

Official Journal

of the European Communities

ISSN 0378-6978

L 86

Volume 43

7 April 2000

English edition

Legislation

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I Acts whose publication is obligatory

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I

(Acts whose publication is obligatory)

**COUNCIL REGULATION (EC) No 723/2000
of 6 April 2000
amending Regulation (EC) No 1294/1999 concerning a freeze of funds and a ban on investment in
relation to the Federal Republic of Yugoslavia (FRY)**

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty establishing the European Community, and in particular Articles 60 and 301 thereof,

Having regard to Common Position 98/326/CFSP of 7 May 1998 concerning the freezing of funds held abroad by the Governments of the Federal Republic of Yugoslavia (FRY) and the Republic of Serbia ⁽¹⁾, Common Position 98/374/CFSP of 8 June 1998 concerning the prohibition of new investment in Serbia ⁽²⁾, and Common Position 1999/318/CFSP of 10 May 1999 concerning additional restrictive measures against the Federal Republic of Yugoslavia (FRY) ⁽³⁾,

Having regard to the proposal from the Commission,

Whereas:

- (1) The Council adopted Regulation (EC) No 1294/1999 of 15 June 1999 concerning a freeze of funds and a ban on investment in relation to the Federal Republic of Yugoslavia (FRY) ⁽⁴⁾.
- (2) The Council has agreed to maintain its overall policy framework of applying maximum pressure on President Milosevic through the strengthening of the sanctions targeted at the regime, without penalising the Serb people.
- (3) Investments and financial relations in relation to the FRY, especially the Province of Kosovo and the Republic of Montenegro, may be increased by creating greater legal certainty regarding the real targets of the sanctions.
- (4) Under these circumstances, the effectiveness of the existing financial sanctions should be enhanced, *inter alia*, by closing any loopholes that may exist and improving the enforcement.

- (5) At the same time the sanctions regime should be adapted with a view to reducing the negative impact on the interests of the Community without diminishing the impact on the targeted natural and legal persons,

HAS ADOPTED THIS REGULATION:

Article 1

Regulation (EC) No 1294/1999 shall be amended as follows:

1. The following recital shall be added to the preamble:

‘(12) 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 (*).’

(*) OJ L 184, 17.7.1999, p. 23.’

2. Points 1 and 2 of Article 1 shall be replaced by the following:

‘1. *Government of the FRY shall mean:*

- the Government of the Federal Republic of Yugoslavia at any level, its agencies, bodies or organs,
- any company, undertaking, institution, including any financial institution, and entity owned or controlled by that Government,
- any socially-owned entity organised in the Federal Republic of Yugoslavia,
- any successor to such companies, undertakings, institutions and entities as of 26 April 1999,
- any subsidiary or branch, wherever located, of such companies, undertakings, institutions and entities, and
- any person acting or purporting to act for or on behalf of any of the foregoing.

⁽¹⁾ OJ L 143, 14.5.1998, p. 1.

⁽²⁾ OJ L 165, 10.6.1998, p. 1.

⁽³⁾ OJ L 123, 13.5.1999, p. 1.

⁽⁴⁾ OJ L 153, 19.6.1999, p. 63.

2. *Government of the Republic of Serbia shall mean:*

- the Government of the Republic of Serbia at any level, its agencies, bodies or organs,
- any company, undertaking, institution, including any financial institution, and entity owned or controlled by that Government,
- any socially-owned entity organised in the Republic of Serbia,
- any successor to such companies, undertakings, institutions and entities as of 26 April 1999,
- any subsidiary or branch, wherever located, of such companies, undertakings, institutions and entities, and
- any person acting or purporting to act for or on behalf of any of the foregoing.'

3. Article 2 shall be replaced by the following:

'Article 2

1. Any person listed in Annex I shall be deemed to be a person acting or purporting to act for or on behalf of the Government of the FRY or the Government of the Republic of Serbia.

2. Companies, undertakings, institutions or entities listed in Annex II shall be deemed to be owned or controlled by the Government of the FRY or the Government of the Republic of Serbia.

Annex II concerns only companies, undertakings, institutions or entities located, registered or incorporated outside the territory of the FRY.

3. Companies, undertakings, institutions or entities located, registered or incorporated in the Province of Kosovo shall be deemed to be neither owned or controlled by the Government of the FRY or the Government of the Republic of Serbia nor socially owned except for those listed in Annex IV.

4. Companies, undertakings, institutions or entities located, registered or incorporated in the Republic of Montenegro shall be deemed to be neither owned or controlled by the Government of the FRY or the Government of the Republic of Serbia nor socially owned except for those listed in Annex V.

5. In the rest of the FRY:

- companies, undertakings, institutions or entities located, registered or incorporated in the FRY, with the exception of the Province of Kosovo and the Republic of Montenegro, and listed in Annex VI shall be deemed to be neither owned or controlled by the Government of the FRY or the Government of the Republic of Serbia nor socially owned,

- all other companies, undertakings, institutions or entities located, registered or incorporated in the FRY, with the exception of the Province of Kosovo and the Republic of Montenegro, shall be deemed to be owned or controlled by the Government of the FRY or the Government of the Republic of Serbia or to be socially owned.

6. Nothing in this Article shall discharge any natural or legal person from its obligations to exercise due diligence in respect of acting in conformity with the provisions of this Regulation.'

4. Article 6 shall be replaced by the following:

'Article 6

1. Without prejudice to the applicable rules concerning reporting, confidentiality and professional secrecy and to the provisions of Article 284 of the Treaty, banks, other financial institutions, insurance companies, and other bodies and persons shall:

- provide immediately any information which would facilitate compliance with this Regulation, such as accounts and amounts frozen in accordance with Article 3 and transactions executed pursuant to Articles 7 and 8:
 - to the competent authorities of the Member States listed in Annex III where they are resident or located, and
 - directly or through these competent authorities to the Commission,
- cooperate with the competent authorities listed in Annex III in any verification of this information.

2. Any information provided or received in accordance with this Article shall be used only for the purposes for which it was provided or received.

3. Any information directly received by the Commission shall be made available to the competent authorities of the Member States concerned.'

5. In Article 7:

- paragraph 4 shall be replaced by the following:

'4. Article 3(2), and Article 4 shall apply neither to projects within the Province of Kosovo nor to acquisitions of any new, or extension of any existing, participation in, ownership of or control over real estate, a company, undertaking, institution or entity located, registered or incorporated in that province, if such projects, acquisitions or extensions of such participation serve the reconstruction of Kosovo, the return of refugees, or economic and regional cooperation, and are officially approved or recognised as such by UNMIK, and/or the Community or its Member States.'

— the following paragraph shall be added:

‘5. For any payment made under paragraphs 1, 2, 3 or 4, and for any acquisition or extension of participation made under paragraphs 3 or 4, conclusive evidence of the fulfilment of the conditions and the purposes shall be kept available for one year for inspection by the competent authorities listed in Annex III.’

6. In Article 8:

— paragraphs (1) and (2) shall be replaced by the following:

‘1. In accordance with the provisions of Article 9, the Commission shall be empowered:

(a) to amend Annexes I, II, IV, V and VI;

(b) to grant individual or general authorisations:

(i) to unfreeze funds, or make funds available for the benefit of the Government of the FRY or the Government of the Republic of Serbia; or

(ii) to acquire or extend a participation in, ownership of or control over real estate, a company, undertaking, institution or entity referred to in Article 4;

if not to do so would cause damage to the interests of the Community.

2. When amending Annex VI with a view to the inclusion of a company, undertaking, institution or entity located within the FRY with the exception of the Province of Kosovo and the Republic of Montenegro, the Commission shall take due account of the following:

(a) evidence that such a company, undertaking, institution or entity is able to withhold from the Government of the FRY and the Government of the Republic of Serbia, its revenues obtained from transactions with natural or legal persons within the Community;

(b) evidence that such a company, undertaking, institution or entity is engaged in transactions with natural or legal persons within the Community not exceeding, on a monthly basis, a value of EUR 100 000;

(c) evidence that the activities of such a company, undertaking, institution or entity do not cover the following sectors: banking and financial services, energy and fuel supply, production of or trade in military or police equipment, transport, petrochemicals, iron and steel.

3. (a) Those companies, undertakings, institutions or entities which fulfil the criterion in paragraph 2(b), and those in sectors not listed in paragraph 2(c), shall be presumed to be eligible for inclusion in Annex VI unless substantial grounds for non-inclusion are found.

(b) If there is conclusive evidence that any company, undertaking, institution or entity does not meet the criteria in paragraph 2(b) or paragraph 2(c) but does meet the criterion in paragraph 2(a), such a company, undertaking, institution or entity shall be presumed to be eligible for inclusion in Annex VI unless substantial grounds for non-inclusion are found.

4. Any request by a legal or natural person for an authorisation referred to in paragraph 1(b) or for an amendment of Annexes I, II, IV, V or VI shall be made through the competent authorities of the Member States listed in Annex III.

The competent authorities of the Member States shall verify, to the fullest extent possible, the information provided by the persons making a request.’

— the previous paragraph 3 shall become paragraph 5.

7. Article 9 shall be replaced by the following:

‘Article 9

1. For the purposes of implementing Article 8(1) to (4), the Commission shall be assisted by the Committee established under Regulation (EC) No 2271/96 (*).

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

The period laid down in Article 4(3) of Decision 1999/468/EC shall be set at 10 working days.

3. The Committee shall adopt its rules of procedure.

(*) OJ L 309, 29.11.1996, p. 1.’

8. Article 10 shall be replaced by the following:

‘Article 10

The Committee referred to in Article 9 shall examine all questions concerning the application of this Regulation, which may be raised either by the chairman or by a representative of a Member State.

The Committee shall regularly review the effectiveness of the provisions of this Regulation and the Commission shall, on the basis of that review, report regularly to the Council.’

Article 2

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

Article 1(3) shall be applicable as from 15 May 2000.

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

Done at Brussels, 6 April 2000.

For the Council

The President

J. GAMA

COMMISSION REGULATION (EC) No 724/2000
of 6 April 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 7 April 2000.

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

Done at Brussels, 6 April 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 6 April 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	052	126,7
	204	103,5
	624	194,4
	999	141,5
0707 00 05	052	113,0
	068	107,2
	628	149,6
	999	123,3
0709 90 70	052	80,8
	204	35,4
	999	58,1
0805 10 10, 0805 10 30, 0805 10 50	052	54,1
	204	37,2
	212	45,2
	220	33,7
	624	51,8
	999	44,4
0805 30 10	052	35,3
	999	35,3
0808 10 20, 0808 10 50, 0808 10 90	388	99,7
	400	90,1
	404	97,2
	508	85,0
	512	91,6
	528	84,7
	804	104,6
	999	93,3
	388	75,8
	512	74,3
0808 20 50	528	73,8
	720	107,7
	999	82,9

⁽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 725/2000
of 6 April 2000
on the issue of import licences for garlic originating in China

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

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

Having regard to Council Regulation (EC) No 1040/1999 of 20 May 1999 concerning a protective measure applicable to imports of garlic from China ⁽³⁾, as last amended by Regulation (EC) No 51/2000 ⁽⁴⁾, and in particular Article 1(3) thereof,

Whereas:

- (1) Pursuant to Commission Regulation (EEC) No 1859/93 ⁽⁵⁾, as amended by Regulation (EC) No 1662/94 ⁽⁶⁾, the release for free circulation in the Community of garlic imported from third countries is subject to presentation of an import licence.
- (2) Article 1(1) of Regulation (EC) No 1040/1999, restricts the issue of import licences for garlic originating in China to a maximum monthly quantity in the case of applications lodged from 1 June 1999 to 31 May 2000.
- (3) Given the criteria laid down in Article 1(2) of that Regulation and the import licences already issued, the quantity applied for on 3 April 2000 is in excess of the

maximum quantity given in the Annex to that Regulation for the month of April 2000; it is therefore necessary to determine to what extent import licences may be issued in response to these applications; the issue of licences in response to applications lodged after 3 April 2000 and before 2 May 2000 should be refused,

HAS ADOPTED THIS REGULATION:

Article 1

Import licences applied for from 3 April 2000 pursuant to Article 1 of Regulation (EEC) No 1859/93 for garlic falling within CN code 0703 20 00 originating in China shall be issued for 0,65654 % of the quantity applied for, having regard to the information available to the Commission on 5 April 2000.

For the abovementioned products applications for import licences lodged after 3 April 2000 and before 2 May 2000 shall be refused.

Article 2

This Regulation shall enter into force on 7 April 2000.

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

Done at Brussels, 6 April 2000.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ L 297, 21.11.1996, p. 1.

⁽²⁾ OJ L 160, 26.6.1999, p. 80.

⁽³⁾ OJ L 127, 21.5.1999, p. 10.

⁽⁴⁾ OJ L 6, 11.1.2000, p. 18.

⁽⁵⁾ OJ L 170, 13.7.1993, p. 10.

⁽⁶⁾ OJ L 176, 9.7.1994, p. 1.

COMMISSION REGULATION (EC) No 726/2000**of 6 April 2000****fixing the maximum export refund on barley in connection with the invitation to tender issued in Regulation (EC) No 1701/1999**

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⁾,

Having regard to Commission Regulation (EC) No 1501/95 of 29 June 1995 laying down certain detailed rules for the application of Council Regulation (EEC) No 1766/92 on the granting of export refunds on cereals and the measures to be taken in the event of disturbance on the market for cereals ⁽³⁾, as last amended by Regulation (EC) No 2513/98 ⁽⁴⁾, and in particular Article 4 thereof,

Whereas:

- (1) An invitation to tender for the refund and/or the tax for the export of barley to all third countries except for the United States of America and Canada was opened pursuant to Commission Regulation (EC) No 1701/1999 ⁽⁵⁾, as amended by Regulation (EC) No 2322/1999 ⁽⁶⁾.
- (2) Article 7 of Regulation (EC) No 1501/95 provides that the Commission may, on the basis of the tenders notified, in accordance with the procedure laid down in Article 23 of Regulation (EEC) No 1766/92, decide to fix

a maximum export refund taking account of the criteria referred to in Article 1 of Regulation (EC) No 1501/95. In that case a contract is awarded to any tenderer whose bid is equal to or lower than the maximum refund, as well as to any tenderer whose bid relates to an export tax.

- (3) The application of the abovementioned criteria to the current market situation for the cereal in question results in the maximum export refund being fixed at the amount specified in Article 1.
- (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

For tenders notified from 31 March to 6 April 2000, pursuant to the invitation to tender issued in Regulation (EC) No 1701/1999, the maximum refund on exportation of barley shall be EUR 27,99/t.

Article 2

This Regulation shall enter into force on 7 April 2000.

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

Done at Brussels, 6 April 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 147, 30.6.1995, p. 7.

⁽⁴⁾ OJ L 313, 21.11.1998, p. 16.

⁽⁵⁾ OJ L 201, 31.7.1999, p. 27.

⁽⁶⁾ OJ L 280, 30.10.1999, p. 77.

COMMISSION REGULATION (EC) No 727/2000**of 6 April 2000****fixing the maximum export refund on common wheat in connection with the invitation to tender issued in Regulation (EC) No 1707/1999**

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⁾,

Having regard to Commission Regulation (EC) No 1501/95 of 29 June 1995 laying down certain detailed rules for the application of Council Regulation (EEC) No 1766/92 on the granting of export refunds on cereals and the measures to be taken in the event of disturbance on the market for cereals ⁽³⁾, as last amended by Regulation (EC) No 2513/98 ⁽⁴⁾, and in particular Article 4 thereof,

Whereas:

- (1) An invitation to tender for the refund and/or the tax for the export of common wheat to all third countries was opened pursuant to Commission Regulation (EC) No 1707/1999 ⁽⁵⁾, as amended by Regulation (EC) No 2011/1999 ⁽⁶⁾.
- (2) Article 7 of Regulation (EC) No 1501/95 provides that the Commission may, on the basis of the tenders notified, in accordance with the procedure laid down in Article 23 of Regulation (EEC) No 1766/92, decide to fix

a maximum export refund taking account of the criteria referred to in Article 1 of Regulation (EC) No 1501/95. In that case a contract is awarded to any tenderer whose bid is equal to or lower than the maximum refund, as well as to any tenderer whose bid relates to an export tax.

- (3) The application of the abovementioned criteria to the current market situation for the cereal in question results in the maximum export refund being fixed at the amount specified in Article 1.
- (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

For tenders notified from 31 March to 6 April 2000, pursuant to the invitation to tender issued in Regulation (EC) No 1707/1999, the maximum refund on exportation of common wheat shall be EUR 33,43/t.

Article 2

This Regulation shall enter into force on 7 April 2000.

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

Done at Brussels, 6 April 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 147, 30.6.1995, p. 7.

⁽⁴⁾ OJ L 313, 21.11.1998, p. 16.

⁽⁵⁾ OJ L 201, 31.7.1999, p. 55.

⁽⁶⁾ OJ L 248, 21.9.1999, p. 23.

COMMISSION REGULATION (EC) No 728/2000**of 6 April 2000****concerning tenders notified in response to the invitation to tender for the export of common wheat issued in Regulation (EC) No 2010/1999**

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⁾,

Having regard to Commission Regulation (EC) No 1501/95 of 29 June 1995 laying down certain detailed rules for the application of Council Regulation (EEC) No 1766/92 on the granting of export refunds on cereals and the measures to be taken in the event of disturbance on the market for cereals ⁽³⁾, as last amended by Regulation (EC) No 2513/98 ⁽⁴⁾, and in particular Article 7 thereof,

Whereas:

- (1) An invitation to tender for the refund and/or the tax for the export of common wheat to certain ACP States was opened pursuant to Commission Regulation (EC) No 2010/1999 ⁽⁵⁾.
- (2) Article 7 of Regulation (EC) No 1501/95 allows the Commission to decide, in accordance with the procedure laid down in Article 23 of Regulation (EEC) No 1766/92

and on the basis of the tenders notified, to make no award.

- (3) On the basis of the criteria laid down in Article 1 of Regulation (EC) No 1501/95 a maximum refund or minimum tax should not be fixed.
- (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

No action shall be taken on the tenders notified from 31 March to 6 April 2000 in response to the invitation to tender for the refund or the tax for the export of common wheat issued in Regulation (EC) No 2010/1999.

Article 2

This Regulation shall enter into force on 7 April 2000.

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

Done at Brussels, 6 April 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 147, 30.6.1995, p. 7.

⁽⁴⁾ OJ L 313, 21.11.1998, p. 16.

⁽⁵⁾ OJ L 248, 21.9.1999, p. 19.

COMMISSION REGULATION (EC) No 729/2000
of 6 April 2000
fixing the corrective amount applicable to the refund on cereals

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

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

Whereas:

- (1) Article 13 (8) of Regulation (EEC) No 1766/92 provides that the export refund applicable to cereals on the day on which application for an export licence is made must be applied on request to exports to be effected during the period of validity of the export licence; whereas, in this case, a corrective amount may be applied to the refund.
- (2) Commission Regulation (EC) No 1501/95 of 29 June 1995 laying down certain detailed rules under Council Regulation (EEC) No 1766/92 on the granting of export refunds on cereals and the cereals and the measures to be taken in the event of disturbance on the market for cereals ⁽³⁾, as last amended by Regulation (EC) No 2513/98 ⁽⁴⁾, allows for the fixing of a corrective amount for the products listed in Article 1(1) (c) of Regulation (EEC) No 1766/92; that corrective amount must be calculated taking account of the factors referred to in Article 1 of Regulation (EC) No 1501/95.

- (3) The world market situation or the specific requirements of certain markets may make it necessary to vary the corrective amount according to destination.
- (4) The corrective amount must be fixed at the same time as the refund and according to the same procedure; it may be altered in the period between fixings.
- (5) It follows from applying the provisions set out above that the corrective amount must be as set out in the Annex hereto.
- (6) 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 corrective amount referred to in Article 1(1) (a), (b) and (c) of Regulation (EEC) No 1766/92 which is applicable to export refunds fixed in advance except for malt shall be as set out in the Annex hereto.

Article 2

This Regulation shall enter into force on 7 April 2000.

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

Done at Brussels, 6 April 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 147, 30.6.1995, p. 7.

⁽⁴⁾ OJ L 313, 21.11.1998, p. 16.

ANNEX

to the Commission Regulation of 6 April 2000 fixing the corrective amount applicable to the refund on cereals

(EUR/t)

Product code	Destination ⁽¹⁾	Current 4	1st period 5	2nd period 6	3rd period 7	4th period 8	5th period 9	6th period 10
1001 10 00 9200	—	—	—	—	—	—	—	—
1001 10 00 9400	01	0	-1,00	-1,00	0	-1,00	—	—
1001 90 91 9000	—	—	—	—	—	—	—	—
1001 90 99 9000	03	0	0	0	-10,00	-10,00	-10,00	-10,00
	02	0	0	0	-10,00	-10,00	—	—
1002 00 00 9000	01	0	0	0	-10,00	-10,00	—	—
1003 00 10 9000	—	—	—	—	—	—	—	—
1003 00 90 9000	01	0	0	-15,00	-15,00	-15,00	—	—
1004 00 00 9200	—	—	—	—	—	—	—	—
1004 00 00 9400	01	0	0	0	-5,00	-5,00	—	—
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	0	-13,70	-13,70	—	—
1101 00 15 9130	01	0	0	0	-12,80	-12,80	—	—
1101 00 15 9150	01	0	0	0	-11,80	-11,80	—	—
1101 00 15 9170	01	0	0	0	-10,90	-10,90	—	—
1101 00 15 9180	01	0	0	0	-10,20	-10,20	—	—
1101 00 15 9190	—	—	—	—	—	—	—	—
1101 00 90 9000	—	—	—	—	—	—	—	—
1102 10 00 9500	01	0	0	0	-13,70	-13,70	—	—
1102 10 00 9700	01	0	0	0	-10,80	-10,80	—	—
1102 10 00 9900	—	—	—	—	—	—	—	—
1103 11 10 9200	01	0	-1,50	-1,50	0	-1,50	—	—
1103 11 10 9400	01	0	-1,34	-1,34	0	-1,34	—	—
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 730/2000**of 6 April 2000****fixing the export refunds on cereals and on wheat or rye flour, groats and meal**

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 13 (2) thereof,

Whereas:

- (1) Article 13 of Regulation (EEC) No 1766/92 provides that the difference between quotations or prices on the world market for the products listed in Article 1 of that Regulation and prices for those products in the Community may be covered by an export refund.
- (2) The refunds must be fixed taking into account the factors referred to in Article 1 of Commission Regulation (EC) No 1501/95 of 29 June 1995 laying down certain detailed rules under Council Regulation (EEC) No 1766/92 on the granting of export refunds on cereals and the measures to be taken in the event of disturbance on the market for cereals⁽³⁾, as last amended by Regulation (EC) No 2513/98⁽⁴⁾.
- (3) As far as wheat and rye flour, groats and meal are concerned, when the refund on these products is being calculated, account must be taken of the quantities of cereals required for their manufacture; whereas these quantities were fixed in Regulation (EC) No 1501/95.

- (4) The world market situation or the specific requirements of certain markets may make it necessary to vary the refund for certain products according to destination.
- (5) The refund must be fixed once a month; whereas it may be altered in the intervening period.
- (6) It follows from applying the detailed rules set out above to the present situation on the market in cereals, and in particular to quotations or prices for these products within the Community and on the world market, that the refunds should be as set out in the Annex hereto.
- (7) The measures provided for in this Regulation are in accordance with the opinion of the Management Committee for Cereals,

HAS ADOPTED THIS REGULATION:

Article 1

The export refunds on the products listed in Article 1(a), (b) and (c) of Regulation (EEC) No 1766/92, excluding malt, exported in the natural state, shall be as set out in the Annex hereto.

Article 2

This Regulation shall enter into force on 7 April 2000.

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

Done at Brussels, 6 April 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 147, 30.6.1995, p. 7.

⁽⁴⁾ OJ L 313, 21.11.1998, p. 16.

ANNEX

**to the Commission Regulation of 6 April 2000 fixing the export refunds on cereals and on wheat or rye flour,
groats and meal**

(EUR/t)			(EUR/t)		
Product code	Destination ⁽¹⁾	Amount of refund	Product code	Destination ⁽¹⁾	Amount of refund
1001 10 00 9200	—	—	1101 00 11 9000	—	—
1001 10 00 9400	01	0	1101 00 15 9100	01	45,75
1001 90 91 9000	—	—	1101 00 15 9130	01	43,00
1001 90 99 9000	03	23,50	1101 00 15 9150	01	39,75
	02	0	1101 00 15 9170	01	36,75
1002 00 00 9000	03	55,00	1101 00 15 9180	01	34,25
	02	0	1101 00 15 9190	—	—
1003 00 10 9000	—	—	1101 00 90 9000	—	—
1003 00 90 9000	03	18,00	1102 10 00 9500	01	87,00
	02	0	1102 10 00 9700	01	68,50
1004 00 00 9200	—	—	1102 10 00 9900	—	—
1004 00 00 9400	—	—	1103 11 10 9200	01	0 ⁽²⁾
1005 10 90 9000	—	—	1103 11 10 9400	01	0 ⁽²⁾
1005 90 00 9000	03	28,00	1103 11 10 9900	—	—
	02	0	1103 11 90 9200	01	0 ⁽²⁾
1007 00 90 9000	—	—	1103 11 90 9800	—	—
1008 20 00 9000	—	—			

⁽¹⁾ The destinations are identified as follows:

- 01 all third countries,
- 02 other third countries,
- 03 Switzerland, Liechtenstein.

⁽²⁾ No refund is granted when this product contains compressed meal.

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

II

(Acts whose publication is not obligatory)

COMMISSION

COMMISSION DECISION

of 27 March 2000

on the procedure for attesting the conformity of construction products pursuant to Article 20(2) of Council Directive 89/106/EEC as regards seven products for European Technical Approvals without Guideline

(notified under document number C(2000) 668)

(Text with EEA relevance)

(2000/273/EC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Directive 89/106/EEC of 21 December 1988 on the approximation of laws, regulations and administrative provisions of the Member States relating to construction products⁽¹⁾, as amended by Directive 93/68/EEC⁽²⁾, and in particular Article 13(4) thereof,

Whereas:

(1) The Commission is required to select, as between the two procedures under Article 13(3) of Directive 89/106/EEC for attesting the conformity of a product, the 'least onerous possible procedure consistent with safety'. This means that it is necessary to decide whether, for a given product, the existence of a factory production control system under the responsibility of the manufacturer is a necessary and sufficient condition for an attestation of conformity, or whether, for reasons related to compliance with the criteria mentioned in Article 13(4), the intervention of an approved certification body is required.

(2) Article 13(4) requires that the procedure thus determined must be indicated in the mandates and in the technical specifications. It is therefore desirable to identify the products referred to in the technical specifications.

(3) The two procedures provided for in Article 13(3) are described in detail in Annex III to Directive 89/106/EEC. It is necessary therefore to specify clearly the methods by which the two procedures must be implemented, by reference to Annex III, for each product, since Annex III gives preference to certain systems.

(4) The procedure referred to in point (a) of Article 13(3) corresponds to the systems set out in the first possibility, without continuous surveillance, and the second and third possibilities of point (ii) of section 2 of Annex III. The procedure referred to in point (b) of Article 13(3) corresponds to the systems set out in point (i) of section 2 of Annex III, and in the first possibility, with continuous surveillance, of point (ii) of section 2 of Annex III.

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

HAS ADOPTED THIS DECISION:

Article 1

The products set out in Annex I shall have their conformity attested by a procedure whereby the manufacturer has under its sole responsibility a factory production control system ensuring that the product is in conformity with the relevant technical specifications.

⁽¹⁾ OJ L 40, 11.2.1989, p. 12.

⁽²⁾ OJ L 220, 30.8.1993, p. 1.

Article 2

The products set out in Annex II shall have their conformity attested by a procedure whereby, in addition to a factory production control system operated by the manufacturer, an approved certification body is involved in assessment and surveillance of the production control or of the product itself.

Article 3

The procedure for attesting conformity as set out in Annex III shall be indicated in the relevant European technical approvals.

Article 4

This Decision is addressed to the Member States.

Done at Brussels, 27 March 2000.

For the Commission

Erkki LIIKANEN

Member of the Commission

*ANNEX I***Vibration and impact noise isolation kit for floating floors (EOTA ref. 05.03/03):**

For uses except those subject to reaction to fire regulations for products made of materials falling into classes A_{FL} (*), B_{FL} (*), C_{FL} (*),

Vibration and noise isolation kit for walls (EOTA ref. 06.01/09):

For uses except those subject to reaction to fire regulations for products made of materials falling into classes A (*), B (*), C (*),

Wall plates made of stainless steel (EOTA ref. 06.04/04)**Waste water trap kit (EOTA ref. 07.04/04)**

(*) Materials for which the reaction to fire performance is susceptible to change during production. (In general, those subject to chemical modification, for example fire retardants, or where changes of composition may lead to changes in reaction to fire performance).

ANNEX II

Vibration and impact noise isolation kit for floating floors (EOTA ref. 05.03/03):

For uses subject to reaction to fire regulations for products made of materials falling into classes A_{FL} (*), B_{FL} (*), C_{FL} (*)

Vibration and noise isolation kit for walls (EOTA ref. 06.01/09):

For uses subject to reaction to fire regulations for products made of materials falling into classes A (*), B (*), C (*)

Channel bars (EOTA ref. 06.01/01)**Chemical anchoring kit (EOTA ref. 06.01/11)****Epoxy concrete/glass-reinforced polyester/epoxy mortar anchoring kit (EOTA ref. 06.03/03)**

(*) Materials for which the reaction to fire performance is susceptible to change during production. (In general, those subject to chemical modification, for example fire retardants, or where changes of composition may lead to changes in reaction to fire performance).

ANNEX III

ATTESTATION OF CONFORMITY

Note: For products/kits having more than one of the intended uses specified in the following families, the tasks for the approved body, derived from the relevant systems of attestation of conformity, are cumulative.

PRODUCT FAMILY

SEVEN PRODUCTS FOR EUROPEAN TECHNICAL APPROVALS (1/2)

Systems of attestation of conformity

For the product(s) and intended use(s) listed below, EOTA is requested to specify the following system(s) of attestation of conformity in the relevant European technical approval:

Product(s)	Intended use(s)	Level(s) or class(es)	Attestation of conformity system(s)
Channel bars (EOTA ref. 06.01/01) Chemical anchoring kit (EOTA ref. 06.01/11)	for anchoring uses	—	1
Epoxy concrete/glass-reinforced polyester/epoxy mortar anchoring kit (EOTA ref. 06.03/03)	for structural repair	—	1
Wall plates made of stainless steel (EOTA ref. 06.04/04)	for use in masonry walls	—	3
Vibration and impact noise isolation kit for floating floors (EOTA ref. 05.03/03) Vibration and noise isolation kit for walls (EOTA ref. 06.01/09)	for use inside buildings	—	3
Waste water trap kit (EOTA ref. 07.04/04)	for use inside buildings	—	4

System 1: See Directive 89/106/EEC, Annex III.2(i), without audit-testing of samples.

System 3: See Directive 89/106/EEC, Annex III.2(ii), second possibility.

System 4: See Directive 89/106/EEC, Annex III.2(ii), third possibility.

The specification for the system should be such that it can be implemented even where performance does not need to be determined for a certain characteristic, because at least one Member State has no legal requirement at all for such a characteristic (see Article 2(1) of Directive 89/106/EEC and, where applicable, point 1.2.3 of the interpretative documents). In those cases the verification of such a characteristic must not be imposed on the manufacturer if he does not wish to declare the performance of the product in that respect.

PRODUCT FAMILY

SEVEN PRODUCTS FOR EUROPEAN TECHNICAL APPROVALS (2/2)

Systems of attestation of conformity

For the product(s) and intended use(s) listed below, EOTA is requested to specify the following system(s) of attestation of conformity in the relevant European technical approval:

Product(s)	Intended use(s)	Level(s) or class(es)	Attestation of conformity system(s)
Vibration and impact noise isolation kit for floating floors (EOTA ref. 05.03/03) Vibration and noise isolation kit for walls (EOTA ref. 06.01/09)	for uses subject to reaction to fire regulations	A (*), B (*), C (*) A _{FL} (*), B _{FL} (*), C _{FL} (*)	1
		A (**), B (**), C (**) A _{FL} (**), B _{FL} (**), C _{FL} (**)	3
		A (***), D, E, F A _{FL} (***), D _{FL} , E _{FL} , F _{FL}	4

System 1: See Directive 89/106/EEC, Annex III.2(i), without audit-testing of samples.

System 3: See Directive 89/106/EEC, Annex III.2(ii), second possibility.

System 4: See Directive 89/106/EEC, Annex III.2(ii), third possibility.

(*) Materials for which the reaction to fire performance is susceptible to change during production. (In general, those subject to chemical modification, for example fire retardants, or where changes of composition may lead to changes in reaction to fire performance).

(**) Materials for which the reaction to fire performance is not susceptible to change during the production process.

(***) Materials of class A that according to the Decision 96/603/EC do not require to be tested for reaction to fire.

The specification for the system should be such that it can be implemented even where performance does not need to be determined for a certain characteristic, because at least one Member State has no legal requirement at all for such a characteristic (see Article 2(1) of Directive 89/106/EEC and, where applicable, point 1.2.3 of the interpretative documents). In those cases the verification of such a characteristic must not be imposed on the manufacturer if he does not wish to declare the performance of the product in that respect.

COMMISSION DECISION
of 27 March 2000
approving the programme of new olive-tree planting in Greece

(notified under document number C(2000) 825)

(Only the Greek text is authentic)

(2000/274/EC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EC) No 1638/98 of 20 July 1998 amending Regulation No 136/66/EEC on the establishment of a common organisation of the market in oils and fats ⁽¹⁾, and in particular Article 4 thereof,

Having regard to Commission Regulation (EC) No 2366/98 of 30 October 1998 laying down detailed rules for the application of the system of production aid for olive oil for the 1998/1999, 1999/2000 and 2000/2001 marketing years ⁽²⁾, as amended by Regulation (EC) No 1273/1999 ⁽³⁾, and in particular Article 4(1) thereof,

Whereas:

- (1) Article 4 of Regulation (EC) No 1638/98 provides that no aid under the common organisation of the market in oils and fats in force from 1 November 2001 may be paid to olive growers in respect of additional olive trees and the relevant areas planted after 1 May 1998 and those not covered by a cultivation declaration at a date to be determined. However, pursuant to the same Article, additional olive trees planted in connection with the conversion of old olive plantations and new plantings on areas covered by programmes approved by the Commission may be taken into account within certain limits to be determined.
- (2) Article 4 of Regulation (EC) No 1638/98 provides for a programme to be approved by the Commission covering 3 500 ha in Greece.

- (3) The Greek national programme of new plantings forwarded on 24 January 2000 by the Greek authorities to the Commission for approval contains the information specified in Article 4(3) of Regulation (EC) No 2366/98. The programme covers the whole area provided for in Article 4 of Regulation (EC) No 1638/98.

- (4) The measures provided for in this Decision are in accordance with the opinion of the Management Committee for Oils and Fats,

HAS ADOPTED THIS DECISION:

Article 1

The Greek national programme for new planting of 3 500 hectares of olive groves provided for in Article 4 of Regulation (EC) No 1638/98 is hereby approved.

Article 2

This Decision is addressed to the Hellenic Republic.

Done at Brussels, 27 March 2000.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ L 210, 28.7.1998, p. 32.

⁽²⁾ OJ L 293, 31.10.1998, p. 50.

⁽³⁾ OJ L 151, 18.6.1999, p. 12.