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I

(Acts whose publication is obligatory)

**COUNCIL REGULATION (EC) No 763/2000
of 10 April 2000**

extending the definitive anti-dumping duty, imposed by Regulation (EC) No 584/96 on imports of certain tube and pipe fittings, of iron or steel, originating in the People's Republic of China to imports of certain tube and pipe fittings, of iron or steel, consigned from Taiwan, whether declared as originating in Taiwan or not, and terminating the investigation in respect of imports from three Taiwanese exporters

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EC) No 384/96 of 22 December 1995 on protection against dumped imports from countries not members of the European Community ⁽¹⁾, and in particular Article 13 thereof,

Having regard to the proposal submitted by the Commission after consulting the Advisory Committee,

Whereas:

According to the request, the circumvention practice consisted of transshipment of fittings originating in the PRC via Taiwan to the Community.

3. Initiation

- (4) By Regulation (EC) No 1683/1999 ⁽³⁾ the Commission initiated an investigation and directed, pursuant to Articles 13(3) and 14(5) of the Basic Regulation, the customs authorities to register imports of fittings consigned from Taiwan as of 31 July 1999. The Commission advised the authorities of the PRC and Taiwan of the initiation of the investigation.

A. PROCEDURE

1. Existing measures

- (1) By Regulation (EC) No 584/96 ⁽²⁾ (hereinafter referred to as 'the definitive Regulation') the Council imposed an anti-dumping duty of 58,6 % on imports of tube and pipe fittings, of iron or steel, (hereinafter referred to as 'fittings') originating in the People's Republic of China (hereinafter referred to as 'the PRC').

2. Request

- (2) On 10 June 1999, the Commission received a request, pursuant to Article 13(3) of Regulation (EC) No 384/96 (hereinafter referred to as 'the Basic Regulation'), from the Defence Committee of the EC steel butt-welding fittings industry. This request was submitted on behalf of Community producers of fittings, whose collective output is known to represent about 90 % of the total Community production of fittings.
- (3) The request alleged the existence of circumvention of the anti-dumping duties imposed by the definitive Regulation on imports of fittings originating in the PRC.

4. Investigation period

- (5) The investigation covered the period from 1 July 1998 to 30 June 1999 (hereinafter referred to as the 'IP').

5. Collection of data from interested parties

- (6) Questionnaires were sent to Community importers as well as exporters located in the PRC and Taiwan which were mentioned in the request, exporters known from the original investigation and other interested parties who came forward within the prescribed time limit. Replies to the questionnaires were received from six unrelated importers and three Taiwanese exporters. The Commission carried out verification visits at the premises of the following companies:

Unrelated importer:

— Tubos y Calibrados de Cataluña SA, Barcelona, Spain.

Taiwanese exporters:

— Nian Hong Pipe Fittings Co., Ltd, Kaohsiung, Taiwan
— Rigid Industries Co., Ltd, Kaohsiung, Taiwan
— Chup Hsin Enterprise Co. Ltd, Kaohsiung, Taiwan.

⁽¹⁾ OJ L 56, 6.3.1996, p. 1. Regulation as last amended by Regulation (EC) No 905/98 (OJ L 128, 30.4.1998, p.18).

⁽²⁾ OJ L 84, 3.4.1996, p. 1.

⁽³⁾ OJ L 199, 30.7.1999, p. 26.

B. RESULTS OF THE INVESTIGATION**1. General considerations/degree of cooperation**

- (7) The request of the Community industry alleged that there has been a change in the pattern of trade following the imposition of anti-dumping duties on imports of fittings into the Community from the PRC through an increase of Taiwanese exports. The Community industry also alleged that the remedial effects of the anti-dumping duty on imports from the PRC have been undermined both in terms of quantities and prices and that there is evidence of dumping in relation with the normal value established in the previous investigation.
- (8) The purpose of the investigation was to examine whether anti-dumping measures on imports of fittings originating in the PRC were being circumvented by imports of the same product originating in this country and transhipped, without undergoing substantial transformation, through Taiwan in accordance with Article 13(1), second sentence of the Basic Regulation.
- (9) No cooperation was received from producers or exporters of fittings in the PRC. However, information was obtained from three cooperating exporters in Taiwan, which produced and purchased fittings and exported them to the Community during the IP. Together, these three Taiwanese exporters accounted for 19,66 % in volume and 16,42 % in value of the total imports of fittings from Taiwan to the Community during the IP as reported by Eurostat at TARIC level.

2. Product under consideration and like product

- (10) The product under consideration is as defined in the original investigation, which is tube and pipe fittings (other than cast fittings), of iron or steel, (not including stainless steel), with a greatest external diameter not exceeding 609,6 mm, of a kind used for butt-welding or other purposes, currently classifiable within CN codes ex 7307 93 11 (TARIC code 7307 93 11 90), ex 7307 93 19 (TARIC code 7307 93 19 90), ex 7307 99 30 (TARIC code 7307 99 30 91) and ex 7307 99 90 (TARIC code 7307 99 90 91).
- (11) The investigation showed that the fittings exported to the Community from the PRC and those consigned from Taiwan to the Community have the same basic physical and chemical characteristics and have the same uses, and are therefore to be considered as like products within the meaning of Article 1(4) of the Basic Regulation.

3. Change in the pattern of trade*a) Cooperating Taiwanese exporters*

- (12) Exports to the Community made by cooperating exporters in Taiwan increased by 300 % from 1994 to the IP at the same time as the imposition of measures on Chinese fittings. The existence of a change in the pattern of trade was therefore established in their respect.

b) Non-cooperating Taiwanese exporters

- (13) As far as the non-cooperating exporters are concerned the Commission had to establish the exports to the Community on the basis of facts available pursuant to Article 18 of the Basic Regulation. Findings in respect of exports to the Community following the imposition of measures were based on Eurostat data at TARIC level. Due account was taken, in the case of Taiwan, of the exports of the cooperating exporters. Findings in respect of the exports of the product concerned from the same countries in 1994 and 1995 were based on adjusted Eurostat data at CN level.
- (14) Imports into the Community of fittings from the PRC have decreased substantially from 2 741 tonnes in 1994 to 95 tonnes in 1998, following the imposition of anti-dumping measures. At the same time, imports of fittings from Taiwan increased from 221 tonnes in 1994 to 3 745 in 1998, reaching a peak of 4 918 tonnes in 1997.
- (15) The marked switch from imports from the PRC to those from Taiwan coincided with the entry into force of anti-dumping measures on PRC fittings at the end of 1995.

4. Insufficient due cause or economic justification*a) Cooperating Taiwanese exporters*

- (16) Niang Hong Pipe Fittings Co. Ltd is a manufacturer and exporter of fittings based in Kaohsiung, operating production facilities for the complete production process of some types of fittings. It only sells its own production a part of which is exported to the Community by another company, Chup Hsin.
- (17) Rigid Industries Co. Ltd is, like Niang Hong, an integrated producer/exporter of fittings and also based in Kaohsiung. It only exports its own production of the product concerned to the Community and has exported limited quantities during the IP.
- (18) Chup Hsin Enterprises Co. Ltd is also an integrated producer/exporter of fittings and also based in Kaohsiung. This company completes its range of manufactured products for the export market with fittings purchased from other local Taiwanese manufacturers, including Niang Hong, and from one Japanese producer.

- (19) Given that none of the three companies purchased fittings from the PRC the change in the pattern of trade can be considered as having a due cause. Consequently the investigation with regard to these companies should be terminated.

b) Non-cooperating Taiwanese exporters

- (20) In the absence of cooperation, and given that the above-mentioned substitution of imports from the PRC for imports from Taiwan took place immediately following the imposition of anti-dumping duties, it has to be concluded that the change in the pattern of trade stemmed from the imposition of the duty rather than from any other sufficient due cause or economic justification within the meaning of Article 13(1), second sentence of the Basic Regulation.
- (21) Furthermore, in the absence of any reasonable economic justification, other than the imposition of the duty, for the change in the pattern of trade it may reasonably be concluded that transshipment of PRC fittings via Taiwan to the Community has taken place.
- (22) This conclusion is reinforced by the following: imports from the PRC into Taiwan of one of the two categories of CN codes (7307 93) covering the product concerned are subject to a Taiwanese import regulation named MWO, which according to Taiwan's customs law means that imports are prohibited. However, Taiwanese custom statistics recorded imports under that particular code amounting to 3 700 tonnes from the PRC only for 1998.
- (23) The investigation has moreover established, on the basis of evidence provided by the Taiwanese cooperating exporters, that it is possible to import goods from a third country into Taiwan and re-export them under a Taiwanese certificate of origin without undergoing any substantial transformation.

5. Undermining of the remedial effects of the duty in terms of the prices and/or quantities of the like products (non-cooperating Taiwanese exporters)

- (24) It is evident from the figures in recital 14 that a clear quantitative change in the pattern of Community imports occurred since the imposition of measures, and that this marked change in trade flows undermined the remedial effects of these in terms of the quantities imported into the Community market. Indeed, the exports of Chinese fittings, estimated at 2 741 tonnes in 1994 prior to the imposition of measures, were replaced and even exceeded by exports of the non-cooperating Taiwanese exporters (accounting for 3 745 tonnes during the IP).
- (25) Given the extremely low degree of cooperation, the large scale undermining of the effects of the measures in terms of quantities and that the Basic Regulation requires that undermining of the remedial effect of the duty be established in terms of either quantities or

prices, it was found unnecessary to further investigate undermining in terms of prices.

6. Evidence of dumping in relation to the normal values previously established for like or similar products (non-cooperating Taiwanese exporters)

- (26) In order to determine whether evidence of dumping could be found with respect to the fittings exported to the Community from Taiwan by the non-cooperating exporters during the IP, two approaches were followed, pursuant to Article 18 of the Basic Regulation. It is recalled that the Basic Regulation requires the establishment of evidence of dumping in relation to the normal values established in the original investigation, but that it does not require a new dumping margin to be established.
- a) Approach based on export data reported by Eurostat*
- (27) In this first approach the export price was established on the basis of total export value and tonnes reported by Eurostat at TARIC level from which the quantities and values exported by the cooperating Taiwanese companies were deducted.
- (28) In accordance with Article 13(1) of the Basic Regulation, the normal value to be used in an anti-circumvention investigation is the normal value established during the original investigation. At that time, Thailand was found to be an appropriate analogue market economy third country for the PRC, that was considered to be a non-market economy country.
- (29) In the original investigation, normal value was determined per type of fitting. In the current anti-circumvention investigation, for the comparison with the export prices determined on the basis of Eurostat data, and given that Eurostat does not provide export price data per type of fitting but only per tonne and per TARIC code, the Commission estimated, pursuant to Article 18 of the Basic Regulation, that the product mix of the non-cooperating Taiwanese producers could reasonably be assessed on the basis of the product mix of export sales to the Community made by the three cooperating Taiwanese exporters. Consequently, the normal value per type as determined in the original investigation was weighted on the basis of the aforementioned product mix of these cooperating Taiwanese exporters. Thus, a weighted average normal value per tonne was established.
- (30) For the purpose of a fair comparison between the normal value and the export price, due allowance in the form of adjustments was made for differences which affect prices and price comparability. These adjustments were made in accordance with Article 2(10) of the Basic Regulation in respect of transport, insurance and commissions. As the functions of the companies that transhipped the product concerned through Taiwan to the Community can be considered similar to those of a trader acting on a commission basis, an adjustment of 6 % considered as a reasonable estimate for selling general and administrative expenses and profit was deducted from the export price as determined above.

b) *Approach based on cooperating importers' data*

- (31) On this second approach the export price was established on the basis of the limited information on import prices by type of fittings submitted by the cooperating importers, representing around 14 % of the imports of fittings from Taiwan in terms of volume, in respect of their purchases from non-cooperating Taiwanese exporters.
- (32) As explained in recital 28, the normal value to be used in an anti-circumvention investigation is the normal value established during the original investigation. In the original investigation, normal value was determined per type of fitting. These normal values were thus directly compared with the individual export price per type of fitting established on the basis of the information submitted by the cooperating importers.
- (33) For the purpose of a fair comparison between the normal value and the export price, the methodology explained in recital 30 was used.

c) *Conclusion*

- (34) In accordance with Article 2(11) and (12) of the Basic Regulation, the comparison of weighted average normal values with weighted average export prices expressed as a percentage of the cif Community frontier price, revealed, when following either methodology explained in recitals 27 to 33, a significant level of dumping.

C. REQUESTS FOR EXEMPTION FROM THE EXTENSION OF THE DUTY

- (35) The Commission received requests for exemption from the extension of the duty from eight importers. Given that the definitive anti-dumping duty on imports of fittings originating in the PRC will not be extended to fittings produced and exported by the Taiwanese exporters that did not circumvent these measures, it was considered that no exemption should be granted at this stage.

D. MEASURES

- (36) In view of the above finding of circumvention within the meaning of Article 13(1), second sentence of the Basic Regulation, the existing anti-dumping measures on fittings originating in PRC should be extended to the same product consigned from Taiwan, whether the product is declared as originating in Taiwan or not, with the exception of products manufactured by the three cooperating exporters, pursuant to Article 13(1), first sentence of the Basic Regulation.
- (37) In accordance with Article 14(5) of the Basic Regulation, which provides that measures may be applied against registered imports from the date of registration, the anti-dumping duty on imports of fittings consigned from Taiwan which entered the Community under registration imposed by the Commission Regulation initiating this investigation, with the exception of those

fittings exported by the three cooperating exporters, should be collected.

- (38) Companies requesting an exemption pursuant to Article 13(4) of the Basic Regulation will normally be required to complete a questionnaire in order to enable the Commission to determine whether an exemption may be warranted and the Commission would normally also carry out an on-the-spot verification visit.
- (39) The non-extension of the duties to the three individual Taiwanese companies specified in this Regulation was established on the basis of the findings of the present investigation. Therefore, it reflects the situation found during that investigation with respect to these companies. The non-extension is thus exclusively applicable to imports of products produced and consigned by these specific legal entities mentioned. Imported products produced or consigned by any other company not specifically mentioned in the operative part of this Regulation with its name and address including entities related to those specifically mentioned, cannot benefit from the exception and should be subject to the duty rate imposed by the definitive Regulation.
- (40) Any claim requesting the application of this exception would have to be addressed to the Commission forthwith with all relevant information, in particular any modification in the company's activities linked to production and export sales. The Commission, if appropriate, would, after consultation of the Advisory Committee, amend the Regulation accordingly by updating the list of companies benefiting from the exception.

E. PROCEDURE

- (41) Interested parties were informed of the essential facts and considerations on the basis of which the Commission intended to propose the extension of the definitive anti-dumping duty in force and were given the opportunity to comment,

HAS ADOPTED THIS REGULATION:

Article 1

1. The definitive anti-dumping duty imposed by Regulation (EC) No 584/96 on imports of certain tube and pipe fittings of iron and steel falling within CN codes ex 7307 93 11 (TARIC code 7307 93 11 90), ex 7307 93 19 (TARIC code 7307 93 19 90), ex 7307 99 30 (TARIC code 7307 99 30 91) and ex 7307 99 90 (TARIC code 7307 99 90 91) originating in the People's Republic of China, is hereby extended to imports of the same fittings consigned from Taiwan (whether these fitting are declared as originating in Taiwan or not) (TARIC additional code A999), with the exception of those produced and exported by Chup Hsin Enterprise Co. Ltd, Kaohsiung (Taiwan) (TARIC additional code A098), Rigid Industries Co., Ltd, Kaohsiung (Taiwan) (TARIC additional code A099) and Niang Hong Pipe Fittings Co., Ltd, Kaohsiung (Taiwan) (TARIC additional code A100).

2. The duty extended by paragraph 1 of this Article shall be collected on imports registered in accordance with Article 2 of Regulation (EC) No 1683/1999 and Articles 13(3) and 14(5) of Regulation (EC) No 384/96, with the exception of those produced and exported by Chup Hsin Enterprise Co. Ltd, Rigid Industries Co., Ltd and Niang Hong Pipe Fittings Co., Ltd, Kaohsiung (Taiwan).

3. The TARIC codes to be declared for the products originating and/or consigned from Taiwan are: 7307 93 11 91, 7307 93 19 91, 7307 99 30 92 and 7307 99 90 92.

4. The provisions in force concerning customs duties shall apply.

Article 2

1. Requests for exemption from the duty extended by Article 1 shall be made in writing in one of the official languages of the Community and must be signed by a person authorised to represent the applicant. The request must be sent to the following address:

European Commission
Directorate-General for Trade
Unit C-3
Rue de la Loi/Wetstraat 200
B-1049 Brussels
Fax (32-2) 295 65 05

2. The Commission, after consulting the Advisory Committee, shall authorise, by decision, the exemption of imports which do not circumvent the anti-dumping duty imposed by Regulation (EC) No 584/96 from the duty extended by Article 1.

Article 3

Customs authorities are hereby directed to discontinue the registration of imports, established in accordance with Article 2 of Regulation (EC) No 1683/1999.

Article 4

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

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

Done at Luxembourg, 10 April 2000.

For the Council
The President
J. GAMA

**COUNCIL REGULATION (EC) No 764/2000
of 10 April 2000
regarding the implementation of measures to intensify the EC-Turkey customs union**

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty establishing the European Community, and in particular Article 308 thereof,

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

Having regard to the opinion of the European Parliament ⁽²⁾,

Whereas:

- (1) The Luxembourg European Council on 12 and 13 December 1997 confirmed that the Republic of Turkey was eligible to accede to the European Union.
- (2) On 4 March 1998 the Commission submitted to the Council a communication entitled the European strategy for Turkey: the Commission's initial operational proposals to prepare Turkey for accession.
- (3) The Cardiff European Council on 15 and 16 June 1998 welcomed the Commission's communication as a platform for developing relations between the European Union and Turkey on a sound and evolutionary basis.
- (4) The Commission was requested by the Cardiff European Council to table any proposals which would be required to implement the European strategy.
- (5) The Cardiff European Council pointed out that the European strategy would require financial support.
- (6) The conclusions of the Council meeting of 13 September 1999 referred to financial assistance for Turkey.
- (7) Since the EC-Turkey customs union came into force on 31 December 1995, Turkey has been pushing ahead with economic reform.
- (8) The Helsinki European Council of 10 and 11 December 1999 stated that Turkey was a candidate State destined to join the Union on the basis of the same criteria as applied to the other candidate States.
- (9) The provisions of this Regulation are based on respect for democratic principles, the rule of law, human rights and fundamental freedoms and respect for international

law, which underpin the policies of the European Community and its Member States.

- (10) The Community attaches great importance to the need for Turkey to improve and promote its democratic practices and respect for fundamental human rights, and more closely involve civil society in that process.
- (11) The European Parliament has adopted a number of Resolutions on the importance of respect for human rights in Turkey to the development of close ties between that country and the European Union, in particular those of 13 December 1995 on the human rights situation in Turkey ⁽³⁾, 17 September 1998 on the Commission reports on developments in relations with Turkey since the entry into force of the customs union ⁽⁴⁾, 3 December 1998 on the communication from the Commission to the Council and the European Parliament on the further development of relations with Turkey and on the communication from the Commission to the Council entitled 'European strategy for Turkey: the Commission's initial operational proposals' ⁽⁵⁾ and 6 October 1999 on the state of relations between Turkey and the European Union.
- (12) A financial reference amount, within the meaning of point 34 of the Interinstitutional Agreement of 6 May 1999 between the European Parliament, the Council and the Commission ⁽⁶⁾, is included in this Regulation for the entire duration of the programme, as part of the multi-annual financial framework of the Mediterranean allocations, without thereby affecting the powers of the budgetary authority as they are defined by the Treaty.
- (13) 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 ⁽⁷⁾.
- (14) The Treaty does not provide for powers other than those of Article 308 for the adoption of this Regulation,

HAS ADOPTED THIS REGULATION:

Article 1

The Community shall assist Turkey in preparing for accession by establishing closer links with the European Union in all fields connected with the intensification of the customs union.

Article 2

The financial reference amount for the implementation of this Regulation for the period 2000 to 2002 shall be EUR 15 million.

⁽¹⁾ OJ C 408, 29.12.1998, p. 14.

⁽²⁾ Opinion delivered on 4 December 1999 (not yet published in the Official Journal).

⁽³⁾ OJ C 17, 22.1.1996, p. 46.

⁽⁴⁾ OJ C 313, 12.10.1998, p. 176.

⁽⁵⁾ OJ C 398, 21.12.1998, p. 57.

⁽⁶⁾ OJ C 172, 18.6.1999, p. 1.

⁽⁷⁾ OJ L 184, 17.7.1999, p. 23.

The annual appropriations shall be authorised by the budgetary authority within the limits of the financial perspective.

Article 3

1. The beneficiaries of cooperation projects and operations may include not only the Turkish State and regions but also local authorities, regional organisations, public agencies, local or traditional communities, business support organisations, cooperatives and civil society, in particular associations, foundations and non-governmental organisations.

2. Where an essential element for the continuation of assistance to Turkey is lacking, in particular in the case of violation of democratic principles, the rule of law, human rights and fundamental freedoms and international law, the Council, acting by qualified majority on a proposal from the Commission, may decide upon appropriate measures.

3. The Commission shall pass information on its indicative programme to the committee referred to in Article 7 (MED Committee) and the EU-Turkey joint economic and social committee.

Article 4

Cooperation projects and operations may be financed, in particular in the following areas:

- (a) support for the alignment of Turkish legislation with that of the Community and assistance with the institutional development connected with that adjustment;
- (b) access to the single market, including development of the requisite certification and quality instruments;
- (c) assistance for the liberalisation of capital movements between the Community and Turkey;
- (d) cooperation to develop the customs union between the European Community and Turkey, in particular integrating Turkey into the pan-European rules of origin system and supporting its participation in the Transit and Single Administrative Document Conventions;
- (e) helping Turkey to adapt its agricultural policy to incorporate the CAP measures needed to establish the free movement of agricultural goods;
- (f) cooperation in veterinary and plant-health matters;
- (g) Turkish participation in a number of Community programmes and agencies dealing with matters including the environment, research, education, training and youth;
- (h) cooperation on competition policy and consumer policy, new technologies and the information society;
- (i) cooperation on justice and home affairs;
- (j) any form of cooperation seeking to defend and promote democracy, the rule of law, human rights and the protection of minorities.

Article 5

1. Financial support under this Regulation shall take the form of grants.

2. The instruments to be employed in the course of the operations covered by this Regulation shall include, within the limits established during the annual budget procedure by the budgetary authority, technical assistance, training or other services, supplies and works, along with audits and evaluation and monitoring missions.

3. Community financing may cover investment, with the exception of the purchase of buildings, and recurring costs (including administrative, maintenance and operational costs), taking account of the fact that the project must provide for the recurring costs to be taken over by the beneficiaries.

4. A financial contribution from the partners defined in Article 3 shall be sought for each cooperation operation. The contribution requested shall be within the means of the partners concerned and shall depend on the nature of the operation. In specific cases where the partner is an NGO or a Community-based organisation, a contribution in kind may be made.

5. Opportunities may be sought for cofinancing with other providers of funds, especially with Member States.

6. The necessary measures shall be taken to emphasise the Community character of the aid provided under this Regulation.

7. The Commission, in conjunction with the Member States, may take any initiatives necessary for ensuring good coordination with the other providers of funds involved.

Article 6

1. The Commission shall appraise, approve and administer operations covered by this Regulation according to the budgetary procedures in force, and in particular those laid down in the Financial Regulation of 21 December 1977 applicable to the general budget of the European Communities⁽¹⁾.

2. Project and programme appraisal shall take into account the following factors:

- (a) effectiveness and viability of operations;
- (b) cultural, social, gender and environmental aspects;
- (c) conservation and protection of the environment on the basis of the principles of sustainable development;
- (d) institutional development necessary to achieve project goals;
- (e) experience gained from operations of the same kind.

3. Decisions relating to grants of more than EUR 2 million for individual operations financed under this Regulation shall be taken under the procedure laid down in Article 7(2).

⁽¹⁾ OJ L 356, 31.12.1977, p. 1. Regulation as last amended by Regulation (EC) No 2673/1999 (OJ L 326, 18.12.1999, p. 1).

The Commission shall inform the MED Committee succinctly of any financing decisions it intends to take with regard to projects and programmes of less than EUR 2 million in value. The information shall be made available at least one week before the decision is taken.

The Commission shall take all necessary steps to facilitate the grant of aid to small, non-profit-making NGOs.

4. Provided that the overrun or additional requirement is not more than 20 % of the initial commitment fixed by the financing decision, the Commission is authorised to approve, without seeking the opinion of the MED Committee, any extra commitments needed for covering expected or real cost overruns in connection with the operations.

Where the additional commitment referred to in the first subparagraph is less than EUR 4 million, the MED Committee shall be informed of the decision taken by the Commission. Where the additional commitment is more than EUR 4 million but less than 20 % of the initial commitment, the Committee's opinion is required.

5. All financing agreements or contracts concluded under this Regulation shall provide for the Commission and the Court of Auditors to conduct on-the-spot checks according to the usual procedures laid down by the Commission under the rules in force, and in particular those of the Financial Regulation.

6. Where operations are the subject of financing agreements between the Community and Turkey, such agreements shall stipulate that the payment of taxes, duties or any other charges is not to be covered by the Community.

7. Participation in invitations to tender and the award of contracts shall be open on equal terms to any natural or legal person of the Member States and Turkey.

8. Supplies shall originate in the Member States or Turkey.

Article 7

1. The Commission shall be assisted by the committee set up by Regulation (EC) No 1488/96 ⁽¹⁾, referred to as the 'MED Committee'.

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 three months.

3. The Committee shall adopt its rules of procedure.

Article 8

An exchange of views shall take place, once a year, on the basis of a presentation by the Commission's representative of the

indicative programme for the operations to be carried out in the year ahead, in a meeting of the MED Committee.

The European Parliament shall be informed of the proposals and of the outcome of the discussions.

Article 9

The Commission shall submit an annual report to the European Parliament and to the Council during the first quarter of each year. This report shall contain at least the following:

- (a) a detailed summary of the operations financed during the previous financial year;
- (b) the planned indicative programme for the current financial year and a statement of the progress made with regard to the operations included therein;
- (c) the forecasts for the programme and the operations to be undertaken during the following financial year;
- (d) a summary of the conclusions of evaluations carried out, where necessary, including those relating to specific operations;
- (e) information on the bodies with which the agreements or contracts have been concluded.

Article 10

The Commission shall regularly evaluate operations financed by the Community in order to establish whether the objectives of the operations have been achieved and to provide guidelines for improving the effectiveness of future operations.

The Commission shall submit to the MED Committee a summary of the evaluations made, which the latter may, if necessary, examine.

Evaluation reports shall be made available to any Member States requesting them.

Article 11

Not later than 30 June 2002, the Commission shall submit to the European Parliament and the Council an overall assessment of the operations financed by the Community under this Regulation, together with suggestions regarding the future of this Regulation and, where necessary, proposals for amending it.

Article 12

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

⁽¹⁾ Council Regulation (EC) No 1488/96 of 23 July 1996 on financial and technical measures to accompany (MEDA) the reform of economic and social structures in the framework of the Euro-Mediterranean partnership (OJ L 189, 30.7.1996, p. 1). Regulation as amended by Regulation (EC) No 780/98 (OJ L 113, 15.4.1998, p. 3).

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

Done at Luxembourg, 10 April 2000.

For the Council

The President

J. GAMA

COMMISSION REGULATION (EC) No 765/2000
of 13 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 14 April 2000.

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

Done at Brussels, 13 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 13 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	143,6
	204	111,2
	624	174,8
	999	143,2
0707 00 05	052	136,4
	068	141,0
	628	146,6
	999	141,3
0709 90 70	052	78,7
	204	41,5
	999	60,1
0805 10 10, 0805 10 30, 0805 10 50	052	57,4
	204	37,6
	212	41,7
	220	33,7
	624	48,6
	999	43,8
0805 30 10	220	52,3
	600	79,3
	999	65,8
0808 10 20, 0808 10 50, 0808 10 90	388	96,4
	400	97,2
	404	89,2
	508	89,0
	512	91,3
	528	85,3
	720	76,9
	800	174,4
	804	101,7
	999	100,2
0808 20 50	388	75,5
	400	65,5
	512	72,4
	528	78,4
	999	73,0

⁽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 766/2000**of 13 April 2000****concerning applications for import licences for oat grains otherwise worked qualifying for the conditions referred to in Commission Regulation (EC) No 2369/96**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

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

Whereas:

- (1) Commission Regulation (EC) No 2369/96 of 12 December 1996 opening and providing for the administration of a Community tariff quota for 10 000 tonnes of oat grains otherwise worked falling within CN code 1104 22 98 ⁽²⁾, as amended by Regulation (EC) No 630/97 ⁽³⁾, establishes special rules governing the organisation of imports under the quota.
- (2) Article 3(3) of Regulation (EC) No 2369/96 lays down that the Commission must set a percentage for the reduction of quantities if the applications for import licences exceed the quantities that may be allocated.

Applications for licences submitted on 10 April 2000 relate to 1 700,024 t of oat grains otherwise worked and the maximum quantity to be allocated is 329,68 t. The appropriate percentage of reduction for import licence applications submitted on 10 April 2000 and qualifying for the conditions provided for in Regulation (EC) No 2369/96 must therefore be set,

HAS ADOPTED THIS REGULATION:

Article 1

Applications for import licences for oat grains otherwise worked qualifying for the conditions provided for in Regulation (EC) No 2369/96 submitted on 10 April 2000 and notified to the Commission shall be accepted for the tonnage indicated therein multiplied by a coefficient of 0,194. Applications not notified to the Commission shall be refused.

Article 2

This Regulation shall enter into force on 14 April 2000.

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

Done at Brussels, 13 April 2000.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ L 146, 20.6.1996, p. 1.

⁽²⁾ OJ L 323, 13.12.1996, p. 8.

⁽³⁾ OJ L 96, 11.4.1997, p. 5.

COMMISSION REGULATION (EC) No 767/2000
of 13 April 2000
fixing the export refunds on milk and milk products

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EC) No 1255/1999 of 17 May 1999 on the common organisation of the market in milk and milk products ⁽¹⁾, and in particular Article 31(3) thereof,

Whereas:

(1) Article 31 of Regulation (EC) No 1255/1999 provides that the difference between prices in international trade 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 within the limits resulting from agreements concluded in accordance with Article 300 of the Treaty.

(2) Regulation (EC) No 1255/1999 provides that when the refunds on the products listed in Article 1 of the above-mentioned Regulation, exported in the natural state, are being fixed, account must be taken of:

- the existing situation and the future trend with regard to prices and availabilities of milk and milk products on the Community market and prices for milk and milk products in international trade,
- marketing costs and the most favourable transport charges from Community markets to ports or other points of export in the Community, as well as costs incurred in placing the goods on the market of the country of destination,
- the aims of the common organisation of the market in milk and milk products which are to ensure equilibrium and the natural development of prices and trade on this market,
- the limits resulting from agreements concluded in accordance with Article 300 of the Treaty, and
- the need to avoid disturbances on the Community market, and
- the economic aspect of the proposed exports.

(3) Article 31(5) of Regulation (EC) No 1255/1999 provides that when prices within the Community are being determined account should be taken of the ruling prices which are most favourable for exportation, and that

when prices in international trade are being determined particular account should be taken of:

- (a) prices ruling on third country markets;
- (b) the most favourable prices in third countries of destination for third country imports;
- (c) producer prices recorded in exporting third countries, account being taken, where appropriate, of subsidies granted by those countries; and
- (d) free-at-Community-frontier offer prices.

(4) Article 31(3) of Regulation (EC) No 1255/1999 provides that the world market situation or the specific requirements of certain markets may make it necessary to vary the refund on the products listed in Article 1 of the abovementioned Regulation according to destination.

(5) Article 31(3) of Regulation (EC) No 1255/1999 provides that the list of products on which export refunds are granted and the amount of such refunds should be fixed at least once every four weeks; the amount of the refund may, however, remain at the same level for more than four weeks.

(6) In accordance with Article 16 of Commission Regulation (EC) No 174/1999 of 26 January 1999 on specific detailed rules for the application of Council Regulation (EC) No 804/68 as regards export licences and export refunds on milk and milk products ⁽²⁾, as amended by Regulation (EC) No 1596/1999 ⁽³⁾; the refund granted for milk products containing added sugar is equal to the sum of the two components; one is intended to take account of the quantity of milk products and is calculated by multiplying the basic amount by the milk products content in the product concerned; the other is intended to take account of the quantity of added sucrose and is calculated by multiplying the sucrose content of the entire product by the basic amount of the refund valid on the day of exportation for the products listed in Article 1(1)(d) of Council Regulation (EC) No 2038/1999 of 13 September 1999 on the common organisation of the markets in the sugar sector ⁽⁴⁾, however, this second component is applied only if the added sucrose has been produced using sugar beet or cane harvested in the Community.

⁽²⁾ OJ L 20, 27.1.1999, p. 8.

⁽³⁾ OJ L 188, 21.7.1999, p. 39.

⁽⁴⁾ OJ L 252, 25.9.1999, p. 1.

⁽¹⁾ OJ L 160, 26.6.1999, p. 48.

- (7) Commission Regulation (EEC) No 896/84 ⁽¹⁾, as last amended by Regulation (EEC) No 222/88 ⁽²⁾, laid down additional provisions concerning the granting of refunds on the change from one milk year to another; those provisions provide for the possibility of varying refunds according to the date of manufacture of the products.
- (8) For the calculation of the refund for processed cheese provision must be made where casein or caseinates are added for that quantity not to be taken into account.
- (9) It follows from applying the rules set out above to the present situation on the market in milk and in particular to quotations or prices for milk products within the Community and on the world market that the refund should be as set out in the Annex to this Regulation.
- (10) The Management Committee for Milk and Milk Products has not delivered an opinion within the time limit set by its chairman,

HAS ADOPTED THIS REGULATION:

Article 1

1. The export refunds referred to in Article 31 of Regulation (EC) No 1255/1999 on products exported in the natural state shall be as set out in the Annex.
2. There shall be no refunds for exports to destination No 400 for products falling within CN codes 0401, 0402, 0403, 0404, 0405 and 2309.
3. There shall be no refunds for exports to destinations No 021, 023, 024, 028, 043, 044, 045, 046, 052, 404, 600, 800 and 804 for products falling within CN code 0406.

Article 2

This Regulation shall enter into force on 14 April 2000.

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

Done at Brussels, 13 April 2000.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ L 91, 1.4.1984, p. 71.

⁽²⁾ OJ L 28, 1.2.1988, p. 1.

ANNEX

to the Commission Regulation of 13 April 2000 fixing the export refunds on milk and milk products

(in EUR/100 kg net weight unless otherwise indicated)

Product code	Destination (*)	Amount of refund	Product code	Destination (*)	Amount of refund
0401 10 10 9000	970	2,327	0402 21 91 9900	+	123,90
	***	—	0402 21 99 9100	+	93,60
0401 10 90 9000	970	2,327	0402 21 99 9200	+	94,30
	***	—	0402 21 99 9300	+	95,40
0401 20 11 9100	970	2,327	0402 21 99 9400	+	102,00
	***	—	0402 21 99 9500	+	104,30
0401 20 11 9500	970	3,597	0402 21 99 9600	+	113,00
	***	—	0402 21 99 9700	+	118,10
0401 20 19 9100	970	2,327	0402 21 99 9900	+	123,90
	***	—	0402 29 15 9200	+	0,7220
0401 20 19 9500	970	3,597	0402 29 15 9300	+	0,8200
	***	—	0402 29 15 9500	+	0,8640
0401 20 91 9100	970	4,551	0402 29 15 9900	+	0,9300
	***	—	0402 29 19 9200	+	0,7220
0401 20 91 9500	+	—	0402 29 19 9300	+	0,8200
0401 20 99 9100	970	4,551	0402 29 19 9500	+	0,8640
	***	—	0402 29 19 9900	+	0,9300
0401 20 99 9500	+	—	0402 29 91 9100	+	0,9360
0401 30 11 9100	+	—	0402 29 91 9500	+	1,0200
0401 30 11 9400	970	10,50	0402 29 99 9100	+	0,9360
	***	—	0402 29 99 9500	+	1,0200
0401 30 11 9700	970	15,77	0402 91 11 9110	+	—
	***	—	0402 91 11 9120	+	—
0401 30 19 9100	+	—	0402 91 11 9310	+	11,31
0401 30 19 9400	+	—	0402 91 11 9350	+	13,85
0401 30 19 9700	970	15,77	0402 91 11 9370	+	16,84
	***	—	0402 91 19 9110	+	—
0401 30 31 9100	+	38,32	0402 91 19 9120	+	—
0401 30 31 9400	+	59,85	0402 91 19 9310	+	11,31
0401 30 31 9700	+	66,00	0402 91 19 9350	+	13,85
0401 30 39 9100	+	38,32	0402 91 19 9370	+	16,84
0401 30 39 9400	+	59,85	0402 91 31 9100	+	—
0401 30 39 9700	+	66,00	0402 91 31 9300	+	19,91
0401 30 91 9100	+	75,22	0402 91 39 9100	+	—
0401 30 91 9400	+	110,55	0402 91 39 9300	+	19,91
0401 30 91 9700	+	129,01	0402 91 51 9000	+	—
0401 30 99 9100	+	75,22	0402 91 59 9000	+	—
0401 30 99 9400	+	110,55	0402 91 91 9000	+	63,94
0401 30 99 9700	+	129,01	0402 91 99 9000	+	63,94
0402 10 11 9000	+	72,20	0402 99 11 9110	+	—
0402 10 19 9000	+	72,20	0402 99 11 9130	+	—
0402 10 91 9000	+	0,7220	0402 99 11 9150	+	—
0402 10 99 9000	+	0,7220	0402 99 11 9310	+	0,2689
0402 21 11 9200	+	72,20	0402 99 11 9330	+	0,3228
0402 21 11 9300	+	82,00	0402 99 11 9350	+	0,4291
0402 21 11 9500	+	86,40	0402 99 19 9110	+	—
0402 21 11 9900	+	93,00	0402 99 19 9130	+	—
0402 21 17 9000	+	72,20	0402 99 19 9150	+	—
0402 21 19 9300	+	82,00	0402 99 19 9310	+	0,2689
0402 21 19 9500	+	86,40	0402 99 19 9330	+	0,3228
0402 21 19 9900	+	93,00	0402 99 19 9350	+	0,4291
0402 21 91 9100	+	93,60	0402 99 31 9110	+	—
0402 21 91 9200	+	94,30	0402 99 31 9150	+	0,4467
0402 21 91 9300	+	95,40	0402 99 31 9300	+	0,3832
0402 21 91 9400	+	102,00	0402 99 31 9500	+	0,6600
0402 21 91 9500	+	104,30	0402 99 39 9110	+	—
0402 21 91 9600	+	113,00	0402 99 39 9150	+	0,4467
0402 21 91 9700	+	118,10	0402 99 39 9300	+	0,3832

Product code	Destination (*)	Amount of refund	Product code	Destination (*)	Amount of refund
0402 99 39 9500	+	0,6600	0404 90 29 9160	+	118,10
0402 99 91 9000	+	0,7522	0404 90 29 9180	+	123,90
0402 99 99 9000	+	0,7522	0404 90 81 9100	+	0,7220
0403 10 11 9400	+	—	0404 90 81 9910	+	—
0403 10 11 9800	+	—	0404 90 81 9950	+	0,2689
0403 10 13 9800	+	—	0404 90 83 9110	+	0,7220
0403 10 19 9800	+	—	0404 90 83 9130	+	0,8200
0403 10 31 9400	+	—	0404 90 83 9150	+	0,8640
0403 10 31 9800	+	—	0404 90 83 9170	+	0,9300
0403 10 33 9800	+	—	0404 90 83 9911	+	—
0403 10 39 9800	+	—	0404 90 83 9913	+	—
0403 90 11 9000	+	71,00	0404 90 83 9915	+	—
0403 90 13 9200	+	71,00	0404 90 83 9917	+	—
0403 90 13 9300	+	81,20	0404 90 83 9919	+	—
0403 90 13 9500	+	85,60	0404 90 83 9931	+	0,2689
0403 90 13 9900	+	92,10	0404 90 83 9933	+	0,3228
0403 90 19 9000	+	92,80	0404 90 83 9935	+	0,4291
0403 90 31 9000	+	0,7100	0404 90 83 9937	+	0,4467
0403 90 33 9200	+	0,7100	0404 90 89 9130	+	0,9360
0403 90 33 9300	+	0,8120	0404 90 89 9150	+	1,0200
0403 90 33 9500	+	0,8560	0404 90 89 9930	+	0,4601
0403 90 33 9900	+	0,9210	0404 90 89 9950	+	0,6600
0403 90 39 9000	+	0,9280	0404 90 89 9990	+	0,7522
0403 90 51 9100	970	2,327	0405 10 11 9500	+	165,85
	***	—	0405 10 11 9700	+	170,00
0403 90 51 9300	+	—	0405 10 19 9500	+	165,85
0403 90 53 9000	+	—	0405 10 19 9700	+	170,00
0403 90 59 9110	+	—	0405 10 30 9100	+	165,85
0403 90 59 9140	+	—	0405 10 30 9300	+	170,00
0403 90 59 9170	970	15,77	0405 10 30 9500	+	165,85
	***	—	0405 10 30 9700	+	170,00
0403 90 59 9310	+	38,32	0405 10 50 9100	+	165,85
0403 90 59 9340	+	59,85	0405 10 50 9300	+	170,00
0403 90 59 9370	+	64,80	0405 10 50 9500	+	165,85
0403 90 59 9510	+	64,80	0405 10 50 9700	+	170,00
0403 90 59 9540	+	64,80	0405 10 90 9000	+	176,22
0403 90 59 9570	+	64,80	0405 20 90 9500	+	155,49
0403 90 61 9100	+	—	0405 20 90 9700	+	161,71
0403 90 61 9300	+	—	0405 90 10 9000	+	216,00
0403 90 63 9000	+	—	0405 90 90 9000	+	170,00
0403 90 69 9000	+	—	0406 10 20 9100	+	—
0404 90 21 9100	+	72,20	0406 10 20 9230	037	—
0404 90 21 9910	+	—		039	—
0404 90 21 9950	+	11,31		097	37,68
0404 90 23 9120	+	72,20		098	37,68
0404 90 23 9130	+	82,00		400	21,50
0404 90 23 9140	+	86,40		***	37,68
0404 90 23 9150	+	93,00	0406 10 20 9290	037	—
0404 90 23 9911	+	—		039	—
0404 90 23 9913	+	—		097	35,05
0404 90 23 9915	+	—		098	35,05
0404 90 23 9917	+	—		400	14,40
0404 90 23 9919	+	—		***	35,05
0404 90 23 9931	+	11,31	0406 10 20 9300	037	—
0404 90 23 9933	+	13,85		039	—
0404 90 23 9935	+	16,84		097	15,39
0404 90 23 9937	+	19,91		098	15,39
0404 90 23 9939	+	20,81		400	7,360
0404 90 29 9110	+	93,60		***	15,39
0404 90 29 9115	+	94,30			
0404 90 29 9120	+	95,40			
0404 90 29 9130	+	102,00			
0404 90 29 9135	+	104,30			
0404 90 29 9150	+	113,00			

Product code	Destination (*)	Amount of refund	Product code	Destination (*)	Amount of refund
0406 10 20 9610	037	—	0406 20 90 9990	+	—
	039	—	0406 30 31 9710	037	—
	097	51,11		039	—
	098	51,11		097	17,88
	400	29,10		098	9,536
0406 10 20 9620	***	51,11		400	7,850
	037	—		***	17,88
	039	—	0406 30 31 9730	037	—
	097	51,83		039	—
	098	51,83		097	26,24
0406 10 20 9630	400	29,50		098	13,99
	***	51,83		400	11,50
	037	—		***	26,24
	039	—	0406 30 31 9910	037	—
	097	57,86		039	—
0406 10 20 9640	098	57,86		097	17,88
	400	33,00		098	9,536
	***	57,86		400	7,850
	037	—		***	17,88
	039	—	0406 30 31 9930	037	—
0406 10 20 9650	097	85,03		039	—
	098	85,03		097	26,24
	400	45,40		098	13,99
	***	85,03		400	11,50
	037	—		***	26,24
0406 10 20 9660	039	—	0406 30 31 9950	037	—
	097	70,86		039	—
	098	70,86		097	38,17
	400	23,90		098	20,36
	***	70,86		400	16,70
0406 10 20 9830	+	—		***	38,17
0406 10 20 9850	037	—	0406 30 39 9500	037	—
	039	—		039	—
	097	26,28		097	26,24
	098	26,28		098	13,99
	400	12,60		400	11,50
0406 10 20 9870	***	26,28		***	26,24
	037	—	0406 30 39 9700	037	—
	039	—		039	—
	097	31,87		097	38,17
	098	31,87		098	20,36
0406 10 20 9900	400	15,20		400	16,70
0406 20 90 9100	***	31,87		***	38,17
0406 20 90 9913	+	—	0406 30 39 9930	037	—
	037	—		039	—
	039	—		097	38,17
	097	58,77		098	20,36
	098	58,77		400	16,70
0406 20 90 9915	400	29,70		***	38,17
	***	58,77	0406 30 39 9950	037	—
	037	—		039	—
	039	—		097	43,16
	097	77,56		098	23,02
0406 20 90 9917	098	77,56		400	19,90
	400	39,60		***	43,16
	***	77,56	0406 30 90 9000	037	—
	037	—		039	—
	039	—		097	45,28
0406 20 90 9919	097	82,41		098	24,15
	098	82,41		400	19,90
	400	42,10		***	45,28
	***	82,41	0406 40 50 9000	037	—
	037	—		039	—
	039	—		097	90,00
	097	92,10		098	90,00
	098	92,10		400	31,00
	400	47,00		***	90,00
	***	92,10			

Product code	Destination (*)	Amount of refund	Product code	Destination (*)	Amount of refund
0406 40 90 9000	037	—	0406 90 33 9951	037	—
	039	—		039	—
	097	92,42		097	78,66
	098	92,42		098	68,98
	400	31,00		400	18,80
	***	92,42		***	78,66
0406 90 13 9000	037	—	0406 90 35 9190	037	33,29
	039	—		039	33,29
	097	116,37		097	121,56
	098	101,62		098	105,71
	400	56,60		400	57,70
	***	116,37		***	121,56
0406 90 15 9100	037	—	0406 90 35 9990	037	—
	039	—		039	—
	097	120,25		097	121,56
	098	105,01		098	105,71
	400	58,40		400	37,80
	***	120,25		***	121,56
0406 90 17 9100	037	—	0406 90 37 9000	037	—
	039	—		039	—
	097	120,25		097	116,37
	098	105,01		098	101,62
	400	58,40		400	56,60
	***	120,25		***	116,37
0406 90 21 9900	037	—	0406 90 61 9000	037	47,01
	039	—		039	47,01
	097	117,54		097	129,64
	098	102,90		098	112,00
	400	41,90		400	53,80
	***	117,54		***	129,64
0406 90 23 9900	037	—	0406 90 63 9100	037	42,83
	039	—		039	42,83
	097	103,92		097	128,55
	098	90,36		098	111,41
	400	17,50		400	60,10
	***	103,92		***	128,55
0406 90 25 9900	037	—	0406 90 63 9900	037	34,22
	039	—		039	34,22
	097	102,80		097	124,18
	098	89,77		098	107,11
	400	19,90		400	46,00
	***	102,80		***	124,18
0406 90 27 9900	037	—	0406 90 69 9100	+	—
	039	—	0406 90 69 9910	037	—
	097	93,10		039	—
	098	81,30		097	124,18
	400	17,50		098	107,11
	***	93,10		400	46,00
0406 90 31 9119	037	—		***	124,18
	039	—	0406 90 73 9900	037	—
	097	85,71		039	—
	098	74,72		097	106,91
	400	24,00		098	93,28
	***	85,71		400	49,50
0406 90 33 9119	037	—		***	106,91
	039	—	0406 90 75 9900	037	—
	097	85,71		039	—
	098	74,72		097	108,07
	400	24,00		098	93,90
	***	85,71		400	20,90
0406 90 33 9919	037	—		***	108,07
	039	—	0406 90 76 9300	037	—
	097	78,60		039	—
	098	68,29		097	96,98
	400	19,10		098	84,68
	***	78,60		400	18,90
				***	96,98

Product code	Destination (*)	Amount of refund	Product code	Destination (*)	Amount of refund
0406 90 76 9400	037	—	0406 90 85 9999	+	—
	039	—	0406 90 86 9100	+	—
	097	108,62	0406 90 86 9200	037	—
	098	94,85		039	—
	400	21,80		097	102,23
	***	108,62		098	86,17
0406 90 76 9500	037	—		400	26,00
	039	—		***	102,23
	097	102,45	0406 90 86 9300	037	—
	098	90,24		039	—
	400	21,80		097	103,32
	***	102,45		098	87,41
0406 90 78 9100	037	—		400	28,50
	039	—		***	103,32
	097	102,26	0406 90 86 9400	037	—
	098	87,50		039	—
	400	17,10		097	108,62
	***	102,26		098	92,87
0406 90 78 9300	037	—		400	32,20
	039	—		***	108,62
	097	105,98	0406 90 86 9900	037	—
	098	92,78		039	—
	400	18,90		097	117,90
	***	105,98		098	102,43
0406 90 78 9500	037	—		400	37,80
	039	—		***	117,90
	097	104,35	0406 90 87 9100	+	—
	098	91,91	0406 90 87 9200	037	—
	400	21,80		039	—
	***	104,35		097	85,19
0406 90 79 9900	037	—		098	71,81
	039	—		400	23,30
	097	86,27		***	85,19
	098	75,02	0406 90 87 9300	037	—
	400	18,10		039	—
	***	86,27		097	94,89
0406 90 81 9900	037	—		098	80,27
	039	—		400	26,30
	097	108,62		***	94,89
	098	94,85	0406 90 87 9400	037	—
	400	44,80		039	—
	***	108,62		097	96,33
0406 90 85 9910	037	33,32		098	82,36
	039	33,32		400	28,80
	097	117,90		***	96,33
	098	102,43	0406 90 87 9951	037	—
	400	55,70		039	—
	***	117,90		097	106,68
0406 90 85 9991	037	—		098	93,15
	039	—		400	39,70
	097	117,90		***	106,68
	098	102,43	0406 90 87 9971	037	—
	400	37,80		039	—
	***	117,90		097	106,68
0406 90 85 9995	037	—		098	93,15
	039	—		400	32,30
	097	108,07		***	106,68
	098	93,90	0406 90 87 9972	097	45,63
	400	19,90		098	39,68
	***	108,07		400	12,80
				***	45,63

Product code	Destination (*)	Amount of refund	Product code	Destination (*)	Amount of refund
0406 90 87 9973	037	—	2309 10 19 9100	+	—
	039	—	2309 10 19 9200	+	—
	097	104,74	2309 10 19 9300	+	—
	098	91,46	2309 10 19 9400	+	—
	400	22,60	2309 10 19 9500	+	—
	***	104,74	2309 10 19 9600	+	—
0406 90 87 9974	037	—	2309 10 19 9700	+	—
	039	—	2309 10 19 9800	+	—
	097	113,19	2309 10 70 9010	+	—
	098	99,26	2309 10 70 9100	+	13,85
	400	22,60	2309 10 70 9200	+	18,47
	***	113,19	2309 10 70 9300	+	23,09
0406 90 87 9975	037	—	2309 10 70 9500	+	27,70
	039	—	2309 10 70 9600	+	32,32
	097	114,45	2309 10 70 9700	+	36,94
	098	101,25	2309 10 70 9800	+	40,63
	400	30,00	2309 90 35 9010	+	—
	***	114,45	2309 90 35 9100	+	—
0406 90 87 9979	037	—	2309 90 35 9200	+	—
	039	—	2309 90 35 9300	+	—
	097	103,92	2309 90 35 9400	+	—
	098	90,36	2309 90 35 9500	+	—
	400	22,60	2309 90 35 9700	+	—
	***	103,92	2309 90 39 9010	+	—
0406 90 88 9100	+	—	2309 90 39 9100	+	—
0406 90 88 9300	037	—	2309 90 39 9200	+	—
	039	—	2309 90 39 9300	+	—
	097	83,50	2309 90 39 9400	+	—
	098	70,90	2309 90 39 9500	+	—
	400	28,50	2309 90 39 9600	+	—
	***	83,50	2309 90 39 9700	+	—
2309 10 15 9010	+	—	2309 90 39 9800	+	—
2309 10 15 9100	+	—	2309 90 70 9010	+	—
2309 10 15 9200	+	—	2309 90 70 9100	+	13,85
2309 10 15 9300	+	—	2309 90 70 9200	+	18,47
2309 10 15 9400	+	—	2309 90 70 9300	+	23,09
2309 10 15 9500	+	—	2309 90 70 9500	+	27,70
2309 10 15 9700	+	—	2309 90 70 9600	+	32,32
2309 10 19 9010	+	—	2309 90 70 9700	+	36,94
			2309 90 70 9800	+	40,63

(*) The code numbers for the destinations are those set out in the Annex to Commission Regulation (EC) No 2543/1999 (OJ L 307, 2.12.1999, p. 46).

However:

— '097' covers all destination codes from 072 to 083 inclusive,

— '098' covers all destination codes from 053 to 070 inclusive and from 091 to 096 inclusive,

— '970' covers the exports referred to in Articles 36(1)(a) and (c) and 44(1)(a) and (b) of Commission Regulation (EEC) No 800/1999 (OJ L 107, 17.4.1999, p. 11).

For destinations other than those indicated for each 'product code', the amount of the refund applying is indicated by ***.

Where no destination (+) is indicated, the amount of the refund is applicable for exports to any destination other than those referred to in Article 1(2) and (3).

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

COMMISSION REGULATION (EC) No 768/2000**of 13 April 2000****determining to what extent applications lodged in March 2000 for the right to import young male bovine animals for fattening can be met**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Commission Regulation (EC) No 1431/1999 of 30 June 1999 opening and providing for the administration of an import tariff quota for young male bovine animals for fattening (1 July 1999 to 30 June 2000) ⁽¹⁾, as amended by Regulation (EC) No 545/2000 ⁽²⁾, and in particular the second subparagraph of Article 4(3) thereof,

Whereas:

- (1) Article 8(1) of Regulation (EC) No 1431/1999 provides for a further allocation of quantities not covered by import licence applications at 29 February 2000.
- (2) Article 1 of Regulation (EC) No 545/2000 lays down the quantities of young male bovine animals for fattening

that may be imported under special conditions before 30 June 2000.

- (3) The quantities for which import rights have been requested exceed the quantities available. The quantities applied for should therefore be reduced proportionately in accordance with Article 8(5) and the second subparagraph of Article 4(3) of Regulation (EC) No 1431/1999,

HAS ADOPTED THIS REGULATION:

Article 1

Each application for the right to import lodged in accordance with Article 8 of Regulation (EC) No 1431/1999 shall be granted for 0,1002 % of the quantity applied for.

Article 2

This Regulation shall enter into force on 14 April 2000.

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

Done at Brussels, 13 April 2000.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ L 166, 1.7.1999, p. 49.

⁽²⁾ OJ L 67, 15.3.2000, p. 6.

COMMISSION REGULATION (EC) No 769/2000**of 13 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 14 April 2000.

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

Done at Brussels, 13 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 13 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	42,00
1001 90 91 9000	—	—	1101 00 15 9130	01	39,25
1001 90 99 9000	03	20,75	1101 00 15 9150	01	36,25
	02	0	1101 00 15 9170	01	33,50
1002 00 00 9000	03	55,00	1101 00 15 9180	01	31,25
	02	0	1101 00 15 9190	—	—
1003 00 10 9000	—	—	1101 00 90 9000	—	—
1003 00 90 9000	03	15,00	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).

COMMISSION REGULATION (EC) No 770/2000
of 13 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 14 April 2000.

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

Done at Brussels, 13 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 13 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	-10,00	-20,00	-20,00	-20,00	-20,00
	02	0	0	-10,00	-20,00	-20,00	—	—
1002 00 00 9000	01	0	0	0	-50,00	-50,00	—	—
1003 00 10 9000	—	—	—	—	—	—	—	—
1003 00 90 9000	01	0	0	-20,00	-20,00	-20,00	—	—
1004 00 00 9200	—	—	—	—	—	—	—	—
1004 00 00 9400	01	0	0	0	-50,00	-50,00	—	—
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	-27,40	-27,40	—	—
1101 00 15 9130	01	0	0	0	-25,60	-25,60	—	—
1101 00 15 9150	01	0	0	0	-23,60	-23,60	—	—
1101 00 15 9170	01	0	0	0	-21,80	-21,80	—	—
1101 00 15 9180	01	0	0	0	-20,40	-20,40	—	—
1101 00 15 9190	—	—	—	—	—	—	—	—
1101 00 90 9000	—	—	—	—	—	—	—	—
1102 10 00 9500	01	0	0	0	-68,50	-68,50	—	—
1102 10 00 9700	01	0	0	0	-54,00	-54,00	—	—
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 771/2000
of 13 April 2000
fixing the export refunds on malt

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 the third subparagraph of 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 within 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) the refund applicable in the case of malts must be calculated with amount taken of the quantity of cereals required to manufacture the products in question;

whereas the said quantities are laid down 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) in follows from applying these rules to the present situation on markets 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 Management Committee for Cereals has not delivered an opinion within the time limit set by its chairman,

HAS ADOPTED THIS REGULATION:

Article 1

The export refunds on malt listed in Article 1(1)(c) of Regulation (EEC) No 1766/92 shall be as set out in the Annex hereto.

Article 2

This Regulation shall enter into force on 14 April 2000.

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

Done at Brussels, 13 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 13 April 2000 fixing the export refunds on malt

(EUR/t)

Product code	Refund
1107 10 19 9000	0
1107 10 99 9000	0
1107 20 00 9000	0

COMMISSION REGULATION (EC) No 772/2000**of 13 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 7 to 13 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 30,75/t.

Article 2

This Regulation shall enter into force on 14 April 2000.

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

Done at Brussels, 13 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 773/2000
of 13 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 7 to 13 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 24,99/t.

Article 2

This Regulation shall enter into force on 14 April 2000.

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

Done at Brussels, 13 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 774/2000**of 13 April 2000****fixing the maximum export refund on common wheat in connection with the invitation to tender 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 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) Whereas 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 7 to 13 April 2000, pursuant to the invitation to tender issued in Regulation (EC) No 2010/1999, the maximum refund on exportation of common wheat shall be EUR 34,50/t.

Article 2

This Regulation shall enter into force on 14 April 2000.

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

Done at Brussels, 13 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 DIRECTIVE 2000/19/EC**of 13 April 2000****adapting to technical progress Council Directive 86/298/EEC on rear-mounted roll-over protection structures of narrow-track wheeled agricultural and forestry tractors****(Text with EEA relevance)**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Directive 74/150/EEC of 4 March 1974 on the approximation of the laws of the Member States relating to the type-approval of wheeled agricultural or forestry tractors ⁽¹⁾, as last amended by Commission Directive 2000/2/EC ⁽²⁾, and in particular Article 11 thereof,

Having regard to Council Directive 86/298/EEC of 26 May 1986 on rear-mounted roll-over protection structures of narrow-track wheeled agricultural and forestry tractors ⁽³⁾, as last amended by the Act of Accession of Austria, Finland and Sweden, and in particular Article 12 thereof,

Whereas:

- (1) In order to improve safety, it is necessary to clarify the methods for testing rear-mounted roll-over protection structures of narrow-track wheeled agricultural and forestry tractors taking account of the wide range of equipment.
- (2) The methods for testing these structures should be harmonised with those laid down in Code 7 of the Organisation for Economic Cooperation and Development (OECD) on official tests of protection structures for agricultural tractors.
- (3) Directive 86/298/EEC should be amended accordingly.
- (4) The measures provided for in this Directive are in accordance with the opinion of the Committee for Adaptation to Technical Progress established by Article 12 of Directive 74/150/EEC,

HAS ADOPTED THIS DIRECTIVE:

Article 1

Annexes I to VI to Directive 86/298/EEC are hereby amended in accordance with the Annex to this Directive.

Article 2

1. From 1 July 2001, Member States may not:
 - refuse, for a type of tractor, to grant EC type-approval or issue the document provided for in the third indent of

Article 10(1) of Directive 74/150/EEC, or to grant national type-approval, or

- prohibit the first entry into service of tractors,

if those tractors comply with the requirements of Directive 86/298/EEC, as amended by this Directive.

2. From 1 January 2002, Member States:

- may no longer issue the document provided for in the third indent of Article 10(1) of Directive 74/150/EEC for as type of tractor if it does not comply with the requirements of Directive 86/298/EEC, as amended by this Directive,
- may refuse to grant national type-approval for a type of tractor if it does not comply with the requirements of Directive 86/298/EEC, as amended by this Directive.

Article 3

1. Member States shall bring into force the laws, regulations and administrative provisions necessary to comply with this Directive by 30 June 2001 at the latest. They shall forthwith inform the Commission thereof.

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

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

Article 4

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

Article 5

This Directive is addressed to the Member States.

Done at Brussels, 13 April 2000.

For the Commission

Erkki LIIKANEN

Member of the Commission

⁽¹⁾ OJ L 84, 28.3.1974, p. 10.

⁽²⁾ OJ L 21, 26.1.2000, p. 23.

⁽³⁾ OJ L 186, 8.7.1986, p. 26.

ANNEX

Annexes I to VI to Directive 86/298/EEC are hereby amended as follows:

1. In Annex I, point 1 is replaced by the following:
‘1. The requirements of point 1 of Code 7 of the OECD (Decision C(87) 53 final of 24 November 1987, as last amended on 3 March 1999), with the exception of point 1.1 shall be applied.’
2. Annex II is replaced by the following:

‘ANNEX II

TECHNICAL REQUIREMENTS

The technical requirements for the EC component type-approval of rear-mounted roll-over protection structures of narrow-track wheeled agricultural or forestry tractors shall be those set out in point 3 of Code 7 of the OECD (Decision C(87) 53 final of 24 November 1987, as last amended on 3 March 1999). These technical requirements shall not apply to the chapters of point 3 relating to the test bulletin, minor modifications and identifications.’

3. Annexes III, IV and V are deleted.
 4. In Annex VI, the first indent is replaced by the following:
‘— a rectangle surrounding the lower case letter “e” followed by the distinguishing number of the Member State which has granted the component type-approval:
1 for Germany, 2 for France, 3 for Italy, 4 for the Netherlands, 5 for Sweden, 6 for Belgium, 9 for Spain, 11 for the United Kingdom, 12 for Austria, 13 for Luxembourg, 17 for Finland, 18 for Denmark, 21 for Portugal, 23 for Greece, 24 for Ireland.’
-

II

(Acts whose publication is not obligatory)

COUNCIL

COUNCIL DECISION

of 10 April 2000

authorising the Federal Republic of Germany to apply a reduced rate of excise duty to certain mineral oils, when used for specific purposes, in accordance with the procedure provided for in Article 8(4) of Directive 92/81/EEC

(2000/283/EC)

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty establishing the European Community,

Having regard to Council Directive 92/81/EEC of 19 October 1992 on the harmonisation of the structures of excise duties on mineral oils ⁽¹⁾, and in particular Article 8(4) thereof,

Having regard to the proposal from the Commission,

Whereas:

- (1) Pursuant to Article 8(4) of Directive 92/81/EEC, the Council, acting unanimously on a proposal from the Commission may authorise any Member State to introduce further exemptions or reductions in the excise duty charged on mineral oils for specific policy considerations.
- (2) The German authorities have informed the Commission that they wish to bring a new law on the continuation of environmental tax reforms into force on 1 January 2000, differentiating levels of mineral oil duty on fuels according to their sulphur content.
- (3) The other Member States have been informed thereof.
- (4) The German authorities have notified the draft law on the continuation of environmental tax reforms to the Commission under Article 88(3) of the Treaty. This Decision does not prejudice the outcome of the relevant

State aid procedures under Articles 87 and 88 of the Treaty.

- (5) The Commission regularly reviews reductions and exemptions to check that they are compatible with the operation of the internal market or with Community policy on protection of the environment.
- (6) The Federal Republic of Germany has requested authorisation from 1 November 2001 to 31 December 2002 to apply to fuels with a maximum sulphur content of 50 ppm a mineral oil tax of 3 pfennigs per litre less than on fuels with a higher sulphur content. The Council is to review its application on the basis of a proposal from the Commission no later than 31 December 2002, when the authorisation granted by this Decision expires,

HAS ADOPTED THIS DECISION:

Article 1

In accordance with Article 8(4) of Council Directive 92/81/EEC, the Federal Republic of Germany is hereby authorised from 1 November 2001 to 31 December 2002 to apply a differential rate of excise duty to fuels with a maximum sulphur content of 50 parts per million provided that these differential rates are in accordance with the obligations laid down in Council Directive 92/82/EEC of 19 October 1992 on the approximation of the rates of excise duties on mineral oils ⁽²⁾, and in particular the minimum rates of excise duty provided for in Articles 4 and 5 thereof.

⁽¹⁾ OJ L 316, 31. 10. 1992, p. 12. Directive as last amended by Directive 94/74/EC (OJ L 365, 31.12.1994, p. 46).

⁽²⁾ OJ L 316, 31. 10. 1992, p. 19. Directive as last amended by Directive 94/74/EC (OJ L 365, 31.12.1994, p. 46).

Article 2

This Decision is addressed to the Federal Republic of Germany.

Done at Luxembourg, 10 April 2000.

For the Council

The President

J. GAMA

COMMISSION

COMMISSION DECISION

of 31 March 2000

establishing the list of approved semen collection centres for imports of equine semen from third countries and amending Decisions 96/539/EC and 96/540/EC

(notified under document number C(2000) 912)

(Text with EEA relevance)

(2000/284/EC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Directive 92/65/EEC of 13 July 1992, laying down animal health requirements governing trade in and imports into the Community of animals, semen, ova and embryos not subjected to animal health requirements laid down in specific Community rules referred to in Annex A(I) to Directive 90/425/EEC ⁽¹⁾, as last amended by Commission Decision 95/176/EC ⁽²⁾, and in particular Article 17(3)(a) thereof,

Whereas:

(1) In accordance with Part II of Commission Decision 94/63/EC ⁽³⁾ and without prejudice to Commission Decision 92/160/EEC ⁽⁴⁾ Member States authorise imports of semen of the equine species from third countries included in Part 1 of the Annex to Council Decision 79/542/EEC ⁽⁵⁾ for the imports of live equidae.

(2) Pursuant to Article 17(3)(a) of Directive 92/65/EEC Community on-the-spot visits have to be carried out to ensure the uniform application of the abovementioned Directive, and in particular its Annexes.

(3) Therefore it is justified to draw up a provisional list of centres approved for the collection of semen of equidae for imports into the European Community, for which the competent authorities of the third country concerned provided guarantees equivalent to those of Chapter II of Directive 92/65/EEC.

(4) The provisional list should specify for each centre the ISO-code and the name of the third country, the name, address and the registration number of the centre, the approving authority and the date of approval.

(5) It will be necessary to re-examine and, if necessary, to amend this Decision in the light of new information from time to time.

(6) Iceland is considered free of equine infectious anaemia and no testing is required for imports of live equidae from Iceland. Consequently the test requirements for this disease laid down in Decision 96/539/EC ⁽⁶⁾, imports of equine semen, and Decision 96/540/EC ⁽⁷⁾, imports of equine ova and embryos, should be suspended for such imports from Iceland.

(7) Whereas the measures provided for in this Decision are in accordance with the opinion of the Standing Veterinary Committee,

HAS ADOPTED THIS DECISION:

Article 1

1. Without prejudice to Decision 92/160/EEC Member States shall authorise imports of semen of equidae collected in the centres included in the list in the Annex to this Decision.

2. The semen referred to in paragraph 1 must be collected after the date of approval of the centre by the competent national authorities of the third country concerned.

⁽¹⁾ OJ L 268, 14.9.1992, p. 54.

⁽²⁾ OJ L 117, 24.5.1995, p. 23.

⁽³⁾ OJ L 28, 2.2.1994, p. 47.

⁽⁴⁾ OJ L 7, 18.3.1992, p. 27.

⁽⁵⁾ OJ L 146, 14.6.1979, p. 15.

⁽⁶⁾ OJ L 230, 11.9.1996, p. 23.

⁽⁷⁾ OJ L 230, 11.9.1996, p. 28.

Article 2

1. A footnote ⁽⁵⁾ is added at the end of paragraph 1.3.3.6.1 of the Animal Health Certificate in the Annex to Decision 96/539/EC.
2. A footnote ⁽⁵⁾ is added at the end of paragraph 1.3.2.5.1 of the Animal Health Certificate in the Annex to Decision 96/540/EC.
3. The footnote referred to in paragraphs 1 and 2 shall read as follows:
'⁽⁵⁾ The agargel-immunodiffusion test (Coggins test) for equine infectious anamia is not required for donor equidae which have resided in Iceland from birth and it

is certified that Iceland is officially free of equine infectious anaemia.'

Article 3

This Decision is addressed to the Member States.

Done at Brussels, 31 March 2000.

For the Commission

David BYRNE

Member of the Commission

ANEXO — BILAG — ANHANG — ΠΑΡΑΡΤΗΜΑ — ANNEX — ANNEXE — ALLEGATO — BIJLAGE — ANEXO — LIITE — BILAGA

- 1 Versión — Udgave — Fassung vom — Έκδοση — Version — Version — Versione — Versie — Versão — Tilanne — Version
- 2 Código ISO — ISO-kode — ISO-Code — Κωδικός ISO — ISO-code — Code ISO — Codice ISO — ISO-code — Código ISO — ISO-koodi — ISO-kod
- 3 Tercer país — Tredjeland — Drittland — Τρίτη χώρα — Third country — Pays tiers — Paese terzo — Derde land — País terceiro — Kolmas maa — Tredje land
- 4 Nombre del centro autorizado — Den godkendte tyrestations navn — Name der zugelassenen Besamungsstation — Όνομα του εγκεκριμένου κέντρου — Name of approved centre — Nom du centre agréé — Nome del centro riconosciuto — Naam van het erkende centrum — Nome approvato — Hyväksytyn aseman nimi — Tjurstationens namn
- 5 Dirección del centro autorizado — Den godkendte tyrestations adresse — Anschrift der zugelassenen Besamungsstation — Διεύθυνση του εγκεκριμένου κέντρου — Address of approved centre — Adresse du centre agréé — Indirizzo del centro riconosciuto — Adres van het erkende centrum — Endereço aprovado — Hyväksytyn aseman osoite — Tjurstationens adress
- 6 Autoridad competente en materia de autorización — Godkendelsesmyndighed — Zulassungsbehörde — Εγκρίνουσα αρχή — Approving authority — Autorité d'agrément — Autorità che rilascia il riconoscimento — Autoriteit die de erkenning heeft verleend — Autoridade de aprovação — Hyväksyntäviranomainen — Godkännandemyndighet
- 7 Número de autorización — Godkendelsesnummer — Registriernummer — Αριθμός έγκρισης — Approval number — Numéro d'agrément — Numero di riconoscimento — Registratienummer — Número de aprovação — Hyväksyntänumero — Godkännandennummer
- 8 Fecha de la autorización — Godkendelsesdato — Zulassungsdatum — Ημερομηνία έγκρισης — Approval date — Date d'agrément — Data di approvazione — Datum van erkenning — Data da aprovação — Hyväksyntäpäivä — Datum för godkännandet

1: 8.3.2000

2	3	4	5	6	7	8
AR	ARGENTINA					
AU	AUSTRALIA	Belcam Stud Artificial Breeding Centre	Armstrong Road Biddaddaba, Qld 4275	AQIS	Qld-AB-01	25.13.1998
AU		Alabar Bloodstock Corporation	Koyuga (Near Echuca) Victoria 3622			
AU		Beef Breeding Services, Qld DPI	Grindle Rd, Wacol Qld 4076			
AU		Kinnordy Stud Mr H. Schmorl.	MS 465, Cambooya Qld 4358			

1: 8.3.2000							
2	3	4	5	6	7	8	
BG	BULGARIA						
BR	BRAZIL						
BY	BELARUS						
BZH	BOSNIA-HERZEGIVINA						
CA	CANADA	Amstrong Bros	14709 Hurontario Street Inglewood, Ontario, L0N 1 K0	CFIA	72		
CA		Gencor The Genetic Corporation	R.R.#5 Guelph Ontario	CFIA	72 SN		
CA		Glengate Farms	PO Box 220, 8343 Walkers Lane Campville, Ontario L0P 1B0	CFIA	5-AI-43/Filet#2200-2		
CH	SWITZERLAND	Eidgenössisches Gestüt/Haras fédéral/Instituto Federale dell'allevamento equino Avenches	CH-1580 Avenches	Bundesamt für Veterinärwesen	CH-AI-4E	13.2.1997	
CL	CHILE						
CU	CUBA						
CY	CYPRUS						
CZ	CZECH REPUBLIC						
DZ	ALGERIA						
EE	ESTONIA						
GL	GREENLAND						
HR	CROATIA						
HU	HUNGARY						
IL	ISRAEL						
IS	ICELAND	Gunnarsholt	Sædingastod Gunnarsholti 851 Hella	Iceland Veterinary Services	H001	20.12.1999	

1: 8.3.2000							
2	3	4	5	6	7	8	
LI	LITHUANIA						
LV	LATVIA						
MA	MOROCCO						
MK	FORMER YUGOSLAV REPUBLIC OF MACEDONIA						
MT	MALTA						
MU	MAURITIUS						
MX	MEXICO						
NZ	NEW ZEALAND						
PL	POLAND						
PY	PARAGUAY						
RO	ROMANIA						
RU	RUSSIA						
SI	SLOVENIA						
SK	SLOVAK REPUBLIC						
TN	TUNISIA						
UA	UKRAINE						
US	USA	Specifically Equine Veterinary Service	910 W. Hwy 246 Buellton, CA	APHIS	97CA001-EQS	20.5.1997	
US		Kellog Arabian Horse Center	3801 W. Temple Ave. Pomona, CA	APHIS	97CA002-EQS	22.5.1997	
US		Mariana Farm	Valley Center, CA	APHIS	98CA001-EQS	14.11.1997	
US		Advanced Equine Reproduction	1145 Arroyo Mesa Rd Solvang, CA	APHIS	98CA002-EQS	12.8.1997	

1: 8.3.2000							
2	3	4	5	6	7	8	
JS		Pacific International Genetics	14300 Jackson Rd Sloughhouse, CA	APHIS	98CA003-EQS	23.1.1998	
JS		Alamo Pintado Equine Clinic	2501 Santa Barbara Ave Los Olivos, CA	APHIS	98CA004-EQS	23.2.1998	
JS		Anaheim Hills Saddle Club	6352 E. Nohl Ranch Rd Anaheim, CA	APHIS	98CA005-EQS	23.3.1998	
JS		Valley Oak Ranch	10940 26 Mile Road Oakdale, CA	APHIS	99CA006-EQS	2.4.1999	
JS		Jeff Oswood Stallion Station	21860 Ave. 160 Porterville, CA	APHIS	99CA007-EQS	8.4.1999	
JS		Magness Racing Ventures	4050 Casey Ave. Santa Ynez, CA 93460	APHIS	00CA008-EQS	10.12.1999	
JS		Honor Bright Farms	9049 E. Shaw Ave. Clovis, CA 93611	APHIS	00CA009-EQS	16.12.1999	
JS		Burchett Training Center	826 Knox Chapel Road Social Circle, GA	APHIS	98GA002-EQS	23.4.1998	
JS		Double L Quarter Horse	1881 E. Berry Road Cedar Rapids, IA	APHIS	96IA001-EQS	2.1.1996	
JS		Jim Dudley Quarter Horses	Rt. 1, Box 137 Latimer, IA	APHIS	98IA002-EQS	26.5.1998	
JS		Grandview Farms	123 West 200 South Huntington, IN	APHIS	99IN001-EQS	16.12.1999	
JS		Kentuckiana Farm	PO Box 11743 Lexington, KY	APHIS	97KY001-EQS	16.10.1997	
JS		Castleton Farm	2469 Iron Works Pike PO Box 11889 Lexington, KY 40511	APHIS	98KY002-EQS	13.8.1998	
JS		Hamilton Farm	66 Woodland Mead PO Box 2639 South Hamilton, MA 01982	APHIS	98MA001-EQS	30.3.1998	

1: 8.3.2000							
2	3	4	5	6	7	8	
US		Select Breeders Service, Inc.	1088 Nesbitt Road Colora Maryland	APHIS	98MD001-EQS		
US		Schemel Stables Collection Facility	986 PCR, Co. Rd 810 Perryville, MO	APHIS	99MO001-EQS	15.12.1999	
US		Equine Reproduction Facility	137 Speaks Road Advance, NC	APHIS	97NC001-EQS	21.8.1997	
US		Walnridge Farm, Inc.	Hornertstown-Arneytown Road Cream Ridge, NJ	APHIS	96NJ003-EQS	14.8.1996	
US		Cedar Lane Farm	40 Lambertville Headquarters Rd Lambertville, NJ	APHIS	96NJ004-EQS	4.9.1996	
US		Peretti's Farm	Route 526, Box 410 Cream Ridge, NJ	APHIS	97NJ005-EQS	17.3.1997	
US		Kentuckiana Farm of NJ	18 Archertown Road New Egypt, NJ	APHIS	99NJ006-EQS	30.7.1999	
US		Autumn Lane Farm	7901 Panhandle Road Newark, OH	APHIS	99OH001-EQS	19.5.1999	
US		Bryant Ranch	11777 NW Oak Ridge Rd Yamhill, OR	APHIS	98OR001-EQS	19.2.1998	
US		Kosmos Horse Breeders	372 Littlestown Road Littlestown, PA 17340	APHIS	97PA001-EQS	19.3.1997	
US		Hanover Shoe Farm	Route 194 South PO Box 339 Hanover, PA 17331	APHIS	97PA002-EQS	28.3.1997	
US		Nandi Veterinary Associates	3244 West Sieling Road New Freedom, PA	APHIS	97PA003-EQS	22.9.1997	
US		Babcock Ranch Semen Collection Center	Rt. 2, Box 357 Gainsville, TX	APHIS	97TX001-EQS	2.6.1997	
US		Select Breeders	Rt. 3, Box 196 Aubrey, TX	APHIS	97TX002-EQS	1.2.1997	

1: 8.3.2000							
2	3	4	5	6	7	8	
US		Floyd Moore Ranch	Route 2, Box 293 Huntsville, TX	APHIS	98TX003-EQS	12.5.1998	
US		Carol Rose Quarter Horse Ranch	Rt. 2, Box 136-1 Gainesville, TX	APHIS	99TX005-EQS	15.3.1999	
US		Riverside Ranch	4150 FM 113 North Weatherford, TX	APHIS	99TX006-EQS	16.4.1999	
US		Roanoke AI Labs, Inc.	8535 Martin Creek Road Roanoke, VA	APHIS	96VA001-EQS	14.11.1996	
US		Tylord Farm	Route 22A Benson, VT	APHIS	97VT001-EQS	25.3.1997	
US		Hass Quarter Horses	W9821 Hwy 29 Shawano, WI	APHIS	97WI001-EQS	29.5.1997	
UY	URUGUAY						
ZA	SOUTH AFRICA						

COMMISSION DECISION

of 5 April 2000

amending Decision 91/516/EEC establishing a list of ingredients whose use is prohibited in compound feedingstuffs

(notified under document number C(2000) 930)

(Text with EEA relevance)

(2000/285/EC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Directive 79/373/EEC of 2 April 1979 on the marketing of compound feedingstuffs ⁽¹⁾, as last amended by Directive 98/87/EC ⁽²⁾, and in particular Article 10(e) thereof,

Whereas:

- (1) Feed materials may circulate in the Community only if they are sound, genuine and of merchantable quality. Feed materials must not represent any danger to animal or human health.
- (2) Commission Decision 91/516/EEC of 9 September 1991 ⁽³⁾, establishing a list of ingredients whose use is prohibited in compound feedingstuffs as last amended by Commission Decision 1999/420/EC ⁽⁴⁾, establishes a list of feed materials whose use is prohibited in compound feedingstuffs.
- (3) Experience has proven the need to improve the safety of feed materials used in animal nutrition for public and animal health reasons, in particular in the light of recent reports of use in animal nutrition of sludge from plants treating waste waters.
- (4) No waste collected during and/or resulting from the various phases of the waste-water treatment process (physical, chemical and biological) can be considered as an acceptable source of animal feed, irrespective of any further processing of these wastes and irrespective also of the origin of the waste waters.
- (5) Although Decision 91/516/EEC prohibits the use of sludge from sewage plants treating waste waters as feed materials in compound feedingstuffs, it does not define the terms 'sludge' or 'sewage'. It is therefore desirable to clarify the text indicating that the prohibition not only applies to the sediments of the 'biological treatment' but also to other wastes collected during the pre-treatment as well as other physical and chemical treatments of the

waste water. Moreover it is necessary to point out that the word 'sewage' does not refer only to waste water from municipal effluents but also to other waste water, including those from animal product processing plants' own water treatment plants.

- (6) Council Directive 90/667/EEC of 27 November 1990, laying down the veterinary rules for the disposal and processing of animal waste, for its placing on the market and for the prevention of pathogens in feedstuffs of animal or fish origin and amending Directive 90/425/EEC ⁽⁵⁾, lays down the requirements for animal-waste processing plants.
- (7) Council Directive 91/271/EEC of 21 May 1991 concerning urban waste-water treatment ⁽⁶⁾, defines the terms 'urban waste water', 'domestic waste water' and 'industrial waste water'.
- (8) Council Directive 98/83/EC of 3 November 1998 on the quality of water intended for human consumption ⁽⁷⁾, establishes the requirements for considering water as 'wholesome and clean'.
- (9) Council Directive 91/493/EEC of 22 July 1991 laying down the health conditions for the production and the placing on the market of fishery products ⁽⁸⁾, specifies that 'clean seawater' shall be free from microbiological contamination, harmful substances and/or toxic marine plankton in such quantities as may affect the health quality of fishery products.
- (10) The present provisions are provisional and should be reviewed in the light of a future amendment of Council Directive 95/69/EC of 22 December 1995 laying down the conditions and arrangements for approving and registering certain establishments and intermediaries operating in the animal feed sector and amending Directives 70/524/EEC, 74/63/EEC, 79/373/EEC and 82/471/EEC ⁽⁹⁾; such an amendment could provide the conditions for approving manufacturers of certain feed materials.

⁽¹⁾ OJ L 86, 6.4.1979, p. 30.

⁽²⁾ OJ L 318, 27.11.1998, p. 43.

⁽³⁾ OJ L 281, 9.10.1991, p. 23.

⁽⁴⁾ OJ L 162, 18.6.1999, p. 69.

⁽⁵⁾ OJ L 363, 27.12.1990, p. 51.

⁽⁶⁾ OJ L 135, 30.5.1991, p. 40.

⁽⁷⁾ OJ L 330, 5.12.1998, p. 32.

⁽⁸⁾ OJ L 268, 24.9.1991, p. 15.

⁽⁹⁾ OJ L 332, 30.12.1995, p. 15.

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

HAS ADOPTED THIS DECISION:

Article 1

Point 5 of the Annex to Decision 91/516/EEC is replaced by the following text:

- '5. All wastes obtained from the various phases of the urban, domestic and industrial waste water (*) treatment process, irrespective of any further processing of these wastes and irrespective also of the origin of the waste waters.

The term "waste water" does not refer to "process water", i.e. water from independent conduits integrated in food or feed industries; where these conduits are supplied with water, this must be wholesome and clean water (**). In the case of fish industries, the conduits concerned might be also supplied with clean seawater (***). Process water shall only carry feedingstuffs or foodstuffs material and shall be technically free from cleaning agents, disinfectants or other substances not authorised by the animal nutrition legislation.

Materials of animal origin in the process water shall be treated in accordance with Council Directive 90/667/EEC.

- (*) As defined in Article 2 of Council Directive 91/271/EEC of 21 May 1991 concerning urban waste water treatment.
(**) As specified in Article 4 of Council Directive 98/83/EC of 3 November 1998 concerning the quality of water intended for human consumption.
(***) As defined in Article 2 of Council Directive 91/493/EEC of 22 July 1991 laying down the health conditions for the production and the placing on the market of fishery products.'

Article 2

This Decision shall apply with effect from 1 August 2000.

Article 3

This Decision is addressed to the Member States.

Done at Brussels, 5 April 2000.

For the Commission

David BYRNE

Member of the Commission
