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I

(Acts whose publication is obligatory)

**COMMISSION REGULATION (EC) No 1507/2000
of 12 July 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 13 July 2000.

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

Done at Brussels, 12 July 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 12 July 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
0707 00 05	052	96,5
	628	130,8
	999	113,7
0709 90 70	052	61,6
	999	61,6
0805 30 10	388	47,4
	508	29,9
	524	72,7
	528	77,9
0808 10 20, 0808 10 50, 0808 10 90	999	57,0
	388	82,5
	400	90,7
	508	85,1
	512	75,0
	528	88,0
	720	83,2
	804	87,9
	999	84,6
	388	88,4
	512	71,1
0808 20 50	528	80,7
	720	134,3
	800	70,7
	804	129,8
	999	95,8
0809 10 00	052	191,6
	064	113,3
	999	152,4
0809 20 95	052	268,5
	061	180,5
	400	271,5
	616	230,1
0809 40 05	999	237,7
	064	66,6
	624	175,2
	999	120,9

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

COMMISSION REGULATION (EC) No 1508/2000
of 11 July 2000
concerning the classification of certain goods in the Combined Nomenclature

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EEC) No 2658/87 of 23 July 1987, on the tariff and statistical nomenclature and on the Common Customs Tariff⁽¹⁾, as last amended by Regulation (EC) No 1264/2000⁽²⁾, and in particular Article 9 thereof,

Whereas:

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

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

- (5) The measures provided for in this Regulation are in accordance with the opinion of the Customs Code Committee,

HAS ADOPTED THIS REGULATION:

Article 1

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

Article 2

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

Article 3

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

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

Done at Brussels, 11 July 2000.

For the Commission

Frederik BOLKESTEIN

Member of the Commission

⁽¹⁾ OJ L 256, 7.9.1987, p. 1.
⁽²⁾ OJ L 144, 17.6.2000, p. 6.

⁽³⁾ OJ L 302, 19.10.1992, p. 1.
⁽⁴⁾ OJ L 119, 7.5.1999, p. 1.

ANNEX

Description of goods	Classification (CN) code	Reason
(1)	(2)	(3)
1. A set, consisting of vampire teeth made of plastic and a small plastic tube containing a red liquid ('artificial blood'). The set is made up in packaging for retail sale.	9503 70 00	Classification is determined by the provisions of General Rules 1 and 6 for the interpretation of the combined Nomenclature and the wording of the CN codes 9503 and 9503 70 00. The components of this set are intended for entertainment purposes (presentation of the role of a vampire)
2. A set, consisting of a representation of a human skull made of plastic (approximately 10 cm long, 5 cm wide and 0,5 cm high), in which the eye, nose and mouth cavities contain different coloured make-up preparations, and a stick with ends made from synthetic foam material for applying the make-up. The set is made up in packaging for retail sale.	3304 99 00	Classification is determined by the provisions of General Rules 1, 3b and 6 for the interpretation of the Combined Nomenclature, Note 2 to Section VI, Note 3 to Chapter 33 and the wording of the CN codes 3304 and 3304 99 00. The make-up preparations determine the essential character of the set
3. A device ('digital film recorder'), consisting of a cathode ray tube, a camera back with a colour filter and various electronic assemblies, mounted in a common housing. The device works in conjunction with an automatic data-processing machine. The cathode ray tube transfers images from the automatic data-processing machine on film material (instant images or negative film on rolls of width of 35 mm or more) inserted in the camera back.	9006 59 00	Classification is determined by the provisions of General Rules 1 and 6 for the interpretation of the Combined Nomenclature, Note 5 B and 5 E to Chapter 84 and the wording of the CN codes 9006 and 9006 59 00. Although this device works in conjunction with an automatic dataprocessing machine it has the characteristics of an apparatus of heading 9006

Description of goods	Classification (CN) code	Reason
(1)	(2)	(3)
4. A set of electronic devices consisting of — a video game console, — a controller module, — a portable handheld module. The video game console consists of a CPU, a memory, a graphics processor, a sound processor, an optical disk drive, a modem for Internet access and various sockets such as ports for controller modules. It has a fixed operating system, which has been customised for video games. The optical disk drive is capable of reading special compact discs containing games developed for the video game console. The game programs cannot be modified by the user. The sockets enable the video console to be connected to several devices such as a television receiver, a data monitor, a keyboard, a mouse, an external storage unit or a printer. The controller module has different control buttons. They are used for playing games on the console. The controller module has to be connected to the video game console by cable. The portable handheld module has different control buttons for playing games, and a small LCD screen which displays gaming information. The module can download gaming information and scores and may be used to play basic games in its own right. The portable handheld module can be linked to the controller module but may also be used independently. See illustration (*)	9504 10 00	Classification is determined by the provisions of General Rules 1, 3b and 6 for the interpretation of the combined Nomenclature and the wording of the CN codes 9504 and 9504 10 00. The video game console gives the product its essential character. It is of a kind principally used with a television receiver

(*) The illustrations are purely for information.



COMMISSION REGULATION (EC) No 1509/2000**of 12 July 2000****amending items in the specifications for several names listed in the Annex to Regulation (EC) No 1107/96 on the registration of geographical indications and designations of origin under the procedure laid down in Article 17 of Council Regulation (EEC) No 2081/92**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EEC) No 2081/92 of 14 July 1992 on the protection of geographical indications and designations of origin for agricultural products and foodstuffs ⁽¹⁾, as last amended by Commission Regulation (EC) No 1068/97 ⁽²⁾, and in particular Article 9 thereof,

Whereas:

- (1) In accordance with Article 9 of Regulation (EEC) No 2081/92, the French Government has requested that items be amended in the specifications for several names registered by Commission Regulation (EC) No 1107/96 ⁽³⁾, as last amended by Council Regulation (EC) No 813/2000 ⁽⁴⁾. Those applications have been considered and the amendments deemed minor ones.
- (2) As regards the name 'Volailles de Bresse' registered as a protected designation of origin under 'national requirements' in the specification provided for in Article 4 of Regulation (EEC) No 2081/92, 'Decree of 4 January 1995' should be replaced by 'Decree on the registered designation of origin "Volailles de Bresse"'. The new decree replaces the previous one to take account of a judgment of the Court of Justice of the European Communities.
- (3) As regards the name 'Miel de Sapin des Vosges' registered as a protected designation of origin in the specification provided for in Article 4 of that Regulation, all references to the French decree of 30 July 1996 should be replaced by 'Decree on the registered designation of origin "Miel de Sapin des Vosges"'. The new decree replaces the previous one to take account of a judgment of the Court of Justice of the European Communities.
- (4) As regards the name 'Chaource' registered as a protected designation of origin under 'national requirements' in the specification provided for in Article 4 of that Regulation, 'Decree of 29 December 1986' should be replaced by 'Decree on the registered designation of origin "Chaource"'. The new decree replaces the previous one to take account of a judgment of the Court of Justice of

the European Communities. It also amends the wording of the transitional provision on the possibility of ripening the cheese outside the geographical area.

- (5) As regards the name 'Foin de Crau' registered as a protected designation of origin under 'national requirements' in the specification provided for in Article 4 of that Regulation, 'Decree of 31 May 1997' should be replaced by 'Decree on the registered designation of origin "Foin de Crau"'. The new decree replaces the previous one to take account of a judgment of the Court of Justice of the European Communities.
- (6) As regards the name 'Lentille verte du Puy' registered as a protected designation of origin in the specification provided for in Article 4 of that Regulation, all references to the French decree of 7 August 1996 should be replaced by 'Decree on the registered designation of origin "Lentille verte du Puy"'. The new decree replaces the previous one to take account of a judgment of the Court of Justice of the European Communities. It also amends the wording of the provision on the technical conditions under which the lentils are dried.
- (7) As regards the name 'Olives noires de Nyons' registered as a protected designation of origin in the specification provided for in Article 4 of that Regulation, a new detail should be added to allow a tolerance in the minimum olive diameter of 14 mm. Consequently, 5 % of the olives may be not less than 13 mm in diameter. This does not affect the link between the product and the designated area.
- (8) In accordance with Article 9 of Regulation (EEC) No 2081/92, the Luxembourg Government has requested that the specifications for two names be amended. Since these are only slight alterations to the names, they are deemed minor amendments.
- (9) As regards the name 'Miel Luxembourgeois de marque nationale' registered as a protected designation of origin, it should be altered to 'Miel — Marque nationale du Grand-Duché de Luxembourg'.
- (10) As regards the name 'Beurre rose de marque nationale du Grand-Duché de Luxembourg', it should be altered to 'Beurre rose — Marque nationale du Grand-Duché de Luxembourg'.

⁽¹⁾ OJ L 208, 24.7.1992, p. 1.

⁽²⁾ OJ L 156, 13.6.1997, p. 10.

⁽³⁾ OJ L 148, 21.6.1996, p. 1.

⁽⁴⁾ OJ L 100, 20.4.2000, p. 5.

- (11) In accordance with Article 9 of Regulation (EEC) No 2081/92, the German Government has requested that an item be amended in the specification for the name 'Schwarzwaldforelle' registered as a protected geographical indication by Commission Regulation (EC) No 2325/97 ⁽¹⁾. The sentence 'The addition of pure oxygen for raising trout in the Black Forest is prohibited' is replaced by 'The raising of trout in the Black Forest in closed-circuit installations is prohibited'. This is because the addition of pure oxygen has become common practice on fish farms for economic and ecological reasons, without impairing the quality of the product or affecting the link between the product and the designated area. It improves the health of the fish and is supported by the most recent scientific publications on this matter. As a result, it is deemed a minor amendment.
- (12) In accordance with Article 9 of Regulation (EEC) No 2081/92, the Greek Government has requested that an item be amended in the specification for the name 'Kasseri' registered as a protected designation of origin by Regulation (EC) No 1107/96, to increase the maximum moisture content of this cheese from 40 % to 45 %, i.e. the limit applying to similar medium-hard cheeses competing with Kasseri. The 40 % limit is diffi-

cult to achieve in practice. Since the link between the product and the designated area is not affected, this is deemed a minor amendment.

- (13) In accordance with the procedure laid down in Article 9 of Regulation (EEC) No 2081/92, by decision of 6 June 2000 the Commission decided not to apply the Article 6 procedure, considering the amendments to be minor.
- (14) The amendments have also been found to comply with Regulation (EEC) No 2081/92. As a result, they should be registered and published,

HAS ADOPTED THIS REGULATION:

Article 1

The amendments set out in the Annex are registered and published in accordance with Article 6(4) of Regulation (EEC) No 2081/92.

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, 12 July 2000.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ L 322, 25.11.1997, p. 33.

ANNEX

FRANCE

Volailles de Bresse

Requirements (if any) (Article 4(2)(i)):

Instead of 'Decree of 4 January 1995' read 'Decree on the registered designation of origin "Volailles de Bresse"'.

Miel de Sapin des Vosges

Requirements (if any) (Article 4(2)(i)):

Instead of 'Decree of 30 July 1996' read 'Decree on the registered designation of origin "Miel de Sapin des Vosges"'.

Chaource

Requirements (if any) (Article 4(2)(i)):

Instead of 'Decree of 29 December 1986' read 'Decree on the registered designation of origin "Chaource"'.

Foin de Crau

Requirements (if any) (Article 4(2)(i)):

Instead of 'Decree of 31 May 1997' read 'Decree on the registered designation of origin "Foin de Crau"'.

Lentille verte du Puy

Requirements (if any) (Article 4(2)(i)):

Instead of 'Decree of 7 August 1996' read 'Decree on the registered designation of origin "Lentille verte du Puy"'.

Olives noires de Nyons

Description (Article 4(2)(b))

'5 % of the olives may be not less than 13 mm in diameter'.

LUXEMBOURG

Miel luxembourgeois de marque nationale

Name (Article 4(2)(a))

Instead of 'Miel luxembourgeois de marque nationale' read 'Miel — Marque nationale du Grand-Duché de Luxembourg'.

Beurre rose de marque nationale du Grand-Duché de Luxembourg

Name (Article 4(2)(a))

Instead of 'Beurre rose de marque nationale du Grand-Duché de Luxembourg' read 'Beurre rose — Marque nationale du Grand-Duché de Luxembourg'.

GERMANY

Schwarzwaldforelle

Method of production (Article 4(2)(e))

Instead of 'The addition of pure oxygen for raising trout in the Black Forest is prohibited' read 'The raising of trout in the Black Forest in closed-circuit installations is prohibited'.

GREECE

Kasseri

Description (Article 4(2)(b))

Instead of 'with a maximum moisture content of 40 %' read 'with a maximum moisture content of 45 %'.

COMMISSION REGULATION (EC) No 1510/2000**of 12 July 2000****amending Annex B to Council Regulation (EEC) No 1766/92 on the common organisation of the market in 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 organisation of the market in cereals ⁽¹⁾, as last amended by Regulation (EC) No 1253/1999 ⁽²⁾, and in particular Article 13(11) thereof,

Whereas:

- (1) Article 8 of Council Regulation (EC) No 3448/93 of 6 December 1993 laying down the trade arrangements applicable to certain goods resulting from the processing of agricultural products ⁽³⁾, as last amended by Commission Regulation (EC) No 2491/98 ⁽⁴⁾, provides that on exportation of the goods, the agricultural products which have been used may qualify for refunds established pursuant to the regulations on the common organisation of the market in the sectors concerned.
- (2) Article 13 of Regulation (EEC) No 1766/92 provides for refunds on certain products covered by the Regulation if they are exported in the form of goods listed in Annex B thereto.
- (3) In view of the Community's commitments under the World Trade Organisation (WTO) Agreement on Agriculture ⁽⁵⁾ and budget availabilities, and in view of anti-

pated developments in agricultural prices in the Community and on the world market and in exports of agricultural products in the form of goods not listed in Annex I to the Treaty, the possibility of granting export refunds on agricultural products in the form of goods in which they may be incorporated should be restricted.

- (4) As a result, the list of goods in Annex B to Regulation (EEC) No 1766/92 should be amended.
- (5) 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

Annex B to Regulation (EEC) No 1766/92 is replaced by the Annex to this Regulation.

Article 2

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

It shall not apply to refund certificates issued before the date of entry into force of this Regulation.

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

Done at Brussels, 12 July 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 318, 20.12.1993, p. 18.

⁽⁴⁾ OJ L 309, 19.11.1998, p. 28.

⁽⁵⁾ OJ L 336, 23.12.1994, p. 22.

ANNEX

'ANNEX B

CN code	Description
ex 0403	Buttermilk, curdled milk and cream, yoghurt, kephir and other fermented or acidified milk and cream, containing added fruit, nuts or cocoa, whether or not concentrated or containing added or other sweetening matter:
0403 10	– Yoghurt:
0403 10 51 to 0403 10 99	– – Flavoured or containing added fruit, nuts or cocoa
0403 90	– Other:
0403 90 71 to 0403 90 99	– – Flavoured or containing added fruit, nuts or cocoa
ex 0710	Vegetables (uncooked or cooked by steaming or boiling in water), frozen:
0710 40 00	– Sweet corn
ex 0711	Vegetables provisionally preserved (for example, by sulphur dioxide gas, in brine, in sulphur water or in other preservative solutions), but unsuitable in that state for immediate consumption:
0711 90 30	– Sweet corn
ex 1704	Sugar confectionery (including white chocolate), not containing cocoa, except liquorice extract of subheading 1704 90 10
1806	Chocolate and other food preparations containing cocoa
ex 1901	Malt extract; food preparations of flour, meal, starch or malt extract, not containing cocoa or containing less than 40 % by weight of cocoa calculated on a totally defatted basis, not elsewhere specified or included; food preparations of goods of headings Nos 0401 to 0404, not containing cocoa or containing less than 5 % by weight of cocoa calculated on a totally defatted basis, not elsewhere specified or included:
1901 10 00	– Preparations for infant use, put up for retail sale
1901 20 00	– Mixes and doughs for the preparation of bakers' wares of heading No 1905
1901 90	– Other:
1901 90 11 to 1901 90 19	– – Malt extract
	– – Other:
1901 90 99	– – – Other
ex 1902	Pasta, whether or not cooked or stuffed (with meat or other substances) or otherwise prepared, such as spaghetti, macaroni, noodles, lasagne, gnocchi, ravioli, cannelloni; couscous, whether or not prepared:
	– Uncooked pasta, not stuffed or otherwise prepared:
1902 11 00	– – Containing eggs
1902 19	– – Other
ex 1902 20	– Stuffed pasta (whether or not cooked or otherwise prepared):
	– – Other:

CN code	Description
1902 20 91	--- Cooked
1902 20 99	--- Other
1902 30	- Other pasta
1902 40	- Couscous
1903 00 00	Tapioca and substitutes therefor prepared from starch, in the form of flakes, grains, pearls, sittings or similar forms
1904	Prepared foods obtained by the swelling or roasting of cereals or cereal products (for example, corn flakes); cereals (other than maize(corn)) in grain form, pre-cooked or otherwise prepared
ex 1905	Bread, pastry, cakes, biscuits and other bakers' wares, whether or not containing cocoa; communion wafers, empty cachets of a kind suitable for pharmaceutical use, sealing wafers, rice paper and similar products
ex 2001	Vegetables, fruit, nuts and other edible parts of plants, prepared or preserved by vinegar or acetic acid: - Other:
2001 90 30	-- Sweet corn (<i>Zea mays</i> var. <i>saccharata</i>)
2001 90 40	-- Yams, sweet potatoes and similar edible parts of plants containing 5 % or more by weight of starch
ex 2004	Other vegetables prepared or preserved otherwise than by vinegar or acetic acid, frozen, other than products of heading No 2006: - Potatoes: -- Other:
2004 10 91	--- In the form of flour, meal or flakes - Other vegetables and mixtures of vegetables:
2004 90 10	-- Sweet corn (<i>Zea mays</i> var. <i>saccharata</i>)
ex 2005	Other vegetables prepared or preserved otherwise than by vinegar or acetic acid, not frozen, other than products of heading No 2006: - Potatoes: -- In the form of flour, meal or flakes 2005 80 00 - Sweet corn (<i>Zea mays</i> var. <i>saccharata</i>)
ex 2008	Fruit, nuts and other edible parts of plants, otherwise prepared or preserved, whether or not containing added sugar or other sweetening matter or spirit, not elsewhere specified or included: - Nuts, ground-nuts and other seeds, whether or not mixed together: -- Other: --- Not containing added spirit: ---- Not containing added sugar: ----- Maize (corn), other than sweet corn (<i>Zea mays</i> var. <i>saccharata</i>) ----- Yams, sweet potatoes and similar edible parts of plants, containing 5 % or more by weight of starch
ex 2101	Extracts, essences and concentrates of coffee, tea or maté and preparations with a basis of these products or with a basis of coffee, tea or maté; roasted chicory and other roasted coffee substitutes, and extracts, essences and concentrates thereof: -- Preparations with a basis of these extracts, essences or concentrates or with a basis of coffee:

CN code	Description
2101 12 98	--- Other
2101 20	- Extracts, essences and concentrates, of tea or maté, and preparations with a basis of these extracts, essences or concentrates, or with a basis of tea or maté:
2101 20 98	--- Other
2101 30	- Roasted chicory and other roasted coffee substitutes, and extracts, essences and concentrates thereof:
	- - Roasted chicory and other roasted coffee substitutes:
2101 30 19	--- Other
	- - Extracts, essences and concentrates of roasted chicory and other roasted coffee substitutes:
2101 30 99	--- Other
ex 2102	Yeasts (active or inactive); other single-cell micro-organisms, dead (but not including vaccines of heading No 3002); prepared baking powders:
	- Active yeasts
2102 10 31 and 2102 10 39	- - Bakers' yeast
2105 00	Ice cream and other edible ice, whether or not containing cocoa
ex 2106	Food preparations not elsewhere specified or included:
	- Other:
2106 90 10	- - Cheese fondues
	- - Other:
2106 90 92	--- Containing no milk fats, sucrose, isoglucose, glucose or starch or containing, by weight, less than 1,5 % milk fat, 5 % sucrose or isoglucose, 5 % glucose or starch
2106 90 98	--- Other
2202	Waters, including mineral waters and aerated water, containing added sugar or other sweetening matter or flavoured, and other non-alcoholic beverages, not including fruit or vegetable juices of heading No 2009
2205	Vermouth and other wine or fresh grapes flavoured with plants or aromatic substances
ex 2208	Undenatured ethyl alcohol of an alcoholic strength by volume of less than 80 % vol; spirits, liqueurs and other spirituous beverages:
	- Whiskies:
2208 30 32 to 2208 30 88	- - Other than Bourbon whiskey
2208 50	- Gin and Geneva
2208 60	- Vodka
2208 70	- Liqueurs and cordials
	- Other:
	- - Other spirits and other spirituous beverages, in containers holding:
	--- 2 litres or less:
2208 90 41	---- Ouzo
	---- Other:
	----- Spirits (excluding liqueurs):
	----- Other:

CN code	Description
2208 90 52	----- Korn
2208 90 57	----- Other
2208 90 69	----- Other spirituous beverages
	--- More than 2 litres:
	---- Spirits (excluding liqueurs):
2208 90 74	----- Other
2208 90 78	---- Other spirituous beverages
2905 43 00	Mannitol
2905 44	D-glucitol (sorbitol)
ex 3302	Mixtures of odoriferous substances and mixtures (including alcoholic solutions) with a basis of one or more of these substances, of a kind used as raw materials in industry; other preparations based on odoriferous substances, of a kind used for the manufacture of beverages:
	– Of a kind used in the food or drink industries:
	– – Of a kind used in the drink industries:
	– – – Preparations containing all flavouring agents characterising a beverage:
	– – – – Other (of an actual alcoholic strength by volume not exceeding 0,5 %):
3302 10 29	– – – – – Other
ex Chapter 35	Albuminoidal substances; modified starches, glues; enzymes:
3505	Dextrins and other modified starches (for example, pregelatinised or esterified starches); glues based on starches, or on dextrins or other modified starches
ex 3809	Finishing agents, dye carriers to accelerate dyeing or fixing of dyestuffs and other products and preparations (for example, dressings and mordants), of a kind used in the textile, paper, leather or like industries, not elsewhere specified or included:
3809 10	– With a basis of amylaceous substances
3824 60	Sorbitol other than that of subheading 2905 44'

COMMISSION REGULATION (EC) No 1511/2000
of 12 July 2000
setting the intervention threshold for apples 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 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 that an intervention threshold is to be set if the market in a product listed in Annex II thereto is suffering or at risk of suffering from widespread structural imbalances giving or liable to give rise to too large a volume of withdrawals.
- (2) An intervention threshold for apples was set for the 1999/2000 marketing year in Commission Regulation (EC) No 1541/1999 ⁽³⁾. Since the conditions laid down in the abovementioned Article 27 continue to be met for that product, an intervention threshold for apples should be set for the 2000/01 marketing year.
- (3) The intervention threshold for apples should be set on the basis of a percentage of the average quantity of produce, intended for consumption fresh, of the last five marketing years for which data are available. The period to be taken into account for assessing the overrun of the threshold should also be determined.
- (4) Pursuant to the abovementioned Article 27, an overrun of the intervention threshold results in a reduction in the Community withdrawal compensation in the marketing year following the year in which the threshold is

exceeded. The consequences of such an overrun should be determined and a reduction in proportion to the size of the overrun set.

- (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

1. The intervention threshold for apples for the 2000/01 marketing year shall be 486 900 tonnes.
2. Any overrun of the intervention threshold shall be assessed on the basis of withdrawals effected between 1 June 2000 and 31 May 2001.

Article 2

If the quantity of apples subject to withdrawals during the period laid down in Article 1(2) exceeds the threshold laid down in Article 1(1), the Community withdrawal compensation set under Article 26 of Regulation (EC) No 2200/96 for the following marketing year shall be reduced in proportion to the size of the overrun based on the production used to calculate the relevant threshold.

Article 3

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, 12 July 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 180, 15.7.1999, p. 3.

COMMISSION REGULATION (EC) No 1512/2000**of 12 July 2000****amending Regulation (EC) No 1555/96 on rules of application for additional import duties on fruit and vegetables**

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 33(4) thereof,

Whereas:

- (1) Commission Regulation (EC) No 1555/96 ⁽³⁾, as last amended by Regulation (EC) No 1149/2000 ⁽⁴⁾, provides for surveillance of imports of the products listed in the Annex thereto. That surveillance is to be carried out in accordance with the rules on the surveillance of preferential imports laid down in Article 308(d) of Commission Regulation (EEC) No 2454/93 ⁽⁵⁾, as last amended by Regulation (EC) No 1662/1999 ⁽⁶⁾.
- (2) For the purposes of Article 5(4) of the Agreement on Agriculture ⁽⁷⁾ concluded during the Uruguay Round of multilateral trade negotiations and in the light of the

latest data available for 1996, 1997 and 1998, the trigger levels for additional duties on table grapes should be amended.

- (3) 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 Annex to Regulation (EC) No 1555/96 is replaced by the Annex hereto.

Article 2

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

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

Done at Brussels, 12 July 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 193, 3.8.1996, p. 1.

⁽⁴⁾ OJ L 129, 30.5.2000, p. 19.

⁽⁵⁾ OJ L 253, 11.10.1993, p. 1.

⁽⁶⁾ OJ L 197, 29.7.1999, p. 25.

⁽⁷⁾ OJ L 336, 23.12.1994, p. 22.

ANNEX

‘ANNEX

Without prejudice to the rules for the interpretation of the Combined Nomenclature, the description of the products is deemed to be indicative only. The scope of the additional duties for the purposes of this Annex is determined by the scope of the CN codes as they exist at the time of the adoption of this Regulation. Where “ex” appears before the CN code, the scope of the additional duties is determined both by the scope of the CN code and the corresponding trigger period.

Serial No	CN code	Description	Trigger period	Trigger level (tonnes)
78.0015 78.0020	ex 0702 00 00	Tomatoes	— 1 October to 31 March — 1 April to 30 September	501 111 639 884
78.0065 78.0075	ex 0707 00 05	Cucumbers	— 1 May to 31 October — 1 November to 30 April	10 098 3 196
78.0085	ex 0709 10 00	Artichokes	— 1 November to 30 June	19 302
78.0100	0709 90 70	Courgettes	— 1 January to 31 December	9 879
78.0110	ex 0805 10 10 ex 0805 10 30 ex 0805 10 50	Oranges	— 1 December to 31 May	753 719
78.0120	ex 0805 20 10	Clementines	— 1 November to end of February	100 949
78.0130	ex 0805 20 30 ex 0805 20 50 ex 0805 20 70 ex 0805 20 90	Mandarins (including tangerines and satsumas); wilkings and similar citrus hybrids	— 1 November to end of February	93 803
78.0155 78.0160	ex 0805 30 10	Lemons	— 1 June to 31 December — 1 January to 31 May	186 300 69 813
78.0170	ex 0806 10 10	Table grapes	— 21 July to 20 November	256 320
78.0175 78.0180	ex 0808 10 20 ex 0808 10 50 ex 0808 10 90	Apples	— 1 January to 31 August — 1 September to 31 December	625 202 88 229
78.0220 78.0235	ex 0808 20 50	Pears	— 1 January to 30 April — 1 July to 31 December	184 455 161 019
78.0250	ex 0809 10 00	Apricots	— 1 June to 31 July	2 236
78.0265	ex 0809 20 95	Cherries, other than sour cherries	— 21 May to 10 August	20 048
78.0270	ex 0809 30	Peaches, including nectarines	— 11 June to 30 September	349 940
78.0280	ex 0809 40 05	Plums	— 11 June to 30 September	41 539'

COMMISSION REGULATION (EC) No 1513/2000**of 12 July 2000****amending Regulation (EC) No 2198/98 increasing to 7 550 073 tonnes the quantity of barley held by the German intervention agency for which a standing invitation to tender for export has been opened**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

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

Whereas:

- (1) Commission Regulation (EEC) No 2131/93 ⁽³⁾, as last amended by Regulation (EC) No 39/1999 ⁽⁴⁾, lays down the procedures and conditions for the disposal of cereals held by the intervention agencies.
- (2) Commission Regulation (EC) No 2198/98 ⁽⁵⁾, as last amended by Regulation (EC) No 1351/2000 ⁽⁶⁾, opened a standing invitation to tender for the export of 7 049 791 tonnes of barley held by the German intervention agency. Germany informed the Commission of the intention of its intervention agency to increase by 500 282 tonnes the quantity for which a standing invitation to tender for export has been opened. The total quantity of barley held by the German intervention agency for which a standing invitation to tender for export has been opened should be increased to 7 550 073 tonnes.
- (3) This increase in the quantity put out to tender makes it necessary to alter the list of regions and quantities in

store. Annex I to Regulation (EC) No 2198/98 must therefore be amended.

- (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

Regulation (EC) No 2198/98 is hereby amended as follows:

1. Article 2 is replaced by the following:

'Article 2

1. The invitation to tender shall cover a maximum of 7 550 073 tonnes of barley for export to third countries, with the exception of the United States of America, Canada and Mexico.

2. The regions in which the 7 550 073 tonnes of barley are stored are stated in Annex I to this Regulation.'

2. Annex I is replaced by the Annex hereto.

Article 2

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

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

Done at Brussels, 12 July 2000.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ L 181, 1.7.1992, p. 21.

⁽²⁾ OJ L 160, 26.6.1999, p. 18.

⁽³⁾ OJ L 191, 31.7.1993, p. 76.

⁽⁴⁾ OJ L 5, 9.1.1999, p. 64.

⁽⁵⁾ OJ L 277, 14.10.1998, p. 9.

⁽⁶⁾ OJ L 155, 28.6.2000, p. 11.

ANNEX

ANNEX I

(t)

Place of storage	Quantity
Schleswig-Holstein/Hamburg/Niedersachsen/ Bremen/Nordrhein-Westfalen	2 343 764
Hessen/Rheinland-Pfalz/Baden-Württemberg/ Saarland/Bayern	594 746
Berlin/Brandenburg/Mecklenburg-Vorpommern	1 966 793
Sachsen/Sachsen-Anhalt/Thüringen	2 644 770

COMMISSION REGULATION (EC) No 1514/2000
of 12 July 2000
concerning Regulation (EC) No 1970/96 opening and laying down detailed rules for the manage-
ment of a Community tariff quota for millet falling within CN code 1008 20 00

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 1970/96 of 14 October 1996 opening and laying down detailed rules for the management of a Community tariff quota for millet falling within CN code 1008 20 00 ⁽³⁾, and in particular Article 2 (4) thereof,

Whereas:

In accordance with Regulation (EC) No 1970/96, the Commission must fix a single coefficient for reducing the quantities in the import licences applied for where these quantities exceed the quantities in the annual quota; whereas applications for import licences submitted on 10 July 2000 for millet falling

within CN code 1008 20 00 relate to 67 750 t and the maximum quantity which may be imported is 1 300 t at a duty rate of EUR/t 7. The corresponding percentage reductions for import licence applications submitted on 10 July 2000 should be fixed,

HAS ADOPTED THIS REGULATION:

Article 1

Applications for licences for the millet quota provided for in Regulation (EC) No 1970/96 at a duty rate of EUR/t for millet falling within CN code 1008 20 00 submitted on 10 July 2000 and forwarded to the Commission, shall be accepted for the tonnages indicated therein multiplied by a coefficient of 0,0191882.

Article 2

This Regulation shall enter into force on 13 July 2000.

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

Done at Brussels, 12 July 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 261, 15.10.1996, p. 34.

COMMISSION REGULATION (EC) No 1515/2000**of 12 July 2000****fixing the maximum export refund for white sugar for the 47th partial invitation to tender issued within the framework of the standing invitation to tender provided for in Regulation (EC) No 1489/1999**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EC) No 2038/1999 of 13 September 1999 on the common organisation of the markets in the sugar sector ⁽¹⁾, and in particular the second subparagraph of Article 18(5) thereof,

Whereas:

- (1) Commission Regulation (EC) No 1489/1999 of 7 July 1999 on a standing invitation to tender to determine levies and/or refunds on exports of white sugar ⁽²⁾, requires partial invitations to tender to be issued for the export of this sugar.
- (2) Pursuant to Article 9(1) of Regulation (EC) No 1489/1999 a maximum export refund shall be fixed, as the case may be, account being taken in particular of the state and foreseeable development of the Community

and world markets in sugar, for the partial invitation to tender in question.

- (3) Following an examination of the tenders submitted in response to the 47th partial invitation to tender, the provisions set out in Article 1 should be adopted.
- (4) The measures provided for in this Regulation are in accordance with the opinion of the Management Committee for Sugar,

HAS ADOPTED THIS REGULATION:

Article 1

For the 47th partial invitation to tender for white sugar issued pursuant to Regulation (EC) No 1489/1999 the maximum amount of the export refund is fixed at 45,063 EUR/100 kg.

Article 2

This Regulation shall enter into force on 13 July 2000.

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

Done at Brussels, 12 July 2000.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ L 252, 25.9.1999, p. 1.

⁽²⁾ OJ L 172, 8.7.1999, p. 27.

COMMISSION REGULATION (EC) No 1516/2000**of 12 July 2000****fixing the representative prices and the additional import duties for molasses in the sugar sector**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EC) No 2038/1999 of 13 September 1999 on the common organisation of the market in sugar ⁽¹⁾,

Having regard to Commission Regulation (EC) No 1422/95 of 23 June 1995 laying down detailed rules of application for imports of molasses in the sugar sector and amending Regulation (EEC) No 785/68 ⁽²⁾, and in particular Articles 1(2) and 3(1) thereof,

Whereas:

- (1) Regulation (EC) No 1422/95 stipulates that the cif import price for molasses, hereinafter referred to as the 'representative price', should be set in accordance with Commission Regulation (EEC) No 785/68 ⁽³⁾. That price should be fixed for the standard quality defined in Article 1 of the above Regulation.
- (2) The representative price for molasses is calculated at the frontier crossing point into the Community, in this case Amsterdam; that price must be based on the most favourable purchasing opportunities on the world market established on the basis of the quotations or prices on that market adjusted for any deviations from the standard quality. The standard quality for molasses is defined in Regulation (EEC) No 785/68.
- (3) When the most favourable purchasing opportunities on the world market are being established, account must be taken of all available information on offers on the world market, on the prices recorded on important third-country markets and on sales concluded in international trade of which the Commission is aware, either directly or through the Member States. Under Article 7 of Regulation (EEC) No 785/68, the Commission may for this purpose take an average of several prices as a basis, provided that this average is representative of actual market trends.
- (4) The information must be disregarded if the goods concerned are not of sound and fair marketable quality or if the price quoted in the offer relates only to a small

quantity that is not representative of the market. Offer prices which can be regarded as not representative of actual market trends must also be disregarded.

- (5) If information on molasses of the standard quality is to be comparable, prices must, depending on the quality of the molasses offered, be increased or reduced in the light of the results achieved by applying Article 6 of Regulation (EEC) No 785/68.
- (6) A representative price may be left unchanged by way of exception for a limited period if the offer price which served as a basis for the previous calculation of the representative price is not available to the Commission and if the offer prices which are available and which appear not to be sufficiently representative of actual market trends would entail sudden and considerable changes in the representative price.
- (7) Where there is a difference between the trigger price for the product in question and the representative price, additional import duties should be fixed under the conditions set out in Article 3 of Regulation (EC) No 1422/95. Should the import duties be suspended pursuant to Article 5 of Regulation (EC) No 1422/95, specific amounts for these duties should be fixed.
- (8) Application of these provisions will have the effect of fixing the representative prices and the additional import duties for the products in question as set out in the Annex to this Regulation.
- (9) The measures provided for in this Regulation are in accordance with the opinion of the Management Committee for Sugar,

HAS ADOPTED THIS REGULATION:

Article 1

The representative prices and the additional duties applying to imports of the products referred to in Article 1 of Regulation (EC) No 1422/95 are fixed in the Annex hereto.

Article 2

This Regulation shall enter into force on 13 July 2000.

⁽¹⁾ OJ L 252, 25.9.1999, p. 1.

⁽²⁾ OJ L 141, 24.6.1995, p. 12.

⁽³⁾ OJ L 145, 27.6.1968, p. 12.

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

Done at Brussels, 12 July 2000.

For the Commission

Franz FISCHLER

Member of the Commission

ANNEX

fixing the representative prices and additional import duties to imports of molasses in the sugar sector

(in EUR)

CN code	Amount of the representative price in 100 kg net of the product in question	Amount of the additional duty in 100 kg net of the product in question	Amount of the duty to be applied to imports in 100 kg net of the product in question because of suspension as referred to in Article 5 of Regulation (EC) No 1422/95 ⁽²⁾
1703 10 00 ⁽¹⁾	8,29	—	0
1703 90 00 ⁽¹⁾	8,76	—	0

⁽¹⁾ For the standard quality as defined in Article 1 of amended Regulation (EEC) No 785/68.

⁽²⁾ This amount replaces, in accordance with Article 5 of Regulation (EC) No 1422/95, the rate of the Common Customs Tariff duty fixed for these products.

COMMISSION REGULATION (EC) No 1517/2000
of 12 July 2000
altering the export refunds on white sugar and raw sugar exported in the natural state

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EC) No 2038/1999 of 13 September 1999 on the common organisation of the markets in the sugar sector ⁽¹⁾, and in particular the third subparagraph of Article 18(5) thereof,

Whereas:

- (1) The refunds on white sugar and raw sugar exported in the natural state were fixed by Commission Regulation (EC) No 1467/2000 ⁽²⁾.
- (2) It follows from applying the detailed rules contained in Regulation (EC) No 1467/2000 to the information known to the Commission that the export refunds at

present in force should be altered to the amounts set out in the Annex hereto,

HAS ADOPTED THIS REGULATION:

Article 1

The export refunds on the products listed in Article 1(1)(a) of Regulation (EC) No 2038/1999, undenatured and exported in the natural state, as fixed in the Annex to Regulation (EC) No 1467/2000 are hereby altered to the amounts shown in the Annex hereto.

Article 2

This Regulation shall enter into force on 13 July 2000.

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

Done at Brussels, 12 July 2000.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ L 252, 25.9.1999, p. 1.

⁽²⁾ OJ L 165, 6.7.2000, p. 6.

ANNEX

to the Commission Regulation of 12 July 2000 altering the export refunds on white sugar and raw sugar exported in its unaltered state

Product code	Amount of refund
	— EUR/100 kg —
1701 11 90 9100	36,77 ⁽¹⁾
1701 11 90 9910	36,26 ⁽¹⁾
1701 11 90 9950	⁽²⁾
1701 12 90 9100	36,77 ⁽¹⁾
1701 12 90 9910	36,26 ⁽¹⁾
1701 12 90 9950	⁽²⁾
	— EUR/1 % of sucrose × 100 kg —
1701 91 00 9000	0,3997
	— EUR/100 kg —
1701 99 10 9100	39,97
1701 99 10 9910	42,00
1701 99 10 9950	40,12
	— EUR/1 % of sucrose × 100 kg —
1701 99 90 9100	0,3997

⁽¹⁾ Applicable to raw sugar with a yield of 92 %; if the yield is other than 92 %, the refund applicable is calculated in accordance with the provisions of Article 19 (4) of Regulation (EC) No 2038/1999.

⁽²⁾ Fixing suspended by Commission Regulation (EEC) No 2689/85 (OJ L 255, 26.9.1985, p. 12), as amended by Regulation (EEC) No 3251/85 (OJ L 309, 21.11.1985, p. 14).

COMMISSION REGULATION (EC) No 1518/2000
of 12 July 2000
fixing the export refunds on olive oil

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation No 136/66/EEC of 22 September 1966 on the establishment of a common organisation of the market in oils and fats ⁽¹⁾, as last amended by Regulation (EC) No 2702/1999 ⁽²⁾, and in particular Article 3(3) thereof,

Whereas:

- (1) Article 3 of Regulation No 136/66/EEC provides that, where prices within the Community are higher than world market prices, the difference between these prices may be covered by a refund when olive oil is exported to third countries.
- (2) The detailed rules for fixing and granting export refunds on olive oil are contained in Commission Regulation (EEC) No 616/72 ⁽³⁾, as last amended by Regulation (EEC) No 2962/77 ⁽⁴⁾.
- (3) Article 3(3) of Regulation No 136/66/EEC provides that the refund must be the same for the whole Community.
- (4) In accordance with Article 3(4) of Regulation No 136/66/EEC, the refund for olive oil must be fixed in the light of the existing situation and outlook in relation to olive oil prices and availability on the Community market and olive oil prices on the world market. However, where the world market situation is such that the most favourable olive oil prices cannot be determined, account may be taken of the price of the main competing vegetable oils on the world market and the difference recorded between that price and the price of olive oil during a representative period. The amount of the refund may not exceed the difference between the price of olive oil in the Community and that on the world market, adjusted, where appropriate, to take

account of export costs for the products on the world market.

- (5) In accordance with Article 3(3) third indent, point (b) of Regulation No 136/66/EEC, it may be decided that the refund shall be fixed by tender. The tendering procedure should cover the amount of the refund and may be limited to certain countries of destination, quantities, qualities and presentations.
- (6) The second indent of Article 3(3) of Regulation No 136/66/EEC provides that the refund on olive oil may be varied according to destination where the world market situation or the specific requirements of certain markets make this necessary.
- (7) The refund must be fixed at least once every month. It may, if necessary, be altered in the intervening period.
- (8) It follows from applying these detailed rules to the present situation on the market in olive oil and in particular to olive oil prices within the Community and on the markets of third countries that the refund should be as set out in the Annex hereto.
- (9) The Management Committee for Oils and Fats 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(2)(c) of Regulation No 136/66/EEC shall be as set out in the Annex hereto.

Article 2

This Regulation shall enter into force on 13 July 2000.

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

Done at Brussels, 12 July 2000.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ L 72, 30.9.1966, p. 3025/66.

⁽²⁾ OJ L 327, 21.12.1999, p. 7.

⁽³⁾ OJ L 78, 31.3.1972, p. 1.

⁽⁴⁾ OJ L 348, 30.12.1977, p. 53.

ANNEX

to the Commission Regulation of 12 July 2000 fixing the export refunds on olive oil

(EUR/100 kg)

Product code	Amount of refund ⁽¹⁾
1509 10 90 9100	0,00
1509 10 90 9900	0,00
1509 90 00 9100	0,00
1509 90 00 9900	0,00
1510 00 90 9100	0,00
1510 00 90 9900	0,00

⁽¹⁾ For destinations mentioned in Article 34 of amended Commission Regulation (EEC) No 3665/87 (OJ L 351, 14.12.1987, p. 1), as well as for exports to third countries.

NB: The product codes and the footnotes are defined in amended Commission Regulation (EEC) No 3846/87.

COMMISSION REGULATION (EC) No 1519/2000**of 12 July 2000****setting for the 2000/01 marketing year the minimum price and the amount of production aid for processed tomato products**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EC) No 2201/96 of 28 October 1996 on the common organisation of the markets in processed fruit and vegetable products ⁽¹⁾, as last amended by Regulation (EC) No 2701/1999 ⁽²⁾, and in particular Articles 3(3) and 4(9) thereof,

Whereas:

- (1) Under Article 3(1) of Regulation (EC) No 2201/96 the minimum price to be paid to producers is to be determined on the basis of the minimum price applying during the previous marketing year, changes in prices in the fruit and vegetable sector and the need to ensure the normal marketing of fresh products for the various uses, including supply to the processing industry.
- (2) Commission Regulation (EEC) No 2022/92 ⁽³⁾, which lays down detailed rules of application for the minimum price to be paid to producers for certain tomatoes used in the production of tomato concentrate, juice and flakes on the basis of the soluble dry weight content, should continue to apply.
- (3) Article 4 of Regulation (EC) No 2201/96 lays down the criteria for fixing the amount of production aid. Account must, in particular, be taken of the aid fixed or calculated before the reduction provided for in paragraph 10 of that Article for the previous marketing year, adjusted to take account of changes in the minimum price to be paid to producers and the difference between the cost of the raw material in the Community and in the major competing third countries. In respect of tomato concentrates, preserved whole peeled and unpeeled tomatoes

and tomato juices, changes in the volume and prices of imports must be taken into consideration.

- (4) Article 4(10) of Regulation (EC) No 2201/96 stipulates that the aid set for tomato concentrates and their derivatives is to be reduced by 5,37 %. A supplement to the reduced aid is to be paid on the basis of the quantities of tomato concentrate produced for France and Portugal.
- (5) The Management Committee for Products Processed from Fruit and Vegetables has not delivered an opinion within the time limit set by its Chairman,

HAS ADOPTED THIS REGULATION:

Article 1

For the 2000/01 marketing year the minimum price referred to in Article 3 of Regulation (EC) No 2201/96 to be paid to producers shall be as set out in Annex I.

Article 2

1. For the 2000/01 marketing year the level of production aid referred to in Article 4 of that Regulation shall be as set out in Annex II.

2. The additional aid for tomato concentrate, juice and flakes as referred to in the second subparagraph of Article 4(10) of Regulation (EC) No 2201/96 shall be set by the Commission if the condition provided for in that subparagraph is met.

Article 3

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

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

Done at Brussels, 12 July 2000.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ L 297, 21.11.1996, p. 29.

⁽²⁾ OJ L 327, 21.12.1999, p. 5.

⁽³⁾ OJ L 207, 23.7.1992, p. 9.

ANNEX I

Minimum price to be paid to producers

Product	EUR/100 kg net, ex-producer or producer organisation
Tomatoes intended for the manufacture of:	
(a) tomato concentrate and juice with a soluble dry weight content of between 4,8 and 5,4 %	8,805 ⁽¹⁾
(b) preserved whole peeled and unpeeled tomatoes or frozen whole peeled tomatoes:	
— the San Marzano variety	14,575
— the Roma and similar varieties	11,212
(c) preserved non-whole peeled and unpeeled tomatoes and non-whole frozen peeled tomatoes	8,805
(d) tomato flakes with a soluble dry weight content of between 4,8 and 5,4 %	11,212 ⁽¹⁾
⁽¹⁾ These prices are rectified by: – 5 % if the soluble dry weight content is less than 4,8 % but is 4 % or more, + 5 % if the soluble dry weight content is more than 5,4 %.	

ANNEX II

Production aid

Product	EUR/100 kg net
1. Tomato concentrates with a dry weight content of 28 % or more but less than 30 %	17,178
2. Preserved whole peeled tomatoes in tomato juice:	
(a) of the San Marzano variety	6,528
(b) of the Roma and similar varieties	4,604
3. Preserved whole peeled tomatoes of the Roma and similar varieties in water	3,913
4. Preserved whole unpeeled tomatoes of the Roma and similar varieties	3,223
5. Frozen whole peeled tomatoes:	
(a) of the San Marzano variety	6,528
(b) of the Roma and similar varieties	4,604
6. Preserved peeled tomatoes, non-whole or in pieces	}
7. Preserved unpeeled tomatoes, non-whole or in pieces	
8. Non-whole frozen peeled tomatoes	
9. Tomato flakes	57,162
10. Tomato juice with a dry weight content of 7 % or more but less than 12 %:	
(a) with a dry weight content of 7 % or more but less than 8 %	4,443
(b) with a dry weight content of 8 % or more but less than 10 %	5,331
(c) with a dry weight content of 10 % or more	6,516
11. Tomato juice with a dry weight content of less than 7 %:	
(a) with a dry weight content of 5 % or more	3,554
(b) with a dry weight content of 4,5 % or more but less than 5 %	2,814

COMMISSION DIRECTIVE 2000/45/EC
of 6 July 2000
establishing Community methods of analysis for the determination of vitamin A, vitamin E and
tryptophan in feedingstuffs
(Text with EEA relevance)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Directive 70/373/EEC of 20 July 1970 on the introduction of Community methods of sampling and analysis for the official control of feedingstuffs ⁽¹⁾, as last amended by the Act of Accession of Austria, Finland and Sweden ⁽²⁾, and in particular Article 2 thereof,

Whereas:

- (1) Directive 70/373/EEC stipulates that official controls of feedingstuffs for the purpose of checking compliance with the requirements arising under the laws, regulations and administrative provisions governing their quality and composition must be carried out using Community methods of sampling and analysis.
- (2) Council Directive 70/524/EEC of 23 November 1970 concerning additives in feedingstuffs ⁽³⁾, as last amended by Commission Regulation (EC) No 2439/1999 of 17 November 1999 ⁽⁴⁾ stipulates that the vitamin A and vitamin E content must be indicated on the labelling where these substances are added to premixtures and feedingstuffs.
- (3) Council Directive 79/373/EEC of 2 April 1979 on the marketing of compound feedingstuffs ⁽⁵⁾ as last amended by Commission Directive 2000/16/EC ⁽⁶⁾ and Council Directive 93/74/EEC of 13 September 1993 on feedingstuffs intended for particular nutritional purposes ⁽⁷⁾, as last amended by Directive 96/25/EC ⁽⁸⁾, stipulate that amino acids are to be set out on the feedingstuffs labelling.
- (4) Community methods of analysis must be established for checking these substances.
- (5) The measures provided for in this Directive are in accordance with the opinion of the Standing Committee for Feedingstuffs,

HAS ADOPTED THIS DIRECTIVE:

Article 1

The Member States shall provide that analyses conducted with a view to official controls of the vitamin A, vitamin E and tryptophan content of feedingstuffs and premixtures are carried out using the method set out in Annex hereto.

Article 2

The Member States shall bring into force, not later than 31 August 2000, the laws, regulations or administrative provisions necessary to comply with the provisions of this Directive. They shall immediately inform the Commission thereof.

They shall apply the measures from 1 September 2000.

When Member States adopt these measures, they shall contain a reference to this Directive or shall be accompanied by such reference at the time of their official publication. The procedure for such reference shall be adopted by Member States.

Article 3

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

Article 4

This Directive is addressed to the Member States.

Done at Brussels, 6 July 2000.

For the Commission

David BYRNE

Member of the Commission

⁽¹⁾ OJ L 170, 3.8.1970, p. 2.

⁽²⁾ OJ C 241, 29.8.1994, p. 1.

⁽³⁾ OJ L 270, 14.12.1970, p. 1.

⁽⁴⁾ OJ L 297, 18.11.1999, p. 8.

⁽⁵⁾ OJ L 86, 6.4.1979, p. 30.

⁽⁶⁾ OJ L 105, 3.5.2000, p. 36.

⁽⁷⁾ OJ L 237, 22.9.1993, p. 23.

⁽⁸⁾ OJ L 125, 23.5.1996, p. 35.

ANNEX

PART A

DETERMINATION OF VITAMIN A

1. Purpose and scope

This method is for the determination of vitamin A (retinol) in feedingstuffs and premixtures. Vitamin A includes all-*trans*-retinyl alcohol and its *cis* isomers which are determined by this method. The content of vitamin A is expressed in International Units (IU) per kg. One IU corresponds to the activity of 0,300 µg all-*trans*-vitamin A alcohol or 0,344 µg all-*trans*-vitamin A acetate or 0,550 µg all-*trans*-vitamin A palmitate.

The limit of determination is 2 000 IU vitamin A/kg.

2. Principle

The sample is hydrolysed with ethanolic potassium hydroxide solution and the vitamin A is extracted into light petroleum. The solvent is removed by evaporation and the residue is dissolved in methanol and, if necessary, diluted to the required concentration. The content of vitamin A is determined by reversed phase high performance liquid chromatography (RP-HPLC) using a UV or a fluorescence detector. The chromatographic parameters are chosen so that there is no separation between the all-*trans*-vitamin A alcohol and its *cis* isomers.

3. Reagents

- 3.1. Ethanol, $\sigma = 96 \%$
- 3.2. Light petroleum, boiling range 40° to 60°C
- 3.3. Methanol
- 3.4. Potassium hydroxide solution, $\beta = 50 \text{ g}/100 \text{ ml}$
- 3.5. Sodium ascorbate solution, $\beta = 10 \text{ g}/100 \text{ ml}$ (see 7.7 observations)
- 3.6. Sodium sulfide, $\text{Na}_2\text{S} \cdot x \text{ H}_2\text{O}$ ($x = 7-9$)
 - 3.6.1. Sodium sulfide solution, $c = 0,5 \text{ mol/l}$ in glycerol, $\beta = 120 \text{ g/l}$ (for $x = 9$) (see 7.8 observations)
- 3.7. Phenolphthalein solution, $\beta = 2 \text{ g}/100 \text{ ml}$ in ethanol (3.1)
- 3.8. 2-Propanol
- 3.9. Mobile phase for HPLC: mixture of methanol (3.3) and water, e.g. $980 + 20$ (v + v). The exact ratio will be determined by the characteristics of the column employed.
- 3.10. Nitrogen, oxygen free
- 3.11. All-*trans*-vitamin A acetate, extra pure, of certified activity, e.g. $2,80 \times 10^6 \text{ IU/g}$
 - 3.11.1. Stock solution of all-*trans*-vitamin A acetate: Weigh to the nearest 0,1 mg, 50 mg of vitamin A acetate (3.11) into a 100 ml graduated flask. Dissolve in 2-propanol (3.8) and make up to the mark with the same solvent. The nominal concentration of this solution is 1 400 IU vitamin A per ml. The exact content has to be determined according to 5.6.3.1.
- 3.12. All-*trans*-vitamin A palmitate, extra pure, of certified activity, e.g. $1,80 \times 10^6 \text{ IU/g}$
 - 3.12.1. Stock solution of all-*trans*-vitamin A palmitate: Weigh to the nearest 0,1 mg, 80 mg of vitamin A palmitate (3.12) into a 100 ml graduated flask. Dissolve in 2-propanol (3.8) and make up to the mark with the same solvent. The nominal concentration of this solution is 1 400 IU vitamin A per ml. The exact content has to be determined according to 5.6.3.2.
- 3.13. 2,6-Di-*tert*-butyl-4-methylphenol (BHT) (see 7.5 observations)

4. Apparatus

- 4.1. Vacuum rotary evaporator
- 4.2. Amber glassware

- 4.2.1. Flat bottom or conical flasks, 500 ml, with ground-glass socket
- 4.2.2. Graduated flasks with ground-glass stoppers, narrow-necked, 10, 25, 100 and 500 ml
- 4.2.3. Separating funnels, conical, 1 000 ml, with ground-glass stoppers
- 4.2.4. Pear shaped flasks, 250 ml, with ground-glass sockets
- 4.3. Allihn condenser, jacket length 300 mm, with ground-glass joint, with adapter for gas feed pipe
- 4.4. Pleated filter paper for phase separation, diameter 185 mm (e.g. Schleicher & Schuell 597 HY 1/2)
- 4.5. HPLC equipment with injection system
- 4.5.1. Liquid chromatographic column, 250 mm x 4 mm, C_{18} , 5 or 10 μm packing, or equivalent (performance criterion: only a single peak for all retinol isomers under the HPLC-conditions)
- 4.5.2. UV or fluorescence detector, with variable wavelength adjustment
- 4.6. Spectrophotometer with 10 mm quartz cells
- 4.7. Water-bath with magnetic stirrer
- 4.8. Extraction apparatus (see figure 1) consisting of:
 - 4.8.1. Glass cylinder of 1 l capacity fitted with a ground glass neck and stopper
 - 4.8.2. Ground glass insert equipped with a side-arm and an adjustable tube passing through the centre. The adjustable tube should have a U-shaped lower end and a jet at the opposite end so that the upper liquid layer in the cylinder may be transferred into a separating funnel.

5. Procedure

Note: Vitamin A is sensitive to (UV) light and to oxidation. All operations should be carried out in the absence of light (using amber glassware, or glassware protected with aluminium foil) and oxygen (flush with nitrogen). During extraction air above the liquid should be replaced by nitrogen (avoid excess pressure by loosening the stopper from time to time).

5.1. Preparation of the sample

Grind the sample so that it passes a 1 mm mesh sieve, taking care to avoid generation of heat. Grinding must be carried out immediately before weighing and saponification otherwise there may be losses of vitamin A.

5.2. Saponification

Depending on the vitamin A content weigh, to the nearest 0,01 g, 2 g to 25 g of the sample into a 500 ml flat bottom or conical flask (4.2.1). Add successively with swirling 130 ml ethanol (3.1), approximately 100 mg BHT (3.13), 2 ml sodium ascorbate solution (3.5) and 2 ml sodium sulfide solution (3.6). Fit a condenser (4.3) to the flask and immerse the flask in a water-bath with magnetic stirrer (4.7). Heat to boiling and allow to reflux for five minutes. Then add 25 ml potassium hydroxide solution (3.4) through the condenser (4.3) and allow to reflux for a further 25 min, with stirring under a slow stream of nitrogen. Then rinse the condenser with approximately 20 ml water and cool the content of the flask to room temperature.

5.3. Extraction

Transfer by decantation the saponification solution quantitatively by rinsing with a total volume of 250 ml water to a 1000 ml separating funnel (4.2.3) or to the extraction apparatus (4.8). Rinse the saponification flask successively with 25 ml ethanol (3.1) and 100 ml light petroleum (3.2) and transfer the rinsings to the separating funnel or to the extraction apparatus. The proportion of water and ethanol in the combined solutions should be about 2:1. Shake vigorously for two minutes and allow to settle for two minutes.

5.3.1. Extraction using a separating funnel (4.2.3)

When the layers have separated (see observation 7.3) transfer the light petroleum layer to another separating funnel (4.2.3). Repeat this extraction twice, with 100 ml light petroleum (3.2) and twice, with 50 ml light petroleum (3.2).

Wash the combined extracts in the separating funnel twice by gently swirling (to avoid formation of emulsions) with 100 ml portions of water and then by repeated shaking with further 100 ml portions of water until the water remains colourless on addition of phenolphthalein solution (3.7) (washing four times is usually sufficient). Filter the washed extract through a dry pleated filter for phase separation (4.4) to remove any suspended water into a 500 ml graduated flask (4.2.2). Rinse the separating funnel and the filter with 50 ml light petroleum (3.2), make up to the mark with light petroleum (3.2) and mix well.

5.3.2. Extraction using an extraction apparatus (4.8)

When the layers have separated (see observation 7.3) replace the stopper of the glass cylinder (4.8.1) by the ground glass insert (4.8.2) and position the U-shaped lower end of the adjustable tube so that it is just above the level of the interface. By application of pressure from a nitrogen line to the side-arm, transfer the upper light petroleum-layer to a 1 000 ml separating funnel (4.2.3). Add 100 ml light petroleum (3.2) to the glass cylinder, stopper and shake well. Allow the layers to separate and transfer the upper layer to the separating funnel as before. Repeat the extraction procedure with further 100 ml of light petroleum (3.2), then twice with 50 ml portions of light petroleum (3.2) and add the light petroleum layers to the separating funnel.

Wash the combined light petroleum extracts as described in 5.3.1 and proceed as described there.

5.4. Preparation of the sample solution for HPLC

Pipette an aliquot portion of the light petroleum solution (from 5.3.1 or 5.3.2) into a 250 ml pear shaped flask (4.2.4). Evaporate the solvent nearly to dryness on the rotary evaporator (4.1) with reduced pressure at a bath temperature not exceeding 40 °C. Restore atmospheric pressure by admitting nitrogen (3.10) and remove the flask from the rotary evaporator. Remove the remaining solvent with a stream of nitrogen (3.10) and dissolve the residue immediately in a known volume (10-100 ml) of methanol (3.3) (the concentration of vitamin A should be in the range of 5 IU/ml to 30 IU/ml).

5.5. Determination by HPLC

Vitamin A is separated on a C_{18} reversed phase column (4.5.1) and the concentration is measured by means of a UV detector (325 nm) or a fluorescence detector (excitation: 325 nm, emission: 475 nm) (4.5.2).

Inject an aliquot portion (e.g. 20 µl) of the methanolic solution obtained in 5.4 and elute with the mobile phase (3.9). Calculate the mean peak height (area) of several injections of the same sample solution and the mean peak heights (areas) of several injections of the calibration solutions (5.6.2).

HPLC conditions

The following conditions are offered for guidance; other conditions may be used provided that they give equivalent results.

Liquid chromatographic column (4.5.1):	250 mm x 4 mm, C_{18} , 5 or 10 µm packing, or equivalent
Mobile phase (3.9):	Mixture of methanol (3.3) and water, e.g. 980 + 20 (v + v)
Flow rate:	1-2 ml/min
Detector (4.5.2):	UV detector (325 nm) or fluorescence detector (excitation: 325 nm/emission: 475 nm)

5.6. Calibration

5.6.1. Preparation of the working standard solutions

Pipette 20 ml of the vitamin A acetate stock solution (3.11.1) or 20 ml of the vitamin A palmitate stock solution (3.12.1) into a 500 ml flat bottom or conical flask (4.2.1) and hydrolyse as described under 5.2, but without addition of BHT. Subsequently extract with light petroleum (3.2) according to 5.3 and make up to 500 ml with light petroleum (3.2). Evaporate 100 ml of this extract on the rotary evaporator (see 5.4) nearly to dryness, remove the remaining solvent with a stream of nitrogen (3.10) and redissolve the residue in 10,0 ml of methanol (3.3). The nominal concentration of this solution is 560 IU vitamin A per ml. The exact content has to be determined according to 5.6.3.3. The working standard solution has to be freshly prepared before use.

Pipette 2,0 ml of this working standard solution into a 20 ml graduated flask, make up to the mark with methanol (3.3) and mix. The nominal concentration of this diluted working standard solution is 56 IU vitamin A per ml.

5.6.2. Preparation of the calibration solutions and calibration graph

Transfer 1,0, 2,0, 5,0 and 10,0 ml of the diluted working standard solution into a series of 20 ml graduated flasks, make up to the mark with methanol (3.3) and mix. The nominal concentrations of these solutions are 2,8, 5,6, 14,0 and 28,0 IU vitamin A per ml.

Inject 20 µl of each calibration solution several times and determine the mean peak heights (areas). Using the mean peak heights (areas) plot a calibration graph considering the results of the UV control (5.6.3.3).

5.6.3. UV standardisation of the standard solutions

5.6.3.1. Vitamin A acetate stock solution

Pipette 2,0 ml of the vitamin A acetate stock solution (3.11.1) into a 50 ml graduated flask (4.2.2) and make up to the mark with 2-propanol (3.8). The nominal concentration of this solution is 56 IU vitamin A per ml. Pipette 3,0 ml of this diluted vitamin A acetate solution into a 25 ml graduated flask and make up to the mark with 2-propanol (3.8). The nominal concentration of this solution is 6,72 IU vitamin A per ml. Measure the UV spectrum of this solution against 2-propanol (3.8) in the spectrophotometer (4.6) between 300 nm and 400 nm. The extinction maximum must be between 325 nm and 327 nm.

Calculation of the vitamin A content:

$$\text{IU vitamin A/ml} = E_{326} \times 19,0$$

$$\left(E \frac{1\%}{1\text{ cm}} \text{ for vitamin A acetate} = 1\,530 \text{ at } 326 \text{ nm in 2-propanol} \right)$$

5.6.3.2. Vitamin A palmitate stock solution

Pipette 2,0 ml of the vitamin A palmitate stock solution (3.12.1) into a 50 ml graduated flask (4.2.2) and make up to the mark with 2-propanol (3.8). The nominal concentration of this solution is 56 IU vitamin A per ml. Pipette 3,0 ml of this diluted vitamin A palmitate solution into a 25 ml graduated flask and make up to the mark with 2-propanol (3.8). The nominal concentration of this solution is 6,72 IU vitamin A per ml. Measure the UV spectrum of this solution against 2-propanol (3.8) in the spectrophotometer (4.6) between 300 nm and 400 nm. The extinction maximum must be between 325 nm and 327 nm.

Calculation of the vitamin A content:

$$\text{IU vitamin A/ml} = E_{326} \times 19,0$$

$$\left(E \frac{1\%}{1\text{ cm}} \text{ for vitamin A palmitate} = 957 \text{ at } 326 \text{ nm in 2-propanol} \right)$$

5.6.3.3. Vitamin A working standard solution

Pipette 3,0 ml of the undiluted vitamin A working standard solution, prepared according to 5.6.1 into a 50 ml graduated flask (4.2.2) and make up to the mark with 2-propanol (3.8). Pipette 5,0 ml of this solution into a 25 ml graduated flask and make up to the mark with 2-propanol (3.8). The nominal concentration of this solution is 6,72 IU vitamin A per ml. Measure the UV spectrum of this solution against 2-propanol (3.8) in the spectrophotometer (4.6) between 300 nm and 400 nm. The extinction maximum must be between 325 nm and 327 nm.

Calculation of the vitamin A content:

$$\text{IU vitamin A/ml} = E_{325} \times 18,3$$

$$\left(E \frac{1\%}{1\text{ cm}} \text{ for vitamin A alcohol} = 1\,821 \text{ at } 325 \text{ nm in 2-propanol} \right)$$

6. Calculation of the results

From the mean height (area) of the vitamin A peaks of the sample solution determine the concentration of the sample solution in IU/ml by reference to the calibration graph (5.6.2).

The vitamin A content w in IU/kg of the sample is given by the following formula:

$$w = \frac{500 \cdot \beta \cdot V_2 \cdot 1\,000}{V_1 \cdot m} \text{ [IU/kg]}$$

in which:

β = vitamin A concentration of the sample solution (5.4) in IU/ml

V_1 = volume of sample solution (5.4) in ml

V_2 = volume of aliquot taken in 5.4 in ml

m = mass of the test portion in g

7. Observations

- 7.1. For samples with low vitamin A concentration it may be useful to combine the light petroleum-extracts of two saponification-charges (amount weighed: 25 g) to one sample solution for HPLC-determination.
- 7.2. The weight of the sample taken for the analysis should not contain more than 2 g fat.
- 7.3. If phase separation does not occur add approximately 10 ml ethanol (3.1) to break the emulsion.
- 7.4. With cod-liver oil and other pure fats the saponification time should be extended to 45-60 minutes.
- 7.5. Hydroquinone can be used instead of BHT.
- 7.6. Using a normal phase-column the separation of retinol isomers is possible.
- 7.7. Approximately 150 mg ascorbic acid can be used instead of sodium ascorbate solution.
- 7.8. Approximately 50 mg EDTA can be used instead of sodium sulfide solution.

8. Repeatability

The difference between the results of two parallel determinations carried out on the same sample must not exceed 15 % relative to the higher result.

9. Results of a collaborative study ⁽¹⁾

	Premix	Premix feed	Mineral concentrate	Protein feed	Piglet
L	13	12	13	12	13
n	48	45	47	46	49
mean [IU/kg]	$17,02 \times 10^6$	$1,21 \times 10^6$	537 100	151 800	18 070
s_r [IU/kg]	$0,51 \times 10^6$	$0,039 \times 10^6$	22 080	12 280	682
r [IU/kg]	$1,43 \times 10^6$	$0,109 \times 10^6$	61 824	34 384	1 910
CV_r [%]	3,0	3,5	4,1	8,1	3,8
s_R [IU/kg]	$1,36 \times 10^6$	$0,069 \times 10^6$	46 300	23 060	3 614
R [IU/kg]	$3,81 \times 10^6$	$0,193 \times 10^6$	129 640	64 568	10 119
CV_R [%]	8,0	6,2	8,6	15	20

L: number of laboratories

n: number of single values

s_r : standard deviation of repeatability

s_R : standard deviation reproducibility

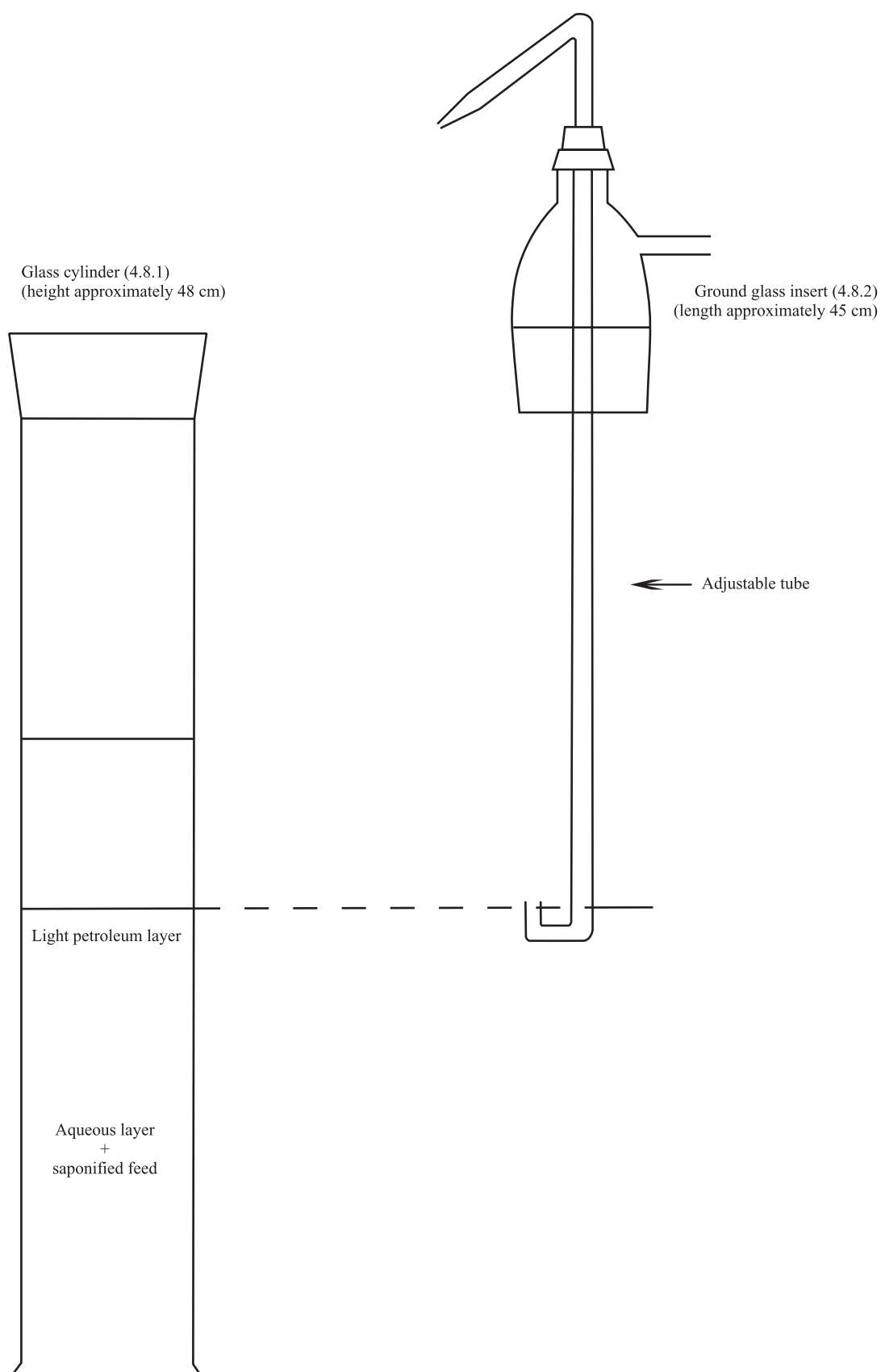
r : repeatability

R : reproducibility

CV_r : coefficient of variation of repeatability

CV_R : coefficient of variation of reproducibility

⁽¹⁾ Conducted by the feedingstuffs working group of Verband Deutscher Landwirtschaftlicher Untersuchungs- und Forschungsanstalten (VDLUFA).

Figure 1: Extraction apparatus (4.8)

PART B

DETERMINATION OF VITAMIN E

1. Purpose and scope

This method is for the determination of vitamin E in feedingstuffs and premixtures. The content of vitamin E is expressed as mg DL- α -tocopherol acetate per kg. 1 mg DL- α -tocopherol acetate corresponds to 0,91 mg DL- α -tocopherol (vitamin E).

The limit of determination is 2 mg vitamin E/kg.

2. Principle

The sample is hydrolysed with ethanolic potassium hydroxide solution and the vitamin E is extracted into light petroleum. The solvent is removed by evaporation and the residue is dissolved in methanol and, if necessary, diluted to the required concentration. The content of vitamin E is determined by reversed phase high performance liquid chromatography (RP-HPLC) using a fluorescence or a UV detector.

3. Reagents

- 3.1. Ethanol, $\sigma = 96 \%$
- 3.2. Light petroleum, boiling range $40^{\circ}\text{C} - 60^{\circ}\text{C}$
- 3.3. Methanol
- 3.4. Potassium hydroxide solution, $\beta = 50 \text{ g}/100 \text{ ml}$
- 3.5. Sodium ascorbate solution, $\beta = 10 \text{ g}/100 \text{ ml}$ (see 7.7 observations)
- 3.6. Sodium sulfide, $\text{Na}_2\text{S} \cdot x \text{H}_2\text{O}$ ($x = 7-9$)
- 3.6.1. Sodium sulfide solution, $c = 0,5 \text{ mol/l}$ in glycerol, $\beta = 120 \text{ g/l}$ (for $x = 9$) (see 7.8 observations)
- 3.7. Phenolphthalein solution, $\beta = 2 \text{ g}/100 \text{ ml}$ in ethanol (3.1)
- 3.8. Mobile phase for HPLC: mixture of methanol (3.3) and water, e.g. $980 + 20 \text{ (v + v)}$. The exact ratio will be determined by the characteristics of the column employed.
- 3.9. Nitrogen, oxygen free
- 3.10. DL- α -tocopherol acetate, extra pure, of certified activity
- 3.10.1. Stock solution of DL- α -tocopherol acetate: Weigh to the nearest 0,1 mg, 100 mg of DL- α -tocopherol acetate (3.10) into a 100 ml graduated flask. Dissolve in ethanol (3.1) and make up to the mark with the same solvent. 1 ml of this solution contains 1 mg DL- α -tocopherol acetate. (UV control see 5.6.1.3; stabilisation see 7.4 observations).
- 3.11. DL- α -tocopherol, extra pure, of certified activity
- 3.11.1. Weigh to the nearest 0,1 mg, 100 mg of DL- α -tocopherol (3.10) into a 100 ml graduated flask. Dissolve in ethanol (3.1) and make up to the mark with the same solvent. 1 ml of this solution contains 1 mg DL- α -tocopherol. (UV control see 5.6.2.3; stabilisation see 7.4 observations).
- 3.12. 2,6-Di-*tert*-butyl-4-methylphenol (BHT) (see 7.5 observations)

4. Apparatus

- 4.1. Vacuum rotary evaporator
- 4.2. Amber glassware
- 4.2.1. Flat bottom or conical flasks, 500 ml, with ground-glass socket

- 4.2.2. Graduated flasks with ground-glass stoppers, narrow-necked, 10, 25, 100 and 500 ml
- 4.2.3. Separating funnels, conical, 1 000 ml, with ground-glass stoppers
- 4.2.4. Pear shaped flasks, 250 ml, with ground-glass sockets
- 4.3. Allihn condenser, jacket length 300 mm, with ground-glass joint, with adapter for gas feed pipe
- 4.4. Pleated filter paper for phase separation, diameter 185 mm (e.g. Schleicher & Schuell 597 HY 1/2)
- 4.5. HPLC equipment with injection system
- 4.5.1. Liquid chromatographic column, 250 mm x 4 mm, C₁₈, 5 or 10 µm packing, or equivalent
- 4.5.2. Fluorescence or UV detector, with variable wavelength adjustment
- 4.6. Spectrophotometer with 10 mm quartz cells
- 4.7. Water-bath with magnetic stirrer
- 4.8. Extraction apparatus (see figure 1) consisting of:
 - 4.8.1. Glass cylinder of 1 l capacity fitted with a ground glass neck and stopper
 - 4.8.2. Ground glass insert equipped with a side-arm and an adjustable tube passing through the centre. The adjustable tube should have a U-shaped lower end and a jet at the opposite end so that the upper liquid layer in the cylinder may be transferred into a separating funnel.

5. Procedure

Note: Vitamin E is sensitive to (UV) light and to oxidation. All operations should be carried out in the absence of light (using amber glassware, or glassware protected with aluminium foil) and oxygen (flush with nitrogen). During extraction air above the liquid should be replaced by nitrogen (avoid excess pressure by loosening the stopper from time to time).

5.1. Preparation of the sample

Grind the sample so that it passes a 1 mm mesh sieve, taking care to avoid generation of heat. Grinding must be carried out immediately before weighing and saponification otherwise there may be losses of vitamin E.

5.2. Saponification

Depending on the vitamin E content weigh, to the nearest 0,01 g, 2 g to 25 g of the sample into a 500 ml flat bottom or conical flask (4.2.1). Add successively with swirling 130 ml ethanol (3.1), approximately 100 mg BHT (3.1.2), 2 ml sodium ascorbate solution (3.5) and 2 ml sodium sulfide solution (3.6). Fit the condenser (4.3) to the flask and immerse the flask in a water-bath with magnetic stirrer (4.7). Heat to boiling and allow to reflux for five minutes. Then add 25 ml potassium hydroxide solution (3.4) through the condenser (4.3) and allow to reflux for a further 25 min with stirring under a slow stream of nitrogen. Then rinse the condenser with approximately 20 ml water and cool the content of the flask to room temperature.

5.3. Extraction

Transfer by decantation the saponification solution quantitatively by rinsing with a total volume of 250 ml water to a 1000 ml separating funnel (4.2.3) or to the extraction apparatus (4.8). Rinse the saponification flask successively with 25 ml ethanol (3.1) and 100 ml light petroleum (3.2) and transfer the rinsings to the separating funnel or to the extraction apparatus. The proportion of water and ethanol in the combined solutions should be about 2:1. Shake vigorously for two minutes and allow to settle for two minutes.

5.3.1. Extraction using a separating funnel (4.2.3)

When the layers have separated (see observation 7.3) transfer the light petroleum layer to another separating funnel (4.2.3). Repeat this extraction twice, with 100 ml light petroleum (3.2) and twice, with 50 ml light petroleum (3.2).

Wash the combined extracts in the separating funnel twice by gently swirling (to avoid formation of emulsions) with 100 ml portions of water and then by repeated shaking with further 100 ml portions of water until the water remains colourless on addition of phenolphthalein solution (3.7) (washing four times is usually sufficient). Filter the washed extract through a dry pleated filter for phase separation (4.4) to remove any suspended water into a 500 ml graduated flask (4.2.2). Rinse the separating funnel and the filter with 50 ml light petroleum (3.2), make up to the mark with light petroleum (3.2) and mix well.

5.3.2. Extraction using an extraction apparatus (4.8)

When the layers have separated (see observation 7.3) replace the stopper of the glass cylinder (4.8.1) by the ground glass insert (4.8.2) and position the U-shaped lower end of the adjustable tube so that it is just above the level of the interface. By application of pressure from a nitrogen line to the side-arm, transfer the upper light petroleum-layer to a 1 000 ml separating funnel (4.2.3). Add 100 ml light petroleum (3.2) to the glass cylinder, stopper and shake well. Allow the layers to separate and transfer the upper layer to the separating funnel as before. Repeat the extraction procedure with further 100 ml of light petroleum (3.2), then twice with 50 ml portions of light petroleum (3.2) and add the light petroleum layers to the separating funnel.

Wash the combined light petroleum extracts as described in 5.3.1 and proceed as described there.

5.4. Preparation of the sample solution for HPLC

Pipette an aliquot portion of the light petroleum solution (from 5.3.1 or 5.3.2) into a 250 ml pear shaped flask (4.2.4). Evaporate the solvent nearly to dryness on the rotary evaporator (4.1) with reduced pressure at a bath temperature not exceeding 40 °C. Restore atmospheric pressure by admitting nitrogen (3.9) and remove the flask from the rotary evaporator. Remove the remaining solvent with a stream of nitrogen (3.9) and dissolve the residue immediately in a known volume (10-100 ml) of methanol (3.3) (the concentration of DL- α -tocopherol should be in the range 5 μ g/ml to 30 μ g/ml).

5.5. Determination by HPLC

Vitamin E is separated on a C_{18} reversed phase column (4.5.1) and the concentration is measured using a fluorescence detector (excitation: 295 nm, emission: 330 nm) or a UV detector (292 nm) (4.5.2).

Inject an aliquot portion (e.g. 20 μ l) of the methanolic solution obtained in 5.4 and elute with the mobile phase (3.8). Calculate the mean peak heights (areas) of several injections of the same sample solution and the mean peak heights (areas) of several injections of the calibration solutions (5.6.2).

HPLC conditions

The following conditions are offered for guidance; other conditions may be used provided that they give equivalent results.

Liquid chromatographic column (4.5.1):	250 mm x 4 mm, C_{18} , 5 or 10 μ m packing, or equivalent
Mobile phase (3.8):	Mixture of methanol (3.3) and water, e.g. 980 + 20 (v + v)
Flow rate:	1-2 ml/min
Detector (4.5.2):	Fluorescence detector (excitation: 295 nm/emission: 330 nm) or UV detector (292 nm)

5.6. Calibration (DL- α -tocopherol acetate or DL- α -tocopherol)

5.6.1. DL- α -tocopherol acetate standard

5.6.1.1. Preparation of the working standard solution

Transfer by pipette 25 ml of the DL- α -tocopherol acetate stock solution (3.10.1) into a 500 ml flat bottom or conical flask (4.2.1) and hydrolyse as described under 5.2. Subsequently extract with light petroleum (3.2) according to 5.3 and make up to 500 ml with light petroleum. Evaporate 25 ml of this extract on the rotary evaporator (see 5.4) nearly to dryness, remove the remaining solvent with a stream of nitrogen (3.9) and redissolve the residue in 25,0 ml of methanol (3.3). The nominal concentration of this solution is 45,5 μ g DL- α -tocopherol per ml, equivalent to 50 μ g DL- α -tocopherol acetate per ml. The working standard solution has to be freshly prepared before use.

5.6.1.2. Preparation of the calibration solutions and calibration graph

Transfer 1,0, 2,0, 4,0 and 10,0 ml of the working standard solution into a series of 20 ml graduated flasks, make up to the mark with methanol (3.3) and mix. The nominal concentrations of these solutions are 2,5, 5,0, 10,0 and 25,0 µg/ml DL-α-tocopherol acetate, i. e. 2,28, 4,55, 9,10 µg/ml and 22,8 µg/ml DL-α-tocopherol.

Inject 20 µl of each calibration solution several times and determine the mean peak heights (areas). Using the mean peak heights (areas) plot a calibration graph.

5.6.1.3. UV standardisation of the DL-α-tocopherol acetate stock solution (3.10.1)

Dilute 5,0 ml of the DL-α-tocopherol acetate stock solution (3.10.1) to 25,0 ml with ethanol and measure the UV spectrum of this solution against ethanol (3.1) in the spectrophotometer (4.6) between 250 nm and 320 nm.

The absorption maximum should be at 284 nm:

$$E_{1\%}^{1\text{ cm}} = 43,6 \text{ at } 284 \text{ nm in ethanol}$$

At this dilution an extinction value of 0,84 to 0,88 should be obtained.

5.6.2. DL-α-tocopherol standard

5.6.2.1. Preparation of the working standard solution

Transfer by pipette 2,0 ml of the DL-α-tocopherol stock solution (3.11.1) into a 50 ml graduated flask, dissolve in methanol (3.3) and make up to the mark with methanol. The nominal concentration of this solution is 40 µg DL-α-tocopherol per ml, equivalent to 44,0 µg DL-α-tocopherol acetate per ml. The working standard solution has to be freshly prepared before use.

5.6.2.2. Preparation of the calibration solutions and calibration graph

Transfer 1,0, 2,0, 4,0 and 10,0 ml of the working standard solution into a series of 20 ml graduated flasks, make up to the mark with methanol (3.3) and mix. The nominal concentrations of these solutions are 2,0, 4,0, 8,0 and 20,0 µg/ml DL-α-tocopherol, i. e. 2,20, 4,40, 8,79 µg/ml and 22,0 µg/ml DL-α-tocopherol acetate.

Inject 20 µl of each calibration solution several times and determine the mean peak heights (areas). Using the mean peak heights (areas) plot a calibration graph.

5.6.2.3. UV standardisation of the DL-α-tocopherol stock solution (3.11.1)

Dilute 2,0 ml of the DL-α-tocopherol stock solution (3.11.1) to 25,0 ml with ethanol and measure the UV spectrum of this solution against ethanol (3.1) in the spectrophotometer (4.6) between 250 nm and 320 nm. The absorption maximum should be at 292 nm:

$$E_{1\%}^{1\text{ cm}} = 75,8 \text{ at } 292 \text{ nm in ethanol}$$

At this dilution an extinction value of 0,6 should be obtained.

6. Calculation of the results

From the mean height (area) of the vitamin E peaks of the sample solution determine the concentration of the sample solution in µg/ml (calculated as α-tocopherol acetate) by reference to the calibration graph (5.6.1.2 or 5.6.2.2).

The vitamin E content *w* in mg/kg of the sample is given by the following formula:

$$w = \frac{500 \cdot \beta \cdot V_2}{V_1 \cdot m} \text{ [mg/kg]}$$

in which:

β = vitamin E concentration of the sample solution (5.4) in $\mu\text{g/ml}$

V_1 = volume of sample solution (5.4) in ml

V_2 = volume of aliquot taken in 5.4 in ml

m = mass of the test portion in g

7. Observations

- 7.1. For samples with low vitamin E concentration it may be useful to combine the light petroleum-extracts of two saponification-charges (amount weighed: 25 g) to one sample solution for HPLC-determination.
- 7.2. The weight of the sample taken for the analysis should not contain more than 2 g fat.
- 7.3. If phase separation does not occur add approximately 10 ml ethanol (3.1) to break the emulsion.
- 7.4. After the spectrophotometric measurement of the DL- α -tocopherol acetate or DL- α -tocopherol solution according to 5.6.1.3 or 5.6.2.3 respectively add approximately 10 mg BHT (3.12) to the solution (3.10.1 or 3.10.2) and keep the solution in a refrigerator (storage life maximum of four weeks).
- 7.5. Hydroquinone can be used instead of BHT.
- 7.6. Using a normal phase-column the separation of α -, β -, γ - and δ -tocopherol is possible.
- 7.7. Approximately 150 mg ascorbic acid can be used instead of sodium ascorbate solution.
- 7.8. Approximately 50 mg EDTA can be used instead of sodium sulfide solution.

8. Repeatability

The difference between the results of two parallel determinations carried out on the same sample must not exceed 15 % relative to the higher result.

9. Results of a collaborative study ⁽¹⁾

	Premix	Premix feed	Mineral concentrate	Protein feed	Piglet
L	12	12	12	12	12
n	48	48	48	48	48
mean [mg/kg]	17 380	1 187	926	315	61,3
s_r [mg/kg]	384	45,3	25,2	13,0	2,3
r [mg/kg]	1 075	126,8	70,6	36,4	6,4
CV_r [%]	2,2	3,8	2,7	4,1	3,8
s_R [mg/kg]	830	65,0	55,5	18,9	7,8
R [mg/kg]	2 324	182,0	155,4	52,9	21,8
CV_R [%]	4,8	5,5	6,0	6,0	12,7

L: number of laboratories

n: number of single values

s_r : standard deviation of repeatability

s_R : standard deviation of reproducibility

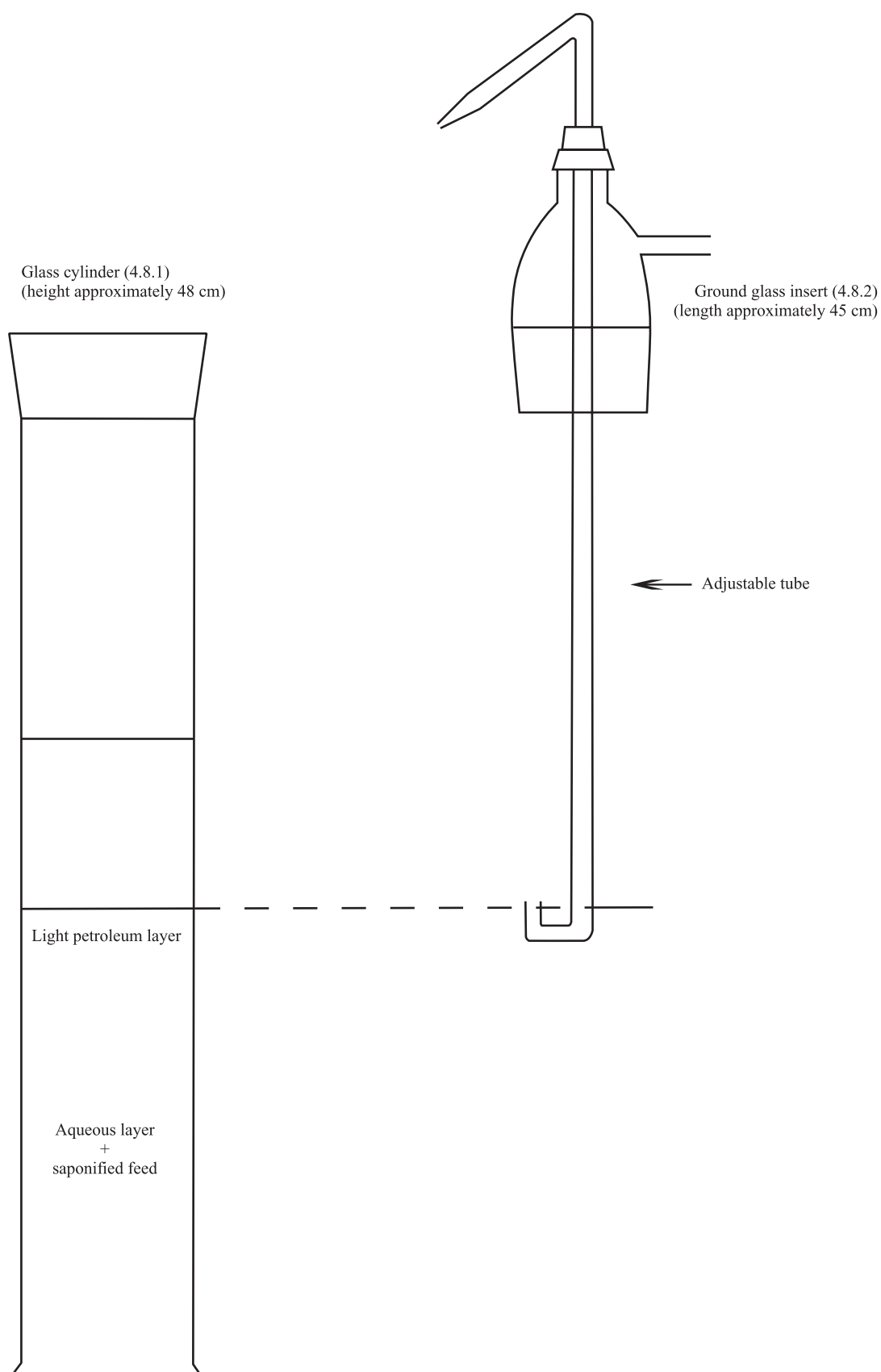
r : repeatability

R : reproducibility

CV_r : coefficient of variation of repeatability

CV_R : coefficient of variation of reproducibility

⁽¹⁾ Conducted by the feedingstuffs working group of Verband Deutscher Landwirtschaftlicher Untersuchungs- und Forschungsanstalten (VDLUFA).

Figure 1: Extraction apparatus (4.8)

PART C

DETERMINATION OF TRYPTOPHAN

1. Purpose and scope

The method is for the determination of the total and free tryptophan in feedingstuffs. It does not distinguish between D- and L- forms.

2. Principle

For the determination of the total tryptophan, the sample is hydrolyzed under alkaline conditions with saturated barium hydroxide solution and heated to 110.°C for 20 hours. After hydrolysis internal standard is added.

For the determination of free tryptophan, the sample is extracted under mild acidic conditions in the presence of internal standard.

The tryptophan and the internal standard in the hydrolysate or in the extract are determined by HPLC with fluorescence detection.

3. Reagents

- 3.1. Double distilled water or water of equivalent quality must be used (conductivity < 10 µS/cm)
- 3.2. Standard substance: tryptophan (purity/content ≥ 99 %) dried under vacuum over phosphorous pentoxide
- 3.3. Internal standard substance: α-methyl-tryptophan (purity/content ≥ 99 %), dried under vacuum over phosphorous pentoxide
- 3.4. Barium hydroxide octa-hydrate (care should be taken not to expose the $\text{Ba}(\text{OH})_2 \cdot 8 \text{H}_2\text{O}$ excessively to air in order to avoid formation of BaCO_3 , which could disturb the determination) (see observation 9.3).
- 3.5. Sodium hydroxide
- 3.6. Ortho-phosphoric acid, w = 85 %
- 3.7. Hydrochloric acid, $\rho_{20} = 1,19 \text{ g/ml}$
- 3.8. Methanol, HPLC grade
- 3.9. Light petroleum, boiling range 40-60 °C
- 3.10. Sodium hydroxide solution, c = 1 mol/l:
Dissolve 40,0 g NaOH (3.5) in water and make up to 1 l with water (3.1).
- 3.11. Hydrochloric acid, c = 6 mol/l:
Take 492 ml HCl (3.7) and make up to 1 l with water.
- 3.12. Hydrochloric acid, c = 1 mol/l:
Take 82 ml HCl (3.7) and make up to 1 l with water.
- 3.13. Hydrochloric acid, c = 0,1 mol/l:
Take 8,2 ml HCl (3.7) and make up to 1 l with water.
- 3.14. Ortho-phosphoric acid, c = 0,5 mol/l:
Take 34 ml ortho-phosphoric acid (3.6) and make up to 1 l with water (3.1)

- 3.15. Concentrated solution of tryptophan (3.2), $c = 2,50 \mu\text{mol/ml}$:

In a 500 ml volumetric flask dissolve 0,2553 g tryptophan (3.2) in hydrochloric acid (3.13) and make up to the mark with hydrochloric acid (3.13). Store at -18°C for a maximum of four weeks

- 3.16. Concentrated internal standard solution, $c = 2,50 \mu\text{mol/ml}$:

In a 500 ml volumetric flask dissolve 0,2728 g α -methyl-tryptophan (3.3) in hydrochloric acid (3.13) and make up to the mark with hydrochloric acid (3.13). Store at -18°C for a maximum of four weeks.

- 3.17. Calibration standard solution of tryptophan and internal standard:

Take 2,00 ml concentrated solution of tryptophan (3.15), and 2,00 ml of concentrated internal standard (α -methyl-tryptophan) solution (3.16). Dilute with water (3.1) and methanol (3.8) to approximately the same volume and to approximately the same concentration of methanol (10-30 %) as the finished hydrolysate.

This solution must be prepared freshly before use.

Protect from direct sunlight during preparation.

- 3.18. Acetic acid

- 3.19. 1,1,1-trichloro-2-methyl-2-propanol

- 3.20. Ethanolamine > 98 %

- 3.21. Solution of 1 g 1,1,1-trichloro-2-methyl-2-propanol (3.19) in 100 ml methanol (3.8)

- 3.22. Mobile phase for HPLC: 3,00 g acetic acid (3.18) + 900 ml water (3.1) + 50,0 ml solution (3.21) of 1,1,1-trichloro-2-methyl-2-propanol (3.19) in methanol (3.8) (1 g/100 ml). Adjust pH to 5,00 using ethanolamine (3.20). Make up to 1 000 ml with water (3.1)

4. Apparatus

- 4.1. HPLC equipment with a spectrofluorimetric detector

- 4.2. Liquid chromatographic column, 125 mm x 4 mm, C_{18} , 3 μm packing, or equivalent

- 4.3. pH-meter

- 4.4. Polypropylene flask, capacity 125 ml, with wide neck and screw cap.

- 4.5. Membrane filter, 0,45 μm

- 4.6. Autoclave, 110 (± 2), $^{\circ}\text{C}$, 1,4 ($\pm 0,1$) bar

- 4.7. Mechanical shaker or magnetic stirrer

- 4.8. Vortex mixer

5. Procedure

- 5.1. Preparation of samples

The sample is ground to pass through a 0,5 mm sieve. Samples high in moisture must be either air-dried at a temperature not exceeding 50°C or freeze dried prior to grinding. Samples with high fat content should be extracted with light petroleum (3.9) prior to grinding.

- 5.2. Determination of free tryptophan (extract)

Weigh to the nearest 1 mg an appropriate amount (1-5 g) of the prepared sample (5.1), into a conical flask. Add 100,0 ml hydrochloric acid, $c = 0,1 \text{ mol/l}$ (3.13) and 5,00 ml concentrated internal standard solution (3.16). Shake or mix for 60 min. using a mechanical shaker or a magnetic stirrer (4.7). Allow the sediment to settle and pipette 10,0 ml of the supernatant solution into a beaker. Add 5 ml ortho-phosphoric acid, $c = 0,5 \text{ mol/l}$ (3.14). Adjust the pH to 3,0 using sodium hydroxide, $c = 1,0 \text{ mol/l}$ (3.10). Add sufficient methanol (3.8) to give a concentration of between 10 and 30 % of methanol in the final volume. Transfer to a volumetric flask of appropriate volume and dilute with water to a volume necessary for the chromatography (approximately the same volume as the calibration standard solution (3.17)).

Filter a few ml of the solution through a 0,45 µm membrane filter (4.5) before injection on the HPLC column. Proceed to the chromatography step according to paragraph 5.4.

Protect standard solution and extracts against direct sunlight. If it is not possible to analyse the extracts the same day, the extracts may be stored at 5.°C for a maximum of three days.

5.3. Determination of total tryptophan (hydrolysate).

Weigh to the nearest 0,2 mg from 0,1 to 1 g of the prepared sample (5.1) into the polypropylene flask (4.4). The weighed sample portion should have a nitrogen content of about 10 mg. Add 8,4 g barium hydroxide octa-hydrate (3.4) and 10 ml water. Mix on a vortex mixer (4.8) or magnetic stirrer (4.7) Leave the teflon coated magnet in the mixture. Wash down the walls of the vessel with 4 ml water. Put on the screw cap and close the flask loosely. Transfer to an autoclave (4.6) with boiling water and steam for 30-60 minutes. Close the autoclave and autoclave at 110 (± 2).°C for 20 hours.

Before opening the autoclave reduce the temperature to just under 100.°C. In order to avoid crystallisation of Ba(OH)₂ · 8 H₂O, add to the warm mixture 30 ml water which is at room temperature. Shake or stir gently. Add 2,00 ml concentrated internal standard (α-methyl-tryptophan) solution (3.16). Cool the vessels on water/ice bath for 15 minutes.

Then, add 5 ml ortho-phosphoric acid, c = 0,5 mol/l (3.14). Keep the vessel in the cooling bath and neutralise with HCl, c = 6 mol/l (3.11) whilst stirring and adjust the pH to 3,0 using HCl, c = 1 mol/l (3.12). Add sufficient methanol to give a concentration of between 10 and 30 % of methanol in the final volume. Transfer to a volumetric flask of appropriate volume and dilute with water to the defined volume necessary for the chromatography (for example 100 ml). The addition of methanol should not cause precipitation.

Filter a few ml of the solution through a 0,45 µm membrane filter (4.5) before injection on the HPLC column. Proceed to the chromatography step according to paragraph 5.4.

Protect standard solution and hydrolysates against direct sunlight. If it is not possible to analyse the hydrolysates the same day, they may be stored at 5.°C for a maximum of three days.

5.4. HPLC determination

The following conditions for isocratic elution are offered for guidance; other conditions may be used, provided they yield equivalent results (see also observations 9.1 and 9.2):

Liquid chromatographic column (4.2):	125 mm x 4 mm, C ₁₈ , 3 µm packing or equivalent
Column temperature:	Room temperature
Mobile phase (3.22):	3,00 g acetic acid (3.18) + 900 ml water (3.1) + 50,0 ml solution (3.21) of 1,1,1-trichloro-2-methyl-2-propanol (3.19) in methanol (3.8) (1 g/100 ml). Adjust pH to 5,00 using ethanolamine (3.20). Make up to 1 000 ml with water (3.1)
Flow rate:	1 ml/min
Total run time:	approximately 34 min
Detection wavelength:	excitation: 280 nm, emission: 356 nm
Injection volume	20 µl

6. Calculation of results

$$\frac{A \times B \times C \times D \times E \times MW}{F \times G \times H \times 10\,000 \times W} = \text{g tryptophan per 100 g sample}$$

- A = peak area of internal standard, calibration standard solution (3.17)
- B = peak area of tryptophan, extract (5.2) or hydrolysate (5.3)
- C = volume in ml (2 ml) of concentrated tryptophan solution (3.15) added to the calibration solution (3.17)
- D = concentration in $\mu\text{mol/ml}$ (= 2,50) of concentrated tryptophan solution (3.15) added to calibration solution (3.17)
- E = volume in ml of concentrated internal standard solution (3.16) added at the extraction (5.2) (= 5,00 ml) or to the hydrolysate (5.3) (= 2,00 ml)
- F = peak area of internal standard, extract (5.2) or hydrolysate (5.3)
- G = peak area of tryptophan, calibration standard solution (3.17)
- H = volume in ml (= 2,00 ml) of concentrated internal standard solution (3.16) added to calibration standard solution (3.17)
- W = sample weight in g (corrected to original weight if dried and/or defatted)
- MW = molecular weight of tryptophan (= 204,23)

7. Repeatability

The difference between the results of two parallel determinations carried out on the same sample must not exceed 10 % relative to the highest result.

8. Results of a collaborative study

A Community collaborative Study (Fourth intercomparison) was arranged in which three samples were analysed by up to 12 laboratories to certify the method for hydrolysis. Replicate (5) analyses were performed on each sample. The results are given in the following table:

	Sample 1 Pig feed	Sample 2 Pig feed supplemented with L-tryptophan	Sample 3 Feed concentrate for pigs
L	12	12	12
n	50	55	50
Mean [g/kg]	2,42	3,40	4,22
s_r [g/kg]	0,05	0,05	0,08
r [g/kg]	0,14	0,14	0,22
CV_r [%]	1,9	1,6	1,9
s_R [g/kg]	0,15	0,20	0,09
R [g/kg]	0,42	0,56	0,25
CV_R [%]	6,3	6,0	2,2

L: number of laboratories submitting results
n: number of single results retained eliminating outliers (identified by Cochran, dixon outlier test)
 s_r : standard deviation of repeatability
 s_R : standard deviation of reproducibility
r: repeatability
R: reproducibility
 CV_r : coefficient of variation of repeatability, %
 CV_R : coefficient of variation of reproducibility, %

Another Community collaborative study (third intercomparison) was arranged in which two samples were analysed by up to 13 laboratories to certify the method for extraction of free tryptophan. Replicate (5) analyses were performed on each sample. The results are given in the following table:

	Sample 4 Wheat and soya mixture	Sample 5 Wheat and soya mixture (= sample 4) with added tryptophan (0,457 g/kg)
L	12	12
n	55	60
Mean [g/kg]	0,391	0,931
s_r [g/kg]	0,005	0,012
r [g/kg]	0,014	0,034
CV_r [%]	1,34	1,34
s_R [g/kg]	0,018	0,048
R [g/kg]	0,050	0,134
CV_R [%]	4,71	5,11

L number of laboratories submitting results
 n number of single results retained eliminating outliers (identified by Cochran, dixon outlier test)
 s_r standard deviation of repeatability
 s_R standard deviation of reproducibility
 r repeatability
 R reproducibility
 CV_r coefficient of variation of repeatability, %
 CV_R coefficient of variation of reproducibility, %

Another Community intercomparison study was arranged in which four samples were analysed by up to seven laboratories with the aim of a tryptophan certification for hydrolysis. The results are given below Replicate five analyses were performed on each sample.

	Sample 1 Mixed pig feed (CRM 117)	Sample 2 Low fat fish meal (CRM 118)	Sample 3 Soybean meal (CRM 119)	Sample 4 Skimmed milk powder (CRM 120)
L	7	7	7	7
n	25	30	30	30
Mean [g/kg]	2,064	8,801	6,882	5,236
s_r [g/kg]	0,021	0,101	0,089	0,040
r [g/kg]	0,059	0,283	0,249	0,112
CV_r [%]	1,04	1,15	1,30	0,76
s_R [g/kg]	0,031	0,413	0,283	0,221
R [g/kg]	0,087	1,156	0,792	0,619
CV_R [%]	1,48	4,69	4,11	4,22

L: number of laboratories submitting results
 n: number of single results retained eliminating outliers (identified by Cochran, Dixon outlier test)
 s_r : standard deviation of repeatability
 s_R : standard deviation of reproducibility
 r : repeatability
 R : reproducibility
 CV_r : coefficient of variation of repeatability, %
 CV_R : coefficient of variation of reproducibility, %

9. Observations

- 9.1. Following special chromatographic conditions may give better separation between tryptophan and α -methyl-tryptophan.

Isocratic elution followed by gradient column cleaning:

Liquid chromatographic column: 125 mm x 4 mm, C_{18} , 5 μ m packing or equivalent

Column temperature: 32.°C

Mobile phase: A: 0,01 mol/l KH_2PO_4 /Methanol, 95 + 5 (V + V).
B: Methanol

Gradient program:	0 min	100 % A	0 % B
	15 min	100 % A	0 % B
	17 min	60 % A	40 % B
	19 min	60 % A	40 % B
	21 min	100 % A	0 % B
	33 min	100 % A	0 % B

Flow rate: 1,2 ml/min

Total run time: approximately 33 minutes

- 9.2. The chromatography will vary according to the type of HPLC and column packing material used. The chosen system must be capable of giving baseline separation between the tryptophan and the internal standard. Moreover it is important that degradation products are well separated from the tryptophan and the internal standard. Hydrolysates without internal standard should be run in order to check the base line under the internal standard for impurities. It is important that the run time is sufficiently long for the elution of all the degradation products, otherwise late eluting peaks may interfere with subsequent chromatographic runs.

In the range of operation, the chromatographic system should give linear response. The linear response should be measured with a constant (the normal) concentration of the internal standard and varying concentrations of tryptophan. It is of importance that the size of both the tryptophan and internal standard peaks are within the linear range of the HPLC/fluorescence system. If either the tryptophan and/or the internal standard peak(s) is (are) too small or too high the analysis should be repeated with another sample size and/or a changed final volume.

- 9.3. Barium hydroxide

With age barium hydroxide becomes more difficult to dissolve. This results in an unclear solution for the HPLC determination, which may produce low results for tryptophan.

II

(Acts whose publication is not obligatory)

EUROPEAN ECONOMIC AREA

THE EEA JOINT COMMITTEE

DECISION OF THE EEA JOINT COMMITTEE

No 41/2000

of 19 May 2000

amending Annex II (Technical regulations, standards, testing and certification) to the EEA Agreement

THE EEA JOINT COMMITTEE,

Having regard to the Agreement on the European Economic Area, as adjusted by the Protocol adjusting the Agreement on the European Economic Area, hereinafter referred to as 'the Agreement', and in particular Article 98 thereof,

Whereas:

- (1) Annex II to the Agreement was amended by Decision of the EEA Joint Committee No 28/2000 of 31 March 2000 ⁽¹⁾.
- (2) Commission Regulation (EC) No 1931/1999 of 9 September 1999 amending Annexes I, II and III of Council Regulation (EEC) No 2377/90 laying down a Community procedure for the establishment of maximum residue limits of veterinary medicinal products in foodstuffs of animal origin ⁽²⁾ is to be incorporated into the Agreement.
- (3) The adaptation to Council Regulation (EEC) No 2377/90 of 26 June 1990 laying down a Community procedure for the establishment of maximum residue limits of veterinary medicinal products in foodstuffs of animal origin ⁽³⁾ shall be deleted following the accession of Austria, Finland and Sweden to the European Union,

HAS DECIDED AS FOLLOWS:

Article 1

Point 14 (Council Regulation (EEC) No 2377/90) in Chapter XIII of Annex II to the Agreement shall be amended as follows:

1. The following indent shall be added:

— **399 R 1931:** Commission Regulation (EC) No 1931/1999 of 9 September 1999 (OJ L 240, 10.9.1999, p. 3).'

2. The extension regarding the transitional period for Austria shall be deleted.

⁽¹⁾ OJ L 141, 15.6.2000, p. 49.

⁽²⁾ OJ L 240, 10.9.1999, p. 3.

⁽³⁾ OJ L 224, 18.8.1990, p. 1.

Article 2

The texts of Regulation (EC) No 1931/1999 in the Icelandic and Norwegian languages, to be published in the EEA Supplement to the *Official Journal of the European Communities*, shall be authentic.

Article 3

This Decision shall enter into force on 20 May 2000, provided that all the notifications under Article 103(1) of the Agreement have been made to the EEA Joint Committee (*).

Article 4

This Decision shall be published in the EEA Section of, and in the EEA Supplement to, the *Official Journal of the European Communities*.

Done at Brussels, 19 May 2000.

For the EEA Joint Committee

The President

F. BARBASO

(*) No constitutional requirements indicated.

DECISION OF THE EEA JOINT COMMITTEE**No 42/2000****of 19 May 2000****amending Annex II (Technical regulations, standards, testing and certification) to the EEA Agreement**

THE EEA JOINT COMMITTEE,

Having regard to the Agreement on the European Economic Area, as adjusted by the Protocol adjusting the Agreement on the European Economic Area, hereinafter referred to as 'the Agreement', and in particular Article 98 thereof,

Whereas:

- (1) Annex II to the Agreement was amended by Decision of the EEA Joint Committee No 29/2000 of 31 March 2000 ⁽¹⁾.
- (2) Commission Decision 1999/645/EC of 15 September 1999 on a common technical Regulation for the attachment requirements for TETRA access to emergency services ⁽²⁾ is to be incorporated into the Agreement,

HAS DECIDED AS FOLLOWS:

Article 1

The following point shall be inserted after point 4zzg (Commission Decision 1999/498/EC) in Chapter XVIII of Annex II to the Agreement:

'4zzh. **399 D 0645**: Commission Decision 1999/645/EC of 15 September 1999 on a common technical Regulation for the attachment requirements for TETRA access to emergency services (OJ L 255, 30.9.1999, p. 40).'

Article 2

The texts of Decision 1999/645/EC in the Icelandic and Norwegian languages, to be published in the EEA Supplement to the *Official Journal of the European Communities* shall be authentic.

Article 3

This Decision shall enter into force on 20 May 2000, provided that all the notifications under Article 103(1) of the Agreement have been made to the EEA Joint Committee (*).

Article 4

This Decision shall be published in the EEA Section of, and in the EEA Supplement to, the *Official Journal of the European Communities*.

Done at Brussels, 19 May 2000.

*For the EEA Joint Committee**The President*

F. BARBASO

⁽¹⁾ OJ L 141, 15.6.2000, p. 51.

⁽²⁾ OJ L 255, 30.9.1999, p. 40.

(*) No constitutional requirements indicated.

DECISION OF THE EEA JOINT COMMITTEE

No 43/2000

of 19 May 2000

amending Annex XVIII (Health and safety at work, labour law, and equal treatment for men and women) to the EEA Agreement

THE EEA JOINT COMMITTEE,

Having regard to the Agreement on the European Economic Area, as adjusted by the Protocol adjusting the Agreement on the European Economic Area, hereinafter referred to as 'the Agreement', and in particular Article 98 thereof,

Whereas:

- (1) Annex XVIII to the Agreement was amended by Decision of the EEA Joint Committee No 57/1999 of 30 April 1999 ⁽¹⁾.
- (2) Council Directive 1999/70/EC of 28 June 1999 concerning the framework agreement on fixed-term work concluded by ETUC, UNICE and CEEP ⁽²⁾ is to be incorporated into the Agreement,

HAS DECIDED AS FOLLOWS:

Article 1

The following point shall be inserted after point 32 (Council Directive 96/34/EC) in Annex XVIII to the Agreement:

'32a. **399 L 0070:** Council Directive 1999/70/EC of 28 June 1999 concerning the framework agreement on fixed-term work concluded by ETUC, UNICE and CEEP (OJ L 175, 10.7.1999, p. 43).'

Article 2

The texts of Directive 1999/70/EC in the Icelandic and Norwegian languages, to be published in the EEA Supplement to the *Official Journal of the European Communities*, shall be authentic.

Article 3

This Decision shall enter into force on 20 May 2000, provided that all the notifications under Article 103(1) of the Agreement have been made to the EEA Joint Committee (*).

Article 4

This Decision shall be published in the EEA Section of, and in the EEA Supplement to, the *Official Journal of the European Communities*.

Done at Brussels, 19 May 2000.

For the EEA Joint Committee

The President

F. BARBASO

⁽¹⁾ Not yet published in the Official Journal.

⁽²⁾ OJ L 175, 10.7.1999, p. 43.

(*) Constitutional requirements indicated.

DECISION OF THE EEA JOINT COMMITTEE

No 44/2000

of 19 May 2000

amending Protocol 21 to the EEA Agreement, on the implementation of competition rules applicable to undertakings

THE EEA JOINT COMMITTEE,

Having regard to the Agreement on the European Economic Area, as adjusted by the Protocol adjusting the Agreement on the European Economic Area, hereinafter referred to as 'the Agreement', and in particular Article 98 thereof,

Whereas:

- (1) Protocol 21 to the Agreement was amended by Decision No 60/1999 of the EEA Joint Committee of 30 April 1999 ⁽¹⁾.
- (2) Council Regulation (EC) No 1216/1999 of 10 June 1999 amending Regulation No 17, first Regulation implementing Articles 81 and 82 of the Treaty ⁽²⁾ is to be incorporated into the Agreement.
- (3) The numbering and wording of Article 4(2) of Protocol 21 to the Agreement should be brought in line with Article 4(2) of Regulation No 17, first Regulation implementing Articles 81 and 82 of the Treaty,

HAS DECIDED AS FOLLOWS:

Article 1

The following indent shall be added in point 3 (Council Regulation No 17/62) of Article 3(1) of Protocol 21 to the Agreement:

— **399 R 1216:** Council Regulation (EC) No 1216/1999 of 10 June 1999 (OJ L 148, 15.6.1999, p. 5).'

Article 2

The text of Article 4(2) of Protocol 21 to the Agreement shall be replaced by the following:

- ‘2. Paragraph 1 shall not apply to agreements, decisions and concerted practices where:
1. the only parties thereto are undertakings from one EC Member State or from one EFTA State and the agreements, decisions or practices do not relate either to imports or to exports between Contracting Parties;
 2. (a) the agreements or concerted practices are entered into by two or more undertakings, each operating, for the purposes of the agreement, at a different level of the production or distribution chain, and relate to the conditions under which the parties may purchase, sell or resell certain goods or services;
 - (b) not more than two undertakings are party thereto, and the agreements only impose restrictions on the exercise of the rights of the assignee or user of industrial property rights, in particular patents, utility models, designs or trade marks, or of the person entitled under a contract to the assignment, or grant, of the right to use a method of manufacture or knowledge relating to the use and to the application of industrial processes;

⁽¹⁾ Not yet published in the Official Journal.

⁽²⁾ OJ L 148, 15.6.1999, p. 5.

3. they have as their sole object:

- (a) the development or uniform application of standards or types; or
- (b) joint research and development;
- (c) specialisation in the manufacture of products, including agreements necessary for achieving this,
 - where the products which are the subject of specialisation do not, in a substantial part of the territory covered by the Agreement, represent more than 15 % of the volume of business done in identical products or those considered by consumers to be similar by reason of their characteristics, price and use, and
 - where the total annual turnover of the participating undertakings does not exceed 200 million EUR.

These agreements, decisions and practices may be notified to the competent surveillance authority pursuant to Article 56, Protocol 23 and the rules referred to in Articles 1 to 3 of this Protocol.'

Article 3

The texts of Regulation (EC) No 1216/1999 in the Icelandic and Norwegian languages, to be published in the EEA Supplement to the *Official Journal of the European Communities*, shall be authentic.

Article 4

This Decision shall enter into force on 20 May 2000, provided that all the notifications under Article 103(1) of the Agreement have been made to the EEA Joint Committee (*).

Article 5

This Decision shall be published in the EEA Section of, and in the EEA Supplement to, the *Official Journal of the European Communities*.

Done at Brussels, 19 May 2000.

For the EEA Joint Committee

The President

F. BARBASO

(*) No constitutional requirements indicated.

DECISION OF THE EEA JOINT COMMITTEE**No 45/2000****of 19 May 2000****amending Protocol 31 to the EEA Agreement on cooperation in specific fields outside the four freedoms**

THE EEA JOINT COMMITTEE,

Having regard to the Agreement on the European Economic Area, as adjusted by the Protocol adjusting the Agreement on the European Economic Area, hereinafter referred to as 'the Agreement', and in particular Articles 86 and 98 thereof,

Whereas:

- (1) Protocol 31 to the Agreement was amended by Decision of the EEA Joint Committee No 38/2000 of 31 March 2000 ⁽¹⁾.
- (2) It is appropriate to extend the cooperation of the Contracting Parties to the Agreement to include the preparatory measures for the European Year of Languages 2001.
- (3) Protocol 31 to the Agreement should therefore be amended in order to allow for this extended cooperation to take place during the year 2000,

HAS DECIDED AS FOLLOWS:

Article 1

Article 4 of Protocol 31 to the Agreement shall be amended as follows:

1. The following paragraph shall be inserted after paragraph 2c:
'2 D. The EFTA States shall, as from 1 January 2000, participate in the Community actions related to the following budget line, entered in the general budget of the European Union for the financial year 2000:
— **B3-1 00 3**: Preparatory measures for the European Year of Languages 2001'
2. The text of paragraph 3 shall be replaced by the following:
'3. The EFTA States shall contribute financially in accordance with Article 82(1)(a) to the programmes and actions referred to in paragraphs 1, 2, 2a, 2b, 2c and 2d.'

Article 2

This Decision shall enter into force on 20 May 2000, provided that all the notifications under Article 103(1) of the Agreement have been made to the EEA Joint Committee (*).

It shall apply from 1 January 2000.

Article 3

This Decision shall be published in the EEA Section of, and in the EEA Supplement to, the *Official Journal of the European Communities*.

Done at Brussels, 19 May 2000.

For the EEA Joint Committee
The President
F. BARBASO

⁽¹⁾ OJ L 141, 15.6.2000, p. 66.

(*) No constitutional requirements indicated.

DECISION OF THE EEA JOINT COMMITTEE**No 46/2000****of 19 May 2000****amending Protocol 31 to the EEA Agreement on cooperation in specific fields outside the four freedoms**

THE EEA JOINT COMMITTEE,

Having regard to the Agreement on the European Economic Area, as adjusted by the Protocol adjusting the Agreement on the European Economic Area, hereinafter referred to as 'the Agreement', and in particular Articles 86 and 98 thereof,

Whereas:

- (1) Protocol 31 to the Agreement was amended by Decision No 100/1999 of the EEA Joint Committee of 30 July 1999 ⁽¹⁾.
- (2) It is appropriate to extend the cooperation of the Contracting Parties to the Agreement to include a single financing and programming instrument for cultural cooperation (Culture 2000 programme) (Decision No 508/2000/EC of the European Parliament and of the Council ⁽²⁾).
- (3) Protocol 31 to the Agreement should therefore be amended in order to allow for this extended cooperation to take place from 1 January 2000,

HAS DECIDED AS FOLLOWS:

Article 1

The following indent shall be added in Article 13(4) of Protocol 31 to the Agreement:

— **32000 D 0508:** Decision No 508/2000/EC of the European Parliament and of the Council of 14 February 2000 establishing the Culture 2000 programme (OJ L 63, 10.3.2000, p. 1).'

Article 2

This Decision shall enter into force on the day after the last notification under Article 103(1) of the Agreement has been made to the EEA Joint Committee.

It shall apply from 1 January 2000.

Article 3

This Decision shall be published in the EEA Section of, and in the EEA Supplement to, the *Official Journal of the European Communities*.

Done at Brussels, 19 May 2000.

For the EEA Joint Committee

The President

F. BARBASO

⁽¹⁾ Not yet published in the Official Journal.

⁽²⁾ OJ L 63, 10.3.2000, p. 1.

DECISION OF THE EEA JOINT COMMITTEE**No 47/2000****of 22 May 2000****amending Protocol 31 to the EEA Agreement, on cooperation in specific fields outside the four freedoms**

THE EEA JOINT COMMITTEE,

Having regard to the Agreement on the European Economic Area, as adjusted by the Protocol adjusting the Agreement on the European Economic Area, hereinafter referred to as 'the Agreement', and in particular Articles 86, 87, 98 and 115 thereof,

Whereas:

- (1) Protocol 31 to the Agreement was amended by Decision No 46/2000 of the EEA Joint Committee of 19 May 2000 ⁽¹⁾.
- (2) It is appropriate to extend the cooperation of the Contracting Parties to the Agreement to support, for a duration of five years, measures aimed at reducing the economic and social disparities between the regions with a view to promoting a continuous and balanced strengthening of trade and economic relations between the Contracting Parties.
- (3) The Contracting Parties have agreed on a contribution of the EEA EFTA States over the period 1999 to 2003 towards the aforementioned objectives.
- (4) A new instrument is needed for this cooperation to take into account the changes which have taken place since the negotiation of part VIII of the Agreement. This instrument should be separate from, but coordinated with, the Community's action towards the same objectives and implemented on the basis of Article 82(1)(c) of the Agreement.
- (5) Protocol 31 to the Agreement should be amended in order to allow for this extended cooperation to take place from 1 January 1999 until 31 December 2003,

HAS DECIDED AS FOLLOWS:

Article 1

The following Article shall be added in Protocol 31 to the Agreement after Article 18 (Exchange between administrations of national officials):

*'Article 19***Reduction of economic and social disparities**

1. The Contracting Parties shall strengthen their cooperation in reducing the economic and social disparities in the EEA through a financial contribution by the EEA EFTA States. For that purpose, a financial instrument shall be established for the period 1999 to 2003.
2. By virtue of Article 82(1)(c) of the Agreement, and subject to the modalities set out in Appendix 4 to this Protocol, the EEA EFTA States shall contribute the amount of EUR 119,6 million to the cooperation set out in paragraph 1. This contribution shall be made available for commitment in five equal annual tranches.'

Article 2

The text attached as an Annex to this Decision shall be added to Protocol 31 as Appendix 4.

Article 3

This Decision shall enter into force on 23 May 2000, provided that all the notifications under Article 103(1) of the Agreement have been made to the EEA Joint Committee (*).

It shall apply from 1 January 1999 until 31 December 2003.

⁽¹⁾ See page 58 of this Official Journal.

(*) Constitutional requirements indicated.

Article 4

This Decision shall be published in the EEA Section of, and in the EEA Supplement to, the *Official Journal of the European Communities*.

Done at Brussels, 22 May 2000.

For the EEA Joint Committee
The President
F. BARBASO

ANNEX

to Decision No 47/2000 of the EEA Joint Committee

'APPENDIX 4

EEA FINANCIAL INSTRUMENT

Modalities of implementation

1. Definitions

In what follows:

1. "The Beneficiary State" is a State that receives funding from the EEA EFTA States according to Decision No 47/2000 of the EEA Joint Committee of 22 May 2000. The Beneficiary State is represented by an authority to be nominated, charged with the management of the EEA EFTA funding in the country and with entering into contracts on projects with the Committee. The financial responsibility to the EEA EFTA States rests with the Beneficiary State.
2. The "Project Promoter" is the body that sets up the project. The grants are paid to the project promoter via the beneficiary State.
3. "The Committee" is the body set up by the EEA EFTA States to carry out the functions outlined in point 7.
4. "The monitoring agent" is an independent body that, on the basis of an agreement with the beneficiary State, monitors the progress of the project and reports to the beneficiary State and the Committee. The monitoring agent is appointed by the beneficiary State on the basis of a proposal or an assessment and agreement of the European Investment Bank (EIB) and with the consent of the Committee.

2. The beneficiary States

The beneficiary States and their shares of the funds shall be as in the table below:

(in EUR)

Country	1999	2000 to 2003	Total
Spain	10 859 680	59 321 600	70 181 280
Portugal	5 023 200	16 265 600	21 288 800
Greece	5 812 560	16 265 600	22 078 160
Ireland	1 698 320	3 827 200	5 525 520
UK (Northern Ireland)	526 240	0	526 240
Total	23 920 000	95 680 000	119 600 000

3. Form of assistance

The assistance shall be entirely in the form of grants. A beneficiary State may, however, present proposals to the Committee to use parts of its share for the reduction of the interest costs of projects mainly financed by loans. Any such support will also be given in the form of grants.

The EEA EFTA contribution shall not exceed 50 % of the project cost, except in projects otherwise financed by central, regional or local government budget allocations, where the contribution may not exceed 85 % of total cost. Community ceilings for co-financing shall not be exceeded in any case.

The responsibility of the EEA EFTA States for the projects is limited to providing funds according to the agreed plan, provided that the monitoring reports confirm project implementation in accordance with the project proposal.

4. Eligible activities

Funding shall be available for projects in the areas of environment, including urban renewal, reduction of urban pollution and securing the European cultural heritage, transport, including infrastructure, and education and training, including academic research. The Contracting Parties agree to aim at allocating at least two thirds of the overall amount to projects in the area of environment, as defined above.

5. Projects

The total amount of EUR 119,6 million shall be made available for commitment at the rhythm of 20 % per year commenced cumulatively as of 1999. Different parts of large projects can be separately presented for financing and the Committee will consider each project proposal on its own merits.

6. Monitoring requirements

A monitoring plan is established for each project together with the project plan and schedule, the budget and the payment schedule. It shall identify the crucial points in the project. The monitoring agent reports at important stages of the project, in accordance with the established plan, normally at least once a year, to the beneficiary State and the Committee, giving, *inter alia*, the following information:

- fulfilment of formal requirements relating to tendering and procurement of permits and certifications,
- project progress compared with the original plan,
- deviations, if any, in relation to, *inter alia*, budgets, disbursement schedules, contracts, physical implementation, completion date. Repercussions for the project's scope, expected benefits and time of completion. Measures taken to mitigate the consequences of deviations, when appropriate,
- accounts of the project,
- whether the advancement of the project meets the requirements for the payment of the next instalment.

If the report does not correspond to the agreed plan, the Committee may ask the beneficiary State for complementary information. Questions limited to clarification and requests for information that is missing in the report may be addressed to the monitoring agent, with the beneficiary State being kept duly informed. The Committee may decide not to authorise further payments until the report corresponds to the agreement. The EEA EFTA States may audit projects as specified in point 10(13).

7. Organisational set-up

The EFTA States shall establish a Committee that shall:

- approve the projects for funding,
- approve the monitoring and payment plan for every project,
- supervise the overall functioning of the assistance, notably on the basis of the monitoring reports,
- authorise payments to the beneficiaries according to the payment plan, on the basis of the monitoring reports.

The EIB shall:

- appraise the proposed projects and report to the beneficiary State,
- propose, or assess and agree to, monitoring agents in the beneficiary States, to be approved by the Committee and the beneficiary State.

The beneficiary States shall:

- receive and endorse the projects to be financed,
- present the projects to the EIB for appraisal and, subsequently, to the Commission and to the Committee, with the appraisal of the EIB.

The Commission shall:

screen the proposed projects for their compatibility with Community objectives and, notably, rules for co-financing. In the latter scrutiny the EEA EFTA contributions shall be assimilated to Community financing.

the monitoring agents shall:

- monitor the projects according to a reporting plan annexed to the approved project plan,
- report to the beneficiary State and to the Committee.

8. Language regime

The official languages of the EEA Agreement can be used. All documents submitted to the Committee must be provided by the beneficiary State/project promoter in English translation.

9. *Financial arrangements*

The EEA EFTA States shall add a provision for appraisal and monitoring of 0,5 % to each payment to the beneficiary States, over and above the amount to be drawn on the agreed fund of EUR 119,6 million. All parties shall pay their own administrative costs.

The EIB, acting as a consultant to the project promoters/beneficiary States, shall charge a fee to its principals for its services.

The EEA EFTA States shall implement an appropriate financial management. Payments to the beneficiary States shall be made on the basis of orders of the Committee, which shall ensure timely execution. The accrued interest on the funds before the payment to beneficiaries belongs to the fund providers.

10. *Short process description*

1. The project promoter proposes a project outline to the beneficiary State.
2. The beneficiary State proposes the project outline to the Commission and the Committee in pre-consultation to validate the idea.
3. In case of a positive outcome of the pre-consultation, project promoter asks the EIB to appraise the project. The appraisal shall cover technical, economic, financial, and managerial aspects of the proposal.
4. The project promoter submits the project plan, including budget, schedule, payment plan, monitoring plan and the EIB appraisal report, to the beneficiary State.
5. The beneficiary State submits the project with the documents mentioned in point 4 to the Commission for clearance on eligibility.
6. The beneficiary State submits the project with the documents mentioned in point 4 simultaneously to the Committee for approval.
7. The Committee may ask for supplementary information or propose a revision to the project plan, notably to its monitoring/payment plan. The Committee approves the (revised) project or gives a reasoned refusal. If approved, a commitment letter specifying relevant conditions is sent to the beneficiary State.
8. A contract is signed between the monitoring agent and the beneficiary State, based on the monitoring plan.
9. A contract is signed between the project promoter and the beneficiary State, and a grant agreement is signed between the beneficiary State and Committee.
10. The first instalment of 10 % is paid to the beneficiary State on the project promoter's signature of the contract with the contractor. Later instalments will take place according to the payment plan on a pro rata basis reflecting actual project implementation subsequent to a satisfactory monitoring report and approval by the Committee.
11. The project promoter carries out the project and the monitoring agent reports to the beneficiary State and the Committee.
12. If payments cannot be executed according to the plan, consultations may take place between the beneficiary State and the Committee.
13. If the Committee or the EFTA Board of Auditors wish to obtain information beyond that provided for in the monitoring plan, they may conduct their own audit or hire at their own cost an external auditor to audit the project. The beneficiary State may accompany the auditor. The project promoter and any other entity managing the project on his behalf should grant the auditor the same access to information as they would grant to their national authorities or their own auditors, as appropriate.
14. When the monitoring plan so requires, the monitoring Agent shall produce a project completion report or an evaluation report.

11. *Concluding remarks*

Except when called for by changed circumstances, the operation of the new Financial Instrument will be conducted along the same lines as those followed in the administration of the outgoing financial mechanism. Supplementary documents may be established as appropriate.'
