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I

(Acts whose publication is obligatory)

**COMMISSION REGULATION (EC) No 929/2000
of 4 May 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 5 May 2000.

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

Done at Brussels, 4 May 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 4 May 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	91,1
	068	64,6
	204	52,8
	624	37,4
	999	61,5
0707 00 05	052	85,5
	628	128,8
	999	107,2
0709 90 70	052	75,1
	999	75,1
0805 10 10, 0805 10 30, 0805 10 50	052	67,1
	204	33,0
	212	42,2
	220	33,6
	600	41,5
	624	46,7
	999	44,0
	388	65,2
0805 30 10	999	65,2
0808 10 20, 0808 10 50, 0808 10 90	388	92,7
	400	100,2
	404	95,5
	508	76,1
	512	91,3
	528	84,9
	720	76,1
	804	92,9
	999	88,7

⁽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 930/2000**of 4 May 2000****establishing implementing rules as to the suitability of the denominations of varieties of agricultural plant species and vegetable species**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

HAS ADOPTED THIS REGULATION:

Having regard to the Treaty establishing the European Community,

Having regard to Council Directive 70/457/EEC of 29 September 1970 on the common catalogue of varieties of agricultural plant species ⁽¹⁾, as last amended by Directive 98/96/EC ⁽²⁾, and in particular Article 9(6) thereof,

Having regard to Council Directive 70/458/EEC of 29 September 1970 on the marketing of vegetable seed ⁽³⁾, as last amended by Directive 98/96/EC, and in particular Article 10(6) thereof,

Whereas:

- (1) Directives 70/457/EEC and 70/458/EEC have laid down general rules in relation to the suitability of variety denominations, by means of a reference to Article 63 of Council Regulation (EC) No 2100/94 of 27 July 1994 on Community plant variety rights ⁽⁴⁾, as amended by Regulation (EC) No 2506/95 ⁽⁵⁾.
- (2) For the purposes of the application of Directives 70/457/EEC and 70/458/EEC, it is appropriate to establish detailed rules for the application of the criteria set out by Article 63 of Regulation (EC) No 2100/94, in particular in respect of the impediments for the designation of a variety denomination as specified in paragraphs 3 and 4 thereof. In a first phase, such detailed rules should be limited to the following impediments:
 - use precluded by the prior right of a third party,
 - difficulties as regards recognition or reproduction,
 - denominations which are identical or may be confused with a variety denomination of another variety,
 - denominations which are identical or may be confused with other designations,
 - misleading or causing confusion concerning the characteristics of the variety or other features.
- (3) The measures provided for in this Regulation are in accordance with the opinion of the Standing Committee on Seeds and Propagating Material for Agriculture, Horticulture and Forestry,

Article 1

The present Regulation establishes, for the purposes of the application of Article 9(6), first subparagraph, of Directive 70/457/EEC and of Article 10(6), first subparagraph, of Directive 70/458/EEC, detailed rules for the application of certain criteria set out by Article 63 of Regulation (EC) No 2100/94 for the eligibility of variety denominations.

Article 2

1. In the case of a trade mark as a prior right of a third party, the use of a variety denomination in the territory of the Community shall be considered to be precluded by the notification to the competent authority for the approval of the variety denomination of a trade mark, which has been registered in one or more Member States or at Community level prior to the approval of the variety denomination, and which is identical or similar to the variety denomination and registered in relation to goods which are identical or similar to the plant variety concerned.

2. In the case of a prior right of the applicant in respect of whole or part of the proposed denomination, Article 18(1) of Regulation (EC) No 2100/94 shall apply *mutatis mutandis*.

Article 3

1. A variety denomination shall be considered to cause its users difficulties as regards recognition or reproduction in the following cases:

- (a) where it is in the form of a 'fancy name':
 - (i) it consists of a single letter;
 - (ii) it consists of, or contains as a separate entity, a series of letters not forming a pronounceable word, except where this series is an established abbreviation;
 - (iii) it contains a number, except where this is an integral part of the name, or where this indicates that the variety is or will be one of a numbered series of biologically related varieties;
 - (iv) it consists of more than three entities; however, in the case of Article 63(4) of Regulation (EC) No 2100/94, more than three entities shall not be considered as an impediment;

⁽¹⁾ OJ L 225, 12.10.1970, p. 1.

⁽²⁾ OJ L 25, 1.2.1999, p. 27.

⁽³⁾ OJ L 225, 12.10.1970, p. 7.

⁽⁴⁾ OJ L 227, 1.9.1994, p. 1.

⁽⁵⁾ OJ L 258, 28.10.1995, p. 3.

- (v) it consists of, or contains an excessively long word;
 - (vi) it contains a hyphen, a blank space other than between the entities of which it consists, another mark, an upper and lower case mixture within the entities, a subscript, a superscript, a symbol or a design;
- (b) where it is in the form of a 'code':
- (i) it consists of a number or numbers only, except in the case of inbred lines or of similarly specific types of varieties;
 - (ii) it consists of a single letter;
 - (iii) it contains more than 10 letters, or letters and numbers;
 - (iv) it contains more than four alternating groups of a letter or letters and a number or numbers;
 - (v) it contains a hyphen, a blank space other than for separation from a pronounceable word, another mark, a subscript, a superscript, a symbol or a design.

2. On submission of the proposal for a variety denomination, the applicant should declare where the proposed denomination is intended to be in the form of a 'fancy name' or of a 'code'.

3. If the applicant makes no declaration on the form of the proposed denomination, the denomination shall be considered to be a 'fancy name'.

Article 4

In evaluating the identity of, or confusion with, a variety denomination of another variety, the following shall apply:

- (a) 'may be confused with' shall be considered to cover *inter alia* a variety denomination, containing a difference of only one letter or number, or of accents on letters, in relation to the variety denomination of a variety of a closely related species, which has been officially accepted for marketing in the Community, the European Economic Area or in a contracting party to UPOV, or is the subject of a plant variety right in such territories; however, a difference of only one letter in an established abbreviation as a separate entity of the variety denomination shall not be covered. Without prejudice to Article 6, this provision shall not apply to a variety denomination in the form of a code, if the reference variety denomination is equally in the form of a code;
- (b) 'closely related species' shall be considered to mean a species belonging to the same class as listed in the Annex, or, where not applicable, to the same botanical genus;
- (c) 'a variety no longer remains in existence' shall be considered to mean a variety no longer in commercial existence;
- (d) 'an official register of plant varieties' shall be considered as a reference to the common catalogue of varieties of agricultural plant species or of vegetable species, or to any register compiled and maintained by the Community Plant Variety Office, or by an official body of the Member States of the

Community or the European Economic Area, or of a contracting party to UPOV;

- (e) 'a variety the denomination of which has acquired no special significance': the denomination of a variety which has at one time been entered in an official register of plant varieties and thereby acquired special significance shall be considered to have lost that special significance on the expiry of a 10-year period after deletion from that register.

Article 5

Designations which are commonly used for the marketing of goods or which have to be kept free under other legislation shall be considered to mean in particular:

- (a) currency denominations, or terms associated with weights and measures;
- (b) terms that have become part of everyday language in the whole, or part, of the Community and the approval of which as a variety denomination would impede its use by others when marketing reproductive or propagating material of other varieties;
- (c) expressions that, by virtue of legislation, shall not be used for purposes other than those envisaged by that legislation.

Article 6

A variety denomination shall be considered to mislead or to cause confusion if:

- (a) it conveys the false impression that the variety has particular characteristics or value;
- (b) it conveys the false impression that the variety is related to, or derived from, another specific variety;
- (c) it refers to a specific characteristic or value in a way which conveys the false impression that only that variety possesses it, whereas in fact other varieties of the same species may possess the same characteristic or value;
- (d) by dint of its similarity to a well-known trading name other than a registered trade mark or variety denomination, it suggests that the variety is another variety, or conveys a false impression concerning the identity of the applicant, the person responsible for the maintenance of the variety, or the breeder;
- (e) it consists of, or contains
 - (i) comparatives or superlatives;
 - (ii) the botanical name, or part thereof, of a genus or species of the plant kingdom;
 - (iii) the common name of a genus or species of the plant kingdom within the group either of agricultural plant species or of vegetable plant species, to which the variety belongs;
 - (iv) the name of a natural or legal person, or a reference thereto, so as to convey a false impression concerning the identity of the applicant, the person responsible for the maintenance of the variety, or the breeder.

Article 7

Variety denominations which have been accepted in the form of a code shall be clearly indicated as such in the relevant official catalogue or catalogues of Member States for officially accepted plant varieties, or in the relevant common catalogue, by a footnote with the following explanation: 'variety denomination approved in the form of a "code"'.

Article 8

1. This Regulation shall enter into force on the 20th day of its publication in the *Official Journal of the European Communities*.
2. It shall not apply to variety denominations which have been proposed by the applicant to the competent authority for their approval, prior to the day on which this Regulation enters into force.

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

Done at Brussels, 4 May 2000.

For the Commission
David BYRNE
Member of the Commission

ANNEX

CLOSELY RELATED SPECIES

(Article 4(b))

Class A (UPOV Class 1):	<i>Avena</i> , <i>Hordeum</i> , <i>Secale</i> , <i>Triticale</i> , <i>Triticum</i>
Class B (UPOV Class 3):	<i>Sorghum</i> , <i>Zea</i>
Class C (UPOV Class 4):	<i>Agrostis</i> , <i>Alopecurus</i> , <i>Arrhenatherum</i> , <i>Bromus</i> , <i>Cynosurus</i> , <i>Dactylis</i> , <i>Festuca</i> , <i>Lolium</i> , <i>Phalaris</i> , <i>Phleum</i> , <i>Poa</i> , <i>Trisetum</i>
Class D (UPOV Class 5):	<i>Brassica oleracea</i> , <i>Brassica chinensis</i> , <i>Brassica pekinensis</i>
Class E (UPOV Class 6):	<i>Brassica napus</i> , <i>Brassica campestris</i> , <i>Brassica rapa</i> , <i>Brassica juncea</i> , <i>Brassica nigra</i> , <i>Sinapis</i>
Class F (UPOV Class 7):	<i>Lotus</i> , <i>Medicago</i> , <i>Ornithopus</i> , <i>Onobrychis</i> , <i>Trifolium</i>
Class G (UPOV Class 8):	<i>Lupinus albus</i> L., <i>Lupinus angustifolius</i> L., <i>Lupinus luteus</i> L.
Class H (UPOV Class 9):	<i>Vicia fabia</i> L.
Class I (UPOV Class 10):	<i>Beta vulgaris</i> L. var. <i>alba</i> DC., <i>Beta vulgaris</i> L. var. <i>altissima</i>
Class K (UPOV Class 11):	<i>Beta vulgaris</i> ssp. <i>vulgaris</i> var. <i>conditiva</i> Alef. (syn.: <i>Beta vulgaris</i> L. var. <i>rubra</i> L.), <i>Beta vulgaris</i> L. var. <i>cicla</i> L., <i>Beta vulgaris</i> L. ssp. <i>vulgaris</i> var. <i>vulgaris</i>
Class L (UPOV Class 12):	<i>Lactuca</i> , <i>Valerianella</i> , <i>Cichorium</i>
Class M (UPOV Class 13):	<i>Cucumis sativus</i>
Class N (UPOV Class 14):	<i>Citrullus</i> , <i>Cucumis melo</i> , <i>Cucurbita</i>
Class O (UPOV Class 15):	<i>Anthriscus</i> , <i>Petroselinum</i>
Class P (UPOV Class 16):	<i>Daucus</i> , <i>Pastinaca</i>
Class Q (UPOV Class 17):	<i>Anethum</i> , <i>Carum</i> , <i>Foeniculum</i>
Class R (UPOV Class 21):	<i>Solanum tuberosum</i> L.
Class S (UPOV Class 24):	<i>Helianthus annuus</i>

COMMISSION REGULATION (EC) No 931/2000**of 4 May 2000****fixing the intervention thresholds for cauliflowers, peaches, nectarines and table grapes for the 2000/01 marketing year**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EC) No 2200/96 of 28 October 1996 on the common organisation of the market in fruit and vegetables ⁽¹⁾, as last amended by Regulation (EC) No 1257/1999 ⁽²⁾, and in particular Article 27(1) and (2) thereof,

Whereas:

- (1) Article 27(1) of Regulation (EC) No 2200/96 provides for an intervention threshold to be fixed if the market in a product listed in Annex II thereto is suffering or at risk of suffering from imbalances giving or liable to give rise to too large a volume of withdrawals. Such a development might cause budget problems for the Community.
- (2) Commission Regulation (EC) No 1097/1999 ⁽³⁾ fixes an intervention threshold for cauliflowers, peaches, nectarines and table grapes for the 1999/2000 marketing year. The conditions laid down in the abovementioned Article 27 are still met for those products and consequently intervention thresholds should be fixed for cauliflowers, peaches, nectarines and table grapes for the 2000/01 marketing year.
- (3) The intervention threshold for each of those products should be fixed on the basis of a percentage of the average production intended for consumption in the natural state over the last five marketing years for which data are available. The period to be taken into account for assessing an overrun of the intervention threshold must also be established for each product.
- (4) Pursuant to the abovementioned Article 27, an overrun of the intervention threshold gives rise to a reduction in the Community withdrawal compensation in the marketing year following the overrun. The implications of this overrun for each of the products in question

should be determined and a reduction proportional to the size of the overrun should be fixed.

- (5) The measures provided for in this Regulation are in accordance with the opinion of the Management Committee for Fresh Fruit and Vegetables,

HAS ADOPTED THIS REGULATION:

Article 1

The following intervention thresholds shall apply for the 2000/01 marketing year:

— cauliflowers:	111 700 tonnes,
— peaches:	238 200 tonnes,
— nectarines:	83 200 tonnes,
— table grapes:	160 200 tonnes.

Article 2

Overruns of the intervention thresholds for the products listed in Article 1 shall be assessed on the basis of withdrawals carried out in the period 1 March 2000 to 28 February 2001.

Article 3

If the quantity of one of the products listed in Article 1 withdrawn in the period laid down in Article 2 exceeds the threshold fixed in Article 1, the Community withdrawal compensation fixed pursuant to Article 26 of Regulation (EC) No 2200/96 shall be reduced in the following marketing year in proportion to the size of the overrun based on the production used to calculate the threshold.

Article 4

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

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

Done at Brussels, 4 May 2000.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ L 297, 21.11.1996, p. 1.

⁽²⁾ OJ L 160, 26.6.1999, p. 80.

⁽³⁾ OJ L 133, 28.5.1999, p. 23.

COMMISSION REGULATION (EC) No 932/2000**of 4 May 2000****reducing the Community withdrawal compensation for cauliflowers, peaches and nectarines for the 2000/01 marketing year as a result of overruns of the intervention thresholds fixed for the 1999/2000 marketing year**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EC) No 2200/96 of 28 October 1996 on the common organisation of the market in fruit and vegetables ⁽¹⁾, as last amended by Regulation (EC) No 1257/1999 ⁽²⁾, and in particular Article 27(1) and (2) thereof,

Whereas:

- (1) Commission Regulation (EC) No 1097/1999 ⁽³⁾ fixes the intervention thresholds for the 1999/2000 marketing year at 112 300 tonnes for cauliflowers, 254 700 tonnes for peaches and 83 700 tonnes for nectarines. Under Article 3 of that Regulation, if the quantity of cauliflowers, peaches or nectarines withdrawn in the period between 1 March 1999 and 28 February 2000 exceeds the threshold fixed, the Community withdrawal compensation laid down in Annex V to Regulation (EC) No 2200/96 for the 2000/01 marketing year is to be reduced in proportion to the size of the overrun based on the production used to calculate the relevant threshold.
- (2) The information supplied by the Member States indicates that 170 502 tonnes of cauliflowers, 314 722 tonnes of peaches and 214 443 tonnes of nectarines were withdrawn in the 1999/2000 marketing year.
- (3) Consequently, the Community withdrawal compensation set by Regulation (EC) No 2200/96 for the 2000/01

marketing year must be reduced by 2,59 % for cauliflowers, 2,36 % for peaches and 15,62 % for nectarines.

- (4) Article 3 of Regulation (EC) No 1097/1999 lays down that the consequences of an overrun of the threshold are to apply in the following marketing year. The reduction in the Community withdrawal compensation for cauliflowers, peaches and nectarines should therefore apply in the 2000/01 marketing year.
- (5) The measures provided for in this Regulation are in accordance with the opinion of the Management Committee for Fresh Fruit and Vegetables,

HAS ADOPTED THIS REGULATION:

Article 1

The Community withdrawal compensation for the 2000/01 marketing year shall be:

- EUR 7,73 per 100 kilograms net for cauliflowers,
- EUR 12,16 per 100 kilograms net for peaches,
- EUR 12,47 per 100 kilograms net for nectarines.

Article 2

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

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

Done at Brussels, 4 May 2000.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ L 297, 21.11.1996, p. 1.

⁽²⁾ OJ L 160, 26.6.1999, p. 80.

⁽³⁾ OJ L 133, 28.5.1999, p. 23.

COMMISSION REGULATION (EC) No 933/2000**of 4 May 2000****amending Regulation (EEC) No 1318/93 on detailed rules for the application of Council Regulation (EEC) No 2067/92 on measures to promote and market quality beef and veal**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EEC) No 2067/92 of 30 June 1992 on measures to promote and market quality beef and veal ⁽¹⁾, and in particular Article 4 thereof,

Whereas:

- (1) Commission Regulation (EEC) No 1318/93 ⁽²⁾, as last amended by Regulation (EC) No 2246/1999 ⁽³⁾, lays down detailed rules for the application of the above-mentioned Regulation.
- (2) Articles 4 and 5 of Regulation (EEC) No 1318/93 lay down time limits for the submission of applications for financing to the competent bodies in the Member States, for forwarding them to the Commission and for the Commission to determine the successful applications.
- (3) In view of the period of application of the contracts in force, the time limits for submitting applications for financing to the competent body and for forwarding them to the Commission and the time limit for the Commission to determine the successful applications should be put back.

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

HAS ADOPTED THIS REGULATION:

Article 1

Regulation (EEC) No 1318/93 is hereby amended as follows:

1. The second sentence of Article 4(1) is replaced by the following:
'However, for the year 2000, applications may be lodged up to 31 May 2000.'
2. The following is added to Article 5(1):
'However, it shall send the Commission applications submitted in 2000 and the relevant reasoned opinions before 31 July 2000.'
3. The last sentence of the first subparagraph of Article 5(2) is replaced by the following:
'For the year 2000, however, the Commission shall determine the successful applications by 15 December 2000.'

Article 2

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

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

Done at Brussels, 4 May 2000.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ L 215, 30.7.1992, p. 57.

⁽²⁾ OJ L 132, 29.5.1993, p. 83.

⁽³⁾ OJ L 273, 22.10.1999, p. 7.

COMMISSION REGULATION (EC) No 934/2000
of 4 May 2000
providing for the rejection of applications for export licences in relation to certain processed
products and cereal-based compound feedingstuffs

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 1162/95 of 23 May 1995 laying down special detailed rules for the application of the system of import and export licences for cereals and rice ⁽³⁾, as last amended by Regulation (EC) No 1432/1999 ⁽⁴⁾, and in particular Article 7(3) thereof,

Whereas:

The quantity covered by applications for advance fixing of refunds on potato starch and maize-, and barley- and wheat-based products is of great importance and could give rise to speculation. It has therefore been decided to reject all applica-

tions for export licences of such products made on 2, 3 and 4 May 2000,

HAS ADOPTED THIS REGULATION:

Article 1

In accordance with Article 7(3) of Regulation (EC) No 1162/95, applications for export licences with advance fixing of refunds for products falling within CN codes 1102 20 10, 1102 20 90, 1103 13 10, 1103 13 90, 1103 29 20, 1104 21 50, 1104 23 10, 1108 11 00, 1108 12 00, 1108 13 00, 1702 30 51, 1702 30 91, 1702 30 99, 1702 40 90, 1702 90 50, 1702 90 79, 2309 10 11, 2309 10 13, 2309 10 31, 2309 10 33, 2309 10 51, 2309 10 53, 2309 90 31, 2309 90 33, 2309 90 41, 2309 90 43, 2309 90 51 and 2309 90 53 made on 2, 3 and 4 May 2000 shall be rejected.

Article 2

This Regulation shall enter into force on 5 May 2000.

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

Done at Brussels, 4 May 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 117, 24.5.1995, p. 2.

⁽⁴⁾ OJ L 166, 1.7.1999, p. 56.

COMMISSION REGULATION (EC) No 935/2000**of 4 May 2000****fixing the rates of the refunds applicable to certain cereal and rice-products exported in the form of goods not covered by Annex I to the Treaty**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EEC) No 1766/92 of 30 June 1992 on the common organisation of the market in cereals ⁽¹⁾, as last amended by Commission Regulation (EC) No 1253/1999 ⁽²⁾, and in particular Article 13(3) thereof,

Having regard to Council Regulation (EC) No 3072/95 of 22 December 1995 on the common organisation of the market in rice ⁽³⁾, as amended by Regulation (EC) No 2072/98 ⁽⁴⁾, and in particular Article 13(3) thereof,

Whereas:

- (1) Article 13(1) of Regulation (EEC) No 1766/92 and Article 13(1) of Regulation (EC) No 3072/95 provide that the difference between quotations of prices on the world market for the products listed in Article 1 of each of those Regulations and the prices within the Community may be covered by an export refund.
- (2) Commission Regulation (EC) No 1222/94 of 30 May 1994 laying down common implementing rules for granting export refunds on certain agricultural products exported in the form of goods not covered by Annex I to the Treaty, and the criteria for fixing the amount of such refunds ⁽⁵⁾, as last amended by Regulation (EC) No 701/2000 ⁽⁶⁾, specifies the products for which a rate of refund should be fixed, to be applied where these products are exported in the form of goods listed in Annex B to Regulation (EEC) No 1766/92 or in Annex B to Regulation (EC) No 3072/95 as appropriate.
- (3) In accordance with the first subparagraph of Article 4(1) of Regulation (EC) No 1222/94, the rate of the refund per 100 kilograms for each of the basic products in question must be fixed for each month.
- (4) The commitments entered into with regard to refunds which may be granted for the export of agricultural products contained in goods not covered by Annex I to the Treaty may be jeopardised by the fixing in advance of high refund rates. Whereas it is therefore necessary to take precautionary measures in such situations without, however, preventing the conclusion of long-term

contracts. Whereas the fixing of a specific refund rate for the advance fixing of refunds is a measure which enables these various objectives to be met.

- (5) Now that a settlement has been reached between the European Community and the United States of America on Community exports of pasta products to the United States and has been approved by Council Decision 87/482/EEC ⁽⁷⁾, it is necessary to differentiate the refund on goods falling within CN codes 1902 11 00 and 1902 19 according to their destination.
- (6) Article 4(5)(b) of Regulation (EC) No 1222/94 provides that, in the absence of the proof referred to in Article 4(5)(a) of that Regulation, a reduced rate of export refund has to be fixed, taking account of the amount of the production refund applicable, pursuant to Commission Regulation (EEC) No 1722/93 ⁽⁸⁾, as last amended by Regulation (EC) No 87/1999 ⁽⁹⁾, for the basic product in question, used during the assumed period of manufacture of the goods.
- (7) It is necessary to ensure continuity of strict management taking account of expenditure forecasts and funds available in the budget.
- (8) The Management Committee for Cereals has not delivered an opinion within the time limit set by its chairman,

HAS ADOPTED THIS REGULATION:

Article 1

The rates of the refunds applicable to the basic products appearing in Annex A to Regulation (EC) No 1222/94 and listed either in Article 1 of Regulation (EEC) No 1766/92 or in Article 1(1) of Regulation (EC) No 3072/95, exported in the form of goods listed in Annex B to Regulation (EEC) No 1766/92 or in Annex B to amended Regulation (EC) No 3072/95 respectively, are hereby fixed as shown in the Annex to this Regulation.

Article 2

This Regulation shall enter into force on 5 May 2000.

⁽¹⁾ OJ L 181, 1.7.1992, p. 21.

⁽²⁾ OJ L 160, 26.6.1999, p. 18.

⁽³⁾ OJ L 329, 30.12.1995, p. 18.

⁽⁴⁾ OJ L 265, 30.9.1998, p. 4.

⁽⁵⁾ OJ L 136, 31.5.1994, p. 5.

⁽⁶⁾ OJ L 83, 4.4.2000, p. 6.

⁽⁷⁾ OJ L 275, 29.9.1987, p. 36.

⁽⁸⁾ OJ L 159, 1.7.1993, p. 112.

⁽⁹⁾ OJ L 9, 15.1.1999, p. 8.

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

Done at Brussels, 4 May 2000.

For the Commission

Erkki LIIKANEN

Member of the Commission

ANNEX

to the Commission Regulation of 4 May 2000 fixing the rates of the refunds applicable to certain cereals and rice products exported in the form of goods not covered by Annex I to the Treaty

(EUR/100 kg)

CN code	Description of products ⁽¹⁾	Rate of refund per 100 kg of basic product	
		In case of advance fixing of refunds	Other
1001 10 00	Durum wheat: – on exports of goods falling within CN codes 1902 11 and 1902 19 to the United States of America – in other cases	— —	— —
1001 90 99	Common wheat and meslin: – on exports of goods falling within CN codes 1902 11 and 1902 19 to the United States of America – in other cases: – – where pursuant to Article 4 (5) of Regulation (EC) No 1222/94 ⁽²⁾ – – in other cases	1,494 0,921 2,299	1,494 0,921 2,299
1002 00 00	Rye	3,313	3,313
1003 00 90	Barley	1,652	1,652
1004 00 00	Oats	2,426	2,426
1005 90 00	Maize (corn) used in the form of: – starch: – – where pursuant to Article 4 (5) of Regulation (EC) No 1222/94 ⁽²⁾ – – in other cases – glucose, glucose syrup, maltodextrine, maltodextrine syrup of CN codes 1702 30 51, 1702 30 59, 1702 30 91, 1702 30 99, 1702 40 90, 1702 90 50, 1702 90 75, 1702 90 79, 2106 90 55 ⁽³⁾ : – – where pursuant to Article 4 (5) of Regulation (EC) No 1222/94 ⁽²⁾ – – in other cases – other (including unprocessed) Potato starch of CN code 1108 13 00 similar to a product obtained from processed maize: – where pursuant to Article 4 (5) of Regulation (EC) No 1222/94 ⁽²⁾ – in other cases	1,126 2,848 0,989 2,711 2,848 1,126 2,848	1,126 2,848 0,989 2,711 2,848 1,126 2,848
ex 1006 30	Wholly-milled rice: – round grain – medium grain – long grain	14,421 14,421 14,421	14,421 14,421 14,421
1006 40 00	Broken rice	3,152	3,152
1007 00 90	Sorghum	1,652	1,652

⁽¹⁾ As far as agricultural products obtained from the processing of a basic product or/and assimilated products are concerned, the coefficients shown in Annex E of amended Commission Regulation (EC) No 1222/94 shall be applied (OJ L 136, 31.5.1994, p. 5).

⁽²⁾ The goods concerned are listed in Annex I of amended Regulation (EEC) No 1722/93 (OJ L 159, 1.7.1993, p. 112).

⁽³⁾ For syrups of CN codes NC 1702 30 99, 1702 40 90 and 1702 60 90, obtained from mixing glucose and fructose syrup, the export refund may be granted only for the glucose syrup.

COMMISSION REGULATION (EC) No 936/2000
of 4 May 2000
amending the import duties in the cereals sector

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

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

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

Whereas:

- (1) The import duties in the cereals sector are fixed by Commission Regulation (EC) No 869/2000 ⁽⁵⁾, as last amended by Regulation (EC) No 924/2000 ⁽⁶⁾.

- (2) Article 2, (1) of Regulation (EC) No 1249/96 provides that if during the period of application, the average import duty calculated differs by EUR 5 per tonne from the duty fixed, a corresponding adjustment is to be made. Such a difference has arisen. It is therefore necessary to adjust the import duties fixed in Regulation (EC) No 869/2000,

HAS ADOPTED THIS REGULATION:

Article 1

Annexes I and II to Regulation (EC) No 869/2000 are hereby replaced by Annexes I and II to this Regulation.

Article 2

This Regulation shall enter into force on 5 May 2000.

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

Done at Brussels, 4 May 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 161, 29.6.1996, p. 125.

⁽⁴⁾ OJ L 315, 25.11.1998, p. 7.

⁽⁵⁾ OJ L 104, 29.4.2000, p. 3.

⁽⁶⁾ OJ L 107, 4.5.2000, p. 11.

ANNEX I

ANNEX I

Import duties for the products listed in Article 10(2) of Regulation (EEC) No 1766/92

CN code	Description	Import duty by land, inland waterway or sea from Mediterranean, the Black Sea or Baltic Sea ports (EUR/tonne)	Import duty by air or by sea from other ports ⁽²⁾ (EUR/tonne)
1001 10 00	Durum wheat — high quality	4,98	0,00
	Durum wheat — medium quality ⁽¹⁾	14,98	4,98
1001 90 91	Common wheat seed	15,31	5,31
1001 90 99	Common high quality wheat other than for sowing ⁽³⁾	15,31	5,31
	medium quality	62,98	52,98
	low quality	83,83	73,83
1002 00 00	Rye	66,76	56,76
1003 00 10	Barley, seed	66,76	56,76
1003 00 90	Barley, other ⁽³⁾	66,76	56,76
1005 10 90	Maize seed other than hybrid	79,84	69,84
1005 90 00	Maize other than seed ⁽³⁾	79,84	69,84
1007 00 90	Grain sorghum other than hybrids for sowing	66,76	56,76

⁽¹⁾ In the case of durum wheat not meeting the minimum quality requirements for medium quality durum wheat referred to in Annex I to Regulation (EC) No 1249/96, the duty applicable is that fixed for low-quality common wheat.

⁽²⁾ For goods arriving in the Community via the Atlantic Ocean or via the Suez Canal (Article 2 (4) of Regulation (EC) No 1249/96), the importer may benefit from a reduction in the duty of:

— EUR 3 per tonne, where the port of unloading is on the Mediterranean Sea, or

— EUR 2 per tonne, where the port of unloading is in Ireland, the United Kingdom, Denmark, Sweden, Finland or the Atlantic Coasts of the Iberian Peninsula.

⁽³⁾ The importer may benefit from a flat-rate reduction of EUR 14 or 8 per tonne, where the conditions laid down in Article 2 (5) of Regulation (EC) No 1249/96 are met.

ANNEX II

Factors for calculating duties

(period from 28 April 2000 to 3 May 2000)

1. Averages over the two-week period preceding the day of fixing:

Exchange quotations	Minneapolis	Kansas-City	Chicago	Chicago	Minneapolis	Minneapolis	Minneapolis
Product (% proteins at 12 % humidity)	HRS2. 14 %	HRW2. 11,5 %	SRW2	YC3	HAD2	Medium quality (*)	US barley 2
Quotation (EUR/t)	130,84	113,17	98,20	100,53	172,81 (**)	162,81 (**)	111,03 (**)
Gulf premium (EUR/t)	—	10,66	5,45	6,53	—	—	—
Great Lakes premium (EUR/t)	31,65	—	—	—	—	—	—

(*) A discount of 10 EUR/t (Article 4(1) of Regulation (EC) No 1249/96).

(**) Fob Great Lakes.

2. Freight/cost: Gulf of Mexico — Rotterdam: 18,79 EUR/t; Great Lakes — Rotterdam: 27,79 EUR/t.

3. Subsidy within the meaning of the third paragraph of Article 4(2) of Regulation (EC) No 1249/96: 0,00 EUR/t (HRW2)
0,00 EUR/t (SRW2).

COMMISSION REGULATION (EC) No 937/2000**of 4 May 2000****fixing the export refunds on products processed from cereals and rice**

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 Commission Regulation (EC) No 1253/1999 ⁽²⁾, and in particular Article 13(3) thereof,

Having regard to Council Regulation (EC) No 3072/95 of 22 December 1995 on the common organization of the market in rice ⁽³⁾, as last amended by Regulation (EC) No 2072/98 ⁽⁴⁾, and in particular Article 13(3) thereof,

Whereas:

(1) Article 13 of Regulation (EEC) No 1766/92 and Article 13 of Regulation (EC) No 3072/95 provide that the difference between quotations or prices on the world market for the products listed in Article 1 of those Regulations and prices for those products within the Community may be covered by an export refund.

(2) Article 13 of Regulation (EC) No 3072/95 provides that when refunds are being fixed account must be taken of the existing situation and the future trend with regard to prices and availabilities of cereals, rice and broken rice on the Community market on the one hand and prices for cereals, rice, broken rice and cereal products on the world market on the other. The same Articles provide that it is also important to ensure equilibrium and the natural development of prices and trade on the markets in cereals and rice and, furthermore, to take into account the economic aspect of the proposed exports, and the need to avoid disturbances on the Community market.

(3) Article 4 of Commission Regulation (EC) No 1518/95 ⁽⁵⁾, as amended by Regulation (EC) No 2993/95 ⁽⁶⁾, on the import and export system for products processed from cereals and from rice defines the specific criteria to be taken into account when the refund on these products is being calculated.

(4) The refund to be granted in respect of certain processed products should be graduated on the basis of the ash, crude fibre, tegument, protein, fat and starch content of the individual product concerned, this content being a particularly good indicator of the quantity of basic product actually incorporated in the processed product.

(5) There is no need at present to fix an export refund for manioc, other tropical roots and tubers or flours obtained therefrom, given the economic aspect of potential exports and in particular the nature and origin of these products. For certain products processed from cereals, the insignificance of Community participation in world trade makes it unnecessary to fix an export refund at the present time.

(6) The world market situation or the specific requirements of certain markets may make it necessary to vary the refund for certain products according to destination.

(7) The refund must be fixed once a month; whereas it may be altered in the intervening period.

(8) Certain processed maize products may undergo a heat treatment following which a refund might be granted that does not correspond to the quality of the product; whereas it should therefore be specified that on these products, containing pregelatinized starch, no export refund is to be granted.

(9) 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 the products listed in Article 1(1)(d) of Regulation (EEC) No 1766/92 and in Article 1(1)(c) of Regulation (EC) No 3072/95 and subject to Regulation (EC) No 1518/95 are hereby fixed as shown in the Annex to this Regulation.

⁽¹⁾ OJ L 181, 1.7.1992, p. 21.

⁽²⁾ OJ L 160, 26.6.1999, p. 18.

⁽³⁾ OJ L 329, 30.12.1995, p. 18.

⁽⁴⁾ OJ L 265, 30.9.1998, p. 4.

⁽⁵⁾ OJ L 147, 30.6.1995, p. 55.

⁽⁶⁾ OJ L 312, 23.12.1995, p. 25.

Article 2

This Regulation shall enter into force on 5 May 2000.

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

Done at Brussels, 4 May 2000.

For the Commission
 Franz FISCHLER
 Member of the Commission

ANNEX

to the Commission Regulation of 4 May 2000 fixing the export refunds on products processed from cereals and rice

(EUR/tonne)		(EUR/tonne)	
Product code	Refund	Product code	Refund
1102 20 10 9200 ⁽¹⁾	41,75	1104 23 10 9100	44,73
1102 20 10 9400 ⁽¹⁾	35,78	1104 23 10 9300	34,29
1102 20 90 9200 ⁽¹⁾	35,78	1104 29 11 9000	24,55
1102 90 10 9100	25,95	1104 29 51 9000	24,07
1102 90 10 9900	17,65	1104 29 55 9000	24,07
1102 90 30 9100	45,72	1104 30 10 9000	6,02
1103 12 00 9100	45,72	1104 30 90 9000	7,46
1103 13 10 9100 ⁽¹⁾	53,68	1107 10 11 9000	42,84
1103 13 10 9300 ⁽¹⁾	41,75	1107 10 91 9000	30,79
1103 13 10 9500 ⁽¹⁾	35,78	1108 11 00 9200	48,14
1103 13 90 9100 ⁽¹⁾	35,78	1108 11 00 9300	48,14
1103 19 10 9000	34,69	1108 12 00 9200	47,71
1103 19 30 9100	26,82	1108 12 00 9300	47,71
1103 21 00 9000	24,55	1108 13 00 9200	47,71
1103 29 20 9000	17,65	1108 13 00 9300	47,71
1104 11 90 9100	25,95	1108 19 10 9200	50,16
1104 12 90 9100	50,80	1108 19 10 9300	50,16
1104 12 90 9300	40,64	1109 00 00 9100	0,00
1104 19 10 9000	24,55	1702 30 51 9000 ⁽²⁾	59,32
1104 19 50 9110	47,71	1702 30 59 9000 ⁽²⁾	45,41
1104 19 50 9130	38,77	1702 30 91 9000	59,32
1104 21 10 9100	25,95	1702 30 99 9000	45,41
1104 21 30 9100	25,95	1702 40 90 9000	45,41
1104 21 50 9100	34,60	1702 90 50 9100	59,32
1104 21 50 9300	27,68	1702 90 50 9900	45,41
1104 22 20 9100	40,64	1702 90 75 9000	62,16
1104 22 30 9100	43,18	1702 90 79 9000	43,14
		2106 90 55 9000	45,41

⁽¹⁾ No refund shall be granted on products given a heat treatment resulting in pregelatinisation of the starch.

⁽²⁾ Refunds are granted in accordance with Council Regulation (EEC) No 2730/75 (OJ L 281, 1.11.1975, p. 20), amended.

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

COMMISSION REGULATION (EC) No 938/2000
of 4 May 2000
fixing the export refunds on cereal-based compound feedingstuffs

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(3) 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) Regulation (EC) No 1517/95 of 29 June 1995 laying down detailed rules for the application of Regulation (EEC) No 1766/92 as regards the arrangements for the export and import of compound feedingstuffs based on cereals and amending Regulation (EC) No 1162/95 laying down special detailed rules for the application of the system of import and export licences for cereals and rice ⁽³⁾ in Article 2 lays down general rules for fixing the amount of such refunds.
- (3) That calculation must also take account of the cereal products content. In the interest of simplification, the refund should be paid in respect of two categories of 'cereal products', namely for maize, the most commonly used cereal in exported compound feeds and maize products, and for 'other cereals', these being eligible cereal products excluding maize and maize products. A

refund should be granted in respect of the quantity of cereal products present in the compound feedingstuff.

- (4) Furthermore, the amount of the refund must also take into account the possibilities and conditions for the sale of those products on the world market, the need to avoid disturbances on the Community market and the economic aspect of the export.
- (5) However, in fixing the rate of refund it would seem advisable to base it at this time on the difference in the cost of raw inputs widely used in compound feedingstuffs as the Community and world markets, allowing more accurate account to be taken of the commercial conditions under which such products are exported.
- (6) The refund must be fixed once a month; whereas it may be altered in the intervening period.
- (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 compound feedingstuffs covered by Regulation (EEC) No 1766/92 and subject to Regulation (EC) No 1517/95 are hereby fixed as shown in the Annex to this Regulation.

Article 2

This Regulation shall enter into force on 5 May 2000.

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

Done at Brussels, 4 May 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. 51.

ANNEX

to the Commission Regulation of 4 May 2000 fixing the export refunds on cereal-based compound feedingstuffs

Product code benefiting from export refund ⁽¹⁾:

2309 10 11 9000, 2309 10 13 9000, 2309 10 31 9000,
2309 10 33 9000, 2309 10 51 9000, 2309 10 53 9000,
2309 90 31 9000, 2309 90 33 9000, 2309 90 41 9000,
2309 90 43 9000, 2309 90 51 9000, 2309 90 53 9000.

(EUR/t)	
Cereal products ⁽²⁾	Amount of refund ⁽²⁾
Maize and maize products: CN codes 0709 90 60, 0712 90 19, 1005, 1102 20, 1103 13, 1103 29 40, 1104 19 50, 1104 23, 1904 10 10	29,82
Cereal products ⁽²⁾ excluding maize and maize products	20,69

⁽¹⁾ The product codes are defined in Sector 5 of the Annex to Commission Regulation (EEC) No 3846/87 (OJ L 366, 24.12.1987, p. 1), amended.

⁽²⁾ For the purposes of the refund only the starch coming from cereal products is taken into account.

Cereal products means the products falling within subheadings 0709 90 60 and 0712 90 19, Chapter 10, and headings Nos 1101, 1102, 1103 and 1104 (unprocessed and not reconstituted excluding subheading 1104 30) and the cereals content of the products falling within subheadings 1904 10 10 and 1904 10 90 of the combined nomenclature. The cereals content in products under subheadings 1904 10 10 and 1904 10 90 of the combined nomenclature is considered to be equal to the weight of this final product. No refund is paid for cereals where the origin of the starch cannot be clearly established by analysis.

COMMISSION REGULATION (EC) No 939/2000
of 4 May 2000
fixing production refunds on cereals and rice

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EEC) No 1766/92 of 30 June 1992, on the common organisation of the market in cereals ⁽¹⁾, as last amended by Commission Regulation (EC) No 1253/1999 ⁽²⁾, and in particular Article 7 ⁽³⁾ thereof,

Having regard to Council Regulation (EC) No 3072/95 of 22 December 1995 on the common organisation of the market in rice ⁽³⁾, as last amended by Regulation (EC) No 2072/98 ⁽⁴⁾, and in particular Article 7(2) thereof,

Having regard to Commission Regulation (EEC) No 1722/93 of 30 June 1993 laying down detailed rules for the arrangements concerning production refunds in the cereals and rice sectors ⁽⁵⁾, as last amended by Regulation (EC) No 87/1999 ⁽⁶⁾, and in particular Article 3 thereof,

Whereas:

- (1) Regulation (EEC) No 1722/93 establishes the conditions for granting the production refund; whereas the basis for the calculation is established in Article 3 of the said Regulation; whereas the refund thus calculated must be

fixed once a month and may be altered if the price of maize and/or wheat changes significantly.

- (2) The production refunds to be fixed in this Regulation should be adjusted by the coefficients listed in the Annex II to Regulation (EEC) No 1722/93 to establish the exact amount payable.
- (3) 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 refund referred to in Article 3(2) of Regulation (EEC) No 1722/93, expressed per tonne of starch extracted from maize, wheat, barley, oats, potatoes, rice or broken rice, shall be EUR 9,20/t.

Article 2

This Regulation shall enter into force on 5 May 2000.

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

Done at Brussels, 4 May 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 329, 30.12.1995, p. 18.

⁽⁴⁾ OJ L 265, 30.9.1998, p. 4.

⁽⁵⁾ OJ L 159, 1.7.1993, p. 112.

⁽⁶⁾ OJ L 9, 15.1.1999, p. 8.

COMMISSION REGULATION (EC) No 940/2000**of 4 May 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 28 April to 4 May 2000, pursuant to the invitation to tender issued in Regulation (EC) No 1701/1999, the maximum refund on exportation of barley shall be EUR 14,98/t.

Article 2

This Regulation shall enter into force on 5 May 2000.

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

Done at Brussels, 4 May 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 941/2000**of 4 May 2000****concerning tenders notified in response to the invitation to tender for the export of common wheat issued in Regulation (EC) No 2010/1999**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

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

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

Whereas:

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

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

- (3) On the basis of the criteria laid down in Article 1 of Regulation (EC) No 1501/95 a maximum refund or minimum tax should not be fixed.
- (4) The measures provided for in this Regulation are in accordance with the opinion of the Management Committee for Cereals,

HAS ADOPTED THIS REGULATION:

Article 1

No action shall be taken on the tenders notified from 28 April to 4 May 2000 in response to the invitation to tender for the refund or the tax for the export of common wheat issued in Regulation (EC) No 2010/1999.

Article 2

This Regulation shall enter into force on 5 May 2000.

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

Done at Brussels, 4 May 2000.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ L 181, 1.7.1992, p. 21.

⁽²⁾ OJ L 160, 26.6.1999, p. 18.

⁽³⁾ OJ L 147, 30.6.1995, p. 7.

⁽⁴⁾ OJ L 313, 21.11.1998, p. 16.

⁽⁵⁾ OJ L 248, 21.9.1999, p. 19.

COMMISSION REGULATION (EC) No 942/2000**of 4 May 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 28 April to 4 May 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 0,00/t.

Article 2

This Regulation shall enter into force on 5 May 2000.

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

Done at Brussels, 4 May 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 943/2000
of 4 May 2000
concerning tenders notified in response to the invitation to tender for the export of oats issued in
Regulation (EC) No 1897/1999

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 organization 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⁾,

Having regard to Commission Regulation (EC) No 1897/1999 of 2 September 1999 on a special intervention measure for cereals in Finland and Sweden ⁽⁵⁾, as last amended by Regulation (EC) No 2482/1999 ⁽⁶⁾, and in particular Article 8 thereof,

Whereas:

- (1) an invitation to tender for the refund for the export of oats produced in Finland and Sweden for export from Finland or Sweden to all third countries was opened pursuant to Regulation (EC) No 1897/1999;

- (2) Article 8 of Regulation (EC) No 1897/1999 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 make no award.
- (3) On the basis of the criteria laid down in Article 1 of Regulation (EC) No 1501/95 a maximum refund should not be fixed.
- (4) The measures provided for in this Regulation are in accordance with the opinion of the Management Committee for Cereals,

HAS ADOPTED THIS REGULATION:

Article 1

No action shall be taken on the tenders notified from 28 April to 4 May 2000 in response to the invitation to tender for the refund for the export of oats issued in Regulation (EC) No 1897/1999.

Article 2

This Regulation shall enter into force on 5 May 2000.

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

Done at Brussels, 4 May 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 233, 3.9.1999, p. 10.

⁽⁶⁾ OJ L 303, 26.11.1999, p. 3.

COMMISSION REGULATION (EC) No 944/2000**of 4 May 2000****fixing the maximum reduction in the duty on maize imported in connection with the invitation to tender issued in Regulation (EC) No 756/2000**

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 12(1) thereof,

Whereas:

- (1) an invitation to tender for the maximum reduction in the duty on maize imported into Spain was opened pursuant to Commission Regulation (EC) No 756/2000⁽³⁾.
- (2) Pursuant to Article 5 of Commission Regulation (EC) No 1839/95⁽⁴⁾, as amended by Regulation (EC) No 1963/95⁽⁵⁾, the Commission, acting under the procedure laid down in Article 23 of Regulation (EEC) No 1766/92, may decide to fix maximum reduction in the import duty; in fixing this maximum the criteria provided for in Articles 6 and 7 of Regulation (EC) No 1839/95 must be taken into account; whereas a contract is awarded to any

tenderer whose tender is equal to or less than the maximum reduction in the duty.

- (3) The application of the abovementioned criteria to the current market situation for the cereal in question results in the maximum reduction in the import duty being fixed at the amount specified in Article 1.
- (4) The Management Committee for Cereals has not delivered an opinion within the time limit set by its chairman,

HAS ADOPTED THIS REGULATION:

Article 1

For tenders notified from 28 April to 4 May 2000, pursuant to the invitation to tender issued in Regulation (EC) No 756/2000, the maximum reduction in the duty on maize imported shall be 58,99 EUR/t and be valid for a total maximum quantity of 329 300 tonnes.

Article 2

This Regulation shall enter into force on 5 May 2000.

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

Done at Brussels, 4 May 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 92, 13.4.2000, p. 8.

⁽⁴⁾ OJ L 177, 28.7.1995, p. 4.

⁽⁵⁾ OJ L 189, 10.8.1995, p. 22.

COMMISSION REGULATION (EC) No 945/2000**of 4 May 2000****fixing the maximum reduction in the duty on maize imported in connection with the invitation to tender issued in Regulation (EC) No 757/2000**

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 12(1) thereof,

Whereas:

- (1) an invitation to tender for the maximum reduction in the duty on maize imported into Portugal was opened pursuant to Commission Regulation (EC) No 757/2000⁽³⁾;
- (2) pursuant to Article 5 of Commission Regulation (EC) No 1839/95⁽⁴⁾, as amended by Regulation (EC) No 1963/95⁽⁵⁾, the Commission, acting under the procedure laid down in Article 23 of Regulation (EEC) No 1766/92, may decide to fix maximum reduction in the import duty; whereas in fixing this maximum the criteria provided for in Articles 6 and 7 of Regulation (EC) No 1839/95 must be taken into account; whereas a contract

is awarded to any tenderer whose tender is equal to or less than the maximum reduction in the duty;

- (3) the application of the abovementioned criteria to the current market situation for the cereal in question results in the maximum reduction in the import duty 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 28 April to 4 May 2000, pursuant to the invitation to tender issued in Regulation (EC) No 757/2000, the maximum reduction in the duty on maize imported shall be EUR 54,90/t and be valid for a total maximum quantity of 121 850 t.

Article 2

This Regulation shall enter into force on 5 May 2000.

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

Done at Brussels, 4 May 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 92, 13.4.2000, p. 9.

⁽⁴⁾ OJ L 177, 28.7.1995, p. 4.

⁽⁵⁾ OJ L 189, 10.8.1995, p. 22.

COMMISSION REGULATION (EC) No 946/2000**of 4 May 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 5 May 2000.

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

Done at Brussels, 4 May 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 4 May 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	30,25
1001 90 91 9000	—	—	1101 00 15 9130	01	28,25
1001 90 99 9000	03	12,00	1101 00 15 9150	01	26,00
	02	0	1101 00 15 9170	01	24,00
1002 00 00 9000	03	55,00	1101 00 15 9180	01	22,50
	02	0	1101 00 15 9190	—	—
1003 00 10 9000	—	—	1101 00 90 9000	—	—
1003 00 90 9000	03	5,00	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	17,00	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 947/2000
of 4 May 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 5 May 2000.

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

Done at Brussels, 4 May 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 4 May 2000 fixing the corrective amount applicable to the refund on cereals

(EUR/t)

Product code	Destination ⁽¹⁾	Current 5	1st period 6	2nd period 7	3rd period 8	4th period 9	5th period 10	6th period 11
1001 10 00 9200	—	—	—	—	—	—	—	—
1001 10 00 9400	01	0	0	0	-1,00	-2,00	—	—
1001 90 91 9000	—	—	—	—	—	—	—	—
1001 90 99 9000	03	0	-12,50	-20,00	-20,00	-20,00	-20,00	-20,00
	02	0	-12,50	-20,00	-20,00	-20,00	—	—
1002 00 00 9000	01	0	0	-50,00	-50,00	-50,00	—	—
1003 00 10 9000	—	—	—	—	—	—	—	—
1003 00 90 9000	01	0	-20,00	-20,00	-20,00	-20,00	—	—
1004 00 00 9200	—	—	—	—	—	—	—	—
1004 00 00 9400	01	0	0	-50,00	-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	-27,40	-27,40	-27,40	—	—
1101 00 15 9130	01	0	0	-25,60	-25,60	-25,60	—	—
1101 00 15 9150	01	0	0	-23,60	-23,60	-23,60	—	—
1101 00 15 9170	01	0	0	-21,80	-21,80	-21,80	—	—
1101 00 15 9180	01	0	0	-20,40	-20,40	-20,40	—	—
1101 00 15 9190	—	—	—	—	—	—	—	—
1101 00 90 9000	—	—	—	—	—	—	—	—
1102 10 00 9500	01	0	0	-68,50	-68,50	-68,50	—	—
1102 10 00 9700	01	0	0	-54,00	-54,00	-54,00	—	—
1102 10 00 9900	—	—	—	—	—	—	—	—
1103 11 10 9200	01	0	0	0	-1,50	-3,00	—	—
1103 11 10 9400	01	0	0	0	-1,34	-2,68	—	—
1103 11 10 9900	—	—	—	—	—	—	—	—
1103 11 90 9200	01	0	0	0	-1,37	-2,74	—	—
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 948/2000
of 4 May 2000
fixing the corrective amount applicable to the refund 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 Article 13(8),

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, adjusted for the threshold price in force during the month of exportation, must be applied on request to exports to be effected during the period of validity of the export licence. 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 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 malt referred to

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) It follows from applying the provisions set out above that the corrective amount must be as set out in the Annex hereto.
- (4) The measures provided for in this Regulation are in accordance with the opinion of the Management Committee for Cereals,

HAS ADOPTED THIS REGULATION:

Article 1

The corrective amount referred to in Article 13(4) of Regulation (EEC) No 1766/92 which is applicable to export refunds fixed in advance in respect of malt shall be as set out in the Annex hereto.

Article 2

This Regulation shall enter into force on 5 May 2000.

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

Done at Brussels, 4 May 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 4 May 2000 fixing the corrective amount applicable to the refund on malt

(EUR/t)

Product code	Current	1st period	2nd period	3rd period	4th period	5th period
1107 10 11 9000	0	0	0	0	0	0
1107 10 19 9000	0	0	0	-1,27	-2,54	0
1107 10 91 9000	0	0	0	0	0	0
1107 10 99 9000	0	0	0	-1,27	-2,54	0
1107 20 00 9000	0	0	0	-1,49	-2,98	0

(EUR/t)

Product code	6th period	7th period	8th period	9th period	10th period	11th period
1107 10 11 9000	0	0	0	0	0	0
1107 10 19 9000	0	0	0	0	0	0
1107 10 91 9000	0	0	0	0	0	0
1107 10 99 9000	0	0	0	0	0	0
1107 20 00 9000	0	0	0	0	0	0

II

(Acts whose publication is not obligatory)

COMMISSION

COMMISSION DECISION

of 11 April 2000

authorising Member States to permit temporarily the marketing of forest reproductive material not satisfying the requirements of Council Directive 66/404/EEC

(notified under document number C(2000) 951)

(Text with EEA relevance)

(2000/320/EC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Directive 66/404/EEC on the marketing of forest reproductive material ⁽¹⁾, as last amended by the Act of Accession of Austria, Finland and Sweden, and in particular Article 15 thereof,

Having regard to the request submitted by France,

Whereas:

- (1) Production of reproductive material of the species set out in the Annex is at present insufficient in France with the result that their requirement for reproductive material conforming to the provisions of Directive 66/404/EEC cannot be met.
- (2) Third countries are not in a position to supply sufficient reproductive material of the relevant species which can afford the same guarantees as Community reproductive material and which conforms to the provisions of the abovementioned Directive.
- (3) France should therefore be authorised to permit, for a limited period, the marketing of reproductive material of the relevant species which satisfies less stringent requirements to cover the shortage of reproductive material satisfying the requirements of Directive 66/404/EEC.
- (4) For genetic reasons, the reproductive material must be collected at places of origin within the natural range of the relevant species and the strictest possible guarantees should be given to ensure the identity of the material.

- (5) Furthermore, reproductive material should be marketed only if it is accompanied by a document bearing certain details of the reproductive material in question.

- (6) The measures provided for in this Decision are in accordance with the opinion of the Standing Committee on Seeds and Propagating Material for Agriculture, Horticulture and Forestry,

HAS ADOPTED THIS DECISION:

Article 1

1. France is authorised to permit the marketing in their territory of seed satisfying less stringent requirements in respect of provenance, as laid down in Directive 66/404/EEC, on the terms set out in the Annex hereto and on condition that the proof specified in Article 2 is furnished with regard to the place of provenance of the seed and the altitude at which it was collected.

2. France is authorised to permit the marketing in its territory of plants produced in the Community from the above-mentioned seed.

Article 2

1. The proof referred to in Article 1(1) shall be deemed to be furnished where the reproductive material is of the category 'source-identified reproductive material' as defined in the Organisation for Economic Cooperation and Development (OECD) scheme for the control of forest reproductive material moving in international trade, or of another category defined in that scheme.

⁽¹⁾ OJ L25, 11.7.1966, p. 2326/66. Directive as repealed with effect from 1 January 2003 by Council Directive 1999/105/EC (OJ L 11, 15.1.2000, p. 17).

2. Where the OECD scheme referred to in paragraph 1 is not used at the place of provenance of the reproductive material, other official evidence shall be admissible.

3. Where official evidence cannot be provided, Member States may accept other non-official evidence.

Article 3

1. The Member States other than the applicant Member State are also authorised to permit, on the terms set out in the Annex hereto and for the purposes intended by the applicant Member State, the marketing in their territory of seed referred to in this Decision.

2. For the purpose of the application of paragraph 1, the Member States concerned shall assist each other administratively. The applicant Member State shall be notified by other Member States of their intention to permit the marketing of such reproductive material, before any authorisation may be granted. The applicant Member State may object only if the entire amount set out in this Decision has already been allocated.

Article 4

The authorisation provided for in Article 1(1) in so far as it concerns the first placing of forest reproductive material on the market of the Community, shall expire on 30 November 2000.

Such authorisation, in so far as it concerns subsequent placing on the market of the Community, shall expire on 31 December 2002.

Article 5

With regard to the first placing on the market of forest reproductive material, as referred to in Article 4 France shall, by 1 January 2001 notify the Commission of the quantities of such material satisfying less stringent requirements which have been approved for marketing in its territory under this Decision. The Commission shall inform the other Member States thereof.

Article 6

This Decision is addressed to the Member States.

Done at Brussels, 11 April 2000.

For the Commission

David BYRNE

Member of the Commission

ANNEX

	<i>Pseudotsuga taxifolia</i>	
Estado miembro Medlemsstat Mitgliedstaat Κράτος μέλος Member State État membre Stato membro Lidstaat Estado-Membro Jäsenvaltio Medlemsstat	kg	Procedencia Oprindelse Herkunft Προέλευση Provenance Provenance Provenienza Herkomst Proveniência Lähtöisyys Häromst
F	300	US (Washington)

COMMISSION DECISION

of 11 April 2000

authorising the Member States to permit temporarily the marketing of seed of certain species not satisfying the requirements of Council Directive 66/401/EEC

(notified under document number C(2000) 954)

(Text with EEA relevance)

(2000/321/EC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Directive 66/401/EEC on the marketing of fodder plant seed ⁽¹⁾, as last amended by Directive 98/96/EEC ⁽²⁾, and in particular Article 17 thereof,

Having regard to the request submitted by Sweden,

Whereas:

- (1) In Sweden the quantity of available seed of spring varieties of field pea suitable to the climatic conditions of Sweden included in the Common Catalogue of Varieties of Agricultural Plant Species or in the National Catalogues of the Member States is insufficient and is therefore not adequate to meet this country's needs.
- (2) It is not possible to cover this demand satisfactorily with seed from other Member States, or from third countries, satisfying all the requirements laid down in the Directive.
- (3) Sweden should therefore be authorised to permit for a period expiring on 30 June 2000, the marketing of seed of the field pea variety 'Grande' neither included in the Common Catalogue of Varieties of Agricultural Plant Species nor in the national catalogue of the Member States.
- (4) Moreover, other Member States which are able to supply Sweden with seed of the abovementioned variety should be authorised to permit the marketing of such seed.
- (5) The measures provided for in this Decision are in accordance with the opinion of the Standing Committee on Seeds and Propagating Material for Agriculture, Horticulture and Forestry,

HAS ADOPTED THIS DECISION:

Article 1

Sweden is authorised to permit, for a period expiring on 30 June 2000, the marketing in its territory of 500 tonnes of seed of spring varieties of field pea (*Pisum sativum* L.) of the variety

'Grande' which is neither included in the Common Catalogue of Varieties of Agricultural Plant Species nor in the National Catalogues of the Member States, provided that the following requirement is satisfied:

- (a) The official label shall be brown.

Article 2

1. The Member States other than the applicant Member State are also authorised to permit, on the terms set out in Article 1 and for the purposes intended by the applicant Member State, the marketing in their territories of the seed authorised to be marketed under this Decision.

2. For the purpose of the application of paragraph 1, the Member States concerned shall assist each other administratively. The applicant Member State shall be notified by other Member States of their intention to permit the marketing of such seed before any authorisation may be granted. The applicant Member State may object only if the entire amount set out in this Decision has already been allocated.

Article 3

Member States shall immediately notify the Commission and the other Member States of the various quantities of seed labelled and permitted to be marketed in their territories pursuant to this Decision.

Article 4

This Decision is addressed to the Member States.

Done at Brussels, 11 April 2000.

For the Commission

David BYRNE

Member of the Commission

⁽¹⁾ OJ 125, 11.7.1966, p. 2298/66.

⁽²⁾ OJ L 25, 1.2.1999, p. 27.

CORRIGENDA

Corrigendum to Commission Regulation (EC) No 899/2000 of 28 April 2000 determining the extent to which applications lodged in April 2000 for import licences for certain poultrymeat sector products pursuant to Regulation (EC) No 509/97 can be accepted

(Official Journal of the European Communities L 104 of 29 April 2000)

On page 66, Annex II, available quantities for group No 90:

for: '326,00',

read: '325,00'.
