 0714 10 10, 0714 10 91 and 0714 10 99 originating in Thailand shall be submitted to the competent authorities in the Member States accompanied by the original of the export certificate. The original of the said export certificate shall be retained by the body which issues the import licence. However, where the application for an import licence relates to only a part of the quantity indicated on the export certificate, the issuing body shall indicate on the original the quantity for which the original was used and, after affixing its stamp, shall return the original to the party concerned.

Only the quantity indicated under 'shipped weight' on the export certificate shall be taken into consideration for the issue of the import licence.

2. Where it is found that the quantities actually unloaded in a given consignment are greater than the total figuring on the import licence or licences issued for this consignment, the competent authorities who issued the import licence or licences concerned shall, at the request of the importer, communicate to the Commission by telex or fax, case by case and as soon as possible, the number or numbers of the Thai export certificates, the number or numbers of the import licences, the excess quantity concerned and the name of the cargo vessel.

The Commission shall contact the Thai authorities so that new export certificates may be drawn up. Until the new certificates have been drawn up, the excess quantities may not be released for free circulation under the conditions laid down in this Regulation as long as new import licences for the quantities in question cannot be presented. New import licences shall be issued under the conditions laid down in Article 7.

3. However, by way of derogation from paragraph 2, where it is found that the quantities actually unloaded in the case of a given delivery do not exceed by more than 2 % the quantities covered by the import licence or licences presented, the competent authorities of the Member State of release for free circulation shall, at the importer's request, authorise the release for free circulation of the surplus quantities in return for payment of a customs duty with a ceiling of 6 % *ad valorem* and the lodging by the importer of a security of an amount equal to the difference between the duty laid down in the Common Customs Tariff and the duty paid.

When the Commission receives the information referred to in the first subparagraph of paragraph 2, it shall contact the Thai authorities so that new export certificates may be drawn up.

The security shall be released upon presentation to the competent authorities of the Member State of release for free circulation of an additional import licence for the quantities concerned. Application for that licence does not entail an obligation to lodge the security for, a licence referred to in Article 14(2) of Regulation (EEC) No 3719/88 or Article 5 of this Regulation. The licence shall be issued under the conditions laid down in Article 7 and upon presentation of one or more new export certificates issued by the Thai authorities. The additional import licence shall contain in box 20 one of the following entries:

- Certificado complementario, apartado 3 del artículo 4 del Reglamento (CE) n° 2781/1999
- Supplerende licens, forordning (EF) n° 2781/1999, artikel 4 stk. 3
- Zusätzliche Lizenz — Artikel 4 Absatz 3 der Verordnung (EG) Nr. 2781/1999
- Συμπληρωματικό πιστοποιητικό — Άρθρο 4 παράγραφος 3 του κανονισμού (ΕΚ) αριθ. 2781/1999
- Licence for additional quantity, Article 4(3) of Regulation (EC) No 2781/1999
- Certificat complémentaire, règlement (CE) n° 2781/1999, article 4 paragraphe 3
- Titolo complementare, regolamento (CE) n. 2781/1999, articolo 4, paragrafo 3
- Aanvullend certificaat — artikel 4, lid 3, van Verordening (EG) nr. 2781/1999
- Certificado complementar, n.º 3 do artigo 4.º do Regulamento (CE) n.º 2781/1999
- Lisätodistus, asetus (EY) N:o 2781/1999, 4 artiklan 3 kohta
- Kompletterande licens, artikel 4.3 i förordning (EG) nr 2781/1999.

Except in cases of *force majeure*, the security shall be forfeit for quantities for which an additional import licence is not presented within a period of four months from the date of acceptance of the declaration of release for free circulation referred to in the first subparagraph. It shall be forfeit in particular for quantities for which the additional import licence has not been issued pursuant to Article 7(1).

After the competent authority has entered the quantity on the additional import licence and authenticated the entry, and the security provided for in the first subparagraph is released, the licence shall be sent to the issuing body as soon as possible.

4. Applications for licences may be submitted in all Member States and licences issued shall be valid throughout the Community.

The fourth indent of Article 5(1) of Regulation (EEC) No 3719/88 shall not apply to imports carried out under this Regulation.

Article 5

By way of derogation from Article 10 of Regulation (EC) No 1162/95, the security relating to the import licences provided for in this title shall be EUR 5 per tonne.

Article 6

1. Applications for an import licence and the licence itself shall be marked 'Thailand' in box 8.

2. The licence shall bear the following indications in one of the language versions given below:

(a) in box 24:

- Derechos de aduana limitados al 6 % ad valorem (Reglamento (CE) n° 2781/1999)
- Toldsatsen begrænses til 6 % af værdien (Forordning (EF) n° 2781/1999)
- Beschränkung des Zolls auf 6 % des Zollwerts (Verordnung (EG) Nr. 2781/1999)
- Τελωνειακός δασμός κατ' ανώτατο όριο 6 % κατ' αξία [Κανονισμός (ΕΚ) Αριθ. 2781/1999]
- Customs duties limited to 6 % *ad valorem* (Regulation (EC) No 2781/1999)
- Droits de douane limités à 6 % ad valorem [règlement (CE) n° 2781/1999]
- Dazi doganali limitati al 6 % ad valorem [regolamento (CE) n. 2781/1999]
- Douanerechten beperkt tot 6 % ad valorem (Verordening (EG) nr. 2781/1999)
- Direitos aduaneiros limitados a 6 % *ad valorem* [Regulation (EC) n.º 2781/1999]
- Arvotulli rajoitettu 6 prosenttiin (asetus (EY) N:o 2781/1999)
- Tullsatsen begränsad till 6 % av värdet (Förordning (EG) nr 2781/1999);

(b) in box 20:

- Nombre del barco (indicar el nombre del barco que figura en el certificado de exportación tailandés)
- Skibets navn (skibsnavn, der er anført i det thailandske eksportcertifikat)
- Name des Schiffes (Angabe des in der thailändischen Ausfuhrbescheinigung eingetragenen Schiffsnamens)
- Ονομασία του πλοίου (σημειώστε την ονομασία του πλοίου που αναγράφεται στο ταϊλανδικό πιστοποιητικό εξαγωγής)
- Name of the cargo vessel (state the name of the vessel given on the Thai export certificate)
- Nom du bateau (indiquer le nom du bateau figurant sur le certificat d'exportation thaïlandais)

- Nome della nave (indicare il nome della nave che figura sul titolo di esportazione thailandese)
- Naam van het schip (zoals aangegeven in het Thaise uitvoercertificaat)
- Nome do navio (indicar o nome do navio que consta do certificado de exportação tailandês)
- Laivan nimi (nimi, joka on thaimaalaisessa vientitodistuksessa)
- Fartygets navn (navnet på det fartyg som anges i den thailändska exportlicensen),
- Numero y fecha del certificado de exportación tailandés
- Det thailandske eksportcertifikats nummer og dato
- Nummer und Datum der thailändischen Ausfuhrbescheinigung
- Αριθμός και ημερομηνία του ταϊλανδικού πιστοποιητικού εξαγωγής
- Serial number and date of the Thai export certificate
- Numéro et date du certificat d'exportation thaïlandais
- Numero e data del titolo di esportazione thailandese
- Nummer en datum van het Thaise uitvoercertificaat
- Número e data do certificado de exportação tailandês
- Thaimaalaisten vientitodistuksen numero ja päivämäärä
- Den thailändska exportlicensens nummer och datum.

3. A licence shall be accepted in support of a declaration of release for free circulation only if, notably in the light of a copy of the bill of lading presented by the party concerned, it is shown that the products for which release for free circulation is requested have been transported to the Community by the vessel referred to in the import licence.

4. Subject to application of Article 4(3) and notwithstanding Article 8(4) of Regulation (EEC) No 3719/88; the quantity released for free circulation may not exceed that shown in boxes 17 and 18 of the import licence. The figure 0 shall be entered to that effect in box 19 of the said licence.

Article 7

1. The import licence shall be issued on the fifth working day following the day on which the application is lodged, except where the Commission informs the competent authorities of the Member State by telex or fax that the conditions laid down in this Regulation have not been fulfilled.

Where the conditions governing the issue of the licence have not been complied with, the Commission may, where necessary, and following consultation with the Thai authorities, adopt appropriate measures.

2. At the request of the party concerned, and following communication of the Commission's agreement by telex or fax, the import licence may be issued within a shorter period.

Article 8

By way of derogation from Article 6 of Regulation (EC) No 1162/95, the last day of the period of validity of the import licence shall correspond to the last day of the period of validity of the export certificate plus 30 days.

Article 9

1. The Member States shall communicate to the Commission each day by telex or fax the following information concerning each application for a licence:

- the quantity for which each import licence is requested, with the indication, where appropriate, 'additional import licence',
- the name of the applicant for the import licence,
- the number of the export certificate submitted, as indicated in the upper section of the certificate,
- the date of issue of the export certificate,
- the total quantity for which the export certificate was issued,

— the name of the exporter indicated on the export certificate.

2. At the end of the first half of 2001, at the latest, the authorities responsible for issuing import licences shall communicate to the Commission by telex or fax a complete list of quantities not taken up as endorsed on the back of the import licences, the name of the cargo vessel and the numbers of the export certificates in question.

TITLE III

Final provisions*Article 10*

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, 27 December 1999.

For the Commission
Margot WALLSTRÖM
Member of the Commission

SERIAL No

**ORIGINAL****DEPARTMENT OF FOREIGN TRADE**
**MINISTRY OF COMMERCE
GOVERNMENT OF THAILAND**
EXPORT CERTIFICATE SUBJECT TO REGULATION (EC) No 2781/1999

SPECIAL FORM FOR PRODUCTS FALLING WITHIN CN CODES 0714 10 10, 0714 10 91, 0714 10 99

EXPORT CERTIFICATE No	
EXPORT PERMIT No	

1. EXPORTER (NAME, ADDRESS AND COUNTRY)		2. FIRST CONSIGNEE (NAME, ADDRESS AND COUNTRY)	
NAME		NAME	
ADDRESS		ADDRESS	
COUNTRY		COUNTRY	
3. SHIPPED PER		4. COUNTRY/COUNTRIES OF DESTINATION IN EC	
5. TYPE OF MANIOC PRODUCTS	6. WEIGHT (TONNES)	7. PACKING	
☐ CN CODE 0714 10 10 ☐ CN CODE 0714 10 91 ☐ CN CODE 0714 10 99	SHIPPED WEIGHT	☐ IN BULK ☐ BAGS ☐ OTHERS	
	ESTIMATED NET WEIGHT		

WE HEREBY CERTIFY THAT THE ABOVEMENTIONED PRODUCTS ARE PRODUCED IN AND ARE EXPORTED FROM THAILAND

DEPARTMENT OF FOREIGN TRADE

DATE

.....
NAME AND SIGNATURE OF AUTHORIZED OFFICIAL AND STAMP

THIS CERTIFICATE IS VALID FOR 120 DAYS FROM THE DATE OF ISSUE

FOR USE BY EC AUTHORITIES:

COMMISSION REGULATION (EC) No 2782/1999
of 27 December 1999
amending Regulation (EC) No 2420/1999 on the issuing of A1 export licences for fruit and
vegetables and fixing export refunds for apples

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EC) No 2200/96 of 28 October 1996 on the common organisation of the market in fruit and vegetables ⁽¹⁾, as last amended by Regulation (EC) No 1257/1999 ⁽²⁾, and in particular Article 35(3) thereof,

Whereas:

- (1) some difficulties are currently being experienced on the export market for apples, in particular as regards distant destinations;
- (2) the indicative quantities of apples eligible for export subsidy should be increased;
- (3) for exports to distant destinations this should be done without delay since certain licences are only valid until the end of February;
- (4) the date in Article 1 of Commission Regulation (EC) No 2420/1999 ⁽³⁾ from which new applications may be submitted for A1 export licences for apples should be amended;

- (5) the Management Committee for fresh Fruit and Vegetables has not delivered an opinion within the time limit set by its chairman,

HAS ADOPTED THIS REGULATION:

Article 1

The export refunds for apples shall be as laid down in the Annex hereto.

Licences issued for food aid, as referred to in Article 14a of Commission Regulation (EEC) No 3719/88 ⁽⁴⁾, shall not count against the eligible quantities laid down in the Annex.

Article 2

In Article 1 of Regulation (EC) No 2420/1999, the date 17 January 2000 is replaced by 4 January 2000.

Article 3

This Regulation shall enter into force on 4 January 2000.

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

Done at Brussels, 27 December 1999.

For the Commission
Margot WALLSTRÖM
Member of the Commission

⁽¹⁾ OJ L 297, 21.11.1996, p. 1.

⁽²⁾ OJ L 160, 26.6.1999, p. 80.

⁽³⁾ OJ L 291, 13.11.1999, p. 27.

⁽⁴⁾ OJ L 331, 2.12.1988, p. 1.

ANNEX

EXPORT REFUNDS FOR APPLES

Product (full definitions of eligible products are given in the 'Fruit and vegetables' sector of Commission Regulation (EEC) No 3846/87 amended)	Product code	Destination or destination group ⁽¹⁾	System Application periods					
			A1 4.1.2000 to 9.3.2000		A2 18 to 20.1.2000		B 24.1.2000 to 16.3.2000	
			Refund rate (EUR/t net weight)	Scheduled quantity (t)	Indicative refund rate (EUR/t net weight)	Scheduled quantity (t)	Indicative refund rate (EUR/t net weight)	Scheduled quantity (t)
Apples	0808 10 20 9100	F01	40		40	4 266	40	4 266
	0808 10 50 9100							
	0808 10 90 9100							
	0808 10 20 9100	F02	40		40	5 486	40	5 487
	0808 10 50 9100							
	0808 10 90 9100							
	0808 10 20 9100	F03, F04	40	4 500			40	2 500
	0808 10 50 9100							
	0808 10 90 9100							

⁽¹⁾ The destination codes are defined as follows:

F01: Norway, Iceland, Greenland, Faeroes, Poland, Hungary, Romania, Bulgaria, Albania, Estonia, Latvia, Lithuania, Bosnia-Herzegovina, Croatia, Slovenia, Former Yugoslav Republic of Macedonia, Federal Republic of Yugoslavia (Serbia and Montenegro), Malta.

F02: Armenia, Azerbaijan, Belarus, Georgia, Kazakhstan, Kyrgyzstan, Moldova, Russia, Tajikistan, Turkmenistan, Uzbekistan, Ukraine, destinations referred to in Article 34 of Commission Regulation (EEC) No 3665/87, as amended.

F03: African countries and territories except South Africa, countries of the Arabian Peninsula (Saudi Arabia, Bahrain, Qatar, Oman, United Arab Emirates (Abu Dhabi, Dubai, Sharjah, Ajman, Umm al Qalwain, Ras al Khaimah, Fujairah), Kuwait, Yemen), Syria, Iran, Jordan, Bolivia, Brazil, Venezuela, Peru, Panama, Ecuador, Colombia.

F04: Sri Lanka, Hong Kong SAR, Singapore, Malaysia, Indonesia, Thailand, Taiwan, Papua New Guinea, Laos, Cambodia, Vietnam, Uruguay, Paraguay, Argentina, Mexico, Costa Rica, and Japan.

**COMMISSION REGULATION (EC) No 2783/1999
of 27 December 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 the 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 the Gaza Strip ⁽¹⁾, as last amended by Regulation (EC) No 1300/97 ⁽²⁾, and in particular Article 5 (2) (a) thereof,

Whereas:

pursuant to Article 2 (2) and Article 3 of abovementioned Regulation (EEC) No 4088/87, Community import and producer prices are fixed each fortnight for uniflorous (bloom) carnations, multiflorous (spray) carnations, large-flowered roses and small-flowered roses and apply for two-weekly periods; pursuant to Article 1b of Commission Regulation (EEC) No 700/88 of 17 March 1988 laying down detailed rules for the application of the arrangements for the import into the Community of certain floricultural products originating in Cyprus, Israel, Jordan, Morocco and the West Bank and the Gaza Strip ⁽³⁾, as last amended by Regulation (EC) No 2062/

97 ⁽⁴⁾, those prices are determined for fortnightly periods on the basis of weighted prices provided by the Member States; those prices should be fixed immediately so the customs duties applicable can be determined; whereas, to that end, provision should be made for this Regulation to enter into force immediately,

HAS ADOPTED THIS REGULATION:

Article 1

The Community producer and import prices for uniflorous (bloom) carnations, multiflorous (spray) carnations, large-flowered roses and small-flowered roses as referred to in Article 1b of Regulation (EEC) No 700/88 for a fortnightly period shall be as set out in the Annex.

Article 2

This Regulation shall enter into force on 28 December 1999.

It shall apply from 29 December 1999 to 11 January 2000.

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

Done at Brussels, 27 December 1999.

For the Commission

Margot WALLSTRÖM

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 72, 18.3.1988, p. 16.

⁽⁴⁾ OJ L 289, 22.10.1997, p. 1.

ANNEX

(EUR/100 pieces)

Period from 29 December 1999 to 11 January 2000				
Community producer price	Uniflorous (bloom) carnations	Multiflorous (spray) carnations	Large-flowered roses	Small-flowered roses
	16,33	9,96	56,42	16,00
Community import prices	Uniflorous (bloom) carnations	Multiflorous (spray) carnations	Large-flowered roses	Small-flowered roses
Israel	15,22	7,54	16,15	14,84
Morocco	15,70	14,77	—	—
Cyprus	—	—	—	—
Jordan	—	—	—	—
West Bank and Gaza Strip	—	—	—	—

COMMISSION REGULATION (EC) No 2784/1999**of 27 December 1999****re-establishing the preferential customs duty on imports of uniflorous (standard) carnations originating in Morocco**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

down detailed rules for the application of these arrangements;

Having regard to the Treaty establishing the European Community,

(5) Whereas the preferential customs duty fixed for uniflorous (standard) carnations originating in Morocco by Regulation (EC) No 1981/94 was suspended by Commission Regulation (EC) No 2530/1999 ⁽⁸⁾;

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 and Morocco and the West Bank and the Gaza Strip ⁽¹⁾, as last amended by Regulation (EC) No 1300/97 ⁽²⁾, and last in particular Article 5(2)(b) thereof,

(6) Whereas on the basis of price recordings made as specified in Regulations (EEC) No 4088/87 and (EEC) No 700/88 it must be concluded that the requirement for reintroduction of the preferential customs duty laid down in Article 2 (4) of Regulation (EEC) No 4088/87 is met for uniflorous (standard) carnations originating in Morocco; whereas the preferential customs duty should be reintroduced;

(1) Whereas Regulation (EEC) No 4088/87 fixes conditions for the application of a preferential customs duty on large-flowered roses, small-flowered roses, uniflorous (bloom) carnations and multiflorous (spray) carnations within the limit of tariff quotas opened annually for imports of fresh cut flowers into the Community;

(7) Whereas in between meetings of the Management Committee, the Commission must adopt such measures,

(2) Whereas Council Regulation (EC) No 1981/94 ⁽³⁾, as last amended by Commission Regulation (EC) No 650/98 ⁽⁴⁾, opens and provides for the administration of Community tariff quotas for certain products originating in Cyprus, Egypt, Israel, Malta, Morocco, the West Bank and the Gaza Strip, Tunisia and Turkey, and providing detailed rules for extending and adapting these tariff quotas;

HAS ADOPTED THIS REGULATION:

Article 1

(3) Whereas Commission Regulation (EC) No 2783/1999 ⁽⁵⁾ fixed Community producer and import prices for carnations and roses for application of the arrangements for importation from the countries in question;

1. For imports of uniflorous (standard) carnations (CN codes ex 0603 10 13 and ex 0603 10 53) originating in Morocco the preferential customs duty set by Regulation (EC) No 1981/94 is reintroduced.

2. Regulation (EC) No 2530/1999 is hereby repealed.

(4) Whereas Commission Regulation (EEC) No 700/88 ⁽⁶⁾, as last amended by Regulation (EC) No 2062/97 ⁽⁷⁾, laid

Article 2

⁽¹⁾ OJ L 382, 31.12.1987, p. 22.

⁽²⁾ OJ L 177, 5.7.1997, p. 1.

⁽³⁾ OJ L 199, 2.8.1994, p. 1.

⁽⁴⁾ OJ L 88, 24.3.1998, p. 8.

⁽⁵⁾ See page 28 of this Official Journal.

⁽⁶⁾ OJ L 72, 18.3.1988, p. 16.

⁽⁷⁾ OJ L 289, 22.10.1997, p. 1.

This Regulation shall enter into force on 29 December 1999.

⁽⁸⁾ OJ L 306, 1.12.1999, p. 17.

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

Done at Brussels, 27 December 1999.

For the Commission
Margot WALLSTRÖM
Member of the Commission

COMMISSION DIRECTIVE 1999/99/EC**of 15 December 1999****adapting to technical progress Council Directive 80/1269/EEC on the approximation of the laws of the Member States relating to the engine power of motor vehicles****(Text with EEA relevance)**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

HAS ADOPTED THIS DIRECTIVE:

Having regard to the Treaty establishing the European Community,

Article 1

Having regard to Council Directive 70/156/EEC of 6 February 1970 on the approximation of the laws of the Member States relating to the type-approval of motor vehicles and their trailers ⁽¹⁾, as last amended by Directive 98/91/EC of the European Parliament and of the Council ⁽²⁾, and in particular Article 13(2) thereof,

Annex I to Directive 80/1269/EEC is hereby amended in accordance with the Annex to this Directive.

Article 2

Having regard to Council Directive 80/1269/EEC of 16 December 1980 on the approximation of the laws of the Member States relating to the engine power of motor vehicles ⁽³⁾, as last amended by Commission Directive 97/21/EC ⁽⁴⁾, and in particular Article 3 thereof,

1. With effect from 1 January 2000 Member States may not, on grounds relating to engine power:

— refuse, in respect of any given type of motor vehicle, to grant EC type-approval pursuant to Article 4(1) of Directive 70/156/EEC, or

— refuse to grant national type-approval, or

— prohibit the registration, sale or entry into service of vehicles pursuant to Article 7 of Directive 70/156/EEC,

Whereas:

if the engine power figures have been determined in accordance with the requirements of Directive 80/1269/EEC as amended by this Directive.

(1) Directive 80/1269/EEC is one of the separate Directives of the EC type-approval procedure which was established by Directive 70/156/EEC. Consequently, the provisions laid down in Directive 70/156/EEC relating to vehicle systems, components and separate technical units apply to this Directive.

2. With effect from 1 January 2000, Member States:

— shall no longer grant EC type-approval pursuant to Article 4(1) of Directive 70/156/EEC, and

— may refuse to grant national type-approval, except where the provisions of Article 8(2) of Directive 70/156/EEC are invoked,

(2) In the framework of the type-approval of gas-fuelled vehicles (LPG and NG), it is necessary to introduce provisions into Directive 80/1269/EEC for the measurement of the engine power of such vehicles, in particular with regard to the test fuels to be used, as defined in Commission Directive 98/77/EC of 2 October 1998 adapting to technical progress Council Directive 70/220/EEC on the approximation of the laws of the Member States relating to the measures to be taken against air pollution by emissions for motor vehicles ⁽⁵⁾. In this respect, it is appropriate to follow the technical requirements adopted by the United Nations Economic Commission for Europe in its Regulation No 85 ⁽⁶⁾.

for a type of vehicle if the engine power has not been determined in accordance with the requirements of Directive 80/1269/EEC, as amended by this Directive.

Article 3

(3) The measures provided for in this Directive are in accordance with the opinion of the Committee for Adaptation to Technical Progress established by Directive 70/156/EEC,

1. Member States shall bring into force the laws, regulations and administrative provisions necessary to comply with this Directive by 31 December 1999. They shall forthwith inform the Commission thereof.

When Member States adopt those provisions, they shall contain a reference to this Directive or be accompanied by such a reference on the occasion of their official publication. Member States shall determine how such reference is to be made.

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

⁽¹⁾ OJ L 42, 23.2.1970, p. 1.

⁽²⁾ OJ L 11, 16.1.1999, p. 25.

⁽³⁾ OJ L 375, 31.12.1980, p. 46.

⁽⁴⁾ OJ L 125, 16.5.1997, p. 31.

⁽⁵⁾ OJ L 286, 23.10.1998, p. 34.

⁽⁶⁾ UN/ECE Regulation No 85 (E/ECE324-E/ECE/TRANS/505/Rev.1/Add. 84), as amended.

Article 4

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

Article 5

This Directive is addressed to the Members States.

Done at Brussels, 15 December 1999.

For the Commission

Erkki LIIKANEN

Member of the Commission

ANNEX

AMENDMENTS TO ANNEX I TO DIRECTIVE 80/1269/EEC

1. Item 5.3.11 is replaced by the following:

‘5.3.11. the fuel used shall be the following:

5.3.11.1. For positive ignition engine fuelled with petrol:

the fuel used shall be the one available on the market. In any case of dispute, the reference fuel specified in Annex IX, first point, of Directive 70/220/EEC, as last amended, shall be used. Instead of the abovementioned reference fuel, the reference fuels defined by the CEC (*) for petrol-fuelled engines in CEC document RF-08-A-85, may be used.

5.3.11.2. For positive ignition engines fuelled with LPG:

5.3.11.2.1. In the case of an engine with self-adaptive fuelling:

the fuel used shall be the one available on the market. In any case of dispute the fuel shall be one of the reference fuels specified in Annex IX a of Directive 70/220/EEC, as last amended.

5.3.11.2.2. In the case of an engine without self-adaptive fuelling:

the fuel used shall be the reference fuel specified in Annex IX a of Directive 70/220/EEC, as last amended, with the lowest C3 content, or

5.3.11.2.3. In the case of an engine labelled for one specific fuel composition:

the fuel used shall be the fuel for which the engine is labelled.

5.3.11.2.4. The fuel used shall be specified in the test report.

5.3.11.3. For positive ignition engines fuelled with NG:

5.3.11.3.1. In the case of an engine with self-adaptive fuelling:

the fuel used shall be the one available on the market. In any case of dispute the fuel shall be one of the reference fuels specified in Annex IX a of Directive 70/220/EEC, as last amended.

5.3.11.3.2. In the case of an engine without self-adaptive fuelling:

the fuel used shall be the one available on the market with a Wobbe index at least $52,6 \text{ MJm}^{-3}$ (0°C , 101,3 kPa). In any case of dispute the fuel used shall be the reference fuel G20 specified in Annex IX a of Directive 70/220/EEC, as last amended, i.e. the fuel with the highest Wobbe Index, or

5.3.11.3.3. In the case of an engine labelled for a specific range of fuels:

the fuel used shall be the one available on the market with a Wobbe Index at least $52,6 \text{ MJm}^{-3}$ (0°C , 101,3 kPa) if the engine is labelled for the H-range of gases, or at least $47,2 \text{ MJm}^{-3}$ (0°C , 101,3 kPa) if the engine is labelled for the L-range of gases. In any case of dispute the fuel used shall be the reference fuel G20, specified in Annex IX a of Directive 70/220/EEC, as last amended, if the engine is labelled for the H-range of gases, or the reference fuel G23 if the engine is labelled for the L-range of gases, i.e. the fuel with the highest Wobbe for the relevant range, or

5.3.11.3.4. In the case of an engine labelled for one specific fuel composition:

the fuel used shall be the fuel for which the engine is labelled.

5.3.11.3.5. The fuel used shall be specified in the test report.

5.3.11.4. For compression ignition engines:

the fuel used shall be the one available on the market. In any case of dispute, the reference fuel specified in Annex IX, second point, of Directive 70/220/EEC, as last amended, shall be used. Instead of the abovementioned reference fuel, the reference fuel defined by the CEC (*) for compression ignition engines in CEC documents RF-03--A-84 may be used.

5.3.11.5. Positive ignition engines of vehicles that can run either on petrol or on a gaseous fuel, are to be tested with both fuels, in accordance with the provisions in items 5.3.11.1 to 5.3.11.3. The vehicles that can be fuelled with both petrol and a gaseous fuel, but where the petrol system is fitted for emergency purposes or starting only and of which the petrol tank cannot contain more than 15 litres of petrol will be regarded for the test as vehicles that can only run a gaseous fuel.

(*) Coordinating European Council for the Development of Performance Tests for Lubricants and Engine Fuels.’

2. Footnote 1 is added at the end of item 8.1, to read:

'⁽¹⁾ The manufacturer may only declare one value as long as the engine power is the same within one variant of the engine type. Each variant must be clearly defined.'

3. Item 3.2.2. of Appendix 1 shall read as follows:

'3.2.2. Fuel: diesel oil/petrol/LPG/NG⁽¹⁾'

4. Items 3.2.15. and 3.2.16. of Appendix 1 are added as follows:

'3.2.15. LPG fuelling system: yes/no ⁽¹⁾

3.2.15.1. Approval number according to Directive 70/221/EEC ⁽³⁾:

3.2.15.2. Electronic engine management control unit for LPG fuelling:

3.2.15.2.1. Make(s):

3.2.15.2.2. Type(s):

3.2.15.2.3. Emission related adjustment possibilities

3.2.15.3. Further documentation:

3.2.15.3.1. Description of the safeguarding of the catalyst at switch-over from petrol to LPG or back:

.....

3.2.15.3.2. System lay-out (electrical connections, vacuum connections compensation hoses, etc.)

.....

3.2.15.3.3. Drawing of the symbol

3.2.16. NG fuelling system: yes/no ⁽¹⁾

3.2.16.1. Approval number according to Directive 70/221/EEC ⁽³⁾:

3.2.16.2. Electronic engine management control unit for NG fuelling:

3.2.16.2.1. Make(s):

3.2.16.2.2. Type(s):

3.2.16.2.3. Emission related adjustment possibilities

3.2.16.3. Further documentation:

3.2.16.3.1. Description of the safeguarding of the catalyst at switch-over from petrol to NG or back:

.....

3.2.16.3.2. System layout (electrical connections, vacuum connections compensation hoses, etc.)

.....

3.2.16.3.3. Drawing of the symbol

5. Footnote 3 is added at the end of Appendix 1, to read:

'⁽³⁾ When this Directive will be amended to cover gaseous fuel tanks.'

6. Item 1.1.3. of the Addendum to Appendix 2 shall read as follows:

'1.1.3. Fuel: diesel oil/petrol/LPG/NG⁽¹⁾.'

COMMISSION DIRECTIVE 1999/100/EC**of 15 December 1999****adapting to technical progress Council Directive 80/1268/EEC relating to the carbon dioxide emissions and the fuel consumption of motor vehicles****(Text with EEA relevance)**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Directive 70/156/EEC of 6 February 1970 on the approximation of the laws of the Member States relating to the type-approval of motor vehicles and their trailers ⁽¹⁾, as last amended by Directive 98/91/EC of the European Parliament and of the Council ⁽²⁾, and in particular Article 13(2) thereof,

Having regard to Council Directive 80/1268/EEC of 16 December 1980 relating to the carbon dioxide emissions and the fuel consumption of motor vehicles ⁽³⁾, as last amended by Commission Directive 93/116/EC ⁽⁴⁾, and in particular Article 3 thereof,

Whereas:

- (1) Directive 80/1268/EEC is one of the separate Directives of the EC type-approval procedure which was established by Directive 70/156/EEC. Consequently, the provisions laid down in Directive 70/156/EEC relating to vehicle systems, components and separate technical units apply to this Directive.
- (2) In Directive 98/69/EC of the European Parliament and Council of 13 October 1998 relating to measures to be taken against air pollution from motor vehicles and amending Council Directive 70/220/EEC ⁽⁵⁾, the type I test cycle for emission measurement was amended by abolishing the initial 40 seconds of engine idle time. It is necessary to align the test cycle for the measurement of CO₂ emissions and fuel consumption in Directive 80/1268/EEC accordingly.
- (3) With a view to the monitoring of CO₂ emissions in the framework of the Community strategy to reduce CO₂ emissions of passenger cars, it is appropriate to introduce into Directive 80/1268/EEC new technical requirements regarding the measurement of CO₂ emissions and fuel consumption for the EC type-approval of gas-fuelled vehicles (LPG and NG). In this respect, it is appropriate to follow the technical requirements adopted by the United Nations Economic Commission for Europe in its Regulation No 101 ⁽⁶⁾.

- (4) The measures provided for in this Directive are in accordance with the opinion of the Committee for Adaptation to Technical Progress established by Directive 70/156/EEC,

HAS ADOPTED THIS DIRECTIVE:

Article 1

Annexes I and II to Directive 80/1268/EEC are hereby amended in accordance with the Annex to this Directive.

Article 2

1. With effect from 1 January 2000, Member States may not, on grounds relating to the emission of carbon dioxide or to fuel consumption:

- refuse, in respect of any given type of motor vehicle, to grant EC type-approval pursuant to Article 4(1) of Directive 70/156/EEC, or
- refuse to grant national type-approval, or
- prohibit the registration, sale or entry into service of vehicles pursuant to Article 7 of Directive 70/156/EEC

if the emission and consumption figures have been determined in accordance with the requirements of Directive 80/1268/EEC, as amended by this Directive.

2. With effect from 1 January 2000, for vehicles in category M₁ as defined in Annex II, Section A, to Directive 70/156/EEC, except vehicles of which the maximum mass exceeds 2 500 kg, and with effect from 1 January 2001 for vehicles in category M₁ the maximum mass of which exceeds 2 500 kg, Member States:

- shall no longer grant EC type-approval pursuant to Article 4(1) of Directive 70/156/EEC, and
- shall refuse to grant national type-approval, except where the provisions of Article 8(2) of Directive 70/156/EEC are invoked,

for a type of vehicle if the emission and consumption figures have not been determined in accordance with the requirements of Directive 80/1268/EEC, as amended by this Directive.

3. With effect from 1 January 2001, for vehicles in category M₁ as defined in Annex II, Section A, to Directive 70/156/EEC, except vehicles of which the maximum mass exceeds 2 500 kg, and with effect from 1 January 2002 for vehicles in category M₁ the maximum mass of which exceeds 2 500 kg, Member States:

⁽¹⁾ OJ L 42, 23.2.1970, p. 1.

⁽²⁾ OJ L 11, 16.1.1999, p. 25.

⁽³⁾ OJ L 375, 31.12.1980, p. 36.

⁽⁴⁾ OJ L 329, 30.12.1993, p. 39.

⁽⁵⁾ OJ L 350, 28.12.1998, p. 1.

⁽⁶⁾ UN/ECE Regulation No 101 (E/ECE324-E/ECE/TRANS/505/Rev.2 Add. 100), as amended.

- shall consider certificates of conformity which accompany new vehicles in accordance with the provisions of Directive 70/156/EEC to be no longer valid for the purposes of Article 7(1) of that Directive, and
- shall refuse the registration, sale and entry into service of new vehicles which are not accompanied by a certificate of conformity in accordance with Directive 70/156/EEC, except where the provisions of Article 8(2) of Directive 70/156/EEC are invoked,

if the emission and consumption figures have not been determined in accordance with the requirements of Directive 80/1268/EEC, as amended by this Directive.

Article 3

1. Member States shall bring into force the laws, regulations and administrative provisions necessary to comply with this Directive by 31 December 1999. They shall forthwith inform the Commission thereof.

When Member States adopt those provisions, they shall contain a reference to this Directive or be accompanied by such a reference on the occasion of their official publication.

Member States shall determine how such reference is to be made.

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

Article 4

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

Article 5

This Directive is addressed to the Member States.

Done at Brussels, 15 December 1999.

For the Commission

Erkki LIIKANEN

Member of the Commission

ANNEX

AMENDMENTS TO ANNEXES I AND II TO DIRECTIVE 80/1268/EEC

Annex I is amended as follows:

1. Item 4.1 is replaced by the following:

'4.1. The CO₂ emissions are measured during the test cycle simulating the urban and extra-urban driving patterns as described in Appendix 1 of Annex III to Directive 70/220/EEC, as last amended.'

2. Item 4.4 is replaced by the following:

'4.4. **Test fuel**

4.4.1. Petrol and diesel vehicles

The appropriate reference fuels as defined in Annex IX to Directive 70/220/EEC, as last amended, must be used for testing.

4.4.2. LPG and NG-fuelled vehicles

For LPG and NG, that fuel must be used which is chosen by the manufacturer for the measurement of the net power in accordance with Annex I to Directive 80/1269/EEC. The chosen fuel shall be specified in the communication document as defined in Annex II.

4.4.3. For the purpose of calculation mentioned in 4.3, the following fuel characteristics will be used:

(a) density: measured on the test fuel according to ISO 3675 or an equivalent method; for petrol and diesel the measured density at 15 °C will be used; for LPG and NG, a reference density will be used, as follows:

0,538 kg/l for LPG

0,654 kg/m³ for NG (*)

(b) hydrogen-carbon ratio: fixed values will be used, which are:

1,85 for petrol

1,86 for diesel

2,525 for LPG

4,00 for NG

2,93 for NG (NMHC)

(*) This is the mean value of the G20 and G23 reference fuels at 15 °C.'

3. Item 5.1.4, second paragraph, is replaced by the following:

'At the manufacturer's request, positive ignition engines may be preconditioned according to the procedure prescribed in item 5.2.1 of Annex VI to Directive 70/220/EEC, as last amended. Compression ignition engines may be preconditioned according to the procedure described in item 5.3 of Annex III to the same Directive.'

4. Item 6.1 is replaced by the following:

'6.1. **Test cycle**

The test cycle is described in Appendix 1 of Annex III to Directive 70/220/EEC, as last amended, including both Part I (urban driving) and Part II (extra-urban driving). All driving prescriptions contained in this Appendix will be applied for the CO₂ measurement.'

5. Item 6.3.1 is replaced by the following:

'6.3.1. The load and inertia adjustments of the dynamometer are determined as defined in Annex III to Directive 70/220/EEC, as last amended.'

6. Items 6.3.2 and 6.3.3 are deleted.

7. Item 6.4.1.3 is amended to read:

'.....

The dilution factor is calculated as follows:

$$\text{For petrol and diesel: } DF = \frac{13,4}{C_{CO_2} + (C_{HC} + C_{CO})10^{-4}}$$

$$\text{For LPG } DF = \frac{11,9}{C_{CO_2} + (C_{HC} + C_{CO})10^{-4}}$$

$$\text{For NG } DF = \frac{9,5}{C_{CO_2} + (C_{HC} + C_{CO})10^{-4}}$$

where: ...'

8. Item 7.2 is replaced by the following:

'7.2. The fuel consumption, expressed in litres per 100 km (in the case of petrol, LPG or diesel) or in m³ per 100 km (in the case of NG), is calculated by means of the following formulae: (**)

(a) for vehicles with a positive ignition engine fuelled with petrol:

$$FC = (0,1154/D) \times [(0,866 \times THC) \times (0,429 \times CO) \times (0,273 \times CO_2)]$$

(b) for vehicles with a positive ignition engine fuelled with LPG:

$$FC_{\text{norm}} = (0,1212/0,538) \times [(0,825 \times THC) + (0,429 \times CO) + (0,273 \times CO_2)]$$

If the composition of the fuel used for the test differs from the composition that is assumed for the calculation of the normalised consumption, on the manufacturer's request a correction factor *cf* may be applied as follows:

$$FC_{\text{norm}} = (0,1212/0,538) \times cf \times [(0,825 \times THC) + (0,429 \times CO) + (0,273 \times CO_2)]$$

The correction factor *cf*, which may be applied, is determined as follows:

$$cf = 0,825 + 0,0693 \times n_{\text{actual}}$$

where:

n_{actual} = the actual H/C ratio of the fuel used

(c) for vehicles with a positive ignition engine fuelled with NG:

$$FC_{\text{norm}} = (0,1336/0,654) \times [(0,749 \times THC) + (0,429 \times CO) + (0,273 \times CO_2)]$$

(d) for vehicles with a compression ignition engine:

$$FC = (0,1155/D) \times [(0,866 \times THC) + (0,429 \times CO) + (0,273 \times CO_2)]$$

In these formulae:

FC = the fuel consumption in litre per 100 km (in the case of petrol, LPG or diesel) or in m³ per 100 km (in the case of NG)

THC = the measured emission of total hydrocarbons in g/km

CO = the measured emission of carbon monoxide in g/km

CO₂ = the measured emission of carbon dioxide in g/km

D = the density of the test fuel at 15 °C.

(**) Repeat for petrol and gaseous fuel in the case of a vehicle that can run either on petrol or on a gaseous fuel. Vehicles that can be fuelled with both petrol and a gaseous fuel, but where the petrol system is fitted for emergency purposes or starting only and of which the petrol tank cannot contain more than 15 litres of petrol will be regarded for the test as vehicles which can only run a gaseous fuel.'

9. Item 9.1.1.2.4 is replaced by the following:

'9.1.1.2.4. The reference fuels described in Annex IX and Annex IXa to Directive 70/220/EEC, as last amended, shall be used for testing.'

Annex II is amended as follows:

1. Item 1.7 of the Addendum is replaced by the following:

'1.7. Test results ⁽⁴⁾

1.7.1. CO₂ mass emissions

1.7.1.1. CO₂ mass emissions (urban conditions): g/km

1.7.1.2. CO₂ mass emissions (extra-urban conditions): g/km

1.7.1.3. CO₂ mass emissions (combined): g/km

1.7.2. Fuel consumptions

1.7.2.1. Fuel consumption (urban conditions): l/100 km ⁽⁵⁾

1.7.2.2. Fuel consumption (extra-urban conditions): l/100 km ⁽⁵⁾

1.7.2.3. Fuel consumption (combined): l/100 km ⁽⁵⁾

2. The following footnotes are added at the end of the Addendum:

⁽⁴⁾ Repeat for petrol and gaseous fuel in the case of a vehicle that can run either on petrol or on a gaseous fuel. Vehicles that can be fuelled with both petrol and a gaseous fuel, but where the petrol system is fitted for emergency purposes or starting only and of which the petrol tank cannot contain more than 15 litres of petrol will be regarded for the test as vehicles which can only run a gaseous fuel.

⁽⁵⁾ For vehicles fuelled with NG, the unit "l/100 km" is replaced by "m³/100 km".

COMMISSION DIRECTIVE 1999/101/EC**of 15 December 1999****adapting to technical progress Council Directive 70/157/EEC relating to the permissible sound level and the exhaust system of motor vehicles****(Text with EEA relevance)**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Directive 70/156/EEC of 6 February 1970 on the approximation of the laws of the Member States relating to the type-approval of motor vehicles and their trailers ⁽¹⁾, as last amended by European Parliament and Council Directive 98/91/EC ⁽²⁾, and in particular Article 13(2) thereof,

Having regard to Council Directive 70/157/EEC of 6 February 1970 on the approximation of the laws of the Member States relating to the permissible sound level and the exhaust system of motor vehicles ⁽³⁾, as last amended by Commission Directive 96/20/EC ⁽⁴⁾, and in particular Article 3 thereof,

Whereas:

- (1) In the framework of the EC type-approval of exhaust systems as separate technical units (replacement exhaust systems), it appears to be extremely difficult to select a vehicle which meets the current requirements. It is therefore necessary to adapt the definition of a representative vehicle as to ensure that the submitted vehicle complies with the conformity of production requirements relating to the permissible sound level.
- (2) Certain references introduced by Council Directive 92/97/EEC ⁽⁵⁾, amending Directive 70/157/EEC, require an update.
- (3) The measures provided for in this Directive are in accordance with the opinion of the Committee for Adaptation to Technical Progress set up under Directive 70/156/EEC,

HAS ADOPTED THIS DIRECTIVE:

Article 1

Annexes II and III to Directive 70/157/EEC are hereby amended in accordance with the Annex to this Directive.

Article 2

1. With effect from 1 April 2000, Member States may not, on grounds relating to the permissible sound level or the exhaust system:

— refuse to grant EC type-approval or national type-approval in respect of a type of vehicle or a type of exhaust system, or

— prohibit the registration, sale or entry into service of vehicles, or the sale or entry into service of exhaust systems,

if the vehicles or exhaust systems meet the requirements of Directive 70/157/EEC, as amended by this Directive.

2. With effect from 1 October 2000, Member States:

— shall no longer grant EC type-approval,

and

— shall refuse to grant national type-approval

for a type of vehicle and for a type of exhaust system, if the requirements of Directive 70/157/EEC, as amended by this Directive, are not fulfilled.

3. Notwithstanding paragraph 2, for the purposes of replacement parts, Member States shall continue to grant EC type-approval, and to permit the sale or entry into service, of exhaust systems in accordance with previous versions of Directive 70/157/EEC, provided that such exhaust systems:

— are intended to be fitted to vehicles already in use,

and

— comply with the requirements of that Directive which were applicable when the vehicles were first registered.

Article 3

1. Member States shall bring into force the laws, regulations and administrative provisions necessary to comply with this Directive no later than 31 March 2000. They shall forthwith inform the Commission thereof.

They shall apply these provisions with effect from 1 April 2000.

When Member States adopt those provisions, they shall contain a reference to this Directive or be accompanied by such a reference on the occasion of their official publication. Member States shall determine how such reference is to be made.

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

⁽¹⁾ OJ L 42, 23.2.1970, p. 1.

⁽²⁾ OJ L 11, 16.1.1999, p. 25.

⁽³⁾ OJ L 42, 23.2.1970, p. 16.

⁽⁴⁾ OJ L 92, 13.4.1996, p. 23.

⁽⁵⁾ OJ L 371, 19.12.1992, p. 1.

Article 4

This Directive shall enter into force on the 20th day following its publication in the *Official Journal of the European Communities*.

Article 5

This Directive is addressed to the Member States.

Done at Brussels, 15 December 1999.

For the Commission

Erkki LIIKANEN

Member of the Commission

ANNEX

1. Annex II to Directive 70/157/EEC is amended as follows:

(a) item 2.3.3 is replaced by the following:

'2.3.3. A vehicle representative of the type to which the system is to be fitted, which meets the requirements of item 4.1 of Annex III, part I;'

(b) the following item 5.1.3 is added:

'5.1.3. Exhaust systems shall be carefully installed on the vehicle. In particular, it shall be checked that the complete exhaust system will not noticeably leak after installation.'

2. Annex III to Directive 70/157/EEC is amended as follows:

(a) in part I, item 1 the words: 'pursuant to sections 7.3.5 and 7.4.3 of Annex I' shall be replaced by 'pursuant to item 7 of Annex I';

(b) in part II, item 1 the words: 'pursuant to sections 6.3.5 and 6.4.3 of Annex II' shall be replaced by 'pursuant to item 7 of Annex II'.

COMMISSION DIRECTIVE 1999/102/EC**of 15 December 1999****adapting to technical progress Council Directive 70/220/EEC relating to measures to be taken against air pollution by emissions from motor vehicles****(Text with EEA relevance)**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Directive 70/220/EEC of 20 March 1970 on the approximation of the laws of the Member States relating to measures to be taken against air pollution by emissions from motor vehicles ⁽¹⁾, as last amended by Directive 98/69/EC of the European Parliament and of the Council ⁽²⁾, and in particular Article 5 thereof,

Whereas:

- (1) Directive 70/220/EEC is one of the separate directives under the type-approval procedure laid down by Council Directive 70/156/EEC of 6 February 1970 on the approximation of the laws of the Member States relating to the type-approval of motor vehicles and their trailers ⁽³⁾, as last amended by Directive 98/91/EC of the European Parliament and of the Council ⁽⁴⁾.
- (2) Directive 70/220/EEC lays down the specifications for the testing of emissions of the motor vehicles covered by its scope. In view of the recent experience gained and the rapidly developing state of the art of on-board diagnostic (OBD) systems, it is appropriate to adapt those specifications accordingly with effect from the dates specified in Directive 98/69/EC.
- (3) It is necessary to clarify the dates of application of the OBD requirements of this Directive for new types and all types of vehicles of category M₁ equipped with compression-ignition engines and the maximum mass of which exceeds 2 500 kg and for vehicles in category N₁ classes II and III.
- (4) It is appropriate to clarify the OBD requirements in relation to tamper prevention, disablement of engine misfire monitoring during certain operating conditions, the storage of distance travelled by the vehicle while a malfunction is indicated to the driver through the malfunction indicator, the capability of the OBD system to perform bi-directional logic control, the use of the P1 and P0 fault code sets of ISO 15031-6, the diagnostic connector and to express the OBD threshold limits to two decimal places. It is appropriate to introduce revised provisions for misfire monitoring under conditions

likely to cause catalyst damage to reduce the possibility of false fault indications and to introduce the possibility of partial catalyst volume monitoring and the use of the enhanced on-board to off-board communications link provided by controller area network (CAN).

- (5) It is appropriate to allow the type-approval of vehicles with OBD systems that contain a limited number of minor deficiencies that may arise at, or prior to the time of type-approval or are discovered when vehicles are already in service. The type-approval authority may also issue an extension to the type-approval certificate for vehicles that have already been type-approved in cases where deficiencies are subsequently found within the OBD system on vehicles in-service. Such extensions may not be issued if there is a complete lack of monitoring capability. A period should be specified within which deficiencies authorised by the authority must be corrected on future manufactured vehicles.
- (6) The measures provided for in this Directive are in accordance with the opinion of the Committee for Adaptation to Technical Progress established by Directive 70/156/EEC,

HAS ADOPTED THIS DIRECTIVE:

Article 1

Annexes I, VI, X and XI to Directive 70/220/EEC are amended in accordance with the Annex to this Directive.

Article 2

1. Member States shall bring into force the laws, regulations and administrative provisions necessary to comply with this Directive by 31 December 1999 at the latest. They shall forthwith inform the Commission thereof.

When Member States adopt those provisions, they shall contain a reference to this Directive or be accompanied by such a reference on the occasion of their official publication. Member States shall determine how such reference is to be made.

2. Member States shall communicate to the Commission the texts of the main provisions of national law that they adopt in the field governed by this Directive.

⁽¹⁾ OJ L 76, 6.4.1970, p. 1.

⁽²⁾ OJ L 350, 28.12.1998, p. 1.

⁽³⁾ OJ L 42, 23.2.1970, p. 1.

⁽⁴⁾ OJ L 11, 16.1.1999, p. 25.

Article 3

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

Article 4

This Directive is addressed to the Member States.

Done at Brussels, 15 December 1999.

For the Commission

Erkki LIIKANEN

Member of the Commission

ANNEX

AMENDMENTS TO ANNEXES I, VI, X AND XI TO DIRECTIVE 70/220/EEC

A. Annex I is amended as follows:

1. Section 5.1.4.1 is replaced by the following:

'5.1.4.1. Any vehicle with an emission control computer must include features to deter modification, except as authorised by the manufacturer. The manufacturer shall authorise modifications if these modifications are necessary for the diagnosis, servicing, inspection, retrofitting or repair of the vehicle. Any reprogrammable computer codes or operating parameters must be resistant to tampering and afford a level of protection at least as good as the provisions in ISO DIS 15031-7; dated October 1998 (SAE J2186 dated October 1996) provided that the security exchange is conducted using the protocols and diagnostic connector as prescribed in Section 6.5 of Annex XI, Appendix 1. Any removable calibration memory chips must be potted, encased in a sealed container or protected by electronic algorithms and must not be changeable without the use of specialised tools and procedures.'

2. Section 5.1.4.5 is replaced by the following:

'5.1.4.5. Manufacturers using programmable computer code systems (e.g. electrical erasable programmable read-only memory, EEPROM) must deter unauthorised reprogramming. Manufacturers must include enhanced tamper-protection strategies and write protect features requiring electronic access to an off site computer maintained by the manufacturer. Methods giving an adequate level of tamper protection will be approved by the authority.'

3. Sections 8.1, 8.2, 8.3 and 8.4 are replaced by the following:

8.1. Vehicles with positive-ignition engines

With effect from 1 January 2000 for new types and from 1 January 2001 for all types, vehicles of category M_1 , except vehicles the maximum mass of which exceeds 2 500 kg, and vehicles of category N_1 class I, must be fitted with an on-board diagnostic (OBD) system for emission control in accordance with Annex XI.

With effect from 1 January 2001 for new types and from 1 January 2002 for all types, vehicles of category N_1 classes II and III and vehicles of category M_1 , the maximum mass of which exceeds 2 500 kg, must be fitted with an OBD system for emission control in accordance with Annex XI.

8.2. Vehicles with compression-ignition engines

Vehicles of category M_1 , except

- vehicles designed to carry more than six occupants including the driver,
- vehicles whose maximum mass exceeds 2 500 kg,

from 1 January 2003 for new types and from 1 January 2004 for all types, must be fitted with an on-board diagnostic (OBD) system for emission control in accordance with Annex XI.

Where new types of compression-ignition engines entering into service prior to this date are fitted with an OBD system, the provisions of sections 6.5.3 to 6.5.3.6 of Annex XI, Appendix 1, are applicable.

8.3. Vehicles with compression-ignition engines exempt from Section 8.2

From 1 January 2005 for new types and from 1 January 2006 for all types, vehicles of category M_1 exempted by Section 8.2, except vehicles of category M_1 equipped with compression-ignition engines and the maximum mass of which exceeds 2 500 kg, and vehicles in category N_1 class 1 equipped with compression-ignition engines, must be fitted with on-board diagnostic (OBD) systems for emission control in accordance with Annex XI.

From 1 January 2006 for new types and 1 January 2007 for all types, vehicles in category N_1 , classes II and III equipped with compression-ignition engines and vehicles of category M_1 equipped with compression-ignition engines and the maximum mass of which exceeds 2 500 kg, must be fitted with on-board diagnostic (OBD) systems for emission control in accordance with Annex XI.

Where compression-ignition engined vehicles entering into service prior to the dates given in this section are fitted with OBD systems, the provisions of Sections 6.5.3 to 6.5.3.6 of Annex XI, Appendix 1, are applicable.

8.4. Vehicles of other categories

Vehicles of other categories or vehicles of category M₁ and N₁ not covered by 8.1, 8.2 or 8.3, may be fitted with an OBD system. In this case, Sections 6.5.3 to 6.5.3.6 of Annex XI, Appendix 1 are applicable.'

- B. In Annex VI, the table in Appendix 2 entitled 'Diurnal ambient temperature profile for the calibration of the enclosure and the diurnal emission test' is replaced by the following table:

'Diurnal ambient temperature profile for the calibration of the enclosure and the diurnal emission test

Time (hours)		Temperature (°C)
Calibration	Test	
13	0/24	20
14	1	20,2
15	2	20,5
16	3	21,2
17	4	23,1
18	5	25,1
19	6	27,2
20	7	29,8
21	8	31,8
22	9	33,3
23	10	34,4
24/0	11	35
1	12	34,7
2	13	33,8
3	14	32
4	15	30
5	16	28,4
6	17	26,9
7	18	25,2
8	19	24
9	20	23
10	21	22
11	22	20,8
12	23	20,2'

- C. Annex X is amended as follows:

1. The table in Section 1.8. is replaced by the following table:

Type 1	CO (g/km)	THC ⁽³⁾ (g/km)	NO _x (g/km)	THC+NO _x ⁽²⁾ (g/km)	Particulates ⁽²⁾ (g/km)
Measured					
with DF					

2. Sections 1.8.1 to 1.8.5 are renumbered as 1.8.2 to 1.8.6.
 3. Footnote 4 in Sections 1.8.3.1 to 1.8.3.4 is renumbered as footnote 3. Footnote 5 in Sections 1.8.3.5 to 1.8.3.8 is renumbered as footnote 2.
- Footnotes 4 and 5 are deleted.

D. Annex XI is amended as follows:

1. In the English version, Section 2.19 is added as follows:

'2.19. "Repair information" means all information required for diagnosis, servicing, inspection, periodic monitoring or repair of the vehicle and which the manufacturers provide for their authorised dealers/repair shops. Where necessary, such information shall include service handbooks, technical manuals, diagnosis information (e.g. minimum and maximum theoretical values for measurements), wiring diagrams, the software calibration identification number applicable to a vehicle type, instructions for individual and special cases, information provided concerning tools and equipment, data record information and two-directional monitoring and test data. The manufacturer shall not be obliged to make available that information which is covered by intellectual property rights or constitutes specific know-how of manufacturers and/or OEM suppliers; in this case the necessary technical information shall not be improperly withheld.'

2. This item only concerns the Portuguese version.

3. A section 2.20 is added as follows:

'2.20 "Deficiency" means, in respect of vehicle OBD systems, that up to two separate components or systems that are monitored contain temporary or permanent operating characteristics that impair the otherwise efficient OBD monitoring of those components or systems or do not meet all of the other detailed requirements for OBD. Vehicles may be type-approved, registered and sold with such deficiencies according to the requirements of Section 4 of this Annex.'

4. Section 3.1.1 is replaced by the following:

'3.1.1. Access to the OBD system required for the inspection, diagnosis, servicing or repair of the vehicle must be unrestricted and standardised. All emission-related fault codes must be consistent with Section 6.5.3.4 of Appendix 1 to this Annex.'

5. Section 3.2.2.2 is replaced by the following:

'3.2.2.2. When a manufacturer can demonstrate to the authority that the detection of higher levels of misfire percentages is still not feasible, or that misfire cannot be distinguished from other effects (e.g. rough roads, transmission shifts, after engine starting; etc.) the misfire monitoring system may be disabled when such conditions exist.'

6. Section 3.3.2 and the table are replaced by the following:

'3.3.2. The OBD system must indicate the failure of an emission-related component or system when that failure results in emissions exceeding the threshold limits given below:

Category	Class	Reference mass (RW) (kg)	Mass of carbon monoxide		Mass of total hydrocarbons		Mass of oxides of nitrogen		Mass of particulates ⁽¹⁾
			(CO) L ₁ (g/km)		(THC) L ₂ (g/km)		(NO _x) L ₃ (g/km)		(PM) L ₄ (g/km)
			Petrol	Diesel	Petrol	Diesel	Petrol	Diesel	Diesel
M ⁽²⁾ ⁽⁴⁾	—	all	3,20	3,20	0,40	0,40	0,60	1,20	0,18
N ₁ ⁽³⁾ ⁽⁴⁾	I	RW ≤ 1305	3,20	3,20	0,40	0,40	0,60	1,20	0,18
	II	1305 < RW ≤ 1760	5,80	4,00	0,50	0,50	0,70	1,60	0,23
	III	1760 < RW	7,30	4,80	0,60	0,60	0,80	1,90	0,28

⁽¹⁾ For compression ignition engines.

⁽²⁾ Except vehicles the maximum mass of which exceeds 2 500 kg.

⁽³⁾ And those category M vehicles which are specified in note 2.

⁽⁴⁾ The Commission proposal referred to in Article 3(1) of this Directive shall contain the threshold limit values for OBD for 2005/6 for M₁ and N₁ vehicles.'

7. Section, 3.3.3.1 is replaced by the following:

'3.3.3.1. Reduction in the efficiency of the catalytic converter with respect to the emissions of HC only. Manufacturers may monitor the front catalyst alone or in combination with the next catalyst(s) downstream. Each monitored catalyst or catalyst combination shall be considered malfunctioning when the emissions exceed the HC threshold given in the table in Section 3.3.2.'

8. Section 3.3.3.5 is replaced by the following:

'3.3.3.5. Unless otherwise monitored, any other emission-related powertrain component connected to a computer, including any relevant sensors to enable monitoring functions to be carried out, must be monitored for circuit continuity.'

9. Section 3.3.4.5 is replaced by the following:

'3.3.4.5. Unless otherwise monitored, any other emission-related powertrain component connected to a computer must be monitored for circuit continuity.'

10. Section 3.6.1 is replaced by the following:

'3.6.1. The distance travelled by the vehicle while the MI is activated must be available at any instant through the serial port on the standard link connector ⁽²⁾.

⁽²⁾ This requirement is only applicable from 1 January 2003 to new types of vehicles with an electronic speed input to the engine management. It applies to all new types of vehicles entering into service from 1 January 2005.'

11. Section 3.7.1 is replaced by the following:

'3.7.1. If misfire at levels likely to cause catalyst damage (as specified by the manufacturer) is not present any more, or if the engine is operated after changes to speed and load conditions where the level of misfire will not cause catalyst damage, the MI may be switched back to the previous state of activation during the first driving cycle on which the misfire level was detected and may be switched to the normal activated mode on subsequent driving cycles. If the MI is switched back to the previous state of activation, the corresponding fault codes and stored freeze-frame conditions may be erased.'

12. A Section 4 is added as follows:

4. Requirements relating to the type-approval of on-board diagnostic systems

4.1. A manufacturer may request to the authority that an OBD system be accepted for type-approval even though the system contains one or more deficiencies such that the specific requirements of this Annex are not fully met.

4.2. In considering the request, the authority shall determine whether compliance with the requirements of this Annex is infeasible or unreasonable.

The authority shall take into consideration data from the manufacturer that details such factors as, but not limited to, technical feasibility, lead time and production cycles including phase-in or phase-out of engines or vehicle designs and programmed upgrades of computers, the extent to which the resultant OBD system will be effective in complying with the requirements of this directive and that the manufacturer has demonstrated an acceptable level of effort toward compliance with the requirements of this Directive.

4.2.1. The authority will not accept any deficiency request that includes the complete lack of a required diagnostic monitor.

4.2.2. The authority will not accept any deficiency request that does not respect the OBD threshold limits in Section 3.3.2.

4.3. In determining the identified order of deficiencies, deficiencies relating to sections 3.3.3.1, 3.3.3.2 and 3.3.3.3 of this Annex for positive-ignition engines and sections 3.3.4.1, 3.3.4.2 and 3.3.4.3 of this Annex for compression-ignition engines shall be identified first.

4.4. Prior to or at the time of type-approval, no deficiency shall be granted in respect of the requirements of Section 6.5, except Section 6.5.3.4, of Appendix 1 to this Annex.

4.5. Deficiency period

4.5.1. A deficiency may be carried-over for a period of two years after the date of type-approval of the vehicle type unless it can be adequately demonstrated that substantial vehicle hardware modifications and additional lead-time beyond two years would be necessary to correct the deficiency. In such a case, the deficiency may be carried-over for a period not exceeding three years.

4.5.2. A manufacturer may request that the original type-approval authority grant a deficiency retrospectively when such a deficiency is discovered after the original type-approval. In this case, the deficiency may be carried over for a period of two years after the date of notification to the type-approval authority unless it can be adequately demonstrated that substantial vehicle hardware modifications and additional lead time beyond two years would be necessary to correct the deficiency. In such a case, the deficiency may be carried-over for a period not exceeding three years.

4.6. The authority shall notify its decision in granting a deficiency request to all authorities in other Member States according to the requirements of Article 4 to Directive 70/156/EEC.

13. Appendix 1 is amended as follows:

(a) The third paragraph of Section 1 is replaced by the following:

‘When the vehicle is tested with the defective component or device fitted, the OBD system is approved if the MI is activated. The OBD system is also approved if the MI is activated below the OBD threshold limits.’

(b) Section 2.1, second indent, is replaced by the following:

‘— preconditioning of the vehicle with a simulated malfunction over preconditioning specified in Section 6.2.1 or Section 6.2.2.’

(c) Section 6.3.1.5 is replaced by the following:

‘6.3.1.5. Electrical disconnection of the evaporative purge control device (if equipped). For this specific failure mode, the Type I test need not be performed.’

(d) The second paragraph of Section 6.5.1.2 is replaced by the following:

‘The signals must be provided in standard units based on the specifications given in 6.5.3. Actual signals must be clearly identified separately from default value or limp-home signals.’

(e) Section 6.5.1.5 is added as follows:

‘6.5.1.5. From 1 January 2003 for new types and from 1 January 2005 for all types of vehicles entering into service, the software calibration identification number shall be made available through the serial port on the standardised data link connector. The software calibration identification number shall be provided in a standardised format.’

(f) Sections 6.5.3.1 to 6.5.3.6 are replaced by the following:

‘6.5.3.1. One of the following standards with the restrictions as described must be used as the on-board to off board communications link:

ISO 9141-2 “Road Vehicles — Diagnostic Systems — CARB Requirements for the Interchange of Digital Information”;

ISO FDIS 11519-4 “Road Vehicles — Low Speed Serial Data Communication — Part 4: Class B Data Communication Interface (SAE J1850)”. Emission-related messages must use the cyclic redundancy check and the three byte header and not use inter-byte separation or checksums.

ISO FDIS 14230 — Part 4 “Road Vehicles — Diagnostic Systems — Keyword Protocol 2000”.

ISO WD 15765-4 “Road vehicles — Diagnostic systems Diagnostics on CAN — Part 4: Requirements for emissionrelated systems”.

6.5.3.2. Test equipment and diagnostic tools needed to communicate with OBD systems must meet or exceed the functional specification given in ISO DIS 15031-4 — dated June 1998 (SAE J1978 — dated February 1998).

6.5.3.3. Basic diagnostic data, (as specified in 6.5.1) and bi-directional control information must be provided using the format and units described in ISO DIS 15031-5 — dated October 1998 (SAE J1979 — dated September 1997) and must be available using a diagnostic tool meeting the requirements of ISO DIS 15031-4 — dated June 1998 (SAE J1978 — dated February 1998).

- 6.5.3.4. When a fault is registered, the manufacturer must identify the fault using an appropriate fault code consistent with those given in Section 6.3 of ISO DIS 15031-6 — dated October 1998 (SAE J2012 — dated July 1996), relating to "Powertrain system diagnostic trouble codes" (P0 fault codes). If such identification is not possible, the manufacturer may use diagnostic trouble codes according to Sections 5.3 and 5.6 of ISO DIS 15031-6 dated October 1998 (SAE J2012 — dated July 1996) (P1 fault codes). The fault codes must be fully accessible by standardised diagnostic equipment complying with the provisions of 6.5.3.2.

The note in Section 6.3 of ISO 15031-6 (SAE J2012 — dated July 1996) immediately preceding the list of fault codes in the same section does not apply.

- 6.5.3.5. The connection interface between the vehicle and the diagnostic tester must be standardised and must meet all the requirements of ISO DIS 15031-3 — dated December 1998 (SAE J1962 — dated February 1998). The installation position must be subject to agreement of the approval authority such that it is readily accessible by service personnel but protected from accidental damage during normal conditions of use.
- 6.5.3.6. The manufacturer must also make accessible, where appropriate on payment, the technical information required for the repair or maintenance of motor vehicles unless that information is covered by an intellectual property right or constitutes essential, secret know-how which is identified in an appropriate form; in such case, the necessary technical information must not be withheld improperly.

Entitled to such information is any person engaged in commercially servicing or repairing, road-side rescuing, inspecting or testing of vehicles or in manufacturing or selling replacement or retro-fit components, diagnostic tools and test equipment.'

II

(Acts whose publication is not obligatory)

COMMISSION

COMMISSION DECISION

of 30 November 1999

amending Decision 1999/549/EC concerning certain protective measures relating to Newcastle disease in Australia

(notified under document number C(1999) 3984)

(Text with EEA relevance)

(1999/868/EC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Directive 97/78/EC of 18 December 1997 laying down the principles governing the organisation of veterinary checks on products entering the Community from third countries ⁽¹⁾, and in particular Article 22(6) thereof,

Having regard to Council Directive 91/496/EEC of 15 July 1991 laying down the principles governing the organisation of veterinary checks on animals entering the Community from third countries and amending Directives 89/662/EEC, 90/425/EEC and 90/675/EEC ⁽²⁾, as last amended by Directive 96/43/EC ⁽³⁾, and in particular Article 18(7) thereof,

Whereas:

- (1) due to outbreaks of Newcastle disease in the State of New South Wales in Australia the Commission adopted on 19 July 1999 Decision 1999/549/EC concerning certain protective measures relating to Newcastle disease in Australia ⁽⁴⁾, which suspended the importation of live birds, hatching eggs, fresh meat of poultry and farmed and wild feathered game meat from the said region until 1 December 1999;

- (2) since the adoption of Decision 1999/549/EC Australia has reported further occurrence of Newcastle disease in the Sydney area of the State of New South Wales;
- (3) Australia has initiated a serological surveillance program on Newcastle disease for the affected region of New South Wales and the results are anticipated to be available in the early spring of 2000;
- (4) it is necessary in the light of the disease's evolution to amend the protective measures established by Decision 1999/549/EC;
- (5) no outbreaks of Newcastle disease have been reported outside the Sydney area, the region subject to special protective measures can be reduced to the eastern part of the State of New South Wales;
- (6) the special protective measures shall be in place until serological data from the disease-affected area have been made available;
- (7) the measures provided for in this Decision are in accordance with the opinion of the Standing Veterinary Committee,

HAS ADOPTED THIS DECISION:

Article 1

1. In Article 5 of Decision 1999/549/EC the date of '1 December 1999' is replaced by the date '1 May 2000'.

⁽¹⁾ OJ L 24, 31.1.1998, p. 9.

⁽²⁾ OJ L 268, 24.9.1991, p. 56.

⁽³⁾ OJ L 162, 1.7.1996, p. 1.

⁽⁴⁾ OJ L 209, 7.8.1999, p. 36.

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

Article 2

This Decision is addressed to the Member States.

Done at Brussels, 30 November 1999.

For the Commission

David BYRNE

Member of the Commission

ANNEX

The territory of Australia with the exception of the area of the State of New South Wales situated east of the Newell Highway (Brisbane to Melbourne).

NOTICE TO READERS

Subject: Monthly Indexes

The April 1999 editions of the OJ 'L' and 'C' monthly alphabetical index and the methodological table are now available.

EUR-OP aims to produce all subsequent editions rapidly, at two-week intervals, and to be up to date early in the year 2000.

We regret the long delays which were caused by internal changes in production methods, and are confident that these problems will not re-appear with the year 2000 subscriptions.

We apologise for any inconvenience caused.