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I

(Acts whose publication is obligatory)

COUNCIL REGULATION (EC) No 1543/2000
of 29 June 2000
establishing a Community framework for the collection and management of the data needed to
conduct the common fisheries policy

THE COUNCIL OF THE EUROPEAN UNION,

the fish stocks, on the fleets and their activities and on economic and social issues.

Having regard to the Treaty establishing the European Community, and in particular Article 37 thereof,

(5) The collection of this specific information should be coordinated with statistical data.

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

(6) Priorities must be established at Community level, as must the procedures for data collection and processing within the Community, in order to ensure that the entire system is consistent and to optimise its cost-effectiveness by creating a stable multiannual framework.

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

Whereas:

(7) Scientific analyses primarily require aggregated data obtained by grouping and processing the detailed data at an appropriate level, rather than basic detailed data.

(1) Council Regulation (EEC) No 3760/92 of 20 December 1992 establishing a Community system for fisheries and aquaculture ⁽³⁾ provides for regular assessments by the Scientific, Technical and Economic Committee for Fisheries (hereinafter referred to as the STECF) of the situation as regards fishery resources, and its economic implications.

(8) The existing Regulations in this area, in particular Council Regulations (EEC) No 3759/92 ⁽⁴⁾, (EEC) No 2847/93 ⁽⁵⁾, and (EC) No 685/95 ⁽⁶⁾, (EC) No 779/97 ⁽⁷⁾, (EC) No 104/2000 ⁽⁸⁾ and Commission Regulations (EC) No 2090/98 ⁽⁹⁾, (EC) No 2091/98 ⁽¹⁰⁾ and (EC) No 2092/98 ⁽¹¹⁾ include provisions on the collection and management of data relating to fishing vessels, their activities and catches and on price monitoring, all of which must be taken into account if a comprehensive system is to be established.

(2) The United Nations Food and Agriculture Organisation's Code of Conduct for Responsible Fisheries and the Agreement relating to the Conservation and Management of Straddling Fish Stocks both emphasise the need to develop research and data collection with a view to improving scientific knowledge.

(9) The existing Regulations do not cover all the activities for which data should be collected with a view to complete and reliable scientific analysis. The Regulations currently relate to data on an individual or global level but not data aggregated at the appropriate level for scientific evaluation. New provisions should therefore be introduced to produce multiannual sets of aggregated data that can be accessed by the appropriate authorised users.

(3) The Community must take part in the efforts undertaken in international waters to conserve fishery resources, notably in accordance with the provisions adopted by the regional fishery organisations.

(4) To conduct the scientific evaluations needed for the common fisheries policy (hereinafter referred to as the CFP), complete data must be collected on the biology of

⁽⁴⁾ OJ L 388, 31.12.1992, p. 1. Regulation as last amended by Regulation (EC) No 3318/94 (OJ L 350, 31.12.1994, p. 15).

⁽⁵⁾ OJ L 261, 20.10.1993, p. 1. Regulation as last amended by Regulation (EC) No 2346/98 (OJ L 358, 31.12.1998, p. 5).

⁽⁶⁾ OJ L 71, 31.3.1995, p. 5.

⁽⁷⁾ OJ L 113, 30.4.1997, p. 1.

⁽⁸⁾ OJ L 17, 21.1.2000, p. 22.

⁽⁹⁾ OJ L 266, 1.10.1998, p. 27.

⁽¹⁰⁾ OJ L 266, 1.10.1998, p. 36.

⁽¹¹⁾ OJ L 266, 1.10.1998, p. 47.

⁽¹⁾ OJ C 375E, 28.12.1999, p. 54.

⁽²⁾ Opinion delivered on 2 March 2000 (not yet published in the Official Journal).

⁽³⁾ OJ L 389, 31.12.1992, p. 1. Regulation as last amended by Regulation (EC) No 1181/98 (OJ L 164, 9.6.1998, p. 1).

(10) The evaluation of the sector's resources and economic situation requires biological data to be collected covering all catches, including discards, fish stock evaluations independent of the commercial fisheries for a set of resources, the collection of information on catch capacities and the fishing efforts used, and data explaining price formation and enabling the economic situation of fishing enterprises and the processing industry to be assessed, as well as job trends in these sectors.

(11) While priority should be given to the data strictly required for scientific evaluations, an extended programme to improve these evaluations should also be encouraged.

(12) The scientific community, those working in the fishing industry and the other groups concerned must be involved in drawing up the rules on data collection and management. The appropriate bodies in which to gather the opinions required are the STECF, set up by Article 16 of Regulation (EEC) No 3760/92 and the Advisory Committee on Fisheries (hereinafter referred to as the ACF), set up by Commission Decision (EEC) No 128/71 ⁽¹⁾.

(13) The Community programmes to collect and manage fisheries data should be implemented under the direct responsibility of the Member States. They should accordingly draw up their national programmes in line with the Community programmes.

(14) The implementation of the national programmes to collect and manage fisheries data will require significant expenditure. The benefit of these programmes is only fully realised at Community level. There should therefore be provision for a Community contribution to the Member States' costs. This contribution is governed by Decision 2000/439/EC ⁽²⁾.

(15) The aggregated data referred to in this Regulation have to be fed into computerised databases so that they are accessible to authorised users and can be exchanged. The transmission of specific scientific data is provided for by international organisations, in particular the International Council for the Exploration of the Sea and regional fisheries organisations.

(16) In order to facilitate implementation of these provisions, there should be a procedure for close cooperation between Member States and the Commission within a management committee.

(17) The measures necessary for the implementation of this Regulation should be adopted in accordance with Council Decision 1999/468/EC of 28 June 1999 laying down the procedures for the exercise of implementing powers conferred on the Commission ⁽³⁾.

(18) The conduct of the collection and management programmes should be regularly evaluated. The possibility of extending the activities covered should be examined in the medium term,

HAS ADOPTED THIS REGULATION:

Article 1

This Regulation establishes a Community framework for the collection and management of the data needed to evaluate the situation as regards fishery resources and the fishing industry.

The Member States shall be responsible for collecting the data.

Article 2

For the purposes of this Regulation:

- (a) 'multiannual datasets' shall mean data measuring the changes in a parameter over a number of years;
- (b) 'aggregated data' shall mean the output resulting from the processing of data from a group of vessels for a given period and, where appropriate, for a specific geographical sector, with a view to obtaining an estimate representative of the whole;
- (c) 'time-space grid' shall mean the combination of a geographical area cut into defined sectors and a defined time interval.

TITLE I

General principles of data collection and management

Article 3

1. Member States shall establish multiannual aggregated and science-based datasets which incorporate biological and economic information. The methods used shall be stable in time and standardised across the Community and shall comply with relevant international provisions.

2. Without prejudice to their current data collection obligations under Community law, and in particular the Regulations referred to in points 1 and 3 of Article 4, the Member States shall:

⁽¹⁾ OJ L 68, 22.3.1971, p. 18. Decision as last amended by Decision (EC) No 478/99 (OJ L 187, 20.7.1999, p. 70).

⁽²⁾ See page 42 of this Official Journal.

⁽³⁾ OJ L 184, 17.7.1999, p. 23.

- (a) establish, based on sampling where necessary, data collection programmes supplementary to these obligations, or for spheres of activity not covered by these obligations;
- (b) specify the procedures that will produce aggregated data;
- (c) ensure that the data used to produce aggregated data will remain available for any recalculations, whenever needed.

Article 4

Member States shall collect data:

1. needed to evaluate the activities of the various fishing fleets and changes in fishing power. To this end, summaries shall be prepared using the data collected under Council Regulations (EEC) No 2847/93, (EC) No 685/95 and (EC) No 779/97 and Commission Regulations (EC) No 2090/98, (EC) No 2091/98 and (EC) No 2092/98, and additional information) shall be collected by the Member States, as needed;
2. making it possible to estimate the total volume of catches per stock, including discards where appropriate and, where necessary, to classify these catches by vessel group, geographical area and time period. The catches shall be subject to biological sampling. In addition, Member States shall undertake scientific research at sea to evaluate the abundance and distribution of stocks independently of the data provided by the commercial fisheries in the case of stocks for which such evaluations are possible and useful;
3. allowing the prices associated with the various landings, and their formation, to be monitored. The data collected under Regulation (EEC) No 3759/92 shall be grouped and summarised. Additional data shall be collected to reflect all landings at ports inside and outside the Community, as well as imports;
4. needed to evaluate the economic state of the industry on the basis of studies and samples sufficiently large to safeguard the reliability of the estimate, such data being:
 - (a) as regards the fishing fleets:
 - income from sales and other revenue (for example, subsidies, interest received),
 - production costs,
 - data enabling the jobs at sea to be counted and classified;
 - (b) as regards the fish processing industry:
 - production expressed in volume and value terms for product categories to be determined,

- the number of enterprises, and the number of jobs,
- changes in production costs, and their composition.

TITLE II

Procedure for establishing the content of Community and national programmes

Article 5

1. In accordance with the procedure laid down in Article 9(2), the Commission shall define, in conformity with the framework defined in Annex I, a minimum Community programme covering the information absolutely needed for scientific evaluations, and an extended Community programme that shall include, in addition to the information contained in the minimum programme, information likely to improve substantially the scientific evaluations. The programmes shall be drawn up for six-year periods. However, the first Community programmes shall exceptionally cover the years 2002 to 2006 inclusive.

2. In order to assist the collection and management of data in 2001, the Commission shall organise calls for proposals and invitations to tender in accordance with established rules and practices.

Article 6

1. Each Member State shall draw up for six-year periods a national programme of collection and management of data. The first programming period shall cover the years 2002 to 2006 inclusive. The programme shall describe both the collection of the detailed data and the processing needed to produce aggregated data in accordance with the principles set out in Article 3. It shall specify the links between it and the Community programmes drawn up under Article 5.

2. Each Member State shall be responsible for the reliability and stability of the data-collection and processing procedures. It shall provide the Commission with the information needed to evaluate the means employed and the effectiveness of the procedures. Where they exist, appropriate international or European definitions and classification systems shall be used to collect and analyse the data.

3. Each Member State shall, as far as possible, include in its national programme the elements relating to it under the minimum Community programme as defined in Article 5.

4. Member States may apply to the Community for financial assistance for those parts of their national programmes that correspond to the components of the minimum Community programme with which they are concerned. Community financial assistance may also be sought for additional elements of the national programme corresponding to the extended Community programme, provided that the provisions concerning the minimum programme have been fully met.

However, the obligation to meet fully the provisions concerning the minimum programme shall not apply until 1 January 2004 for the annual data per fleet segment and until 1 January 2006 for the annual data by type of processing industry as specified in Annex IV.

The Community financial assistance shall be decided upon in accordance with the detailed rules laid down in Decision 2000/439/EC.

Article 7

1. Member States shall ensure that the aggregated data relating to Community programmes are fed into computerised databases.

2. The data covered by this Regulation may be sent by the Member States to the competent international organisations, in accordance with their specific rules and regulations.

The Commission shall be informed of any data transmissions and shall receive an electronic copy of the data, should it request one.

3. The Commission shall have computer access to all aggregated data relating to the Community programmes and may make the data available to the STECF.

4. Data transmitted or collected in whatever form under this Regulation shall be covered by professional secrecy and shall qualify for the same protection as that granted to similar data by the national legislation of the Member States receiving them, and by the corresponding provisions applying to the Community institutions.

5. Detailed rules for the application of this Article shall be adopted in accordance with the procedure referred to in Article 9(2), concerning in particular:

- the rules on data transmission, including the transmission of scientific data to international organisations,
- the criteria for interrogating databases and the minimum standards needed to ensure that authorised users have access to the data,
- the data that will be, where appropriate, grouped under the Commission's direct responsibility.

TITLE III

Final provisions

Article 8

1. The measures necessary for the implementation of this Regulation relating in particular to matters referred to in Articles 5 and 7 shall be adopted in accordance with the procedure laid down in Article 9(2).

2. Without prejudice to paragraph 1, the programmes referred to in Article 5 shall be adopted after the STECF and the ACF have been consulted.

Article 9

1. The Commission shall be assisted by the Committee for Fisheries and Aquaculture established by Article 17 of Regulation (EEC) No 3760/92, hereinafter called 'the Committee'.

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

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

3. The Committee shall adopt its rules of procedure.

Article 10

1. The Commission, in association with the STECF and the ACF, shall annually examine the progress of the national programmes in the Management Committee for Fisheries and Aquaculture.

2. On the basis of information supplied by the Member States, and having consulted the STECF, the Commission shall present to the European Parliament and the Council, at three-yearly intervals and for the first time by 31 December 2003, a report evaluating the measures taken by each Member State, the appropriateness of the methods used and the results achieved as regards the data collection and management referred to in this Regulation. This report shall also evaluate the utilisation by the Community of the data collected.

3. By 31 December 2003 the Commission shall review whether it is appropriate to extend the range of data collected under this Regulation. To this end, the Member States and the Commission may undertake studies and exploratory projects in areas that are significant for the CFP not yet covered by Article 4, in particular aquaculture, the relationship of fisheries and aquaculture with the environment and the capacity of fishing and aquaculture industries to create jobs. These studies and projects may receive Community financial assistance in accordance with the detailed rules laid down in Decision 2000/439/EC.

4. On the basis of the report and analyses provided for in paragraphs 2 and 3, and taking account of the changing needs of the CFP, the Commission shall examine, by 31 December 2003, whether an amendment to this Regulation is required and present, as appropriate, a proposal to the Council.

Article 11

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

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

Done at Luxembourg, 29 June 2000.

For the Council

The President

M. ARCANJO

ANNEX I

Minimum and extended programmes

Definition of the minimum programme

(a) The minimum programme shall include:

- the monitoring of fishing effort through the collection of data on the following parameters:
 - number of vessels
 - gross tonnage (GT)
 - engine power (kW)
 - age of vessel
 - gear used
 - time spent at sea during the year,
- the monitoring of commercial fisheries through the collection of data of landings and discards, biological sampling and surveys, as follows:
 - the landings and discards for stocks listed in Annex II
 - biological sampling in order to estimate catch composition and biological parameters such as growth, sex, maturity and fecundity for the stocks listed in Annex II
 - surveys in the geographical areas listed in Annex III and the objectives of which will be defined in accordance with the procedure laid down in Article 9(2),
- the monitoring of the prices at first sale for species listed in Annex II for the geographical areas referred to in Annex III,
- the economic monitoring of fishing enterprises and the processing industry in accordance with the relevant accounting headings or groups of headings listed in Annex IV;

(b) the level of aggregation of the information collected within the minimum programme shall be defined in accordance with the procedure laid down in Article 9(2).

The level of aggregation shall be defined on the basis of

- time-space grids, defining the size of the reference sectors and the time intervals to be used, which, regarding the fishing effort, shall be consistent with the existing Regulations,
- identification of relevant groups of vessels and/or ports, as well as relevant sectors of the fish processing industry; as regards effort and economic data, the vessel groups shall correspond to the segments or, where appropriate, subsegments of the fourth multiannual guidance programmes (MAGPs) (1997 to 2001) and be consistent across the headings;

(c) where appropriate, the objectives quantified in terms of the precision of the evaluation or the intensity of the sampling programmes shall be adopted in accordance with the procedure laid down in Article 9(2).

Definition of the extended programme

(d) The extended programme shall include (in addition to the minimum programme):

- the monitoring of fishing effort through the collection of data on the same parameters as defined for the minimum programme, but to be adjusted to specific fisheries taking into account the target species, the gear used and other equipment. The additional parameters shall be defined in accordance with the procedure laid down in Article 9(2),
- the monitoring of commercial fisheries through the collection of data of landings and discards, biological sampling and surveys, as follows:
 - the landings and discards for stocks listed in Annex II, with a lower level of aggregation and with a higher sampling density to be defined in accordance with the procedure laid down in Article 9(2)
 - biological sampling for the stocks listed in Annex II, but less aggregated and with a higher sampling density to be defined in accordance with the procedure laid down in Article 9(2)
 - surveys in the areas listed in Annex III, but with an extended list of surveys and/or increased sampling density and whose objectives will be defined in accordance with the procedure laid down in Article 9(2);

- the monitoring of the prices at first sale for species, by commercial categories corresponding to existing regulations, listed in Annex II for the geographical areas referred to in Annex III,
 - the economical monitoring of fishing enterprises and the processing industry in accordance with the relevant accounting headings or groups of headings listed in Annex IV, containing more detailed information on the different cost categories, type of investment, elements defining the financial position and employment. The details of the additional information shall be defined in accordance with the procedure laid down in Article 9(2);
- (e) the levels of aggregation shall be lower than that of the minimum programme. The aggregates of the extended programme shall be compatible with those used in the minimum programme;
- (f) where appropriate, the objectives quantified in terms of the increased precision of the evaluation or the increased intensity of the sampling programmes shall be adopted in accordance with the procedure laid down in Article 9(2).
-

ANNEX II

Reference species and fishing areas to be covered in the minimum and extended programmes

It may be decided, in accordance with the procedure laid down in Article 9(2):

- that stocks for which the catches by vessels from a Member State fall below a threshold level to be defined in the implementing regulation do not have to be included in the minimum programme,
- to modify the list of species and the areas referred to in this Annex,
- that within the minimum programme, data concerning areas separated by commas may be aggregated, while data concerning areas separated by slashes must not be aggregated.

Species	Scientific name	Area
Baltic Sea (ICES Area III (excluding Skagerrak and Kattegat))		
Cod	<i>Gadus morhua</i>	III b-d
Dab	<i>Limanda limanda</i>	III b-d
Flounder	<i>Platichthys flesus</i>	III b-d
Herring	<i>Clupea harengus</i>	III b-c/III d
Plaice	<i>Pleuronectes platessa</i>	III b-d
Salmon	<i>Salmo salar</i>	III b-d
Sea trout	<i>Salmo trutta</i>	III b-d
Sprat	<i>Sprattus sprattus</i>	III b-d
Turbot	<i>Psetta maxima</i>	III b-d
Eel	<i>Anguilla anguilla</i>	III b-d
Perch	<i>Perca fluviatilis</i>	III d
Pike	<i>Esox lucius</i>	III d
Pike-perch	<i>Stizostedion lucioperca</i>	III d
Whitefish	<i>Coregonus spp.</i>	III d
Skagerrak and Kattegat (ICES Area III a)		
Blue whiting	<i>Micromesistius potassou</i>	III a N
Cod	<i>Gadus morhua</i>	III a N/III a S
Haddock	<i>Melanogrammus aeglefinus</i>	III a N/III a S
Hake	<i>Merluccius merluccius</i>	III a N/III a S
Herring	<i>Clupea harengus</i>	III a N/III a S
Mackerel	<i>Scomber scombrus</i>	III a N
Norway lobster	<i>Nephrops norvegicus</i>	III a N/III a S
Norway pout	<i>Trisopterus esmarki</i>	III a N
Pandalus	<i>Pandalus borealis</i>	III a N
Plaice	<i>Pleuronectes platessa</i>	III a N/III a S
Saithe	<i>Pollachius virens</i>	III a N/III a S

Species	Scientific name	Area
Sandeel	<i>Ammodytidae</i>	III a N/III a S
Sole	<i>Solea solea</i>	III a N/III a S
Sprat	<i>Sprattus sprattus</i>	III a N/III a S
Dab	<i>Limanda limanda</i>	III a N
Whiting	<i>Merlangius merlangus</i>	III a N/III a S
ICES Area II		
Atlanto-Scandian herring	<i>Clupea harengus</i>	II a, V
Cod	<i>Gadus morhua</i>	Subareas I, II
Saithe	<i>Pollachius virens</i>	Subareas I, II
Shrimp	<i>Pandalus borealis</i>	Subareas I, II
Greenland halibut	<i>Reinhardtius hippoglossoides</i>	Subareas I, II
Haddock	<i>Melanogrammus aeglefinus</i>	Subareas I, II
Redfish spp.	<i>Sebastes</i> spp.	Subareas I, II
North Sea and Eastern Channel (ICES Areas IV, VII d)		
Blue whiting	<i>Micromesistius potassou</i>	IV, VII d
Brill	<i>Scophthalmus rhombus</i>	IV, VII d
Cod	<i>Gadus morhua</i>	IV, VII d
Haddock	<i>Melanogrammus aeglefinus</i>	IV, VII d
Herring	<i>Clupea harengus</i>	IV, VII d
Mackerel	<i>Scomber scombrus</i>	IV, VII d
Norway lobster	<i>Nephrops norvegicus</i>	IV
Norway pout	<i>Trisopterus esmarki</i>	IV
Northern prawn	<i>Pandalus borealis</i>	IV
Plaice	<i>Pleuronectes platessa</i>	IV, VII d
Saithe	<i>Pollachius virens</i>	IV, VII d
Sandeel	<i>Ammodytae</i>	IV
Sole	<i>Solea solea</i>	IV, VII d
Sprat	<i>Sprattus sprattus</i>	IV, VII d
Turbot	<i>Psetta maxima</i>	IV, VII d
Whiting	<i>Merlangius merlangus</i>	IV, VII d
Anglerfish	<i>Lophiidae</i>	IV, VII d
Argentines	<i>Argentinidae</i>	IV
Blue ling	<i>Molva dypterygia</i>	IV
Blue mouth	<i>Helicolenus dactylopterus</i>	IV
Catfish	<i>Anarhichas lupus</i>	IV

Species	Scientific name	Area
Dab	<i>Limanda limanda</i>	IV, VII d
Deep water shark		IV
Forkbeard	<i>Phycis spp.</i>	IV
Greenland halibut	<i>Reinhardtius hippoglossoides</i>	IV
Hake	<i>Merluccius merluccius</i>	IV, VII d
Horse mackerel	<i>Trachurus spp.</i>	IV, VII d
Lemon sole	<i>Microstomus kitt</i>	IV, VII d
Ling	<i>Molva macrophthalma</i>	IV
Megrim	<i>Lepidorhombus spp.</i>	IV, VII d
Skate and ray	<i>Rajidae</i>	IV, VII d
Roughead grenadier	<i>Macrourus berglax</i>	IV
Salmon	<i>Salmo salar</i>	IV
Seabass	<i>Dicentrarchus spp.</i>	IV, VII d
Sebasties	<i>Sebastes spp.</i>	IV
Small shark		IV, VII d
Spurdog	<i>Squalus acanthias</i>	IV, VII d
Tusk	<i>Brosmius brosme</i>	IV
Witch	<i>Glyptocephalus cynoglossus</i>	IV

North-east Atlantic and the Western Channel (ICES Areas II, V, VI, VII (except d), VIII, IX, X, XII, XIV)

Anchovy	<i>Engraulis encrasicolus</i>	VIII/IX a
Anglerfish	<i>Lophidae.</i>	V b, VI, XII, XIV/VII, VIII abde/VIII c, IX, X
Blue whiting	<i>Micromesistius potassou</i>	I-IX, XII, XIV
Cod	<i>Gadus morhua</i>	VI a, VI b, VII a, VII bc, VII efg, VII hjk, VIII, IX, X, XII, XIV
Haddock	<i>Melanogrammus aeglefinus</i>	V b, VI, XII, XIV/VI a, VI b, VII a, VII, VIII, IX, X
Hake	<i>Merluccius merluccius</i>	III a, IV, VI, VII, VIII ab/VIII c, IX a
Herring	<i>Clupea harengus</i>	VI a, VII abcj
Horse mackerel	<i>Trachurus spp.</i>	II a, IV a, V, VI, VII, VIII, IX

Species	Scientific name	Area
Mackerel	<i>Scomber scombrus</i>	II, III a, IV, V, VI, VII, VIII, IX
Megrim	<i>Lepidorhombus spp.</i>	V b, VI, XII, XIV, VII, VIII abcde, IX, X
Norway lobster	<i>Nephrops norvegicus</i>	V b, VI, VII a (pas 33E2-E5), VII bcdejk, VIII abde/VIII c, IX, X
Plaice	<i>Pleuronectes platessa</i>	VII a/VII e/VII fg/VII bc, VII hjk, VIII, IX, X
Pollack	<i>Pollachius pollachius</i>	all areas
Skate and ray	<i>Rajidae</i>	all areas
Redfish	<i>Sebastes spp.</i>	V a, XII, XIV
Saithe	<i>Pollachius virens</i>	V b, VI, XII, XIV/VII, VIII, IX, X
Sardine	<i>Sardina pilchardus</i>	VIII, IX
Sole	<i>Solea solea</i>	VII a/VII e/VII fg/ VIII ab/VII bc, VII hjk, IX a
Whiting	<i>Merlangius merlangus</i>	V b, VI, XII, XIV, VII a, VII b-k, VIII/IX
Witch	<i>Gyptocephalus cynoglossus</i>	VI, VII
Alfonsino	<i>Beryx spp.</i>	all areas
Argentine	<i>Argentina sphyraena</i>	all areas
Blue ling	<i>Molva dypterigia</i>	all areas
Bluemouth rockfish	<i>Helicolenus dactylopterus</i>	all areas
Capelin	<i>Mallotus villotus</i>	XIV
Conger	<i>Conger conger</i>	all areas
Crab	<i>Cancer pagurus</i>	all areas
Cukoo ray	<i>Leucoraja naevus</i>	all areas
Cuttlefish	<i>Sepia officinalis</i>	all areas
Forkbeard	<i>Physis spp.</i>	all areas
Greenland halibut	<i>Reinhardtius hippoglossoides</i>	V a, XII, XIV
Horse mackerel (spp)	<i>Trachurus spp.</i>	VIII, IX
Lemon sole	<i>Microstomus kitt</i>	all areas
Ling	<i>Molva dypterigia</i>	all areas

Species	Scientific name	Area
Lobster	<i>Homarus gammarus</i>	all areas
Meagre	<i>Argyrosoma regium</i>	all areas
Mediterranean horse mackerel	<i>Trachurus mediterraneus</i>	VIII, IX
Octopus	<i>Octopus vulgaris</i>	all areas
Orange roughy	<i>Hoplostethus atlanticus</i>	all areas
Other deepwater species		all areas
Pouting	<i>Trisopterus esmarkii</i>	all areas
Razor	<i>Solen spp.</i>	all areas
Red mullet	<i>Mullus barbatus</i>	all areas
Roundnose grenadier	<i>Coryphaenoides rupestris</i>	all areas
Salmon	<i>Salmo salar</i>	all areas
Scabbard	<i>Lepidopus caudatus</i>	all areas
Scallop	<i>Pecten spp.</i>	all areas
Seabass	<i>Dicentrarchus labrax</i>	all areas
Seabream	<i>Sparidae</i>	all areas
Shrimp	<i>Pandalus borealis</i> , <i>Penaeus spp.</i>	all areas
Spanish mackerel	<i>Scomber japonicus</i>	VIII, IX
Spurdog	<i>Squalus spp.</i>	all areas
Squid	<i>Loligo vulgaris</i>	all areas
Wedge sole	<i>Microchirus variegatus</i>	all areas
Whelk	<i>Busycon spp.</i>	all areas
Wreckfish	<i>Polyprion americanus</i>	X
Mediterranean		
Anchovy	<i>Engraulis encrasicolus</i>	1.1, 1.2, 1.3, 2.1, 2.2, 3.1
Anglerfish (two sp.)	<i>Lophius piscatorius</i> , <i>L. budegasa</i>	1.1, 1.3, 2.2, 3.1
Hake	<i>Merluccius merluccius</i>	1.1, 1.2, 1.3, 2.1, 2.2, 3.1
Norway lobster	<i>Nephrops norvegicus</i>	1.3, 2.1, 2.2, 3.1
Red mullet (two sp.)	<i>Mullus surmuletus</i> , <i>M. barbatus</i>	1.1, 1.2, 1.3, 2.1, 2.2, 3.1
Red shrimp (two sp.)	<i>Aristeus antennatus</i> , <i>Aristeomorpha foliacea</i>	1.1, 1.3, 2.2, 3.1
Sardine	<i>Sardina pilchardus</i>	1.1, 1.2, 1.3, 2.1, 2.2, 3.1
White shrimp	<i>Penaeus spp.</i>	1.1, 1.3, 2.2, 3.1
Bogue	<i>Boops boops</i>	3, 1

Species	Scientific name	Area
Clam	<i>Veneridae</i> (<i>Callista</i> spp., <i>Ruditapes</i> spp.)	2.1, 2.2
Cuttlefish	<i>Sepia officinalis</i>	1.3, 2.1, 3.1
Horse mackerel	<i>Trachurus trachurus</i>	1.1, 1.3, 3.1
Mackerel	<i>Scomber scombrus</i>	1.3, 2.2, 3.1
Eledone sp	<i>E. cirrhosa</i> , <i>E. moschata</i>	1.3, 2.1, 2.2, 3.1
Octopus	<i>Octopus vulgaris</i>	1.1, 1.3, 2.2, 3.1
Pagellus sp	<i>Pagellus</i> sp.	1.1, 1.2, 2.1, 2.2, 3.1
Skates and ray	<i>Rajidae</i>	1.3, 2.1, 2.2, 3.1
Squid	<i>Loligo vulgaris</i>	1.3, 2.2, 3.1
Blue whiting	<i>Micromesistius potassou</i>	1.1, 3.1
Gilt head bream	<i>Sparus aurata</i>	1.2, 3.1
Solea	<i>Solea solea</i>	1.2, 2.1, 3.1
Seabass	<i>Dicentrarchus labrax</i>	1, 2
Mugilidae	<i>Mugilidae</i>	1.3, 2, 3.1
Picarel	<i>Spicara</i> spp.	1.3, 2.2, 3.1
Sparidae	<i>Diplodus</i> spp.	1.3, 2.2, 3.1
Caramote prawn	<i>Penaeus kerathurus</i>	1.3, 2, 3.1
Triglidae	<i>Trigla</i> spp.	1.3, 2.2, 3.1

NAFO areas

Cod	<i>Gadus morhua</i>	2J2KL/3M/3NO/3Ps/
Greenland halibut	<i>Reinhardtius hippoglossus</i>	3KLMNO/ID
Redfish	<i>Sebastes</i> spp.	3M/3LNO/Sa 1
Shrimp	<i>Pandalus</i> spp.	3M/3LN
American plaice	<i>Hippoglossoides platessoides</i>	3LNO/3M
Grenadier	<i>Macrouridae</i>	SA 2 + 3
Skate	<i>Raja</i> spp.	SA 3
Witch flounder	<i>Glyptocephalus cynoglossus</i>	3NO
Yellowtail flounder	<i>Limanda ferruginea</i>	3LNO

Highly migratory species

Swordfish	<i>Xiphias gladius</i>	Atlantic/Indian Ocean Pacific/ Mediterranean
Tuna (yellowfin, skipjack, big-eye, albacore, blue-fin)	<i>Thunnus albacares</i> ; <i>Katsuwonus pelamis</i> : <i>T. obesus</i> ; <i>T. alalunga</i> ; <i>T. thynnus</i>	Atlantic/Indian Ocean Pacific/ Mediterranean

Species	Scientific name	Area
Billfish		Atlantic/Indian Ocean Pacific/ Mediterranean
Eurhynchus, sarda, auxis	<i>Eurhynchus</i> , <i>Sarda</i> , <i>Auxis</i>	Atlantic/Indian Ocean Pacific/ Mediterranean
Shark		Atlantic/Indian Ocean Pacific/ Mediterranean

CECAF FAO 34

Hakes	<i>Merluccius</i> spp.	ATL.EC
Octopus	<i>Octopus vulgaris</i>	Morocco-Senegal
Deep water shrimp	<i>Parapenaeus longirostris</i>	Morocco-Guinea B.
Penaeus shrimp	<i>Penaeus notialis</i>	Mauritania
Sardine	<i>Sardina pilchardus</i>	Mauritania, Atl EC
Black scabbardfish	<i>Aphanopus carbo</i>	Madeira
Anchovy	<i>Engraulis encrasicolus</i>	Morocco
Silver Scabbardfish	<i>Lepidopus caudatus</i>	Mauritania
Squid	<i>Loligo vulgaris</i>	ATL.EC
Bonito	<i>Sarda sarda</i>	Mauritania
Round sardinella	<i>Sardinella aurita</i>	Mauritania, Atl EC
Short-body sardinella	<i>Sardinella maderensis</i>	Mauritania, Atl EC
Mackerel	<i>Scomber japonicus</i>	Madeira, Morocco, Mauritania
Cuttlefish	<i>Sepia hierredda</i>	ATL. EC
Finfish	<i>Sparidae</i> , <i>Serranidae</i> , <i>Haemulidae</i>	ATL. EC
Horse mackerel	<i>Trachurus picturatus</i>	Madeira
	<i>Trachurus trachurus</i>	Mauritania, Morocco
	<i>Trachurus trecae</i>	Mauritania, Morocco
Scabbardfish	<i>Trichiuridae</i>	Morocco

WECAF

Red snapper	<i>Lutianus purpureus</i>	French Department of Guyana EEZ
Shrimp	<i>Penaeus subtilis</i>	French Department of Guyana EEZ

Species	Scientific name	Area
CCAMLR FAO 58		
Antartic icefish	<i>Champsoccephalus gunnari</i>	FAO 58.5.2 Antarctic
Antartic toothfish	<i>Dissostichus eleginoides</i>	FAO 58.5.2 Antarctic
Grenadiers	<i>Macrouridae</i>	FAO 58.5.2 Antarctic
Grey rockcod	<i>Notothenia squamifrons</i>	FAO 58.5.2 Antarctic
Skates	<i>Raja spp.</i>	FAO 58.5.2 Antarctic
South-west Atlantic		
Antartic toothfish	<i>Dissostichus e.</i>	Argentina, Falklands FAO 41
Cusk-eel	<i>Genypterus blacodes</i>	Argentina, Falklands FAO 41
Short finned squid	<i>Illex argentinus</i>	Argentina, Falklands FAO 41
Patagonian squid	<i>Loligo gahi</i>	Argentina, Falklands FAO 41
Grenadier	<i>Macrourus sp.</i>	Argentina, Falklands FAO 41
Patagonian grenadier	<i>Macruronus m.</i>	Argentina, Falklands FAO 41
southern hake	<i>Merluccius australis</i>	Argentina, Falklands FAO 41
Argentine hake	<i>Merluccius hubbsi</i>	Argentina, Falklands FAO 41
Southern blue-whiting	<i>Micromesistius a.</i>	Argentina, Falklands FAO 41
Rock cod	<i>Notothenia</i>	Argentina, Falklands FAO 41
Patagonian rock cod	<i>Salilota a.</i>	Argentina, Falklands FAO 41
Angola		
Shrimp	<i>Aristeus varidens</i>	Angola FAO 47
	<i>Parapenaeus l.</i>	Angola FAO 47
	<i>Penaeus spp.</i>	Angola FAO 47

ANNEX III

The geographical areas referred to in Annex I

- Baltic Sea, excluding the Kattegat
- Kattegat and Skagerrak
- North Sea, including the Eastern Channel and Area II, excluding the Skagerrak
- North-east Atlantic area and Western Channel
- NAFO regulatory area
- Other areas of the Atlantic Ocean
- Mediterranean Sea
- Indian Ocean
- Pacific Ocean
- Antarctic Ocean

ANNEX IV

Data for economic monitoring of fishing enterprises and the processing industry (minimum programme)*Annual data per fleet segment*

Accounting heading (type of data)	Specifications
Income (turn-over)	Total and per species
Production costs: — crew — fuel — repair and maintenance — other operational costs	Total and per category cost
Fixed costs	Average cost, calculated from investment
Financial position	Share of own, borrowed capital
Investment	— historical — replacement — insurance
Prices, species (*)	Value, tonne
Employment	Full time, part time (full-time equivalents)

(*) Collected on a quarterly basis everywhere. Aggregated on a regional level in the Mediterranean.

Annual data by type of processing industry

Accounting heading (type of data)	Specifications
Raw material	Total and per species (in tonnes)
Income (turn-over)	Total and per product
Production costs: — labour — energy — raw material (value) — packaging — other running costs	Total and per category cost
Fixed costs	Average costs, calculated from investment
Financial position	Share of own, borrowed capital
Investment	— historical — replacement — insurance
Prices, product	Value, tonne
Employment	Numbers (full-time equivalents)
Capacity utilisation	Annual average

COMMISSION REGULATION (EC) No 1544/2000
of 14 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 15 July 2000.

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

Done at Brussels, 14 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 14 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
0709 90 70	052	63,8
	999	63,8
0805 30 10	388	73,3
	508	29,9
	524	45,8
	528	60,1
	999	52,3
0808 10 20, 0808 10 50, 0808 10 90	388	89,6
	400	93,1
	508	80,9
	512	86,4
	528	88,0
	720	79,3
	804	93,8
	999	87,3
	388	94,4
	512	77,6
	528	79,3
0808 20 50	720	134,3
	800	70,7
	804	99,1
	999	92,6
	052	194,1
0809 10 00	064	114,7
	999	154,4
0809 20 95	052	271,5
	061	285,0
	400	253,6
	616	230,1
0809 40 05	999	260,1
	064	70,3
	624	175,2
	999	122,8

⁽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 1545/2000**of 14 July 2000****fixing the maximum purchasing price for butter for the 13th invitation to tender carried out under the standing invitation to tender governed by Regulation (EC) No 2771/1999**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EEC) No 1255/1999 of 17 May 1999 on the common organisation of the market in milk and milk products ⁽¹⁾, as amended by Regulation (EC) No 1040/2000 ⁽²⁾, and in particular Article 10 thereof,

Whereas:

- (1) Article 13 of Commission Regulation (EEC) No 2771/1999 of 16 December 1999 laying down detailed rules for the application of Council Regulation (EC) No 1255/1999 as regards intervention on the market in butter and cream ⁽³⁾, provides that, in the light of the tenders received for each invitation to tender, a maximum buying-in price is to be fixed in relation to the intervention price applicable and that it may also be decided not to proceed with the invitation to tender.

- (2) As a result of the tenders received, the maximum buying-in price should be fixed as set out below.

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

HAS ADOPTED THIS REGULATION:

Article 1

For the 13th invitation to tender issued under Regulation (EC) No 2771/1999, for which tenders had to be submitted not later than 11 July 2000, the maximum buying-in price is fixed at 295,38 EUR/100 kg.

Article 2

This Regulation shall enter into force on 15 July 2000.

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

Done at Brussels, 14 July 2000.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ L 160, 26.6.1999, p. 48.

⁽²⁾ OJ L 118, 19.5.2000, p. 1.

⁽³⁾ OJ L 333, 24.12.1999, p. 11.

COMMISSION REGULATION (EC) No 1546/2000**of 14 July 2000****fixing the minimum selling prices for butter and the maximum aid for cream, butter and concentrated butter for the 57th individual invitation to tender under the standing invitation to tender provided for in Regulation (EC) No 2571/97**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EC) No 1255/1999 of 17 May 1999 on the common organisation of the market in milk and milk products ⁽¹⁾, as amended by Regulation (EC) No 1040/2000 ⁽²⁾, and in particular Article 10 thereof,

Whereas:

- (1) The intervention agencies are, pursuant to Commission Regulation (EC) No 2571/97 of 15 December 1997 on the sale of butter at reduced prices and the granting of aid for cream, butter and concentrated butter for use in the manufacture of pastry products, ice-cream and other foodstuffs ⁽³⁾, as last amended by Regulation (EC) No 635/2000 ⁽⁴⁾, to sell by invitation to tender certain quantities of butter that they hold and to grant aid for cream, butter and concentrated butter. Article 18 of that Regulation stipulates that in the light of the tenders received in response to each individual invitation to tender a minimum selling price shall be fixed for butter and maximum aid shall be fixed for cream, butter and concentrated butter. It is further stipulated that the price or aid may vary according to the intended use of the butter, its fat content and the incorporation procedure,

and that a decision may also be taken to make no award in response to the tenders submitted. The amount(s) of the processing securities must be fixed accordingly.

- (2) No bids will be accepted, taking into account the level of the bids, following the tender for the sale of untraced intervention butter.
- (3) The measures provided for in this Regulation are in accordance with the opinion of the Management Committee for Milk and Milk Products,

HAS ADOPTED THIS REGULATION:

Article 1

The minimum selling prices and the maximum aid and processing securities applying for the 57th individual invitation to tender, under the standing invitation to tender provided for in Regulation (EC) No 2571/97, shall be fixed as indicated in the Annex hereto.

Article 2

This Regulation shall enter into force on 15 July 2000.

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

Done at Brussels, 14 July 2000.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ L 160, 26.6.1999, p. 48.

⁽²⁾ OJ L 118, 19.5.2000, p. 1.

⁽³⁾ OJ L 350, 20.12.1997, p. 3.

⁽⁴⁾ OJ L 76, 25.3.2000, p. 9.

ANNEX

to the Commission Regulation of 14 July 2000 fixing the minimum selling prices for butter and the maximum aid for cream, butter and concentrated butter for the 57th individual invitation to tender under the standing invitation to tender provided for in Regulation (EC) No 2571/97

(EUR/100 kg)

Formula			A		B	
Incorporation procedure			With tracers	Without tracers	With tracers	Without tracers
Minimum selling price	Butter ≥ 82 %	Unaltered	205	206	—	—
		Concentrated	205	—	—	—
Processing security		Unaltered	138	138	—	—
		Concentrated	138	—	—	—
Maximum aid	Butter ≥ 82 %		95	91	95	91
	Butter < 82 %		92	88	—	88
	Concentrated butter		117	113	117	113
	Cream		—	—	40	38
Processing security	Butter		105	—	105	—
	Concentrated butter		129	—	129	—
	Cream		—	—	44	—

COMMISSION REGULATION (EC) No 1547/2000**of 14 July 2000****fixing the maximum aid for concentrated butter for the 229th special invitation to tender opened under the standing invitation to tender provided for in Regulation (EEC) No 429/90**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EC) No 1255/1999 of 17 May 1999 on the common organisation of the market in milk and milk products ⁽¹⁾, as amended by Regulation (CE) No 1040/2000 ⁽²⁾, and in particular Article 10 thereof,

Whereas:

- (1) In accordance with Commission Regulation (EEC) No 429/90 of 20 February 1990 on the granting by invitation to tender of an aid for concentrated butter intended for direct consumption in the Community ⁽³⁾, as last amended by Regulation (EC) No 124/1999 ⁽⁴⁾, the intervention agencies are opening a standing invitation to tender for the granting of aid for concentrated butter; Article 6 of that Regulation provides that in the light of the tenders received in response to each special invitation to tender, a maximum amount of aid is to be fixed for concentrated butter with a minimum fat content of 96 % or a decision is to be taken to make no award; whereas the end-use security must be fixed accordingly.

- (2) In the light of the tenders received, the maximum aid should be fixed at the level specified below and the end-use security determined accordingly.
- (3) The measures provided for in this Regulation are in accordance with the opinion of the Management Committee for Milk and Milk Products,

HAS ADOPTED THIS REGULATION:

Article 1

For the 229th special invitation to tender under the standing invitation to tender opened by Regulation (EEC) No 429/90, the maximum aid and the amount of the end-use security shall be as follows:

- | | |
|---------------------|-----------------|
| — maximum aid: | EUR 117/100 kg |
| — end-use security: | EUR 129/100 kg. |

Article 2

This Regulation shall enter into force on 15 July 2000.

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

Done at Brussels, 14 July 2000.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ L 160, 26.6.1999, p. 48.

⁽²⁾ OJ L 118, 19.5.2000, p. 1.

⁽³⁾ OJ L 45, 21.2.1990, p. 8.

⁽⁴⁾ OJ L 16, 21.1.1999, p. 19.

COMMISSION REGULATION (EC) No 1548/2000
of 14 July 2000
suspending the buying-in of butter in certain Member States

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EC) No 1255/1999 of 17 May 1999 on the common organisation of the market in milk and milk products ⁽¹⁾, as amended by Regulation (EC) No 1040/2000 ⁽²⁾, and in particular Article 10 thereof,

Whereas:

- (1) Article 2 of Commission Regulation (EC) No 2771/1999 of 16 December 1999 laying down detailed rules for the application of Council Regulation (EC) No 1255/1999 as regards intervention on the market in butter and cream ⁽³⁾ lays down the criteria for opening or suspending the buying-in of butter by invitation to tender in the Member States.
- (2) Commission Regulation (EC) No 1425/2000 ⁽⁴⁾ suspending the buying-in of butter in certain Member States establishes the list of Member States in which intervention is suspended. As a result of the market prices communicated by Finland intervention must be suspended in this country and the list of Member States

established by Regulation (EC) No 1425/2000 adjusted accordingly.

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

HAS ADOPTED THIS REGULATION:

Article 1

Buying-in of butter by invitation to tender as provided for in Article 6(1) of Regulation (EC) No 1425/1999 is hereby suspended in Belgium, Denmark, Germany, France, Greece, Luxembourg, the Netherlands, Austria, Finland and Sweden.

Article 2

Regulation (EC) No 1425/2000 is hereby repealed.

Article 3

This Regulation shall enter into force on 15 July 2000.

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

Done at Brussels, 14 July 2000.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ L 160, 26.6.1999, p. 48.

⁽²⁾ OJ L 118, 19.5.2000, p. 1.

⁽³⁾ OJ L 333, 24.12.1999, p. 11.

⁽⁴⁾ OJ L 161, 1.7.2000, p. 41.

COMMISSION REGULATION (EC) No 1549/2000**of 14 July 2000****fixing the minimum selling price for skimmed-milk powder for the 13th individual invitation to tender issued under the standing invitation to tender referred to in Regulation (EC) No 2799/1999**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EC) No 1255/1999 of 17 May 1999 on the common organisation of the market in milk and milk products ⁽¹⁾, as amended by Regulation (EC) 1040/2000 ⁽²⁾, and in particular Article 10 thereof,

Whereas:

- (1) Pursuant to Article 26 of Commission Regulation (EC) No 2799/1999 of 17 December 1999 laying down detailed rules for applying Council Regulation (EC) No 1255/1999 as regards the grant of aid for skimmed milk and skimmed-milk powder intended for animal feed and the sale of such skimmed-milk powder ⁽³⁾, as last amended by Regulation (EC) No 1550/2000 ⁽⁴⁾, intervention agencies have put up for sale by standing invitation to tender certain quantities of skimmed-milk powder held by them.
- (2) According to Article 30 of the said Regulation, in the light of the tenders received in response to each individual invitation to tender a minimum selling price shall be fixed or a decision shall be taken to make no award. The amount of the processing security shall also be fixed taking account of the difference between the market

price of skimmed-milk powder and the minimum selling price.

- (3) In the light of the tenders received, the minimum selling price should be fixed at the level specified below and the processing security determined accordingly.
- (4) The measures provided for in this Regulation are in accordance with the opinion of the Management Committee for Milk and Milk Products,

HAS ADOPTED THIS REGULATION:

Article 1

For the 13th individual invitation to tender pursuant to Regulation (EC) No 2799/1999, in respect of which the time limit for the submission of tenders expired on 11 July 2000, the minimum selling price and the processing security are fixed as follows:

- | | |
|--------------------------|--------------------|
| — minimum selling price: | EUR 241,52/100 kg, |
| — processing security: | EUR 70,00/100 kg. |

Article 2

This Regulation shall enter into force on 15 July 2000.

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

Done at Brussels, 14 July 2000.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ L 160, 26.6.1999, p. 48.

⁽²⁾ OJ L 118, 19.5.2000, p. 1.

⁽³⁾ OJ L 340, 31.12.1999, p. 3.

⁽⁴⁾ See page 25 of this Official Journal.

COMMISSION REGULATION (EC) No 1550/2000**of 14 July 2000****amending Regulation (EC) No 2799/1999 laying down detailed rules for applying Regulation (EC) No 1255/1999 as regards the grant of aid for skimmed milk and skimmed-milk powder intended for animal feed and the sale of such skimmed-milk powder**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EC) No 1255/1999 of 17 May 1999 on the common organisation of the market in milk and milk products ⁽¹⁾, as amended by Regulation (EC) No 1040/2000 ⁽²⁾, and in particular Article 10 thereof,

Whereas:

- (1) In accordance with Article 26 of Commission Regulation (EC) No 2799/1999 ⁽³⁾, as last amended by Regulation (EC) No 1421/2000 ⁽⁴⁾, intervention agencies have organised a standing invitation to tender for skimmed milk powder taken into storage before 1 August 1999.

- (2) In view of the quantity still available and the market situation, that date should be amended to 1 October 1999.

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

HAS ADOPTED THIS REGULATION:

Article 1

In Article 26(2) of Regulation (EC) No 2799/1999, '1 August 1999' is hereby replaced by '1 October 1999'.

Article 2

This Regulation shall enter into force on 15 July 2000.

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

Done at Brussels, 14 July 2000.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ L 160, 26.6.1999, p. 48.

⁽²⁾ OJ L 118, 19.5.2000, p. 1.

⁽³⁾ OJ L 340, 31.12.1999, p. 3.

⁽⁴⁾ OJ L 161, 1.7.2000, p. 36.

**COMMISSION REGULATION (EC) No 1551/2000
of 14 July 2000**

**amending Regulation (EEC) No 1609/88 as regards the latest date by which butter must have been
taken into storage in order to be sold pursuant to Regulations (EEC) No 3143/85 and (EC) No
2571/97**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EC) No 1255/1999 of 17 May 1999 on the common organization of the market in milk and milk products ⁽¹⁾, as last amended by Regulation (EC) No 1040/2000 ⁽²⁾, and in particular Article 10,

Whereas:

- (1) Pursuant to Article 1 of Commission Regulation (EC) No 2571/97 of 15 December 1997 on the sale of butter at reduced prices and the grant of aid for cream, butter and concentrated butter for use in the manufacture of pastry products, ice-cream and other foodstuffs ⁽³⁾, as last amended by Regulation (EC) No 635/2000 ⁽⁴⁾, the butter put up for sale must have been taken into storage before a date to be determined.
- (2) In view of the trends on the butter market and the quantities of stocks available, the date in Article 1 of Commission Regulation (EEC) No 1609/88 ⁽⁵⁾, as last amended by Regulation (EC) No 2093/98 ⁽⁶⁾, relating to

the butter referred to in Regulation (EC) No 2571/97, should be amended.

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

HAS ADOPTED THIS REGULATION:

Article 1

In Article 1 of Regulation (EEC) No 1609/88, the second subparagraph is hereby replaced by the following:

‘The butter referred to in Article 1(1)(a) of Regulation (EC) No 2571/97 must have been taken into storage before 1 June 1999.’

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, 14 July 2000.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ L 160, 26.6.1999, p. 48.

⁽²⁾ OJ L 118, 19.5.2000, p. 1.

⁽³⁾ OJ L 350, 20.12.1997, p. 3.

⁽⁴⁾ OJ L 76, 25.3.2000, p. 9.

⁽⁵⁾ OJ L 143, 10.6.1988, p. 23.

⁽⁶⁾ OJ L 266, 1.10.1998, p. 59.

COMMISSION REGULATION (EC) No 1552/2000**of 14 July 2000****amending Regulation (EC) No 1547/1999 concerning the control procedures to apply to shipments of certain types of waste to: Estonia, Hong Kong, Hungary, Indonesia, Lithuania, San Marino and Thailand****(Text with EEA relevance)**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EEC) No 259/93 of 1 February 1993 on the supervision and control of shipments of waste within, into and out of the European Community ⁽¹⁾, as last amended by Commission Decision 1999/816/EC ⁽²⁾, and in particular Article 17(3) thereof,

Whereas:

- (1) In January, the European Commission sent a 'note verbale' to all non-OECD countries (plus Hungary and Poland which do not yet apply OECD Decision C(92)39 final). The purpose of this 'note verbale' was threefold: (i) to inform these countries of the Community's new regulations; (ii) to ask for confirmation of the respective positions as outlined in the annexes of both regulations; and (iii) to have an answer from those countries which did not reply in 1994.
- (2) Among the countries that replied, the following notified the Commission that the import of certain wastes listed in Annex II to Regulation (EEC) No 259/93 is accepted either without any control procedure or is subject to control pursuant to the control procedure which applies to Annexes III or IV to the said Regulation:
 1. Estonia (reply of 10 February 2000),
 2. Hong Kong (reply of 25 February 2000),
 3. Hungary (reply of 9 February 2000),
 4. Indonesia (reply of 15 February 2000 and further details given on 14 April 2000),
 5. Lithuania (reply of 15 February 2000),
 6. San Marino (reply of 14 February 2000),
 7. Thailand (reply of 17 February 2000).
- (3) In accordance with Article 17(3) of Regulation (EEC) No 259/93, the committee instituted by Article 18 of Council Directive 75/442/EEC of 15 July 1975 on waste ⁽³⁾, as last amended by Commission Decision 96/350/EC ⁽⁴⁾, was notified of the official request of these countries on 26 April 2000.
- (4) In order to take into account the new situation of these countries, it is necessary to amend Commission Regulation (EC) No 1547/1999 of 12 July 1999 determining the control procedures under Council Regulation (EEC) No 259/93 to apply to shipments of certain types of waste to certain countries to which OECD Decision C(92)39 final does not apply ⁽⁵⁾, as last amended by Commission Regulation (EC) No 1208/2000 ⁽⁶⁾,

⁽¹⁾ OJ L 30, 6.2.1993, p. 1.

⁽²⁾ OJ L 316, 10.12.1999, p. 45.

⁽³⁾ OJ L 194, 25.7.1975, p. 39.

⁽⁴⁾ OJ L 135, 6.6.1996, p. 32.

⁽⁵⁾ OJ L 185, 17.7.1999, p. 1.

⁽⁶⁾ OJ L 138, 9.6.2000, p. 7.

HAS ADOPTED THIS REGULATION:

Article 1

Annex A to Regulation (EC) No 1547/1999 is amended as follows:

- (1) In the text related to HUNGARY the words 'except those listed in Annex B' are deleted.
- (2) All the text related to INDONESIA is deleted.
- (3) Between the texts related to JAMAICA and MACAU, the following text is inserted:

LITHUANIA

1. All types in section GB ("Metal bearing wastes arising from melting, smelting and refining of metals").
2. All types in section GC ("Other wastes containing metals").
3. All types in section GD ("Wastes from mining operations: these wastes to be in non-dispersible form").
4. All types in section GF ("Ceramic wastes in non-dispersible form").
5. All types in section GG ("Other wastes containing principally inorganic constituents, which may contain metals and organic material").
6. In section GH ("Solid plastic wastes")

Waste, parings and scrap of plastics of:

GH 012	ex 3915 20	— Polymers of styrene
GH 013	ex 3915 30	— Polymers of vinyl chloride
GH 014	ex 3915 90	— Acrylonitrile copolymer
		— Butadiene copolymer
		— Styrene copolymer
		— Polyamides
		— Polybutylene terephthalates
		— Polycarbonates
		— Polyphenylene sulphides
		— Acrylic polymers
		— Paraffins (C10-C13) (*)
		— Polyurethane (not containing chlorofluorocarbons)
		— Polysiloxanes (silicones)
		— Polymethyl methacrylate
		— Polyvinyl alcohol
		— Polyvinyl butyral
		— Polyvinyl acetate
		— Polymers of fluorinated ethylene (Teflon, PTFE)
GH 015	ex 3915 90	— Resins or condensation products, for example:
		— urea formaldehyde resins
		— phenol formaldehyde resins
		— melamine formaldehyde resins
		— epoxy resins
		— alkyd resins
		— polyamides.

(*) These cannot be polymerised and are used as plasticisers.

7. In section GI ("Paper, paperboard and paper product wastes").

GI 014	4707 90	Other, including but not limited to:
		1. Laminated paperboard
		2. Unsorted waste and scrap.

8. All types in section GJ ("Textile wastes").
9. All types in section GK ("Rubber wastes").
10. All types in section GM ("Wastes arising from agro-food industries").
11. All types in section GN ("Wastes arising from tanning and fellmongery operations and leather use").
12. All types in section GO ("Other wastes containing principally organic constituents, which may contain metals and inorganic materials").

(4) Between the texts related to POLAND and SINGAPORE, the following text is inserted:

'SAN MARINO

1. In section GC ("Other wastes containing metals")

GC 030	ex 8908 00	Vessels and other floating structures for breaking up, properly emptied of any cargo and other materials arising from the operation of the vessel which may have been classified as a dangerous substance or waste
GC 040		Motor vehicle wrecks, drained of liquids.

2. In section GG ("Other wastes containing principally inorganic constituents, which may contain metals and organic material")

GG 030	ex 2621	Bottom ash and slag tap from coal-fired power plants
GG 040	ex 2621	Coal-fired power plants fly ash.

3. In section GK ("Rubber wastes")

GK 020	4012 20	Used pneumatic tyres.
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4. In section GO ("Other wastes containing principally organic constituents, which may contain metals and inorganic materials")

GO 030		Deactivated fungus mycelium from penicillin production to be used as animal feed.'
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(5) The text related to THAILAND is modified as follows:

1. In section GA the following type of waste are deleted:

GA 150	7802 00	Lead waste and scrap
GA 240	ex 8107 10	Cadmium waste and scrap
GA 300	ex 8112 20	Chromium waste and scrap.

2. In section GG the following type of waste are deleted:

GG 040	ex 2621	Coal-fired power plants fly ash.
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3. Section GH ('Solid plastic wastes') is deleted.

Article 2

Annex B to Regulation (EC) No 1547/1999 is amended as follows:

- (1) All the text related to ESTONIA is deleted.
- (2) All the text related to HUNGARY is deleted.
- (3) Between the text related to GUINEA-BISSAU and INDIA, the following text is inserted:

‘HONG KONG

1. In section GA (“Metal and metal-alloy wastes in metallic, non-dispersible (¹) form”)

GA 200 ex 8103 10 Tantalum waste and scrap.

2. In section GC (“Other wastes containing metals”)

GC 060 Spent metal-bearing catalysts containing any of:

- platinum-group metals: ruthenium, rhodium, palladium, osmium, iridium, platinum
- lanthanides (rare earth metals): lanthanum, praseodymium, samarium, gadolinium, dysprosium, erbium, ytterbium, cerium, neodymium, europium, terbium, holmium, thulium, lutetium.

The following metal and metal alloy wastes in metallic dispersible form:

GC 090	Molybdenum
GC 100	Tungsten
GC 110	Tantalum
GC 120	Titanium
GC 130	Niobium
GC 140	Rhenium
GC 150	Gold
GC 160	Platinum (the expression “platinum” includes platinum, iridium, osmium, palladium, rhodium and ruthenium)
GC 170	Other precious metals, e.g. silver

NB: mercury is specifically excluded as a contaminant of these metals and their alloys or amalgams.

3. In section GG (“Other wastes containing principally inorganic constituents, which may contain metals and organic material”)

GG 160 Bituminous materials (asphalt waste) from road construction and maintenance, not containing tar.

4. In section GJ (“Textile wastes”)

GJ 140 ex 6310 Waste textile floor coverings, carpets.

5. In section GM (“Wastes arising from agro-food industries”)

GM 140 ex 1500 Waste edible fats and oils of animal or vegetable origin (e.g. frying oils).’

- (4) In the text related to INDONESIA the words ‘except those listed in Annex A or Annex D’ are replaced by the words ‘except those listed in Annex D’.

(5) The text related to LITHUANIA is modified as follows:

1. The following sections are deleted:

GC ('Other wastes containing metals')

GD ('Wastes from mining operations: these wastes to be in non-dispersible form')

GG ('Other wastes containing principally inorganic constituents, which may contain metals and organic material')

GK ('Rubber wastes')

GO ('Other wastes containing principally organic constituents, which may contain metals and inorganic materials').

2. The section GH ('Solid plastic wastes') is replaced by the following text:

'2. All types in section GH ("Solid plastic wastes") except all solid plastic waste listed in Annex A and:

GH 011 ex 3915 10 Polymers of ethylene.'

(6) Between the text related to SLOVAKIA and TOGO, the following text is inserted:

'THAILAND

1. In section GA ("Metal and metal-alloy wastes in metallic, non-dispersible (¹) form")

The following waste and scrap of non-ferrous metals and their alloys:

GA 150 7802 00 Lead waste and scrap

GA 240 ex 8107 10 Cadmium waste and scrap

GA 300 ex 8112 20 Chromium waste and scrap.

2. In section GG ("Other wastes containing principally inorganic constituents, which may contain metals and organic material")

GK 040 ex 2621 Coal-fired power plants fly ash.

3. All types in section GH ("Solid plastic wastes")

4. In section GN ("Wastes arising from tanning and fellmongery operations and leather use")

GK 040 ex 4110 00 Parings and other waste of leather or of composition leather, not suitable for the manufacture of leather articles, excluding leather sludges.'

Article 3

Annex D to Regulation (EC) No 1547/1999 is amended as follows:

(1) In the text related to ESTONIA the words 'except those listed in Annex B' are deleted.

(2) In the text related to HONG KONG the words 'All types in Annex II' are replaced by the words 'All types in Annex II except those listed in Annex B'.

(3) The text related to INDONESIA is replaced by the following text:

'1. In section GA ("Metal and metal-alloy wastes in metallic, non-dispersible (¹) form")

(a) The following waste and scrap of precious metals and their alloys:

GG 010 ex 7112 10 — Of gold

GG 020 ex 7112 20 — Of platinum (the expression "platinum" includes platinum, iridium, osmium, palladium, rhodium and ruthenium).

(b) The following waste and scrap of non-ferrous metals and their alloys:

GA 120	7404 00	Copper waste and scrap
GA 130	7503 00	Nickel waste and scrap
GA 140	7602 00	Aluminium waste and scrap
GA 160	7902 00	Zinc waste and scrap
GA 170	8002 10	Tin waste and scrap
GA 180	ex 8101 91	Tungsten waste and scrap
GA 190	ex 8102 91	Molybdenum waste and scrap
GA 200	ex 8103 10	Tantalum waste and scrap
GA 210	8104 20	Magnesium waste and scrap (excluding those listed in AA 190)
GA 220	ex 8105 10	Cobalt waste and scrap
GA 230	ex 8106 00	Bismuth waste and scrap
GA 240	ex 8107 10	Cadmium waste and scrap
GA 250	ex 8108 10	Titanium waste and scrap
GA 260	ex 8109 10	Zirconium waste and scrap
GA 270	ex 8110 00	Antimony waste and scrap
GA 280	ex 8111 00	Manganese waste and scrap
GA 290	ex 8112 11	Beryllium waste and scrap
GA 300	ex 8112 20	Chromium waste and scrap
GA 310	ex 8112 30	Germanium waste and scrap
GA 320	ex 8112 40	Vanadium waste and scrap
GA 430	7204	Iron or steel scrap.

2. In section GC ("Other wastes containing metals")

GC 030	ex 8908 00	Vessels and other floating structures for breaking up, properly emptied of any cargo and other materials arising from the operation of the vessel which may have been classified as a dangerous substance or waste.
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3. In section GE ("Glass waste in non-dispersible form").

GE 010	ex 7001 00	Cullet or other waste and scrap of glass except for glass from cathode-ray tubes and other activated (with coatings) glasses.
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4. In section GF ("Ceramic wastes in non-dispersible form")

GF 020	ex 8113 00	Cermet waste and scrap (metal ceramic composites).
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5. All types in section GI ("Paper, paperboard and paper product wastes").

6. In section GJ ("Textile wastes")

GJ 010	5003	Silk waste (including cocoons unsuitable for reeling, yarn waste and garnetted stock)
GJ 011	5003 10	— Not carded or combed
GJ 012	5003 90	— Other

GJ 020	5103	Waste of wool or of fine or coarse animal hair, including yarn waste but excluding garnetted stock
GJ 021	5103 10	— Noils of wool or of fine animal hair
GJ 022	5103 20	— Other waste of wool or of fine animal hair
GJ 023	5103 30	— Waste of coarse animal hair
GJ 030	5202	Cotton waste (including yarn waste and garnetted stock)
GJ 031	5202 10	— Yarn waste (including thread waste)
GJ 032	5202 91	— Garnetted stock
GJ 033	5202 99	— Other
GJ 040	5301 30	Flax tow and waste
GJ 050	ex 5302 90	Tow and waste (including yarn waste and garnetted stock) of true hemp (<i>Cannabis sativa</i> L.)
GJ 060	ex 5303 90	Tow and waste (including yarn waste and garnetted stock) of jute and other textile bast fibres (excluding flax, true hemp and ramie)
GJ 070	ex 5304 90	Tow and waste (including yarn waste and garnetted stock) of sisal and other textile fibres of the genus <i>Agave</i>
GJ 080	ex 5305 19	Tow, oils and waste (including yarn waste and garnetted stock) of coconut
GJ 090	ex 5305 29	Tow, oils and waste (including yarn waste and garnetted stock) of abaca (Manila hemp or <i>Musa textilis</i> Nee)
GJ 100	ex 5305 99	Tow, oils and waste (including yarn waste and garnetted stock) of ramie and other vegetable textile fibres, not elsewhere specified or included
GJ 132	ex 6310 90	— Other.

7. In section GK ("Rubber wastes")

GK 020 4012 20 Used pneumatic tyres.'

- (4) In the text related to LITHUANIA the words 'All types in Annex II except those listed in Annex B' are replaced by the words 'All types in Annex II except those listed in Annex A or B'.
- (5) In the text related to SAN MARINO the words 'All types in Annex II' are replaced by the words 'All types in Annex II except those listed in Annex A'.
- (6) In the text related to THAILAND the words 'All types in Annex II except those listed in Annex A' are replaced by the words 'All types in Annex II except those listed in Annex A or B'.

Article 4

This Regulation shall enter into force on the 21st day following that of its publication in the *Official Journal of the European Communities*.

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

Done at Brussels, 14 July 2000.

For the Commission
Pascal LAMY
Member of the Commission

COMMISSION REGULATION (EC) No 1553/2000**of 14 July 2000****opening the procedure for the allocation of export licences for cheeses to be exported in 2001 to the United States of America under certain quotas resulting from the GATT Agreements**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

HAS ADOPTED THIS REGULATION:

Having regard to the Treaty establishing the European Community,

Article 1

Having regard to Council Regulation (EC) No 1255/1999 of 17 May 1999 on the common organisation of the market in milk and milk products ⁽¹⁾, as amended by Regulation (EC) No 1040/2000 ⁽²⁾, and in particular Article 30 thereof,

Export licences for products falling within CN code 0406 to be exported in 2001 to the United States of America under the additional quota resulting from the Agreements concluded during the Uruguay Round (hereinafter known as 'the UR quota') and the tariff quotas originally resulting from the Tokyo Round and granted to Austria, Finland and Sweden by the United States of America in Uruguay Round list XX (hereinafter known as 'the TR quota') as referred to in Annex I shall be issued in accordance with the provisions of Article 20 of Regulation (EC) No 174/1999.

Whereas:

Article 2

- (1) Article 20 of Commission Regulation (EC) No 174/1999 of 26 January 1999 laying down special detailed rules of application for export refunds on milk and milk products ⁽³⁾, as amended by Regulation (EC) No 1596/1999 ⁽⁴⁾, provides that export licences for cheese exported to the United States of America as part of the additional quota under the Agreements concluded during the Uruguay Round of multilateral trade negotiations (hereinafter known as 'the Agreements') may be allocated according to a special procedure by which preferred importers in the United States may be designated.
- (2) That procedure should be opened for exports during 2001 and the additional rules relating to it should be determined.
- (3) For the administration of imports the competent authorities in the USA make a distinction between the additional quota granted to the European Community under the Uruguay Round and the quotas resulting from the Tokyo Round. Export licences should be allocated bearing in mind, where necessary, the distribution of certain groups of products according to the nature of the quota.
- (4) In order to provide stability and security for operators lodging demands under this special regime, it is appropriate to fix the day on which applications are deemed to have been lodged for the purposes of Article 1(1) of Regulation (EC) No 174/1999.
- (5) The measures provided for in this Regulation are in accordance with the opinion of the Management Committee for Milk and Milk Products,

1. Applications for provisional licences shall be lodged with the competent authorities from 1 to 11 September 2000 at the latest. They shall not be admissible unless they contain all the details referred to in Article 20(2) of Regulation (EC) No 174/1999 and the documents mentioned therein.

2. Where, for the same group of products referred to in Annex I, column 2, the available quantity is divided between the UR quota and the TR quota, licence applications may cover only one of those quotas and must indicate the quota concerned, specifying the identification of the group and of the quota indicated in Annex I, column 3.

3. Licence applications must cover no more than 40 % of the quantity available for the group of products indicated in Annex I, column 4, and for the quota concerned.

4. Applications shall not be admissible unless applicants declare in writing that they have not lodged other applications for the same group of products and the same quota and undertake not to do so. If an applicant lodges different applications for the same group of products and the same quota in one or more Member States, his applications shall be deemed inadmissible.

5. The details referred to in paragraphs 1 and 2 shall be presented in accordance with the model shown in Annex II.

6. For the purposes of Article 1(1) of Regulation (EC) No 174/1999, all applications lodged within the time limit shall be deemed to have been lodged on 1 September 2000. Article 10(4) of Regulation (EC) No 174/1999 shall not apply to applications for provisional licences lodged pursuant to this paragraph.

⁽¹⁾ OJ L 160, 26.6.1999, p. 48.

⁽²⁾ OJ L 118, 19.5.2000, p. 1.

⁽³⁾ OJ L 20, 27.1.1999, p. 8.

⁽⁴⁾ OJ L 188, 21.7.1999, p. 39.

Article 3

Member States shall notify the Commission within five working days of the end of the period for lodging applications of the applications lodged for each of the groups of products and, where applicable, the quotas indicated in Annex I. All notifications, including 'nil' notifications, shall be made by telex or fax, on the model form shown in Annex III. Notification shall comprise for each group and, where applicable, for each quota:

- a list of applicants,
- the quantities applied for by each applicant broken down by code of the export refund nomenclature for milk products and by their description in accordance with the Harmonised Tariff Schedule of the United States of America (2000),
- the quantities of those products exported by the applicant during the previous three years,
- the name and address of the importer designated by the applicant and whether the importer is a branch of the applicant.

Article 4

The Commission shall, pursuant to Article 20(3) to (5) of Regulation (EC) No 174/1999, determine the allocation of licences without delay and shall notify the Member States thereof by 25 October 2000 at the latest.

Article 5

The information referred to in Article 5 hereto and in Article 20(2) of Regulation (EC) No 174/1999 shall be verified before the full licences are issued and by 31 December 2000 at the latest.

Where it is found that incorrect information has been supplied by an operator to whom a provisional licence has been issued, the licence shall be cancelled and the security forfeited.

Article 6

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

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

Done at Brussels, 14 July 2000.

For the Commission

Franz FISCHLER

Member of the Commission

ANNEX I

Cheese to be exported to the United States of America in 2001 under certain quotas resulting from the GATT Agreements

Article 20 of Regulation (EC) No 174/1999 and Regulation (EC) No 1553/2000

Identification of group in accordance with Additional Notes in Chapter 4 of the Harmonised Tariff Schedule of the United States of America			Quantity available for 2001	Maximum quantity per application
Note No	Group	Identification of group and quota	Tonnes	Tonnes
(1)	(2)	(3)	(4)	(5)
16	Not specifically provided for (NSPF)	16 — Tokyo	908,877	363,550
		16 — Uruguay	2 346,000	938,400
17	Blue Mould	17	300,000	120,000
18	Cheddar	18	1 000,000	400,000
19	American type	19	100,000	40,000
20	Edam/Gouda	20	1 000,000	400,000
21	Italian type	21	700,000	280,000
22	Swiss or Emmenthaler cheese other than with eye formation	22 — Tokyo	393,006	157,202
		22 — Uruguay	380,000	152,000
25	Swiss or Emmenthaler cheese with eye formation	25 — Tokyo	4 003,172	1 601,268
		25 — Uruguay	1 220,000	488,000

ANNEX II

Presentation of details required pursuant to Article 20(2) of Regulation (EC) No 174/1999

Identification of the United States of America quota group applied for

Identification of group and quota referred to in column 3 of Annex I to Regulation (EC) No 1553/2000

Name of group indicated in column 2 of Annex I to Regulation (EC) No 1553/2000:

Origin of quota: Uruguay Round/Tokyo Round ⁽¹⁾

Name/address of applicant	Refund Nomenclature product code	Quantity applied for	Export to the United States of America				Harmonised Tariff Schedule of the USA code	Name/address of designated importer	Importer is branch of applicant	
			1997	1998	1999	Average 1997 to 1999				
									Yes ☐	No ☐
Total										

⁽¹⁾ Delete where applicable.

ANNEX III

Notification by Member State in accordance with Article 3 of Regulation (EC) No 1553/2000

Identification of the United States of America quota group applied for

Identification of group and quota referred to in column 3 of Annex I to Regulation (EC) No 1553/2000

Name of group indicated in column 2 of Annex I to Regulation (EC) No 1553/2000:

Origin of quota: Uruguay Round/Tokyo Round (1)

No	Name/address of applicant	Refund Nomenclature product code	Quantity applied for	Export to the United States of America				Harmonised Tariff Schedule of the USA code	Name/address of designated importer	Importer is subsidiary of applicant	
				1997	1998	1999	Average 1997 to 1999			Yes	No
1										☐	☐
										☐	☐
										☐	☐
	Total						0				
2										☐	☐
										☐	☐
										☐	☐
	Total						0				
3										☐	☐
										☐	☐
										☐	☐
	Total						0				
4										☐	☐
										☐	☐
										☐	☐
	Total						0				
(1) Delete where applicable.											

COMMISSION REGULATION (EC) No 1554/2000
of 14 July 2000
fixing the import duties in the cereals sector

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EEC) No 1766/92 of 30 June 1992 on the common organisation of the market in cereals ⁽¹⁾, as last amended by Commission Regulation (EC) No 1510/2000 ⁽²⁾,

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

Whereas:

- (1) Article 10 of Regulation (EEC) No 1766/92 provides that the rates of duty in the Common Customs Tariff are to be charged on import of the products referred to in Article 1 of that Regulation. However, in the case of the products referred to in paragraph 2 of that Article, the import duty is to be equal to the intervention price valid for such products on importation and increased by 55 %, minus the cif import price applicable to the consignment in question. However, that duty may not exceed the rate of duty in the Common Customs Tariff.
- (2) Pursuant to Article 10 (3) of Regulation (EEC) No 1766/92, the cif import prices are calculated on the basis of the representative prices for the product in question on the world market.

- (3) Regulation (EC) No 1249/96 lays down detailed rules for the application of Council Regulation (EEC) No 1766/92 as regards import duties in the cereals sector.
- (4) The import duties are applicable until new duties are fixed and enter into force. They also remain in force in cases where no quotation is available for the reference exchange referred to in Annex II to Regulation (EC) No 1249/96 during the two weeks preceding the next periodical fixing.
- (5) In order to allow the import duty system to function normally, the representative market rates recorded during a reference period should be used for calculating the duties.
- (6) Application of Regulation (EC) No 1249/96 results in import duties being fixed as set out in the Annex to this Regulation,

HAS ADOPTED THIS REGULATION:

Article 1

The import duties in the cereals sector referred to in Article 10 (2) of Regulation (EEC) No 1766/92 shall be those fixed in Annex I to this Regulation on the basis of the information given in Annex II.

Article 2

This Regulation shall enter into force on 16 July 2000.

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

Done at Brussels, 14 July 2000.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ L 181, 1.7.1992, p. 21.

⁽²⁾ OJ L 174, 13.7.2000, p. 11.

⁽³⁾ OJ L 161, 29.6.1996, p. 125.

⁽⁴⁾ OJ L 315, 25.11.1998, p. 7.

ANNEX I

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

CN code	Description	Import duty by land inland waterway or sea from Mediterranean, the Black Sea or Baltic Sea ports (EUR/tonne)	Import duty by air or by sea from other ports ⁽²⁾ (EUR/tonne)
1001 10 00	Durum wheat high quality	0,00	0,00
	medium quality ⁽¹⁾	0,00	0,00
1001 90 91	Common wheat seed	10,24	0,24
1001 90 99	Common high quality wheat other than for sowing ⁽³⁾	10,24	0,24
	medium quality	40,23	30,23
	low quality	62,94	52,94
1002 00 00	Rye	48,87	38,87
1003 00 10	Barley, seed	48,87	38,87
1003 00 90	Barley, other ⁽³⁾	48,87	38,87
1005 10 90	Maize seed other than hybrid	94,00	94,00
1005 90 00	Maize other than seed ⁽³⁾	94,00	94,00
1007 00 90	Grain sorghum other than hybrids for sowing	73,57	63,57

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

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

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

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

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

ANNEX II

Factors for calculating duties

(period from 30 June 2000 to 13 July 2000)

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

Exchange quotations	Minneapolis	Kansas-City	Chicago	Chicago	Minneapolis	Minneapolis	Minneapolis
Product (% proteins at 12 % humidity)	HRS2. 14 %	HRW2. 11,5 %	SRW2	YC3	HAD2	Medium quality (*)	US barley 2
Quotation (EUR/t)	122,07	113,90	98,12	77,36	168,80 (**)	158,80 (**)	104,92 (**)
Gulf premium (EUR/t)	—	9,13	2,20	4,17	—	—	—
Great Lakes premium (EUR/t)	21,47	—	—	—	—	—	—

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

(**) Fob Great Lakes.

2. Freight/cost: Gulf of Mexico — Rotterdam: 17,63 EUR/t; Great Lakes — Rotterdam: 27,11 EUR/t.

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

II

(Acts whose publication is not obligatory)

COUNCIL

COUNCIL DECISION

of 29 June 2000

on a financial contribution from the Community towards the expenditure incurred by Member States in collecting data, and for financing studies and pilot projects for carrying out the common fisheries policy

(2000/439/EC)

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty establishing the European Community, and in particular Article 37 thereof,

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

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

Whereas:

- (1) Article 16 of Council Regulation (EEC) No 3760/92 of 20 December 1992 establishing a Community system for fisheries and aquaculture ⁽³⁾, provides that the situation as regards fishery resources, and its economic implications, needs to be assessed regularly.
- (2) Regulation (EC) No 1543/2000 ⁽⁴⁾ establishes a Community framework for the collection and management of the fisheries data needed to conduct the common fisheries policy (CFP).
- (3) By collecting these data, Member States are carrying out a task which is beneficial to the Community in that it contributes to the more efficient management of the common resources. While implementation of the programmes is the responsibility of the Member States, they should therefore qualify for a contribution from the Community towards certain costs incurred in collecting and managing the said data.

- (4) The action taken by the Commission to assist the collection of these data through annual calls for proposals financed as FIFG innovative measures has reached a level of stability. This action should be consolidated, therefore, on a multiannual basis.

- (5) A financial reference, within the meaning of point 34 of the Interinstitutional Agreement between the European Parliament, the Council and the Commission of 6 May 1999, is included in this Decision for the entire duration of the period for which financial assistance is to be provided, without thereby affecting the powers of the budgetary authority as defined by the Treaty.

- (6) In order to guarantee the necessary financial resources, the preparation of the national programmes and the corresponding Commission decision to co-finance them should take place the year before their execution.

- (7) Provision should be made to ensure, in 2001, the collection of basic data needed to conduct the CFP.

- (8) The methods used to collect and process the basic data on fisheries should be compared, and ways should be sought of improving them. The quality of the results obtained should be examined and assessed regularly.

- (9) Financial assistance should therefore be granted to explore the possibilities and usefulness of extending the scope of the Community framework for the collection and management of basic data.

⁽¹⁾ OJ C 56 E, 29.2.2000, p. 29.

⁽²⁾ Opinion delivered on 2 March 2000 (not yet published in the Official Journal).

⁽³⁾ OJ L 389, 31.12.1992, p. 1. Regulation as last amended by Regulation (EC) No 1181/98 (OJ L 164, 9.6.1998, p. 1).

⁽⁴⁾ See page 1 of this Official Journal.

- (10) The pilot projects and studies needed to carry out the CFP should be eligible for support, in particular for economic and bio-economic analyses, work on eliminating and preventing overcapacity, and the relations between fisheries, aquaculture and the development of aquatic ecosystems.
- (11) Steps should be taken to ensure the satisfactory outcome of the measures financed under this Decision.
- (12) In order to facilitate implementation of these provisions, there should be a procedure for close cooperation between Member States and the Commission within a management committee.
- (13) The measures necessary for the implementation of this Decision should be adopted in accordance with Council Decision 1999/468/EC of 28 June 1999 laying down the procedures for the exercise of implementing powers conferred on the Commission⁽¹⁾.
- (14) Rules should be laid down governing the eligibility of the expenditure, the level of the Community contribution and the terms on which it will be made available,

HAS ADOPTED THIS DECISION:

Article 1

1. The Community may provide financial assistance for the measures referred to in this Decision under the terms and conditions laid down herein.
2. The financial reference for the implementation of the measures for which financial assistance is provided for the period 2000 to 2005 shall be EUR 132 million. The annual appropriations shall be authorised by the budgetary authority within the limits of the financial perspective.

TITLE I

Expenditure incurred under the Community framework for the collection and management of data

Article 2

Community assistance shall cover eligible public expenditure incurred by the Member States as provided for in Regulation (EC) No 1543/2000. Only the expenditure referred to in the Annex to this Decision shall be regarded as eligible.

Article 3

The contribution from the Community shall not exceed:

- 50 % cost of the eligible public expenditure incurred in carrying out a minimum programme as provided for in Article 5 of Regulation (EC) No 1543/2000;

⁽¹⁾ OJ L 184, 17.7.1999, p. 23.

- 35 % of the additional eligible public expenditure incurred in carrying out an extended programme as provided for in Article 5 of Regulation (EC) No 1543/2000. A financial contribution may be granted for measures connected with extended Community programmes only on condition that the Member State concerned fully meets the requirements for the minimum Community programme and that the annual Community appropriations available under this Decision have not been exhausted by the financial contribution for the minimum programme.

Article 4

1. Member States wishing to receive a financial contribution shall present to the Commission, not later than 31 May 2001,
 - a national programme as defined in Article 6 of Regulation (EC) No 1543/2000,
 - their annual expenditure forecasts for the period from 1 January 2002 to 31 December 2006, for which they wish to receive a financial contribution from the Community.
2. Each Member State shall forward to the Commission, before 31 May each year,
 - starting in 2003, a financial report containing a comparison of the expenditure forecast with that incurred for the previous calendar year,
 - starting in 2002, where necessary, an update of its national programme and/or the annual expenditure forecast, as defined in Article 6(1) and (2) of Regulation (EC) No 1543/2000, for the current and subsequent years.
3. The Commission shall decide each year, in accordance with the procedure laid down in Article 12(2), on the basis of the information provided by the Member States, on:
 - (a) the eligibility of the forecast expenditure;
 - (b) the amount of the financial assistance from the Community for the following year.
4. Decisions by the Commission to grant financial assistance shall be treated as equivalent to the commitment of expenditure authorised by the budget.

Article 5

In order to assist the collection and management of data in 2001, the Commission shall organise, as appropriate, calls for proposals and invitations to tender in accordance with established rules and practices.

Article 6

1. The assistance granted to a Member State in respect of each year of application of the programme shall be paid in two instalments as follows:

- (a) 50 % when the application has been approved;
- (b) the balance following the transmission to the Commission of the annual applications for the reimbursement of expenditure incurred by the Member State and following acceptance by the Commission of the financial report referred to in Article 4(2) and the technical report referred to in paragraph 2.

2. Member States shall submit, from 2003 onwards, no later than 31 May following each year of application of the programme,

- a technical report containing details of the attainment of the objectives set when the minimum and the extended programmes were drawn up,
- their applications for the reimbursement of expenditure incurred during the previous calendar year, with supporting documents.

3. When submitting applications for the reimbursement of expenditure, Member States shall take all appropriate steps to verify and certify:

- that the measures implemented and the expenditure incurred under the Commission decision taken pursuant to Article 4(3) correspond to the programme accepted by the Commission,
- that the said expenditure complies with the conditions set out in this Decision, in particular in the Annex,
- that contracts are awarded in accordance with the legislation on public procurement.

Article 7

1. The Commission representatives may carry out on-the-spot checks, *inter alia*, by random sampling, on the measures financed under this Decision, and study the control arrangements and measures put in place by the national authorities to prevent and penalise irregularities and, where necessary, recover funds lost as a result of an irregularity.

2. The Commission may carry out all the checks it considers necessary to ensure compliance with the conditions and the performance of the tasks imposed by this Decision on the Member States, which shall assist the representatives appointed for this purpose by the Commission.

Article 8

1. The report to be drafted by the Commission by 31 December 2003 pursuant to Article 10(2) of Regulation (EC) No 1543/2000 shall also analyse the cost/benefit ratio of the work carried out.

2. On the basis of the report referred to in paragraph 1, the Commission shall examine whether there is any need to amend

this Decision or improve its application and present, as appropriate, a proposal to the Council.

TITLE II

Studies and pilot projects

Article 9

1. The Commission may carry out studies and pilot projects.

2. The spheres of activity which may be covered shall include:

- (a) methodological studies and projects aimed at optimising and standardising methods of collecting the data defined in Article 1 of Regulation (EC) No 1543/2000;
- (b) exploratory data collection projects in the areas defined in Article 10(3) of Regulation (EC) No 1543/2000;
- (c) economic and bio-economic analyses and simulations connected with decisions planned under the CFP and the evaluation of the impact of the CFP;
- (d) selectivity of fishing techniques and examination of the links between catch capacity, fishing effort and mortality in each fishery;
- (e) improving the enforcement of the CFP, particularly in terms of cost-effectiveness,
- (f) evaluating and controlling the links between fishing activities and aquaculture and aquatic ecosystems.

3. Pilot projects and studies may not cover measures which are:

- (a) eligible under the European Framework Programme on Research;
- (b) covered by Title I of this Decision;
- (c) covered by Articles 21 and 22 of Council Regulation (EC) No 1260/1999 of 21 June 1999 laying down general provisions on the Structural Funds ⁽¹⁾.

4. The Commission shall publish each year a list of the priority topics for studies and pilot projects.

5. The financial contribution from the Community for studies and pilot projects shall not exceed:

- (a) in the case of measures carried out following a call for proposals, 50 % of the total eligible costs. Universities and public research bodies which, under the law of the country to which they are subject, are required to defray marginal costs, may submit proposals in respect of up to 100 % of the marginal costs incurred in carrying out a project;
- (b) 100 % of eligible expenditure incurred in carrying out studies and pilot projects at the Commission's initiative as a result of a procedure other than a call for proposals.

⁽¹⁾ OJ L 161, 26.6.1999, p. 1.

6. The financing of all studies and pilot projects carried out pursuant to paragraph 2(c) to (f) may not exceed 15 % of the annual appropriations authorised for the measures financed under this Decision.

TITLE III

General provisions

Article 10

Financing may also be provided, at the Commission's initiative, for the period referred to in Article 1(2), to cover:

1. expenditure on technical and administrative assistance for the mutual benefit of the Commission and the beneficiaries of the measure, and falling outside the realm of ongoing public service tasks, connected with identifying, preparing, managing, monitoring, auditing and checking the programmes and projects referred to in Titles I and II,
2. the costs of disseminating the results achieved via the national programmes, studies and pilot projects referred to in Titles I and II.

Article 11

The measures necessary for the implementation of this Decision relating in particular to matters referred to in Article

4 shall be adopted in accordance with the procedure referred to in Article 12(2).

Article 12

1. The Commission shall be assisted by the Committee for Fisheries and Aquaculture established by Article 17 of Regulation (EEC) No 3760/92, hereinafter called 'the Committee'.

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

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

3. The Committee shall adopt its rules of procedure.

Article 13

This Decision shall apply from 22 July 2000.

Article 14

This Decision is addressed to the Member States.

Done at Luxembourg, 29 June 2000.

For the Council

The President

M. ARCANJO

ANNEX

Expenditure eligible under Community programmes

Without prejudice to paragraph 4, eligible expenditure shall consist only of expenditure actually borne by the beneficiary and the participants between the date of commencement of the project and its date of completion, and required for carrying out the work. Eligible expenditure may include all or some of the following:

- staff costs
- travelling expenses
- durable goods
- consumable materials and supplies
- vessels
- computer costs
- subcontracting/outside assistance and other expenditure.

1. Staff costs

- 1.1. Expenditure on staff for the time actually devoted to the project by scientific or technical staff only.
- 1.2. Staff costs shall be apportioned in relation to the working time actually devoted to the project and shall be calculated by reference to:
 - actual labour costs (wages, social costs, social security and pension contributions), or
 - average labour costs, in line with the practice of the beneficiary or the participant concerned, if this average does not diverge significantly from actual labour costs.
- 1.3. Time devoted by staff to the programme and apportioned must appear in full in the records (time sheets) and be certified at least once each month by the person responsible for the programme or any other competent member of the managerial staff working on the programme.

2. Travelling expenses

- 2.1. Travelling expenses shall be apportioned in accordance with the internal rules of the beneficiaries or participants; however, for journeys outside the Community, prior agreement of the Commission shall be required.

3. Durable goods

- 3.1. Expenditure on durable goods shall relate to purchase or production after the date of actual commencement of the programme or within the preceding six months and:
 - which have an expected life not shorter than the duration of the work under the programme,
 - which are included in the inventory of durable goods of the coordinator or participant concerned, or
 - which are regarded as assets in accordance with the accounting methods, rules and principles of the beneficiary or participant concerned.
- 3.2. For the purpose of calculating the eligible expenditure, durable goods will be considered to have a probable life of 36 months in the case of computer equipment of a value not exceeding EUR 10 000, and 60 months in the case of other goods. The eligible amount will depend on the expected life of the goods in relation to the duration of the programme, on condition that the period used to calculate this amount starts on the actual date of commencement of the programme, or the date of purchase of the goods where this occurs after the date of commencement, and ends on the date of completion of the programme. Account should be taken also of the use made of the goods during that period.
- 3.3. For each purchase of durable goods, a certified copy of the invoice must be attached to the statement of income and expenditure, and forwarded to the Commission.

4. Consumable materials and supplies

- 4.1. Expenditure on consumable raw materials for the purchase, production, repair or use of any goods or equipment which:
 - have a probable life shorter than the duration of the work under the programme, and
 - are not included in the inventory of durable goods of the beneficiary or participant concerned, or
 - are not regarded as assets in accordance with the accounting principles, rules and methods of the coordinator or participant concerned.

5. Vessels

For research surveys at sea, including those conducted from chartered vessels, only rental costs and other operating costs shall be eligible. A certified copy of the invoice must be attached to the statement of income and expenditure and forwarded to the Commission.

6. Computer costs

6.1. Expenditure on the establishment and supply to Member States of software for the management and interrogation of databases.

7. Subcontracting/outside assistance and other expenditure

7.1. Subcontracting/outside assistance (standard and non-innovative services, provided for beneficiaries or partners who are unable to provide them themselves) or any other additional or unforeseen expenditure not falling within one of the above categories may be charged to the programme only with the prior agreement of the Commission.

7.2. Countries outside the Community may, if their contribution is necessary or desirable for carrying out Community programmes, participate as subcontractors in a national programme with the written approval of the Commission.

8. Unauthorised expenditure

8.1. The expenditure listed below is not regarded as eligible and may not be charged directly or indirectly to the Commission:

- profit margins
 - expenditure on luxuries
 - distribution, marketing and advertising costs of promoting products and commercial activities
 - provisions
 - interest or income on capital investments
 - bad debts
 - entertainment expenses, other than those regarded by the Commission as strictly necessary for carrying out the work under the project
 - all expenditure on other projects financed by a third party
 - all expenditure on protecting the results of the work carried out under the project
 - indirect costs such as: administration, support staff, office supplies, infrastructure, goods and services
 - VAT and other recoverable types of levy, charge or duty, reimbursed or offset, in one way or other.
-

COMMISSION

COMMISSION DECISION

of 30 June 2000

on a draft Regulation of the Kingdom of the Netherlands relating to the naming and labelling of lemonades and soft drinks

(notified under document number C(2000) 1700)

(Only the Dutch text is authentic)

(Text with EEA relevance)

(2000/440/EC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Directive 79/112/EEC of 18 December 1978 on the approximation of the laws of the Member States relating to the labelling, presentation and advertising of foodstuffs for sale to the ultimate consumer ⁽¹⁾, as last amended by Directive 97/4/EC of the European Parliament and of the Council ⁽²⁾, and in particular Articles 16(2) and 17 thereof,

Whereas:

- (1) In accordance with the procedure laid down in Article 16(2) of Directive 79/112/EEC, the Netherlands authorities have notified the Commission of a draft Regulation which includes specific labelling provisions for soft drinks.
- (2) Pursuant to Article II.B of the aforementioned draft Regulation, the labelling of soft drinks containing at least 150 mg/l of caffeine, and no more than 350 mg/l, should include the following information: 'contains 150 to 350 mg/l of caffeine, corresponding to 2 to 4 cups of coffee'.
- (3) In accordance with Article 16(2) of Directive 79/112/EEC, the Commission has consulted the other Member States through the Standing Committee on Foodstuffs.
- (4) The Member States and the Commission have recognised that it is important for consumers to be informed, through a specific warning on the labelling, that a food-

stuff contains certain substances, where it is known that excessive consumption of those substances can produce undesirable health effects in certain individuals. Caffeine is one such substance.

- (5) It would therefore be useful to make it compulsory for the labelling of the products concerned to emphasise the presence of certain substances by means of an explicit warning which consumers could not overlook.
- (6) However, such a measure applied unilaterally by the Netherlands in respect of caffeine would be sure to hinder intra-Community trade. In addition, the reference to an equivalent number of cups of coffee appears imprecise and ambiguous, indeed liable to be misinterpreted by consumers.
- (7) This finding has prompted the Commission to deliver a negative opinion in accordance with the second subparagraph of Article 16(2) of Directive 79/112/EEC.
- (8) The most satisfactory solution to the problem posed by the draft Netherlands Regulation will be to draw up a Community labelling provision. The Commission will do all it can to reach a satisfactory solution such as this within the time period laid down in Article 1 of this Decision.
- (9) It is therefore necessary to suspend any national initiative in this field for an appropriate period of time.
- (10) The measures laid down in this Decision are in conformity with the opinion of the Standing Committee on Foodstuffs,

⁽¹⁾ OJ L 33, 8.2.1979, p. 1.

⁽²⁾ OJ L 43, 14.2.1997, p. 21.

HAS ADOPTED THIS DECISION:

Article 1

The Kingdom of the Netherlands is hereby required to suspend, for a period of 12 months from the date of notification of this Decision, the adoption of that part of its draft Regulation which concerns labelling provisions making it compulsory to indicate 'contains 150 to 350 mg/l of caffeine, corresponding to 2 to 4 cups of coffee' on soft drinks containing caffeine.

Article 2

This Decision is addressed to the Kingdom of the Netherlands.

Done at Brussels, 30 June 2000.

For the Commission

David BYRNE

Member of the Commission

COMMISSION DECISION
of 10 July 2000
amending Decision 94/650/EC on the organisation of a temporary experiment on the marketing of
seed in bulk to the final consumer

(notified under document number C(2000) 1859)

(Text with EEA relevance)

(2000/441/EC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Directive 66/401/EEC of 14 June 1966 on the marketing of fodder plant seed ⁽¹⁾, as last amended by Directive 98/96/EC ⁽²⁾, and in particular Article 13a thereof,

Having regard to Council Directive 66/402/EEC of 14 June 1966 on the marketing of cereal seed ⁽³⁾, as last amended by Directive 1999/54/EC ⁽⁴⁾, and in particular Article 13a thereof,

Whereas:

- (1) Commission Decision 94/650/EC ⁽⁵⁾, as last amended by Decision 98/174/EC ⁽⁶⁾, established a temporary experiment at Community level with the aim of assessing whether the marketing of seed in bulk to the final consumer could bring about a substantial saving of costs in relation to the packing, the packaging material and subsequent disposal thereof, without resulting in any adverse effect on the quality of the seed compared with the level of quality achieved under the present system.
- (2) In the light of experience gained in the course of the experiment which lasts until 30 June 2000 these statements cannot yet be confirmed at Community level, on the basis of the information available.
- (3) It is therefore useful to extend the period of the experiment under the same conditions with the aim of assessing whether the above statements can be sustained at Community level.

(4) It is necessary not to interrupt the continuity of the experiment.

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

HAS ADOPTED THIS DECISION:

Article 1

In Article 4(4) of Decision 94/650/EC the date '30 June 2000' is replaced by '31 August 2001' in both places in which it appears.

Article 2

This Decision shall enter into force on 30 June 2000.

Article 3

This Decision is addressed to the Member States.

Done at Brussels, 10 July 2000.

For the Commission

David BYRNE

Member of the Commission

⁽¹⁾ OJ L 125, 11.7.1966, p. 2298/66.

⁽²⁾ OJ L 25, 1.2.1999, p. 27.

⁽³⁾ OJ L 125, 11.7.1966, p. 2309/66.

⁽⁴⁾ OJ L 142, 5.6.1999, p. 30.

⁽⁵⁾ OJ L 252, 28.9.1994, p. 15.

⁽⁶⁾ OJ L 63, 4.3.1998, p. 31.

COMMISSION DECISION

of 11 July 2000

amending for the second time Decisions 1999/466/EC and 1999/467/EC establishing respectively the officially brucellosis-free and tuberculosis-free status of bovine herds of certain Member States or regions of Member States

(notified under document number C(2000) 1943)

(Text with EEA relevance)

(2000/442/EC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Directive 64/432/EEC of 26 June 1964 on health problems affecting intra-Community trade in bovine animals and swine ⁽¹⁾, as last amended by Directive 2000/15/EC ⁽²⁾, and in particular Annex AI(4) and AII(7) thereto,

Whereas:

- (1) Commission Decision 1999/466/EC of 15 July 1999 establishing the officially brucellosis-free status of bovine herds of certain Member States or regions of Member States and repealing Decision 97/175/EC ⁽³⁾, as amended by Decision 2000/69/EC ⁽⁴⁾ granted this status to certain Member States and regions thereof until 30 June 2000.
- (2) Commission Decision 1999/467/EC of 15 July 1999 establishing the officially tuberculosis-free status of bovine herds of certain Member States or regions of Member States and repealing Decision 97/76/EC ⁽⁵⁾, as amended by Decision 2000/69/EC, granted this status to certain Member States and regions thereof until 30 June 2000.
- (3) The temporary limitations of the officially-free status with regard to bovine brucellosis foreseen in the above Decisions was introduced due to incoherence of dates in different pieces of legislation relating to the system of identification of bovine animals.
- (4) Pending the coming into force of a modification of Annex AI(4)(b) and AII(7)(b) to Directive 64/432/EEC, it is necessary to prolong the temporary approval of the

status of the bovine herds of the regions mentioned in Annexes II to Decisions 1999/466/EC and 1999/467/EC as officially free of bovine brucellosis and tuberculosis respectively.

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

HAS ADOPTED THIS DECISION:

Article 1

1. The words 'until 30 June 2000' in the title of Annex II to Decision 1999/466/EC are replaced by the words 'until 31 October 2000'.
2. The words 'until 30 June 2000' in the title of Annex II to Decision 1999/467/EC are replaced by the words 'until 31 October 2000'.

Article 2

This Decision is addressed to the Member States.

Done at Brussels, 11 July 2000.

For the Commission

David BYRNE

Member of the Commission

⁽¹⁾ OJ L 121, 29.7.1964, p. 1977/64.

⁽²⁾ OJ L 105, 3.5.2000, p. 34.

⁽³⁾ OJ L 181, 16.7.1999, p. 34.

⁽⁴⁾ OJ L 23, 28.1.2000, p. 76.

⁽⁵⁾ OJ L 181, 16.7.1999, p. 36.

CORRIGENDA**Corrigendum to Council Regulation (EC) No 1334/2000 of 22 June 2000 setting up a Community regime for the control of exports of dual-use items and technology**

(Official Journal of the European Communities L 159 of 30 June 2000)

On page 10, in Annex I, in 'GENERAL NOTES TO ANNEX I':

for: '3. The control of technology transfer in this Annex is limited to tangible forms.

4. Goods specified in this Annex include both new and used goods.'

read: '3. Goods specified in this Annex include both new and used goods.'
