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I

(Acts whose publication is obligatory)

**COUNCIL REGULATION (EC) No 2798/1999
of 17 December 1999**

laying down general rules for the import of olive oil originating in Tunisia for the period 1 January 2000 to 31 December 2000 and repealing Regulation (EC) No 906/98

THE COUNCIL OF THE EUROPEAN UNION,

HAS ADOPTED THIS REGULATION:

Having regard to the Treaty establishing the European Community, and in particular Article 133 thereof,

Having regard to the proposal from the Commission,

Whereas:

- (1) Article 3 of Protocol 1 to the Euro-Mediterranean Agreement establishing an association between the European Community and their Member States, of the one part, and the Republic of Tunisia, of the other part ⁽¹⁾, provides for a customs duty of EUR 7,81 per 100 kg on imports into the Community between 1 January 1996 and 31 December 1999 of up to 46 000 tonnes per marketing year of untreated olive oil of CN code 1509 10 10 or 1509 10 90 wholly obtained in Tunisia and transported directly from that country to the Community;
- (2) Under the Agreement in the form of an Exchange of Letters on the arrangements for the import into the Community of olive oil originating in Tunisia between the European Community and the Republic of Tunisia ⁽²⁾, those arrangements have been extended to cover the period 1 January to 31 December 2000;
- (3) Further to that Agreement in the form of an Exchange of Letters, the arrangements for the import of olive oil originating in Tunisia into the Community should be amended accordingly by adopting new general rules and repealing Regulation (EC) No 906/98 ⁽³⁾, applicable until the end of 1999 to the import of olive oil originating in Tunisia;
- (4) The measures necessary for the implementation of this Regulation should be adopted in accordance with Council Decision 1999/468/EC of 28 June 1999 laying down the procedures for the exercise of implementing powers conferred on the Commission ⁽⁴⁾,

Article 1

The Commission shall open and administer the quota, subject to a customs duty of EUR 7,81 per 100 kg, of 46 000 tonnes of untreated olive oil of CN code 1509 10 10 or 1509 10 90, wholly obtained in Tunisia and transported directly from that country to the Community, which is provided for in the Agreement in the form of an Exchange of Letters between the European Community and the Republic of Tunisia on the arrangements for the import into the Community of olive oil originating in Tunisia.

Article 2

1. The Commission shall be assisted by the Management Committee for Oils and Fats established by Article 37 of Regulation No 136/66/EE ⁽⁵⁾.

2. Where reference is made to this paragraph, Articles 4 and 7 of Decision 1999/468/EC shall apply.

The period provided for in Article 4(3) of Decision 1999/468/EC shall be one month.

Article 3

The special arrangements laid down by this Regulation for the import of olive oil originating in Tunisia shall apply from 1 January 2000 to 31 December 2000.

Article 4

Regulation (EC) No 906/98 is hereby repealed.

Article 5

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

It shall apply from 1 January 2000.

⁽¹⁾ OJ L 97, 30.3.1998, p. 1.

⁽²⁾ See p. 107 of this Official Journal.

⁽³⁾ OJ L 128, 30.4.1998, p. 20.

⁽⁴⁾ OJ L 184, 17.7.1999, p. 23.

⁽⁵⁾ OJ L 172, 30.9.1966, p. 3025. Regulation as last amended by Regulation (EC) No 1368/98 (OJ L 210, 28.7.1998, p. 32).

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

Done at Brussels, 17 December 1999.

For the Council

The President

K. HEMILÄ

COMMISSION REGULATION (EC) No 2799/1999**of 17 December 1999****laying down detailed rules for applying Regulation (EC) No 1255/1999 as regards the grant of aid for skimmed milk and skimmed-milk powder intended for animal feed and the sale of such skimmed-milk powder**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EC) No 1255/1999 of 17 May 1999 on the common organisation of the market in milk and milk products⁽¹⁾, and in particular Articles 10 and 15 thereof,

Whereas:

(1) Regulation (EC) No 1255/1999 replaces Council Regulation (EEC) No 804/68⁽²⁾, as last amended by Regulation (EC) No 1587/96⁽³⁾, and, among others, Council Regulation (EEC) No 986/68 of 15 July 1968 laying down general rules for granting aid for skimmed milk and skimmed-milk powder for use as feed⁽⁴⁾, as last amended by Commission Regulation (EC) No 1802/95⁽⁵⁾. To take account of the new arrangements and of past experience, Commission Regulation (EEC) No 1725/79 of 26 July 1979 on the rules for granting aid to skimmed milk processed into compound feedingstuffs and skimmed-milk powder intended for feed for calves⁽⁶⁾, as last amended by Regulation (EC) No 83/96⁽⁷⁾, should be amended and, where necessary, simplified. At the same time as amending that Regulation, in the interests of clarity, it should also be recast to incorporate Commission Regulations (EEC) No 3398/91 of 20 November 1991 on the sale by invitation to tender of skimmed-milk powder for the manufacture of compound feedingstuffs and amending Regulation (EEC) No 569/88⁽⁸⁾, as last amended by Regulation (EC) No 124/1999⁽⁹⁾, and (EEC) No 1634/85 of 17 June 1985 fixing the amount of the aid for skimmed milk and skimmed-milk powder for use as feed⁽¹⁰⁾, as last amended by Regulation (EEC) No 1802/95;

(2) the goal of the aid measure provided for in Article 11 of Regulation (EC) No 1255/1999 is to enable the best return to be obtained from milk proteins. It is therefore appropriate to link payment of the aid to the milk-protein content of the skimmed milk or skimmed-milk powder used;

(3) it is necessary to ensure that the skimmed milk and skimmed-milk powder for which aid is granted are in fact used as feed. To that end, aid should be granted only for skimmed milk and skimmed-milk powder processed into compound feedingstuffs or denatured in accordance with certain requirements. It is also necessary to prevent aid being paid more than once for the same product;

(4) Commission Regulation (EC) No 1043/97⁽¹¹⁾ derogates from some of the monitoring provisions in Regulation (EEC) No 1725/79. The checks provided for in this Regulation should take that derogation into account and Regulation (EC) No 1043/97 should be repealed;

(5) aid should be granted only if the compound feedingstuffs meet certain minimum standards as regards composition customarily observed in the industry and if they have reached the final stage of industrial manufacture. For inspection purposes, the products should be packaged in a way that enables them to be identified. Member States should be allowed to specify how the above requirements are to be satisfied;

(6) special packing is not necessary for compound feedingstuffs which have had lucerne meal added to them. Furthermore, such a requirement would not be appropriate in cases of transportation by tanker or container as practised by certain users. That method of transport should therefore be subject to special inspection arrangements and aid should be paid only after inspection;

(7) the final use of cut-price skimmed milk and skimmed-milk powder can be monitored only if the undertakings benefiting from aid offer adequate guarantees. Processing undertakings should be approved by the competent agency of the Member State concerned and have an accounting system adapted to the requirements of the aid arrangements;

(8) as regards the reference methods applicable to the analyses provided for in this aid scheme, reference should be made to the list published each year under Commission Regulation (EC) No 2721/95 of 24 November 1995 establishing rules for the application of reference and routine methods for the analysis and quality evaluation of milk and milk products under the

⁽¹⁾ OJ L 160, 26.6.1999, p. 48.

⁽²⁾ OJ L 148, 28.6.1968, p. 13.

⁽³⁾ OJ L 206, 16.8.1996, p. 21.

⁽⁴⁾ OJ L 169, 18.7.1968, p. 4.

⁽⁵⁾ OJ L 174, 26.7.1995, p. 27.

⁽⁶⁾ OJ L 199, 7.8.1979, p. 1.

⁽⁷⁾ OJ L 17, 23.1.1996, p. 3.

⁽⁸⁾ OJ L 320, 22.11.1991, p. 16.

⁽⁹⁾ OJ L 16, 21.1.1999, p. 19.

⁽¹⁰⁾ OJ L 158, 18.6.1985, p. 7.

⁽¹¹⁾ OJ L 152, 11.6.1997, p. 6.

common market organisation⁽¹⁾. However, since no reference methods have been laid down for determining the quantity of skimmed-milk powder in compound feedingstuffs, the presence of rennet whey powder in skimmed-milk powder or the quality of starch in skimmed-milk powder, the appropriate methods should be laid down in this Regulation;

- (9) a standing invitation to tender should be organised for the sale of skimmed-milk powder from public stocks, in order to ensure equality of access for all potential purchasers, to arrive at a selling price reflecting market conditions and to verify the actual end use of skimmed-milk powder intended for use in the manufacture of compound feedingstuffs. The prices offered can differ considerably according, in particular, to the age of the powder offered for sale and its location. It should therefore be possible to fix differentiated minimum prices;

- (10) this Regulation should set the time limit for entry into storage for the purposes of sale. Commission Regulation (EEC) No 3536/91 of 2 December 1991 setting the latest time of entry into storage for skimmed-milk powder sold under Regulation (EEC) No 3398/91⁽²⁾, as last amended by Regulation (EC) No 2508/1999⁽³⁾, should therefore be repealed;

- (11) the arrangements laid down in Commission Regulation (EEC) No 1105/68 of 27 July 1968 on detailed rules for granting aid for skimmed milk for use as feed⁽⁴⁾, as last amended by Regulation (EEC) No 1802/95, have proved difficult to implement and checks on beneficiaries are problematic. Moreover, the quantities of skimmed milk benefiting from this measure have fallen sharply in recent years, so that the scheme now has only a marginal impact on the balance on the market in milk products. In addition, the market in skimmed milk will continue to be supported by the aid granted when skimmed milk is incorporated into compound feedingstuffs. The aid measure provided for in Regulation (EEC) No 1105/68 should therefore be abolished and the said Regulation repealed;

- (12) the Management Committee for Milk and Milk Products has not delivered an opinion within the time limit set by its chairman,

HAS ADOPTED THIS REGULATION:

CHAPTER I

GENERAL PROVISIONS

Article 1

This Regulation lays down detailed rules for applying Regulation (EC) No 1255/1999 as regards:

- (a) the grant of aid for skimmed milk, skimmed-milk powder, buttermilk and buttermilk powder intended for use as animal feed under Article 11 of that Regulation;
- (b) the sale of skimmed-milk powder intended for use as animal feed under Article 7(4) of that Regulation.

Article 2

For the purposes of this Regulation:

- (a) 'Milk' means the product obtained from milking one or more cows, to which nothing has been added and which has at most been only partially skimmed;
- (b) 'Skimmed milk' means milk with a fat content of no more than 1 % and a protein content of not less than 31,4 % of the non-fatty dry extract;
- (c) 'Skimmed-milk powder' means the product obtained by removing the water from milk, with a maximum fat content of 11 %, a maximum moisture content of 5 % and a protein content of not less than 31,4 % of the non-fatty dry extract;
- (d) 'Buttermilk' means the by-product of butter manufacture obtained after churning the cream and separating the solid fat, with a maximum fat content of 1 % and a protein content of not less than 31,4 % of the non-fatty dry extract;
- (e) 'Buttermilk powder' means the product obtained by removing the water from buttermilk, with a maximum fat content of 11 %, a maximum moisture content of 5 % and a protein content of not less than 31,4 % of the non-fatty dry extract.

Article 3

For the purposes of applying this Regulation, buttermilk and buttermilk powder shall be treated as skimmed milk and skimmed-milk powder, respectively.

Article 4

'Mixtures intended for the manufacture of compound feedingstuffs' (hereinafter called 'mixtures') means products containing the following ingredients:

⁽¹⁾ OJ L 283, 25.11.1995, p. 7.

⁽²⁾ OJ L 335, 6.12.1991, p. 8.

⁽³⁾ OJ L 304, 27.11.1999, p. 21.

⁽⁴⁾ OJ L 184, 29.6.1968, p. 24.

- (a) skimmed-milk powder;
- (b) fat;
- (c) vitamins;
- (d) minerals;
- (e) sucrose;
- (f) anti-caking agents and/or free-flowing agents (maximum 0,3 %);
- (g) other liposoluble technical agents, including anti-oxidants and emulsifiers.

Article 5

1. 'Compound feedingstuffs' means products:

- (a) which contain, per 100 kilograms of finished product,
 - (i) not less than 50 kilograms and not more than 80 kilograms of skimmed-milk powder, and
 - (ii) not less than 5 kilograms of non-butter fats and at least 2 kilograms of starch or puffed starch, or
 - (iii) not less than 2,5 kilograms of non-butter fats and at least 2 kilograms of starch or puffed starch in cases where 5 kilograms of lucerne meal or grass meal containing at least 50 % (m/m) of particles not exceeding 300 microns are incorporated per 100 kilograms of skimmed-milk powder. The particles not exceeding 300 microns must be uniformly distributed in the mixture;
- (b) which can be used directly as feed and which will not be processed or mixed before they reach the end user.

2. Where it is established that the manufactured product contains a quantity of skimmed-milk powder exceeding the maximum quantity of 80 kilograms referred to in paragraph 1 (a)(i) but not exceeding 81 kilograms, the aid may nevertheless be granted on the basis of a skimmed-milk powder content of 80 kilograms.

Where the manufactured product does not contain the minimum quantity of 50 kilograms of skimmed-milk powder referred to in paragraph 1 (a)(i), aid minus 15 % shall be granted for the skimmed-milk powder actually incorporated provided that the skimmed-milk powder content is equal to at least 45 kilograms per 100 kilograms of finished product.

Article 6

1. 'Denatured skimmed-milk powder' means products manufactured in accordance with one of the following formulae:

- (a) Formula A: 100 kilograms of skimmed-milk powder, plus:
 - (i) at least 9 kilograms of lucerne meal or grass meal containing at least 50 % (m/m) of particles not exceeding 300 microns,

and

- (ii) at least 2 kilograms of starch or puffed (pregelatinised) starch;
- (b) Formula B: 100 kilograms of skimmed-milk powder, plus:
 - (i) at least 5 kilograms of lucerne meal or grass meal containing at least 50 % (m/m) of particles not exceeding 300 microns, and
 - (ii) at least 12 kilograms of fish meal, non-deodorised or with a strong smell, containing at least 30 % (m/m) of particles not exceeding 300 microns, and
 - (iii) at least 2 kilograms of starch or puffed (pregelatinised) starch.

The particle sizes which, according to BS standard 410-1976, are the closest to the maximum sizes laid down for the particles of the product concerned, without being smaller than them, shall be regarded as equivalent thereto.

2. The substances added to the skimmed-milk powder must be uniformly distributed in the mixture.

Skimmed-milk powder may not be put through any process, either before or after denaturing, that will weaken or neutralise the effects of the denaturing, in particular by using deodorising agents, changing the taste and smell by eliminating the components responsible for gustatory and/or olfactory perception, or adding ingredients giving a taste and smell that mask those of the fish meal.

CHAPTER II

AID FOR SKIMMED-MILK POWDER

Section 1

Amount of aid and implementing conditions

Article 7

1. Aid is hereby fixed at:

- (a) EUR 5,80 per 100 kilograms of skimmed milk with a protein content of not less than 35,6 % of the non-fatty dry extract;
- (b) EUR 5,12 per 100 kilograms of skimmed milk with a protein content of not less than 31,4 % but less than 35,6 % of the non-fatty dry extract;
- (c) EUR 71,51 per 100 kilograms of skimmed-milk powder with a protein content of not less than 35,6 % of the non-fatty dry extract;
- (d) EUR 63,07 per 100 kilograms of skimmed-milk powder with a protein content of not less than 31,4 % but less than 35,6 % of the non-fatty dry extract.

2. In the case of skimmed-milk powder with a moisture content exceeding 5 %, the aid shall be reduced by 1 % for each additional 0,2 % of moisture.

Article 8

To qualify for aid, skimmed-milk powder must meet at least the following conditions:

- (a) it must be used in an undertaking approved in accordance with Article 9:
 - (i) either unaltered or incorporated in a mixture,
or
 - (ii) unaltered for the manufacture of denatured skimmed-milk powder;
- (b) it may not have benefited from aid or a reduction in price under other Community measures.

Article 9

1. Undertakings producing mixtures, compound feedingstuffs or denatured skimmed-milk powder must have been approved for that purpose by the competent agency of the Member State on whose territory production takes place.

2. Approval shall be granted to undertakings which:

- (a) have suitable technical equipment and administrative and accounting methods which make it possible to comply with both this Regulation and the additional requirements laid down by the Member State;
- (b) submit to an inspection by the competent agency.

3. Except in cases of *force majeure*, where it is found that an undertaking no longer meets the conditions laid down in paragraph 2 or has failed to comply with another obligation under this Regulation, approval shall be suspended for a period of one to twelve months, depending on the seriousness of the irregularity.

If, at the end of that period, the conditions laid down in paragraph 2 are not met, approval shall be withdrawn. Approval may be reinstated after no less than six months, at the request of the undertaking concerned, following an in-depth inspection.

Member States may decide not to impose such a suspension if it is established that the irregularity was not committed deliberately or through serious negligence and that its consequences are marginal.

Article 10

1. Packages containing mixtures must show the following information:

- (a) one or more of the statements listed in Annex II.A;
- (b) an indication of the skimmed-milk powder content, the added mineral and sucrose content and the fat content, including liposoluble technical agents;

- (c) an indication identifying the undertaking by reference to its approval number.

2. Without prejudice to Article 11 and Council Directive 79/373/EEC ⁽¹⁾, compound feedingstuffs shall be packed in sacks or other closed or sealed containers containing not more than 50 kilograms showing the following information:

- (a) one or more of the statements listed in Annex II.B;
- (b) an indication identifying the undertaking by reference to its approval number;
- (c) the skimmed-milk powder content;
- (d) the manufacturing batch number;
- (e) the date of manufacture, if this is not indicated in the manufacturing batch number.

The above information must be clearly legible and indelibly marked on the package or container or on a label affixed thereto.

3. The Member States may lay down detailed rules for marking the packages as prescribed in paragraph 2, as well as any additional information which may be given on the packaging or container or on a label. They shall inform the Commission of any measures which they take to that end.

Article 11

Article 10(2) shall not apply to compound feedingstuffs:

- (a) containing lucerne meal or grass meal under the conditions laid down in Article 5(1)(a)(iii);
- (b) delivered by tanker or container to a farm or a breeding or fattening concern which uses these compound feedingstuffs on the conditions laid down in Articles 12 and 13.

Article 12

Undertakings receiving the aid shall, on application, be authorised to deliver compound feedingstuffs by tanker or container. Such authorisation shall be granted by the competent authority of the Member State on whose territory the undertaking is established.

Delivery shall take place under administrative supervision to ensure, in particular, that it is made to a farm or breeding or fattening concern which uses feedingstuffs.

Article 13

1. When delivery by tanker or container takes place in a Member State other than the producer Member State, proof of delivery under administrative supervision as referred to in Article 12 shall be furnished by production of the control copy referred to in Articles 471 to 495 of Commission Regulation (EEC) No 2454/93 ⁽²⁾.

⁽¹⁾ OJ L 86, 6.4.1979, p. 30.

⁽²⁾ OJ L 253, 11.10.1993, p. 1.

2. Section 104 of the control copy must contain one or more of the statements listed in Annex II.C.

3. The importing Member State shall check that the consignee complies with the conditions set out in the second paragraph of Article 12.

Section 2

Inspection measures

Article 14

1. Undertakings producing compound feedingstuffs may receive aid only if they keep records, based on their accounts, corresponding to the payment schedule fixed by the Member State and including at least the following information:

- (a) the quantities of milk products purchased or manufactured, and the date of delivery or production;
- (b) the date of delivery and quantities of skimmed milk and skimmed-milk powder manufactured or received unaltered or in a mixture used to manufacture compound feedingstuffs, together with the name and address of the supplier and the milk-protein content of the products;
- (c) the date of manufacture of compound feedingstuffs and the quantities manufactured, with particulars of their composition and the percentage of each ingredient, and in particular the quantities of casein and/or caseinates added unaltered or in a mixture;
- (d) the date of sale of skimmed milk, skimmed-milk powder and compound feedingstuffs and the quantity sold, together with the name and address of the consignee;
- (e) losses, samples, returns and exchanges of skimmed milk, skimmed-milk powder and compound feedingstuffs.

2. The information listed in paragraph 1 shall be supported by delivery vouchers and invoices.

3. Member States may require undertakings to keep specific stock accounts showing, in particular, any additional information they deem necessary to facilitate application of this Regulation.

Article 15

In order to ensure compliance with this chapter, the Member States shall carry out, in particular, the inspections provided for in Articles 16 to 18.

The agency responsible for inspection shall record the results of the inspections in reports containing, in particular, the information provided for in Annex I to this Regulation.

Article 16

1. Subject to paragraph 2, as regards compliance with the protein, moisture and fat content of the skimmed milk or skimmed-milk powder incorporated, the inspection shall be made before, or at the latest at the time of, their use, whether unaltered or in the form of a mixture, in the manufacture of compound feedingstuffs or their use unaltered in the manufacture of denatured skimmed-milk powder.

2. Where the skimmed-milk powder used, whether unaltered or in a mixture, comes directly from the factory premises in which it is produced, the inspection referred to in paragraph 1 may be made before the powder leaves the said factory premises. In that case, the following rules shall apply:

- (a) the inspecting agency concerned shall take all necessary action to ensure that the quantity of skimmed-milk powder checked is actually used in the manufacture of compound feedingstuffs or denatured skimmed-milk powder;
- (b) the sacks, packaging and containers in which the skimmed-milk powder is put up shall bear the relevant information identifying the powder and the factory premises and shall show the date of manufacture, the net weight and the protein, moisture and fat content of the powder;
- (c) the inspection records drawn up by the inspecting agency must:
 - (i) identify the skimmed-milk powder and state, in particular, the quantity of powder, its protein, moisture and fat content and the date of manufacture,
 - (ii) accompany the skimmed-milk powder until it is incorporated into compound feedingstuffs,
 - (iii) be annexed to the records referred to in Article 14(1).

Article 17

1. The arrangements for inspecting the use of skimmed milk and skimmed-milk powder, whether unaltered or in a mixture, in the manufacture of compound feedingstuffs, shall be determined by the Member State concerned and must fulfil at least the conditions set out in paragraphs 2 to 5.

2. Inspection of the undertakings concerned shall cover, in particular:

- (a) the composition of the skimmed milk and skimmed-milk powder used unaltered;
- (b) the composition of mixtures used;
- (c) the composition of the compound feedingstuffs manufactured.

3. Inspection of undertakings shall take place on the premises and shall relate in particular to the manufacturing conditions as established by:

- (a) inspecting the raw materials used;
- (b) checking incoming and outgoing products;
- (c) sampling;
- (d) checking the records referred to in Article 14(1).

4. Inspections shall be unannounced and shall be made at least once in every 14 days of manufacture. Their frequency shall be determined on the basis of the quantities of skimmed-milk powder used by the undertaking and the frequency with which its accounts are scrutinised under paragraph 5.

Undertakings not constantly using skimmed milk or skimmed-milk powder shall forward their manufacturing programme to the inspecting agency of the Member State concerned so that the latter may arrange the corresponding inspections.

The above inspection frequency shall not apply in cases where the manufacture of compound feedingstuffs is the subject of continuous inspection on the premises.

5. The inspections referred to in paragraph 4 shall be supplemented by thorough and unannounced scrutiny of commercial documents and of the records referred to in Article 14(1).

Such scrutiny shall be carried out at least once every 12 months. Where it is carried out at least once every three months, the frequency of the inspections referred to in paragraph 3 may be reduced from at least once in every 14 days to at least once in every 28 days of manufacture.

Article 18

1. The manufacture of denatured skimmed-milk powder shall be inspected on the premises at least once a day during the denaturing operation.

2. Undertakings manufacturing denatured skimmed-milk powder shall notify the competent agency, before manufacture, by letter or by any other means of written telecommunication, of:

- (a) the factory's approval number;
- (b) the quantity of skimmed-milk powder to be denatured;
- (c) the place where denaturing will take place;
- (d) the planned dates when denaturing will take place.

The competent agency shall fix the deadline for notifying manufacturing dates and may request additional information.

Article 19

Subject to Article 20, the reference methods to be used for the analyses provided for by this Regulation shall be those in the

list drawn up pursuant to Article 2 of Commission Regulation (EC) No 2721/95.

Article 20

1. The skimmed-milk powder content in mixtures and compound feedingstuffs shall be determined by testing each sample at least in duplicate in accordance with the method of analysis specified in Annex III, supplemented by the checks provided for in Article 17(3). Should there be a discrepancy between the results of these checks, the result of the on-the-spot inspection shall be conclusive.

2. The absence of rennet whey shall be proven by the procedure outlined in Annex IV.

3. The starch content of compound feedingstuffs shall be determined by the checks provided for in Article 17(3), which must be supplemented with qualitative analysis using the method set out in Annex V.

4. The moisture content of acid buttermilk powder shall be determined using the method described in Annex VI.

5. The grass meal or lucerne meal content, the starch content and the fish-meal content of denatured skimmed-milk powder shall be determined either by laboratory analysis or by the on-the-spot inspection provided for in Article 18(1).

Article 21

In order to carry out the analytical tests provided for in this chapter, Member States may, after obtaining the Commission's consent, set up under their supervision a system of self checking for certain approved undertakings.

Section 3

Payment of aid

Article 22

1. The amount of aid shall be that applicable either on the day on which the skimmed milk or skimmed-milk powder is processed into compound feedingstuffs or on the day on which the skimmed-milk powder is denatured, as the case may be.

2. The aid shall be paid by the competent authority designated by the Member State in whose territory the manufacturer using the skimmed milk or skimmed-milk powder either to manufacture compound feedingstuffs or for denaturing, as the case may be, is situated.

3. The aid shall be paid on the basis of applications submitted by manufacturers of compound feedingstuffs or denatured skimmed-milk powder (hereinafter called 'beneficiaries') to the competent authority, indicating:

- (a) the name and address of the beneficiary;
 - (b) the quantity of skimmed milk or skimmed-milk powder for which aid is requested, indicating the protein content;
 - (c) where applicable, the quantity of compound feedingstuffs into which the skimmed milk or skimmed-milk powder referred to at (b) is incorporated, indicating any relevant manufacturing batch numbers.
4. The aid shall be paid at intervals to be fixed by the Member State, but the period covered by the payment application may not exceed one month.

Article 23

1. Payment of the aid shall be subject to the conditions set out in paragraphs 2 to 4.
2. The results of the analyses provided for in this chapter and the checks referred to in Article 15 relating to the payment period immediately prior to that for which the aid is requested must show that the provisions of this chapter have been complied with.
3. Beneficiaries must show to the satisfaction of the competent authority that the corresponding quantity of skimmed milk or skimmed-milk powder has been processed into compound feedingstuffs or denatured during the period covered by the aid application.
4. In cases covered by Article 12, beneficiaries shall supply supporting documents establishing to the satisfaction of the competent authority that the compound feedingstuffs have actually been delivered by tanker or container to a farm or breeding or fattening concern which uses such feedingstuffs.

Article 24

1. Without prejudice to Article 25, if the results of the analyses provided for in this chapter and the checks referred to in Article 15 show that the applicant has not complied with this chapter during the previous payment period, payment of the aid for the period covered by the current application shall be suspended pending the results of the checks made during the period in question. In addition, any aid unduly paid for the previous period concerned shall be recovered.
2. The amount of aid unduly paid out shall be that paid for all the skimmed milk or skimmed-milk powder used during the period between the date of the last inspection giving rise to no observations and the date of the inspection indicating that the beneficiary is again complying with this Regulation.

However, if the beneficiary so requests, the authority responsible for inspections shall carry out a special enquiry as soon as possible, at the former's expense. If the quantity is shown to be

less than that referred to in the first subparagraph, the amount to be recovered shall be adjusted accordingly.

Article 25

Where the condition laid down in Article 23(3) is met, Member States shall be authorised to pay an advance, within the meaning of Article 18 of Commission Regulation (EEC) No 2220/85 ⁽¹⁾, for an amount equal to the amount of aid applied for, subject to the lodging of a security equal to 110 % of the amount of the advance.

In this case, the supporting documents proving entitlement to the aid shall be supplied within six months following payment of the advance.

CHAPTER III

SALES OF SKIMMED-MILK POWDER FROM PUBLIC STORAGE

Section 1

Organisation of and participation in tendering procedures

Article 26

1. Skimmed-milk powder shall be sold by means of a standing invitation to tender organised by each intervention agency.
2. Sales shall concern skimmed-milk powder taken into storage before 31 December 1997.
3. A standing invitation to tender shall be published in the *Official Journal of the European Communities* at least eight days before the first closing date laid down for the submission of tenders.
4. The intervention agencies shall draw up a notice of invitation to tender indicating in particular the closing date and address for submission of tenders.

They shall also indicate, for the skimmed-milk powder they hold:

- (a) the locations of the warehouses where the powder to be sold is in store,
- (b) the quantity for sale in each warehouse.

5. Intervention agencies shall keep an up-to-date list of the information referred to in paragraph 4, which they shall make available to interested parties on request. They shall also publish regular updates of the list in an appropriate form, to be indicated in the notice of invitation to tender.

6. Intervention agencies shall make the necessary arrangements to enable interested parties:

- (a) to examine samples of the skimmed-milk powder put up for sale at their own expense before submitting a tender;

⁽¹⁾ OJ L 205, 3.8.1985, p. 5.

- (b) to verify the results of the analyses referred to in Article 3 of Commission Regulation (EC) No 322/96 ⁽¹⁾.

Article 27

1. Intervention agencies shall organise individual tendering rounds during the term of validity of the standing invitation to tender.

2. The closing date for submission of tenders for each individual round shall be 12 noon (Brussels time) on the second and fourth Tuesday of the month, except for the second Tuesday of August and the fourth Tuesday of December. If Tuesday is a public holiday the time limit shall be 12 noon (Brussels time) on the previous working day.

Article 28

1. The skimmed-milk powder sold under this chapter shall qualify for the aid provided for in Article 1(a).

2. Tenders under each individual round shall be submitted by registered letter or delivered by hand to the intervention agency against acknowledgement of receipt, or by any other means of written telecommunication.

Tenders shall be submitted to the intervention agency holding the skimmed-milk powder for which an offer is made.

3. Tenders shall state:

- (a) the name and address of the tenderer;
- (b) the quantity desired;
- (c) the price in euro tendered per 100 kilograms, not including national taxes and charges, ex-warehouse;
- (d) the Member State in which processing into compound feedingstuffs or denaturing is to take place;
- (e) if appropriate, the warehouse where the skimmed-milk powder is held and, if desired, a substitute warehouse.

4. Tenders shall not be valid unless:

- (a) they relate to at least 10 tonnes; however, if the quantity available in a warehouse is less than 10 tonnes, the minimum quantity for which an offer may be made shall be the actual amount available;
- (b) they are accompanied by the tenderer's written undertaking to comply with the following requirements:
 - (i) to process the skimmed-milk powder or have it processed into compound feedingstuffs or denatured skimmed-milk powder within 60 days of the closing date for the submission of tenders in response to each individual tendering round as specified in Article 27(2);
 - (ii) to comply with this Regulation or ensure that it is complied with.

- (c) proof is provided that the tenderer has lodged a tendering security of EUR 36 per tonne, in the Member State where the tender is submitted, for the tendering round in question before the closing date for submission of tenders.

5. Tenders may not be withdrawn after the closing date provided for in Article 27(2).

Article 29

For the purposes of the tendering security provided for in Article 28(4)(c), the primary requirements within the meaning of Article 20 of Regulation (EEC) No 2220/85 shall be that tenders are maintained after the closing date for submission of tenders, that the processing security referred to in Article 30(3) is lodged and that the price is paid.

Section 2

Implementation of the tendering procedure

Article 30

1. On the closing date referred to in Article 27(2), the Member States shall inform the Commission of the quantities and prices offered by tenderers and the quantity of skimmed-milk powder offered for sale.

2. The Commission shall fix a minimum selling price for the skimmed-milk powder on the basis of the tenders received under each round and in accordance with the procedure laid down in Article 42 of Regulation (EEC) No 1255/1999. This price may vary according to the age and location of the quantities of skimmed-milk powder offered for sale.

It may be decided to make no award under the round.

3. The Commission shall fix the amount of the processing security per 100 kilograms of skimmed-milk powder at the same time as the minimum selling price and in accordance with the same procedure.

The purpose of the processing security shall be to ensure fulfilment of the primary requirement, within the meaning of Article 20 of Regulation (EEC) No 2220/85, that the skimmed-milk powder be used in accordance with the undertaking provided for in Article 28(4)(b). This security shall be lodged in the Member State in which processing into compound feedingstuffs or denaturing is to take place, with the body designated by that Member State.

Article 31

Tenders shall be rejected if the price offered is lower than the minimum price.

Article 32

1. The intervention agency shall make the award in accordance with the rules laid down in paragraphs 2 to 5.

⁽¹⁾ OJ L 45, 23.2.1996, p. 5.

2. The skimmed-milk powder shall be allocated on the basis of its date of entry into storage, starting with the oldest product of the total quantity available in the warehouse(s) designated by the tenderer.

3. Without prejudice to Article 31, the successful tenderer shall be the tenderer offering the highest price. If the full quantity available is not allocated, the remainder shall be awarded to the other tenderers on the basis of the prices tendered, starting with the highest price.

4. Where acceptance of a tender would result in contracts being awarded in excess of the quantity of skimmed-milk powder available in a particular warehouse, only the quantity available shall be awarded to the tenderer in question.

However, the intervention agency may designate other warehouses to make up the quantity set out in the tender, provided the tenderer agrees.

5. Where acceptance of two or more tenders offering the same price for skimmed-milk powder in a particular warehouse would lead to contracts being awarded in excess of the quantity available, the award shall be made by allocating the quantity available in proportion to the quantities tendered for.

However, should such allocation lead to the award of quantities of less than five tonnes, the award shall be made by drawing lots.

Article 33

Rights and obligations arising in connection with the invitation to tender shall not be transferable.

Article 34

1. The intervention agency shall immediately inform tenderers of the outcome of their participation in the invitation to tender.

Securities as referred to in Article 29 lodged for unsuccessful tenders shall be released immediately.

2. Before removing the skimmed-milk powder and within the period specified in Article 35(2), successful tenderers shall pay the intervention agency the amount corresponding to their tender for each quantity that they wish to withdraw and shall lodge the processing tender provided for in Article 30(3).

Article 35

1. Once the amount referred to in Article 34(2) has been paid and the security provided for in Article 30(3) has been lodged, the intervention agency shall release the tendering

security referred to in Article 29 and issue a removal order indicating:

- (a) the quantity in respect of which the abovementioned requirements have been met;
- (b) the warehouse in which the skimmed-milk powder is in store;
- (c) the final date for removal of the skimmed-milk powder;
- (d) the final date for processing into compound feedingstuffs or denaturing.

2. Successful tenderers shall remove the skimmed-milk powder awarded to them within 30 days of the closing date for the submission of tenders. Removal may be effected by instalments.

Except in cases of *force majeure*, if the skimmed-milk powder has not been removed within the period laid down in the first subparagraph, the cost of storing it shall be borne by the successful tenderer, at his own risk, from the day following that on which the period expired.

3. The skimmed-milk powder shall be handed over by the intervention agency in packages bearing a reference to this Regulation in clearly visible and legible characters.

At the request of the interested party, the intervention agency shall issue a copy of the certificate indicating the composition of the products purchased, as provided for in Article 3 of Regulation (EC) No 322/96.

4. In addition to the information provided for in Commission Regulation (EEC) No 3002/92 ⁽¹⁾, Section 104 of the T5 control copy must contain one or more of the statements listed in Annex II.D. Section 106 must show the final date for processing into compound feedingstuffs or denaturing.

CHAPTER IV

TRANSITIONAL AND FINAL PROVISIONS

Article 36

Regulations (EEC) No 1105/68, (EEC) No 1725/79, (EEC) No 1634/85, (EEC) No 3398/91, (EEC) No 3536/91 and (EC) No 1043/97 are hereby repealed.

References to Regulations (EEC) No 1725/79 and (EEC) No 3398/91 shall be construed as references to this Regulation.

Article 37

Pre-printed packages as referred to in Article 4(2) and (4) of Regulation (EEC) No 1725/79 may continue to be used until 30 June 2000.

Approval granted under Article 4(5) and Article 8(2) of Regulation (EEC) No 1725/79 shall remain valid for the purposes of applying this Regulation.

Regulation (EEC) No 1725/79 shall continue to apply to quantities of skimmed-milk powder awarded under Regulation (EEC) No 3398/91.

⁽¹⁾ OJ L 301, 17.10.1992, p. 17.

Article 38

This Regulation shall enter into force on 1 January 2000.

It shall apply only to quantities of skimmed milk and skimmed-milk powder processed into compound feedingstuffs or denatured skimmed-milk powder from that date.

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

Done at Brussels, 17 December 1999.

For the Commission

Franz FISCHLER

Member of the Commission

ANNEX I

ANALYTICAL TESTS

The provisions adopted in accordance with Council Directive 70/373/EEC of 20 July 1970 on the introduction of Community methods of sampling and analysis for the official control of feedingstuffs (OJ L 170, 3.8.1970, p. 21) shall apply to sampling under this Regulation.

A. Unaltered skimmed-milk powder

1. Determination of:

- (a) moisture content
- (b) protein content
- (c) fat content.

2. Detection of other products in accordance with the arrangements laid down by the national authorities:

- (a) starch and puffed starch
- (b) grass meal or lucerne meal
- (c) rennet whey
- (d) fish meal
- (e) other substances, in particular acid whey, which the national authorities require to be detected.

B. Skimmed-milk powder incorporated in a mixture

Tests in addition to those referred to at A.

Determination of:

- (a) skimmed-milk powder content
- (b) fat content, including liposoluble technical agents.

C. Denatured skimmed-milk powder

Tests in addition to those referred to at A.

1. Where the powder is denatured using formula A:

Determination of:

- (a) grass meal or lucerne meal content
- (b) starch content.

Measurement of the particle size of grass meal or lucerne meal.

2. Where the powder is denatured using formula B:

Determination of:

- (a) grass meal or lucerne meal content
- (b) starch content
- (c) fish meal content.

Measurement of the particle sizes of:

- (a) grass meal or lucerne meal
- (b) fish meal.

Smell may be tested by adding an inert powder before denaturing (dilution 1:20) or after denaturing (dilution 1:2). A characteristic, strong smell must still be detectable.

D. Compound feedingstuffs

Determination of:

- (a) skimmed-milk powder content
- (b) grass meal or lucerne meal content
- (c) fat content.

Detection of starch.

Measurement of the particle size of grass meal or lucerne meal (checked before incorporation).

ANNEX II

A. Information to be shown on packaging of mixtures

- Mezcla destinada a la fabricación de piensos compuestos — Reglamento (CE) n° 2799/1999
- Blanding bestemt til fremstilling af foderblandinger — Forordning (EF) nr. 2799/1999
- Mischung zur Herstellung von Mischfutter — Verordnung (EG) Nr. 2799/1999
- Μείγμα που προορίζεται για την παρασκευή συνθέτων ζωοτροφών — Κανονισμός (ΕΚ) αριθ. 2799/1999
- Mixture intended for the manufacture of compound feedingstuffs — Regulation (EC) No 2799/1999
- Mélange destiné à la fabrication d'aliments composés — Règlement (CE) n° 2799/1999
- Miscela destinata alla fabbricazione di alimenti composti — Regolamento (CE) n. 2799/1999
- Voor de vervaardiging van mengvoeders bestemd mengsel — Verordening (EG) nr. 2799/1999
- Mistura destinada ao fabrico de alimentos compostos — Regulamento (CE) n.º 2799/1999
- Rehuseosten valmistukseen tarkoitettu esiseos — asetus (EY) N:o 2799/1999
- Blandning avsedd för framställning av foderblandningar — Förordning (EG) nr 2799/1999

B. Information to be shown on packaging of compound feedingstuffs

- Pienso compuesto que contiene leche desnatada en polvo — Reglamento (CE) n° 2799/1999
- Foderblanding med indhold af skummetmælkspulver — Forordning (EF) nr. 2799/1999
- Magermilchpulver enthaltendes Mischfutter — Verordnung (EG) Nr. 2799/1999
- Συνθετή ζωοτροφή που περιέχει αποκορυφωμένο γάλα σε σκόνη — Κανονισμός (ΕΚ) αριθ. 2799/1999
- Compound feedingstuff containing skimmed-milk powder — Regulation (EC) No 2799/1999
- Aliment composé pour animaux contenant du lait écrémé en poudre — Règlement (CE) n° 2799/1999
- Alimento composto per animali contenente latte scremato in polvere — Regolamento (CE) n. 2799/1999
- Magermelkpoeder bevattend mengvoeder — Verordening (EG) nr. 2799/1999
- Alimento composto para animais com leite em pó desnatado — Regulamento (CE) n.º 2799/1999
- Rasvatonta maitojauhetta sisältävä rehuseos — asetus (EY) N:o 2799/1999
- Foderblandning innehållande skummjölkspulver — Förordning (EG) nr 2799/1999

C. Specific information to be entered in Section 104 of the T5 control copy if the product is delivered by tanker or container

- Piensos compuestos destinados a una explotación agraria o una explotación pecuaria o de engorde que utilice los piensos compuestos — Reglamento (CE) n° 2799/1999
- Foderblanding til brug på en landbrugsbedrift, en opdrætnings- eller en opfædningsvirksomhed — Forordning (EF) nr. 2799/1999
- Für landwirtschaftliche Betriebe bzw. Aufzucht- oder Mastbetriebe bestimmtes Mischfutter — Verordnung (EG) Nr. 2799/1999
- Συνθετες ζωοτροφές που θα χρησιμοποιηθούν από γεωργική εκμετάλλευση ή κτηνοτροφική εκμετάλλευση παχύνσεως — Κανονισμός (ΕΚ) αριθ. 2799/1999
- Compound feedingstuffs bound for a farm or breeding or fattening concern which uses feedingstuffs — Regulation (EC) No 2799/1999
- Aliments composés pour animaux destinés à une exploitation agricole ou à une exploitation d'élevage ou d'engraissement utilisatrice — Règlement (CE) n° 2799/1999
- Alimenti composti per animali destinati ad un'azienda agricola o ad un'azienda dedita all'allevamento o all'ingrasso che utilizzano gli alimenti composti — Regolamento (CE) n. 2799/1999
- Mengvoeder, bestemd voor een dit voeder gebruikend landbouwbedrijf of veeteelt- of veemesterijbedrijf — Verordening (EG) nr. 2799/1999
- Alimentos compostos para animais destinados a uma exploração agrícola, pecuária ou de engorda utilizadora — Regulamento (CE) n.º 2799/1999
- Maatilalle, jalostuskarjatilalle tai lihakarjatilalle tarkoitettu rehuseos — asetus (EY) N:o 2799/1999
- Foderblandningar avsedda att användas i ett jordbruksföretag, eller för uppfödning eller gödning — Förordning (EG) nr 2799/1999

D. Specific information to be entered in Section 104 of the T5 control copy in the case of skimmed-milk powder sold from public storage

- Debe transformarse en piensos compuestos o desnaturalizarse — Reglamento (CE) n° 2799/1999
 - Skal forarbejdes til foderblandinger eller denatureres — Forordning (EF) nr. 2799/1999
 - Zur Verarbeitung zu Mischfutter oder zur Denaturierung — Verordnung (EG) Nr. 2799/1999
 - Να μεταποιηθεί σε σύνθετες ζωοτροφές ή να μετουσιωθεί — Κανονισμός (ΕΚ) αριθ. 2799/1999
 - To be processed into compound feedingstuffs or denatured — Regulation (EC) No 2799/1999
 - À transformer en aliments composés pour animaux ou à dénaturer — Règlement (CE) n° 2799/1999
 - Da trasformare in alimenti composti per animali o da denaturare — Regolamento (CE) n. 2799/1999
 - Moet tot mengvoeder worden verwerkt of worden gedenatureerd — Verordening (EG) nr. 2799/1999
 - Para transformação em alimentos compostos para animais ou desnaturação — Regulamento (CE) n.º 2799/1999
 - Rehuseoksiksi jalostettavaksi tai denaturoitavaksi — asetus (EY) N:o 2799/1999
 - För bearbetning till foderblandningar eller denaturering — Förordning (EG) nr 2799/1999
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ANNEX III

QUANTITATIVE DETERMINATION OF SKIMMED-MILK POWDER IN COMPOUND FEEDINGSTUFFS BY ENZYMATIC COAGULATION OF PARA-CASEIN**1. Purpose**

Quantitative determination of skimmed-milk powder in compound feedingstuffs by enzymatic coagulation of para-casein.

2. Scope

This method applies to compound feedingstuffs containing at least 10 % skimmed-milk powder; large quantities of buttermilk and/or of certain non-milk proteins may lead to interferences.

3. Principle of the method

- 3.1. Dissolving of casein contained in the compound feedingstuff by extraction with sodium citrate solution.
- 3.2. Adjustment of the calcium ion concentration to the required level to precipitate para-casein; by addition of rennet para-casein is obtained from casein.
- 3.3. The nitrogen content of the para-casein precipitate is determined by the Kjeldahl method as described by IDF standard 20A 1986; the quantity of skimmed-milk powder is calculated on the basis of a minimum casein content of 27,5 % (see 9.1).

4. Reagents

The reagents used must be of analytical grade. The water used must be distilled water or water of equivalent purity. With the exception of the rennet (4.5), all the reagents and solutions must be free of nitrogenous substances.

- 4.1. Trisodium citrate, dihydrate (1 % w/v solution).
- 4.2. Calcium chloride (2M solution). Weigh 20,018 g of CaCO_3 (analytical grade) in a porcelain vessel of suitable size (150 to 200 ml) or in a beaker. Cover with distilled water and transfer onto a boiling water bath. Add slowly 50 to 60 ml of HCl solution (conc. HCl:water = 1:1) to solubilise the carbonate completely. Keep on the boiling water bath until the CaCl_2 is dried, to eliminate the HCl which has not reacted. Transfer with distilled water to a 100 ml measuring flask and dilute to the mark. Measure the pH value, which must be not lower than 4,0. Store the solution in a refrigerator.
- 4.3. 0,1 N sodium hydroxide.
- 4.4. 0,1 N hydrochloric acid.
- 4.5. Liquid calf rennet (standard strength of 1:10 000). Store in a refrigerator at 4 to 6 °C.
- 4.6. Reagents for the quantitative determination of nitrogen according to the Kjeldahl method as described by IDF standard 20A 1986.

5. Apparatus

Common laboratory apparatus, including:

- 5.1. Mortar or homogeniser
- 5.2. Analytical balance
- 5.3. Bench-top centrifuge (2 000 to 3 000 rpm) with 50 ml tubes
- 5.4. Magnetic stirrer with (10 to 15 mm) followers
- 5.5. 150 to 200 ml beakers
- 5.6. 250 and 500 ml flasks
- 5.7. Glass funnels of 60 to 80 mm diameter
- 5.8. Fast-filtering ashless filters of diameter 150 mm (S.S. 589², S.S. 595 1/2)
- 5.9. Pipettes of various nominal volume

- 5.10. Thermostatically controlled water bath at 37 °C
- 5.11. pH meter
- 5.12. Kjeldahl digestion and distillation assembly with fittings
- 5.13. 25 ml graduated burette
- 5.14. Plastic wash bottle for distilled water
- 5.15. Stainless steel spatulas
- 5.16. Thermometers
- 5.17. Temperature-controlled drying oven.

6. Procedure

6.1. Preparation of the sample.

Grind in the mortar or homogenise in the mill 10 to 20 g of the sample to obtain a homogeneous mixture.

6.2. Dissolving of milk powder and separation of the insoluble residue.

6.2.1. Weigh $1,000 \pm 0,002$ g of well-homogenised compound feedingstuff (6.1) directly into a 50 ml centrifuge tube. Add 30 ml of trisodium citrate solution (4.1) previously heated to 45 °C. Mix with the aid of the magnetic stirrer for at least five minutes.

6.2.2. Centrifuge at 500 g (2 000 to 3 000 rpm) for 10 minutes and decant the clear aqueous supernatant into a 150 to 200 ml beaker, taking care that no loose material on the bottom goes over.

6.2.3. Carry out two further extractions on the residue, according to the same procedure, adding the extracts to the first one.

6.2.4. If a layer of oil forms at the surface, cool in the refrigerator until the fat solidifies and remove the solid layer with a spatula.

6.3. Coagulation of casein with the enzymes of rennet.

6.3.1. While stirring continuously, add dropwise 3,4 ml of a saturated solution of calcium chloride (4.2) to the total aqueous extract (about 100 ml). Adjust the pH to 6,4-6,5 with solutions of NaOH (4.3) or HCl (4.4). Place in the thermostatically-controlled water bath at 37 °C for 15 to 20 minutes to obtain saline balance. It becomes more evident by the formation of a light turbidity.

6.3.2. Transfer the liquid into one (or two) centrifuge tubes and centrifuge at 2 000 g for 10 minutes in order to remove the precipitated material. Transfer the supernatant, without washing the sediment, into one (or two) centrifuge tubes.

6.3.3. Bring the temperature of the supernatant back to 37 °C. While stirring the extract, add, dropwise, 0,5 ml of the liquid rennet (4.5). Coagulation occurs in one or two minutes.

6.3.4. Return the sample to the water bath and leave at a temperature of 37 °C for 15 minutes. Remove the sample from the bath and break the coagulum by stirring. Centrifuge at 2 000 g for 10 minutes. Filter the supernatant through a suitable filter paper ⁽¹⁾ (Whatman No 541 or equivalent) and retain the filter paper. Wash the precipitate in the centrifuge tube with 50 ml of water at approximately 35 °C by stirring the precipitate.

Centrifuge again at 2 000 g for 10 minutes. Filter the supernatant through the filter paper retained previously.

6.4. Determination of casein nitrogen.

6.4.1. After washing, transfer quantitatively the precipitate to the filter paper retained from 6.3.4 using distilled water. Transfer the filter paper to the Kjeldahl flask. Determine the nitrogen by the Kjeldahl method as described by IDF standard 20A 1986.

7. Blank test

7.1. A blank test shall be made regularly using an ashless filter paper (5.8) moistened with a mixture of 90 ml (4.1) sodium citrate solution, 1 ml saturated solution of calcium chloride (4.2), 0,5 ml of liquid rennet (4.5), and washed with 3×15 ml of distilled water before mineralisation by the Kjeldahl method as described at IDF standard 20A 1986.

7.2. The volume of acid used for the blank test must be subtracted from the volume of acid (4.4) used for titration of the sample.

⁽¹⁾ As fast filtering ashless paper should be used.

8. Control test

- 8.1. To test the abovementioned procedure and reagents, make a determination on a standard compound feedingstuff with a known skimmed-milk powder content as established by collaborative study. The average result of a duplicate determination should not differ by more than 1 % from that of the collaborative study.

9. Expression of results

- 9.1. The percentage of skimmed-milk powder in the compound feedingstuff is calculated by the following formula:

$$\% \text{ MMP} = \frac{\left(\frac{N \times 6,38}{27,5} \times 100 \right) - 2,81}{0,908}$$

where N is the percentage of para-casein nitrogen; 27,5 is the factor for converting determined casein into the percentage of skimmed-milk powder; 2,81 and 0,908 are correction factors obtained from regression analysis.

10. Accuracy of the method

10.1. Repeatability

In at least 95 % of the cases studied duplicate analysis of the same sample by the same operator in the same laboratory must give differences in the results equivalent to no greater than 2,3 g of skimmed-milk powder in 100 g of compound feedingstuff.

10.2. Reproducibility

In at least 95 % of the cases studied, the same sample analysed by two laboratories, must give differences in the results no greater than 6,5 g of skimmed-milk powder in 100 g of compound feedingstuff.

11. Tolerance limit

The CrD_{95} value (critical difference; 95 % confidence limit) is calculated using the formula (ISO 5725):

$$CrD_{95} = \frac{1}{\sqrt{2}} \sqrt{R^2 - r^2 \left(\frac{n-1}{n} \right)}$$

(R: reproducibility; r: repeatability)

Double determination: $CrD_{95} = 4,5 \text{ g}$

Where the result of the chemical analysis differs from the declared content of skimmed-milk powder by not more than 4,5 g (double determination) the consignment of compound feedingstuff is deemed to comply with this provision of the Regulation.

12. Observations

- 12.1. The addition of large percentages of certain non-milk proteins and especially of soya proteins, when heated together with skimmed-milk powder, may lead to too high results due to co-precipitation with the para-casein of milk.
- 12.2. Addition of buttermilk may lead to somewhat low figures, due to the fact that only the non-fat portion is determined. Addition of certain acid buttermilk may give considerably low figures, due to incomplete dissolving in the citrate solution.
- 12.3. Lecithin additions of 0,5 % or more may also lead to low results.
- 12.4. Incorporation of high-heat skimmed-milk powder may lead to too high figures due to the co-precipitation of certain whey proteins with the para-casein of milk.

ANNEX IV

DETERMINATION OF RENNET WHEY SOLIDS IN SKIMMED-MILK POWDER AND MIXTURES UNDER REGULATION (EEC) No 1725/79

1. **Scope:** Detection of the addition of rennet whey solids to:
 - (a) skimmed-milk powder as defined in Article 1 of Regulation (EEC) No 986/68, and
 - (b) mixtures as defined in Article 1(3) of Regulation (EEC) No 1725/79.
2. **References:** International standard ISO 707.

Milk and milk products — methods of sampling, conforming to the guidelines contained in Annex I(2)(c) to Regulation (EEC) No 625/78.
3. **Definition**

The content of rennet whey solids is defined as the percentage by mass as determined by the procedure described.
4. **Principle**

Determination of the amount of glycomacropeptide A pursuant to Annex V to Regulation (EEC) No 625/78. Samples giving positive results are analysed for glycomacropeptide A by a reversed-phase high-performance liquid chromatography procedure (HPLC-procedure). Evaluation of the result obtained by reference to standard samples consisting of skimmed-milk powder with and without a known percentage of whey powder. Results higher than 1 % (m/m) show that rennet whey solids are present.
5. **Reagents**

All reagents must be of recognised analytical grade. The water used must be distilled water or water of at least equivalent purity. Acetonitrile should be of spectroscopic or HPLC quality.

Reagents needed for the procedure described in Regulation (EEC) No 625/78 are described in Annex V to that Regulation.

Reagents for reversed-phase HPLC.

 - 5.1. *Trichloroacetic acid solution*

Dissolve 240 g of trichloroacetic acid (CCl_3COOH) in water and make up to 1 000 ml.
 - 5.2. *Eluent A and B*

Eluent A: 150 ml of acetonitrile (CH_3CN), 20 ml of isopropanol ($\text{CH}_3\text{CHOHCH}_3$) and 1,00 ml trifluoroacetic acid (TFA, CF_3COOH) are made up with water to 1 000 ml. Eluent B: 550 ml of acetonitrile, 20 ml of isopropanol and 1,00 ml TFA are made up with water to 1 000 ml. Filter the eluent solution, prior to use, through a membrane filter with a 0,45 μm pore diameter.
 - 5.3. *Conservation of the column*

After the analyses the column is flushed with eluent B (via a gradient) and subsequently flushed with acetonitrile (via a gradient in 30 minutes). The column is stored in acetonitrile.
 - 5.4. *Standard samples*
 - 5.4.1. Skimmed-milk powder meeting the requirements of Regulation (EEC) No 625/78 (i. e. (0)).
 - 5.4.2. The same skimmed-milk powder adulterated with 5 % (m/m) rennet-type whey powder of standard composition (i. e. (5)).
 - 5.4.3. The same skimmed-milk powder adulterated with 50 % (m/m) rennet-type whey powder of standard composition (i. e. (50)) (*).
6. **Apparatus**

Apparatus needed for the procedure described in Regulation (EEC) No 625/78 is described in Annex V to that Regulation.

Apparatus for reversed-phase HPLC.

(*) Rennet-type whey powder of standard composition and also the adulterated skimmed-milk powder are available from NIZO, Kernhemseweg 2, PO Box 20 - NL-6710 BA Ede. However, powders giving equivalent results to the NIZO powders must also be used.

- 6.1. Analytical balance.
- 6.2. Centrifuge, capable of attaining a centrifugal force of 2 200 g, fitted with stoppered centrifuge tubes of about 50 ml.
- 6.3. Mechanical shaker with a provision to shake at 50 °C.
- 6.4. Magnetic stirrer.
- 6.5. Glass funnels, diameter about 7 cm.
- 6.6. Filter papers, medium filtration, diameter about 12,5 cm.
- 6.7. Glass filtration equipment with 0,45 µm pore diameter membrane filter.
- 6.8. Graduated pipettes, allowing delivery of 10 ml (ISO 648, Class A, or ISO/R 835), or a system capable of delivering 10,0 ml in two minutes.
- 6.9. Thermostatic waterbath, set at $25 \pm 0,5$ °C.
- 6.10. HPLC-equipment, consisting of:
 - 6.10.1. Binary gradient pumping system.
 - 6.10.2. Injector, hand or automatic, with a 100 µl capacity.
 - 6.10.3. Column Dupont Protein Plus ($2 \times 0,46$ cm I.D.) or an equivalent wide-pore silica based reversedphase column.
 - 6.10.4. Thermostatic column oven, set at 35 ± 1 °C.
 - 6.10.5. Variable wavelength UV detector, permitting measurements at 210 nm (if necessary, a higher wavelength up to 220 nm may be used) with a sensitivity of 0,02 A.
 - 6.10.6. Integrator capable of peak height measurement.

Note

Operation of the column at room temperature is possible, provided that the room temperature does not fluctuate more than 1 °C, otherwise too much variation in the retention time of GMP_A takes place.

7. Sampling

- 7.1. International standard ISO 707 — Milk and milk products — Methods of sampling, conforming to the guidelines contained in Annex I(2)(c) of Regulation (EEC) No 625/78.
- 7.2. Store the sample in conditions which preclude any deterioration or change in composition.

8. Procedure

8.1. Preparation of the test sample

Transfer the powder into a container with a capacity of about twice the volume of the powder, fitted with an airtight lid. Close the container immediately. Mix the milk powder well by means of repeated inversion of the container.

8.2. Test portion

Weigh $2,000 \pm 0,001$ g of test sample into a centrifuge tube (6.2) or suitable stoppered flask (50 ml).

8.3. Removal of fat and proteins

- 8.3.1. Add 20,0 g of warm water (50 °C) to the test portion. Dissolve the powder by shaking for five minutes or 30 minutes in the case of acid buttermilk using a mechanical shaker (6.3). Place the tube into the waterbath (6.9) and allow to equilibrate to 25 °C.
- 8.3.2. Add 10,0 ml of the trichloroacetic acid solution of 25 °C (5.1) constantly over two minutes, while stirring vigorously with the aid of the magnetic stirrer (6.4). Place the tube in a waterbath (6.9) and leave for 60 minutes.
- 8.3.3. Centrifuge (6.2) for 10 minutes at 2 200 g, or filter through paper (6.6), discarding the first 5 ml of filtrate.

8.4. Chromatographic determination

- 8.4.1. Perform HPLC-analysis as described in Regulation (EEC) No 625/78, Annex V. If a negative result is obtained, the sample analysed does not contain rennet-whey solids in detectable amounts. In case of positive results the reversed-phase HPLC-procedure described below has to be applied. The presence of acid buttermilk powder may give rise to false-positive results. The reversed-phase HPLC method excludes this possibility.

- 8.4.2. Before the reversed phase HPLC-analysis is carried out, the gradient conditions should be optimised. A retention time of 26 ± 2 minutes for GMPA is optimal for gradient systems with a dead volume of about 6 ml (volume from the point where the solvents come together to the volume of the injector loop, inclusive). Gradient systems with a lower dead volume (e.g. 2 ml) should use 22 minutes as an optimal retention time.

Take solutions of the standard samples (5.4) without and with 50 % rennet whey.

Inject 100 µl of supernatant or filtrate (8.3.3) into the HPLC apparatus operating at the scouting gradient conditions given in Table 1.

Table 1. *Scouting gradient conditions for optimisation of the chromatography.*

Time (minutes)	Flow (ml/minutes)	% A	% B	Curve
Init	1,0	90	10	*
27	1,0	60	40	lin
32	1,0	10	90	lin
37	1,0	10	90	lin
42	1,0	90	10	lin

Comparison of the two chromatograms should reveal the location of the (peak of GMP_A).

Using the formula given below, the initial solvent composition to be used for the normal gradient (see 8.4.3) can be calculated

$$\% B = 10 - 2,5 + (13,5 + (RT_{GMPA} - 26)/6) \cdot 30/27$$

$$\% B = 7,5 + (13,5 + (RT_{GMPA} - 26)/6) \cdot 1,11$$

Where:

RT_{GMPA}: retention time of GMP_A in the scouting gradient

10: the initial % B of the scouting gradient

2,5: % B at midpoint minus % B at initial in the normal gradient

13,5: midpoint time of the scouting gradient

26: required retention time of GMP_A

6: ratio of slopes of the scouting and normal gradient

30: % B at initial minus % B at 27 minutes in the scouting gradient

27: run-time of the scouting gradient.

- 8.4.3. Take solutions of the test samples

Inject 100 µl of accurately measure supernatant or filtrate (8.3.3) into the HPLC apparatus operating at a flow rate of 1,0 ml of eluent solution (5.2) per minute.

The composition of the eluent of the start of the analysis is obtained from 8.4.2. It is normally close to A:B = 76:24 (5.2). Immediately after the injection a linear gradient is started, which results in a 5 % higher percentage of B after 27 minutes. Subsequently a linear gradient is started, which brings the eluent composition to 90 % B in five minutes. This composition is maintained for five minutes, after which the composition is changed, via a linear gradient in five minutes to the initial composition. Depending on the internal volume of the pumping system, the next injection can be made 15 minutes after reaching the initial conditions.

Remarks

1. The retention time of the glycomacropeptide should be $26 \pm$ two minutes. This can be achieved by varying the initial and end conditions of the first gradient. However, the difference in the % B for the initial and end conditions of the first gradient must remain 5 % B.
2. The eluents should be degassed sufficiently and should also remain degassed. This is essential for proper functioning of the gradient pumping system. The standard deviation for the retention time of the GMP peak should be smaller than 0,1 minutes (n = 10).
3. Every five samples the reference sample (5) should be injected and used to calculate a new response factor R. (9.1.1).

- 8.4.4. The results of the chromatographic analysis of the test sample (E) are obtained in the form of a chromatogram in which the GMP peak is identified by its retention time of about 26 minutes.

The integrator (6.40.6) automatically calculates the peak height H of the GMP peak. The baseline location should be checked in every chromatogram. The analysis or the integration should be repeated if the baseline was incorrectly located.

It is essential to examine the appearance of each chromatogram prior to quantitative interpretation, in order to detect any abnormalities due either to malfunctioning of the apparatus or the column, or to the origin and nature of the sample analysed. If in doubt, repeat the analysis.

8.5. Calibration

- 8.5.1. Apply exactly the procedure described from point 8.2 to point 8.4.4 to the standard samples (5.4.1 to 5.4.2). Use freshly prepared solutions, because GMP degrades in an 8 % trichloroacetic acid environment at room temperature. At 4 °C the solution remains stable for 24 hours. In the case of long series of analyses the use of a cooled sample tray in the automatic injector is desirable.

Note

8.4.2 may be omitted if the % B at initial conditions is known from previous analyses.

The chromatogram of the reference sample (5) should be analogous to Figure. 1. In this figure the GMP_A peak is preceded by two small peaks. It is essential to obtain a similar separation.

- 8.5.2. Prior to chromatographic determination of the samples inject 100 µl of the standard sample without rennet whey (0) (5.4.1).

The chromatogram should not show a peak at the retention time of the GMP_A peak.

- 8.5.3. Determine the response factors R by injecting the same volume of filtrate (8.5.1) as used for the samples.

9. Expression of results

9.1. Method of calculation and formulae

- 9.1.1. Calculation of the response factor R:

GMP peak: $R = W/H$

Where

R = the response factor of the GMP peak

H = the height of the GMP peak

W = the quantity of whey in the standard sample (5).

9.2. Calculation of the percentage of rennet whey powder in the sample

$W(E) = R \times H(E)$

Where:

W(E) = the percentage (m/m) of rennet whey in the sample (E).

R = the response factor of the GMP peak (9.1.1)

H(E) = the height of the GMP peak of the sample (E)

If W(E) is greater than 1 % and the difference between the retention time and that of the standard sample (5) is smaller than 0,2 minutes then rennet whey solids are present.

9.3. Accuracy of the procedure

9.3.1. Repeatability

The difference between the results of two determinations carried out simultaneously or in rapid succession by the same analyst using the same apparatus on identical test material shall not exceed 0,2 % m/m.

9.3.2. Reproducibility

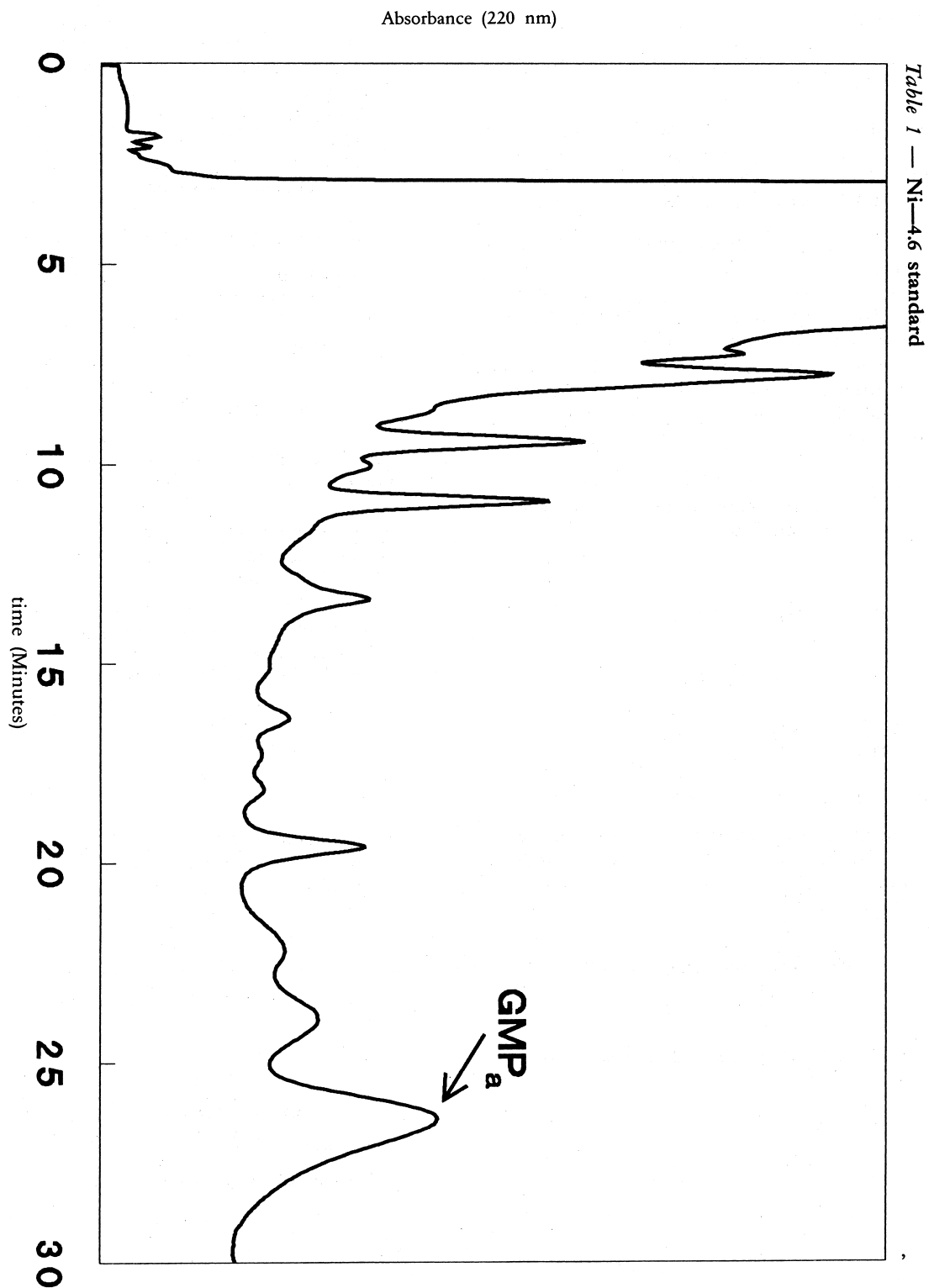
Not yet determined.

9.3.3. Linearity

From 0 to 16 % of rennet whey a linear relationship should be obtained with a coefficient of correlation > 0,99.

9.4. Interpretation

- 9.4.1. Whey is considered to be present if the result obtained in 9.2 is higher than 1 % m/m and the retention time of the GMP peak differs less than 0,2 minutes from that of the standard sample (5). The 1 % limit is fixed in agreement with the provisions of points 9.2 and 9.4.1 of Annex V to Regulation (EEC) No 625/78.



ANNEX V

**QUALITATIVE DETERMINATION OF STARCH IN SKIMMED-MILK POWDER, DENATURED MILK POWDER
AND COMPOUND FEEDINGSTUFFS****1. Scope**

This method is for the detection of starch which is used as a tracer in denatured milk powders.

Limit of detection of the method is approximately 0,05 g of starch per 100 g of sample.

2. Principle

The reaction is based on the one used in iodometry:

- fixation by the colloids of the free iodine in aqueous solution,
- absorption by the starch micelles and by colour formation.

3. Reagents**3.1. Iodine solution**

- iodine..... 1 g,
- potassium iodine..... 2 g,
- distilled water 100 ml.

4. Apparatus**4.1. Analytical balance****4.2. Water bath****4.3. Test tubes, 25 mm × 200 mm****5. Procedure**

Weight 1 g of the sample and transfer it into the test tube (4.3).

Add 20 ml of distilled water and shake in order to disperse the sample.

Place in the boiling water bath (4.2) and leave for 5 minutes.

Remove from the bath and cool to room temperature.

Add 0,5 ml of the iodine solution (3.1), shake and observe the resulting colour.

6. Expression of results

A blue colouration indicates the presence of native starch in the sample.

When the sample contains modified starch the colour may not be blue.

7. Remarks

The colour, the intensity of the colour and the microscopic appearance of the starch, will vary depending on the origin of native starch (e.g. maize or potato) and the type of modified starch present in the sample.

In the presence of modified starches the colour produced turns violet, red or brown, according to the degree of modification of the crystalline structure of native starch.

ANNEX VI

DETERMINATION OF MOISTURE IN ACID BUTTERMILK POWDER**1. Scope**

To determine the moisture content of acid buttermilk powder intended for animal feedingstuffs.

2. Principle

The sample is dried under vacuum. The loss of mass is determined by weighing.

3. Apparatus

3.1. Analytical balance

3.2. Dry containers of non-corrodible metal or of glass with lids ensuring airtight closure; working surface allowing the test sample to be spread at about 0,3 g/cm².

3.3. Adjustable electrically heated vacuum oven fitted with an oil pump and either a mechanism for introducing hot dried air or a drying agent (e.g. calcium oxide).

3.4. Desiccator with an efficient drying agent.

3.5. Drying oven ventilated, thermostatically controlled, at 102 ± 2 °C.

4. Procedure

Heat a container (3.2) with its lid in the oven (3.5) for at least one hour. Place the lid on the container, immediately transfer to a desiccator (3.4) allow to cool to room temperature and weigh to the nearest 0,5 mg.

Weigh a container (3.2) with its lid to the nearest 0,5 mg. Weigh in the weighted container, to the nearest 1 mg, about 5 g of the sample and spread evenly. Place the container without its lid, in the vacuum oven (3.3) preheated to 83 °C. To prevent the oven temperature from falling unduly, introduce the container as rapidly as possible.

Bring the pressure up to 100 Torr (13,3 kPa) and leave to dry for four hours at this pressure, either in a current of hot, dry air or using a drying agent (about 300 g for 20 samples). In the latter instance, disconnect the vacuum pump when the prescribed pressure has been reached. Reckon drying time from the moment when the oven temperature returns to 83 °C. Carefully bring the oven back to atmospheric pressure. Open the oven, place the lid on the container immediately, remove the container from the oven, leave to cool for 30 to 45 minutes in the desiccator (3.4) and weigh to the nearest 1 mg. Dry for an additional 30 minutes in the vacuum oven (3.3) at 83 °C and reweigh. The difference between the two weighings must not exceed 0,1 % of moisture.

5. Calculation

$$(E - m) \cdot \frac{100}{E}$$

where

E = initial mass, in grammes of the test sample,

m = mass, in grammes, of the dry test sample.

6. Precision**6.1. Repeatability limit**

The difference between the results of two determinations carried out within the shortest feasible time interval, by one operator using the same apparatus on identical test material shall not exceed 0,4 g water/100 g acid buttermilk powder.

6.2. *Reproducibility limit*

The difference between the results of two determinations carried out by operators in different laboratories, using different apparatus on identical test material shall not exceed 0,6 g water/100 g acid buttermilk powder.

6.3. *Source of precision data*

The precision data were determined from an experiment conducted in 1995 involving eight laboratories and 12 samples (6 blind duplicates).

COMMISSION REGULATION (EC) No 2800/1999**of 17 December 1999****establishing transitional arrangements for the aid payment provided for in Council Regulation (EC) No 1255/1999 in respect of skimmed-milk powder denatured or processed into compound feeding-stuffs in another Member State and repealing Regulation (EEC) No 1624/76**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EC) No 1255/1999 of 17 May 1999 on the common organisation of the market in milk and milk products ⁽¹⁾, and in particular Article 15 thereof,

Whereas:

- (1) Article 11 of Regulation (EC) No 1255/1999 provides for aid for skimmed-milk powder intended for use as feedingstuffs and replaces Council Regulation (EEC) No 986/68 of 15 July 1968 laying down general rules for granting aid for skimmed milk and skimmed milk powder for use as feed ⁽²⁾, as last amended by Commission Regulation (EC) No 1802/95 ⁽³⁾. The third subparagraph of Article 3(1) of Regulation (EEC) No 986/68 stipulates that a Member State may grant aid for skimmed-milk powder produced on its territory if it is denatured or processed into compound feedingstuffs in another Member State;
- (2) experience shows that these particular payment arrangements encumber application of the aid measure in question and make it more vulnerable to fraud. It is therefore appropriate to abolish these arrangements, the detailed rules of which are laid down in Commission Regulation (EEC) No 1624/76 ⁽⁴⁾, as last amended by Regulation (EC) No 3337/94 ⁽⁵⁾. They should continue to apply for six months, however, so that the Member States concerned have sufficient time to introduce the normal payment arrangements. Provision should therefore be

made for transitional arrangements for the period in question, which refer to the provisions of Regulation (EEC) No 1624/76;

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

HAS ADOPTED THIS REGULATION:

Article 1

The aid payment provided for in Article 11 of Regulation (EC) No 1255/1999 for skimmed-milk powder produced in a Member State and destined for another Member State for denaturing or processing into compound feedingstuffs there in accordance with Regulation (EC) No 2799/1999 ⁽⁶⁾ shall be governed by Regulation (EEC) No 1624/76 between 1 January and 30 June 2000 inclusive.

Article 2

Regulation (EEC) No 1624/76 is hereby repealed with effect from 1 July 2000. It shall continue to apply to quantities of skimmed-milk powder for which the administrative formalities for their consignment to the Member State of destination are completed before that date.

Article 3

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, 17 December 1999.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ L 160, 26.6.1999, p. 48.

⁽²⁾ OJ L 169, 18.7.1968, p. 4.

⁽³⁾ OJ L 174, 26.7.1995, p. 27.

⁽⁴⁾ OJ L 180, 6.7.1976, p. 9.

⁽⁵⁾ OJ L 350, 31.12.1999, p. 66.

⁽⁶⁾ See page 3 of this Official Journal.

**COMMISSION REGULATION (EC) No 2801/1999
of 21 December 1999**

**amending Regulation (EEC) No 3887/92 laying down detailed rules for applying the integrated
administration and control system for certain Community aid schemes**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EEC) No 3508/92 of 27 November 1992 establishing an integrated administration and control system for certain Community aid schemes ⁽¹⁾, as last amended by Regulation (EC) No 1036/1999 ⁽²⁾, and in particular Article 12 thereof,

Whereas

- (1) The decisions adopted on the reform of the common agricultural policy necessitate changes to the integrated administration and control system (hereinafter called 'integrated system').
- (2) In the light of experience gained with the application of the integrated system it is necessary to provide general rules that are equally applicable in all Member States.
- (3) Economic operations are increasingly being performed electronically; Member States should be offered the opportunity to adopt national provisions permitting aid applications under the integrated system to be submitted electronically.
- (4) If on-the-spot checks reveal significant irregularities, Article 6(3) of Commission Regulation (EEC) No 3887/92 ⁽³⁾, as last amended by Regulation (EC) No 1678/98 ⁽⁴⁾, stipulates that additional checks must be made during the current year. If Member States use remote sensing to carry out checks they should ensure that the additional checks are carried out by means of traditional on-the-spot checks, if it is no longer possible to do so by remote sensing during that year.
- (5) In order to complete the information contained in control reports, provision should be made for the results of parcel measurements to be included.
- (6) In order for the Commission to monitor the integrated system, each Member State must send its annual control statistics containing specific information.
- (7) Rules have to be established laying down who is entitled to the aid in certain cases where a holding is transferred.
- (8) This amendment provides an opportunity to improve the clarity of the Regulation by introducing a number of clarifications and rewordings. Those amendments are restricted to a minimum so as not to burden those

national administrations familiar with the integrated system with unnecessary alterations.

- (9) Regulation (EEC) No 3887/92 should therefore be amended accordingly.
- (10) The Committee for the European Agricultural Guidance and Guarantee Fund has not delivered an opinion within the time limit laid down by its chairman,

HAS ADOPTED THIS REGULATION:

Article 1

Regulation (EEC) No 3887/92 is amended as follows:

1. Article 2 is amended as follows:

(a) paragraph 4 shall read as follows:

'4. Member States may decide not to grant any aid if the amount per aid application does not exceed EUR 50.'

(b) Paragraph 5 is deleted.

2. Article 4 is amended as follows:

(a) the introductory sentences of the third subparagraph of paragraph 1 are replaced by the following:

'Uses not falling within the scope of the integrated system shall be declared under one or more "other uses" headings. However, the following uses shall be declared separately:'

(b) the second and third indent of the third subparagraph of paragraph 1 are replaced by the following:

— support pursuant to agri-environment (Title II, Chapter VI and Article 55(3) of Council Regulation (EC) No 1257/1999 (*)),

— area-based afforestation support (Title II, Chapter VIII and Article 55(3) of Regulation (EC) No 1257/1999);

(*) OJ L 160, 26.6.1999, p. 80.'

(c) paragraph 2(a) is replaced by the following:

'2. (a) After the time limit for its submission the "area" aid application may be amended provided that the competent authority receives the amendments not later than the date laid down for sowing in, or fixed in accordance with Council Regulation (EC) No 1251/1999 (*) and that the following conditions are respected:

⁽¹⁾ OJ L 355, 5.12.1992, p. 1.

⁽²⁾ OJ L 127, 21.5.1999, p. 4.

⁽³⁾ OJ L 391, 31.12.1992, p. 36.

⁽⁴⁾ OJ L 212, 30.7.1998, p. 23.

(i) where agricultural parcels are concerned, amendments may be made only in particular cases that are properly documented, in particular death, marriage, purchase or sale or conclusion of a tenancy contract. Member States shall determine the conditions applying thereto. However, a set-aside or forage area parcel may not be added to parcels already declared except in cases which are duly justified under the provisions concerned and on condition that the parcel has already been accounted for as set-aside or forage area in the aid application of another farmer, the latter application being corrected accordingly;

(ii) changes of use or aid scheme shall be permitted. However, a parcel may not be added to parcels declared as set aside.

By derogation from the first subparagraph and even after the date laid down for sowing in, or fixed in accordance with Regulation (EC) No 1251/1999, a Member State may authorise that an area be withdrawn from the "area" aid application. The amendment must be notified in writing before any communication is made by the competent authority with regard either to the results of the administrative controls which affect the parcels in question or to the organisation of an on-the-spot check of the holding concerned.

(*) OJ L 160, 26.6.1999, p. 1.'

(d) The first indent of paragraph 5 is replaced by the following two indents:

— the special premium for male bovine animals and/or the suckler cow premium who are exempted from the stocking rate requirement and do not apply for extensification premium,

— the slaughter premium in accordance with Article 11 of Council Regulation (EC) No 1254/1999 (*);

(*) OJ L 160, 26.6.1999, p. 21.'

(e) Paragraph 6 is replaced by the following

'6. The "area" aid application of a producer who is a member of a producer group as defined in Article 1(2) of Council Regulation (EEC) No 3493/90 (*), and who for the same calendar year applies for both the ewe or she-goat premium and for aid under another Community scheme shall include all the agricultural parcels used by the group. In such cases the forage area shall be assigned to the producers concerned in proportion to their individual limits as specified in Article 6 of Council Regulation (EC) No 2467/98 (*), valid on 1 January of the year concerned.

(*) OJ L 312, 20.11.1998, p. 1.'

3. Article 5 is amended as follows:

(a) The sixth indent of the first subparagraph of paragraph 1 is replaced by the following:

— where applicable, the individual milk reference quantity allocated to the producer on 31 March preceding the beginning of the 12-month period of application of the additional levy scheme starting in the calendar year concerned; where this quantity is unknown on the date on which the application is submitted, it shall be notified to the competent authority at the earliest opportunity.'

(b) The second subparagraph of paragraph 1 is replaced by the following:

'The Member State may decide that some of this information need not be included in the aid application, where that information has already been communicated to the competent authority. The Member States may also provide that some of this information can or shall be forwarded via a body or bodies approved by the Member State.

However, the applicant shall remain responsible for the transmitted data in relation to the competent authority. The Member State shall provide that the farmer has the possibility for redress if incorrect or incomplete data are transmitted, provided that the applicant is not at fault.'

(c) Paragraph 2 is deleted.

(d) Paragraph 1 becomes the only paragraph.

4. The following Article is inserted after Article 5:

'Article 5a

Member States may permit, with appropriate safeguards, applications within the meaning of Articles 4 and 5 to be submitted by electronic transmission. In this event, appropriate measures shall be taken to ensure that:

(a) all the requirements referred to in Articles 4 and 5 are met and the applicant is unambiguously identified;

(b) all the necessary accompanying documents are received by the competent authorities within the same time limits as in the case of applications submitted via traditional channels;

(c) there is no discrimination between producers using traditional channels and those opting for electronic transmission;

(d) the financial interests of the European Community within the meaning of Article 8 of Council Regulation (EC) No 1258/1999 (*) are adequately safeguarded.

(*) OJ L 160, 26.6.1999, p. 103.'

5. Article 5a becomes Article 5b and is amended as follows:

'Article 5b

Without prejudice to Articles 4, 5 and 5a, an aid application may be adjusted at any time after its submission, in cases of obvious errors recognised by the competent authority.'

6. Article 6 is amended as follows:

- (a) paragraph 2 is replaced by the following:

'2. The administrative checks referred to in Article 8(1) of Regulation (EEC) No 3508/92 shall include in particular:

- (a) cross-checks on declared parcels and animals in order to ensure that the same aid is not granted more than once in respect of the same calendar/marketing year and to prevent any undue cumulation of aid granted under Community aid schemes involving declarations of areas;
- (b) once the computerised database is fully operational in accordance with Article 5 of Council Regulation (EC) No 820/97 (*), cross-checks with a view to ensuring that Community aid is granted only for bovine animals for which the births, movements and deaths have been duly notified to the competent authority referred to in Article 7(1) of Council Regulation (EC) No 820/97;
- (c) where the computerised database is fully operational in accordance with Article 5 of Regulation (EC) No 820/97, cross-checks with a view to ensuring that payments of premium pursuant to the aid schemes laid down in Article 4(6) and Article 11 of Regulation (EC) No 1254/1999 are made only to producers who have respected their obligations relating to retention periods stipulated in Commission Regulation (EC) No 2342/1999 (*).

(*) OJ L 117, 7.5.1997, p. 1.

(*) OJ L 281, 4.11.1999, p. 30.'

- (b) The second indent of paragraph 3 is replaced by the following:

'— 5 % of "area" aid applications.'

- (c) After paragraph 3 the following paragraph 3a, is added:

'3a. As regards "livestock" aid applications or participation declarations, the Member State may decide to reduce the 10 % rate for on-the-spot checks, referred to in paragraph 3, to 5 % where a fully operational computerised database in accordance with Article 5 of Regulation (EC) No 820/97, enabling the Member State to conduct effective cross checks in the framework of the integrated system,

has been in place for at least one year. The database shall offer adequate assurances as to the accuracy of the data it contains for the purposes of the different animal aids or related payments concerned.

As from the year when the on-the-spot checks are conducted at the minimum 5 % level, these checks shall be conducted wholly within the retention period until such time as the rate of irregularity detected at the on-the-spot checks, and expressed in terms of number of animals, represents no more than 2 % of the animals checked. The previous sentence shall not apply to animal checks under the aid schemes in Article 4(6) and Article 11 of Regulation (EC) No 1254/1999.'

- (d) Paragraph 5 is replaced by the following:

'5. On-the-spot checks shall be unannounced. Advance warning limited to the strict minimum necessary may however be given, although as a general rule, this should not exceed 48 hours.

On-the-spot checks shall cover all the agricultural parcels for which aid is requested under Community schemes within the meaning of Article 1(1) of Regulation (EC) No 3508/92. However, the actual inspection in the field in the framework of the on-the-spot check may be limited to a sample of at least half of the agricultural parcels for which applications have been submitted. The Member States shall establish and apply the criteria for the selection of the sample. In the event that errors are found, the sample shall be extended.

On-the-spot checks concerning livestock premiums shall cover all livestock which are to be controlled under an aid scheme. At least 50 % of the minimal checks on animals shall be made during the retention period. The previous sentence shall not apply to animal checks under the aid schemes in Article 4(6) and Article 11 of Regulation (EC) No 1254/1999. Checks may be effected outside the retention period only if the registers provided for in Article 4 of Directive 92/102/EEC or Article 3(d) of Regulation (EC) No 820/97 are available.

On-the-spot checks under this Regulation shall, where appropriate, be carried out together with checks provided for under other Community rules.'

- (e) Points (a) and (b) of paragraph 6 are replaced by the following:

'(a) a check that the total number of animals present on the holding, and eligible for the scheme concerned, corresponds to the number of such eligible animals entered in the farmer's register and notified to the computerised database in accordance with Article 7 of Regulation (EC) No 820/97;

(b) a check on the basis of the register kept by the producer that all the animals for which aid applications were submitted in the 12 months prior to the on-the-spot check have been kept throughout the retention period and that the data are the same as notified to the database. When the Member State applies Article 6(3a) and has already checked adherence to the retention period by means of the data held in the database created in accordance with Article 5 of Regulation (EC) No 820/97, this part of the on-the-spot check may be made by a representative sampling.'

(f) Point (d) of the first subparagraph of paragraph 6 is replaced by the following:

'(d) a check that all bovine animals present on the holding, for which aid applications have been lodged or which may be the subject of future aid applications, are identified by ear tags and passports and recorded in the farmer's register and notified to the computerised database in accordance with Regulation (EC) No 820/97.'

(g) The second and third subparagraphs of paragraph 6 are replaced by the following subparagraph:

'The check provided for in the first subparagraph, point (d), shall be made individually for all male bovines for which an application has been submitted for special beef premium. However, for all other bovine animals eligible for Community aid which are present on such holdings, the check on correct recording in the register and entries in the database may be made by sampling provided that a reliable and representative level of control is achieved.'

(h) After paragraph 6, the following paragraphs 6a, 6b and 6c are added:

'6a. As regards the special beef premium referred to in Article 4(6) and the slaughter premium referred to in Article 11 of Regulation (EC) No 1254/1999, on-the-spot checks in the slaughterhouses shall be carried out in at least 30 % of all participating slaughterhouses, selected on the basis of a risk analysis. They shall comprise *a posteriori* scrutiny of documents and physical checks and a comparison with the entries in the database in accordance with Article 7 of Regulation (EC) No 820/97. On-the-spot checks in the slaughterhouses shall also cover the summaries relating to the slaughter certificates (or information in place thereof) which were sent to other Member States as referred to in Article 35(3) of Commission Regulation (EC) No 2342/1999.

The checks in the slaughterhouses shall relate to no less than 5 % of the total number of animals for which premium has been claimed in respect of a given year.

Where necessary, the physical checks in the slaughterhouses shall include also a verification that the carcasses presented for weighing are eligible for premium. The competent control authority shall keep records of such checks including, *inter alia*, identification numbers and carcass weights of all animals slaughtered and checked during the on-the-spot check concerned.

As regards the premium granted for animals exported to third countries, the Member States shall ensure that at least 10 % of the animals for which a premium is claimed or is expected to be claimed are subject to an identification check at the time of loading for export and at the time of the departure from the Community territory.

The 5 % and 10 % rate of sampling provided in subparagraphs 2 and 4 shall be representative. The Member State may reduce the rate of 30 % provided in subparagraph 1 to 15 % under the conditions laid down in paragraph 3a.

6b. As regards the extensification premium provided by Article 13 of Regulation (EC) No 1254/1999, the on-the-spot check shall consider all animals as provided in Article 13(3)(a) of that Regulation. The on-the-spot check shall include particularly a verification that the total number of animals present on the holding corresponds to the number of animals entered in the farmer's register and notified to the computerised database in accordance with Article 7 of Regulation (EC) No 820/97. The correctness of the entries in the register and in the database shall be checked and, if appropriate and necessary, a sampling of supporting documents such as purchase and sales invoices, slaughter certificates, veterinary certificates and passports as provided for in Article 6 of Regulation (EC) No 820/97 shall be carried out.

6c. Where sample checks reveal serious anomalies, the extent and scope of the check shall be increased to ensure an appropriate level of control.'

(i) Paragraph 9 is replaced by the following:

'9. As regards the additional payments as referred to in Article 15 of Regulation (EC) No 1254/1999 the Member State shall, as far as appropriate, apply the control rules as laid down in paragraphs 1 to 6c. If the application of the said rules is not appropriate because of the structure of the additional payment scheme, the Member State shall provide controls ensuring a control level equivalent to the principles laid down in this Regulation.'

7. In Article 7, the following subparagraph is inserted after the second indent of paragraph 1:

'If a Member State makes use of remote sensing the additional checks referred to in Article 6 shall be carried out by means of traditional on-the-spot checks if it is no longer possible to carry them out by means of remote sensing within the current year.'

8. After Article 7, the existing Article 12 is inserted as the new Article 7a and is amended as follows:

'Article 7a

1. Every on-the-spot check shall be the subject of a report.
2. In the case of on-the-spot checks related to aid applications, the report shall set out, in particular:
 - (a) the reason for the visit;
 - (b) the aid schemes and applications checked;
 - (c) the persons present;
 - (d) the number of parcels checked, the number measured and the results per parcel as well as the measuring methods used;
 - (e) the number of animals of each species found and, where applicable, the eartag numbers and entries in the register and in the computerised database checked, the results of the checks and, where applicable, special observations in respect of particular identification numbers.

The farmer or his representative may sign the report. He may either merely attest his presence at the check or also add his observations.

Where Member States carry out on-the-spot checks pursuant to this Regulation in conjunction with inspections pursuant to Commission Regulation (EC) No 2630/97 (*), the report shall be supplemented by reports in accordance with Article 2(5) of that Regulation.

3. With regard to the checks in slaughterhouses provided by Article 6(6a), first subparagraph, the reports may consist of an indication in the slaughterhouse accounts system what animals have been subject to control.

With regard to the checks on the identity of individual animals at the time of their loading for export and their departure from the Community territory provided by Article 6(6a), fourth subparagraph, a simplified report indicating the animals so controlled shall suffice.

4. Where on-the-spot checks conducted in accordance with Article 6(5) of this Regulation reveal infringements of Regulation (EC) No 820/97, copies of reports on on-the-spot checks pursuant to this Regulation shall be sent without delay to the authorities responsible for the implementation of Regulation (EC) No 2630/97.

(*) OJ L 354, 30.12.1997, p. 23.'

9. The existing Article 13 becomes the new Article 7b and is amended as follows:

'Article 7b

Except in cases of *force majeure*, the application shall be rejected if an on-the-spot check cannot be made through the fault of the farmer or his representative.'

10. Article 8 is amended as follows:

subparagraph 2 of paragraph 1 is replaced by the following:

'For the purpose of this Article, "application" means an "area" aid application, a "livestock" aid application and an amendment to an "area" aid application as referred to in Article 4(2).'

11. Article 9 is amended as follows:

- (a) subparagraph 3 of paragraph 2 becomes paragraph 3 and is amended as follows:

'3. In the case of a false declaration made intentionally or as a result of serious negligence:

- (a) the farmer in question shall be excluded from the aid scheme concerned referred to in Article 1(1) of Regulation (EEC) No 3508/92 for the calendar year in question, and
- (b) in the case of a false declaration intentionally made, moreover, from any aid scheme referred to in Article 1(1) of Regulation (EEC) No 3508/92 for the following calendar year, in respect of an area equal to that for which his aid application was rejected.'

- (b) The existing subparagraph 4 of paragraph 2 becomes subparagraph 3 of paragraph 2.

- (c) The four indents in the existing subparagraph 6 of paragraph 2 are replaced by the following:

— for rape seed and for sunflower: Article 4 of Commission Regulation (EC) No 2316/1999 (*),

— for linseed: The direct payment shall be granted only if the linseed is produced from seeds of flax varieties considered as other than those intended mainly for the production of fibres referred to in Article 1 of Regulation (EEC) No 1308/70,

— for durum wheat: Article 6(4) and (5) of Regulation (EC) No 2316/1999.

(*) OJ L 280, 30.10.1999, p. 43.'

- (d) The existing subparagraph 7 of paragraph 2 is replaced by the following:

'With regard to areas declared and actually sown in durum wheat, where a discrepancy is found between the minimum quantity of certified seed fixed by the Member State and the quantity actually used, "determined area" shall mean the area calculated by dividing the total quantity of certified seed for which the producer has furnished proof of use by the minimum quantity per hectare laid down by the Member State for the region of the producer in question. The area thus determined is used, after application of the aforementioned reductions, for the calculation of the right to the supplement or to the specific aid provided for at Article 5 of Regulation (EC) No 1251/1999.'

- (e) The existing paragraph 3 is inserted after subparagraph 3 of paragraph 2 as the new subparagraph 4.

- (f) Paragraph 4 is replaced by the following:

'4. The areas established in accordance with the provisions of paragraphs 1 to 3 for the purpose of calculating the aid shall be used for the calculation of the limit of the premiums referred to in Article 12 of Regulation (EC) No 1254/1999.

The calculation of the maximum eligible area for the area payments to arable crop producers shall be made on the basis of the area of set-aside land actually determined and on a pro rata basis for each crop concerned.'

12. Article 10 is replaced by the following Articles 10 to 10g:

'Article 10

1. Where an individual limit or individual ceiling is applicable, the number of animals shown in aid applications shall be reduced to the limit or ceiling set for the farmer concerned.

2. In no case may aid be granted on a greater number of animals than that shown in the aid application.

3. Without prejudice to Article 10b, if the number of animals declared in an aid application exceeds that established during administrative or on-the-spot checks carried out in accordance with Article 6, the aid shall be calculated on the number of eligible animals established.

4. If a farmer has been unable to comply with his retention undertaking as a result of *force majeure* he shall retain his right to aid in respect of the number of animals actually eligible at the time when the case of *force majeure* occurred.

5. In cases where, owing to the impact of natural circumstances on the herd, the farmer cannot meet his commitment to keep the animals notified for a premium

throughout the compulsory retention period, he shall be entitled to the premium for the number of eligible animals actually kept throughout the period, provided that he has informed the competent authority in writing within 10 working days of finding any reduction in the number of animals. Without prejudice to the actual circumstances to be taken into account in individual cases, the competent authorities may recognise, in particular, the following cases of natural circumstances of the herd:

- (a) death of an animal as a consequence of a disease;
- (b) death of an animal following an accident for which the farmer cannot be held responsible.

Article 10a

1. Bovine animals present on the holding shall not be counted for premium unless identified in the aid application.

2. However, a suckler cow or heifer declared for the premium in accordance with Article 6 of Regulation (EC) No 1254/1999 may be replaced within the limits provided by Article 6(2) of Regulation (EC) No 1254/1999 by another suckler cow or heifer.

3. As regards suckler cows and heifers kept in mountain areas in accordance with Article 10 of Regulation (EC) No 1254/1999, a suckler cow can be replaced only by a suckler cow and a heifer by a heifer.

4. As regards Article 13(4) of Regulation (EC) No 1254/1999, a dairy cow can be replaced only by another dairy cow.

5. The replacement shall occur within 20 days of the animal's departure from the holding and shall be entered in the farmer's register not later than three days after the day of replacement. The competent authority to which the premium application was submitted shall be informed within 10 working days after the replacement.

6. The Member State may decide not to apply the obligation of notification provided in the previous paragraph when its computerised database in accordance with Article 5 of Regulation (EC) No 820/97 offers adequate assurances as to the accuracy of the data it contains for the purposes of the control of the replacements. The Member State shall take the replacements into account in the selection of aid applications for on-the-spot checks.

Article 10b

1. If the administrative or on-the-spot check finds a difference between the animals declared in the aid application and the animals established and eligible, the aid shall, except in cases of *force majeure* and after Article 10(5) has been applied as regards natural circumstances, be reduced pursuant to paragraph 2.

2. Where the application concerns a maximum of 20 animals, the amount of the aid shall be reduced:

- (a) by the percentage corresponding to the difference found if this is not more than two animals, or
- (b) by twice the percentage corresponding to the difference found if this is more than two but not more than four animals.

If the difference is greater than four animals, no premium shall be granted.

In other cases, the amount of the aid shall be reduced:

- (a) by the percentage corresponding to the difference found if this is not more than 5 %, or,
- (b) by twice the percentage corresponding to the difference found if this is more than 5 % but not more than 20 %.

If the difference found is more than 20 %, no aid shall be granted.

The percentages mentioned in points (a) and (b) of the first subparagraph shall be calculated on the basis of the number declared, and those mentioned in points (a) and (b) of the third subparagraph on the basis of the number found.

Article 10c

1. As regards bovine animals other than those covered by Article 10b, where on-the-spot checks reveal that the number of animals present on the holding and eligible for or relevant to Community aids does not correspond to:

- (a) the animals notified to the computerised database in accordance with Article 7 of Regulation (EC) No 820/97;
- (b) the animals entered in the farmer's register in accordance with Article 7 of Regulation (EC) No 820/97;
- (c) the passports of animals held on the holding in accordance with Article 6 of Regulation (EC) No 820/97,

the total amount of the aid granted to the applicant for the aid scheme concerned for the 12 months prior to the on-the-spot check revealing such findings shall, except in cases of *force majeure*, be reduced proportionately.

The reduction shall be calculated on the basis of the number of all animals present for the scheme concerned or entries in the computerised database in accordance

with Article 5 of Regulation (EC) No 820/97 or passports or farmer's register entries whereby the lowest figure shall be taken.

2. However, with regard to errors or omissions concerning entries in the farmer's register or the passports, a reduction in accordance with paragraph 1 shall apply only when such findings are revealed on at least two checks within a period of 24 months.

3. If the difference found during an on-the-spot check is greater than 20 % of the number of eligible animals established, no premium shall be granted for the 12 months prior to the on-the-spot check.

Article 10d

As regards bovine animals, an animal established within the meaning of Articles 10 and 10b at the time of an on-the-spot check is one which:

- (a) is individually identified by a passport in accordance with Article 6 of Regulation (EC) No 820/97, which indicates at least the date of birth, sex, movements and death within the meaning of the second indent of Article 7(1) of Regulation (EC) No 820/97;
- (b) has been recorded in the computerised database in accordance with Article 5 of Regulation (EC) No 820/97 and is properly recorded in the farmer's register in accordance with Article 7 of that Regulation;
- (c) is individually identified by eartags provided for by Article 4 of Regulation (EC) No 820/97;
- (d) in the case of an animal declared for Community aid, is found at the location notified by the applicant in accordance with the fourth indent of Article 5(1) of this Regulation.

However, a bovine animal which has lost one of the two eartags shall be regarded as being established providing that it is clearly and individually identified by all other relevant conditions mentioned in the first subparagraph. Furthermore, as regards bovine animals incorrectly entered in the computerised database in accordance with Article 5 of Regulation (EC) No 820/97 or in the farmer's register or for which passports issued are incorrectly completed due to reasons attributable to the applicant with regard to the date of birth, sex, movements and death, Community aid shall be reduced in accordance with Articles 10, 10b or 10c only if such omissions are established on at least two checks within a period of 24 months.

Article 10e

1. Where it is found that, in view of animal premium, a false declaration in the aid application, farmer's register, passport or a false notification to the database referred to in Article 7(1) of Regulation (EC) No 820/97 or a false declaration of the number of live-stock units or animals as referred to in the first indent of the third subparagraph of paragraph 3 of Article 32 of Regulation (EC) No 2342/1999 was made as a result of serious negligence, the farmer in question shall be excluded from the aid scheme concerned for the calendar year in question. In the case of a false declaration made intentionally, he shall be excluded from the same aid scheme for the following calendar year as well.

2. As regards the declarations or certificates issued by slaughterhouses in connection with the slaughter premium as laid down in Article 35 of Regulation (EC) No 2342/1999, if it is found that the slaughterhouse gave a false certification or declaration as a result of serious negligence or intentionally, the Member State shall apply appropriate national sanctions. If such findings are established a second time the slaughterhouse involved shall be excluded for a period of at least one year from the right to make declarations or to issue certificates valid for premium purposes.

Article 10f

For the purposes of Articles 10 to 10e, animals eligible for different Community aids shall be treated separately.

Article 10g

As regards the additional payments as referred to in Article 14 of Regulation (EC) No 1254/1999 the Member State shall, as appropriate, apply rules regarding sanctions as laid down in Articles 9 to 10f. If the application of sanctions in respect of the abovementioned rules is not appropriate because of the structure of the additional payment scheme implemented in the Member State, the Member State shall provide equivalent suitable sanctions in proportion to the failure of, the producer.'

13. Articles 12 and 13 are deleted.

14. After Article 14, a new Article 14a is added:

'Articles 14a

1. Where after an aid application has been lodged and before all the conditions for granting the aid have been fulfilled, a holding is transferred in its entirety from one farmer to another farmer, no aid shall be granted to the transferor in respect of the transferred holding.

2. The aid applied for by the transferor shall be granted to the transferee where:

- (a) within a period of the transfer to be determined by the Member States the transferee informs the competent authority of the transfer, undertakes to

present any evidence required by the competent authority and requests payment of the aid, and

- (b) all the conditions for granting the aid are fulfilled in respect of the holding transferred, and the undertaking given by the transferee in point (a) is fulfilled.

3. Once the transferee informs the competent authority of the transfer of the holding and requests payment of the aid in accordance with point (a) of paragraph 2:

- (a) all rights and obligations of the transferor resulting from the legal relationship between the transferor and the competent authority generated by the aid application shall be conferred on the transferee,
- (b) all actions necessary for the granting of the aid and all declarations made by the transferor prior to the transfer shall be attributed to the transferee for the purpose of applying the relevant Community provisions,
- (c) by way of derogation from the second indent of Article 1(4) of Regulation (EEC) No 3508/92, the holding transferred shall be considered, where appropriate, as a separate holding in respect of the marketing year or the aid or premium period in question.

4. Where an aid application has to be lodged after the actions necessary for the granting of the aid have been performed and a holding is transferred in its entirety from one farmer to another farmer after those actions have started but before all the conditions for granting the aid have been fulfilled, the aid may be granted to the transferee provided the conditions in points (a) and (b) of paragraph 2 are fulfilled. In this case, point (b) of paragraph 3 shall apply.

5. Member States may decide, where appropriate, to grant the aid to the transferor. In this event:

- (a) no aid shall be granted to the transferee and
- (b) Member States shall ensure analogous application of the requirements set out in paragraphs 1 to 4.

6. In the case of a transfer of parts of a holding, paragraphs 1 to 5 shall not apply. The normal provisions on the granting of aid shall apply.

7. For the purposes of this Article,

- (a) the transfer of a holding shall mean the transfer of management of the production units concerned;
- (b) "transferor" shall be the farmer whose holding is transferred to another farmer, and "transferee" shall be the farmer to whom the holding is transferred;
- (c) "aid application" shall mean:
 - (i) an "area" aid application for the aid schemes referred to in Article 1(1)(a) of Regulation (EEC) No 3508/92,
 - (ii) an "animal" aid application for the aid schemes referred to in Article 1(1)(b) of Regulation (EEC) No 3508/92.'

15. Article 15 is replaced by the following:

'Article 15

Member States shall take all further measures required for application of this Regulation and shall give the mutual assistance needed for the purposes of checks required pursuant to this Regulation. In this respect Member States may also provide appropriate national sanctions against producers or other marketing participants such as slaughterhouses or associations involved in the procedure for granting aid in order to ensure the compliance with control requirements such as the current herd register of the holding or the respect of notification obligations.

As far as necessary or provided, the Member States shall assist one another mutually to ensure effective controls, and to ensure the check on the authenticity of documents submitted and/or the accuracy of the data exchanged.'

16. In Article 17, the following paragraph 3 is added:

'3. Without prejudice to paragraph 2, Member States shall, in accordance with provisions to be adopted by the Commission, send the Commission no later than 31

March each year, for arable crops, and no later than 31 August each year, for animal premiums, a report covering the previous calendar year and, in particular, relating to the following areas:

- (a) the state of implementation of the integrated system;
- (b) the number of applications as well as the total area and total number of animals broken down by individual aid scheme within the meaning of Article 1 of Regulation (EEC) No 3508/92;
- (c) the number of applications as well as the total area and total number of animals covered by checks;
- (d) the result of the checks carried out, indicating the reductions applied pursuant to Articles 9 and 10.'

17. In Article 19 the third subparagraph is deleted.

Article 2

This Regulation shall enter into force on 1 January 2000.

It shall apply to applications in respect of marketing years or premium periods starting from 1 January 2000.

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

Done at Brussels, 21 December 1999.

For the Commission

Franz FISCHLER

Member of the Commission

**COMMISSION REGULATION (EC) No 2802/1999
of 22 December 1999**

**fixing, for the 2000 fishing year, the withdrawal and selling prices for fishery products listed in
Annex I(A)(D) and (E) of Council Regulation (EEC) No 3759/92**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EEC) No 3759/92 of 17 December 1992 on the common organisation of the market in fishery and aquaculture products ⁽¹⁾, as last amended by Regulation (EC) No 3318/94 ⁽²⁾, and in particular Article 11(3) and Article 13 thereof,

Whereas:

- (1) Article 11(1) and Article 13 of Regulation (EEC) No 3759/92 provide that the Community withdrawal and selling prices for each of the products listed, respectively, in Annex I(A), (D) and in Annex I(E) shall be fixed on the basis of the freshness, size or weight and the presentation of the product by applying the conversion factor for the product category concerned to an amount equal to at least 70 % but not more than 90 % of the relevant guide price.
- (2) Article 11(2) of Regulation (EEC) No 3759/92 provides that the withdrawal price may be multiplied by conversion factors in landing areas which are very distant from main centres of consumption in the Community.
- (3) Article 6(1) of Council Regulation (EC) No 2406/96 of 26 November 1996 laying down common marketing standards for certain fishery products ⁽³⁾, as last amended by Commission Regulation (EC) No 323/97 ⁽⁴⁾, provides that when a lot is placed in category B, that lot is ineligible for the financial assistance granted in respect of intervention from 1 January 2000. Therefore, withdrawal prices for 'B' quality products need no longer be fixed.
- (4) The guide prices for the 2000 fishing year were fixed for all the products in question by Council Regulation (EC) No 2746/1999 ⁽⁵⁾.

- (5) The measures provided for in this Regulation are in accordance with the opinion of the Management Committee for fishery products,

HAS ADOPTED THIS REGULATION:

Article 1

The percentages of the guide price which are used as a basis for calculating the Community withdrawal and selling prices shall be as shown in Annex I for the products concerned.

Article 2

The conversion factors which are used for calculating the Community withdrawal and selling prices for the products listed, respectively, in Annex I(A) and (D) and in Annex I(E) to Regulation (EEC) No 3759/92 shall be as shown in Annex II.

Article 3

The Community withdrawal and selling prices applicable for the 2000 fishing year and the products to which they refer shall be as shown in Annex III.

Article 4

The withdrawal prices applicable for the 2000 fishing year in the landing areas which are very distant from the main centres of consumption in the Community and the products to which those prices relate, shall be as shown in Annex IV.

Article 5

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, 22 December 1999.

For the Commission
Franz FISCHLER
Member of the Commission

⁽¹⁾ OJ L 388, 31.12.1992, p. 1.

⁽²⁾ OJ L 350, 31.12.1994, p. 15.

⁽³⁾ OJ L 334, 23.12.1996, p. 1.

⁽⁴⁾ OJ L 52, 22.2.1997, p. 8.

⁽⁵⁾ OJ L 331, 23.12.1999, p. 23.

ANNEX I

Percentage of guide price used in calculating withdrawal or sale prices

Products	%
Herrings of the species <i>Clupea harengus</i>	85
Sardines of the species <i>Sardina pilchardus</i>	85
Dogfish (<i>Squalus acanthias</i>)	80
Dogfish (<i>Scyliorhinus</i> spp.)	80
Redfish (<i>Sebastes</i> spp.)	90
Cod of the species <i>Gadus morhua</i>	80
Coalfish (<i>Pollachius virens</i>)	80
Haddock (<i>Melanogrammus aeglefinus</i>)	80
Whiting (<i>Merlangius merlangus</i>)	80
Ling (<i>Molva</i> spp.)	80
Mackerel of the species <i>Scomber scombrus</i>	85
Mackerel of the species <i>Scomber japonicus</i>	90
Anchovies (<i>Engraulis</i> spp.)	85
Plaice (<i>Pleuronectes platessa</i>)	83
Hake of the species <i>Merluccius merluccius</i>	90
Megrim (<i>Lepidorhombus</i> spp.)	80
Ray's bream (<i>Brama</i> spp.)	80
Monkfish (<i>Lophius</i> spp.)	85
Shrimps of the species <i>Grangon crangon</i> and deep-water prawns (<i>Pandalus borealis</i>)	90
Crabs of the species (<i>Cancer pagurus</i>)	90
Norway lobster (<i>Nephrops norvegicus</i>)	90
Dab (<i>Limanda limanda</i>)	83
Flounder (<i>Platichthys flesus</i>)	83
(<i>Thunnus alalunga</i>)	90
Cuttlefish (<i>Sepia officinalis</i> and <i>Rossia macrosoma</i>)	80
Sole (<i>Solea</i> spp.)	83

ANNEX II

Conversion factor of the products listed in Annex I(A), (D) and (E) to Regulation (EEC) No 3759/92

Species	Size (l)	Conversion	
		Gutted fish, with head (l)	Whole fish (l)
		Extra, A (l)	Extra, A (l)
Herring of the species <i>Clupea harengus</i>	1	0,00	0,55
	2	0,00	0,85
	3	0,00	0,80
	4	0,00	0,50
	5	0,00	0,95
Sardines of the species <i>Sardina pilchardus</i>	1	0,00	0,60
	2	0,00	0,75
	3	0,00	0,85
	4	0,00	0,55
Dogfish (<i>Squalus acanthias</i>)	1	0,75	0,75
	2	0,64	0,64
	3	0,35	0,35
Dogfish (<i>Scyliorhinus</i> spp.)	1	0,80	0,75
	2	0,80	0,70
	3	0,55	0,45
Redfish (<i>Sebastes</i> spp.)	1	0,00	0,90
	2	0,00	0,90
	3	0,00	0,76
Cod of the species <i>Gadus morhua</i>	1	0,90	0,65
	2	0,90	0,65
	3	0,85	0,50
	4	0,67	0,38
	5	0,47	0,28
Coalfish (<i>Pollachius virens</i>)	1	0,90	0,70
	2	0,90	0,70
	3	0,89	0,69
	4	0,76	0,38
Haddock (<i>Melanogrammus aeglefinus</i>)	1	0,90	0,70
	2	0,90	0,70
	3	0,77	0,54
	4	0,65	0,45
Whiting (<i>Merlangius merlangus</i>)	1	0,83	0,63
	2	0,80	0,60
	3	0,75	0,55
	4	0,51	0,37
Ling (<i>Molva</i> spp.)	1	0,85	0,70
	2	0,83	0,68
	3	0,75	0,60
Mackerel of the species <i>Scomber scombrus</i>	1	0,00	0,85
	2	0,00	0,83
	3	0,00	0,81
Spanish mackerel of the species <i>Scomber japonicus</i>	1	0,00	0,85
	2	0,00	0,85
	3	0,00	0,70
	4	0,00	0,52
Anchovies (<i>Engraulis</i> spp.)	1	0,00	0,80
	2	0,00	0,85
	3	0,00	0,70
	4	0,00	0,29

Species	Size (l)	Conversion	
		Gutted fish, with head (l)	Whole fish (l)
		Extra, A (l)	Extra, A (l)
Plaice (<i>Pleuronectes platessa</i>)	1	0,90	0,49
	2	0,90	0,49
	3	0,87	0,49
	4	0,63	0,41
Hake of the species <i>Merluccius merluccius</i>	1	1,00	0,79
	2	0,76	0,59
	3	0,75	0,58
	4	0,62	0,48
	5	0,58	0,45
Megrim (<i>Lepidorhombus</i> spp.)	1	0,85	0,80
	2	0,75	0,70
	3	0,68	0,61
	4	0,43	0,36
Ray's bream (<i>Brama</i> spp.)	1	0,85	0,80
	2	0,60	0,55
Dab (<i>Limanda limanda</i>)	1	0,85	0,70
	2	0,65	0,50
Flounder (<i>Platichthys flesus</i>)	1	0,80	0,70
	2	0,60	0,50
Albacora or longfinned tuna (<i>Thunnus alalunga</i>)	1	1,00	0,90
	2	1,00	0,85
Cuttlefish (<i>Sepia officinalis</i> and <i>Rossia macrosoma</i>)	1	0,00	0,80
	2	0,00	0,80
	3	0,00	0,50
		Whole fish or gutted, with head (l)	Fish without head (l)
		Extra, A (l)	Extra, A (l)
Monkfish (<i>Lophius</i> spp.)	1	0,72	0,90
	2	0,92	0,85
	3	0,92	0,80
	4	0,77	0,70
	5	0,42	0,50
		All presentations	
		A (l)	
Shrimps of the genus <i>Crangon crangon</i>	1	0,65	
	2	0,30	
		Cooked in water	Fresh or chilled
		A (l)	A (l)
Deep-water prawns (<i>Pandalus borealis</i>)	1	0,85	0,75
	2	0,30	—
		Whole (l)	
Edible crabs (<i>Cancer pagurus</i>)	1	0,80	
	2	0,60	

Species	Size (l)	Whole (l)		Tails (l)
		E (l)	Extra, A (l)	Extra, A (l)
Norway lobster (<i>Nephrops norvegicus</i>)	1	0,95	0,95	0,90
	2	0,95	0,65	0,75
	3	0,85	0,65	0,55
	4	0,55	0,45	0,46
		Gutted fish, with head (l)		Whole fish (l)
		Extra, A (l)		Extra, A (l)
Sole (<i>Solea</i> spp.)	1	0,90		0,70
	2	0,90		0,70
	3	0,85		0,65
	4	0,70		0,50
	5	0,60		0,40

(l) The freshness categories, sizes and presentations are those defined pursuant to Article 2 of Regulation (EEC) No 3759/92.

ANNEX III

**Withdrawal or sale price in the Community of the products listed in Annex I(A), (D) and (E) to Regulation (EEC)
No 3759/92**

Species	Size (l)	Withdrawal price (EUR/t)	
		Gutted fish with head (l)	Whole fish (l)
		Extra, A (l)	Extra, A (l)
Herrings of the species <i>Clupea harengus</i>	1	0	122
	2	0	189
	3	0	177
	4	0	111
	5	0	211
Sardines of the species <i>Sardina pilchardus</i>	1	0	276
	2	0	346
	3	0	392
	4	0	253
Dogfish (<i>Squalus acanthias</i>)	1	641	641
	2	547	547
	3	299	299
Dogfish (<i>Scyliorhinus</i> spp.)	1	521	488
	2	521	456
	3	358	293
Redfish (<i>Sebastes</i> spp.)	1	0	935
	2	0	935
	3	0	789
Cod of the species <i>Gadus morhua</i>	1	1 101	795
	2	1 101	795
	3	1 040	612
	4	820	465
	5	575	342
Coalfish (<i>Pollachius virens</i>)	1	563	438
	2	563	438
	3	557	432
	4	475	238
Haddock (<i>Melanogrammus aeglefinus</i>)	1	746	580
	2	746	580
	3	638	448
	4	539	373
Whiting (<i>Merlangius merlangus</i>)	1	599	455
	2	577	433
	3	541	397
	4	368	267
Ling (<i>Molva</i> spp.)	1	798	657
	2	779	638
	3	704	563
Mackerel of the species <i>Scomber scombrus</i>	1	0	207
	2	0	202
	3	0	198
Spanish mackerel of the species <i>Scomber japonicus</i>	1	0	230
	2	0	230
	3	0	190
	4	0	141
Anchovies (<i>Engraulis</i> spp.)	1	0	806
	2	0	856
	3	0	705
	4	0	292

Species	Size (l)	Withdrawal price (EUR/t)	
		Gutted fish with head (l)	Whole fish (l)
		Extra, A (l)	Extra, A (l)
Plaice (<i>Pleuronectes platessa</i>)			
— 1 January to 30 April 2000	1	786	428
	2	786	428
	3	760	428
	4	550	358
— 1 May to 31 December 2000	1	1 082	589
	2	1 082	589
	3	1 046	589
	4	757	493
Hake of the species <i>Merluccius merluccius</i>	1	3 359	2 653
	2	2 553	1 982
	3	2 519	1 948
	4	2 082	1 612
	5	1 948	1 511
Megrim (<i>Lepidorhombus</i> spp.)	1	1 603	1 509
	2	1 415	1 320
	3	1 283	1 151
	4	811	679
Rays' bream (<i>Brama</i> spp.)	1	1 248	1 175
	2	881	808
Dab (<i>Limanda limanda</i>)	1	658	541
	2	503	387
Flounder (<i>Platichthys flesus</i>)	1	371	324
	2	278	232
Albacore or longfinned tuna (<i>Thunnus alalunga</i>)	1	2 207	1 737
	2	2 207	1 641
Cuttlefish (<i>Sepia officinalis</i> and <i>Rossia macrosoma</i>)	1	0	1 027
	2	0	1 027
	3	0	642
		Whole or gutted fish, with head (l)	Without head (l)
		Extra, A (l)	Extra, A (l)
Monkfish (<i>Lophius</i> spp.)	1	1 696	4 380
	2	2 167	4 136
	3	2 167	3 893
	4	1 814	3 406
	5	989	2 433
		All presentations	
		A (l)	
Shrimps of the species <i>Crangon crangon</i>	1	1 407	
	2	649	
		Cooked in water	Fresh or chilled
		A (l)	A (l)
Deep-water prawns (<i>Pandalus borealis</i>)	1	4 886	1 141
	2	1 724	—

Species	Size ⁽¹⁾	Sale price (EUR/t)		
		Whole ⁽¹⁾		
Edible crabs (<i>Cancer pagurus</i>)	1	1 259		
	2	944		
		Whole ⁽¹⁾		Tails ⁽¹⁾
		E ⁽¹⁾	Extra, A ⁽¹⁾	Extra, A ⁽¹⁾
Norway lobster (<i>Nephrops norvegicus</i>)	1	4 518	4 518	3 519
	2	4 518	3 091	2 933
	3	4 042	3 091	2 151
	4	2 616	2 140	1 799
		Cutted fish with head ⁽¹⁾		Whole fish ⁽¹⁾
		Extra, A ⁽¹⁾		Extra, A ⁽¹⁾
Sole (<i>Solea</i> spp.)	1	4 820		3 749
	2	4 820		3 749
	3	4 553		3 481
	4	3 749		2 678
	5	3 214		2 142

⁽¹⁾ The freshness categories, sizes and presentations are those defined pursuant to Article 2 of Regulation (EEC) No 3759/92.

ANNEX IV

Species	Landing area	Conversion factor	Size (l)	Withdrawal prices (EUR/tonne)	
				Gutted fish, with head (l)	Whole fish (l)
				Extra, A (l)	Extra, A (l)
Herring of the species <i>Clupea harengus</i>	Coastal areas and islands of Ireland	0,86	$\begin{cases} 1 \\ 2 \\ 3 \\ 4 \end{cases}$	$\begin{cases} 0 \\ 0 \\ 0 \\ 0 \end{cases}$	$\begin{cases} 105 \\ 162 \\ 153 \\ 95 \end{cases}$
	Coastal areas in the east of England from Berwick to Dover. Coastal areas of Scotland from Portpatrick to Eyemouth including the islands to the west and the north of these regions. Coastal areas of County Down (Northern Ireland)	0,86	$\begin{cases} 1 \\ 2 \\ 3 \\ 4 \end{cases}$	$\begin{cases} 0 \\ 0 \\ 0 \\ 0 \end{cases}$	$\begin{cases} 105 \\ 162 \\ 153 \\ 95 \end{cases}$
Mackerel of the species <i>Scomber scombrus</i>	Coastal areas and islands of Ireland	0,92	$\begin{cases} 1 \\ 2 \\ 3 \end{cases}$	$\begin{cases} 0 \\ 0 \\ 0 \end{cases}$	$\begin{cases} 191 \\ 186 \\ 182 \end{cases}$
	Coastal areas and islands of Cornwall and Devon in the United Kingdom	0,92	$\begin{cases} 1 \\ 2 \\ 3 \end{cases}$	$\begin{cases} 0 \\ 0 \\ 0 \end{cases}$	$\begin{cases} 191 \\ 186 \\ 182 \end{cases}$
	Coastal areas from Portpatrick in south-west Scotland to Wick in north-east Scotland and the islands to the west and north of these areas, coastal areas and islands of Northern Ireland	0,97	$\begin{cases} 1 \\ 2 \\ 3 \end{cases}$	$\begin{cases} 0 \\ 0 \\ 0 \end{cases}$	$\begin{cases} 201 \\ 196 \\ 192 \end{cases}$
	Coastal areas from Wick to Aberdeen in the north-east of Scotland	1,00	$\begin{cases} 1 \\ 2 \\ 3 \end{cases}$	$\begin{cases} 0 \\ 0 \\ 0 \end{cases}$	$\begin{cases} 207 \\ 202 \\ 198 \end{cases}$
Hake of the species <i>Merluccius merluccius</i>	Coastal area from Troon in south-west Scotland to Wick in north-east Scotland and the islands to the west and north of these areas	0,72	$\begin{cases} 1 \\ 2 \\ 3 \\ 4 \\ 5 \end{cases}$	$\begin{cases} 2\ 452 \\ 1\ 863 \\ 1\ 839 \\ 1\ 520 \\ 1\ 422 \end{cases}$	$\begin{cases} 1\ 937 \\ 1\ 447 \\ 1\ 422 \\ 1\ 177 \\ 1\ 103 \end{cases}$
	Coastal areas and islands of Ireland	0,97	$\begin{cases} 1 \\ 2 \\ 3 \\ 4 \\ 5 \end{cases}$	$\begin{cases} 3\ 292 \\ 2\ 502 \\ 2\ 469 \\ 2\ 041 \\ 1\ 909 \end{cases}$	$\begin{cases} 2\ 600 \\ 1\ 942 \\ 1\ 909 \\ 1\ 580 \\ 1\ 481 \end{cases}$
Albacore of longfinned tuna (<i>Thunnus alalunga</i>)	Azores and Madeira	0,48	$\begin{cases} 1 \\ 2 \end{cases}$	$\begin{cases} 1\ 059 \\ 1\ 059 \end{cases}$	$\begin{cases} 834 \\ 788 \end{cases}$
Sardines of the species <i>Sardina pilchardus</i>	Canary Islands	0,48	$\begin{cases} 1 \\ 2 \\ 3 \\ 4 \end{cases}$	$\begin{cases} 0 \\ 0 \\ 0 \\ 0 \end{cases}$	$\begin{cases} 133 \\ 166 \\ 188 \\ 122 \end{cases}$
	Coastal areas and islands of the counties of Cornwall and Devon in the United Kingdom	0,70	$\begin{cases} 1 \\ 2 \\ 3 \\ 4 \end{cases}$	$\begin{cases} 0 \\ 0 \\ 0 \\ 0 \end{cases}$	$\begin{cases} 193 \\ 242 \\ 274 \\ 177 \end{cases}$
	Coastal areas on the Atlantic seaboard of Portugal	0,90 0,79	2 3	$\begin{cases} 0 \\ 0 \end{cases}$	$\begin{cases} 311 \\ 309 \end{cases}$
	French coastal areas on the Atlantic, the Channel and the North Sea	0,98	2	0	339

(l) The freshness categories, sizes and presentations are those defined pursuant to Article 2 of Regulation (EEC) No 3759/92.

**COMMISSION REGULATION (EC) No 2803/1999
of 22 December 1999**

**fixing the standard values to be used in calculating the financial compensation and the advance
pertaining thereto in respect of fishery products withdrawn from the market during the 2000
fishing year**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EEC) No 3759/92 of 17 december 1992 on the common organisation of the market in fishery products and aquaculture ⁽¹⁾, as last amended by Regulation (EEC) No 3318/94 ⁽²⁾, and in particular Article 12(6) thereof,

Whereas:

- (1) Article 12 of Regulation (EEC) No 3759/92 provides for the payment of financial compensation to producers' organisations which intervene, on certain conditions, in respect of the products listed in Annex I (A) and (D) to that Regulation. The amount of such financial compensation must be reduced by standard values in the case of products intended for purposes other than human consumption.
- (2) Commission Regulation (EEC) No 1501/83 of 9 June 1983 on the disposal of certain fishery products which have been the subject of measures to stabilise the market ⁽³⁾ specifies the ways in which the products withdrawn must be disposed of. The value of such products must be fixed at a standard level for each of these modes of disposal, taking into account the average receipts which may be obtained from such disposal in the various Member States.
- (3) On the basis of the relevant information on this value, it should be fixed for the 2000 fishing year as shown in the Annex hereto.
- (4) Pursuant to Article 7 of Commission Regulation (EEC) No 3902/92 of 23 December 1992 setting detailed rules for granting financial compensation on certain fishery products ⁽⁴⁾, as last amended by Regulation (EEC) No 1338/95 ⁽⁵⁾, special arrangements are provided for so

that if a producer's organisation or one of its members puts its products up for sale in a Member State other than in which it is recognised the body responsible for granting the financial compensation is informed. The aforementioned body is that of the Member State in which the producers' organisation was recognised. The standard value deductible should therefore be the value applied in that Member State.

- (5) The abovementioned provisions are equally applicable to the advance on the financial compensation provided for in Article 6(1) of Regulation (EEC) No 3902/92.
- (6) The measures provided for in this Regulation are in accordance with the opinion of the Management Committee for fishery products,

HAS ADOPTED THIS REGULATION:

Article 1

The standard values to be used in calculating the financial compensation and the advance pertaining thereto in respect of products withdrawn by producers' organisations and used for purposes other than human consumption shall be for the 2000 fishing year as shown in the Annex hereto for each of the uses indicated therein.

Article 2

The standard value to be deducted from the financial compensation and the advance pertaining thereto shall be that applied in the Member State in which the producers' organisation was recognised.

Article 3

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, 22 December 1999.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ L 388, 31.12.1992, p. 1.

⁽²⁾ OJ L 350, 31.12.1994, p. 15.

⁽³⁾ OJ L 152, 10.6.1983, p. 22.

⁽⁴⁾ OJ L 392, 31.12.1992, p. 35.

⁽⁵⁾ OJ L 129, 14.6.1995, p. 7.

ANNEX

Use of products withdrawn	EUR/tonne
1. Used as animal feed after drying and cutting up or processing into meal:	
a) herring of the species <i>Clupea harengus</i> and mackerel of the species <i>Scomber scombrus</i> and <i>Scomber japonicus</i> :	
— Denmark and Sweden	60
— France	1
— other Member States	18
b) for shrimps of the species <i>Crangon crangon</i> and deep-water prawns (<i>Pandalus borealis</i>):	
— Sweden	0
— other Member States	10
c) for other products:	
— Denmark	70
— Sweden	50
— United Kingdom, Portugal, Belgium and Ireland	18
— other Member States	0
2. Used otherwise than as under animal feed (bait included):	
a) sardines of the species <i>Sardina pilchardus</i> and anchovy (<i>Engraulis</i> spp.):	
— all Member States	20
b) for other products:	
— Sweden, France and Denmark	50
— Ireland	0
— other Member States	35
3. Used for purposes other than animal feed	0

**COMMISSION REGULATION (EC) No 2804/1999
of 22 December 1999**

fixing the amount of the carry-over aid for certain fishery products for the 2000 fishing year

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Commission Regulation (EEC) No 3901/92 of 23 December 1992 laying down general rules for the granting of a carry-over aid for certain fishery products and aquaculture products ⁽¹⁾, as last amended by Regulation (EC) No 1337/95 ⁽²⁾ and in particular Article 5(1) thereof,

Whereas:

- (1) the purpose of the carry-over aid is to give suitable encouragement to producers' organisations so carry over products withdrawn from the market so that their destruction can be avoided;
- (2) the amount of the aid must be such as not to disturb the balance of the market for the products in question;
- (3) the amount of the aid must not exceed the technical and financial costs of processing and storage recorded during the previous fishing year, the highest costs being disregarded;

(4) on the basis of the information on technical and financial costs associated with the concerned operations, recorded in the Community, the amount of the aid should, for the 2000 fishing year, be as indicated in the Annex;

(5) the measures provided for in this Regulation are in accordance with the opinion of the Management Committee for fishery products,

HAS ADOPTED THIS REGULATION:

Article 1

For the 2000 fishing year, the carry-over aid for the products listed in Annex I(A), (D) and (E) to Council Regulation (EEC) No 3759/92 ⁽³⁾ shall be as indicated in the Annex thereto.

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, 22 December 1999.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ L 392, 31.12.1992, p. 29.

⁽²⁾ OJ L 129, 14.6.1995, p. 5.

⁽³⁾ OJ L 388, 31.12.1992, p. 1.

ANNEX

1. Amount of the carry-over aid for products listed in Annex I(A) and (D) and for sole (*Solea* spp.) listed in Annex I(E) to Regulation (EEC) No 3759/92

Processing methods listed in Article 14 of Regulation (EEC) No 3759/92	Amount of aid (EUR/tonne)	
1	2	
	First month	Per additional month
I. Freezing and storage of whole, gutted and whole head or cutting-up products		
— Sardines of the species <i>Sardina pilchardus</i>	240	15
— Other species	130	15
II. Filleting, freezing and storage	206	15
III. Salting and/or drying and storage of whole, gutted and with head, cutting-up of filleted products	165	15

2. Amount of the carry-over aid for products listed in Annex I(E) to Regulation (EEC) No 3759/92

Processing methods listed in Article 14 of Regulation (EEC) No 3759/92	Products	Amount of aid (EUR/tonne)	
1	2	3	
		First month	Per additional month
I. Freezing and storage	Norway lobster (<i>Nephrops norvegicus</i>)	245	25
	Norway lobster tails (<i>Nephrops norvegicus</i>)	168	25
II. Removing the head, freezing and storage	Norway lobster (<i>Nephrops norvegicus</i>)	168	25
III. Cooking, freezing and storage	Norway lobster (<i>Nephrops norvegicus</i>)	270	25
	Edible crabs (<i>Cancer pagurus</i>)	146	19
IV. Storage in suitable fixed tanks or cages	Edible crabs (<i>Cancer pagurus</i>)	170	

COMMISSION REGULATION (EC) No 2805/1999**of 22 December 1999****amending Regulation (EC) No 2211/94 laying down detailed rules for the application of Council Regulation (EEC) No 3759/92 as regards the notification of the prices of imported fishery products**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EEC) No 3759/92 of 17 December 1992 on the common organisation of the market in fishery and aquaculture products ⁽¹⁾, as last amended by Regulation (EC) No 3318/94 ⁽²⁾, and in particular Articles 22 and 23 thereof,

Whereas:

- (1) The arrangements for the rapid and reliable transmission of the data needed to monitor the reference prices must be laid down.
- (2) A Taric code is assigned to each product listed in Annexes I, II, III, IV and V to Regulation (EEC) No 3759/92 for which a reference price is fixed.
- (3) Commission Regulation (EC) No 2211/94 ⁽³⁾, as amended by Regulation (EC) No 2431/98 ⁽⁴⁾, provides for the information collected to be broken down by species or product, category or commercial presentation. An additional Taric code identifies the product in question so that it is no longer necessary to describe the product using the above parameters.

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

HAS ADOPTED THIS REGULATION:

Article 1

Regulation (EC) No 2211/94 is amended as follows:

1. Article 2(1) is replaced by the following:

‘1. Member States shall notify to the Commission the free-at-frontier prices of the goods listed in Annexes I, II, III, IV and V to Regulation (EEC) No 3759/92 for which a reference price is fixed and which are placed in free circulation. This information shall be broken down by Taric code and according to the day on which the import declaration was presented.’

2. Annex II is replaced by the Annex to this Regulation.

Article 2

This Regulation shall enter into force on 1 March 2000.

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

Done at Brussels, 22 December 1999.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ L 388, 31.12.1992, p. 1.

⁽²⁾ OJ L 350, 31.12.1994, p. 15.

⁽³⁾ OJ L 238, 13.9.1994, p. 1.

⁽⁴⁾ OJ L 302, 12.11.1998, p. 13.

ANNEX

ANNEX II

1. Data format

Registration No	Data involved	Identification of the type of data	Format	Size	Code
1st	Message identification	<TTL>	Character	5	2211B
2nd	Member State	<RMS>	Character	3	Table 1
3rd	Date of first day of period in question	<RPP>	Date DDMMYYYY	8	
4th et seq.	— Date of importation	<DAT>	Date DDMMYYYY	8	
	— Country of consignment (optional)		Numeric	3	(¹)
	— Country of origin		Numeric	3	(¹)
	— Combined Nomenclature and Taric codes		Character	10	(²)
	— Additional Taric code I		Character	4	
	— Additional Taric code II		Character	4	
	— Value rounded to the nearest unit		Numeric (integer)	15	(³)
	— Currency code		Character	3	Table 2
	— Quantity in kg		Numeric (integer)	15	

(¹) Country nomenclature for the external trade statistics of the Community and statistics of trade between Member States (Commission Regulation (EC) No 895/97 (OJ L 128, 21.5.1997, p. 1)).

(²) Integrated tariff of the European Communities (Taric) (OJ C 212 and C 212 A, 23.7.1999).

(³) Example: 43,56 becomes 44.

2. Message format

The file is a text file made up of four separate records.

— Each item of data is separated from the following item by a semi-colon.

— Each message line is following by a carriage return.

It looks as follows:

<TTL>2211B

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<DAT>DDMMYYYY; N(3); N(3); C(10); C(4); C(4); N(15); C(3); N(15);

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3. Codes

Table 1

Member State codes

Code	Member State
AUT	Austria
BEL	Belgium
DEU	Germany
DNK	Denmark
ESP	Spain
FIN	Finland
FRA	France
GBR	United Kingdom
GRC	Greece
IRL	Ireland
ITA	Italy
LUX	Luxembourg
NLD	Netherlands
PRT	Portugal
SWE	Sweden

Table 2

Currency codes

Code	Currency
BEF	Belgian franc
DKK	Danish krone
DEM	German mark
GRD	Greek drachma
PTE	Portuguese escudo
EUR	euro
FRF	French franc
FIM	Finnish markka
NLG	Dutch guilder
IEP	Irish pound
ITL	Italian lira

Code	Currency
ATS	Austrian schilling
ESP	Spanish peseta
SEK	Swedish krona
GBP	Pound sterling
LUF	Luxembourg franc'

COMMISSION REGULATION (EC) No 2806/1999**of 22 December 1999****fixing the amount of the flat-rate premium for certain fishery products during the 2000 fishing year**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Commission Regulation (EEC) No 4176/88 of 28 December 1988 laying down detailed rules for the grant of a flat-rate aid for certain fishery products and aquaculture products ⁽¹⁾, as last amended by Regulation (EC) No 3516/93 ⁽²⁾, and in particular Article 11 thereof,

Whereas:

- (1) The flat-rate premium should encourage the producers' organisations to prevent the destruction of products withdrawn from the market.
- (2) The amount of the premium must be fixed in such a way as to take account of the interdependence of the markets concerned and of the need to prevent distortion of competition.
- (3) The amount of the premium must not exceed the technical and financial costs of processing and storage recorded during the previous fishing year, the highest costs being disregarded.
- (4) On the basis of the information concerning the technical and financial costs associated with the concerned operations recorded in the Community, the amount of the

premium should be fixed for the 2000 fishing year as shown below.

- (5) The measures provided for in this Regulation are in accordance with the opinion of the Management Committee for fishery products,

HAS ADOPTED THIS REGULATION:

Article 1

For the 2000 fishing year, the amount of the flat-rate premium for the products listed in Annex VI to Council Regulation (EEC) No 3759/92 ⁽³⁾ shall be as follows:

- (a) freezing and storage of products, whole, gutted with head, or cut:
 - 130 euro/tonne, for the first month,
 - 15 euro/tonne, per additional month;
- (b) filleting, freezing and storage:
 - 206 euro/tonne, for the first month,
 - 15 euro/tonne, per additional month.

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, 22 December 1999.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ L 367, 31.12.1988, p. 63.

⁽²⁾ OJ L 320, 22.12.1993, p. 10.

⁽³⁾ OJ L 388, 31.12.1992, p. 1.

COMMISSION REGULATION (EC) No 2807/1999

of 22 December 1999

fixing the reference prices for fishery products for the 2000 fishing year

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EEC) No 3759/92 of 17 December 1992 on the common organisation of the market in fishery and aquaculture products ⁽¹⁾, as last amended by Regulation (EC) No 3318/94 ⁽²⁾, and in particular the first subparagraph of Articles 22(6) and 23(5) thereof,

Whereas:

- (1) Article 22(1) of Regulation (EEC) No 3759/92 provides, among other things, for reference prices valid for the Community to be fixed each year, by product category, for the products specified in Annexes I, II, III, IV(B) and V to that Regulation, subject to the consultation procedures laid down for certain products within the framework of the GATT.
- (2) Article 23(1) of Regulation (EEC) No 3759/92 provides, *inter alia*, for the fixing of reference prices for the products referred to in Annex IV(A) before the beginning of each marketing year.
- (3) Article 22(2) of Regulation (EEC) No 3759/92 provides that the reference price for the products specified in Annex I(A), (D) and (E) thereto must be equal, respectively, to the withdrawal and selling prices fixed in accordance with Article 11(1) and Article 13 thereof.
- (4) The Community withdrawal and selling prices for the products concerned were fixed for the 2000 fishing year by Commission Regulation (EC) No 2802/1999 ⁽³⁾.
- (5) The reference prices for the products specified in Annexes I(B) and (C) and IV(B) to Regulation (EEC) No 3759/92 are determined on the basis of the average of the reference prices for the fresh product, account being taken of the processing costs and of the need to ensure a price relationship in keeping with the market situation.
- (6) The reference prices for the products specified in Annex II to Regulation (EEC) No 3759/92 must be derived from their guide prices, referred to in Article 9(1) of that Regulation, by reference to the price level at which the intervention measures provided for in Article 16(1) thereof may be taken, and fixed taking account of the situation on the market in those products.

- (7) The reference prices for the fishes of the *Thunnus* and *Euthynnus* species specified in Annex III to Regulation (EEC) No 3759/92 are based on the weighted average of the free-at-frontier prices recorded on the most representative markets in the Member States during the three preceding years.
- (8) For the carp and salmon referred to in Annex IV(A) to Regulation (EEC) No 3759/92, reference prices are fixed on the basis of the average of the producer prices recorded during the three years preceding the date on which the reference price is fixed for a product with commercial characteristics as set out in Commission Regulation (EEC) No 2210/93 ⁽⁴⁾, as last amended by Regulation (EC) No 843/95 ⁽⁵⁾.
- (9) For the frozen and salted products specified in Annex V to Regulation (EEC) No 3759/92 the reference price shall be determined on the basis of the average reference price for the fresh product, taking into account the processing costs and the market situation. If there is no reference price fixed for the fresh product, the reference prices are determined on the basis of the reference price applied to a commercially similar fresh product. However, given the quantities of certain frozen and salted products and the conditions governing their importation, it does not appear possible to fix a reference price for all of these products in the immediate future.
- (10) The measures provided for in this Regulation are in accordance with the opinion of the Management Committee for fishery products,

HAS ADOPTED THIS REGULATION:

Article 1

The reference prices for the 2000 fishing year for the products specified in Annexes I, II, III and IV(A) and (B) and some products in Annex V to Regulation (EEC) No 3759/92 shall be as shown in the Annex hereto.

Article 2

This Regulation shall enter into force on 1 January 2000.

⁽¹⁾ OJ L 388, 31.12.1992, p. 1.

⁽²⁾ OJ L 350, 31.12.1994, p. 15.

⁽³⁾ See page 38 of this Official Journal.

⁽⁴⁾ OJ L 197, 6.8.1993, p. 8.

⁽⁵⁾ OJ L 85, 19.4.1995, p. 13.

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

Done at Brussels, 22 December 1999.

For the Commission
Franz FISCHLER
Member of the Commission

ANNEX

1. Reference prices of products listed in Annex I(A), (D) and (E) to Regulation (EEC) No 3759/92

Species	Size (l)	Reference price (EUR/t)			
		Gutted fish with head (l)		Whole fish (l)	
		Additional TARIC code	Extra, A (l)	Additional TARIC code	Extra, A (l)
Herring of the species <i>Clupea harengus</i> ex 0302 40 00	1	F001	0	F011	122
	2	F002	0	F012	189
	3	F003	0	F013	177
	4	F004	0	F014	111
	5	F005	0	F015	211
Sardines of the species <i>Sardina pilchardus</i> ex 0302 61 10	1	F021	0	F029	276
	2	F022	0	F030	346
	3	F023	0	F031	392
	4	F024	0	F032	253
Dogfish (<i>Squalus acanthias</i>) 0302 65 20	1	F037	641	F043	641
	2	F038	547	F044	547
	3	F039	299	F045	299
Dogfish (<i>Scyliorhinus</i> spp.) 0302 65 50	1	F049	521	F055	488
	2	F050	521	F056	456
	3	F051	358	F057	293
Redfish (<i>Sebastes</i> spp.) 0302 69 31 and 0302 69 33	1	F061	0	F067	935
	2	F062	0	F068	935
	3	F063	0	F069	789
Cod of the species <i>Gadus morhua</i> 0302 50 10	1	F073	1 101	F083	795
	2	F074	1 101	F084	795
	3	F075	1 040	F085	612
	4	F076	820	F086	465
	5	F077	575	F087	342
Coalfish (<i>Pollachius virens</i>) 0302 63 00	1	F093	563	F101	438
	2	F094	563	F102	438
	3	F095	557	F103	432
	4	F096	475	F104	238
Haddock (<i>Melanogrammus aeglefinus</i>) 0302 62 00	1	F109	746	F117	580
	2	F110	746	F118	580
	3	F111	638	F119	448
	4	F112	539	F120	373
Whiting (<i>Merlangius merlangus</i>) 0302 69 41	1	F125	599	F133	455
	2	F126	577	F134	433
	3	F127	541	F135	397
	4	F128	368	F136	267
Ling (<i>Molva</i> spp.) 0302 69 45	1	F141	798	F147	657
	2	F142	779	F148	638
	3	F143	704	F149	563
Mackerel of the species <i>Scomber scombrus</i> ex 0302 64 00	1	F153	0	F159	207
	2	F154	0	F160	202
	3	F155	0	F161	198
Spanish mackerel of the species <i>Scomber japonicus</i> ex 0302 64 00	1	F165	0	F173	230
	2	F166	0	F174	230
	3	F167	0	F175	190
	4	F168	0	F176	141
Anchovies (<i>Engraulis</i> spp.) 0302 69 55	1	F181	0	F189	806
	2	F182	0	F190	856
	3	F183	0	F191	705
	4	F184	0	F192	292

Species	Size (l)	Reference price (Euro/t)			
		Gutted fish with head (l)		Whole fish (l)	
		Additional TARIC code	Extra, A (l)	Additional TARIC code	Extra, A (l)
Plaice (<i>Pleuronectes platessa</i>) 0302 22 00:					
— 1 January to 30 April 2000	1	F197	786	F205	428
	2	F198	786	F206	428
	3	F199	760	F207	428
	4	F200	550	F208	358
— 1 May to 31 December 2000	1	F197	1 082	F205	589
	2	F198	1 082	F206	589
	3	F199	1 046	F207	589
	4	F200	757	F208	493
Hake of the species <i>Merluccius merluccius</i> ex 0302 69 68	1	F213	3 359	F223	2 653
	2	F214	2 553	F224	1 982
	3	F215	2 519	F225	1 948
	4	F216	2 082	F226	1 612
	5	F217	1 948	F227	1 511
Megrim (<i>Lepidorhombus</i> spp.) 0302 29 10	1	F233	1 603	F241	1 509
	2	F234	1 415	F242	1 320
	3	F235	1 283	F243	1 151
	4	F236	811	F244	679
Ray's bream (<i>Brama</i> spp.) 0302 69 75	1	F249	1 248	F253	1 175
	2	F250	881	F254	808
Dab (<i>Limanda limanda</i>) ex 0302 29 90	1	F257	658	F261	541
	2	F258	503	F262	387
Flounder (<i>Platichthys flesus</i>) ex 0302 29 90	1	F265	371	F269	324
	2	F266	278	F270	232
Albacore or longfinned tuna (<i>Thunnus alalunga</i>) 0302 31 10 and 0302 31 90	1	F273	2 207	F277	1 737
	2	F274	2 207	F278	1 641
Cuttlefish (<i>Sepia officinalis</i> and <i>Rossia macrosoma</i>) ex 0307 41 10	1	F281	0	F287	1 027
	2	F282	0	F288	1 027
	3	F283	0	F289	642
		Whole or gutted fish, with head (l)		Without head (l)	
		Additional TARIC code	Extra, A (l)	Additional TARIC code	Extra, A (l)
Monkfish (<i>Lophius</i> spp.) 0302 69 81	1	F293	1 696	F303	4 380
	2	F294	2 167	F304	4 136
	3	F295	2 167	F305	3 893
	4	F296	1 814	F306	3 406
	5	F297	989	F307	2 433
		All presentations			
		Additional TARIC code		A (l)	
Shrimps of the species <i>Crangon crangon</i> ex 0306 23 31 and ex 0306 23 39	1	F313		1 407	
	2	F314		649	

Species	Size (l)	Cooked in water		Fresh or chilled			
		Additional TARIC code	A (l)	Additional TARIC code	A (l)		
Deep-water prawns (<i>Pandalus borealis</i>) ex 0306 23 10	1 2	F317 F318	4 886 1 724	F321 —	1 141 —		
		Additional TARIC code		Additional TARIC code (l)			
Edible crabs (<i>Cancer pagurus</i>) 0306 24 30	1 2	F323 F324		1 259 944			
		Whole (l)			Tails (l)		
		Additional TARIC code	E (l)	Additional TARIC code	Extra, A (l)	Additional TARIC code	Extra, A (l)
Norway lobster (<i>Nephrops norvegicus</i>) 0306 29 30	1 2 3 4	F325 F326 F327 F328	4 518 4 518 4 042 2 616	F329 F330 F331 F332	4 518 3 091 3 091 2 140	F337 F338 F339 F340	3 519 2 933 2 151 1 799
		Gutted fish with head (l)			Whole fish (l)		
		Additional TARIC code	Extra, A (l)		Additional TARIC code	Extra, A (l)	
Sole (<i>Solea spp.</i>) 0302 23 00	1 2 3 4 5	F345 F346 F347 F348 F349	4 820 4 820 4 553 3 749 3 214		F355 F356 F357 F358 F359		3 749 3 749 3 481 2 678 2 142

(l) The freshness categories, sizes and presentations are those defined pursuant to Article 2 of Regulation (EEC) No 3759/92.

2. Reference prices for the products listed in Annex II to Regulation (EEC) No 3759/92

CN code	Additional TARIC code	Description	Reference prices (EUR/t)
A. Frozen products falling within CN codes NC 0303 and 0304:			
0303 31 10	—	Greenland halibut (<i>Reinhardtius hippoglossoides</i>)	1 646
0303 79 71	—	Sea bream (<i>Dentex dentex</i> and <i>Pagellus spp.</i>)	1 323
		Hake (<i>Merluccius spp.</i>)	
0303 78 11, 0303 78 12, 0303 78 13, 0303 78 19	F365	Whole fish: — with or without head	940
0304 20 55, ex 0304 20 58	F366	Fillets: — interleaved or in industrial blocks, with bones (standard)	1 189
	F367	— interleaved or in industrial blocks, boneless	1 372
	F368	— individual or fully interleaved fillets, with skin	1 222
	F369	— individual or fully interleaved fillets, skinless	1 325
	F370	— blocks in immediate packing weighing not more than 4 kg	1 387
ex 0304 20 56		<i>Merluccius hubbsi</i>	
		Fillets:	
	F366	— interleaved or in industrial blocks, with bones (standard)	1 070
	F367	— interleaved or in industrial blocks, boneless	1 235

CN code	Additional TARIC code	Description	Reference prices (EUR/t)
	F368	— individual or fully interleaved fillets, with skin	1 100
	F369	— individual or fully interleaved fillets, skinless	1 193
	F370	— blocks in immediate packing weighing not more than 4 kg	1 236
ex 0304 90 47	F371	Pieces and other meat, except minced blocks	1 174
B. Frozen products falling within CN 0306:			
0306 13 40,	—	Deepwater rose shrimps <i>Parapenaeus longirostris</i>	3 432
0306 13 50	—	Shrimps of the genus <i>Penaeus</i>	6 651
C. Frozen products falling within CN code NC 0307:			
		Squid of the genus <i>Loligo</i>	
0307 49 35		— <i>Loligo patagonica</i> :	
	F372	whole, not cleaned	944
	F373	cleaned	1 133
0307 49 31		— <i>Loligo vulgaris</i> :	
	F374	whole, not cleaned	2 361
	F375	cleaned	2 739
0307 49 33		— <i>Loligo pealei</i> :	
	F376	whole, not cleaned	1 653
	F377	cleaned	1 889
ex 0307 49 38		— <i>Loligo opalescens</i> :	
	F378	whole, not cleaned	944
	F379	cleaned	1 133
ex 0307 49 38		— other species:	
	F380	whole, not cleaned	1 228
	F381	cleaned	1 417
0307 49 51		Squid (<i>Ommastrephes sagittatus</i>):	
	F382	whole, not cleaned	817
	F383	tube	1 552
	F384	cylinder	2 328
		<i>Illex</i> spp.	
ex 0307 99 11		— <i>Illex argentinus</i> :	
	F385	whole, not cleaned	747
	F386	tube	1 420
	F387	cylinder	2 129
ex 0307 99 11		— <i>Illex illecebrosus</i> :	
	F388	whole, not cleaned	747
	F389	tube	1 420
	F390	cylinder	2 129
ex 0307 99 11		— other species:	
	F391	whole, no cleaned	747
	F392	tube	1 420
	F393	cylinder	2 129
0307 49 01, 0307 49 18 0307 59 10	—	Cuttlefish (<i>Sepia officinalis</i> and <i>Rossia macrosoma</i>) and sépioles (<i>Sepiola rondeleti</i>) Octopus (<i>Octopus</i> spp.)	1 655 1 706

3. Reference prices for the products listed in Annex III to Regulation (EEC) No 3759/92

Tuna (of the genus, *Thunnus*), skipjack or stripe-bellied bonito (*Euthynnus (Katsuwonus) pelamis*) and other species of the genus *Euthynnus*, fresh, chilled or frozen, for the industrial manufacture of products falling within CN code 1604:

Product	Reference prices (EUR/t)		
	Whole	Gilled and gutted	Other (for example 'heads off')
A. Albacore or longfinned tuna (<i>Thunnus alalunga</i>), frozen: 0303 41 11, 0303 41 13, 0303 41 19	1 419	1 617	1 758
B. Yellowfin tuna (<i>Thunnus albacares</i>):			
1. weighing more than 10 kg each (!): ex 0302 32 10, 0303 42 12, 0303 42 32, 0303 42 52	1 013	1 156	1 256
Additional TARIC code	F394	F395	F396
2. weighing not more than 10 kg each (!): ex 0302 32 10, 0303 42 18, 0303 42 38, 0303 42 58	790	901	980
Additional TARIC code	F397	F398	F399
C. Lisatos or stripe bellied bonito (<i>Euthynnus (Katsuwonus) pelamis</i>): 0302 33 10, 0303 43 11, 0303 43 13, 0303 43 19	628	716	779
Additional TARIC code	F400	F401	F402
D. Fish of the genus <i>Thunnus</i> and <i>Euthynnus</i> excluding bluefin tuna (<i>Thunnus thynnus</i>), fresh or chilled and bigeye tuna (<i>Parathunnus obesus</i> or <i>Thunnus obesus</i>), fresh or chilled: ex 0302 39 19, 0302 69 21, ex 0303 49 41, ex 0303 49 43, ex 0303 49 49, 0303 79 21, 0303 79 23, 0303 79 29	760	866	942
Additional TARIC code	F403	F404	F405

(!) Reference to weight applies to whole fish.

4. Reference prices for certain products listed in Annex IV(A) to Regulation (EEC) No 3759/92

Product	Form	Additional TARIC code	Periods from	Reference prices (EUR/tonne)
Carp falling within CN code NC 0301 93 00	live, weighing at least 800 g	F406	1.1 to 31.7.2000	1 403
			1.8 to 30.11.2000	1 700
			1.12 to 31.12.2000	1 700
Atlantic salmon (<i>Salmo salar</i>) fresh, chilled or frozen falling within CN codes				
ex 0302 12 00,	whole	F407	—	3 131
ex 0303 22 00,	gutted	F408	—	3 478
ex 0304 10 13,	gutted without head	F409	—	3 914
ex 0304 20 13	fillets	F410	—	4 817

5. Reference prices for the products listed in Annexes IV(B) and V to Regulation (EEC) No 3759/92

Frozen and salted products falling within CN codes 0303 and 0304:

Species	Additional TARIC code	Presentation	Reference prices (EUR/t)
1. Redfish (<i>Sebastes</i> spp.) 0303 79 35 0303 79 37	F411	Whole fish: — with or without head	942
0304 20 35 0304 20 37	F412 F413 F414	Fillets: — with bones (standard) — boneless — blocks in immediate packing weighing not more than 4 kg	1 877 2 119 2 263
ex 0304 90 31	F415	Pieces and other meat, except minced blocks	1 285
2. Cod (<i>Gadus morhua</i> , <i>Gadus ogac</i> and <i>Gadus macrocephalus</i>) and fish of the species <i>Boreogadus saida</i> 0303 60 11, 0303 60 19, 0303 60 90, 0303 79 41	F416	Whole fish: — with or without head	1 084
0304 20 21 0304 20 29	F417 F418 F419 F420 F421	Fillets: — interleaved or in industrial blocks, with bones (standard) — interleaved or in industrial blocks, boneless — individual or fully interleaved fillets, with skin — individual or fully interleaved fillets, skinless — blocks in immediate packing weighing not more than 4 kg	2 380 2 692 2 550 2 915 2 874
ex 0304 90 35, ex 0304 90 38, ex 0304 90 39	F422	Pieces and other meat, except minced blocks	1 392
3. Coalfish (<i>Pollachius virens</i>) 0303 73 00	F423	Whole fish: — with or without head	735
0304 20 31	F424 F425 F426 F427 F428	Fillets: — interleaved or in industrial blocks, with bones (standard) — interleaved or in industrial blocks, boneless — individual or fully interleaved fillets, with skin — individual or fully interleaved fillets, skinless — blocks in immediate packing weighing not more than 4 kg	1 503 1 639 1 491 1 682 1 734
ex 0304 90 41	F429	Pieces and other meat, except minced blocks	987

Species	Additional TARIC code	Presentation	Reference prices (EUR/t)
4. Haddock (<i>Melanogrammus aeglefinus</i>) 0303 72 00	F430	Whole fish: — with or without head	904
0304 20 33	F431	Fillets: — interleaved or in industrial blocks, with bones (standard)	2 220
	F432	— interleaved or in industrial blocks, boneless	2 659
	F433	— individual or fully interleaved fillets, with skin	2 512
	F434	— individual or fully interleaved fillets, skinless	2 739
	F435	— blocks in immediate packing weighing not more than 4 kg	2 960
ex 0304 90 45	F436	Pieces and other meat, except minced blocks	1 038
5. Mackerel of the species <i>Scomber scombrus</i> and <i>Scomber japonicus</i> fish of the species <i>Orcynopsis unicolor</i>		Whole fish:	
0303 74 30	F437	— with head	403
0303 79 58	F438	— without head	445
0304 20 53	F439	Fillets	710
ex 0304 90 97	F440	Sides	581
6. Alaska pollack (<i>Theragra chalcogramma</i>) 0304 20 85	F441	Fillets: — interleaved or in industrial blocks, with bones (standard)	1 137
	F442	— interleaved or in industrial blocks, boneless	1 311
7. Swordfish (<i>Xiphias gladius</i>) ex 0303 79 87	F443	Whole fish, with or without head	3 069
8. Cod (<i>Gadus morhua</i> and <i>Gadus ogac</i>) and fish of the species <i>Borreogadus saida</i> ex 0305 62 00, 0305 69 10	F444	Salted fish, not dried nor smoked, and fish in brine < 1,1 kg	2 612
	F445	≥ 1,1 kg < 2,1 kg	2 898
	F446	≥ 2,1 kg	3 346
Cod (<i>Gadus macrocephalus</i>) ex 0305 62 00	F447	< 1,33 kg	1 785
	F448	≥ 1,33 kg < 2,7 kg	2 107
	F449	≥ 2,7 kg	2 633

COMMISSION REGULATION (EC) No 2808/1999
of 28 December 1999
opening individual invitations to tender for the sale for export of vinous alcohol

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

HAS ADOPTED THIS REGULATION:

Having regard to the Treaty establishing the European Community,

Article 1

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

Seven sales by individual invitation to tender Nos 275/99 EC, 276/99 EC, 277/99 EC 278/99 EC, 279/99 EC, 280/99 EC and 281/99 EC shall be held for a total quantity of 450 000 hectolitres of alcohol obtained from the distillation operations referred to in Articles 35, 36 and 39 of Regulation (EEC) No 822/87 and held by the Italian, French and Spanish intervention agencies.

Having regard to Council Regulation (EEC) No 3877/88 of 12 December 1988 laying down general rules for the disposal of alcohol obtained from the distillation operations referred to in Articles 35, 36 and 39 of Regulation (EEC) No 822/87 and held by intervention agencies ⁽³⁾,

Each of the individual invitations to tender Nos 275/99 EC and 276/99 EC shall cover a quantity of 100 000 hectolitres of alcohol at 100 % volume and each of the individual invitations to tender Nos 277/99 EC, 278/99 EC, 279/99 EC, 280/99 EC and 281/99 EC shall cover a quantity of 50 000 hectolitres of alcohol at 100 % volume.

Whereas:

Article 2

- (1) Commission Regulation (EEC) No 377/93 ⁽⁴⁾, as last amended by Regulation (EC) No 1448/97 ⁽⁵⁾, lays down detailed rules for the disposal of alcohol obtained from the distillation operations referred to in Articles 35, 36 and 39 of Regulation (EEC) No 822/87 and held by intervention agencies;
- (2) individual invitations to tender should be opened for the export of vinous alcohol to certain Caribbean and Central American countries so as to guarantee continuity of supplies to those countries and reduce the Community stock of vinous alcohol;
- (3) a specific security should be provided for to ensure that the alcohol is physically exported from the customs territory of the Community and non-compliance with the date laid down for export should be progressively penalised; whereas this security must be independent of the performance guarantee ensuring that the alcohol is removed from storage and the awarded alcohol is used for the purposes laid down;
- (4) since Council Regulation (EC) No 2799/98 of 15 December 1998 on establishing agrimonetary arrangements for the euro ⁽⁶⁾, tender prices and guarantees must be expressed in euro and payments must be made in euro;
- (5) the measures provided for in this Regulation are in accordance with the opinion of the Management Committee for Wine,

The alcohol offered for sale:

- shall be for export outside the European Community,
- must be imported into and dehydrated in one of the following third countries:
 - Costa Rica,
 - Guatemala,
 - Honduras, including the Swan Islands,
 - El Salvador,
 - Nicaragua,
 - St Kitts and Nevis,
 - Bahamas,
 - Dominican Republic,
 - Antigua and Barbuda,
 - Dominica,
 - British Virgin Islands and Montserrat,
 - Jamaica,
 - Saint Lucia,
 - Saint Vincent, including the Northern Grenadines,
 - Barbados,
 - Trinidad and Tobago,
 - Belize,
 - Grenada, including the Southern Grenadines,
 - Aruba,
 - Netherlands Antilles (Curaçao, Bonaire, Saint Eustace, Saba and the southern part of Saint Martin),

⁽¹⁾ OJ L 84, 27.3.1987, p. 1.

⁽²⁾ OJ L 199, 30.7.1999, p. 8.

⁽³⁾ OJ L 346, 15.12.1988, p. 7.

⁽⁴⁾ OJ L 43, 20.2.1993, p. 6.

⁽⁵⁾ OJ L 198, 25.7.1997, p. 4.

⁽⁶⁾ OJ L 349, 24.12.1998, p. 1.

- Guyana,
- United States Virgin Islands,
- Haiti,
- must be used only as motor fuel.

Article 3

The location and reference numbers of the vats concerned, the quantity of alcohol contained in each vat, the alcoholic strength and the characteristics of the alcohol as well as certain specific conditions are given in Annex I hereto.

Article 4

The sales shall take place in accordance with Articles 13 to 18, 30 to 34 and 36 to 38 of Regulation (EEC) No 377/93, and Article 2 of Regulation (EC) No 2799/98.

However, notwithstanding Article 15 of Regulation (EEC) No 377/93, the final date for the submission of tenders for the invitations to tender referred to in this Regulation, shall fall between the eighth and the 25th day following the date of publication of the individual invitations to tender.

Article 5

1. The tendering security referred to in Article 15 of Regulation (EEC) No 377/93 shall be EUR 3,622 per hectolitre of alcohol for the total quantity of alcohol offered for sale in each of the invitations to tender referred to in Article 1.

Maintenance of the tender after the time limit for submitting tenders and the lodging of a guarantee to ensure export and of a performance guarantee shall constitute the primary requirements within the meaning of Article 20 of Commission Regulation (EEC) No 2220/85⁽¹⁾ as regards the tendering security.

The tendering security lodged for each of the invitations to tender referred to in Article 1 shall be released immediately if the tender is not accepted or if the successful tenderer had lodged the entire guarantee to ensure export and the entire performance guarantee for the invitation to tender in question.

2. The guarantee to ensure export shall be EUR 5 per hectolitre of alcohol at 100 % volume and shall be lodged for each quantity of alcohol for which there is a removal order under each of the invitations to tender referred to in Article 1 of this Regulation.

This guarantee shall be released only by the intervention agency holding the alcohol for each quantity of alcohol for which proof has been furnished that it has been exported within the time limit laid down in Article 6 of this Regulation. Notwithstanding Article 23 of Regulation (EEC) No 2220/85, and except in cases of *force majeure*, where the time limit referred to in Article 6 has not been complied with, the guarantee to ensure export of EUR 5 per hectolitre of alcohol at 100 % volume shall be forfeit as follows:

- (a) 15 % in all cases;
- (b) 0,33 % of the amount remaining after deduction of the 15 %, for each day the time limit in question is exceeded.

3. The performance guarantee shall be EUR 25 per hectolitre of alcohol at 100 % volume.

This guarantee shall be released in accordance with Article 34(3)(b) of Regulation (EEC) No 377/93.

4. Notwithstanding Article 17 of Regulation (EEC) No 377/93, the guarantees on export and performance shall be lodged simultaneously with each intervention agency concerned, for each of the invitations to tender referred to in Article 1 of this Regulation not later than the day of issue of a removal order for the quantity of alcohol concerned.

Article 6

1. The alcohol awarded under the invitations to tender referred to in Article 1 shall be exported by 31 July 2000 at the latest.

2. The alcohol awarded shall be used within two years from the date of first removal.

Article 7

To be valid, tenders must indicate the place where end use of the alcohol awarded is to take place and must include an undertaking by the tenderer to the effect that the alcohol will be sent to that destination and used for that purpose. The tender shall also include proof following the entry into force of this Regulation that the tenderer has binding commitments with an operator in the motor fuel sector in one of the third countries listed in Article 2 who has undertaken to dehydrate the alcohol awarded in one of those countries and to export it for use solely as motor fuel in accordance with Annex II.

Article 8

1. Before the awarded alcohol is removed, the intervention agency and the successful tenderer shall take a reference sample and shall analyse that sample to verify the alcoholic strength expressed in % volume of the alcohol in question.

Where the final results of the analysis of the sample show a difference between the alcoholic strength by volume of the alcohol to be removed and the minimum alcoholic strength by volume stated in the notice of invitation to tender, the following provisions shall apply:

- (i) the intervention agency shall, the same day, inform the Commission thereof in accordance with Annex III, as well as the storer and the successful tenderer;
- (ii) the successful tenderer may:
 - either agree to take over the lot with its characteristics as established, subject to the Commission's agreement,
 - or refuse to take over the lot in question.

⁽¹⁾ OJ L 205, 3.8.1985, p. 5.

In either case, the successful tenderer shall, the same day, inform the intervention agency and the Commission thereof in accordance with Annex IV.

Once these formalities have been completed, if he has refused to take over the lot concerned, he shall be immediately released from all his obligations relating to that lot.

2. Where the successful tenderer refuses the merchandise, as provided for in paragraph 1, the intervention agency shall supply him with another quantity of alcohol of the requisite quality, at no extra charge, within a maximum of eight days.

3. If physical removal of the alcohol is delayed by more than five working days in relation to the date of acceptance of the lot to be removed by the successful tenderer for reasons attributable to the intervention agency, the Member State shall be responsible for the payment of compensation.

Article 9

Notwithstanding the first subparagraph of Article 36(2) of Regulation (EEC) No 377/93, the alcohol contained in the vats indicated in the communication from the Member States referred to in Article 36 of Regulation (EEC) No 377/93 and covered by the invitation to tender referred to in Article 1 of this Regulation may be substituted by alcohol of the same type by the intervention agency holding the alcohol concerned in agreement with the Commission, or mixed with other alcohol delivered to the intervention agency until a removal order is issued for that alcohol, in particular for logistical reasons.

Article 10

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

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

Done at Brussels, 28 December 1999.

For the Commission
Margot WALLSTRÖM
Member of the Commission

ANNEX I

INDIVIDUAL INVITATION TO TENDER No 275/99 EC

I. Place of storage, volume and characteristics of the alcohol offered for sale

Member State	Location	Reference number of vat	Volume in hectolitres of pure alcohol	Reference to Regulation (EEC) No 822/87	Type of alcohol
FRANCE	Port-la-Nouvelle Av. Adolphe Turrel BP 62 F-11210 Port-la-Nouvelle	1	47 925	35 + 36	Raw alcohol + 92 %
		9	22 445	35 + 36	Raw alcohol + 92 %
		6	22 665	35 + 36	Raw alcohol + 92 %
		5	6 965	35 + 36	Raw alcohol + 92 %
	Total		100 000		

Any interested party may, on application to the intervention agency concerned and on payment of EUR 2,415 per litre, obtain samples of the alcohol offered for sale. Such samples shall be taken by a representative of the intervention agency concerned.

II. Destination and use of the alcohol

The alcohol offered for sale must be exported from the Community. It must be imported into and dehydrated in one of the non-member countries listed in Article 2 of this Regulation as for use exclusively as motor fuel.

Evidence relating to the destination and use of the alcohol is to be obtained by an international security company and transmitted to the intervention agency concerned.

The costs thus incurred are to be borne by the successful tenderer.

III. Submission of tenders

1. Tenders should be submitted for a quantity of 100 000 hectolitres of alcohol, expressed in hectolitres of alcohol at 100 % vol.

Any tender relating to a smaller quantity will not be considered.

2. Tenders must:

- be sent by registered post to the European Commission, Rue de la Loi/Wetstraat 200, B-1049 Brussels, or
- be submitted at the reception of the Loi 130 building of the European Commission, Rue de la Loi/Wetstraat 130, B-1049 Brussels, between 11 a.m. and 12 noon on the date mentioned in point 4.

3. Tenders must be enclosed in a sealed envelope marked 'Tender for individual sale No 275/99 EC (alcohol), DG AGRI (E-2), to be opened only at the meeting of the group', which itself must be enclosed in an envelope addressed to the Commission.

4. Tenders must reach the Commission not later than 12 noon (Brussels time) on 19 January 2000.

5. Tenders must state the name and address of the tenderer and must:

- (a) include a reference to individual sale by tender No 275/99 EC;
- (b) specify the price tendered, expressed in euro per hectolitre of alcohol at 100 % vol;
- (c) include all the undertakings and statements referred to in Article 31 of Regulation (EEC) No 377/93, specify the final destination of the alcohol awarded and include proof of a commitment with an operator for dehydration and use solely as motor fuel.

6. Each tender must be accompanied by attestations of the lodging of a tendering security, issued by the following intervention agency:

- SAV, zone industrielle, avenue de la Ballastière, boîte postale 231, F-33505 Libourne Cedex (tel. (33-5) 57 55 20 00; telex 57 20 25; fax (33-5) 57 55 20 59).

This security must correspond to a sum of EUR 362 200.

INDIVIDUAL INVITATION TO TENDER No 276/99 EC**I. Place of storage, volume and characteristics of the alcohol offered for sale**

Member State	Location	Reference number of vat	Volume in hectolitres of pure alcohol	Reference to Regulation (EEC) No 822/87	Type of alcohol
SPAIN	Tarancón	A-6	24 352	35 + 36	Raw alcohol
	Tarancón	B-5	24 826	35 + 36	Raw alcohol
	Tarancón	B-6	24 607	35 + 36	Raw alcohol
	Tarancón	A-8	1 751	35 + 36	Raw alcohol
	Tarancón	2	9 133	35 + 36	Raw alcohol
	Tarancón	5	15 331	35 + 36	Raw alcohol
	Total		100 000		

Any interested party may, on application to the intervention agency concerned and on payment of EUR 2,415 per litre, obtain samples of the alcohol offered for sale. Such samples shall be taken by a representative of the intervention agency concerned.

II. Destination and use of the alcohol

The alcohol offered for sale must be exported from the Community. It must be imported into and dehydrated in one of the non-member countries listed in Article 2 of this Regulation as for use exclusively as motor fuel.

Evidence relating to the destination and use of the alcohol is to be obtained by an international security company and transmitted to the intervention agency concerned.

The costs thus incurred are to be borne by the successful tenderer.

III. Submission of tenders

1. Tenders should be submitted for a quantity of 100 000 hectolitres of alcohol, expressed in hectolitres of alcohol at 100 % vol.

Any tender relating to a smaller quantity will not be considered.

2. Tenders must:

- be sent by registered post to the European Commission, Rue de la Loi/Wetstraat 200, B-1049 Brussels, or
- be submitted at the reception of the Loi 130 building of the European Commission, Rue de la Loi/Wetstraat 130, B-1049 Brussels, between 11 a.m. and 12 noon on the date mentioned in point 4.

3. Tenders must be enclosed in a sealed envelope marked 'Tender for individual sale No 276/99 EC (alcohol), DG AGRI (E-2), to be opened only at the meeting of the group', which itself must be enclosed in an envelope addressed to the Commission.

4. Tenders must reach the Commission not later than 12 noon (Brussels time) on 19 January 2000.

5. Tenders must state the name and address of the tenderer and must:

- (a) include a reference to individual sale by tender No 276/99 EC;
- (b) specify the price tendered, expressed in euro per hectolitre of alcohol at 100 % vol;
- (c) include all the undertakings and statements referred to in Article 31 of Regulation (EEC) No 377/93, specify the final destination of the alcohol awarded and include proof of a commitment with an operator for dehydration and use solely as motor fuel.

6. Each tender must be accompanied by attestations of the lodging of a tendering security, issued by the following intervention agency:

- FEGA, Beneficencia, 8, E-28004 Madrid (tel. (34) 913 47 65 00, telex 23427 FEGA, fax (34) 915 21 98 32).

This security must correspond to a sum of EUR 362 200.

INDIVIDUAL INVITATION TO TENDER No 277/99 EC**I. Place of storage, volume and characteristics of the alcohol offered for sale**

Member State	Location	Reference number of vat	Volume in hectolitres of pure alcohol	Reference to Regulation (EEC) No 822/87	Type of alcohol
SPAIN	Tarancón	A-8	23 059	35 + 36	Raw alcohol
	Tarancón	B-7	1 736	35 + 36	Raw alcohol
	Tarancón	3	18 512	35 + 36	Raw alcohol
	Tarancón	4	6 693	35 + 36	Raw alcohol
	Total		50 000		

Any interested party may, on application to the intervention agency concerned and on payment of EUR 2,415 per litre, obtain samples of the alcohol offered for sale. Such samples shall be taken by a representative of the intervention agency concerned.

II. Destination and use of the alcohol

The alcohol offered for sale must be exported from the Community. It must be imported into and dehydrated in one of the non-member countries listed in Article 2 of this Regulation as for use exclusively as motor fuel.

Evidence relating to the destination and use of the alcohol is to be obtained by an international security company and transmitted to the intervention agency concerned.

The costs thus incurred are to be borne by the successful tenderer.

III. Submission of tenders

1. Tenders should be submitted for a quantity of 50 000 hectolitres of alcohol, expressed in hectolitres of alcohol at 100 % vol.

Any tender relating to a smaller quantity will not be considered.

2. Tenders must:

- be sent by registered post to the European Commission, Rue de la Loi/Wetstraat 200, B-1049 Brussels, or
- be submitted at the reception of the Loi 130 building of the European Commission, Rue de la Loi/Wetstraat 130, B-1049 Brussels, between 11 a.m. and 12 noon on the date mentioned in point 4.

3. Tenders must be enclosed in a sealed envelope marked 'Tender for individual sale No 277/99 EC (alcohol), DG AGRI (E-2), to be opened only at the meeting of the group', which itself must be enclosed in an envelope addressed to the Commission.

4. Tenders must reach the Commission not later than 12 noon (Brussels time) on 19 January 2000.

5. Tenders must state the name and address of the tenderer and must:

- (a) include a reference to individual sale by tender No 277/99 EC;
- (b) specify the price tendered, expressed in euro per hectolitre of alcohol at 100 % vol;
- (c) include all the undertakings and statements referred to in Article 31 of Regulation (EEC) No 377/93, specify the final destination of the alcohol awarded and include proof of a commitment with an operator for dehydration and use solely as motor fuel.

6. Each tender must be accompanied by attestations of the lodging of a tendering security, issued by the following intervention agency:

- FEGA, Beneficencia, 8, E-28004 Madrid (tel. (34) 913 47 65 00, telex 23427 FEGA, fax (34) 915 21 98 32).

This security must correspond to a sum of EUR 181 100.

INDIVIDUAL INVITATION TO TENDER No 278/99 EC

I. Place of storage, volume and characteristics of the alcohol offered for sale

Member State	Location	Reference number of vat	Volume in hectolitres of pure alcohol	Reference to Regulation (EEC) No 822/87	Type of alcohol
ITALY	F.lli Cipriani SpA, Chizzola di Ala (Tn)		20 000 13 000	35 35	Neutral Raw alcohol
	ICV SpA Borgoricco (Pd)		7 000 6 000	35 39	Raw alcohol Raw alcohol
	Bonollo Umberto SpA Conselve (Pd)		4 000	39	Raw alcohol
	Total		50 000		

Any interested party may, on application to the intervention agency concerned and on payment of EUR 2,415 per litre, obtain samples of the alcohol offered for sale. Such samples shall be taken by a representative of the intervention agency concerned.

II. Destination and use of the alcohol

The alcohol offered for sale must be exported from the Community. It must be imported into and dehydrated in one of the non-member countries listed in Article 2 of this Regulation as for use exclusively as motor fuel.

Evidence relating to the destination and use of the alcohol is to be obtained by an international security company and transmitted to the intervention agency concerned.

The costs thus incurred are to be borne by the successful tenderer.

III. Submission of tenders

1. Tenders should be submitted for a quantity of 50 000 hectolitres of alcohol, expressed in hectolitres of alcohol at 100 % vol.

Any tender relating to a smaller quantity will not be considered.

2. Tenders must:

- be sent by registered post to the European Commission, Rue de la Loi/Wetstraat 200, B-1049 Brussels, or
- be submitted at the reception of the Loi 130 building of the European Commission, Rue de la Loi/Wetstraat 130, B-1049 Brussels, between 11 a.m. and 12 noon on the date mentioned in point 4.

3. Tenders must be enclosed in a sealed envelope marked 'Tender for individual sale No 278/99 EC (alcohol), DG AGRI (E-2), to be opened only at the meeting of the group', which itself must be enclosed in an envelope addressed to the Commission.

4. Tenders must reach the Commission not later than 12 noon (Brussels time) on 19 January 2000.

5. Tenders must state the name and address of the tenderer and must:

- (a) include a reference to individual sale by tender No 278/99 EC;
- (b) specify the price tendered, expressed in euro per hectolitre of alcohol at 100 % vol;
- (c) include all the undertakings and statements referred to in Article 31 of Regulation (EEC) No 377/93, specify the final destination of the alcohol awarded and include proof of a commitment with an operator for dehydration and use solely as motor fuel.

6. Each tender must be accompanied by attestations of the lodging of a tendering security, issued by the following intervention agency:

- AIMA, via Palestro 81, I-00185 Roma (tel. (39-06) 47 49 91; telex 62 03 31/62 02 52/61 30 03; fax (39-06) 445 39 40/495 39 40).

This security must correspond to a sum of EUR 181 100.

INDIVIDUAL INVITATION TO TENDER No 279/99 EC**I. Place of storage, volume and characteristics of the alcohol offered for sale**

Member State	Location	Reference number of vat	Volume in hectolitres of pure alcohol	Reference to Regulation (EEC) No 822/87	Type of alcohol
ITALY	Mazzari SpA, Faenza (Ra)		30 000	35	Raw alcohol
	Neri Srl, Faenza (Ra)		18 000	35	Raw alcohol
	Distercoop Scrl, Faenza (Ra)		2 000	39	Raw alcohol
	Total		50 000		

Any interested party may, on application to the intervention agency concerned and on payment of EUR 2,415 per litre, obtain samples of the alcohol offered for sale. Such samples shall be taken by a representative of the intervention agency concerned.

II. Destination and use of the alcohol

The alcohol offered for sale must be exported from the Community. It must be imported into and dehydrated in one of the non-member countries listed in Article 2 of this Regulation as for use exclusively as motor fuel.

Evidence relating to the destination and use of the alcohol is to be obtained by an international security company and transmitted to the intervention agency concerned.

The costs thus incurred are to be borne by the successful tenderer.

III. Submission of tenders

1. Tenders should be submitted for a quantity of 50 000 hectolitres of alcohol, expressed in hectolitres of alcohol at 100 % vol.

Any tender relating to a smaller quantity will not be considered.

2. Tenders must:

- be sent by registered post to the European Commission, Rue de la Loi/Wetstraat 200, B-1049 Brussels, or
- be submitted at the reception of the Loi 130 building of the European Commission, Rue de la Loi/Wetstraat 130, B-1049 Brussels, between 11 a.m. and 12 noon on the date mentioned in point 4.

3. Tenders must be enclosed in a sealed envelope marked 'Tender for individual sale No 279/99 EC (alcohol), DG AGRI (E-2), to be opened only at the meeting of the group', which itself must be enclosed in an envelope addressed to the Commission.

4. Tenders must reach the Commission not later than 12 noon (Brussels time) on 19 January 2000.

5. Tenders must state the name and address of the tenderer and must:

- (a) include a reference to individual sale by tender No 279/99 EC;
- (b) specify the price tendered, expressed in euro per hectolitre of alcohol at 100 % vol;
- (c) include all the undertakings and statements referred to in Article 31 of Regulation (EEC) No 377/93, specify the final destination of the alcohol awarded and include proof of a commitment with an operator for dehydration and use solely as motor fuel.

6. Each tender must be accompanied by attestations of the lodging of a tendering security, issued by the following intervention agency:

- AIMA, via Palestro 81, I-00185 Roma (tel. (39-06) 47 49 91; telex 62 03 31/62 02 52/61 30 03; fax (39-06) 445 39 40/495 39 40).

This security must correspond to a sum of EUR 181 100.

INDIVIDUAL INVITATION TO TENDER No 280/99 EC**I. Place of storage, volume and characteristics of the alcohol offered for sale**

Member State	Location	Reference number of vat	Volume in hectolitres of pure alcohol	Reference to Regulation (EEC) No 822/87	Type of alcohol
ITALY	F.lli Balice Snc, Valenzano (Ba)		30 000	35 + 36	Raw alcohol
	M.V.A. Srl, Foggia		10 000	35 + 36	Neutral
	Aniello Esposito Srl, Pomigliano d'Arco (Na)		8 000	35 + 36	Of good flavour + 92 %
	Carlino Renzo & Gsnc, Novoli (Le)		2 000	35 + 36	Of good flavour + 92 %
	Total		50 000		

Any interested party may, on application to the intervention agency concerned and on payment of EUR 2,415 per litre, obtain samples of the alcohol offered for sale. Such samples shall be taken by a representative of the intervention agency concerned.

II. Destination and use of the alcohol

The alcohol offered for sale must be exported from the Community. It must be imported into and dehydrated in one of the non-member countries listed in Article 2 of this Regulation as for use exclusively as motor fuel.

Evidence relating to the destination and use of the alcohol is to be obtained by an international security company and transmitted to the intervention agency concerned.

The costs thus incurred are to be borne by the successful tenderer.

III. Submission of tenders

1. Tenders should be submitted for a quantity of 50 000 hectolitres of alcohol, expressed in hectolitres of alcohol at 100 % vol.

Any tender relating to a smaller quantity will not be considered.

2. Tenders must:

- be sent by registered post to the European Commission, Rue de la Loi/Wetstraat 200, B-1049 Brussels, or
- be submitted at the reception of the Loi 130 building of the European Commission, Rue de la Loi/Wetstraat 130, B-1049 Brussels, between 11 a.m. and 12 noon on the date mentioned in point 4.

3. Tenders must be enclosed in a sealed envelope marked 'Tender for individual sale No 280/99 EC (alcohol), DG AGRI (E-2), to be opened only at the meeting of the group', which itself must be enclosed in an envelope addressed to the Commission.

4. Tenders must reach the Commission not later than 12 noon (Brussels time) on 19 January 2000.

5. Tenders must state the name and address of the tenderer and must:

- (a) include a reference to individual sale by tender No 280/99 EC;
- (b) specify the price tendered, expressed in euro per hectolitre of alcohol at 100 % vol;
- (c) include all the undertakings and statements referred to in Article 31 of Regulation (EEC) No 377/93, specify the final destination of the alcohol awarded and include proof of a commitment with an operator for dehydration and use solely as motor fuel.

6. Each tender must be accompanied by attestations of the lodging of a tendering security, issued by the following intervention agency:

- AIMA, via Palestro 81, I-00185 Roma (tel. (39-06) 47 49 91; telex 62 03 31/62 02 52/61 30 03; fax (39-06) 445 39 40/495 39 40).

This security must correspond to a sum of EUR 181 100.

INDIVIDUAL INVITATION TO TENDER No 281/99 EC**I. Place of storage, volume and characteristics of the alcohol offered for sale**

Member State	Location	Reference number of vat	Volume in hectolitres of pure alcohol	Reference to Regulation (EEC) No 822/87	Type of alcohol
ITALY	Villapana SpA, Villapana (Ra)		16 000	35	Raw alcohol
	D'Auria SpA, Ortona (Ch)		19 000	35	Raw alcohol
	D.E.T.A. Srl, Barberino Val d'Elsa (Fi)		6 000	35	Raw alcohol
			1 000	39	Raw alcohol
	Tampieri SpA Faenza (Ra)		8 000	35	Raw alcohol
	Total		50 000		

Any interested party may, on application to the intervention agency concerned and on payment of EUR 2,415 per litre, obtain samples of the alcohol offered for sale. Such samples shall be taken by a representative of the intervention agency concerned.

II. Destination and use of the alcohol

The alcohol offered for sale must be exported from the Community. It must be imported into and dehydrated in one of the non-member countries listed in Article 2 of this Regulation as for use exclusively as motor fuel.

Evidence relating to the destination and use of the alcohol is to be obtained by an international security company and transmitted to the intervention agency concerned.

The costs thus incurred are to be borne by the successful tenderer.

III. Submission of tenders

1. Tenders should be submitted for a quantity of 50 000 hectolitres of alcohol, expressed in hectolitres of alcohol at 100 % vol.

Any tender relating to a smaller quantity will not be considered.

2. Tenders must:

- be sent by registered post to the European Commission, Rue de la Loi/Wetstraat 200, B-1049 Brussels, or
- be submitted at the reception of the Loi 130 building of the European Commission, Rue de la Loi/Wetstraat 130, B-1049 Brussels, between 11 a.m. and 12 noon on the date mentioned in point 4.

3. Tenders must be enclosed in a sealed envelope marked 'Tender for individual sale No 281/99 EC (alcohol), DG AGRI (E-2), to be opened only at the meeting of the group', which itself must be enclosed in an envelope addressed to the Commission.
4. Tenders must reach the Commission not later than 12 noon (Brussels time) on 19 January 2000.
5. Tenders must state the name and address of the tenderer and must:
 - (a) include a reference to individual sale by tender No 281/99 EC;
 - (b) specify the price tendered, expressed in euro per hectolitre of alcohol at 100 % vol;
 - (c) include all the undertakings and statements referred to in Article 31 of Regulation (EEC) No 377/93, specify the final destination of the alcohol awarded and include proof of a commitment with an operator for dehydration and use solely as motor fuel.
6. Each tender must be accompanied by attestations of the lodging of a tendering security, issued by the following intervention agency:
 - AIMA, via Palestro 81, I-00185 Roma (tel. (39-06) 47 49 91; telex 62 03 31/62 02 52/61 30 03; fax (39-06) 445 39 40/495 39 40).

This security must correspond to a sum of EUR 181 100.

ANNEX II

List of undertakings and documents to be produced by the tenderer on submission of tenders:

1. evidence that the tendering security has been lodged with each intervention agency;
2. the final destination of the alcohol and an undertaking by the tenderer to comply with this destination;
3. evidence, subsequent to the entry into force of this Regulation, that the tenderer has binding commitments with an operator in the motor fuel sector in one of the non-member countries listed in Article 2 of this Regulation. This operator must undertake to dehydrate the alcohol awarded under the invitation to tender in one of these countries and to export it for use as motor fuel;
4. tenders must include the name and address of the tenderer, the reference number of the notice of invitation to tender, and the price proposed, expressed in euro per hectolitre of alcohol at 100 % volume;
5. an undertaking from the tenderer to the effect that he will comply with all the rules relating to the tendering procedure in question;
6. a statement by the tenderer to the effect that he waives all claims in respect of the quality and characteristics of the alcohol awarded to him, agrees to submit to any checks made on the destination and use of the alcohol and accepts that it is his responsibility to provide evidence that the alcohol is used as specified in the notice of invitation to tender.

ANNEX III

The only telex and fax numbers in Brussels to be used are:

DG AGRI (E-2) (for the attention of Mr Chiappone/Mr Innamorati):

- telex: 22037 AGREC B,
22070 AGREC B (Greek characters),
 - fax: (32-2) 295 92 52.
-

ANNEX IV

**Communication of refusal or acceptance of lots under the individual invitation to tender for the export of
vinous alcohol opened by Regulation (EC) No 2808/1999**

— Name of the successful tenderer:

— Date of award of contract:

— Date of refusal or acceptance of the lot by the successful tenderer:

Lot No	Quantity in hectolitres	Location of alcohol	Reason for refusal or acceptance to take over

COMMISSION REGULATION (EC) No 2809/1999**of 23 December 1999****amending Regulation (EC) No 1374/98 laying down detailed rules for the application of the import arrangements and opening tariff quotas for milk and milk products**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

HAS ADOPTED THIS REGULATION:

Having regard to the Treaty establishing the European Community,

Article 1

Having regard to Council Regulation (EC) No 1255/1999 of 17 May 1999 on the common organisation of the market in milk and milk products ⁽¹⁾, and in particular Articles 26(3) and 29(1) thereof,

Regulation (EC) No 1374/98 is amended as follows:

1. Article 19 is replaced by the following:

'Article 19

1. This Article shall apply to milk products imported under the tariff quotas referred to in:

- Annex I to Protocol 1 to Decision No 1/98 of the EC-Turkey Association Council,
- Annex IV to the Agreement between the European Community and the Republic of South Africa.

2. The milk products and the duties applicable shall be:

- for Turkey, those set out in Annex III.B,
- for the Republic of South Africa, those set out in Annex III.C.

3. The quantities set out in Annex III.B and C for each year shall be divided into two equal parts for the half-year periods commencing on 1 January and 1 July.

4. The period of validity of licences may not extend beyond 31 December following the date of issue within the meaning of Article 21(1) of Regulation (EEC) No 3719/88. Import licences issued pursuant to this Article shall not be transferable.

5. Articles 13, 14, 16 and 17 shall apply *mutatis mutandis*.

However,

- (a) notwithstanding Article 13(2), licence applications must be for a minimum of 10 tonnes and may not exceed the quantity available for each period referred to in paragraph 3;
- (b) notwithstanding Article 13(3)(c), the entry in box 20 of licence applications and licences shall refer to Article 19 of this Regulation;
- (c) notwithstanding Article 14(3), Member States shall notify the Commission, on the fifth working day following the end of the period for submission of applications, of applications lodged for each of the products listed in Annex III.B and C. Such notification shall comprise the list of applicants and the quantities applied for by CN code. All notifications, including notification of no applications, shall be made by telex or fax on the working day stipulated, in accordance with the specimen in Annex X.'

Whereas:

- (1) By Council Decision 1999/753/EC of 29 July 1999 concerning the provisional application of the Agreement on Trade, Development and Cooperation between the European Community and its Member States, of the one part, and the Republic of South Africa, of the other part ⁽²⁾ (hereinafter 'the Agreement'), the Council provisionally brought forward the application of certain provisions of the Agreement. The Agreement provides for the removal of duties on imports into the Community of certain cheeses within the limits of tariff quotas and for the gradual elimination of import duties on certain other milk products from 1 January 2000.
- (2) Commission Regulation (EC) No 1374/98 ⁽³⁾, as last amended by Regulation (EC) No 1339/1999 ⁽⁴⁾, lays down detailed rules for the application of the import arrangements and opens tariff quotas for milk and milk products. That Regulation should therefore be amended in order to implement the provisions of the Agreement on imports of the products in question with effect from 1 January 2000.
- (3) To ensure the smooth operation of the preferential import arrangements for Turkey and the Republic of South Africa, prevent speculation and bring these arrangements into line with the relevant provisions on preferential imports in Commission Regulation (EC) No 2508/97 ⁽⁵⁾, as last amended by Regulation (EC) No 2631/1999 ⁽⁶⁾, laying down detailed rules for the application to milk and milk products of the schemes provided for in the Europe Agreements between the Community and certain central and eastern European countries, licences should not be transferable.
- (4) The measures provided for in this Regulation are in accordance with the opinion of the Management Committee for Milk and Milk Products,

⁽¹⁾ OJ L 160, 26.6.1999, p. 48.

⁽²⁾ OJ L 311, 4.12.1999, p. 1.

⁽³⁾ OJ L 185, 30.6.1998, p. 21.

⁽⁴⁾ OJ L 159, 25.6.1999, p. 22.

⁽⁵⁾ OJ L 345, 16.12.1997, p. 31.

⁽⁶⁾ OJ L 321, 14.12.1999, p. 13.

2. Article 23 is amended as follows:

(a) Paragraph 1 is replaced by the following:

‘1. Notwithstanding Article 22:

(a) paragraphs 2, 3 and 4 shall apply to imports coming from Switzerland under the special arrangement concluded between that country and the Community;

(b) paragraphs 2 and 4 shall apply:

(i) to imports of milk products as referred to in Annex I to Protocol 1 to Decision No 1/98 of the EC-Turkey Association Council, except for imports provided for in Article 19(1) of this Regulation;

(ii) to imports of milk products as referred to in Annex IV to the Agreement between the European Community and the Republic of South Africa (*), except for imports provided for in Article 19(1) of this Regulation.

(*) OJ L 311, 4.12.1999, p. 3.’

(b) Paragraph 4 is replaced by the following:

‘4. The reduced rate of duty shall be applied only on presentation of the declaration of release for free

circulation accompanied by the import licence and the proof of origin issued under:

(a) Protocol 3 to the Agreement between the European Economic Community and the Swiss Confederation (*), for imports from Switzerland;

(b) Protocol 3 to Decision No 1/98 of the EC-Turkey Association Council, for imports from Turkey;

(c) Protocol 1 to the Agreement between the European Community and the Republic of South Africa, for imports from South Africa.

(*) OJ L 300, 31.12.1972, p. 189.’

3. Annex I to this Regulation is inserted as Annex III.C.

4. Annex II to this Regulation is inserted in Annex IV as point 14.

5. Annex X to Regulation (EC) No 1374/98 is replaced by Annex III to this Regulation.

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, 23 December 1999.

For the Commission

Margot WALLSTRÖM

Member of the Commission

ANNEX I

'C. SOUTH AFRICA

(Calendar year)

Serial number (TARIC order number)	CN code	Description ⁽¹⁾	Country of origin	Year of importation	Quota (tonnes)		Import duty (EUR/100 kg net)
					Annual	Half-yearly	
15 (09.4151)	0406 10		Republic of South Africa	2000	5 000	2 500	0
	0406 20 90			2001	5 250	2 625	
	0406 30			2002	5 500	2 750	
	0406 40 90			2003	5 750	2 875	
	0406 90 01			2004	6 000	3 000	
	0406 90 21			2005	6 250	3 125	
	0406 90 50			2006	6 500	3 250	
	0406 90 69			2007	6 750	3 375	
	0406 90 78			2008	7 000	3 500	
	0406 90 86			2009	7 250	3 625	
	0406 90 87			2010	unlimited	unlimited	
	0406 90 88						
	0406 90 93						
	0406 90 99						

⁽¹⁾ See Annex I to Regulation (EEC) No 2658/87.

ANNEX II

Serial number	CN code	Description (1)	Country of origin	Import duty as a % of the basic duty										
				Year										
				2000	2001	2002	2003	2004	2005	2006	2007	2008	2009	2010
14	0401 0403 10 11 0403 10 13 0403 10 19 0403 10 31 0403 10 33 0403 10 39		Republic of South Africa	91	82	73	64	55	45	36	27	18	9	0
	0402 91 0402 99 0403 90 51 0403 90 53 0403 90 59 0403 90 61 0403 90 63 0403 90 69 0404 10 48 0404 10 52 0404 10 54 0404 10 56 0404 10 58 0404 10 62 0404 10 72 0404 10 74 0404 10 76 0404 10 78 0404 10 82 0404 10 84 0406 10 20 0406 10 80 0406 20 90 0406 30 0406 40 90 0406 90 01 0406 90 21 0406 90 50 0406 90 69 0406 90 78 0406 90 86 0406 90 87 0406 90 88 0406 90 93 0406 90 99 1702 11 00 1702 19 00 2106 90 51 2309 10 15 2309 10 19 2309 10 39 2309 10 59	for the quantities imported in excess of the quotas referred to in Annex III.C	Republic of South Africa	100	100	100	100	100	83	67	50	33	17	0

Serial number	CN code	Description ⁽¹⁾	Country of origin	Import duty as a % of the basic duty										
				Year										
				2000	2001	2002	2003	2004	2005	2006	2007	2008	2009	2010
	2309 10 70 2309 90 35 2309 90 39 2309 90 49 2309 90 59 2309 90 70													

⁽¹⁾ See Annex I to Regulation (EEC) No 2658/87.

ANNEX III

'ANNEX X

APPLICATION OF ARTICLE 19

Commission of the European Communities

DG AGRI/D/1 — Milk and Milk Products Sector

IMPORT DUTIES APPLICATIONS

Member State:

Period:

CN code	Applicant (name and address)	Quantity (tonnes)	Country of origin
			Turkey
	Total (tonnes):		
			Republic of South Africa'
	Total (tonnes):		

**COMMISSION REGULATION (EC) No 2810/1999
of 29 December 1999**

**amending Regulation (EC) No 2079/1999 increasing to 1 199 918 tonnes the quantity of rye held
by the German intervention agency for which a standing invitation to tender for export has been
opened**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EEC) No 1766/92 of 30 June 1992 on the common organisation of the market in cereals ⁽¹⁾, as last amended by Regulation (EC) No 1253/1999 ⁽²⁾, and in particular Article 5 thereof,

Whereas:

- (1) Commission Regulation (EEC) No 2131/93 ⁽³⁾, as last amended by Regulation (EC) No 39/1999 ⁽⁴⁾, lays down the procedures and conditions for the disposal of cereals held by the intervention agencies.
- (2) Commission Regulation (EC) No 2079/1999 ⁽⁵⁾, as amended by Regulation (EC) No 2431/1999 ⁽⁶⁾, opened a standing invitation to tender for the export of 999 520 tonnes of rye held by the German intervention agency. Germany informed the Commission of the intention of its intervention agency to increase by 200 398 tonnes the quantity for which a standing invitation to tender for export has been opened. The total quantity of rye held by the German intervention agency for which a standing invitation to tender for export has been opened should be increased to 1 199 918 tonnes.
- (3) This increase in the quantity put out to tender makes it necessary to alter the list of regions and quantities in

store. Annex I to Regulation (EC) No 2079/1999 must therefore be amended.

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

HAS ADOPTED THIS REGULATION:

Article 1

Regulation (EC) No 2079/1999 is hereby amended as follows:

1. Article 2 is replaced by the following:

'Article 2

1. The invitation to tender shall cover a maximum of 1 199 918 tonnes of rye to be exported to all third countries.
2. The regions in which the 1 199 918 tonnes of rye are stored are stated in Annex I to this Regulation.'

2. Annex I is replaced by the Annex hereto.

Article 2

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

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

Done at Brussels, 29 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 191, 31.7.1993, p. 76.

⁽⁴⁾ OJ L 5, 9.1.1999, p. 64.

⁽⁵⁾ OJ L 256, 1.10.1999, p. 39.

⁽⁶⁾ OJ L 296, 17.11.1999, p. 12.

ANNEX

ANNEX I

(tonnes)

Place of storage	Quantity
Schleswig-Holstein/Hamburg/Niedersachsen/ Bremen/Nordrhein-Westfalen	161 206
Hessen/Rheinland-Pfalz/Baden-Württemberg/ Saarland/Bayern	8 032
Berlin/Brandenburg/Mecklenburg-Vorpommern	721 597
Sachsen/Sachsen-Anhalt/Thüringen	309 083

**COMMISSION REGULATION (EC) No 2811/1999
of 29 December 1999**

**amending Regulation (EC) No 1760/98 increasing to 3 010 000 tonnes the quantity of barley held
by the French intervention agency for which a standing invitation to tender for export has been
opened**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EEC) No 1766/92 of 30 June 1992 on the common organisation of the market in cereals ⁽¹⁾, as last amended by Regulation (EC) No 1253/1999 ⁽²⁾, and in particular Article 5 thereof,

Whereas:

- (1) Commission Regulation (EEC) No 2131/93 ⁽³⁾, as last amended by Regulation (EC) No 39/1999 ⁽⁴⁾, lays down the procedures and conditions for the disposal of cereals held by the intervention agencies.
- (2) Commission Regulation (EC) No 1760/98 ⁽⁵⁾, as last amended by Regulation (EC) No 2050/1999 ⁽⁶⁾, opened a standing invitation to tender for the export of 2 838 000 tonnes of barley held by the French intervention agency. France informed the Commission of the intention of its intervention agency to increase by 172 000 tonnes the quantity for which a standing invitation to tender for export has been opened. The total quantity of barley held by the French intervention agency for which a standing invitation to tender for export has been opened should be increased to 3 010 000 tonnes.
- (3) This increase in the quantity put out to tender makes it necessary to alter the list of regions and quantities in

store. Annex I to Regulation (EC) No 1760/98 must therefore be amended.

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

HAS ADOPTED THIS REGULATION:

Article 1

Regulation (EC) No 1760/98 is hereby amended as follows:

1. Article 2 is replaced by the following:

'Article 2

1. The invitation to tender shall cover a maximum of 3 010 000 tonnes of barley to be exported to all third countries with the exception of the United States, Canada and Mexico.
2. The regions in which the 3 010 000 tonnes of barley are stored are stated in Annex I to this Regulation.'
2. Annex I is replaced by the Annex hereto.

Article 2

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

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

Done at Brussels, 29 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 191, 31.7.1993, p. 76.

⁽⁴⁾ OJ L 5, 9.1.1999, p. 64.

⁽⁵⁾ OJ L 221, 8.8.1998, p. 13.

⁽⁶⁾ OJ L 255, 30.9.1999, p. 13.

ANNEX

ANNEX I

(tonnes)

Place of storage	Quantity
Amiens	159 000
Châlons	323 600
Clermont	10 000
Dijon	217 000
Lille	607 000
Nantes	37 000
Nancy	72 000
Orléans	555 000
Paris	152 000
Poitiers	232 000
Rouen	644 000
Toulouse	1 400'

COMMISSION REGULATION (EC) No 2812/1999
of 30 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 31 December 1999.

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

Done at Brussels, 30 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 30 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	89,4
	204	45,5
	624	155,8
	999	96,9
0709 90 70	052	143,5
	204	71,2
	999	107,3
0805 10 10, 0805 10 30, 0805 10 50	052	55,6
	204	45,0
	624	47,8
	999	49,5
0805 20 10	052	62,0
	204	50,0
	999	56,0
0805 20 30, 0805 20 50, 0805 20 70, 0805 20 90	052	50,5
	999	50,5
0805 30 10	052	62,7
	600	71,0
	999	66,8
0808 10 20, 0808 10 50, 0808 10 90	400	83,1
	404	75,5
	999	79,3
0808 20 50	052	150,9
	064	80,1
	400	114,7
	999	115,2

⁽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 2813/1999
of 30 December 1999
altering the export refunds on white sugar and raw sugar exported in the natural state**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EC) No 2038/1999 of 13 September 1999 on the common organisation of the markets in the sugar sector ⁽¹⁾, and in particular the third subparagraph of Article 18(5) thereof,

- (1) Whereas the refunds on white sugar and raw sugar exported in the natural state were fixed by Commission Regulation (EC) No 2642/1999 ⁽²⁾;
- (2) Whereas it follows from applying the detailed rules contained in Regulation (EC) No 2642/1999 to the information known to the Commission that the export

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

HAS ADOPTED THIS REGULATION:

Article 1

The export refunds on the products listed in Article 1(1)(a) of Regulation (EC) No 2038/1999, undenatured and exported in the natural state, as fixed in the Annex to Regulation (EC) No 2642/1999 are hereby altered to the amounts shown in the Annex hereto.

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, 30 December 1999.

For the Commission
Margot WALLSTRÖM
Member of the Commission

⁽¹⁾ OJ L 252, 25.9.1999, p. 1.
⁽²⁾ OJ L 324, 16.12.1999, p. 5.

ANNEX

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

Product code	Amount of refund
	— EUR/100 kg —
1701 11 90 9100	43,38 ⁽¹⁾
1701 11 90 9910	43,38 ⁽¹⁾
1701 11 90 9950	⁽²⁾
1701 12 90 9100	43,38 ⁽¹⁾
1701 12 90 9910	43,38 ⁽¹⁾
1701 12 90 9950	⁽²⁾
	— EUR/1 % of sucrose × 100 kg —
1701 91 00 9000	0,4716
	— EUR/100 kg —
1701 99 10 9100	47,16
1701 99 10 9910	49,38
1701 99 10 9950	47,16
	— EUR/1 % of sucrose × 100 kg —
1701 99 90 9100	0,4716

⁽¹⁾ Applicable to raw sugar with a yield of 92 %; if the yield is other than 92 %, the refund applicable is calculated in accordance with the provisions of Article 19 (4) of Regulation (EC) No 2038/1999.

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

**COMMISSION REGULATION (EC) No 2814/1999
of 30 December 1999**

fixing the export refunds on syrups and certain other sugar products exported in the natural state

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EC) No 2038/1999 of 13 September 1999 on the common organization of the markets in the sugar sector ⁽¹⁾, and in particular the second subparagraph of Article 18(5) thereof,

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

(1) Whereas Article 18 of Regulation (EC) No 2038/1999 provides that the difference between quotations or prices on the world market for the products listed in Article 1(1)(d) of that Regulation and prices for those products within the Community may be covered by an export refund;

(2) Whereas Article 3 of Commission Regulation (EC) No 2135/95 of 7 September 1995 laying down detailed rules of application for the grant of export refunds in the sugar sector ⁽²⁾, provides that the export refund on 100 kilograms of the products listed in Article 1 (1) (d) of Regulation (EC) No 2038/1999 is equal to the basic amount multiplied by the sucrose content, including, where appropriate, other sugars expressed as sucrose; whereas the sucrose content of the product in question is determined in accordance with Article 3 of Commission Regulation (EC) No 2135/95;

(3) Whereas Article 21(3) of Regulation (EC) No 2038/1999 provides that the basic amount of the refund on sorbose exported in the natural state must be equal to the basic amount of the refund less one-hundredth of the production refund applicable, pursuant to Council Regulation (EEC) No 1010/86 of 25 March 1986 laying down general rules for the production refund on sugar used in the chemical industry ⁽³⁾, as last amended by Commission Regulation (EC) No 1148/98 ⁽⁴⁾, to the products listed in the Annex to the last mentioned Regulation;

(4) Whereas, according to the terms of Article 21(1) of Regulation (EC) No 2038/1999, the basic amount of the refund on the other products listed in Article 1(1)(d) of the said Regulation exported in the natural state must be

(5) Whereas, according to the terms of Article 21(4) of Regulation (EC) No 2038/1999, the application of the basic amount may be limited to some of the products listed in Article 1(1)(d) of the said Regulation;

(6) Whereas Article 18 of Regulation (EC) No 2038/1999 makes provision for setting refunds for export in the natural state of products referred to in Article 1(1)(f) and (g) and (h) of that Regulation; whereas the refund must be fixed per 100 kilograms of dry matter, taking account of the export refund for products falling within CN code 1702 30 91 and for products referred to in Article 1(1)(d) of Regulation (EC) No 2038/1999 and of the economic aspects of the intended exports; whereas, in the case of the products referred to in the said Article 1(1)(f) and (g), the refund is to be granted only for products complying with the conditions in Article 5 of Regulation (EC) No 2135/95; whereas, for the products referred to in Article 1(1)(h), the refund shall be granted only for products complying with the conditions in Article 6 of Regulation (EC) No 2135/95;

(7) Whereas the refunds referred to above must be fixed every month; whereas they may be altered in the intervening period;

(8) Whereas application of these quotas results in fixing refunds for the products in question at the levels given in the Annex to this Regulation;

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

⁽¹⁾ OJ L 252, 25.9.1999, p. 1.

⁽²⁾ OJ L 214, 8.9.1995, p. 16.

⁽³⁾ OJ L 94, 9.4.1986, p. 9.

⁽⁴⁾ OJ L 159, 3.6.1998, p. 38.

HAS ADOPTED THIS REGULATION:

Article 1

The export refunds on the products listed in Article 1(1)(d)(f)(g) and (h) of Regulation (EC) No 2038/1999, exported in the natural state, shall be set out in the Annex hereto.

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, 30 December 1999.

For the Commission
Margot WALLSTRÖM
Member of the Commission

ANNEX

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

Product code	Amount of refund
	— EUR/100 kg dry matter —
1702 40 10 9100	47,16 ⁽²⁾
1702 60 10 9000	47,16 ⁽²⁾
1702 60 80 9100	89,60 ⁽⁴⁾
	— EUR/1 % sucrose × 100 kg —
1702 60 95 9000	0,4716 ⁽¹⁾
	— EUR/100 kg dry matter —
1702 90 30 9000	47,16 ⁽²⁾
	— EUR/1 % sucrose × 100 kg —
1702 90 60 9000	0,4716 ⁽¹⁾
1702 90 71 9000	0,4716 ⁽¹⁾
1702 90 99 9900	0,4716 ⁽¹⁾ ⁽³⁾
	— EUR/100 kg dry matter —
2106 90 30 9000	47,16 ⁽²⁾
	— EUR/1 % sucrose × 100 kg —
2106 90 59 9000	0,4716 ⁽¹⁾

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

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

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

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

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

COMMISSION REGULATION (EC) No 2815/1999
of 30 December 1999
fixing the production refund for white sugar used in the chemical industry

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EC) No 2038/1999 of 13 September 1999 on the common organization of the markets in the sugar sector ⁽¹⁾, and in particular Article 9(6) thereof,

- (1) Whereas pursuant to Article 9(3) of Regulation (EC) No 2038/1999 it may be decided to grant production refunds on the products listed in Article 1(1)(a) and (f) and on the syrups listed in Article 1(1)(d) thereof which are in one of the situations referred to in Article 9(2) of the Treaty and which are used in the manufacture of certain products of the chemical industry;
- (2) Whereas Council Regulation (EEC) No 1010/86 of 25 March 1986 laying down general rules for the production refund on certain sugar products used in the chemical industry ⁽²⁾, as last amended by Commission Regulation (EC) No 1148/98 ⁽³⁾, establishes the framework within which the production refunds may be determined and lists the chemical products of which the manufacture makes it possible to grant a production refund for the basic products used in their manufacture; whereas Articles 5, 6 and 7 of Regulation (EEC) No 1010/86 provide that the production refund granted for raw sugar, sucrose syrups and unprocessed isoglucose shall be derived from the refund fixed for white sugar according to a method of calculation peculiar to each of these basic products;
- (3) Whereas Commission Regulation (EEC) No 1729/78 of 24 July 1978 laying down detailed rules of application in respect of the production refund for sugar used in the chemical industry ⁽⁴⁾, as last amended by Regulation (EC) No 1148/98, specifies the method to be used for establishing the production refund; whereas Article 1 of

Regulation (EEC) No 1729/78 provides that the production refund for white sugar shall be fixed at three-monthly intervals for the periods beginning 1 July, 1 October, 1 January and 1 April; whereas the application of the abovementioned method entails fixing the production refund as stated in Article 1 for the period referred to therein;

- (4) Whereas the amendment of the definition of white sugar and raw sugar referred to in Article 1(2)(a) and (b) of Regulation (EC) No 2038/1999 has the consequence that flavoured sugars or sugars containing added colouring agents or other substances are no longer considered as falling within these definitions but are to be considered as 'other sugars'; whereas Article 1 of Regulation (EEC) No 1010/86 provides for these sugars to be eligible as basic products to the production refund; whereas a method of calculation based on their sucrose content should be laid down for establishing the production refund applicable to these products;
- (5) Whereas the measures provided for in this Regulation are in accordance with the opinion of the Management Committee for Sugar,

HAS ADOPTED THIS REGULATION:

Article 1

The production refund per 100 kilograms of white sugar referred to in Article 4 of Regulation (EEC) No 1010/86 is hereby fixed at EUR 45,716 for the quarter 1 January to 31 March 2000.

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, 30 December 1999.

For the Commission
Margot WALLSTRÖM
Member of the Commission

⁽¹⁾ OJ L 252, 25.9.1999, p. 1.

⁽²⁾ OJ L 94, 9.4.1986, p. 9.

⁽³⁾ OJ L 159, 3.6.1998, p. 38.

⁽⁴⁾ OJ L 201, 25.7.1978, p. 26.

**COMMISSION REGULATION (EC) No 2816/1999
of 30 December 1999
amending the corrective amount applicable to the refund on cereals**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

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

- (1) Whereas the corrective amount applicable to the refund on cereals was fixed by Commission Regulation (EC) No 2402/1999 ⁽³⁾, as last amended by Regulation (EC) No 2650/1999 ⁽⁴⁾;
- (2) Whereas, on the basis of today's cif prices and cif forward delivery prices, taking foreseeable developments on the market into account, the corrective amount at present applicable to the refund on cereals should be altered;

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

HAS ADOPTED THIS REGULATION:

Article 1

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

Article 2

This Regulation shall enter into force on 1 January 2000.

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

Done at Brussels, 30 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 290, 12.11.1999, p. 26.

⁽⁴⁾ OJ L 324, 16.12.1999, p. 19.

ANNEX

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

(EUR/t)

Product code	Destination ⁽¹⁾	Current 1	1st period 2	2nd period 3	3rd period 4	4th period 5	5th period 6	6th period 7
1001 10 00 9200	—	—	—	—	—	—	—	—
1001 10 00 9400	01	0	-1,00	-2,00	-3,00	-4,00	—	—
1001 90 91 9000	—	—	—	—	—	—	—	—
1001 90 99 9000	03	0	0	-1,50	-2,25	-3,75	-3,75	-3,75
	02	0	0	-1,50	-2,25	-3,75	—	—
1002 00 00 9000	01	0	0	0	0	0	—	—
1003 00 10 9000	—	—	—	—	—	—	—	—
1003 00 90 9000	01	0	0	0	0	0	—	—
1004 00 00 9200	—	—	—	—	—	—	—	—
1004 00 00 9400	01	0	0	0	0	0	—	—
1005 10 90 9000	—	—	—	—	—	—	—	—
1005 90 00 9000	01	0	0	0	0	0	—	—
1007 00 90 9000	—	—	—	—	—	—	—	—
1008 20 00 9000	—	—	—	—	—	—	—	—
1101 00 11 9000	—	—	—	—	—	—	—	—
1101 00 15 9100	01	0	0	-2,06	-3,08	-5,14	—	—
1101 00 15 9130	01	0	0	-1,92	-2,88	-4,80	—	—
1101 00 15 9150	01	0	0	-1,77	-2,66	-4,43	—	—
1101 00 15 9170	01	0	0	-1,64	-2,45	-4,09	—	—
1101 00 15 9180	01	0	0	-1,53	-2,30	-3,83	—	—
1101 00 15 9190	—	—	—	—	—	—	—	—
1101 00 90 9000	—	—	—	—	—	—	—	—
1102 10 00 9500	01	0	0	0	0	0	—	—
1102 10 00 9700	01	0	0	0	0	0	—	—
1102 10 00 9900	—	—	—	—	—	—	—	—
1103 11 10 9200	01	0	0	0	0	0	—	—
1103 11 10 9400	01	0	0	0	0	0	—	—
1103 11 10 9900	—	—	—	—	—	—	—	—
1103 11 90 9200	01	0	0	0	0	0	—	—
1103 11 90 9800	—	—	—	—	—	—	—	—

⁽¹⁾ The destinations are identified as follows:

01 all third countries,

02 other third countries,

03 Mauritania, Mali, Niger, Senegal, Burkina Faso, The Gambia, Guinea-Bissau, Guinea, Cape Verde, Sierra Leone, Liberia, Côte d'Ivoire, Ghana, Togo, Chad, Central African Republic, Benin, Cameroon, Equatorial Guinea, São Tomé and Príncipe, Gabon, Congo, Democratic Republic of the Congo, Rwanda, Burundi, Angola, Zambia, Malawi, Mozambique, Namibia, Botswana, Zimbabwe, Lesotho, Swaziland, Seychelles, The Comoros, Madagascar, Djibouti, Ethiopia, Eritrea and Mauritius.

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

COMMISSION REGULATION (EC) No 2817/1999
of 30 December 1999
fixing the import duties in the cereals sector

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

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

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

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

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

HAS ADOPTED THIS REGULATION:

Article 1

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

Article 2

This Regulation shall enter into force on 1 January 2000.

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

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

⁽⁴⁾ OJ L 315, 25.11.1998, p. 7.

ANNEX I

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

CN code	Description	Import duty by land inland waterway or sea from Mediterranean, the Black Sea or Baltic Sea ports (EUR/tonne)	Import duty by air or by sea from other ports ⁽²⁾ (EUR/tonne)
1001 10 00	Durum wheat high quality	27,34	17,34
	medium quality ⁽¹⁾	37,34	27,34
1001 90 91	Common wheat seed	34,23	24,23
1001 90 99	Common high quality wheat other than for sowing ⁽³⁾	34,23	24,23
	medium quality	78,89	68,89
	low quality	91,70	81,70
1002 00 00	Rye	79,18	69,18
1003 00 10	Barley, seed	79,18	69,18
1003 00 90	Barley, other ⁽³⁾	79,18	69,18
1005 10 90	Maize seed other than hybrid	97,84	87,84
1005 90 00	Maize other than seed ⁽³⁾	97,84	87,84
1007 00 90	Grain sorghum other than hybrids for sowing	79,18	69,18

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

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

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

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

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

ANNEX II

Factors for calculating duties

(period from 15 December to 29 December 1999)

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

Exchange quotations	Minneapolis	Kansas-City	Chicago	Chicago	Minneapolis	Minneapolis	Minneapolis
Product (% proteins at 12 % humidity)	HRS2. 14 %	HRW2. 11,5 %	SRW2	YC3	HAD2	Medium quality (*)	US barley 2
Quotation (EUR/t)	115,17	99,32	89,73	79,04	156,91 (**)	146,91 (**)	103,77 (**)
Gulf premium (EUR/t)	34,86	6,04	2,82	7,38	—	—	—
Great Lakes premium (EUR/t)	—	—	—	—	—	—	—

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

(**) Fob Duluth.

2. Freight/cost: Gulf of Mexico — Rotterdam: 15,13 EUR/t; Great Lakes — Rotterdam: 27,99 EUR/t.

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

**COMMISSION REGULATION (EC) No 2818/1999
of 30 December 1999**

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

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

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

Whereas:

(1) Article 17 (1) of Regulation (EEC) No 804/68 provides that the difference between prices in international trade for the products listed in Article 1 (a), (b), (c), (d), (e), and (g) of that Regulation and prices within the Community may be covered by an export refund. Whereas Commission Regulation (EC) No 1222/94 of 30 May 1994 laying down common implementing rules for granting export refunds on certain agricultural products exported in the form of goods not covered by Annex I to the Treaty, and criteria for fixing the amount of such refunds ⁽³⁾, as last amended by Regulation (EC) No 1702/1999 ⁽⁴⁾, specifies the products for which a rate of refund should be fixed, to be applied where these products are exported in the form of goods listed in the Annex to Regulation (EEC) No 804/68.

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

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

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

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

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

(6) It is necessary to ensure continuity of strict management taking account of expenditure forecasts and funds available in the budget.

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

HAS ADOPTED THIS REGULATION:

Article 1

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

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

Article 2

This Regulation shall enter into force on 1 January 2000.

⁽¹⁾ OJ L 148, 28.6.1968, p. 13.

⁽²⁾ OJ L 206, 16.8.1996, p. 21.

⁽³⁾ OJ L 136, 31.5.1994, p. 5.

⁽⁴⁾ OJ L 201, 31.7.1999, p. 30.

⁽⁵⁾ OJ L 169, 18.7.1968, p. 6.

⁽⁶⁾ OJ L 138, 31.5.1990, p. 8.

⁽⁷⁾ OJ L 350, 20.12.1997, p. 3.

⁽⁸⁾ OJ L 59, 6.3.1999, p. 17.

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

Done at Brussels, 30 December 1999.

For the Commission
Margot WALLSTRÖM
Member of the Commission

ANNEX

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

(EUR/100 kg)

CN code	Description	Rate of refund
ex 0402 10 19	Powdered milk, in granules or other solid forms, not containing added sugar or other sweetening matter, with a fat content not exceeding 1,5 % by weight (PG 2): (a) On exportation of goods of CN code 3501 (b) On exportation of other goods	— 77,36
ex 0402 21 19	Powdered milk, in granules or other solid forms, not containing added sugar or other sweetening matter, with a fat content of 26 % by weight (PG 3): (a) Where goods incorporating, in the form of products assimilated to PG 3, reduced-price butter or cream obtained pursuant to Regulation (EC) No 2571/97 are exported (b) On exportation of other goods	78,60 107,92
ex 0405 10	Butter, with a fat content by weight of 82 % (PG 6): (a) Where goods containing reduced-price butter or cream which have been manufactured in accordance with the conditions provided for in Regulation (EC) No 2571/97 are exported (b) On exportation of goods of CN code 2106 90 98 containing 40 % or more by weight of milk fat (c) On exportation of other goods	67,35 169,60 162,35

**COMMISSION REGULATION (EC) No 2819/1999
of 30 December 1999**

**fixing the rates of refunds applicable to certain products from the sugar sector exported in the
form of goods not covered by Annex I to the Treaty**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EC) No 2038/1999 of 13 September 1999 on the common organisation of the market in sugar ⁽¹⁾, and in particular Article 18(5)(a) and (15),

Whereas:

(1) Article 18(1) and (2) of Regulation (EEC) No 1785/81 provides that the differences between the prices in international trade for the products listed in Article 1 (1) (a), (c), (d), (f), (g) and (h) of that Regulation and prices within the Community may be covered by an export refund where these products are exported in the form of goods listed in the Annex to that Regulation. Commission Regulation (EC) No 1222/94 of 30 May 1994 laying down common implementing rules for granting export refunds on certain agricultural products exported in the form of goods not covered by Annex I to the Treaty and the criteria for fixing the amount of such refunds ⁽²⁾ as last amended by Regulation (EC) No 1702/1999 ⁽³⁾ specifies the products for which a rate of refund should be fixed, to be applied where these products are exported in the form of goods listed in Annex I to Regulation (EC) No 2038/1999.

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

(3) Article 18(3) of Regulation (EC) No 2038/1999 and Article 11 of the Agreement on Agriculture concluded under the Uruguay Round lay down that the export refund for a product contained in a good may not exceed the refund applicable to that product when exported without further processing.

(4) The refunds fixed under this Regulation may be fixed in advance as the market situation over the next few months cannot be established at the moment.

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

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

(7) It is necessary to ensure continuity of strict management taking account of expenditure forecasts and funds available in the budget.

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

HAS ADOPTED THIS REGULATION:

Article 1

The rates of the refunds applicable to the basic products appearing in Annex A to Regulation (EC) No 1222/94 and listed in Article 1(1) and (2) of Regulation (EC) No 2038/1999, exported in the form of goods listed in Annex I to Regulation (EC) No 2038/1999, are fixed as shown in the Annex hereto.

Article 2

This Regulation shall enter into force on 1 January 2000.

⁽¹⁾ OJ L 252, 25.9.1999, p. 1.

⁽²⁾ OJ L 136, 31.5.1994, p. 5.

⁽³⁾ OJ L 201, 31.7.1999, p. 30.

⁽⁴⁾ OJ L 94, 9.4.1986, p. 9.

⁽⁵⁾ OJ L 159, 3.6.1998, p. 38.

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

Done at Brussels, 30 December 1999.

For the Commission
Margot WALLSTRÖM
Member of the Commission

ANNEX

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

Product	Rate of refund in EUR/100 kg	
	In case of advance fixing of refunds	Other
White sugar:		
— pursuant to Article 4(5)(b) of Regulation (EC) No 1222/94	1,44	1,44
— in all other cases	47,16	47,16

COMMISSION REGULATION (EC) No 2820/1999
of 30 December 1999
on the issuing of A1 export licences for 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 2190/96 of 14 November 1996 on detailed rules for implementing Council Regulation (EEC) No 2200/96 as regards export refunds on fruit and vegetables ⁽¹⁾, as last amended by Regulation (EC) No 1303/1999 ⁽²⁾, and in particular Article 2(3) thereof,

- (1) Whereas Commission Regulation (EC) No 2331/1999 ⁽³⁾ sets the quantities for which A1 export licences, other than those requested in the context of food aid, may be issued;
- (2) Whereas Article 2 of Regulation (EC) No 2190/96 sets the conditions under which special measures may be taken by the Commission with a view to avoiding an overrun of the quantities for which A1 licences may be issued;
- (3) Whereas the Commission has received information which indicates that those quantities, reduced or increased by the quantities referred to in Article 2(3) of Regulation (EC) No 2190/96, would be exceeded if A1

licences were issued without restriction for shelled almonds in response to applications submitted since 27 December 1999; whereas, therefore, one percentage should be fixed for the issuing of licences for quantities applied for on 27 December 1999 and applications for A1 licences submitted later in that application period should be rejected,

HAS ADOPTED THIS REGULATION:

Article 1

A1 export licences for shelled almonds for which applications were submitted on 27 December 1999 pursuant to Article 1 of Regulation (EC) No 2331/1999 shall be issued for 90,5 % for shelled almonds of the quantities applied for.

Applications for A1 export licences submitted after 27 December 1999 and before 17 January 2000 for this product shall be rejected.

Article 2

This Regulation shall enter into force on 31 December 1999.

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

Done at Brussels, 30 December 1999.

For the Commission
Margot WALLSTRÖM
Member of the Commission

⁽¹⁾ OJ L 292, 15.11.1996, p. 12.

⁽²⁾ OJ L 155, 22.6.1999, p. 29.

⁽³⁾ OJ L 281, 4.11.1999, p. 3.

II

(Acts whose publication is not obligatory)

COUNCIL

**COUNCIL DECISION
of 17 December 1999
appointing eight members of the Court of Auditors of the European Communities**

(1999/872/EC, ECSC, Euratom)

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty establishing the European Community, and in particular Article 247(3) thereof,

Having regard to the Treaty establishing the European Coal and Steel Community, and in particular Article 45(3) thereof,

Having regard to the Treaty establishing the European Atomic Energy Community, and in particular Article 160b(3) thereof,

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

(1) Whereas the terms of office of Mr Patrick Everard, Mr Jørgen Mohr, Mr Antoni Castells, Mr Barry Desmond, Mr Giorgio Clemente, Mr Armindo de Jesus de Sousa Ribeiro, Mr Aunus Salmi and Mr Jan O. Karlsson expire on 9 February 2000;

(2) Whereas new appointments should therefore be made,

HAS DECIDED AS FOLLOWS:

Article 1

The following are hereby appointed members of the Court of Auditors for the period from 1 March 2000 to 28 February 2006 inclusive:

— Mr Robert Reynders

— Mr Jørgen Mohr

— Mr Juan Manuel Fabra Valles

— Mrs Máire Geoghegan-Quinn

— Mr Giorgio Clemente

— Mr Vítor Manuel da Silva Caldeira

— Mr Aunus Salmi

— Mr Jan O. Karlsson.

Article 2

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

Done at Brussels, 17 December 1999.

For the Council

The President

K. HEMILÄ

⁽¹⁾ Opinions delivered on 16 December 1999 (not yet published in the Official Journal).

**COUNCIL DECISION
of 17 December 1999**

on the conclusion of the Agreement in the form of an Exchange of Letters between the European Community and the Republic of Tunisia on the arrangements for the import into the Community of untreated olive oil originating in Tunisia

(1999/873/EC)

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty establishing the European Community, and in particular Article 133 in conjunction with the first subparagraph of Article 300(2) thereof,

Having regard to the proposal from the Commission,

Whereas

- (1) An Agreement in the form of an Exchange of Letters has been negotiated between the European Community and the Republic of Tunisia in order to extend for the period 1 January to 31 December 2000 the arrangements for the import into the Community of untreated olive oil originating in Tunisia as provided for in Article 3 of Protocol 1 to the Euro-Mediterranean Agreement establishing an association between the European Communities and their Member States, of the one part, and the Republic of Tunisia of the other part ⁽¹⁾;
- (2) That Agreement should be approved on behalf of the Community,

HAS DECIDED AS FOLLOWS:

Article 1

The Agreement in the form of an Exchange of Letters between the European Community and the Republic of Tunisia on the arrangements for the import into the Community of untreated olive oil originating in Tunisia is hereby approved on behalf of the Community.

The text of the Agreement is annexed to this Decision.

Article 2

The President of the Council is hereby authorised to designate the person empowered to sign the Agreement in order to bind the Community.

Done at Brussels, 17 December 1999.

For the Council

The President

K. HEMILÄ

⁽¹⁾ OJ L 97, 30.3.1998, p. 1.

AGREEMENT IN THE FORM OF AN EXCHANGE OF LETTERS
between the European Community and the Republic of Tunisia on the arrangements for the import
into the Community of untreated olive oil originating in Tunisia

A. Letter from the European Community

Brussels, 21.12.1999.

Sir,

I have the honour to refer to the consultations which took place, under Article 3(3) of Protocol 1 to the Euro-Mediterranean Agreement establishing an association between the European Communities and their Member States, of the one part, and the Republic of Tunisia, of the other part, between the Tunisian authorities and the Commission of the European Communities on the arrangements for the import of untreated olive oil originating in Tunisia.

The purpose of these consultations was to re-examine the situation with a view to determining the arrangements from 1 January 2000.

Following these consultations, it was agreed to extend the existing arrangements by one year on the same terms, as follows:

Customs duty of EUR 7,81 per 100 kg shall apply to the import into the Community between 1 January and 31 December 2000 of up to 46 000 tonnes per marketing year of untreated olive oil of CN code 1509 10 10 or 1509 10 90 wholly obtained in Tunisia and transported directly from that country to the Community.

Reassessment of the situation will continue in the meantime with a view to determining the arrangements from 1 January 2001.

This Agreement will be approved by the Parties in accordance with their own procedures.

I should be obliged if you would confirm that your Government is in agreement with the content of this letter.

Please accept, Sir, the assurance of my highest consideration.

On behalf of the Council of the European Union



B. Letter from the Government of the Republic of Tunisia

Brussels, 21.12.1999.

Sir,

I have the honour to acknowledge receipt of your letter of today's date, which reads as follows:

'I have the honour to refer to the consultations which took place, under Article 3(3) of Protocol 1 to the Euro-Mediterranean Agreement establishing an association between the European Communities and their Member States, of the one part, and the Republic of Tunisia, of the other part, between the Tunisian authorities and the Commission of the European Communities on the arrangements for the import of untreated olive oil originating in Tunisia.

The purpose of these consultations was to re-examine the situation with a view to determining the arrangements from 1 January 2000.

Following these consultations, it was agreed to extend the existing arrangements by one year on the same terms, as follows:

Customs duty of EUR 7,81 per 100 kg shall apply to the import into the Community between 1 January and 31 December 2000 of up to 46 000 tonnes per marketing year of untreated olive oil of CN code 1509 10 10 or 1509 10 90 wholly obtained in Tunisia and transported directly from that country to the Community.

Reassessment of the situation will continue in the meantime with a view to determining the arrangements from 1 January 2001.

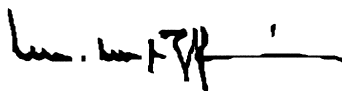
This Agreement will be approved by the Parties in accordance with their own procedures.

I should be obliged if you would confirm that your Government is in agreement with the content of this letter.'

I have the honour to confirm that the Government of the Republic of Tunisia is in agreement.

Please accept, Sir, the assurance of my highest consideration.

For the Government of the Republic of Tunisia



COMMISSION

COMMISSION DECISION

of 10 December 1999

amending Decision 93/70/EEC on codification for the message 'Animo' to include certain types of processed mammalian protein

(notified under document number C(1999) 4251)

(Text with EEA relevance)

(1999/874/EC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Directive 90/425/EEC of 26 June 1990 concerning veterinary and zootechnical checks applicable in intra-Community trade in certain live animals and products with a view to the completion of the internal market ⁽¹⁾, as last amended by Directive 92/118/EEG ⁽²⁾, and in particular Article 20(3) thereof,

Whereas:

- (1) For quick understanding of Animo-messages, by Decision 93/70/EEC ⁽³⁾, as last amended by Decision 98/168/EC ⁽⁴⁾, the Commission specified the codes to be used for animals and animal products.
- (2) By Decision 97/735/EC ⁽⁵⁾, the Commission laid down new provisions on trade in certain types of mammalian animal waste. Those provisions stipulated in particular that the Member States of origin and of destination of the goods must inform each other of the type and destination of the latter by means of the Animo computerised network.
- (3) By Decision 98/168/EC, the Commission amended Decision 93/70/EEC to supplement the codes used for trade in certain types of mammalian animal waste.
- (4) In this respect, the amended codes for live animals and animal products have proved incomplete and the products lacking should be included.
- (5) The measures provided for in this Decision are in accordance with the opinion of the Standing Veterinary Committee,

HAS ADOPTED THIS DECISION:

Article 1

The Annex to Decision 93/70/EEC is hereby amended as follows:

the following is added to point 12 'Processed animal protein whether intended for use in feedingstuffs or not (meals and greaves) — petfoods' of Chapter '1.3 PRODUCTS OF ANIMAL ORIGIN':

⁽¹⁾ OJ L 224, 18.8.1990, p. 29.

⁽²⁾ OJ L 62, 15.3.1993, p. 49.

⁽³⁾ OJ L 25, 2.2.1993, p. 34.

⁽⁴⁾ OJ L 62, 3.3.1998, p. 37.

⁽⁵⁾ OJ L 294, 28.10.1997, p. 7.

	1	2	3
'05 Processed mammalian animal protein intended for use in feeding-stuffs, not included in point 12-01			
01 – Meat and bonemeal	47010501000000		
02 – Blood meal	47010503000000		
03 – Boneflour	47010504000000		
04 – Dried greaves	47010508000000		
05 – Mixtures of these meals	47010599000000'		

Article 2

This Decision is addressed to the Member States.

Done at Brussels, 10 December 1999.

For the Commission

David BYRNE

Member of the Commission
