

Official Journal

of the European Communities

ISSN 0378-6978

L 61

Volume 43

8 March 2000

English edition

Legislation

Contents

I Acts whose publication is obligatory

Commission Regulation (EC) No 499/2000 of 7 March 2000 establishing the standard import values for determining the entry price of certain fruit and vegetables 1

Commission Regulation (EC) No 500/2000 of 7 March 2000 on the issuing of a standing invitation to tender for the resale on the internal market of 100 000 tonnes of barley held by the Spanish intervention agency 3

II Acts whose publication is not obligatory

Commission

2000/194/EC:

- ★ **Commission Decision of 14 July 1999 on aid granted by Germany to Weida Leder GmbH (Weida), Thuringia ⁽¹⁾ (notified under document number C(1999) 3441).....** 4

2000/195/EC:

- ★ **Commission Decision of 22 February 2000 authorising the placing on the market of 'phospholipides from egg yolk' as a novel food or novel food ingredient under Regulation (EC) No 258/97 of the European Parliament and of the Council (notified under document number C(2000) 2)** 12

2000/196/EC:

- ★ **Commission Decision of 22 February 2000 refusing the placing on the market of *Stevia rebaudiana* Bertoni: plants and dried leaves as a novel food or novel food ingredient under Regulation (EC) No 258/97 of the European Parliament and of the Council (notified under document number C(2000) 77)** 14

2000/197/EC:

- ★ **Commission Decision of 1 March 2000 amending Decision 1999/187/EC on the clearance of the accounts presented by the Member States in respect of the expenditure for 1995 of the Guarantee Section of the European Agricultural Guidance and Guarantee Fund (EAGGF) (notified under document number C(2000) 486)** 15

⁽¹⁾ Text with EEA relevance

(Continued overleaf)

★ Commission Decision of 25 February 2000 amending Decision 94/652/EC establishing the inventory and distribution of tasks to be undertaken within the framework of cooperation by Member States in the scientific examination of questions relating to food ⁽¹⁾ (notified under document number C(2000) 498)	19
--	----

Corrigenda

★ Corrigendum to Commission Regulation (EC) No 2718/1999 of 20 December 1999 amending Regulation (EC) No 97/95 laying down detailed rules for the application of Council Regulation (EEC) No 1766/92 as regards the minimum price and compensatory payment to be paid to potato producers and of Council Regulation (EC) No 1868/94 establishing a quota system in relation to the production of potato starch (OJ L 327 of 21.12.1999)	22
---	----

⁽¹⁾ Text with EEA relevance

I

(Acts whose publication is obligatory)

**COMMISSION REGULATION (EC) No 499/2000
of 7 March 2000
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 8 March 2000.

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

Done at Brussels, 7 March 2000.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ L 337, 24.12.1994, p. 66.

⁽²⁾ OJ L 198, 15.7.1998, p. 4.

ANNEX

to the Commission Regulation of 7 March 2000 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	204	77,5
	212	158,6
	624	160,7
	999	132,3
0707 00 05	052	116,8
	068	81,3
	628	146,6
	999	114,9
0709 10 00	220	201,2
	999	201,2
0709 90 70	052	86,0
	204	55,4
	628	141,9
	999	94,4
0805 10 10, 0805 10 30, 0805 10 50	052	62,7
	204	35,6
	212	41,3
	600	47,6
	624	53,8
	999	48,2
0805 30 10	052	41,7
	220	69,6
	600	63,5
	999	58,3
0808 10 20, 0808 10 50, 0808 10 90	204	82,6
	388	142,8
	400	90,6
	404	81,9
	508	93,2
	512	80,9
	528	96,5
	720	63,9
	728	93,4
	999	91,8
0808 20 50	388	85,4
	400	102,6
	512	70,2
	528	80,7
	624	67,3
	999	81,2

⁽¹⁾ Country nomenclature as fixed by Commission Regulation (EC) No 2543/1999 (OJ L 307, 2.12.1999, p. 46). Code '999' stands for 'of other origin'.

COMMISSION REGULATION (EC) No 500/2000
of 7 March 2000
on the issuing of a standing invitation to tender for the resale on the internal market of 100 000
tonnes of barley held by the Spanish intervention agency

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

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

Whereas:

- (1) Commission Regulation (EEC) No 2131/93⁽³⁾, as last amended by Regulation (EC) No 39/1999⁽⁴⁾, lays down the procedure and conditions for the disposal of cereals held by the intervention agencies.
- (2) In the present market situation, a standing invitation to tender for the resale on the internal market of 100 000 tonnes of barley held by the Spanish intervention agency should be issued.
- (3) The measures provided for in this Regulation are in accordance with the opinion of the Management Committee for Cereals,

HAS ADOPTED THIS REGULATION:

Article 1

The Spanish intervention agency shall issue pursuant to Regulation (EEC) No 2131/93 a standing invitation to tender for the

resale on the internal market of 100 000 tonnes of barley held by it.

Article 2

1. The final date for the submission of tenders for the first partial invitation to tender shall be 16 March 2000.
2. The final date for the submission of tenders for the last partial invitation to tender shall expire on 27 April 2000.
3. Tenders must be lodged with the Spanish intervention agency at the following address:
Fondo Español de Garantía Agraria (FEGA)
C/Beneficencia 8
E-28004 Madrid
Telex: 23427 FEGA E
Fax: (34) 915 21 98 32/915 22 43 87.

Article 3

Not later than Tuesday of the week following the final date for the submission of tenders, the Spanish intervention agency shall notify the Commission of the quantities and average prices of the various lots sold.

Article 4

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, 7 March 2000.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ L 181, 1.7.1992, p. 21.

⁽²⁾ OJ L 160, 26.6.1999, p. 18.

⁽³⁾ OJ L 191, 31.7.1993, p. 76.

⁽⁴⁾ OJ L 5, 9.1.1999, p. 64.

II

(Acts whose publication is not obligatory)

COMMISSION

COMMISSION DECISION

of 14 July 1999

on aid granted by Germany to Weida Leder GmbH (Weida), Thuringia

(notified under document number C(1999) 3441)

(Only the German text is authentic)

(Text with EEA relevance)

(2000/194/EC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community, and in particular the first subparagraph of Article 88(2) thereof,

Having regard to the Agreement on the European Economic Area, and in particular Article 62(1)(a) thereof,

Having called on interested parties to submit their comments pursuant to the provisions cited above ⁽¹⁾,

Whereas:

in 1995/1996 before notifying the Commission thereof, in breach of Article 88(3) of the EC Treaty. The case was therefore registered on 4 March 1997 under NN 30/97.

(3) By letter dated 2 March 1998, the Commission informed Germany that it had decided to initiate the procedure laid down in Article 88(2) of the EC Treaty in respect of the aid. The Commission Decision to initiate the procedure was published in the *Official Journal of the European Communities* ⁽²⁾. The Commission invited interested parties to submit their comments on the aid. It received no such comments from interested parties.

(4) By letter dated 26 June 1998, Germany informed the Commission that the firm had filed for bankruptcy on 28 May 1998.

I. PROCEDURE

(1) By letter dated 12 March 1996, registered as received on 21 March, Germany informed the Commission of a DEM 5 million loan to Weida Leder GmbH (Weida), Thuringia, which was intended to finance restructuring measures. By letters dated 11 April, 28 May, 3 July and 26 August 1996 and 6 March 1997, the Commission requested further information, which Germany provided by letters dated 25 July, 30 October and 7 November 1996 and 20 January and 26 May 1997. Further information was supplied in September 1997 at a meeting between the Commission and the German authorities.

(2) The aid was first registered under N 242/96. However, it emerged from the information provided by Germany that Thuringia had already made aid available to the firm

II. DETAILED DESCRIPTION OF THE AID

(5) Weida Leder GmbH (Weida) was formed from the former VEB Lederwerke Weida, which had been transformed into Lederwerke Weida GmbH in 1990. The main activity of the firm, located in the municipality of Weida (Thuringia), was to produce leather for the furniture industry. The region has high unemployment (17 %), and was classified as an Objective 1 area for the purposes of Community regional policy (areas which are underdeveloped by Community standards), so that it is

⁽¹⁾ OJ C 256, 14.8.1998, p. 7.

⁽²⁾ See footnote 1.

eligible for regional aid under Article 87(3)(a) of the EC Treaty ⁽¹⁾. Until recently, the firm employed 97 people.

Weida is almost the sole user of the plant in terms of the volumes of waste it feeds into it.

- (6) A first attempt at privatising the firm failed in 1993, after which the firm's shares were returned to the portfolio of the Treuhandanstalt. On 1 October 1993, bankruptcy proceedings were initiated.
- (7) In order, nevertheless, to establish the firm on the market and to find a suitable buyer in the meantime, the *Land of Thuringia* launched a rescue that it supported on a sustained basis for reasons of structural and labour-market policy as a means of ensuring the continued existence in the extremely structurally weak area of eastern Thuringia of the only fully integrated tannery in the new *Länder*. On 19 October 1993, Weida Leder GmbH was established: it took over the assets of the firm in respect of which bankruptcy proceedings had been initiated. The firm's shares were wholly owned by Elster Management GmbH & Co. Investitions- und Beteiligungs KG (Elster KG). Because of the interrelationship between the companies involved, in particular the liabilities situation between Elster KG and the Thüringer Aufbaubank (TAB), a credit institution governed by public law and owned by the *Land of Thuringia*, it cannot be considered that a privatisation has as yet taken place. Because of the specific nature of the market, the Thuringian authorities' search for investors has so far proved unsuccessful. In order to remain in business and to carry out the restructuring measures planned for the period leading up to privatisation, the firm has, in recent years, carried out an investment programme and has received substantial aid for this purpose. However, despite all its financial efforts, Weida has been unable to consolidate its position. The planned turnover targets have not been met. The firm's results have also been unsatisfactory as far as its planned profits are concerned. Despite further aid intended to secure its liquidity and allow it to remain in business, the firm filed for bankruptcy on 28 May 1998.
- (8) For the purpose of disposing of Weida's waste water and that of the other firms located on the site, the firm Abwasserreinigungsanlage Schlossmühlenweg Weida GmbH was set up, with 98 % of its shares being owned by Weida and the remaining 2 % by the municipality of Weida.
- (9) This plant serves exclusively to treat the waste water of Weida and the other firms renting sites on the business park. Since the firms concerned are all service firms, they only produce urban waste water. Consequently,
- (10) Between 1993 and 1997, Weida benefited from a variety of aid measures with the aim of stabilising the rescue carried out at the end of 1993 and improving its business structure in the context of negotiations with potential investors.
- (11) On 21 October 1993 the *Land of Thuringia* provided an outright grant of DEM 4,5 million under the SME investment safeguard programme, which was approved by the Commission on 26 November 1993 (N 408/93) ⁽²⁾, by way of initial funding to support the asset deal resulting from the bankruptcy proceedings.
- (12) On 7 March 1994, Thuringia took on a 90 % guarantee for a DEM 8 million loan (amount of aid: DEM 7,2 million) which the firm needed to consolidate its operations. On 16 September 1994, the *Land* entered into a further 90 % guarantee in respect of a DEM 4 million loan (amount of aid: DEM 3,6 million). Both guarantees were underwritten by Bayerische Landesanstalt für Aufbaufinanzierung (LfA) on the basis of the Guarantee Regulation of the *Land of Thuringia*. The lenders were Dresdner Bank AG and Thüringer Aufbaubank (TAB), a public credit institution owned by the *Land of Thuringia*. The guaranteed loans were subsequently reallocated to other purposes on several occasions. In the end, DEM 6,5 million was used for investment and DEM 5,5 million for operating expenditure. Because of the time-limit placed on the guarantee for the TAB loan, the life of both loans was provisionally limited to 31 December 1997. The reason for this short life was the fact that efforts were being made to obtain refinancing from a commercial bank and, given the state of the firm even at the time when funds were provided for the loan, it could already be foreseen that it would not be possible to obtain such refinancing within a reasonable period, so that it would be necessary to extend the life of the loans and the guarantees.
- (13) In addition to these investment and operating loans, the firm was provided with a further DEM 2 million loan from the consolidation fund (case NN 74/95) at the end of 1995 to cover the liquidity shortfalls which had arisen as a result of the firm's entry onto the market.
- (14) Further liquidity support was granted between February 1996 and July 1997 under a credit mandate of the Thuringia Ministry of Finance in the form of a DEM 5 million loan and a letter of subordination covering DEM 4 million in claims. The loan was granted up to 31 December 2000 at an interest rate of 8 % per annum.

⁽¹⁾ Commission Decision 94/266/EC, OJ L 114, 5.5.1994, p. 21.

⁽²⁾ By its Decision of 7 April 1998 (NN 142/97; letter SG(98) D/4313 of 2 June 1998), the Commission approved the prolongation of the said aid scheme for the years 1997 to 2001; however, because of considerable doubt concerning the compatibility of how this aid scheme was being implemented, the Commission on 4 December 1998 initiated the procedure laid down in Article 88(2) of the EC Treaty; Commission Decision C 69/98; Commission letter SG(98) D/11285 of 4 December 1998.

- (15) Nevertheless, despite this considerable government support, a further DEM 1,5 million loan from TAB was needed at the end of 1997 to secure the firm's liquidity and enable it to remain in business. Moreover, the *Land* of Thuringia, as preferential creditor, issued a further letter of subordination covering another DEM 2 million in claims in order to avert bankruptcy proceedings in respect of the company's assets.
- (16) By administrative decisions of 19 January 1995 and 21 October 1996, Weida was awarded investment grants of DEM 1,84 million and DEM 0,34 million out of the funds of the Commission-approved joint Federal Government/*Länder* scheme for improving regional economic structures. The DEM 0,34 million grant was not paid out because of the initiation of the Article 88(2) procedure.
- (17) The following table gives a complete list of the state aid granted to Weida up to the end of 1997:

State aid	Date granted	Amount of aid (DEM million)
SME grant, C 69/98 (ex NN 118/98, ex ex 408/93 and ex ex N 480/94)	21.10.1993	4,5
90 % guarantee for a DEM 8 million loan	7.3.1994	7,2
90 % guarantee for a DEM 4 million loan	16.9.1994	3,6
Investment grants under the joint Federal Government/ <i>Länder</i> scheme, 1005/1006/N div.	15.12.1995, 10.7.1996, 17.9.1996	1,84
Loan, NN 74/95	12/1995	2,0
TAB loan	2.1.1996	5,0
TAB loan	11/1997	1,5
Total		25,64

- (18) Of the approximately DEM 12,9 million investment by Weida's subsidiary in a waste water treatment plant, DEM 11,22 million, i.e. 87 %, was financed with public money.
- (19) Since this plant was urgently needed for the firm's future operations, the Treuhandanstalt decided on 4 February 1994 to contribute 40 % of the funds needed for its construction. This contribution took the form of a non-repayable grant of DEM 4,84 million.
- (20) In addition, the *Land* of Thuringia provided an investment grant of DEM 6,38 million under the joint scheme for improving regional economic structures.
- (21) The remaining 13 % (DEM 1,344 million) was provided by Weida as a shareholder's loan. This loan was secured by a 90 % guarantee from LfA. The loan's due date was initially fixed, in accordance with the loan agreement and in line with the duration of the guarantee, at 31 December 1997, but subsequently had to be extended owing to the firm's situation (see above). However, because of the insufficient information provided, the Commission does not have up-to-date figures on the amended terms of the loan or the guarantee.

- (22) The following table shows the composition of the aid received by Weida's subsidiary for the waste-water treatment plant:

State aid	Date granted	Amount of aid (DEM million)
Investment grant under the joint Federal Government/ <i>Länder</i> scheme	28.11.1994, 17.8.1995, 19.10.1995	5,95
Investment grant under the joint Federal Government/ <i>Länder</i> scheme	30.4.1997	0,43
Grant from the Treuhandanstalt (THA)/Bundesanstalt für Vereinigungsbedingte Sonderaufgaben (BvS)	9/1994 to 11/1995	4,84
90 % guarantee in respect of a DEM 1,344 million shareholder's loan from Weida		1,21
Total		12,43

- (23) The aid granted to Weida and its subsidiary Abwasserreinigungsanlage Schlossmühlenweg Weida GmbH totals some DEM 38 million. As opposed to this, the contribution of its shareholder Elster KG to the financing of Weida's restructuring was limited to the nominal capital of DEM 50 000, a DEM 300 000 guarantee taken over from Mr Jessen, a partner in Elster KG, issued under the *Land* guarantee procedure, and a statement of co-obligation — limited in time — in respect of the investment grants paid out to Weida under the joint Federal Government/*Länder* scheme.
- (24) When it initiated the procedure, the Commission expressed doubts as to the applicability of the guidelines on State aid for rescuing and restructuring firms in difficulty (the guidelines) ⁽¹⁾ to firms which are newly formed with the assets from a bankruptcy. Up to the time when the proceedings were initiated, no viable restructuring plan had been presented. Since Weida's financial situation had apparently worsened despite the massive injection of public funds, serious doubts concerning its viability could not be dispelled. In addition, because the privatisation had still not taken place, the financing for Weida was still provisional. Also, since no private investor could be found, it was not possible to determine whether the proposed amount of aid was appropriate to the restructuring efforts.
- (25) The Commission also complained of the lack of relevant information which would have enabled it to assess the compatibility of the aid with Article 87 of the EC Treaty.
- (26) The relevant market for Weida Leder GmbH is the market for tanning products ⁽²⁾. The main product of the tanning sector is leather, which is made into shoes, clothing, leather goods and furniture.
- (27) While the leather industry is showing considerable growth in some countries of Asia, America and above all in eastern Europe and these countries have become important players internationally, in western Europe capacity and output have declined steadily. The EU tanning industry has lost a quarter of its industrial base and a third of its workers and has shrunk by over 1 000 production units and some 30 000 workers since the beginning of the 1980s. The greatest loss of production units has occurred in northern Europe. Germany has suffered a particularly sharp decline in the number of tanneries. On the other hand, the turnover of the remaining tanneries in the Community has almost doubled (from some EUR 4 000 million to nearly EUR 8 000 million). EU tanners are adjusting their production to meet higher quality standards and improve the fashion content of leather.
- (28) Companies have generally been owned by the same family for generations, and only 8,5 % fall within the same size category as Weida (21 to 100 employees).
- (29) The shoe industry, taking 50 % of EU tannery products, is the tanning industry's most important market. The clothing industry accounts for some 20 %, the furniture industry for some 17 % and leather goods for 13 %.
- (30) The EU leather industry has to cope with difficult economic conditions in Europe and growing competition from third countries. There is no prospect of a marked increase in demand for leather in the

⁽¹⁾ OJ C 368, 23.12.1994, p. 12.

⁽²⁾ See Panorama of EU industry 1997, 4-25.

Community. Since tanners have been faced with further difficulties as a result of the most recent scandals (e.g. BSE), which have affected the supply of hides and skins and pushed up prices rapidly, many small firms with narrow profit margins will in future have difficulties in procuring raw materials.

III. COMMENTS FROM GERMANY

- (31) After being informed of the initiation of proceedings, Germany argued that the measures taken by the *Land* of Thuringia supported an asset deal resulting from the firm's bankruptcy which should be rated as a privatisation. At the same time, it conceded that the role of Elster KG should be seen as that of a transitional administrator, and that it must therefore be concluded that the actual privatisation of the firm had not yet taken place. Germany also stated that, although there was a rescue plan for the firm, there was no long-term restructuring plan because of the lack of a private investor willing to take over the firm. Since the firm's future direction would necessarily depend on such an investor, no such detailed planning could be presented. To that extent, the rescue plan supporting the takeover of assets would have to suffice to prove the existence of a restructuring plan. The Commission's assessment that neither the expected overall turnover figures nor the profit figures could be achieved was also rejected by Germany. Nevertheless, the latter did concede that, on the basis of the firm's actual results, the originally planned turnover targets had to be corrected. The original target of 1996 for the firm to break even would therefore have to be changed to 1998. However, this would depend on achieving a reduction in interest payments to the firm's banks, something which has not been done.
- (32) With regard to the legal bases for the aid granted, Germany explained that the state guarantees had been granted on the basis of the Commission-approved guarantee scheme administered by LfA and the *Land* of Thuringia. The THA/BvS financial measures associated with the setting-up of the waste water treatment plant were, it was claimed, tantamount to a grant covered by the THA scheme.
- (33) In conclusion, Germany informed the Commission that the firm had filed for bankruptcy on 28 May 1998.

IV. ASSESSMENT OF THE AID

- (34) Germany's aid to Weida and its subsidiary Abwasserreinigungsanlage Schlossmühlenweg Weida GmbH was granted out of public funds. It distorts competition in the single market because it enables the assisted firms to finance a necessary operating investment almost entirely

from the public purse. Since such preferential treatment distorts trade between Member States, these measures fall within the scope of Article 87(1) of the EC Treaty.

- (35) Since Abwasserreinigungsanlage Schlossmühlenweg Weida GmbH was 98 % owned by, and predominantly serves the needs of, Weida, the aid granted to it is examined together with the aid granted to Weida.
- (36) The aid provided by Thuringia and THA/BvS was, for the most part, granted before being notified to the Commission, in breach of Article 88(3) of the EC Treaty.
- (37) Consequently, except where it can be said to have been granted under an aid scheme approved by the Commission, it must be examined as ad hoc aid in accordance with the general rules governing the granting of State aid.

SME investment safeguard programme of the *Land* of Thuringia (C 69/98)

- (38) On 21 October 1993, Thuringia made a grant of DEM 4,5 million under the abovementioned programme, which was approved by the Commission on 26 November 1993. In its communication of 26 August 1993 to the Commission, Germany had expressly stated that the purpose of this aid programme was not to grant rescue and restructuring aid. However, Weida Leder GmbH was always to be regarded as a company in difficulty. Moreover, the aid was granted before the programme had been approved by the Commission. It is not, therefore, covered by an approved aid scheme.

Thuringian fund for the consolidation of firms in difficulty (NN 74/95)

- (39) In December 1995, the *Land* of Thuringia granted a DEM 2 million loan, citing this scheme as the legal basis. Although the fund is designed to assist in the rescue and restructuring of SMEs, it is not necessary to examine in detail whether the conditions of this scheme were met because it was not approved by the Commission until 6 February 1996. The aid was therefore granted without Commission approval and is not covered by an approved scheme.

Guarantee scheme administered by LfA and the *Land* of Thuringia

- (40) Germany stated that the 90 % guarantees in respect of loans of DEM 8 million and DEM 4 million granted on 7 March and 16 September 1994 respectively were

made under the guarantee scheme administered by LfA and the *Land* of Thuringia. It claimed that the guarantee scheme had contained no indication that the arrangements had not been notified at that time. In response to its request for information made when initiating the procedure, the Commission was not fully enough informed to be able to assess the compatibility of this aid.

Joint Federal Government/Länder scheme for improving regional economic structures

- (41) The investment grants of DEM 1,84 million and DEM 0,34 million were awarded under the joint Federal Government/Länder scheme for improving regional economic structures. The DEM 0,34 million grant was not paid out owing to the initiation of the procedure under Article 88(2) of the EC Treaty.
- (42) Weida's subsidiary was awarded investment grants totalling DEM 6,38 million for the waste water treatment plant. These funds were paid out from November 1994 to April 1997. Under the joint scheme, assistance may also be granted in respect of investment to improve infrastructure directly serving industry.
- (43) Although the aid granted under the joint scheme falls within the scope of Article 87(1) of the EC Treaty, it ranks as regional investment aid and is therefore exempt from the general prohibition on aid under Article 87(3)(a).

Second THA scheme ⁽¹⁾

- (44) The DEM 4,84 million in aid granted by THA/BvS for setting up the waste water treatment plant was a non-repayable grant, which is not covered by the THA scheme.
- (45) It follows from the above comments that only the DEM 8,22 million granted under the joint scheme is covered by an approved scheme. The remaining aid of DEM 29,85 million was not granted under an approved scheme. If aid has been granted which is in no way related to a programme approved by the Commission, the derogation under Article 87(3)(c) of the EC Treaty ('aid to facilitate the development of certain economic activities ...', where such aid does not affect trading conditions to an extent contrary to the common interest') may be applicable where the main purpose of the aid in question is the restructuring of a firm in difficulty.
- (46) Such aid may be considered compatible with the common market if the criteria laid down in the guidelines are met.

⁽¹⁾ Commission Decision E 15/92; this provides solely for guarantees and loans.

- (47) When applying the guidelines, it should be borne in mind that they are not generally applicable to newly formed firms (in the context of a rescue) which take over the assets of the firm which is the subject of bankruptcy proceedings. However, this principle is not applied to aid for firms in the new *Länder* because the transition from a planned to a market economy gives rise to particular problems. Low levels of equity capitalisation are typical of firms in the new *Länder*. It can therefore be justified to regard a newly formed company as a firm in difficulty if it organises its business activity as a continuation of the firm being taken over. Given the special conversion-related problems, aid to firms growing out of a company whose assets are the subject of bankruptcy proceedings may be regarded as restructuring aid in certain cases. In such cases, the private investors involved in the newly formed firm must make a significant contribution to restructuring from their own funds.
- (48) In the present case it must be stated that the financing of the company is still provisional, since Weida Leder GmbH has so far not been privatised. Consequently there is no private participation.
- (49) Immediately before the bankruptcy, the tanning firm Weida Leder GmbH produced mainly leather for the furniture industry. Although the firm was unable to become firmly established on the market and there were no prospects of an improvement, the position of this sector of the leather industry was regarded as satisfactory in view of the seemingly sufficient level of capacity utilisation. However, it was not possible to find a private investor and the firm was financed solely on a transitional basis in order to keep it in business.
- (50) The purpose of restructuring aid is to return the assisted firm to viability in the long term. This demands a restructuring plan which, on the basis of both physical and financial restructuring measures (e.g. capital injections, debt reduction), ensures that the firm becomes competitive again and is able to survive without State aid. In the absence of such a plan, the Commission regards aid merely as operating aid designed to offset losses. Such aid is not admissible unless a realistic restructuring plan is submitted subsequently ⁽²⁾. The firm's viability must be restored without there being any undue adverse effects on competition within the Community. The restructuring plan must therefore be far-reaching and sound, and it must indicate precisely which comprehensive measures will restore the firm's long-term profitability so that it will be in a position to cover all its costs and to generate a minimum return on capital. The information at the Commission's disposal

⁽²⁾ See the Commission notice concerning Iritecna (OJ C 328, 25.11.1994, p. 2), the Commission Decision of 27 July 1994 concerning Air France/CDC-P (OJ L 258, 6.10.1994, p. 26), the judgment of the Court of Justice in Joined Cases C-278/92, C-279/92 and C-280/92 *Spain v Commission*, [1994] ECR I-4103 (paragraph 67), and Article 6, point 6.1(b) of the GATT Subsidies Agreement (OJ L 336, 23.12.1994, p. 156).

does not demonstrate beyond any doubt that the aid was granted under a viable restructuring plan with concrete operational measures which would enable the Commission to identify the positive financial results of those measures. Germany actually conceded this in its reply of 26 June 1998 to the Commission letter on the initiation of the procedure, stating that in the present phase it could not present any detailed planning since the firm's future direction necessarily depended on the investor.

(51) Nor, consequently, was it possible to demonstrate how the long-term viability and health of the firm can be guaranteed within a reasonable timescale and on the basis of realistic assumptions as to its future operating conditions. It was also unclear whether and how the firm intended to bring its cost structure and high financial charges under control.

(52) Since the Commission, in its Decision to initiate the procedure under Article 88(2) of the EC Treaty, had explicitly asked Germany to provide all necessary information, in particular with regard to a restructuring plan, it must now take a decision on the basis of the information available to it ⁽¹⁾.

(53) All forecasts concerning the firm's development have turned out to be incorrect. Even before the Article 88(2) procedure was initiated, it was highly unlikely that the firm would be able in the medium term to repay its loans totalling DEM 20,5 million on the basis of a positive cash flow. The forecasts assumed that it would make a loss of DEM 1,7 million in 1998. In addition, because of the letters of subordination, part of these loans effectively constituted equity capital so that any repayment of these loans would have been possible only if an equivalent amount of equity capital or shareholder's loans had been forthcoming. Because of its declining profitability, mounting losses, falling turnover, and soaring debt and interest payments, the firm was eventually forced on 28 May 1998 to file for bankruptcy.

(54) Accordingly, the Commission concludes that the conditions set out in the guidelines are not met. The restructuring aid for Weida cannot therefore be approved.

⁽¹⁾ Case C-47/91 *Italian Republic v Commission* [1994] ECR I-4635 and Case C-301/87 *French Republic v Commission* [1990] ECR I-0307 confirmed by Joined Cases C-324/90 and C-342/90 *Federal Republic of Germany and Pleuger Worthington v Commission* [1994] ECR I-1173.

V. CONCLUSION

(55) The Commission finds that Germany has unlawfully implemented the aid in breach of Article 88(3) of the EC Treaty.

(56) The deciding factor in the Commission's assessment was the fact that there was no investor prepared to take over the firm and that Germany failed to submit a realistic restructuring plan which would have enabled the restoration of the firm's long-term viability. Nor is there a private contribution, so that it cannot be established whether the aid granted is in proportion to the restructuring efforts.

(57) The condition set out in the guidelines that the long-term viability and health of the firm must be restored within a reasonable timescale and on the basis of realistic assumptions as to its future operating conditions cannot therefore be considered to have been fulfilled, so that the aid granted to Weida Leder GmbH and its subsidiary cannot be approved.

(58) The derogation provided for in Article 87(3)(c) of the EC Treaty cannot therefore apply to the DEM 29,85 million in aid granted to Weida Leder GmbH and its subsidiary,

HAS ADOPTED THIS DECISION:

Article 1

The aid which Germany has granted to Weida Leder GmbH, amounting to DEM 23,8 million, and to Abwasserreinigungsanlage Schlossmühlenweg Weida GmbH, amounting to DEM 6,05 million, is incompatible with the common market pursuant to Article 87(1) of the EC Treaty.

Article 2

1. Germany shall take all the necessary measures to recover from the recipients the aid referred to in Article 1 and unlawfully made available to the recipients.

2. Recovery shall be effected in accordance with the procedures of national law. The aid to be recovered shall include interest from the date on which it was made available to the recipients until the date of its recovery. Interest shall be calculated on the basis of the reference rate used for calculating the grant equivalent of regional aid.

Article 3

Germany shall inform the Commission, within two months of notification of this Decision, of the measures taken to comply with it.

Article 4

This Decision is addressed to the Federal Republic of Germany.

Done at Brussels, 14 July 1999.

For the Commission

Mario MONTI

Member of the Commission

COMMISSION DECISION**of 22 February 2000****authorising the placing on the market of 'phospholipides from egg yolk' as a novel food or novel food ingredient under Regulation (EC) No 258/97 of the European Parliament and of the Council***(notified under document number C(2000) 2)***(Only the French text is authentic)**

(2000/195/EC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Regulation (EC) No 258/97 of the European Parliament and of the Council of 27 January 1997 concerning novel food and novel food ingredients ⁽¹⁾, and in particular Article 7 thereof,

Having regard to the request submitted by Belovo to the Belgian competent authorities on 23 January 1998 for placing 'phospholipides from egg yolk' on the market as a novel food or novel food ingredient,

Having regard to the initial assessment report drawn up by the Belgian competent authorities, which the Commission forwarded to all Member States on 29 October 1998,

Whereas:

- (1) Within the 60 day-period laid down in Article 6(4) of the Regulation, reasoned objections were raised in accordance with that provision. In accordance with Article 7 of the Regulation, a decision is therefore to be taken in accordance with the procedure laid down in Article 13 of the Regulation.
- (2) The Scientific Committee for Food has been consulted on this matter in accordance with Article 11 of the Regulation. On 17 June 1999, the Scientific Committee for Food delivered its opinion that there is no reason to believe that the placing on the market of phospholipides purified and concentrated using a new process will have any adverse effect on public health and that the product is safe for human consumption.
- (3) Food additives falling within the scope of Council Directive 89/107/EEC of 21 December 1988 on the approximation of the laws of the Member States concerning food additives authorised for use in foodstuffs intended for human consumption ⁽²⁾, are excluded from the scope of Regulation (EC) No 258/97. This Decision does therefore not constitute authorisation to use phospholipides from egg yolk as a food additive.
- (4) It has therefore been demonstrated that the product complies with the criteria laid down in Article 3(1) of the Regulation.
- (5) The measures provided for in this Decision are in accordance with the opinion of the Standing Committee on Foodstuffs,

HAS ADOPTED THIS DECISION:

Article 1

Phospholipides from egg yolk purified to 85 % and 100 % may be placed on the Community market as novel foods or novel food ingredients.

⁽¹⁾ OJ L 43, 14.2.1997, p. 1.⁽²⁾ OJ L 40, 11.2.1989, p. 27.

Article 2

This Decision is addressed to Belovo, Industrial area 1, 6600 Bastogne, Belgium.

Done at Brussels, 22 February 2000.

For the Commission

Erkki LIIKANEN

Member of the Commission

COMMISSION DECISION

of 22 February 2000

refusing the placing on the market of *Stevia rebaudiana* Bertoni: plants and dried leaves as a novel food or novel food ingredient under Regulation (EC) No 258/97 of the European Parliament and of the Council

(notified under document number C(2000) 77)

(Only the Dutch text is authentic)

(2000/196/EC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Regulation (EC) No 258/97 of the European Parliament and of the Council of 27 January 1997 concerning novel food and novel food ingredients ⁽¹⁾, and in particular Article 7 thereof,

Having regard to the request submitted by Professor J. Geuns of the KUL Laboratory of Plant Physiology to the Belgian competent authorities on 5 November 1997 for placing *Stevia rebaudiana* Bertoni: plants and dried leaves on the market as a novel food or novel food ingredient,

Having regard to the initial assessment report drawn up by the Belgian competent authorities, which the Commission forwarded to all Member States on 18 August 1998,

Whereas:

- (1) The initial assessment report drawn up by the Belgian competent authorities concluded that, based on the information provided, the product should not receive an authorisation to be placed on the market.
- (2) The applicant, in reaction to the initial assessment report, had provided supplementary documentation to the Commission, who brought this information to the attention of the Member States and the Scientific Committee for Food.
- (3) An additional assessment was carried out in accordance with Article 7 of the Regulation. The Scientific Committee for Food adopted an opinion on 17 June 1999 which essentially confirmed the initial assessment report.
- (4) *Stevia rebaudiana* Bertoni: plants and dried leaves, are a novel food in the sense of Regulation (EC) No 258/97. It has not been demonstrated that the product complies with the criteria laid down in Article 3(1) of the Regulation, it shall not be placed on the market in the Community.
- (5) The measures provided for in this Decision are in accordance with the opinion of the Standing Committee for Foodstuffs,

HAS ADOPTED THIS DECISION:

Article 1

Stevia rebaudiana Bertoni: plants and dried leaves may not be placed on the Community market as food or food ingredient.

Article 2

This Decision is addressed to Professor J. Geuns, KUL, Laboratory of Plant Physiology, Kardinaal Mercierlaan 92, 3001 Heverlee, Belgium.

Done at Brussels, 22 February 2000.

For the Commission

Erkki LIIKANEN

Member of the Commission

⁽¹⁾ OJ L 43, 14.2.1997, p. 1.

COMMISSION DECISION

of 1 March 2000

amending Decision 1999/187/EC on the clearance of the accounts presented by the Member States in respect of the expenditure for 1995 of the Guarantee Section of the European Agricultural Guidance and Guarantee Fund (EAGGF)

(notified under document number C(2000) 486)

(Only the German and Italian texts are authentic)

(2000/197/EC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EEC) No 729/70 of 21 April 1970 on the financing of the common agricultural policy ⁽¹⁾, as last amended by Regulation (EC) No 1287/95 ⁽²⁾, and in particular Article 5(2) thereof,

After consulting the Committee of the European Agricultural Guidance and Guarantee Fund,

Whereas:

(1) Before the Commission determines a financial correction within the framework of a decision on the clearance of accounts the Member State must be able, if it wishes, to seek recourse to the conciliation procedure established by Decision 94/442/EC of 1 July 1994 setting up a conciliation procedure in the context of the clearance of the accounts of the European Agricultural Guidance and Guarantee Fund (EAGGF) Guarantee Section ⁽³⁾. In that case it is necessary that the Commission should examine, prior to its decision, the report drawn up by the conciliation body. The time limits laid down for the procedure had not expired, for all the eligible corrections, on the date of adoption of Decision 1999/596/EC of 28 July 1999 ⁽⁴⁾ which last amended Commission Decision 1999/187/EC of 3 February 1999 on the clearance of the accounts presented by the Member States in respect of the expenditure for 1995 of the Guarantee Section of the European Agricultural Guidance and Guarantee Fund (EAGGF) ⁽⁵⁾. Decisions 1999/187/EC and 1999/596/EC did not cover the corresponding amounts of expenditure declared by the Member States concerned in respect of 1995. The conciliation procedure has been completed for all of the financial corrections concerned. As a result, the expenditure relating thereto should be cleared by this Decision.

(2) Within the framework of Case C-245/97 before the Court of Justice concerning the overrun of payment time limits in Germany for 1993 in particular and appealing

against Commission Decision 97/333/EC of 23 April 1997 on the clearance of the accounts presented by the Member States in respect of the expenditure for 1993 on the Guarantee Section of the European Agricultural Guidance and Guarantee Fund (EAGGF) ⁽⁶⁾, the Commission has stated that it is prepared to accept the evidence of compliance with the time limits for payment provided by the German authorities in respect of aid for the temporary set-aside of arable land and to withdraw the financial correction relating thereto.

- (3) Article 8 of Regulation (EEC) No 729/70 provides that the financial consequences arising from irregularities or negligence are not to be borne by the Community if they are the result of irregularities or negligence attributable to administrative authorities or other bodies of the Member States. Some of those financial consequences which cannot be borne by the Community budget should be included within the scope of this Decision.
- (4) This Decision is without prejudice to any financial consequences which may be determined in any subsequent clearance of accounts in respect of State aid or infringements for which the procedures initiated under Articles 88 and 226 of the Treaty are now in progress or were terminated after 31 October 1999.
- (5) This Decision is without prejudice to any financial consequences drawn by the Commission, during a subsequent accounts clearance procedure, from current investigations under way at the time of this Decision, from irregularities within the meaning of Article 8 of Regulation (EEC) No 729/70 or from judgments of the Court of Justice in cases pending on 31 October 1999 and relating to matters covered by this Decision,

HAS ADOPTED THIS DECISION:

Article 1

The sections of the Annex to Decision 1999/187/EC relating to Germany and Italy are hereby replaced by the Annex to this Decision.

⁽¹⁾ OJ L 94, 28.4.1970, p. 13.

⁽²⁾ OJ L 125, 8.6.1995, p. 1.

⁽³⁾ OJ L 182, 16.7.1994, p. 25.

⁽⁴⁾ OJ L 226, 27.8.1999, p. 26.

⁽⁵⁾ OJ L 61, 10.3.1999, p. 37.

⁽⁶⁾ OJ L 139, 30.5.1997, p. 30.

Article 2

The additional amounts of ITL – 74 991 756 585 and DEM + 485 466,68 arising under points 3 of the Annex and chargeable by virtue of this Decision are to be taken into account as part of the expenditure referred to in Article 4(1) of Commission Regulation (EC) No 296/96 ⁽¹⁾ for the month of April 2000.

Article 3

This Decision is addressed to the Federal Republic of Germany and the Italian Republic.

Done at Brussels, 1 March 2000.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ L 39, 17.2.1996, p. 5.

ANNEX

GERMANY

EAGGF Guarantee Section expenditure Financial year: 1995	DEM
1. Expenditure recognised	
(a) Expenditure declared by the Member State in respect of the present clearance	10 424 357 455,08
(b) Expenditure declared during the preceding year but excluded from that clearance	625 852 168,80
(c) Expenditure declared, excluded from the present clearance	0,00
(d) Expenditure declared, which is already subject to a clearance decision	0,00
(e) Expenditure declared, coming under the present clearance (a + b + c + d)	11 050 209 623,88
(f) Expenditure disallowed	- 42 621 660,21
(g) Total expenditure recognised (e + f)	11 007 587 963,67
2. Expenditure charged	
(a) Expenditure charged in respect of the present year	10 420 913 174,43
(b) Expenditure charged in respect of the preceding year, but excluded from that clearance	625 852 168,80
(c) Expenditure charged in respect of the present year, but excluded from the present clearance	0,00
(d) Expenditure charged in respect of the present year, which is already subject to a clearance decision	0,00
(e) Expenditure charged to a later exercise	0,00
(f) Total expenditure charged, coming under the present clearance (a + b + c + d + e)	11 046 765 343,23
3. Expenditure chargeable to or payable to the Member State following clearance of the accounts (2f - 1g)	39 177 379,56

ITALY

EAGGF Guarantee Section expenditure Financial year: 1995	ITL
1. Expenditure recognised	
(a) Expenditure declared by the Member State in respect of the present clearance	8 244 825 976 202
(b) Expenditure declared during the preceding year but excluded from that clearance	449 078 987 827
(c) Expenditure declared, excluded from the present clearance	0
(d) Expenditure declared, which is already subject to a clearance decision	0
(e) Expenditure declared, coming under the present clearance (a + b + c + d)	8 693 904 964 029
(f) Expenditure disallowed	- 235 094 232 639
(g) Total expenditure recognised (e + f)	8 458 810 731 390
2. Expenditure charged	
(a) Expenditure charged in respect of the present year	8 204 701 239 447
(b) Expenditure charged in respect of the preceding year, but excluded from that clearance	449 078 987 827
(c) Expenditure charged in respect of the present year, but excluded from the present clearance	0
(d) Expenditure charged in respect of the present year, which is already subject to a clearance decision	0
(e) Expenditure charged to a later exercise	0
(f) Total expenditure charged, coming under the present clearance (a + b + c + d + e)	8 653 780 227 274
3. Expenditure chargeable to or payable to the Member State following clearance of the accounts (2f - 1g)	194 969 495 884

COMMISSION DECISION

of 25 February 2000

amending Decision 94/652/EC establishing the inventory and distribution of tasks to be undertaken within the framework of cooperation by Member States in the scientific examination of questions relating to food

*(notified under document number C(2000) 498)***(Text with EEA relevance)**

(2000/198/EC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Directive 93/5/EEC of 25 February 1993 on assistance to the Commission and cooperation by the Member States in the scientific examination of questions relating to food ⁽¹⁾, and in particular Article 3 thereof,

Whereas:

- (1) Commission Decision 94/458/EC ⁽²⁾ has laid down rules on the administrative management of cooperation in the scientific examination of questions relating to food.
- (2) Commission Decision 94/652/EC ⁽³⁾ has established the inventory and distribution of tasks to be undertaken within the framework of cooperation by Member States in the scientific examination of questions relating to food. Whereas Article 3 of Directive 93/5/EEC provides for the updating at least every six months of the inventory and distribution of tasks.
- (3) The inventory of tasks should be established and updated having regard to the need for the protection of public health within the Community and the requirements of Community legislation in the foodstuffs sector.
- (4) The tasks should be distributed having regard to the scientific expertise and resources available within the

Member States and in particular, within the institutes which will be participating in the scientific cooperation.

- (5) The measures provided for by this Decision are in accordance with the opinion of the Standing Committee on Food,

HAS ADOPTED THIS DECISION:

Article 1

The Annex to Decision 94/652/EC establishing the inventory and distribution of tasks to be undertaken within the framework of cooperation by Member States in the scientific examination of questions relating to food is hereby replaced by the Annex to this Decision.

Article 2

This Decision is addressed to the Member States.

Done at Brussels, 25 February 2000.

For the Commission

Erkki LIIKANEN

Member of the Commission⁽¹⁾ OJ L 52, 4.3.1993, p. 18.⁽²⁾ OJ L 189, 23.7.1994, p. 84.⁽³⁾ OJ L 253, 29.9.1994, p. 29.

ANNEX

Inventory of tasks to be undertaken by Member States within the framework of cooperation by the Member States in the scientific examination of questions relating to food

Subject, nature and extent of the task	Member States to which the task is distributed	Time limit for completion
1. Flavouring substances 1.1. <i>Chemically defined flavouring substances</i> as listed in the register in the Annex to Commission Decision 1999/217/EC ⁽¹⁾ — to prepare reports for the safety evaluation of chemically defined flavouring substances according to the evaluation programme referred to in article 4 of European Parliament and Council Regulation (EC) No 2232/96 ⁽²⁾ — to establish and maintain a physical and electronic archive of the available toxicological and exposure data for the substances concerned	Denmark (coordinator) Germany, Spain, France, Ireland, Italy, Netherlands, Sweden, United Kingdom	31 December 2004
3. Contaminants 3.1. <i>General questions</i> 3.1.1. Unscheduled and urgent questions to coordinate the collection of data in the Member States required for risk assessment by the Scientific Committee for Food in response to unscheduled and urgent questions related to food contaminants 3.2. <i>Specific questions</i> 3.2.5. Preparation of a working document in support of an EU risk evaluation of dioxins and related PCBs as food contaminants, covering the estimated dietary intakes in individual Member States 3.2.6. Provision of validated methods to support the SCF recommendations regarding 3-monochloropropanediol (3-MCPD) in hydrolysed vegetable protein (HVP) and other foods 3.2.7. Assessment of dietary intake of ochratoxin A by the population of EU Member States	Italy, United Kingdom (joint coordinators) All the Member States ⁽³⁾ Netherlands, Sweden (joint coordinators) Belgium, Denmark, Germany, France, Italy, Finland, United Kingdom ⁽³⁾ United Kingdom (coordinator) Denmark, Germany, Greece, Spain, Ireland, Italy, Netherlands, Austria ⁽³⁾ Italy (coordinator) Denmark, Germany, Spain, France, Ireland, Netherlands, Portugal, Finland, Sweden, United Kingdom ⁽³⁾	31 December 2000 31 March 2000 30 June 2000 31 December 2000
7. Nutrition, allergies and health 7.3. Collection of data on products intended for use in very low calorie diets 7.4. Study of the enzymes used in foodstuffs and collation of data on their safety	Netherlands (coordinator) Belgium, Denmark, Germany, France, Ireland, Italy, Portugal, Finland, Sweden, United Kingdom ⁽³⁾ France (coordinator) Denmark, Germany, Greece, Spain, Ireland, Italy, Netherlands, Portugal, Finland, United Kingdom	31 December 2000 31 March 2000
8. Packaging materials 8.1. Preparation of summary data sheets or reports for the risk assessment of the substances used for or present in food contact materials	Netherlands (coordinator) Denmark, Germany, France, Ireland, Italy, Finland, Sweden, United Kingdom ⁽³⁾	31 December 2002

Subject, nature and extent of the task	Member States to which the task is distributed	Time limit for completion
9. Official food control 9.1. Preparation of a working document in support of the uniform interpretation of legislative standards and the laboratory quality standards prescribed under Council Directive 93/99/EEC ⁽⁴⁾	United Kingdom (coordinator) Belgium, Denmark, Germany, Greece, Spain, France, Ireland, Italy, Netherlands, Austria, Portugal, Finland, Sweden ⁽³⁾	31 December 2000

⁽¹⁾ OJ L 84, 27.3.1999, p. 1.

⁽²⁾ OJ L 299, du 23.11.1996, p. 1.

⁽³⁾ Norway participates in this task.

⁽⁴⁾ OJ L 290, du 29.11.1993, p. 14.

CORRIGENDA

Corrigendum to Commission Regulation (EC) No 2718/1999 of 20 December 1999 amending Regulation (EC) No 97/95 laying down detailed rules for the application of Council Regulation (EEC) No 1766/92 as regards the minimum price and compensatory payment to be paid to potato producers and of Council Regulation (EC) No 1868/94 establishing a quota system in relation to the production of potato starch

(Official Journal of the European Communities L 327 of 21 December 1999)

On page 39, in the Annex, column 6, third line (heading in German):

for: 'Dem Erzeuger für 1 000 kg Kartoffeln zu zahlende Ausgleichszahlung (in EUR)'

read: 'Zahlung an die Erzeuger für 1 000 kg Kartoffeln (in EUR)'.

On page 39, in the Annex, fourth line (heading in Greek):

— in columns 1 to 6:

for: 'πατατών,'

read: 'γεωμήλων'

— in column 6:

for: 'Εξισωτική πληρωμή'

read: 'Πληρωμή'.

On page 41, in the Annex, column 6 'Payment to be paid to the producer per 1 000 kg of potatoes (EUR)':

— for line 418 of the column 'Underwater weight of 5 050 g of potatoes (grams)':

for: '18,67'

read: '18,97'

— for line 451 of the column 'Underwater weight of 5 050 g of potatoes (grams)':

for: '21,98'

read: '20,98'.
