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Legislation

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I

(Acts whose publication is obligatory)

COMMISSION REGULATION (EC) No 731/2000
of 7 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 8 April 2000.

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

Done at Brussels, 7 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 7 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	129,5
	204	115,3
	624	194,4
	999	146,4
0707 00 05	052	113,0
	068	107,2
	628	146,6
	999	122,3
0709 90 70	052	76,6
	204	34,6
	999	55,6
0805 10 10, 0805 10 30, 0805 10 50	052	54,1
	204	34,8
	212	38,8
	220	33,7
	624	51,1
	999	42,5
0805 30 10	052	35,3
	999	35,3
0808 10 20, 0808 10 50, 0808 10 90	388	95,6
	400	92,1
	404	92,8
	508	83,9
	512	88,3
	528	85,4
	720	76,9
	804	104,2
	999	89,9
	388	70,2
0808 20 50	400	65,5
	512	69,0
	528	85,8
	720	107,7
	999	79,6

⁽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 732/2000**of 7 April 2000****fixing the export refunds on rice and broken rice and suspending the issue of export licences**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EC) No 3072/95 of 22 December 1995 on the common organisation of the market in rice ⁽¹⁾, as last amended by Regulation (EC) No 2072/98 ⁽²⁾, and in particular the second subparagraph of Article 13(3) and (15) thereof,

Whereas:

- (1) Article 13 of Regulation (EC) No 3072/95 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 within the Community may be covered by an export refund.
- (2) Article 13(4) of Regulation (EC) No 3072/95, provides that when refunds are being fixed account must be taken of the existing situation and the future trend with regard to prices and availabilities of rice and broken rice on the Community market on the one hand and prices for rice and broken rice on the world market on the other. The same Article provides that it is also important to ensure equilibrium and the natural development of prices and trade on the rice market and, furthermore, to take into account the economic aspect of the proposed exports and the need to avoid disturbances of the Community market with limits resulting from agreements concluded in accordance with Article 300 of the Treaty.
- (3) Commission Regulation (EEC) No 1361/76 ⁽³⁾ lays down the maximum percentage of broken rice allowed in rice for which an export refund is fixed and specifies the percentage by which that refund is to be reduced where the proportion of broken rice in the rice exported exceeds that maximum.
- (4) Export possibilities exist for a quantity of 3 589 tonnes of rice to certain destinations. The procedure laid down in Article 7(4) of Commission Regulation (EC) No 1162/95 ⁽⁴⁾, as last amended by Regulation (EC) No 1432/1999 ⁽⁵⁾ should be used. Account should be taken of this when the refunds are fixed.

- (5) Article 13(5) of Regulation (EC) No 3072/95 defines the specific criteria to be taken into account when the export refund on rice and broken rice is being calculated.
- (6) 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.
- (7) A separate refund should be fixed for packaged long grain rice to accommodate current demand for the product on certain markets.
- (8) The refund must be fixed at least once a month; whereas it may be altered in the intervening period.
- (9) It follows from applying these rules and criteria to the present situation on the market in rice and in particular to quotations or prices for rice and broken rice within the Community and on the world market, that the refund should be fixed as set out in the Annex hereto.
- (10) For the purposes of administering the volume restrictions resulting from Community commitments in the context of the WTO, the issue of export licences with advance fixing of the refund should be restricted.
- (11) 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 of Regulation (EC) No 3072/95 with the exception of those listed in paragraph 1(c) of that Article, exported in the natural state, shall be as set out in the Annex hereto.

Article 2

With the exception of the quantity of 3 589 tonnes provided for in the Annex, the issue of export licences with advance fixing of the refund is suspended.

Article 3

This Regulation shall enter into force on 10 April 2000.

⁽¹⁾ OJ L 329, 30.12.1995, p. 18.

⁽²⁾ OJ L 265, 30.9.1998, p. 4.

⁽³⁾ OJ L 154, 15.6.1976, p. 11.

⁽⁴⁾ OJ L 117, 24.5.1995, p. 2.

⁽⁵⁾ OJ L 166, 1.7.1999, p. 56.

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

Done at Brussels, 7 April 2000.

For the Commission

Franz FISCHLER

Member of the Commission

ANNEX

to the Commission Regulation of 7 April 2000 fixing the export refunds on rice and broken rice and suspending, the issue of export licences

(EUR/t)			(EUR/t)		
Product code	Destination ⁽¹⁾	Amount of refunds	Product code	Destination ⁽¹⁾	Amount of refunds
1006 20 11 9000	01	120,00	1006 30 65 9900	01	150,00
1006 20 13 9000	01	120,00		04	156,00
1006 20 15 9000	01	120,00	1006 30 67 9100	05	156,00
1006 20 17 9000	—	—	1006 30 67 9900	—	—
1006 20 92 9000	01	120,00	1006 30 92 9100	01	150,00
1006 20 94 9000	01	120,00		02	156,00 ⁽²⁾
1006 20 96 9000	01	120,00		03	161,00 ⁽²⁾
1006 20 98 9000	—	—		04	156,00
1006 30 21 9000	01	120,00		05	156,00
1006 30 23 9000	01	120,00	1006 30 92 9900	01	150,00
1006 30 25 9000	01	120,00		04	156,00
1006 30 27 9000	—	—	1006 30 94 9100	01	150,00
1006 30 42 9000	01	120,00		02	156,00 ⁽²⁾
1006 30 44 9000	01	120,00		03	161,00 ⁽²⁾
1006 30 46 9000	01	120,00		04	156,00
1006 30 48 9000	—	—		05	156,00
1006 30 61 9100	01	150,00	1006 30 94 9900	01	150,00
	02	156,00 ⁽²⁾		04	156,00
	03	161,00 ⁽²⁾	1006 30 96 9100	01	150,00
	04	156,00		02	156,00 ⁽²⁾
	05	156,00		03	161,00 ⁽²⁾
1006 30 61 9900	01	150,00		04	156,00
	04	156,00		05	156,00
1006 30 63 9100	01	150,00	1006 30 96 9900	01	150,00
	02	156,00 ⁽²⁾		04	156,00
	03	161,00 ⁽²⁾	1006 30 98 9100	05	156,00
	04	156,00	1006 30 98 9900	—	—
	05	156,00	1006 40 00 9000	—	—
1006 30 63 9900	01	150,00			
	04	156,00			
1006 30 65 9100	01	150,00			
	02	156,00 ⁽²⁾			
	03	161,00 ⁽²⁾			
	04	156,00			
	05	156,00			

⁽¹⁾ The destinations are identified as follows:

01 Liechtenstein, Switzerland, the communes of Livigno and Campione d'Italia, refunds fixed under the procedure laid down in Article 7(4) of Regulation (EC) No 1162/95 in respect of a total quantity of 1 052 t of wholly milled rice equivalent,

02 Zones I, II, III, VI, excluding Turkey,

03 Zones IV, V, VII (c), Canada and Zone VIII excluding Suriname, Guyana and Madagascar,

04 Destinations mentioned in Article 34 of amended Commission Regulation (EEC) No 3665/87, refunds fixed under the procedure laid down in Article 7(4) of Regulation (EC) No 1162/95 in respect of a total quantity of 800 t,

05 Ceuta and Melilla, refunds fixed under the procedure laid down in Article 7(4) of Regulation (EC) No 1162/95 in respect of a total quantity of 92 t.

⁽²⁾ For rice of destinations 02 and 03, refunds fixed under the procedure laid down in Article 7(4) of Regulation (EC) No 1162/95 in respect of a total quantity of 1 645 t.

NB: The zones are those defined in the Annex to amended Commission Regulation (EEC) No 2145/92.

COMMISSION REGULATION (EC) No 733/2000**of 7 April 2000****fixing the maximum export refund on wholly milled long grain rice in connection with the invitation to tender issued in Regulation (EC) No 2176/1999**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EC) No 3072/95 of 22 December 1995 on the common organisation of the market in rice ⁽¹⁾, as last amended by Regulation (EC) No 2072/98 ⁽²⁾, and in particular Article 13 (3) thereof,

Whereas:

- (1) An invitation to tender for the export refund on rice was issued pursuant to Commission Regulation (EC) No 2176/1999 ⁽³⁾.
- (2) Article 5 of Commission Regulation (EEC) No 584/75 ⁽⁴⁾, as last amended by Regulation (EC) No 299/95 ⁽⁵⁾, allows the Commission to fix, in accordance with the procedure laid down in Article 22 of Regulation (EC) No 3072/95 and on the basis of the tenders submitted, a maximum export refund. In fixing this maximum, the criteria provided for in Article 13 of Regulation (EC) No 3072/95 must be taken into account. A contract is awarded to any tenderer whose tender is equal to or less than the maximum export refund.

(3) The application of the abovementioned criteria to the current market situation for the rice 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

The maximum export refund on wholly milled long grain rice falling within CN code 1006 30 67 to be exported to certain third countries pursuant to the invitation to tender issued in Regulation (EC) No 2176/1999 is hereby fixed on the basis of the tenders submitted from 31 March to 6 April 2000 at 277,00 EUR/t.

Article 2

This Regulation shall enter into force on 8 April 2000.

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

Done at Brussels, 7 April 2000.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ L 329, 30.12.1995, p. 18.

⁽²⁾ OJ L 265, 30.9.1998, p. 4.

⁽³⁾ OJ L 267, 15.10.1999, p. 4.

⁽⁴⁾ OJ L 61, 7.3.1975, p. 25.

⁽⁵⁾ OJ L 35, 15.2.1995, p. 8.

COMMISSION REGULATION (EC) No 734/2000**of 7 April 2000****fixing the maximum subsidy on exports of husked long grain rice to Réunion pursuant to the invitation to tender referred to in Regulation (EC) No 2177/1999**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EC) No 3072/95 of 22 December 1995 on the common organisation of the market in rice ⁽¹⁾, as last amended by Regulation (EC) No 2072/98 ⁽²⁾, and in particular Article 10(1) thereof,

Having regard to Commission Regulation (EEC) No 2692/89 of 6 September 1989 laying down detailed rules for exports of rice to Réunion ⁽³⁾ as amended by Regulation (EC) No 1453/1999 ⁽⁴⁾, and in particular Article 9(1) thereof,

Whereas:

- (1) Commission Regulation (EC) No 2177/1999 ⁽⁵⁾ opens an invitation to tender for the subsidy on rice exported to Réunion.
- (2) Article 9 of Regulation (EEC) No 2692/89 allows the Commission to fix, in accordance with the procedure laid down in Article 22 of Regulation (EC) No 3072/95 and on the basis of the tenders submitted, a maximum subsidy.

(3) The criteria laid down in Articles 2 and 3 of Regulation (EEC) No 2692/89 should be taken into account when fixing this maximum subsidy. Successful tenderers shall be those whose bids are at or below the level of the maximum subsidy.

(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

A maximum subsidy on exports to Réunion of husked long grain rice falling within CN code 1006 20 98 is hereby set on the basis of the tenders lodged from 3 to 6 April 2000 at 278,00 EUR/t pursuant to the invitation to tender referred to in Regulation (EC) No 2177/1999.

Article 2

This Regulation shall enter into force on 8 April 2000.

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

Done at Brussels, 7 April 2000.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ L 329, 30.12.1995, p. 18.

⁽²⁾ OJ L 265, 30.9.1998, p. 4.

⁽³⁾ OJ L 261, 7.9.1989, p. 8.

⁽⁴⁾ OJ L 167, 2.7.1999, p. 19.

⁽⁵⁾ OJ L 267, 15.10.1999, p. 7.

COMMISSION REGULATION (EC) No 735/2000**of 7 April 2000****fixing the maximum export refund on wholly milled round grain, medium grain and long grain A rice in connection with the invitation to tender issued in Regulation (EC) No 2179/1999**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EC) No 3072/95 of 22 December 1995 on the common organisation of the market in rice ⁽¹⁾, as last amended by Regulation (EC) No 2072/98 ⁽²⁾, and in particular Article 13(3) thereof,

Whereas:

- (1) An invitation to tender for the export refund on rice was issued pursuant to Commission Regulation (EC) No 2179/1999 ⁽³⁾.
- (2) Article 5 of Commission Regulation (EEC) No 584/75 ⁽⁴⁾, as last amended by Regulation (EC) No 299/95 ⁽⁵⁾, allows the Commission to fix, in accordance with the procedure laid down in Article 22 of Regulation (EC) No 3072/95 and on the basis of the tenders submitted, a maximum export refund. In fixing this maximum, the criteria provided for in Article 13 of Regulation (EC) No 3072/95 must be taken into account. A contract is awarded to any tenderer whose tender is equal to or less than the maximum export refund.

(3) The application of the abovementioned criteria to the current market situation for the rice 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

The maximum export refund on wholly milled grain, medium grain and long grain A rice to be exported to certain third countries pursuant to the invitation to tender issued in Regulation (EC) No 2179/1999 is hereby fixed on the basis of the tenders submitted from 31 March to 6 April 2000 at 166,00 EUR/t.

Article 2

This Regulation shall enter into force on 8 April 2000.

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

Done at Brussels, 7 April 2000.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ L 329, 30.12.1995, p. 18.

⁽²⁾ OJ L 265, 30.9.1998, p. 4.

⁽³⁾ OJ L 267, 15.10.1999, p. 13.

⁽⁴⁾ OJ L 61, 7.3.1975, p. 25.

⁽⁵⁾ OJ L 35, 15.2.1995, p. 8.

COMMISSION REGULATION (EC) No 736/2000**of 7 April 2000****fixing the maximum export refund on wholly milled round grain rice in connection with the invitation to tender issued in Regulation (EC) No 2180/1999**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EC) No 3072/95 of 22 December 1995 on the common organization of the market in rice ⁽¹⁾, as last amended by Regulation (EC) No 2072/98 ⁽²⁾, and in particular Article 13 (3) thereof,

Whereas:

- (1) An invitation to tender for the export refund on rice was issued pursuant to Commission Regulation (EC) No 2180/1999 ⁽³⁾.
- (2) Article 5 of Commission Regulation (EEC) No 584/75 ⁽⁴⁾, as last amended by Regulation (EC) No 299/95 ⁽⁵⁾, allows the Commission to fix, in accordance with the procedure laid down in Article 22 of Regulation (EC) No 3072/95 and on the basis of the tenders submitted, a maximum export refund. In fixing this maximum, the criteria provided for in Article 13 of Regulation (EC) No 3072/95 must be taken into account. A contract is awarded to any tenderer whose tender is equal to or less than the maximum export refund.

- (3) The application of the abovementioned criteria to the current market situation for the rice 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

The maximum export refund on wholly milled round grain rice to be exported to certain third countries pursuant to the invitation to tender issued in Regulation (EC) No 2180/1999 is hereby fixed on the basis of the tenders submitted from 31 March to 6 April 2000 at 167,00 EUR/t.

Article 2

This Regulation shall enter into force on 8 April 2000.

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

Done at Brussels, 7 April 2000.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ L 329, 30.12.1995, p. 18.

⁽²⁾ OJ L 265, 30.9.1998, p. 4.

⁽³⁾ OJ L 267, 15.10.1999, p. 16.

⁽⁴⁾ OJ L 61, 7.3.1975, p. 25.

⁽⁵⁾ OJ L 35, 15.2.1995, p. 8.

COMMISSION REGULATION (EC) No 737/2000**of 7 April 2000****fixing the maximum export refund on wholly milled medium grain and long grain A rice in connection with the invitation to tender issued in Regulation (EC) No 2178/1999**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EC) No 3072/95 of 22 December 1995 on the common organization of the market in rice ⁽¹⁾, as last amended by Regulation (EC) No 2072/98 ⁽²⁾, and in particular Article 13 (3) thereof,

Whereas:

- (1) An invitation to tender for the export refund on rice was issued pursuant to Commission Regulation (EC) No 2178/1999 ⁽³⁾.
- (2) Article 5 of Commission Regulation (EEC) No 584/75 ⁽⁴⁾, as last amended by Regulation (EC) No 299/95 ⁽⁵⁾, allows the Commission to fix, in accordance with the procedure laid down in Article 22 of Regulation (EC) No 3072/95 and on the basis of the tenders submitted, a maximum export refund. In fixing this maximum, the criteria provided for in Article 13 of Regulation (EC) No 3072/95 must be taken into account. A contract is awarded to any tenderer whose tender is equal to or less than the maximum export refund.

(3) The application of the abovementioned criteria to the current market situation for the rice 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

The maximum export refund on wholly milled medium grain and long grain A rice to be exported to certain third countries pursuant to the invitation to tender issued in European Regulation (EC) No 2178/1999 is hereby fixed on the basis of the tenders submitted from 31 March to 6 April 2000 at 185,00 EUR/t.

Article 2

This Regulation shall enter into force on 8 April 2000.

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

Done at Brussels, 7 April 2000.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ L 329, 30.12.1995, p. 18.

⁽²⁾ OJ L 265, 30.9.1998, p. 4.

⁽³⁾ OJ L 267, 15.10.1999, p. 10.

⁽⁴⁾ OJ L 61, 7.3.1975, p. 25.

⁽⁵⁾ OJ L 35, 15.2.1995, p. 8.

COMMISSION REGULATION (EC) No 738/2000
of 7 April 2000
concerning the classification of certain goods in the Combined Nomenclature

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EEC) No 2658/87 of 23 July 1987 on the tariff and statistical nomenclature and on the Common Customs Tariff⁽¹⁾ as last amended by Commission Regulation (EC) No 2626/1999⁽²⁾, and in particular Article 9 thereof,

Whereas:

- (1) In order to ensure uniform application of the Combined Nomenclature annexed to the said Regulation, it is necessary to adopt measures concerning the classification of the goods referred to in the Annex to this Regulation.
- (2) Regulation (EEC) No 2658/87 has set down the general rules for the interpretation of the Combined Nomenclature. Those rules also apply to any other nomenclature which is wholly or partly based on it or which adds any additional subdivision to it and which is established by specific Community provisions, with a view to the application of tariff and other measures relating to trade in goods.
- (3) Pursuant to the said general rules, the goods described in column 1 of the table annexed to the present Regulation must be classified under the CN codes indicated in column 2, by virtue of the reasons set out in column 3.
- (4) It is appropriate that binding tariff information issued by the customs authorities of Member States in respect of the classification of goods in the Combined Nomenclature and which does not conform to the provisions of this Regulation, can continue to be invoked, under the

provisions in Article 12(6) of Council Regulation (EEC) No 2913/92 of 12 October 1992 establishing the Community Customs Code⁽³⁾, as last amended by European Parliament and Council Regulation (EC) No 955/1999⁽⁴⁾, for a period of three months by the holder.

- (5) The measures provided for in this Regulation are in accordance with the opinion of the Customs Code Committee as regards products Nos 1 to 4 and 6.
- (6) The Customs Code Committee has not delivered an opinion with the time limit set by its chairman as regards product No 5 in the annexed table,

HAS ADOPTED THIS REGULATION:

Article 1

The goods described in column 1 of the annexed table are now classified within the Combined Nomenclature under the CN codes indicated in column 2 of the said table.

Article 2

Binding tariff information issued by the customs authorities of Member States which does not conform to the provisions of this Regulation can continue to be invoked under the provisions of Article 12(6) of Regulation (EEC) No 2913/92 for a period of three months.

Article 3

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

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

Done at Brussels, 7 April 2000.

For the Commission

Frederik BOLKESTEIN

Member of the Commission

⁽¹⁾ OJ L 256, 7.9.1987, p. 1.

⁽²⁾ OJ L 321, 14.12.1999, p. 3.

⁽³⁾ OJ L 302, 19.10.1992, p. 1.

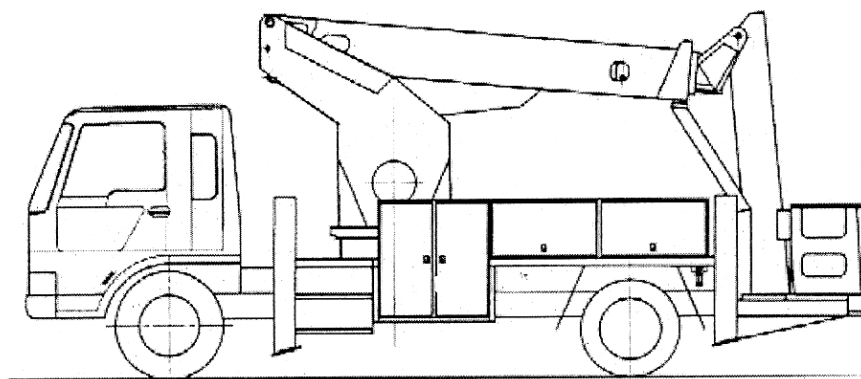
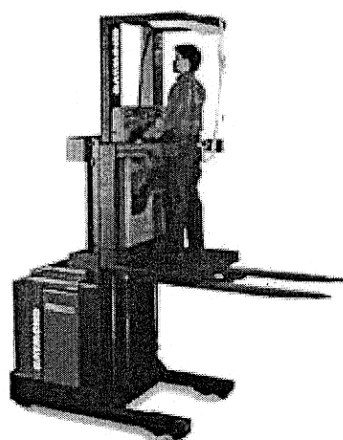
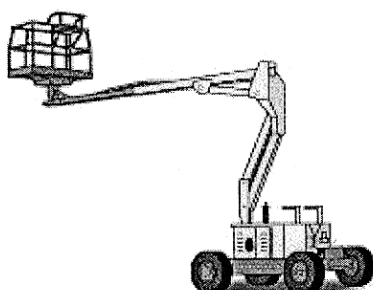
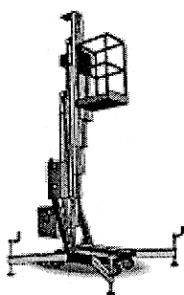
⁽⁴⁾ OJ L 119, 7.5.1999, p. 1.

ANNEX

Description of goods	Classification (CN code)	Reason
(1)	(2)	(3)
1. A flexible product used for the temperature-controlled distribution of gases or liquids. It consists of the following components (from the inside outwards): — a flexible plastic tube for transporting the material, having a minimum burst pressure of 27,6 MPa — an electrical heating band, which is separated from the transport tube by an aluminium plate — a layer of aluminium foil, that covers the transport tube, the heating band and the aluminium plate — an insulated electric cable for controlling the heating band — a layer of fleece material — an outside covering of flexible synthetic material The product is imported in lengths without fittings	3917 31 90	Classification is determined by the provisions of General Rules 1, 3b and 6 for the interpretation of the Combined Nomenclature, Note 8 to Chapter 39 and the wording of CN codes 3917, 3917 31 and 3917 31 90 The plastic tube, which is the decisive element for the transport of material, gives the product its essential character
2. A flexible product used for the temperature-controlled distribution of gases or liquids. It consists of the following components (from the inside outwards): — A bundle of flexible plastic tubes for transporting the material — an electrical heating band, which is separated from the transport tubes by an aluminium plate — a layer of aluminium foil, that covers the transport tubes, the heating band and the aluminium plate — an insulated electric cable for controlling the heating band — a layer of fleece material — an outside covering of flexible synthetic material The product is imported in lengths without fittings	3926 90 99	Classification is determined by the provisions of General Rules 1, 3b and 6 for the interpretation of the Combined Nomenclature and the wording of CN codes 3926, 3926 90 und 3926 90 99 The number of plastic tubes, which is the decisive element for the transport of material, gives the product its essential character
3. A vehicle equipped with a hydraulic lifting device fitted with a working platform The vehicle consists of a lorry chassis with a cabin for a driver and passengers. It is powered by a diesel engine. It is suitable for driving on public roads independantly The lifting device is permanently fitted on the vehicle. It consists of a telescopic jib for vertical movements, which can rotate. It has a working platform with a size of 0,60 m × 1,20 m, and a safety railing. The controls of the lifting device are mounted on the platform. The vehicle has 4 retractable stabilisers which rest on the ground when the lifting device is being used The lifting device has a maximum height of 12 m and can lift up to 325 kg See illustration A (*)	8705 90 90	Classification is determined by the provisions of General Rules 1 and 6 for the interpretation of the Combined Nomenclature and the wording of CN codes 8705, 8705 90 and 8705 90 90 The vehicle is a special purpose motor vehicle of heading 8705

Description of goods	Classification (CN code)	Reason
(1)	(2)	(3)
4. A vehicle equipped with a hydraulic lifting device fitted with a working platform and forks The vehicle has a battery-operated electric motor used for operating the lifting device and moving the vehicle. The controls of the lifting device are mounted on the working platform The vehicle is not suitable for driving on public roads The lifting device has a maximum height of 2,50 m and can lift up to 1 200 kg See illustration B (*)	8427 10 10	Classification is determined by the provisions of General Rules 1 and 6 for the interpretation of the Combined Nomenclature and the wording of CN codes 8427, 8427 10 and 8427 10 10 This self-propelled vehicle is designed for the transport of goods, as well as elevating goods and persons
5. A vehicle equipped with a hydraulic lifting device fitted with a working platform The vehicle consists of a flat surface upon which a lifting device and an electric motor and the lifting device are mounted, which operates the vehicle and the lifting device. The controls of the lifting device are mounted on the working platform. The vehicle has 4 large wheels (12,5 × 16"). It has a gradeability of 25 % and a maximum driving speed of 4,3 km/h. It is not suitable for driving on public roads without being towed by another motor vehicle The lifting device is permanently fitted on the vehicle. It consists of a telescopic jib for horizontal and vertical movements. It has a working platform with a size of 0,66 m × 1,5 m and a safety railing The lifting device has a maximum height of 15,5 m and can lift up to 227 kg See illustration C (*)	8428 90 98	Classification is determined by the provisions of General Rules 1 and 6 for the interpretation of the Combined Nomenclature and the wording of CN codes 8428, 8428 90 and 8428 90 98 This self-propelled vehicle is not suitable for the transport of goods. It is designed for elevating goods and persons only
6. A hydraulic lifting device, with 4 wheels, fitted with a working platform The lifting device has a motor used for operating the lifting jib only. The controls of the telescopic jib are mounted on the working platform The lifting device has 4 retractable stabilisers which rest on the ground when the device is being used. It does not have a motor for driving. It is not suitable for driving on public roads The hydraulic lifting device is a telescopic jib for vertical movement. It has a working platform with a size of 0,66 m × 0,66 m and a safety railing The lifting device has a maximum height of 12,8 m and can lift up to 160 kg See illustration D (*)	8428 90 98	Classification is determined by the provisions of General Rules 1 and 6 for the interpretation of the Combined Nomenclature and the wording of CN codes 8428, 8428 90 and 8428 90 98 This lifting device is neither self-propelled nor suitable for the transport of goods. It is designed for elevating goods and persons only

(*) The illustrations are purely for information.

**A****B****C****D**

COMMISSION REGULATION (EC) No 739/2000**of 7 April 2000****amending Regulation (EC) No 2439/1999 on the conditions for the authorisation of additives belonging to the group 'binders, anti-caking agents and coagulants' in feedingstuffs****(Text with EEA relevance)**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Directive 70/524/EEC of 23 November 1970 concerning additives in feedingstuffs ⁽¹⁾, as last amended by Regulation (EC) No 2690/1999 ⁽²⁾, and in particular Article 11 thereof,

Whereas:

- (1) Commission Regulation (EC) No 2439/1999 of 17 November 1999 on the conditions for the authorisation of additives belonging to the group 'binders, anti-caking agents and coagulants' in feedingstuffs ⁽³⁾ establishes a provisional maximum limit of dioxins in kaolinitic clay and provides for an obligation to monitor the presence of dioxins in the other authorised additives, belonging to the group 'binders, anti-caking agents and coagulants'.
- (2) It is foreseen in the abovementioned Regulation to re-examine the provisions of this Regulation before 1 March 2000 in the light of any investigations carried out, of the results of the monitoring programme and of a complete risk assessment. The investigations and monitoring programme are still ongoing and a complete risk assessment is not yet available. It is therefore appropriate to prolong the measures, as laid down in Regulation No 2439/2000, until 15 October 2000.

- (3) Sufficient monitoring data on the presence of dioxins have been provided for natural mixtures of steatites and chlorites (E 560), sepiolite (E 562) and sepiolitic clay (E 563). These data, originating from different Member States and/or origins, indicate that these additives are not contaminated with dioxins or contain levels below the analytical limit of determination.
- (4) The measures provided for in this Regulation are in accordance with the opinion of the Standing Committee on Feedingstuffs,

HAS ADOPTED THIS REGULATION:

Article 1

Regulation (EC) No 2439/1999 is hereby amended as follows:

1. The date of '1 March 2000' in Article 1 shall be replaced by '15 October 2000'.
2. The Annex is replaced by the Annex hereto.

Article 2

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

It shall apply from 29 February 2000.

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

Done at Brussels, 7 April 2000.

For the Commission

David BYRNE

Member of the Commission

⁽¹⁾ OJ L 270, 14.12.1970, p. 1.

⁽²⁾ OJ L 326, 18.12.1999, p. 33.

⁽³⁾ OJ L 297, 18.11.1999, p. 8.

ANNEX

‘ANNEX

EC No	Additive	Chemical formula, description	Species or category of animal	Maximum age	Minimum content	Maximum content	Other provisions	Period of authorisation
					mg/kg of complete feedingstuff			
Binders, anti-caking agents and coagulants								
E 330	Citric acid	C ₆ H ₈ O ₇	All species or categories of animals	—	—	—	All feedingsuffs. Compliance with the provisions of Article 16(1)(g)	Without a time limit
E 470	Sodium, potassium and calcium stearates	C ₁₈ H ₃₅ O ₂ Na C ₁₈ H ₃₅ O ₂ K C ₃₆ H ₇₀ O ₄ Ca Maximum dioxin content: ⁽¹⁾	All species or categories of animals	—	—	—	All feedingsuffs	Without a time limit
E 516	Calcium sulphate, dihydrate	CaSO ₄ ·2H ₂ O Maximum dioxin content: ⁽¹⁾	All species or categories of animals	—	—	30 000	All feedingsuffs	Without a time limit
E 551a	Silicic acid, precipitated and dried	— Maximum dioxin content: ⁽¹⁾	All species or categories of animals	—	—	—	All feedingsuffs	Without a time limit
E 551b	Colloidal silica	— Maximum dioxin content: ⁽¹⁾	All species or categories of animals	—	—	—	All feedingsuffs	Without a time limit
E 551c	Kieselgur (diatomaceous earth, purified)	— Maximum dioxin content: ⁽¹⁾	All species or categories of animals	—	—	—	All feedingsuffs	Without a time limit
E 552	Calcium silicate, synthetic	— Maximum dioxin content: ⁽¹⁾	All species or categories of animals	—	—	—	All feedingsuffs	Without a time limit
E 554	Sodium aluminosilicate, synthetic	— Maximum dioxin content: ⁽¹⁾	All species or categories of animals	—	—	—	All feedingsuffs	Without a time limit

EC No	Additive	Chemical formula, description	Species or category of animal	Maximum age	Minimum content	Maximum content	Other provisions	Period of authorisation
					mg/kg of complete feedingstuff			
E 558	Bentonite-montmorillonite	— Maximum dioxin content: ⁽¹⁾	All species or categories of animals	—	—	20 000	All feedingstuffs Mixing with additives from the “antibiotics”, “growth promoters”, “coccidiostats and other medical substances” groups is prohibited, except in the case of: monensin-sodium, narasin, lasalocid-sodium, flavophospholipol, salinomycin sodium, nicarbazin and robenidine Indication on the label of the specific name of the additive	Without a time limit
E 559	Kaolinitic clays, free of asbestos	Naturally occurring mixtures of minerals containing at least 65 % complex hydrated aluminium silicates whose main constituent is kaolinite. Maximum dioxin content: 500 pg WHO-PCCD/F-TEQ/kg ⁽²⁾	All species or categories of animals	—	—	—	All feedingstuffs	Without a time limit
E 560	Natural mixtures of steatites and chlorite	Natural mixtures of steatite and chlorite, free of asbestos: minimum purity of the mixtures 85 %.	All species or categories of animals	—	—	—	All feedingstuffs	Without a time limit
E 561	Vermiculite	Natural silicate of magnesium, aluminium and iron, expanded by heating, free of asbestos. Maximum fluorine content: 0,3 % Maximum dioxin content: ⁽¹⁾	All species or categories of animals	—	—	—	All feedingstuffs	Without a time limit
E 562	Sepiolite	Hydrated magnesium silicate of sedimentary origin, containing at least 60 % sepiolite and maximum 30 % montmorillonite, free of asbestos	All species or categories of animals	—	—	20 000	All feedingstuffs	Without a time limit

EC No	Additive	Chemical formula, description	Species or category of animal	Maximum age	Minimum content	Maximum content	Other provisions	Period of authorisation
					mg/kg of complete feedingstuff			
E 563	Sepiolitic clay	Hydrated magnesium silicate of sedimentary origin, containing at least 40 % sepiolite and 25 % illite, free of asbestos.	All species or categories of animals	—	—	20 000	All feedingstuffs	Without a time limit
E 565	Lignosulphonates	— Maximum dioxin content: (1)	All species or categories of animals	—	—	—	All feedingstuffs	Without a time limit
E 566	Natrolite-phonolite	Natural mixture of aluminium silicates, alkalines and alkaline-earth and aluminium hydrosilicates, natrolite (43 to 46,5 %) and feldspar. Maximum dioxin content: (1)	All species or categories of animals	—	—	25 000	All feedingstuffs	Without a time limit
E 598	Synthetic calcium aluminates	Mixture of calcium aluminates containing between 35 and 51 % of Al ₂ O ₃ . Maximum molybdenum content: 20 mg/kg Maximum dioxin content: (1)	Poultry	—	—	20 000	All feedingstuffs	Without a time limit
			Rabbits	—	—	20 000	All feedingstuffs	Without a time limit
			Pigs	—	—	20 000	All feedingstuffs	Without a time limit
			Dairy cows	—	—	8 000	All feedingstuffs	Without a time limit
			Cattle for fattening	—	—	8 000	All feedingstuffs	Without a time limit
			Calves	—	—	8 000	All feedingstuffs	Without a time limit
E 599	Perlite	Natural silicate of sodium and aluminium, expanded by heating, free of asbestos. Maximum dioxin content: (1)	Lambs	—	—	8 000	All feedingstuffs	Without a time limit
			Kids	—	—	8 000	All feedingstuffs	Without a time limit
			All species or categories of animals	—	—	—	All feedingstuffs	Without a time limit

COMMISSION REGULATION (EC) No 740/2000**of 7 April 2000****granting a temporary derogation from Regulations (EC) No 1371/95 and (EC) No 1372/95 laying down detailed rules for implementing the system of export licences in the egg and poultrymeat sectors**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EEC) No 2771/75 of 29 October 1975 on the common organisation of the market in eggs ⁽¹⁾, as last amended by Commission Regulation (EC) No 1516/96 ⁽²⁾, and in particular Articles 3(2) and 8(13) and 15 thereof,

Having regard to Council Regulation (EEC) No 2777/75 of 29 October 1975 on the common organisation of the market in poultrymeat ⁽³⁾, as last amended by Commission Regulation (EC) No 2916/95 ⁽⁴⁾, and in particular Articles 3(2) and 8(12) and 15 thereof,

Whereas:

- (1) Article 3(3) of Commission Regulation (EC) No 1371/95 ⁽⁵⁾, as last amended by Regulation (EC) No 2336/1999 ⁽⁶⁾, and (EC) No 1372/95 ⁽⁷⁾, as last amended by Regulation (EC) No 2337/1999 ⁽⁸⁾, provides that export licences are to be issued on the Wednesday following the week in which the licence applications are lodged provided that no specific action has been taken by the Commission in the meantime.
- (2) Because of the public holidays in 2000 and the irregular publication of the *Official Journal of the European Communities* during those holidays, the period for reflection will be too brief to guarantee proper administration of the market. It should therefore be extended temporarily.

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

HAS ADOPTED THIS REGULATION:

Article 1

By derogation from Article 3(3) of Regulations (EC) No 1371/95 and (EC) No 1372/95, licences for which applications are lodged during the periods specified below shall be issued on the corresponding dates provided that no specific action as indicated in paragraph 4 of that Article has been taken prior to those dates:

- from 17 to 21 April 2000, to be issued on 27 April 2000,
- from 24 to 28 April 2000, to be issued on 4 May 2000,
- from 1 to 5 May 2000, to be issued on 12 May 2000,
- from 5 to 9 June 2000, to be issued on 15 June 2000,
- from 7 to 11 August 2000, to be issued on 18 August 2000,
- from 18 to 22 December 2000, to be issued on 29 December 2000,
- from 25 to 29 December 2000, to be issued on 5 January 2001.

Article 2

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

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

Done at Brussels, 7 April 2000.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ L 282, 1.11.1975, p. 49.

⁽²⁾ OJ L 189, 30.7.1996, p. 99.

⁽³⁾ OJ L 282, 1.11.1975, p. 77.

⁽⁴⁾ OJ L 305, 19.12.1995, p. 49.

⁽⁵⁾ OJ L 133, 17.6.1995, p. 16.

⁽⁶⁾ OJ L 281, 4.11.1999, p. 16.

⁽⁷⁾ OJ L 133, 17.6.1995, p. 26.

⁽⁸⁾ OJ L 281, 4.11.1999, p. 21.

COMMISSION REGULATION (EC) No 741/2000**of 7 April 2000****derogating temporarily from Regulation (EC) No 1370/95 laying down detailed rules for implementing the system of export licences in the pigmeat sector**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EEC) No 2759/75 of 29 October 1975 on the common organisation of the market in pigmeat ⁽¹⁾, as last amended by Regulation (EC) No 3290/94 ⁽²⁾, and in particular Articles 8(2), 13(12) and 22 thereof,

Whereas:

- (1) Article 3(3) of Commission Regulation (EC) No 1370/95 ⁽³⁾, as last amended by Regulation (EC) No 2399/1999 ⁽⁴⁾, provides that export licences are to be issued on the Wednesday following the week in which licence applications are lodged, provided that no special measures are taken by the Commission in the meanwhile.
- (2) Given the dates of public holidays in 2000 and the consequent irregular publication of the *Official Journal of the European Communities*, the period for consideration is too short to ensure effective market management and it should therefore be extended temporarily.
- (3) The measures provided for in this Regulation are in accordance with the opinion of the Management Committee for Pigmeat,

HAS ADOPTED THIS REGULATION:

Article 1

Notwithstanding Article 3(3) of Regulation (EC) No 1370/95, licences for which applications are lodged during the following periods shall be issued on the dates indicated, provided that none of the special measures referred to in paragraph 4 of that Article are taken before the dates concerned:

- from 17 to 21 April 2000, to be issued on 27 April 2000,
- from 24 to 28 April 2000, to be issued on 4 May 2000,
- from 1 to 5 May 2000, to be issued on 12 May 2000,
- from 5 to 9 June 2000, to be issued on 15 June 2000,
- from 7 to 11 August 2000, to be issued on 18 August 2000,
- from 18 to 22 December 2000, to be issued on 29 December 2000,
- from 25 to 29 December 2000, to be issued on 5 January 2001.

*Article 2*This Regulation shall enter into force on the seventh day following its publication in the *Official Journal of the European Communities*.

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

Done at Brussels, 7 April 2000.

For the Commission

Franz FISCHLER

Member of the Commission⁽¹⁾ OJ L 282, 1.11.1975, p. 1.⁽²⁾ OJ L 349, 31.12.1994, p. 105.⁽³⁾ OJ L 133, 17.6.1995, p. 9.⁽⁴⁾ OJ L 290, 12.11.1999, p. 18.

COMMISSION REGULATION (EC) No 742/2000**of 7 April 2000****granting a temporary derogation from Regulation (EC) No 1445/95 on rules of application for import and export licences in the beef and veal sector**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EC) No 1254/1999 of 17 May 1999 on the common organisation of the market in beef and veal ⁽¹⁾, and in particular Article 29 thereof,

Whereas:

- (1) Article 10(1) of Commission Regulation (EC) No 1445/95 ⁽²⁾, as last amended by Regulation (EC) No 2648/98 ⁽³⁾, provides that export licences are to be issued on the fifth working day following that on which the application was lodged provided that no specific action has been taken by the Commission in the meantime.
- (2) Because of the public holidays in 2000 and the irregular publication of the *Official Journal of the European Communities* during those holidays, the period for reflection of five working days will be too brief to guarantee proper administration of the market. It should therefore be extended temporarily.
- (3) The measures provided for in this Regulation are in accordance with the opinion of the Management Committee for Beef and Veal,

HAS ADOPTED THIS REGULATION:

Article 1

By derogation from Article 10(1) of Regulation (EC) No 1445/95, licences for which applications are lodged during the periods specified below shall be issued on the corresponding dates provided that no specific action as indicated in paragraph 2 of that Article has been taken prior to those dates:

- from 17 to 19 April 2000, to be issued on 28 April 2000,
- from 29 to 31 May 2000, to be issued on 8 June 2000,
- from 17 to 19 July 2000, to be issued on 26 July 2000,
- from 30 October to 1 November 2000, to be issued on 8 November 2000,
- from 21 to 27 December 2000, to be issued on 5 January 2001.

Article 2

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

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

Done at Brussels, 7 April 2000.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ L 160, 26.6.1999, p. 21.

⁽²⁾ OJ L 143, 27.6.1995, p. 35.

⁽³⁾ OJ L 335, 10.12.1998, p. 39.

**DIRECTIVE 2000/4/EC OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL
of 28 February 2000**

amending Council Directive 74/60/EEC on the approximation of the laws of the Member States relating to the interior fittings of motor vehicles (interior parts of the passenger compartment other than the interior rear-view mirrors, layout of controls, the roof or sliding roof, the backrest and rear part of the seats)

THE EUROPEAN PARLIAMENT AND THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty establishing the European Community, and in particular Article 95 thereof,

Having regard to the proposal from the Commission ⁽¹⁾,

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

Acting in accordance with the procedure laid down in Article 251 of the Treaty ⁽³⁾,

Whereas:

(1) It is desirable to introduce into Council Directive 74/60/EEC ⁽⁴⁾, requirements concerning power-operated windows with the aim of eliminating the danger to children, which can occur when closing these windows; similar requirements should also apply to power-operated roof panel systems and partition systems; for this purpose the title and the scope of Directive 74/60/EEC should be amended accordingly.

(2) Directive 74/60/EEC is one of the separate directives of the EC type-approval procedure which has been established by Council Directive 70/156/EEC of 6 February 1970 on the approximation of the laws of the Member States relating to the type-approval of motor vehicles and their trailers ⁽⁵⁾; consequently, the provisions laid down in Directive 70/156/EEC relating to vehicles, vehicle systems, components and separate technical units apply to Directive 74/60/EEC.

(3) In particular, Articles 3(4) and 4(3) of Directive 70/156/EEC require that each separate Directive has attached to it an information document incorporating the relevant items of Annex I to Directive 70/156/EEC and also a type-approval certificate based on Annex VI to Directive 70/156/EEC in order that type-approval may be computerised.

⁽¹⁾ OJ C 149, 15.5.1998, p. 10.

⁽²⁾ OJ C 407, 28.12.1998, p. 56.

⁽³⁾ Opinion of the European Parliament of 9 February 1999 (OJ C 150, 28.5.1999, p. 26), Council Common Position of 28 October 1999 (OJ C 346, 2.12.1999, p. 17) and Decision of the European Parliament of 3 February 2000.

⁽⁴⁾ OJ L 38, 11.2.1974, p. 2. Directive as amended by Commission Directive 78/632/EEC (OJ L 206, 29.7.1978, p. 26).

⁽⁵⁾ OJ L 42, 23.2.1970, p. 1. Directive as last amended by Directive 98/91/EC of the European Parliament and of the Council (OJ L 11, 16.1.1999, p. 25).

(4) It is important that vehicles in categories other than M₁, in particular those in categories M₂ and N₁, are able at the earliest opportunity to afford the driver and passengers, more particularly children, the level of safety provided by Directive 74/60/EEC; to that end it should be made possible for the scope of Directive 74/60/EEC to be extended to cover such vehicles in accordance with the procedure laid down in Article 13 of Directive 70/156/EEC.

(5) The amendments to Directive 74/60/EEC relate only to its administrative provisions and to power-operated windows, roof panel and/or partition systems; it is not necessary therefore to invalidate existing approvals granted under Directive 74/60/EEC nor to prevent the registration, sale and entry into service of new vehicles, which are not fitted with power-operated windows, roof panel and/or partition systems and which are covered by such approvals.

(6) In accordance with the principle of proportionality as set out in the third paragraph of Article 5 of the Treaty, the measures contained in this Directive do not go beyond what is necessary to achieve the objectives of the Treaty,

HAS ADOPTED THIS DIRECTIVE:

Article 1

Directive 74/60/EEC is hereby amended as follows:

1. The title shall be replaced by the following:

‘Council Directive 74/60/EEC of 17 December 1973 on the approximation of the laws of the Member States relating to the interior fittings of motor vehicles.’

2. Articles 1, 2 and 3 shall be replaced by the following:

‘Article 1

For the purpose of this Directive, “vehicle” means any vehicle as defined in Article 2 of Directive 70/156/EEC.

Article 2

No Member State may refuse to grant EC type-approval or national type-approval of a vehicle on grounds relating to the interior fittings of the vehicles if these meet the requirements set out in the Annexes hereto.

Article 3

No Member State may refuse to register or prohibit the sale, entry into service or use of any vehicle on grounds relating to the interior fittings of the vehicles if these meet the requirements set out in the Annexes.'

3. Articles 4 and 5 shall be deleted.
4. The Annexes shall be amended in accordance with the Annex to this Directive.

Article 2

1. With effect from 8 April 2001, Member States may not, on grounds relating to the interior fittings of the motor vehicles,

- refuse, in respect of a type of vehicle, to grant EC type-approval or national type-approval, or
- prohibit the registration, sale or entry into service of vehicles,

if the vehicles comply with the requirements of Directive 74/60/EEC.

2. With effect from 8 April 2002, Member States shall no longer grant EC type-approval for a new type of vehicle on grounds relating to the interior fittings of the motor vehicles if the requirements of Directive 74/60/EEC are not complied with.

3. With effect from 8 April 2003, Member States:

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

on grounds relating to the interior fittings of motor vehicles if the vehicles are fitted with power-operated windows, roof

panel and/or partition systems and the requirements of Directive 74/60/EEC, are not complied with.

4. This Directive will not invalidate any approval for types of vehicles which are not fitted with power-operated windows, roof panel and/or partition systems previously granted under Directive 74/60/EEC nor prevent extensions of such approvals under the terms of the Directive under which they were originally granted.

Article 3

1. Member States shall bring into force the laws, regulations and administrative provisions necessary to comply with this Directive before 8 April 2001 and shall forthwith inform the Commission thereof.

2. When Member States adopt these measures, they shall contain a reference to this Directive or shall be accompanied by such reference on the occasion of their official publication. The methods of making such reference shall be laid down by the Member States.

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

Article 4

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

Article 5

This Directive is addressed to the Member States.

Done at Brussels, 28 February 2000.

For the European Parliament

The President

N. FONTAINE

For the Council

The President

J. PINA MOURA

ANNEX

AMENDMENTS TO THE ANNEXES TO DIRECTIVE 74/60/EEC

1. The following List of Annexes shall be inserted between the Articles and Annex I:

LIST OF ANNEXES

ANNEX I:	Scope, definitions, application for EC type-approval of a vehicle type, specifications, granting of EC type-approval of a vehicle type, modifications of the type and amendments to approvals and conformity of production
Appendix 1:	Information document
Appendix 2:	EC type-approval certificate
Appendix 3:	Position of cylindrical test rod in the opening roof and window openings
Appendix 4:	Symbol for driver controlled switch
ANNEX II:	Determination of the head-impact zone
ANNEX III:	Procedure for testing energy-dissipating materials
ANNEX IV:	Procedure for determining the H point and the actual seat-back angle and for verifying the relative positions of the R and H points and the relationship between the design seat-back angle and the actual seat-back angle
Appendix:	Components of three-dimensional manikin and dimensions and mass of manikin
ANNEX V:	Method of measuring projections
Appendix:	Apparatus for measuring projections
ANNEX VI:	Apparatus and procedure for application of Item 5.2.1 of Annex I'

2. Annex I is amended as follows.

(a) Footnote 1 is deleted.

(b) The title is replaced by the following:

'SCOPE, DEFINITIONS, APPLICATION FOR EC TYPE-APPROVAL OF A VEHICLE TYPE, SPECIFICATIONS, GRANTING OF EC TYPE-APPROVAL OF A VEHICLE TYPE, MODIFICATIONS OF THE TYPE AND AMENDMENTS TO APPROVALS AND CONFORMITY OF PRODUCTION'.

(c) Item 1 is replaced by the following:

'1. SCOPE

This Directive applies to vehicles of category M₁ as defined in Annex II, Section A to Directive 70/156/EEC'.

(d) Items 2.1 and 2.2 are replaced by the following:

'2.1. "Interior fittings" are:

2.1.1. interior parts of the passenger compartment other than the interior rear-view mirrors;

2.1.2. the layout of the controls;

2.1.3. the roof or opening roof;

2.1.4. the backrest and the rear part of the seats;

2.1.5. power-operated windows, roof panel and partition systems.

2.2. "Vehicle type" with respect to the interior fittings of a passenger compartment means motor vehicles which do not differ in such essential respects as:'.

(e) The following items are inserted:

- '2.2.3. the roof or opening roof;
- 2.2.4. the backrest and the rear part of the seats;
- 2.2.5. power-operated windows, roof panel and partition systems'.

(f) The following items are inserted:

- '2.10. "Power-operated windows" means windows which are closed by power supply of the vehicle.
- 2.11. "Power-operated roof-panel systems" means movable panels in the vehicle roof which are closed by power supply of the vehicle by either a sliding or tilting motion, and which do not include convertible top systems.
- 2.12. "Power-operated partition systems" means systems which divide a passenger car compartment into at least two sections and which are closed using the power supply of the vehicle.
- 2.13. "Opening" is the maximum unobstructed aperture between the upper edge or the leading edge, depending on the closing direction, of a power-operated window or partition or roof panel and the vehicle structure which forms the boundary of the window, partition or roof panel, when viewed from the interior of the vehicle or, in the case of partition system, from the rear part of the passenger compartment.

To measure an opening, a cylindrical test rod shall (without exerting force) be placed through it normally perpendicular to the window, roof panel or partition as shown in Figure 1, from the interior of the vehicle or, as applicable, from the rear part of passenger compartment'.

(g) Items 3 to 3.3 are replaced by the following:

- '3. APPLICATION FOR EC TYPE-APPROVAL OF A VEHICLE TYPE
- 3.1. The application for EC type-approval pursuant to Article 3(4) of Directive 70/156/EEC of a vehicle type with regard to its interior fittings shall be submitted by the manufacturer.
- 3.2. A model of the information document is given in Appendix 1.
- 3.3. The following must be submitted to the technical service responsible for conducting the type-approval tests:'.

(h) The following items are inserted:

- '5.5.2. *Power-operated roof-panel systems*
- 5.5.2.1. In addition, power-operated roof-panel systems and their controls shall meet the requirements of Item 5.8 below'.

(i) Items 5.8 and 5.8.1 are renumbered as Items 5.9 and 5.9.1.

(j) The following items are inserted:

- '5.8. **Power-operated windows, roof-panel systems and partition systems**
- 5.8.1. The requirements below apply to power-operated windows/roof-panel systems/partition systems to minimise the possibility of injuries caused by accidental or improper operation.
- 5.8.2. *Normal operating requirements*
- Except as provided in Item 5.8.3, power-operated windows/roof-panel systems/partition systems may be closed under one or more of the following conditions:
- 5.8.2.1. when the ignition key is inserted in the ignition control in any position of use;
- 5.8.2.2. by muscular force unassisted by power supply of the vehicle;
- 5.8.2.3. on continuous activation by a locking system on the outside of the vehicle;
- 5.8.2.4. during the interval of time between the moment the ignition has been switched from "on" to "off" and/or the key has been removed and the moment that neither of the two front doors has been opened sufficiently to permit egress of occupants;
- 5.8.2.5. when the closing movement of a power-operated window, roof panel or partition starts at an opening not exceeding 4 mm;

- 5.8.2.6. when the power-operated window of a vehicle's door without an upper door frame closes automatically whenever the pertinent door is closed. In this case the maximum opening, as defined in Item 2.13, prior to window closing, shall not exceed 12 mm.
- 5.8.2.7. Remote closing shall be allowed by continuous activation of a remote actuation device, provided one of the following conditions is fulfilled:
- 5.8.2.7.1. the remote actuation device shall be incapable of closing the power-operated window/roof panel/partition from a distance of more than 11 metres from the vehicle;
- 5.8.2.7.2. the remote actuation device shall be incapable of closing the power-operated window/roof panel/partition:
- if the actuation device and the vehicle are separated by an opaque surface
 - and
 - if from the distance between the remote actuation device and the vehicle is more than 6 metres.
- 5.8.2.8. One-touch closing shall be permitted only for the power-operated window of the driver's door and the roof panel, and only during the time when the ignition key is in the engine running position.
- 5.8.3. *Auto-reversing requirements*
- 5.8.3.1. None of the requirements in Item 5.8.2 shall apply if a power-operated window/roof panel system/partition is fitted with an auto-reversing device.
- 5.8.3.1.1. This device shall reverse the window/roof panel/partition before it exerts a pinch force of more than 100 N within the opening of 200 mm to 4 mm above the top edge of a power-operated window/partition or in front of the leading edge of a sliding roof panel and at the trailing edge of a tilting roof panel.
- 5.8.3.1.2. After such an auto-reversal, the window or roof panel or partition shall open to one of the following positions:
- 5.8.3.1.2.1. a position that permits a semi-rigid cylindrical rod of a diameter of 200 mm to be placed through the opening at the same contact point(s) used to determine the reversing behaviour in Item 5.8.3.1.1;
- 5.8.3.1.2.2. a position that represents at least the initial position before closing was initiated;
- 5.8.3.1.2.3. a position at least 50 mm more open than the position at the time when reversing was initiated;
- 5.8.3.1.2.4. in the case of tilting motion of a roof panel, the maximum angular opening.
- 5.8.3.1.3. To check power-operated windows/roof-panel systems/partition systems with reversing devices, a measuring instrument/test rod shall be placed through the opening from the inside of the vehicle or, in the case of a partition system, from the rear part of the passenger compartment in such a way that the cylindrical surface of the rod contacts any part of the vehicle structure which forms the boundary of the window/roof-panel aperture/partition. The force deflection ratio of the measuring instrument shall be not more than 10 N/mm. The position of the test rods (normally located perpendicular to the window/roof panel/-partition) are illustrated in Appendix 3, Figure 1.
- 5.8.4. *Switch location and operation*
- 5.8.4.1. Switches of power-operated windows/roof panels/partitions shall be located or operated in such a way to minimise the risk of accidental closing. The switches shall require continuous actuation for closing except in the case of Items 5.8.2.6, 5.8.2.8 or 5.8.3.
- 5.8.4.2. All rear-window, roof-panel and partition switches intended for use by occupants in the rear of the vehicle shall be capable of being switched off by a driver-controlled switch which is located forward of a vertical transverse plane passing through the R points of the front seats. The driver controlled switch is not required if a rear window, roof panel or partition is equipped with an auto-reversing device. If, however, the driver-controlled switch is present, it shall not be able to override the auto-reversing device.

The driver-controlled switch shall be located so as to minimise any accidental manipulating. It shall be identified by the symbol shown in Appendix 4.

5.8.5. *Protection devices*

All protection devices which are used to prevent damage to the power source in the case of an overload or stalling shall be capable of resetting automatically while the switch controlling the window/roof panel/partition is activated.

5.8.6. *Handbook instructions*

5.8.6.1. The owner's manual of the vehicle shall contain clear instructions relating to the power-operated window/roof panel/partition, including:

5.8.6.1.1. explanation of possible consequences (entrapment),

5.8.6.1.2. use of the driver-controlled switch,

5.8.6.1.3. a "WARNING" message indicating the dangers, particularly to children in the case of improper use/activation of the power-operated windows/roof-panel systems/partition systems. This information should indicate the responsibilities of the driver, including instructions for other occupants and the recommendation to leave the vehicle only if the key is removed from the ignition lock,

5.8.6.1.4. a "WARNING" message indicating that special care should be taken when using remote closing systems (see Item 5.8.2.7), for example to actuate it only when the operator has a clear view of the vehicle to be sure that nobody can be trapped by power-operated windows/roof-panel/partition equipment'.

(k) Items 6, 7 and 8 are replaced by the following:

‘6. GRANTING OF EC TYPE-APPROVAL OF A VEHICLE TYPE

6.1. If the relevant requirements are satisfied, EC type-approval shall be granted pursuant to Article 4(3) of Directive 70/156/EEC.

6.2. A model for the EC type-approval certificate is given in Appendix 2.

6.3. An approval number in accordance with Annex VII to Directive 70/156/EEC shall be assigned to each type of vehicle approved. The same Member State shall not assign the same number to another type of vehicle.

7. MODIFICATIONS OF THE TYPE AND AMENDMENTS TO APPROVALS

7.1. In the case of modifications of the type approved pursuant to this Directive, the provisions of Article 5 of Directive 70/156/EEC shall apply.

8. CONFORMITY OF PRODUCTION

8.1. Measures to ensure the conformity of production shall be taken in accordance with the provisions laid down in Article 10 to Directive 70/156/EEC'.

(l) The following Appendices are inserted:

'Appendix 1

INFORMATION DOCUMENT No ...

Pursuant to Annex I of Council Directive 70/156/EEC ⁽¹⁾ relating to EC-type-approval of a vehicle with respect to the interior fittings**(Directive 74/60/EEC, as last amended by Directive 2000/4/EC)**

The following information, if applicable, must be supplied in triplicate and include a list of contents. Any drawings must be supplied in appropriate scale and in sufficient detail on size A4 or on a folder of A4 format. Photographs, if any, must show sufficient detail. If the systems, components or separate technical units have electronic controls, information concerning their performance must be supplied.

- 0. GENERAL
 - 0.1. Make (trade name of manufacturer):
 - 0.2. Type:
 - 0.3. Means of identification of type, if marked on the vehicle (b):
 - 0.3.1. Location of that marking:
 - 0.4. Category of vehicle (c):
 - 0.5. Name and address of manufacturer:
 - 0.8. Address(es) of assembly plant(s):
- 9. BODYWORK
 - 9.10. Interior fittings
 - 9.10.1. Interior protection for occupants
 - 9.10.1.1. Layout drawing or photographs showing the position of the attached sections or views:
 - 9.10.1.2. Photographs or drawing showing the reference line including the exempted area (Annex I, Item 2.3.1 to Directive 74/60/EEC):
 - 9.10.1.3. Photographs, drawings and/or an exploded view of the interior fittings, showing the parts in the passenger compartment and the materials used, (with the exception of interior rear-view mirrors,) arrangement of controls, roof and opening roof, backrest, seats and the rear part of seats:
 - 9.10.3. Seats
 - 9.10.3.5. Coordinates or drawing of the R point ^(*)
 - 9.10.3.5.1. Driver's seat:
 - 9.10.3.5.2. All other seating positions:
 - 9.10.3.6. Design seat back angle
 - 9.10.3.6.1. Driver's seat:
 - 9.10.3.6.2. All other seating positions:

.....
(Date, file)

⁽¹⁾ The item numbers and footnotes used in this information document correspond to those set out in Annex I to Directive 70/156/EEC. Items not relevant for the purpose of this document are omitted.

Appendix 2

MODEL

(maximum format: A4 (210 mm × 297 mm))

EC TYPE-APPROVAL CERTIFICATE

STAMP OF ADMINISTRATION

Communication concerning the

- type-approval ⁽¹⁾,
- extension of type-approval ⁽¹⁾,
- refusal of type-approval ⁽¹⁾,
- withdrawal of type-approval ⁽¹⁾,

of a type of a vehicle/component/separate technical unit ⁽¹⁾ with regard to Directive 74/60/EEC, as last amended by Directive 2000/4/EC

Type-approval number:

Reason for extension:

Section I

- 0.1. Make (trade name of manufacturer):
- 0.2. Type:
- 0.3. Means of identification of type if marked on the vehicle/component/separate technical unit ⁽¹⁾ ⁽²⁾:
- 0.3.1. Location of that marking:
- 0.4. Category of vehicle ⁽³⁾:
- 0.5. Name and address of manufacturer:
- 0.7. In the case of components and separate technical units, location and method of affixing of the EC approval mark:
- 0.8. Address(es) of assembly plant(s):

Section II

1. Additional information (where applicable): see addendum
2. Technical service responsible for carrying out the tests:
3. Date of test report:
4. Number of test report:
5. Remarks (if any): see addendum
6. Place:
7. Date:
8. Signature:
9. The index to the information package lodged with the approval authority, which may be obtained on request, is attached.

Addendum to EC type-approval certificate No ... concerning the type-approval of a vehicle with regard to Directive 74/60/EEC, as last amended by Directive 2000/4/EC

1. Additional information
 - 1.1. Type of bodywork:
 - 1.2. Number of seats:
5. Remarks:
(e.g. valid for both left-hand drive and right-hand drive vehicles)

⁽¹⁾ Delete where not applicable.

⁽²⁾ If the means of identification of type contains characters not relevant to describe the vehicle, component or separate technical unit covered by this type-approval certificate such characters shall be represented in the documentation by the symbol: "?" (e.g. ABC??123??).

⁽³⁾ As defined in Annex II, Section A to Directive 70/156/EEC.

Appendix 3

POSITION OF CYLINDRICAL TEST ROD IN THE OPENING ROOF AND WINDOW OPENINGS

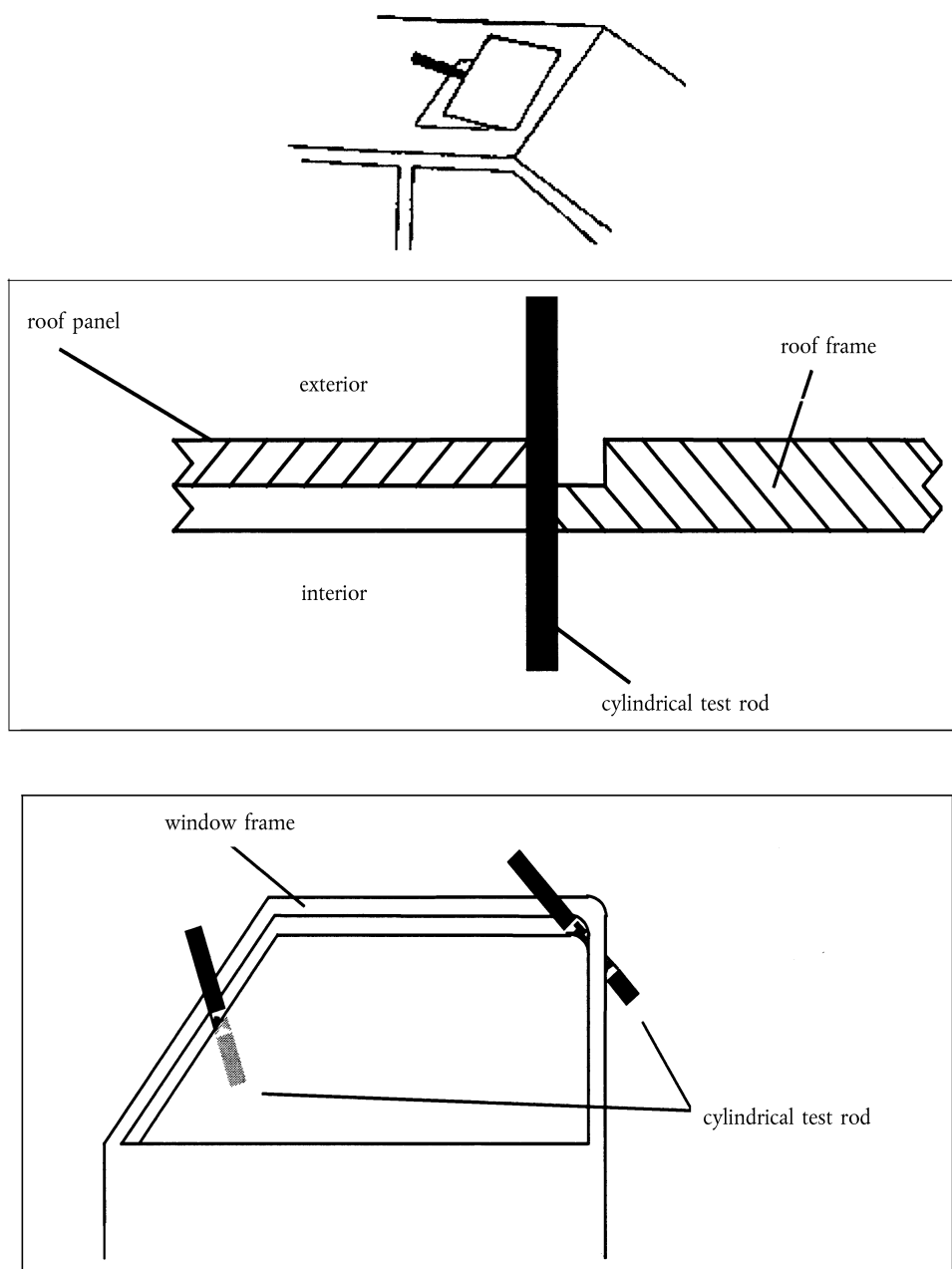
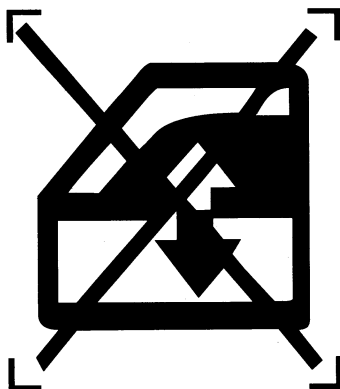


Figure 1

*Appendix 4***SYMBOL FOR DRIVER CONTROLLED SWITCH**

II

(Acts whose publication is not obligatory)

COMMISSION

COMMISSION DECISION

of 25 February 2000

listing the areas of the Grand Duchy of Luxembourg eligible under Objective 2 of the Structural Funds for the period 2000 to 2006

(notified under document number C(2000) 435)

(Only the French text is authentic)

(2000/277/EC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EC) No 1260/1999 of 21 June 1999 laying down general provisions on the Structural Funds ⁽¹⁾, and in particular the first subparagraph of Article 4(4) thereof,

After consulting the Advisory Committee on the Development and Conversion of Regions, the Committee on Agricultural Structures and Rural Development and the Management Committee for Fisheries and Aquaculture,

Whereas:

- (1) Point 2 of the first subparagraph of Article 1 of Regulation (EC) No 1260/1999 provides that Objective 2 of the Structural Funds is to support the economic and social conversion of areas facing structural difficulties.
- (2) The first subparagraph of Article 4(2) of Regulation (EC) No 1260/1999 provides that the Commission and the Member States shall seek to ensure that assistance is genuinely concentrated on the areas most seriously affected and at the most appropriate geographical level.
- (3) Commission Decision 1999/503/EC ⁽²⁾ establishes, in accordance with Article 4(2) of Regulation (EC) No 1260/1999, a population ceiling for each Member State under Objective 2 of the Structural Funds for the period

2000 to 2006. The ceiling for the Grand Duchy of Luxembourg is 118 000 inhabitants.

- (4) Article 4(4) of Regulation (EC) No 1260/1999 states that the Commission, on the basis of proposals from the Member States and in close concertation with each Member State concerned, is to draw up a list of the areas eligible under Objective 2 with due regard to national priorities, without prejudice to the transitional support provided for in Article 6(2).
- (5) Article 4(11) of Regulation (EC) No 1260/1999 provides that each list of areas is to be valid for seven years from 1 January 2000. However, where there is a serious crisis in a given region, the Commission, acting on a proposal from a Member State, may amend the list of areas during 2003 in accordance with paragraphs 1 to 10 of Article 4, without increasing the proportion of the population within each region referred to in Article 13(2) of that Regulation,

HAS ADOPTED THIS DECISION:

Article 1

The areas of the Grand Duchy of Luxembourg eligible under Objective 2 of the Structural Funds for the period 2000 to 2006 are listed in the Annex hereto.

This list may be amended in the course of 2003.

⁽¹⁾ OJ L 161, 26.6.1999, p. 1.

⁽²⁾ OJ L 194, 27.7.1999, p. 58.

Article 2

This Decision is addressed to the Grand Duchy of Luxembourg.

Done at Brussels, 25 February 2000.

For the Commission

Michel BARNIER

Member of the Commission

ANNEX

**LIST OF AREAS OF LUXEMBOURG ELIGIBLE UNDER OBJECTIVE 2 OF THE STRUCTURAL FUNDS
2000 to 2006**

NUTS level III region	Eligible areas		Population living in the eligible areas of the level III region (number of inhabitants)
	The whole level III region with the exception of	Only the following areas are eligible within the level III region	
Areas meeting the criteria of Article 4(7) of Regulation (EC) No 1260/1999			
Luxembourg (Grand-Duchy)		Municipalities: Bascharage Bettembourg Differdange Esch-Alzette Mondercange Pétange Sanem Schifflange	94 200
Areas meeting the criteria of Article 4(9)(b) of Regulation (EC) No 1260/1999			
Luxembourg (Grand-Duchy)		Municipalities: Clervaux Echternach Eschweiler Grevenmacher Heinerscheid Hosingen Mertert Mompach Munshausen Rosport Wiltz Wilwerwiltz	23 000

CORRIGENDA**Corrigendum to Council Directive 95/50/EC of 6 October 1995 on uniform procedures for checks on the transport of dangerous goods by road**

(Official Journal of the European Communities L 249 of 17 October 1995)

On page 38, in Annex I, point 10:

for: '10. Driver's mate',

read: '10. Driver's assistant'.

In point 15:

for: '☐ removable tank',

read: '☐ demountable tank'.
